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OF THE

SIXTY-THIRD CONGRESS, THIRD SESSION.

VOLUME LII.

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VOLUME LII, PART II.

CONGRESSIONAL RECORD,

SIXTY-THIRD CONGRESS, THIRD SESSION.

SENATE.

THURSDAY, *January 7, 1915.*

(Legislative day of Wednesday, January 6, 1915.)

The Senate met at 11 o'clock a. m., on the expiration of the recess.

ANNIVERSARY OF BATTLE OF NEW ORLEANS.

Mr. THORNTON. Mr. President, on yesterday I submitted a concurrent resolution expressing the sense of Congress in connection with the celebration of the Battle of New Orleans tomorrow. That resolution ordinarily would have come up automatically this morning, but on account of there being a recess from yesterday, I presume it will be necessary to ask unanimous consent to call up the resolution at this time and dispose of it. It will not consume over five minutes of the time of the Senate.

The PRESIDENT pro tempore. Unless there is objection, the request of the Senator from Louisiana will be granted. The Chair hears none. The Secretary will read the concurrent resolution.

The Secretary read Senate concurrent resolution No. 35, submitted yesterday by Mr. THORNTON, as follows:

Whereas the General Assembly of the State of Louisiana for the year 1914 provided by act No. 144 for a fitting celebration of the one hundredth anniversary of the Battle of New Orleans, intrusting the execution of the provisions of said act to the Louisiana Historical Society; and

Whereas, in accordance with said act, invitations have been extended to the respective presiding officers and the Members of the Congress of the United States to attend these commemorative exercises to be held in the city of New Orleans on January 8, 9, and 10, 1915: Therefore be it

Resolved by the Senate (the House of Representatives concurring), That the Congress of the United States acknowledges with pleasure the receipt of said invitations and appreciates the courtesy thus extended.

Resolved further, That the Congress of the United States commends the patriotic spirit that has prompted the people of Louisiana to celebrate properly the great victory achieved on the field of Chalmette by American arms under the leadership of Andrew Jackson, and rejoices in the heroic valor displayed by friend and foe alike in that memorable conflict.

Resolved further, That a copy of this resolution be transmitted to the governor of Louisiana, the mayor of New Orleans, and the Louisiana Historical Society.

Mr. THORNTON. Mr. President, 100 years less one day ago, within sight of the city of New Orleans, was fought the last battle of the War of 1812 between the United States and Great Britain.

It was a battle which, considering the great inequality of the forces engaged, both in point of numbers and of military training and the tremendous disparity between the losses on the two sides, deserves to be classed among the most remarkable in the annals of military warfare.

Less than 4,000 Americans, new and untrained levies from Tennessee, Kentucky, and Louisiana, with a company from Mississippi, aided by about a thousand Regular and a ship's crew of gallant New England sailors, who had fought their ship against overpowering odds until she was destroyed and then served with the land forces, and a detachment of Lafitte's pirate band, who although outlawed by Louisiana on account of their crimes, yet sought and received permission to fight against the foreign invaders of her soil, repulsed the repeated and determined assaults of 10,000 trained British veterans, who had greatly distinguished themselves in the recent Napoleonic wars, and who with their officers were as brave a body of soldiers as the world then knew, with a loss of about a dozen on the American to about 3,000 on the British side.

On that memorable day when the sharp crack of the backwoodsmen's rifles mingling with the roar of the cannon commanded by Dominique Yew, the lieutenant of Lafitte, wrought such fearful havoc in the enemy's ranks, a bright and undying luster was shed on American soldiers and on their commander on that field, Gen. Andrew Jackson, whose great military genius combined with his wonderful energy and skill in organizing the American forces made the great victory possible.

Since that time the State of Louisiana has celebrated this battle on each recurring yearly anniversary and has made the day a legal holiday throughout her borders.

On this hundredth anniversary she seeks to celebrate it with unusual display, and has asked and been promised the cooperation of the land and naval forces of the United States, and has invited the President and the Congress to participate in the ceremonies at New Orleans in commemoration of an event that should be a source of pride to Americans everywhere.

I ask for the adoption of the concurrent resolution.

The PRESIDENT pro tempore. Unless there is objection the concurrent resolution will be agreed to. The Chair hears none, and it is agreed to.

RED LAKE INDIAN FOREST.

Mr. NELSON. I ask unanimous consent to introduce a bill, and that it be referred to the Committee on Indian Affairs.

The PRESIDENT pro tempore. Without objection, the bill will be received and referred to the Committee on Indian Affairs.

The bill (S. 7179) to provide for the establishment of a forest reserve within the Red Lake Indian Reservation, Minn., was read twice by its title and referred to the Committee on Indian Affairs.

THE MERCHANT MARINE.

The PRESIDENT pro tempore. The Senate resumes the consideration of Senate bill 6856, the so-called shipping bill.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 6856) to authorize the United States, acting through a shipping board, to subscribe to the capital stock of a corporation to be organized under the laws of the United States or of a State thereof, or of the District of Columbia, to purchase, construct, equip, maintain, and operate merchant vessels in the foreign trade of the United States, and for other purposes.

Mr. DILLINGHAM. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Senator from Vermont suggests the absence of a quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Fletcher	Perkins	Smoot
Bryan	Gallinger	Ransdell	Thomas
Burton	Martine, N. J.	Robinson	Thornton
Clarke, Ark.	Nelson	Sherman	Vardaman
Cummins	Overman	Smith, Ga.	Williams.
Dillingham	Page	Smith, Md.	

Mr. MARTINE of New Jersey. I was requested to announce the unavoidable absence, owing to illness in his family, of the Senator from West Virginia [Mr. CHILTON], and also to state that he is paired with the Senator from New Mexico [Mr. FALL]. This announcement may stand for the day.

Mr. ASHURST. I wish to announce that both the senior Senator from Oregon [Mr. CHAMBERLAIN] and the junior Senator from Oregon [Mr. LANE] are detained from the Senate on official business.

I further desire to announce that my colleague [Mr. SMITH of Arizona] is unavoidably absent, and that in his absence he is paired with the senior Senator from Connecticut [Mr. BRANDEGEE].

In order to save time I shall not repeat this announcement, but will let it stand for the day.

Mr. SMITH of Georgia. I wish to announce the necessary absence from the city of the junior Senator from Indiana [Mr. KERN]. This announcement I wish to continue for the day.

Mr. OVERMAN. I desire to announce that my colleague [Mr. SIMMONS] is absent on account of sickness. I will let this announcement stand for the day.

The PRESIDENT pro tempore. Twenty-three Senators have answered to their names. A quorum of the Senate is not present. The Secretary will call the roll of the absentees.

The Secretary called the names of the absent Senators, and Mr. CULBERSON, Mr. GRONNA, Mr. JOHNSON, Mr. NORRIS, Mr. ROOT, Mr. SMITH of South Carolina, Mr. STERLING, Mr. STONE, and Mr. WHITE answered to their names when called.

Mr. CLAPP, Mr. MCCUMBER, and Mr. POMERENE entered the Chamber and answered to their names.

The PRESIDENT pro tempore. Thirty-five Senators have answered to their names. A quorum of the Senate is still not present. What is the pleasure of the Senators present?

Mr. SMITH of Georgia. I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

The motion was agreed to.

The PRESIDENT pro tempore. The Sergeant at Arms will take due notice and enforce the order.

Mr. LA FOLLETTE, Mr. O'GORMAN, Mr. CAMDEN, Mr. BRADY, Mr. JONES, and Mr. MYERS entered the Chamber and answered to their names.

Mr. HARDWICK, Mr. WORKS, Mr. WALSH, Mr. TOWNSEND, Mr. TILLMAN, Mr. GORE, Mr. SUTHERLAND, and Mr. SAULSBURY entered the Chamber and answered to their names.

The PRESIDENT pro tempore. Forty-nine Senators having answered to their names, a quorum of the Senate is present.

Mr. FLETCHER. Mr. President, as I understand, the parliamentary situation is that Senate bill 6856 is under consideration, and that the adoption of the amendment offered by the committee in the nature of a substitute is the pending question?

The PRESIDENT pro tempore. A substitute under our rules is practically a motion to strike out and insert; it constitutes two questions. The friends of the original text of the bill may perfect it, if they so desire, before the question is put on the adoption of the substitute; but if no amendment shall be offered to the original bill, the question will be on the adoption of the substitute. The bill is before the Senate as in Committee of the Whole and open to amendment. No amendment having been offered to the original text, the question is on the adoption of the substitute.

Mr. THOMAS obtained the floor.

Mr. BURTON. Then, Mr. President, I understand the pending question is on the adoption of the substitute offered yesterday for the bill originally reported?

The PRESIDENT pro tempore. The Senator from Ohio is correct.

Mr. BURTON. I desire to discuss that.

Mr. THOMAS. Who has the floor, Mr. President?

The PRESIDENT pro tempore. The Senator from Colorado has been recognized for the present. The Chair will recognize the Senator from Ohio when the Senator from Colorado concludes.

Mr. THOMAS. Mr. President, during the discussion of Senate resolution 512 on yesterday the senior Senator from New York [Mr. ROOT] sent to the desk an order of the Treasury Department bearing date of October 28, 1914, which was, by his request, read into the RECORD. The Senator then briefly but severely criticized the order, which I will read into the RECORD. The Senator said:

> Mr. President, at a time when, under the admitted law of nations, when under the law as it is agreed upon by both the United States and Great Britain, Great Britain was justified in stopping and searching vessels for contraband, this Treasury order imposes secrecy upon the cargoes of vessels sailing from our ports, necessarily creating a suspicion, necessarily involving the honest cargoes in the same interference, delay, inconvenience, and injury which will be visited upon clandestine attempts to introduce contraband. Let us know why that was done, and let us have a resolution, not interfering with the resolution of the Senator from Georgia for the purpose, but adopting that, and then let us have a resolution that will cover this whole ground and find out why all honest American commerce has been blackened by a Treasury order which creates suspicion regarding it.

Mr. President, the order against which this criticism was directed is very brief. It is dated the 28th of October, 1914, is directed to collectors and other officers of customs, and is as follows:

> Until further directed you will refrain from making public or giving out to any other than duly authorized officers of the Government information regarding any and all outward cargoes and the destination thereof until 30 days after the date of the clearance of the vessel or vessels carrying such cargoes.

Of course, Mr. President, under the statute, manifests of outward-bound cargoes are required to be filed with customs officers and by them transmitted to the Statistical Bureau, the primary if not the only purpose being to inform that bureau of the nature of the shipments which constitute our exports. That has been done ever since the statute was enacted; and, although the literal requirement of the law is that the filing of the manifests shall precede or accompany the commencement of the voyage, it has been the custom until recently to permit them to be filed four days after the voyage has begun, that being for the interest and the convenience of the shippers themselves. This privilege, however, was on the 10th day of August last revoked by a departmental order, permitting vessels to clear only after compliance with the statute.

For many years a press bureau interested in the subject has been given access to these manifests to secure such statistical information, excepting the names of consignor and consignee, as might be desired and for general information; a bureau which, of course, serves a very important and desirable purpose.

That practice continued until the 28th day of October last, shortly before which the New York Merchants' Association, at the solicitation of some of its members, requested of the Government that information concerning these manifests be withheld for a period of two or three weeks after the vessel had begun its voyage. The Secretary of Commerce being in the city of New York on the 27th day of October conferred with the officers of this association concerning the subject. As a result of the conference the Secretary sent a telegram to the President of the United States, the substance of which was that his attention had been brought by the Merchants' Association of New York to the fact that published manifests showing details of cargoes were constantly utilized by official representatives of belligerent powers to inform their Governments concerning the nature of such cargoes, thus prompting their capture or detention; that this had resulted in the serious delay of neutral cargoes, thereby adversely affecting American shippers, and that it had been suggested by the association that the publication of the details of manifests be suspended for two or three weeks after the sailing, and requesting early consideration of the subject.

This matter was at once brought to the attention of the Treasury Department, with the result that on the succeeding day the order which was the subject of yesterday's discussion was promulgated. Immediately following the promulgation of the order the merchants' association, in the current issue of its official weekly bulletin, published the following statement concerning the order which appears in the New York Journal of Commerce of November 2:

> At the instance of the merchants' association the Treasury Department has issued the following statement to all collectors of customs:
> "Until further directed you will refrain from making public or giving out to any other than duly authorized officers of the Government information regarding any and all outward cargoes and the destination thereof until 30 days after the date of the clearance of the vessel or vessels carrying such cargoes."
> The order was issued by direction of President Wilson, and it is of vital importance to the commerce of the port of New York at this time. Some of the commodities which hitherto have formed a large part of our exports have been declared contraband by the countries at war in Europe. Cargoes containing these commodities have been held up and their delivery to consignees prevented. The result has been that shippers have largely refrained from attempting to send such commodities abroad. The State Department has informed subjects of the United States that they are free to ship contraband articles, even ammunition, to belligerents, but that such shipments must be at the risk of seizure.
> It has been the custom in the New York customhouse to make daily announcements of the character and quantity of merchandise leaving this port for foreign countries. Advantage has been taken of this fact by representatives of the countries at war to inform their Governments of shipments of materials which have been declared contraband, the name of the vessel carrying them, and its destination. It has thus been easy for belligerent nations to stop such shipments.
> Members of the merchants' association recently brought this situation to the attention of the association, with a request that an effort be made to suspend the practice. The matter was promptly taken up with the authorities at Washington. Mr. S. C. Mead, secretary of the association, communicated with the Department of Commerce, and Secretary Redfield made a personal visit to the headquarters of the association. After going over the situation he telegraphed to President Wilson, suggesting that the rule requiring daily information of shipments to be made public be suspended. Mr. Mead also went to Washington, where he conferred with officials of the State Department and the Secretary of the Treasury. As a result the President's order was issued last Wednesday.
> The suspension of the rule under which daily information regarding shipments has been made public is expected to have a stimulating effect upon commerce from this port. The Government orders given by countries at war alone amount to many millions of dollars in this country. In addition, important industries abroad are largely dependent upon raw materials obtained from the United States. Shipments of these articles, when they have been declared contraband, have been almost entirely discontinued.
> While the United States has been endeavoring to stimulate foreign trade, at the same time, through operation of the rule now suspended by the Treasury Department, it has been aiding materially in maintaining an embargo upon many articles of commerce which this country is ready and anxious to export. Many of the vessels carrying cargoes from the United States have been held up by patrol vessels of belligerents.
> The importance of maintaining a foreign outlet for United States products is seen in the present condition of the cotton market, where the suspension of the foreign demand is causing financial distress throughout the South. Similar conditions exist with regard to other less conspicuous products.

Of course, Mr. President, the effect of this order upon the custom previously and then prevailing, whereby information concerning the shipments and the articles constituting the respective cargoes was given to the public, necessarily aroused antagonism to its operation, not only by the members of the press, but as well by a certain class of brokers and business men concerned in the communication of this information to others. They made their protests to the department, and I presumed that it was due to these protests that the distinguished Senator from New York saw fit to animadvert so severely upon this order. However, it is to be noticed that this embargo upon the publication of the manifests, or of their contents, in no manner affected the consignors or the consignees, or, indeed, the shipowners themselves. All of these were quite as much at liberty to give to the public information concerning their cargoes as they were prior to the time the order itself was made. Hence, its only purpose could be to comply with the convincing arguments of the New York Merchants' Association and comply with its request as far as the Government was convinced that it should do so.

This order, which the Senator declares is one which blackens with suspicion all of our export trade, had its origin in the request of a great mercantile association, the members of which form a part, and a very considerable and prominent part, of the Senator's constituency. I feel very sure that had these facts been within the knowledge of the Senator his objections to the order would at least have been expressed in milder form than was the case. I do not believe the Senator from New York was inspired by any partisan or other motive which I could justly criticize to condemn the action of the Treasury

Department with reference to this order, for I assume that his opinion of its effect was as he stated it to be.

Mr. SUTHERLAND. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Colorado yield to the Senator from Utah?

Mr. THOMAS. I yield.

Mr. SUTHERLAND. Mr. President, I did not hear all the Senator has said about this order, and perhaps he may have already stated what would be an answer to the question I am about to propound. Has it been the custom heretofore to make public these manifests at once?

Mr. THOMAS. It was the custom, up to the 28th day of October, to permit the press bureau identified with the customs department and others to have access to these manifests, and they were permitted to make public the items constituting the cargo and its destination, but without giving the name of the consignor or of the consignee, the restriction being obviously to the interest of those directly identified with the shipment.

Mr. SUTHERLAND. But the information as to what cargo was carried by any particular vessel has heretofore been entirely open to the public?

Mr. THOMAS. With those exceptions; yes.

Mr. SUTHERLAND. With the exception of the name of the consignor and the name of the consignee?

Mr. THOMAS. Yes; and possibly some others.

Mr. SUTHERLAND. Does the Senator know whether or not that custom has ever heretofore been departed from, except in this single instance?

Mr. THOMAS. I do not know positively; but I do not think it has been heretofore departed from, and it is departed from now, not by the initiative of the department, but because of the request formally presented, and afterwards urged upon the consideration of the department, by the New York Merchants' Association.

Mr. SUTHERLAND. Then, let me ask the Senator, further, whether or not the purpose and the effect of the order is to facilitate the trade of a part of our people in contraband articles?

Mr. THOMAS. If the Senator had been here when I read the announcement of the mercantile association, he would have received a much better answer than I can make to the question.

Mr. SUTHERLAND. Unfortunately, while I was in the Chamber, there was so much confusion that I was unable to hear it.

Mr. THOMAS. I shall be very glad, before returning this paper to the Library, to deliver it to the Senator, so that he may read it. I can state, however, that the principal complaint made by the association was that the representatives of belligerent powers were abusing the right of access to these manifests by obtaining and transmitting to their own Governments information as to the nature, character, and destination of the cargoes, thereby interfering with our export trade and resulting in the frequent detention of cargoes bound to neutral ports.

Mr. SUTHERLAND. Of course they could not in any manner bring about any interference with the cargo unless it was contraband, I imagine.

Mr. THOMAS. Not lawfully; but the criticism which the Senator from New York made of this order on yesterday was that by our official action we had blackened with suspicion every cargo leaving an American port. My purpose in referring to the matter this morning is to place upon the RECORD the actual facts which attended the making and promulgation of the order.

Mr. SUTHERLAND. Let me ask the Senator, then, another question.

We have all been informed, through the newspapers and otherwise, that certain shippers have endeavored to conceal in the cargoes articles which were contraband. For example, it has been said that copper has been carried under a load of cotton. It has been said that, in one instance at least, copper bars were painted to represent pigs of iron, and that in other ways concealment has been attempted as to the character of the cargo or some portions of the cargo, so as to conceal the fact that the articles were contraband. Now, if I understand the matter—and I will ask the Senator from Colorado if I am right—the manifest must truly state what is carried in the cargo. The manifest would show, in the instance I have spoken of, notwithstanding the fact that the copper was concealed, that it was actually carried. Now, I ask the Senator whether the effect of that would not be to invite suspicion as to other cargoes than those which actually did contain contraband. When the manifest is held up, so that foreign countries will not have information as to what is being carried, will not that naturally excite more or less suspicion with reference to that as well as other cargoes?

Mr. THOMAS. Mr. President, of course it is true that under the law a manifest should contain a correct description of the various materials going to make up the cargo; but it is, I think, equally clear that if cargoes such as are involved in the Senator's question constitute the contents of any given vessel the very reasons which prompted the peculiar method of transmission would also prompt falsification of the manifest; and, as a consequence, the manifest would give no indication to any person who might inspect it as to that particular fact.

The Senator, however, perhaps overlooks another fact, which, of course, may not be important in connection with the subject matter of his question. That is that this order simply interdicts the giving of information for 30 days by officers of the United States, leaving the shipowner, the shipmaster, the consignor and the consignee just as free as they were before to give all information they may desire, either to the public or to individual inquirers.

Mr. SUTHERLAND. I imagine, however, that if the consignor, the consignee, the shipowner, and the shipmaster were all engaged in helping to carry on contraband trade, none of them would be likely to give information.

Mr. THOMAS. I think that is true. At the same time, the contraband character of the cargo, if concealed, would not be likely to appear in the ship's manifest. But, Mr. President, although I think the order was a good one, and should have been made, it is not my present purpose to defend the order itself so much as to explain and inform the country of the circumstances under which it was promulgated and the association which asked for its promulgation. Inasmuch as it came from one of the oldest, one of the largest, and one of the most influential commercial bodies in the country, the component members of which doubtless belong to all political parties and entertain all shades of political belief, the criticism of the Senator from New York, if it is a sound one, should have been directed to his own constituents, who requested this order, rather than to the officers of the Government who promulgated it at their request.

Generally speaking, the Senator from New York is well informed upon everything he discusses upon this floor. Of course we can not expect perfection in human nature. Even Homer nodded occasionally. Consequently, I can with perfect consistency assume that in this instance there were some things, both of fact and possibly of philosophy, relating to the subject on which the Senator had not been informed.

Mr. SMITH of Georgia. Mr. President, I was interrupted during a part of the Senator's remarks. Has the order been revoked?

Mr. THOMAS. The order has not been revoked.

Mr. SMITH of Georgia. It is still in force?

Mr. THOMAS. It is still in force.

The PRESIDENT pro tempore. The Senator from Ohio [Mr. BURTON] has indicated a purpose to address the Senate at this time.

Mr. WALSH and Mr. CUMMINS addressed the Chair.

Mr. SUTHERLAND. Mr. President, will the Senator from Ohio yield to me for a moment?

Mr. BURTON. Certainly.

The PRESIDENT pro tempore. Does the Senator from Ohio yield to the Senator from Montana? The Senator from Montana sought recognition first. The Chair will recognize the Senator from Utah in a moment.

Mr. BURTON. I yield to the Senator from Montana.

Mr. WALSH. Mr. President, a week ago I presented to the Senate a resolution asking for certain information from the Department of State in relation to seizures of copper alleged to be contraband. There has not been up to this time an opportunity when I was here to have consideration of the resolution. I apprehend it will give rise to no discussion; and I appeal to the Senator in charge of the bill now before the Senate and to the Senator from Ohio, who has the privilege of the floor at this time, to allow that matter to come up for consideration. I ask unanimous consent for its present consideration.

The PRESIDENT pro tempore. Does the Senator from Ohio yield for the purpose indicated?

Mr. BURTON. Certainly. I take it that it will not require any great amount of time or lead to any lengthy discussion. If it should, I wish to reserve the right to object.

The PRESIDENT pro tempore. Is there objection?

Mr. FLETCHER. I make no objection, Mr. President, the understanding being——

Mr. GALLINGER. Mr. President, I object.

The PRESIDENT pro tempore. Objection is made.

Mr. SUTHERLAND and Mr. CUMMINS addressed the Chair.

The PRESIDENT pro tempore. Does the Senator from Ohio yield to the Senator from Utah?

Mr. BURTON. Certainly.

Mr. SUTHERLAND. Mr. President, I have no intention of speaking at any length upon the subject which has just been discussed by the Senator from Colorado. I simply want to say a word or two about it. It strikes me that the matter is surrounded with more or less suspicion, to say the least of it.

It has apparently been the custom of the United States heretofore to promptly allow to be made public the shipments which were made from our ports to foreign countries. Outside of what the Senator from Colorado has said about it, my own understanding is that that has been the unbroken custom; and it seems to me, that being so, that this is an unfortunate time, rather than a good time, to introduce the contrary rule.

It has been said that some of the shippers from the United States have been guilty of sharp practices in connection with the shipment of contraband articles; that things that are contraband have been concealed in the cargo in such a way as not to be readily discoverable; and in other instances, as in the case of copper painted so as to look like iron, articles have been made to represent something which they actually were not.

It seems to me that a policy of secrecy, such as this seems to be, is one which of necessity must invite interference from the belligerent powers. Of course, they have a right to intercept the shipment of contraband articles which are intended for another one of the belligerents with which the country that institutes the search is at war; and upon reasonable suspicion they would have a right to undertake to ascertain the fact as to whether or not contraband articles were being carried.

Mr. WALSH. Mr. President——

Mr. SUTHERLAND. Just a moment. When we provide, as seems to be the case here, that no information shall be given for 30 days unless the consignor or consignee chooses to give it, that of itself is more or less a circumstance of suspicion. I yield to the Senator from Montana.

Mr. WALSH. The Senator has referred to clandestine efforts to introduce copper into belligerent territory, and much has been said in rather a general way about the concealment of copper bars in cotton bales and the coloring of copper bars so as to seem like steel rails. Has the Senator any definite information about specific instances of that character that he can lay before the Senate?

Mr. SUTHERLAND. No; I have not. I have no information beyond that which other Members of the Senate have.

Mr. WALSH. I inquired of the Senator because some diligent inquiry on my part has failed to reveal anything in that connection except some general statements of that character without any reference to specific instances at all. I thought possibly the Senator might have definite information.

Mr. SUTHERLAND. I think, however——

Mr. SMITH of Georgia. If the Senator will pardon me——

Mr. SUTHERLAND. I think, however, it is a thing that is quite likely to occur at a time like this. It has occurred in the past, and it is quite likely it will occur under present circumstances. Whether it has occurred or not, this order that is made is certainly calculated to facilitate that kind of practice.

Mr. THOMAS. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Utah yield to the Senator from Colorado?

Mr. SUTHERLAND. I yield to the Senator from Georgia because he rose first.

Mr. SMITH of Georgia. I wish to say to the Senator from Utah, following the suggestion of the Senator from Montana, that cotton shippers have challenged the production of a single instance in which copper was concealed in cotton, and so far the circulators of that rumor have never been able to name the vessel or to produce their evidence. Quite a vigorous effort has been made to induce the designation of the ship and of the cargo. We are satisfied that that part of the report is entirely without foundation.

Mr. SUTHERLAND. Yet the Senator from Georgia knows it has been stated over and over again.

Mr. SMITH of Georgia. Yes; and we have been embarrassed by the statement and we have sought to relieve our shippers from the statement.

While I am on my feet, if the Senator will pardon me, I wish to say that I sympathize with the view that this order does place an additional burden on those who are handling noncontraband goods. While it may help the contraband shipper to get through, it adds to the difficulty of the noncontraband shipper. The policy which has been pursued in the harbors in my own State, with the shipments from which I have been pretty closely connected continuously for the past 60 days, has been not only to tender an exhibit of what the cargo will comprise, but to invite the consuls of the allies to come on board and see that they are either not handling contraband goods or that they are handling them in such a way to neutral countries that should not subject them to interference. They have felt that they were entitled to all possible action before sailing, to relieve their vessels of suspicion.

Mr. THOMAS. Mr. President——

Mr. SUTHERLAND. I yield to the Senator from Colorado.

Mr. THOMAS. I would like to have the Senator from Utah, whose expressions upon this as upon every other subject are very clear and intelligent, inform me in what manner the order which is now under discussion can in any wise affect the practices of which we have had so many rumors. In other words, if a man is disposed to take contraband of war by concealing it, by changing its character and appearance, and by calling it something else, to put his purposes into actual operation, in what manner would the manifest which the statutes of the United States require for statistical purposes either prevent or promote that practice?

Mr. SUTHERLAND. Mr. President, it seems to me that the answer is very clear. These manifests are made, as I understand it, by the shippers, and the cargo is loaded under the supervision to some extent of the officials of the United States. Although I do not know, because I have not examined the subject, but I presume, because it would be a remarkable thing if it were not true, that there must be a more or less severe penalty attached to the making of a false statement as to what the cargo contains.

Mr. THOMAS. Mr. President, I concede that; but a man who will smuggle is a man who will lie, and the man who will take advantage of existing conditions, as many will, for the purpose of smuggling contraband goods either into a neutral or into a belligerent port——

Mr. SUTHERLAND. It is a good deal easier——

Mr. THOMAS. Assuming that it is a violation, and I think the Senator assumes that to some extent, will he not go the step further that is necessary to be taken and in his manifest conceal absolutely the contraband nature of his cargo?

Mr. SUTHERLAND. That does not necessarily follow.

Mr. THOMAS. One hundred dollars' fine amounts to nothing under those circumstances, although he might perhaps subject himself to prosecution for perjury.

Mr. SUTHERLAND. What the Senator from Colorado says does not necessarily follow. Take the article of copper. I will speak of that because we have been speaking of it. That is a bulky article. It is an article that can not be very well loaded in one of our ports without something being known about it at the time it is being loaded. If the manifest is held up, there is no opportunity to know what the manifest itself may show that the cargo contains a shipment of contraband, but there is also the opportunity of concealing it under the shipment of coal, or coal carried as ballast, or under a shipment of cotton or any other articles that may be carried. In other words, it is an additional circumstance which tends to facilitate the dealing upon the part of our people in contraband articles. It helps in that direction; and, as the Senator from Georgia has well said, in addition to that it embarrasses honest shippers by throwing suspicion upon them. Now, if we will pursue our policy of absolute publicity——

Mr. SMITH of Georgia. Mr. President——

Mr. SUTHERLAND. In just a moment. If we will pursue our policy of absolute publicity with reference to these manifests, then foreign countries will take it for granted as a general thing that the manifest thus made public states the truth about the matter; but if we hold it up for a period of 30 days it is likely to invite a greater degree of suspicion and a more frequent holding up of our ships for the purpose of ascertaining the facts with reference to the character of the cargoes which are no longer permitted to be disclosed by the publication of manifests. I yield to the Senator from Georgia.

Mr. SMITH of Georgia. I did not mean to intimate that the shipper of contraband goods was not honest.

Mr. SUTHERLAND. Oh, no; the Senator did not.

Mr. SMITH of Georgia. The Senator's language seemed to imply that I did. He may be perfectly honest; he has the right to ship it, but he ought to ship it under his colors, and he ought not to load down the noncontraband man with contraband colors.

Mr. SUTHERLAND. The Senator from Georgia is quite correct. The use of the word "honest" in that connection is not entirely accurate.

Mr. THOMAS and Mr. WILLIAMS addressed the Chair.

The PRESIDING OFFICER (Mr. POINDEXTER in the chair). Does the Senator from Utah yield, and to whom?

Mr. SUTHERLAND. I yield to the Senator from Colorado.

Mr. THOMAS. The deduction of the Senator from Utah may be perfectly sound, although I do not agree with him. It is not my purpose, however, to discuss that at present. I merely want to ask the Senator whether his criticism should not be directed to the action of the New York Mercantile Association rather than to the departmental authorities, unless they are to be censured for yielding to the argument and entreaty of that great commercial body.

The record shows that the matter had its inception as well as its consummation in what that association thought to be the real interest of the exporters of this country. While there may have been a mistake of judgment which is subject to all the comments of the Senator from Utah, yet, to my mind, the responsibility should rest where it belongs, and the Government should be criticized only in so far as it seems to have yielded its assent to a condition which was in all probability pressed most earnestly upon its consideration both at New York when the Secretary of Commerce was there and in Washington, where the secretary of the association visited Washington for that express purpose.

Mr. WILLIAMS. Mr. President——

Mr. SUTHERLAND. Just a moment, and then I will yield to the Senator from Mississippi. If the criticisms which I have suggested are sound, I think it follows that the request of this mercantile association was an improper request; but it does not follow that that excuses the officers of the Government for yielding to an improper request.

Mr. THOMAS. Certainly not, Mr. President.

Mr. SUTHERLAND. If it were an improper request, both the person who makes it and the person who yields to it are in the wrong.

Mr. THOMAS. That is correct, Mr. President; but are we not to assume that those who are responsible for the order had more abundant and exhaustive means of information, coming as the information did, and must have come from a body which is peculiarly fitted by experience and by the calling of their respective constituents to know, and which is much more precise, which is much more far-reaching, and much more exhaustive than any which the Senator or I or any other Member of this body possesses?

Mr. SUTHERLAND. Mr. President, the criticisms which I am making are more in the way of suggestion than of positive assertion. Further information on the subject may disclose that the officers have been right about the matter, but from the information which is at hand now, as it appears to me, there has been no sufficient excuse shown for this departure from a custom which has seemed in the past to be wise.

I yield to the Senator from Mississippi.

Mr. WILLIAMS. Mr. President, the object sought by me in interrupting the Senator from Utah was this: I think that all of you have been arguing the question from a standpoint that was unknown to the consciousness either of the merchants' association or the Government. There is no element of concealing anything or of misrepresenting anything or of misnaming anything that could possibly account for the request made by the merchants' association. The merchants' association made this request because the manifests communicated to the United States which they did not want made public contained the name of the contraband of war, not because it was concealed.

Now, the reason why they made the request was this: Under international law our citizens have a right to ship all the contraband of war they want; there is no sort of analogy to smuggling, as the Senator from Colorado seems to think.

Mr. THOMAS. Mr. President, I merely suggested that in order to assume the worst possible phase of the situation. I am of course aware that the export of contraband of war violates no law of the land.

Mr. WILLIAMS. As far as the man is concerned who was going to ship copper bars in a bale of cotton, or as far as the man who was going to paint a copper bar to look like a steel rail is concerned, the merchants' association was not thinking about him, because if his manifest, which was a false manifest, concealing the fact that he had the copper bar had been published it would not have caused any belligerent to seize the copper. The publication would have misled the belligerant's agent and helped in concealing the contraband. The merchants' association made the request because our citizens, having the right to ship contraband subject to its seizure at sea by a belligerent, thought that whenever this information that a cargo did contain contraband was communicated to the press, the agents or spies or what not of a belligerent power would communicate to their vessels that a certain ship was to leave New York on a certain date consigned to a certain port carrying so much copper or so much ammunition or so much something else, contraband, and thus lead directly to the capture of the ship. In the interest of American commerce they did not want the belligerent power to be given notice of the fact, so as to help them capture the cargo.

Now, if it were a fraudulent fellow who was hiding something, of course it would have worked in his interest to have published the false manifest of the cargo, because he would be publishing the manifest of so many bales of cotton without mentioning the copper that was on the inside of the bales, or make a false manifest of so many steel rails without mentioning that they were painted copper.

So this was not an order that in any way could protect false statements, false manifests, or concealments. It was merely an order which might protect the frank and open shipment of contraband subject to the risk of seizure where the fact that the contraband was a part of the cargo was communicated to the United States Government. Whether the order was wise or not is another question; but there can be and could have been no result of encouraging fraud or misrepresentation as a result of the issue of the order.

Mr. CUMMINS. Mr. President, before the Senator from Ohio [Mr. BURTON] proceeds with the bill under consideration I desire to make an inquiry concerning its parliamentary status. The committee reported the bill offered by the Senator from Missouri [Mr. STONE], with certain amendments. The Senator from Florida [Mr. FLETCHER] on behalf of the committee has now offered an amendment striking out the entire bill save the enacting clause. My inquiry is this: Are the amendments originally proposed by the committee pending, or have they been withdrawn?

Mr. FLETCHER. I will state the situation as I understand it. The committee reported the bill with certain amendments. Subsequently there were amendments offered to the bill referred to the committee and some taken up by the committee, and the committee agreed upon those additional amendments. There was a committee print of the bill with all the amendments including, first, those reported to the bill, and then the subsequent amendments agreed on by the committee. That committee print was laid on the desks of Senators for information yesterday, and owing to the fact that the amendments had been agreed upon by the committee and would be offered, I then moved yesterday in behalf of the committee to amend the bill by striking out all after the enacting clause and inserting the bill as proposed to be amended by the committee at first and including the last amendments agreed upon, so as to place them all in one amendment. It seemed to me it would simplify the matter very much to have that done. The amendment now in the nature of a substitute includes the amendments which were proposed when the bill was reported and also includes all amendments. So the substitute embraces the bill as amended by all the amendments agreed on in committee.

Mr. CUMMINS. Mr. President, I understand that is the substantial condition; but what I want to know is whether that is the parliamentary condition. Does the Senator from Florida on behalf of the committee withdraw the amendments which were originally proposed by the committee, so that there is now pending nothing but the one amendment by way of substitute?

Mr. FLETCHER. I will say, Mr. President, that those amendments are withdrawn as amendments to the original bill and are included in the substitute which has been offered.

Mr. CUMMINS. Does the Chair, then, feel authorized to say that the original amendments proposed by the committee have been withdrawn?

Mr. SMITH of Georgia. Mr. President, I suggest, before the Chair answers, that until a particular parliamentary question is raised for the decision of the Chair, growing out of some amendment offered, the Chair could hardly decide the question in advance.

As I understand, the original bill is before the Senate; an amendment in the nature of a substitute has been offered, which embodies all of the changes desired by the committee. It is now in the power of the Senate to amend the original bill or to amend the substitute; it is in the power of the Senate to vote down the substitute, and then adopt some other amendment in the nature of a complete substitute for the original bill.

Mr. GALLINGER. If the Senator will permit me, the question raised, as I understand, by the Senator from Iowa [Mr. CUMMINS] is that when the bill was originally reported it contained certain amendments; those amendments are now included in the substitute for the entire bill; and the Senator from Iowa desires to know if those original amendments have been withdrawn. I think the Senator from Florida did not formally withdraw them, but I think that was an oversight; I think he should have withdrawn those amendments and should have offered his substitute to include them.

Mr. SMITH of Georgia. I understand the Senator from Florida has said that his purpose was to have withdrawn them.

Mr. GALLINGER. But he did not do so.

Mr. FLETCHER. I understood the effect of offering the substitute embodying those amendments was to withdraw the original amendments, and that the proposition now before the Senate is on the adoption of the substitute instead of the original bill.

Mr. CUMMINS. Then, Mr. President, we all understand, or we have a right to understand, that the substitute offered by the Senator from Florida on behalf of the committee is the only amendment now pending, and that the former amendments proposed by the committee have been withdrawn?

Mr. FLETCHER. Yes.

Mr. SMITH of Georgia. The proposed substitute is the only committee amendment now pending. There are, of course, other amendments which have been sent to the desk by Senators to be printed.

Mr. FLETCHER. Other amendments have been sent to the desk, but they have not as yet been offered.

Mr. CUMMINS. They have not been formally presented.

Mr. CULBERSON. My understanding of the parliamentary situation is that the committee has withdrawn the original bill and amendments and has proposed in lieu thereof a substitute, so that the matter now pending before the Senate is the substitute bill proposed by the committee.

Mr. GALLINGER. But the committee could not withdraw the original bill; that bill is still open to amendment here by way of perfecting it.

Mr. CULBERSON. The committee has a right to perfect the bill by substitute or otherwise.

Mr. GALLINGER. But it has not a right to withdraw the bill. The Senate has the right to perfect that bill, if it see proper to do so, before the substitute will be in order.

The PRESIDING OFFICER. The Chair does not think there is much difference among Senators in regard to the question before the Senate. The question before the Senate is on the adoption of the substitute offered by the Senator from Florida [Mr. FLETCHER].

Mr. GALLINGER. That is right.

Mr. CUMMINS. I understand that; but that is not the question which I asked. That might be the question before the Senate, and yet the original amendments of the committee might still be pending, and that might change the further right of amendment very materially. I understand the Senator from Florida said that it was his purpose to withdraw the amendments originally proposed by the committee and that the only amendment now proposed by the committee is the substitute suggested last night and offered this morning. I desire to remind the Senator from Texas of the fact, also, that the motion of the Senator from Florida was to strike out and insert. In some respects that is a little different from a substitute. I only wanted to have it understood before we proceeded, so that there might be no confusion hereafter with regard to the right of amendment.

Mr. O'GORMAN. Mr. President, out of order, I ask unanimous consent to introduce a bill.

Mr. GALLINGER. I object.

The PRESIDING OFFICER. Objection is made. As to the question before the Senate, the Chair does not know that the Chair is called on to rule any further upon the proposition in response to the question of the Senator from Iowa [Mr. CUMMINS], but the understanding of the Chair is that the motion of the Senator from Florida [Mr. FLETCHER] to strike out all after the enacting clause of the bill and to insert in lieu thereof the substitute which he offered to the Senate and which has been printed necessarily includes the withdrawal of the amendments previously reported by the committee.

Mr. GALLINGER. That is right.

Mr. JONES. I want to suggest to the Senator from Iowa that my recollection is that the Chair some time ago announced that the proposition was the same as a motion to strike out and insert, and put the question upon the motion to strike out——

Mr. BURTON. Oh, no.

Mr. CUMMINS. That is the very question that is pending.

Mr. JONES. My recollection is that the Chair declared the motion to strike out had carried, and that the question was on the substitute.

Mr. SMITH of Georgia. No motion to strike out and insert has been carried; that is the pending motion.

Mr. CUMMINS. That is the way I understand it.

Mr. JONES. As I recall, the Chair declared that the motion to strike out had carried. The Chair announced that they were two propositions, each one to be considered separately under the rule, and put the question on the motion to strike out, and said, "Without objection, the motion to strike out is agreed to, and the question is now on the adoption of the substitute."

Mr. CUMMINS. If that is the record, it is a mistake, because at that moment the Senator from Ohio [Mr. BURTON] addressed the Chair, saying that he wanted to make some observations upon that very question.

Mr. JONES. When the Chair was about to put the question on the adoption of the substitute, the Senator from Ohio arose and said he wanted to make some remarks. That is my recollection of the matter.

Mr. CUMMINS. Mr. President, I ask whether the record shows that the motion to strike out and insert, made by the Senator from Florida, has been adopted?

The PRESIDING OFFICER. The record shows that it has not been adopted.

Mr. CUMMINS. That is what I understand.

The PRESIDING OFFICER. That is now the question before the Senate.

Mr. BURTON. Mr. President, both the original bill as introduced by the Senator from Missouri [Mr. STONE] and the substitute involve the same principles and policies, and consequently my remarks will be directed to the general subject. It is my desire to approach the consideration of this measure from an absolutely nonpartisan standpoint. The questions involved in this bill should not be settled in accordance with any party platform or be considered with a view to obtaining party advantage. Governmental policies of the utmost importance are involved. The commerce and industrial progress of the country must be very seriously influenced by the adoption or rejection of this measure.

For now a score of years, Mr. President, I have stood with the minority of my party in opposing all propositions for so-called ship subsidies. It is my conviction that the bills which have been introduced having that end in view would prove ineffectual for the restoration of the American merchant marine and, had they been enacted, there would be serious danger that a privileged business interest would be built up and unduly favored. I can not accept the argument that a ship subsidy is the natural concomitant of a protective tariff. A protective policy may be applied within the borders of any country; barriers may be erected against all the outside world; but the international shipping trade on the sea can not be protected in similar degree. On the sea the fittest is sure to survive. Other things being equal, those who can furnish service at the cheapest price will prevail.

The reasons for the decay of our merchant marine are manifold. The larger cost of ships built in domestic shipyards and the larger cost of operation must be considered. The fact that the shipping industry is one long established and especially suited to the characteristics of other nationalities who are our rivals in over-seas trade is also an important factor. Then there must be taken into consideration the very large class of seamen available in such countries as England and Norway and Germany which is not available in our own country. Still further we must take into account that ours is an undeveloped country. There is none on the face of the earth which presents so many opportunities for enterprise and affords so high a return for capital judiciously invested. The profits of the shipping business are comparatively small, consequently our capitalists have directed their efforts in other directions. I throw out these considerations as important at the very beginning of this discussion, and if the argument shall be prolonged, I may wish to address the Senate again on these particular phases of the subject.

I am aware that the President of the United States is extremely anxious for the passage of this bill. I have for him the very highest personal esteem, and I may say that personally I should be gratified to accede to his wish in any case where I could consistently do so; but I regard this measure as an exceedingly vicious one, and I think the arguments which have been made in its behalf as contained in the messages and documents transmitted to Congress rest upon a misapprehension as to the state of facts.

The importance of the question involved can not be overrated. It is not too much to say that no bill has been before the Congress in the last six years which involves so much that is novel, which involves such revolutionary changes in the fundamental policies of our Government. We have during the life of this administration discussed the tariff, a controversy that is always with us, and perhaps the most vital issue in American politics. The arguments pro and con have been marshaled from every source and in support of every point of view. It is not, like this, a new question, and yet it has never been proposed to even modify our policy regarding it except

after prolonged discussion both in the Congress and among the people.

Another measure which has absorbed the attention of Congress for the last two years has been the Federal reserve act. This was by no means a new proposition. The monetary and banking systems of the country have been discussed at great length for many years. The acute distress created by the financial crisis of 1907 gave new interest and importance to this debate. In the early portion of 1908 a bill was enacted, known as the Aldrich-Vreeland Act, providing for an emergency currency. It was confessedly only a temporary measure. It included, however, certain provisions contemplating a scientific revision of our monetary system. One of its most important provisions was the creation of a monetary commission. That commission, composed of a number of Members of the House and Senate, entered upon an investigation which lasted for nearly four years, during which experts in banking and in economics were called upon to present articles or give testimony. When the question of regional banks and a reform in our currency and financial system was proposed in the Federal reserve act it was by no means a novel question. Indeed, in the bill which was enacted the findings of the Monetary Commission, as embodied in their report of January, 1912, were very largely adopted. But in the proposal of this measure we are asked to depart from the traditional policies of the Government and do what it has never done before and what, with practically insignificant exceptions, no other Government has done, namely, purchase ships and engage in the business of shipping.

Mr. President, it is useless for us to deny that in this proposition, as embodied in the pending measure, a multitude of questions are involved which should receive the careful consideration of the Senate and of the other House of Congress. First among them I mention the question of Government ownership. That is a subject which has been very much discussed during the last 20 or 30 years. So far as municipal ownership and management are concerned, the control or ownership of public utilities does not have the terror to me which it presents to many persons. It is a question of conditions and circumstances.

Public ownership has been tried more or less in other countries of the world. In England the Government owns the telegraph and the telephone facilities; in France the Government, in addition to the telegraph and the telephone lines, owns two railways, one, which it has owned for a considerable time, that from Paris to Orleans, and the other acquired only a comparatively short time ago, the Western Railroad. Belgium, Germany, Austria, and Italy, not to mention Russia and other countries, own, with some slight exceptions, their railroads. It may be maintained, however, on the one side, that conditions in these countries are very radically different from those which prevail in the United States.

Two great questions which are involved in government ownership are, first, Is it best to supersede private initiative and control by public control? and, second, Do the illustrations which are presented to us square with our condition?

Mr. LODGE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Massachusetts?

Mr. BURTON. Certainly.

Mr. LODGE. Does not the ownership of merchant ships by the Government present a series of questions wholly different from those presented by other forms of Government ownership which we have hitherto seen?

Mr. BURTON. I think so. I shall come to that point in a moment.

Mr. LODGE. It is not that I do not think it very important to discuss the effect of Government ownership; but, beyond that, it seems to me that this presents a peculiar condition.

Mr. BURTON. Undoubtedly so. I shall come to that point in a moment.

Another question which is presented is the desirability of part Government ownership and part private ownership. No one expects, unless he indulges in the wildest dreams, that the United States will take over the whole shipping business. Now, how is a proposition of this kind to work out, in which there is constant collision and friction between Government-owned ships and privately owned ships?

Suppose the Government buys a certain number of ships. It will be expected, perhaps, that specially low rates will be given. In that event private shipping will be absolutely driven off any route the Government sees fit to invade, even if it were to invade the most profitable routes. If that is the case, will you not eventually drive private investors entirely out of the business? It is not too much to say that the proposal to pass this bill has already caused such discouragement on the part of private investors that millions of dollars which otherwise would have been invested in shipping have been withdrawn.

Mr. NORRIS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Nebraska?

Mr. BURTON. I do.

Mr. NORRIS. I wanted to ask the Senator two questions, and perhaps I had better ask them both, now that I have interrupted him.

In regard to taking the initiative where the business becomes profitable, the Senator probably remembers that the President in his message stated the proposition—in which, by the way, I do not concur—that as soon as this business became profitable the Government would get out of it and let the private parties handle it. The other question——

Mr. BURTON. Let me answer that first. There seems to be some confusion in the reports and recommendations on this bill in that regard. In a few minutes I will take up the question as to what this bill means.

Mr. NORRIS. I shall be very glad to hear the Senator on that point.

Mr. BURTON. And I will read extracts from reports and the messages of the President in that regard.

Mr. NORRIS. I might ask the Senator, and he can answer it when he takes it up, assuming for the sake of the argument that it is just and wise for us to pass a bill like this, whether he agrees with the President, that when we develop a trade by means of going into the business we ought to withdraw from the business, and let private parties take it up, after it becomes profitable?

Mr. BURTON. I should, of course, take anything said by the President with the utmost deference, but I do not believe that is practicable and workable. Merely going into the business of shipping for a brief time may possibly have some effect, though I doubt that, in remedying an emergency; but none of the permanent results which are sought by this measure can be accomplished by taking over the business and then, as soon as it becomes profitable, if it ever should, transferring it to private owners. The fact is that if the Government should enter upon the business for a certain time it would demoralize rates, it would prevent investors from entering the business, and it would probably give to shippers impracticable ideas as to the price they ought to pay for the carriage of their freight. If the Government should then withdraw, the effort to build up the mercantile marine would present difficulties far greater than now. If you are seeking to stimulate the building of a privately owned mercantile marine, this will not help. Again, perhaps more immediately in answer to what the Senator from Nebraska asks, I think it is highly undesirable for the Government of the United States to proclaim as a principle that if there is a business that is unprofitable we will take it up, place it on its feet, make it profitable, and then turn it over to private enterprise.

Mr. NORRIS. I agree with the Senator fully.

Now, if the Senator will permit me, I will ask the other question I had in mind and that he caused me to think about when he referred to the railroads in certain countries of Europe that are owned partially by the Government and partially by private enterprise. Has it been true in France or in Germany that because the Government owned some railroads and private individuals or corporations owned others those that were privately owned have been unprofitable or have been driven out of business?

Mr. BURTON. I can not answer that question very fully at this moment. There are perhaps six railway systems in France. The Government has a publicly owned line in competition with one of those six systems—that to Orleans. The western system, which the Government has recently taken over, is complete, and has a monopoly of the field it occupies. Now, results would be very different under those two conditions. In one there is competition with a private line; in the other there is an occupancy of the whole field.

Mr. NORRIS. What has been the effect on the private line?

Mr. BURTON. The one to Orleans is run as a slow line, as a freight line. It does not, in fact, compete with the privately owned line in the higher grades of service. In the case of the western line, the one to Havre and Cherbourg and that part of the country, the Government, as I have said, occupies the field exclusively. It would cause me to digress too much from the argument I have laid out to dwell upon this subject to any extent now, but it is likely that I may do so in the later phases of the discussion.

To recapitulate, I say that it makes a great difference whether the Government line is in competition with the private one or whether each occupies a field exclusively.

Now I come to the third point which was suggested by the Senator from Massachusetts, which is of great importance in this connection. Conceding that Government ownership is a good thing, is this a suitable field for its exercise?

The two fields now occupied by Government ownership, and for which the best arguments can be made, are, first, enterprises which are naturally monopolistic, such as railways, telegraph lines, and, in cities, waterworks and lighting companies; second, activities regarded as closely associated with the moral or social interests of a community. For these lines of activity very plausible arguments can be made; but the argument in favor of a Government-owned shipping line can not be supported by either of these considerations. Ships sail upon the open sea. There is no right of way to be condemned. There is no police power to be exercised; no monopoly can be acquired. The most that can possibly be expected would be a sort of a preponderance of control; so it is not of the class of natural monopolies; nor are there moral considerations, as would be the case with, say, bathhouses or public enterprises undertaken for the social benefit of the people.

So, first, the general question of public ownership should be discussed, next that of partial Government ownership, and then the further question, If Government ownership is a good thing, is this a proper field in which to exercise it?

I wish to anticipate the course of my argument a little by raising a particular question of great importance. Where does the Government of the United States expect to get the ships? In the present season of demand for freight every ship that is available is utilized. Does anyone believe that a ship which can be navigated in accordance with the rules of neutrality and which can be profitably utilized is not made available for private enterprise? Freights are high; the profits in many lines are alluring. How is the Government to get its boats? Why, it must do one of two things—it must either buy ships from private owners, who can operate them much more advantageously than the Government, or it must go into the very doubtful field of purchasing interned ships, or ships under a belligerent flag which are now kept off the seas. Do we here in this Chamber wish to pass a bill the upshot of which will be to release for the trans-Atlantic or other trade ships which now, under rules of neutrality, are kept off the seas? Can we afford to take that risk?

It is provided in the bill that the Government may own and operate merchant ships. Becoming disturbed over the status of such vessels under the terms of international law they now bring in an amendment to the effect that these ships shall be regarded as of the same status as privately owned ships. Now, what does that amount to? It is a proposition to do a certain thing, and then, by an amendment, to declare that you are not doing it. There is no way of escaping the conclusion that ships owned by the Government must have a certain peculiar status. A case involving this question which is perhaps the best criterion we have, is found in Mr. James Brown Scott's Cases on International Law—the *Parlement Belge*, decided in the court of appeals of Great Britain in 1878.

Mr. LODGE. May I ask the Senator if Sir Robert Phillimore's opinion in the lower court is given there?

Mr. BURTON. I do not think it is given at length. He rendered an opinion in a lower court, and then the case went to the court of appeals.

Mr. LODGE. I mentioned that because he was overruled by the court of appeals, as I recall, and he was a very great authority.

Mr. BURTON. Yes; he was the author of a work on international law.

Mr. LODGE. And I thought it very important to have his opinion, if he took the other view.

Mr. BURTON. The main object I have in presenting this case now is to show what difference of opinion there has been about the question.

The *Parlement Belge* was a boat which ran between Ostend and Dover, and was owned by King Leopold of Belgium. While on one of its trips it collided with an English ship; and the owners of that ship sought to libel it to recover damages, on the ground that the *Parlement Belge* had been guilty of negligence. The question which was raised before the court was, "Is this a Government steamer? If it is, our courts can not proceed against it. We must give certain preference."

It was found that it was a mail packet, and one of the packets mentioned in article 6 of the convention of the 17th of February, 1876, made between the sovereigns of Great Britain and Belgium; that it was and is the property of His Majesty the King of the Belgians, and in his possession, control, and employ as reigning sovereign of the State, and was and is a public vessel of the sovereign State, carrying His Majesty's royal pennant, and was navigated and employed by and in the possession of such Government, was officered by officers of the royal Belgian Navy, holding commissions, and so forth; and in certain affidavits, which were not contradicted, that the *Parlement Belge*, besides carrying letters, carried merchandise and passengers and their luggage for hire.

Mr. STONE. What book is it from which the Senator is reading?

Mr. BURTON. Prof. James Brown Scott's Cases on International Law, at page 220. It was decided that the boat could not be held in a collision case; that the carrying of passengers for hire and of freight was merely incidental to its general purpose in carrying mail.

It seems to me the rational conclusion to be derived from a consideration of this question is, first, vessels of war admittedly are free from the right of visit and search. They have an assured preferential position. There is no question about that. Second, a boat which is employed to perform some function of the Government, such as the carrying of mail or the carrying of troops or as a subsidiary to the navy, especially if officered by those in the Government employ, is also entitled to a preferential position. Those engaged in private business pure and simple are not, as was decided by the Supreme Court in a South Carolina case, where an attempt was made, I believe, to relieve the State of South Carolina from the payment of internal-revenue taxes on the liquor in its dispensary or dispensaries. Whenever a State goes outside of its ordinary sphere, its usual activities, and engages in private business, then, and in that case, it is subject to the same taxes and the same governmental control as a private individual.

But in the case presented in this bill there is a twilight zone. I do not think anyone will rise in the Senate and say that a boat owned by the United States, even if it carries nothing but cotton or grain to a foreign shore, is quite in the same position with a private vessel, and that would be sure to lead to complications of the most serious nature.

Mr. NORRIS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Nebraska?

Mr. BURTON. Certainly.

Mr. NORRIS. In asking the Senator these questions for the purpose of getting information I have great respect for his judgment when he has made a study, as he evidently has, of this question. Right on the point he is suggesting I wish to ask him if this bill were enacted into a law and some corporation was organized with Government stock, and they had bought ships or built ships or in any other way had gotten ships, and had engaged in the general business of shipping passengers and goods, does the Senator believe that such a ship would be entitled to any privilege, either as far as right of search is concerned by a belligerent or in any other respect, over any privately owned ship that was admittedly engaged only in business for business purposes?

Mr. BURTON. On the basis of the business which is transacted, I would say no; but it would be impossible to divest any such ship of the peculiar character which it had acquired by belonging to the United States.

Mr. NORRIS. Would not such a ship, for instance, be just the same as a ship now owned by the Panama Railroad Co.?

Mr. BURTON. Those ships occupy a somewhat exceptional position. First, the Government, I believe, owns the Panama Railroad and the Panama Railroad owns these ships. They are somewhat exceptional.

Mr. NORRIS. The Government in that case would own it, I understand, as it owns the stock of the Panama Railroad Co.?

Mr. BURTON. That is a case. However, their ownership grew out of conditions which Senators understand. The Government was proceeding in the building of a great canal. In disposing of the earth that was excavated in the process of building the canal it was necessary to have a railroad. It was also necessary to have ships to perform a direct governmental service, namely, to carry the machinery, materials, and supplies to the Isthmus. It was not going into private business at all. If there was any private business transacted, such as carrying passengers or freight, it was a mere incident to the main purpose. It was purely and entirely a governmental purpose, namely, the construction of an isthmian canal.

Mr. NORRIS. I have no doubt if the Government had not been engaged in digging the canal it would not have bought the stock of the Panama Railroad Co. That was the inducement, perhaps; but whatever the cause, when the Government did buy the stock of a corporation—a corporation organized and existing by virtue of the laws of the State of New York, as I understand it—was not that corporation exactly the same as though the Senator and myself owned the stock instead of the Government,

and was not that corporation subject to be sued, and did it not have a right to sue to collect debts? As a matter of fact, as I understand it, in the operation they went into the general business of carrying passengers and freight and advertised the same as other corporations.

Mr. BURTON. Incidentally, however.

Mr. NORRIS. They carried more freight for the Government than for any other one customer, but that was only incidental.

Mr. BURTON. I am making mention of the status of the Government ships with a view to its bearing on the present condition of war.

Mr. ROOT. Mr. President——

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from New York?

Mr. BURTON. Certainly.

Mr. ROOT. I rose merely to suggest with reference to the question of the Senator from Nebraska [Mr. NORRIS] that the ships which are incident to the Panama Railroad are a domestic concern. They ply between a port of the United States and the Isthmian ports which the United States control as a part of the rights acquired for the construction of the canal. So the practical question which the Senator from Ohio was speaking of can not arise in regard to those vessels.

Mr. NORRIS. I have no doubt, of course; I know, in fact, that what the Senator from New York says is true. These boats are plying between Cristobal at one end of the Panama Canal and New York. But I do not see that that makes any difference as to the identity of the corporation. A private corporation could do that same thing. What I am trying to get at is whether there is any distinction between one corporation and another, because the Government happens to own a part of the capital stock of a corporation provided the articles of incorporation are sufficiently broad to permit the corporation to engage in general business the same as a private enterprise.

Mr. FLETCHER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Florida?

Mr. BURTON. Certainly.

Mr. FLETCHER. I was going to suggest to the Senator from Ohio, who has referred to these vessels as having been owned by the United States, that the plan is to form a corporation and vest the title to the ships in the corporation. The United States will not appear as the owner of the vessels, and will not in fact be the owner. The vessels will be owned by a corporation, of which the United States will have 51 per cent of the capital stock or perhaps more, but they will not be United States owned vessels. It seems to me the statement that they are ships of the United States is scarcely accurate under the plan proposed.

Mr. ROOT. Mr. President, I do not want to interrupt the Senator from Ohio or to anticipate, but at the proper time, when I have had an opportunity to read these papers and make such preparation as respect for the Senate permits or requires, I will deal with that subject. I will say now and here what I was going to say upon the observation of the Senator from Nebraska, that these legal fictions which we call incorporations, can be continued to any extent and carried to any refinement under our municipal law. If we only choose to do it, we can provide how suits shall be brought and maintained and defended, what the legal relation shall be of such a corporate entity as compared with its stockholders, the real owners. We can provide for that in our law, but when you pass the international line our law is of no consequence at all. Nations as between each other deal with realities, and that is the great reason why the distinction I suggested a few minutes ago between the Panama steamships and the class of vessels the Senator from Ohio is speaking about is material and substantial. It makes no difference as between two nations whether one nation is interfering with the rights of the other directly or indirectly through the creation of a corporation.

Mr. NORRIS. I do not doubt that. I should like to say——

Mr. BURTON. While the Senator from New York is on his feet I should like to ask him to continue his remarks as to the international aspect of this question, whether such ships be held under a corporate ownership or directly by the Government.

Mr. ROOT. Mr. President, I do not think that internationally there would be any difference at all.

Mr. NORRIS. There ought not to be any.

Mr. ROOT. No; because it is a mere legal fiction, very convenient for the purposes of administration but not a matter of substance.

Mr. NORRIS. There would probably be this difference, I suggest to the Senator. If the Government owned them and some one wanted to sue the Government, that could not be done under the law.

Mr. ROOT. Yes; and there is another difference.

Mr. NORRIS. And if they take in some money they would not have to turn it over to the Treasury, and when they needed money it would not have to be appropriated by Congress. I understand that is one of the principal reasons.

Mr. ROOT. Yes; but all moneys that are to be expended and dealt with are to be freed from the checks and safeguards which we throw about money of the United States, which is a very material thing in the conduct of business.

There has been, Mr. President, a good deal of trouble in international affairs arising from the fact that some Governments have had the habit of creating corporations, which have had a double effect. When another country has objected to something that they have done, they are mere corporations. When their conduct is to be determined, they are Government agencies.

Mr. NORRIS. Of course that is an unjust discrimination.

Mr. ROOT. The illusive double aspect of corporations which have the appearance of being private parties and are really Government agencies, I say, has made great difficulty in pinning Governments down to the course of conduct which other countries have thought proper, for instance, the question whether a concession to a corporation gives merely a proprietary right as a concession to a private person would do or whether because it is a governmental agency the concession gives political rights. That has been a question of very serious consequence and of great difficulty. But all those cases have arisen where there was created an appearance of a private corporation and it was impossible to get at just the way in which the Government controlled it—just what the Government's share in it was. However, here under this bill there will never be any question whatever. The reality of the thing will be that these will be vessels of the United States.

Mr. NORRIS. If the Senator from Ohio will permit me, I should like to suggest, in reference to what the Senator from New York has said, that it seems to me one of the objects of organizing a corporation either in this bill or in any other, where it was thought desirable to put the Government into business operations, was to free it as much as possible from governmental functions so as to place it entirely upon an equal basis with private individual or privately owned corporations that were engaged in the same business, so that it could sue and be sued, and conduct its business the same way as a private corporation; in other words, to be just the same as an individual or privately owned corporation. It does not seem to me that there would be any excuse for doing it on any other ground. It is to give to the individual citizen a right that he would not possess if the Government was directly engaged in the enterprise, because in that case the individual citizen could not bring a suit, for instance, for damages and he could not deal with it; he would have to get the consent of Congress before he could do something. On the other hand, it is to give to the corporations that the Government owns the right to do business as another corporation, so that it may have the same advantage. For instance, the Panama Railroad Co. expends its money like any other corporation in making improvements, buying ships, employing men, taking in money and paying it out, whereas if the Government were doing it directly in the name of the Government when they took in a quarter they would have to turn it over to the Treasury of the United States, and where they paid a salary or bought a pound of ice they would have to get an appropriation from Congress to do it.

When we resort to the corporation which we organize either under this bill or any other, it ought to be placed, as it seems to me—and it seems to me it is not fair unless it is so placed—upon exactly the same footing as private individuals. If that be true, then it seems to me these ships would be subject and ought to be subject to the same international law that would apply to a ship that might be owned by the Senator from Ohio. Any other result, it seems to me, would be unjust and unfair.

Mr. BURTON. Mr. President, this is anticipating a line of argument which I expect to take up in a later discussion of this measure.

Mr. WEEKS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Massachusetts?

Mr. BURTON. In a moment. I do not believe it is possible to give this corporation the unqualified character of a private corporation. Whether the corporation scheme provided in this bill is convenient or awkward; whether it would not be better for the Government to buy its boats directly, I do not at this time undertake to say; but does anyone think that a ship which belongs to this United States Universal Shipping & Export Co.,

or whatever you may call it, even though it is organized under the laws of Delaware or West Virginia or the District of Columbia, is going to have the same status in international trade under the rules of international law as a privately owned boat?

In this connection I want to call attention to another question which, at least in some States, would arise in attempting corporate management under this bill. How is the Government going to be represented by directors? It is the law of some of the States that a majority of the directors shall be stockholders, not mere proxies for some corporation that owns stock, nor dummies, but actual owners of stock. Other States require that a majority of the directors shall be residents of the State in which the corporation is organized. In this bill you have a provision that the Government shall own 51 per cent of the stock, and that no part of that stock shall be sold except by order of Congress; that the general public shall have the opportunity to subscribe for 49 per cent, and that if the general public shall not subscribe, as I do not believe they will, then the Government takes the remaining stock.

Now, how do you have any stockholders except the Government of the United States? Where are you to get men who are eligible to be directors? This corporation, of course, might be organized here in the District of Columbia. An act might be drawn, I suppose, doing away with the directors entirely or providing that the Government of the United States might select directors. But I suggest that this method of subscribing to the stock would absolutely prevent the election of Government directors in some, and I think in a majority, of the States of the Union. It merely goes to show the awkwardness of this kind of an organization.

Mr. NORRIS. If the Senator will permit me, the bill itself does not provide where this corporation shall be, or anything of that kind; but I would suggest, in answer to the Senator's criticism, that only one corporation is necessary. Perhaps there are States where this kind of a corporation could not under the law be organized. If that is true, it would not be organized there.

Mr. BURTON. If it were an ordinary corporation, it would go to the States most friendly to the incorporator.

Mr. NORRIS. In the Panama Railroad the Government owns all the stock and has some of its officials who are stockholders.

Mr. ROOT. May I ask the Senator from Ohio whether he thinks it is a very dignified position for the Government of the United States to go hunting around the different States of the country to find a place to incorporate where the business is not to be done? I have always considered it rather a serious abuse that the laws of our States permitted people from other parts of the Union to form corporations when they did not really mean to carry on any business there at all. To have the United States go into that, I think is very undignified.

Mr. BURTON. Certainly.

Mr. STONE. Can the Senator point out a serious objection to it?

Mr. BURTON. I raise that question rather as an illustration of the embarrassments of this form of organization.

Mr. NORRIS. Mr. President——

Mr. BURTON. Many States of the Union have corporation laws drawn with such care and strictness that this proposed organization could not be incorporated within their borders.

Mr. NORRIS. I should like to be permitted, if the Senator from Ohio will indulge me, to say just one word in reply to the Senator from New York.

Mr. BURTON. Certainly.

Mr. NORRIS. When we bought the Panama Railroad and all the stock of that corporation, I do not have any idea there were any governmental officials who were very much disgraced hunting around over the country when the stock of that New York corporation was taken up.

Mr. BURTON. That was a corporation already organized. It was the property which the Government had to have.

Mr. NORRIS. Yet it bought the stock, and it had to do it under a New York charter, and it has never found any difficulty under it.

Mr. LA FOLLETTE. Nor any particular disgrace.

Mr. NORRIS. I do not believe anybody has felt as though they were hunting around like a thief in the night when accepting positions under that charter. But if that were all true, if these things were as difficult as the Senator would have us believe, Congress can pass a law at any time to authorize the organization of such a corporation in the District of Columbia, and put in a good many phrases that will make a man feel good rather than embarrassed when he is ready to organize it.

Mr. WEEKS. Mr. President——

Mr. BURTON. I yield to the Senator from Massachusetts. While, of course, I would like to pursue the general thread of the argument I have outlined, this is a sort of preliminary discussion of this very important subject, and I am very willing to yield to inquiries.

Mr. WEEKS. The Senator has been very liberal in yielding, and I have no disposition to take any part of his time except to make the suggestion that the Panama Railway is a special instance in every respect and that from it no general conclusion can be drawn. Its purchase was entirely incidental to the building of the canal, comparable to the purchase of a derrick, for instance, by the Government when engaged in erecting a building. It is to be used for that purpose, and the Government is not going to use the derrick for other purposes. The only purchase which did not come with the Panama Railroad Co. in the case of ships was the purchase of two ships for a specific purpose, the carrying of cement to the Canal Zone, and a special condition was made in that purchase that those ships should be turned over to the Navy Department when their services were no longer required for the purpose for which they were purchased to be used as naval auxiliaries. There is not anything in connection with the operation of steamers in the building of the Panama Canal which could be used as a criterion in fixing what other purchases or operations might involve.

Mr. BURTON. Mr. President, I was dwelling upon some of the questions involved and had taken up the manner in which the Government was to acquire ships. Before leaving that branch of the inquiry I think it is pertinent to ask, Is it intended to buy the great passenger ships that have been interned, some of which are now in New York and Boston Harbors? Is it believed for a minute that it would be profitable to operate those great passenger steamers of the highest speed under the present conditions, when international passenger traffic is almost at a standstill? Or is it believed that these very expensive boats could be profitably remodeled into freight carriers?

The next question is, How is the Government going to use the ships? Are they going to scatter them on every route where commerce now finds an avenue, or are they going to restrict them to certain routes as to South America? If so, what is the status of the present trade with South America, which demands so extraordinary relief? Is it not a fact that there is now available more than enough tonnage to meet the demand?

Mr. GALLINGER. Mr. President, will the Senator yield to me?

Mr. BURTON. Certainly.

Mr. GALLINGER. The Senator suggests that in the present disturbed condition of international trade it is not at all probable that the ships would be profitable. Inasmuch as the genius and skill and enterprise of the private citizens of this country have found it impossible, when normal conditions exist, to operate ships in profitable competition with foreign Governments, is it at all probable that the Government can do it? Is it not an axiom admitted almost universally that it will cost the Government more to do the work than it costs private individuals?

Mr. BURTON. I think that is very generally true.

Mr. GALLINGER. There was of necessity, as Secretary McAdoo admitted before the House committee, at least a strong probability, that this would be a losing matter, and for that reason private capital could not be induced to make any contribution to the purchase of the stock; in fact, the President admitted it in his message to Congress.

Mr. BURTON. In this connection I desire to ask another question which I trust the advocates of this bill will answer. Do you not concede this is going to be a losing venture? Is it not a part of your plan to operate these boats at a loss to the people of the United States? Then, in the first instance, is it fair to the taxpayers of the whole country that they should go down into their pockets for the benefit of those who wish to export or import certain products? Is not that a direct subsidy just as objectionable as those which you have been opposing for years? Indeed, Mr. President, in listening to the arguments made on the other side in favor of this bill and considering what my own course has been on the subject of subsidy, I have felt that I was indeed alone. Most of my party associates on this side have criticized my course, and now on the other side they are using the same arguments, the same old line of chestnuts, if I may call them such, which have been used again and again to support the subsidy cause; "paying two or three hundred million dollars a year to foreign ships to carry our trade." "Foreign shipowners have regard for their stockholders and their profits, we ought to prevent it." "You do not see any ships of the United States in foreign ports except warships and yachts." I have listened to all those argu-

ments often in behalf of subsidy, and then the further argument that "trade follows the flag." Does trade follow the flag or does the flag follow the trade; which? What do you mean by that? It is used sometimes in support of the argument that trade flows back and forth between the mother country and a colony or other dependency.

We heard a great deal about trade following the flag when the question of the acquisition of the Philippines was under consideration. That is one sense in which the term "trade follows the flag" is used. Another is that it follows the flag displayed at the masthead of the merchant craft; that is, for instance, if there are more ships with the English flag from England to Argentina than there are ships from the United States to Argentina carrying the Stars and Stripes, trade will follow the English line. Some time during the course of this discussion I wish to dwell somewhat at length on that saying, not denying that there is a modicum of truth in it; but it is far from a guiding principle in the development of trade.

Why, Mr. President, the arguments made on behalf of this bill are the same that have been made in this Chamber and in the House of Representatives as well for more than 20 years. So far as expense to the American people is concerned, I have no doubt the cost of building up a merchant marine by the provisions of this bill would be far greater than by direct subsidies. So far as discrimination between localities is concerned, the danger of discrimination would be far greater than under present conditions. I would much sooner leave it to the ordinary course of trade to determine what routes vessels shall take than to leave it to officials who, however able they may be, however impartial they may desire to be, are nevertheless constantly subject to political pressure and can not avoid being influenced by party exigencies.

How are you going to use these boats? For instance, there is at present a line running from Mobile to South American ports, but most of the lines run from New York. Suppose you have your Government line and propose to put it in service to South America, what will be the first thing that will happen? Pressure from cities all along the coast for lines from their ports to South America, whether they pay or not. Thus in the long run not only will the expense be far greater than under a subsidy but the discrimination will be far greater.

The next point I wish to take up—and I sincerely hope that these inquiries, which seem to me pertinent, may be answered—is, Is this to be a temporary or a permanent undertaking? I have read the report of the committees and the President's messages, and I can frame no satisfactory answer to that inquiry. On pages 7, 8, 10, 11, 20, and 23 of the majority report are expressions which seem to leave the inference that it is to be permanent, while on pages 4, 9, and 10 there are expressions which seem to indicate that it is to be temporary. Passages from the speech of the very able Senator from Florida [Mr. FLETCHER] made the other day in support of the bill appear contradictory. In a paragraph on page 985 of the CONGRESSIONAL RECORD direct assurance is apparently given that it is to be temporary; but on page 986 there is a sentence which, if I read it correctly, means that it is to be permanent. I will read a few of these expressions, first those indicating that plan is to be temporary. From page 4 of the report I read as follows:

> Recent events have made clear to the entire country certain facts which it is the purpose of this legislation to alter. Our great and growing foreign commerce, aggregating over four thousand two hundred and fifty millions yearly, of which our exports form much the larger part, depends for its ocean transportation chiefly upon the merchant marine of the nations which are our own commercial competitors in the markets to which we all sell. By reason of this control by others of our needed transit facilities we are subject alike to their primary interests and to their risks. If, for example, their primary interest calls for them to withdraw ships for purposes of war, the ships are withdrawn, and with them go the facilities we need, and we are without recourse. If the exigencies of war call for destruction by the enemy of one of the powers whose ships we use, that destruction takes place. With the destroyed ships American cargoes go to the bottom. Our commerce is immediately affected, but we again are helpless.

Then it goes on to say:

> If the exigencies of war call for the interning in foreign ports of merchant vessels carrying American cargoes under the flag of a belligerent, the ships are interned, and the cargoes they carry, though belonging to Americans, and, as a matter of fact, though paid for by Americans, can not be secured, because the American interest in the cargo is necessarily subordinated to the belligerent interest in the vessel itself. All these conditions have actually existed in recent months, and some of them exist to-day.

It is pretty difficult to tell exactly what inference to draw from that statement in the report. It seems to me the idea predominates that the Government should engage in this business only in time of war and for the purpose of preventing the results of that war.

Mr. NELSON. Mr. President, will the Senator yield to me for a moment?

Mr. BURTON. Yes.

Mr. NELSON. I want to call the Senator's attention to the predicament in which the Government would be in regard to these vessels. Vessels owned by private parties can ship contraband of war if they care to take the risk, but would the vessels of the Government be warranted in doing so?

Mr. BURTON. That would immediately involve this Government in difficulties with one or more of the belligerent powers.

Mr. NELSON. Would the Government be warranted in taking the risk which private ships may take in carrying contraband of war?

Mr. BURTON. Not unless they should make the contention that the articles were not contraband. "Contraband" does not describe articles as to which there is any universally accepted classification.

Mr. NELSON. In connection with that, I wish to call the Senator's attention to the fact that a great many of the products which our people wish to ship abroad are contraband of war, and that privately owned vessels, if they care to take the risk and can get the insurance, can engage in that business.

Mr. BURTON. And without involving us in international complications.

Mr. NELSON. Without so involving us. It is simply a question between them as individuals; but can our own Government engage in that business without becoming involved in complications?

Mr. BURTON. It can not; and the point which the Senator from Minnesota makes on this subject is one which is very important for our consideration.

There is also a quotation on pages 9 and 10 of the report, as follows:

> But we can not rest content while over 90 per cent of our foreign commerce is carried under foreign flags, subject to the primary interests which naturally arise under those flags, out of our own control in every respect, and with no limitation on charges save the exactions for profit of stockholders to whom American commerce is but incidental to their own stronger interests.

What does that mean—a permanent or temporary policy? Now, let us look to some expressions in the House report, which is quoted with approval in the Senate report. I read from page 20 of the Senate print:

> We are in accord with those who feel that it is better, whenever practicable, for the Government to avoid engaging in any business that can be conducted as a private enterprise. But, as stated, private enterprise has failed to respond to the demands of our over-sea commerce. How much longer must we wait?

That sounds as though it were intended to make it permanent. Again, on page 23, it reads:

> While we need merchant ships to meet the present emergency, let us pursue a policy that will secure them to us after the present conflict in Europe is passed.

That looks as if a permanent policy were contemplated.

Now, I wish to refer to some other statements in this report. On page 10 of the majority report—and this seems unequivocal—I find this:

> The transportation lines established under this bill will be permanent, regular in their sailings, and controlled for the public good.

After New Year's Day, a date which, according to common report, is often one for change of opinion, habits, and customs, the Senator from Florida expresses himself in this way, on page 984, first column, of the RECORD of January 4:

> Without going further into the details of the bill, I assure the Senate, in the first place, and the country, that it is not a permanent business undertaking on the part of the Government that is intended here.

Yet, beginning on the very same page, in the same speech, there is an expression which seems to contradict this again:

> Equally it follows, since all other methods have been exhausted or found not feasible, there is but one thing to do, and that is to have the Government intervene directly, as proposed in S. 6856.

A person may read Senate bill 6856, and he will find that there is no indication of any intention to adopt a policy other than a permanent one. If this is not to be a permanent policy, just when is this corporation to be dissolved and these ships to be disposed of? How are you going to gradually go through a transition period from Government ownership by this corporation to one of private ownership?

Mr. JONES. Mr. President——

The PRESIDING OFFICER (Mr. WORKS in the chair). Does the Senator from Ohio yield to the Senator from Washington?

Mr. BURTON. In just one moment I will do so.

Mr. President, just like the proposition for subsidy, the more you have of it the more you will want of it; the more you have of Government ownership the more there will be an insistence that the amount invested be increased and that the

policy be made a permanent one. Thus, it seems to me, that not only a reading of the bill but a reading of the expressions upon it both point to the idea that this is an entirely new departure in the policy of the United States Government, under which it shall do what practically no other Government has done—none, as I recall it, except Russia, in a partial way, and Roumania—that is, to go into the ship business on a large scale.

Mr. JONES. Mr. President——

Mr. BURTON. I yield to the Senator from Washington.

Mr. JONES. It has occurred to me that it ought to be very easy to determine what the Senator from Florida meant, as to whether this should be a permanent or temporary policy. I see that the Senator from Florida is present, and I wonder whether or not the Senator from Ohio will yield to him to make this point perfectly clear and certain?

Mr. BURTON. Just as the Senator from Florida desires. I am perfectly willing that he shall elucidate his position in my time, provided I shall not lose the floor.

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Florida?

Mr. BURTON. I yield to the Senator from Florida.

Mr. FLETCHER. Mr. President, if the Senator desires me to express my own view of that question, I am perfectly willing to do so, but I did not wish to interrupt the logical order of his address by attempting to answer every question that might be propounded by him in connection with this bill. We, of course, expect that there will be an opportunity to reply to the Senator's argument later on.

In this connection I want to call attention to section 7 of the bill itself, which reads as follows:

SEC. 7. That, with the approval of the Congress, such shipping board may at any time sell the stock of such corporation owned by the United States.

In other words, if Congress approves, the stock may be sold and the corporation become entirely a private one. That step is provided for.

There seems to me to be some difference between the transfer of ships or vessels and the transfer of lines or routes of trade. I should feel, so far as I am concerned, that that feature of the matter ought to be permanent. One of the main purposes of the proposed legislation is to open up routes of trade and to establish channels of trade which will become profitable and permanent, so that when the Government retires from this business, if it sees fit to do so, and Congress undertakes to authorize the transfer of the stock of the corporation, the routes established will be permanent, and in any transfer of ships or transfer of the stock of the corporation by the shipping board under the authority of Congress the maintenance of established lines would undoubtedly be involved. That would not mean necessarily that the ships themselves must be directed or controlled as Congress might point out, but that the lines established should remain in operation and, perhaps, likewise that the rates should be maintained, for there will be probably legislation to the effect that the Interstate Commerce Commission shall have control over the rates that may be fixed and jurisdiction over conference agreements between such lines as may take over the corporation or the Government lines and routes and other lines, so as to avoid and prevent monopoly and such a combination as we find to exist now, over which the Government has no control whatever, in our foreign trade.

What the shipping board may determine, what may develop as the wise and proper course to pursue in connection with the ships to be provided, no one can precisely foresee or foretell; that is a matter of growth and development; but I undertake to say that the interest of the Government, the interest of all the people and of the industries of the country, will be looked after by those in control of this corporation.

There are those who seem to think—and I judge from the minority report that is the view of the Senator from Ohio—that, while conditions are rather abnormal now, they are not other than might be expected, and that, in the main, we ought to do nothing; that we ought to let matters work themselves out; that we ought to accept the situation as one not to be cured, not to be remedied in any way whatever; that the Government ought to admit that it is helpless and hopeless; that our commerce must be demoralized; and that our farm products, our vegetables, our fruits, our manufactures, our cotton, our naval stores and phosphate, and other products of this country must weigh down our wharves because there are no ships to take them where they are wanted, or when there are ships that offer the price fixed by the combination in control of shipping it is absolutely prohibitive.

Why must we abide by that helpless condition and consent to it? Why is it that a great Government, with all the power and resources of this Government, can not help its people under the conditions now prevailing? And, as I have said, even after the present emergency is over we do not know when some other emergency will arise, when some other country whose vessels are now carrying our commerce and upon whose vessels we are now absolutely dependent will get into difficulty and those vessels be withdrawn or be unable to navigate the seas and we again be paralyzed and unable to reach foreign markets with any of our products or to bring the products of foreign markets that we need over to our people.

I say it seems to me that is the view upon which the minority report is founded, and it seems to me the logical conclusion of the Senator's argument is that we are not in any sort of condition other than what ought to be expected and what ought to be endured, and that there is no remedy that can be offered for the situation.

Mr. BURTON. Mr. President, while the Senator is on his feet, along the line of one statement he has made, I should like to ask him if there is any new route which he would suggest that ought to be adopted by Government ships; and if so, where is it?

Mr. FLETCHER. I have not any new route in mind; I have not gone that far; that is a matter of detail to be worked out by the shipping board when they are provided with the means of doing it. There is no use of crossing any bridges until we get to them.

I might say, further, Mr. President, in answer to the Senator's inquiry, that perhaps I am not absolutely accurate when I say that I have no route in mind at all. I, of course, have in a general way, thought about where the routes should extend for the advantage and benefit of this country. I meant to say that I have no specific route in mind; but, as I have indicated, it seems to me that is a matter which must be worked out by the shipping board in whatever way will make for the general good. A route was suggested a few years ago in the report on a bill then pending in the House, and I believe a report submitted at that time by the Senator from New Hampshire [Mr. GALLINGER] involved some specific route. It looks to me as if that is a very reasonable proposition, but I have not gone into that detail at all.

Mr. BURTON. Mr. President, it seems to me a most radical and objectionable step to bring forward for adoption a proposition calling for the expenditure of tens of millions of dollars and the entering upon an untried and dangerous policy, when its advocates can not state a single route over which they propose to establish a line of steamers. It seems to me the Senate and the country ought to be taken into the confidence of the proponents of the measure in this matter. What is this great need? Why are you proposing to establish this corporation and expend this money? On what route in the seas or the ocean do you intend to establish new lines? When such questions are raised it is answered, "We will cross that bridge when we get to it," and the general expression is added, "We do it for the good of the people." Why, everything we do is expected to be for the good of the people, but it seems to me there could be nothing further from the good of the people than to commit ourselves to this new policy and to this great expenditure when nobody will tell us for what purpose it is being done.

The proposals to which the Senator from Florida has partially referred as having been made by the Senator from New Hampshire have no bearing here. Those proposals related to mail lines; and I may say that those who have opposed a subsidy in this body and the other have always felt willing to pay a reasonable price for the establishment of mail lines. To establish mail routes, say, from the west coast of the United States, it is not necessary to name the routes. San Francisco and probably Los Angeles should be stopping places, the line starting from Seattle and proceeding down the coast to Panama, and then to South America, stopping at Guayaquil, Callao, Mollendo, and ports along that coast, including Antofagasta and Valparaiso, is a proposition that appeals to me with a good deal of force. The dividing line should be, What is a subsidy and what is a payment for reasonable service in the carriage of mails? But this bill does not contemplate that. The argument for this measure is the difficulty of obtaining vessels for the carriage of freight. The boats carrying cotton, grain, and similar cargoes are not mail boats; they are not of the type that the Senator from New Hampshire referred to in the proposition which he so strenuously and so ably presented to the Senate.

Mr. GALLINGER. Mr. President——

The PRESIDING OFFICER (Mr. KENYON in the chair). Does the Senator from Ohio yield to the Senator from New Hampshire?

Mr. BURTON. Certainly.

Mr. GALLINGER. It can not be denied that, for the purpose of strengthening this proposed legislation, the view is held out that the Government may at some time go out of this business and turn it over to private parties. That has been advocated with a good deal of earnestness, and it has been given to us as one reason why this bill is not intended to create a Government monopoly or to wipe out individual initiative and enterprise. I want to ask the Senator from Ohio if he recalls the percentage of loss which the Government sustained in the matter of the transports which were purchased during the Spanish-American War?

Mr. BURTON. I do not; I think the loss was rather large. I have an impression—perhaps I ought to have a more definite recollection of the matter—that the Government lost at least 50 per cent on that transaction. I am inclined to think it lost more than that.

Mr. GALLINGER. Yes; more than that. I believe it has been stated as high as 75 per cent.

Now, suppose the Government invests $30,000,000 in the shipping industry, taking possession practically of the shipping industry of the United States, and after a while concludes—because the Government is going to lose money; there is no doubt about that; it is admitted on all hands—to turn it over to private parties. Is it not reasonable to suppose that the Government will lose from 50 to 75 per cent on the $30,000,000 transaction it has gone into?

That will entail a loss so much greater than any subsidy proposition that ever has been presented to Congress that it is rather startling to me as an advocate of mail subventions. I simply wanted to present that matter to the Senator for his thought, because I think he will agree with me that we are in for a very heavy loss if we go into this business and then undertake to transfer it to private parties.

Mr. BURTON. I should like to answer that question in connection with some other statements. The Senator from Florida says Congress has the right to direct that this stock shall be sold. Let us see what that would lead to. This line is managed for a certain number of years, confessedly at a loss, according to the statement of those who advocate the bill; according to some of its advocates, justified in order to accomplish a certain purpose. Who is going to buy that stock? Who is going to buy boats that are run at such a loss that the deficiency must be regularly supplied from the Federal Treasury? Who will be the bidders? If there were any bids—and no doubt there would be—they would be presented by men who desired to obtain the ships, the property of the corporation, at a knock-down price. Then, when at great loss to the Government the control passed to private corporations and individuals, what would be accomplished? Why, nothing. A brief season, perhaps, of lower prices, though I doubt it; then rates would return to the level determined by the economic conditions of the trade.

Whether or not Congress would ever vote to sell the stock I do not know, but of one thing I am certain, that the operation of this corporation would be marked by constant loss, and that it would be a perpetual subject of discussion here on the floor of the Senate and on the floor of the House of Representatives.

In regard to the transports mentioned by the Senator from New Hampshire [Mr. GALLINGER], it is true that they were sold at probably less than 50 per cent of their cost; but they were required for a special purpose, and it is perhaps hardly fair to charge up as a general loss the difference between the price paid by the Government and that which it realized on sale. It was rather a part of the cost of transport service which they performed in time of war. Whatever the system of bookkeeping may be, that is the most natural explanation of the transaction.

Mr. FLETCHER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Florida?

Mr. BURTON. Certainly.

Mr. FLETCHER. In that connection, also, is it not fair to observe that when we found ourselves without sufficient auxiliaries the Government was obliged to have transports, and have them quickly, and that very likely the people who owned the vessels were in position to take advantage of the situation and demand exorbitant prices for what they had to sell, and the Government, being practically helpless under the circumstances, had to give those prices, and that that situation would obtain to-day under like conditions?

That argument is strong, in that it supports the contention of the advocates of this measure, that that sort of a situation might arise almost at any time, and the Government would be obliged to suffer great loss, first, because it would have to pay exorbitant prices for transports, and, second, because they would be needed only for a particular service, such as the transporting of troops. We are practically without transports to-day, and under this bill provision will be made for that sort of a situation.

As regards losses in the enterprise, my own view is that at the outset we would sustain losses. We would scarcely expect to open up new routes of trade and make money at the very start; but I do not believe there will be any need of a constant drain on the Treasury to support the shipping board's enterprise. I believe that eventually there will come a time when this business will be profitable. I base that belief very largely not on my own experience at all but on the dividends of shipping people, as publicly declared and published.

Mr. WEEKS. Mr. President, may I ask the Senator from Florida a question which is induced by his optimistic view about the possibility of profits? Does he know of any instance, except in the case of the Prussian governmental railroads, where a government-operated public-service corporation is profitable?

Mr. FLETCHER. I do not mean that the Government ought to undertake to make a vast amount of profit out of the business. I do not think the Government ought to do that, anyhow. If the Government owned the railroads, it should not tax the people to make money. It should afford the people accommodation. If it owned the steamship lines, it should fix the rates at the very lowest price that would maintain the enterprise. It should not make money out of it beyond what would be considered a proper provision for maintenance and reasonable interest on the investment.

Mr. WEEKS. Mr. President, does not the Senator know that in practically every instance an appropriation is required to make up a deficit rather than there being any return whatever on the capital?

Mr. FLETCHER. I imagine, Mr. President, that the figures which are furnished in connection with these government-owned railroads may be used to mean one thing by one individual and something else by another; that it is largely a question of bookkeeping whether they can be held to be profitable or unprofitable, and it is largely a question of the way of keeping the accounts.

If the Government does lose money in the conduct of those railroads, it is because of its bookkeeping manipulation or because of conditions that need not exist at all, in my judgment. The Government could, by regulating and fixing the tariff rates on that business, of course prevent any necessity for great losses. Whether the Government would feel that it had better tax all the people to make up a deficit in connection with the operations of some railroad rather than to raise the freight and passenger tariff is a feature that may enter into the ultimate result of the operation.

I do not think that argument applies at all to a situation like this; that is to say, what the figures show as to the profits or deficits resulting from government operation of railroads in other countries. It seems to me, as I say, that it is so much a question of bookkeeping that it is not a matter that would furnish us any light in connection with this sort of a proposition.

Mr. BURTON. Mr. President, I always dislike to differ emphatically from any of my colleagues whom I respect so highly, especially the Senator from Florida; but if there is any one proposition that seems to me utterly fallacious, from the standpoint of economics or of business, it is the one involved in this bill; namely, that if any agency having control of a business charges exorbitant prices—and that claim is open to discussion, whether they do or do not in this case—the way to cure it is for the Government to go into that business as a partial competitor with them.

It is just that line of argument which prevails in another connection, that where there is one corporation that has control of some public utility or of some business, it is a good plan to give a franchise to another to go into the same business. So we have our duplicated telephone systems, duplicated wiring in every prominent business block, duplicated conduit wires under the streets, duplicated centrals, as they are called, where the messages are received—duplicated service all along the line. Some city council thinks it will be a splendid thing, when there is a gas company or a telephone company or an electric-lighting company that is in control of the field, to put in another and let them compete. The result always is that the public, in the long run, has either to suffer very greatly deteriorated service or to pay interest on both investments, and enjoy only a partial service at the hands of either company.

Not only is this true in regard to public utilities, but it is true in such a case as this. The money put into Government ships would be virtually a waste. It could result only in a duplication or division of available tonnage, without effecting any saving, improving the service, or affording any other economic justification for its existence. What is the result going to be? Probably all private shipping will be driven out of the business. In any event, you have to pay for the increased cost of operation; you inject into the problem this one of Government control, with all its defects and limitations, and when you are through with it you say you are going to sell the ships and reestablish the private enterprises you have just destroyed.

The same objections, in an even greater measure, lie to the Government's undertaking partial performance of this business that lie in the case of partial public ownership of public-service corporations. Now, there is an easier way to control rates. The law gives to the Government power, at least over its own shipping, to establish some such tribunal as the Interstate Commerce Commission. I am perfectly aware that any such plan is fraught with difficulties. It would be almost impossible on the sea to compel the filing of traffic sheets and, whenever changes are filed, giving notice. The differences in the kind of traffic carried, the relation of the tramp steamer to the regular lines—all these present problems very difficult of solution by any commission; and I am not sure that I should favor such a measure, unless there were only a limited degree of control over the general conduct of the business, relating to the fairness and absence of discrimination in traffic combinations, and so forth; but I do especially wish to protest against this idea that the way to bring about lower prices in the carriage of freight or any commodities is for the Government to go into the business.

In the first place, it is an utterly absurd enlargement of the activities of the Government. In the next place, it will not result in economies, because Government operation is always more expensive than private operation. Again, if it is the intention that the Government should manage the business at a loss it will benefit but a few of the people, at the expense of all the people. Why, Mr. President, in the days of the railroad-rate wars, when prices were put down to absurdly low figures in the time of some contest, I say, who believed, or who will assert now, that the general public gained any benefit from it? It was simply the shipper who had the good fortune to take advantage of the situation and ship his goods, say, from New York to Chicago, at a time when rates were very low because of those railroad-rate wars.

The most extravagant anticipation as to Government-owned ships does not contemplate taking them all over. It would be impracticable to put them on all lines; and so, not the general public, but a few favored localities and individuals would gain from such a step.

There is another question in this connection, and I think the advocates of the bill should tell us clearly what is intended in this regard. Is it the object of this measure to provide for the establishment of steamship lines to specific countries, as to South and Central America, or to all parts of the world? This is a question of importance, and I think the Senate should understand it, and I think the advocates of the bill should make clear to us at what they are aiming. Do you intend to put boats on every sea, to establish a line on every route of traffic, or is it merely on some specific lines?

On this question the House report says:

> These lines will be projected to ports in Central and South America and elsewhere to increase our mail facilities and to meet the growing demands of our foreign commerce.

The word "elsewhere," of course, has some meaning there. It may include almost anything; but it seems that the object was to make special provision for Central and South America.

The bill as introduced in the Senate, as originally drawn, read as follows:

> That the object of such corporation shall be the purchase, construction, equipment, maintenance, and operation of merchant vessels in the trade between the Atlantic, Gulf, or Pacific ports of the United States and the ports of Central and South America and elsewhere to meet the requirements of the foreign commerce of the United States.

The substitute, as introduced last night, reads as follows, after describing the corporation:

> Which shall have for its object the purchase, construction, equipment, maintenance, and operation of merchant vessels to meet the requirements of the foreign commerce of the United States.

This is a matter of extreme importance, as I shall try to show. Briefly speaking, if this is an attempt to put ships on all routes, the proposition staggers us because of its magnitude, and it should cause us to oppose it because of its impossibility. Why, there are multitudes of routes in which there must be provision for freight and passenger traffic from the United States, and I can not conceive of it as a possibility that enough ships could be purchased or built or impressed or obtained in any other way to engage in traffic on all these routes. The difficulty arises at the very beginning that there will be discrimination if you do not; that one locality will be favored in its trade to the detriment of another. Then, on the other horn of the dilemma, if it is to South America, to Central America, to Australasia, to China, or to any other place, are you sure there is a deficiency of shipping now? I think the opponents of this bill might safely challenge those who advocate it to point out any route where it is not a fact either that there is sufficient ocean tonnage already or that there is only a temporary shortage due to the war. Let us have some route where you wish to establish ships.

Strangely, the bill in its final form leaves out all mention of any specific locality in need of shipping. It is simply "to meet the requirements of the foreign commerce of the United States." As I read the message of President Wilson, he had something quite definite in mind. Beginning on page 4 of the message, as printed for the use of Congress, he says:

> It is of equal consequence that the nations whom Europe has usually supplied with innumerable articles of manufacture and commerce of which they are in constant need and without which their economic development halts and stands still can now get only a small part of what they formerly imported and eagerly look to us to supply their all but empty markets. This is particularly true of our own neighbors, the States, great and small, of Central and South America. Their lines of trade have hitherto run chiefly athwart the seas, not to our ports but to the ports of Great Britain and of the older continent of Europe. I do not stop to inquire why, or to make any comment on probable causes. What interests us just now is not the explanation but the fact, and our duty and opportunity in the presence of it. Here are markets which we must supply, and we must find the means of action.

On page 6 he says, on resuming this subject:

> But I think that you will agree with me that this does not complete the toll of our duty. How are we to carry our goods to the empty markets of which I have spoken if we have not the ships? How are we to build up a great trade if we have not the certain and constant means of transportation upon which all profitable and useful commerce depends? And how are we to get the ships if we wait for the trade to develop without them?

And, again, on page 7:

> Therefore I propose another way of providing the means of transportation, which must precede, not tardily follow, the development of our trade with our neighbor States of America.

"The development of our trade with our neighbor States of America!" He does not seem to refer to anything else.

> It may seem a reversal of the natural order of things, but it is true that the routes of trade must be actually opened—by many ships and regular sailings and moderate charges—before streams of merchandise will flow freely and profitably through them.

Mr. WEEKS. Mr. President——

The PRESIDING OFFICER (Mr. STERLING in the chair). Does the Senator from Ohio yield to the Senator from Massachusetts?

Mr. BURTON. I do.

Mr. WEEKS. I make the point of order that there is not a quorum present.

The PRESIDING OFFICER. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Borah	Gore	Myers	Smoot
Brady	Gronna	Nelson	Stephenson
Brandegee	Hollis	Norris	Sterling
Bristow	James	O'Gorman	Stone
Burton	Johnson	Page	Sutherland
Camden	Jones	Perkins	Swanson
Chamberlain	Kenyon	Pomerene	Thomas
Clapp	La Follette	Ransdell	Thornton
Clarke, Ark.	Lane	Saulsbury	Townsend
Culberson	Lee, Md.	Shafroth	Weeks
Cummins	Lippitt	Sheppard	White
du Pont	Lodge	Sherman	Williams
Fletcher	McCumber	Smith, Ga.	Works
Gallinger	Martine, N. J.	Smith, Md.	

Mr. TOWNSEND. I announce the absence on important business of the Senate of the senior Senator from Michigan [Mr. SMITH], and state that he is paired on all votes with the junior Senator from Missouri [Mr. REED]. This announcement may stand for the day.

The PRESIDING OFFICER. Fifty-five Senators have answered to their names. There is a quorum present. The Senator from Ohio will proceed.

Mr. BURTON. Mr. President, the natural, I may say the inevitable, inference from the message of the President is that additional ships were required for the trade to South and Central America. Now, two inquiries present themselves: First, is there need of additional ships to South America and Central America? Second, if the intention indicated by the later form of this bill is the true one and it is intended to put boats on all lines, what will be the result?

Mr. President, in the manifold duties of the Executive, I do not think he has had before him proper or accurate data in regard to the facilities for carrying freight to South America. Not only is there an abundant amount of shipping available, but not a boat which has sailed for South America from the port of New York for a year has been able to secure a full cargo; and, moreover, those sailings have been frequent. I have here a list, carefully prepared, which I will ask to have printed in the RECORD.

The PRESIDING OFFICER. The Chair hears no objection, and it is so ordered.

The matter referred to is as follows:

List of Prince Line steamers dispatched from New York to Brazil and River Plate from Jan. 1 to Sept. 30, 1914.

Date.	Steamer.	Destination.	Cargo space in ship when leaving New York.	Days loading at New York.
1914.			*Cubic feet.*	
Jan. 4	Asiatic Prince	Montevideo, La Plata, Buenos Aires, Rosario	84,082	6
21	Welsh Prince	Rio de Janeiro, Santos Montevideo, La Plata, Buenos Aires	172,500	12
Feb. 1	Eastern Prince	Pernambuco, Bahia, Rio de Janeiro, Santos	91,500	7
11	Japanese Prince	Rio de Janeiro, Santos, Montevideo, Buenos Aires, Rosario	112,500	11
22	Bulgarian Prince [1]	La Plata, Buenos Aires, Rosario	269,250	6
28	Scottish Prince	Pernambuco, Bahia, Rio de Janeiro, Santos	34,125	10
Mar. 20	Portuguese Prince	Rio de Janeiro, Santos, Montevideo, Buenos Aires, Rosario	90,638	13
31	Indian Prince	Pernambuco, Bahia Rio de Janeiro, Santos	116,250	7
Apr. 18	Hungarian Prince	Rio de Janeiro, Santos, Montevideo, La Plata, Buenos Aires, Rosario	96,000	18
29	Asiatic Prince [1]	Pernambuco, Bahia, Rio de Janeiro, Santos	134,250	6
May 10	Eastern Prince	Rio de Janeiro, Santos, Montevideo, La Plata, Buenos Aires, Rosario	15,000	8
27	Scottish Prince	Pernambuco, Bahia, Rio de Janeiro, Santos	58,725	8
June 10	Ocean Prince	Montevideo, La Plata, Buenos Aires, Rosario	55,500	15
22	Japanese Prince	Rio de Janeiro, Santos, Montevideo, La Plata, Buenos Aires, Rosario	95,025	11
30	Indian Prince	Pernambuco, Bahia, Rio de Janeiro, Santos	97,328	9
July 11	Welsh Prince [1]	Rio de Janeiro, Santos, Montevideo, La Plata, Buenos Aires, Rosario	140,250	11
28	Asiatic Prince	Pernambuco, Bahia, Rio de Janeiro, Santos	49,500	9
Aug. 2	Portuguese Prince [1]	Montevideo, La Plata, Buenos Aires	175,500	11
28	Afghan Prince	Rio de Janeiro, Santos, Montevideo, La Plata, Buenos Aires		22
Sept. 9	Scottish Prince	Pernambuco, Bahia, Rio de Janeiro, Santos	32,250	13
25	Eastern Prince	Pernambuco Rio de Janeiro, Montevideo, La Plata, Buenos Aires	6,750	13

[1] Completed cargo with coal at Norfolk, Va.

Usual time for loading steamers at New York, 6 to 12 days, according to size.

Steamers dispatched from New York to River Plate, Jan. 1 to Sept. 30, 1914.

Date.	Line.	Steamer.	Destination.
Jan. 4	Prince Line	Asiatic Prince	Montevideo, La Plata, Buenos Aires, Rosario.
10	Lamport & Holt Line	Verdi	Montevideo, Buenos Aires.
17	Houston Lines	Herminius	Montevideo, Buenos Aires, Rosario.
21	Prince Line	Welsh Prince	Montevideo, Buenos Aires, La Plata.
23	Barber & Co	St. Winifred	Montevideo, La Plata, Buenos Aires.
24	Do	Sahara	Montevideo, Buenos Aires, Rosario.
24	Lamport & Holt Line	Vasari	Montevideo, La Plata, Buenos Aires.
25	American & Rio Plata Line	Madawaska	Montevideo, La Plata, Buenos Aires, Rosario.
28	Houston Line	Honorius	Montevideo, La Plata, Buenos Aires.
31	Norton Line (10 steamers.)	Siam	Montevideo, Buenos Aires, Rosario.
Feb. 2	Standard Oil Co	Woodfield	La Plata, Bahia Blanca.
5	New York & South America Line	Charlton Hall	Bahia Blanca.
7	Lamport & Holt Line	Vauban	Montevideo, Buenos Aires.
11	Prince Line	Japanese Prince	Montevideo, Buenos Aires, Rosario.
12	Barber & Co	Ardoyne	Montevideo, La Plata, Buenos Aires, Rosario.
12	West Coast Line	Bellgrano	Bahia Blanca.
18	Houston Line	Harmonides	Montevideo, Buenos Aires, Rosario.
21	Lamport & Holt Line	Tennyson	Montevideo, Buenos Aires.
22	New York & South America Line	Crofton Hall	Bahia Blanca.
22	Prince Line	Bulgarian Prince	La Plata, Buenos Aires, Rosario.
25	American & Rio Plata Line	Queen Helena	Montevideo, La Plata, Buenos Aires, Rosario.
28	Norton Line (12 steamers.)	Bantu	Montevideo, Buenos Aires, Rosario.
Mar. 5	Houston Line	Hortensius	Montevideo, La Plata, Buenos Aires, Rosario.
7	Lamport & Holt Line	Vandyck	Montevideo, Buenos Aires.
10	Barber & Co	Ascuncion de Larringa	Montevideo, Buenos Aires, La Plata, Rosario.
12	Merchants Line	Cacique	Bahia Blanca.
17	Lamport & Holt Line	Zinal	Rosario.
19	Houston Line	Hermione	Montevideo, Buenos Aires, Rosario.
20	Prince Line	Portuguese Prince	Do.
21	Lamport & Holt Line	Byron	Montevideo, Buenos Aires.
26	Norton Line (9 steamers.)	Industry	Montevideo, Buenos Aires, Rosario.
Apr. 1	Houston Line	Hesione	Montevideo, Buenos Aires.
5	Lamport & Holt Line	Vestris	Do.
5	Barber & Co	Vellore	Montevideo, La Plata, Buenos Aires.
9	Lamport & Holt Line	Highland Heather	Buenos Aires.
10	Standard Oil Co	Calliope	Ibicuiy, La Plata.
10	West India Oil Co	Evanger	Rosario.
13	America & Rio Plata Line	Whitgift	Montevideo, Buenos Aires, Rosario.
14	New York & South America Line	Howick Hall	Bahia Blanca.
16	Houston Line	Horatius	Montevideo, Buenos Aires, Rosario.
16	Barber & Co	Kelvinbank	Montevideo, La Plata, Buenos Aires.
17	....do	Potomac	Montevideo.
18	Lamport & Holt Line	Highland Laird	Rosario.
18	Prince Line	Hungarian Prince	Montevideo, La Plata, Buenos Aires.
20	Norton Line	Ikaria	Montevideo, Buenos Aires, Rosario, Santa Fe.
29	Barber & Co (15 steamers.)	Singapore	La Plata, Buenos Aires, Rosario, Santa Fe.
May 1	Houston Line	Hyanthes	Montevideo, La Plata, Buenos Aires, Rosario.
3	Merchants Line	Charcas	Bahia Blanca.
9	Lamport & Holt Line	Vauban	Montevideo, Buenos Aires.
9	....do	Highland Harris	Do.
10	Prince Line	Eastern Prince	Montevideo, La Plata, Buenos Aires.
15	Houston Line	Honorius	Montevideo, La Plata, Buenos Aires, Rosario.
16	Lamport & Holt Line	Tennyson	Montevideo, Buenos Aires, Rosario.
16	America Rio Plata Line	Shirley	Do.
16	Standard Oil Co	Amicus	La Plata, Rosario.
17	Barber & Co	Domingo de Larringa	Montevideo, La Plata, Buenos Aires.

Steamers dispatched from New York to River Plate, Jan. 1 to Sept. 30, 1914—Continued.

Date.	Line.	Steamer.	Destination.
May 21	Houston Line	Harmonides	Montevideo, Buenos Aires.
26	Norton Line	Siam	Montevideo, Buenos Aires, Rosario.
28	New York & South America Line	Foxton Hall	Bahia Blanca.
30	Lamport & Holt Line (14 steamers.)	Vandyck	Montevideo, Buenos Aires.
June 8	Lamport & Holt Line	Highland Watch	Buenos Aires.
9	Barber & Co	Anselma de Larringa	Montevideo, La Plata, Buenos Aires.
10	Prince Line	Ocean Prince	Montevideo, La Plata, Buenos Aires, Rosario.
13	Lamport & Holt Line	Byron	Montevideo, Buenos Aires.
13	Houston Line	Herminius	Montevideo, La Plata, Buenos Aires, Rosario.
22	Prince Line	Japanese Prince	Do.
25	Barber & Co	Kelvindale	Montevideo, La Plata, Buenos Aires.
26	Standard Oil Co	Bergenhus	La Plata, Santa Fe.
26	New York & South America Line	Crasterhall	Bahia Blanca.
27	Lamport & Holt Line (10 steamers.)	Vestris	Montevideo, Buenos Aires.
July 1	Houston Line	Hermione	Montevideo, La Plata, Buenos Aires, Rosario.
4	America & Rio Plata Line	Comeric	Do.
6	Norton Line	San Francisco	Montevideo, Buenos Aires, Rosario.
11	Prince Line	Welsh Prince	Montevideo, La Plata, Buenos Aires, Rosario.
15	Houston Line	Hesione	Montevideo, La Plata, Buenos Aires.
24	Barber & Co	Kelvinbank	Montevideo, Buenos Aires, Rosario.
25	Lamport & Holt Line	Vauban	Montevideo, Buenos Aires.
29	Houston Line	Harmodius	Montevideo, La Plata, Buenos Aires.
30	New York & South America Line (9 steamers.)	Charlton Hall	Bahia Blanca.
Aug. 2	Prince Line	Portuguese Prince	Montevideo, La Plata, Buenos Aires.
6	New York & South America Line	Lorenzo	Buenos Aires.
6	....do	Berwind	Do.
10	America & Rio Plata Line	Bramley	Montevideo, Buenos Aires, Rosario.
13	Lamport & Holt Line	Tennyson	Montevideo, Buenos Aires.
28	Prince Line (6 steamers.)	Afghan Prince	Montevideo, La Plata, Buenos Aires.
Sept. 2	Barber & Co	Dochra	Montevideo, La Plata, Buenos Aires, Rosario.
3	Lamport & Holt Line	Vandyck	Montevideo, Buenos Aires.
5	Houston Line	Hilarius	Montevideo, La Plata, Buenos Aires.
12	....do	Horatius	Rosario, Santa Fe.
16	Norton Line	Bantu	Montevideo, Buenos Aires, Rosario.
16	Lamport & Holt Line	Zinal	Montevideo, Buenos Aires.
17	Houlder, Weir & Boyd	Drumcliffe	Montevideo, La Plata, Buenos Aires.
19	Norton Line	Industry	Bahia Blanca, Buenos Aires.
21	Barber & Co	Ardoyne	La Plata, Buenos Aires.
24	Lamport & Holt Line	Byron	Montevideo and Buenos Aires.
25	Prince Line	Eastern Prince	Montevideo, La Plata, Buenos Aires, Rosario.
29	Houston Line (11 steamers.)	Hellenes	Montevideo, La Plata, Buenos Aires.

SUMMARY.

Steamers dispatched in January	10
Steamers dispatched in February	12
Steamers dispatched in March	9
Steamers dispatched in April	15
Steamers dispatched in May	14
Steamers dispatched in June	10
Steamers dispatched in July	9
Steamers dispatched in August	6
Steamers dispatched in September	11
Total steamers in 9 months	96
Average steamers per month	10

Mr. BURTON. There has been a good deal of misapprehension and misinformation regarding our trade with South America. There is an equally erroneous impression that there are empty markets in that part of the world. What is the fact about this? Even before the war a certain degree of financial distress existed in several of the leading countries of South America, notably Brazil, and probably to a less degree in Argentina. Their buying capacity was very much diminished. With the advent of the war, however, a real crisis intervened. A large share of the capital of the banks of Brazil and Argentina is owned in foreign countries, in countries engaged in the present collossal conflict. Immediately specie was removed, the means of credit were withdrawn.

An illustration frequently makes conditions clearer than a long statement of general facts. A merchant in Brazil contracted for 200,000 sacks of flour. The flour was carried to New York, was placed in the warehouses, and a boat was waiting in the harbor to take it to South America. When everything was ready for its shipment there arose practically a revolution in exchanges with Brazil and with credit conditions affecting that country. The usual manner of payment for American products shipped to South America is of this general nature: The invoice is presented to a bank and a bill is drawn for the amount represented by the goods enumerated in that invoice. A cablegram is sent to Rio Janeiro, we will say, and a bank there accepts the bill of exchange. Then the freight is paid in advance and the shipment proceeds on its way. I may say in passing that the rule which provides for the payment of freight in advance for South American shipments does not prevail in shipments to Europe. There the advance payment is not required.

In this particular case the bank, because of its diminished resources or its embarrassment, refused to accept the draft. They probably felt they could not be sure of meeting it when presented. The prospective buyer sent a cablegram, "I will accept that draft," but just at that time Brazil had undertaken the issuance of a very considerable amount of paper money. The buyer proposed that the seller be paid in six months. But the seller was not, in the first instance, sure of the solvency of the buyer, and, in the second instance, he did not feel sure but that at the end of six months payment would be made in a depreciated currency. Therefore he refused to ship the flour. Meantime the story has been circulated that the shipment was held up because of a lack of ships. But, in fact, there were plenty of ships in the harbor to carry not only that consignment but many more.

Let me call attention briefly to this table I have had inserted in the RECORD. First is a list of Prince Line steamers dispatched from New York to Brazil and River Plate from January 1 to September 30, 1914.

January 4 the *Asiatic Prince*, to Montevideo, La Plata, Buenos Aires, and Rosario, six days loading at New York. How much space did she have available for carrying freight which was not utilized? Eighty-four thousand and eighty-two cubic feet. Roughly speaking, 40 cubic feet are sufficient for carrying 1 ton of freght. She had the capacity to carry a little over 2,000 tons in addition to the load with which she left the port of New York.

Mr. LIPPITT. What was the dead-weight?

Mr. BURTON. From about six to ten thousand tons dead-weight carrying capacity, nearer probably to the minimum of 6,000 than to the maximum of 10,000.

Mr. LIPPITT. Do I understand the Senator to mean to imply that the vessel had from 25 to 30 per cent of her capacity unoccupied?

Mr. BURTON. Yes; that is correct.

January 21, *Welsh Prince*, to Rio Janeiro, Santos, Montevideo, La Plata, and Buenos Aires, carrying space available when leaving New York, 172,500 cubic feet—capacity for 4,300 tons—for which there was no demand.

Passing a shipment February 1, there was one February 11, the *Japanese Prince*, that had 112,500 cubic feet, or a capacity to carry something over 2,500 tons, for which there was no demand.

On February 22 the *Bulgarian Prince* left port with 269,250 cubic feet not filled, or with space to carry something over 6,500 tons, considerably more than half her capacity, for which there was no demand. This approximated an empty boat. In this case instead of coaling at New York she proceeded to Norfolk to take on coal. That is perhaps the largest amount of empty space on any boat during the year.

On May 31 a boat went out with empty carrying space of 116,250 cubic feet; on April 29, 134,250; on July 11, 140,250, or something over 3,500 tons. In the last case mentioned she went to Norfolk to take on coal.

Then, August 2, there was the *Portuguese Prince*, with 175,500 feet of cubic space, or a capacity for nearly 4,500 tons. This boat also went to Norfolk.

I have also a list of steamers dispatched from New York to the River Plate, January 1 to September 30, 1914. It appears there were 10 steamers in January, 12 in February, 9 in March, 15 in April, 14 in May, 10 in June, 9 in July, 6 in August, and 11 in September; total in nine months, 96 steamers; an average of 10 steamers per month.

Mr. ROOT. That was in 1914?

Mr. BURTON. In 1914. The table is brought down to two months after the beginning of the war. If there was any decrease in the months of August and September, and it is to be noted that the number of steamers in September was 11, 1 above the average, it was due to the breakdown of credit and the diminished purchasing capacity of those countries.

Mr. LIPPITT. Before the Senator leaves that point, I should like to know if he can state whether those were tramp steamers or steamers of regular lines.

Mr. BURTON. They can not accurately be classified under either head. The Lamport & Holt Line did send a boat every week. Now it sends a boat about every month. That is a regular line. But these vessels are not exactly either tramp steamers or steamers of regular lines. They are between the two. I will come to that point later.

Now let us take up the question of sending boats to all parts of the world, which seems to be contemplated by the bill as it appears in the amended form introduced yesterday. Mr. President, that overlooks the vital point in the shipping trade. It is impossible to make any material impression upon freight rates or freight tonnage if a certain number of boats go out over scattered routes in all directions.

A great deal has been said about conference agreements, by which one company sends out a boat one week, another company sends a boat another week, a third line on the third week, and a fourth line on the fourth week, and it is said that this indicates at least a general agreement and that it is contrary to the antitrust law. If we consider this subject, we must realize that the shipping trade can be carried on in no other way, whether there be but one line or many distinct lines. Suppose, for instance, there is a port, such as New York, from which freight to the amount of a thousand tons a day is shipped to Rio de Janeiro, and there are 10 boats available for that business, each carrying 10,000 tons. Now, suppose the Government goes into the business with a separate line, and you say that the others must not agree as to sailing dates, what will happen? Each boat will be bidding for that 1,000 tons of freight per day and getting perhaps 100 tons of it. If there are 10 boats, they will all have to remain in port 100 days before they can go out.

Mr. ROOT. Before they can be loaded.

Mr. BURTON. Before they can be loaded to go out. Now, suppose you put 1 Government boat in competition with these 10 boats, what happens? It must wait around an indefinite length of time for a load. It must be uncertain in the date of its sailings and must subject shippers and others interested therein to great loss in the delays incurred. The question arises at the very outset, What is the Government going to do with this line? Is it going into these conference agreements?

According to the testimony taken before the Merchant Marine and Fisheries Committee, the Government has already entered into this conference agreement and conformed its methods to the general custom of the trade.

Now, let us consider another phase of this question. Is the Government going to put its boats on the lines or routes to the countries of Europe which are now at war? Mr. President, I frequently believe we do not appreciate how serious this war really is. It is the most frightful conflict in the world's history. Is it conceivable that such a conflict should progress without utterly demoralizing all the routes of trade? Not only is there a general demoralization of international trade conditions but navigable routes are strewn with mines. These are planted with the greatest abundance near the entrance to ports and harbors. The English Government, I understand, has declared the North Sea mare clausum, a closed sea, and has warned shippers that they enter it at their peril. There is the danger of detention, in the first place, by an exercise of the right of seizure and search, the danger of confiscation of the cargo by the boat being taken into the belligerent country and condemned by a prize court. There is even danger that the boat itself may be confiscated. All these constitute dangers that are entirely unprecedented. Then, in addition, there are other features which cause delay and increased cost. The harbors of the belligerents are congested with their own boats, some of which do not dare to go to sea. The greater share of the men who handle the cargoes have gone into the army; most of the artisans who make the necessary repairs which almost every boat requires when it is in port also have enlisted in the army.

Then you can add still another fact to all this, that the Governments involved in the war demand that their ships shall have first access to the wharves and the first use of men for loading and unloading and for making repairs. Instances have occurred in which boats have been detained as long as 60 days in a foreign port. I want to read a paragraph which appeared in yesterday morning's Washington Post, and I assume is an Associated Press dispatch.

In this connection I want to call attention to the fact that a few days ago it was reported that a Danish ship, loaded with cotton, going into the North Sea was blown up by a mine. The article is as follows:

SHIP RUNS MINE FIELD—AMERICAN SKIPPER MAKES BREMEN WHEN PILOTS DODGE RISK—DELIVERS CARGO OF COTTON—CAPT. PINCHIN DETERMINES TO TAKE HIS VESSEL ON LAST LEG OF VOYAGE FROM GALVESTON DESPITE REFUSAL OF DUTCH NAVIGATORS TO ESSAY PASSAGE AND LACK OF MINE CHARTS.

BREMEN (via The Hague and London), *January 5.*

Owing to the daring of an American skipper, the steamer *El Monte*, which sailed from Galveston, Tex., December 3, and New York, December 11, arrived at Bremen on January 1. The *El Monte* brought more than 6,000 bales of cotton, the first to reach this port during the war. She was the first American merchantman to visit Bremen in 40 years.

Capt. Edward T. Pinchin, of the *El Monte*, after the voyage across the Atlantic, took on a British pilot at Deal, as England does not class cotton as contraband, but, fearing the pilot would be interned if he entered German waters, the captain dropped him at the Hook of Holland.

That is right off Rotterdam, I understand.

At the hook Dutch pilots refused to assist the American skipper, saying it was impossible on account of mines to make the trip.

Capt. Pinchin was determined to go on, saying he would take his ship to her destination or know the reason why.

Accordingly he proceeded without a pilot, picking his own course without mine charts or other aid. He made his way to Bremen, greatly to the amazement of the Germans, who were much interested in his adventure.

That man ought to have a Carnegie medal for supreme heroism. Just see what confronted him. Dutch pilots would not undertake to handle his ship when he reached Rotterdam. They said that owing to the numerous mines they would not take the risk of making the trip.

Now, suppose the Government buys ships. Will these foreign Governments say, "We will clear the passageway; we will remove the mines"? Are pilots going to say, "This ship is owned by a Government corporation, and we will undertake to steer her through the dangerous passage"? How are you going to remedy the situation? We may ask the question, Why should this be so? But the answer is that it is a condition, not a theory, which we confront, and a condition which could not in the least degree be remedied by Government ownership.

Mariners who navigate merchant vessels, even those on battleships, have not been accustomed to piloting their craft over portions of the sea strewn with mines which they are liable to strike at any moment, and which will destroy their ship, send the cargo to the bottom, and perhaps send them into eternity.

There is a great deal of talk about this matter of freight rates, and their altitude, which is based upon either an altogether superficial survey of the situation or an absolute ignorance of essential facts.

I wish to call attention to a very singular fact: The rates to distant portions of the earth, such as Hongkong, Colombo, and to the most remote ports of South America, are now much lower

proportionately than they are from New York to Liverpool or from New Orleans to Liverpool. This is in line with what I have been saying. It is not due for the most part to scarcity of shipping, for ships are available; but it is due to the mortal dread of traversing the mined zone. With the consent of the Senate I will insert a memorandum of rates to the River Plate, to India, to the Far East, and to South Africa.

The PRESIDENT pro tempore. Without objection, the request will be granted.

The matter referred to is as follows:

Memorandum of rates to River Plate.

	General merchandise.		Soft lumber.	
	Before war.	After war.	Before war.	After war.
Montevideo, Buenos Aires	$6.50	$8.12	$4.20	$5.25
Rosario, Bahia Blanca	8.10	9.72	5.40	6.75

	Hardwoods.		Rosin.		Shooks.	
	Before war.	After war.	Before war.	After war.	Before war.	After war.
Montevideo, Buenos Aires	$6.40	$8.00	[1] $8.00	[1] $10.00	$4.00	$5.00
Rosario, Bahia Blanca	7.60	9.50	[1] 10.00	[1] 13.12	5.60	7.00

[1] Per 2,240 pounds.

We are protecting shippers at old rates on orders which had been secured prior to the war, provided they had notified us of same at time hostilities commenced.

Memorandum of rates to India.

	General merchandise.		Bale domestics.		Rough goods.	
	Before war.	After war.	Before war.	After war.	Before war.	After war.
	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.
Karachi	30 0	36 0	22 6	27 0	21 6	23 8
Bombay	27 6	33 0	20 0	24 0	21 6	23 8
Colombo	35 0	42 0	25 0	30 0	19 3	24 0
Calcutta	30 0	36 0	20 0	24 0	21 6	23 8

Memorandum of rates to Far East.

	General merchandise.		Bale domestics.		Rough goods.	
	Before war.	After war.	Before war.	After war.	Before war.	After war.
	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.
Singapore	40 0	44 0	40 0	44 0	27 6	30 0
Manila	$10.00	$11.00	$9.75	$10.72	27 6	30 0
	s. d.	s. d.				
Hong Kong	40 0	44 0	[1] 60	[1] 66	27 6	30 0
Shanghai	42 6	46 9	[1] 50	[1] 55	27 6	30 0
Kobe	40 0	44 0	[1] 60	[1] 66	27 6	30 0
Yokohama	40 0	44 0	[1] 60	[1] 66	27 6	30 0

[1] Per hundredweight.

South African rates.

[Cape Town basis.]

s.	d.		s.	d.
		FINE CARGO.		
46	6	plus 25 per cent	58	2
46	6	plus 20 per cent	55	10
46	6	plus 15 per cent	53	7
		GENERAL CARGO.		
34	9	plus 25 per cent	43	5
34	9	plus 20 per cent	41	8
34	9	plus 15 per cent	39	10
		ROUGH CARGO.		
22	9	plus 25 per cent	28	5
22	9	plus 20 per cent	27	4
22	9	plus 15 per cent	26	1

The above represent the rates at the beginning of the war and later.

Mr. BURTON. It appears that there has been some increase of rates, for instance, on general merchandise. Before the war the rate to Montevideo and Buenos Aires—it is the same to both cities—was $6.50 per ton; since the war it has been $8.12 per ton. To Rosario, Bahia, and Blanca it was $8.10 before the war, and it has been $9.72 since. Here is an increase in one case of, say, 25 per cent, and in another 20 per cent, which is by no means an unusual increase in times of profound peace, and in the present troubled situation the danger of seizure is an adequate explanation.

Why, one boat of the Lamport & Holt Line, the *Vandyke*, on the route from Rio Janeiro to New York, was captured by a German cruiser, and I believe there is yet doubt as to whether or not she was sunk. In any event, her passengers were taken off. That illustrates the reason for an increase of rates even in going down to South America, where the increase has been only 25 per cent. With a little more elaboration I shall seek to take up at another time, when I have more carefully compared the figures, the relative rates to Bombay, Colombo, Calcutta, Singapore, and other cities that I have mentioned, and those to ports in Europe now involved in war.

What is one main reason why there are not more boats available for charters to England, to France, and to the countries where greater obstructions exist, such as Germany and Austria-Hungary? It is easily explained in accordance with business principles readily understood. Great fleets of boats have been engaged in the trade to all the outlying countries. I will read a brief list. To Brazil, under normal conditions, there are six steamers each month. The lines include the Prince Line, the Lamport & Holt Line, the Funch Line, controlled by Funch, Edye & Co., and the United States & Brazil Steamship Corporation.

To the river Plata there is the Houston Line, the Barber Line, the Prince Line, and the Norton Line.

To China and Japan, and also to India, there is the Ellerman-Bucknall Line, one of the largest in the world; the United States, China & Japan Line; the Barber Line; the Houlder, Weir & Boyd Line; the Prince Line; Rankin, Gilmore & Co.; and the Mogul Steamship Co.

Most of these lines, perhaps, are controlled or owned by English owners, but the agents, nevertheless, are Americans or those living in this country—I do not say they are all naturalized, but most of them are—who themselves control the rates.

I think a grave mistake is made when it is contended that these boats are controlled in the interest of foreign countries. They are controlled, just as all other business is controlled, for the sake of profit and for the sake of getting freight. The idea that they first find out whether they can get a profitable cargo abroad, and that only when it is refused do they come to America, is altogether erroneous, because they are running on routes from New York and other cities in this country to South America, India, China, Australasia, and so forth. With the consent of the Senate, I shall insert this list in the RECORD.

The PRESIDENT pro tempore. Permission is granted, unless there is objection. The Chair hears none.

The list referred to is as follows:

The owners or agents of steamship lines trading to South America (Brazil) are Prince Line; Lamport & Holt; Funch, Edye & Co.; United States & Brazil Steamship Corporation.

To the river Plata: Houston Line, Barber Line, Prince Line, Norton Line.

To China and Japan, also India: Ellerman-Bucknall (English), one of the largest in the world; United States, China & Japan Line; Barber Line; Houlder, Weir & Boyd (English); Prince Line; Barber Line, made of Lancashire Shipping Co.; Rankin, Gilmore & Co.; Mogul Steamship Co.

South Africa: Union-Castle; Ellerman-Bucknall; Cayser-Irvine & Co.; Prince Line; and Houston Line.

Australia: United States & Australasia Steamship Co. (American); Ellerman-Bucknall; New Zealand Steamship Co.

India: Ellerman-Bucknall.

Mr. BURTON. There is a very queer term applied to these boats; it is not found in any of the lexicons, but it is a colloquial term which is quite expressive. They are called "glorified tramps"; that is, they are a type of boat that naturally would be classified as tramps, seeking all over the world for a cargo in any direction, going to South America on one trip and to the farthest point of Asia on another; but these boats, which may be said to have been tramps a few years ago, have now become part of an established route of trade. So they approximate the status of regular lines, and they are termed "glorified."

The owners of these boats do not wish to withdraw them from the lines in which they are now engaged in trade. Why? First, because they have their contracts; they have their established lines of custom; and if they should withdraw from these routes and carry cotton or grain to Europe there would be a lapse in the trade to these other countries. Consequently they prefer those lines operated so as to follow the routes in which they have been engaged for some time past.

Another thing: I fancy they do not anticipate that this war will last indefinitely; at any rate, they expect that it will end sooner or later. That is one great explanation of this situation.

It is true that the German boats have been withdrawn from the trade. But let us look at that proposition a moment. The foreign trade of Germany bears just about the same proportion to the trade of the world as their shipping does to the shipping of the world. Their exports and imports have been almost absolutely cut off—at least those going across the seas. So the interning of their ships does not very materially change the situation. The same is no doubt true of the Austro-Hungarian situation.

We come then to another factor in the situation, which does no doubt diminish the number, and that is the requisition of boats by the English and French Governments—particularly by the English Government. These vessels are thus withdrawn from business. The carriage of some classes of freight has been very greatly increased during this war, while the carriage of other classes has been very materially diminished. When the general result is balanced it is on the side of diminished traffic, but it is probable that the English and French boats withdrawn for military or naval purposes form a larger proportion of their shipping than the diminished exports. That, of course, affects the situation and, naturally, tends to raise the rate, which is one feature of the present situation.

But we come to this inquiry repeatedly: How is a Government line or a Government corporation, with all their red tape and delay, going to help us? Are they going to improve on the condition as it exists just now? Had we better not leave it to the ordinary agencies of trade? It is a delusion that a Government corporation or any other untried agency can enter any line of human activity and do better than can those who for long years have been trained in the business.

Mr. SMITH of Maryland. Mr. President, will the Senator from Ohio allow me to interrupt him?

The PRESIDENT pro tempore. Does the Senator from Ohio yield to the Senator from Maryland?

Mr. BURTON. Certainly.

Mr. SMITH of Maryland. I am very anxious to bring up for consideration the District appropriation bill. It is a very important bill, and if the Senator from Ohio will allow it to be brought up at this time I shall be very grateful.

Mr. BURTON. I can continue my remarks conveniently at another time, and I have no objection to the Senator's request.

Mr. FLETCHER. Mr. President, I very much regret to have the Senate discontinue the consideration of the pending bill at the present time, but I know that it is important to dispose of the appropriation bills. Under the circumstances I will therefore ask unanimous consent to lay the unfinished business aside temporarily.

The PRESIDENT pro tempore. The Senator from Florida asks unanimous consent to temporarily lay aside the pending bill. Is there objection? The Chair hears none.

DISTRICT OF COLUMBIA APPROPRIATIONS.

Mr. SMITH of Maryland. I ask unanimous consent that the Senate proceed to the consideration of the District of Columbia appropriation bill.

Mr. OVERMAN. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Senator from North Carolina suggests the absence of a quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Hitchcock	Overman	Smoot
Bankhead	Hollis	Page	Stephenson
Bristow	Hughes	Perkins	Sterling
Burton	Jones	Pittman	Stone
Camden	Kenyon	Pomerene	Sutherland
Chamberlain	La Follette	Ransdell	Swanson
Clapp	Lane	Reed	Thomas
Clarke, Ark.	Lippitt	Robinson	Thompson
Cummins	Lodge	Root	Thornton
Fletcher	McCumber	Saulsbury	Tillman
Gallinger	Martine, N. J.	Shafroth	Weeks
Gore	Nelson	Sherman	Williams
Gronna	Norris	Smith, Md.	Works.

Mr. HITCHCOCK. I desire to say on behalf of myself and other members of the Philippines Committee that there have been several calls for a quorum which the members of the committee have not answered, because an important hearing has been proceeding on previous days and is being held to-day.

Mr. FLETCHER. I wish to announce that my colleague [Mr. BRYAN] is attending a hearing as a member of the Committee on Naval Affairs, which accounts for his absence.

The PRESIDENT pro tempore. Fifty-two Senators having answered to their names, a quorum of the Senate is present.

Mr. SAULSBURY. I ask leave out of order to present a bill for appropriate reference.

The PRESIDENT pro tempore. The Senator from Delaware asks unanimous consent to introduce a bill at this time. Is there objection?

Mr. LODGE. I object.

The PRESIDENT pro tempore. Objection is made. The Senator from Maryland asks unanimous consent that the Senate proceed to the consideration of the District of Columbia appropriation bill.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 19422) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1916, and for other purposes.

Mr. SMITH of Maryland. I move that the formal reading of the bill be dispensed with and that the bill be read for amendment, the amendments of the committee to be first considered.

The PRESIDENT pro tempore. Such will be the order, unless there is objection. The Chair hears none. The Secretary will state the first amendment.

The first amendment of the Committee on Appropriations was, on page 1, after the enacting clause, to strike out:

That the following sums, respectively, are appropriated, in full for the following expenses of the government of the District of Columbia for the fiscal year ending June 30, 1916: That all moneys appropriated for the expenses of the government of the District of Columbia shall be paid out of the revenues of said District to the extent that they are available, and the balance shall be paid out of money in the Treasury of the United States not otherwise appropriated, but the amount to be paid from the Treasury of the United States shall in no event be as much as one-half of said expenses, and all laws in conflict herewith are hereby repealed.

And insert:

That one half of the following sums, respectively, is appropriated out of any money in the Treasury not otherwise appropriated, and the other half out of the revenues of the District of Columbia, in full for the following expenses of the government of the District of Columbia for the fiscal year ending June 30, 1916, namely:

The PRESIDENT pro tempore. The question is on the adoption of the amendment.

Mr. KENYON. Mr. President, I wish to submit a few observations on the amendment. They will not be long. The bill as it came from the House contained what is known as the Johnson amendment, which was supported in the House by Democrats and Republicans alike. It seems to me that if the Senate calmly considers the Johnson amendment, which I presume they will not do, sentiment in the Senate in favor of the committee amendment striking out the Johnson amendment will not be so strong as the newspapers would seem to indicate. However, the newspapers in the District of Columbia have announced that this matter is perfectly safe in the Senate, and that is received with loud acclaim by the tax dodgers in the District of Columbia.

I know that anyone who raises his voice in favor of the Johnson amendment is considered an enemy to the District of Columbia, is ridiculed and caricatured by the press of this city, as the Representative from Kentucky in the House and as Judge PROUTY, one of the Representatives from my State, have been ridiculed and caricatured for the fight they have made.

I do not believe, Mr. President, that it will make very much difference what the Senate may do in this matter. I believe men like Representative JOHNSON in the House and Representative PROUTY and Representative PAGE of North Carolina, and others whom I might mention, who have made the fight for a fair and honest apportionment between the Government and the District of Columbia in appropriations to pay the expenses of conducting the affairs of government in the District are not going to submit to having this amendment stricken from the bill.

What is the Johnson amendment?

Mr. GALLINGER. Mr. President, will the Senator permit me to interrupt him?

Mr. KENYON. I yield to the Senator.

Mr. GALLINGER. Is not the Senator wrong in quoting Mr. PAGE? Mr. PAGE is chairman of the subcommittee in the House, and did not that committee report the part of the bill to which reference is now made in accordance with the law as it now stands, and was not the amendment put on on the floor of the House?

Mr. KENYON. It was; but, as I understand—I do not want to misquote Mr. PAGE, but I was going to read something from his speech that I thought sustained what I have said.

Mr. GALLINGER. That may be.

Mr. KENYON. But I may be in error.

Mr. GALLINGER. I noticed that in reporting the bill Mr. PAGE did not report this amendment.

Mr. KENYON. That is true.

Mr. President, what is called the half-and-half plan exists in the District of Columbia, and has existed, I think, since about 1878. Under that plan, for every dollar which the District pays the Government pays another dollar; and because this custom has existed so long everyone says, when the question is first

broached, "Why, that is a fair proposition; we want this to be a beautiful capital city"—and we all do—"we want it to be a great city"—and we all do—"and we, as representatives of the Government, want to do our part." That is all true, and no one wants that more than I do; but as this bill was reported to the House—I will not take up the additions made by the Senate Committee on Appropriations—it carried the following amount:

The total amount recommended to be appropriated for the general expenses of the District of Columbia—

I am reading from the report of the House committee—

The total amount recommended to be appropriated for the general expenses of the District of Columbia for the fiscal year 1916 in the bill submitted herewith, exclusive of the amount for the water department payable out of water revenues, is $11,174,193.45, of which sum the General Government is required to pay $5,566,764.22.

So that $5,566,764.22 is what the District of Columbia would pay without the Johnson amendment and what the Government would pay without the Johnson amendment.

The report says further:

The total general revenues of the District of Columbia for the fiscal year 1916, after deducting $90,275 specifically charged against the same, it is estimated, will amount to $7,881,625.

So that the proposition is simply this: In round numbers $11,000,000 are to be raised. The revenues from taxation in the District of Columbia under, as I shall attempt to show, one of the lowest rates of taxation of any of the large cities in the United States, and with no taxation on moneys and credits, all of which have made this a harbor of refuge for the rich tax dodgers of the United States, will amount to $8,000,000 approximately. The Johnson amendment is simply a plain provision that that $8,000,000 which will be raised, according to the estimates of the District Commissioners, from this low rate of taxation shall be applied, first, to the payment of the expenses of the District of Columbia, and the balance, amounting to about $3,000,000, shall be paid by the Government. Will anybody explain why that is not a fair proposition?

Mr. SMITH of Maryland. Mr. President——

Mr. KENYON. Is everybody an enemy of the District who advocates that the money raised by taxation in the District shall go first to pay the expenses of the District?

Mr. SMITH of Maryland. Mr. President——

Mr. KENYON. Just a word more, and I will yield to the Senator. On the other hand, the theory of the opponents of the Johnson amendment is that of the $11,000,000, in round numbers, necessary to provide for the municipal government of Washington the District shall pay five and a half million—I am not being exactly accurate, but the figures are nearly correct and will do for illustration—and the Government shall pay five and a half million dollars; so that there is between the amount the District pays and the amount raised from the present methods of taxation about $2,500,000, which is left over to the credit of the District and to make up for which taxes must be levied upon the people of my State and all the other States of the Union.

Mr. SMITH of Maryland. Mr. President, I will ask the Senator if he realizes that there is a large funded debt due by the District and by the Government, amounting to nearly $7,000,000, which in the past the taxes have not been sufficient to pay, but which has to be met?

Mr. KENYON. Do the surplus revenues of the District go to pay that?

Mr. SMITH of Maryland. Any surplus may be applied for that purpose. The amount has to be raised by the taxpayers. As I have said, there is due by the District of Columbia and by the Government nearly $7,000,000.

Mr. KENYON. I am not familiar with just what the funded debt is. I know that an investigation a short time ago disclosed the fact that the District owed the Government a large sum of money on account of the interest the Government had advanced on the funded indebtedness.

Mr. GALLINGER. That has all been paid.

Mr. SMITH of Maryland. That has been paid; all the floating debt has been paid by the District of Columbia; but there is now due a funded debt of about six and three-quarter million dollars, for which the money will have to be raised. Any surplus that accrues from taxation will probably go to pay the District's part of the funded debt.

Mr. KENYON. That is an interesting statement. I was not familiar with that, and neither the House report nor the report submitted by the distinguished Senator in charge of the bill in any way throws any light upon that proposition or in any way explains to the Senate that any part of the surplus revenue is to be used in the payment of the funded debt.

Mr. SMITH of Maryland. Any surplus would go back into the Treasury of the Government, and then the matter of payment of the debt would be hereafter arranged.

Mr. KENYON. I think it ought to be arranged now.

Mr. SMITH of Maryland. The Government is sure of having the money, for it goes into the Treasury, and therefore there can be no loss to the Government in the matter. There is no way by which the Government can be deprived of its part of the surplus.

Mr. GALLINGER. Mr. President, to be exact, I think the Senator should say that the balance or surplus goes in the Treasury of the United States to the credit of the District of Columbia.

Mr. SMITH of Maryland. But it can be applied to the payment of the District's share of the debt.

Mr. KENYON. That appears nowhere except in the remarks of the chairman.

Mr. WEEKS. Mr. President——

The PRESIDENT pro tempore. If it is agreeable to the Senator from Iowa, the Chair will permit him to be the judge of interruptions and when they should take place. This is a debate which seems to run to figures and items, and it is hardly worth while to require consent to be secured in the prescribed way. If that course is satisfactory to the Senator, it will be followed.

Mr. KENYON. I shall be very glad to be interrupted at any time, because it shows an interest in the subject that I supposed really could not be aroused.

I yield to the Senator from Massachusetts.

Mr. WEEKS. Mr. President, as I understand, the floating debt which has existed for several years has been entirely paid, and there is about $75,000 surplus——

Mr. SMITH of Maryland. I will say that the floating debt has been paid, and there was about $75,000 surplus last year.

Mr. WEEKS. Let me finish—which goes with the money that would go into the Treasury to the credit of the District of Columbia. I understand that this year there is likely to be a very considerable surplus; is there not?

Mr. SMITH of Maryland. Yes, sir; there will be a very considerable surplus.

Mr. WEEKS. I wish to ask the chairman of the District Committee if he does not think it would be a proper use to which to put that money to provide a sinking fund to retire the District indebtedness or to purchase the District indebtedness, if it can be bought on suitable terms, so that, if the surplus revenue from taxation is sufficient, in the course of years the District indebtedness will be entirely liquidated by appropriations from that surplus?

Mr. SMITH of Maryland. It was the view of your committee that this money of the District would eventually be paid in behalf of the District's portion of the funded debt; and, of course, the Government is responsible, under the organic law, to pay its part of the debt.

Mr. WEEKS. Is there any reason why provision should not be put into this bill providing that the surplus revenues from taxation should be used for that purpose?

Mr. SMITH of Maryland. So far as the amount due by the District of Columbia is concerned? Is that the Senator's idea?

Mr. WEEKS. Yes.

Mr. SMITH of Maryland. So far as my judgment goes, I see no objection to that, and we have none; but we felt that it was a matter that might be considered by Congress, as to how it should be applied and how it should be fixed, and we just left it to remain, so that it would go into the Treasury to the credit of the District of Columbia.

Mr. ROOT. Mr. President——

Mr. KENYON. I yield to the Senator from New York.

Mr. ROOT. I will ask the Senator whether it is not a fact—I have an impression to that effect, though I may be wrong about it—that there are several large projects of improvement which have been authorized by Congress, and which, in the ordinary course of events, would have called for the expenditure of money out of this fund, which have been postponed or delayed owing to circumstances perhaps natural enough to attend a change in administration. I refer, for instance, to the extension of the Capitol Grounds, the taking of the property between the Capitol and the railway station, which involves several million dollars; the acquisition of the land for the Rock Creek Parkway connection, connecting the Potomac Park with the Zoological Gardens and the Rock Creek Park, and dealing with that eyesore and menace to health—the open space along the lower part of the course of Rock Creek. I say I have an impression that in the ordinary course of events one-half of that expense would have been paid out of that fund.

Mr. SMITH of Maryland. Mr. President, I will say to the Senator from New York that there were many items that the committee thought were worthy of attention and should be looked after that would require a great deal of money. They

felt, however, that as this is the short session they had better defer them until some other time.

Mr. KENYON. But, Mr. President, is it not true—I want to suggest this in line with what has been said by the Senator from New York—that the District of Columbia pays absolutely no part of those expenses; that they are paid entirely by the Government? The upkeep of Rock Creek Park is paid entirely by the Government, as I understand.

Mr. GALLINGER. Oh, no, Mr. President; the Senator is wrong about that. The District of Columbia bears one-half the cost of Rock Creek Park, and will bear one-half the cost of connecting the two parks; but I think the Senator from New York is not accurate about the improvement of the Capitol Grounds. I think that is entirely a Federal matter.

Mr. ROOT. I did not make any statement about that. I merely asked the question.

Mr. GALLINGER. That is entirely a Federal matter.

Mr. ROOT. I know there has been delay in several projects of improvement which would have called for large expenditure, and the Rock Creek parkway connection would call for several millions of dollars. It has already been authorized by Congress. Congress has passed a law requiring the work to be done; but for some reasons—I do not know what they are—the work has not reached a point which has called for demands upon the Treasury; but the money will have to be there.

Mr. KENYON. If it is not included in this bill—and I do not know whether or not the Senator has examined it to ascertain; I think it is not—it will be included in some other bill. If the Senator from New Hampshire, who, of course, by reason of his long service on the committee is very familiar with these matters, states that the acquisition of Rock Creek Park and the expenses of maintaining it were divided between the Government and the District, I will have to accept that statement; but it is contrary to what I had understood to be the fact.

Mr. GALLINGER. Mr. President, if the Senator will permit me, that is accurate. The purchase was upon an equal contribution from the Treasury of the Government and the District of Columbia, and the Senator will find that the upkeep of the park is provided for in this bill on the half-and-half principle.

Mr. SHAFROTH. Mr. President, I should like to ask the Senator from New Hampshire whether the original purchase of this park was made by the Government and the District of Columbia jointly?

Mr. GALLINGER. It was, as I understand.

Mr. SHAFROTH. And the expenditures that have been made with relation to the park——

Mr. GALLINGER. Have all been on the half-and-half principle?

Mr. BRISTOW. Mr. President, if the Senator will yield——

Mr. KENYON. I yield to the Senator from Kansas.

Mr. BRISTOW. I should like to inquire, also, if the maintenance of the Zoological Park is not wholly by the Government, or is that on the half-and-half plan?

Mr. GALLINGER. I have an impression that the expense of that is likewise divided between the Government and the District of Columbia, although on that I may not be well informed.

Mr. BRISTOW. I thought the maintenance of that was under another department, and not under the District of Columbia.

Mr. GALLINGER. The Senator may be right in the suggestion that that is a Federal matter. I am not positive. I have not looked into it recently. I will say that I am not so familiar with these matters as I was a few years ago when I was chairman of the District Committee, but of course we want to be accurate about it, and it is possible that the Senator is correct in his suggestion regarding the Zoological Park.

Mr. SMITH of Maryland. I will say that that is true, Mr. President; that one-half the expense is borne by the Government and one-half by the District.

Mr. NORRIS. The Senator refers to the Zoological Park?

Mr. SMITH of Maryland. Yes, sir.

Mr. BRISTOW. The Zoological Park is maintained on the half-and-half plan?

Mr. SMITH of Maryland. On the half-and-half plan. The language is:

> National Zoological Park: * * * one half of which sum shall be paid from the revenues of the District of Columbia and the other half from the Treasury of the United States.

Mr. OVERMAN. Mr. President, does not the Smithsonian Institution have control of the Zoological Park, and spend great sums in maintaining it? I understood that that was the case from reading the report of the Smithsonian Institution.

Mr. SMITH of Maryland. They do; but I understand that that is divided between the Government and the District of Columbia.

Mr. OVERMAN. I think the Smithsonian Institution does it out of its own fund. It has a great endowment, and while I do not know what they say about this, I know that in their report they speak of the money they expend in keeping up the Zoological Park.

Mr. SMITH of Maryland. They are intrusted with the care of it; but if you will notice there——

Mr. BRISTOW. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from Kansas?

Mr. KENYON. I do.

Mr. BRISTOW. I was interested in a statement the Senator from Iowa made. He states that it is estimated that there will be two and a half or three million dollars surplus of the District revenues.

Mr. OVERMAN. If the Senator will permit me, before we leave this subject, I see that the total amount spent under the Smithsonian Institution was $600,000. They spent this money in keeping up the Zoological Park; but here is an appropriation of $100,000 outside of this—

> For continuing the construction of roads, walks, bridges, water supply, sewerage, and drainage; and for grading, planting, and otherwise improving the grounds; erecting and repairing buildings and inclosures; care, subsistence, purchase, and transportation of animals—

And so forth. Here is an appropriation of $100,000, half of which is to be paid by the Government and half by the District; but the total amount was spent under the Smithsonian Institution. I was right about that. They have spent $600,000 of their own funds.

Mr. GALLINGER. Not on the park, surely. The Senator does not mean that.

Mr. OVERMAN. It says that that is the total amount under the Smithsonian Institution.

Mr. ROOT. That is for all the Smithsonian purposes.

Mr. OVERMAN. I do not know how that is. I know it is under this item.

Mr. ROOT. The Senator does not mean for the Zoological Park?

Mr. OVERMAN. The Zoological Park is under the Smithsonian Institution.

Mr. ROOT. Oh, yes; and so are a great many other things.

Mr. OVERMAN. I know, but they spent the money in keeping it up. They spent it out of their own endowment fund.

Mr. SMITH of Maryland. The question that was asked was whether the expenses of the National Zoological Park were defrayed by the Federal Government or by the District of Columbia. We are speaking of that. So far as the Smithsonian Institution is concerned, that is another proposition; but the money that is appropriated for that purpose is provided by the District of Columbia and by the Federal Government—half and half.

Mr. JONES. That is not covered in this bill, is it?

Mr. BRISTOW. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Iowa yield, and to whom?

Mr. KENYON. I have yielded to the Senator from Kansas, and with his permission I will yield to the Senator from Washington.

Mr. JONES. I just want to ask a question on this particular matter. I want to ask the Senator in charge of the bill why it is, if that is true, that the matter is not carried in the District of Columbia appropriation bill? We do not have anything in this bill with reference to the Zoological Park; at least, that is my recollection.

Mr. SMITH of Maryland. I am not able to say just why certain matters are not carried here. I am only saying that the money which is appropriated for that purpose is contributed by the Government and by the District government jointly, half and half.

Mr. JONES. In what bill is that appropriation made?

Mr. SMITH of Maryland. That is under the sundry civil bill.

Mr. GALLINGER. Mr. President, in answer to the Senator from Washington, I will say that the appropriations in the District bill are under the supervision of the Commissioners of the District of Columbia. The Zoological Park being under the jurisdiction of another branch of the Government, the appropriations for it are carried in the sundry civil bill.

Mr. BRISTOW. As I was proceeding to remark, from the statement made by the Senator from Iowa there will be approximately $8,000,000 raised from taxation within the District. Under the half-and-half policy proposed by the amendment of the committee $5,500,000 would be required of that $8,000,000 of revenue, leaving a surplus of District revenues of something like $2,500,000——

Mr. SMITH of Maryland. I will say it leaves a surplus of $1,800,000.

Mr. KENYON. The surplus, as given by the report of the House committee, is $2,042,205.77. It is around $2,000,000, anyway.

Mr. BRISTOW. We will say it is approximately $2,000,000. The Senator from Massachusetts [Mr. WEEKS] suggests that that $2,000,000 shall be used to pay the indebtedness of the District of Columbia; that specific provision to that effect shall be made, no provision having been made by the amendment of the committee. Does not the chairman think it is better to make a specific disposition of the surplus revenues?

Mr. SMITH of Maryland. I will say to the Senator that inasmuch as there are pending certain propositions for improvements in the city amounting to a great deal of money, and appropriations asked for them, which the members of the committee thought possibly should have been accepted and provided for, we felt that it was probably better to have this surplus go into the Treasury of the United States to the credit of the District of Columbia, for future consideration as to whether it should go to pay the funded debt or whether it should go to make the improvements which are now pending but are not provided for in this bill.

Mr. BRISTOW. If the Senator will yield further, suppose this two millions goes into the Treasury of the United States. will it require an appropriation from Congress to get it out?

Mr. SMITH of Maryland. It has to be done by Congress.

Mr. BRISTOW. That is, if the improvements which the Senator refers to are made, Congress will have to appropriate the money from the revenues for the purpose of making those improvements?

Mr. SMITH of Maryland. They would, if they saw fit to do so.

Mr. BRISTOW. Yes; and if they did not make the appropriation, then the fund would remain there. Is that correct?

Mr. SMITH of Maryland. Why, of course; if it is not taken out, it will stay there.

Mr. BRISTOW. Then, it can only be taken out by an appropriation?

Mr. SMITH of Maryland. I know of no other way, sir.

Mr. BRISTOW. Now, why not liquidate the indebtedness, and then, when the time comes to make the improvements, make the appropriation, just as we will have to do anyway? What is the use of leaving idle money in the Treasury and then paying interest on a lot of indebtedness in the meantime, while that money is doing nothing?

Mr. KENYON. Let me suggest to the Senator from Kansas, why collect more money than is needed? Why not leave it in the pockets of the people? The Johnson plan saves the people of the United States $2,000,000. When this money is needed for the future it can be raised; but why collect that money now, when it is not needed, and put it in the Treasury for some mysterious thing that is possibly going to happen at some time in the future, that nobody seems to understand or give us any enlightened judgment upon?

Mr. BRISTOW. As I understand the Senator from Iowa, then, the so-called Johnson amendment does nothing except use the money which is raised from taxation? It will not increase the taxes at all?

Mr. KENYON. No.

Mr. BRISTOW. It leaves the taxes just as they are?

Mr. KENYON. Exactly as they are. They are about the lowest of any large city in the country.

Mr. BRISTOW. It simply uses the money that is collected here to defray the expenses of the District and then the Government makes up the deficit?

Mr. KENYON. Exactly; so that the $8,000,000 collected here is applied on the $11,000,000 that is necessary to conduct the affairs of the District, leaving about $3,000,000 for the Government to pay. Otherwise the Government is to pay five and a half million, the District five and a half million, and two and a half million, or approximately two million, is left.

Mr. BRISTOW. Without being provided for?

Mr. KENYON. Without being provided for.

Mr. BRISTOW. And, as I understand the Senator's proposition, it is to use the money for the purpose of paying the expenses of maintaining the District, since it is collected anyway, and would remain idle in the Treasury if it were not used?

Mr. KENYON. Exactly.

Mr. BRISTOW. I can not see anything enormous about that. I have heard so much about the Johnson amendment that I supposed it was going to confiscate somebody's property here.

Mr. KENYON. You would think so, to read the newspapers.

Mr. CLAPP. Mr. President, will the Senator yield to me for a moment?

Mr. KENYON. I will.

Mr. CLAPP. According to the statement of the chairman of the committee, the people of the District of Columbia will have to raise this eight-odd million dollars, as the House passed the bill and as the Senate has reported it. That is correct, is it not?

Mr. SMITH of Maryland. I do not catch just the meaning of the Senator.

Mr. CLAPP. As the bill passed the House and as it has been reported to the Senate, the people of the District of Columbia would have to pay this tax of approximately $8,000,000, and approximately $2,000,000 of that $8,000,000 would go into the United States Treasury for the time being?

Mr. SMITH of Maryland. They would have to pay a sufficient amount to meet the expenses, and there would be a surplus of $1,800,000 left over which would go into the Treasury.

Mr. CLAPP. In other words, they would have to pay the full amount of the tax that is provided for here?

Mr. SMITH of Maryland. If it goes into the Treasury, under the organic law of course the Government would have to pay an equal amount, because this debt of nearly $7,000,000 is due by the District of Columbia and the Government jointly.

Mr. CLAPP. Let us put it in this way, then, for I should like to get this statement in some form: The difference between the five million and odd dollars that the Senate proposes to appropriate to meet the five million and odd dollars of the District tax that would go to meet the requirements of this bill, and the taxes which the people of this District pay, would go somewhere, would it not?

Mr. SMITH of Maryland. It would.

Mr. CLAPP. It would go into the United States Treasury, would it not?

Mr. SMITH of Maryland. It would; to the credit of the District of Columbia.

Mr. CLAPP. That is all true. Now, that being true, I should like to ask the chairman what difference it makes to the taxpayers of the District of Columbia whether the United States Government lets that money lie in its Treasury or whether it uses it?

Mr. KENYON. I should like to answer that question.

Mr. CLAPP. I should like to have it answered by somebody.

Mr. KENYON. The question, however, is directed to the chairman. I beg the chairman's pardon.

Mr. SMITH of Maryland. I should be glad to have the Senator proceed. I should be glad to hear his answer.

Mr. KENYON. I will give my answer after the chairman gives his.

Mr. SMITH of Maryland. I would rather hear the Senator's answer first, since he has started to give it.

Mr. KENYON. Mine is simply this: The country is going to find out what the taxpayers of the District know now—that when an ordinary, fair rate of taxation, such as is paid in other cities in the United States, is imposed on the property in this District it will raise an amount of revenue that will cover all of the expenses of the District; and if, in addition to that, moneys and credits are taxed—and at present there is a hundred million dollars of them in the District that is not taxed—you will raise more money than is necessary to run the affairs of the District.

The taxpayer of the District does not want that. He does not want a fair rate of taxation. I do not say that as applying to the medium homes and the poor homes; but the Senator from Minnesota knows that Washington has become the rendezvous for rich people in the United States, who come here and escape taxation.

Mr. CLAPP. The Senator must not "look at me in that tone of voice." [Laughter.]

Mr. SMITH of Georgia. Mr. President, does the Senator from Iowa mean that the Senator from Minnesota is one of them?

Mr. KENYON. The Senator from Minnesota was farthest from my thoughts, although I knew he had purchased a farm in Virginia. [Laughter.]

Mr. SMITH of Maryland. I take it the Senator recognizes that the tax rate is fixed by the Government, not by the District of Columbia.

Mr. MARTINE of New Jersey. Mr. President, I should like to inquire what is the rate of taxation here now?

Mr. KENYON. The rate of taxation on real estate is about 10 mills on the dollar.

Mr. SMITH of Georgia. One per cent.

Mr. KENYON. And, as I have said, intangible personal property is not taxed at all.

Mr. SMITH of Maryland. The rate is $1.50.

Mr. KENYON. One dollar and a half on the hundred; but the statute provides for two-thirds valuation, which is practically 10 mills on the dollar.

Mr. SMITH of Maryland. I take it for granted that there are very few cities in the Nation that tax their property up to the full rate.

Mr. KENYON. I am going to show, before I get through, from the figures submitted in the House—and I have not verified them——

Mr. SMITH of Georgia. Mr. President, will the Senator allow me to interrupt him?

Mr. KENYON. Yes, sir.

Mr. SMITH of Georgia. It is entirely unfair to compare the tax rate of this city with the tax rate of other cities. The tax rate here is the total tax, covering State and county and city; while the taxes we have quoted from other cities are but part of the tax on the property there. They still have their State and county taxes.

Mr. KENYON. They still have their assessments for paving, their assessments for sewers, and their assessments for sidewalks, which the people in this District do not have.

Mr. CLAPP. If the Senator will pardon me further, I confess that I have not studied the Johnson amendment. I have had the impression that in some way that amendment is going to do an injustice, perhaps, to the small, average taxpayer of the District—the class of taxpayers, of course, who always bear the burden of taxation. Would there be any effect of the Johnson amendment which would change the system which has been so long in vogue, of the District paying one half of the expenses of the District and the people of the country generally paying the other half?

Mr. KENYON. Yes. The Senator will note that it provides that—

> The amount to be paid from the Treasury of the United States shall in no event be as much as one-half of said expenses, and all laws in conflict herewith are hereby repealed.

So, as to this act at least, the half-and-half plan is abolished.

Mr. CLAPP. That is just what I should like to get at here, if it is possible to do it. I understood from the Senator a few moments ago that it does not abolish the half-and-half plan——

Mr. KENYON. No; I do not desire to be understood in that way.

Mr. CLAPP. But that, on the contrary, the Johnson amendment simply proposes that some $2,000,000, which theoretically would otherwise lie idle in the Treasury of the United States, shall be, under this bill, used for the expenses of the District on behalf of the Federal Government's share of the expense.

Mr. KENYON. That is exactly what it proposes.

Mr. CLAPP. It would still leave the Government, would it not, to make good, whenever the time came, this $2,000,000?

Mr. KENYON. Oh, it is only applicable to this particular bill in the connection in which the Senator uses it; but it does recite that the Government shall not pay one-half, and in that respect it is contrary to the present half-and-half plan.

Mr. CLAPP. Then I should like to ask the Senator another question. I will state that there is no purpose in these questions except to get at an understanding of the situation.

Mr. KENYON. I am very glad to answer them. There is no purpose on my part in what I have to say except to get at the real state of affairs.

Mr. CLAPP. I feel that the Senator is only anxious to have the matter developed.

My understanding was that if the Johnson amendment were not adopted, when the tax was collected from the taxpayers of the District there would automatically go into the Federal Treasury approximately $2,000,000, which would be there to the credit of the District, which the Federal Government might at this time direct to be paid upon the bonded indebtedness of the District, or let it lie there as a sinking fund to meet that indebtedness later, or, if improvements were subsequently provided for by Congress, to be then applied on the District's half of those improvements. As I understood from the Senator from Iowa, the effect of the Johnson amendment would be that instead of that money lying there idle, theoretically, we would at this time take the money out, it being in our Treasury, and use it; that the credit would still remain to the District of Columbia; and that when these bonds became due or when additional improvements were provided for by Congress, where there is any occasion for the District to furnish its share of funds to meet legislative demands, we would then recognize the obligation growing out of the fact that we had taken $2,000,000, in round numbers, of their money, and they would be relieved to that extent.

Mr. KENYON. No; I think the Senator has not a true conception of the situation. The effect of the Johnson amendment is simply this, that the Government instead of paying one-half of the sums provided for in this bill, amounting approximately to five and one-half million dollars, will pay about $2,000,000 less, between $3,000,000 and $5,000,000. The $8,000,000 that will be collected according to the estimates of the District Commissioners which have been filed for the year 1915 will go to pay, in the first instance, the city expenses and the Government will make up the balance.

The question of funded indebtedness I understand is taken care of in other ways without regard to this bill, and I think it ought to go out of the Senator's mind in a discussion of the bill.

Mr. CLAPP. Then the Johnson amendment would devote the entire tax which has been levied in the District to the expenses of the District, with the Government appropriating only approximately $3,000,000; and the Senator understands after that is done there will be no moral obligation resting upon the Government to make good that $2,000,000?

Mr. KENYON. Absolutely none, unless it became essential in a fair treatment of the District of Columbia, which I think the Government will always accord.

Mr. CLAPP. Ah, but that is just the point. Does not the Johnson amendment then present this situation? We have gone on here and levied a tax, the District people, so far as they have any form of representation through their citizens, appearing before committees, and so forth, acquiescing in it upon the theory that they were to pay only one half the expenses of the government of the District. Then after that is done, without any notice, when they have become obligated as taxpayers for $8,000,000 under a system which has been in vogue for a great many years, that the people generally would pay the other half, we suddenly turn around and take $2,000,000 without recognizing our obligation to return it in some form to the District.

Mr. KENYON. We recognize the obligation to the people of this country not to collect by taxation and turn over to the District of Columbia more money than they need to run the affairs of the District.

Mr. CLAPP. That is very true.

Mr. KENYON. It is an obligation to the people of this country as well as to the people of the District. The Senator need not have any concern about any overtaxation of the people of the District of Columbia.

Mr. CLAPP. I am not speaking of overtaxation.

Mr. KENYON. The Senator is speaking of wrongs that might be inflicted upon them by paying the taxes under a certain obligation.

Mr. CLAPP. Not by overtaxation. This is what is bothering me in connection with this matter. I must confess at this point it rather looks to me as though it was not the utmost good faith to establish a condition here where the taxpayer of the District pays one half and the people generally the other half, and we, repreisending the people as well as the taxpayers here, develop a condition where the property of the District has been obligated under that levy for $8,000,000, and then we suddenly say we will not keep up this half-and-half proposition. Instead of putting this excess, because we find we do not need it all, into the Treasury to their credit or to the payment of their funded indebtedness, we simply take it without recognizing that in any sense it is theirs. It rather strikes me that that is a question which has not been considered by the Senator.

Mr. KENYON. Then, would the Senator advocate reducing the tax levy to such a point as shall produce merely the five and a half million dollars which is necessary—their half?

Mr. CLAPP. No. I take this view of it: This levy has been made. We find that we do not need quite this levy to run the District government. These taxpayers theoretically are going to pay this tax. I am not familiar with the process in the District by which it may be enforced, but I take it, of course, that with the long experience there must have been developed a process to enforce it. It strikes me it would be all right to say that we do not need $16,000,000 to run the District government, so we will take this extra amount that you are paying and we will either apply it to the bonds and make a sinking fund out of it or, what I think is a much more practical way, for I do not believe in money lying idle in the hands of the Government, we will take the $2,000,000 temporarily and use it to run the District government as a part of our share of the expense of the District, and later, when the bonds become due or when there are improvements to be made, or even in the next bill for the District, perhaps we will credit you with the $2,000,000.

Mr. KENYON. As far as there are any reports——

Mr. CLAPP. I do not know about the reports.

Mr. KENYON. Or any arguments that have been made the bond question has not arisen. It arises now on the statement of the chairman. I am not prepared to discuss the bond question.

Mr. CLAPP. Then eliminate the bonds. We know it is going to cost a great deal of money in the future both for the city and the General Government. It could then be used as a part of the District fund to meet the appropriations made by Congress.

Mr. GALLINGER. Will the Senator yield to me?

Mr. KENYON. I yield to the Senator from New Hampshire.

Mr. GALLINGER. I will inform the Senator from Iowa that the question of the obligation of the Government to pay one-half of its funded debt was decided very recently by the comptroller in an elaborate opinion holding that it was an obligation equally upon the Government and the District of Columbia.

Mr. KENYON. Is that the same opinion in which it was held that the District government was indebted to the General Government?

Mr. GALLINGER. I think it is not the same.

Mr. CUMMINS. Mr. President, this discussion has been very clear, but it has left one point on which I am still in doubt. It has been stated that under the law the taxable property of the District is assessed for taxation at two-thirds of its real value—the taxable real estate.

Mr. KENYON. The real estate.

Mr. CUMMINS. I understand that only physical or tangible personal property is assessed at all. What governmental body is it which determines the right of levy for a given year?

Mr. SMITH of Georgia. The act of Congress fixes the rate.

Mr. CUMMINS. When did we fix the rate?

Mr. KENYON. In 1902. The first, I will say to the Senator, was in 1874. It was then fixed at $3 on $100. Then it was changed in 1878 and fixed at $1.50 on every $100. Then it was changed in 1902 to two-thirds of the true value thereof.

Mr. CUMMINS. Remaining at $1.50.

Mr. KENYON. At $1.50. It practically amounts to 10 mills on a dollar.

Mr. CUMMINS. Is it true that the same rate of levy upon the valuation for taxation has existed now for 12 years?

Mr. KENYON. I understand so.

Mr. CUMMINS. That is a most extraordinary situation. It is a mystery to me that we went along in that way. Most governments change their rate of taxation each year. They fix a rate that will raise the amount of money that it is estimated will be necessary for the government during the ensuing year.

Mr. KENYON. The assessment, of course, varies.

Mr. CUMMINS. The assessment varies, I suppose.

Mr. KENYON. Very much.

Mr. CUMMINS. But they can not apportion the assessment except as they fix either the increase or decrease of the value of property. Apparently we have, then, a rate of taxation and levy that has continued without change for 12 years. Of course, even if this amendment were adopted, and if Congress next year should fix a rate of levy that should raise only one-half the amount necessary to carry on the affairs of the District, we would have made no progress at all except for the present year.

Mr. NELSON. Will the Senator allow me?

Mr. KENYON. On that point I should like to say to my colleague that that would be a rate of about 6.6 mills, and I do not think anybody will be heard to say that the rate of taxation in the District of Columbia is too high now.

Mr. CUMMINS. I was not addressing myself to that. I was simply trying to satisfy myself as to where the power is to determine how much money shall be raised by taxation in the District of Columbia.

Mr. SMITH of Georgia. It is in Congress.

Mr. CUMMINS. If it is in Congress, we could, notwithstanding this amendment, next year authorize only five and a half million dollars to be raised by taxation. Then the Johnson amendment if continued or reenacted would have made no difference whatever in the policy to be pursued as between the Government and the District. It would seem to me that if we want to introduce a new policy the amendment might very well be made more explicit and enduring.

Mr. NELSON. Will the Senator from Iowa yield to me?

The PRESIDING OFFICER (Mr. ASHURST in the chair). Does the Senator from Iowa yield to the Senator from Minnesota?

Mr. KENYON. I do.

Mr. NELSON. I call the Senator's attention to the fact that there is the most anomalous condition here that I know of anywhere. By the act of July 1, 1902, which is still in force, under section 5 of that act, it is provided that—

> hereafter all real estate in the District of Columbia subject to taxation, including improvements, shall be assessed at not less than two-thirds of the true value thereof and shall be taxed 1½ per cent upon the assessed valuation.

Here you have an arbitrary and fixed standard, both as to the rate of assessment and the rate of tax to be levied. It has existed for 12 years under a permanent statute without any regard as to what the wants of the District may be, whether they are great or small. It is a condition that I do not think exists in any other part of the Union.

Mr. SMITH of Georgia. I think there are a great many cities that have a fixed rate of taxation and the assessments are required to be made on the value of the property.

Mr. NELSON. But this is a fixed rate of taxation, not only a fixed rate of valuation.

Mr. SMITH of Georgia. That is what I say—a fixed rate of taxation, a tax that follows the value of the property.

Mr. NELSON. I never heard of such a thing before.

Mr. CUMMINS. I never heard of a fixed rate of levy. Many States have a maximum rate of levy.

Mr. SMITH of Georgia. I think the charters of a great many cities carry a fixed rate of taxation.

Mr. CUMMINS. If a city requires $1,000,000 one year and $3,000,000 the next, how does it raise the money?

Mr. SMITH of Georgia. I think the theory is to have a fixed rate of taxation, so as to limit to that rate the expenditures by the city. I am not familiar with any cases in which the city has not found the opportunity to spend the limit of the amount it could raise by the rate put upon the city. I think the real theory is to say, "We will allow a tax of one and one-half in this city, and the city council must shape plans of operation so as not to exceed the rate."

Mr. CUMMINS. There are a great many cities, I think, which do not reach the maximum rate permitted by law. I happen to live in one of them myself.

Mr. SMITH of Georgia. I am sorry I do not.

Mr. CUMMINS. The rate of taxation is very high there, but, then, it is not quite up to the maximum, and it is changed every year; that is, you take the State tax, the school tax, the city tax, the county tax, and they are never the same for any two successive years. I did not suppose it was possible to manage the affairs of a city with a fixed rate of valuation as well as a fixed rate of levy. I am very much surprised to know that it exists in Washington.

Mr. KENYON. In the Senator's city there is no contribution from any other source of one-half. So that situation is quite different.

Mr. CUMMINS. I supplement what my colleague has just said by stating that in the city in which I live our entire rate this year, which is a combination of all the State, county, city, and school taxes, is 2¼ per cent upon a full valuation, and that includes, of course, moneys and credits as well as fixed property.

Mr. KENYON. That does not include any levy for sidewalks.

Mr. CUMMINS. Oh, no; those are special taxes which are levied against the owners of the abutting property.

Mr. SMITH of Georgia. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Georgia.

Mr. KENYON. Gladly.

Mr. SMITH of Georgia. I should like to make a suggestion with reference to the statement of the Senator from Minnesota [Mr. NELSON]. The act provides that the assessment shall be two-thirds of the value and the tax rate 1½ per cent. I can not see why such a piece of legislation could have been so framed. Why not simply say we propose to tax the property 1 per cent on the value instead of going at it with such circumlocution? You put a tax of 1½ per cent and limit the assessment to two-thirds; that is to say, you put a tax of 1 per cent.

Mr. ROOT. Not less than two-thirds.

Mr. SMITH of Georgia. Not less than two-thirds?

Mr. KENYON. It can be more than two-thirds.

Mr. SMITH of Georgia. I thought it was specifically two-thirds. If the act provides that it shall not be less than two-thirds, then the elasticity which the Senator from Iowa thought did not exist is furnished—the opportunity to increase the assessment from two-thirds up to par. In point of fact the rule which they follow is to make the assessment on two-thirds of the valuation, which makes the tax 1 per cent.

Mr. KENYON. In a certain area which the House committee pointed out as occupied by the homes of the wealthy people of Washington the Senator will have great difficulty in finding any assessment on the basis of two-thirds. It will come nearer

about 40 per cent; but in the other parts of the city, which the same committee pointed out, the report of which I have here, comprising something like 40,000 homes of the poorer people, he will find they were assessed at 75 per cent.

Mr. BRISTOW. Mr. President——

Mr. OVERMAN. Will the Senator yield to me?

The PRESIDING OFFICER. Does the Senator from Iowa yield, and to whom?

Mr. KENYON. I yield first to the Senator from North Carolina.

Mr. OVERMAN. I want to say about the Zoological Park, recurring to that item——

Mr. KENYON. We were out of the Zoological Park.

Mr. OVERMAN. I understand; but I want to set myself straight. Reading in the RECORD a statement, I find the Smithsonian Institution appropriated and paid out of their own fund $100,000. Then I turn to the sundry civil appropriation bill and I see that the Government expended $100,000. So the District of Columbia does not pay anything.

Mr. KENYON. I now yield to the Senator from Kansas.

Mr. BRISTOW. I wish to inquire of the Senator from Georgia if the system of fixing the amount of levy by law and then fixing a basis for taxation, whether it is 1 per cent on the full value or one and a half on two-thirds of the value, has not its merits in that it fixes the budget which the District Commissioners can expend or which Congress can appropriate for, so that the people who pay the taxes know approximately what their burden is going to be? Is it not really a better system, in that it is stable and continuous from year to year rather than to leave it to the judgment of a temporary board as to the amount of levy they want to spend? Is it not a more satisfactory system? We know we have so much money and we can do certain things, and otherwise, we want to do certain things, let us have so much money. I believe the system which prevails here is better than the other and that it would be far more economical in our civil administration.

Mr. SMITH of Georgia. The objection suggested by the Senator from Iowa is that, with this elasticity extending between two-thirds and the full value, there has not been an equality of assessment.

Mr. BRISTOW. I think that is very bad.

Mr. SMITH of Georgia. That is, the most valuable property is really assessed under two-thirds, while the cheaper property is assessed over two-thirds.

Mr. GALLINGER. Is not that always so everywhere?

Mr. SMITH of Georgia. No; I do not think so.

Mr. GALLINGER. Absolutely.

Mr. SMITH of Georgia. If so, I think it is unfair everywhere.

Mr. GALLINGER. Well, it is.

Mr. KENYON. It is pretty nearly true everywhere, is it not, that the poor man, with his little piece of property, can not escape the situation, and he pays up to the handle, while those of influence and wealth do not pay their part of the taxes in this country?

Mr. NORRIS. Mr. President, will the Senator from Iowa yield to me?

Mr. SMITH of Georgia. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield; and if so, to whom?

Mr. KENYON. I yield to the Senator from Georgia.

Mr. SMITH of Georgia. At my own home my observation has been that the taxes on suburban property or on property of smaller value is, in proportion to the real value, less than that on central property.

Mr. SHAFROTH rose.

Mr. KENYON. I yield to the Senator from Colorado.

Mr. SHAFROTH. Mr. President, I should like to make an observation with respect to the statement made by the Senator from Kansas [Mr. BRISTOW]. It is true, as he states, that by fixing the rate of taxes a more economical administration may be secured; but the Senator does not seem to take into consideration that fixing a low rate for the city of Washington—for instance, as an illustration, a rate of only 1 per cent, while in other cities the rate is 2 per cent—would have a tendency to draw from those cities a large number of wealthy people who would come here practically for the purpose of avoiding taxation. If a man is worth $10,000,000, he can in that way not only save enough to pay his entire living expenses, but sufficient to afford a big income besides. That simply illustrates the illogical method of taxation that has been followed.

I believe that the United States Government ought to treat the District of Columbia fairly; I think it ought to treat it generously; but I do not see that this amendment is mature legislation. For that reason, although I think there are many wrongs in connection with the government of the city of Washington, yet, so far as this amendment is concerned, I can not see that it is mature enough to be adopted as a permanent policy.

I repeat that there are no doubt many wrongs in connection with the government of the District of Columbia, especially with respect to the matter of taxation. For instance, as to the great parks located here, which are called national parks, the District of Columbia does not contribute one cent toward their upkeep, although, as a matter of fact, such parks are kept up by every other city in the Union; there is no doubt about that. Here is the ground which we are condemning between the Capitol and the Union Station. It may be called a part of the Capitol Grounds, but, at the same time, it is much more than that; it will be practically a park for the city of Washington. Take the great Mall, which lies between the Capitol Building and the Washington Monument; all of that constitutes a part of the property of the National Government, but at the same time forms a park for the District of Columbia. When you take into consideration the fact that the city does not pay any of the expense of the maintenance of such parks, does not have them patrolled by its officers, does not contribute the police force which is necessary for their protection, you can see that the present arrangement is not altogether equitable.

Take the system that has prevailed for a great many years of the National Government paying one-half of the expense of paving in the city of Washington. That is not done in any other city in the Union. The custom in different cities varies with relation to such payments. In my city the total expense of paving must be paid by the abutting owners. It is an improvement tax, two-thirds of which, at least, it seems to me, ought to be levied against such owners, and I understand that recently that has been provided for in this city. It is a wise provision; but the old system here of having the National Government pay one-half and the District pay one-half was, in my judgment, absolutely wrong and contrary to what is the law in every other city in the entire Union.

That practice has produced another wrong in the way of encouraging speculation in property which is bought in this city. There is no question that if a man can rely upon the fact that he does not have any improvement taxes to pay, the property is probably worth that much more. He practically receives a gift to the extent to which he is exempted from that tax, and the property in every other city is of necessity burdened with such taxes.

Mr. President, the difficulty I find with this amendment is that the proposition is too indefinite. I should not favor the half-and-half system being changed until something definite is proposed. I would suggest that an inquiry be made with respect to the matter. It seems to me a plan which would produce absolute equality would be to let the Government pay taxes upon all of its property. When it does that there will be produced a condition of affairs which will result in equality as between the property of the District and the property of the United States.

It would be an outrage to compel the District of Columbia to maintain government here and at the same time exempt the Government of the United States from the payment of taxes. In most cities where there is a post office or other public building such property is exempt, but when you consider the vast amount of property the Government owns here it would be absolutely a matter of inequality to say that the District of Columbia should pay all of the taxes. It seems to me a fair way would be for the Government to pay taxes upon its own property.

Mr. KENYON. I will call the Senator's attention to the suggestion which he has made as to this policy drawing from other cities those who seek to avoid the payment of just taxes. It was related on the floor of the other House—and I have not seen it denied, though I have not investigated the matter to ascertain whether or not it was a fact—that a very wealthy citizen of Michigan, who died a few weeks ago, and who was worth some $20,000,000 in money and credits, recited in his will that he was a resident of the District of Columbia. Consequently his moneys and credits were not taxable. Upon investigation it was discovered that he had purchased a little place here worth six or seven thousand dollars or thereabouts and put into it a little furniture, though when he came here he always stopped at the Willard Hotel. If those facts are correct—and I assume that they are—that was done just along the line to which the Senator from Colorado refers—to escape the payment of taxes; it was to cheat the people of his State out of the taxes to which they were justly entitled on his money. When that is done, a wrong is inflicted not only upon the man who perpetrates it but upon the people of his State. The policy of exempting from taxation moneys and credits and of assessing only a low rate of taxation on real

estate has made Washington the rendezvous for wealthy tax dodgers of this country.

Mr. SMITH of Georgia. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Georgia?

Mr. KENYON. I do.

Mr. SMITH of Georgia. The Senator from Iowa has just brought out the feature which I desired him to bring out, that in the District of Columbia residents pay no taxes on stocks and bonds, none on bills receivable, none on money, none on any kind of obligations that they hold; they are entirely free from such taxation.

Mr. KENYON. And is not that a most unjust thing?

Mr. SMITH of Georgia. And their real estate is assessed 1 per cent; that is the total tax on real estate in the District of Columbia for every purpose. It is not only the city tax, but it is the entire tax. Under the system of taxation here the taxes are less, so far as I can ascertain, than they are in any other place of its size of which I know.

Mr. BRISTOW. Mr. President——

Mr. SMITH of Georgia. Just one other word, and then I shall conclude.

I am in favor of making Washington the most beautiful city in the world, and I am in favor of contributing from the National Government all that is necessary to make this city beautiful. What I do think, however, is that the people of this District and of this city ought to pay taxes as do the people of other cities.

Mr. KENYON. Why should they not?

Mr. SMITH of Georgia. After they have done that, if more than they pay is needed to take care of the city, to make it what the Nation expects it to be, I am ready to see it paid out of the National Treasury.

Mr. KENYON. If the people of this city pay less than a fair rate of taxation, somebody else in some other part of the country is paying more than a fair rate of taxation to contribute to the people here. That is undoubtedly true.

Mr. CLAPP. Is not Congress to blame for any defect there may be in the system of taxation here?

Mr. KENYON. We are trying to remedy it right now.

Mr. NELSON and Mr. BRISTOW addressed the Chair.

The PRESIDING OFFICER. To whom does the Senator from Iowa yield?

Mr. KENYON. I yield to the Senator from Minnesota.

Mr. NELSON. Mr. President, the vice of the system of taxation in this District is that only real estate and tangible personal property are assessed. This is the language of the law:

> All tangible personal property and all general merchandise in stock or trade.

Millionaires may come here, rent houses, and live in this city, leaving their own locality, escape taxation, and not pay a cent of taxes to the support of the city of Washington. If there was a system of imposing taxes on credits, as I call them, mortgages, bonds, stocks, and bills receivable, as is the case in all other localities, it would be an easy thing for the city of Washington to maintain its own government, and the real estate taxes would be even lower than they are to-day under the present system. The millionaires whose property consists of credits have absolute immunity, and, under the vicious system that prevails here to-day, the owners of real estate have to suffer for it. Even under the present system the real estate taxes would not be half what they are to-day if the wealthy had to pay taxes on their credits. I hope that the Committee on the District of Columbia will prepare and inaugurate a system of taxes for the District of Columbia such as prevails in other parts of the country.

Years ago my attention was called to this matter by a gentleman who has been dead for many years, but who used to own real estate in Minnesota. He was continually fighting his taxes, and I was engaged in many suits as his attorney to defeat tax titles which had been secured against his property. Finally, after I became a Member of the House of Representatives, I met the old gentleman and his wife here. They had no children and they came here every winter, and remained the rest of the time in a city in a State not a thousand miles away from here. One day I asked him, "Why do you stay here in the winter, and why do you stay the remainder of the time in this city up north? Why do you not remain in Minnesota where your lands are?" "Oh," said he, "in Minnesota you tax my credits; here in Washington and up in this city north of here I am perfectly immune, and I do not want to pay more taxes than I can help."

You talk about beautifying the city, but morally you have not beautified it; morally you have made it a haven for millionaires, who come here with their stocks and bonds, enjoy the blessings of this city, and escape taxation. Before you talk about beautifying the city physically beautify it from a moral standpoint, beautify it so that the wealthy men who come here, and who make it a haven of rest, will have to bear a part of the burdens that the rest of the people have to bear.

Mr. MARTINE of New Jersey. I should like to ask if the Democratic income tax will not reach those fellows?

Mr. NELSON. That reaches them all over the country.

The PRESIDING OFFICER. Does the Senator from Iowa yield, and to whom?

Mr. KENYON. I yield to both Senators.

Mr. MARTINE of New Jersey. Mr. President, I should like to say a word regarding this matter. I have not heard much protest against the half-and-half system which, as I understand, now prevails here, and I think, sifted down to its finality, the provision which the Senate committee has reported to strike out is an effort to abolish the half-and-half system.

I know what it is to have real estate and to be real estate poor; I have been real estate poor all my life. I feel this way in regard to this matter: This is our Capital; we are all proud of it; this is the grandest country and the grandest Capital in the world, so men who have traveled tell me; and I feel it is part of my duty not only to legislate for the general welfare of my Commonwealth and of the country, but to make this city even more beautiful if I can. Without endeavoring to be extravagant or unjust to anybody, I purpose to vote that way.

Amongst other reasons, Washington is beautiful because of its superb avenues, which are so immense in width. Ordinarily in our cities we think—and I have laid out many avenues—an avenue 60 feet or 66 feet—1 chain—wide, with 36 feet of roadbed and 12 feet on each side for sidewalk, is a splendid boulevard, but it is not so considered in Washington. Here we have streets 150 feet, 200 feet, 300 feet wide, with sidewalks 30 feet wide, all costing an immense amount of money to lay out and to maintain. If the entire burden were placed on abutting property owners, it seems to me that it would be excessive. The space devoted to streets and avenues tends to make the city beautiful, but at the same time involves great burdens for improvement and maintenance.

As to the particular feature about which the Senator from Minnesota [Mr. NELSON] speaks, I shall not take issue especially, but I say that from my standpoint and judgment, as a practical man, it would be little short of cruelty to burden the average property holder in Washington with any more than he pays to-day. While I am not a property holder here, as a practical man who has done much work along the line of urban development elsewhere ever since I was a boy, I do not consider it any "cinch" to own property in Washington at all. I look around and I am astonished to find so many empty houses. In company with a gentleman from New York a couple of weeks ago I walked down Massachusetts Avenue, a beautiful, glorious street, but it was flanked on each side with houses bearing placards "For sale" or "To let," and some of the houses were covered with placards to such an extent that you could not tell whether the building was made of stucco, brick, or shingles.

Furthermore, it is said that the Government owns one-half of the property in Washington, including great parks and areas on which no taxes are levied. Somebody pays it all, and it is now paid half by the people who live here and half by people who live somewhere else.

I feel that we are doing fairly well, so far as the general system of government is concerned, in the District of Columbia. The government of the District of Columbia is run on the commission plan, and I have been an advocate of the commission plan of city government for a great many years of my life. I believe that Washington is about as well regulated socially, morally, and industrially and in every other way municipally as is any other city of which I know anywhere in this country.

In the Senator's effort to reach those worth a million dollars or five hundred thousand dollars or thereabouts who come here to shirk paying taxes on their credits I will join him in doing everything I can, for they are the ones I am after. I want to have the burden shared as nearly equitably as can be, and I believe that the Democratic Party, in ascendency in the Senate and in the Nation, in the matter of the income tax has at least taken a step in the right direction.

Mr. KENYON. Mr. President, my good friend from New Jersey has earned first place in the headlines of to-morrow morning's papers in the city of Washington.

Mr. MARTINE of New Jersey. I had no such thought.

Mr. KENYON. And I presume he will be congratulated as a great patriot and statesman.

Mr. MARTINE of New Jersey. That is all very fine, but that does not appeal to me.

Mr. KENYON. I wish I could get him to come over and sit down here and let me pound the facts into him a little while, especially as to how the present rate and method of taxation bears unjustly on the homes of the poor in the city of Washington. The Senator will realize, I am sure, that if a fair tax is not levied on the people of this District, in compelling the Government to contribute one-half to the expenses of the District, we are imposing an additional burden on the homes of the poor man in the State which the Senator so well represents here.

The argument about a beautiful city, the wide streets and wide sidewalks which may be necessary in a place where Congress meets, is beautiful; it appeals to everybody and nobody disputes it; but above beauty and above wide sidewalks and boulevards is that element of simple justice to the people of this country; and the Senator from New Jersey, for whom I have unbounded——

Mr. CLAPP. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Minnesota?

Mr. KENYON. I should like to finish the tribute to the Senator from New Jersey.

Mr. CLAPP. By all means finish the tribute.

Mr. KENYON. No; I will yield to the Senator from Minnesota at this time.

Mr. CLAPP. Mr. President, I am in hearty sympathy with the Senator from Iowa, and the fact that he took a certain view upon a question would lead me, certainly in the absence of some strong evidence to the contrary, to adopt that view; but is not the Senator getting adrift from the point? In other words, are there not two distinct propositions presented here, the first of which is to reform the tax laws of the District of Columbia, so that the wealthy man who has put his property in intangible form can no longer escape taxation?

It seems to me that is the first thing we should undertake. Congress is to blame for a law under which the man who owns a small home here pays a large tax, while the man who comes here with vast sums invested in intangible property escapes taxation.

Mr. KENYON. As long as the Government is paying half of it, it is to the interest of the man with the large property to hold down the taxation rate; otherwise it will appear that a fair valuation and a fair rate of taxation will raise so much money that it will not be necessary for the Government to contribute. So he brings to bear every influence he can, in various ways, to hold the rate down, in order that there may be no excuse for the Government withdrawing its hand, and that is an influence that is powerful.

Mr. CLAPP. That is true; but that, on the other hand, it seems to me, goes directly to the half-and-half plan.

Let us see what the amendment of the Senator would do for the man in Washington who has a small home, and who, we have all to recognize, in Washington and everywhere else, pays more than his just share of the tax. The tax has already been levied against that man's home under a law which exempts the rich man from any tax upon intangible property in the form of credits and such things.

Mr. KENYON. This, the Senator will understand, is the estimate for 1916.

Mr. CLAPP. Exactly.

Mr. KENYON. I do not know whether it has been levied or not.

Mr. CLAPP. Theoretically it is levied, because the rate and the amount have been prescribed by law. Now, if in a given year, under this law, which prescribes the rate and the amount, the tax raised by the District should fall short of its share, it leaves the District with a floating debt which the property of the District must subsequently pay, as has been the experience of the District in the past; and in the past that debt has been made good in the years when the tax under the congressional levy exceeded the amount required by the District to meet the appropriations of the Federal Government. Now, what is bothering me is, inasmuch as we have held the District liable when it fell short, and have required the District to make good and to pay back its floating debt, is it fair now, under a levy which exceeds the amount it requires, that we shall absorb that amount ourselves, or use it, but recognize the moral obligation to repay it to the District when the time comes? That, it seems to me, is the question.

Mr. KENYON. I should like to answer that question.

Mr. CLAPP. That is what I should like to have answered.

Let it be understood that I should like to see the law so framed that these men could not escape taxation. In our State we have framed laws by which we reach that kind of estates and that kind of property. I believe a law could be framed for the District of Columbia that would reach that kind of property and no longer make this city the haven of the wealthy tax dodger; and in proportion as that was done the burden would be lifted from the man who has the little home, but who, under existing conditions, pays more than his share of the tax.

It strikes me there are two propositions there that are distinct and separate.

Mr. KENYON. Mr. President, if I did not know the Senator from Minnesota so well, I would almost be suspicious, from his talk concerning the homes of the poor man in this community, that he had attended one of these meetings of the select committee of one hundred who meet in the red room of the Willard.

Mr. CLAPP. Mr. President, I have never attended one of those meetings.

Mr. KENYON. No; I know the Senator has not.

Mr. CLAPP. But as a taxpayer and as a student of public questions I know what the Senator from Iowa knows and what every man of public experience knows—that in the last analysis the burden of taxation falls upon the man of small means.

Mr. KENYON. That is exactly what I am going to show to the Senator, from the report of the committee in the House, is done in the District of Columbia.

Mr. CLAPP. I know it is done. I know that the man who owns valuable real estate does not pay his share. Now, does the amendment of the Senator——

Mr. KENYON. It is not my amendment.

Mr. CLAPP. I mean the Johnson amendment. Does it meet that condition? Does it equalize or will it tend toward equalizing—for we never can completely equalize—the burden of taxation? If it does, I shall be heartily for it. I may be for it, anyway. I am not prejudging the case.

Mr. KENYON. I never have much difficulty in agreeing with the Senator from Minnesota on any proposition; but this talk about the poor man's home and what this amendment will do to the poor man's home is exactly the talk of the select committee who meet in the red room of the Willard and, over champagne and caviar sandwiches, regret the injustice that will come to the homes of the poor people of the District of Columbia by the adoption of the Johnson amendment. I want to call the attention of the Senator—and I agree exactly with what he says—to the fact that the burden of taxation comes upon the homes of the poor, and they are not able to avoid it.

Here is the report made by a committee of the House of Representatives in 1912. That committee divided Washington into six districts, and a map is attached to the report showing these different districts. They took an area covering 40,000 homes of the poor people; they took an area covering the homes of the rich; they took a suburban area; and they took a business area. Now, will the Senator listen to what they said?

That real property in the District of Columbia is assessed $414,000,000 below its true value—

They took testimony on this subject, and I have the hearings here—

the true value being $744,000,000, while the assessment is only $330,000,000. This is not an assessment at even two-thirds of the true value, but only slightly more than two-fifths—

Though the law prescribes that it shall be not less than two-thirds.

That this underassessment does not attach equally to land and improvements, but overwhelmingly to land. Land is assessed at $169,674,000, one-third of its true value; improvements are assessed, for the triennial period just closed, at $160,648,481, two-thirds of their true value.

That with respect to improvements there is great discrimination between classes, the 40,000 small homes of Government clerks and workingmen generally standing assessed at an average of 90 per cent of their true value, while the fine residences of the northwest show an average of but 50 per cent. Even by the two-thirds rule this shows that the little homes in the District are grossly overassessed.

And yet the great complaint that is made about the injustice of this matter to the homes of the poor comes from these people who are under the 50 per cent assessment. Those are not my words. They are the words of this report, after a long and exhaustive examination of the question of taxation in this District. While this was going on—and I do not say it as a criticism of the gentleman; his letter appears in the report—Mr. Pinchot wrote a letter to the committee stating that he had discovered that his home was assessed $40,000 less than it should be. That report points out the home of one United States Senator—I do not know whether the assessment there was made while this man was a Senator or before he acquired the property; I think it was before he acquired it—showing

how that was grossly inadequate. Then this report goes on with many things.

Mr. SMOOT. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Utah?

Mr. KENYON. Certainly.

Mr. SMOOT. Just for information, I do not understand how the assessment could be 90 per cent of the value upon any property in the District of Columbia. I will say to the Senator that the experience I had in the District was about as follows:

The first time I was assessed upon property in the District of Columbia I was asked what my property cost. I showed them just exactly what I paid for it, and they said that under the rule the property was to be assessed at two-thirds of that value. From that day to this I have paid an assessment on two-thirds of the actual cost of my property. Not only that, but I was required to show the invoices of all my household furniture, and I am assessed to-day for more than everything that is in the house would sell for.

There is not any question at all about that. I do not understand how a report of that kind could be made by anybody who would make an examination, because they do not profess to assess property at more than two-thirds of the value.

Mr. KENYON. The statute reads, "not less than two-thirds."

Mr. SMOOT. But, I say, they do not profess to do it.

Mr. KENYON. Nobody knows what they profess to do.

Mr. LANE. Evidently the Senator from Utah is one of the poor people whom the Senator from Iowa is complaining for.

Mr. SMOOT. I am not saying anything about whether I am poor or whether I am rich or in what section of the city I live, or anything about it. I am simply asking as to a report which states that there are some 40,000 homes here that are assessed at 90 per cent of their actual value. I can not understand that in the District of Columbia, because the assessor who came to me asked me what my place cost, and I showed him, and he said that under the law I should be assessed at two-thirds of that cost.

Mr. LANE. The Senator's explanation seems to fit the description which the Senator made of these poor people who are overburdened with taxation, and I presume it must apply to him.

Mr. SMOOT. Of course, there is no need for my answering the Senator.

Mr. KENYON. This is all good-natured. It is a good-natured controversy. We are all seeking light, I assume. Here are 456 printed pages of the testimony, I will say to the Senator from Utah, taken before that subcommittee of the House of Representatives in which these matters are covered.

Mr. CLAPP. Mr. President, it is easy to see how property could be assessed at 90 per cent or 150 per cent under a law that requires that it shall only be assessed at two-thirds of its value, because no two men might agree as to the value of it. For these indiscriminate, minor, humbler places there is no standard such as there is on bank stock or bonds.

It is all a waste of time, in my judgment, and always has been, to talk about the assessment in a city being limited to a fixed valuation. Some of the property is assessed at more than it is worth and a great deal of it is assessed at very much less than it is worth. That is human experience.

Mr. KENYON. Undoubtedly.

Mr. CLAPP. There is no absolute, arbitrary line where you come to put the dollars and cents opposite the description of the property.

Mr. KENYON. I want to place in the RECORD a statement or two on this very subject from the testimony before the committee of Mr. Gompers, the president of the American Federation of Labor. Mr. Gompers says, in response to a question:

> For years I have known that this discrimination was being practiced, and that a very high valuation was being placed upon the small houses owned or occupied by the poor people as compared with the valuations placed upon the mansions and business houses and speculative areas of all kinds. I know of it by reason of coming in contact with men and hearing directly their complaints and their protests, but I was so busily engaged in another line of this uplift work that I could not give much of my attention to it. I felt it just as keenly, though I was unable to give my attention to the subject.

I ask permission to place in the RECORD, since my argument has been rather broken up by so many inquiries, a letter from Mr. Powderly on the same subject, which appears in the document referred to, concerning the taxation in the District of Columbia; also the letter I have mentioned from Mr. Pinchot, and the reply thereto by Mr. George.

The PRESIDING OFFICER. The Senator from Iowa asks permission to insert in the RECORD certain documents. Is there objection? There being none, it is so ordered.

The matter referred to is as follows:

LETTER FROM HON. T. V. POWDERLY.

WASHINGTON, D. C., *June 8, 1912.*

Hon. HENRY GEORGE, M. C.,
Washington, D. C.

DEAR SIR: I take the liberty of directing your attention to what I am persuaded is an evidence of injustice in the system under which assessments are made in the District of Columbia. As I view it, the assessing of a vacant lot, one lying idle, at a low rate and at the same time levying a high tax on a neighboring lot because it has been improved is like compelling an industrious man to feed an idle one because the latter won't work.

John Bertram, an invalid soldier and an honorable, respected citizen, and Mary Bertram, his wife, own lot S 99, in square 1051, on Florence Street NE. Last year they paid $15.89 tax on their property. This year they paid $23.39. Mrs. Bertram, who helps with the work in my house, tells me that nothing in the way of improvement has manifested itself along or on Florence Street. In answer to my inquiries, she finally admitted that she had been guilty of planting a crimson rambler rose alongside of her little porch, and that the brilliant clusters now adorning it are made more pronounced and conspicuous when contrasted with a fresh coat of paint recently applied to her home. She has been indiscreet enough to keep her back yard in such apple-pie order as to win the approval of the inspector who made a tour of the neighborhood a short time ago. He said: "There is no need of inspecting this yard, for it is as clean as a New England kitchen."

These two good people didn't realize that in beautifying their home they might be fined for doing so.

Once when your honored father returned from Ireland he told me that he no longer wondered at the apparent indifference of the Irish people to the appearance of their homes, for, said he: "If they administered a coat of whitewash to the little cabin, the rent is raised; if they grow flowers in the yard, the landlord adds to the rent burden, and so its cheaper not to improve the appearance of the place."

I sometimes think we have traveled far on the road toward a similar condition of affairs in the United States, and particularly in the Capital of the Nation.

I have the honor to be, very truly, yours,

T. V. POWDERLY.

—

CORRESPONDENCE WITH HON. GIFFORD PINCHOT.

GREY COWERS,
Milford, Pike County, Pa., July 12, 1912.

Hon. HENRY GEORGE,
United States House of Representatives,
Washington, D. C.

MY DEAR MR. GEORGE: Your committee, I learn, has developed the fact that many small owners of property in the District of Columbia are taxed on an assessed valuation far greater than the two-thirds of the real value provided for by law, while many of the large owners of property are taxed on very much less than the two-thirds provided by law. In this way the poorer men are taxed most heavily, and those who are richest pay the least in proportion. I am told that this is generally true in the District.

When these facts came to my knowledge they led me to investigate the assessment of my own property, to which I had hitherto given no attention. Accordingly, I asked two well-known real estate men to estimate the value of the land and improvements on which I am taxed. Their estimate leads me to believe that I have been taxed on a valuation about $40,000 too low. In other words, at the current rate of taxation, the assessor has not assessed against me about $600 of yearly taxes that I ought to have paid, and has assessed that amount on others less able to pay it. This is unjust. Therefore I put the facts in your hands for such use as you see fit to make of them.

Yours, sincerely,

GIFFORD PINCHOT.

—

JULY 16, 1912.

Hon. GIFFORD PINCHOT,
Milford, Pike County, Pa.

MY DEAR MR. PINCHOT: I am just in receipt of your public-spirited letter of the 11th. You are entitled to all honor and the unique distinction of being the first wealthy man in the city of Washington, if not in the United States, to come forward and volunteer the information that his own property is grossly underassessed.

I find on examination that your residence in Washington consists of the triangle adjacent to Scott Circle, bounded by Rhode Island Avenue, Seventeenth and N Streets NW. It contains 11,938 feet of ground and two connected residences. Messrs. Story & Cobb, who valued the property at your request, placed upon the whole property a—

Valuation of		$248,000
Of which the legal two-thirds assessement is		165,333
The property is assessed:		
Ground—		
9,378 feet, at $4	$37,512	
1,280 feet, at $2.60	3,328	
1,280 feet, at $2.75	3,520	
Improvements	65,000	
Do	12,000	
		121,360
Underassessed		43,973
Assessed at	per cent	49

The underassessment of your house of $43,973 is nearly offset by overassessment in—

Square 785, 23 houses, increased	$3,500
Square 844, 21 houses, increased	5,000
Square 846, 23 houses, increased	4,800
Square 949, 34 houses, increased	7,600
Square 974, 32 houses, increased	8,000
Square 944, 42 houses, increased	8,000
Square 992, 28 houses, increased	6,300

Total, 203 small houses, mostly old, the total improved valuation on which was raised from $183,300 in 1911 to $226,500 in 1912.

Total increase	43,200
Average increase	213

These houses, almost without exception, are the houses of wage earners with large families, who are forced to the most stringent economy.

The same condition of underassessment exists in practically every valuable high-class piece of property in the District of Columbia, and in far graver degree than in the case of your property.

In behalf of the special committee of the District of Columbia of the House inquiring into the assessment and taxation of real estate in the District of Columbia I present the warmest sentiments of appreciation of your voluntary letter of information as an act of high public service.

Yours, sincerely,

HENRY GEORGE, Jr.

Mr. KENYON. The fundamental point I am trying to make is that a fair taxation in the District of Columbia, like unto that borne by the people of other cities, would make it unnecessary for the Government to contribute the large sum the Government now has to contribute to conduct the affairs of this District.

This report sets out the case of the New Willard Hotel, and states that the lowest possible construction cost of the superstructure was placed at $1,500,000. The assessment on the superstructure was but $700,000. Under the two-thirds rule the superstructure should have been assessed at not less than $1,000,000; and the claim of the assessor that this magnificent, thoroughly maintained, and enormously profitable hotel should be allowed a 30 per cent reduction for deterioration is without justification.

The case of the New Willard is but one illustration. If these properties bore a fair rate of taxation, there is not anybody in this country, there is nobody in my State or in any other State, who would object to contributing whatever may be necessary to make this the most beautiful capital in the world; but they do have a right to object, and they are going to object, regardless of all sneers or abuse, to paying a fair measure of taxation in their own city and in their own State and, in addition to that, a higher rate of taxation in order that the rich people of the District of Columbia shall pay less than a fair rate upon their property.

That is the question involved in this Johnson amendment. We listened yesterday, or the day before, to some observations from the distinguished Senator from New York [Mr. ROOT], whom we all like to hear, about economy when the question was here as to Congress paying some $600,000 that had been incurred by the President, and, as I view it, rightfully incurred, to go down and help in a time of great emergency in our troubles with Mexico. With that profoundness which characterizes his utterances he said that we should be very careful, and it was our duty to find out how the money of the Government was spent. I agree heartily with this sentiment. Here is $2,000,000 that can be saved to this Government, three times the amount that all this fuss was made about by the Senator from Utah [Mr. SMOOT] concerning the transports. Yet, when anyone says anything about it, the subject of taxation in the District of Columbia seems to be such a sacred subject, if he merely pleads for fair play for the people of the country he is branded as everything newspapers can think of. Members of the House who opposed this are engaged in making speeches, I notice, in the District of Columbia, in which they tell how some farmer comes here from Iowa and knows how to run the District better than anybody else. I am glad that a real farmer from Minnesota has joined in this fight merely for justice. Farmers stand for exact justice. I raise my voice in honor to the distinguished Representative from Kentucky, whom I do not know, Mr. JOHNSON, who at the last few sessions of Congress has fought this battle. He has been snubbed, ostracized, and regarded as an anarchist in the District of Columbia, but he has simply fought a decent, fair fight for justice; and also the distinguished Congressman from Iowa, Judge PROUTY, who has brought his great ability into this fight.

I want to put in the RECORD a few matters. I have not been able to follow any logical outline in this discussion. Mr. PAGE of North Carolina said in the House, in speaking on this subject:

You must admit one of two things—that we have either got too much money or that we must be spending too much money, and spending it, too, unwisely and wastefully. This has been referred to as the organic act, but there is nothing more organic about it than any other statute that is written on the books by the Congress. It is sacred in the eyes of a certain element in the District of Columbia; but I say to you that unless you change that law—and this is the responsible body for the government of the District of Columbia, and the responsibility rests with us—unless you change the law that provides that the National Government must match every dollar that is raised in taxation in the District of Columbia and expended in this District, you must make up your mind that you are going to spend money with recklessness and waste. The system has broken itself down, and it has broken itself down in spite of what the gentleman from Iowa [Mr. PROUTY] said to you is true—that the amount of taxes levied and raised upon the property in this District is less both in assessment and in rate than in any other city in the United States of America; in the face of the fact that, so far as my observation goes, no other population in the United States enjoys as great privilege as do the private citizens of the District of Columbia. The time has come, in my judgment, when this Congress should change this law and place it upon a basis of fairness and equity—fairness to the general taxpayers of the United States—and deal out nothing more than exact justice to the property owners of the District of Columbia.

He says he lives in a village of less than a thousand people in North Carolina; that he pays "more taxes, twice over, than are paid in the District of Columbia by any citizen in it, because," he says:

I pay not only a tax upon the property that I own for the purposes of that village but I am assessed, as are you, for the maintenance of your county and the maintenance of your State. And the tax rate in the State of North Carolina amounts to more than 2 per cent for a man who has a municipal tax to pay.

Now, Mr. President, the people of the District of Columbia have no right to complain over the Johnson amendment. I wish to call attention to tables that were set out in the discussion in the House by Representative PROUTY of my State, and some tables also set out by Representative JOHNSON of Kentucky as to the rate of taxation in certain cities of the United States, based on full value:

Washington, 10 mills; Boston, 17.2 mills; Bridgeport, Conn., 16.5 mills; Brooklyn, N. Y., 18.5 mills; Buffalo, 22.9 mills; Cambridge, Mass., 19.8 mills; Chicago, 17.1 mills; Cleveland, 18.8 mills; Des Moines, 22.2 mills; New Haven, Conn., 19 mills; New Orleans, 17.2 mills; Philadelphia, 15 mills; Syracuse, N. Y., 20 mills.

And so it goes down with the items which I submit as a part of my remarks to be inserted in the RECORD.

The PRESIDING OFFICER. In the absence of objection the table will be inserted in the RECORD. The Chair hears none, and it is so ordered.

The table referred to is as follows:

Rates of taxation in certain cities based on full value.

	Mills.
Boston	17.2
Bridgeport, Conn	16.5
Brooklyn, N. Y	18.5
Buffalo	22.9
Baltimore	19.8
Cambridge, Mass	20.4
Camden, N. J	20.0
Charleston, S. C	25.0
Chicago	17.1
Cincinnati	15.6
Cleveland	18.8
Detroit	19.9
Des Moines	22.2
Fall River, Mass	20.3
Grand Rapids	21.4
Jersey City	21.2
Lawrence, Mass	18.0
Lincoln, Nebr	19.7
Lowell, Mass	19.4
Indianapolis	15.8
Lynn, Mass	20.0
Milwaukee	17.6
Minneapolis	17.9
Newark, N. J	20.2
New Bedford, Mass	20.2
New Haven, Conn	19.0
New Orleans	17.2
New York	18.2
Philadelphia	15.0
Pittsburgh	15.3
Providence	20.5
Rochester, N. Y	19.3
Springfield, Ill	18.2
St. Louis	15.1
St. Paul	17.6
Syracuse, N. Y	20.0
Tacoma, Wash	21.7
Trenton, N. J	20.0
Utica, N. Y	22.0
Washington, D. C	10.0

Average, 19 mills.

Mr. KENYON. Mr. President, since 1878 the Federal Government has paid one-half of the expenses of this city; one-half of the schooling of the children of this city. I am not able to understand just why the people of my State or the people of Mississippi should pay for the schoolbooks for their own children and then come here and pay half the cost of the schoolbooks and schooling for the children of this District. It may be that it is all right, but I can not see the justice of it. They pay one-half the cost of the sewers, one-half the cost of the police protection, one-half the cost of the fire protection. The expenses of running this municipality average about $14,000,000 a year, which is more than the entire expenses of running many States in this Union.

Mr. SHEPPARD. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Texas?

Mr. KENYON. I do.

Mr. SHEPPARD. Has the Senator discussed the effect of the half-and-half plan on the licensing of saloons in the District?

Mr. KENYON. I have not.

Mr. SHEPPARD. As I understand it, the District government charges a license fee of $1,500, and the Federal Government, under this half-and-half plan, pays to the District an

additional $1,500. The Federal saloon license is only $25. Consequently there is paid a practical bounty of $1,475 to the District government for each saloon it authorizes.

Mr. KENYON. I should like to get that clear in my head. Does the Senator mean that the people of this country are contributing in the amount of $1,450 as a bonus to each saloon in the District?

Mr. SHEPPARD. Not to the saloons, but to the District government for each saloon.

Mr. KENYON. To the District for each saloon authorized?

Mr. SHEPPARD. Certainly. A part of the money that the District raises for its expenses is from the license fees of saloons. Under the half-and-half plan the Government must put up dollar for dollar with the District. The Government therefore pays to the District $1,500 for each saloon that it authorizes. Consequently it is to the interest of the District government to authorize as many saloons as possible.

Mr. VARDAMAN. The Senator does not assert as a matter of fact that the General Government contributes to the District of Columbia $1,475 for each saloon licensed in the District of Columbia?

Mr. SHEPPARD. That is my understanding.

Mr. VARDAMAN. That is the most outrageous thing I ever heard of.

Mr. KENYON. I will wait to hear some defense of that proposition from the opponents of the Johnson amendment.

Mr. SHEPPARD. I see that the chairman of the Committee on the District of Columbia is present.

Mr. KENYON. I should like to ask him if that is possible?

Mr. SHEPPARD. I ask him if a bill did not pass the House providing that this practice should be stopped, and if the bill is not now pending before his committee?

Mr. SMITH of Maryland. Not that I am aware of.

Mr. SHEPPARD. It is my impression that such a bill passed the House providing that this practice should no longer be permitted by the Federal Government, and that an amount equal to the amount charged for each saloon license fee by the District should not be paid.

Mr. SMITH of Maryland. If there is such a measure, I say to the Senator from Texas that I know nothing about it.

Mr. SMITH of Georgia. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Georgia?

Mr. KENYON. I yield to the Senator, and I would be glad if he would answer that question.

Mr. SMITH of Georgia. I do not know about that.

Mr. KENYON. I yield, anyway.

Mr. SMITH of Georgia. I am not on the District Committee and I am not familiar with it. I want to ask the Senator from Iowa if I state correctly the situation as presented by the estimated revenue and the proposed appropriations. The revenue of the District it is estimated, according even to the present low system of taxation, will be for the coming fiscal year some $7,800,000.

Mr. KENYON. That is correct.

Mr. SMITH of Georgia. The necessary appropriations are about $11,700,000. So if the estimated appropriations are correct, even at the present low system of taxation, the taxes raised in the District will a good deal more than pay one-half of the expenditures for the ensuing year.

Mr. KENYON. Two million dollars over.

Mr. SMITH of Georgia. Two million dollars over. So the Government can furnish to the District the amount necessary to carry the required disbursements for the coming fiscal year by appropriating——

Mr. KENYON. About three million and a half instead of five million and a half.

Mr. SMITH of Georgia. Three and a half million instead of five and a half million dollars.

Mr. KENYON. That is the concrete proposition.

Mr. SMITH of Georgia. The question is whether we shall insist upon making it half and half when the present system of low taxation in the District, with its partial exemption of personalty, would furnish more than half the amount required.

Mr. KENYON. Exactly. The question is whether we shall give $2,000,000 more than is necessary to carry on the government of the District.

Mr. SMITH of Georgia. Now, I want to ask the Senator another question. Has there been any estimate made of the value of the Government property in the District and a comparison made between the value of the Government property and the value of the balance of the property in the District?

Mr. KENYON. There has.

Mr. SMITH of Georgia. Of course, in presenting this question I do not mean to include the parks.

Mr. KENYON. I understand.

Mr. SMITH of Georgia. I regard the suggestion that we should estimate the parks as belonging to the Government and charge them up to the people of the whole country to be taxed, when they are here for the good of the citizens of the District, as really ludicrous; but eliminating the parks that the Government has furnished to the citizens of the District, and taking the real substantial property used for the Government, how does the value of the Government property compare with the value of the District property?

Mr. KENYON. I have the figures somewhere here. I do not know that I can turn to them just now, but I will later. However, in a statement issued——

Mr. SMITH of Georgia. Roughly, about what? Are they equal?

Mr. KENYON. No; it does not equal half.

Mr. SMITH of Georgia. Not half as much?

Mr. KENYON. Not half as much. I will give the exact figures before I am through.

Mr. JAMES. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Kentucky?

Mr. KENYON. I do.

Mr. JAMES. The Senator from Georgia by his question would seem to indicate that he thought the Government ought to pay taxes upon its own property here. Does the Senator know of a State in the Union that has a capital city which requires of the State taxes upon the capitol or the property of the State situated in the city?

Mr. KENYON. No.

Mr. SMITH of Georgia. I ask the Senator from Iowa to allow me to anwer the question of the Senator from Kentucky.

Mr. KENYON. Certainly.

Mr. SMITH of Georgia. I want to say to the Senator from Kentucky that I did not mean to indicate my own opinion on this subject and I recognize that his suggestion is true. There is not a city anywhere, so far as I know, in which the State pays to the municipal government taxes upon the State property. But this is what I desired to do: It has been suggested that the Government owns so large a part of the property in the District that the Government ought to pay half the expenses of the District. I wanted to point out the fact that if we recognize the value of the Government property in the District and if we were going to pay taxes upon it just as taxes are paid upon property in the District, even then the Government would contribute only about one-third or one-fourth of the expenses of the District and not half of it. I did not mean to imply, as the Senator seemed to think, that I thought the Government ought to pay taxes on its property.

Mr. JAMES. I do not think there is the slightest merit in the suggestion that because there are many public buildings here which constitute the Capitol for that reason we ought to pay the taxes on them. I know we do not pay any taxes upon the capitol at Frankfort to the municipality. The Capitol is a benefit to the city of Washington instead of a burden.

As to the question of policing the Capitol Grounds, that is not done by the municipality in the slightest degree. It is done at the Government's own expense. You may go over all the Capital buildings here and you will not find a single city policeman who is exercising control or extending protection over them, but that the expense is paid directly out of the Treasury of the people of the United States.

Mr. KENYON. And that is also true of the parks.

Mr. JAMES. It is absolutely true of the parks also.

Mr. NELSON. The Senator might add that these buildings are lighted and heated by the Government, not by the municipality.

Mr. JAMES. Certainly. All the parks are kept up at at least half the expense of the Government, and generally at the whole expense of the Government. I see no more reason why the people of the country should be taxed to keep up the schools of Washington and pay half the expenses of running this municipality by reason of this city being the Capital, furnishing the people who live here the largest pay roll in the world, than there is that the people of Kentucky should pay taxes on the capitol at Frankfort to the municipality in which it is situated.

Mr. KENYON. I want to ask the Senator from Kentucky whether in the case of the Federal buildings erected in his State he ever knew of a municipality wanting to have any taxes paid on them by the Federal Government?

Mr. JAMES. I never heard of such a thing.

Mr. KENYON. They are always exempt.

Mr. JAMES. I do not believe there is a single State in the Union or a single legislature in a State of the Union where it

was ever suggested that the people of the State should be taxed for the capitol that has made the capital city what it is.

Mr. GALLINGER. Mr. President——

Mr. KENYON. I yield to the Senator from New Hampshire.

Mr. GALLINGER. I had supposed that I knew something about the District of Columbia, but I am getting considerably muddled in this debate. I am unavoidably called from the Chamber, and I trust this matter may not be disposed of to-night, because I want to make a few observations upon it. I will content myself now by saying that it is a most extraordinary suggestion that the Government, owning, it is estimated, nearly one-half the property in the District of Columbia, should not in some way make a contribution to the support of the government here, which is under the absolute control of the Congress of the United States. Citizens have no rights here except to pay taxes and to draw salaries.

Mr. President, all this talk about what the Government contributes to the District of Columbia amounts to 7 cents per capita on the people of this country. The people of New Hampshire are willing to pay it. They would like to pay more and make this city still more beautiful than it is.

It must be remembered that the estimates for the appropriations this year made by the officials of the District of Columbia are nearly $13,000,000. The House of Representatives, exercising economy—I think undue and unnecessary economy—cut them down to something like $11,000,000. The Senate committee has increased it to something over $12,000,000. My view is, well established and entirely satisfactory to myself, that if we were acting wisely we would take the $7,000,000 which the taxpayers of this District have contributed, match it with $7,000,000 more, and make improvements in this District which are very much needed at the present time. We would thereby be enabled to beautify the city to a larger extent than it is beautified. We could connect the great parks, which at some time will have to be connected. But no improvements will be possible if we are going to practice economy, niggardly, as I think it is, and then say that the Government shall not pay any taxes upon its property, but that the people of the District of Columbia, having a city with streets twice as wide as they would be if the people of the city themselves had laid them out, burdened as they are in a great many directions which have not been suggested by the Senator from Iowa to-day, I do not think that we would be acting wisely to destroy the half-and-half principle on an appropriation bill.

Mr. KENYON. Does the Senator think there is anything very niggardly in giving these people $2,000,000 more than the estimates show they should have?

Mr. GALLINGER. No; I do not think that. I say that if we acted wisely we would appropriate an amount equal to the amount that has been collected from the citizens of the District of Columbia.

Mr. KENYON. That would be $8,000,000 for the Government and $8,000,000 for them.

Mr. GALLINGER. It would be about $14,000,000 or $15,000,000 all told, instead of $12,000,000, as it is now—$3,000,000 more than is carried in the bill as reported by the Senate committee and we could make improvements that in my judgment are needed in the District of Columbia.

Why, Mr. President, we have schoolhouses in the District of Columbia that would not be tolerated for a single day in the city from which the Senator from Iowa comes.

Mr. KENYON. And we have schoolhouses in many poor settlements in this country that need help just as much as do the schoolhouses in the District of Columbia, and the rich people who have come into this District to escape taxation should help to make those schoolhouses better.

Mr. GALLINGER. That is entirely aside from the question involved in the discussion of this appropriation bill. If the Senator wishes to amend the tax laws of the District of Columbia he can propose an amendment to them, which, if Congress sees fit, can be enacted into law.

Mr. KENYON. I propose to introduce an income-tax provision for the District of Columbia.

Mr. JAMES. Mr. President——

The PRESIDING OFFICER. To whom does the Senator from Iowa yield?

Mr. KENYON. I yield to the Senator from Kentucky.

Mr. JAMES. I should like to ask the Senator from New Hampshire a question. He speaks of the wide streets of this city, and seems to couple that with the half-and-half plan. Is it not true that the wide streets were here before the half-and-half plan was originated?

Mr. GALLINGER. I think that is true; but Congress is responsible for them. I want to say just one word more. The District of Columbia gave the people of the United States more than one-half the area of the District of Columbia as a free gift.

Mr. KENYON. I must take issue with the Senator on that. He knows more about it than I do, but the Senator is always fair. Included in that estimate are streets and alleys. The streets and alleys are just as much for the people of the District of Columbia as for anybody else.

Mr. GALLINGER. There are alleys in every city in the country, and in some of them there are more than there are in the District of Columbia.

Mr. KENYON. They are held in trust for the benefit of all the people; they were not given to the Government.

Mr. GALLINGER. Mr. President, I think it can be made to appear—I may be wrong about that—that the people of the District of Columbia are paying a higher per capita tax than the average city of the United States of equal population.

Mr. KENYON. I think that is true; and if 10 people owned all of the property in the District of Columbia, they would pay the highest per capita tax in the world.

Mr. GALLINGER. Undoubtedly.

Mr. KENYON. And that is because there is more per capita wealth in the District of Columbia than in any other city of the United States, and there is less per capita indebtedness in the District of Columbia than in any city of the United States.

Mr. GALLINGER. I do not know whether or not the Senator has the statistics to show that there is a higher per capita tax; certainly one-third of the population of the District of Columbia have not very much in the way of property on which they would pay taxes.

Mr. KENYON. That is true.

Mr. GALLINGER. And I am surprised, if it is so, that there is a higher per capita wealth.

Mr. KENYON. Taxes are not paid on per capita wealth; they are paid on property.

Mr. GALLINGER. Certainly.

Mr. JAMES. Mr. President, I think if the Senator from Iowa will investigate he will find that his admission is an error that this city pays a higher per capita tax than most other cities. I think he will find that there is no other large city in the country where the per capita tax is not higher than it is here.

Mr. KENYON. I should be glad to be corrected if that is true; but a per capita tax signifies nothing.

Mr. JAMES. I understand that.

Mr. NELSON and Mr. STONE addressed the Chair.

The PRESIDING OFFICER. To whom does the Senator from Iowa yield?

Mr. KENYON. I yield to the Senator from Minnesota.

Mr. NELSON. I intended to ask a question of the Senator from New Hampshire, but he is leaving the Chamber.

Mr. GALLINGER. I will come back for the purpose of answering any inquiry which the Senator from Minnesota may propound, if I am able to do so.

Mr. NELSON. I should like to hear what the Senator has to say on the question of immunity from taxation on credits in the District of Columbia.

Mr. GALLINGER. Mr. President, I have suggested to the Senator from Iowa that the tax laws——

Mr. NELSON. I should like to hear the Senator on that in connection with this plan here.

Mr. GALLINGER. I say——

Mr. NELSON. Does not the Senator think——

Mr. GALLINGER. Will the Senator allow me to complete a sentence?

Mr. NELSON. Yes, sir.

Mr. GALLINGER. I thank the Senator. I say that I am no more responsible for that than is the Senator from Minnesota or than is any other Senator.

Mr. NELSON. No; but the Senator is a member of the Committee on the District of Columbia.

Mr. GALLINGER. I am not.

Mr. NELSON. He was for a great many years.

Mr. GALLINGER. I am not a member of the Committee on the District of Columbia.

Mr. NELSON. The Senator was for a great many years.

Mr. GALLINGER. So were other excellent men.

Mr. NELSON. And we look for reforms in connection with the District of Columbia to come from that committee.

Mr. GALLINGER. No; not necessarily.

Mr. STONE. Mr. President——

Mr. KENYON. I have yielded to the Senator from Minnesota.

Mr. NELSON. I do not want to detain the Senator from New Hampshire longer in the Chamber.

Mr. GALLINGER. I will remain to answer any question the Senator wants to ask me.

Mr. KENYON. I yield to the Senator from Missouri.

Mr. STONE. Mr. President, there is quite a grave reason why we should have an executive session at once, which I do not feel at liberty to state in the open session of the Senate; but if the Senator from Iowa will consent, I should like to move an executive session at this time.

Mr. POMERENE. Mr. President, will the Senator yield to me?

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Ohio?

Mr. STONE. Certainly.

Mr. POMERENE. For the purpose of offering a bill and having it referred to the Committee on Interstate Commerce?

Mr. SMOOT. I object.

The PRESIDING OFFICER. Objection is made.

Mr. POMERENE. I should like to state that it is important that this matter be printed and referred to the committee; and, as we are just about to go into executive session, I hope the Senator will withdraw the objection.

Mr. SMOOT. No, Mr. President; I can not withdraw the objection.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House had passed the bill (S. 7107) to authorize the construction of a bridge across the Ohio River at Metropolis, Ill.

The message also announced that the House disagrees to the amendments of the Senate to the bill (H. R. 20241) making appropriations to supply urgent deficiencies in appropriations for the fiscal year 1915 and prior years, and for other purposes, asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. FITZGERALD, Mr. BARTLETT, and Mr. GILLETT managers at the conference on the part of the House.

The message further announced that the House had passed a bill (H. R. 6143) relating to the maintenance of actions for death on the high seas and other navigable waters, in which it requested the concurrence of the Senate.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills and joint resolution, and they were thereupon signed by the President pro tempore:

S. 2651. An act providing for the purchase and disposal of certain lands containing the minerals kaolin, kaolinite, fuller's earth, china clay, and ball clay in Tripp County, formerly a part of the Rosebud Indian Reservation in South Dakota;

S. 2824. An act to amend an act entitled "An act to provide for the adjudication and payment of claims arising from Indian depredations," approved March 3, 1891;

S. 6454. An act to authorize the Government Exhibit Board for the Panama-Pacific International Exposition to install any part or parts of the Government exhibit at the said exposition either in the exhibit palaces of the Panama-Pacific International Exposition Co. or in the Government building at said exposition; and

S. J. Res. 58. Joint resolution authorizing the Secretary of the Navy to present the bell of the late U. S. S. *Princeton* to the borough of Princeton, N. J.

PETITIONS AND MEMORIALS.

Mr. CLAPP presented petitions of sundry citizens of Minnesota, praying for the enactment of legislation to prohibit the exportation of ammunition, etc., which were referred to the Committee on Foreign Relations.

Mr. SMITH of Maryland presented petitions of 15 citizens of Woodfield; of Daisy Lodge, No. 320, International Order of Good Templars, of Howard County; of Wesley Grove Lodge, No. 329, International Order of Good Templars, of Woodfield; and of Eureka Lodge, No. 272, International Order of Good Templars, of Baltimore, all in the State of Maryland, praying for national prohibition, which were referred to the Committee on the Judiciary.

Mr. BURLEIGH presented a petition of the Maine State Grange, Patrons of Husbandry, praying for an investigation into the difference between producers and retail prices of potatoes, which was referred to the Committee on Agriculture and Forestry.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. FLETCHER:

A bill (S. 7180) granting an increase of pension to Etta Adair Anderson; to the Committee on Pensions.

By Mr. CHAMBERLAIN:

A bill (S. 7181) granting an increase of pension to Thomas E. Dunbar (with accompanying papers); to the Committee on Pensions.

By Mr. BURLEIGH:

A bill (S. 7182) granting a pension to Clifton Whittum; to the Committee on Pensions.

By Mr. SAULSBURY:

A bill (S. 7183) granting an increase of pension to Thomas Clark (with accompanying papers); to the Committee on Pensions.

URGENT DEFICIENCY APPPROPRIATIONS.

The PRESIDENT pro tempore laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 20241) making appropriations to supply urgent deficiencies in apppropriations for the fiscal year 1915 and prior years, and for other purposes, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. OVERMAN. I move that the Senate insist upon its amendments, agree to the conference asked for by the House, the conferees on the part of the Senate to be appointed by the Chair.

The motion was agreed to, and the President pro tempore appointed Mr. OVERMAN, Mr. BRYAN, and Mr. SMOOT conferees on the part of the Senate.

HOUSE BILL REFERRED.

H. R. 6143. An act relating to the maintenance of actions for death on the high seas and other navigable waters was read twice by its title, and, on motion of Mr. OVERMAN, referred to the Committee on the Judiciary.

EXECUTIVE SESSION.

Mr. STONE. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After seven minutes spent in executive session the doors were reopened, and (at 5 o'clock and 35 minutes p. m., Thursday, January 7, 1915) the Senate adjourned until to-morrow, Friday, January 8, 1915, at 12 o'clock meridian.

CONFIRMATIONS.

Executive nominations confirmed by the Senate January 7 (legislative day of January 6), 1915.

SECRETARY OF LEGATION.

Willing Spencer to be secretary of legation at Panama, Panama.

COLLECTOR OF INTERNAL REVENUE.

Edgar M. Harber to be collector of internal revenue for the sixth district of Missouri.

POSTMASTERS.

HAWAII.

Otto F. Heine, Lahaina.

PENNSYLVANIA.

Lewis W. Bechtel, Stowe.
William F. Burchfield, Mifflin.
George W. Heffelman, New Cumberland.
Thomas W. Loftus, Archbald.
William A. Meehan, Dickson City.
John J. Moran, Olyphant.

VERMONT.

C. A. Burnham, Bristol.
Martha L. Gilbert, Randolph Center.
Hugh A. Sherlock, South Royalton.

HOUSE OF REPRESENTATIVES.

THURSDAY, *January 7, 1915.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

We thank Thee, our Father in heaven, that a premium has been set on pure living, that the highest tribute that can be paid to any man is a noble life. It is not the quantity which one puts into his calling, be it great or humble, but quality and efficiency which makes for character. Hence, we pray for earnest, pure, noble convictions, and the courage to live them in prosperity or in adversity, so that when we have run our race, finished our course, it may be said of us, "His was a noble life." This we ask for Thy name's sake, O God, our Father. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Tulley, one of its clerks, announced that the Senate had passed the following resolution, in which the concurrence of the House of Representatives was requested:

Senate concurrent resolution 35.

Whereas the General Assembly of the State of Louisiana for the year 1914 provided by act No. 144 for a fitting celebration of the one hundredth anniversary of the Battle of New Orleans, intrusting the execution of the provisions of said act to the Louisiana Historical Society; and

Whereas, in accordance with said act, invitations have been extended to the respective presiding officers and the Members of the Congress of the United States to attend these commemorative exercises, to be held in the city of New Orleans on January 8, 9, 10, 1915: Therefore be it

Resolved by the Senate (the House of Representatives concurring), That the Congress of the United States acknowledges with pleasure the receipt of said invitations and appreciates the courtesy thus extended; be it further

Resolved, That the Congress of the United States commends the patriotic spirit that has prompted the people of Louisiana to celebrate properly the great victory achieved on the field of Chalmette by American arms under the leadership of Andrew Jackson, and rejoices in the heroic valor displayed by friend and foe alike in that memorable conflict; be it further

Resolved, That a copy of this resolution be transmitted to the governor of Louisiana, the mayor of New Orleans, and the Louisiana Historical Society.

The message also announced that the Senate had agreed to the amendments of the House of Representatives to bills of the following titles:

S. 2824. An act to amend an act entitled "An act to provide for the adjudication and payment of claims arising from Indian depredations, approved March 3, 1891;

S. 6039. An act for the coinage of certain gold and silver coins in commemoration of the Panama-Pacific International Exposition, and for other purposes;

S. 6106. An act validating locations of deposits of phosphate rock heretofore made in good faith under the placer-mining laws of the United States; and

S. J. Res. 58. Joint resolution authorizing the Secretary of the Navy to present the bell of the late U. S. S. *Princeton* to the borough of Princeton, N. J.

The message also announced that the Senate had passed with amendments bill of the following title, in which the concurrence of the House of Representatives was requested:

H. R. 20241. An act making appropriations to supply urgent deficiencies in appropriations for the fiscal year 1915, and for other purposes.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED.

The Speaker announced his signature to enrolled bills and joint resolution of the following titles:

S. 6454. An act to authorize the Government exhibit board for the Panama-Pacific International Exposition to install any part or parts of the Government exhibit at the said exposition either in the exhibit palaces of the Panama-Pacific International Exposition Co. or in the Government building at said exposition;

S. 2824. An act to amend an act entitled "An act to provide for the adjudication and payment of claims arising from Indian depredations," approved March 3, 1891;

S. 2651. An act providing for the purchase and disposal of certain lands containing the minerals kaolin, kaolinite, fuller's earth, china clay, and ball clay, in Tripp County, formerly a part of the Rosebud Indian Reservation, in South Dakota;

S. J. Res. 58. Joint resolution authorizing the Secretary of the Navy to present the bell of the late U. S. S. *Princeton* to the borough of Princeton, N. J.

S. 6039. An act for the coinage of certain gold and silver coins in commemoration of the Panama-Pacific Exposition, and for other purposes; and

S. 6106. An act validating locations of deposits of phosphate rock heretofore made in good faith under the placer-mining laws of the United States.

BRIDGE ACROSS THE OHIO RIVER AT METROPOLIS, ILL.

Mr. BARKLEY. Mr. Speaker, I ask that Senate bill 7107 be taken from the Speaker's desk and laid before the House for consideration, it being identical with a House bill now on the calendar from the Committee on Interstate and Foreign Commerce.

The SPEAKER. What is the number of that bill?

Mr. BARKLEY. Senate bill No. 7107.

The SPEAKER. The Clerk will report it.

The Clerk read the title of the bill, as follows:

A bill (S. 7107) to authorize the construction of a bridge across the Ohio River at Metropolis, Ill.

The SPEAKER. The gentleman from Kentucky [Mr. BARKLEY] states that there is a similar House bill on the calendar.

Mr. BARKLEY. Yes; with a favorable report.

The SPEAKER. With a favorable report from the committee. Is there objection?

There was no objection.

Mr. MANN. Mr. Speaker, let the bill be read.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the Paducah & Illinois Railroad Co., a corporation organized and existing under the laws of the State of Illinois, its successors and assigns, be, and is hereby, authorized to construct, maintain, and operate a bridge and approaches thereto across the Ohio River, at a point suitable to the interests of navigation, at Metropolis, Ill., in accordance with the provisions of the acts of Congress approved December 17, 1872, and February 14, 1883, authorizing the construction of bridges across the Ohio River, and of the act entitled "An act to regulate the construction of bridges across navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The SPEAKER. The question is on the third reading of the Senate bill.

The bill was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. BARKLEY, a motion to reconsider the vote whereby the bill was passed was laid on the table.

The SPEAKER. Without objection, the House bill (H. R. 20499) of similar tenor will be laid on the table.

There was no objection.

EXTENSION OF REMARKS.

Mr. THACHER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the subject of the Tuttle barrel bill, H. R. 4899, which was under discussion yesterday.

The SPEAKER. The gentleman from Massachusetts [Mr. THACHER] asks unanimous consent to extend his remarks in the RECORD on the subject of the Tuttle bill. Is there objection?

There was no objection.

Mr. MADDEN. I ask unanimous consent, Mr. Speaker, to extend my remarks in the RECORD on the subject of government in the United States.

The SPEAKER. On what?

Mr. MADDEN. On government in the United States.

The SPEAKER. On the subject of government in the United States. Is there objection?

There was no objection.

Mr. TUTTLE. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the subject of the standard weights and measures.

The SPEAKER. The gentleman from New Jersey [Mr. TUTTLE] asks unanimous consent to extend his remarks in the RECORD on the subject of standard weights and measures. Is there objection?

There was no objection.

ORDER OF BUSINESS.

Mr. DUPRÉ. Mr. Speaker, I ask unanimous consent that on to-morrow morning, after the approval of the Journal, I be permitted to address the House for 15 minutes on the subject of the one hundredth anniversary of the Battle of New Orleans.

The SPEAKER. The gentleman from Louisiana [Mr. DUPRÉ] asks unanimous consent that to-morrow morning, immediately after the reading of the Journal and the disposition of routine matters on the Speaker's table, he be allowed to address the House for 15 minutes on the Battle of New Orleans, incident to the celebration of the one hundredth anniversary. Is there objection?

Mr. UNDERWOOD. Reserving the right to object, Mr. Speaker, I do not like to establish, this late in the session, a precedent in behalf of gentlemen speaking by unanimous consent.

Mr. DUPRÉ. May I suggest to the gentleman from Alabama that neither he nor I will be here for the two hundredth anniversary of the Battle of New Orleans? [Laughter.]

Mr. UNDERWOOD. I am sure of that, and I have no objection to the gentleman making the speech, and I would not wish to object if it were not for the precedent that would be set. I think when we get into Committee of the Whole to-morrow the gentleman can arrange for time.

Mr. DUPRÉ. I submit, Mr. Speaker, that under the circumstances it will not be regarded as a precedent, and I trust the gentleman will not press his objection. A resolution was passed by the Legislature of Louisiana on the subject of the

celebration of the one hundredth anniversary of the Battle of New Orleans. I may say I do not bother the House very often with my mellifluous diction or eloquent language [laughter], and I hope the gentleman will not object.

Mr. UNDERWOOD. The gentleman is correct about that; but, Mr. Speaker, inasmuch as to-morrow is the day, and as the gentleman desires only 15 minutes, I want to give notice that this is not to be considered as a precedent hereafter that we shall have unanimous consent given at this session of Congress except when a bill is before the House.

The SPEAKER. Is there objection?

There was no objection.

URGENT DEFICIENCY APPROPRIATION BILL.

Mr. FITZGERALD. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the urgent deficiency appropriation bill, disagree to Senate amendments, and ask for a conference.

The SPEAKER. The Clerk will report the bill.

The Clerk read the title of the bill, a follows:

A bill (H. R. 20241) making appropriations to supply urgent deficiencies in appropriations for the fiscal year 1915, and prior years, and for other purposes.

The SPEAKER. The gentleman from New York [Mr. FITZGERALD] asks unanimous consent to take the bill from the Speaker's table, disagree to the Senate amendments, and send it to conference. Is there objection?

There was no objection; and the Speaker announced as conferees on the part of the House Mr. FITZGERALD, Mr. BARTLETT, and Mr. GILLETT.

IMMIGRATION.

Mr. BURNETT. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill H. R. 6060, the immigration bill, disagree to the Senate amendments, and ask for a conference.

Mr. MADDEN. I reserve the right to object, Mr. Speaker.

The SPEAKER. The Clerk will report the bill by title.

The Clerk read as follows:

A bill (H. R. 6060) to regulate the immigration of aliens to and the residence of aliens in the United States.

The SPEAKER. The gentleman from Alabama [Mr. BURNETT] asks unanimous consent to take the bill H. R. 6060, the immigration bill, from the Speaker's table, disagree to the Senate amendments, and ask for a conference.

Mr. MADDEN. Reserving the right to object, Mr. Speaker, I wish to ask the gentleman from Alabama and his confrères on the committee of conference whether, if consent is granted to go to conference with the bill, the conferees will come back with amendment numbered 18 without an agreement and give the House, in case they can not eliminate it, an opportunity to vote upon that amendment before final agreement is entered into between the House and the Senate?

Mr. BURNETT. Mr. Speaker, in order to facilitate the reference of the bill I am perfectly willing to state to the gentleman from Illinois [Mr. MADDEN] that if the conferees are appointed as I suggest—and I will state that I will ask the Speaker to appoint the gentleman from Illinois [Mr. SABATH], the gentleman from Massachusetts [Mr. GARDNER], and myself—so far as I am concerned, and I am authorized to speak for the gentleman from Massachusetts [Mr. GARDNER] also, I shall ask that no final action be taken on that amendment until it is reported to the House and the House given an opportunity to vote on it, unless it is eliminated in conference.

Mr. MADDEN. All right.

Mr. SABATH. Would that also apply to any other important amendments to the bill?

Mr. BURNETT. What ones?

Mr. SABATH. For instance, amendment No. 3, the increase in the head tax to $6, and there may be two or three others. What I desire to know is whether the same understanding will apply to other important amendments in the bill.

Mr. BURNETT. Mr. Speaker, we would rather have a vote, if it comes to that, than have to make a blanket agreement as to various amendments and consume the time later on. I thought we might be able to facilitate it.

Mr. SABATH. I wish to assure the gentleman that I am not going to delay the matter in any way. I would like to have an understanding, that is all.

Mr. GALLIVAN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. GALLIVAN. I have some amendments that I desire to offer to the Senate amendments. I understand that if this matter goes to conference I shall have no opportunity to offer those amendments.

The SPEAKER. That depends entirely on what the conferees bring back. If they bring in a complete report, then the House must vote upon it as a whole; but the gentleman is entirely within his rights to demand a separate vote on each amendment.

Mr. GALLIVAN. Then, Mr. Speaker, I shall have to object.

Mr. MADDEN. A parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. MADDEN. If the conferees fail to reach an agreement on a given item put in the bill by the Senate, they will have a perfect right to bring that item back to the House and ask for instructions, will they not?

The SPEAKER. Of course. That happens every once in a while; and when they come back under those conditions, there are a number of motions that apply to each amendment. It is no use for the Chair to state the various motions—to concur, to concur with an amendment, and so forth.

Mr. MADDEN. If the conferees come back with a complete agreement, there is nothing else to do except to vote the report up or down.

The SPEAKER. No; the House must either vote it up or down if it is a complete agreement.

Mr. SLAYDEN. Mr. Speaker, the request of the gentleman from Alabama [Mr. BURNETT] having been objected to, what is the regular order?

Mr. BURNETT. Mr. Speaker, I move to disagree to the Senate amendments and ask for a conference.

Mr. STAFFORD. On that I reserve a point of order.

The SPEAKER. If it is objected to, it goes to the committee.

Mr. MANN. Mr. Speaker, I suggest to the gentleman that he ask the Speaker to lay the bill before the House. Then he can move to disagree to the Senate amendments and ask for a conference.

Mr. BURNETT. I make that motion.

Mr. MANN. Mr. Speaker, this is a House bill with Senate amendments. It does not require consideration in Committee of the Whole House on the state of the Union. Hence it is the duty of the Speaker to lay the bill before the House with the Senate amendments.

Mr. STAFFORD. Mr. Speaker, I take exception to the position of the gentleman from Illinois, and I claim that there is an amendment here which requires consideration in Committee of the Whole.

Mr. MANN. That may be. I understood there was not. I have not examined it.

The SPEAKER. The gentleman gave it as his opinion that there was not an amendment that required consideration in Committee of the Whole. The Chair has not examined it.

Mr. MANN. I have not examined it.

The SPEAKER. The Chair will request the gentleman from Wisconsin to point out the amendment which makes it necessary to send the bill to the Committee of the Whole.

Mr. STAFFORD. I direct the attention of the Chair to amendment No. 30, which is as follows:

The Department of Justice may from any fines or penalties received pay rewards to persons other than Government employees who may furnish information leading to the recovery of any such penalties, or to the arrest and punishment of any person, as hereinafter in this section provided.

That is something new and distinct, not germane to any provision that was carried in the original House bill. It provides a charge on the Treasury, in that the officers of the Department of Justice may, in their discretion, adopt certain rules for the payment of rewards out of funds that would otherwise go into the Treasury of the United States. Therefore, it being an amendment that, if offered in the House, would naturally require consideration in Committee of the Whole under Rule XX of the rules of the House, the bill must necessarily be referred to the Committee on Immigration for consideration and not presented to the House for consideration as suggested by the gentleman from Illinois.

Mr. GARDNER. Mr. Speaker, as soon as I can find the rule with reference to the Committee of the Whole I will read it.

Mr. STAFFORD. Rule XX.

Mr. GARDNER. No; Rule XX is with regard to House bills with Senate amendments.

Mr. MADDEN. This is a House bill with Senate amendments.

Mr. GARDNER. I understand, but I want to find the general rule as to consideration in Committee of the Whole. It is section 843 in the Manual, Rule XXIII, section 3. Certain classes of business must be considered in Committee of the Whole. For example:

All motions or propositions involving a tax or charge upon the people.

Mr. Speaker, does this involve a tax or charge upon the people? Obviously not. Therefore under the first clause of sec-

tion 3 of Rule XXIII no reference to the Committee of the Whole is required.

The second clause of the rule reads like this:

All proceedings touching appropriations of money, or bills making appropriations of money or property.

This amendment does not do any of those things. It requires no appropriation to be made. It authorizes no payment out of an appropriation already made. It does not release any liability of money or property to the United States. It does not involve any reference of a claim to the Court of Claims. Therefore under the rule which requires certain classes of business to be considered in Committee of the Whole House on the state of the Union, to wit, section 3, Rule XXIII, there is nothing whatever which would require this House bill with Senate amendments to go to the Committee of the Whole House on the state of the Union.

The SPEAKER. The point of order is overruled. The Chair will answer the parliamentary inquiry of the gentleman from Texas [Mr. SLAYDEN]. The regular procedure is to lay the bill before the House with the Senate amendments, and the Clerk will report the amendments.

The Clerk read as follows:

Amend, on page 1, line 6, by inserting after the word "Indians" the words "of the United States."

Mr. BURNETT. Mr. Speaker, my motion was to disagree to the Senate amendments and ask for a conference.

Mr. MANN. Mr. Speaker, the amendments have to be reported, and then anyone can demand a separate vote on any amendment. The gentleman from Alabama's motion is to disagree to all Senate amendments, but the amendments have to be reported, and then anyone can ask for a separate vote.

The SPEAKER. That is true, and the Clerk will proceed.

The Clerk again read Senate amendment No. 1.

The SPEAKER. The question is on agreeing to the amendment.

Mr. BURNETT. Mr. Speaker, I move the previous question.

Mr. MANN. Mr. Speaker, I think myself that it is in order to disagree to all the Senate amendments.

The SPEAKER. The Chair thinks so, if any gentleman makes that motion.

Mr. MANN. I understood the gentleman from Alabama made a motion to disagree to all the Senate amendments. Then the amendments would be reported, and then a separate vote can be demanded on any amendment. Of course a motion to concur in a separate amendment would take precedence.

Mr. BURNETT. That was the understanding when I made the motion to disagree to all Senate amendments, to have gentlemen state what amendments they wanted a separate vote upon.

The SPEAKER. The Chair thinks it would help things along if the gentleman made that motion now.

Mr. BURNETT. I have made the motion to disagree to all the Senate amendments.

Mr. STAFFORD. Mr. Speaker, I ask for a division of that motion as to Senate amendment 24, providing for the exemption of the Belgians.

Mr. MADDEN. And, Mr. Speaker, I ask for a separate vote on amendment No. 18, applying to the African or black race.

The SPEAKER. The Clerk will report all the amendments, and then gentlemen can reserve the amendments they wish a separate vote upon.

Mr. TRIBBLE. Mr. Speaker, I ask for a separate vote on amendment No. 24, the Belgian amendment.

Mr. NORTON. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. NORTON. The gentleman from Alabama has moved to disagree to all the Senate amendments. If that motion is put and carried, then may a separate vote be taken on any particular amendment?

The SPEAKER. Not if that proposition carries; no.

Mr. MANN. Mr. Speaker, will there be any objection if the gentleman from Alabama asks unanimous consent to disagree to all the Senate amendments except where a separate vote is demanded?

Mr. BURNETT. Mr. Speaker, I will change my motion and ask unanimous consent to disagree to all Senate amendments except where a separate vote is demanded.

The SPEAKER. The gentleman from Alabama asks unanimous consent to disagree to all Senate amendments except where a separate vote is demanded. On what amendment did the gentleman from Wisconsin want a separate vote?

Mr. STAFFORD. On amendment 24, where I intend to make a motion to concur.

The SPEAKER. Is there objection to the request of the gentleman from Alabama? [After a pause.] The Chair hears none.

Mr. TRIBBLE. Mr. Speaker, I ask a separate vote on amendment 24, known as the Belgian amendment.

Mr. MADDEN. Mr. Speaker, I am interested in amendment 18, and all I want is an understanding that that amendment will be brought back to the House with the right to vote upon it before any agreement is entered into between the conferees, unless the amendment is eliminated in conference.

Mr. MOORE. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MOORE. Is it necessary to make a demand for a separate vote now, and if so, does that preclude a separate vote after the bill comes back?

The SPEAKER. The situation is this as to conference reports: If the conferees make a complete report, it must either be voted up or down as a whole. If the conferees make a separate report, you vote the report up or down, and then you have the right to make any motion as to any amendment that the conferees have not agreed upon.

Mr. MOORE. There are 95 amendments to this bill, and some of them may be objected to, if agreed upon in conference, when the bill comes back.

The SPEAKER. But you can not get a separate vote upon anything that is included in the conference report.

Mr. MOORE. Then, in order to protect one's rights, notice must be given now.

The SPEAKER. That is the request of the gentleman from Alabama. The gentleman from Alabama asked unanimous consent to disagree to all the Senate amendments except where there is a demand for a separate vote. That was granted. Now, what amendments are separate votes demanded upon besides amendments 24 and 18?

Mr. GALLIVAN. Mr. Speaker, I desire separate votes upon amendments 18 and 24.

The SPEAKER. Those have already been excepted.

Mr. GALLIVAN. I simply desire to move to concur in the Senate amendments.

The SPEAKER. That time has not yet come.

Mr. GALLIVAN. I wish to know if I shall have that opportunity.

The SPEAKER. The gentleman will if somebody does not get up first and make the motion. Is a separate vote demanded on any other amendment?

Mr. MOORE. Mr. Speaker, I desire a separate vote on amendment No. 15.

The SPEAKER. The Chair will inquire of the gentleman from Illinois [Mr. MADDEN] if he demanded a separate vote on amendment No. 18?

Mr. MADDEN. No, Mr. Speaker. I granted consent to the conference with the distinct understanding on the part of the conferees that unless they can eliminate that amendment from the bill in the conference they will bring the amendment back here for a separate vote before a full agreement is had, and that is the condition upon which consent is granted.

Mr. ASWELL. Mr. Speaker, I demand a separate vote on amendment No. 18.

The SPEAKER. That has already been done.

Mr. BOOHER. Mr. Speaker, I demand a separate vote on amendments 54 and 57.

The SPEAKER. The gentleman from Missouri demands a separate vote on amendments 54 and 57. Is a separate vote demanded on any other amendment?

Mr. MOORE. Mr. Speaker, I also demand a separate vote on amendment No. 9.

The SPEAKER. The gentleman from Pennsylvania demands a separate vote on amendment No. 9.

Mr. GALLIVAN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. GALLIVAN. Mr. Speaker, when the opportunity is afforded me, I propose to move to concur in Senate amendments to section 3 with an amendment, and I desire to give notice now——

The SPEAKER. Is the gentleman demanding a separate vote on amendment No. 3?

Mr. GALLIVAN. No; the section is No. 3.

The SPEAKER. That has already passed the House.

Mr. LEVY. Mr. Speaker, when the vote on No. 24 comes up, have I the right to move to amend that amendment?

The SPEAKER. If the gentleman gets the floor and obtains recognition from the Chair upon that amendment before anyone else does, then the Chair will entertain any proper motion that he may make.

Mr. LEVY. Can I give notice now?

The SPEAKER. The gentleman can not give notice now. He will have to get up at the time, and get up ahead of anyone else. [Laughter.]

Mr. BURNETT. Mr. Speaker, I ask that we proceed to a vote on those reserved amendments.

Mr. MANN. Mr. Speaker, I ask to have the amendments that have been reserved for a separate vote reported in their numerical order.

The SPEAKER. Does any gentleman demand a separate vote on any other amendment?

Mr. SABATH. Mr. Speaker, as I understand the motion of the gentleman from Alabama it is that we disagree to all of the Senate amendments with the exception of those where a separate vote is demanded at this time.

Mr. MANN. That has already been done by unanimous consent.

The SPEAKER. That has been done, and the Chair is trying to give everyone a chance to reserve a separate vote on any amendment.

Mr. BURNETT. Mr. Speaker, it is possible that there are some here who do not understand the extent of the argeement in regard to amendments 18 and 24.

Mr. MANN. That will come up later.

Mr. BURNETT. I understand no separate votes have been demanded upon them?

Mr. MANN. Oh, yes; several times.

The SPEAKER. The Clerk will report amendment No. 9.

Mr. MANN. Mr. Speaker, I ask to have the list reported, so that everyone will know what amendments have been reserved.

The SPEAKER. The Clerk will report the amendments upon which separate votes have been demanded.

The Clerk read as follows:

Amendments numbered 9, 15, 18, 24, 54, 57.

Mr. GALLIVAN. Mr. Speaker, I desire to inquire whether or not, in view of the fact that the language of section 3 has been materially changed in the Senate by amendments, a general amendment to section 3 would be in order, provided I move to concur in certain Senate amendments which are now applied to section 3 with amendments? I am told that because certain language is in section 3 which has passed both Houses it can not be amended; but my inquiry is with reference to this point——

The SPEAKER. There is nothing before the House now except the Senate amendments.

Mr. GALLIVAN. But the Senate amendments have changed in many forms the entire language of section 3, and I desire to offer a general amendment to section 3, concurring with some of the amendments——

The SPEAKER. Was section 3 amended by the Senate?

Mr. GALLIVAN. Yes; in many ways.

The SPEAKER. Does the gentleman desire to reserve votes upon those amendments?

Mr. GALLIVAN. I could very easily, with the permission of the Chair, suggest that my amendment is to concur and——

The SPEAKER. But the time has not yet come to make a motion in respect to that particular language.

Mr. GALLIVAN. My desire is not to lose my rights. I want to move to amend——

The SPEAKER. The gentleman does not lose any right if he asks for a separate vote on any particular amendment. If the gentleman will demand separate votes on all of the amendments to section 3, if there are more than one amendment to that section, then they will go into the list with the rest of these amendments.

Mr. MANN. Mr. Speaker, all the gentleman from Massachusetts has to do is to ask for a separate vote on the amendments which he wishes to have concurred in.

Mr. GALLIVAN. I demand a separate vote on every amendment to section 3.

The SPEAKER. The gentleman from Massachusetts demands a separate vote on all amendments to section 3.

Mr. GARDNER. Mr. Speaker, before the gentleman does that, I know just what the gentleman wants. Section 3 has more amendments to it than any other part of the bill. The gentleman, I take it, wants to amend the illiteracy test.

Mr. GALLIVAN. That is what I want to do.

Mr. GARDNER. Why not reserve separate votes on amendments numbered 19 and 20? They are the two amendments in the illiteracy test.

Mr. LEVY. Mr. Speaker, I want a separate vote on amendment No. 24.

The SPEAKER. A separate vote has been demanded upon that. The gentleman from Massachusetts [Mr. GALLIVAN] demands separate votes on amendments 19 and 20. Is that it?

Mr. GALLIVAN. Well, no, Mr. Speaker; that is not it. I know that my good friend from Massachusetts [Mr. GARDNER] wants to help me out, despite the fact he is on the other side [laughter and applause]; but I would want to find out whether or not I will have an opportunity to amend that entire section. I want to amend, beginning——

Mr. MANN. The gentleman will not.

Mr. GALLIVAN. Beginning line 13, page 8.

The SPEAKER. Answering the gentleman's parliamentary inquiry, the Chair will state that all of this bill that can be operated on here now are the Senate amendments.

Mr. GALLIVAN. But, Mr. Speaker, the Senate has made many amendments to this section.

The SPEAKER. The Chair understands that, and there has been a demand for separate votes on various amendments. Now, if the gentleman has any he wants to demand a separate vote on, the Chair will make a note of it and have the Clerk report them.

Mr. GALLIVAN. I refer to all the amendments made to section 3.

The SPEAKER. That obtains when the time comes.

Mr. GALLIVAN. Now, amendment 9 has been read, which is the beginning of section 3.

Mr. MANN. Does the gentleman demand a separate vote on each Senate amendment to section 3?

Mr. GALLIVAN. I do, unless I get opportunity to offer the amendments I have in mind.

Mr. MANN. The gentleman has made the demand, and that settles it.

The SPEAKER. Now, the gentleman from Massachusetts [Mr. GALLIVAN] demands a separate vote on every one of the amendments to section 3—that is, amendments numbered 9 to 24, inclusive—and the Clerk will report amendment No. 9.

Mr. MOORE. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. MOORE. Mr. Speaker, under the circumstances I ask unanimous consent to withdraw my demand for a separate vote on No. 9, as it will not be necessary.

The SPEAKER. Well, the demand is in anyhow. The Clerk will report amendment No. 9.

The Clerk read as follows:

Amendment No. 9, page 4, line 17, after the word "previously," insert "persons of constitutional psychopathic inferiority; persons with chronic alcoholism."

Mr. BURNETT. Mr. Speaker, I move to disagree to Senate amendment No. 9 and ask for a conference.

The SPEAKER. The gentleman from Alabama moves to disagree to Senate amendment No. 9.

Mr. MANN. Mr. Speaker, just so the gentleman from Massachusetts and other gentlemen may not lose their right, it is in order to move to concur in Senate amendment numbered 9, or to move to concur in it with an amendment. That is the only way you can get any matter before the House now.

Mr. GALLIVAN. Mr. Speaker, I move to concur in Senate amendment numbered 9 with an amendment.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Mr. GALLIVAN moves to concur in Senate amendment numbered 9——

Mr. O'SHAUNESSY. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. O'SHAUNESSY. Mr. Speaker, I want to ask if it is in order to seek enlightenment upon the words "persons of constitutional psychopathic inferiority"?

Mr. MANN. The gentleman will have to go to the medical books.

Mr. O'SHAUNESSY. I find that a great many of my colleagues are somewhat in doubt.

The SPEAKER. The Chair is as much in doubt as anybody else. [Laughter and applause.]

Mr. GALLIVAN. Mr. Speaker, I hope the gentleman does not expect me to enlighten him.

Mr. O'SHAUNESSY. I would expect any gentleman from Massachusetts to enlighten this body.

Mr. MOORE. The Chair should remember that this suggestion came from the Senate.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Mr. GALLIVAN moves to concur in Senate amendment numbered 9 with an amendment striking out all of section 3 beginning on page 8, line 12, and ending on page 10, line 14.

Mr. BURNETT. Mr. Speaker, I make a point of order against that.

The SPEAKER. The point of order is sustained.

Mr. GALLIVAN. Mr. Speaker [laughter]——

The SPEAKER. Does the gentleman want to be heard?

Mr. GALLIVAN. I do, Mr. Speaker, briefly.

The SPEAKER. The Chair will state to the gentleman that amendments to this amendment must be germane to the amendment. Now, if the gentleman wants to argue it, the Chair will hear him.

Mr. GALLIVAN. Mr. Speaker, I do not desire to take up time on that point. [Laughter.]

The SPEAKER. The gentleman from Alabama [Mr. BURNETT] moves to disagree to Senate amendment numbered 9.

Mr. BROWN of New York. Mr. Speaker, I move to concur in the Senate amendment.

The SPEAKER. The gentleman from New York [Mr. BROWN] moves to concur in the Senate amendment.

Mr. GARDNER. Mr. Speaker, I raise the point of order that the motion to nonconcur has precedence over the motion to concur at this stage.

The SPEAKER. The point of order is overruled. The question is on the motion to concur.

Mr. SABATH. Mr. Speaker, will it be in order to ask the gentleman who makes the motion to explain the meaning of the amendment?

The SPEAKER. Oh, no; the motion stands by itself.

The question was taken, and the Speaker announced the ayes seemed to have it.

Mr. SABATH. Division, Mr. Speaker.

The SPEAKER. The gentleman from Illinois demands a division.

The House divided; and there were—ayes 155, noes 21.

So the motion to concur was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Senate amendment No. 10, page 4, line 23, strike out the words "mental or."

Mr. BURNETT. Mr. Speaker, this amendment, I think, ought to be objected to, but at the same time we believe that this ought to go to conference in order that we may have something by which we can hold other matters that we think are more important. [Laughter.]

The SPEAKER. Does the gentleman make a motion?

Mr. BURNETT. Mr. Speaker, I move to nonconcur.

Mr. SHERLEY. Mr. Speaker, I move to concur.

Mr. BROWN of New York. Before making a motion to concur, I would like to ask the gentleman from Alabama if he is in favor of this amendment and will work for it in conference?

Mr. BURNETT. I am in favor of it, and a number of others.

Mr. SHERLEY. Mr. Speaker, I move to concur in amendment No. 10.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment No. 11. Page 5, lines 2 and 3, strike out "admit their belief in the practice of polygamy" and insert "believe in, advocate, or practice polygamy."

Mr. GARDNER. Mr. Speaker, I move to concur in that with an amendment.

The SPEAKER. The gentleman will state his amendment.

Mr. GARDNER. I move to amend by agreeing to Senate amendment No. 11 with the following amendment:

Strike out the words inserted by the Senate and insert in lieu thereof the following: "Practice polygamy or believe in or advocate the practice of polygamy."

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Agree to Senate amendment No. 11 with the following amendment: Strike out the words inserted by the Senate and insert in lieu thereof the following: "Practice polygamy or believe in or advocate the practice of polygamy."

Mr. GARDNER. Now, Mr. Speaker, this is a very good illustration of the mistake of going ahead the way we are going ahead now, because it would take an hour's discussion for people to arrive at the difference in meaning in what I have proposed and the amendment which has been added in the Senate. The gentleman from Alabama [Mr. BURNETT] and I have gone over all of these amendments, assuming that we would be appointed conferees. We have marked the lesser amendments which we would yield in case of necessity when we get into conference, what we would hold out on, and what we would seek to amend. Now, here is the amendment which I propose. Make the sentence read: "Polygamists or persons who practice polygamy or believe in or advocate the practice of polygamy." When I get through explaining the difference between that amendment and the Senate amendment not five men in the House will understand, because they have not turned their mind to this question hitherto. It took me half an hour's study of the RECORD to find out what point was at issue in the Senate when it changed the wording of the polygamy clause. Personally, I believe that this is a perfectly proper amendment which I am offering. The Senate amendment I do not like because it undertakes to go into a man's mind and find out whether he believes in polygamy as a part of his creed, no matter whether his creed contemplates a polygamy in some blessed hereafter or in this world. I have no objection whatever to the exclusion of any man who believes in the practice of polygamy in this world, but that is not what the Senate has provided in this amendment. That is my reason for offering this amendment to the Senate amendment. I should very much prefer if the House would nonconcur in this Senate amendment and all these other minor amendments to which we have not given sufficient study, and let us take them to the Senate conferees. After we have conferred with the Senators and also have given further thought to these matters then we can bring them back in some sort of shape, and I believe that the House knows that we shall do our best to represent its real views.

Mr. MANN. Of course voting to nonconcur in the Senate amendment and voting for the gentleman's motion to concur with the amendment practically amount to the same thing.

Mr. GARDNER. It practically throws the whole thing into conference.

Mr. MANN. Then what is the use of sending over an amendment to the amendment?

Mr. GARDNER. I will withdraw the amendment, then, and move to nonconcur.

The SPEAKER. The gentleman from Massachusetts withdraws his amendment.

Mr. BURNETT. I move, Mr. Speaker, to disagree to the Senate amendment.

The SPEAKER. The gentleman from Alabama moves to disagree to amendment No. 11.

Mr. BARKLEY. A parliamentary inquiry.

The SPEAKER. The gentleman from Kentucky [Mr. SHERLEY] moved to concur.

Mr. SHERLEY. Mr. Speaker, I rise for a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. SHERLEY. I moved to concur as to amendment No. 10, and the House adopted that motion. Now the question comes up on the motion of the gentleman from Alabama as to amendment No. 11, in which he moves to nonconcur.

Mr. BARKLEY. Mr. Speaker, I move to concur in amendment No. 11, if there is no other motion already made.

The SPEAKER. The gentleman from Kentucky [Mr. BARKLEY] moves to concur in amendment No. 11.

Mr. MANN. Will the gentleman from Alabama yield me two or three minutes?

Mr. BURNETT. Yes.

Mr. MANN. I did not vote for the immigration bill, and very likely will not vote for the conference report. On a matter that is vital I do not see why the House should not express its will now, but when it comes to verbiage it ought to be left to the conferees. The Senate amendment and the House provision are largely matters of verbiage and the effect of that verbiage, I am quite sure after reading, I do not understand, or as to what would be covered differently by the two propositions. It seems to me the part of wisdom on a matter of this sort is to leave it to the conferees, who, while they do not agree with me on the question, must certainly have the confidence and the support of a majority of the House. We might agree to some Senate amendment here which neither the Senate nor the House wanted in the language which the Senate sent to us. Now, that language is often inserted in the Senate hastily, as far as the language is concerned, and I think in matters of this sort we ought to leave it to the conferees.

The SPEAKER. The gentleman from Kentucky [Mr. BARKLEY] moves to concur.

Mr. LENROOT. This language "admit their belief in the practice of polygamy" is the language of the House. I would like to ask the gentleman if it is the opinion of those who will be conferees that that language should be changed?

Mr. BURNETT. Personally I think so. But I thought it was a matter of enough importance to go back to the conference.

Mr. LENROOT. Do the gentlemen who are to be conferees believe that their language in the House bill should be changed?

Mr. BURNETT. I do not agree with my colleague on the committee in regard to the matter. As for myself, on a casual examination that we have had to give to these matters, I think we should concur in the amendment of the Senate. But I think, as suggested by the gentleman from Illinois [Mr. MANN], on these matters of verbiage we ought to go very carefully and have an opportunity to consider them in conference.

The SPEAKER. The question is on the motion of the gentleman from Kentucky [Mr. BARKLEY] to concur in amendment numbered 11.

The question was taken, and the Speaker announced that the noes seemed to have it.

Mr. BARKLEY. A division, Mr. Speaker.

The SPEAKER. The gentleman from Kentucky [Mr. BARKLEY] demands a division. Those in favor of the gentleman's motion will rise and stand until they are counted. [After counting.] Thirty-seven gentlemen have arisen in the affirmative. Those opposed will rise and stand until they are counted. [After counting.] One hundred and forty-one gentleman have arisen in the negative. On this question the ayes are 37 and the noes are 141, and the motion of the gentleman from Kentucky is lost.

Mr. FIELDS. Mr. Speaker, is it now in order to move to reconsider the vote by which amendment numbered 9 was concurred in?

The SPEAKER. Yes.

Mr. FIELDS. I make that motion, Mr. Speaker.

The SPEAKER. The gentleman from Kentucky [Mr. FIELDS] moves to reconsider the vote——

Mr. FIELDS. I wish to have the definition to that language read from the Clerk's desk.

The SPEAKER. Wait until the Chair states the question. The gentleman from Kentucky moves to reconsider the vote by which amendment numbered 9 was concurred in.

Mr. MOORE. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MOORE. Amendment numbered 9 proposes to exclude two classes of people: One, those "of constitutional psychopathic inferiority," and the other "persons with chronic alcoholism." I would like to vote to exclude the latter class, properly defined, but I do not think we should give to the authorities such wide discretion in the matter of "psychopathic inferiority"——

The SPEAKER. The Chair did not recognize the gentleman for debate.

Mr. MOORE. I wanted to ask the Chair whether we could have a division of the proposition?

The SPEAKER. If the motion to reconsider is agreed to, then you are right back where you started, and you can make any motion that is pertinent.

Mr. O'SHAUNESSY. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. O'SHAUNESSY. Did the gentleman from Kentucky [Mr. FIELDS] vote in the affirmative on the question?

Mr. FIELDS. I did.

Mr. BURNETT rose.

Mr. MANN. There was no roll call.

The SPEAKER. There was no yea-and-nay vote.

Mr. MANN. But the gentleman from Alabama [Mr. BURNETT] was on the floor seeking recognition.

Mr. BURNETT. I believe I have the floor, Mr. Speaker.

The SPEAKER. The chairman of the committee when he demands it is entitled to the floor, but the gentleman was not up.

Mr. BURNETT. Mr. Speaker, I move the previous question on the motion to reconsider.

The SPEAKER. The gentleman from Alabama [Mr. BURNETT] moves the previous question on the motion to reconsider.

Mr. FIELDS. Pending that motion, Mr. Speaker, I ask unanimous consent to address the House for five minutes.

Mr. MANN. I suggest to the gentleman from Alabama [Mr. BURNETT] that he yield the gentleman five minutes.

Mr. BURNETT. All right.

The SPEAKER. The gentleman from Kentucky [Mr. FIELDS] is recognized for five minutes, and in his time will be read this dictionary definition that he wants to be read. The Clerk will read it.

The Clerk read as follows:

Psychopathic. 1. Of, pertaining to, of the nature of, or characterized by, psychopathy.

[Laughter.]

Mr. FIELDS. I ask for order, Mr. Speaker.

The SPEAKER. The House will be in order.

The Clerk read as follows:

2. Designating, or relating to, abnormal sensitiveness to spiritual phenomena; characterized by extreme susceptibility to religious emotion, conscientious doubts, and fears, etc., or subject to hallucinatory ideas in such matters.

3. Incorrectly, of or pertaining to psychotherepeutics.

[Laughter.]

The SPEAKER. The House will be in order. The gentleman from Kentucky [Mr. FIELDS] is recognized for five minutes.

Mr. FIELDS. Mr. Speaker, the fundamental principle of our Constitution is that all men shall serve God according to the dictates of their own conscience. One man might be more enthusiastic in his spiritual worship than another, or he may differ with another man. If he is wrong, that is a matter between him and his God and not between him and his fellow man.

I maintain, sir, that this question should not be brought into this bill. I maintain, sir, that no man, because he may be emotional in his religion, or because he may differ from some other man as to his religious ideas or proclivities, should be discriminated against in the operation of this law. And for that reason, Mr. Speaker, I move to reconsider the vote by which the amendment was concurred in. That is all I care to say. [Applause.]

Mr. BROWN of New York. Mr. Speaker, will the gentleman from Alabama [Mr. BURNETT] yield?

Mr. BURNETT. Let the gentleman ask for unanimous consent.

The SPEAKER. The Chair could not understand the gentleman from Alabama.

Mr. BURNETT. The gentleman asks for one minute, and I have no objection.

Mr. O'SHAUNESSY. Mr. Speaker, I ask unanimous consent that the gentleman from New York may have five minutes. I understand he is the author of this proposition, and he can without doubt enlighten the House concerning it.

The SPEAKER. Does the gentleman from Alabama [Mr. BURNETT] yield to the gentleman from New York [Mr. BROWN] five minutes?

Mr. BURNETT. Yes.

The SPEAKER. The gentleman from New York [Mr. BROWN] is recognized for five minutes.

Mr. BROWN of New York. Mr. Speaker, I think the gentleman from Kentucky [Mr. FIELDS] is in error in assuming that the definition of the word "phychopathic" in an old dictionary is a definition of the phrase "constitutional psychopathic inferiority." Religion enters no more into this definiton than into any other medical definition.

Mr. TOWNER. Mr. Speaker, will the gentleman yield?

The SPEAKER. Does the gentleman from New York yield to the gentleman from Iowa?

Mr. BROWN of New York. I shall be very glad to yield to the gentleman, but my time is limited.

Mr. TOWNER. Is it not true that the definition read from the old dictionary really gives only the origin of one word of the phrase, and is not at the present time applicable at all?

Mr. BROWN of New York. I thank the gentleman for his suggestion. I think he is correct.

Now, with regard to what this phrase means, this bill includes—and I think properly—the term "feeble-minded" as among those classes which are prohibited from coming into this country. I think feeble-mindedness may generally be defined as a condition under which a person can not look after his own affairs or the affairs of his family with ordinary prudence. That is a wide definition. Feeble-mindedness may include idiocy, imbecility, and constitutional psychopathic inferiorty.

Mr. SABATH. Will the gentleman yield?

Mr. BROWN of New York. In a moment. Psychopathic inferiority may reasonably be included under the general heading of feeble-mindedness, but nowadays it represents a very distinct class of persons; and a full definition of the term, with its origin, by those who have advocated its adoption into the bill, may be found on page 240 of the CONGRESSIONAL RECORD of December 15, 1914. If time remains I shall read it. First, I will say that this term can be defined with approximate correctness as a "congential defect in the emotional or volitional fields of mental activity which results in the inability to make proper adjustment to the environment." Now, in my remaining time I will read:

This is one of the amendments which was suggested by a number of officials dealing with insanity and mental deficiency in the different States and by bodies of alienists last winter. It has been urged by the National Committee for Mental Hygiene, the American Medico-Psychological Association, the New York Psychiatrical Society, the National Association for the Study of Epilepsy, the Mental Hygiene Committee of the New York State Charities' Aid Association, and by a number of State medical societies. It was also recommended by Dr. Spencer L. Dawes in his report to the governor of New York as special commissioner on the alien insane; by Dr. L. Vernon Briggs, representing the Massachusetts State Board of Insanity; by Dr. Frank Woodbury, representing the committee in lunacy of the Pennsylvania State Board of Charities; and by Dr. Hugh Young, representing the Maryland State Lunacy Commission.

Mr. LEWIS of Maryland. Will the gentleman yield for a question?

Mr. BROWN of New York. For a question only.

Mr. LEWIS of Maryland. Would not a hysterical woman be a psychopathic subject?

Mr. BROWN of New York. I will refer the gentleman to those of the medical profession, who are better posted on the diagnosis of that subject than myself.

The SPEAKER. The time of the gentleman has expired.

Mr. BURNETT. Mr. Speaker, I insist on my motion for the previous question.

The SPEAKER. The gentleman from Alabama insists on his motion for the previous question.

The previous question was ordered.

The SPEAKER. The question is on reconsidering the vote by which amendment No. 9 was agreed to.

The question being taken, the motion to reconsider was rejected.

Mr. BURNETT. Now, Mr. Speaker, I sak unanimous consent to disagree to all amendments to section 3, except 15, 18, 19, 20, and 24. Those seem to be the only controverted amendments in that section.

The SPEAKER. The gentleman from Alabama asks unanimous consent to disagree to all amendments in section 3, except 15, 18, 19, 20, and 24.

Mr. GALLIVAN. Will the gentleman include amendment 92?

Mr. BURNETT. Yes.

The SPEAKER. That is not in section 3. Is there objection to the request of the gentleman from Alabama?

There was no objection.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment No. 15: Page 6, line 3, after the word "unskilled," insert the words "mental or manual."

Mr. BURNETT. Mr. Speaker, I move to disagree to that amendment.

The SPEAKER. The gentleman from Alabama moves to disagree to amendment No. 15.

Mr. MOORE. Mr. Speaker, I will ask the gentleman from Alabama to give me three minutes.

Mr. BURNETT. I yield to the gentleman from Pennsylvania [Mr Moore] three minutes.

Mr. MOORE. Mr. Speaker, the words "mental or manual" are inserted here by the Senate and apply to the exclusion of contract laborers. The word "mental," as here used, is misleading, the inference being that it is in the interest of labor in our own country. The "mental" labor that comes from abroad means lecturers, editors, artists, and agitators of one kind or another, of whom perhaps we already have a sufficient supply. That the apparent exclusion of the "mental" class is misleading, however, is shown by a reference to page 11 of the bill, where, in view of the fact that this amendment proposes to exclude mental labor, we propose—

That the provisions of this law applicable to contract labor shall not be held to exclude professional actors, artists, lecturers, singers, ministers of any religious denomination, professors for colleges or seminaries, persons belonging to any recognized learned profession.

If we are going to exempt these "mental" laborers who come in under contract, there is no good reason to mislead "manual" laborers by including "mental" laborers in the amendment, and it should not be concurred in.

The SPEAKER. The question is on the motion of the gentleman from Alabama to disagree to Senate amendment No. 15.

The motion was agreed to.

The SPEAKER. The Clerk will report amendment No. 18.

The Clerk read as follows:

Amendment No. 18. Page 7, after line 18, insert: "All members of the African or black race."

Mr. BURNETT. Mr. Speaker, if I recollect, that was one of the amendments about which there was an understanding that we would not agree to that amendment without giving the House an opportunity of voting on it. If that is understood, I will pass it over with that understanding.

Mr. TRIBBLE. That is satisfactory to me, Mr. Speaker.

Mr. ASWELL. Mr. Speaker, I move to concur in amendment No. 18.

The SPEAKER. The gentleman from Louisiana [Mr. Aswell] moves to concur in amendment 18.

Mr. MADDEN. Will the gentleman from Alabama yield me five minutes?

Mr. BURNETT. Mr. Speaker, this is an important amendment, and there is considerable desire for debate. I would like to reach an agreement as to how long we will debate it. I suggest 20 minutes on each side for general debate, and after that the previous question.

Mr. JOHNSON of Washington. At some time I want to make a motion to strike out the words "African or black" and insert "Mongolian and Malay." Is it in order for me to make that motion now?

Mr. MANN. The gentleman has the right to make the motion, although it would not be in order.

The SPEAKER. The motion would be in order provided it was germane, which it is not.

Mr. BURNETT. I ask unanimous consent that we have 40 minutes' debate, 20 minutes on a side.

The SPEAKER. Who is to control the time?

Mr. BURNETT. I will control the time in favor of disagreeing to the Senate amendment, and the gentleman from Louisiana on the other side.

The SPEAKER. The gentleman from Alabama asks unanimous consent that debate on this motion be limited to 40 minutes, 20 minutes to be controlled by himself and 20 minutes by the gentleman from Louisiana [Mr. Aswell], and at the end of that time the previous question shall be considered as ordered. Is there objection?

There was no objection.

Mr. BURNETT. Mr. Speaker, I yield five minutes to the gentleman from Illinois [Mr. Madden].

Mr. MADDEN. Mr. Speaker, beginning on line 8, page 8, of H. R. 6060, the immigration bill, passed by the House at the last session of Congress and reported to the House from the Senate on Tuesday, provides—

That after four months from the approval of this act, in addition to the aliens who are by law now excluded from admission into the United States, the following persons shall also be excluded from admission thereto, to wit: All members of the African or black race.

This language would seem to make it impossible for a negro, a citizen of the United States, to reenter this country if he happened to be abroad for any reason.

This is the most drastic legislation I have ever seen proposed. It is discrimination of a kind that can not be justified.

Mr. Speaker, the possession of power should be used with great care. We never ought to use power unjustly. Men who have power can afford to be just. It would be unjust beyond measure to adopt this amendment to the immigration law. One-tenth of the American people are of the black race, and no people in all the world's history has ever been more loyal to a Government than have these people to this. [Applause.]

No other race numbering 10,000,000 of the Nation's population would submit to the indignities that have been imposed upon these people. Under this amendment citizens of America of African blood would be excluded from the right to return to America's shores. They have lived here for 250 years. They did not come here of their own accord. They have fought in every battle in which the Nation has been engaged. They have given their life blood for the preservation of the Union; they fought at New Orleans with Gen. Jackson, and in the Civil War 350,000 of these men volunteered that the Nation might be saved. They fought in 449 engagements, and left 38,000 on the field of battle, in order that we here to-day might live in a country protected by a single flag. [Applause.]

There are not many of these people who come from abroad, not more than 5,000 a year, and most of them are English subjects. It is a question whether, if you adopt this amendment, you are not going to bring this country into international complications.

The amendment operates against Christianity. American missionaries are sending large sums of money abroad in order that they may educate and christianize the people of Africa, and they frequently select young men and young women to come to America to be educated, in order that they may go back home and educate their own people. If this amendment is adopted, that can occur no longer, and we would have put our stamp of approval on the lack of opportunity to a downtrodden race of people, whose loyalty to the Government has never been questioned.

America has always made the proud boast of being just to the downtrodden of all the world. Gentlemen, only a short time ago we passed a law in this House to give self-government to the Filipino. Are we to be less just to the negro, a race of people who have stood by the Government under which we live and for which we speak to-day during all its struggles for liberty? Are we to place burdens upon this race of people that are not imposed upon any other people of the earth? They ought to be given equal opportunity with every other race to come here. They are loyal and law-abiding, and have made more progress since the close of the Civil War than any other people in all history. They are engaged in all the pursuits that make for prosperity; they are engaged in agriculture, in banking, in the manufactures, in everything that makes the country great, and yet you by the adoption of this amendment placed in the immigration law by the Senate would exclude the people of African blood from coming to America's shores, and thereby humiliate 10,000,000 loyal American citizens and place the stamp of inferiority upon them. I plead with you, Mem-

bers of the House, to open your hearts and do the thing that is just; and justice in this case can not be meted out except by the defeat of this amendment. Surely the American Congress is too great, too sympathetic, too just to enact such legislation as this. [Applause.]

Mr. ASWELL. Mr. Speaker, I yield five minutes to the gentleman from Mississippi [Mr. QUIN].

Mr. QUIN. Mr. Speaker, I am surprised at the sentiments just expressed by the distinguished gentleman from Illinois [Mr. MADDEN]. He certainly does not know much about the African race. Of all the barnacles that the civilization of the United States has fastened to it, of all the leper spots, of all the sores, of all the misfortunes that the civilization of this Republic has fastened to the body politic it is the African race, which stands as the worst. I say, gentlemen, that of all the evils that the American Republic is confronted with to-day it is this black race, this black death, this parasite of race destruction that is fastened upon the Anglo-Saxon people and upon the civilization of the United States. You had just as well to begin to understand that the white people are going to rule this country.

I would favor the deporting of the black man from the United States. Certainly I favor this amendment forbidding any more negroes from coming here, which would do away partially with that great wrong to this country.

We have a great race, but we have this one great evil, we are getting too many foreigners in this country, too many whose blood can not assimilate with that of our people. Any man that loves his country, who loves this Republic, could never hope to have the Negro race assimilate with the white race. It is impossible to the mind of any man who understands the negro to have anything except revulsion at the idea of the Negro race being placed on equality with the white people.

Mr. Speaker, I am opposed to any race of people being allowed to come into this country who are not fit to intermarry with our people. Certainly no nigger should ever be allowed to marry a white person. So far as the Negro race is concerned, social equality is an impossibility. No negro is good enough to associate with a white man. The white people in the South will never stand for the negro to even attempt to stand on any plane of equality. Why not let this amendment of the Senate stand, which forbids any negroes coming into the United States? Why not be real men and stand up for the purity of the white race all over our country? There is no evil that is so great to the real success of the perpetuity of our institutions as the black blood of this country. Talk about bringing more in here. Mr. Speaker, this is one of the wisest provisions that has been placed in this immigration bill, and the people from the State where the distinguished gentleman comes from may not know the evils as do the people of the State of Mississippi, who have had to contend with the black man as a slave, who have had to contend with him under the carpetbag, scallawag government which obtained after 1865, when the black man rode in high place, with a few of these carpetbag buzzards who held office in the State of Mississippi putting the black man in power, to run roughshod over the true civilization of this Republic. [Applause.] If my friend had those conditions in Illinois, he certainly would not want any more negroes imported into the United States. For Heaven's sake, men, if you understood what an evil the preponderance of black population is in any State or community, you certainly would not oppose this bar to any more African blood coming into this Republic. What few you have now you may manage, but if you get them on you in numbers like we have them in the State of Mississippi and other former slave-holding States, you will have a standing menace that will grow to be an intolerable danger and nuisance. I say, my friends, as a real patriot who loves his country, who loves the Anglo-Saxon blood and its predominance, we ought to let it rule, and the only way to keep it ruling is to prevent the African race from becoming too numerous in your Republic. The distinguished gentleman from Illinois [Mr. MADDEN] says you have one-tenth of the population of that blood now. That is just one-tenth too much—and I am not prejudiced against the black man, either. [Laughter and applause.]

The SPEAKER pro tempore (Mr. SHERLEY). The time of the gentleman from Mississippi has expired.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Tulley, one of its clerks, announced that the Senate had insisted upon its amendments to the bill (H. R. 20241) making appropriations to supply urgent deficiencies in appropriations for the fiscal year 1915 and prior years, and for other purposes, disagreed to by the House of Representatives, had agreed to the conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. OVERMAN, Mr. BRYAN, and Mr. SMOOT as the conferees on the part of the Senate.

IMMIGRATION.

Mr. BURNETT. Mr. Speaker, I yield to the gentleman from Massachusetts [Mr. THACHER].

Mr. THACHER. Mr. Speaker, I want to voice my protest against this amendment to exclude the members of the African race. I believe it is not in accordance with the Declaration of Independence or with our Constitution. I believe it is not in accord with the spirit of fair play. I understand that the number that come in now amount to about 5,000 a year, and that out of those 5,000 a large majority go back. Many come here as students. There are about 100, I understand, who attend the Howard University. Some come here as merchants from Jamaica and the West Indies. I believe it would be a mistake to exclude these men from this country, and I voice my protest here against that amendment. [Applause.]

The SPEAKER pro tempore. The time of the gentleman from Massachusetts has expired.

Mr. BURNETT. Mr. Speaker, I yield to the gentleman from Ohio [Mr. FESS].

Mr. FESS. Mr. Speaker and Members of the House, I do not speak as an opponent of the immigration bill. I voted for that bill when we had it before the House. I have looked upon the question of immigration as important. I believe that we ought to have a better class of immigrants, if possible. The bill as it went from the House was not entirely satisfactory to me, but when it comes back from the Senate with this particular amendment to it I certainly could not vote for the bill if the amendment remains in it. [Applause.] It is unwise, it is unfair, it is not magnanimous, and it is an attempt to raise a sectional question—and God knows that our Nation is too big to maintain any sectionalism in it. It is needless, even if the contention of its proponents were conceded, because of the small number of this race which come to our shores. It is an attempt to take an advantage of members of a race which has proved its right to favorable consideration by an achievement that challenges the admiration of the world. The plain recital of the accomplishments of this race, measured by the lack of opportunities of hundreds of years of slavery, furnishes as brilliant a page as can be found in the history of our country.

This unfortunate people have suffered sufficiently from a lack of protection of the Government. After "250 years of unrequited toil" the shackles of slavery were broken; but even now all the rights that belong to a nation of freemen are not enjoyed by this race that the National Government pretends to protect.

Whatever should be the conduct of the Nation toward this race to-day, we must not offer this additional offense. It is adding insult to injury. The amendment should be defeated.

Mr. BURNETT. Mr. Speaker, I yield to the gentleman from Pennsylvania [Mr. MOORE].

Mr. MOORE. Mr. Speaker, this is not a question of excluding "aliens." It is a question of excluding "members" of a race. I call attention to the peculiar language we are now considering:

> That after four months from the approval of this act, in addition to the aliens who are by law now excluded from admission into the United States, the following persons shall also be excluded from admission thereto, to wit, all members of the African or black race.

That is strange language. It takes the black man out of the "alien" class. It affects even his citizenship. That is to say, if a man is a black man, a citizen of the United States, and leaves it, he can not come back. By this amendment we are not only barring aliens, we are barring the black *man*. We permit the Chinese to come in to study in this country, and Japanese students are also privileged, but if a man is "a member of the African or black race" he can not come in, no matter whether he is a citizen of the United States or not. It is an extraordinary proposition, and would seem to be in violation of the Constitution of the United States.

Mr. ASWELL. Mr. Speaker, owing to the length of time this subject of immigration has been seriously considered by the Congress of the United States—for several years, and especially during this present Congress—it must be recognized that it is one of the most serious questions confronting the American people. It must also be recognized that the situation with reference to immigration to this country is already serious and grave enough. I believe that the majority of this Congress recognizes that the immigration question is the most complex and difficult one that confronts us. The Congress of the United States has already excluded the Chinese. Why not other undesirables? In this bill it has undertaken to restrict immigration sensibly, fairly, and sanely, and thereby try to

bring about a condition that will be to the advantage of the laboring people of the country as well as to the health, the prosperity, the happiness, and the mental and moral elevation of all of our people. Nothing in this immigration bill or in this amendment offers any opportunity for an unjust exercise of power.

The gentleman from Illinois [Mr. MADDEN] brought strongly to your attention, as did a paper which was laid upon all your desks this morning, the possibility that the use of power in this instance might be unjust, but it can not be so claimed, for the reason that the exercise of power in this particular instance is the exercise of power in the interest of the American people, in the interest of her own people first, and then justly excluding those whom you and I could not invite to our shores. It is said that an African student in one of our American colleges who went abroad could not come back. That is not true. The amendment would have no effect on that kind of case. It does not refer in the remotest sense to that situation. I believe that this body of men, representatives of the American people, after taking into consideration what this amendment means for the future generations of this country, what it means to our young men and young women of the future, you will recognize that this amendment by the Senate strengthens the bill and brings before the American people the very question that they have been clamoring to have brought before them for years, and that it recognizes the principle of worth, efficiency, and adaptability in admitting people to our shores.

Mr. DIES. Mr. Speaker, will the gentleman yield?

The SPEAKER. Does the gentleman yield to the gentleman from Texas?

Mr. ASWELL. I do.

Mr. DIES. I would like to have my colleague express an opinion, if he will do so, as to what effect the adoption of this amendment would have on the fate of the bill? That is to say, does my friend from Louisiana believe that the adoption of this amendment would not jeopardize the entire bill? And another question I would like to ask him is this: With the application of the literacy test does not the gentleman believe the few thousand now admitted of the African race would be whittled down to a nominal number, and does he believe the amendment of sufficient importance to jeopardize the entire bill by writing it upon the bill at this time?

Mr. ASWELL. I ask the gentleman from Texas in what way he suggests it may be jeopardized.

Mr. DIES. I understand there are a great many gentlemen—Mr. FESS, of Ohio, says he voted for the bill in the first instance, but he would not vote for it with this amendment upon it. It is current rumor that the President of the United States will veto this bill, that it will require a two-thirds vote to pass it over his veto, and I only ask my colleague from Louisiana if he is willing to jeopardize the many valuable features of this bill in order to correct this small matter.

Mr. HUGHES of West Virginia. Mr. Speaker, I want to say to the gentleman——

The SPEAKER. The gentleman is not in order. Does the gentleman from Louisiana yield to the gentleman from West Virginia?

Mr. ASWELL. I do.

Mr. HUGHES of West Virginia. I just want to say at this point that I voted for the bill, and I will not vote for the bill with this amendment in it, and a half a dozen of my colleagues around me have expressed the same sentiment.

The SPEAKER. The gentleman has used five minutes of time.

Mr. ASWELL. Mr. Speaker, in answer to the gentleman from Texas, I will say it is my opinion that it would not jeopardize the bill in any sense. In reply to the gentleman from West Virginia, I would say that while it may be true that he will not vote for the bill with this amendment there are many others who will vote for it provided the amendment is incorporated in the bill; but I do not consider, Mr. Speaker, that that has anything to do with the issue or has any bearing upon the amendment. I will ask the gentleman from Alabama now to use the balance of his time.

Mr. MOORE. Will the gentleman yield? I made the point a moment ago that this amendment prohibited the admission of "all members of the African or black race," and did not apply exclusively to "aliens." Would the gentleman approve an amendment applying to all "aliens" of the black race rather than "members"?

The SPEAKER. The gentleman from Louisiana has the floor.

Mr. ASWELL. I did not understand the gentleman's question

Mr. MOORE. I ask the gentleman whether he holds to this language in the amendment, "all members of the African or black race," or whether he understands it applies only to aliens—aliens of the African or black race?

Mr. ASWELL. I am willing for it to apply to black aliens. I reserve the balance of my time.

Mr. BURNETT. Mr. Speaker, I yield to the gentleman from Kansas [Mr. NEELEY].

Mr. NEELEY of Kansas. Mr. Speaker, I am opposed to this amendment, because I believe it is fundamentally wrong. We are not engaged here in the framing of a bill to promote sectional strife, and we have long since passed the period in this country when the only argument for or against a measure is by the waving of the bloody shirt or an appeal to racial prejudice. This amendment appears to me as having been designed for the specific purpose of singling out one particular race from among all the people of the earth, and then to heap upon this designated race and each member thereof the odium of complete exclusion under all and every condition, and this, too, without any direct benefit to our own people.

Mr. ASWELL. Will the gentleman yield. What about the Chinese?

Mr. NEELEY of Kansas. I have but a moment. If this bill is passed as it was originally drawn, it will be of great benefit to the citizenship of Kansas in that it will prohibit the importation of contract laborers in competition with our own people. For years the importation of Mexican laborers under contract has resulted in driving many of our own laborers from remunerative employment without any compensating benefit, and has resulted in a demand for the enactment of the prohibitory legislation provided in this measure. The Committee on Immigration, and the splendid chairman of that committee, Mr. BURNETT, have met the situation in a manner that I believe will be effectual, but the adoption of this amendment is such a rank injustice, and will result in such a revival of sectional feeling, long since buried by the great Civil War, that if this amendment is written in this bill, as much as I believe in the exclusion of contract laborers and as much as I believe in some of the other principles of the bill, my own sense of fairness and of justice will force me to vote against the entire measure because of this amendment, which is absolutely and fundamentally wrong. [Applause.]

The SPEAKER. The time of the gentleman has expired.

Mr. BURNETT. Mr. Speaker, how much time have I remaining?

The SPEAKER. Eleven minutes.

Mr. BURNETT. I yield to the gentleman from New York [Mr. CALDER].

Mr. CALDER. Mr. Speaker, this Senate amendment to the immigration bill, if agreed to, will exclude from entering this country all members of the African or black race under every and all circumstances and is, in my judgment, unwise, unjust, and unnecessary. It will stir up racial strife and accomplish no material advantage to anyone. This bill, if enacted into law, will exclude from the United States the illiterate alien and all criminals and undesirables—this amendment seeks to class the negro with the criminal and undesirable. He will not be permitted to come here to be educated or visit for the purpose of travel, even if some member of his family is a citizen. The amendment is unnecessary for the reason that very few of the Negro race come here from foreign lands. Only a few thousand enter this land annually; nearly all come from the West Indies and practically none from the Continent of Africa. The census of 1910 shows that only 40,000 negroes of foreign birth reside in this country and less than 500 of these come from Africa. This amendment will prevent the citizens of Liberia, Cuba, Haiti, Porto Rico, and other West Indian islands entering this country, placing an unnecessary hardship upon the people of a race that numbers so large among our own people. The gentleman from Illinois [Mr. MADDEN] in his remarks to-day has referred to the fact that the negro was brought here in the beginning unwillingly, and in all the years of his servitude has obeyed the laws of the land; on every battle field and in every sphere of human endeavor he has done his part to uphold the hands of the Government.

It has been my privilege as a member of the Appropriations Committee of this House to visit the Isthmus of Panama and inspect the work done there on the canal. For a number of years more than 30,000 negroes, from the West Indies and other islands in the Caribbean Sea, were at work on the canal. We owe much to their industry and perseverance. Climatic conditions were of such a character that our own American negro was unable to do the work and the common laborer of Europe would not undertake it. It seems unjust and unreasonable that a people who

contributed so much to this work should be debarred from this country if able to meet the other requirements of the immigration law.

My own experience with the West Indian negro is that he is law-abiding, coming here usually with a fair education and willing to take his place with the other law-abiding, intelligent citizens of his class.

The passage of such an unjust law would undoubtedly cripple our missionary work with the negroes in Africa. It would incur enmity not easily overcome. Our people have contributed large sums of money to educate and Christianize the black races. We have brought the youth of Liberia here to educate in our schools and then sent them back to help improve the condition of their people. If this amendment prevails the door will be closed on this important work. The question is a far-reaching one, and on sober second thought I am sure the Members of this body will be induced to vote overwhelmingly to defeat this amendment.

Mr. BURNETT. Mr. Speaker, I ask the gentleman from Louisiana to use some of his time.

Mr. ASWELL. Mr. Speaker, how much time is left?

The SPEAKER. Eight minutes.

Mr. ASWELL. I yield five minutes to the gentleman from Texas [Mr. EAGLE].

Mr. EAGLE. Mr. Speaker, I think to-day's debate has demonstrated conclusively to the whole American people the fact that we have here truly a representative Government. Men take their stand upon this question to exclude negro immigration to the United States out of consideration for the point of view of their respective States and home sentiments. If one shall go to the city of Chicago, where our friend from Illinois [Mr. MADDEN] lives, and look around at his constituents, one would think he had entered into the heart of Africa. He has more voting negro constituents than any other Member of Congress. If one go along the water front of the district in Philadelphia of my distinguished friend, Hon. "HAMPY" MOORE, he would think he was traversing the Dark Continent. Hence both of these great statesmen discourse eloquently of the political wrong involved in this amendment to prevent any more negroes from coming to this country, where they already constitute nearly one-eighth of the population of this white man's country.

Wherever a great number of negro voters live in a Member's district, then it at once becomes very un-American to want to restrict further negro immigration. But in my State of Texas, where we have vastly more negroes but have sense enough to maintain white supremacy despite them, it is entirely proper to try to restrict further increase in our negro population. And so we here faithfully reflect the views and wishes of our several constituencies.

Mr. THACHER. Will the gentleman yield?

Mr. EAGLE. If you please, no. I do not care to know anything more about the negro from Massachusetts men, even from my friend from Cape Cod, because I know that all the way from old William Lloyd Garrison down to this hour the point of view in Massachusetts about the negro is that he is the equal of the white man, except in Massachusetts. [Applause.]

Mr. Speaker, what was the occasion for this negro-exclusion amendment being offered in the Senate? I submit it for whatever it may be worth. There are some 30,000 or 40,000 negroes, it is said, working on the Panama Canal. They all belong in the West India islands. Now, the census of 1910 showed that only some 5,000 negroes are coming into this country every year, but that has no application to the status at present. No sooner will the Panama Canal work be finished than practically all those negroes will drift to the United States, if permitted, and none of them will go to Chicago or to Cape Cod. They will land at New Orleans and at Galveston and at other places on the Gulf coast, where we already have many millions of negroes, and at a time when our cotton business, in which they are best qualified to work, is so crippled on account of the exigency of the European war that we will have difficulty to support the negroes already depending on us at home. I do not want them to come into my country, because they are not needed, nor are they welcome, and especially as they will bring a viewpoint different from the way it has taken a century to educate into the southern negro. We have had quite enough negro troubles in the South. I think if we could find for our American negroes a colony over in Africa, where our Yankee cousins stole them and sold them to us, and transport them back to Africa, it might be well to do so; but certainly we should not let any more of them come to America.

I notice that these eloquent Congressmen who think it is such a disgrace to discriminate against further immigration of negroes do not ride with them on the street cars in Washington, which are always filled with negroes, but ride instead in their own private limousines. [Applause.]

Mr. BURNETT. Mr. Speaker, I yield to the gentleman from Illinois [Mr. GALLAGHER].

Mr. GALLAGHER. Mr. Speaker, I come from the city of Chicago, which numbers many colored residents among its population, and I am opposing this amendment not because of any votes that my position upon this question would either gain or lose for me—there are but very few colored voters in my district—but I am opposing this amendment as a matter of principle. Its projection into this legislative situation convinces me that we are getting very far away from the spirit of the fathers, the men who created and built this Republic. There is no good reason for any sensible man to vote for such a proposition as this. [Applause.] But I am not surprised that it was injected into the bill at the other end of the Capitol. I am only surprised that we do not find an amendment somewhere in the bill which prohibits the entrance of any person who has not $100,000 in his pocket. [Applause.] This legislation is designed to create a condition the establishment of which was contemplated earlier in the history of the Republic by the enactment of the alien and sedition laws—laws that became so universally unpopular as to overthrow the Adams administration and give to the country its first Democratic President in the person of Thomas Jefferson, the father of American Democracy.

We have in the city of Chicago a large and respectable population of progressive, industrious, and law-abiding colored citizens. Under the spirit of liberality that characterizes our city government these people have enjoyed the blessings of citizenship in the full and complete possession of all their personal, property, and political rights.

This ideal situation is possible only because Chicago represents in her government the true spirit of American liberty. To her confines have come the oppressed from all quarters of the globe, seeking the opportunities which her government and industries afford to all who with brain and brawn are willing to labor for the betterment of their condition. Hers is a truly cosmopolitan spirit, which disdains narrowness and intolerance; and for this reason we of the liberal city of Chicago are opposed to this class of legislation.

Mr. BURNETT. Mr. Speaker, I ask unanimous consent that whoever may desire to do so may have five legislative days in which to extend their remarks in the RECORD.

The SPEAKER. The gentleman from Alabama asks unanimous consent that those Members who may desire to do so may have five legislative days in which to extend their remarks in the RECORD. Is there objection?

There was no objection.

Mr. BURNETT. Mr. Speaker, I yield to the gentleman from Illinois [Mr. SABATH].

Mr. SABATH. Mr. Speaker, like the gentleman who has preceded me, I come from the great city of Chicago, and notwithstanding the fact that we have quite a large colored population in our city, I have none of that race in my congressional district. Therefore whatever I might say could not be construed by anyone as being said for political or personal advantage.

In fact, to me it would not matter whether it would be politically advantageous or disadvantageous to approve or disapprove, to vote for or against this provision which we are now considering.

What I have endeavored to do, and what I shall continue to do in the future, is to vote according to my conscience and my best belief, and with a view to the best interests of my country.

Everyone in this House knows that I am opposed to the literacy test in this bill, and that I have done all in my power to bring about its rejection, but my opposition was in the open, it was fair. I am against the literacy test because I consider it un-American, but I will not try to defeat it by voting for another amendment which is as great an outrage, but which has the advantage of having 8,000,000 people here on the ground to wage active opposition to it. I realize that the adoption of this amendment would not only place many a Member in a very embarrassing position and compel him to vote against the entire measure, but it would tend to make more sure a veto of the bill.

I would not be guilty of bringing about the defeat of the entire bill, or even of the literacy test, by such methods as the amendment under consideration would employ. I would not fight the literacy test at the expense of a race which has already suffered enough.

Mr. Speaker, this provision goes much further than the Chinese or Japanese exclusion acts.

It provides:

That after four months from the approval of this act, in addition to the aliens who are by law now excluded from admission into the United States, the following persons shall also be excluded from admission thereto, to wit: All members of the African or black race.

Mr. Speaker, under the present law, and even under this bill, you permit some Chinese and Japanese to come in, but under the present provision the members of the African or black race would be absolutely denied admission. I for one shall not be a party to such discriminatory legislation.

The colored people, to my mind, have made wonderful progress in the last 50 years. We find them not only tilling 80 per cent of the soil of the South, but, on the other hand, we find them in our colleges and in our universities. We find them in the legal and medical professions, and we find them engaged in almost every lawful pursuit along manufacturing and commercial lines. Are you willing to deliberately confront these people and flaunt in their faces, the faces of 8,000,000 American citizens, this insult? I am not; and for that reason I am opposed to the amendment, and trust that the motion to disagree with the Senate provision will prevail.

Mr. BURNETT. How much time have I remaining, Mr. Speaker?

The SPEAKER. The gentleman has eight minutes.

Mr. BURNETT. How much time has the other side?

The SPEAKER. Four minutes.

Mr. ASWELL. I reserved it.

Mr. BURNETT. Mr. Speaker, I yield to the gentleman from Texas [Mr. DIES].

Mr. DIES. Mr. Speaker, if this original bill is enacted into law, it will keep out 300,000 of the undesirables of Europe. There are many of us who have striven for this for years and years, and I appeal to the gentlemen who are supporting this amendment that they do not jeopardize all our efforts of all these years. Of course, we from the South have got to vote for the amendment; but, Mr. Speaker, I am one of those who greatly fear its adoption will enable the 300,000 illiterates from Europe, who would jeopardize our American institutions, to come to this country. So we ought to put this political advantage aside and take into consideration the benefits of the bill on the institutions of this country. [Applause.]

Mr. BURNETT. Mr. Speaker, I yield to the gentleman from Illinois [Mr. MANN].

Mr. MANN. Mr. Speaker, it is a great temptation to those who are opposed to this bill to vote for this amendment, because if this amendment should be agreed to in the House now it would be beyond the power of either the House or the Senate to change it, and the bill would be as dead as a last year's smelt. But, notwithstanding that, I am unwilling to stultify myself and do a great injustice to a race by putting myself on record in favor of such an amendment, which itself smells worse than the last year's smelt. I hope the amendment will be defeated by such an overwhelming vote as will do credit to this House. [Applause.]

Mr. BURNETT. How much time have I left, Mr. Speaker?

The SPEAKER. The gentleman has six minutes. The gentleman from Louisiana [Mr. ASWELL] has four minutes, and if nobody wants to make a speech the Chair will put the question.

Mr. ASWELL. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. ASWELL. Have I not the right to close in this debate?

The SPEAKER. No. The chairman of the committee has the right to close.

Mr. ASWELL. I yield three minutes to the gentleman from North Carolina [Mr. SMALL].

The SPEAKER. The gentleman from North Carolina [Mr. SMALL] is recognized for three minutes.

Mr. DONOVAN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. DONOVAN. Does not the mover of an amendment have the right to close the debate on the amendment?

The SPEAKER. The chairman has the right. The gentleman from North Carolina [Mr. SMALL] is recognized for three minutes.

Mr. SMALL. Mr. Speaker, this amendment of the Senate seeks to exclude aliens of the African or black race. It is not to be determined by the sentiment of Members arising from the number of negroes in their districts, but on its merits. I think it is, at least, a debatable question if we are going to be consistent.

So far as the Negro race living in the United States to-day is concerned, I think the negro ought to be treated fairly and justly. I live in a Southern State, and yet I have a consistent record for many years of aiding in the education of their children and making them good and useful citizens. I further believe that he ought to be protected in his property rights and in his person. Yet in this bill and under the present law we exclude Chinese and Japanese, except those who come here as students or those who for other purposes are temporarily abiding within our domain.

Now, the question is whether we shall exclude aliens of the African race. Every reason that applies to the exclusion of Chinese and Japanese applies to the exclusion of Africans.

Mr. JOHNSON of Washington. Mr. Speaker, will the gentleman yield?

Mr. SMALL. No; I can not yield.

The SPEAKER. The gentleman declines to yield.

Mr. SMALL. They can not assimilate with our people. In many of the States intermarriage is prohibited by law, and in all of the States it is prohibited by public opinion. There can be no assimilation between the white race and the black race socially. In the Southern States it is recognized that the very basis and maintenance of our civilization rests upon preserving plainly and unequivocally the social line of demarcation between these two races. Why, gentlemen here who oppose this amendment know it is a fact that in their communities and in their cities there is no social intercourse of any kind between the two races. I can select, for example, the city of Philadelphia, and point out sections in that city into which negro families have moved from which immediately an exodus of white families has occurred, and where there has been a great deterioration in property.

Let us protect and stand for the rights of the negroes who are here in the United States to-day because their ancestors were brought here against their will, but let us raise the barrier against the importation of any more of the African race. [Applause.]

The SPEAKER. The time of the gentleman from North Carolina has expired. The gentleman from Louisiana [Mr. ASWELL] has one minute.

Mr. BURNETT. Mr. Speaker, one minute. I said to the gentleman from Illinois [Mr. MANN] that I would conclude in one speech, but I desire to yield one minute to the gentleman from Texas [Mr. SLAYDEN].

The SPEAKER. The gentleman from Texas [Mr. SLAYDEN] is recognized for one minute.

Mr. SLAYDEN. Mr. Speaker, an overwhelming majority of Members from the Southern States have supported this bill, and from high and patriotic motives. An overwhelming percentage of the Members from the Southern States agree in the main as to the propriety of preventing any further importation of an inferior race of people, as we believe them to be. But, Mr. Speaker, I do not want to imperil a bill which promises so much good to the country. I do not want to imperil a bill which not only my constituents but those of nearly every other southern Member on the floor of this House want to see enacted by taking a position which I believe will put it in jeopardy, and I appeal to my fellow Members from the South to think well over their vote on this amendment. [Applause.]

This amendment was written into the bill in the Senate on the suggestion of an enemy of the measure. All the circumstances indicate that it was not so much inspired by a desire to keep out negro immigrants as to secure the admission of undesirable immigrants from Europe.

The same reasons that impel me to support this particular measure would compel me to become the supporter of a bill to keep out negroes, whether from Africa or the West Indies. But my desire to keep out negroes does not so blind me to the circumstances that surround the Burnett bill that I will help to load it with amendments that would make it certain that we would have no legislation.

This is a parliamentary trick to defeat the Burnett bill, and I very much hope that neither the political exigencies of a district nor race prejudice will induce southern Members to help make it a successful trick.

If gentlemen sincerely want the Burnett bill to become a law, they should vote against the Senate amendment.

Mr. BURNETT. Mr. Speaker, let the gentleman from Louisiana use the rest of his time now.

Mr. ASWELL rose.

The SPEAKER. The gentleman from Louisiana [Mr. ASWELL] is recognized for one minute.

Mr. ASWELL. Mr. Speaker, there has been no effective argument made on the other side. The only argument that has been used against this amendment, if it may be called an argument, is to play politics and raise the suggestion that it might endanger the bill.

Fundamentally, I submit that that can not be considered an argument. I submit that this House should act upon this proposition without reference to any man's opinion as to whether it

will endanger the bill or not. I do not agree with the gentleman from Texas [Mr. SLAYDEN], or with any other gentleman, when he intimates that the adoption of this amendment would in any manner endanger the final passage of this bill. I believe that this Congress, both House and Senate, is serious enough and strong enough to pass this bill over any opposition, regardless of whether this amendment is in it or not. I for one do sincerely hope that this amendment will be adopted. [Applause.]

Mr. BURNETT. Mr. Speaker, how much time have I remaining?

The SPEAKER. The gentleman has five minutes.

Mr. BURNETT. Mr. Speaker, there is no man in this House that more devotedly loves the white race than I do. I was 7 years old when the first gun was fired at Sumter, and less than 12 when the flag went down forever at Appomattox. Every impulse, every sentiment, every heart throb and pulse beat of mine is for my people.

But, Mr. Speaker, I see danger in the motion made by the gentleman from Louisiana [Mr. ASWELL] to concur in the Senate amendment to exclude all people of the African race. If this bill is defeated, and Members from the South vote for this amendment and bring about its defeat, then the responsibility, gentlemen, for that defeat is on your heads.

Now, if you are ready to assume it, gentlemen from the South, if you are ready to jeopardize the 10 long years of work that we have done to try to bring about, as was said by the gentleman from Texas [Mr. DIES], the keeping out of three or four hundred thousand undesirable people, you will do it by voting for this amendment; and when you do it, gentlemen from Louisiana and Texas and Mississippi, your constituents are going to hold you responsible for the results.

Now, what does it mean? The gentleman from Texas [Mr. EAGLE] said that when these people, the Jamaica negroes, came they would come to Texas and to Alabama and other States of the South, and not go into the Northern States. The fact is, Mr. Speaker, that only about 8,000 came during last year. Fifteen hundred or more of them came to work on the Florida East Coast Railroad. More than 900 went back before the end of the fiscal year. Thirty-nine only went to Louisiana, and nine went back. Not a man of them went to Texas or to Tennessee, only a few to Alabama, none to South Carolina, Georgia, or West Virginia, none to Oklahoma, none to North Carolina or Virginia, yet over 3,000 went to New York, and over 1,600, as I recollect, went to Boston, and nearly all the others went to Philadelphia and other northern cities. Now, gentlemen, with that kind of a showing can you go before the American people and your countrymen at home and take the responsibility of jeopardizing this bill, merely for politics? [Applause.]

Let us see. Eighteen hundred and five of these people went back. The illiteracy test in this bill would have sent something like 2,000 more of them back. Now let us take just a little thought about it. Who was the author of the amendment in the Senate? The gentleman from Illinois [Mr. GALLAGHER] said it was a wonder that the Senate did not raise the amount of the head tax of the immigrant to $100,000, but he overlooked the fact that in the Senate this amendment was offered by the Senator from Missouri [Mr. REED], who opposed the illiteracy test more vigorously and more actively than any other man in that body. That is where it originated, Mr. Speaker; with the enemies of the bill. The gentleman from Illinois [Mr. MANN] has said that perhaps men who oppose the bill would be tempted to support the amendment in order to defeat the bill. I am not charging that any Senator put this amendment on the bill in order to defeat it, but I am telling you, my countrymen, the source of this amendment, and if you gentlemen want to play into the hands of the enemies of the bill, you have got a trap set for you to walk into. Now, gentlemen, do it if you wish, but the American people must know that when you do it you have taken the responsibility by the amendment you have supported and the speeches and utterances you have promulgated here to-day of keeping the gates open to hundreds of thousands of the worst people on earth. They do not even propose in this amendment to admit students. They do not go as far as the Chinese-exclusion law in that respect.

But I am not arguing against the merits of this proposition. I am standing here as a man from the South who advocates this bill and the principles for which my people and I have been fighting for years, and appealing to my brethren from the Southland. I come from the State in which the first cradle of the Confederacy was rocked. I come from a State where we had the horrors of reconstruction that followed that terrific fratricidal strife, but I am not willing to jeopardize the bill and its provisions that I believe to be fundamentally right simply for the purpose of keeping out a few thousand of Jamaica negroes, when they are not coming to the South. [Applause.] You have heard to-day from many of the supporters of the bill from the North that they will not vote for it if this African amendment is put on it. We lacked only a few votes two years ago of passing it over President Taft's veto. Rumors are in the air that President Wilson will veto it. If he does, we will need every vote we can get to pass it over his veto. We have none to spare, and yet gentlemen from the South are erecting a "bogy man," knowing that its adoption will destroy all hope of the bill passing over a veto.

The Jamaicans are British subjects, and to exclude them by name would violate our treaty with England and give the President a plausible excuse to veto the bill.

I know that some of you will vote for the amendment, hoping it will not pass. The gentleman from Texas [Mr. DIES] warns us of the danger in accepting the amendment of the Senate. Many of you will do the same. Is that vote fair to the people who sent you here? You can not fool the intelligent white men at home in that way.

The gentleman from Texas [Mr. SLAYDEN] did a brave thing when he announced that he would not imperil the passage of the bill by any such a specious play.

Two brave old Confederate soldiers from the South have told me that they would stand by me in my fight to pass this bill. They see the trap set by the enemies of the bill and refuse to walk into it. My colleagues from the South, do not be deceived. When the fight is almost won, let us not fall into an ambuscade set by the enemies of the bill.

The SPEAKER. The question is on the motion of the gentleman from Louisiana [Mr. ASWELL] to concur in Senate amendment 18.

Mr. MANN. Mr. Speaker, on that I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. GALLIVAN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. GALLIVAN. What is the question on which we are to vote?

The SPEAKER. The question is on concurring in Senate amendment 18.

The question was taken; and there were—yeas 74, nays 253, not voting 99, as follows:

YEAS—74.

Abercrombie	Eagle	Kitchin	Sumners
Adamson	Edwards	Lazaro	Talbott, Md.
Aiken	Estopinal	Lee, Ga.	Talcott, N. Y.
Aswell	Ferris	Lever	Taylor, Ala.
Barkley	Finley	Lewis, Md.	Taylor, Ark.
Bartlett	Flood, Va.	Linthicum	Thomas
Beall, Tex.	Floyd, Ark.	Moon	Thompson, Okla.
Blackmon	Garner	Morgan, La.	Tribble
Borland	Garrett, Tex.	Oldfield	Underwood
Brockson	Goodwin, Ark.	Park	Vaughan
Burgess	Gregg	Quin	Vinson
Byrnes, S. C.	Hardy	Ragsdale	Watkins
Candler, Miss.	Harrison	Rayburn	Watson
Caraway	Heflin	Rouse	Weaver
Church	Helm	Sherley	Whaley
Collier	Hughes, Ga.	Sisson	Wingo
Crisp	Humphreys, Miss.	Small	Young, Tex.
Dent	Jacoway	Smith, Tex	
Dupré	Johnson, S. C.	Stephens, Miss.	

NAYS—253.

Adair	Clancy	FitzHenry	Hayes
Alexander	Cline	Foster	Helgesen
Anderson	Coady	Fowler	Helvering
Ansberry	Connelly, Kans.	Francis	Henry
Anthony	Connolly, Iowa	Frear	Hensley
Ashbrook	Conry	French	Hill
Bailey	Cooper	Gallagher	Hinds
Baker	Cox	Gallivan	Holland
Barchfeld	Cramton	Gardner	Howell
Barnhart	Crosser	Garrett, Tenn.	Hughes, W. Va.
Bartholdt	Cullop	Gerry	Hulings
Barton	Curry	Gill	Hull
Bathrick	Danforth	Gillett	Humphrey, Wash.
Beakes	Davis	Gilmore	Johnson, Ky.
Bell, Cal.	Decker	Gittins	Johnson, Utah
Booher	Deitrick	Glass	Johnson, Wash.
Borchers	Dershem	Godwin, N. C.	Kahn
Brodbeck	Dickinson	Goeke	Kelly, Pa.
Brown, N. Y.	Dies	Good	Kettner
Brown, W. Va.	Difenderfer	Gordon	Kinkaid, Nebr.
Browne, Wis.	Dillon	Gorman	Kinkead, N. J.
Browning	Dixon	Goulden	Kirkpatrick
Buchanan, Ill.	Donohoe	Graham, Ill.	Konop
Bulkley	Donovan	Gray	Lafferty
Burke, S. Dak.	Doolittle	Green, Iowa	La Follette
Burnett	Doremus	Greene, Mass.	Langham
Butler	Doughton	Greene, Vt.	Langley
Byrns, Tenn.	Drukker	Griffin	Lee, Pa.
Calder	Eagan	Gudger	Lenroot
Campbell	Edmonds	Hamilton, Mich.	Lesher
Cantor	Esch	Hamlin	Levy
Cantrill	Evans	Harris	Lieb
Carlin	Farr	Hart	Lindbergh
Carr	Fess	Haugen	Lloyd
Carter	Fields	Hawley	Lobeck
Chandler, N. Y.	Fitzgerald	Hayden	Logue

Lonergan	Nelson	Rogers	Sutherland
McAndrews	Nolan, J. I.	Rubey	Switzer
McClellan	Norton	Rucker	Taggart
McGillicuddy	O'Hair	Rupley	Tavenner
McKenzie	O'Shaunessy	Russell	Taylor, Colo.
McLaughlin	Padgett	Sabath	Temple
MacDonald	Page, N. C.	Scott	Ten Eyck
Madden	Paige, Mass.	Seldomridge	Thacher
Maguire, Nebr.	Palmer	Sherwood	Thomson, Ill.
Mahan	Parker, N. J.	Sims	Towner
Maher	Parker, N. Y.	Sinnott	Treadway
Mann	Patten, N. Y.	Slayden	Tuttle
Mapes	Patton, Pa.	Slemp	Underhill
Martin	Peters	Sloan	Vare
Metz	Peterson	Smith, Idaho	Vollmer
Miller	Phelan	Smith, J. M. C.	Volstead
Mitchell	Platt	Smith, Minn.	Wallin
Mondell	Plumley	Smith, N. Y.	Walters
Montague	Porter	Smith, Sami. W.	Webb
Moore	Pou	Stafford	Whitacre
Morgan, Okla.	Prouty	Stedman	White
Morrison	Rainey	Steenerson	Williams
Moss, Ind.	Raker	Stephens, Cal.	Willis
Mulkey	Rauch	Stephens, Nebr.	Winslow
Murdock	Reed	Stephens, Tex.	Young, N. Dak.
Murray	Reilly, Conn.	Stevens, Minn.	
Neeley, Kans.	Reilly, Wis.	Stone	
Neely, W. Va.	Roberts, Mass.	Stringer	

NOT VOTING—99.

Ainey	Driscoll	Keister	Powers
Allen	Dunn	Kelley, Mich.	Price
Austin	Elder	Kennedy, Conn.	Riordan
Avis	Fairchild	Kennedy, Iowa	Roberts, Nev.
Baltz	Faison	Kennedy, R. I.	Rothermel
Bell, Ga.	Falconer	Kent	Saunders
Bowdle	Fergusson	Key, Ohio	Scully
Britten	Fordney	Kiess, Pa.	Sells
Broussard	Gard	Kindel	Shackleford
Bruckner	George	Knowland, J. R.	Shreve
Brumbaugh	Goldfogle	Korbly	Smith, Md.
Bryan	Graham, Pa.	Kreider	Sparkman
Buchanan, Tex.	Griest	L'Engle	Stanley
Burke, Pa.	Guernsey	Lewis, Pa.	Stevens, N. H.
Burke, Wis.	Hamill	Lindquist	Stout
Callaway	Hamilton, N. Y.	Loft	Taylor, N. Y.
Carew	Hay	McGuire, Okla.	Townsend
Cary	Hinebaugh	McKellar	Walker
Casey	Hobson	Manahan	Walsh
Clark, Fla.	Houston	Morin	Wilson, Fla.
Claypool	Howard	Moss, W. Va.	Wilson, N. Y.
Copley	Hoxworth	Mott	Witherspoon
Dale	Igoe	O'Brien	Woodruff
Davenport	Jones	Oglesby	Woods
Dooling	Keating	Post	

So the motion to concur was lost.

The following pairs were announced:

Until further notice:

Mr. CLAYPOOL with Mr. GRAHAM of Pennsylvania.

Mr. IGOE with Mr. MOTT.

Mr. WILSON of Florida with Mr. ROBERTS of Nevada.

Mr. BROUSSARD with Mr. AINEY.

Mr. BUCHANAN of Texas with Mr. AUSTIN.

Mr. BURKE of Wisconsin with Mr. AVIS.

Mr. CALLAWAY with Mr. BRITTEN.

Mr. CASEY with Mr. BURKE of Pennsylvania.

Mr. DALE with Mr. GUERNSEY.

Mr. DAVENPORT with Mr. CARY.

Mr. DOOLING with Mr. HAMILTON of New York.

Mr. DRISCOLL with Mr. DUNN.

Mr. FAISON with Mr. KEISTER.

Mr. HAMILL with Mr. KELLEY of Michigan.

Mr. HOUSTON with Mr. KENNEDY of Iowa.

Mr. JONES with Mr. FORDNEY.

Mr. MCKELLAR with Mr. KIESS of Pennsylvania.

Mr. PRICE with Mr. J. R. KNOWLAND.

Mr. RIORDAN with Mr. KREIDER.

Mr. SAUNDERS with Mr. MANAHAN.

Mr. SCULLY with Mr. MCGUIRE of Oklahoma.

Mr. SHACKLEFORD with Mr. MORIN.

Mr. STANLEY with Mr. MOSS of West Virginia.

Mr. KENNEDY of Connecticut with Mr. POWERS.

Mr. WILSON of New York with Mr. WOODS.

Mr. L'ENGLE with Mr. LINDQUIST.

Mr. WALKER with Mr. SELLS.

Mr. ALLEN with Mr. SHREVE.

On this vote:

Mr. SPARKMAN (for amendment) with Mr. GOLDFOGLE (against).

Mr. CLARK of Florida (for amendment) with Mr. KENNEDY of Rhode Island (against), concurring in Senate amendment No. 18.

Mr. BELL of Georgia (for amendment 18) with Mr. GRIEST (against).

Mr. HOWARD (for amendment 18) with Mr. FAIRCHILD (against).

Mr. COPLEY. Mr. Speaker, I would like to vote.

The SPEAKER. Was the gentleman in the Hall and listening when his name should have been called?

Mr. COPLEY. I came into the Hall as quickly as I could.

The SPEAKER. The gentleman does not bring himself within the rule.

The result of the vote was then announced as above recorded.

On motion of Mr. MANN, a motion to reconsider the vote on the motion to concur was laid on the table.

The SPEAKER. The Clerk will read amendment 19.

The Clerk read as follows:

Page 8, line 13, strike out all after the word "directed" down to and including the word "slip," in line 15, as follows: "No two aliens coming in the same vessel or other vehicle of carriage or transportation shall be tested with the same slip."

Mr. GALLIVAN. Mr. Speaker, I move to concur in the Senate amendment.

Mr. BURNETT. Mr. Speaker, I will yield 15 minutes to the gentleman from Massachusetts.

Mr. GALLIVAN. Mr. Speaker, if there is anything good at all in the literacy test in this bill, it is that another body has stricken out the lines in the amendment numbered 19. I want to say that I am unalterably opposed to the literacy test in the bill, and I want to bring before the House a few pertinent facts.

Mr. Speaker, literacy, which is merely an ability to read and write, has been made an idol and a bugaboo by a number of people in this country, who I am willing to believe are sincere, but who I am convinced are neither profound thinkers nor passable logicians, for, as a matter of fact, based on the experience and history of this and every other country, literacy is not a measure of character nor a test of fitness for citizenship.

Literacy, which is merely a synonym for that rudimentary education which gives men the ability to read or write, is largely a matter of accident and environment. It is a convenience, not a necessity, in the life of a people. It neither adds to nor diminishes the native ability and virtue of any people, and it is the simplest commonplace to say that no nation was ever saved, no people ever freed, no Government ever established by the pen of the writer and the book of the scholar; the vigor, courage, intelligence, and strong arms of men that accomplish these great ends were the endowment of those who were able to make history even if they could neither write nor read it. [Applause.]

If there is one thing that stands out more imposingly in our national life, yes, far more than any other, it is that literacy has not been the source of American liberty or the cause of American greatness, and our lack of a commanding literature has sometimes been a cause of national reproach.

Of the Pilgrims who landed from the *Mayflower* at Plymouth Rock in 1620 only a few could write their names. The majority of the pre-Revolutionary immigrants, like many of the post-Revolutionary, were illiterate for the simple reason that public education in the American sense was unknown in the lands they came from and public schools were few and far between. John Fiske, the historian, says that a body of immigrants that landed in New England from Ireland in 1694 contained over 50 per cent who could read and write, and he adds that this was as rare as remarkable in the peoples who flocked to America in that succeeding century. Then, as now, the men who faced the hazards of the tempestuous ocean and the perils of a savage continent were usually the bravest and most enterprising of their class; they had courage, strength, common sense, native ability, and a willingness to work out their own salvation in a new country; they founded settlements and built up Commonwealths by their own talents and labors and with scant aid from kings and governments, and as they laid broad and deep the foundations of law and liberty they added schools out of their meager means to give their children what they lacked. As Emerson has so wisely said, the farmer, laborer, artisan, fisherman, and chopper are the Commonwealth, not the lawyer, the scholar, and the penman; these latter are in fact the parasites of our civilization, not its creators and producers. Too many of us, Mr. Speaker, make the mistake of confounding and confusing the terms of illiteracy and ignorance; and this body hardly needs to be told that lack of letters and lack of knowledge are two entirely different things.

With the peace, progress, and prosperity of America came the desire for education, the passion and reverence for letters that seem so purely and pathetically American, and the means to build schools and colleges, but we must not confuse the cause of conditions with the result of them. We earned our bread and built our homes in the days of our illiteracy. We secured the butter for our bread and the books for our homes when we earned the price of them with our sweat and muscle. [Applause.]

Mr. Speaker, it is important to remember that this alleged stream of alien illiterates has been flowing into America since the early days of the seventeenth century; its fanciful dangers have begun to dawn on us in the twentieth. Let me state a fact which must not be construed into a jibe, a plain and incontrovertible fact. The vast majority of that "dangerous and illiterate immigration" has gone into the country north of Mason and Dixon's line and west of the Mississippi River, and within those regions are to be found the most industrious, progressive, prosperous, and educated States in the Union; and in the States outside those regions is to be found the largest percentage of illiteracy—white and black—in this Republic. May I ask without offense one question about this bugaboo of illiteracy? Is the alien illiteracy at our ports of entry dangerous and the native illiteracy innocuous? Will not that question bring to you men of reason the reflection that we are placing too high a value on letters and expecting too much from literacy? Will not your own conscience and experience tell you that literacy has little to do with the virtue and intelligence which are the bases of all character and the essentials of all good citizenship?

May I say to some of my good friends on this side of the House that you seem to forget that only the other day your ancestors were alien, the sons of England, France, Ireland, Italy, Scotland, Poland, Germany, Russia, and other lands; and though that stream of fresh and revivifying blood has ceased to flow into the South, it still continues to renew the energies and courage of the North as ever. You know why it was deflected from the South; it would not seek competition with slave labor, for these aliens represented the most adventurous and courageous sons of Europe; and when slavery ceased the alien stream still refused to change its course.

There is a singular and inexplicable prejudice in the South against the emigrant, presumably because you do not get him and do not know him; yet the fact remains that his energy, courage, fidelity, and brains have made the regions wherein he has cast his fortune blossom like the rose. He has come by the millions into the North. Wherever he has gone schools have sprung up; industries have flourished; trade has increased; wealth has mutiplied; prosperity has bloomed; and patriotism, peace, law, order, intelligence, and happiness follow in his footsteps. [Applause.]

Ah, Mr. Speaker, what we need to do in considering this question is to stop and think and place our fingers on the vital and crucial spots in history and learn the story they tell us.

The divine Nazarene chose His apostolic twelve from the lowest classes of Palestine; and yet these men—most of them when called by the Savior, illiterate—accomplished the greatest revolution this earth has seen.

When Greece and Rome, filled with scholars, redolent of letters, and despising the human foundation stone of all society, rotted and perished, Charlemagne, guiltless of letters, remade Europe. William the Norman, who transformed savage Saxon-England into a country in touch with European civilization, could neither read nor write. When Raleigh sought to found a colony at Jamestown with gentlemen of letters and leisure, it ended in disaster; and Virginia became a possibility only when the strong and courageous illiterates of England came with ax and plow to do their work. George Washington had only an ordinary common-school training; but which of his men of letters, his men of college training and social polish could match him in the wisdom, foresight, patience, skill, and the qualities that gave him success and brought him immortality?

Andrew Jackson was the son of an illiterate Irish emigrant, and himself a man of meager education; but who will say that it was Jackson's literacy that won New Orleans and gave America two of its most notable administrations? Kings Mountain and the kings were beaten by the splendid illiterates of the Alleghenies; it was these same Irish illiterates who won the West, and gave us such illustrious Commonwealths as Kentucky. Daniel Boone and Sam Houston, pioneers and empire builders, were of this breed of illiterates; and the school, literacy, and the schoolmaster followed in their trail. [Applause.]

We have grown fat and foolish in our progress; we forget our origins; we imagine that the eternal verities will change and that the letters and scripts that man has made have, by some curious alchemy, become greater and more worthy than the gifts God has given us.

Mr. Speaker, let us look for a moment at the other side of the picture. We know that a literacy test will bar from our land its most vital necessity—strong, vigorous, simple, God-fearing peasants who come here to find homes and to make the wilderness blossom into fertility; but will your literacy test keep out a single criminal whose record and antecedents we are ignorant of? You will find some illiterate criminals who have been guilty of crime of sudden passion, of violence; men who united ignorance with illiteracy; but it is everlastingly true that the crimes most injurious to society, most detrimental to business, commerce, and finance are never the work of illiterates.

The forger, the conspirator, the crooked promoter, the business defaulter, the blackmailer, the bank thief, the political grafter, and all that class of criminals, outside of and outnumbering the criminals of passion and violence, are literate. They read and write, for these vicious talents must be supplemented by literacy to make them profitable. Vicious talent sharpened and developed by letters is the most serious problem society has to deal with. Yet, Mr. Speaker, this absurd literacy test will admit the dangerous European criminal of the continental cities and bar out the honest and hard-working and badly needed peasant—farmer and laborer—whether he be English or Irish or French or German or Hebrew or Polish or Italian or Lithuanian.

In every crisis of the country's history these alien classes have stood loyally by the Republic that gave them asylum and home. [Applause.] And I venture to say that the domestic dangers, violences, insurrections, and rebellions that have come to this Republic have always been the work of native Americans and never of aliens, literate or illiterate.

In conclusion, Mr. Speaker, let me say that literacy is not a test of character, manhood, or civic fitness. It is a trap to catch the unwary; it is contrary to American principles and practices, and is merely a sop thrown to provincial prejudice and parochial panic. Its warmest advocates are those who have failed to deal with illiteracy at their own doors and who are only seeking—perhaps unconsciously and not deliberately—to cripple the industrial regions which have known how to utilize all honest labor and to build upon illiteracy the temple of literacy.

Mr. Speaker, the passion for literacy, like the grace of charity, should begin at home. [Applause.]

Mr. BURNETT. Mr. Speaker, I move the previous question on the motion to concur.

The previous question was ordered.

The SPEAKER. The question is on the motion of the gentleman from Massachusetts [Mr. GALLIVAN] to concur in Senate amendment No. 19.

The question was taken; and on a division (demanded by Mr. GALLIVAN) there were 35 ayes and 96 noes.

So the motion to concur was lost.

The SPEAKER. The Clerk will report amendment No. 20.

The Clerk read as follows:

Page 9, after the word "residence," in line 13, strike out the word "solely."

Mr. BURNETT. Mr. Speaker, I move to disagree with the Senate amendment.

Mr. SABATH. Mr. Speaker, I have a preferential motion. I move to concur in the Senate amendment.

Mr. BURNETT. I yield five minutes to the gentleman from Illinois [Mr. SABATH].

Mr. SABATH. Mr. Speaker, I am of the opinion that if there is an amendment that is of any benefit in this bill it is this short amendment No. 20. All this amendment aims to do is to strike out the word "solely." So that the amendment can be understood by the membership of the House, I wish to read a portion to which this amendment applies and which it aims to modify.

There is an exemption as to whom the literacy test shall not apply, and it reads:

All aliens who shall prove to the satisfaction of the proper immigration officer or to the Secretary of Labor that they emigrated from the country of which they were last permanent residents—

The amendment strikes out the word "solely"—

for the purpose of escaping from religious persecution.

If this amendment should be agreed to, then it would not be absolutely necessary that each and every immigrant whom we are trying to aid and assist shall prove that he is actually fleeing from religious persecution. The Senate realizing and recognizing that it was the desire of the people who framed the exception to give some relief to these thousands of unfortunate, persecuted people, wisely eliminated the word "solely" so that it would not be necessary for aliens to prove that they were emigrating solely for that purpose, a thing which it would be impossible for them to do. An inspector might ask such an alien, "Are you not also coming to this country to better your condition or to live in a country of freedom and liberty?" The emigrant would be obliged to answer in the affirmative, and the result of this honest answer would be his exclusion, because

he can not come in for that purpose, but must come solely because of the fact that he is fleeing from religious persecution. In view of the fact that 99 per cent of these people come here not alone for the reason that they wish to escape religious persecution, not alone for the reason that they believe that this country will guarantee to them the right to worship God according to their own beliefs, but because they wish to better their condition and make a real home for their loved ones, I believe the Senate amendment should be approved.

They are not coming solely for the first reason, but also for the other reasons; yet if they admit it it will mean their exclusion and the penalizing of truth and honesty.

Mr. Speaker, as I stated a moment ago, this amendment should be adopted, as it is the one really valuable amendment adopted in the Senate. I wish to assure you that most excellent reasons were given in the Senate for the adoption of this amendment. I know that thousands upon thousands of our best citizens have appealed to our committee, and, failing, appealed to the Senate. It was upon this plea of these worthy people that the provision was adopted in the Senate. I sincerely trust that the House will concur.

Mr. Speaker, originally I endeavored, both in the committee and in the House, to secure the adoption of an amendment which I considered reasonable and fair; but, due to the misunderstanding of conditions on the part of the majority of the Members at the time it was offered, it was rejected. I shall offer it again if the opportunity presents itself.

The amendment would amend the provision so that it would read that the following classes of persons would be exempt from the operation of the literacy test, to wit:

All aliens who shall prove to the proper immigration officer or to the Secretary of Labor that they emigrated from the country of which they were last permanent residents for the purpose of escaping from religious, political, or racial persecution, whether such persecution was evidenced by overt acts or by discriminatory laws or regulations.

This amendment, if enacted or adopted, would tend to exempt from the operation of the literacy test all those persecuted on account of political, religious, or racial prejudice.

Surely no one who is not blind with prejudice could object to this provision. Did not our Pilgrim Fathers come here to escape religious persecution? Could they have passed the literacy test if one had then been in force? Surely not, because history tells us that 50 per cent of them were illiterate. Why should we, then, at this late day penalize the aim and ambition of those who desire to be free?

Mr. Speaker, I fully recognize the temper of the House. I realize that the continuous and poisonous articles injected by the professional restrictionists' lobby conducted by the so-called patriotic orders, still in existence, have poisoned the minds of many men—and well-meaning men, at that—to such an extent that they are incapable of honest, intelligent, and sane discretion and understanding.

My remarks are made for the purpose of awakening them and bringing them to see and to realize the fairness and humanity of the proposed amendment.

If we desire to be fair with ourselves and fair with the thousands upon thousands of honest and sincere men and women of this country who appeal to us, this word "solely" should be eliminated and my motion to concur with the Senate amendment should prevail.

Mr. BURNETT. Mr. Speaker, I yield five minutes to the gentleman from Massachusetts [Mr. GARDNER].

Mr. GARDNER. Mr. Speaker, this is to all intents and purposes the equivalent of the amendment offered by the gentleman from Oklahoma [Mr. MURRAY] when the bill went through the House. That amendment was thrashed out at the time, and the House voted it down. Let me give you the reasons why the House voted it down. At the very time when the bill was pending there was an alleged religious persecution going on in Bulgaria, so we all could see very clearly what would happen if we struck out the word "solely." Anyone coming from Bulgaria could at that time have readily evaded an illiteracy test, if there had been any, by the simple declaration to the inspector of immigration that he was fleeing from religious persecution. Think of what a field for the exercise of the individual judgment of each inspector you will open if you strike out the word "solely." The inspector will have to make up his mind as to whether the major motive actuating each illiterate incoming immigrant is a desire to escape religious persecution or whether that is merely a minor motive. We have copied this word "solely" from the English statute regulating the admission of persecuted aliens. That statute has been in force for a good many years and has proved hard to evade. For the first time, in 1906, on the floor of this House an amendment to the illiteracy test was offered excluding from its operation persons fleeing from religious persecution. The amendment was offered by Mr. Littauer, a Representative from the State of New York. Canvassing it all over, Mr. Littauer himself conceded the wisdom of qualifying his amendment by the insertion of the word "solely." You can not make your laws too plain, because if you leave any ambiguity you are going to have inspectors in Boston enforcing the law in one way and inspectors in Galveston enforcing it in a totally different way, when it ought to be enforced equally and in the same way, no matter to what port the immigrant may come.

Mr. BURNETT. Mr. Speaker, the purpose of this is to exempt from the illiteracy test those that are fleeing from religious persecution. Our committee thought and the House thought that if we undertook to enlarge it or allow the enlargement of the operation of that exemption by the option of inspectors we would be in interminable confusion, and that there would be decisions one way at one point and another way at another point, letting Mexicans in along the border, perhaps, because they were fleeing from religious and political or some other persecution. Therefore, in order to have no ambiguity, no uncertainty, to have it absolutely fixed and definite and make known that we intended only to allow those to escape the illiteracy test who were fleeing from religious persecution, that word solely was inserted by the House, and I hope that the House will nonconcur in the Senate amendment.

I move the previous question on the motion of the gentleman from Illinois.

The previous question was ordered.

The SPEAKER. The question is on concurring in the Senate amendment.

The question was taken; and on a division (demanded by Mr. SABATH) there were—ayes 47, noes 77.

So the motion to concur was rejected.

Mr. SABATH. Mr. Speaker, would it be in order now to offer an amendment in connection with that amendment which has just been nonconcurred in?

Mr. BURNETT. Mr. Speaker, I make the point of order that the House has already nonconcurred.

The SPEAKER. The Clerk will report the gentleman's amendment.

The Clerk read as follows:

Page 9, line 14, after the word "religious" and before the word "persecution," insert "political or racial," and after the word "persecution" insert the words "whether such persecution be evidenced by overt acts or by discriminatory laws or regulations."

Mr. BURNETT. Mr. Speaker, I make the point of order that that is not germane to any Senate amendment.

The SPEAKER. The Senate amendment simply strikes out the word "solely," and this amendment offered by the gentleman from Illinois has nothing to do with that.

Mr. SABATH. Do I understand the Speaker to sustain the point of order that it is not germane?

The SPEAKER. The point of order is sustained. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment 24: Page 11, line 21, strike out all after the word "guests" down to and including the words "United States," in line 23 and insert in lieu thereof the following: "*Provided further*, That the provisions of this act relating to the illiteracy test or induced or assisted immigration shall not apply to agricultural immigrants from Belgium who come to the United States during the course of the present European war, or within one year after its termination owing to circumstances or conditions arising from the war, if it is shown to the satisfaction of the Commissioner General of Immigration that said Belgian immigrants come with intent to engage in the work of agriculture in the United States and become American citizens."

Mr. CULLOP rose.

The SPEAKER. For what purpose does the gentleman from Indiana rise?

Mr. CULLOP. I desire to move to concur in the Senate amendment with an amendment.

The SPEAKER. The gentleman will state his amendment.

Mr. CULLOP. Mr. Speaker, my amendment would be to insert, after the word "agricultural," in line 21, the words "or manufacturing," and, in line 1, on page 13 of the Senate print of the proposed amendment after the word "agriculture," insert the words "or for manufacturing."

The SPEAKER. The Clerk will report the amendment.

Mr. GALLAGHER. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. GALLAGHER. I would like to offer an amendment to the amendment.

The SPEAKER. The gentleman will wait until we get the other one reported. The Clerk will report the amendment.

The Clerk read as follows:

Amend, on page 12, line 21, by inserting after the word "agricultural" and before the word "immigrants" the words "or manufactur-

ing," and, on page 13, after the word "agriculture," insert the words "or manufacturing."

Mr. GARDNER. Mr. Speaker, I make the point of order that it is not germane. One individual proposition may not be amended by another individual proposition even though the two apply to the same class.

Mr. CULLOP. Mr. Speaker——

The SPEAKER. Does the gentleman from Massachusetts think that rule applies to that decision?

Mr. GARDNER. Well, the gentleman from Massachusetts is willing to leave it without debate to the Speaker, but he thought it worth trying. [Laughter.]

The SPEAKER. Well, the Speaker does not think the point of order is well taken.

Mr. GALLAGHER. Mr. Speaker, I would like also to include, in line 21, after the word "Belgium," the word "Poland," and also, in line 26, after the word "Belgian," the word "Poland."

Mr. BURNETT. Mr. Speaker, I make a point of order on that.

The SPEAKER. The point of order is sustained.

Mr. GALLIVAN. Mr. Speaker, I would like to offer an amendment.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Mr. GALLIVAN moves to concur in Senate amendment No. 24 with an amendment striking out the word "Belgium," on page 12, line 21, and inserting in lieu thereof the words "any European country," and, in line 23, by striking out the words "one year" and inserting in lieu thereof the words "five years," so that the paragraph will read: "*Provided further*, That the provisions of this act relating to the illiteracy test or induced or assisted immigration shall not apply to agricultural immigrants from any European country who come to the United States during the course of the present European war, or within five years after its termination owing to circumstances or conditions arising from the war."

Mr. BURNETT. I make the same point of order.

The SPEAKER. The point of order is sustained.

Mr. GALLIVAN. Mr. Speaker, I would like to offer another amendment.

Mr. SABATH. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman from Illinois rise?

Mr. SABATH. I am of the opinion that the amendment offered by the gentleman from Massachusetts is germane.

The SPEAKER. It is already decided.

Mr. SABATH. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. SABATH. I understand that the gentleman from Massachusetts secured the floor to offer an amendment to amendment numbered 24, which amendment——

The SPEAKER. The gentleman from Illinois does not seem to realize what the situation is. The gentleman from Indiana [Mr. CULLOP] offered an amendment, and any amendment offered now is a substitute to the Cullop amendment. The Cullop amendment simply puts laborers in factories in with agricultural laborers.

Mr. SABATH. So it is temporarily out of order?

The SPEAKER. It is out of order now.

Mr. GALLIVAN. Mr. Speaker, I offer a substitute amendment to the Cullop amendment.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Amendment to the amendment: Strike out the word "Belgium," on page 12, line 21, and insert in lieu thereof the words "any European country," and in line 23——

Mr. MANN. Mr. Speaker, I make the point of order that is not an amendment to the amendment. That is not a substitute, either. It has nothing to do with the amendment offered by the gentleman from Indiana.

The SPEAKER. It is not germane to the Cullop amendment.

Mr. BORLAND. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman from Missouri rise?

Mr. BORLAND. For a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BORLAND. Is not a motion to concur without an amendment privileged over a motion to nonconcur?

The SPEAKER. Not at this stage of the proceedings. The amendment is not in order even as a substitute. It must be germane. Now, the gentleman from Indiana is trying to accomplish one single purpose, so far as his amendment shows on the face, and that is to put laborers in manufacturing institutions in the same class with agricultural laborers.

Mr. CULLOP. That is the proposition exactly.

The SPEAKER. That is all there is to it, and this amendment is not in order.

Mr. GALLIVAN. Mr. Speaker, I have another amendment, which I send to the Clerk's desk.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

Mr. GALLIVAN moves to concur in Senate amendment 24 with an amendment inserting, after the word "citizens," on page 13, line 2, the following words: "*Provided further*, That the provisions of this act relating to the illiteracy test or induced or assisted immigration shall not apply to immigrants from any European country whose father, or grandfather, or wife, or mother, or brother, or sister, or uncle, or aunt, or niece, or nephew, or son, or grandson, or granddaughter, or cousin is now in the United States of America."

Mr. MANN. Mr. Speaker, I make the point of order that that is not in order at the present time.

The SPEAKER. The point of order is sustained. The question is on the Cullop amendment.

Mr. CULLOP. Mr. Speaker, will the gentleman yield me some time?

Mr. BURNETT. How much time does the gentleman desire?

Mr. CULLOP. I would like to have five minutes; I may not use that much.

Mr. BURNETT. I yield five minutes to the gentleman.

Mr. MANN. Is there any way of reaching an agreement now in regard to the length of time?

Mr. BURNETT. It is just as well we should do so at this time as any other.

Mr. STAFFORD. There may be other amendments proposed which Members might like to discuss. We have only one amendment pending at this time.

The SPEAKER. Has the gentleman any suggestion to make?

Mr. BURNETT. Let us get through with the five minutes of the gentleman from Indiana.

Mr. MOORE. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. MOORE. To ask for time in the event time is granted to the gentleman from Indiana [Mr. CULLOP].

Mr. BURNETT. I have yielded five minutes to the gentleman from Indiana.

Mr. MOORE. I may not want it. I want to hear the gentleman from Indiana.

The SPEAKER. The gentleman from Indiana [Mr. CULLOP] is recognized for five minutes.

Mr. CULLOP. Mr. Speaker, the purpose of this amendment was stated by the Chair a moment ago. There are a large number of glass industries in this country, and a large number of Belgians are employed in the manufacture of this product by these industries. The industry in Belgium has now been destroyed by war. It was the greatest competitor that this country had in this industry and we now practically have a monopoly of it. For the first time in the history of this industry since the Revolution we are now exporting glass. We commenced to do so last October and our export trade is rapidly growing. There will be great need of expanding the industry for this reason. We need these skilled laborers, if they see fit to come here, for the purpose of assisting in this great industry. They are skilled mechanics in this line and can assist in promoting it. They make good citizens. They either build or buy their homes. They are a thrifty class of people and they build up the citizenship of the country. Now, if agriculturists from Belgium are to come in here free from this test, why should not these manufacturers be granted this same privilege, as they are an industrial class of people who are needed in this country and who will assist in building up the country? If this amendment is to be adopted, it ought to include this class of industrial workers as well as the agriculturists, and I hope the amendment I have offered will be adopted.

The glass industry is flourishing here now as it never did before, our trade is expanding for these products, and they are commanding the very best of prices. Labor is employed at high prices and the demand is greater than the supply. We not only have our home market to supply, but since the European war broke out we have foreign markets to supply, and the industry is in a most prosperous condition. Wages in this line of industry are high, and the men employed are skilled laborers and a frugal people. We should encourage them and encourage their citizenship.

For years this industry under a high tariff languished and was practically paralyzed. It was overtariff taxed. The Underwood bill reduced the duties on glass products about one-half of what they were in the Payne-Aldrich bill, and from the day the Underwood bill became a law the industry began to improve, getting better daily, until now it is in a most flourishing condition, operating constantly at a splendid profit and daily expanding. Belgians are known to be the greatest experts in the world in this line of business, and if they come and locate with us they will prove a valuable acquisition to our industrial

population. They are thrifty and enterprising, producers of wealth, and will aid much in the development of our great industrial resources. As the war in Europe progresses it is manifest that much of the better class of citizens of those unfortunate countries will seek other countries for habitation—countries where peace prevails and where business is not disturbed by war; where property may be accumulated and retained and wealth preserved. Our country affords in this regard greater security than any other. It is more favorable for residential and industrial purposes than any other, and these people will naturally turn to our country and take up their residence with us and become citizens. They will become good citizens who will identify themselves with our different lines of business and become important factors in the progress and prosperity of our country. For all such we should lend encouragement and bid them thrice welcome. They will aid us in commerce, industry, and the creation of wealth. They are a peaceable and industrious people and will assist materially to the upbuilding of this great country and the maintenance of its institutions, and I hope to see them come to assist us in the great work now devolving on us as the greatest world power on the globe.

Mr. BORLAND. Mr. Speaker, a parliamentary inquiry.

Mr. MANN. Will the gentleman from Alabama [Mr. BURNETT] yield to me?

Mr. BURNETT. I desire to yield two minutes to the gentleman from Pennsylvania [Mr. MOORE], a member of the committee.

Mr. BORLAND. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BORLAND. I notice this amendment No. 24 is in two parts—one strikes out the language of the original bill as it left the House and the other adds new matter that has no relation to the matter stricken out. Is not that in effect two amendments? Is it not possible to separate the amendment striking out the language of the original House bill from the amendment inserting new matter? It seems to me those should have been numbered as separate amendments, because the House will evidently want to vote on that amendment striking out the language of the original bill separate from the new matter inserted by the Senate.

The SPEAKER. The amendment No. 24 is in the nature of a motion to strike out and insert. The Chair does not think they are two different amendments.

Mr. BORLAND. The matter inserted by the Senate is not germane to the matter stricken out.

The SPEAKER. In the House it would have been ruled out, but the Chair does not know anything about the rules of the Senate. We take whatever we find as their amendments. How they got them in we do not know.

Mr. BURNETT. Mr. Speaker, I yield two minutes to the gentleman from Illinois [Mr. MANN].

Mr. MANN. Mr. Speaker, the situation on this amendment demonstrates the absolute necessity of sending the amendment to conference. No one can afford to vote for the Senate amendment with an amendment no matter what he thinks in reference to the Belgium proposition. The Senate amendment is to strike out of the bill this provision:

That nothing in this act shall exclude the wife or minor children of a citizen of the United States.

And to insert in lieu thereof a provision authorizing the admission of agricultural Belgians. Now, we fought very hard in the House to have in this bill a provision authorizing an American citizen to bring his wife and minor children to the United States regardless of the literacy restriction, but this amendment strikes that out and leaves it so an American citizen can not bring his wife to the country and can not bring his minor children to the country. What satisfaction will it be to us to leave that out of the bill and insert a provision that agriculturists from Belgium may come in when not one of them wants to come in?

Now, if the Belgium proposition should remain in the bill, it should remain in in connection with the other provision, which ought not to go out of the bill. The proposition to concur in the Senate amendment strikes out a good provision of the bill in order to insert one of doubtful value. The conferees can provide so as to leave in the good provision which we had in the bill, and, if necessary, add to the bill the Belgium provision.

Mr. SHERLEY. Will the gentleman yield?

Mr. MANN. I will.

Mr. SHERLEY. Why can not we agree to the Senate amendment with an amendment that would reinsert the very language that the Senate struck out?

Mr. MANN. I do not say that that could not be done, but I am quite sure that it will not be done intelligently, because all of the gentlemen who have suggested amendments to this proposition—and a number have been suggested—have proposed to leave out the provision that was in the House bill, and no one has prepared a proper amendment covering the subject. And the only way the House can act intelligently upon a matter like this is to let it go to conference. Possibly both provisions may remain in the bill, but the provision in the House bill that the Senate struck out is worth a dozen of the others so far as immigration is concerned and of value to the citizens of the United States.

Mr. LEVY. Mr. Speaker, I desire to offer an amendment.

The SPEAKER. The gentleman from Alabama [Mr. BURNETT] has the floor.

Mr. STAFFORD. Will the gentleman from Alabama [Mr. BURNETT] yield to a question?

Mr. BURNETT. Yes.

Mr. STAFFORD. I understand the gentleman stated he was quite willing to allow this amendment relating to the Belgian sufferers to come to the House separately before coming to a final agreement in conference?

Mr. BURNETT. Yes; when we were trying to expedite matters, that was correct.

Mr. STAFFORD. You intend now to depart from that understanding?

Mr. BURNETT. Was that an understanding?

Mr. STAFFORD. I understood it was. I did not make any motion or offer an amendment. But if you do not do that I will get busy and include both provisions.

Mr. GARDNER. There was never any understanding of that sort, even before the discussion went on. What the gentleman said was that we would come back and give the House a chance to vote on it before we agreed to the Senate amendment, but he distinctly gave it to be understood that if the Senate receded we should not be back.

Mr. STAFFORD. He made no such qualification. I wish to say to the gentleman that he gave the distinct impression that we would have an opportunity to vote.

Mr. GARNER. The gentleman is mistaken as to the impression.

Mr. STAFFORD. I was paying particular attention to it.

Mr. BURNETT. Mr. Speaker, I now yield five minutes to the gentleman from Georgia [Mr. TRIBBLE].

Mr. LEVY. Mr. Speaker, I offer an amendment to the amendment offered by the gentleman from Indiana [Mr. CULLOP].

Mr. BURNETT. Mr. Speaker, I make the point of order that that amendment is not germane.

Mr. LEVY. The gentleman has not heard it.

Mr. CULLOP. Mr. Speaker, is that amendment germane to my amendment?

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

Mr. LEVY moves to concur in Senate amendment No. 24, on pages 12 and 13, with the following amendments:
Lines 20 and 21, page 12, strike out the word "agricultural."
Line 26, page 12, strike all after the word "to."
Line 1, page 13, strike out the following words: "work of agriculture in the United States and."

Mr. BURNETT. Mr. Speaker, I make a point of order against the amendment. There is another amendment pending before the House, and that one is not germane.

Mr. LEVY. That is germane, Mr. Speaker, to the amendment as offered here now. I offer that as an amendment to the Cullop amendment.

Mr. BURNETT. That is not an amendment to the amendment.

The SPEAKER. The Clerk will read it again, so that the House can understand it.

The Clerk read as follows:

Amend Senate amendment No. 24, on pages 12 and 13, with the following amendments:
Lines 20 and 21, page 12, strike out the word "agricultural."
Line 26, page 12, strike out all after the word "to."
Line 1, page 13, strike out the following words: "work of agriculture in the United States and."

The SPEAKER. The Chair thinks that is a fair amendment, germane to the Cullop amendment or a substitute for it.

Mr. LEVY. Now, Mr. Speaker, will the Clerk read the whole substitute with this amendment in it?

Mr. BURNETT. I insist, Mr. Speaker, that was not offered to the Cullop amendment, but to the Senate amendment.

The SPEAKER. The gentleman from New York [Mr. LEVY] was trying to offer it as an amendment or as a substitute, as it turns out to be. The question is on agreeing to the Levy amendment to the Cullop amendment.

The question was taken, and the Speaker announced that the noes seemed to have it.

Mr. LEVY. A division, Mr. Speaker.

The SPEAKER. The gentleman from New York [Mr. LEVY] demands a division.

The House divided; and there were—ayes 22, noes 75.

So the amendment to the amendment was rejected.

Mr. BURNETT. Mr. Speaker, I now yield to the gentleman from Georgia [Mr. TRIBBLE].

OPPOSING BELGIAN EXEMPTION.

The SPEAKER. The gentleman from Georgia [Mr. TRIBBLE] is recognized.

Mr. TRIBBLE. Mr. Speaker, this proposition to prefer the Belgians to other races at this time may involve this Government in serious complications. Treaty rights may be questioned and the passage of this amendment will be construed as an expression of congressional opinion of the rights of the belligerents. This Congress is traveling on dangerous ground when it undertakes to select among the European belligerents and prefer one to another. The President of the United States stood on the floor of this House and appealed to this Congress that the United States Congress should be absolutely neutral. The President of the United States has appealed to every man, woman, and child in the United States to give no expression of preference as between these people. How can we pass this amendment without showing a preference to the Belgians? Have not the Poles suffered in the same proportion? How about French Normandy? How about Lorraine, and how about various other portions of that country at the present time?

Germany contends that she invaded Belgium because Germany was about to be invaded, and that Belgium was in the alliance against her. Belgium insists that she was neutral, and that she struck the invaders of her country. The French Government says her country was invaded and her homes devastated. Servia contends that she is fighting for her existence. Now, Mr. Speaker, what right have we to give a remote expression of an opinion on that question? It is enough for us to maintain the integrity of all the American Republics, without interference with European nations.

Mothers and fathers appeal to us not to involve this country in the European war. They beg for their sons not to be sent to die on foreign territory about European questions, where we are not concerned and really have no interest. I say to you, Mr. Speaker, that this is dangerous legislation that this Congress is discussing and about to place on the statute books of this Nation. It is a dangerous precedent, even if we escape complication. I want to warn the friends of this bill that this amendment comes from the enemy, and I want to warn the Members of this House who are friendly to this legislation that if this Congress passes this amendment it means the veto of the bill by the President. The President of the United States, in my opinion, will never approve this bill with this amendment. The men who propose this amendment and the men who pushed it through the Senate and who propose to push it through this House are unfriendly to this immigration legislation, and they believe that the President of the United States will not want to approve this bill, containing the Belgian amendment. If he is unfriendly to the bill, it will give him an excuse, and a good excuse, to veto it. And not only that, this House would not pass this bill over the President's veto with that amendment in it.

This movement comes from the Southern Commercial Congress. I do not understand how any friend to this bill regulating immigration from foreign countries can afford to support this amendment. In the first place, are we legislating in this bill in the interest of American citizens or are we legislating for the Belgian citizens? I have sympathy for the Belgians, but I have no sympathy with the movement to make exception of them in this immigration bill, inviting them to come. I certainly have no sympathy with the movement of certain organizations to raise money and advance each of them $2,500 to buy farms. It has been announced in the press that not only will money be advanced to buy farms, but when a colony is located a priest will be furnished, paid one year by benevolent organizations for the colony, thus locating them throughout the South with these superior advantages to thousands of native farmers.

Mr. Speaker, I have no patience with the rich philanthropists who would prefer the foreigner with his benevolent contributions to the native American citizen. I have not heard of any benevolent movement to finance the native farmers of the South or any other section by aiding them to purchase farms.

Mr. Speaker, there are millions of laboring men walking the streets out of work during this serious depression, and this amendment proposes to admit Belgians to land here and compete with them. There are thousands of southern farmers who are distressed and need work who have sold their cotton and find themselves unable to pay their bills and finance the new crop. Now you propose to introduce these foreigners to compete with them and increase the production of cotton, thereby depressing the value by overproduction during the present year of distress and in the years to come. We have seen efforts made here to curtail production of cotton by national legislation. This I opposed. I can not understand the consistency of Members voting to curtail production and yet they vote to import these Belgians to increase production at a time when millions of our own native southern American citizens are suffering and in distress on account of depression of business.

Yes, Mr. Speaker, it is proposed to throw open the doors to Belgians when millions are idle and hungry—American citizens pleading for work and an opportunity to support their dependent wives and children. Let us not add to their despondency, let us not add to their misery, let us not add to their hunger, but let us add something to their comforts.

Mr. Speaker, I thought we were amending our immigration laws for the benefit of American citizens. I read the Senate amendment; it reads as follows:

Provided further, That the provisions of this act relating to the illiteracy test or induced or assisted immigration shall not apply to agricultural immigrants from Belgium who come to the United States during the course of the present European war or within one year after its termination owing to circumstances or conditions arising from the war, if it is shown to the satisfaction of the Commissioner General of Immigration that said Belgian immigrants come with intent to engage in work of agriculture in the United States and become American citizens.

Mr. Speaker, those of you who favor the immigration bill should know that this Belgian amendment comes from the enemies of this bill. I am informed the Southern Commercial Congress has been promoting the Belgian farm colonization proposition. Let me show you that the Southern Commercial Congress is headquarters for opposition to this bill. On December 12, 1914, the Southern Commercial Congress issued literature from which I quote:

Resolved, Eighth, That as any successful movement of farmers to the lands of the South will necessarily encroach heavily upon the labor supply of the great industries of the country, the time is not propitious for restrictive legislation by the Congress of the United States, in so far as it is likely to affect agricultural immigration to the South.

I am reading from literature issued by the headquarters of the organization promoting Belgian colonization in the South.

Let me read further:

Whereas it is agreed that the future development of the South is to be measured largely in terms of an efficient industrial and agricultural immigration: Therefore be it—

That is the propaganda they set forth, that the progress in the South is to be assured by the introduction of foreign immigrants So far as I am concerned, speaking for the good old State of Georgia, the citizenry of Georgia to-day is good enough for me. [Applause.] I do not propose to admit that the 98 per cent of native white citizens of the South are dependent on foreign immigration for future development in the South. Indeed, I do not propose for this slander on the South to go by unnoticed.

Mr. BATHRICK. Mr. Speaker, will the gentleman yield?

Mr. TRIBBLE. I will.

Mr. BATHRICK. Did not the movement to colonize Florida emanate from the same source?

Mr. TRIBBLE. I am not informed about that; but if the gentleman says it did, I take his word for it, and I am not surprised if it did.

Mr. Speaker, coming from the headquarters of the Southern Commercial Congress is this proposition, and every native of America should resent it. It has been published in the Georgia papers, and, I presume, all over the United States, that there is an organization that proposes to advance to these Belgian foreigners $2,500 each to buy them farms. What have they proposed to do for native citizens? We ask nothing of the Commercial Congress and resent the statement that our southern people are dependent on foreigners for future development. I desire to especially call attention of southern Members to this one statement issued by the Southern Commercial Congress; and I want to call the attention not only of southern Members but Members from other sections of the country to this statement quoted, because it contains a reflection on native-born citizens of this country.

First, Mr. Speaker, I appeal to the patriotism of this House not to pass any legislation or make any utterance that might have a tendency to cause our sons to be mustered into service to fight about European questions. I appeal, in the name of innocent fathers and mothers, to you not to take this step.

Second, Mr. Speaker, I appeal to you not to pass this amendment because it is not just and fair to the native American citizen to be brought into competition with Belgian farmers at this time of our national depression—or any other time.

Those who wish to contribute to the aid of these unfortunate people can do so, but let their money be sent across the ocean. [Applause.]

Mr. BURNETT. Mr. Speaker, I hope that the Cullop amendment will not prevail, and I hope that the entire proposition will be sent back to conference. The effect of the adoption of the Cullop amendment would be that in those places where there is the greatest complaint about cheap labor the effects of the illiteracy test would be absolutely nullified.

Mr. CULLOP. Mr. Speaker, will the gentleman permit a question?

Mr. BURNETT. A question; yes.

Mr. CULLOP. You have heard no complaint as to wages in the glass industry, I hope. That is the highest-paid labor we have in the country, and always has been.

Mr. BURNETT. If that be true, then it is worthy to be filled by American laborers. If there is an industry in the country that is paying reasonable wages, for God's sake let the American workingman do the work and earn the wages. [Applause.] Do not bring in the low-priced labor from some other country in order to beat it down and knock him out.

Mr. MOORE. Will the gentleman yield?

Mr. BURNETT For a question.

Mr. MOORE. Does the gentleman know that the wages paid to Belgian glassworkers are about one-quarter less than those paid to glassworkers in the United States?

Mr. BURNETT. No; I do not.

Mr. MOORE. It is substantially the fact.

Mr. BURNETT. I should like to know how you could hitch them onto the glass industry and keep them there. If they should come in under the Cullop amendment, they could go into any industry that they pleased. South Carolina tried something like that several years ago. Some enterprising gentlemen in that State decided that they wanted the State of South Carolina to bring a lot of Belgians over—the same people that gentlemen are talking about. They brought over two shiploads of them, as I recollect; and I was talking to the distinguished Senator from South Carolina who had charge of this bill in the Senate and managed it in a way that did him great honor, and he told me that there are not a dozen of them in the State of South Carolina to-day. Here is what Mr. Gompers says about it:

> South Carolina five years ago established a State bureau of immigration, appropriated considerable money to it, and with a fund raised among cotton-mill owners, real estate dealers, and others pecuniarily interested, its commissioners went abroad and brought two shiploads of immigrants from Belgium and distributed them, to the number of 762, to various places; but in two years few, if any, of these induced immigrants were to be found in the State. Consequently, March 4, 1909, a law was passed forbidding a State official to attempt, directly or indirectly, to bring immigrants into the State of South Carolina. Virginia and North Carolina, which for a time had been taken in with South Carolina on the distribution scheme, after a brief experience refused to appropriate any more funds for that purpose.

That, Mr. Speaker, is a quotation from an article entitled "The scheme to distribute immigrants," by Samuel Gompers.

Not only that, but the Senate amendment does not stop merely with excepting them from the illiteracy test. The greater part of the Belgians can escape that test, because the greater part of those over 14 years of age are able to read their own language. But, Mr. Speaker, there is another proposition in the amendment that is more dangerous than that. It is to break down the law against the admission of induced and assisted immigrants, so far as the Belgians are concerned. In the first place, I believe the amendment is a violation of the favored-nation clause. If not, as has been so well said by the gentleman from Georgia [Mr. TRIBBLE], it is a violation of our neutrality; and the amendment offered by gentlemen here to-day, and the arguments that have been made by these gentlemen in favor of breaking it down so as to bring in other nationalities, show that that is true.

How can this country, with its strict neutrality, say that because of the sympathy which we all have for these people we can discriminate in favor of the Belgians, when along the Hungarian and Austrian borders there are no doubt many cases of people who are just as meritorious and who had no part in bringing on the war? And how can we escape the amendments offered by gentlemen for the Hollanders and the people of various other countries if we undertake to break it down as to one nationality? And when you have done that, Mr. Speaker, you have broken down the illiteracy test. Not only that, but you have broken down the law which has been so salutary for years against induced or assisted immigrants, because that is what this amendment aims to do. A gentleman from London came to my office a week or two ago and asked me if I would not consent to an amendment to the contract-labor law and the assisted emigrant law so as to allow Belgians to come in. I said, "I will not. I believe that the contract-labor law and these correlative laws are wise, and I am not for relaxing those laws one jot or tittle." He said, "There are 500,000 of these Belgian refugees in London." I said, "Well, over here in the Northwest there are going to Canada from among the splendid citizenship of our country 100,000 every year, because they say that there are cheaper lands in Canada. If you have 500,000 of these Belgian people in London, why do you not try to settle them on the cheap lands in Canada to which you are inviting the splendid young American manhood from my country?" And that ended the colloquy, because the English people do not intend to send them there.

Mr. Speaker, whom would we get by this amendment? I am informed that there is a Belgian law that those between 18 and 55 years of age are subject to military duty. Do you not believe every able-bodied Belgian has to-day responded to the call of the colors or is ready to do so? Do you believe that those who are so unpatriotic as to stay out of the Belgian army when the King of Belgium is in the field at the head of his brave soldiers are the kind of citizens that we need in any industry or on our farms?

That is the class of people we would get. We would not get the able-bodied Belgians, because they are not leaving their country. We would get those who are dependents, and God knows that our own charitable institutions are to-day filled and our own people are overburdened to take care of the poor at our own doors.

The low price of cotton occasioned by the war has brought many a poor southern farmer to distress and want. Now, can we vote for a proposition that will bring to us the starving people from another land to take the bread out of the mouths of our own distressed and starving poor?

We hear from the industries all over our own land of thousands of unemployed men and women and children. And yet gentlemen would bring in the decrepit, the aged, and the women and the children and those that can not bear arms to compete with our American labor.

I hope, Mr. Speaker, that the Cullop amendment will be voted down. It would bring Belgians into competition in the industries with those laborers among us who have borne the heat and burden of the day. There is where the chief complaint has come from every part of the country in skilled as well as unskilled labor. The bill makes an exception in skilled labor, where no other labor can be found. This can be brought in under our bill.

Under this amendment they do not have to be skilled, but any Belgian that is coming to work in manufactures or on farms can come in and go into the industries or anywhere else that he pleases.

As far as the South is concerned, we welcome the right kind of immigration, but now we do not need any more farm labor. We are making this year 2,000,000 more bales of cotton than we could consume or sell in normal times. Our people are turning from cotton to the diversification of crops, the raising of hay and food products and stock. Then that field would not be opened up to them, because thousands of our oppressed farmers will go into diversified farming.

I do not wish to charge any improper motive to the distinguished Senators that favored this amendment, because some supported it at the other end of the Capitol who are friends of the bill. I found at one time recently, when I was making a speech before a certain organization, that colonization companies were back of this same proposition, railroads are back of this idea, steamship companies are back of it; and at the Southern Commercial Congress I found people from Boston, from New York and Buffalo, from Chicago and Minneapolis telling us in the South what kind of labor we needed. That is where these heresies emanate from, and I hope that the entire proposition will be voted down. I want to say here and now, as far as I am concerned, that I am against the Cullop amendment and against the amendment of the Senate also. [Applause.]

I represent a rural district where most of my constituents are a home-owning and home-loving people, and from not one of them have I had a request for Belgian immigrants. Most of them are poor, but they do not want to see their country overrun and their lands taken from their children by a horde of aliens who have no sympathy with our manners nor with the traditions of our fathers.

Let no Juggernaut of greed and commercialism crush out the independence of our people. I hope to see the immigration bill become a law, but whether it passes or not, so long as my people intrust me with their commission I expect to stand here and fight back such propositions as this. In the name of the

farmers and of the laborers in the industries of my district I protest against it. [Applause.]

Mr. HARDY. Mr. Speaker, I want to address a few remarks on this subject.

Mr. BURNETT. I will yield to the gentleman from Texas five minutes.

Mr. HARDY. Mr. Speaker, there has something of a feeling of sadness come to me while listening to this discussion and watching these proceedings that have been going on here to-day. I could not help but think when I heard the discussion about illiterates being admitted if they came here, solely to escape religious persecution, and the insistence on retaining the word "solely," of the time when our Pilgrim fathers landed on the New England coast these many hundred years ago. I thought that if they had been asked if they were escaping from religious persecution they would have said yes, but if they had been asked whether in their hearts they were not hoping for a brighter future, and whether dreams of a happier day temporally might not have entered their fancy when they left the Old World, they would have said yes to that also. They would not have said that they came here "solely" on account of religious persecution. But they did wish to worship God under their own vine and fig tree, and for that, among other reasons, they sought this happy shore of ours. [Applause.]

That is not all. As I listened here it seemed to me that poverty and rags has become a criminal again in this free land, as it often has been in other lands. I believe, Mr. Speaker, if a man can not read or write, if he is unable to do so, and yet is sound in mind and body, it is not because he is a criminal, but because he is poor and oppressed. The time was when we gloried in the fact that this was, and was to be, the land of refuge for the oppressed of the ages.

I have listened now for a long time to these good men all around me and heard their views, for this discussion has been going on for months, and I think of the day some 2,000 years ago when another group gathered at the foot of the cross and there was an expression then from Him who hung aloft, "Father, forgive them, for they know not what they do."

I have a feeling of sadness when I hear good men anxious to exclude the suffering and the oppressed from the Old World because they are poor, and especially to exclude those who, in the throes of war, are despoiled and suffering now and who may seek our land for the hope of a little of the sunshine we have so long enjoyed, inherited from our fathers. [Applause.]

My friends, it does seem to me that the whole theory of this legislation is wrong. It is not according to the spirit that moved our fathers. It is contrary to the noblest and truest instincts of the human heart, which reaches down to help the lowly instead of pressing him deeper under the turgid waves. That is what we are doing; that is what this legislation means; and for one, I am against it and against all kindred legislation. It does seem to me that the old spirit of Know-nothingism has not only awakened, but has taken new life in this happy day of ours. [Applause.]

Why, the Master said, as the chief sign of his divinity, "Go tell them that the poor have the gospel preached to them," but we a Christian people deny to the poor bread and sunshine. It has been said here that we would keep this land for our children to fill, but that is not so, because by this law itself we throw it open to the educated, the well to do, those who need no help. Only the illiterate, the poor, we deny. They may be the sons of those who died on Poland's plains for freedom. What matters that? They are ragged, they are illiterate, they are poor! Their fathers may have held the pass at Thermopylæ or fought at Marathon or kept back the yellow hordes in the Middle Ages, and saved Europe and our fathers then. What matters that? They are poor now. When the Pharisee was asked, "Why, what evil hath He done?" he answered, "He hath blasphemed," and perhaps he believed his charge; but we, when we are asked "What evil hath he done?" are dumb. He is ragged, he is illiterate, and we crucify him on the tree of poverty.

> Through tattered clothes great vices do appear;
> Robes and furr'd gowns hide all, plate sin with gold,
> And the strong lance of justice hurtless breaks;
> Arm it in rags, a pigmy's straw does pierce it.

Why should America deny Europe? Europe gave us all—all this fair land. Their wandering over unknown seas, their toil, their daring, their blood gave it to us; gave it to our fathers when they were ragged, illiterate, oppressed, persecuted, poor. Now we have grown strong and proud and rich and we say to these later sons of Europe, "You are poor, you shall not come, you shall not share our blessings."

> Lord, God of hosts, be with us yet,
> Lest we forget—lest we forget.
> * * * *
> Judge of the nations, spare us yet,
> Lest we forget—lest we forget.
> * * * *
> For frantic boast and foolish word,
> Thy mercy on Thy people, Lord.

Mr. BARTHOLDT. Mr. Speaker, I ask for three minutes in which to address the House on this question.

Mr. BURNETT. Mr. Speaker, I will yield to the gentleman from Missouri three minutes.

Mr. BARTHOLDT. Mr. Speaker, for the reasons so eloquently stated by the gentleman from Texas [Mr. HARDY] I have always opposed the literacy test, and I am opposed to it now. If I had my way, I would extend the exemption provided for the Belgians in this bill to all the laboring men in Europe if they desired to come to this country of ours.

Mr. HARDY. If the gentleman will yield, I want to say that that was my purpose, too.

Mr. BARTHOLDT. Mr. Speaker, I desire to call the attention of the gentlemen who will probably have this matter in hand when the bill goes to conference to one fact, that if there is any class of laboring men in Belgium who are needed at home and who will be needed for the future, it is the agricultural laborer, for the purpose of tilling the soil and raising the breadstuffs necessary to support that starving population which is now being supported partly by Germany, although under international laws she is not required to do so, and partly by the United States; but if you want to make an exemption, I should say you ought to include the people of Galicia and the people of east Prussia, countries which have been devastated by the Cossack much more than Belgium has been devastated, and if we are to base legislation upon sentiment, let us do it in a practical way and include all those who are entitled to American sentiment in the present emergency. [Applause.]

Mr. BURNETT. Mr. Speaker, I yield to the gentleman from Illinois [Mr. BUCHANAN].

Mr. BUCHANAN of Illinois. Mr. Speaker, when I see gentlemen here who I know are educated, experienced, and sincere spending their time and efforts making speeches for the poor foreign working people, I sometimes wonder how it is possible for them to stand by and have nothing to say in behalf of the poor, downtrodden, foreign-born working people of this country, who, after having come here, are now being exploited and robbed by the greedy system. A part of that same foreign element of whom they speak is to-day on strike in Colorado, Ohio, Michigan, and other places, trying to protect themselves from those vicious corporations and financial pirates who, through their far-reaching methods of fraud and deception, have induced these people to come here, and are now forcing upon them a yoke of industrial slavery such as never before has been experienced in this American country.

Why is it that men plead with such apparent sincerity of purpose for the poor, ignorant people of the foreign countries, yet fail to raise their voices to secure protection for them in this country from the industrial combinations that are exploiting them and forcing them to work under conditions that are almost unbearable?

I suppose many are seeking publicity in the press by contributing to the Belgians and raising their voices to attract sympathy there, but it is very difficult to secure sympathy and assistance from these same people for those who are being exploited by the Rockefeller system in Colorado and other places. Mr. Speaker, such a position is ridiculous to me, and tends to make one lose confidence in the sincerity of purpose of such efforts. If sincere, their thoughts and sympathies float over the seas and can not be attracted here. God knows the condition of the working people in many parts of this country need the best thought and efforts of the best men we have to secure an equitable adjustment of them. To come to the right conclusion on any question of this importance we must take into consideration existing conditions, and conditions here now are such that to admit large numbers of poor, ignorant foreign working people is only adding to the number of industrial slaves and making it more difficult to secure just conditions for our wageworkers. Let us exercise our influence to protect those foreign American workmen who are now here against the vicious Rockefeller system of exploitation of the workers that seems to be running rampant throughout the country. [Applause.]

Mr. Speaker, I am in favor of this bill because I believe that these poor, ignorant immigrants are being influenced to come to this country in large numbers to be exploited by the steamship companies and large industrial corporations, to cut down the price of labor, and lower the standard of living of the workmen of our country. I believe that many of those who oppose this legislation are sincere in their efforts in regard to the matter, but in regard to this question I think they are laboring

under a delusion. They have said, for instance, that the great labor movement does not understand this question and is laboring under a delusion, because it is making an effort to protect the working people of the country from the hordes of foreigners coming here to drive the American workmen and the foreign workmen who came here before them out of employment. It has also been stated by gentlemen here that the representatives of the labor unions of the country do not reflect the will of the rank and file of the wageworkers or the majority of the membership of their unions. If they did not act in accordance with the will of the majority of their unions, they would not be selected as their representatives.

The action of the United Mine Workers of America in their convention at Indianapolis, Ind., was voted by delegates fresh from the mines, and who represented practically all of the mining districts throughout the United States. There were represented in that convention approximately 415,000 miners, which trade probably has a larger percentage of foreign-born workmen than any other. Will anyone say that the delegates to this convention did not reflect the will of the majority of their unions in passing a resolution in opposition to immigration? No one believes that they acted contrary to the will of the majority of the mine workers of the country or with any spirit of bad feeling or ill will toward the foreigners. Those who are working at their trades, associating with their fellow workers in the industrial grind, so to speak, know better what is best for their own interests than do those who are practicing law, and it is an error on the part of any gentleman to say that their environments are such that they do not understand questions directly concerning the wage earners.

Mr. John Mitchell, who was president of the United Mine Workers of America for a number of years, a man who has the confidence of the mine workers of the country and who has given this question much study and thought, in an article entitled "Protect the Workman," appearing in the Federationist of October, 1909, has the following to say on the subject:

"Certain steamship companies are bringing to this port many immigrants whose funds are manifestly inadequate for their proper support until such time as they are likely to obtain profitable employment. Such action is improper and must cease. In the absence of a statutory provision, no hard and fast rule can be laid down as to the amount of money an immigrant must bring with him, but in most cases it will be unsafe for immigrants to arrive with less than $25 besides railroad ticket to destination, while in many cases they should have more. They must, in addition, of course, satisfy the authorities that they will not become charges upon either public or private charity."

No official bulletin upon the subject of immigration has attracted more attention or caused more discussion than that issued under date of June 28, 1909, by the commissioner of immigration at the port of New York, from which the above excerpt is taken. It is both interesting and significant to observe the expressions of approval and disapproval of the principle laid down by Commissioner Williams for the guidance of prospective immigrants and the steamship companies through whose instrumentality large numbers of aliens are induced to leave the countries of their nativity and seek temporary or permanent homes upon our shores.

While this article is written from the standpoint of a wage earner, the subject is approached from the viewpoint of an American, because fundamentally no governmental policy can be of permanent value to the wage earners as such that is not beneficial to our country and all our people; and it is because a high standard of living and a progressive improvement in the conditions of life and labor among workingmen are essential to the prosperity of the whole people that the wage earners believe in a reasonable and effective regulation of immigration.

The commissioner of the port of New York, in serving timely notice upon steamship companies and indirectly upon the people of the Old World that "in most cases it will be unsafe for immigrants to arrive with less than $25, besides railroad ticket to destination," has laid down a rule that, if followed, will not only afford some measure of protection to American labor, but will also protect the poor and oppressed of other countries by deterring them from coming here without adequate means to enable them to maintain themselves until such time as they can secure employment at a rate of wages comparable to the standard prevailing in the trade in which they seek work. When it becomes known in the countries of Europe that it is necessary for an immigrant to have in his possession a sufficient amount of money to pay his own way to the interior of the United States and to live until he can secure work at the prevailing rate of wages, only such immigrants will seek admission as are of the better class, and the danger of lowering the American standard of living will be materially reduced. It goes without saying that it is no advantage to society when an alien gains admission to our country and is forced by his necessities to accept employment at a rate of wages lower than the established or prevailing rate in the class of work he undertakes to do. And it is a real hardship to the American workman and a loss to society if the newly arrived immigrant underbids him and secures the job held by one of our own citizens.

The standard of wages for both skilled and unskilled labor in the United States has been built up as a result of years and years of energetic effort, struggle, and sacrifice. When an immigrant without resources is compelled to accept work at less than the established wage rate, he not only displaces a man working at the higher rate, but his action threatens to destroy the whole schedule of wages in the industry in which he secures employment, because it not infrequently occurs that an employer will attempt to regulate wages on the basis of the lowest rate paid to any of the men in his employ. Any reduction in wages means a lowering of the standard of living, and the standard of living among a civilized people can not be lowered without lowering in the same ratio the physical standard and the intellectual and moral ideals of that people.

Of course, it may be said that this observation is not borne out by the experience and the history of our country. It is admittedly true that our population is largely an immigrant population, and that the standard of living has gradually tended higher; but in considering the influence and effects of stimulated immigration it is necessary to contrast conditions now with conditions prevailing in the past, and also to keep in mind the change that has taken place in the extent and the character of the immigration.

If the number of aliens coming annually to the United States were no greater now than in any year between 1820 and 1880, there would be, and could be, no reasonable ground for complaint; indeed, there would be little demand from wage earners for the enactment of laws restricting immigration if the number of aliens arriving did not exceed the number admitted in any year up to 1900, provided, of course, that such aliens were not brought here as contract laborers or were not physically, mentally, or morally defective.

That immigration in recent years has been stimulated beyond the line of assimilative possibility will be apparent even to the casual observer when the volume of immigration at the present time and in the recent past is compared with the number of immigrants who arrived here during the first 80 years for which statistics have been tabulated. For illustration, more aliens were admitted through our ports in one year, 1907, than were admitted during the entire 24 years from 1820 to 1843, inclusive; and nearly as many aliens were admitted in the five years from 1904 to 1908, inclusive, as were admitted during the 40 years from 1820 to 1859, inclusive.

It is important to an intelligent understanding of this subject that at this point consideration be given not only to the extent of present immigration as compared with the immigration of early times, but also to the character and intention of many aliens who in recent years have gained admission to our country. It is safe to say that prior to 1880 nearly every immigrant, except contract laborers, left his own country for the purpose of making a permanent home for himself and his posterity in the country of his adoption. The immigrant of those days was a sturdy adventurous pioneer, who was willing to undertake and withstand the struggles and the hardships incident to the development of a new and ofttimes dangerous country. He expected to carve out a career for himself, to build his home, and to find employment on ground and in fields upon which no other man had claim. The avenues and the opportunities of employment and home building of early times have largely passed away. To-day the alien has not the chance, even though he have the inclination, to be a constructive factor in the development of a new and high civilization. Large numbers of the immigrants of recent years regard our country simply as a foraging ground in which they expect to make a "stake," and when they have done so to return to their own countries and spend the remainder of their lives there; and this "stake" is too often accumulated by eating and living in a manner destructive of physical and social health. An immigration of this character is of absolutely no benefit to us. The alien who enjoys the advantages and protection of our Government and afterwards takes or sends his accumulated savings back to the country of his birth is not unlike our butterflies of fashion whose parents invest American millions in the purchase of foreign titles.

That the question of immigration presents a real problem which is rapidly approaching a crisis is evidenced by many circumstances all of which point in the same direction—not the least of these being the act of Congress creating a commission to make an exhaustive investigation into the effects of immigration upon our national life. From public and private institutions of charity comes the ominous warning that the means at hand are insufficient to relieve the cry of distress; the bread line, that standing indictment against society which has been duplicated in other cities and in other sections of the city of New York, proclaims louder than words that something is radically wrong. Trade-unions, ever jealous of their prestige and of the dignity and self-respect of their members, have given out millions of dollars to buy bread for those of their number who can not find work to do. And all this time, during which able-bodied men anxious and willing to work are tramping the streets and the highways in idleness, hundreds of thousands of immigrants are pouring in upon us—some to make the struggle of the American worker more difficult to bear, and others to be recruited into that army of unemployed which threatens to become a permanent institution of our national life.

It is not sufficient to say that these are abnormal conditions, the result of a temporary industrial depression, or that the evils will vanish with the return of "good times." While there can be no doubt that a revival of industrial activity will relieve, in a measure, the strain of the situation, and perhaps the cry of want and the mutterings of discontent will be less frequently heard, nevertheless a cure will not be effected and the problem will remain unsolved. The world does not owe a living to an able-bodied man, but society does owe its workmen an opportunity to earn a living under fair and reasonable conditions. The first duty of a community is to give its own members the opportunity of being employed at decent wages; then, and not until then, its arms should be held wide open to welcome the less favored of every nation and of every clime.

The American wage earner, be he native or immigrant, entertains no prejudice against his fellow from other lands; but as self-preservation is the first law of nature our workmen believe and contend that their labor should be protected against the competition of an induced immigration comprised largely of men whose standards and ideals are lower than our own. The demand for the exclusion of Asiatics, especially the Chinese and the Hindus, is based solely upon the fact that as a race their standard of living is extremely low and their assimilation by Americans impossible. The American wage earner is not an advocate of the principle of indiscriminate exclusion which finds favor in some quarters, and he is not likely to become an advocate of such a policy unless he is driven to this extreme as a matter of self-preservation. He fails, however, to see the consistency of a legislative protective policy which does not, at the same time that it protects industry, give equal protection to American labor. If the products of our mills and factories are to be protected by a tariff on articles manufactured abroad, then, by the same token, labor should be protected against an unreasonable competition from a stimulated and excessive immigration.

And it is highly important to the peace and harmony of our population, whether it be native or alien, that discrimination against Americans shall not be permitted. Every good citizen will view with regret and foreboding the publication of advertisements, such as the following, which appeared in the Pittsburgh papers a few days ago:

"Men wanted. Tinners, catchers, and helpers, to work in open shops. Syrians Poles, and Roumanians preferred. Steady employment and good wages to men willing to work. Fare paid and no fees charged."

The suggestion that American labor is not wanted is likely to arouse a sentiment of hostility against the foreign workers whose labor is preferred by the companies responsible for advertisements of this character. Nothing but evil can come from discord and racial antagonism.

At the same time that the American workman recognizes the necessity of reasonable restriction upon the admission of future immigrants he realizes that his own welfare depends upon being able to work and to live in harmony and fellowship with those who have been admitted and are now a part of our industrial and social life.

There is perhaps no group in America so free from racial or religious prejudice as the workingmen. It is a matter of indifference to them whether an immigrant comes from Great Britain, Italy, or Russia; whether he be black, white, or yellow; whether he be Christian, Mohammedan, or Jew. The chief consideration is that wherever he comes from he shall be endowed with the capacity and imbued with the determination to improve his own status in life, and equally determined to preserve and promote the standard of life of the people among whom he expects to live. The wage earners, as a whole, have no sympathy with that narrow spirit which would make a slogan of the cry, "America for the Americans"; on the contrary, we recognize the immigrant as our fellow worker; we believe that he has within him the elements of good citizenship, and that, given half a chance, he will make a good American; but a million aliens can not be absorbed and converted into Americans each year; neither can profitable employment be found for a million newcomers each year in addition to the natural increase in our own population.

That there is an inseparable relation between unemployment and immigration is demonstrated by the statistics which are available upon the subject. There are, of course, no complete data showing the extent and effects of unemployment, but from the records of 27 national and international trade-unions it is found that during the year 1908 from 10 to 70 per cent of the members of various trades were in enforced idleness for a period of one month or more. These 27 unions are selected from the highly skilled trades, in which organization is most thorough and systematic. Their records show that an average of 32 per cent of the total membership was unemployed. If this ratio applied to other organizations, it would indicate that approximately 1,000,000 organized workmen were without employment during the past year. Assuming that unemployment affected the unskilled and unorganized wage earners in the same proportion, it would mean that 2,500,000 wage earners were unemployed; and while there has been a marked improvement in industrial conditions during the past few months, it will not be contended that unemployment is not still a serious problem and the cause of great and general suffering. Indeed, it is perfectly safe to say that the unskilled and unorganized workmen suffered more from unemployment, both as to the proportion who were so unemployed and in actual physical and mental distress, because the organized workman, in most instances, had built up in normal times a fund upon which he could draw to tide him over his emergency; whereas the unskilled and unorganized workmen—many of whom are recently arrived immigrants—were forced to depend upon charity or upon the munificence of their friends to carry them over the industrial crisis.

In connection with this subject, a significant feature of our immigration problem presents itself. Of the 113,038 aliens admitted in March, 1909, which figures are typical of all other periods in recent years, only 10,224 were skilled workmen, while 77,058 were unskilled laborers; the remaining 25,756 being women and children, professional men, and others having no definite occupation. In other words, these figures show that less than 10 per cent of the aliens admitted in the month of March were equipped and trained to follow a given line of employment, whereas 77,058 were thrust upon us; in most cases so situated that they would be compelled to accept the first job, and at any wages, offered to them. It is true that many thousands of these laborers are classed as "farm hands," but it requires no exhaustive inquiry to discover that a farm hand from continental Europe rarely seeks employment as a farm laborer in America. Farming in Europe and farming in America are two separate and distinct propositions; in this country farming is done with modern machinery, in continental Europe the work is done by hand, and the European farm laborer is little better equipped to operate the machinery on an American farm than is a section hand to drive a locomotive. The facts are that the immigrant who was a farm laborer in his own country seeks employment in America in the unskilled trades. He becomes a mill hand, a factory worker, an excavator, a section hand, and in large numbers become mine workers. It is only necessary to visit the mining districts of the Eastern and Central Western States, the mill towns, and the centers of the textile industry to find these erstwhile European farm laborers. They have been colonized, and because of the large numbers who are congregated together the opportunity for or the possibility of their assimilation is greatly minimized. The temptation to establish and perpetuate the customs and standards of their own countries, instead of adopting the standards of our country, is so great that if the system of colonization continues it will take several generations to amalgamate these races and blend them into an American people. This condition is not best for them; neither is it good for us; it is simply the result of an unregulated immigration and an unwise distribution of aliens.

While wage earners will undoubtedly indorse the principle laid down by the Commissioner of Immigration at the port of New York, the enforcement of that policy should not be discretionary with him. If we are going to regulate immigration at all, we should prescribe by law definite conditions, the application of which would result in securing only those immigrants whose standards and ideals compare favorably with our own. To that end wage earners believe—

1. That, in addition to the restrictions imposed by the laws at present in force, the head tax of $4 now collected should be increased to $10.

2. That each immigrant, unless he be a political refugee, should bring with him not less than $25, in addition to the amount required to pay transportation to the point where he expects to find employment.

3. That immigrants between the ages of 14 and 50 years should be able to read a section of the Constitution of the United States, either in our language, in their own language, or in the language of the country from which they come.

While the writer holds no commission that gives him authority to speak in the name of the American wage earners, he believes that he interprets correctly in this article their general sentiment upon the subject of immigration.

Some gentlemen, drawing strongly upon their imaginations, compare those who favor this legislation with the Chinese who threaten to kill foreigners in their country. I desire to say to them that the strongest forces opposing this legislation desire to have these poor, ignorant foreigners come here that they may exploit them for profit by working them under conditions which should bring the blush of shame to the faces of all public-spirited citizens. Not only do they want them because they will work cheaper but because it is cheaper to cripple and maim them than it is an American or an Americanized workman.

Those who are opposing this bill have admitted that a large percentage of the foreigners are being induced to come to this country by the steamship companies, the great railway companies, and the large employers of labor, who find profit in the business. Thousands of immigration agents are employed by these large concerns and industries, and operate in the countries of southern and eastern Europe and western Asia, and are largely instrumental in causing a large part of the immigration which comes to our shores. The Immigration Commission, in its report and speaking of the causes of immigration to the United States, uses this language:

A large number of immigrants are induced to come by quasi labor agents in this country, who combine the business of supplying laborers to large employers and contractors with the so-called immigrant banking business and the selling of steamship tickets. * * * Another important agency in promoting immigration from Europe to the United States is the many thousands of steamship ticket agents and subagents operating in the immigrant-furnishing districts of southern and eastern Europe. Under the terms of the United States immigration law, as well as the laws of most European countries, the promotion of immigration is forbidden, but nevertheless the steamship-agency propaganda flourishes everywhere.

The commissioner general, in his annual report for June 30, 1911, speaks as follows:

Much of the immigration which we now receive is artificial, in that it is induced or stimulated and encouraged by persons and corporations whose principal interest is to increase the steerage-passenger business of their lines, to introduce into the United States an overabundant and therefore cheap supply of common labor, or to exploit the poor, ignorant immigrant to their own advantage by loaning them money at a usurious rate.

The transportation companies, the mining companies, the steel company, the packing houses, and other large corporations are opposed to this legislation, because they want cheap labor. They are opposed to the literacy test, because they want ignorant labor. They want to get the people that are uneducated, because they are more easily controlled and are more helpless under their process of exploitation. Labor organizations have found this to be true, that the industries here want cheap labor, and that they go to Europe to get it. They went into all the countries where it could be found and brought it over here and used it to beat down existing conditions, particularly in the Steel Trust. Where years ago their employees were composed of English-speaking people, to-day over 90 per cent of the employees of the Steel Trust are foreigners.

It is not a fair comparison to compare the immigrants of to-day with our forefathers, who came here years ago, because conditions are vastly different. Nothing is more significant in the history of immigration to America than the change in the character of the stream of humanity coming to our shores. The old immigration differed from the new in many essentials. The chief motive of the old immigrant in coming to America was to escape religious and political persecution, to acquire homes here, and establish their posterity upon the land. The old immigration in the main represented a sturdy, intelligent, lofty-minded, and high-spirited citizenship, who would not submit to the tyranny of their native countries, and therefore fled here and cast their lives and fortunes with us. They entered almost every line of activity, many of them going on the farms, and were quickly assimilated. The new immigration, on the other hand, is actuated by no such ideals and inspired by no such motives as those which inspired the old. The bulk of the new immigrants have not sought homes here, have not assimilated well, if at all, with our people and institutions, but the tendency has been to settle in colonies in the industrial centers of our country, separate and apart from American citizens, and virtually establish, while here, foreign customs and conditions on American soil. The reasons for the new immigrant coming here are largely economic. Being induced by the highly colored pictures of prosperity in this country, as portrayed by the agents of the big business interests at work in all parts of Europe, they have sought to take advantage of the high-priced wage in this country, to make a competence, and then return to their former homes. The old immigration, as I have said, sought homes in America; the new seeks jobs; the old expected to remain, but the new expect to return.

One of the most pitiful things about the present-day immigrant is that he usually comes from the village, where he worked on the farm and in the vineyard, and upon landing in a big city in this country he is immediately beset by those who would exploit him. He is hurried off to some industrial center and is obliged to live in places scarcely fit for human habitation. The work he finds is usually filthy or dangerous, and the annual toll taken from these poor immigrants is appalling.

Organized labor desires this legislation to protect the foreigner who is being brought here under these conditions, as well as protect those who have come here before them. Surely you can not charge the mine workers' organization, that represents such a large number of foreigners, with being unfriendly to the foreigner. The workers, foreign born as well as American, have come to realize that the industrial condition of the country demands a restriction of immigration, and they have voiced their approval of this bill through their local and international unions by passing resolutions such as I have mentioned. It is also to prevent conditions such as have existed and do exist at the present time in Colorado and Michigan that this law is desired. In the strikes that have been going on in these States the corporations are using foreigners fresh from the old country to take the places of foreigners who have been here for a number of years, but who are now endeavoring to free themselves from the shackles of industrial slavery by organization. If this legislation had become a law last Congress it is very probable that they would not have been able to get a ready supply of these foreigners, and a great deal of this trouble might have been avoided.

I consider the solution of the immigration question one of the most difficult problems confronting Congress to-day, and one that is worthy of the best efforts of the best men of the country. I do not want to restrict immigration because I dislike the foreigner. I have given the best years of my life trying to uplift the wage workers of all nationalities. I believe that those who have studied this question ought to know best what is needed, either through giving it special attention and study or through their association with other organizations, and thereby know what it means to have a steady flow of immigration to this country. The Immigration Commission spent four years studying this question and have made an exhaustive report of 41 volumes. They ought to know something about what immigration legislation is needed for the best interest of the people of this country and have made several recommendations, which are now embodied in this bill, one of which is the literacy test. This provision, which is a very moderate one, provides that immigrants over 16 years of age shall be able to read 40 words in their own or any other language. At this age, when educational facilities are so great in all countries, this certainly is no unreasonable requirement; and if this measure becomes a law, when our foreign Americans become familiar with it, there will be little, if any, complaint in regard to its effect. In fact, I am certain that the great majority of the working people in this country will approve of it. I believe that this bill will adjust the immigration question as equitably as possible under present conditions and that its enactment into law will prove of great benefit to the progress and prosperity of the country.

Mr. SUMNERS. Mr. Speaker, it has been suggested, and properly so, that this amendment violates the spirit of neutrality in so far as our relations with the belligerent countries are concerned; and I want to call the attention of the House to the fact that it also violates the spirit of neutrality in so far as the obligation of this Congress to the various vocations of the American Nation are concerned. You propose to waive the illiteracy test, the provisions of the contract-labor law, to let down the bars, and send to Europe men who have colonization schemes to bring emigrants from Belgium to compete with the American farmer, and with him alone, and you know it; and you get up here in the House and talk about your love for old Rube back there when you want his vote. We hear much about wanting people from the cities to go to the country—back to the country. Do you not know that in all of the ages of the world men have moved under the operations of an irresistible economic law toward the centers of greatest opportunity and that that law will continue to control until the end of time? If you want the men from the city to go back to the country, make it possible for the men in the city to go to the country and earn more money there than they can in the city; and when you make that possible you will make it impossible to keep your cities congested and your farms idle and vacant. I say to you that the time has come when this country must cease to think in terms of the great industries. The time has come when we must recognize that that nation is stronger, other things being equal, the largest proportion of whose people pursue the productive vocations of the country. The time has come in this country when we must recognize that in the great crises of the ages, when civilizations have been put to the supreme test, it has been the conservative strength of the country that has held us true to our best ideals.

If that is so, then I ask the question, and I submit it to the judgment of this House, Why do you propose to drive the American farmer from his farm by bringing aliens from the war-stricken area? Why do you propose to do it? You will have to face this vote, which is a bid for competition only against the American farmer, and you ought to have to face it when you go back to your constituents. I know where this thing came from. It did not come from the men who want to bring those poor Belgians here and give to them the blessings of American liberty, but it came from the sources that want to bring these poor people here to work for us. That is the truth about it, and every man on this floor knows it. They want to bring them here so that they can beat down the American farmer, and go out and buy up cheap land and sell it for far more money than they could otherwise get for it. Shall we forget that the greatest heritage one generation can leave to another is the ability to procure a cheap home? In our greed and mad haste we bid for the population of every corner of the earth to come here and take our lands from the sons and the daughters of the poor people who hope to see the day when their boys and girls can live in a home of their own. [Applause.]

I hope, gentlemen, that we will recognize two things when we come to vote here. There are two things involved here, and I challenge any man to deny it: Neutrality as between the belligerent nations, and the proposition of neutrality as on the part of this Government between the great vocations of the American Republic. Who on this floor can deny that?

Mr. YOUNG of North Dakota. Mr. Speaker, will the gentleman yield?

Mr. SUMNERS. Yes.

Mr. YOUNG of North Dakota. Does the gentleman know of any farmer in the United States who has objected to any of these Belgians coming here?

Mr. SUMNERS. Oh, no; I do not know; the farmer trusts the American Congress to give him a square deal, and it is up to us to do it.

Mr. YOUNG of North Dakota. Is the gentleman sure the gentleman is speaking in the interest of the American farmer now?

Mr. SUMNERS. Of course I know it. Do you believe for a moment that you can bring immigrants here and put them on farms without coming in competition with the American farmer?

The SPEAKER. The time of the gentleman has expired.

Mr. BURNETT. Mr. Speaker, I yield three minutes to the gentleman from Missouri [Mr. BORLAND].

Mr. BORLAND. Mr. Speaker, if this provision goes back to conference by a disagreement, as it seems inevitably it will, I trust there is one portion of the Senate amendment that the conferees on the part of the House will insist upon, and that is to retain the language of the House in which it says:

Provided further, That nothing in this act shall exclude the wife or minor children of a citizen of the United States.

It does seem to me if even this illiteracy test does keep out undesirables—and I do not believe it does; I believe every criminal and every scoundrel and white slaver can pass the illiteracy test—but if it does keep out undesirables, those are certainly not the wife and minor children of a citizen of the United States. When we have allowed a man to walk up before a court of justice in this country, raise his hand, and swear to support the Constitution of the United States, he makes this country his home and this flag his flag, and his wife and his children are under the same flag whether they can read or write or not. I can not see any justice in having a man keep a family in Europe perpetually excluded from coming into this country because of some literacy test which we have to keep out a certain number of undesirables. He has the right, if he is an American citizen, to bring in his wife and family, and I can not see any reason why those should be excluded, and I trust our conferees, when they come to this item, will not agree to the Senate amendment and exclude that language. [Cries of "Vote!"]

The SPEAKER. The question is on the motion of the gentleman from Indiana [Mr. CULLOP].

Mr. YOUNG of North Dakota. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. YOUNG of North Dakota. I would like to get recognition for a few minutes.

The SPEAKER. The gentleman from Alabama has control of the time.

Mr. BURNETT. I will yield three minutes to the gentleman, then, and give notice after that I shall move the previous question.

Mr. YOUNG of North Dakota. Mr. Speaker, the gentleman who spoke a few minutes ago [Mr. SUMNERS] suggested that the farmers ought to be placed on a par with those who live in the cities, and on this very question of farm labor I want to call his attention to the fact that the bill as it now reads pro-

vides "that the provisions of this law applicable to contract labor shall not be held to exclude—among others—persons employed strictly as personal or domestic servants," and I would like to ask him and all the gentlemen of this House whether it is fair to permit people who live in the cities to import butlers and servants without regard to the contract-labor provisions of this law and deny the same privilege to farmers to obtain help on their farms?

Mr. CRAMTON. Will the gentleman yield?

Mr. YOUNG of North Dakota. I do.

Mr. CRAMTON. Is it not a fact that the farmers in large sections of the country have only been able to build up such industries as the sugar-beet industry by reason of Belgian and similar labor?

Mr. YOUNG of North Dakota. I would not be surprised if that were the case.

Mr. CRAMTON. Such at least has been the case in Michigan.

Mr. BUCHANAN of Illinois. Will the gentleman yield?

Mr. YOUNG of North Dakota. Certainly.

Mr. BUCHANAN of Illinois. Does not the gentleman know the farmers' organizations have indorsed this bill and are in favor of it?

Mr. YOUNG of North Dakota. That provision was not in the bill at the time they recommended it, and I want to call attention to the fact——

Mr. SABATH. Those are not real farmers; those are professional farmers.

Mr. YOUNG of North Dakota (continuing). That under the present law and under the present operation of the law only two immigrants out of every hundred that enter the ports of the United States reach the farms, whereas the farmers constitute one-third of the population; or, in other words, 2 per cent of the immigration, whereas the farmers constitute 33 per cent of the population of the country.

When the immigration bill was under discussion last February I proposed an amendment which would operate as to all foreign countries alike and which would not be giving any unfair advantage to the farmers, for the reason, as I have stated, that they are now not getting their fair share of the immigration. The amendment proposed by me at that time added to the classes which might be solicited to come or given assistance to come to this country, subject, of course, to all other provisions of the immigration law:

Farm laborers if employed in good faith by farmers.

At the time of offering this amendment I called attention to the predicament of one of our farmers who had been arrested because he had employed some laborers at a neighboring town, which happened to be on the Canadian side. He would be languishing in prison now had it not been for the humane action of Judge Amidon, a jurist of great learning, culture, experience, and wisdom.

I call your attention specially to the fact that our farmers are now in direct competition with the farmers of Canada and other countries. The Canadian farmers are permitted by law to solicit farm laborers in other countries and pay for their transportation to Canada, and in that way employ strong young men, who become the very best kind of help on the farm, who are anxious to work there, and who will remain by the year if desired. My contention is, Mr. Speaker, that our farmers, having been placed in direct competition with the farmers of other countries, should have the same privilege to employ labor as Canadian farmers or the farmers of other countries. And I contend also that it is unfair discrimination to permit the residents of cities to bring in without any restraint butlers and servants and deny to the farmers the privilege of bringing in farm helpers.

This proposed amendment respecting the admission of Belgians does not go as far as I would have it. It should include all the countries, but as my good German friend, the distinguished Representative from Missouri [Mr. BARTHOLDT] is favorable to the amendment in its present form, and as it seems to be the best attainable at this time, I shall vote in favor of it. [Applause.]

Mr. Speaker, I desire to have printed in the RECORD two clippings from newspapers. The Washington Post said in a recent editorial:

FINDING MORE FARM LABOR.

Congress might consider with advantage the liberalization of the immigration laws so far as agricultural laborers are concerned, and thus facilitate the entry of able-bodied Belgians and other refugees from Europe, who sooner or later are likely to be forced to emigrate.

The Burnett bill amending the immigration laws has passed the House and is pending in the Senate. It may not be reached at the forthcoming short session, but if it should be taken up it is presumed that an effort will be made to admit agricultural laborers more freely, under such safeguards as to prevent violations of the contract-labor law.

When the bill was under discussion in the House Mr. YOUNG of North Dakota offered an amendment including agricultural laborers in the class exempt from the operation of the contract-labor law.

Canadian farmers are able to send to the old country and obtain help. American farmers can not do so. If the law could be so framed as to permit of the immigration of able-bodied agricultural laborers destined for specified places in this country, the labor situation on the farms would be greatly relieved and the country at large would be greatly benefited. There is nothing immoral in assisting an agricultural immigrant to come to this country, if it is made certain that he will go to the farm where he is wanted and will not become a public charge.

Large tracts of vacant land in the United States would eventually be utilized as farms by immigrants if they could first get a start. The Belgian farmers are hard-working, thrifty people, who would be most desirable additions to the rural population of the United States. A statesmanlike amendment of the immigration laws would do the double service of helping the farm-labor situation in this country and aiding worthy immigrants to find a home.

The Greater Iowa Association concludes a statement upon this subject as follows:

God's most precious gifts are not in things but in opportunities, and we look upon this as an opportunity, not only for the Belgians but for Iowa. If other States will do as well, the Belgian problem is solved, and within 10 years Iowa farm land will be selling for $500 an acre instead of $200, as at present. Will you cooperate with us?

Mr. BURNETT. Mr. Speaker, I yield one minute to the gentleman from Missouri [Mr. GILL].

Mr. GILL. Mr. Speaker and gentlemen of this House, I want to say that I am personally acquainted with the characteristics of the Belgians. I am a glassworker myself, having worked at that business for over 35 years. I want to say to you, in opposition to what has been said by the gentleman from Texas concerning the Belgians, that I know the Belgians are not a class of people who will attempt to or will reduce the standard of living or the standard of the American home if they come to this country. They are the artists of the glass industry of this country. They are the people who taught the American people the glass industry. It has been contended that their wage is about one-fourth that of the American. Let me say to you that is not altogether true. They do not make as much money in Belgium as we Americans do here. The Belgians in their country do not make as much money as the glassworkers of America do for this reason, and for this reason only, because the American workman alongside of the Belgian produces about three times as much ware; and the American will go to his grave almost twice as quick as the Belgian.

The SPEAKER. The time of the gentleman has expired.

Mr. BURNETT. Mr. Speaker, I move the previous question on the Cullop amendment.

The question was taken, and the previous question was ordered.

The SPEAKER. The question is on the amendment of the gentleman from Indiana to concur with an amendment.

The question was taken, and the amendment was rejected.

Mr. TOWNER. Mr. Speaker, I desire to make a motion to concur with an amendment.

The SPEAKER. The Clerk will report the amendment.

Mr. BURNETT. Mr. Speaker, I understand there is half an hour left of the hour for discussion.

The SPEAKER. Twenty-six minutes.

Mr. BURNETT. Mr. Speaker, I now move the previous question on the paragraph.

The SPEAKER. The gentleman from Iowa [Mr. TOWNER] has sent up an amendment.

Mr. TOWNER. I would like to have five minutes.

Mr. STAFFORD. Mr. Speaker, I would like to have a few minutes.

Mr. BURNETT. How much time?

Mr. STAFFORD. About four minutes.

The SPEAKER. The Clerk will report the motion of the gentleman.

Mr. COOPER. Mr. Speaker, I am opposed to this Belgian amendment and I would like two minutes.

Mr. BURNETT. The House is clamoring, as you will see, for a vote.

Mr. COOPER. I am opposed to the amendment.

Mr. BURNETT. Would the gentleman like three minutes?

Mr. COOPER. Two or three; yes.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Page 12, line 16, after the word "guests," reinsert the following: "*Provided further*, That nothing in this act shall exclude the wife or minor children of a citizen of the United States"; and also strike out, on page 12, line 21, the words "from Belgium."

And, on page 12, line 26, strike out the word "Belgian."

Mr. TOWNER. Mr. Speaker, just a word by way of explanation of this motion to concur in this amendment. I think there is no one in the House that desires to strike out the language which the Senate struck out and which would exclude the wife

or minor children of a resident of the United States. For that reason I have made the motion to concur, so that the language will be reinserted. I have also, Mr. Speaker, moved to strike out from this amendment of the Senate the words "from Belgium" wherever they occur. There are two reasons that, in my judgment, ought to induce us to adopt this provision as amended, if it is adopted at all. In the first place, as has been so well suggested, if this right or this exception to the rule that is made by the bill is granted only to the Belgian people, it will be a violation not only of the spirit of neutrality but an act that could be considered as unfriendly by any other nation now engaged in this war. More than that, Mr. Speaker, in my judgment, it will be a violation of existing treaties that this country has with foreign powers which contain the most-favored-nation clause.

I am opposed to this bill, and if I were dishonest enough to advocate the insertion of this amendment for the purpose of killing this bill, I am sure it would be effective, for I am quite sure that if the House and Senate both should pass it with such provision in it it would necessarily be vetoed by the President. But I think we ought to act, if we act at all, with regard to this matter as sensible men. Now, if under any circumstances—and I believe under all circumstances—this literacy test should not be applied to the people of foreign countries coming here as an exclusionary test, it certainly should not be applied to agricultural laborers.

The gentleman from Texas [Mr. SUMNERS] said that it would be an injury to the farmers. So far, Mr. Speaker, from that being true, farmers are being driven from their farms to-day, and we have a tenant class being established, because of the fact that the farmers who own their farms and would like to remain upon them and farm them themselves can not hire the necessary labor with which to carry them on. And if any laborer is to come into this country without that exclusionary test, it should be the agricultural laborer. Gentlemen who stand in favor of the unions and who believe that the coming of laboring people injure them—I do not believe it, but there are gentlemen who do believe it—could not certainly under any circumstances object to the application or, rather, the removal of this test from the agricultural laborer, for the reason that they can not under any circumstances belong to unions, and therefore can not injuriously affect any unions. I confess, Mr. Speaker, that I hope this whole matter will go out. I wish we could exclude the literacy test entirely from this bill. I should be glad then to support the bill and to assist in making it what it should be. I agree with those gentlemen who have said that it ought not to be in this bill under any circumstances. And I am in favor of removing it in so far as it is within our power to do so. I believe it is illogical; I believe it is unjust. I believe it will not work any good to any legitimate industry or interest in this country. I believe its only effect will be harmful and finally that we will be guilty of a wrong and an injustice in doing something that is not in accord with the spirit of our free American institutions. [Applause.]

The SPEAKER. The gentleman from Wisconsin [Mr. COOPER] is recognized for three minutes.

Mr. COOPER. Mr. Speaker, I have asked for a moment in which to give my reasons for opposing the proviso beginning on line 18, page 12.

I, of course, assume that this proviso was inserted in the bill by the Senate out of sympathy for the Belgians because their country has been devastated. But Poland and Galicia have been devastated, towns and cities burned, whole territories laid waste. So with a large portion of Servia. We are a neutral Nation. We must not forget our duty to maintain a strict neutrality during the terrific conflict in Europe. And would it be entirely neutral, would it be right for our Government to say, "You Belgians whose homes have been burned can come to the United States; but you Poles, you Servians, you Galicians whose homes have been burned, whose kindred have been slaughtered, you can not come; we welcome only Belgian sufferers; we are neutral in the United States"? [Applause.]

Mr. BURNETT. Mr. Speaker, I yield four minutes to the gentleman from Wisconsin [Mr. STAFFORD].

The SPEAKER. The gentleman from Wisconsin [Mr. STAFFORD] is recognized for four minutes.

Mr. STAFFORD. Mr. Speaker, the amendment under consideration removes all doubt as to neutrality, because it lifts the limitation applicable to Belgium alone and applies it to all who come to these shores, during the European contest, for the purpose of carrying on agricultural pursuits.

I challenge anyone who is in favor of the un-American policy of restrictive legislation based upon an artificial literacy test to show where there is any farmer's organization that is opposed to immigrants coming to these shores to help farmers build up and work their farms. I have some acquaintance with agricultural conditions in this country, particularly in my own State, and I know that the reason why farmers are obliged to forsake their farms and go to the villages and cities to live is that they have not been able to get farm laborers. The whole history of the Northwest proves that it is a lie to say that an ignorant immigrant, if he has the ability and the muscle and the energy to work, is not a worthy immigrant to these shores. Your whole argument is fallacious when you say that a worthy, able-bodied immigrant who comes to these shores and tills the land is a detriment to the country and impoverishes the soil. Labor produces wealth and does not impoverish it. We need these laborers, no matter in what capacity they are employed; but most emphatically do we need these foreign laborers particularly on our farms.

We say by this amendment, "Open the doors; let the American policy continue, at least during this period of European war," so that we shall be able to continue to feed not only Belgium—suffering Belgium—but all the countries that are now at war, which will not be able to recover from this holocaust for 5, 10, 15, or 25 years after the war is over.

Mr. SLAYDEN. Mr. Speaker, will the gentleman yield?

The SPEAKER. Does the gentleman from Wisconsin yield to the gentleman from Texas?

Mr. STAFFORD. Yes; I yield to the gentleman.

Mr. SLAYDEN. Does not the gentleman think the farmers of this country are capable of passing on their own desires?

Mr. STAFFORD. I am stating that there are no farmers in my State who are advocating any such narrow policy which says they do not want labor to cultivate the soil. That is the great crying necessity of farmers in Wisconsin and farmers in the Northwest generally.

Mr. SLAYDEN. The gentleman is not now making the same statement that he made a while ago. He challenged the accuracy of my statement that the farmers wanted to restrict immigration.

Mr. STAFFORD. I say that farmers generally are not in favor of restricting able-bodied immigrants coming to this country, as they will assist them in their farm work and the development of the country.

The SPEAKER. The time of the gentleman from Wisconsin has expired.

Mr. BURNETT. Mr. Speaker, I desire to say that if the Grange and the national farmers' organizations in the North are farmers, then the gentleman's statement is fallacious.

Now I yield two minutes to the gentleman from Illinois [Mr. SABATH].

The SPEAKER. The gentleman from Illinois [Mr. SABATH] is recognized for two minutes.

Mr. SABATH. Mr. Speaker, being opposed to discrimination, I am opposed to these two Senate amendments in one. The first part of the amendment strikes out the House provision, to wit:

Provided further, That nothing in this act shall exclude the wife or minor children of a citizen of the United States—

A provision which I had succeeded, after a great effort, in having incorporated in the bill, and adds in the second part the following provision:

Provided further, That the provisions of this act relating to the illiteracy test or induced or assisted immigration shall not apply to agricultural immigrants from Belgium who come to the United States during the course of the present European war, or within one year after its termination owing to circumstances or conditions arising from the war, if it is shown to the satisfaction of the Commissioner General of Immigration that said Belgian immigrants come with intent to engage in the work of agriculture in the United States and become American citizens.

I agree with the amendment offered by the gentleman from Iowa and, in fact, was contemplating offering it myself. I believe it is a fair amendment and will cure the mistake made by the Senate. If this amendment should be adopted it will make the proviso read as follows:

Provided further, That the provisions of this act relating to the illiteracy test or induced or assisted immigration shall not apply to agricultural immigrants who come to the United States during the course of the present European war, or within one year after its termination owing to circumstances or conditions arising from the war, if it is shown to the satisfaction of the Commissioner General of Immigration that said immigrants come with intent to engage in the work of agriculture in the United States and become American citizens.

Mr. Speaker, why should this provision not be extended to all the people who are suffering, due to the unfortunate war in Europe? Is it the Belgians alone who are suffering? Does not the same apply with equal force to the Polish, the Jewish, the German, the Servian people? Are not their lands devastated and their homes destroyed? In fact, these people are in a more unfortunate position than the Belgian people, who at least are fighting because they believe they are right, because they wished to preserve the honor and integrity of their country. Nearly a million

Polish and Jewish soldiers alone are compelled to take up arms and fight against each other and against their own people merely because they happened to be residents of different countries, allied on different sides of the controversy. You will find Poles in the German Army, the Austrian Army, and you will find them in the Russian Army. Are they fighting for their country? No. They are fighting because they happened to be subjects of different countries, the power-mad rulers of which must fly at each other's throats in an insane attempt to wrest more power, more glory, and more domain. The same applies to the Jews. Are they fighting for their nation? No; they are not. Notwithstanding this, they are fighting for the country in which they live, it matters not how much that country may have discriminated against them. They are fighting under the flag which is supposed to give them protection. They are fighting under the flags of Germany, England, France, Russia, and Austria. Are not they entitled to some compassion? Are not the thousands upon thousands of German people, who were not consulted when war was declared, entitled to some consideration? They are not responsible for this war and the terrible conditions which it has brought about. Are they not entitled to our sympathy? All that applies to them applies to the Servians.

Is it the people of these countries who are responsible, or is it the aristocracy, drunk with power, who have brought about the frightful slaughter? Let us think, let us be reasonable, and do not let us act hastily.

To my mind, it would be manifestly unfair that we should favor the people of one nation to the exclusion of the rest. We should extend to them every possible aid. If you desire to aid the cause of humanity, if you desire to extend a helping hand, then extend it to all. Then, and not until then, will you be able to say that you have done what is right, what is just, and what the dictates of humanity demand.

I hope that everyone who loves fair play will vote for the amendment offered by the gentleman from Iowa. [Applause and cries of "Vote!"]

Mr. BURNETT. Mr. Speaker, I yield one minute to the gentleman from Texas [Mr. SLAYDEN].

Mr. SLAYDEN. Mr. Speaker, I take the floor simply to say to the gentleman from Wisconsin—to my agricultural friend from Wisconsin [Mr. STAFFORD]—that apparently he knows nothing of the sentiment of the farmers. The farmers' associations in that part of the country from which I come are made up of farmers, and even if those associations had not spoken on the subject in a voice that is unmistakable, I know from personal experience and personal contact with farmers in the State of Texas that I voice their sentiments here in my position on this bill, and that the gentleman from Wisconsin is absolutely and radically wrong in what he says about them. [Applause.]

Mr. BURNETT. Mr. Speaker, I move the previous question on the Towner amendment.

The SPEAKER. The gentleman moves the previous question on the Towner amendment.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the Towner amendment.

Mr. MANN. Mr. Speaker, a parliamentary inquiry. Just what is the proposition?

The SPEAKER. The proposition is to put back that clause that was stricken out, about the wives and children of American citizens, and to strike out the word "Belgian."

The question being taken, on a division (demanded by Mr. BURNETT) there were—ayes 77, noes 110.

Accordingly the amendment of Mr. TOWNER was rejected.

Mr. BURNETT. Mr. Speaker, I move to disagree to Senate amendment No. 24, and upon that I move the previous question.

The SPEAKER. The gentleman from Alabama moves to disagree to Senate amendment No. 24, and on that he moves the previous question.

Mr. GALLAGHER. I move to concur in the Senate amendment with an amendment.

Mr. HAY. I demand the regular order.

The SPEAKER. The gentleman will send up his amendment.

Mr. BURNETT. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BURNETT. I have moved the previous question on disagreeing to the Senate amendment. Is any amendment now in order?

The SPEAKER. The gentleman can not cut off a motion of higher privilege.

Mr. MANN. My colleague's motion has priority.

The SPEAKER. The Chair does not know what is in the amendment, and will pass on it when it is read.

Mr. GALLAGHER. I will state it. On page 12, line 21, after the word "Belgium," I move to insert the word "Poland," and in line 26, after the word "Belgian," I move to insert the word "Polish."

The SPEAKER. The word "and" ought to be inserted in each case.

Mr. GALLAGHER. Yes; I include that in my amendment.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Amend, page 12, line 21, by inserting after the word "Belgium", the words "and Poland," and in line 26, after the word "Belgian," insert the words "and Polish."

Mr. BURNETT. Mr. Speaker, I demand the previous question on that amendment and on all amendments to the Senate amendment.

Mr. GALLAGHER. Mr. Speaker, I should like a minute.

The SPEAKER. The gentleman from Alabama moves the previous question on the Gallagher amendment——

Mr. BURNETT. And also on the motion to disagree to the Senate amendment.

The SPEAKER. And also on the motion to disagree to the Senate amendment.

The previous question was ordered.

Mr. MANN. I ask unanimous consent that my colleague [Mr. GALLAGHER] may have——

Mr. GALLAGHER. I want only a minute.

Mr. BURNETT. I agree to that, Mr. Speaker.

The SPEAKER. The gentleman from Illinois asks for one minute. Is there objection?

There was no objection.

Mr. GALLAGHER. Mr. Speaker, I only want to call the attention of the House to the fact that when the Senate adopted the amendment extending the proposed exemption to the Belgians they took into consideration the conditions prevailing in that country. Similar conditions prevail at the present time in Poland, and if this exemption is applied to Belgium, for reasons equally cogent it should be extended to Poland. That is all I want to say, and I ask for a vote on the amendment.

The SPEAKER. The question is on the Gallagher amendment.

The amendment was rejected.

The SPEAKER. The question is on the motion of the gentleman from Alabama to disagree to Senate amendment 24.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment No. 54. Page 30, line 16, after the word "labor," insert "all aliens arriving at ports of the United States shall be examined by two such medical officers."

Mr. BURNETT. Mr. Speaker, I move to disagree to the Senate amendment.

Mr. BROWN of New York. Mr. Speaker, I move to concur in the Senate amendment.

The SPEAKER. The question is on the motion of the gentleman from New York to concur in the Senate amendment.

The question was taken, and the motion was rejected.

The SPEAKER. The Clerk will read amendment 57.

The Clerk read as follows:

Page 31, line 5, after the word "inquiry," insert "all aliens arriving at ports of the United States shall be examined by at least two immigrant inspectors."

Mr. BURNETT. Mr. Speaker, I move to disagree to the Senate amendment, and I yield three minutes to the gentleman from Missouri [Mr. BOOHER].

Mr. BOOHER. Mr. Speaker, this morning I reserved a separate vote on Senate amendments 54 and 57, for the reason that I desired to call the attention of the chairman of the committee to the fact that amendment 57 requires two inspectors, and two medical examiners under amendment 54. Under the law as it now stands one physician makes the examination and one inspector makes the examination. These provisions require two in each place. There is no provision in this bill anywhere to dispose of a disagreement. If, for instance, the two physicians should disagree, there is no way of settling that disagreement. If the two inspectors should disagree in their decision, there is no machinery pointed out in these two sections to settle that dispute. All I desire is to call the attention of the conferees to that fact, so that if the amendments remain in the bill the proper provisions may be put in to take care of any disagreements that may arise.

The SPEAKER. The question is on the motion of the gentleman from Alabama to disagree to the Senate amendment.

The question was taken, and the motion was agreed to.

The SPEAKER. That disposes of all the amendments upon which a separate vote is demanded.

Mr. BURNETT. Mr. Speaker, I move that the House ask for a conference.

The motion was agreed to.

The SPEAKER appointed as conferees on the part of the House Mr. BURNETT, Mr. SABATH, and Mr. GARDNER.

ENROLLED BILL PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. ASHBROOK, from the Committee on Enrolled Bills reported that this day they had presented to the President of the United States, for his approval, the following bill:

H. R. 13698. An act for the relief of Charles A. Coulson.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. GOLDFOGLE, indefinitely, on account of illness.

To Mr. HOUSTON, indefinitely, on account of personal illness.

To Mr. PETERS, for 10 days, on account of illness.

To Mr. GARD, for the day, on account of illness in his family.

HOUR OF MEETING TO-MORROW.

Mr. STEPHENS of Texas. Mr. Speaker, I ask unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock to-morrow morning.

The SPEAKER. The gentleman from Texas asks unanimous consent that when the House adjourns to-day it adjourn to meet to-morrow at 11 o'clock. Is there objection?

There was no objection.

ADJOURNMENT.

Mr. STEPHENS of Texas. Mr. Speaker, owing to the fact that we have been in session for some time to-day, and the lateness of the hour, I think it unwise to proceed with the Indian appropriation bill, and I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 53 minutes p. m.) the House, under its previous order, adjourned until to-morrow, Friday, January 8, 1915, at 11 o'clock a. m.

EXECUTIVE COMMUNICATION.

Under clause 2 of Rule XXIV, a letter from the Secretary of the Treasury, transmitting copy of a communication of the Secretary of the Interior submitting copy of a report upon a proposed plan for the protection of lands and property in the Imperial Valley, Cal., against overflows of the Colorado River (H. Doc. No. 1476), was taken from the Speaker's table, referred to the Committee on Appropriations, and ordered to be printed, with illustrations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. HARDY, from the Committee on the Merchant Marine and Fisheries, to which was referred the bill (S. 2335) to provide for the register and enrollment of vessels built in foreign countries when such vessels have been wrecked on the coasts of the United States or her possessions or adjacent waters and salved by American citizens and repaired in American shipyards, reported the same without amendment, accompanied by a report (No. 1264), which said bill and report were referred to the House Calendar.

Mr. THOMSON of Illinois, from the Committee on the Public Lands, to which was referred the bill (S. 5629) for the relief of certain persons who made entry under the provisions of section 6, act of May 29, 1908, reported the same with amendment, accompanied by a report (No. 1265), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. TAYLOR of Arkansas, from the Committee on the Public Lands, to which was referred the bill (H. R. 17842) for the relief of George Richardson, reported the same without amendment, accompanied by a report (No. 1262), which said bill and report were referred to the Private Calendar.

Mr. HARRIS, from the Committee on Pensions, to which was referred the bill (H. R. 20643) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors, reported the same without amendment, accompanied by a report (No. 1263), which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. CRAMTON: A bill (H. R. 20642) to amend an act entitled "An act to increase the pensions of widows, minor children, etc., of deceased soldiers and sailors of the late Civil War, the War with Mexico, the various Indian wars, etc., and to grant a pension to certain widows of the deceased soldiers and sailors of the late Civil War," approved April 19, 1908; to the Committee on Invalid Pensions.

By Mr. FITZGERALD: A bill (H. R. 20644) to amend the postal laws; to the Committee on the Post Office and Post Roads.

By Mr. BUCHANAN of Illinois: A bill (H. R. 20645) providing for the sale of the United States unused barge office in Chicago, Ill.; to the Committee on Public Buildings and Grounds.

By Mr. MANN: Resolution (H. Res. 699) directing the Committee on Ways and Means to report a bill creating a tariff board; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. HARRIS: A bill (H. R. 20643) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors; to the Committee of the Whole House.

By Mr. ANSBERRY: A bill (H. R. 20647) granting an increase of pension to Margaret I. Reider; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20648) granting an increase of pension to Oliver P. Smith; to the Committee on Invalid Pensions.

By Mr. AUSTIN: A bill (H. R. 20649) to authorize the Court of Claims to hear, consider, and adjudicate the claim of heirs of Andrew R. Humes; to the Committee on War Claims.

By Mr. BARKLEY: A bill (H. R. 20650) to remove the charge of desertion from the name of Lee Thompson; to the Committee on Military Affairs.

By Mr. BARTLETT: A bill (H. R. 20651) to donate certain condemned cannon to the Gordon Institute, of Barnesville, Ga.; to the Committee on Military Affairs.

By Mr. BOOHER: A bill (H. R. 20652) granting an increase of pension to Deborah Hart; to the Committee on Invalid Pensions.

By Mr. BUCHANAN of Illinois: A bill (H. R. 20653) granting an increase of pension to Robert R. Raap; to the Committee on Invalid Pensions.

By Mr. CARAWAY: A bill (H. R. 20654) granting a pension to Jesse T. Kellett; to the Committee on Invalid Pensions.

By Mr. CONNELLY of Kansas: A bill (H. R. 20655) granting an increase of pension to Albert W. Utter; to the Committee on Invalid Pensions.

By Mr. DALE: A bill (H. R. 20656) granting an increase of pension to John J. Gorman; to the Committee on Pensions.

By Mr. FAIRCHILD: A bill (H. R. 20657) granting an increase of pension to Elizabeth A. W. Case; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20658) granting an increase of pension to Eliza A. Grant; to the Committee on Invalid Pensions.

By Mr. GOEKE: A bill (H. R. 20659) granting a pension to William R. Prichard; to the Committee on Pensions.

By Mr. GOULDEN: A bill (H. R. 20660) granting a pension to Bennie Leshin; to the Committee on Pensions.

Also, a bill (H. R. 20661) granting a pension to Elizabeth E. Brown; to the Committee on Invalid Pensions.

By Mr. GRAHAM of Illinois: A bill (H. R. 20662) granting a pension to Nancy A. Arnett; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20663) granting a pension to Benjamin Garland; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20664) granting an increase of pension to Joshua C. Clevenger; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20665) granting an increase of pension to Andrew J. Vancil; to the Committee on Invalid Pensions.

By Mr. HAMILTON of New York: A bill (H. R. 20666) granting a pension to Charles Gould; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20667) granting an increase of pension to Hiram Eells; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20668) granting an increase of pension to George W. Rice; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20669) granting an increase of pension to Hiram D. Stoddard; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20670) granting an increase of pension to John Peterson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20671) granting an increase of pension to John A. Peterson; to the Committee on Invalid Pensions.

By Mr. HAMLIN: A bill (H. R. 20672) granting an increase of pension to Louis L. Stafford; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20673) granting a pension to Alonzo C. Jones; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20674) to carry into effect the findings of the Court of Claims in the case of Thomas A. Wakefield; to the Committee on War Claims.

By Mr. MOON: A bill (H. R. 20675) for the relief of the estate of Pleasant M. Craigmiles, deceased; to the Committee on War Claims.

By Mr. NELSON: A bill (H. R. 20676) granting a pension to William Goldsworthy; to the Committee on Invalid Pensions.

By Mr. RUCKER: A bill (H. R. 20677) granting a pension to Charles D. Comstock; to the Committee on Pensions.

Also, a bill (H. R. 20678) granting an increase of pension to Robert W. Black; to the Committee on Invalid Pensions.

By Mr. RUSSELL: A bill (H. R. 20679) granting a pension to Carl Schrock; to the Committee on Invalid Pensions.

By Mr. SELLS: A bill (H. R. 20680) granting a pension to Benjamin Hammonds; to the Committee on Pensions.

Also, a bill (H. R. 20681) granting a pension to William Merritt; to the Committee on Pensions.

Also, a bill (H. R. 20682) granting an increase of pension to David A. Turner; to the Committee on Pensions.

Also, a bill (H. R. 20683) granting an increase of pension to Robert E. Taber; to the Committee on Pensions.

Also, a bill (H. R. 20684) granting an increase of pension to David W. White; to the Committee on Invalid Pensions.

By Mr. SHREVE: A bill (H. R. 20685) granting an increase of pension to Ann E. Lowman; to the Committee on Invalid Pensions.

By Mr. SMITH of Idaho: A bill (H. R. 20686) for the relief of The Snare & Triest Co.; to the Committee on Claims.

By Mr. WOODS: A bill (H. R. 20687) granting a pension to Permelia L. Dutcher; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ANSBERRY: Petitions of citizens of Ohio, favoring passage of House joint resolution 377; to the Committee on Foreign Affairs.

By Mr. BAILEY: Petition of C. E. Claycomb, William R. Kirby, and H. A. Brummert, all of Summerhill, Pa., for the passage of House bill 5308, providing for the taxation of mail-order houses for local purposes; to the Committee on Ways and Means.

By Mr. BUCHANAN of Illinois: Petitions of 166 citizens of Chicago and Cook County, Ill., favoring passage of House resolution 377; to the Committee on Foreign Affairs.

By Mr. CANTOR: Memorial of New York Board of Trade and Transportation, favoring passage of the Root bill—H. R. 3672; to the Committee on Rivers and Harbors.

By Mr. DONOHOE: Petition of the Philadelphia (Pa.) Maritime Exchange, protesting against passage of House bill 18666 for Government ownership of merchant marine; to the Committee on the Merchant Marine and Fisheries.

By Mr. DUNN (by request): Papers to accompany bill granting increase of pension to Charles H. Sanford; to the Committee on Invalid Pensions.

Also (by request), papers to accompany bill granting pension to Phoebe J. Lincoln; to the Committee on Pensions.

Also (by request), papers to accompany bill granting increase of pension to Alfred J. Sloan; to the Committee on Invalid Pensions.

By Mr. ESCH: Petition of citizens of the State of Wisconsin, favoring passage of Senate bill 6688, relative to embargo on all contraband of war; to the Committee on Foreign Affairs.

Also, petition of citizens of the State of Wisconsin, favoring passage of House joint resolution 377; to the Committee on Foreign Affairs.

Also, memorial of National Association for the Advancement of Colored People, protesting against amendment relative to colored people in the immigration bill; to the Committee on Immigration and Naturalization.

By Mr. FOSTER: Petition of citizens of Altamont and St. James, Ill., favoring passage of House joint resolution 377; to the Committee on Foreign Affairs.

By Mr. GARDNER: Petition of 74 citizens of Swampscott, Mass., favoring national prohibition; to the Committee on Rules.

By Mr. GERRY: Petition of Francis A. Verling, of Providence, R. I., urging the passage of legislation establishing real neutrality in dealing with belligerent nations; to the Committee on Foreign Affairs.

Also, petition of J. Stewart Cumming, of Pawtucket, R. I., urging the passage of legislation providing for protection against Chinese competition; to the Committee on Interstate and Foreign Commerce.

Also, petitions of Miss Helen A. Thomas, Miss Ethel W. Parks, Mrs. John A. Cross, Mrs. J. U. Edgren, Mary M. Angell, A. W. Cooper, of Providence, R. I.; Ida R. Siegfried and Mrs. Rowena Allen, of Newport, R. I., urging the passage of legislation providing for equal suffrage; to the Committee on the Judiciary.

By Mr. GOEKE: Petition of C. M. Freicht and 130 others of Lima, Allen County, and Daniel Ruck and 34 others of Auglaize County, Ohio, favoring House joint resolution 377, to forbid export of arms; to the Committee on Foreign Affairs.

By Mr. GOOD: Petition of citizens of the State of Iowa, favoring House joint resolution 377; to the Committee on Foreign Affairs.

Also, petition of citizens of Haverhill, Iowa, protesting against publication called the Menace; to the Committee on the Post Office and Post Roads.

By Mr. GOULDEN: Petition of New York Board of Trade and Transportation and Henry H. Sherman, of New York, favoring passage of S. 3672, the Root bill; to the Committee on Rivers and Harbors.

By Mr. GRAHAM of Pennsylvania: Petition of citizens of Philadelphia, Pa., favoring passage of House joint resolution 377; to the Committee on Foreign Affairs.

Also, memorial of the Pennsylvania Limited Equal Suffrage League, favoring the Bristow-Mondell resolution for woman suffrage; to the Committee on the Judiciary.

Also, memorial of the American Peace Society, relative to agitation for an increase of armament; to the Committee on Foreign Affairs.

Also, petition of colored ministers of Washington and Baltimore, protesting against the amendment to the immigration bill which excludes all members of the black race; to the Committee on Immigration and Naturalization.

By Mr. GRIFFIN: Memorial of New York Board of Trade and Transportation, favoring passage of Senate bill 3672, Root bill; to the Committee on Rivers and Harbors.

Also, petition of War Council for Peace, Washington, D. C., favoring House bill 20147, prohibiting export of arms; to the Committee on Military Affairs.

Also, petition of William M. Pence, of Norfolk, Va., favoring an appropriation of $500,000,000 to redeem the Holy Land in the New World; to the Committee on Appropriations.

Also, petition of the Homesteaders' Association of Western Washington, relative to Senate bill 6268, providing for relief of settlers on unsurveyed railroad lands; to the Committee on the Public Lands.

Also, petition of steamship companies of Puget Sound and Alaska, favoring certain aids to navigation; to the Committee on Appropriations.

By Mr. KENNEDY of Rhode Island: Petition of A. W. Cooper, Mrs. John A. Cross, Mary M. Angell, Mrs. J. Urban Edgren, of Providence, R. I., and Mrs. Rowena Albro, of Newport, R. I., favoring woman suffrage; to the Committee on the Judiciary.

By Mr. KONOP. Petitions of citizens of the ninth congressional district of Wisconsin, favoring passage of House joint resolution 377; to the Committee on Foreign Affairs.

By Mr. LEE of Pennsylvania: Memorial of the Philadelphia (Pa.) Maritime Exchange, protesting against the passage of H. R. 18666, providing for Government ownership and operation of merchant vessels in the foreign trade of the United States; to the Committee on the Merchant Marine and Fisheries.

By Mr. LONERGAN: Letter of Miss Ellen L. Killam, secretary Enfield Grange, Enfield, Conn., in re H. R. 11897, for rural credits; to the Committee on Banking and Currency.

By Mr. MAHAN: Petition of Lucretia Shaw Chapter, Daughters of the American Revolution, of New London, Conn., favoring the erection at Washington, D. C., of a suitable monument to Nathan Hale; to the Committee on the Library.

By Mr. MOORE: Memorial of Christ Evangelical Lutheran Church, of Philadelphia, Pa., relative to observance of neutrality laws by United States; to the Committee on Foreign Affairs.

By Mr. MORIN (by request): Petition of Star Encaustic Tile Co. and 17,000 members of the L. C. B. A. of western Pennsylvania, favoring passage of the Hamill bill (H. R. 5139); to the Committee on Reform in the Civil Service.

Also (by request), petition of Jones & Laughlin Steel Co., relative to dams Nos. 1 and 2 on the Ohio River; to the Committee on Rivers and Harbors.

Also (by request), petition of Ferdinand Terno, favoring passage of House joint resolution 377; to the Committee on Foreign Affairs.

Also (by request), petition of M. T. Scully, Jane Wallace Scully, and H. R. Scully, of Pittsburgh, Pa., protesting against woman suffrage; to the Committee on the Judiciary.

Also (by request), memorial of the Pennsylvania Limited Equal Suffrage League and J. D. Thomas, of Philadelphia, Pa., favoring passage of the Mondell resolution; to the Committee on the Judiciary.

By Mr. SELLS: Evidence to accompany bill granting a pension to Benjamin Hammonds; to the Committee on Pensions.

By Mr. J. M. C. SMITH: Petitions of Hugo Mayer and 83 citizens of Battle Creek; Carl H. Zurrman, Kalamazoo; James Vreitag and 4 citizens of Marshall, all in the State of Michigan, favoring House joint resolution 377, forbidding export of arms; to the Committee on Foreign Affairs.

By Mr. SMITH of Idaho: Papers to accompany House bill for the relief of the Snare & Triest Co.; to the Committee on Claims.

By Mr. VOLLMER: Petition signed by Joseph Fuhrmann and 350 others of Johnson County, Iowa, protesting against the circulation through the United States mails of such publications, antisectarian in their nature, as may be open to objections; to the Committee on the Post Office and Post Roads.

SENATE.

FRIDAY, *January 8, 1915.*

The Senate met at 12 o'clock m.

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we thank Thee that our approach into Thy presence is by the way of our loftiest thought, of our deepest emotion, and of our highest duty. To think upon Thy name is to elevate life and show its kinship with God. The measure of Thy blessing is not according to our merit but according to Thy great grace. In the unity of our thought concerning Thee we find the unity of our purpose and of our national life. Look Thou upon us from Thy throne and guide all Thy servants. Whatever may be the language in which they put Thy name and Thy revelation, yet do Thou, the great God of our fathers, guide us all in unity of spirit for the best interests of our national life and the happiness of all the people. For Christ's sake. Amen.

The VICE PRESIDENT resumed the chair.

The Journal of the proceedings of the legislative day of Wednesday, January 6, 1915, was read and approved.

FINDINGS OF THE COURT OF CLAIMS.

The VICE PRESIDENT laid before the Senate communications from the assistant clerk of the Court of Claims, transmitting certified copies of the findings of fact and conclusions filed by the court in the following causes: Jonathan B. Carlile *v.* The United States (S. Doc. No. 710); Martha C. Cosgriff, widow of Thomas Cosgriff, *v.* The United States (S. Doc. No. 709); James W. Bigelow *v.* The United States (S. Doc. No. 708); Albert H. Campbell, son of William T. Campbell, deceased, *v.* The United States (S. Doc. No. 707); Stoughton A. Boatright *v.* The United States (S. Doc. No. 706); Malden E. Benton, son and one of the heirs of William Benton, deceased, *v.* The United States (S. Doc. No. 705); Curtis L. Carter, son, Hallie Taylor, daughter, sole heirs of Charles M. Carter, deceased, *v.* The United States (S. Doc. No. 704); Lafayette Chandler *v.* The United States (S. Doc. No. 703); Sarah M. Wood, widow (remarried) of Benjamin W. Cleaver, deceased, *v.* The United States (S. Doc. No. 702); Jane E. Chapel, widow of John L. Chapel, *v.* The United States (S. Doc. No. 701); George A. Bender *v.* The United States (S. Doc. No. 700); James Barr *v.* The United States (S. Doc. No. 699); Ronello A. Barrows *v.* The United States (S. Doc. No. 698); Beckwith Bealmear *v.* The United States (S. Doc. No. 697); Rosalbro B. Brazelton *v.* The United States (S. Doc. No. 696); Jacob Coller *v.* The United States (S. Doc. No. 695); Cullen E. Cline *v.* The United States (S. Doc. No. 694); Carrie M. Cleveland, widow of Albert C. Cleveland, *v.* The United States (S. Doc. No. 693); Valentine K. Boyer *v.* The United States (S. Doc. No. 692); John Breeding *v.* The United States (S. Doc. No. 691); Harriet B. Baird, widow (remarried) of Isaac L. Bowman, deceased, *v.* The United States (S. Doc. No. 690); William S. Boyd *v.* The United States (S. Doc. No. 689); Maria A. McCrillis, widow (remarried) of Allen J. Canfield, deceased, *v.* The United States (S. Doc. No. 688); Granville G. Davisson, son and heir of Josiah M. Davisson, deceased, *v.* The United States (S. Doc. No. 687); Richard T. Browning *v.* The United States (S. Doc. No. 686); Charles B. Hendren, administrator of Nathaniel C. Brown, deceased, *v.* The United States (S. Doc. No. 685); Jeanette D. Buckner, widow of Lewis Buckner, deceased, *v.* The United States (S. Doc. No. 684); George L. Cathey *v.* The United States (S. Doc. No. 683); George R. Clements *v.* The United States (S. Doc. No. 682); Richard H. Burke *v.* The United States (S. Doc. No. 681); Charles T. Chandonia *v.* The United States (S. Doc. No. 680); and Victory Champlin *v.* The United States (S. Doc. No. 679).

The foregoing findings were, with the accompanying papers, referred to the Committee on Claims and ordered to be printed.

CALLING OF THE ROLL.

Mr. GALLINGER. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Gore	Page	Smoot
Brady	Gronna	Perkins	Sterling
Bristow	Hardwick	Poindexter	Stone
Bryan	Hollis	Pomerene	Swanson
Burton	Jones	Ransdell	Thomas
Chamberlain	Kenyon	Reed	Thornton
Clapp	La Follette	Robinson	Tillman
Culberson	Lane	Saulsbury	Townsend
Cummins	Lodge	Sheppard	Vardaman
Dillingham	Martine, N. J.	Sherman	Walsh
du Pont	Nelson	Smith, Ga.	White
Fletcher	O'Gorman	Smith, Md.	Williams
Gallinger	Overman	Smith, S. C.	Works

Mr. GRONNA. My colleague [Mr. MCCUMBER] is necessarily absent from the city. He is paired with the junior Senator from Tennessee [Mr. SHIELDS]. I will let this announcement stand for the day.

Mr. TOWNSEND. I announce the absence of the senior Senator from Michigan [Mr. SMITH]. He is paired on all votes with the junior Senator from Missouri [Mr. REED]. This announcement may stand for the day.

Mr. SMOOT. I desire to announce the unavoidable absence of my colleague [Mr. SUTHERLAND] from the city. He is paired with the senior Senator from Arkansas [Mr. CLARKE].

Mr. ASHURST. I wish to announce that my colleague [Mr. SMITH of Arizona] is unavoidably absent from the Senate. I will let this announcement stand for the day.

Mr. GALLINGER. I desire to announce that the Senator from Maine [Mr. BURLEIGH] is detained from the Senate on account of illness in his family.

Mr. OVERMAN. I wish to announce that my colleague [Mr. SIMMONS] is absent on account of sickness.

Mr. MARTINE of New Jersey. The Senator from West Virginia [Mr. CHILTON] is necessarily absent from the Senate. He is paired with the Senator from New Mexico [Mr. FALL].

The VICE PRESIDENT. Fifty-three Senators have answered to the roll call. There is a quorum present. The presentation of petitions and memorials is in order.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House agrees to the amendments of the Senate numbered 9 and 10 to the bill (H. R. 6060) to regulate the immigration of aliens to and the residence of aliens in the United States, disagrees to the residue of the amendments of the Senate to the bill, requests a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. BURNETT, Mr. SABATH, and Mr. GARDNER managers at the conference on the part of the House.

The message also announced that the House had passed a bill (H. R. 18851) to prohibit the sale or gift of intoxicating liquors to minors within the admiralty and maritime jurisdiction of the United States, in which it requested the concurrence of the Senate.

The message further announced that the House had agreed to the concurrent resolution of the Senate numbered 35, relative to the celebration of the one hundredth anniversary of the Battle of New Orleans.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the Vice President:

S. 6039. An act for the coinage of certain gold and silver coins in commemoration of the Panama-Pacific Exposition, and for other purposes;

S. 6106. An act validating locations of deposits of phosphate rock heretofore made in good faith under the placer-mining laws of the United States; and

S. 7107. An act to authorize the construction of a bridge across the Ohio River at Metropolis, Ill.

PETITIONS AND MEMORIALS.

The VICE PRESIDENT presented resolutions adopted by the Municipal Council of Macrohon, Hinundayan, Leyte, P. I., favoring the passage of the so-called Jones bill for the self-government of the Philippine Islands, which were referred to the Committee on the Philippines.

Mr. BRISTOW presented petitions of sundry citizens of Russell, Belvue, Paxico, Altoona, Gypsum, Hanover, and Independence, all in the State of Kansas, praying for the enactment of legislation to prohibit the exportation of ammunition, etc., which were referred to the Committee on Foreign Relations.

Mr. TOWNSEND presented petitions of sundry citizens of Michigan, praying for the enactment of legislation to prohibit the exportation of ammunition, etc., which were referred to the Committee on Foreign Relations.

Mr. McLEAN presented petitions of sundry citizens of Baltic, New Haven, West Haven, and Hartford, all in the State of Connecticut, praying for the enactment of legislation to prohibit the exportation of ammunition, etc., which were referred to the Committee on Foreign Relations.

He also presented a memorial of 111 employees of factories of Hartford, Conn., remonstrating against the enactment of legislation to place an embargo on the legitimate commerce of the United States, which was referred to the Committee on Foreign Relations.

He also presented a petition of Local Grange No. 151, Patrons of Husbandry, of Enfield, Conn., praying for the establishment of a rural-credit system, which was referred to the Committee on Banking and Currency.

Mr. BRANDEGEE presented a petition of the German-American Alliance, New Haven, Conn., praying for the enactment of legislation to prohibit the exportation of ammunition, etc., which was referred to the Committee on Foreign Relations.

He also presented a petition of Local Grange No. 151, Patrons of Husbandry, of Enfield, Conn., praying for the establishment of a rural-credit system, which was referred to the Committee on Banking and Currency.

REPORTS OF COMMITTEES.

Mr. JOHNSON, from the Committee on Claims, to which were referred the following bills, reported them each without amendment and submitted reports thereon:

S. 6109. A bill for the relief of Emmett W. Entriken (Rept. No. 872); and

H. R. 4630. An act for the relief of Fred A. Emerson (Rept. No. 873).

Mr. WHITE, from the Committee on Claims, to which were referred the following bills, reported them each without amendment and submitted reports thereon:

H. R. 11394. An act for the relief of Joseph A. Powers (Rept. No. 875); and

H. R. 14931. An act for the relief of Arthur Brose (Rept. No. 876).

Mr. LANE, from the Committee on Claims, to which were referred the following bills, reported them each without amendment and submitted reports thereon:

H. R. 4008. An act for the relief of Sandy Crawford (Rept. No. 877); and

H. R. 10172. An act for the relief of L. V. Thomas (Rept. No. 878).

Mr. FLETCHER, from the Committee on Commerce, to which was referred the bill (S. 7108) to authorize the purchase or construction of six new vessels, with all necessary equipment, for the Coast and Geodetic Survey, and providing for additional surveys by the Coast and Geodetic Survey, reported it with amendments and submitted a report (No. 879) thereon.

Mr. NORRIS, from the Committee on Claims, to which was referred the bill (H. R. 7049) to reimburse the Port Angeles City Dock Co. for damage done to the dock of that company by the U. S. revenue cutter *Snohomish*, reported it without amendment and submitted a report (No. 880) thereon.

Mr. DU PONT, from the Committee on Military Affairs, to which was referred the bill (H. R. 15414) for the relief of David Mowen, reported it without amendment and submitted a report (No. 881) thereon.

NIAGARA RIVER BRIDGE.

Mr. SHEPPARD. From the Committee on Commerce I report back favorably with amendments the bill (S. 6121) to authorize the construction of a bridge across the Niagara River, in the town of Lewiston, in the county of Niagara and State of New York, and I submit a report (No. 870) thereon. I call the attention of the Senator from New York [Mr. O'GORMAN] to this report.

Mr. O'GORMAN. I ask for the consideration of the bill.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The VICE PRESIDENT. The amendments of the committee will be stated.

The SECRETARY. In line 8, before the word "point," strike out the words "or from some" and insert the letter "a," and after the word "point" insert "suitable to public interests," so as to read:

That the Ontario-Niagara Connecting Bridge Co., a corporation created by the laws of the State of New York, being chapter 420 of the laws of 1914, is hereby authorized to construct, maintain, and operate a bridge and necessary approaches thereto across the Niagara River at a point suitable to public interests in the town of Lewiston, in the county of Niagara, State of New York.

The amendment was agreed to.

The SECRETARY. After the word "river," in line 12, strike out the remainder of the bill, with the exception of the last section, and insert:

In accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters, approved March 23, 1906: *Provided*, That the offices of the Fine Arts Commission shall be obtained in connection with the consideration of the plans of said bridge, and that all power cables shall be permitted to cross the said bridge under equal rates for the privilege: *And provided further*, That the Ontario-Niagara Connecting Bridge Co., or its successors or assigns, shall, at its own expense, make such changes and install such accessories as may be necessary to cross any navigation canal which the United States may construct in that vicinity and which may interfere with the approaches of the bridge.

The amendment was agreed to.

The next amendment was to change the number of section 7 to section 2, and at the end of the bill to insert as a new section the following:

SEC. 3. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

EMPLOYMENT OF ADDITIONAL MESSENGER.

Mr. WILLIAMS. From the Committee to Audit and Control the Contingent Expenses of the Senate I report back favorably, with an amendment, Senate resolution 491, and I ask for its consideration.

The Senate, by unanimous consent, proceeded to consider the resolution, which was read as follows:

Resolved, That Senate resolution 278, Sixty-third Congress, second session, authorizing and directing the Sergeant at Arms of the Senate to appoint an additional messenger at the rate of $1,050 per annum, is hereby extended until otherwise ordered or until otherwise provided for by law.

The amendment was to add at the end of the resolution the following proviso:

Provided, That the extension shall not go beyond June 30, 1915.

The amendment was agreed to.

The resolution as amended was agreed to.

PANAMA-CALIFORNIA EXPOSITION.

Mr. CHAMBERLAIN. From the Committee on Military Affairs I report back favorably without amendment the joint resolution (S. J. Res. 218) to provide for the detail of an officer of the Army for duty with the Panama-California Exposition, San Diego, Cal., and I call the attention of the Senator from California to the report.

Mr. WORKS. I ask unanimous consent for the present consideration of the joint resolution.

The VICE PRESIDENT. Is there objection to the present consideration of the joint resolution?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution, which was read as follows:

Resolved, etc., That the President of the United States be, and he is hereby, authorized to detail an officer of the Army, active or retired, for duty with the Panama-California Exposition, to be held at San Diego, Cal., during the year 1915.

The joint resolution was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

APPLICATION FOR PATENT.

Mr. GORE. From the Committee on Patents I report back favorably without amendment the bill (H. R. 15220) to amend sections 4888 and 4889 of the Revised Statutes relating to patents, and I submit a report (No. 874) thereon.

I wish to say that it is a short bill and is intended to facilitate the dispatch of business in the Patent Office. It has been passed unanimously by the House of Representatives. I ask unanimous consent for the present consideration of the bill.

Mr. SMOOT. Let the bill be read for information.

The VICE PRESIDENT. The Secretary will read the bill by title.

The SECRETARY. A bill (H. R. 15220) to amend sections 4888 and 4889 of the Revised Statutes, relating to patents.

The VICE PRESIDENT. The Senator from Oklahoma asks unanimous consent for the present consideration of the bill. Is there objection?

Mr. SMOOT. I object to the present consideration of the bill.

The VICE PRESIDENT. There being objection to its present consideration, the bill will go to the calendar.

PETER M'KAY.

Mr. NORRIS. From the Committee on Claims I report back favorably with an amendment the bill (S. 2589) for the relief of Peter McKay, and I submit a report (No. 871) thereon. I call the attention of the Senator from Washington [Mr. POINDEXTER] to the report.

Mr. POINDEXTER. I ask unanimous consent for the present consideration of the bill.

The VICE PRESIDENT. The Senator from Washington asks unanimous consent for the present consideration of the bill. Is there objection?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The amendment of the Committee on Claims was, in line 6, after the words "sum of," to strike out "$5,000" and insert "$2,500," so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury be authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Peter McKay, or his legal representatives, the sum of $2,500 as full compensation for permanent injuries received by him on the 5th day of May, 1904, at Fort Worden, in the State of Washington, by being struck with a large piece of log hurled by the explosion of an excessive blast of powder discharged without warning by employees of the United States Government engaged in clearing lands at Fort Worden under the direction and control of the United States Government.

The amendment was agreed to.

The bill was reported to the Senate as amended and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

COPIES OF PATENTS.

Mr. JAMES. From the Committee on Patents I report back favorably, without amendment, the joint resolution (H. J. Res. 257) authorizing the Commissioner of Patents to exchange printed copies of United States patents with the Dominion of Canada, and I ask unanimous consent for its present consideration.

The VICE PRESIDENT. Is there objection to the present consideration of the joint resolution?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution, which was read, as follows:

Resolved, etc., That the Commissioner of Patents of the United States be, and he is hereby, authorized to exchange with the Dominion of Canada, under such terms of contract as may by him be deemed practicable, printed copies of patents now in the United States Patent Office and hereafter issued by the United States.

The joint resolution was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

BILLS AND JOINT RESOLUTIONS INTRODUCED.

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. POMERENE:

A bill (S. 7185) to amend section 20 of an act to regulate commerce, to prevent overissues of securities by carriers, and for other purposes; to the Committee on Interstate Commerce.

By Mr. THOMAS:

A bill (S. 7186) granting a pension to Anna E. Newbury (with accompanying papers); to the Committee on Pensions.

By Mr. ROBINSON:

A bill (S. 7187) to authorize the Secretary of the Treasury to adjust the account of the St. Louis, Iron Mountain & Southern Railway Co., in accordance with the decision of the Court of Claims in case No. 24409; to the Committee on Claims.

By Mr. THOMPSON:

A bill (S. 7188) to increase the limit of cost of the United States post-office building at Garden City, Kans.; to the Committee on Public Buildings and Grounds.

By Mr. SMITH of South Carolina:

A bill (S. 7189) for the relief of the heirs of George W. Croft (with accompanying paper); to the Committee on Claims.

By Mr. GORE:

A bill (S. 7190) to create an international trade and tariff board; to the Committee on Finance.

By Mr. WALSH:

A bill (S. 7191) granting an increase of pension to George Reed Davis (with accompanying papers);

A bill (S. 7192) granting an increase of pension to Margaret J. Howell; and

A bill (S. 7193) granting a pension to John Johnson, No. 2; to the Committee on Pensions.

By Mr. JONES:

A bill (S. 7194) to authorize the Secretary of War to furnish transportation to the Organized Militia of the State of Washington by United States transport to the Panama-Pacific International Exposition; to the Committee on Military Affairs.

A bill (S. 7195) granting an increase of pension to Ephraim D. Edwards (with accompanying papers); to the Committee on Pensions.

By Mr. CLAPP:

A bill (S. 7196) to authorize the Secretary of the Treasury to adjust the accounts of the Chicago, St. Paul, Minneapolis & Omaha Railway Co. in accordance with the decision of the Court of Claims in case No. 29875 (with accompanying papers); to the Committee on Claims.

By Mr. SHERMAN:

A bill (S. 7197) to authorize the Secretary of the Treasury to adjust the accounts of the Chicago, Milwaukee & St. Paul Railway Co. for transporting the United States mails in accordance with certain decisions of the Court of Claims; and

A bill (S. 7198) to authorize the Secretary of the Treasury to adjust the accounts of the Chicago, Milwaukee & St. Paul Railway Co. in accordance with the decision of the Court of Claims in case No. 30159; to the Committee on Claims.

A bill (S. 7199) granting an increase of pension to Joseph Creed (with accompanying papers);

A bill (S. 7200) granting an increase of pension to Jacob Taylor; to the Committee on Pensions.

By Mr. CUMMINS:

A bill (S. 7201) granting a pension to Mary M. Beehrle (with accompanying papers);

A bill (S. 7202) granting an increase of pension to Nelson B. Tool (with accompanying papers); to the Committee on Pensions.

By Mr. KENYON:

A bill (S. 7203) granting an increase of pension to John S. Junkins; to the Committee on Pensions.

By Mr. DILLINGHAM:

A bill (S. 7204) granting an increase of pension to Josiah Hasbrook (with accompanying papers); to the Committee on Pensions.

By Mr. MARTINE of New Jersey:

A bill (S. 7205) granting a pension to Mary Frazor (with accompanying papers); to the Committee on Pensions.

By Mr. O'GORMAN:

A bill (S. 7206) for the improvement of the Narrows of Lake Champlain, N. Y. and Vt.; to the Committee on Commerce.

By Mr. GORE:

A bill (S. 7207) granting a pension to Andrew J. Heatley (with accompanying papers); to the Committee on Pensions.

By Mr. SAULSBURY:

A joint resolution (S. J. Res. 222) concerning the connecting parkway between Rock Creek and Potomac Parks; to the Committee on Public Buildings and Grounds.

By Mr. OVERMAN:

A joint resolution (S. J. Res. 223) to provide for the expenses of the formal and official opening of the Panama Canal; to the Committee on Appropriations.

RURAL CREDITS.

Mr. FLETCHER. Mr. President, on the 20th of January, 1914, the United States Commission on Rural Credits presented a bill, through myself, on the subject of rural credits, being Senate bill 4246. The Federal reserve act was not operative at that time. Since then the joint committee of the Senate and House of Representatives have had hearings, and have perfected a bill on the subject. In order to meet the situation

as far as possible, and to present a measure which seems to provide the proper means of accomplishing the end desired, I introduce, on behalf of the United States Commission on Rural Credits, a new bill, being a modification of Senate bill 4246, and ask that it be referred to the Committee on Banking and Currency.

The bill (S. 7184) to provide for the establishment, operation, and supervision of a national farm-land bank system in the United States of America, for the creation of depositaries for postal savings and other public funds, and for other purposes, was read twice by its title and referred to the Committee on Banking and Currency.

RIVER AND HARBOR APPROPRIATIONS.

Mr. CHAMBERLAIN submitted an amendment intended to be proposed by him to the river and harbor appropriation bill (H. R. 20189), which was referred to the Committee on Commerce and ordered to be printed.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. BORAH (by request) submitted an amendment proposed to appropriate $5,000 for the payment of all expenses, including personal services of architects and others, and for prizes to be awarded in a competition for the best preliminary designs for a model 12-room sububan school to be erected on the site purchased north of Rhode Island Avenue for the Woodridge and Langdon neighborhood, etc., intended to be proposed by him to the District of Columbia appropriation bill (H. R. 19422) which was ordered to lie on the table and be printed.

Mr. BRANDEGEE submitted an amendment providing that whenever the sender shall so request a receipt shall be taken on any registered mail matter showing to whom and when and the place where the same was delivered, etc., intended to be proposed by him to the Post Office appropriation bill (H. R. 19906), which was referred to the Committee on Post Offices and Post Roads and ordered to be printed.

BERNARD G. DINGLER AND OTHERS.

Mr. PERKINS submitted an amendment intended to be proposed by him to the bill (S. 3701) for the relief of Bernard G. Dingler and others, lately laborers employed by the United States military authorities under the Quartermaster's Department at San Francisco, Cal., which was referred to the Committee on Claims and ordered to be printed.

DANIEL B. LUTEN.

Mr. BRISTOW. I send to the desk a resolution, which I ask may be read and, together with the accompanying exhibits, be printed and referred to the Committee on Patents.

The VICE PRESIDENT. The Senator from Kansas submits a resolution which will be read.

The resolution (S. Res. 513) was read, as follows:

Resolved, That the Committee on Patents or a subcommittee thereof is hereby authorized and directed to inquire, investigate, ascertain, and report as to the issuing of patents to Daniel B. Luten from 1900 to the present time, and particularly to inquire, investigate, ascertain, and report as to the fraudulently obtaining of the patents and the illegality of their issuance.

Resolved further, That said committee or a subcommittee thereof is hereby empowered to summon witnesses, to send for persons and papers, to administer oaths, and to take and secure whatever testimony and evidence may be required to ascertain and report upon the matters aforesaid, and said committee or a subcommittee thereof is hereby authorized, for the purposes aforesaid, to sit wherever necessary and act as well when Congress is not in session as when in session.

Resolved further, That the said committee is hereby directed to report the result of its said investigation and inquiry to the Senate at as early a date as is practicable, and the expenses incurred by such investigation and inquiry shall be paid from the contingent fund of the Senate upon vouchers to be approved by the chairman of the committee.

The VICE PRESIDENT. The resolution will be referred to the Committee on Patents, and the accompanying exhibits will be referred to the Committee on Printing for action.

IMPORT DUTIES.

Mr. CUMMINS. I offer a resolution for which I ask immediate consideration.

The VICE PRESIDENT. The resolution will be read.

The Secretary read the resolution (S. Res. 514), as follows:

Resolved, That the President is requested to inform the Senate, if compatible with the public interest, with respect to the following matters to wit:

1. As to the amount of money collected by the United States at the port of Vera Cruz, Mexico, during the occupation of that city by our military forces as import duties or other taxes or imports laid under the laws of Mexico;

2. Whether the duties, imposts, or taxes so collected by the United States had been pledged in any form to secure or insure the payment of obligations issued by any government or alleged government of the Republic of Mexico or one of the States thereof;

3. As to the ownership of such obligations at the time the military forces of the United States occupied Vera Cruz, and such ownership at the present time;

4. As to any claims which have been made upon the United States for the payment or transfer of the moneys so collected, and the names of the persons making such demands;

5. As to the deposit of the money so collected in the Treasury of the United States, and the account to which it was deposited; and

6. Whether it is the intention of the Executive Department of the Government to pay out or otherwise dispose of the money so collected without action or authority on the part of Congress.

The VICE PRESIDENT. Is there objection to the present consideration of the resolution?

Mr. SMITH of Georgia. Mr. President, I am not aware of any reason why the resolution should not be passed, but I prefer that it should go over for a day.

The VICE PRESIDENT. The resolution will go over under the rule.

THE MERCHANT MARINE.

Mr. FLETCHER. I ask to have printed in the RECORD two editorials, one from the Florida Times-Union and the other from the New York World, on the subject embraced in the pending shipping bill.

The VICE PRESIDENT. Is there objection? The Chair hears none.

The matter referred to is as follows:

[From the Florida Times-Union, Jacksonville, Fla., January 6, 1915.]

FOR THE GENERAL WELFARE.

The people of the United States are confronted by a condition that is strong enough to upset theories. Theoretically speaking, the Times-Union is opposed to any interference by the Government in business. That business is obstructed to an extent that is hurting every State, county, town, precinct, or ward in the whole country is the condition that exists to-day, and nothing smaller than the United States Government can remove the obstruction.

The world wants American products and can't get them. Cotton is selling for 7 cents in the South and 20 cents in Germany. The phosphate, lumber, and naval-stores lines of business are dead, and as a result hundreds of thousands of people are suffering. The reason is not a lack of market, but a lack of means to get our products to it. We need ships, and private enterprise will not supply them. Under these circumstances a bill is before Congress for the purchase and temporary operation of ships by the Government, and we hope to see it speedily enacted.

The Times-Union has always favored a strict construction of the Constitution, and does not recede to the slightest extent now. In enumerating the powers of Congress the very first clause of the Constitution relating to the subject says: "To lay and collect taxes, duties, imposts, and excises, to pay the debts and provide for the common defense and the general welfare of the United States."

The "general welfare" clause makes possible the claim by the Government of very broad powers, and we are not in favor of a broad construction of this clause or an unnecessary use of the powers conferred by it. But the clause is in the Constitution, and was put there intentionally, and he who would deny the Government the power to provide for the general welfare is not a strict constructionist. He is of his own will striking out of the Constitution what is in it—a thing he has no more right to do than to write into it what isn't there.

Congress has a right to provide for the general welfare of the United States. We do not construe this as meaning that it has a right to provide for the welfare of this or that State or section, or of this or that class, but when the time comes that the welfare of the whole people demands a piece of legislation Congress and Congress alone can pass it, for Congress and Congress alone can legislate for the whole people.

The world at war needs to eat and wear as much as the world at peace. We have foodstuffs and material for the manufacture of clothing for sale. We have both in abundance. And yet in a time of abundance the producers are impoverished. There was never a time—not during the worst panic this country ever saw—when as many men desiring work were unemployed as are now. There was never a time when universal bankruptcy was as threatening as now. Conditions could be vastly improved, even if they could not be made normal, by the passage of a bill that would provide transportation for American products to markets where they could be sold at good prices, and as Uncle Sam by meeting for a time a necessity that no one else will meet will benefit the people of every class and of every township in the United States he will be clearly providing for the public welfare.

[From the New York World, January 6, 1915.]

SUBSIDY'S DOG IN THE MANGER.

If Republican Senators opposed to the ship-purchase bill were altogether candid, they would admit at once that what they want is subsidies. They do not object to the expenditure of $30,000,000 for ships. Indeed, they would be glad to spend that amount every year if it was to go into the pockets of shipowners, who in that case would have the ships and the money also.

Frankness on the part of these Senators, furthermore, would compel them to support the measure if its single purpose were to add $30,000,000 worth of transports and colliers to the Navy, to be used only in time of war. In the event of hostilities such ships would be sorely needed, but from the viewpoint of a subsidy Senator there is a vast difference between Government ships in idleness and Government ships used in time of peace in some productive service.

We need these ships to-day for the promotion of our commerce, and we may need them to-morrow as naval auxiliaries for national defense. Both purposes are legitimate, but because such a policy would give the people something for their money and blast the hopes of those who never despair of getting their subsidy shovels at work in the Treasury, old-line Republicanism will fight it to the limit.

Five months of war have passed without a serious attempt by Americans to gain new markets in regions largely abandoned by the belligerents. If our manufacturers and merchants are waiting for subsidies, the delay is vain. There will be no subsidies. The ship-purchase bill contemplates commercial activity and naval preparedness. To fight it for the reason that it does not smother a favored interest with public money is as stupidly selfish as it is shockingly unpatriotic.

JOURNAL OF RECONSTRUCTION COMMITTEE (S. DOC. NO. 711).

Mr. LODGE. Mr. President, I wish to ask for a reprint of the Journal of the Joint Committee of Fifteen on Reconstruction. It was printed in 1884, 6,000 copies, but was not documented. It is now very rare. It is not to be found in the

Library of Congress or in the Senate or House library. There is only one copy known to be in existence, and that is in the public documents library. It consists of only 49 pages; it is a very small document.

I wish to say in addition that historically it is a very important document. It is the journal of the committee which framed the fourteenth amendment. Mr. Fessenden was chairman of the committee on the part of the Senate; Mr. Thaddeus Stevens on the part of the House. Reverdy Johnson was a member of the committee. Mr. Conkling was a member of the committee, and in the case of San Mateo County against The Southern Pacific Railroad Mr. Conkling introduced in his argument extracts from this journal, then unprinted, to show that the fourteenth amendment did not apply solely to negroes but applied to persons, real and artificial, of any kind. It was owing to this, undoubtedly, that the court extended it to corporations.

As I said, it consists of only 49 pages and it is a document that does not exist in our library or in the library of Congress or in the House library. I submit a statement in regard to it which I ask to have printed with my remarks.

The VICE PRESIDENT. Is there objection to the request of the Senator from Massachusetts? The Chair hears none, and it is so ordered.

The statement submitted by Mr. LODGE is as follows:

[CONGRESSIONAL RECORD, 48th Cong., 1st sess., vol. 15, pt. 1, p. 878, Feb. 5, 1884.]

"JOURNAL OF RECONSTRUCTION COMMITTEE.

"Mr. Morrill introduced a joint resolution (S. Res. 54) to authorize the printing of the journal of the joint committee of Congress of December, 1865.

"Mr. MORRILL. I will state, with the leave of the President and the Senate, that this is the journal of the Committee of Fifteen authorized in December, 1865, on reconstruction. It is a journal that never has been printed. All the results of the work of that committee were printed when presented to Congress, but this contains the various propositions that were from time to time offered and the votes of the committee. It will be found to be an interesting document on all sides of the Chamber. At the decease of Senator Fessenden, who was chairman of the committee on the part of the Senate, this book [exhibiting], containing a very well-kept, clear journal for a year, was transferred to Portland, Me., and not until recently has it been ascertained that it was in existence. It must be a document of too much importance to remain out of print.

"The PRESIDENT pro tempore. Does the Senator from Vermont ask that this joint resolution be now put on its passage?

"Mr. MORRILL. No; I merely ask that it be referred to the Committee on Printing.

"The joint resolution was read twice by its title and referred to the Committee on Printing."

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[CONGRESSIONAL RECORD, 48th Cong., 1st sess., vol. 15, pt. 2, p. 1338, Feb. 25, 1884.]

"JOURNAL OF RECONSTRUCTION COMMITTEE.

"Mr. ANTHONY. The Committee on Printing, to which was referred the joint resolution (S. Res. 54) to authorize the printing of the journal of the joint committee of Congress of December, 1865, have instructed me to report the same back with a recommendation that it be indefinitely postponed, and to offer as a substitute a resolution of the Senate, as the amount of printing comes much within the limit of $500.

"The joint resolution was postponed indefinitely.

"The PRESIDENT pro tempore. The Senator from Rhode Island, from the Committee on Printing, reports an original Senate resolution, which will be read.

"The Chief Clerk read the resolution, as follows:

"'*Resolved*, That 6,000 copies of the journal of the Joint Committee of Fifteen, appointed in December, 1865, of which William Pitt Fessenden was chairman on the part of the Senate and Thaddeus Stevens on the part of the House, authorized "to inquire into the condition of the States which formed the so-called Confederate States of America and report whether they or any of them are entitled to be represented in either House of Congress, with leave to report at any time, by bill or otherwise," be printed; 2,000 copies for the use of the Senate and 4,000 copies for the use of the House of Representatives.'

"The resolution was agreed to February 26, 1884, page 1378."

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[Check List of United States Public Documents, 1789–1909, vol. 1, p. 1631.]

"RECONSTRUCTION JOINT COMMITTEE.

"Journal (Dec. 4, 1865–Feb. 9, 1867, 39th Cong., 1st and 2d sess.). (1884.)

"(The joint committee was composed of very prominent men, and the details of its action, as shown by the journal of its proceedings, were thought by the Senate of the Forty-eighth Congress to be worth printing. An order was passed February 26, 1884, more than 17 years after the committee had dissolved, for printing 6,000 copies of its journal. As printed the journal makes a pamphlet of 49 pages, without cover, title-page, imprint date, or place of publication. It has a half title reading thus: 'Thirty-ninth Congress, first session, Joint Committee on Reconstruction Journal.' Another half title, like the first, except that second session is substituted for first session, is found at page 43. The only conclusion to be drawn from these half titles is that the document was printed during the Thirty-ninth Congress (1865–67) and not the slightest clue is given by the document itself to the fact that it was not printed till the Forty-eighth Congress, first session (1884). Why it was not also printed as a numbered document, as required by law (R. S., sec. 3792), is not now known. This journal, though the number of copies printed was comparatively large, has already become very rare. The only copy concerning which the Public Documents Library has any information is the one in its own file.)" (Statement of superintendent of documents.)

REGULATION OF IMMIGRATION.

The VICE PRESIDENT laid before the Senate the action of the House of Representatives agreeing to the amendments of the Senate numbered 9 and 10 to the bill (H. R. 6060) to regulate the immigration of aliens to and the residence of aliens in the United States, and disagreeing to the residue of the amendments of the Senate and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. SMITH of South Carolina. I move that the Senate insist upon its amendments, agree to the conference asked for by the House, the conferees on the part of the Senate to be appointed by the Chair.

The motion was agreed to; and the Vice President appointed Mr. SMITH of South Carolina, Mr. ROBINSON, and Mr. LODGE conferees on the part of the Senate.

HOUSE BILL REFERRED.

H. R. 18851. An act to prohibit the sale or gift of intoxicating liquors to minors within the admiralty and maritime jurisdiction of the United States was read twice by its title and referred to the Committee on the Judiciary.

ORDER OF BUSINESS.

Mr. SMITH of Maryland. Mr. President, I ask that the consideration of the District of Columbia appropriation bill may be continued.

Mr. WALSH. Mr. President——

The VICE PRESIDENT. Does the Senator from Maryland yield to the Senator from Montana?

Mr. SMITH of Maryland. I do.

SHIPMENTS OF COPPER ABROAD.

Mr. WALSH. I ask the indulgence of the Senator from Maryland for a moment. I have understood that before morning business was closed resolutions coming over from a preceding day would have the consideration of the Senate.

The VICE PRESIDENT. The Chair was not aware of the fact that there was such a resolution. There is nothing on the table.

Mr. WALSH. I ask consideration for a resolution submitted by me on December 29, requesting information from the President concerning seizures of copper.

The VICE PRESIDENT. That is not a resolution coming over from a preceding day. The RECORD discloses that on December 29 the resolution was ordered to lie on the table subject to call.

Mr. WALSH. Then I ask unanimous consent that the resolution may be taken up for consideration.

The VICE PRESIDENT. Does the Senator from Maryland yield for that purpose?

Mr. SMITH of Maryland. I yield.

Mr. SMITH of Georgia. Mr. President, what is the resolution? I did not hear it distinctly.

The VICE PRESIDENT. It is a resolution submitted by the Senator from Montana [Mr. WALSH] on December 29, 1914, requesting the President to transmit to the Senate copies of all communications from foreign Governments relative to the seizure or detention by any belligerent nation of shipments of copper from the United States to neutral countries of Europe, and so forth. The Senator from Montana asks unanimous consent for its consideration. Is there any objection? The Chair hears none.

The Senate, by unanimous consent, proceeded to consider the resolution (S. Res. 511), which is as follows:

Resolved, That the President is respectfully requested, if not incompatible with the public interest, to cause to be transmitted to the Senate copies of all communications transmitted to or received from representatives of foreign Governments touching the seizure or detention by any belligerent nation of shipments of copper from the ports of the United States consigned to neutral countries of Europe;

Copies of any communications so transmitted or received touching the proclamation of certain of the belligerents declaring copper to be either conditional or absolute contraband;

Copies of any such communications touching the declaration made in proclamations of certain of the belligerents to the effect that articles scheduled by them as conditional contraband shall be liable to capture on board a vessel bound for a neutral port if the goods are consigned to order, and the further declaration that such goods shall be subject to confiscation unless the owners prove an innocent destination; and

Copies of any communications touching the following recital of the so-called Declaration of London Order in Council, No. 2, 1914, to wit:

"2. Where it is shown to the satisfaction of one of His Majesty's principal secretaries of state that the enemy Government is drawing supplies for its armed forces from or through a neutral country he may direct that in respect of ships bound for a port in that country article 35 of the said declaration shall not apply. Such direction shall be notified in the London Gazette and shall operate until the same is withdrawn. So long as such direction is in force a vessel which is carrying conditional contraband to a port in that country shall not be immune from capture."

Mr. WALSH. Mr. President, I do not desire to speak on the resolution, but to advert to a matter concerning which mention was made in the course of the discussion here yesterday.

Repeatedly reference has been made to clandestine efforts to introduce copper into the belligerent countries of Europe, and particularly into Germany. These statements have always been rather general in character, and without reference to any particular time or place at which such efforts were discovered; nor has any reference ever been given to the particular ship that was thus surreptitiously carrying copper. I asked the Senator from Utah, who made reference to the matter yesterday, if he had any more definite information upon the subject than I myself was able to obtain, and apparently he was equally ignorant, knowing nothing further about it than that general statements had been made that practices of the character indicated were said to prevail.

I have reached the conclusion, Mr. President, that these attempts are very largely apocryphal. Now, I entertain no doubt that dishonest people will endeavor clandestinely to introduce contraband goods into belligerent nations. It is to be expected that they will. Every effort that our Government can make to expose those attempts ought to be made. At the same time I am disposed to believe that an effort is being made, by charges of this character, to distract the public mind from the fact that seizures of copper in enormous quantities have been made where no effort at all was made secretly to transport it. Certain press notices to which attention is now invited tend strongly to confirm this view.

On January 3 there appeared in the New York Times a cable from Genoa to the London Daily News, recabled to the New York Times, as follows:

The Dutch steamer *Rotterdam*, just returned from New York, has been seized by the Genoa police.

It was discovered that under a cargo of grain an enormous quantity of copper had been hidden, besides boxes containing munitions, all destined for Germany.

Now, note; the editor proceeds:

The only steamship *Rotterdam* listed in the Maritime Register as sailing to Genoa from New York recently is the Holland-America liner of that name. She arrived in Genoa from this port on December 16 with a general cargo consisting largely of grain. She flies the neutral Dutch flag and usually runs to Rotterdam.

It will be borne in mind that this vessel reached the port of Genoa on the 16th day of December. This telegram, which said that she was seized by the Genoa police, bears date January 3. It brings out the following letter from one of the officers of the Holland-America Line:

W. Van Doorn, manager of the New York agency of the Holland-America Line, writes to the Times to deny that the alleged seizure by the Genoa police of the Dutch steamer *Rotterdam*, just returned from New York, for having copper and munitions of war concealed under her cargo, mentioned in a Genoa dispatch to the London Daily Chronicle, recabled to the Times yesterday, can apply to the Holland-America Line's steamer *Rotterdam*, now at Genoa.

"Our steamship," Mr. Van Doorn writes, "sailed from this side on December 3 to Naples and Genoa, arrived on the 14th at Naples, disembarked her passengers and proceeded to Genoa, where she arrived on the 16th, and where she discharged her cargo. The ship was loaded here, and no copper, no arms, no ammunition of war, nor any class of contraband has been taken forward on said bottom. The cargo consisted of grain, cotton, tobacco, and some other neutral general cargo addressed to named firms in Italy and Switzerland, and, therefore, the statement in your paper is absolutely incorrect."

I dare say, Mr. President, that most of the claims of this character have as little foundation as has the charge that the *Rotterdam* carried in her cargo copper concealed for the purpose of introducing it into Germany.

Mr. ROOT. Mr. President, this is the resolution submitted by the Senator from Montana [Mr. WALSH]?

The VICE PRESIDENT. It is.

Mr. ROOT. It has just been handed to me. I am in favor of the resolution, but I wish to ask the Senator from Montana whether there is not a little obscurity in one paragraph. I do not quite understand the paragraph contained in lines 4 to 7 on page 2:

Copies of any communications touching the following recital of the so-called Declaration of London Order in Council, No. 2, 1914.

Does not that include two different things?

Mr. WALSH. No, sir. The order to which it refers says that it—the order—may be referred to as "Declaration of London Order in Council No. 2." I dare say that a Roman numeral there would be a more appropriate way of putting it.

Mr. ROOT. It confused me, because what we ordinarily speak of as the declaration of London is the declaration which was signed by the conference of London in February, 1909.

Mr. WALSH. I think I can make the matter clear to the Senator from New York. An order in council was issued under date of October 29. It republished the lists of contraband. It declared, among other things, that the declaration of London would no longer be in force; and it recited that that order, made under date of October 29, might be referred to for convenience in the manner indicated in the resolution. The order itself says that it may be referred to, for convenience, as the declaration of London, order in council No. 2.

Mr. ROOT. I understand that now. I should think if quotation marks were put around those words they would be less apt to be misunderstood.

Mr. WALSH. It would be more appropriate.

The VICE PRESIDENT. The resolution will be so amended.

Mr. ROOT. I suggest putting quotation marks before the word "declaration" and after the word "two."

The VICE PRESIDENT. The resolution is so amended. The question is on agreeing to the resolution.

The resolution was agreed to.

DISTRICT OF COLUMBIA APPROPRIATIONS.

Mr. SMITH of Maryland. I renew my request that the Senate resume the consideration of the District of Columbia appropriation bill.

There being no objection, the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 19422) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1916, and for other purposes.

The VICE PRESIDENT. The Secretary will state the pending amendment.

The SECRETARY. The pending amendment is the first amendment of the Committee on Appropriations, beginning on page 1 of the bill. It is proposed to strike out all after the enacting clause down to and including line 5 on page 2.

Mr. SMITH of Georgia. Mr. President, before this amendment is submitted, I desire to suggest an amendment to the text which it is proposed to strike from the House bill. On page 2 of the bill, I move to strike from line 3 the last two words, and from line 4 the first two. At present the House provision reads:

But the amount to be paid from the Treasury of the United States shall in no event be as much as one-half of said expenses.

I propose to amend that by striking out the words "be as much as," and substituting the word "exceed," so as to read:

Shall in no event exceed one-half of said expenses.

The VICE PRESIDENT. The question is on agreeing to the amendment of the Senator from Georgia.

Mr. LODGE. May we have the amendment stated?

The SECRETARY. On page 2, in the portion proposed by the committee to be stricken out, lines 3 and 4, the Senator from Georgia proposes to strike out the words "be as much as" and to insert the word "exceed," so that, if amended, it will read:

But the amount to be paid from the Treasury of the United States shall in no event exceed one-half of said expenses.

Mr. KENYON. Mr. President, I should like to ask the Senator from Georgia a question. His amendment, it seems to me, is made to the House text which is stricken from the bill by the committee.

Mr. SMITH of Georgia. Yes. I expect to vote against the amendment of the Senate committee, but before doing so, I was perfecting the House text as I think it should be perfected.

I see no reason why we should put into the House text a provision that the appropriation from the Treasury shall not equal one-half. We have been appropriating upon the basis of half-and-half. I think it better to say that in no case shall it ex-

ceed one-half, and leave to Congress the discretion, whenever the occasion requires it, if Congress should think it does require it, to make an appropriation equal to half-and-half.

I shall not vote for the substitute of the Senate committee. I wish to vote for the provision in the House bill. I am in favor of doing away, as a hard and fast rule, with the half-and-half plan, but I think we should leave the discretion. I do not think we should insert the declaration that in no event will we allow the appropriation from the Treasury to reach one-half of the total.

Mr. JAMES. Mr. President, the reason why that provision was drawn as it now is in the House was that they had a rule there that such an amendment would not be in order unless upon its face it reduced expenses. That was the reason for wording it so that it shall not be as much as one-half.

Mr. SMITH of Georgia. We have no such embarrassment here, so it is easy for us to relieve the bill from what the friends of the measure in the House were forced to insert in it.

Mr. SMITH of Maryland. Mr. President, a parliamentary question. I wish to ask whether this amendment is in order. We are now considering the amendments of the committee.

The VICE PRESIDENT. The Chair rules that the amendment is in order, it being always in order to perfect the part to be stricken out before considering an amendment thereto.

The question is on agreeing to the amendment of the Senator from Georgia.

The amendment was agreed to.

The VICE PRESIDENT. The question recurs on the amendment as proposed by the committee.

Mr. SMITH of Georgia obtained the floor.

Mr. KENYON. Mr. President, I will suggest that I yielded the floor last evening to the Senator from Missouri [Mr. STONE], and I had not completed my remarks, but I shall be very glad to have the Senator from Georgia proceed.

Mr. SMITH of Georgia. No; I prefer that the Senator from Iowa shall conclude his remarks.

Mr. JAMES. Mr. President, I desire to submit the amendment which I send to the desk, as a new section, and which I shall offer at the proper time. If the Senator from Iowa will yield to me, I desire to have it read for the information of the Senate.

Mr. KENYON. I yield.

The VICE PRESIDENT. The amendment will be read for the information of the Senate.

The SECRETARY. It is proposed to add a new section, as follows:

That section 6 of the act of the Fifty-seventh Congress entitled "An act making appropriations to provide for the expenses of the general government of the District of Columbia for the fiscal year ending June 30, 1903, and for other purposes," be amended by striking out the word "tangible" wherever it occurs in section 6 of said act; and that the words "personal property" wherever occurring in said section shall be held to include, in addition to the specific property mentioned in said section, all moneys, credits, cash, notes, bonds, stocks, annuities, and all other kinds and forms of indebtedness."

Mr. KENYON. Mr. President, the Senator from Georgia, near the conclusion of the discussion on yesterday, asked me as to the value of the property owned by the Government in the District of Columbia and the area thereof. I am going to answer that question from the statements made in debate in the House. I have not verified those statements, but I assume they are substantially correct.

It was stated there that the report of the engineering department showed that there are 123½ acres in the old city of Washington used exclusively by the Federal Government in the transaction of its business. That report sets out what those buildings are and what those acres consist of.

There are 7,162 acres in the old city of Washington. The old city of Washington extends, as I understand it, from Florida Avenue to the Potomac. So the report of the engineering department shows that of the old city of Washington the Government occupies less than 2 per cent of the entire territory. Since that time there have been additions, I think some 45,000 acres, or thereabout, of extensions to the city of Washington, and a number of parks are included in that.

Now, as to the value. It is commonly stated that the Government owns so much property in the District of Columbia of such great value that it is a perfectly fair arrangement for it to contribute one-half. The figures as given in the House discussion—and that is as far as I can go in this matter—of the value of real estate in the District of Columbia show something over $1,300,000,000. The property held in private ownership, according to the report of the committee of the House which I cited yesterday, is $744,000,000. That does not include parks and things of that kind. So the parks are included, as I take it, in the $1,300,000,000. The Government does not own in value property equal to one-half of the value of the property in the District, and somewhat far from it. Now, Mr. President, when the question was raised yesterday——

Mr. SMITH of Georgia. Those figures would indicate that private citizens do not own much over one-half of the property of the District.

Mr. KENYON. Not much over half would be held in private ownership—$744,000,000 out of $1,300,000,000, over half, but in the one billion three hundred million the Senator must take into account that the parks are included.

Mr. SMITH of Georgia. Has the Senator any figures to show what part the parks constitute?

Mr. KENYON. I have not.

Mr. SMITH of Georgia. Then really the figures do not give us much help.

Mr. KENYON. Not very much, except to show that the private ownership amounts to over one-half of all the value of property in the District, including parks.

Mr. SMITH of Maryland. If the Senator will pardon me, I understand there is very little difference between the ownership of the Government and of individuals. Is that according to the Senator's statement?

Mr. KENYON. There is very little as we figure appropriations in Congress, but quite a good deal to the average citizen who is compelled to figure and pay the money.

Mr. SHAFROTH. I should like to ask the Senator whether his estimate of the amount in private and public ownership consists to any extent of the streets?

Mr. KENYON. As to the value of the streets?

Mr. SHAFROTH. Yes.

Mr. KENYON. Oh, no; it does not. The title to streets is not held in private ownership; it is held by the Government for the benefit of the public.

Mr. SHAFROTH. I do not mean anything held in private ownership. But are the streets reckoned as a part of the area that is recognized to be in the ownership of the Government?

Mr. KENYON. No; I think not. A statement was issued by the chamber of commerce here showing the amount of acreage owned by the Government and by the city, and that statement showed 6,110.94 acres taken for the city and 3,606 acres donated to the United States for avenues, streets, and alleys, and donated to the United States 10,136 building lots, 942 acres.

The chairman of the Committee on the District of Columbia, the Senator from Maryland [Mr. SMITH], yesterday raised the question of the funded debt. He said that this extra amount of money, which is not needed to conduct the business of the District, would go into the Treasury of the United States and in some way in the future by some action of Congress it would be used to pay the interest on the funded debt and to pay the debt.

Mr. NORRIS. Will the Senator yield for a question there?

Mr. KENYON. Yes.

Mr. NORRIS. Speaking of the debt of the District——

Mr. KENYON. I should like to finish just what I have to say on that point, and then I will yield.

Mr. SMITH of Maryland. If the Senator will pardon me, I should like to modify the statement he attributes to me. It could go, I said, to the funded debt. I did not say that it would go, because that is a matter for Congress to determine in the future.

Mr. KENYON. No; that was the excuse as to how this surplus amount of money that was not needed should be applied.

Mr. POINDEXTER. Mr. President——

The VICE PRESIDENT. Does the Senator from Iowa yield to the Senator from Washington?

Mr. KENYON. Yes.

Mr. POINDEXTER. I should like to ask the Senator in charge of the bill if he can state what is the amount of the funded debt of the District?

Mr. KENYON. Will the Senator just wait until I complete this point? I am going to cover that in a minute.

Mr. POINDEXTER. Very well.

Mr. KENYON. What is this funded debt? It is less than $7,000,000.

Mr. SMITH of Maryland. It is $7,015,430. It is over $7,000,000.

Mr. KENYON. The report of the auditor of the District of Columbia shows that it is a little less than $7,000,000, but it is not particularly material. It is around $7,000,000. I agree to that.

That seemed to be an explanation that was reasonable to some Senators upon this floor; but this bill itself carries an appropriation of $975,408 for this very purpose, and the Senator from Maryland did not enlighten us upon that proposition. This funded debt is a part of the $33,000,000 that the Government assumed at the time of the organization of the government of

the District of Columbia in 1874, or thereabouts, that it was under hardly any moral obligation to assume; but it has gone ahead and paid its part of it year by year, until it is reduced now to $7,000,000, and that debt is not due until 1930.

It seems to me that it is a pretty lame excuse for taking $2,000,000 more from the people than is needed to conduct the affairs of the District government—that it is done in order to put it into a sinking fund of this kind. Every District of Columbia appropriation bill, since 1906, at least, which I have before me carried this appropriation of $975,408 as a fixed appropriation. It is the only excuse that has been given for the proposition of collecting more money from the people of this country to run this District than the District needs or asks.

As I said yesterday, anyone who says a word about this taxation question is at once an enemy of this District. Mr. President, the time will come, if this unjust and iniquitous method of taxation goes on in this District, when the men who are making the fight now in the House of Representatives, Mr. JOHNSON of Kentucky, Mr. SISSON of Mississippi, Mr. PAGE of North Carolina, and Mr. PROUTY of my State, will be regarded as the real friends of this District, because there is not any use of our talking about it or trying to get behind any breastworks on the proposition. The people of the United States are willing to do everything that is fair and right for this District, but they are not going to stand for injustice. No man can prosper and no community can prosper and the District of Columbia can not prosper on a system of injustice. That is all we are asking, all they are asking, all that this great majority of the House desired in their vote. Why it is now that you can not get any consideration from more than a few of the Members of the majority of the Senate on this proposition is something I can not understand.

Mr. GALLINGER. Mr. President——

The VICE PRESIDENT. Does the Senator from Iowa yield to the Senator from New Hampshire?

Mr. GALLINGER. I rise to a question of order, Mr. President. The Senator from Iowa informed us yesterday that the House would never agree to the action of the Senate. The Senator now is quoting from debates in the House on this very question and commending those debates to the Senate. I think that is clearly in contravention of the rule.

Mr. KENYON. I do not want to violate the rule. I did not say that the House conferees would not agree to the elimination of this amendment, because I do not know what they will do or anything about it, but I hope that they will not agree.

Mr. BORAH. Mr. President, I do not understand that the mere quoting from the RECORD of the House debates is in violation of the rule. I had supposed that the rule related to something in the nature of a criticism or answer to an argument in debate, or something of that kind.

Mr. KENYON. I should like first to know——

The VICE PRESIDENT. What is the rule to which the Senator from New Hampshire refers?

Mr. GALLINGER. It may be found in Jefferson's Manual. I can not turn to it at this moment.

Mr. KENYON. I should like first to get the facts.

The VICE PRESIDENT. There is no rule adopted by the Senate of the United States upon the question, but there is a statement in Jefferson's Manual to the effect that there shall be no adverse criticism in either branch of Congress of the conduct of the other branch.

Mr. KENYON. I am praising the action of the House and asking the Senate to emulate it.

Mr. GALLINGER. I wish the Senator——

Mr. KENYON. I should like to ask the Senator from New Hampshire first, in a spirit of perfect candor, as to what quotation I made that he thinks is a violation of the rule? I do not want to transgress the rule.

Mr. GALLINGER. I am not going to press it.

Mr. KENYON. I will be very glad to have the Senator state the rule.

Mr. GALLINGER. I understood the Senator to say distinctly yesterday that the House would never agree to the action of the Senate if it adopted the amendment proposed by the committee. That is a mere matter of taste, of course, on the part of the Senator. I think it was unfortunate for him to say it. I think I quote him accurately. The Senator is now telling us what Mr. JOHNSON of Kentucky, Mr. PROUTY of Iowa, and other Members of the other House have said and what their position is on this question, and that a majority of the Senate will not give the matter any consideration.

Mr. President, I think it is unfortunate to array the opinions of the two bodies on a question of this kind in debate. The committee on the part of the Senate has tried to do its duty, and it will try to do its duty when the conferees are appointed, as they doubtless will be; but I think the least discussion as to the attitude of the two Houses in advance on a matter of this kind is unfortunate.

Mr. KENYON. Mr. President, far be it from me to say anything here that the Senator from New Hampshire would feel to be discourteous to anyone. I would not do it.

Mr. GALLINGER. I will venture to add that it has been an axiom—it is not a law or a rule—that the Senate will stand by its own conferees, and I do not think the Senate or any Member of the Senate ought in advance to minimize or antagonize the position the conferees on the part of the Senate may feel constrained to take because of the action of the body which they are serving.

Mr. KENYON. Mr. President——

The VICE PRESIDENT. This is the statement of Jefferson's Manual:

> No person is to use indecent language against the proceedings of the House; no prior determination of which is to be reflected on by any Member, unless he means to conclude with a motion to rescind it. But while a proposition under consideration is still in fieri, though it has even been reported by a committee, reflections on it are no reflections on the House.

Mr. ROOT. There is another provision.

Mr. GALLINGER. There is another provision which the Chair will find on page 96.

Mr. KENYON. My attention has been called by the Senator from New York——

Mr. GALLINGER. I should like to have the provision on page 96 read.

The VICE PRESIDENT. On page 96 it is further stated that—

> It is a breach of order in debate to notice what has been said on the same subject in the other House or the particular votes or majorities on it there, because the opinion of each House should be left to its own independency, not to be influenced by the proceedings of the other; and the quoting them might beget reflections leading to a misunderstanding between the two Houses.

Mr. GALLINGER. That is the provision I had reference to, and it does not say that it shall be an adverse criticism at all. The Senator has been quoting from the debates on this subject during the present session of Congress.

Mr. KENYON. I confess in very deep humiliation that what I have said seems to be contrary to this statement, to which the Senator from New York [Mr. ROOT] calls my attention. It is a notation in Jefferson's Manual that has been broken in the Senate practically every day. I was not aware that we could not refer to the debates in the House of Representatives or that we could not quote what the Members of the House of Representatives said. I am not so convinced now. I think I can produce some speeches of my distinguished friend from New Hampshire in the river and harbor discussion where he quoted what had been said in debates in the House.

The VICE PRESIDENT. The Chair does not think that the Senate of the United States has adopted Jefferson's Manual as a part of the Rules of the Senate, but that is a better authority than the present presiding officer. Still, in the opinion of the present presiding officer, it certainly must be left to the discretion of Members of the Senate as to what they will or will not say, provided they do not speak disrespectfully of the proceedings of the other House.

Mr. KENYON. Mr. President, I shall try and confine myself to such limits as will not give offense to my good friend from New Hampshire, because he has been here for a great many years, and probably from the earnestness of his desire to have the dignity of the Senate preserved he might look at it a little differently than I would, and I shall be very careful in the balance of my discussion.

Mr. GALLINGER. If the Senator will yield to me, the Senator can not offend me. The Senator and I are too good friends for me to take offense at any matter of this kind. The Senator has been quoting from a report made to the House upon which no affirmative action was ever taken by the House, and it seemed to me that he was laying too much stress on one side of this question that had to do with another body rather than with the Senate. But I have no objection, if the Senator wishes to proceed along the line that he has been pursuing. I really think it is not doing exact justice to this body in a matter that is to be given consideration by the conference committee.

Mr. KENYON. Exact justice is what I am pleading for, and I will try to follow it.

Mr. President, under the present law property in the District of Columbia is taxable at the rate of $1.50 on each $100 worth of property, but real estate is taxed at not less than two-thirds of its real value. I have laid down the proposition that if property were reasonably assessed in the city of Washington sufficient revenue would be raised to conduct the affairs of the District, and now with a surplus of money on hand there is only one of

two things to do—one is to cut down the rate or the assessed valuation on the half-and-half plan in order that too much money need not be raised.

Up to 1874 the people of Washington paid their own local expenses just the same as other cities. This act which is referred to as the organic act—and there seems to be some sanctity which surrounds it—is nothing but a statutory enactment in which there can be no vested interest, and there is no reason why it should not be changed if it has ceased to carry out the purposes for which it was enacted.

I have shown in the discussion yesterday that the report of August 20, 1912, of the Committee on Assessment and Taxation in the House of Representatives, and I suppose it is not out of order to refer to it, showed at the time the real property of the District of Columbia was assessed it was $414,000,000 below its true value, and that its true value outside of Government property was $744,000,000.

That report also showed a great discrimination between the assessments upon the homes of the middle classes and the poor of this city and the homes of the rich.

It must be borne in mind that there is no inheritance tax in the District of Columbia. If there were a fair assessment in line with the assessment in other cities of this country on the $744,000,000 of real estate, an assessment of 15 mills, it would produce over $11,000,000. The amount raised from personal taxes alone last year, I think, was in the neighborhood of $2,000,000. Then there were some other revenues. If the moneys and credits were assessed in addition to that, we should have some fourteen or fifteen million dollars raised out of fair taxation with which to conduct the affairs of this District. Then, if we want to make this the great, beautiful city, with the wide sidewalks of which the Senator from New Jersey [Mr. MARTINE] speaks—I do not know why we need wider sidewalks in a city where Congress meets than in any other city, though there may be some reason of which the Senator from New Jersey knows—we could add to it whatever would be necessary to do that, and nobody in this country would have one particle of objection to our doing so.

Mr. BORAH. Mr. President——

The PRESIDING OFFICER (Mr. THOMPSON in the chair). Does the Senator from Iowa yield to the Senator from Idaho?

Mr. KENYON. I do.

Mr. BORAH. It may be that the Senator from Iowa has covered the particular point as to which I now desire to ask for some information, but if so I did not catch it. I do not understand that the Senator from Iowa is opposing the Government paying some part of the expenses of this District?

Mr. KENYON. Oh, no.

Mr. BORAH. But the Senator is of the opinion that the proportion which the Government pays is unfair?

Mr. KENYON. That is right.

Mr. BORAH. Under the contention which the Senator is making, how much of this appropriation would be paid by the Government?

Mr. KENYON. The Senator from Idaho was not here yesterday, I imagine, because I then went over that very fully. I will state briefly, however, to the Senator that there is approximately $11,000,000 carried in this bill, $5,500,000 to be paid by the District and $5,500,000 to be paid by the Government. The District Commissioners estimate the return from taxation in this District, which, as I have been contending, is a low rate of taxation, at approximately $8,000,000. The Johnson amendment does not change the assessment or the rate. It merely works this out so that the $8,000,000 raised upon this taxation upon the property of the District shall be used first to pay the District expenses. That would leave about $3,500,000 for the Government to pay, instead of $5,500,000. It then provides that the balance above what is raised by such taxation shall be paid by the Government.

The other proposition is that that money shall be turned back somewhere, to pay some bonded or funded indebtedness, though that has not been made clear at all to the Senate. Does the Senator from Idaho get the point?

Mr. BORAH. Yes; I understand it.

Mr. SMITH of Georgia. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Georgia?

Mr. KENYON. I yield.

Mr. SMITH of Georgia. Following up the question of the Senator from Idaho [Mr. BORAH], the Senator from Iowa has given the appropriation as made by the House of Representatives. If we accept the appropriation suggested by the Senate committee, it would amount to $12,341,624; or if we take the estimate of the commissioners—I suppose that is their estimate——

Mr. KENYON. Yes.

Mr. SMITH of Georgia. The appropriation would amount to $12,909,000. Then, if we take the highest appropriation suggested and accept the view that the amount which will be raised by taxation, even under the present system of taxation, which I do not think is equitable compared to other cities, because it fails to embrace elements of property that should be taxed and are taxed in other cities—but even under the present system of taxation it is estimated that the taxes raised will amount to considerably more than half of the most liberal estimate for next year's appropriation. As I understand the Senator from Iowa, his contention is that we should fix what is a proper appropriation, a proper figure for disbursement for the next year; that we should take what is raised by local taxation toward paying this disbursement from the Treasury of the United States, and that we should make up the deficit. Under the amendment that has been adopted to the House provision offered by myself we provide that in no event shall the appropriation by the Government exceed one-half of the disbursement. For the ensuing year, if we should appropriate as suggested by the Senate committee, the revenues from the District would be over $7,000,000 and the Government would appropriate something over $5,000,000.

The Senator from Iowa is contesting the hard and fast rule, as I understand him, of half-and-half. He concedes that the Government should make up any reasonable deficit, but contends that if reasonable taxes on the property holders of the District cover more than half of the required disbursement, there is no reason why the Government should arbitrarily appropriate just as much as the District pays.

Mr. BORAH. Mr. President, does not the Senator from Georgia think that the real injustice in this whole situation arises out of the system of taxation which we have here, in which I am informed that a very large amount of property, which is ordinarily embraced within a system of taxation, is entirely relieved from taxation?

Mr. SMITH of Georgia. Mr. President, I do agree with the Senator from Idaho that that system is wrong; and I believe one reason why that system exists is that we fix a hard and fast rule in paying out of the National Treasury half of all that is required. We have failed for that reason to levy the taxes upon property in the District as taxes are levied and paid in other cities. I wish to see liberal treatment out of the National Treasury for the city of Washington and the District of Columbia. I wish to see a fair system of taxation upon the property of the District without any effort to levy exorbitant or improper taxes. My own view—and I believe it is the view presented by the Senator from Iowa—is that we should change the system of taxation here and levy taxes upon all property which is usually subjected to taxation in other cities of the United States; that the assessment should be reasonable, not exorbitant; that the rate should be reasonable and not exorbitant; and then, recognizing the peculiar relationship of the city to the entire country, recognizing the fact that we do own a large amount of improved property—when I say "we." I mean the whole people, the Government—that the Government owns a large amount of property in the city of Washington, much more than in any other city; and recognizing the fact that there is a large part of the population whose citizenship is in other States and who pay part of their taxes in other States and not in the District, as they would ordinarily pay their taxes but for the governmental requirement which forces them to retain their citizenship elsewhere; and that we should be ready liberally to supplement the taxes paid by property holders of the District of Columbia and to provide for the improvement of Washington along lines that every American citizen would approve and feel a pride in. But even conceding what I have just said, with the Senator from Iowa, I believe that the hard and fast half-and-half rule is illogical and unreasonable.

Mr. SHAFROTH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Colorado?

Mr. KENYON. I yield.

Mr. SHAFROTH. I agree with a good deal of what the Senator from Georgia [Mr. SMITH] has said, but it seems to me it would be inequitable to appropriate, as is proposed by the House provision, the surplus of two or three million dollars which have been raised by taxation on private property in the District of Columbia, and to say that we will now change the rule and apply that surplus to the payment of the expenses of the District of Columbia which would make the Government's payment that much less. It was raised under the impression that the half-and-half rule would prevail; in other words, the Commissioners of the District of Columbia have made a certain estimate with regard to the raising of revenue for the expenses

of the municipal government and have assessed the properties at certain values. That estimate contemplates the raising of about $8,000,000 of revenue upon the hypothesis that the District is going to pay one-half of the expenses of municipal government; but now when the matter comes to Congress, so that the appropriation may be made, Congress says: "Yes; you shall spend all of that money raised by taxes for the expenses of the District, but not in the proportion of one-half."

Mr. SMITH of Georgia. Mr. President, is not the Senator wrong about that? Did not the commissioners estimate that the entire expenditures would be less than $13,000,000? Did not their budget contemplate that the entire expenditures would not be twice the amount raised from local taxation?

Mr. SHAFROTH. No matter what their estimate has been, they have raised $8,000,000; and they have raised it under the old law which said that one-half should be paid by the District and one-half by the Government. Now to say that they shall pay more than one-half, as provided by the existing law, until we have enacted some other permanent law, it seems to me would practically be confiscation.

Mr. KENYON. Does the Senator feel that any of the citizens of Washington have paid excessive taxes?

Mr. SHAFROTH. No; but you must remember that the tax is now in the hands of the District of Columbia and belongs to it whether it is an excessive amount or too small a figure.

Mr. SMITH of Georgia. Is not the Senator mistaken? The amount has not been raised yet. The proposed new system would not apply until the ensuing fiscal year.

Mr. SHAFROTH. It is necessary to raise it according to the present statute, which provides——

Mr. KENYON. This bill makes appropriations for the fiscal year 1916.

Mr. SHAFROTH. Which provides a rate of a dollar and a half per hundred on two-third valuation, the Government to contribute one-half of the amount appropriated.

Mr. SMITH of Georgia. We are really making this change in anticipation of the future.

Mr. SHAFROTH. Does the Senator mean to say that the District assessors, or whatever machinery the District has in that respect, can raise only $5,000,000 to meet $5,000,000 which it will be necessary for the Government to contribute?

Mr. SMITH of Georgia. Not at all.

Mr. SHAFROTH. Then, it seems to me when you recognize that $8,000,000 ought to be raised, and as it has been estimated will be raised, and property assessed at values which will realize a tax of $8,000,000, and you take $2,000,000 of that and say that that amount practically shall be paid as part of what the Government of the United States would be required to pay under the half-and-half principle, you are not equitable in your treatment of the District.

Mr. SMITH of Georgia. Will the Senator allow me to ask him a question?

Mr. SHAFROTH. Certainly.

Mr. SMITH of Georgia. If the present system of requiring the taxpayers to pay a certain amount on their property is not burdensome—and certainly the assessment is not higher than that in the average city and probably, as a general thing, lower—if the rate, then, is reasonable and if the amount which would come from it would be sufficient under a reasonable system of taxation to pay more than half of the proper expenses of the District, then does the Senator think it right to require the Government to duplicate that entire tax levy?

Mr. SHAFROTH. No; but I believe the whole system is wrong.

Mr. SMITH of Georgia. Then, if the system is wrong and we ought to change it, why is not this the time and the place to make the change?

Mr. SHAFROTH. I do not believe that the $2,000,000 which has been raised by the people of the District, which belongs to the District and is lost to the individual ownership, should be used by the District of Columbia except in compliance with the half-and-half principle, until that principle is changed by law. I believe it ought to be changed.

Mr. SMITH of Georgia. We are proposing to change it before the 1st of next July. This bill provides for the expenses of the District from July 1 next to July 1, 1916, and we are proposing to change the law in advance.

Mr. SHAFROTH. If you can let the people of the District know what proportion they are to pay, and this is not an appropriation of money that is either in the Treasury or which is going to be raised and put into the Treasury, all right and good.

Mr. SMITH of Georgia. Is it not fair, instead of saying you will let them know what proportion they shall pay, to say that they shall pay reasonable and fair taxes on their property?

Mr. SHAFROTH. That is all right as to the individual.

Mr. SMITH of Georgia. I believe that we should levy on the property holders in the District a reasonable and fair tax; that whatever amount is thus raised should be used toward paying the expenses of the District, connected as those expenses largely are with the citizenship and the property of the District, and then that we should supplement the sum which they pay with whatever sum may be necessary to meet a reasonable budget for the District, provided we do not pay more than the amount raised by local taxation.

Mr. SHAFROTH. If the change is applied to the future and does not affect money which has been already raised, then I think the position the Senator takes is all right. I do not believe the existing arrangement is a sound division of the expenditures of the District. I believe that the logical and equitable way of solving the problem would be to subject the property of the United States Government in the District to the payment of taxes, just the same as the private individual pays taxes upon his property.

Mr. SMITH of Georgia. If we do that, Mr. President——

Mr. NELSON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield; and if so, to whom?

Mr. KENYON. I yield first to the Senator from Georgia, and then I will yield to the Senator from Minnesota, who has been on his feet for some time.

Mr. SMITH of Georgia. If we do that, Mr. President, the United States will not pay certainly more than a third.

Mr. SHAFROTH. Oh, no; it is contended it will pay a half.

Mr. SMITH of Georgia. Not at all.

Mr. SHAFROTH. No matter whether it pays one-third or two-thirds, it seems to me fair, if we own two-thirds of the property, that we should pay on it, and if we own one-third of the property, then we should pay on that amount, subjecting, also, the public parks or the interest of the Government in the public parks to the payment of taxes. I would be willing to do that.

Mr. SMITH of Georgia. I think we should pay more than the mere proportion upon the value of the actual property of the Government in the city; but I think the idea that the parks as Government property should be taxed is ludicrous. They are property donated to the general public. I think on Government buildings, on the property we use for strictly governmental purposes here, if we should estimate the sum which would be raised by imposing taxes at the rate of one and a half on two-thirds their value we would find that we would not pay nearly so much as I am willing to see the Government pay.

I think there is another element which justifies payment on the part of the Government, and that is the fact that we have a system that keeps nearly one-third of the residents of Washington citizens of other sections, and they pay part of their taxes at home as an incident to that citizenship, and the District of Columbia does not get from them what it otherwise would receive. I do not believe the mere assessment of our property here would equal the amount we should pay.

Mr. SHAFROTH. That is the very reason why I would be willing that the parks of the District of Columbia should be subject to taxation.

Mr. JAMES. Mr. President——

Mr. KENYON. I make the point of order that the Senator having the floor can not farm it out.

The PRESIDING OFFICER. That is true.

Mr. KENYON. I yielded for an inquiry. I yield now to the Senator from Minnesota.

Mr. NELSON. I should like to make a brief statement.

The PRESIDING OFFICER. The Senator from Kentucky desired to ask a question.

Mr. JAMES. No; that is all right.

Mr. NELSON. I think both the Senator from Colorado and the Senator from Georgia are partly in error. The District Commissioners have nothing to do with the amount of taxes that shall be levied. If Senators will examine the law of 1902, they will find that it arbitrarily levies a fixed amount of tax. In the first place it prescribes the rate of assessment at not less than two-thirds, and in addition to that it absolutely prescribes that all the property shall be taxed 1½ per cent, and the same rule applies to such personal property as is taxed.

What is the result of that arbitrarily fixed statutory law? The result is that you are liable in the future, as you are now, to get this condition. The condition, as I understand it, is this: Say $12,000,000 is required to carry on the government of the District of Columbia. Half of that would be $6,000,000, adopting the half-and-half principle. That would leave a surplus of $2,000,000, because under this law, under this assessment and

under this statutory levy, you are bound to have that surplus condition every year.

In all other localities, as I understand, while there may be a uniform rule of assessment prescribed by statute, yet when that assessment is made the question is, How much money do you need to run the government? After you have established the amount of that money it is apportioned upon the assessment and constitutes the rate of taxation. Now, you have nothing of that kind in the District of Columbia. You are required absolutely to levy 1½ per cent, because the law says that the property shall be taxed "1½ per cent upon the assessed valuation thereof."

Mr. SMITH of Georgia. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Georgia?

Mr. KENYON. I yield.

Mr. SMITH of Georgia. Because we know that this levy is not enough. We are not proposing to make the property holders in the District pay enough to meet the expenses of the District. The Senator said I was mistaken about the power of the District Commissioners. He misunderstood what I said. I said that the District Commissioners had made an estimate of what they desired to expend, and that estimate was under $13,000,000. The fixed rule of levy in the District is a limitation of levy on property in the District and is less than the tax usually placed upon property in cities of this size. We stop the assessment there so as to protect the people here from any really heavy levy, and the balance of the burden is carried by the Government.

Mr. NELSON. If the Senator from Iowa will allow me, in this connection, before I sit down, I should like to call his attention and the attention of the Senate to the fact that if in this District you adopt a system of taxation such as prevails in all other parts of the country and tax credits as you tax tangible property and as you tax real estate the result will be that if you raise no larger amount of taxes than you raise to-day the owners of real estate and owners of tangible property will pay much less taxes than they are paying to-day, because a large part of that burden will be levied upon the credits of the wealthy people, who now entirely escape taxation and are entirely immune.

In most parts of the country that I know anything about I think in one form or another credits are taxed. Here in the District of Columbia they are entirely immune, except in the case of the Federal income tax, which we have lately passed and which covers the whole country.

Why should a man in the District of Columbia who owns a million dollars in credits and has his home here be immune from taxation simply because his property consists of credits instead of tangible property?

Mr. KENYON. If the Senator will permit me, right there, as it is so apropos to what he has said, I should like to call his attention to an article in the Post of this morning. It is headed:

HUTCHINS HAD A BIG INCOME—TRUSTEE DANTE TESTIFIES COLLECTIONS WERE $35,000 A MONTH.

* * * * * * *

Before finishing with Mr. Dante, Attorney Perry had him tell the jury the amounts of his yearly collections on the estate while he was acting as collector. Mr. Dante said that, so far as he could recall, the collections were about $35,000 a month.

It would be very interesting to know how much taxes were paid on the moneys to the credit of this gentleman.

Mr. GALLINGER. That was largely real estate, as some of us know.

Mr. KENYON. If the Senator knows, I do not.

Mr. NELSON. It is inscrutable to me, but perhaps it is because I am so mentally obtuse, why Senators will object to changing the present system of taxation, and making intangible personal property—credits of all kinds, bonds, stocks, and mortgages—pay taxes as well as other property.

These millionaires who come here get the benefits of our streets, of our parks, of our public buildings. They come in here—and let me tell you that the greatest inducement for many of them to come here is not because we have magnificent buildings here, not because we have fine parks, not because we propose to make Washington a beautiful city; it is because by coming here they escape taxation and secure immunity from it if they have their property converted into credits and personal estate.

That is what makes this city so delightful for many wealthy men. It is not a mere matter of our parks and public buildings and schools, and all that. They can get those things in other localities; but I know of no locality where they can get such immunity from taxation as they do here in the city of Washington.

Mr. GALLINGER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from New Hampshire?

Mr. KENYON. I yield.

Mr. GALLINGER. The matter that the Senator from Minnesota complains about can be easily remedied by an amendment to the law. We have a tax law for the District of Columbia, as I recall, which was framed by the late Senator McMillan, who was chairman of the——

Mr. NELSON. Will the Senator permit me right there?

Mr. GALLINGER. The Senator never allows me to finish a sentence.

Mr. NELSON. Well, I want to say something right in this connection.

Mr. KENYON. I yield to both Senators at the same time. [Laughter.]

Mr. NELSON. Right in this connection, the Senator from Kentucky [Mr. JAMES] has offered an amendment to cure this defect in the bill to which I have called attention. Will the Senator, and those who agree with him, avoid making a point of order on that amendment?

Mr. GALLINGER. Mr. President, I will make no promise at all on that point. I do not think an appropriation bill is the place for general legislation. Our rules prohibit that, and we all agree to it.

Mr. JAMES. Mr. President——

Mr. GALLINGER. Mr. President, I was about to remark that we have a tax law. I will quote that tax law in my own time, if I may be permitted that opportunity between now and the 4th of March next, and it will be seen that the tax law is a little broader than some Senators imagine. But as to this matter of intangible property, it is taxed in my State. There is no reason why it should not be taxed in the District of Columbia, as I look at it, and I never have antagonized that proposition; but the law ought to be amended so as to cover that matter in some reasonable way. I do not think intangibles ought to be taxed to the full value that real estate is taxed. That is my personal view; because if a man has a bond carrying 4 per cent interest and the rate of taxation is, as it is in New Hampshire, in my city, 2 per cent or thereabouts, I think it is an excessive rate of taxation on that investment. For that reason, in my State we have entirely exempted from taxation mortgages carrying 5 per cent, and I think that is wise legislation. All of that ought to be very carefully considered before we change our system.

Concerning the matter that is under discussion, I do not wish to be put in a false attitude, and I know the Senator from Iowa would be the last man in the world to put me in a false position. I served on the District of Columbia Committee for a long while. I made a martyr of myself, for much longer than, I believe, any other Member of this body would care to make a martyr of himself, in trying to legislate wisely for the District of Columbia. We found that there was in existence a system that had been worked out by wise men—men like the late Senator Allison, from the Senator's own State; Senator Morrill, from Vermont; Congressman Poland, from Vermont; and various other men. They found that at that time the burden upon the people of the District of Columbia was inequitable; that is, that they were carrying burdens greater than they ought to carry. I am not going into the matter of the great burden that was imposed upon the people of the District of Columbia by virtue of what was done here by a man whose statue is now in front of the Municipal Building. It was an enormous burden. It practically bankrupted the District. That condition existing, however, this system was worked out by a joint committee of Congress and adopted, and has been in vogue ever since.

Now, my thought is—and I say this in entire sincerity—that instead of undertaking to upset that system on an appropriation bill by general legislation—of course, it comes here from the House, and they adopted a little sharp practice to get it on——

Mr. KENYON. The Senator must not criticize the House.

Mr. GALLINGER. I am not criticizing the House.

Mr. KENYON. The Senator has just called me to order, and I can not permit him to do that, Mr. President. [Laughter.]

Mr. GALLINGER. I was quoting what another Senator had said. All right, then; I withdraw the statement. I am glad, always, to accommodate the Senator. The proposal comes here on an appropriation bill. My judgment is that the proper way to do would be for us to appoint another joint committee to take this entire matter under consideration and to report before we have another appropriation bill relating to the District of Columbia.

Mr. JAMES. Mr. President, if the Senator will permit me, what proportion of the indebtedness or the expenses of this city did the commission of which Senator Allison was a member provide should be paid by the District and what proportion by the Federal Government?

Mr. GALLINGER. They recommended the existing law, the half-and-half principle.

Mr. JAMES. It was 60 and 40 per cent, was it not—60 per cent for the District and 40 per cent for the Government?

Mr. GALLINGER. I do not think so. I think not.

Mr. JAMES. I think the Senator will find, upon investigation, that that was the case.

Mr. GALLINGER. I think they recommended the proportion provided for by the so-called organic act. By the way, that term was created by the Supreme Court of the District of Columbia. They recognized this law as the organic act. It provides that the contribution shall be one-half by the District of Columbia and one-half by the Government, and I think that was what that commission recommended.

I think it would be wise for us to continue the present system for the next year and appoint a joint committee to take this entire matter into consideration—and I shall be very glad to have the Senator from Iowa on that committee—and work out the problem. Then, after having examined all the facts bearing on the question and taking testimony on the subject, let us create another organic act, if you please, different from the one that exists at the present time. I think, myself, that some changes might well be made in that respect, and I do not occupy a hard and fast position on this question at all. Personally I want to see justice done to the people of the country as well as to the people of the District of Columbia.

Mr. KENYON. Mr. President, I am sure the Senator must feel that way, and of course there is merit in his suggestion, though the general result of these investigations is that we never receive any report within the ordinary lifetime of those now existing.

I want to review very briefly, so that it may go in the RECORD, the acts that have been referred to.

The act of 1874 provided that there should be levied upon the real estate in the city of Washington $3 on each $100 of the assessed value. In the act of 1878 it was provided that the rate of taxation in any one year should not exceed $1.50 on each $100 of real estate not exempted by law, and on personal property not taxable elsewhere $1.50 on every $100, according to the cash valuation thereof. That seemingly fair provision, which provided for the taxation of personal property, raised too much money, so that in 1902 the law was changed, and it was provided, in section 5 thereof—

> That hereafter all real estate in the District of Columbia subject to taxation, including improvements thereon, shall be assessed at not less than two-thirds of the true value thereof.

That made a levy of 10 mills on the dollar. Then, in the same act, instead of leaving the law as it was, with a fair tax on personal property, in some way, which I wish somebody would explain, the word "tangible" was inserted in that act:

> That hereafter the assessor of the District of Columbia, or his successor in office, shall annually cause to be prepared a printed blank schedule of all tangible personal property.

Mr. GALLINGER. That is the law of 1902?

Mr. KENYON. That is the law of 1902.

Mr. GALLINGER. Of course the Senator can not get any information on the point he raises, because that antedates the service of all of us here. I do not know why it was inserted.

Mr. KENYON. I thought there might be somebody who would know as a matter of history or tradition, as those things are sometimes handed down.

Mr. GALLINGER. That was done by the fathers.

Mr. KENYON. The result of that was that in an instance such as the Senator from Utah cited, that of his household goods, they were taxed, but it relieved from taxation the gentleman with the bonds and the moneys and the credits. That word inserted in that act has resulted, as has been said, in making the city of Washington the delightful isle of refuge to which the tax dodger of the United States or the "tax dodgess" can come and escape the payment of taxes.

I should like to know why, in the Capital of this Nation, there is any reason why the people, I could name some of them, with their millions of stocks and bonds and moneys and credits, should be exempted from taxation and the people of my State and every other State compelled to contribute to them.

The Senator from New Hampshire says it is a matter of only 7 cents apiece, and that that is a small amount. Yes; and that is, as the Senator from Mississippi [Mr. VARDAMAN] suggests to me, true of every tax that is levied. It does not amount to much. It amounts to about 50 cents for every man with a reasonable number of children. That is not much. He is willing to give that to the Government. He is willing to give that for these broad streets and these wide sidewalks and these beautiful boulevards and parks. He is willing to do that, and no matter how they may try to drive the proponents of this Johnson amendment by false statements into a false position no one can claim with any truth that the taxpayers of this country are not willing to contribute liberally to the District of Columbia. Nobody advocates any other policy.

The PRESIDING OFFICER. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated.

The SECRETARY. A bill (S. 6856) to authorize the United States, acting through a shipping board, to subscribe to the capital stock of a corporation to be organized under the laws of the United States or of a State thereof or of the District of Columbia to purchase, construct, equip, maintain, and operate merchant vessels in the foreign trade of the United States, and for other purposes.

Mr. FLETCHER. Mr. President, I ask unanimous consent to lay aside temporarily the unfinished business.

The PRESIDING OFFICER. The Senator from Florida asks unanimous consent to lay aside temporarily the unfinished business. Is there any objection? The Chair hears none, and it is temporarily laid aside. The Senator from Iowa will proceed.

Mr. KENYON. Mr. President, while they are willing to do that, they are not willing to contribute 7 cents or 2 cents for the benefit of the tax-dodging high livers who move into the city of Washington. While that amount is small, it amounts to something in the various States. Take the State of the disinguished junior Senator from Mississippi [Mr. VARDAMAN]. They contribute $121,000 for the support of the city of Washington. They are willing to do that, I know, if it goes to the support of the Government, but I do not believe the men toiling in the State of Mississippi are willing to contribute that to enable people to get along without paying the taxes which they should pay.

The contributions of Colorado, the State of the distinguished Senator [Mr. SHAFROTH], who is one of the few who seems to be interested in this proposition, contributes $53,841.

The State of California contributes $160,206.

The State of Maryland, the home of the distinguished chairman of the Committee on the District of Columbia, $87,284. Massachusetts, $226,849; Minnesota, $139,867; New York, $614,103; Iowa, $149,912; and so it goes.

Mr. VARDAMAN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Mississippi?

Mr. KENYON. I do.

Mr. VARDAMAN. I wish to ask the Senator, who evidently has given a very exhaustive study to this question, what excuse or justification has ever been offered for a failure here in the District of Columbia to tax money, choses in action, evidences of debt, as they are taxed in the States of the Republic. Has the Senator ever heard of any?

Mr. KENYON. I have never heard of any. God only knows; I do not.

Mr. VARDAMAN. I have not heard of any myself. I can not understand why it is.

Mr. KENYON. I should like to find some good reason why the people of these States should make this contribution to the people of the city of Washington while at home they are paying a higher rate of taxation for the same benefits than the people of Washington are paying for the benefits they receive. I should like to know why the people of your State, Senator VARDAMAN, should pay for their own sidewalks, pavements, and sewers and then come down here to Washington and contribute and pay half for the sewers and the sidewalks and the paving of the people of Washington?

Mr. VARDAMAN. I can only answer that question by saying I do not think the people of Mississippi or Iowa would consent to such a discrimination; and I can account for it only upon the theory that the people here have not been represented in voting upon these questions.

Mr. KENYON. I assume the people of Mississippi are bearing all the burdens of taxation which they should.

Mr. VARDAMAN. They are bearing all the burden of taxation which ought to be put upon them, and since they are no more able to bear it than the people of the District of Columbia, I agree with the Senator from Iowa that there is very great injustice in imposing it upon them.

Mr. KENYON. I knew that this proposition would have the support of the Senator from Mississippi if it did not have the support of any other Senator.

Mr. VARDAMAN. If the Senator will permit me, I wish to say that no Senator on the floor takes greater pride or interest in the great Capital City of the Nation than I do, and I shall not do anything that will hinder or retard its growth, but I think that the opulence of the city, its own great wealth, is amply sufficient for it to draw upon for any expense that it may be necessary to carry out and make it a great city worthy of the great Nation of which it is the Capital.

Mr. LEE of Maryland. Mr. President——

Mr. KENYON. I yield to the Senator from Maryland.

Mr. LEE of Maryland. I wish to intrude upon the remarks of the Senator from Iowa long enough to call upon Senators, especially the Senator from Mississippi, not to settle this question until they have heard a little from the other side of it. There is a great constitutional proposition lying at the base of this half-and-half arrangement, which is really the only protection that the unrepresented citizens of the District of Columbia, the taxpayers of the District of Columbia, have.

Mr. VARDAMAN. Will the Senator pardon me? Is there any constitutional objection or hindrance in the way of taxing money that comes here as a city of refuge to avoid taxation? Is there anything in the Constitution of this Government which prevents the United States from taxing the enormous wealth owned by the idle rich who come here for the sole purpose of escaping taxation?

Mr. LEE of Maryland. Mr. President, there is not and ought not to be, but this is a place which is absolutely owned and controlled by the Federal Government. Everything, right or wrong, that is done here is done by the Congress of the United States and the executive agents appointed by the President. The people of the District of Columbia have no rights of a constitutional nature. When I speak of the constitutional reason in this half-and-half principle I speak with reference to the fundamental, liberty-loving instinct of the American people rather than as to a section of the Constitution of the United States.

I wish briefly to call the attention of the Senate to one fact. The money of these people is being spent by agents whom they do not select, which process is absolutely and essentially un-American and unconstitutional from the standpoint of American thought. They have no protection whatever except this one protection, that for every dollar of money Congress takes out of them and spends Congress must appropriate a dollar, and that last dollar comes from a represented community. The only protection of a fundamental sort that the taxpayers of the District of Columbia have is this arrangement for equal contribution from them and the national funds.

Mr. VARDAMAN. Mr. President, if the Senator from Iowa will yield to me for one moment——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Mississippi?

Mr. KENYON. I do.

Mr. VARDAMAN. I do not know of a Commonwealth or a municipality where the interests of the residents are quite so generously and kindly protected as the interests of the citizens of the District of Columbia are protected by the Congress of the United States. They enjoy privileges and immunities and exemptions which the people of no municipality in my State nor which the people of the Commonwealth enjoy.

I can not see where the taxpayers of the District of Columbia have any ground to complain of a wrong that is ever done them by Congress in the question of taxation, because, as was stated by the Senator from Iowa a few moments ago, enormous wealth is owned by residents of this city. They come here and build a little house or they take up their residence here in order to avoid the laws taxing them in the States where their property exists. There is no ground, I repeat, for the complaint on the part of the people of this city on account of any act of injustice done by Congress in the matter of taxation or the protection of their material interests.

Mr. KENYON. Mr. President, I wish to say, also, as to the suggestion of the Senator from Maryland as to the people of the District of Columbia being deprived of their representation in Congress, it is wrong. They ought to have representation in Congress. The Democratic Party is now engaged in an effort to give independence to the Philippine Islands. Are not the people of the District of Columbia as well calculated to carry on their own affairs as the people of the Philippine Islands? For my part, I am ready at any time to join in any kind of a well-considered movement to give to the people of the District representation in Congress, but I do deny that they are not represented at all in Congress now.

Mr. CLAPP. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Minnesota?

Mr. KENYON. I do.

Mr. CLAPP. I have no brief for the Democratic Party——

Mr. KENYON. That is conceded.

Mr. CLAPP. But you may insist upon repealing the half-and-half plan, you may interfere all you please with taxation in the District, but you will be forgiven so long as you do not insist that the District be given the right to govern itself. That is the one unpardonable crime in the District of Columbia.

Mr. KENYON. Why?

Mr. CLAPP. I could not say why.

Mr. KENYON. Do they not want to govern themselves?

Mr. CLAPP. No; that is what I was getting at. Neither the Republican Party nor the Democratic Party is to blame for the District not having the right to govern itself. The people of this District for some reason do not want that right. They will pardon every offense known to man except a suggestion that the people of the District ought to govern themselves.

Mr. KENYON. I am sorry, then, that I added to my burden by suggesting it.

Mr. CLAPP. Whenever they want it I do not believe there will be any trouble about Congress giving them the right.

Mr. KENYON. Now, Mr. President, I want to get through. I have had the floor too long. I wish to put in the RECORD a table showing the indebtedness of the cities of the United States as large or larger than Washington. It will show that the per capita indebtedness of Washington is about $4.75. The per capita indebtedness of Baltimore is $74. I am a little curious to know why the people of Baltimore, with that much heavier per capita indebtedness, should pay more than is fair to support the people of the District of Columbia. Boston has a per capita indebtedness of $106 and New York of $153.

I ask permission without reading to insert the table in the RECORD.

The PRESIDING OFFICER. Is there objection? Without objection it is so ordered.

The table referred to is as follows:

Indebtedness of cities of the United States as large or larger than Washington.

City.	Population.	Indebtedness.	Per capita indebtedness.
Baltimore	572,000	$42,071,423.00	$74.00
Boston	720,100	76,010,187.00	106.00
Buffalo	446,000	29,369,432.00	65.00
Cincinnati	405,000	21,619,514.00	53.00
Cleveland	620,000	37,617,427.00	60.00
Detroit	567,944	8,689,659.00	15.00
Los Angeles	450,000	33,228,827.00	74.00
Milwaukee	392,181	9,868,350.00	25.00
Newark, N. J.	375,000	20,714,062.00	55.00
New Orleans	375,000	42,893,610.00	114.00
New York	5,173,064	794,949,404.00	153.00
Philadelphia	1,625,000	99,540,950.00	61.00
San Francisco	455,000	27,500,000.00	60.00
St. Louis	730,000	25,806,690.00	35.00
Washington, D. C.	350,000	5,194,938.00	14.75

Mr. KENYON. Now, I want to say just a word in closing. I have tried in a spirit of perfect fairness and candor to discuss this proposition. I propose to do anything I can to help bring about a fair situation between the people of the District and the people of the United States. I am ready to help in any movement for a larger scope of self-government in the District, for representation in Congress; they should have it; but I shall keep on fighting for justice between the District and the people of the United States.

We hear a good deal about the burdens that the people of the District are under in carrying this Capital. It is a burden that every city in the Union would like to carry. The people of nearly any State in the Union would be glad to pay for all these buildings and erect buildings in their own State just as good or better if the Capital would be removed there. It is all nonsense and buncombe to talk about the burden of carrying this Capital. Every new building erected here adds to the value of property in this District, which would be worth nothing, practically, if it was not for this Capital.

Again, there is a pay roll here of money in all times of distress or trouble, that is turned loose in this community, amounting to at least $6,000,000 a month. That is a steady outgo from the Government. People come to this city because it is the Capital and spend their money. Five hundred thousand are here at inauguration times, who it is safe to say spend $50 apiece, and probably more at the last inauguration. That amounts to

$25,000,000 left in this city. All those things, Mr. President, bear on the question at issue. It is merely restating a simple proposition whether at this low rate of taxation, as I have attempted to show, the raising of $8,000,000 should not be applied first to the payment of the expenses of this District before the Government contributes anything, and that the Government shall make up the balance.

I think that is all I care to say about the proposition at this time.

Mr. ROOT. Mr. President, I have not made any careful study of the subject of taxation in the District of Columbia, but I have lived here a long time in such a way that I have been thrown in contact with pretty much all kinds and conditions of people in the District in the different relations which I have borne to the Government and the community, and I have acquired a very warm interest in the District of Columbia and in the people who inhabit it; and I wish to express some conclusions—perhaps I am not justified in calling them more than very strong impressions—that have grown up in the course of the years I have been here.

I am forced to dissent from several of the propositions which the Senator from Iowa [Mr. KENYON], with his intense seriousness and earnestness, has stated, and which, to his mind, seem to be essential to the doing of justice in the District.

In the first place, I think that we are bound to take as our point of departure for considering what we do regarding the affairs of this District the constitutional provision which places us here. Why was it that the Constitution of the United States provided for the cession of a district 10 miles square for the seat of government? Why was it that the Capital of the United States was not placed in one of the cities which would have been so glad to have it? Why did it not go to New York or Philadelphia or to some other of the cities which existed and were prominent in 1787 and in the last years of the eighteenth century?

We all know that it was deemed, and I think wisely deemed, to be of importance to the Government of the United States that it should not be a mere tenant under another sovereignty; that it should be the sole sovereign in the limited territory necessary to carry on the operations of government. So, instead of putting the Capital in the State of Maryland or in the State of Virginia, it called for a cession of territory, and the States of Maryland and Virginia abandoned their sovereignty, leaving the Government of the United States the sole sovereign. The execution of that purpose precludes the erection of another State here in the District of Columbia with inhabitants directing the affairs of this 10 miles square, or what there is left of it that has not been retroceded. It precludes the erection of another sovereignty under which anybody but the whole people of the United States can exercise actual sovereignty upon the territory on which the operations of our Government are to be conducted.

If you give to the residents here the right to control their own affairs, the right to exercise that high prerogative of sovereignty, the imposition of taxes, and the expenditure of money raised, the right to control the police, the right to control the streets and public places, the right to do the lighting and the sewering and the supplying water, and all the multitude of things which government does, you may say that it would be but a weak sovereignty, but if it is created it must be respected. You have before you constantly the possibility, the probability—aye, the certainty—of conflicts of jurisdiction and conflicts of authority which as between self-respecting governments can not depend upon the brute power that results from one being great and another being small.

No, sir; we can not give to the people of the District of Columbia the right to control their own affairs. We can not do it, because it is inconsistent with the fundamental ideas of the Constitution, which makes the United States, the whole United States, and no one else, sovereign at the seat of government.

Sir, that may be debatable, but we are not going to debate it and settle it here. We are not going to change the fundamental idea which brought us here upon this amendment, and we ought not to. It ought not to be changed at all, unless after mature deliberation and with full consideration of all the reasons and all the results, which we can not give here. We must accept that as a postulate of any discussion upon this amendment.

We have not brought the Government of the United States to a city. There was no city here but a few scattered farmhouses when the Government was located here. Otherwise there would have been no city here. The location is not adapted to the building up of a great city. The people who inhabit the District of Columbia have come here in the main because the Government of the United States is here, and what are they? Are they a city? We speak of them as if they were a corporation. They are not. You can not make them a corporation by saying so in a statute or in debate. They exercise no powers. They have no corporate life. They have no control over their own affairs. They have come to the capital of the United States in reliance upon the beneficent Government in which they have no voice, in which they lose their voice by coming here. Our relation to it is a relation not to a corporation, but to individuals; individuals who have no voice in this body or in either House of Congress or in creating any membership in this body or in either House of Congress. They are our helpless wards. We have a higher duty to them than we have to any constituents of our own, because our constituents can protect themselves, while these people are helpless. They have no voice nor vote by which they can protect themselves.

The Senator has said, and several other Senators have indicated a feeling, that taxes are unduly low here. I do not know whether or not that is so; but my impression is the contrary. My impression is the taxes here are not unduly low, but that is not especially important to the observations that I have in mind. I think that the idea that the city of Washington has become a rendezvous or a resort for the rich who wish to escape taxation is all wrong; I think it a great mistake. I know something about the people of Washington; I have seen a large part of them come here. There are here a few compared with the size of the place—a very few—residences of wealthy people. You can count on your fingers people who have come here and who have not come because of some relation to the Government of the United States.

Old and honored servants of the Government have passed their lives here, and dying, have left their families to remain and live in Washington, not to escape taxation, but because this was the place where the husband or father was known and honored and where happy associations have grown up. That accounts for most of the houses which have stirred the animosity of some of the Senators who have spoken on this subject.

Nor is it true, it seems to me, that the people of wealth, the very small number of people of wealth, who have come here without that reason, have come to avoid taxation. I know that the change of the tax law which has been suggested here, providing for the taxation of stocks, bonds, and other intangible property, would penalize anyone who came from the city of New York to live here. If upon my going out of this body I should come to Washington to live, I should gain nothing whatever by way of escape from taxation; but if the amendment——

Mr. SMITH of Georgia. Mr. President——

Mr. ROOT. I shall yield to the Senator from Georgia in a moment. But if the amendment that has been proposed to tax stocks, and so forth, were to be adopted, I should be penalized if I came here.

The PRESIDING OFFICER. Does the Senator from New York yield to the Senator from Georgia?

Mr. ROOT. I do.

Mr. SMITH of Georgia. I agree with the Senator from New York fully so far as stocks are concerned, because the corporation pays the tax on its stock for the stockholder. I do not accept at all the suggestion that the additional tax should be put on the stock. But are no taxes paid in New York upon bonds or upon bills receivable by individuals?

Mr. ROOT. On bills receivable; yes. I will speak of that in a moment. As to bonds, we have a provision in the law of New York under which the owner of bonds may take them to the office of the comptroller or of the secretary of state in Albany, register them, pay a registration fee, and thereafter they are not subject to taxation. That has been found wise, because the State gets more money with less cost of collection than it could in any other way.

Mr. President, I want to say—I am sorry the Senator from Iowa [Mr. KENYON] has gone, because I wanted to say to him——

Mr. SMITH of Georgia. Would the Senator from New York explain that matter a little further, because I should like to understand how the registration of the bonds operates?

Mr. ROOT. A tax is paid at the time of the registration, and that single tax, which covers the life of the bonds, has proven to be better for the State than the ordinary personal tax. With us whenever a mortgage is given, when a man sells a piece of property and takes a mortgage thereon, or loans money on a mortgage, at the time of the record of the mortgage that tax is taken out. That tax is easily collected; nothing escapes it; and it has proven most satisfactory.

When you take those two things out, you will see that anybody coming here under that amendment, if it were to be adopted, would be penalized; he could not come here without paying large additional taxation.

Then, as to bills receivable, Mr. President, one of the peculiarities about Washington, one of the charms of Washington, is that it has no manufactures; that it has no commerce; it has

none of the rush and nervous tension that characterizes all or most other American cities. It is a quiet, peaceful place of residence. There are mighty few bills receivable in Washington. It is a place of retail trade, not of wholesale trade. The people of Washington are the Government officers, the clerks, the tradesmen who serve them, the laborers who do the manual labor, and a few, a little, comparatively tiny group of Americans who have come here because it is a peaceful place to live and an interesting and delightful place. Your tax upon bills receivable or upon credits would not amount to anything; it would be negligible.

Then the law as to assessment provides for a levy of 1½ per cent upon the assessed value of the property, and provides that the assessment shall not be less than two-thirds. I apprehend—and the Senator from New Hampshire [Mr. GALLINGER] will doubtless be able to correct me if I am wrong in that supposition—that that was put in because the assessment was charged to have been less than that before; that it was put in to require a jacking up of the assessment.

Mr. GALLINGER. When that change was made, Mr. President, in 1902, the next year under that system the assessable value of the property in the District of Columbia was increased $32,000,000 over that of the previous year.

Mr. ROOT. That was my understanding.

Mr. GALLINGER. That is how it resulted.

Mr. ROOT. Let me say something about that assessment, which is to be not less than two-thirds. My observation has been——

Mr. GRONNA. Mr. President——

The PRESIDING OFFICER. Does the Senator from New York yield to the Senator from North Dakota?

Mr. ROOT. Certainly.

Mr. GRONNA. As I understand, that assessment applies only to real estate?

Mr. ROOT. It applies only to real estate.

Mr. GRONNA. And personal property is to be assessed at its full value?

Mr. ROOT. Yes. Now, my observation has been—and it has been a pretty long observation—that a two-thirds valuation on city property is all that the property will bring if it is put up at auction for sale.

Mr. SMITH of Georgia. It is about the usual rato of assessment in the cities of the United States.

Mr. ROOT. Yes; it is about the usual rate of assessment, I think, throughout the country. It is two-thirds upon the kind of valuation that is created by men's own hopes for their property and the speculative element in value.

In the city of Washington to-day I know of many pieces of property that have gone begging for purchasers for years for values not above that two-thirds valuation. That is peculiarly the case with large, fine houses. When a man builds a fine house according to his own ideas, to suit himself, if he is a prudent and experienced business man he will write off more than one-third of its cost, because he will know that its value for sale will exclude any value which it has for him in conforming to his own special and peculiar ideas. The Senator from Utah [Mr. SMOOT] has just called attention to one of the fine houses up on Massachusetts Avenue the owner of which was not able to get one-half the cost of it.

This business of levying taxes, Mr. President, of assessing values for the purposes of taxation, and of selecting objects of taxation, is a complicated and difficult one, and it calls for the application of the lessons of experience in a very high degree. It is not wise, it is not sensible, to go off on the mere fact that the course that is adopted seems to somebody or seems to you or to me to be not the best course. When you come to study the subject you find a great variety of facts which inevitably modify any first impression.

So, as I have said, while I do not know and have not studied the subject of the taxation in Washington, and never have been called upon to do so, yet I do know that it is a subject that can not properly be disposed of on general propositions and general assertions; nor can it properly be disposed of by us upon an amendment to an appropriation bill.

But, passing all that, Mr. President, I would rather pay four times the amount of tax and have a voice in governing myself, in saying what I shall be taxed, in saying how the money shall be expended, than to pay what the people of the city of Washington have to pay and have no voice at all. I would rather pay more and exercise my right to help myself than to stand an humble suppliant with people set over me by others, who are not my representatives, to say what I shall pay and what my money shall be expended for. There is no parallel that can justly be drawn between the situation of the people of Washington in respect to taxation and the people of Cincinnati, or of Cleveland, or of Buffalo, or of St. Louis, or of San Francisco, or of Des Moines. The people of Washington and their property are helpless in our hands; they have no voice about it; and that must be so, because we and not they must be sovereign in the city of Washington. The only way they can protest is through newspapers. The things that are to be done with their money may be the things that they most oppose, but they are helpless.

Now, sir, under those circumstances, after a long history of most distressful constroversy, after a futile attempt to give them some opportunity to take charge of their own affairs, after many years during which they were bitter over what they deemed to be injustice, after they had been for long years, year after year, subject to the exactions of people to whom they could say nothing, an arrangement was reached, after long discussion and consideration, which by its operation would accomplish two things: One, to give to the people who are here, and the people who might come in the future, some guaranty of certainty of continuous policy and of protection against unexpected, whimsical, arbitrary treatment in respect of the impositions upon their property and the expenditure of the money taken from them by taxation.

The other thing accomplished was that upon all expenditures in the District there should be the protection of responsibility by the Members of the two Houses. Although there is no responsibility to the property owner of Washington, this arrangement tied to every dollar to be exacted from them a dollar to be taken from the constituents of the men who voted the money. Thirty-seven years ago that arrangement was made, and under it the people of the District of Columbia have had the protection of fixed and settled law. They have had the protection that no property could be taken from them for public use without the taking of an equal amount from the constituents of the men who made the exaction. They have been treated with justice and they have reposed upon the security of that fundamental arrangement.

Sir, if taxes are too low, let us revise them and make them higher, but do not let us take away from these wards of the Nation, helpless and unrepresented, the protection of the time-honored, fundamental agreement between overwhelming power and the helplessness of citizens without votes. I stand, sir, for the old half-and-half arrangement, which is the sole protection of the people of Washington against our arbitrary rule.

The PRESIDING OFFICER. The question is on the amendment reported by the committee.

Mr. JAMES obtained the floor.

Mr. ROOT. Mr. President, if the Senator from Kentucky will allow me, I am going to ask if the Senator from New Hampshire [Mr. GALLINGER] will, before this debate closes, out of his full knowledge and long experience regarding the history of this arrangement between the Government and the people of Washington, make up for the paucity and the defectiveness of my own statement regarding it?

Mr. JAMES. I shall be very glad myself to yield to hear the Senator from New Hampshire.

Mr. GALLINGER. Mr. President, I have been so employed in matters relating to appropriation bills as to have had but little time to refresh my memory on certain points that would be of interest in this discussion. I have, however, glanced at some documents relating to the relations between the District of Columbia and the Government of the United States, which are of interest, and which, I trust, other Senators will examine.

As far back, Mr. President, as 1835, Senator Southard, of New Jersey, a man who represented that State in the Senate for 11 years and also served as Secretary of War and Secretary of the Treasury, made a report to Congress as to the relations between the Government and the District of Columbia, and I will read a paragraph or two from that interesting report. It shows the broad view that men of that generation in public life took on this subject; and while changed conditions may put a different aspect upon the question, yet it is of interest and profit to us to see how those men felt when this matter was discussed at that time. Senator Southard said:

> The object of having a permanent seat of government is indicated in the Constitution itself, which provides that Congress shall "exercise exclusive legislation in all cases whatsoever over such District (not exceeding 10 miles square) as may, by cession of particular States and the acceptance of Congress, become the seat of government of the United States." To accomplish this object the District was ceded to Congress by the States of Maryland and Virginia, possession taken by Congress, and the land to be occupied by the Government purchased by written contracts with the owners of the soil. The plan of the city was formed by the public authorities; the dimensions of the streets determined by them, without interference by the inhabitants or regard to their particular interest or convenience. It is a plan calculated for the magnificent capital of a great

nation, but oppressive, from its very dimensions and arrangements, to the inhabitants, if its execution to any considerable extent is to be thrown upon them. No people who anticipated the execution and subsequent support of it out of their own funds would ever have dreamed of forming such a plan. It would have been the most consummate folly.

Senator Southard continued:

At that period neither the Government nor the proprietors contemplated that the whole or even a large proportion of the burden should be thrown upon the inhabitants of the city. This assertion is amply sustained by two considerations. In the first place, the contract between the Government and the owners of the land gave to the former a large extent of public lots, sufficient for all the edifices and improvements which its convenience could require, and, in addition thereto, one-half of all the building lots within the limits of the city, thus making the Nation itself an equal owner of all the private property and equally interested for the benefit of this private property in all the improvements which might be made.

Mr. President, I dwell for a moment on that statement made by Senator Southard and repeat it:

In the first place, the contract between the Government and the owners of the land gave to the former—

That is, to the Government—

a large extent of public lots, sufficient for all the edifices and improvements which its convenience could require, and, in addition thereto, one-half of all the building lots within the limits of the city, thus making the Nation itself an equal owner of all the private property and equally interested for the benefit of this private property in all the improvements which might be made.

I have noticed, Mr. President, an assertion, a written or printed assertion, that, as a matter of fact, five-sevenths of the area of the District of Columbia was given to the Government as a free gift. I think probably that is an overstatement; but, according to the statement of Senator Southard, certainly more than one-half of it was given as a free gift.

In the next place—

Says this report—

the Government assumed, and from that day to the present has claimed and exercised, entire and absolute control over all the streets of the city, so that the inhabitants or the corporate authorities have no power either to enlarge or to diminish them nor to open or close them; but the authority in these respects has been exercised at all times by Congress.

Here is another interesting paragraph in the report, which I will read:

In the acts of incorporation, which give to the city a partial control and regulation over the streets, there is no exemption of the property of the Government from taxation, and it might perhaps be properly inferred that Congress did not intend that it should be exempted, but that it should be equally subject to those burdens which became necessary for the common benefit of the whole. But the corporate authorities have, with prudence and propriety, abstained from levying taxes upon it and have laid the whole weight upon that part of the property which belonged to individuals, while the Government has been equally participant in the benefits which have resulted from them. The assessments have been regularly made upon all, public and private alike, but the taxes have been collected only from the private holders of property. The committee are not willing to recommend that there should be any change in this respect, but they believe that provision ought to be made by which mutual benefits should be met by mutual burdens, and find in this state of facts an additional argument in favor of the appropriation they recommend.

There is very much more in this report, Mr. President, which would be of interest, but I will not take the time of the Senate to read it; but I commend it to the attention of the Members of this body, who can find in the document room this paper, which was printed two or three years ago at my request.

Mr. President, the matter drifted along. The District of Columbia for a long time was required to meet the obligations, so far as revenue was concerned, out of its own treasury, except as the Government chose to make contributions, and if is a fact that down to 1878, if I remember rightly, statistics show that the District had paid about nine times as much as the Government had paid for the support of the government of the District and the upbuilding of the Capital of the Nation. It was a burden that the District could not well carry always, and in 1871 it was particularly called to the attention of Congress. It was shown that while the Government had expended a million dollars or thereabouts on the District, the taxpayers of the District had contributed more than nine times that amount, and an appeal was made for relief from that great burden. The House Judiciary Committee made a report on June 1, 1874, in which this suggestion was made:

There is something revolting to a proper sense of justice in the idea that the United States should hold free from taxation more than one-half of the area of the Capital City, should require to be maintained a city upon an unusually expensive scale, from which the ordinary revenues derived from commerce and manufactures are excluded; and that in such a case the burden of maintaining the expenses for the Capital should fall upon the resident population.

The District at that time was very heavily in debt, and it is well to bear in mind what that report states—that at that time, as now, there was a disinclination to allow the people of this District to engage in manufacturing or in commerce on a large scale.

Mr. KENYON. Mr. President——

The PRESIDING OFFICER (Mr. SHEPPARD in the chair). Does the Senator from New Hampshire yield to the Senator from Iowa?

Mr. GALLINGER. I yield to the Senator.

Mr. KENYON. I was necessarily out of the Chamber. I should like to inquire from what the Senator is reading?

Mr. GALLINGER. I was reading a moment ago from the report Senator Southard made in 1835.

Mr. KENYON. Mr. Southard, of the House of Representatives?

Mr. GALLINGER. No; Senator Southard, a Member of this body for 11 years.

Mr. KENYON. I understood that the Senator was reading something——

Mr. GALLINGER. Just now I was reading from a paper by Henry B. F. Macfarland, who was for several years a Commissioner of the District of Columbia.

Mr. KENYON. As a point of order was made on me for reading anything from the House, I thought——

Mr. GALLINGER. Oh, the Senator is oversensitive about that.

Mr. KENYON. Not at all.

Mr. GALLINGER. The Senator is very much oversensitive. I have not read anything from the proceedings of the House. I do not intend to do so.

Mr. KENYON. I was misinformed.

Mr. GALLINGER. Yes; the Senator was misinformed; but even if he had not been, I do not think he ought to have made a point of order against a matter that he did not hear. [Laughter.] That is a matter of judgment, however.

There is very much more along the same line that I might take time to read, but I do not propose to do so this afternoon. I will read an extract from the Washington Star, which newspaper believes in the half-and-half principle and always advocates it very strenuously, and for that reason perhaps the force of this argument will fall on unwilling ears to some extent; but it is in such complete agreement with the views I hold on this subject that I feel I ought to present it. Here it is:

If the half-and-half arrangement is at any time to be repealed or radically modified, this drastic action should not be taken through the medium of a rider on an appropriation bill but after the thorough and careful consideration which should characterize the alteration of fundamental law. The organic act, with its compromises, its balances, its offsetting of equities, is an integral whole; and when the time comes to change it radically the substitute for it should also be complete, rounded, and balanced in all its parts; and its framers in molding it should give to all the equities of all the parties concerned the same wise and fair consideration that was given by the statesmen of the last century in their four years' labor of framing the organic act and establishing the half-and-half principle.

Perhaps before reading that I ought to have said that this matter, discussed so ably by Senator Southard in 1835, was taken up by Senator Allison, of Iowa, in 1874, when a great burden was laid upon the District of Columbia by remarkable improvements that had been made, somewhat revolutionary in their nature, and the District was practically bankrupt, staggering under a heavy load of debt. Senator Allison made a report, which will be found in this same document, which is worthy of very careful reading and consideration. That report was signed by several of the Members of this body of great ability. It was practically the inception of the plan which was afterwards adopted, and resulted in an agreement that the matter should be compromised upon the basis of the Government paying one half of the expenses of the District and the District paying the other half. That report was signed not only by Senator Allison but by Senator Thurman, Senator Stewart, Senator Wilson, Senator Hubbell, Senator Bass, Senator Jewett, and Senator Hamilton.

Now, I am going to allude to a report made about that time to the House of Representatives; but as it is an old report, and the rule does not apply to it in any sense, I feel at liberty to do so. Mr. Poland, a very distinguished Representative from the State of Vermont, made an exhaustive report on the relations between the Federal Government and the District, in which he said:

Upon that branch of the resolution, with respect to the legal relations existing between the Federal Government and the local government of the District, the committee remark that the Constitution of the United States would seem to determine, as accurately as it is possible to do, the exact legal attitude of the District of Columbia toward the Federal Government. In clause 17, section 8, Article I, of the Constitution, among the enumerated powers of Congress is the following:

"To exercise exclusive legislation in all cases whatsoever over such district (not exceeding 10 miles square) as may, by cession of particular States, and the acceptance of Congress, become the seat of the Government of the United States, and to exercise like authority over all places purchased by the consent of the legislature of the State in which the same shall be, for the erection of forts, magazines, arsenals, dockyards, and other needful buildings."

Your committee understand this clause of the Constitution to vest in the Congress of the United States absolute legislative authority over every rightful subject of legislation within the District, without any reservation whatever to any State or States or to the people within the District itself.

This absolute control by Congress is a question no longer admitting of doubt, if any ever existed.

It may be assumed, therefore, that the Congress has supreme legislative power over the District of Columbia, and that in the exercise of this power the citizens of the District have no right to participate, and can have no right except such as may be delegated to them by Congress itself. How far this power may be delegated is a question not necessary at this time to discuss.

The debates which occurred on the adoption of the Constitution, the public sentiment which found expression in various ways cotemporaneously, are full of interest and are suggestive of the reasons which impelled the States to provide for this exclusive control by Congress. But as they shed no light upon the question of power other than to corroborate the view here expressed and now no longer questioned, the committee have not thought it necessary to present a historical review of the adoption of this clause of the Constitution. That it was necessary to bestow dignity and independence upon the Government was not then and can not now be questioned.

Upon this question Mr. Madison wrote, in the Federalist:

"Without it, not only the public authority might be insulted and its proceedings be interrupted with impunity, but a dependence of the members of the General Government on the State comprehending the seat of government, for protection in the exercise of their duty, might bring on the national councils an imputation of awe, or influence equally dishonorable to the Government, and dissatisfactory to the other members of the Confederacy. This consideration has the more weight as the gradual accumulation of public improvements at the stationary residence of government would be too great a public pledge to be left in the hands of a single State and would create so many obstacles to a removal of the Government as still further to abridge its necessary independence."

In strict legal sense, there can be said to be no such thing as a local government of the District of Columbia, for there can be no government within the District independent of that of the Federal Government; and whatever local authority there may be now existing, or which may hereafter be set up within the District, it can only be regarded legally as an agency of the Federal Government; and whatever authority this local government may exercise, it must be regarded as the act of the United States through their delegated representative.

This report further says:

This brings us to the consideration of the question as to the extent and character of expenses contemplated in building the Federal city. It is perfectly manifest from a moment's examination of this plan that a city was laid off here for the use of the United States upon a scale hitherto unknown in this or any other country; upon a plan to carry out which would inevitably lead to an expenditure entirely beyond the requirements of a city for business purposes.

As a matter of fact, we do not allow this city to become a business city. We discourage all efforts to establish manufacturing establishments here; and many attempts to establish them have been withdrawn upon representations that some of us have very urgently made to those who were contemplating them. The Poland report continues:

It was a plan having reference peculiarly to the wants of the Government, and not to those of its inhabitants; its streets and avenues, in number, length, and width, are upon a scale that was appropriate for a national capital, but was entirely inappropriate to the demands of a sparse population not engaged in manufacturing or commerce, and when manufactures and commerce were not encouraged to come. Not only are the streets unusually wide and numerous, but throughout the city are large reservations, so that it may be estimated that the whole area thus set apart embraces much more than one-half of the whole city, the streets and avenues alone, of which there are 260 miles, varying in width from 90 to 160 feet, amounting to one-half of the entire area of the city.

Again:

The committee believe there can be no question, in laying out such a city as is here described, that it was fully contemplated by the Government that the extent of expenditures would keep pace with the magnificence of the plan to be ultimately carried out. The founders of the Capital City evidently did not believe that in their time this plan could be consummated, but they were establishing the permanent seat of government. It was as the Supreme Court said in Van Ness v. The City of Washington: "The grants were made for the foundation of a Federal city, and the public faith was necessarily pledged when the grants were accepted to found such a city." And again, in the same opinion, "that the city was designed to last in perpetuity—capitoli immobile saxum."

Viewing the Capital City in this national aspect, we may well understand the motives which governed its founders in imposing upon all who were to come after them such duties and responsibilities toward it as would be peculiar to the Capital City alone, and which would fully justify a liberal, if not a munificent, policy in expenditures.

As to the mutual obligations of the Federal Government and the citizens to defray these expenses, the committee find little difficulty. It is clear, if this National Capital was founded for the use of the United States, and was placed under its exclusive government and control, and upon a scale of magnificence appropriate only for a national capital, it never could have been contemplated that the burden of expenditures should fall upon those citizens of the United States who might temporarily or permanently take up a residence at the Capital. Originally, we know, there was no population here to which the Government could look for contributions toward these expenditures, and as the city was not to become one of trade and commerce and manufactures, the local population could not be looked to in the future as being sufficient, either in numbers or wealth, to carry out the magnificent intentions of the founders. Nor, indeed, would it have been just to impose this burden upon them; for, upon the theory upon which the Capital was founded, all these expenditures would ultimately be for the benefit of the whole people, and justice would dictate that the burden should fall upon the whole people.

Those were broad and statesmanlike views, uttered by a New England man. They contain the very essence of the contention that the General Government is under obligations to deal generously with the District of Columbia and that the existing order of things should not ruthlessly be overthrown.

Mr. President, as far back as 1800, when Congress first assembled, President Adams congratulated the people of the United States upon the assembling of Congress at the permanent seat of their Government and upon the prospect of a residence not to be changed. President Adams said:

It is for you, gentlemen, to consider whether the local powers of the District of Columbia, vested by the Constitution in the Congress of the United States, shall be immediately exercised. If, in your opinion, this important trust ought now to be executed, you can not fail, while performing it, to take into view the probable situation of the territory, for the happiness of which you are about to provide. You will consider it as the capital of a great Nation, advancing with inexhaustible rapidity in arts, in commerce, in wealth, and in population, and possessing within itself those energies and resources which, if not thrown away or lamentably misdirected, will secure to it a long course of prosperity and self-government.

Mr. President, it is somewhat unusual, it is true, but the Senate and the House of Representatives both made a reply to that suggestion from President Adams—a reply of congratulation. I will read what the Senate said:

We meet you, sir, and the other branch of the National Legislature, in the city which is honored by the name of our late hero and sage, the illustrious Washington, with sensations and emotions which exceed our power of description. * * * Great, indeed, would have been our gratification if his sum of earthly happiness had been completed by seeing the Government thus peaceably convened at this place. * * * The question whether the legal powers over the District of Columbia, vested by the Constitution in the Congress of the United States, shall be immediately exercised is of great importance, and in deliberating upon it we shall naturally be led to weigh the attending circumstances and every probable consequence of the measures which may be proposed.

The House of Representatives likewise made a reply.

Mr. President, that President Adams and the two Houses of Congress in those early days regarded the Capital City as the child of the Union, as exclusively under the Federal Government, is so clearly shown that I do not think I need make a further observation on that point.

This is not an entirely new controversy, Mr. President. It appears biennially, if not annually, and I join with others in the belief that it ought in some way to be settled. One year ago we were met by a proposition in an appropriation bill to take the surplus that the taxpayers of the District of Columbia had raised over what had been appropriated and turn it back into the Treasury of the United States. That was a most extraordinary proposition—to take from the people of the District money that they had raised by taxation and give it to the Federal Treasury; but, nevertheless, we were met with that proposition, which fortunately did not prevail.

We are now met by another proposition, indefinite, and not, as I look upon it, founded upon either justice or equity; and we are asked, on an appropriation bill, to destroy the work that wise men 30 years ago worked out after very laborious and careful consideration. Four long years they were engaged in that work. In view of the fact that this was the Nation's Capital; in view of the fact that the District of Columbia had given the Nation one-half of the area of this District as a free gift; in view of the fact that the people of this District were the wards of the Nation, and had very few rights except those of living here, paying taxes on their property, and enjoying the benefits of this great Capital—and they are great benefits, which ought not to be minimized—all things considered, those wise men concluded that the Government of the United States could well afford to pay one-half the expenses of supporting the Capital of the Nation; and the law was enacted, and has been on the statute books for about 30 years.

I said a moment ago, Mr. President, that for myself I think it might be well for a joint committee of Congress to be appointed to take this entire matter under consideration, and as the extract which I read from the Washington Star very wisely says, consider all the equities and all the balances as the men did who recommended the law under which we now live, and have a readjustment of this matter, if it is thought wise to have it; but I do in all seriousness urge that we shall not, on an appropriation bill, adopt the measure that has come to us from the other House. It is not well worked out. The Senator from Georgia [Mr. SMITH] has offered an amendment which I think improves it, but after all it is crude, and in my judgment not equitable as between the two interests that are concerned.

I was surprised yesterday at some utterances that were made in the debate. I observe that the Senator from Kentucky [Mr. JAMES] suggested that the Government ought not to pay any taxes on its property here, but all of it ought to be exempt from taxation; and he cited the fact that the capitol in his State—and he might have said, likewise, the Federal building in the town of Marion, where he lives—is exempt from taxation. That is true. The State capitols in every State, I apprehend, are ex-

empt from taxation. The Federal buildings, scattered here and there throughout the country, are exempt from taxation. That, however, is a very different proposition from the hundreds of millions of dollars' worth of property that the Government owns in the District of Columbia, probably an amount almost equal to the taxable property of the District. To say that that shall be exempt from taxation is going altogether too far.

We will take the addition to the Capitol grounds. Hundreds of families were dispossessed of their homes by the action of the Government. True, they were paid for their property; but that property disappears from the taxable property of the District, and those people go to some other part of the District and establish new homes. To say that the Government can go on, in its authority, and keep adding to its possessions, on the ground that it is for public purposes, and acquiring the property of the people of the District without let or hindrance, and pay no taxes on that property, is, of course, abhorrent to the sense of justice and propriety. If the Senator from Kentucky gives the matter a little more consideration, I think he will agree that he was a little rash when he made that observation.

The Senator from Iowa [Mr. KENYON], who is always fair in his discussion and who is very tenacious in the views he holds—and that is to his credit—suggested that he thought he would remedy this evil somewhat by proposing an income tax for the District of Columbia. Mr. President, that is going rather far. The people of the District of Columbia pay the Federal income tax as well as do the people of the States. I apprehend that the State of Iowa probably has not a State income tax. I do not know how that may be. Two or three States have, but those laws have fallen into innocuous desuetude, and are not workable at the present time. So I do not think the Senator from Iowa, after he considers the matter very carefully, will introduce a bill of that kind.

Mr. KENYON. Mr. President——

The PRESIDING OFFICER. Does the Senator from New Hampshire yield to the Senator from Iowa?

Mr. GALLINGER. I yield to the Senator with pleasure.

Mr. KENYON. I had in mind the income-tax law of the State of Wisconsin, which has worked very successfully in raising revenue upon those things that are generally hard to find; and it seemed to me that if we can not reach it in any other way a tax law of that character might do the business.

Mr. GALLINGER. I am not familiar with the terms of that law. I am familiar with the fact that the State of Massachusetts has a State income-tax law which is not observed at all; but the Federal income-tax law, of course, is observed there, as elsewhere, I hope, honestly.

I want to call attention to the tax law of the District of Columbia. Aside from its not taxing intangibles, I think it is about as strenuous a tax law as can be found anywhere on earth; and that word "intangible" is somewhat intangible to me. I do not know why the word "tangible" would not properly reach a good deal of so-called intangible property, but I may be mistaken on that.

Mr. President, the various things that are taxed and the various classes of people that are taxed in this District will be of interest to the Senate. In the first place the taxation on all tangible personal property is to be "assessed at a fair cash value, * * * including vessels, ships, boats, tools, implements, horses and other animals, carriages, wagons, and other vehicles." They are required to pay 1½ per cent tax upon their fair cash value. I presume that the States, as a rule, and the municipalities, as a rule, have a personal-property tax. It does not prevail universally in the State which I in part represent, but it would seem to be a fair tax. Hotel companies are taxed on their furniture and other appointments. Each national bank pays on its gross income 6 per cent, and incorporated banks pay on their gross incomes 6 per cent. In addition to that they pay the usual tax on real estate. Each trust company, electric-lighting, and telephone company is taxed on real estate as other owners are. In addition to that the street railways pay 4 per cent on their gross receipts. Insurance companies pay 1½ per cent on their premium receipts and gas companies pay 5 per cent on their gross earnings.

All companies that guarantee the fidelity of any individual as well as bonding companies pay a tax of 1½ per cent on their gross receipts. Savings banks having no capital stock and paying interest to their depositors pay a tax equal to 1½ per cent. The capital stock of all corporations other than those that have been provided for are taxed at their fair cash value at a rate of 1½ per cent. The building associations pay a tax of 4 per cent on their gross earnings. Private banks or banks not incorporated pay a tax of $500 a year. General brokers pay a tax of $250 a year. Note brokers pay a tax of $100 a year. And so down the list, Mr. President. Then there is an imposing list of license taxes. I doubt very much whether there is any community, State or municipal, that has as sweeping a tax law as we have in the District of Columbia.

About the only real objection which could be made to our tax laws is that they do not tax intangibles, so called. That is a matter which has been debated a great deal in all the States of the Union, and while some States have adopted laws on that subject, some, I think, taxing them at their full value, others at a reduced value, and others exempting mortgages, for instance, where the loan is made at a rate of 5 per cent, there is no uniformity about it. My suggestion is that if the tax laws are to be changed in the District of Columbia this schedule, which can be well understood, should be taken and a proper revision made of it, and if it is desirable to put some kind of a tax upon so-called intangibles, let it be added to the list. But it is my impression that when that is done they will not get any more revenue than they do now, because there are methods of evading taxes. Even some of the taxes in existence are being evaded at the present time, and we might find that we were no better off after we had revised our tax list.

That leads me to the suggestion I made in response to an interrogatory by the Senator from New York [Mr. ROOT]. The Senator from Iowa complained that the tax law was changed in 1902, so far as the assessed valuation was concerned, from a full valuation to a two-thirds valuation. Everyone knows that where the law says that real estate shall be taxed at its full valuation it is not so taxed. There probably is not an exception to that rule. It is not so taxed, and, as a matter of fact, that change in the law brought an assessed valuation the first year after the change had been made of $32,000,000 in excess of what the assessed valuation was the year before. So it certainly did good rather than harm. Probably that fact escaped the attention of the Senator from Iowa.

I have had very little experience, Mr. President, in paying taxes in the District of Columbia, but what little experience I have had justifies me in saying that if anybody is escaping taxation in the District of Columbia he must be a fortunate man. All sorts of taxes are levied upon the people of the District of Columbia. A street is opened half a mile from your house, and under the law they can exact benefits from you because of the opening of that street. That is being done constantly. Other burdens are placed upon the people here that are not placed upon the people in any other community that I have knowledge of.

I really feel, Mr. President, that, as far as this matter of taxation is concerned, Congress acted wisely when the system was inaugurated, but the time may have arrived when it should be revised; but if so, it ought to be done calmly, considerately, and justly to all parties in interest.

There are a few rich people in Washington. Possibly some have come here to evade taxation. They do that in other places. It is done everywhere. One instance was cited yesterday of a citizen of Michigan who undertook to establish his residence in the city of Washington, presumably, I suppose, for the purpose of avoiding an inheritance tax. I do not know how that may be, but the fact is that Michigan did not regard the claim that was made in behalf of that distinguished gentleman as to his residence being in Washington, and every dollar of tax that belonged to the State has been collected, I understand.

Mr. President, as I said, Washington is not in many respects as desirable a place to live in, so far as the matter of taxes is concerned, as some people think. There are 6,000 empty houses in Washington to-day, according to a census recently taken. The great private buildings of Washington are not paying an adequate return, such as apartment houses, office buildings, and so forth. They are not paying a return that is alluring to anybody who wants to get a proper dividend for his investment. I am honestly of the belief that while a few men are making a good deal of money, and while there are a few very rich men in the city of Washington, we ought not to be turned from our desire to do equal and exact justice by that fact. Perhaps, instead of a benefit, we would do a harm to the people of this District.

Mr. GRONNA. Mr. President——

Mr. GALLINGER. I yield to the Senator from North Dakota.

Mr. GRONNA. I have been inclined to be in sympathy with the argument made by the Senator from Iowa [Mr. KENYON], but I wish to know from the Senator from New Hampshire if the evil would be reached by the change proposed in the bill by the House? If the discrimination to which attention has been called is made in assessments, it seems to me that that is the fault of the administrative officers. The law is certainly very comprehensive. It provides that real estate shall be assessed at two-thirds of its value. It does not exempt the

rich any more than it exempts the poor, and I can hardly see that we would remedy that evil by changing the law. I am, however, very desirous of remedying one evil, and that is to assess bonds. Stocks are, of course, assessed at the place where the corporation does business; but could we not assess bonds? Are not bonds tangible property just as well as a stock of goods? I should like to have the Senator from New Hampshire explain that.

Mr. GALLINGER. I presume the difficulty would be in finding the bonds, unless they are registered. The Senator could tax tangibles if he could get at them; but if he could not get at them, I think they would be very intangible. All bonds escape taxation in the District at present, and I think if we taxed them a good many of them would disappear from the District of Columbia, as they do from every place where the tax is placed upon them. But I am not contending against that proposition at all. On the contrary, I have said that I think it ought to be taken into consideration; and if it proves desirable to make a change in that regard, it ought to be made.

I suggested yesterday that there is in some of our jurisdictions an injustice in taxing a 4 per cent bond at the full rate of taxation that is imposed upon other property which amounts to 2 per cent tax. For that reason it is being discussed in my own State, and probably a law will be passed at the present session of the legislature imposing a less rate of taxation upon property of that kind, which I think would be an entirely equitable thing to do.

As to the matter of assessing property it is a difficult matter, I take it. What is the value of a great house? The Senator from North Dakota has in mind now, I have no doubt, two or three houses on Massachusetts Avenue, perhaps a dozen. What is the value of them? What is the value of the two most conspicuous houses on Massachusetts Avenue? What is the value of either one of those houses?

Mr. GRONNA. In my judgment it would be whatever they would sell for.

Mr. GALLINGER. Who is going to find out what they would sell for? We all know that they would not sell for one-half what they cost.

Mr. GRONNA. May I ask the Senator another question? There has been a complaint from the general taxpayers in this city that those who own expensive buildings are assessed lower than those who own smaller buildings.

Mr. GALLINGER. I will say frankly to the Senator that I have not heard it, and if it exists, it certainly would have come to my attention. In fact, this matter of taxation has not been discussed, so far as I know, on the part of the taxpayers of the District of Columbia. It has been discussed elsewhere, and the great desire for a change comes from elsewhere.

Mr. President, I think I have said all I care to say upon this matter. I served for a long time upon the Committee on the District of Columbia—22 long years. The first request I made when I became a Member of this body was that I should not be placed on that committee, but I suppose to punish me for being a new recruit I was put upon that committee and upon the Committee on Claims, and I thought I had been imposed upon. But I took up the work. I became interested in it. I became deeply interested in the prosperity and the upbuilding and the beautification of the city of Washington. I made a martyr of myself in the work I did. I have been criticized here and elsewhere for not having done more, but I did all that my strength permitted; and my own people justly complained that I gave too much time to affairs of the District of Columbia. For about 10 years I was chairman of that committee, and in every possible way, the committee cooperating with the chairman, we tried to enact just laws for the District. We did not do all we could in that direction. We had not the time or the strength to do all that was desirable, but we did a great deal. The senior Senator from Minnesota yesterday rather chided me for not having passed laws taxing intangible property. Perhaps we ought to have done it, but that was no more my duty than it was the duty of each member of the committee and of each Member of the Senate of the United States and of each Member of the other House. No duty can be loaded on any one individual in the matter of enacting good laws.

Mr. President, with these observations, feeling that I have done my duty to the District of Columbia, giving of my strength and my time to the limit, my only anxiety is that for the future the District shall be governed properly and wisely, I leave the matter to the Senate. But I can not for the life of me lose sight of the fact that this is the great National Capital. The Government has jurisdiction over this territory. The people of this District are vassals in a sense, and in dealing with the affairs which concern them so intimately a great Government, rich and powerful, ought not to be oppressive or niggardly.

I said yesterday that the people of my State do not begrudge the 7 cents per capita that is to be paid to support the government of the District of Columbia. Other States may begrudge it, but our people do not. The people of New England have a just pride in the Capital of the Nation. They come here by hundreds and hundreds every year. The school children come here during their vacations, and they go back and tell their families and the scholars with whom they associate of the beauty and the magnificence of the capital of the great country of which they are all so proud. I hope nothing will be done to halt this development. I plead with Senators to do nothing that will halt it; and my final plea is, Mr. President, that this amendment which the committee has offered shall be allowed to remain in the bill and go to conference, believing that if it prevails and the existing condition continues one year more no harm will come to anybody, and that in the meantime it will give us all time to consider the best procedure for correcting any irregularities or wrongs that may exist in the present laws relating to the government of this "reservation," in reality belonging not to the people of the District of Columbia but to the people of this great country. Let us act deliberately, conservatively, and wisely.

Mr. JAMES. Mr. President, I listened very patiently and carefully to the Senator from New Hampshire [Mr. GALLINGER] and to the Senator from New York [Mr. ROOT], and to my mind I have not heard a good reason given yet why the people of my State or of the other States of this Union should pay half of the expenses of the municipality of Washington.

The Senator says that this is under the old organic law, and therefore it is sacred.

Mr. GALLINGER. The Senator is too fair a man to say that I said it was sacred. I said over and over again that I think it may be well to have it considered again by a committee that will take into consideration all the facts bearing on the case.

Mr. JAMES. I was merely putting my construction on the language of the Senator. Of course he did not use those words.

Mr. GALLINGER. No; the Senator's construction was unfortunate.

Mr. JAMES. I think it was in reality the gist of what the Senator urged.

The organic law, of course, is sacred—that is, it is sacred so far as taxing the property of the small home owner is concerned—but it was not sacred when those who owned bonds and stocks and moneys and fortunes in 1902 put the hand of privilege upon it and exempted their holdings from taxation. They relieved their fortunes from the burden of taxation and left it resting upon the small home owner of Washington and half of it resting back yonder upon the people in my State and the other States of this Union. To my mind there is not in existence a more unjust system of taxation than that, which ought to be the model one in the Capital of this Nation.

Gentlemen can not justify the unfair system that is in force here by saying you want an ideal city for your Capital. So do I, but better yet than an ideal city is an ideal system of taxation among the people who constitute a great nation.

The Senator tells us that if a man owns a piece of property in the city of Washington and a street is opened there he has to pay for it. So they do in Marion, Ky., where I live.

Mr. GALLINGER. The Senator again misunderstood me. I said there was a system of taxation here whereby the benefits were levied upon property holders of one street for the opening of a street some distance from where the property owner lived.

Mr. JAMES. I shall be courageous enough to venture the assertion that they have never laid a burden upon a single property owner in the District of Columbia for a street opened that has been in any way commensurate with the benefit that has accrued to the property by reason of the improvement.

But why should the property of a millionaire such as Mr. Post not be taxed, who came to Washington, bought a little home of $6,700 value, and owned $20,000,000 in stocks and bonds and interest-bearing securities? Why should his fortune have gone on untaxed while the humble little cottage that was the home of a thousand-dollar clerk in this District had to pay its burden of taxation?

Gentlemen, it is not enough to say that we do not want to legislate upon an appropriation bill. It is not enough to say that you want a committee to investigate. It is not enough to say that this has been the law since 1902. It is unjust, and no technical point of order ought to be invoked between justice and the people who are escaping taxation here.

Gentlemen talk about the District of Columbia as though all the property of the District was under the control of the Government. There are 45,000 acres of land in the District of Columbia, and yet the Federal Government does not own quite 5,000 acres of it, and of the 5,000 acres that the Government

does own 2,500 acres of it are in a beautiful park known as the Rock Creek Park for the benefit of the citizenship of the city of Washington. There are other parks here—many of them—used entirely by the people here, that were paid for by the people of the United States.

My friend, the Senator from Colorado, Mr. SHAFROTH, suggested that he would be willing to tax the people of the United States in order to keep up the parks of the city of Washington. The parks here are beautiful, but why should the people in other parts of this Nation who get no benefit from them be taxed in order to keep up these pleasure resorts that are never seen, much less used, by the people of the United States.

Mr. LIPPITT. Will the Senator yield to me?

Mr. JAMES. Certainly.

Mr. LIPPITT. I am not very familiar with the system of taxation in Washington, and for my information I ask the Senator does he mean that some gentleman bought a home here and that $20,000,000 of his property went untaxed?

Mr. JAMES. I refer to the case of Mr. C. W. Post, who came here from Michigan, changed his residence from Michigan to Washington, in order to escape the taxation of the State of Michigan. He bought a home here and claimed his residence here and paid no taxes either here or in Michigan upon the $20,000,000 that he owned.

Mr. GALLINGER. The Senator is wrong. The tax was assessed in Michigan upon Mr. Post's property. They ignored the fact that he obtained residence here.

Mr. JAMES. I know, but that question is still in litigation. Because Michigan has tried to exercise through a long line of trials and court procedures to wring from this man this money is no reason why we should continue this as a haven for him.

Mr. LIPPITT. I am simply asking for information on this subject. I am not familiar with it.

Mr. JAMES. Certainly.

Mr. LIPPITT. Does the Senator mean to state that personal property in Washington is not taxed at all?

Mr. JAMES. I mean to say that intangible property—money, bonds, notes, mortgages—are not taxed at all in Washington.

Mr. LIPPITT. Do you mean to say that only real estate and tangible personal property is taxed?

Mr. JAMES. That is true.

Mr. LIPPITT. Is that the law?

Mr. JAMES. That is the law.

Mr. CLAPP. The law expressly refers to tangible personal property.

Mr. LIPPITT. So that real estate and tangible property are taxed and other personal property is not taxed under the law?

Mr. JAMES. That is correct.

Mr. LIPPITT. I merely asked for my own information.

Mr. GALLINGER. Mr. President, I assume the Senator from Kentucky does not mean to say that Mr. Post had $20,000,000 in intangibles?

Mr. JAMES. He had it in stocks and bonds and money.

Mr. GALLINGER. Stocks are not taxable, of course.

Mr. JAMES. Certainly they were not taxable here, and he evidently came here for the purpose of escaping taxation in the State of Michigan, and the question whether he was a resident of the State of Michigan or a resident of the District of Columbia is still a question that has not been decided in the court of final resort.

The Senator from New York [Mr. ROOT] stated that the property taxes in the District were not unduly low and, as he thought, upon an average of the taxes in other great cities. The Senator is in great error about that. The tax in Washington on real estate here is $1 on a hundred; in Philadelphia it is $1.50 on a hundred; in St. Louis it is $1.51 on a hundred; in Pittsburgh, $1.53 on a hundred; in Boston it is $1.72 on a hundred; in New York, the home of the Senator from New York [Mr. ROOT], it is $1.82 on the hundred. So the people of the city of New York are paying practically twice as much tax as the people in Washington pay upon their real estate.

Mr. SMITH of Georgia. Will the Senator yield to me just for a question?

Mr. JAMES. Certainly.

Mr. SMITH of Georgia. Is not the Senator in error about that? Is not the tax here $1.50 and the tax there $1.85, and is it not true that the assessed value at all these places is about 66⅔ of the actual value.

Mr. JAMES. The assessed value here is $1, because they assess only two-thirds of the value of the property. My understanding is that they assess upon the real value of the property in these other cities.

Mr. SMITH of Georgia. Is it not practically the same in these other cities?

Mr. JAMES. I do not think so.

Mr. SMITH of Georgia. You have not looked into that?

Mr. JAMES. I have not looked into it, but I am using this statement here that has been referred to time and time again and never denied.

Mr. GALLINGER. I denied it. I said that, in my judgment, there was not a municipality in the country that assessed property above two-thirds, and I believe that to be a fact.

Mr. JAMES. But what would be the tax, let me ask the Senator, if they levied a tax upon the fortunes of the rich, upon the stocks and bonds, and upon money in the city of Washington as they levy it in the city of Louisville?

Mr. GALLINGER. They could not levy upon the stocks, to begin with, if they tried.

Mr. JAMES. On bonds and credits and evidences of debt.

Mr. GALLINGER. As far as bonds are concerned, I know nothing about them. I think the Senator knows that when they come to levy upon bonds——

Mr. JAMES. It is owing to the kind of bonds.

Mr. GALLINGER. It is not Government bonds.

Mr. JAMES. There are other bonds besides United States bonds, as the Senator knows.

Mr. GALLINGER. I was going to say when you come to levy upon bonds you will not get as large returns as the Senator thinks. Of course there are bonds here that they might have taxed.

Mr. JAMES. Of course bonds of corporations and bonds of municipalities or bonds of States would be subject to taxation.

Mr. LIPPITT. Since I asked a question of the Senator from Kentucky a moment or two ago about the tax on personal property my attention has been called to the language of the tax laws of the District of Columbia and to the source from which they sprung. I understand that the laws which tax tangible property and real estate are laws that have been passed by Congress for the purpose of assessing what Congress thought was a fair tax upon the citizens of the District of Columbia. So far as Mr. Post's coming here, if he had wanted to pay a tax on his personal property he would have been forbidden to pay that tax by the law that this very body passed. If anyone is to blame, if there is any unfairness in the situation that exists, it is due to the action of Congress.

Mr. JAMES. I am not criticizing Mr. Post. I am merely calling attention to the fact.

Mr. LIPPITT. The Senator's language did not sound like praise.

Mr. JAMES. I am calling attention to the situation that existed by reason of the law of this District which offered a haven not only to Mr. Post but to the Senator or anybody else who wanted to come here. I am not criticizing Mr. Post. I do not think his action was that of a patriot in the highest degree, but he came here. He was obeying the law, of course, but that does not justify the law.

Mr. LIPPITT. I know nothing about Mr. Post. I am neither praising him nor defending him. I was simply trying to find out why the situation which the Senator has quoted has anything to do with the justice or injustice of the amendment which is under discussion.

Mr. JAMES. I was merely pointing out that as to the law, which, of course, is not sacred, we can repeal it, and that is what I am trying to do. A situation existed which offered an absolute haven to all people who wanted to escape taxation.

Mr. SMITH of Georgia. The relevancy, then, is this——

Mr. LIPPITT. I am trying to find out what is the relevancy of the argument, anyway.

Mr. SMITH of Georgia. If all the property was subject to tax that would be subject in other cities there would be no necessity for the Government to contribute an amount equal to the amount raised from local taxation. I think that is the legitimate line of argument.

Mr. JAMES. I am only showing that it is necessary to levy a certain amount only upon real estate in order to get a sufficient amount of money to defray half the expenses of the government; and that if you exempt the millions of stocks and bonds and evidences of indebtedness, you of necessity put the taxes higher upon the poor man who has to bear the burden. That is all.

Mr. LIPPITT. Of course, Mr. President, this whole subject of the taxation of personal property in its various forms is one of the most intricate and difficult questions that arise in connection with taxation. There are almost as many different theories as to what is the most just form to adopt in that connection as there are municipalities. I should like to say that, so far as my own community is concerned, they have within three or four years back, through the form of a commission, given that subject very careful consideration. As a result of that consideration, they have passed a law by which, while the

tax on real estate in the city of Providence is 1¾ per cent, as a rule, or in that neighborhood, the tax on personal property has been reduced to four-tenths of 1 per cent on the ground that it was unjust and undesirable to tax personal property in the municipality at the same rate at which real estate was taxed.

Mr. JAMES. But they do tax personal property; they tax the poor man's furniture here.

Mr. LIPPITT. I am talking about the city of Providence.

Mr. JAMES. I am talking about Washington. They tax those things that are termed tangible; but, of course, bonds, money, evidences of debt, and credits are all intangible.

Mr. LIPPITT. I understand now exactly what is taxed in Washington. What I was starting to say was that there is a great variety of opinion upon the propriety of taxing personal property and upon the method of taxing personal property. It is evident to me, from what I understand about this situation, that the Congress of the United States, in 1902, evidently studied this subject, and it decided, for reasons which were satisfactory to itself, that it was not advisable for some reasons which I do not know to tax intangible personal property in the city of Washington.

Mr. JAMES. Has the Senator looked that matter up?

Mr. LIPPITT. I understand that the situation is that the law was passed by Congress.

Mr. JAMES. My information is—I have not looked it up and I may be in error about it—that when the word "tangible" was put into the law it was done in conference. I have not been able to find any debate to elucidate the reasons why it should have been done. If the Senator from Rhode Island knows of any, I should be glad to hear them.

Mr. LIPPITT. If the Senator will allow me, I will say that I said that Congress had done so for reasons satisfactory to itself. I supposed that when Congress passed a law and put the word "tangible" or "intangible" into the law, it knew what it was doing and knew why it did it, and that it had some reason for doing it. So I think I am perfectly justified in saying that when that law was passed Congress, for reasons satisfactory to itself, thought that that was the proper way to levy taxes in the city of Washington.

Mr. JAMES. I have known of many laws being passed which would not have been satisfactory to Congress if Congress had entirely understood them.

Mr. LIPPITT. I know of many laws that have passed which are not satisfactory to some Members of Congress; but I assume that a law which is passed is satisfactory to a majority of Congress.

Mr. JAMES. Most of such legislation, or a great deal of it, comes from committees of conference.

Mr. LIPPITT. What I am coming to is this: It seems to me that if there is a situation which exists here which ought to be remedied and which appeals to a majority of this body that it should be remedied, the proper proceeding is to pass a different law on the particular subject.

Mr. JAMES. I have an amendment here for that purpose.

Mr. LIPPITT. I do not see why we should consider that that is any reason at all for our changing the relation between the tax-bearing element of the District of Columbia and the Government.

Mr. JAMES. I was merely presenting that question to show that the original act of 1878 was not sacred, that was all.

Mr. LIPPITT. I concur with the Senator from Kentucky that it is not sacred; but it occurred to me that the argument which the Senator was advancing might or might not apply to something that could wisely be changed, but that the reason for changing this particular thing did not appeal to me.

Mr. JAMES. I was urging it for the additional purpose, in the first place, that it would reduce the taxes upon what I call the under dog; and, in the next place, if property was justly taxed in the District of Columbia as it is taxed not only in my State but in practically every other State in the Union, the Federal Government would not have to contribute anything like one-half, but I venture the assertion that one-fourth would be ample from the Federal Government to pay the expenses for the government of the city of Washington.

Mr. LIPPITT. Of course I do not know about that. I have never seen a community in which a tax on intangible personal property amounted to any such figure as the Senator's statement would indicate. It does occur to me, however, in regard to this question that, even if this tax were first put upon intangibles, and in that way more money were raised, instead of reducing the amount which the National Government shall expend it might very well simply be used to increase the amount that the District of Columbia would have at its disposal, for I think there are a very considerable number of things that might be done to still further improve this District with the additional sum that would be so raised. So, if the law were passed and it were left to me to decide, instead of reducing the amount which the National Government should pay, I should be in favor of the National Government still contributing on a half-and-half basis, and going ahead and doing the additional things that the money thus raised would allow to be done.

Mr. JAMES. Can the Senator give me a good reason why the people of Kentucky or of Rhode Island ought to be taxed not only to run their own municipalities and their own States and the Federal Government, not only to educate their own children and build schoolhouses and buy books for them, but why should our people be taxed to buy schoolbooks for the children of Washington?

Mr. LIPPITT. I do not understand, Mr. President, that that is at all a fair statement of the condition which exists here. The Senator from Kentucky knows that affairs in the city of Washington are different from those of any city in any State in the Union. If I may be permitted to answer what is at the bottom of his question, why the citizens of Rhode Island, why I personally should be called upon to contribute anything to the municipal development of the city of Washington, I will say that I think the reason is because Washington is the National Capital of the United States; because it is a city in which I as a citizen of the United States take a great deal of pride, because I think that in order to properly represent the cultivation and the enterprise and the civilization of the United States it is wise and necessary that the Capital should be a different sort of a place from a mere commercial city. The Senator from Kentucky should remember that the city of Washington is not, and from its very nature never can be, a commercial city.

Mr. JAMES. I understand that, but the Senator would tax his people not only to run the municipality, to light it, to police it, and to create all these great parks, greater than those of any other city——

Mr. LIPPITT. I do not understand we have to do that.

Mr. JAMES. I am just simply stating what is the system as the law exists, and I understand the Senator is supporting that law.

Mr. LIPPITT. Mr. President——

Mr. JAMES. Just a moment.

Mr. LIPPITT. I am not agreeing with the Senator's statement.

Mr. JAMES. All right. Then, why should your people in Rhode Island be taxed to pay for the schoolbooks for the children of Washington, when in the capital of your own State you do not buy books for the children there by taxing the other parts of the State?

Mr. LIPPITT. I will tell the Senator, Mr. President. I thought I had already answered that. I do not understand that the money which I contribute or which my State contributes is used to pay for schoolbooks for the city of Washington.

Mr. JAMES. Unquestionably that is true.

Mr. LIPPITT. I do not think it is true.

Mr. JAMES. There is no doubt of it. The Senator in charge of the bill will not deny that.

Mr. LIPPITT. If the Senator will allow me to finish my statement, perhaps I can make the matter clear; at least to myself.

Mr. JAMES. Very well.

Mr. LIPPITT. I do not understand that the money which I contribute is used to buy schoolbooks here. What I do understand is that Washington is a city with an extraordinary number of parks that it has to light and care for; with an extraordinary width of streets; with an extraordinary number of buildings untaxable, which it has to police, for which it has to provide water, lights, and all those things; for which it has to provide a fire department; and that the part which I contribute is the part that goes to help provide for those things. I am perfectly aware that it all goes into one fund.

Mr. JAMES. The Senator is in error in the statement that the District polices the Capitol Building; they do not do that at all.

Mr. LIPPITT. The Senator is mistaken. The whole city of Washington is policed by the municipal police.

Mr. JAMES. Not at all; this Capitol is policed by the Government, at the Government's expense.

Mr. LIPPITT. Well, let me ask the Senator if the grounds on which the Capitol Building stands do not adjoin the grounds of the other part of the District of Columbia?

Mr. JAMES. Oh, yes. The District of Columbia adjoins Maryland; but we do not police Maryland by reason of that fact.

Mr. LIPPITT. Let me ask the Senator whether the policeman who walks up and down that boundary line does not also

help to police the ground on which this Capitol stands, and if it were not for the public buildings and grounds in Washington would it be necessary to have the number of policemen which now have to be provided for?

Mr. JAMES. I think the Senator's reasoning is absurd. The fact is the Senator stated that they policed the Capitol Building. The Senator is in error; they do not. The Government itself does that at Government expense.

Mr. LIPPITT. I did not suggest, Mr. President, that they policed the Capitol Building. What I said was that they policed—perhaps I should have said they help to police—property that is owned by the National Government in the District of Columbia. Further than that, to take probably a better illustration, they certainly provide the fire department for the public buildings which are owned by the National Government.

Mr. JAMES. Oh, yes.

Mr. LIPPITT. Then, I would say that, in my judgment, to make my position more clear to the Senator, the part that I have to contribute is for that additional fire protection that an ordinary city would not have to provide.

Mr. JAMES. So far as I am concerned, I am perfectly willing for the Government to contribute what would be reasonable and fair to this city for such work as this city would do for the Government, and am even willing to be more than generous along that line; but I can not find any reason why the people of the State of Kentucky and of other States of the Union ought to be taxed for the benefit of the people of the city of Washington.

Mr. GALLINGER. Mr. President, does not the Senator find a reason in the fact that the property of the Government here is not taxed?

Mr. JAMES. The property of the Government in the States is not taxed in any State in the Union.

Mr. GALLINGER. Then, I should like the Senator——

Mr. JAMES. I suppose the Senator has as much pride in his State as he has in the Union?

Mr. GALLINGER. Yes.

Mr. JAMES. And I should like to know why he should set up one standard for the Federal Government, in which his State is one forty-eighth, and set up another standard for his State itself?

Mr. GALLINGER. The Senator from Kentucky, then, is in favor of exempting from taxation the property of the Government in the District of Columbia?

Mr. JAMES. I am, absolutely. I think it would be out of the question to say that the Government ought to pay a tax upon its own property to anybody.

Mr. GALLINGER. I think in the history of the Government the Senator is the only man who has ever taken that position.

Mr. JAMES. That may be true; but you will find plenty of them when this vote is taken.

Mr. GALLINGER. Mr. President, now if I may correct the Senator in another matter, the Senator has been speaking for the poor people of the District of Columbia. I belong to that class myself, and I have sympathy for them. The Senator says that these great exemptions apply to the rich. Does the Senator know that there is an exemption in the tax laws of the District of Columbia to the amount of $1,000 as to the household goods of the poor?

Mr. JAMES. Yes; I understand that perfectly.

Mr. GALLINGER. I thought probably the Senator had overlooked that.

Mr. JAMES. But there is an exemption in every State in the Union of certain household goods. There is an exemption in my State; that is nothing new at all.

Mr. SMOOT. But not of a thousand dollars.

Mr. JAMES. Not of a thousand dollars; but that only goes to show that the half-and-half principle is wrong even upon that basis, because you are taxing people in the other parts of the country who have no such exemption as they have here to help them defray the expense of a government here, where they have an exemption to the extent of a thousand dollars.

Mr. GALLINGER. As a friend of the poor man, the Senator from Kentucky ought to have the laws of his State changed so as to make the exemption a thousand dollars.

Mr. JAMES. If you will help us in getting a just system of taxation, we will not have so many poor people in the country. It is simply the position the Senator undertakes to maintain upon this floor that drives many to poverty; it is the unjust hand of taxation that is laid upon the people.

Mr. GALLINGER. What has the Senator from New Hampshire stated that justifies that remark?

Mr. JAMES. Well, the Senator from New Hampshire stated that the country as a whole was only called upon to pay a tax of 7 cents per capita to provide for its part of the expenditures of the District of Columbia.

Mr. GALLINGER. Yes.

Mr. JAMES. You can not urge that a tax ought to be levied because it is small. The question is, Is it right?

Mr. GALLINGER. That was a passing remark that I made. I thought it would appeal to the Senator.

Mr. JAMES. And what I have said was merely a passing remark.

Mr. GALLINGER. I thought it might relieve the Senator's distress to know that they pay only 7 cents per year.

Mr. JAMES. The Senator need not fear about distress. I am contending for the rule of justice to be applied by the Government in its system of taxation.

Mr. SMOOT. Mr. President——

Mr. JAMES. And you can not flout that sort of a contention out of court or out of the Senate, either.

Mr. SMOOT. Mr. President, I think the Senator is hardly fair in comparing statehouses in the different States with the Government property at Washington. Of course, the statehouses of the different States are not taxed, but the people who are taxed upon the balance of the property in the State or city in which the statehouse is located have a say as to how much taxes they shall pay and how those taxes shall be spent; but the people of the District of Columbia have no say as to how their taxes shall be spent.

Mr. JAMES. Well, let us change that. Do not let us keep up a false system of taxation because something else ought to be done. Let us correct that.

Mr. SMOOT. I have not the time in an interruption to go into that question, but I will say that there is quite a difference. The Senator asks why the people of Kentucky should be taxed to buy school books for the school children of the District of Columbia. The people of Kentucky have more to say as to how the money shall be spent here which is collected in taxes than have the people of the District of Columbia.

Mr. JAMES. Yes; and you are asking the people of Kentucky to be more generous to the children of Washington than they are to the children of their own State. Because the State does not buy school books for the children in Kentucky unless the parent or guardian comes forward and makes a statement to the county judge that he is too poor to buy them himself, and then the State supplies them; but here you tax our people in that State and the people all over the Union to buy and supply school books for children in the city of Washington.

Mr. SMOOT. Of course I do not know what the rule is in Kentucky, but I know that the rule in most of the States is to buy school books for the children, irrespective of whether or not their parents are poor——

Mr. JAMES. I am making a statement about my own State.

Mr. SMOOT. And they do not require the father and mother to come up and swear that they are paupers before they can be relieved of buying school books for their children.

Mr. JAMES. Well, you have many good laws out in Utah; I am not going to undertake to criticize any of your laws in enlightened Utah; I am simply stating what Kentucky has done. That is our law; and I say that while I had nothing to do with making it, it is the law, and we can not change it.

Senators talk about the city of Washington and about the Capital being here as if it were a distinctive burden to the people to have the Capital here. Look at the immense pay roll that it supplies to the business people of Washington and to others who live here. I understand it amounts to $7,000,000 a month; one of the largest pay rolls, indeed, I suppose the largest pay roll of any city at all approaching it in size in all the world.

Some Senators think and urge that the streets belong to the Government. The Supreme Court has held that the streets are merely held by the Federal Government in trust for the people of Washington. I say that this system of half and half is unjust; and if you had a just system of taxation in the city of Washington, such as they have in other cities of the States of this Union, there would be derived almost a sufficient amount of revenue to run this city in all its greatness and in all its splendor as the ideal city of the Nation.

Mr. SMOOT. Mr. President, in reference to the streets, I want to call the Senator's attention to the fact that when a street is opened in Washington assessments are made upon property that is not benefited in any way.

Mr. JAMES. Oh, my dear sir, you will have to prove that to me.

Mr. SMOOT. I can very easily prove it to the Senator.

Mr. JAMES. If you will prove to me where they are opening streets and charging property owners for the opening of streets

where they derive no benefit from it, you had better have them go into court and enjoin it.

Mr. SMOOT. I can very easily prove it to the Senator, because I have had the experience. I live——

Mr. JAMES. I will say to the Senator that I have some information about streets, too, and about parks and about monuments that have been erected here; and if you will make an investigation you will find that more fortunes have been made through them than there have been men driven to poverty or pinched by reason of them.

Mr. SMOOT. The Senator is begging the question.

Mr. JAMES. Not at all; I am stating the issue.

Mr. SMOOT. The Senator made the statement that there was no one assessed for the opening of a street who was not benefited by the opening of the street. I say that has been done. There have been many such cases.

Mr. JAMES. Well, let us have the name of one.

Mr. SMOOT. I will give the Senator my own name.

Mr. JAMES. All right. I will admit it. Will the Senator tell me now where is that street which they have opened?

Mr. SMOOT. I will tell the Senator what the street is. I live at the corner of Connecticut Avenue and Calvert Street. I was assessed for the opening of Nineteenth Street. The opening was not 5 cents' worth of benefit to me or to my property from it.

Mr. JAMES. If they had been taxing the fortunes here, as they ought to do, the Senator perhaps would not have been taxed for that purpose.

Mr. SMOOT. That is begging the question again, Mr. President.

Mr. JAMES. It is the unjust system of taxation that caused that wrong to be done to the Senator.

Mr. SMOOT. In other words, people are assessed in Washington as they are not assessed in any other city that I know of in the United States. A couple of years ago we passed a law authorizing the purchase of a piece of land adjoining the Zoological Park on the north side. I received notice the other day that I was assessed a hundred and fifty dollars to pay in part for that land, because it was claimed that it was a benefit to my property.

Mr. SMITH of Georgia. Where is your property located with reference to that improvement?

Mr. SMOOT. About three-quarters of a mile from it; and I want to say that this is how such assessments are made——

Mr. JAMES. Let me say to the Senator, before he gets to that, that while in that particular instance the improvement may not have been of benefit to the Senator, the same practice has brought in front of his door hundreds of acres of beautiful park——

Mr. SMOOT. No; that is not the case.

Mr. JAMES. And a million-dollar bridge. Is not that right? The Senator is going to be in debt to the Government if he keeps this argument up. [Laughter.]

Mr. SMOOT. Of course, if I allow the Senator from Kentucky to put his construction on it, that would be the case. If I am to be charged for the building of the Capitol, I would come out in debt; or if I am to be charged for the building of the Treasury Department, I would come out in debt; but——

Mr. SMITH of Georgia. What relation did the last street mentioned by the Senator bear to his property? Did it adjoin it?

Mr. SMOOT. No, sir. It is not even for a street. They wanted to extend, I think, the buffalo run in the Zoological Park farther to the north. They then proceed to assess the property, and this is the way they do it: They take a pencil and mark out the property to be purchased; then they describe a circle around it; and if your property happens to fall in that circle you are one of the property owners whose property they claim is benefited.

Mr. SMITH of Georgia. The Senator spoke of a street. The Senator said his house was on a corner and that he was charged on account of the opening up of a street.

Mr. SMOOT. The opening of Nineteenth Street, which is to cut through into Calvert Street, on the east side of the old bridge.

Mr. SMITH of Georgia. Did it go by the Senator's property?

Mr. SMOOT. Not at all; it is nearly half a mile away.

Mr. VARDAMAN. Under what authority of law did they levy that tax upon you?

Mr. SMOOT. I have asked that question several times. There is a law, to which I will call the Senator's attention, entitled "Condemnation of land for streets," subchapter 1, sections 4491 a, b, c, d, e, f, and g. Under that law they claim they can make these assessments. That is one kind of assessment the people of the country in no State of the Union have to pay. No State imposes a tax of that kind upon property.

Mr. JAMES. That does not justify the wrongs I have called the attention of the Senate to. That is only adding to them if the Senator is correct.

Mr. SMOOT. I am only calling the Senator's attention——

Mr. JAMES. While the Senator is being taxed as being in the circle of those benefited by reason of this improvement, he must remember that other people have been taxed who were not in the circle of that vast improvement that so beautifies and enriches the price of his home.

Mr. SMOOT. Nobody was taxed for this improvement outside of that circle.

Mr. JAMES. But the whole people, the people in my part of the country and all over the Union, were taxed to buy that beautiful park that spreads its hundreds of rolling acres, with its thousands of shade trees, with its springing fountains and flowing streams in front of the home of the Senator.

Mr. KENYON. Mr. President——

The VICE PRESIDENT. Does the Senator from Kentucky yield to the Senator from Iowa?

Mr. JAMES. Certainly.

Mr. KENYON. I should like to ask the Senator from Utah, with reference to the opening of Nineteenth Street, to which he referred, if it has not been paved without the abutting property owner paying any part of the cost?

Mr. SMOOT. Under the law which has heretofore existed in regard to the paving of streets the District would pay one-half and the Government one-half, but as to the sidewalks and the curbs the abutting property owners pay half the cost.

Mr. KENYON. But the abutting property owners paid nothing toward the paving of Nineteenth Street?

Mr. SMOOT. As to the paving of the street they pay their share of the taxes that go toward making improvements in the District.

Mr. KENYON. Does the Senator know of any other city in the United States the streets of which are paved under a system where the abutting property owners pay no part of the cost?

Mr. SMOOT. No, I do not; and I know of no other city in the United States which is so extravagant in the matter of paving as the District of Columbia.

Mr. KENYON. That is because some one else pays for it.

Mr. SMOOT. No; the taxpayer pays for one-half of it.

I want to say to the Senator from Kentucky that the only reason I spoke of this matter was that from his remarks I judged that he wanted to impress upon the Senate the fact that the taxes are so extremely low in the District of Columbia that the man who owns property in this District does not pay what he ought to pay in taxes in comparison with the citizens of the States of the Union. I simply call attention to this one mode of taxation that is not exercised by any State in the Union.

Mr. JAMES. Mr. President, the system of taxation in Washington is altogether wrong. In the first place, in this argument I am not only appearing as the advocate of the people of all the States, but I am appearing as the advocate of the small-home owners in this city. The Senate, I hope, is perfectly familiar with the report that was made by the George committee in the House of Representatives, in which they said:

> In respect to homes there is great discrimination between classes, the 40,000 small-home owners, the small homes of Government clerks and workingmen generally, standing assessed at an average of 90 per cent of their true value, while the fine residences in the northwest show an average of but 50 per cent.

Mr. CLARK of Wyoming. Mr. President, would not the Senator attribute that to the lack of proper administration rather than to the law itself?

Mr. JAMES. Certainly I do; and I am saying that under the system we have here now, which taxes only tangible property, you not only put half of the burden upon the States but you put the other half of it upon those least able to bear it. That is the position I take.

I know this is a great capital city, that it has wide streets, beautifully lighted, with more parks than any other city in the world of its size; but who is benefited by those parks? Not the people of Kentucky or North Carolina or other States. They come here occasionally and take a delightful ride through them, but those parks are at the very door of the people of the city of Washington. I am utterly opposed to the suggestion that because a capital is here that is the greatest benefit that could possibly exist for the people of the District, you ought, in addition, to relieve them of the burden of taxation and place it upon the people of the States.

Mr. SMOOT. Mr. President, will the Senator yield in order that I may make a correction?

Mr. JAMES. Yes.

Mr. SMOOT. Mr. President, for correction only, I wish to call attention to a statement that I made a few moments ago and make a correction after further investigation.

In the appropriation bill for the fiscal year ending June 30, 1915, I find this provision:

The assessments hereinbefore provided for shall be levied in the following proportions, namely, one-half of the total cost upon the abutting property owners and the remaining one-half, and all of the expenses of maintenance and repairs, to be paid from the revenues of the District of Columbia and from the Treasury of the United States in equal parts.

Mr. SHAFROTH. When was that passed?

Mr. SMOOT. It is the last District appropriation bill. I will tell the Senator the date in just a moment.

Mr. JAMES. A year ago.

Mr. SHAFROTH. Prior to a year ago, then, the amount that was paid for the condemnation of property and the opening of streets was paid half by the District and half by the Government?

Mr. SMOOT. Yes.

Mr. SHAFROTH. And the abutting property owner did not pay anything?

Mr. SMOOT. Yes; but this has reference to the paving. Before that the abutting property did not pay anything, but from now on it will pay one-half in the District of Columbia.

Mr. JAMES. That is done everywhere throughout the States. That is merely delayed justice.

Mr. SMOOT. I told the Senator that I simply wanted him to yield so that my former statement should be correct and in conformity to the present law.

Mr. GALLINGER. Prior to that time the abutting property holder paid one-half the cost of the sidewalk.

Mr. SMOOT. Yes.

Mr. GALLINGER. But not the street pavement.

Mr. SMOOT. The sidewalk and the curbing.

Mr. JAMES. Of course, I have as much pride in the city of Washington as any Senator upon this floor, but I do not see any reason why the great interests of the city of Washington and the fortunes that are here should escape taxation because we are proud of the city. There is no reason why the people throughout the other States in this Union should be taxed in order that these interests may be relieved of the burden of taxation because we are proud of Washington. You will find, when this question is thrashed out fairly and wholly understood by the people, that they are not going to be entirely proud of those who seek to lay upon them a burden that ought to be borne by other people.

Some of the Senators make a great distinction between the capital of a State and the capital of a nation. Of course I am loyal to my State and have a great pride in it; I am loyal to the Government and have a great pride in that. But we have a beautiful capitol in Frankfort; we have many public buildings there. The municipality of Frankfort does not require the State to pay taxes upon the property of the State there. It looks upon the capitol as a benefit to the city. Why, at one time there was great rivalry between Lexington and Frankfort as to which one should have the capital. Hundreds and thousands of petitions were sent to the legislature petitioning for the capital. Now the capital is situated there. It pays no taxes to the municipality. The municipality is not browbeaten, as some would suggest here, by reason of the sovereignty of the State over the city—not at all. The people of Frankfort pay taxes as they do in other cities.

Mr. CLARK of Wyoming. Mr. President, will the Senator yield for a question?

Mr. JAMES. Certainly.

Mr. CLARK of Wyoming. Does the Senator think the fact that the people of the city of Frankfort determine what taxes shall be levied, while the people of the city of Washington have no voice in such determination, ought to have any place in this discussion?

Mr. JAMES. Not the slightest, in my judgment; and I will tell the Senator why. You may talk about Washington having no representation, but I have too much respect for my colleagues here, and for those with whom I served for many years in the House, to believe that they would treat the people of the District of Columbia in any other than a perfectly fair and generous way, even more so than they do the people of their own States.

Mr. CLARK of Wyoming. Mr. President, that was not the point to which my query was directed.

Mr. JAMES. I understood the Senator's query, which was whether or not I thought that the fact that Washington was without representation and had nothing to say——

Mr. CLARK of Wyoming. Oh, no; not that they are without representation, but that the city of Frankfort lays taxes upon itself, while the city of Washington has no voice as to what taxes may be laid upon itself, without reference to representation in Congress or elsewhere.

The city of Frankfort levies its own taxes, determines what public improvements shall be made, and determines what the tax budget of the city shall be for any given year, while the people of the city of Washington have no voice in determining either how much shall be expended or what improvements shall be made; but, on the contrary, if the burden of taxation were imposed upon them, they would be compelled to raise upon their property the taxes to pay for whatever improvements Congress might see fit to authorize. That is the point.

Mr. JAMES. I understand. I think the people of the city of Washington can confidently rely upon the Senators sent by the various States and the Members of the House of Representatives sent by the various districts, who are making laws for a whole Nation. I do not believe the city of Washington has anything to fear as to unjust treatment at the hands of a legislative body of that character.

Mr. CLARK of Wyoming. Along the line of my former interrogatory, Mr. President, would the Senator think the people of the city of Frankfort were justly dealt with if, without their consent, without their having any voice at all in the matter, the Legislature of the State of Kentucky should determine as to the improvements that should be made in that city and the cost of the improvements and what taxes should be laid to cover them? It seems to me that is nearer a parallel case.

Mr. JAMES. So far as I am individually concerned, I do not think the question the Senator raises strikes the issue at all.

Mr. CLARK of Wyoming. That was my first inquiry—as to whether the Senator thought that fact ought to be taken into consideration.

Mr. JAMES. I do not think there is a suggestion on any hand that the people in Washington are oppressed by Congress.

Mr. KENYON. Mr. President, may I offer a suggestion to the Senator from Kentucky, which seems to me a complete answer to the question of the Senator from Wyoming? The cities of the country have fixed a higher rate of taxation, in nearly every instance where they have the right to fix it, than Congress has fixed for the city of Washington, which shows pretty conclusively that the city of Washington has nothing to fear from Congress.

Mr. JAMES. That is undoubtedly true, and that is in accord with the argument I urged.

Mr. CLARK of Wyoming. It is not a question of fear, and it is not a question of the exact rate of taxation, but whether the Government, taking entire responsibility and authority over the affairs of the city, should not contribute in some way toward its expenditures.

Mr. JAMES. After the taxes are fairly levied in this District, just as they are levied in other States and other cities of the States; whenever that is done, whatever amount is needed to defray the expenses of the Government I am perfectly willing to have appropriated out of the Treasury of the people of the United States. But in view of the fact that the people of the country are already overburdened with taxation, that they not only pay city taxes but pay county taxes and school taxes and railroad taxes and State taxes and Government taxes, I can not find it in my heart to say that it is fair or just to levy an additional tax upon those people in order to allow to escape from taxation the immense fortunes and holdings of very rich men in the city of Washington.

Mr. VARDAMAN. Mr. President——

The VICE PRESIDENT. Does the Senator from Kentucky yield to the Senator from Mississippi?

Mr. JAMES. I yield to the Senator from Mississippi.

Mr. VARDAMAN. If the Senator will pardon me, a great many suggestions have been made in this debate about the injustice of levying taxes upon the citizens of the District of Columbia when they are denied representation in the lawmaking body. I wish to ask the Senator if he has found in his investigations, or if there has come out in this discussion, a single fact or scintilla of evidence which shows that an injustice has been done the people of Washington in the matter of levying taxes?

Mr. JAMES. None whatever.

Mr. VARDAMAN. I think it is admitted that they really pay a lower tax than is paid in almost any city of the size of this one; and I have never yet heard of a tax being levied upon the people of Washington to pay for any of these great public improvements which the General Government is making, every one of which adds to the value of property owned by private individuals in the District of Columbia.

I can not see the point of emphasizing or dwelling upon our duty to the citizens of the District of Columbia because they are not permitted to participate in the election of the men who write the laws. Until some one act of injustice is pointed out, it seems to me that suggestion has no place in this debate.

Mr. JAMES. Take this park which stretches from here to the Union Station: That was purchased and paid for by the Government without any aid from the District of Columbia. All of these parks are not only kept up at the expense of the Government and the District jointly, but they were purchased by the Government and the District jointly.

In the city of Louisville they have nothing like as many parks as there are in the city of Washington. I do not suppose they have one-fifteenth as many parks as there are here. The children there go out to the parks that are purchased and kept up by the taxation that rests upon the people there. Why should those people in that city be taxed to keep up all of the many splendid parks here, where they never go, and the delightful breezes of which they never enjoy?

I can not see that that is justice, even if you do attempt to answer it all by saying that you want an ideal city.

Mr. VARDAMAN. I would suggest to the Senator that every improvement of that character adds to the value of the land owned by the citizens of this city.

Mr. JAMES. Take this bridge that they are going to build down here, across the river, costing hundreds of thousands of dollars, for the enjoyment and use of the District of Columbia, and yet the District does not pay a penny of it.

Mr. GALLINGER. Mr. President, to which bridge does the Senator refer?

Mr. JAMES. The memorial bridge they are going to build.

Mr. GALLINGER. I think the bills that have been introduced heretofore have provided that both the Government and the District of Columbia shall contribute. The District has contributed one-half to all the other bridges.

Mr. JAMES. I understand that; but the Government is building this bridge itself.

Mr. GALLINGER. If the Government does, it simply builds a bridge from its own land on this side of the river to its own land on the other side of the river.

Mr. JAMES. Why, certainly. I never raised that issue at all. I have no doubt of that, although I have not investigated it; but whom is the bridge built for; who is to be most benefited by it—the people in New Hampshire, the people in Kentucky, or the people here in the District of Columbia?

Mr. GALLINGER. I dare say thousands of people from New Hampshire will go across that bridge to Arlington, and will be glad of an opportunity to do so, and will be glad to contribute their 7 cents per capita to the expenses of the District government.

Mr. JAMES. I will venture the assertion that if the Senator had had to rely for his reelection to the Senate upon the people from New Hampshire who will cross that bridge, he could prepare to vacate, because there will not be a sufficient number to send him to the Senate.

Mr. GALLINGER. That is very probable. Those people, however, are inspired by the same feeling that the rest of the people of the State are. They have a pride in the National Capital, and they are not going to be parsimonious in regard to the contributions of the Government.

Mr. JAMES. Oh, it is very easy to talk about parsimony and to talk about pride, but the question of taxation is a question that rises above pride. It is a question of justice between men. I have as much pride in Washington as the Senator has.

Mr. GALLINGER. Mr. President, the Senator ought to join me in the proposition I have heretofore made—that we ought to have an inquiry into this whole matter, and if it is necessary to have the law changed, let us change it in a deliberate and careful manner.

Mr. JAMES. Mr. President, that only means to continue this wrong. It only means to put off the change of this unjust and oppressive system of taxation. I have no doubt that if a committee did investigate it they would report that under no condition should the Government pay more than would supply the needs of this city after a just system of taxation had been levied and paid by its own people.

Mr. GALLINGER. The Senator does not hesitate for a moment to agree with me that Congress would pass such a law if it was so reported by a joint committee of the two Houses, does he?

Mr. JAMES. Why, certainly I believe Congress would pass such a law if we could get it considered; but here is this wrong that has existed upon the people of the United States since 1878, and the wrong of taxation that has existed in this city since 1902 by the insertion of the words "tangible property." I should like to have somebody explain to me who did that and why it was done. This debate has gone poverty stricken of explanation as to the cause of that.

Whenever it comes to the Government meeting any of those expenses that are legitimately a part of the duty of the Government, I am willing not only to pay half of that, but to pay all of it. I am perfectly willing to do it. This is a great Government. It is able to do right. But this Government is not great enough to do wrong.

Let all property in Washington be taxed justly, the rich man's millions as well as the poor man's home. I can not agree that the system that exists here now is at all just. How can it be called fair when the taxgatherer collects upon the sewing machine of the seamstress who lives by the work of her hands and allows to go untaxed the millions of the bond owner, the mortgage holder, the stockholder. All this has been exempt by writing—I will not say slipping into the law the word "tangible." With what delight the tax dodger, with his millions of interest-drawing securities, must repeat this word "tangible"; what a meaning it has, what a refuge it offers to the rich tax dodger, and yet what a burden it imposes upon the modest holdings of the plain citizen. I deny that this city should be made ideal by such an outrageous and discriminatory and unjust tax system. If we would have the Capital City beautiful, the Capital City ideal, the Capital City the pride of all Americans, let it be made so by a plan of taxation as fair as the city is beautiful, by a tax system as just as the city is ideal. Let the system of taxation be as much a pride to us because it is equitable, as the Capital City is a pride to us because it is beautiful. The argument advanced for the exemption of intangible property—the money, the stocks, the bonds, the interest-bearing securities—is not a new one. It is as old as privilege. It was first advanced by Shylock, and from that day until this no new reasons have been advanced for it. I know there are some who believe that the farmer should not only feed the world but that he should bear the tax burden of the world. To this I can not agree. I think it is manifestly unjust, the very essence of special privilege, the very acme of class legislation, as brutal as it is unfair, as un-American as it is unjust. No man can give me a good reason why the people in this city should enjoy the delights of this great Capital, with its well-lighted streets, almost as smooth as a floor, without meeting to any considerable degree the burden of taxation, while my people, who have to climb up rugged mountains and walk over rough roads, should be taxed in order to pay part of the expenses of this District; or why this Capital, which ought to have been the model of all the cities of the world when it comes to the question of taxation, should, by the insertion of the words "tangible property," have remained through all these years the haven and rendezvous of every tax dodger in this Nation who sought to leave the State where he had accumulated his millions, leave those from whom he had wrung his hundreds of thousands to defray the burdens of taxation in that State, sneak into the Capital, and, within the hearing of the debates in the Capitol of the Nation, escape taxation.

I am opposed to putting off that sort of an issue. I am opposed to submitting that character of question to a commission, however great and however learned and however patriotic it may be. We are able to deal with that matter now. Let us do it as becomes and befits men who are ambassadors from great States in this Senate.

Mr. LEE of Maryland. Mr. President, I have listened with a great deal of interest to the statements and the logic that have been advanced in connection with this interesting proposition of taxation in the National Capital. We listened just now to the logic of the Senator from Kentucky. He cited Louisville as a properly parked town.

Mr. JAMES. I did not do that at all. The Senator is mistaken about that.

Mr. SMOOT. Yes; the Senator distinctly used the word "Louisville."

Mr. JAMES. I said Louisville had hardly one-fifteenth as many parks as Washington. I did not say it was properly parked. I should like to see more parks in Louisville, so far as that is concerned.

Mr. LEE of Maryland. Well, it is a practical business town; it is getting along in a prosperous way, and is governing itself. That is the milk in the coconut. There is a town that is governing itself; and the Senator cites it as an evidence of the wisdom of good government in Kentucky.

Mr. JAMES. Not at all, Mr. President. While I think, of course, that the government in Louisville is a splendid one, I made that citation for the purpose of showing that the people there, who had not enough parks for the benefit of their chil-

dren, should not be taxed in order to pay for an abundance of parks that were never used by their children, but were used by the children here in Washington.

Mr. LEE of Maryland. I want to go a little further with the illustration, because it got the Senator into a rather awkward situation from a logical standpoint. He said that for the people of Washington there have been created fourteen times as many parks as for the people of Louisville, and they have paid for half of those fourteen times as many parks. Therefore, the people of Washington have paid for seven times as many parks as Louisville has paid for, and have had these parks forced upon them whether they wanted them or not. They had not the slightest capacity to resist being made to pay for seven times as many parks as they needed, compared with the businesslike and prosperous town of Louisville, Ky.

So the Senator's logic falls down upon the very instance that he advances. I think every American who hears this debate will disagree with him on the general principle that there is any power to make a Member of Congress or any other human being respect those people who can not resist a tyranny, if it is put upon them.

I shall not mention names, but I heard a very eminent Representative from Kentucky once say, speaking of a citizens' association of the District of Columbia, that the average Congressman cared as much for the protests of a citizens' association against taxation put upon them as he did for the howling of a dog in his back yard; both were nuisances.

Mr. JAMES. I do not believe the Senator himself would indorse that extravagant statement.

Mr. LEE of Maryland. I certainly do not.

Mr. JAMES. I want to disavow myself as responsible for that sort of a statement.

Mr. LEE of Maryland. I certainly do not indorse it. I think it is all wrong; and I, therefore, believe that every dollar that is appropriated by Congress and put as a burden upon the people of the District of Columbia should have, as a Siamese twin, another dollar of the money that bites—that is, from our own constituents—attached to the unrepresented dollar we appropriate, as some protection to "these howling dogs in the back yard."

Mr. President, that is about a fair summary of the situation.

At one place in the course of his remarks the Senator from Kentucky said that the system of taxation here is altogether wrong. In answer to a question from the Senator from Mississippi [Mr. VARDAMAN] he said that no wrong whatever is being done here.

Mr. JAMES. Oh, the Senator surely will not undertake to put together the statement I made about the system of taxation here being wrong, and the statement I made that the people of the District were not being wronged by Congress. I hope the Senator sees some distinction between those two statements. He could not have been listening to my argument at all.

Mr. LEE of Maryland. Why, I was listening very much closer than the Senator himself was listening.

Mr. JAMES. Does the Senator say that he sees no difference between a statement made by a Senator that the system of taxation in the District of Columbia was wrong, and the other statement that the people of the District were not being wronged—that is, oppressed—by Congress? I hope the Senator sees some difference.

Mr. LEE of Maryland. I think they are absolutely inconsistent statements, because you can not enforce upon a people a system that is clearly wrong without doing them some harm.

Mr. JAMES. You might relieve them entirely of taxation, and that would be a wrong system of taxation, and yet you would not be wronging them.

Mr. LEE of Maryland. I agree with the first statement made by the Senator from Kentucky. The system of taxation here is wrong. When the Senator quoted, or somebody quoted, a statement to the effect that 90 per cent of the full value is assessed upon the poor man's house in the District of Columbia, he showed that the system here is wrong. Now, Mr. President, the system here is very wrong.

Mr. GALLINGER. Mr. President, surely the Senator from Maryland does not agree to that proposition—that the poor man's house is taxed 90 per cent of its value?

Mr. LEE of Maryland. I regret to advise the Senator from New Hampshire that I do, because I had information given me very recently by a practical man who has been trying to sell some small houses in the District, that he could not sell them for the amount of the assessment.

Mr. GALLINGER. He probably could not sell some of them for anything.

Mr. LEE of Maryland. That may be. I did not look at the houses and do not know their environment; but, as a matter of fact, he said he could not sell them for the amount of the assessment. Now, when you come to the system of taxation in the District, it is a system of high taxation on land and substantially no taxation on personal property. I sympathize very deeply with the Senator from Kentucky in the general position he assumes, that there should be some taxation here on intangible assets; but I must say that I have not the slightest sympathy with what appears to be the whimsical procedure he suggests for correcting that evil.

Permit me to illustrate for a moment. He proposes, as was proposed by Mr. JOHNSON, from his State, in the House the other day—and the Senator has proposed an amendment to the same effect—that there shall be the same taxes put upon intangible assets here in the District as upon realty. That means that intangibles shall be taxed $1.50 on the hundred.

Mr. President, I have had some experience in connection with our Maryland system of taxation and in connection with this District system. We in Maryland, after considerable investigation, concluded to reduce the high rate of taxation on intangibles and go down to a 30 per cent rate on intangibles.

Mr. JAMES. I should like to ask the Senator, then, if he believes it is a just system of taxation to tax the home owner a dollar and a half on a hundred and to tax the bondholder less? Just what would the Senator make the bondholder's tax?

Mr. LEE of Maryland. I would try to tax him something, and your proposition is going to tax him nothing. That is the difference.

Mr. JAMES. Why?

Mr. LEE of Maryland. Because your taxation is whimsical and inoperative. It will not work.

Mr. JAMES. Why so?

Mr. LEE of Maryland. If the Senator will give me time, I will show him why. You can not catch him on your basis.

Mr. JAMES. If that were true, he would not be fighting it so hard.

Mr. LEE of Maryland. He is not fighting this proposition.

Mr. JAMES. I think you will find out that those people are quite interested in seeing the amendment defeated.

Mr. LEE of Maryland. They may be concerned, but they are not fighting this question.

Mr. JAMES. I do not think it is a very good argument to say that the bondholder will perjure himself and hide his money if you undertake to tax him what he ought to pay, but if you will tax him only a little, then to clear his conscience he will come up and pay.

Mr. LEE of Maryland. Mr. President, I want to go on with this proposition as a practical one. In Maryland we have a 30 per cent tax on intangibles. We found in my immediate neighborhood that people who had those intangibles moved into the District of Columbia.

Mr. JAMES. That is the old argument that was used against the income tax. It was said that if you would levy an income tax in one State they would move into another State, and then it was urged that if you would levy a United States income tax they would go to Canada. That is the old argument always urged by the rich people to escape taxation.

Mr. LEE of Maryland. Mr. President, that is the argument advanced against an income tax by the State, but it was not advanced against the income tax by the United States. There are some forms of taxation absolutely inoperative. An income tax by a State is an absurdity unless it is based upon the Federal ascertainment of incomes. A State can now tax incomes moderately if it chooses, because it has something to go upon, but under the old circumstances it could not touch that question. If the Senator will not interrupt me any more, I may convert him to the proper view of this question.

Mr. JAMES. I thought I might convert you by interrupting you.

Mr. LEE of Maryland. Of course, in one sense, it is hard to convert a man against his will; but here is the simple proposition: With a tax at a certain figure in Virginia and a tax at a certain figure in Maryland, how on earth can the District of Columbia expect to collect five times that rate of taxation on intangible assets of the same kind in the District? We have had the experience.

I may not get this thought through the feelings of the Senator from Kentucky, because he has so much feeling about the matter that he is not practical. On the other hand, I want to do something to relieve the 90 per cent assessment on the poor man's house; I want to do something practical. I do not want to sit here and theorize with the Senator from Kentucky about what men should do or what they ought to do. I want to reach these gentlemen of the Post type about whom he was talking when they come here.

Mr. GALLINGER. I will tell the Senator that he is dead. He will not be able to catch him.

Mr. JAMES. There are many here who are not dead, but a great many of them will almost drop dead when they have to pay taxes justly.

Mr. LEE of Maryland. Mr. President, they will not drop dead; they will just move on into Maryland or Virginia. I am arguing against the interests of my State and locality, because we would like to tax these people. We will tax them 30 cents on the dollar when they come back; but being here as a representative, so to speak, or as a trustee for this unfortunate disfranchised District of Columbia, I have got to exercise the justice a trustee or representative should exercise.

Mr. President, you can not make these people submit themselves to a high tax on intangibles. The Senator will not get anything out of his amendment by imposing a tax of $1.50. I have some illustrations here, and unless the Senator from Iowa calls me down on a point of order I should like to produce one from the RECORD in the House. Here is an interesting illustration: The State of Kentucky passed, by a very large majority, an amendment to the constitution differentiating between classes of property for taxation purposes. Undoubtedly they did that in order to get at the intangibles which would otherwise escape taxation. I can not say.

Mr. JAMES. When that question comes up before the legislature they will need some of the logic of the Senator in order to get all the taxes put on the landowners before it will be done.

Mr. LEE of Maryland. The Senator keeps on failing to appreciate the practical result of this matter. If you get no taxes from intangibles, necessarily all your taxes are on the land. That is what is bothering me.

Mr. JAMES. If you will go to Kentucky, you will find lots of taxes collected on money, stocks, and bonds. There is plenty of it. Our people like Kentucky perhaps so well that even taxation will not drive them out of it; but up to this time our State has levied and collected the same rate of taxation upon moneys, stocks, and bonds and things of that sort that it has collected upon land.

Mr. LEE of Maryland. There are so many attractive things in Kentucky, I take it they would not want to leave the State. I admit that.

Mr. JAMES. I was just assuming that they would not leave that State, even to go to the delightful State of Maryland.

Mr. LEE of Maryland. I know a good many who did do it. In fact, my mother was born in Frankfort, to which the Senator refers as the capital of his State. I have probably more kinsfolk in Frankfort than the Senator himself has. While upon this subject I may say that she voluntarily came to Maryland.

But in this connection it is proper to say, as the Senator referred to the delightful town of Frankfort as an illustration of how glad they were to have a Government building erected, that this question of Government buildings is a matter of quantity. It need not always give joy and gladness to a local community to have Government buildings when they are bigger than half the town, and as the result of habit and quantity, a community may come to look upon government as any other business. As a matter of fact, that is really what the situation is here. This is a place where the Government of the United States is carried on as a business and where a certain type of town is required to be consistent with this governing business.

I suppose the Senator from Kentucky was in this body or in the other House of Congress when these office buildings were appropriated for, these magnificent marble halls in which we have our commodious offices.

Mr. JAMES. In order that the Senator may be entirely correct, I will state that I was not in Congress at that time. I got here two years after those appropriations were made.

Mr. LEE of Maryland. Well, they have been recently built. There is an illustration of the class of buildings and the type of architecture that is imposed upon this locality as proper for a given set of business offices. This very Capitol Building itself, old as it is, a solid and magnificent structure, illustrates the class of improvement that was required in connection with the National Capital and what was thought commensurate with the dignity of the United States.

Mr. President, this type of improvement is a demonstration of the magnificent municipal plan more or less forced upon the inhabitants of this city, without the slightest capacity on their part to modify it, but which they had to pay for. It is a fair argument—and it is so fair that I hardly see how a big-hearted man like the Senator from Kentucky can be unwilling to see it—that it is only a proper protection to the local taxpayer in carrying out so great a plan to tie one Government dollar to every local dollar that is voted out of the pockets of this limited and restricted locality, whose various industries are compelled to be of a kind consistent with the dignity or alleged dignity of the Capital of the country.

I was interrupted just now, possibly by the Senator from Kentucky, when referring to the impracticability of his thought in connection with reaching the Post type, and so reducing the tax on the under dog by fairly taxing the escaping millionaire. Mr. President, not only has Kentucky passed a constitutional amendment differentiating between classes of property, but Minnesota has done the same thing. The result in Minnesota was very remarkable. In one year, changing from the 3-mill rate on certain intangibles, the amount reached the next year showed an increase of 730 per cent. The relief to the poor man's house by the taxation put upon the Post class will be practically nothing under the plan the Senator from Kentucky has in mind, but when you come down to a practicable and collectible rate, then you will get something from the intangibles that will reduce the amount of taxation upon real estate. Therefore, the Senator's attitude is merely an expression of sympathy in words and by way of alleged amendment, but the practical result will be nothing by way of benefit to the overtaxed poor man's house.

A moderate and collectible tax on intangibles has been passed in Maryland with greatly increased tax receipts. The same has been done in Pennsylvania. I have here a quotation from a professor in the University of Wisconsin citing the Maryland and Pennsylvania tax rate on intangibles as the practical way in which to reduce taxation upon real property and upon the houses of those who are of moderate means.

Therefore, Mr. President, I think it is proper to differ with the Senator from Kentucky, and also to point out as to every such unpractical proposition, no matter how whimsical it may be, the people of the District of Columbia are compelled to submit, and have no power whatever to check any flight of fancy which may be immaturely imposed upon them in the name of relief, but which in reality will work increasing hardship where there is too much burden now.

Mr. JAMES. The Senator has been familiar with Washington for many years. Does he know of any of those great outrages that have been perpetrated on the people of the District of Columbia by Congress?

Mr. LEE of Maryland. I am just taking your word as true that the system of taxation here is the worst that could be imposed upon anybody and that it is all wrong.

Mr. JAMES. But I want to know whether the Senator knows of any of those outrages perpetrated on the District of Columbia.

Mr. LEE of Maryland. I know of so many of them that I really would not like to commence to tell the Senate about them.

Mr. JAMES. I would be glad to hear some of them.

Mr. LEE of Maryland. It would not have the slightest effect upon the Senator. I want to suggest that the attitude in which both the Senator from Iowa [Mr. KENYON] and the Senator from Kentucky [Mr. JAMES] have approached this question is fundamentally wrong. They do not effectively sympathize with the under dog at all. The under dog in the District of Columbia is the unrepresented taxpayer. The government of the District of Columbia in the past has been quite analogous to the government of a South American Republic, namely, a government run exclusively by the steamboat companies, banks, and railroads, but for the modifying intelligence and kindly sympathy the taxpayers here sometimes, not always, got from the House and the Senate.

I once had occasion some years ago to appear as attorney for certain taxpayers before one of the House committees. I was there in opposition to what was a palpable piece of real estate wrong. The Member of the House presiding as the chairman of the committee asked me if I represented anyone. I told him that I did represent parties in interest. Said he: "If you represent anybody who has an interest in this matter, we will not hear you, because we only want to listen to disinterested citizens."

Mr. President, that is the kind of injustice that on many occasions has been meted out to the taxpayers of the District of Columbia. The head of a committee of Congress took the position that he would not listen to anybody who had an interest at stake. He excluded the parties that a court of justice would have required to be parties. I am happy to say that such experiences were unique, and that an appeal from that attitude on the part of the chairman of the House committee to the broad-minded Senator from Iowa, Senator Allison, corrected the difficulty. So it is reasonable, looking at the treatment of the District of Columbia by and large through a number of years, to quote the language of Senator Blackburn, of Kentucky, who refers to this half-and-half proposition as the organic act and says that otherwise the taxpayers of the District of Columbia would have

to depend upon the "whim and caprice"—the words are quoted—of each recurring session.

It is not, Mr. President, that there is any ill will toward the people of the District on the part of Congress. Far from it; but there is a lack of time; there is a failure to understand and sympathize with the unrepresented. That is perfectly natural in any set of men burdened with the labors and responsibilities that Congress necessarily and always finds upon its shoulders.

This limitation of dollar for dollar is in effect a constitutional limitation, and it does prevent overtaxation in the District. Before it is repealed there ought to be some general reform here. Congress ought to go about removing the practical evils that exist right under their noses before they proceed with a great change that will take down the only barrier and protection that exists around the rights of the local taxpaying classes.

There should be, possibly, local control over taxation by a local tribunal of some kind. The present system is absolutely un-American. It is absolutely unjust, because it is un-American. There should be a practical law for the taxation of intangible property, not the type of amendment that has been suggested by the Senator from Kentucky, because that is impracticable and would do no good to anybody. It would not take a cent off the burden of the poor man's house. But some practical amendment, on the basis of the Maryland, Virginia, Minnesota, or Wisconsin view, should be adopted for the relief of the taxpayers on real estate in the District, and if you repeal the half-and-half proposition there should be some definite basis of contribution by the National Government.

I do not believe, Mr. President, that the Senate has time in this short session to give the investigation to this subject and the relief that it should give. Therefore, it is a good matter to permit to go over to some other time, when Congress will have more opportunity to sit as the common council of the District of Columbia. But I do protest against the attitude into which unconsciously the junior Senator from Iowa drifted in the beginning of his speech. My sympathies are with the District of Columbia citizens' associations, because those are the only form of representation and protection that the local people have; and if they caricature a Member of the House from the State of Iowa or if they run down or ridicule in the press a Member from Kentucky, that is the only way in which they can express their sentiments. They are absolutely bottled up. They have no political right or relief whatsoever. They are, as the Senator from Kentucky has very properly described them, unquestionably the under dog in this tax situation.

The Senator from Iowa made this statement:

> No man can prosper, no community can prosper, on a system of injustice.

I believe that he was absolutely correct in making that statement, and I believe it expresses the elevated sentiment of his nature; yet we have a system here, where the people have no representation whatever, a system that is unjust in every aspect of its being, a system under which a large mass of taxpayers have no power whatever over the distribution of the money which they contribute, and yet there is a proposition made now in the Senate to strike down the only barrier and protection that they have, namely, that a Federal dollar shall be tied to every dollar of tax that Congress imposes upon this subject province.

The Senator from Kentucky [Mr. JAMES] says that it is ideal to tax a people who have no representation. He did not put it in that way. He said "the present situation in the District is ideal." From the standpoint of taxing and spending other people's money without political accountability it may be ideal, but it is absolutely un-American and unideal from every other standpoint. I am sure that the Senator from Kentucky has not the slightest sympathy with any system where in the final analysis the taxpayer is unrepresented. It is inconsistent with the broad democracy of his nature to have any such system. He has got into this debate because he more represents the Member from Kentucky who has already gotten into the debate than he does the people of the District of Columbia.

Therefore, Mr. President, noting the trend of criticism here in the Senate, and feeling an interest in this situation by reason of having long observed that the people of this District have no rights whatever, having long observed that much of their money has been spent for national objects and without any regard whatever to the local good or interest, I am opposed to any change that will break down a single one of the barriers that now exist for their protection as taxpayers of great sums without at the same time giving them some other protection or barrier essential for the safety of the unrepresented.

Mr. SHEPPARD. Mr. President, on yesterday I alluded to the fact that under the half-and-half plan in the District of Columbia the Federal Government was contributing an amount equal to the amount collected by the District for each saloon license within its borders. I alluded to the fact that the District was now charging fifteen hundred dollars as a yearly license for each saloon; that the Federal Government was contributing fifteen hundred dollars in addition for each saloon so licensed; that the Federal Government charged a saloon-license fee of $25; and that, therefore, we were practically subsidizing the District of Columbia for each saloon organized within its limits to the extent of $1,475.

I made the further statement that a bill stopping that practice had passed the House of Representatives and was now pending in the Committee on the District of Columbia of the Senate. I asked the chairman of the committee if such a bill was not pending, and he said he did not think there was such a bill before his committee.

Mr. SMITH of Maryland. Mr. President, I will say to the Senator from Texas that I remember very well the bill to which he refers, but when the question was asked me, inasmuch as the appropriation bill was pending, I was of the impression that the Senator referred to some amendment or proposal in connection with that bill. Therefore I told him that I did not know of any, but I will now say that the bill to which he refers is before the committee, having been referred to a subcommittee. I have discharged my duty in that particular. The subcommittee have not yet reported on the bill.

Mr. SHEPPARD. Will the Senator from Maryland tell us who are the members of the subcommittee?

Mr. SMITH of Maryland. I really do not now remember who they are.

Mr. SHEPPARD. The bill passed the House of Representatives on December 9, 1913, and has been pending in the Senate Committee on the District of Columbia now for more than a year. The report on the bill in the House has the following to say. I will, however, first state that at the time this bill passed the House of Representatives the license fee was a thousand dollars for each saloon in the District. It has since been increased to $1,500. I now quote from the report:

> For many years the Federal Government has been subsidizing the liquor traffic in the District of Columbia to the extent of nearly a half million dollars annually. Congress has power over the granting of all licenses relative to the sale of liquors in the District. For each license to sell liquor in the District of Columbia the District receives the sum of $1,000, while the Federal Government receives the sum of $25. The $1,000 received by the District of Columbia is treated by the District as a revenue, against which the Federal Government is compelled, under existing law, to put up an additional $1,000. Therefore the Federal Government is penalized to the extent of $975 annually on every liquor license granted in the District of Columbia.
>
> During the last 10 years the District of Columbia has collected from liquor licenses the sum of $4,604,862.70, which has been treated by the District as a revenue, to match which the Federal Government has put up an equal sum.
>
> The $4,604,862.70 which the Federal Government during the last 10 years has paid out of the Public Treasury belonged to all the people of the United States, millions of whom are opposed to having a tax placed upon what they eat and wear in order to lend inducement to the District of Columbia to increase the number of barrooms in the Nation's Capital.

I repeat that the license for each saloon has been increased to $1,500 per annum since this bill passed the House of Representatives. It is also true that the number of saloons has been decreased, but that the total revenues are about the same as before.

Furthermore, Mr. President, in 1871 Congress licensed the Washington Market Co. and allowed the company to use lands owned by the United States. Instead of itself taking the rental of the land this Government allowed the Washington Market Co. to pay the rental to the District of Columbia—$7,500 per annum, as it finally turned out to be. The District of Columbia has treated that gift on the part of the Federal Government as a revenue under the half-and-half plan, and the Federal Government has been giving from its own funds another $7,500 a year, thereby doubling the gift, matching not the District's dollars but its own. That has been going on since 1871 and amounts to something like $315,000. At first the rental was $25,000 per annum, and the money was to go to the poor of the District.

The bill to which I have heretofore referred as having passed the House provided also that the division of revenues on account of this market rental should be stopped. Let me read what the report on that bill says as to this phase of the subject:

> When Congress passed this act making this donation to the District of Columbia, it is reasonably certain that Congress did not then think the District of Columbia would so handle her financial accounts as to extract from the Treasury of the United States double that amount.
>
> The act of Congress which granted a charter to the Washington Market Co. provided that said company should pay to the District of Columbia as rental for the above-mentioned property the sum of

$25,000 per annum, and further provided that this amount should go to the poor of the District of Columbia. Shortly after the passage of the congressional act of May 20, 1870, which fixed the rental at $25,000, the market company, by a piece of legerdemain, succeeded in having the authorities of the District of Columbia (not Congress) reduce this rental to $7,500 per annum. This will be more fully gone into in a report which will be made by the Committee on the District of Columbia in a few days relative to H. R. No. 7148.

The $7,500 annual rental since 1871—42 years—amounts to $315,000, all of which should have gone to the poor people of the District of Columbia, but not a single dollar of which has gone to them. The District of Columbia has treated this $315,000 as a revenue of the District which the Federal Government since 1878 has matched by putting up another $7,500 annually, thereby making the total amount approximately $577,500, which is simply a gift by the United States to the District of Columbia over and above the half-and-half contribution annually made.

Such are some of the inconsistencies, or, rather, some of the lengths to which we are driven by the half-and-half plan as it is now practiced in the District of Columbia.

I do not know how much money is raised by the District from other sources than taxation, but from whatever source its own revenues come, whether from donations like this market rental, from liquor licenses, or otherwise, every dollar must be matched by another dollar from the Federal Government. Surely it was never intended that the half-and-half plan should be carried to such lengths.

I have cited some of the abuses that have developed out of the system in the hope of showing that it now merits a thorough overhauling and investigation.

DEATH OF MRS. THOMAS S. MARTIN.

Mr. GALLINGER. Mr. President, at the solicitation of many Senators on both sides of the Chamber, I ask unanimous consent to submit at this time a resolution.

The VICE PRESIDENT. Is there objection? The Chair hears none.

Mr. GALLINGER. I submit the resolution which I send to the desk and ask unanimous consent for its immediate consideration.

The VICE PRESIDENT. The Secretary will read the resolution.

The Secretary read the resolution (S. Res. 515), as follows:

Resolved, That the Senate has heard with much sorrow of the death of Mrs. Thomas S. Martin, the wife of our friend and associate, the senior Senator from Virginia, to whom the Senate extends assurances of sincere and heartfelt sympathy.

Mr. GALLINGER. Mr. President, this resolution is somewhat unusual, but to my mind notice may well be taken of the loss of the wife of a Senator who has served so long and with such distinction as has the senior Senator from Virginia [Mr. MARTIN].

It was my privilege to know this beautiful woman, to whom our associate, the Senator from Virginia, was so devoted throughout her lifetime, and particularly through the years of her invalidism. I feel sure that the Senate will join with me in sending to the Senator this message, in the hope that it may be of some comfort to him in his hours of great sorrow.

The VICE PRESIDENT. The question is on agreeing to the resolution submitted by the Senator from New Hampshire.

The resolution was unanimously agreed to.

EXECUTIVE SESSION.

Mr. SMITH of Georgia. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 5 minutes spent in executive business the doors were reopened, and (at 5 o'clock and 40 minutes p. m.) the Senate adjourned until to-morrow, Saturday, January 9, 1915, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate January 8, 1915.

REGISTER OF THE LAND OFFICE.

Alonzo L. Beavers, of Lamar, Colo., to be register of the land office at Lamar, Colo., vice Eugene M. Whitaker, whose term will expire January 10, 1915.

Edward J. Hoefnagels, of Twin Lakes, Colo., to be register of the land office at Leadville, Colo., vice George S. Curtis, whose term will expire January 10, 1915.

RECEIVER OF PUBLIC MONEYS.

Robert J. McGrath, of Towner, Colo., to be receiver of public moneys at Lamar, Colo., vice John W. Bent, whose term will expire January 10, 1915.

POSTMASTERS.

ALABAMA.

Adrienne G. Wilson to be postmaster at Russellville, Ala., in place of J. A. Wilson, deceased.

ARIZONA.

Lawrence S. Williams to be postmaster at Williams, Ariz., in place of J. S. Campbell, resigned.

ARKANSAS.

Lawrence D. Ballew to be postmaster at Des Arc, Ark., in place of W. E. Witter. Incumbent's commission expires January 16, 1915.

Benjamin C. Milhoan to be postmaster at Hartford, Ark., in place of Oliver A. Hill. Incumbent's commission expires January 16, 1915.

CALIFORNIA.

W. A. Dickey to be postmaster at Chino, Cal., in place of M. E. Simmons. Incumbent's commission expires February 1, 1915.

George R. Frampton to be postmaster at Artesia, Cal. Office became presidential October 1, 1914.

S. J. Hindman to be postmaster at Inglewood, Cal., in place of J. T. Leftwich, resigned.

Harry Hines to be postmaster at Santa Monica, Cal., in place of W. S. Vowter. Incumbent's commission expired December 13, 1914.

W. B. King to be postmaster at Atwater, Cal. Office became presidential October 1, 1914.

L. F. Kuhn to be postmaster at Stockton, Cal., in place of Frank E. Ellis. Incumbent's commission expired December 13, 1914.

John Mitchell to be postmaster at Ontario, Cal., in place of Sheridan G. Berger, resigned.

C. D. Overshiner to be postmaster at Santa Ana, Cal., in place of Linn L. Shaw. Incumbent's commission expires February 14, 1915.

Lewis C. Poor to be postmaster at Sherman, Cal., in place of Francis M. Bitts. Incumbent's commission expired December 13, 1914.

Nathan L. Rannels to be postmaster at La Jolla, Cal., in place of Conrad Solem. Incumbent's commission expired December 19, 1914.

Alfred W. Rozier to be postmaster at Tuolumne, Cal., in place of W. T. Gurney. Incumbent's commission expired December 13, 1914.

Leota M. Stewart to be postmaster at Rialto, Cal., in place of Samuel S. Wood. Incumbent's commission expires February 17, 1915.

COLORADO.

James M. Brown to be postmaster at Mancos, Colo., in place of Newton W. Samson. Incumbent's commission expires January 10, 1915.

Joseph W. Burkhard to be postmaster at Florence, Colo., in place of Moses E. Lewis. Incumbent's commission expires January 11, 1915.

Walstien N. Haas to be postmaster at Silverton, Colo., in place of W. Z. Kinney. Incumbent's commission expires January 10, 1915.

Virgil C. Ledford to be postmaster at Craig, Colo., in place of Walter Spencer. Incumbent's commission expires January 11, 1915.

Thomas Mowatt to be postmaster at Ouray, Colo., in place of L. E. Bradley. Incumbent's commission expires January 11, 1915.

J. W. C. Shepherd to be postmaster at Meeker, Colo., in place of William S. Fisk. Incumbent's commission expires January 10, 1915.

D. Lee Staley to be postmaster at Telluride, Colo., in place of Lewis C. Lomax. Incumbent's commission expires January 10, 1915.

John Uglow to be postmaster at Olathe, Colo., in place of Thomas Burns. Incumbent's commission expires January 10, 1915.

CONNECTICUT.

George H. Foley to be postmaster at Mystic, Conn., in place of C. C. Potter. Incumbent's commission expires February 6, 1915.

William E. Hanley to be postmaster at Stafford Springs, Conn., in place of Harvey S. Abel. Incumbent's commission expires February 1, 1915.

Everett I. Pardee to be postmaster at Cheshire, Conn., in place of Daniel J. Driscoll, resigned.

DELAWARE.

George R. Mears to be postmaster at Georgetown, Del., in place of W. S. Walls. Incumbent's commission expired December 14, 1914.

FLORIDA.

R. E. L. McFarlin to be postmaster at Quincy, Fla., in place of John Stoker. Incumbent's commission expired December 19, 1914.

GEORGIA.

William T. Adkins to be postmaster at Edison, Ga., in place of William T. Adkins. Incumbent's commission expired December 14, 1914.

T. B. Perry to be postmaster at Camilla, Ga., in place of Lena Brimberry. Incumbent's commission expired January 11, 1914.

Wilbur S. Freeman to be postmaster at Claxton, Ga., in place of Wilbur S. Freeman. Incumbent's commission expires January 26, 1915.

R. P. Hicks to be postmaster at Wrightsville, Ga., in place of Jewell F. Renfroe. Incumbent's commission expired December 19, 1914.

Fannie Lou Smith to be postmaster at Reidsville, Ga., in place of St. J. B. Alexander. Incumbent's commission expires January 19, 1915.

HAWAII.

Edward B. Friel to be postmaster at Lahaina, Hawaii, in place of Moses D. K. Keokokalole, not commissioned.

IDAHO.

James Campbell to be postmaster at Hope, Idaho. Office became presidential October 1, 1914.

Kenneth G. Phelps to be postmaster at Richfield, Idaho, in place of Burton W. Reeves. Incumbent's commission expired December 13, 1914.

ILLINOIS.

Robert C. Baird to be postmaster at Coulterville, Ill., in place of John C. Beever. Incumbent's commission expires February 16, 1915.

William F. Filbert to be postmaster at Watertown, Ill. Office became presidential October 1, 1914.

L. A. Kennedy to be postmaster at Chester, Ill., in place of Henry E. Burns. Incumbent's commission expires January 27, 1915.

Joseph C. Lampert to be postmaster at Lena, Ill., in place of Jessie Roush. Incumbent's commission expired December 16, 1914.

T. W. Medlin to be postmaster at Anna, Ill., in place of Andrew J. Pickrell. Incumbent's commission expires February 1, 1915.

John R. Paskell to be postmaster at Henry, Ill., in place of Theodore Disosway. Incumbent's commission expires January 16, 1915.

Glen Petefish to be postmaster at Virginia, Ill., in place of Elijah Needham. Incumbent's commission expired December 13, 1914.

Samuel M. Stewart to be postmaster at Metropolis, Ill., in place of Ulysses E. Smith, resigned.

Mahala E. Trainer to be postmaster at Blue Mound, Ill., in place of Anna M. Spooner, resigned.

INDIANA.

John L. Rohde to be postmaster at Hammond, Ind., in place of F. Richard Schaaf. Incumbent's commission expired December 13, 1914.

Frank E. Campbell to be postmaster at Red Key, Ind., in place of William C. Porter. Incumbent's commission expires February 17, 1915.

Edward E. Cox to be postmaster at Hartford City, Ind., in place of Lewis C. Johnson. Incumbent's commission expires January 31, 1915.

George W. Doyle to be postmaster at Vanburen, Ind., in place of Walter F. Jordan, deceased.

Alfred M. Hiatt to be postmaster at Pennville, Ind., in place of John L. Sharp. Incumbent's commission expires February 6, 1915.

B. F. Houseman to be postmaster at Dunkirk, Ind., in place of Harvey H. Harshman. Incumbent's commission expires February 16, 1915.

John Postma to be postmaster at Milford, Ind., in place of William H. Burris. Incumbent's commission expired December 19, 1914.

Charles W. Reed to be postmaster at Upland, Ind., in place of Samuel A. Connelly. Incumbent's commission expires February 6, 1915.

Ellis S. Rees to be postmaster at Winamac, Ind., in place of William E. Netherton. Incumbent's commission expires February 6, 1915.

Don C. Ward to be postmaster at Union City, Ind., in place of William H. Mote. Incumbent's commission expires February 16, 1915.

IOWA.

Thomas J. Capper to be postmaster at Elgin, Iowa, in place of Hans Keiser. Incumbent's commission expires January 13, 1915.

Harry H. Cate to be postmaster at Anita, Iowa, in place of E. L. Newton. Incumbent's commission expired December 14, 1914.

William Cohrt to be postmaster at Gladbrook, Iowa, in place of Alanson T. King. Incumbent's commission expired December 13, 1914.

Patrick H. Donlon to be postmaster at Emmetsburg, Iowa, in place of P. O. Refsell. Incumbent's commission expires January 13, 1915.

H. E. Eiel to be postmaster at Buffalo Center, Iowa, in place of M. McDermott. Incumbent's commission expired December 13, 1914.

John Hickey to be postmaster at Vail, Iowa, in place of Thomas J. Hoffman, deceased.

Edward J. Kooreman to be postmaster at Alton, Iowa, in place of John Meyer. Incumbent's commission expires January 18, 1915.

Frank McShane to be postmaster at Springfield, Iowa, in place of William A. Keithley, deceased.

F. D. Mead to be postmaster at Cresco, Iowa, in place of Charles C. Burgess. Incumbent's commission expires January 18, 1915.

Stanley Miller to be postmaster at Mount Pleasant, Iowa, in place of William F. Kopp. Incumbent's commission expired March 30, 1914.

William J. Nelson to be postmaster at Grinnell, Iowa, in place of Arthur C. Norris. Incumbent's commission expires January 13, 1915.

Ella C. Nolan to be postmaster at Ruthven, Iowa, in place of Minnie A. Phoenix. Incumbent's commission expires January 18, 1915.

Lemuel O'Bryant to be postmaster at Batavia, Iowa, in place of Walter S. Campbell. Incumbent's commission expired December 13, 1914.

Jesse A. Winger to be postmaster at Newton, Iowa, in place of George Clark, jr. Incumbent's commission expired December 13, 1914.

KANSAS.

James W. Adams to be postmaster at Lebanon, Kans., in place of Mary G. Dykes. Incumbent's commission expired December 14, 1914.

Claud Alley to be postmaster at Oxford, Kans., in place of Birdsey Earhart. Incumbent's commission expired December 13, 1914.

Roscoe R. Beam to be postmaster at Anthony, Kans., in place of William P. Olmstead. Incumbent's commission expires January 13, 1915.

John T. Brothers to be postmaster at National Military Home, Kans., in place of James M. Hallett. Incumbent's commission expired December 14, 1914.

W. L. D. Hagan to be postmaster at Newton, Kans., in place of John C. Mack. Incumbent's commission expired December 13, 1914.

George S. Hartley to be postmaster at Arkansas City, Kans., in place of Charles N. Hunt. Incumbent's commission expires January 13, 1915.

Virginia H. Kinyon to be postmaster at Fall River, Kans., in place of Sherman C. Cunningham. Incumbent's commission expires February 1, 1915.

John W. Lapham to be postmaster at Chanute, Kans., in place of Herbert Cavaness. Incumbent's commission expired December 13, 1914.

John A. Lindahl to be postmaster at Enterprise, Kans., in place of James Frey. Incumbent's commission expires January 20, 1915.

W. A. McClure to be postmaster at Baldwin City, Kans., in place of William C. Markham, removed.

George A. Milliman to be postmaster at Oakley, Kans., in place of James R. Young. Incumbent's commission expired December 14, 1914.

Edwin F. Moody to be postmaster at Onaga, Kans., in place of L. L. O'Meara, resigned.

Ferdinand Scharping to be postmaster at Hillsboro, Kans., in place of Jacob D. Hirschler. Incumbent's commission expires January 27, 1915.

E. E. Scott to be postmaster at Council Grove, Kans., in place of Robert M. Armstrong. Incumbent's commission expires February 23, 1915.

Thomas Torgeson to be postmaster at White City, Kans., in place of John A. Davidson. Incumbent's commission expires January 19, 1915.

KENTUCKY.

L. C. Adams to be postmaster at Berea, Ky., in place of D. N. Welch. Incumbent's commission expired December 15, 1914.

William H. Atteberry to be postmaster at Munfordville, Ky. Office became presidential October 1, 1914.

Charles Hadden to be postmaster at Jackson, Ky., in place of J. B. McLin, resigned.

MAINE.

Alvin E. Dresser to be postmaster at Millbridge, Me., in place of Abraham L. Wallace. Incumbent's commission expired December 13, 1914.

MASSACHUSETTS.

John T. Dolan to be postmaster at Avon, Mass., in place of Godfrey Knight. Incumbent's commission expired December 14, 1914.

George P. Sheldon to be postmaster at Hopedale, Mass., in place of Edwin M. Wheelock. Incumbent's commission expired February 21, 1914.

W. S. Smith to be postmaster at Onset, Mass., in place of Marcus M. Copeland. Incumbent's commission expired December 13, 1914.

Maurice Williams to be postmaster at South Easton, Mass., in place of J. Henry Hurst. Incumbent's commission expired June 24, 1914.

MICHIGAN.

William A. Atyeo to be postmaster at Belleville, Mich., in place of James H. Codey, resigned.

John D. Burgess to be postmaster at West Branch, Mich., in place of Arthur R. Babcock. Incumbent's commission expires January 16, 1915.

William Grant Howard to be postmaster at Marion, Mich., in place of E. Jefferson Hall. Incumbent's commission expires January 11, 1915.

MINNESOTA.

J. E. Bauvette to be postmaster at Hallock, Minn., in place of E. P. Le Masurier. Incumbent's commission expires January 11, 1915.

George E. Crow to be postmaster at Walker, Minn., in place of Arthur McBride. Incumbent's commission expired December 13, 1914.

J. J. Daly to be postmaster at Frazee, Minn., in place of Edward F. Gummer. Incumbent's commission expires January 11, 1915.

Jacob Gish to be postmaster at Le Sueur, Minn., in place of Jacob Gish. Incumbent's commission expired April 1, 1914.

Edwin L. Gove to be postmaster at Madelia, Minn., in place of Julia M. Holley. Incumbent's commission expired December 13, 1914.

Henry F. Hopfenspirger to be postmaster at Morgan, Minn., in place of F. S. Pollard. Incumbent's commission expires January 20, 1915.

M. W. Jensen to be postmaster at McIntosh, Minn., in place of O. A. Wilson. Incumbent's commission expires January 11, 1915.

Charles E. McAllen to be postmaster at Chokio, Minn. Office became presidential October 1, 1914.

Charles W. Mobeck to be postmaster at Center City, Minn. Office became presidential October 1, 1914.

William H. Nevin to be postmaster at Ivanhoe, Minn. Office became presidential October 1, 1914.

E. T. Vigen to be postmaster at Lake Park, Minn., in place of Peter H. Hanson. Incumbent's commission expires January 16, 1915.

Frank E. Wilder to be postmaster at Spring Valley, Minn., in place of S. J. Huntley. Incumbent's commission expires January 11, 1915.

MISSISSIPPI.

Richard H. Coke to be postmaster at Mendenhall, Miss., in place of Richard H. Coke. Incumbent's commission expired December 13, 1914.

MISSOURI.

Frank D. Ball to be postmaster at Holden, Mo., in place of James H. Nay. Incumbent's commission expired December 14, 1914.

Arthur L. Carter to be postmaster at Fairfax, Mo., in place of Max V. Robinson. Incumbent's commission expires January 18, 1915.

Robert L. Hamilton to be postmaster at Salisbury, Mo., in place of William R. Sweeney. Incumbent's commission expires January 11, 1915.

A. E. Michie to be postmaster at Webb City, Mo., in place of Simeon W. Ragland, resigned.

J. B. Smith to be postmaster at Farmington, Mo., in place of Ulysses G. Evans. Incumbent's commission expires January 16, 1915.

Bennett Wardlow to be postmaster at Lancaster, Mo., in place of Reuben W. Graves. Incumbent's commission expired December 13, 1914.

Peter J. Weber to be postmaster at Tipton, Mo., in place of Judson M. Boyd, deceased.

D. F. Willm to be postmaster at Crystal City, Mo., in place of George H. Bond, resigned.

M. B. Yates to be postmaster at Pattonsburg, Mo., in place of George N. Gromer. Incumbent's commission expired December 16, 1914.

Will H. Zorn to be postmaster at Westplains, Mo., in place of A. T. Hollenbeck. Incumbent's commission expires January 19, 1915.

MONTANA.

J. H. Hines to be postmaster at Valier, Mont., in place of James N. Starbuck, resigned.

David J. Kane to be postmaster at East Helena, Mont., in place of Max Jacobs. Incumbent's commission expired December 14, 1914.

NEBRASKA.

I. R. Darnell to be postmaster at Benkelman, Nebr., in place of C. L. Ketler, resigned.

Fanny Dworak to be postmaster at Howell, Nebr., in place of Frank A. Prucha. Incumbent's commission expired December 14, 1914.

Claude B. Grace to be postmaster at Trenton, Nebr., in place of Charles Seeley. Incumbent's commission expired December 13, 1914.

W. H. Latham to be postmaster at Curtis, Nebr., in place of H. E. Langevin. Incumbent's commission expires January 13, 1915.

NEW HAMPSHIRE.

Andrew D. Davis to be postmaster at North Conway, N. H., in place of Charles E. Poole. Incumbent's commission expired December 13, 1914.

Charles E. Shepard to be postmaster at New London, N. H., in place of Elmer E. Adams, removed.

NEW JERSEY.

Maude V. Richer to be postmaster at Audubon, N. J. Office became presidential October 1, 1914.

NEW YORK.

Patrick H. Lyons to be postmaster at Kings Park, N. Y., in place of John F. Kelly. Incumbent's commission expires January 16, 1915.

Roy J. Paxon to be postmaster at Akron, N. Y., in place of Lucius E. Twinn. Incumbent's commission expired December 13, 1914.

William T. Vaughn to be postmaster at Sag Harbor, N. Y., in place of Genevieve French. Incumbent's commission expires January 27, 1915.

NORTH CAROLINA.

William M. Henry to be postmaster at Brevard, N. C., in place of Charles E. Orr. Incumbent's commission expired December 13, 1914.

R. S. Newton to be postmaster at Southport, N. C., in place of Howard C. Curtis, deceased.

Walter S. Thomas to be postmaster at Rockingham, N. C., in place of Estella Cameron, resigned.

NORTH DAKOTA.

George W. Wilkinson to be postmaster at Fargo, N. Dak., in place of Horatio C. Plumley. Incumbent's commission expires February 23, 1915.

OHIO.

Eugene C. Chapman to be postmaster at Plain City, Ohio, in place of Charles Wilson, resigned.

C. A. Corbin to be postmaster at Ashtabula, Ohio, in place of J. Warren Prine. Incumbent's commission expires January 23, 1915.

Mrs. Mary K. Long to be postmaster at Medina, Ohio, in place of H. S. Orr. Incumbent's commission expires January 23, 1915.

Freda M. Milligan to be postmaster at Lowellville, Ohio, in place of Freda M. Smith, name changed by marriage.

James E. Sullivan to be postmaster at Lima, Ohio, in place of Albert E. Gale. Incumbent's commission expired May 24, 1914.

OKLAHOMA.

James M. Loper to be postmaster at Tishomingo, Okla., in place of Hanson P. Warfield, resigned.

OREGON.

Cornelius Buchanan to be postmaster at Florence, Oreg., in place of Alice E. Weatherson, not commissioned.

PENNSYLVANIA.

J. R. Brown to be postmaster at Avella, Pa. Office became presidential October 1, 1914.

Blythe J. Davison to be postmaster at Canton, Pa., in place of Lynn G. Thomas. Incumbent's commission expires January 10, 1915.

G. E. Daugherty to be postmaster at Iselin, Pa., in place of Spencer H. Rhoads, resigned.

Henry C. Deible to be postmaster at Reynoldsville, Pa., in place of Smith M. McCreight. Incumbent's commission expired April 1, 1914.

Charles B. Duff to be postmaster at Ford City, Pa., in place of William J. Boggs, resigned.

Milton M. Dougherty to be postmaster at Mechanicsburg, Pa., in place of John S. Weaver. Incumbent's commission expires February 6, 1915.

Helen G. Flanigan to be postmaster at Mill Hall, Pa. Office became presidential October 1, 1914.

John E. Guthrie to be postmaster at Summerville, Pa. Office became presidential October 1, 1914.

Glen S. Hamilton to be postmaster at Falls Creek, Pa., in place of Joseph N. Ritchey. Incumbent's commission expired December 13, 1914.

David V. Hays to be postmaster at Burgettstown, Pa., in place of James P. Shillito, resigned.

William A. Kessler to be postmaster at Homestead, Pa., in place of John Grein. Incumbent's commission expired June 24, 1914.

William A. Ketterer to be postmaster at Rochester, Pa., in place of Frank R. Holt. Incumbent's commission expired February 16, 1914.

Michael F. Lawler to be postmaster at Jessup, Pa., in place of Peter V. Burke. Incumbent's commission expired December 13, 1914.

William Leslie to be postmaster at Parkers Landing, Pa., in place of Samuel M. Turk. Incumbent's commission expired December 16, 1914.

Arthur McKean to be postmaster at Beaver Falls, Pa., in place of Franklin Wisener. Incumbent's commission expired December 19, 1914.

Edward L. Mifflin, sr., to be postmaster at Ridley Park, Pa., in place of Robert Carns. Incumbent's commission expired December 13, 1914.

John A. Robinson to be postmaster at Brownsville, Pa., in place of William S. Steele, deceased.

C. W. Sausser to be postmaster at Bellwood, Pa., in place of William F. Balsbach, removed.

Joseph A. Shoff to be postmaster at Madera, Pa., in place of Charles G. Gill, resigned.

Jesse S. Stambaugh to be postmaster at Spring Grove, Pa., in place of Harry H. Hawkins. Incumbent's commission expires January 27, 1915.

Frank T. Stiner to be postmaster at Moylan, Pa. Office became presidential January 1, 1914.

D. H. Sutton to be postmaster at East Butler, Pa. Office became presidential October 1, 1913.

Ralph S. Wagner to be postmaster at New Florence, Pa., in place of Joseph Wagoner. Incumbent's commission expired April 19, 1914.

SOUTH CAROLINA.

J. Henry Bodie to be postmaster at Leesville, S. C., in place of James P. Bodie. Incumbent's commission expires January 13, 1915.

Clarence D. Cooper to be postmaster at Mayesville, S. C., in place of Clarence D. Cooper. Incumbent's commission expires January 13, 1915.

George W. Dick to be postmaster at Sumter, S. C., in place of George D. Shore. Incumbent's commission expires January 13, 1915.

Frank George to be postmaster at Lexington, S. C., in place of Samuel J. Leaphart. Incumbent's commission expires January 13, 1915.

Alva K. Lorenz to be postmaster at Aiken, S. C., in place of Charles E. Carman. Incumbent's commission expires January 13, 1915.

G. B. Stackhouse to be postmaster at Mullins, S. C., in place of Guss E. Smith. Incumbent's commission expires February 6, 1915.

SOUTH DAKOTA.

W. L. Butler to be postmaster at Frankfort, S. Dak., in place of George E. McAllister, resigned.

John L. Davis to be postmaster at Letcher, S. Dak., in place of Elva D. Kirkpatrick. Incumbent's commission expired December 14, 1914.

H. J. Hobart to be postmaster at Woonsocket, S. Dak., in place of Henry E. Richardson. Incumbent's commission expires January 27, 1915.

William Spencer to be postmaster at Onida, S. Dak., in place of Bertha M. Howard. Incumbent's commission expires January 20, 1915.

Lewis E. Whitcher to be postmaster at Highmore, S. Dak., in place of Louis W. Carter. Incumbent's commission expired May 2, 1914.

TENNESSEE.

Felix P. McGinness to be postmaster at Carthage, Tenn., in place of William B. Pickering, resigned.

E. F. Wilson to be postmaster at Tullahoma, Tenn., in place of George M. Book. Incumbent's commission expires January 31, 1915.

TEXAS.

Monroe R. Allen to be postmaster at Weimer, Tex., in place of Owen Heyer. Incumbent's commission expired December 19, 1914.

Paul L. Alexander to be postmaster at Lamesa, Tex. Office became presidential January 1, 1915.

J. L. Crawford to be postmaster at San Benito, Tex., in place of Lucius O'Bryan, resigned.

Cicero Harper to be postmaster at Moran, Tex. Office became presidential January 1, 1915.

J. Lester Hodges to be postmaster at Junction, Tex., in place of Clarence W. Atchison. Incumbent's commission expires February 6, 1915.

E. A. Shelton to be postmaster at El Paso, Tex., in place of James A. Smith. Incumbent's commission expires February 23, 1915.

Virgil E. Todd to be postmaster at Gilmer, Tex., in place of W. M. Thompson. Incumbent's commission expired December 16, 1914.

A. H. Wolfe to be postmaster at Ladonia, Tex., in place of Robert T. Bartley. Incumbent's commission expired December 16, 1914.

George D. Zivley to be postmaster at Lampasas, Tex., in place of Wilber H. Webber. Incumbent's commission expires February 16, 1915.

VERMONT.

James A. Donahue to be postmaster at Essex Junction, Vt., in place of James H. Viele. Incumbent's commission expires January 11, 1915.

Frederick L. Smith to be postmaster at Brandon, Vt., in place of Burt Merritt. Incumbent's commission expired May 18, 1914.

VIRGINIA.

H. C. Humphrey to be postmaster at Remington, Va. Office became presidential January 1, 1915.

Laura Lee Keeler to be postmaster at Middleburg, Va. Office became presidential January 1, 1915.

Frank L. Sublett to be postmaster at Harrisonburg, Va., in place of Wilmer L. Dechert. Incumbent's commission expires January 13, 1915.

WASHINGTON.

John J. Carney to be postmaster at Aberdeen, Wash., in place of Walter B. Crammatte. Incumbent's commission expired December 15, 1914.

J. E. Janosky to be postmaster at Connell, Wash., in place of Charles G. Gehres, resigned.

W. F. Roberts, jr., to be postmaster at Elma, Wash., in place of Alexander Jolley. Incumbent's commission expired December 15, 1914.

William Rouse to be postmaster at Stanwood, Wash., in place of Daniel C. Pearson, removed.

WEST VIRGINIA.

J. F. Beatty to be postmaster at Mannington, W. Va., in place of John O. Huey, resigned.

Charles E. Manley to be postmaster at Fairmont, W. Va., in place of Allison H. Fleming. Incumbent's commission expires January 21, 1915.

WISCONSIN.

Edward Cody to be postmaster at Antigo, Wis., in place of Richard Koebke. Incumbent's commission expires January 20, 1915.

John Coppes to be postmaster at South Kaukauna, Wis., in place of Julius J. Martens. Incumbent's commission expired December 15, 1914.

William F. Gruenewald to be postmaster at Oshkosh, Wis., in place of Edward M. Crane. Incumbent's commission expires January 20, 1915.

Alexander W. Horn to be postmaster at Cedarburg, Wis., in place of Herman Boerner. Incumbent's commission expired December 15, 1914.

E. J. Jacquot to be postmaster at Hortonville, Wis., in place of H. O. E. Diestler. Incumbent's commission expires January 20, 1915.

Frank H. Kellner to be postmaster at Denmark, Wis. Office became presidential January 1, 1914.

Levi Lane to be postmaster at Oconto Falls, Wis., in place of William Campbell. Incumbent's commission expires March 3, 1915.

WYOMING.

C. E. Nolan to be postmaster at Superior, Wyo., in place of John T. Johnson, resigned.

CONFIRMATIONS.

Executive nominations confirmed by the Senate January 8, 1915.

ASSISTANT TREASURER.

George Fort to be Assistant Treasurer of the United States.

APPRAISERS OF MERCHANDISE.

James A. McQuade to be appraiser of merchandise in customs collection district No. 13.

Walter B. Warner to be appraiser of merchandise in customs collection district No. 13.

UNITED STATES ATTORNEY.

Samuel K. Dennis to be United States attorney for the district of Maryland.

UNITED STATES MARSHAL.

William W. Stockham to be United States marshal for the district of Maryland.

COLLECTOR OF CUSTOMS.

William P. Ryan to be collector of customs for customs collection district No. 13.

SURVEYOR OF CUSTOMS.

Guy W. Steele to be surveyor of customs in customs collection district No. 13.

POSTMASTERS.

GEORGIA.

W. H. Bennett, Tifton.

MARYLAND.

Thomas D. Bowers, Chestertown.
Washington F. Collins, Millington.
Charles Judefind, Rock Hall.
Mary W. McKnett, Trappe.

MINNESOTA.

Chauncey W. Bulen, Walnut Grove.
John Butler, Lesueur Center.
J. B. Connors, Hibbing.
Ruth S. Driscoll, Madison.
J. F. McDonnell, Waverly.
Henry J. Schaefer, Albany.

VIRGINIA.

Carroll C. Chowning, Urbanna.

WITHDRAWAL.

Executive nomination withdrawn January 8, 1915.

Otto F. Heine to be postmaster at Lahaina, in the Territory of Hawaii.

HOUSE OF REPRESENTATIVES.

FRIDAY, *January 8, 1915.*

The House met at 11 o'clock a. m.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

We bless Thee, Almighty Father, for every advance movement toward the higher civilization since the world began, for every great man inspired to leadership in the things which have made for the betterment of humanity.

We thank Thee for our Republic, with its civil, political, and religious liberty, for our fathers who gave it birth, for all who have zealously maintained its sacred rights. To-day chronicles the Battle of New Orleans, which reflects glory on the central figure who led his compatriots to victory, the results of which have been a hundred years of peace among the English-speaking nations of the world. Grant that it may last forever and aye. And, O God, our Father, we most earnestly pray that the terrible conflict now raging in all Europe may awaken in the hearts of all men an abhorrence so deep and lasting that the brutal methods of settling national and international disputes may give way to the more rational methods of peaceful arbitration, and thus redound to Thy glory and the eternal good of mankind. In the name of Him who taught fatherhood, brotherhood. Amen.

The Journal of the proceedings of yesterday was read and approved.

RESIGNATION OF A MEMBER.

The SPEAKER laid before the House the following communication:

HOUSE OF REPRESENTATIVES,
Washington, January 7, 1915.

Hon. CHAMP CLARK,
Speaker House of Representatives,
Washington, D. C.

DEAR SIR: I beg to advise you that on January 7, 1915, I tendered to the governor of the State of Ohio my resignation as a Representative in Congress from the eighth congressional district of that State, the resignation to take effect on the 9th day of January, 1915.

Very respectfully,

FRANK B. WILLIS.

ENROLLED BILL SIGNED.

The SPEAKER announced his signature to enrolled bill of the following title:

S. 7107. An act to authorize the construction of a bridge across the Ohio River at Metropolis, Ill.

ANNIVERSARY OF BATTLE OF NEW ORLEANS.

The SPEAKER. The gentleman from Louisiana [Mr. DUPRÉ] is recognized.

Mr. DUPRÉ. Mr. Speaker, 100 years ago to-day the Battle of New Orleans was fought. It was a notable event. The British troops, largely made up of the seasoned veterans of the Peninsular campaign, went down to crushing defeat before a much smaller force of American troops, composed of the Seventh and Forty-fourth Regiments of United States Regulars, splendidly reenforced by the raw citizen soldiery of Kentucky, Tennessee, Mississippi, and Louisiana. The heroes of Trafalgar found that the gunners of the slight U. S. sloops *Carolina* and *Louisiana* were foemen not unworthy of their steel. The enemy retired with terrific loss of life, the death toll among its officers being extremely heavy. Sir Edward Pakenham, brother-in-law and trusted lieutenant of the Iron Duke, gallantly leading his men, died an ideal soldier's death at the head of his column. The victory of the Americans was complete. Jean Lafitte, pirate of Barataria, was henceforth to be remembered among the defenders of American freedom. Adair and Coffee and Villeré and others, including Gen. Morgan, great-grandfather of my colleague from the sixth district of Louisiana, Hon. LEWIS L. MORGAN, earned for themselves high military distinction. Andrew Jackson joined the Immortals. Thereafter he was of those "that were not born to die."

Though fought after the conclusion of peace, and, therefore, not a factor in the settlement of the War of 1812, the Battle of New Orleans is one of the epoch-making events in our history. It served to teach anew to foreign nations that the young Republic was ready to defend itself against oppression and aggression and that its citizens could be relied upon to supplement its small Army and Navy with initiative, with loyalty, with courage, and with unerring marksmanship. So, Mr. Speaker, Old Hickory Day has always been one of our most popular national holidays. On the actual scene of the conflict—the field of Chalmette, some 5 miles below the city of New Orleans—the National Government has erected an appropriate and imposing monument. To every patriotic American, without

regard to section, that field has always been holy ground. To us in Louisiana, rich as that Commonwealth is in historical treasures, it is our most hallowed spot. It may be of interest to his associates to know, and it may serve as a key to an understanding of his intrepid spirit, his chivalric nature, his lofty personal character, and his distinguished public career, that for nigh 70 years, from the broad veranda of his ancestral home, my colleague, Gen. ALBERT ESTOPINAL, has daily gazed upon the field of Chalmette. Could one seek inspiration from a more ennobling environment or find it in a more stimulating outlook?

In anticipation of the centennial anniversary of this great event and to insure a fitting celebration thereof the General Assembly of the State of Louisiana passed act No. 144, of the year 1914, authorizing observance of this occasion. An appropriation for the purpose was provided, which was subsequently supplemented by the municipality of New Orleans and by the parish of St. Bernard. The details of the celebration were intrusted to the Louisiana Historical Society, an organization of long and honorable existence in our State, whose membership of patriotic men and women has heretofore demonstrated its ability to conduct entertainments of this nature. The program, outlined by a committee of the Society of which Mr. Thomas P. Thompson is chairman and Mr. W. O. Hart is vice chairman, is singularly felicitous, beginning with interesting ceremonies on the battle field to-day and concluding on Sunday next, with a Te Deum at the old St. Louis Cathedral, opposite the Place d'Armes, now Jackson Square, on the very spot where L'Abbé Dubourg offered thanksgiving in Jackson's presence for the "laureled victory" that sat upon his sword.

The President of the United States, unable to be present himself, has dispatched a distinguished member of his official family to represent him. The U. S. Battleship *Rhode Island*, in striking contrast to the little gunboats, *Carolina* and *Louisiana*, of 1815, rides lightly the Father of Waters in the incomparable harbor of the great metropolis of the South; United States Regulars, including the same Seventh Regiment which participated in the Battle of Chalmette, have been ordered to the scene, lending inspiration and aspiration to the militia of the Pelican State. Foreign diplomats, dignitaries of many nations, governors of adjoining Commonwealths, representatives from many cities, historical and patriotic societies, chambers of commerce, and so forth, are in attendance on this great national demonstration. It is meet that the Congress of the United States, especially invited to participuate in these exercises, under authority of the Legislature of Louisiana, should take cognizance of the occasion. And before resuming my seat I shall ask the consideration and adoption of a concurrent resolution looking to that end, introduced on yesterday in our respective Chambers by the senior Senator from Louisiana, Mr. THORNTON, and myself.

Before concluding, however, I wish to call attention to a significant feature of these commemorative exercises. They are not intended alone to glorify the fame of that great soldier, statesman, and Democrat, Andrew Jackson, or to honor the memory of those who fought so valiantly beside him and against him, nor are they merely designed to stress the important place the Battle of New Orleans occupies in American history. The committee in charge would emphasize another aspect. It would direct attention to the fact that the victory at Chalmette has resulted in a century of unbroken peace between nations that were at war a hundred years ago. Accordingly it may have been observed that the invitations which were extended to the Members of this House asked the honor of their presence at ceremonies not only commemorative of the centennial anniversary of the Battle of New Orleans, but of the one hundred years of peace that have ensued between the parties to that conflict.

With "grim-visaged war" encircling half the world, with the American people earnestly desiring an early termination of that saturnalia of carnage, in a manner alike honorable to all the unfortunate nations engaged therein and conducive to the welfare of humanity everywhere, is it not timely that we should rejoice, on the day of such a celebration, in our fortunate immunity from the horrors of international strife? Should we not at this particular moment devoutly render special thanks to Divine Providence for the peace that He has vouchsafed unto us, not only with the people with whom a century ago we warred, but with all the peoples of all the world? May we not this morning pray with special fervor that the peace of God, "which passeth all understanding," may soon descend upon and dwell among all of our brethren to the uttermost ends of the earth?

I append herewith as a part of my remarks the following resolution (H. Con. Res. 57):

Whereas the General Assembly of the State of Louisiana for the year 1914 provided by act No. 144 for a fitting celebration of the one hundredth anniversary of the Battle of New Orleans, instrusting the execution of the provisions of the said act to the Louisiana Historical Society; and

Whereas in accordance with said act invitations have been extended to the respective presiding officers and the Members of the Congress of the United States to attend these commemorative exercises, to be held in the city of New Orleans on January 8, 9, and 10, 1915: Therefore be it

Resolved by the House of Representatives (the Senate concurring), That the Congress of the United States acknowledges with pleasure the receipt of said invitations and appreciates the courtesy thus extended.

Resolved further, That the Congress of the United States commends the patriotic spirit that has prompted the people of Louisiana to celebrate properly the great victory achieved on the field of Chalmette by American arms under the leadership of Andrew Jackson, and rejoices in the heroic valor displayed by friend and foe alike in that memorable conflict.

Resolved further, That a copy of this resolution be transmitted to the governor of Louisiana, the mayor of New Orleans, and the Louisiana Historical Society.

Mr. Speaker, I ask unanimous consent to take from the Speaker's table and consider at this time Senate concurrent resolution 35.

The SPEAKER. The gentleman from Louisiana asks unanimous consent to take from the Speaker's table and consider at the present time Senate concurrent resolution 35, which the Clerk will report.

The Clerk read as follows:

Senate concurrent resolution 35.

Whereas the General Assembly of the State of Louisiana for the year 1914 provided by act No. 144 for a fitting celebration of the one hundredth anniversary of the Battle of New Orleans, intrusting the execution of the provisions of said act to the Louisiana Historial Society; and

Whereas, in accordance with said act, invitations have been extended to the respective presiding officers and the Members of the Congress of the United States to attend these commemorative exercises, to be held in the city of New Orleans on January 8, 9, 10, 1915: Therefore be it

Resolved by the Senate (the House of Representatives concurring), That the Congress of the United States acknowledges with pleasure the receipt of said invitations and appreciates the courtesy thus extended;

Resolved further, That the Congress of the United States commends the patriotic spirit that has prompted the people of Louisiana to celebrate properly the great victory achieved on the field of Chalmette by American arms under the leadership of Andrew Jackson, and rejoices in the heroic valor displayed by friend and foe alike in that memorable conflict;

Resolved further, That a copy of this resolution be transmitted to the governor of Louisiana, the mayor of New Orleans, and the Louisiana Historical Society.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The question is on agreeing to the resolution.

The resolution was agreed to.

EVENING SESSION.

Mr. ADAIR. Mr. Speaker, in view of the fact that this is the day set apart by the rules for consideration of private pension bills on the calendar, I ask unanimous consent that when the Committee of the Whole House on the state of the Union, considering the Indian appropriation bill, rises this evening the House take a recess until 8 o'clock, to consider at that time the bills H. R. 20562 and H. R. 20563, omnibus pension bills, reported from the Committee on Invalid Pensions and the Committee on Pensions.

The SPEAKER. The gentleman from Indiana asks unanimous consent that when the Committee of the Whole rises this evening the House shall stand in recess until 8 o'clock to-night for the purpose of considering pension bills and nothing else. Is there objection?

There was no objection.

SPEAKER PRO TEMPORE.

The SPEAKER. The Chair designates the gentleman from New York [Mr. GOULDEN] to act as Speaker pro tempore for to-night's session.

INDIAN APPROPRIATION BILL.

Mr. STEPHENS of Texas. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 20150) making appropriations for the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1916.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the Indian appropriation bill, with Mr. BYRNS of Tennessee in the chair.

Mr. STEPHENS of Texas. Mr. Chairman, when the committee rose there was a vote pending on an amendment offered by the gentleman from Nebraska [Mr. STEPHENS].

Mr. STEPHENS of Nebraska. Mr. Speaker, I ask unanimous consent to withdraw my substitute and offer instead a modified amendment, which I send to the Clerk's desk, and which the committee has agreed to accept.

The CHAIRMAN. The gentleman from Nebraska asks unanimous consent to withdraw the pending amendment and to offer in its stead a modified amendment. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the amendment as modified.

The Clerk read as follows:

Amend, on page 21, by striking out the figures "$60,000" and insert in lieu thereof the figures "$64,500."

Second amendment:

Strike out "$65,000," on page 21, line 17, and insert in lieu thereof "$69,500."

Mr. STEPHENS of Texas. Mr. Chairman, we found there was a mistake in adding up the figures, and that this amount should have originally been $64,500, in line 16, and then, adding it to the total, it should be $69,500, in line 17.

Mr. MANN. Mr. Chairman, whatever mistake there may be must have been made last year, because the figures this year as to support and education are identical with the present appropriation. The only change in this item is leaving out some specific appropriations for specific things and increasing the amount for general repairs and improvements from $4,500 to $5,000. Where did the mistake occur?

Mr. BURKE of South Dakota. Mr. Chairman, I will say to the gentleman from Illinois that the appropriation for the present fiscal year is the same as is carried by this bill, but there will possibly be a deficit on the basis of what they have been expending there heretofore unless the attendance is reduced.

Now, in the estimates submitted they estimated for this school for 400 pupils $78,800, $10,000 to be used for general repairs and improvements, and then there was an estimate of $3,000 for a physician's cottage, making $81,800. The committee cut out the physician's cottage and reduced the general repairs and improvement fund to $5,000 and deducted for the 25 pupils on the basis of the amount on which they were estimated, and it reduced the amount to $60,000 instead of $64,500, as I think it should be. The figures are manifestly inaccurate and incorrect, and the appropriation for the current fiscal year, as I have stated, if the attendance is kept up, will probably result in a deficit unless they reduce the attendance; so there is clearly a mistake in this item as it appears in the bill.

Mr. MANN. Was not the appropriation for the current year made on the same basis at this place as it was at most other places? Of course, the department this year asked for 400 pupils, and we make an appropriation for 375 for the current year for the same thing and in the same amount.

Mr. STEPHENS of Nebraska. I will say it is a mistake I attempted to correct last year, but failed to impress the committee that the appropriation for support of this school was wrong, and this year I made a special effort to correct the mistake when I found where the error was made. The committee has not followed the estimates of the department in either year as to the amount required for this school.

Mr. MANN. They seldom follow the estimates of the department. Has the department sent in a deficiency estimate for this current year on this item?

Mr. STEPHENS of Nebraska. They estimated that this school should have had $68,800 for support, and the committee only gave $60,000.

Mr. MANN. I know; but we have appropriated for the current year $60,000 for 375 pupils. Now, the gentleman says that that is not enough. Has the department made any deficiency estimate for this current fiscal year?

Mr. STEPHENS of Nebraska. I do not know whether they have or not.

Mr. MANN. If they had not——

Mr. STEPHENS of Nebraska. But their estimates guided the committee in making the appropriations for every other school?

Mr. MANN. A department naturally speaks more loudly through action than through representation to a Member of the House. If they have not money enough to carry this school through this year, they should have brought in a deficiency estimate. They have not done that, so, of course, they would consider the $60,000 sufficient.

Mr. STEPHENS of Nebraska. Well, but the department does not consider it is sufficient. It is asking for $68,800, as the hearings will show, and there was an error on the part of the committee in not making the allowance.

Mr. MANN. That is for next year; that is not for this year.

Mr. STEPHENS of Nebraska. For 1916.

Mr. MANN. Have they made a deficiency estimate for this year?

Mr. STEPHENS of Nebraska. Oh, I do not think so.

Mr. MANN. Then they consider that $60,000 is enough for this year?

Mr. STEPHENS of Nebraska. No; they do not consider it enough, and they have not so stated, but the hearings show distinctly that they do not consider it is enough, as they have asked for a greater amount than that.

Mr. MANN. For next year?

Mr. STEPHENS of Nebraska. For next year.

Mr. MANN. But they have not asked more this year?

Mr. STEPHENS of Nebraska. Evidently they took into account the needs of the school and calculated that that would cover just what the school would need for the year.

Mr. MANN. The gentleman does not seem to get the point I am trying to make.

Mr. STEPHENS of Nebraska. But I do.

Mr. MANN. Here is an amount appropriated for the school for this year. They have not asked for any increase of that amount for this year. They have authority to ask for a deficiency.

Mr. STEPHENS of Nebraska. But they are not asking for an appropriation for this year, but for next year.

Mr. MANN. If they are not asking for an appropriation this year, that shows they consider the present appropriation is sufficient for this year, and the bill carries identically the same amount for next year, and the gentleman says that that is a mistake.

Mr. STEPHENS of Nebraska. Well, it certainly is a mistake; it can not be anything else. You can take the hearings and figure it out and ascertain it for yourself. The committee made a mistake in their calculation, and this school has not been appropriated for upon the basis of the estimate that the department made, as other schools are appropriated for. And the committee have found their mistake and have consented to correct it.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MANN. I expect they all ought to be cut down——

Mr. FOSTER. That is right.

Mr. MANN (continuing). Instead of increased.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Nebraska.

The question was taken, and the Chairman announced the noes seemed to have it.

Upon a division (demanded by Mr. STEPHENS of Nebraska) there were—ayes 21, noes 6.

So the amendment was agreed to.

Mr. STEPHENS of Nebraska. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Strike out the words "three hundred and seventy-five," on page 21, lines 14 and 15, and insert in lieu thereof "four hundred."

Mr. STEPHENS of Texas. Mr. Chairman, I hope the amendment will not be adopted.

Mr. STEPHENS of Nebraska. Mr. Chairman, I would like to be heard on the amendment. I am sure that this amendment will meet with the approval of those gentlemen who want to reduce the expense of conducting these schools. I am offering this amendment preliminary to another one I expect to offer, on page 6, line 5.

Mr. MANN. The gentleman can not go back to that.

Mr. STEPHENS of Texas. Mr. Chairman, I object to returning to that page.

Mr. STEPHENS of Nebraska. I have the floor, Mr. Chairman, and I wish to proceed in order. It is my intention later on to ask unanimous consent to offer an amendment following the word "from," line 4, on page 6, by inserting the words "the nearest." That will have the effect, if it does what I hope it will do, of saving something like $30,000 of the $72,000 carried in this bill for the transportation of pupils. I have before me a table of the attendance of Indian students at various Indian schools, and I have estimated that if the students would stay at home and attend the schools in their own States instead of being transported to other schools, simply following their pleasures, we could save approximately $30,000 of the $72,000 appropriated for the transportation of pupils.

For example, we will take the Haskell Institute, and I especially want you to note that at the Haskell Institute in Kansas they have in attendance 8 pupils from Arizona, taken from the dooryard of the excellent school at Phoenix; 11 from Iowa, taken from Genoa or Pipestone; 35 from Minnesota, right from the Pipestone neighborhood; 46 from Montana, that are adjacent to Genoa; 15 from Nebraska; 22 from New Mexico, adjacent to Alburqueque; and 486 from Oklahoma, and I especially want the gentlemen from Oklahoma to take note of that. Oklahoma has one of the best schools in the United

States and we are paying transportation charges to Haskell Institute, in Kansas, just for fun. There can be no sane reason for it.

Mr. MURRAY. She has two of them.

Mr. STEPHENS of Nebraska. The Chilocco School has 13,000 acres, 8,500 of which are in cultivation, and it is a splendid place for an industrial Indian school. And yet we have the spectacle of 486 of those students being transported to Kansas and 125 to Carlisle at an expense of something like $7,000 or $8,000 out of this fund for transportation. There can not be any particle of sense in that nor can there be any defense for it. If this school does not have sufficient courses to satisfy advanced pupils, it should establish them at once. It has enough land and resources to enable it to conduct the best equipped school in the country at a very low cost per capita.

I have a statement of the attendance of 8 or 10 schools here to which I am going to call attention and insert in the RECORD. In my own State, for example, there are 17 pupils in the Genoa Institute from Kansas. Can there be any sense in transporting at public expense 17 students right from the dooryard of the splendid Haskell Institute at Lawrence, Kans., to Nebraska? Certainly not. Nor can there be any sense in transporting at public expense the 58 students from Nebraska that are now attending school at Carlisle, where it costs more per capita to educate them.

Mr. STAFFORD. Will the gentleman yield?

Mr. STEPHENS of Nebraska. I will.

Mr. STAFFORD. Will the gentleman inform the committee who determines the allocation of these pupils in these schools?

Mr. STEPHENS of Nebraska. Who determines where they attend?

Mr. STAFFORD. Yes.

Mr. STEPHENS of Nebraska. As I understand it, there are collectors sent out. The schools solicit business like any private enterprise does. They send collectors to various reservations and solicit the attendance of pupils.

Mr. STAFFORD. Who is the final determiner?

Mr. STEPHENS of Nebraska. I think the student himself determines where he wants to go. The Government of the United States pays about $600 a year per capita for the education of a student in these institutes, and then permits him to exercise his own whim and attend school wherever he may please in the United States, and the United States pays the transportation.

Mr. STAFFORD. Must not the decision of the pupils be subject to the approval of the Commissioner of Indian Affairs?

Mr. STEPHENS of Nebraska. I don't know, but it is very apparent the Commissioner of Indian Affairs does not discriminate, because we go on down the line and we find 64 in the Haskell Institute from South Dakota. The Flandreal school in South Dakota should take care of those 64 pupils that are now in the Haskell Institute, and the Genoa school should have the 58 that are at Carlisle.

Mr. McGUIRE of Oklahoma. Will the gentleman yield?

Mr. STEPHENS of Nebraska. I will.

Mr. McGUIRE of Oklahoma. I want to correct, partially, a statement of the gentleman. Those pupils are transported from one State to another, or from one nonreservation school to another; but you will bear in mind, for instance, that the Haskell Institute has a more advanced course even than the Chilocco School, and the same way with the Carlisle School. The latter gives a more complete and finished education. Consequently, many of those pupils who have taken this preparatory course at Chilocco or other reservation schools are sent to Chilocco or to Carlisle.

The CHAIRMAN. The time of the gentleman from Nebraska has expired.

Mr. STEPHENS of Nebraska. Mr. Chairman, I ask unanimous consent for five minutes more.

The CHAIRMAN. The gentleman from Nebraska asks unanimous consent for five minutes more. Is there objection?

There was no objection.

Mr. STEPHENS of Nebraska. Now, I will admit that that may be true. Even then the whole proposition is wrong. The Chilocco School is so situated that it ought to have a splendid course; it ought to have the best course of any school in the United States, because it has the greatest resources. It has a splendid farm of 13,000 acres, it has every facility for putting in a course of study to educate the children who live on that reservation, and it is not economical to send them to Haskell, to Genoa, Nebr., and to Carlisle, Pa. If we would reassemble these children and put them back into the schools where they belong, we would save this $30,000, and we would practically not change the attendance materially except at two schools in the United States. Two schools, no doubt, would suffer in attendance as the result of this, but the United States Government would gain $30,000 in money that it is now absolutely throwing away and is of no value to anybody.

Now, then, take as an example the Chilocco school, and we note that it has drawn 15 pupils from North Carolina that should go to the Carlisle school. It has drawn 30 pupils from Kansas. It has drawn 2 from Minnesota, 4 from Montana, 58 from Nebraska, 33 from Arizona, 4 from New Mexico, 15 from North Carolina, 17 from Wisconsin, and so on down through the list, showing conclusively the extent of this uneconomic practice in this school. The motive that prompts a student to pick a certain school is usually one of sentiment at the recommendation of some friend who had previously attended the school or because he has some relative who has moved to that part of the country. And then these proselyting collectors for these schools influence materially this unnatural condition. They go about the country gathering them together, and then Uncle Sam pays for their transportation out of this $72,000 appropriation. I can not see any sense in it at all. I know only one reason why it has been done, and that is because there have been so many people interested in these various schools that they have simply logrolled, and they keep on logrolling, thinking they are keeping something for themselves, when, as a matter of fact, they have not profited at all by this proselyting practice as a whole.

Mr. COX. Who appoints these proselyters whom you mention?

Mr. STEPHENS of Nebraska These schools solicit their attendance just as private schools do.

Mr. COX. And they are all maintained by the Government?

Mr. STEPHENS of Nebraska. They are all maintained by the Government, but they seek to increase their attendance all the time.

Mr. COX. Somebody—the Secretary of the Interior or somebody else—appoints these proselyters?

Mr. STEPHENS of Nebraska. No; the schools have their own force.

Mr. COX. They are paid, are they not, by the Government?

Mr. STEPHENS of Nebraska. The school-teachers are appointed by the Secretary of the Interior or Indian Commissioner.

Mr. COX. And the teachers are paid by the Government?

Mr. STEPHENS of Nebraska. Yes, sir.

Mr. COX. And the teachers do the proselyting?

Mr. STEPHENS of Nebraska. Yes, sir.

Mr. COX. Well, I think the gentleman is aiming at a very vital matter.

Mr. STEPHENS of Nebraska. I think it is very vital, and I think that when the committee has considered it it will see that it is vital and that the practice ought to be corrected. There is no excuse for it. I do not care how many students it takes from Genoa, Nebr., or how many it puts into Genoa, Nebr. I maintain that this amendment ought to be incorporated into this paragraph increasing the authorization for 400 pupils at Genoa, so that the students that desire to attend the Genoa school will be able to do so in the event the amendment I propose to offer on page 6 is adopted later on. All the students of Nebraska will attend the Genoa school if this amendment prevails, or pay their own traveling expenses if they go elsewhere. If it does not prevail, there is no possibility of the Genoa school being able to take them in without this authorization; and there are at least 100 students living in the territory of the Genoa school going elsewhere.

Mr. McGUIRE of Oklahoma. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Nebraska yield to the gentleman from Oklahoma?

Mr. STEPHENS of Nebraska. Yes.

Mr. McGUIRE of Oklahoma. In case that amendment prevails, there being no Indians to speak of in the State of Kansas, what would be the result with respect to the Haskell Institute?

Mr. STEPHENS of Nebraska. If the Haskell Institute has no excuse for its existence, it ought not to exist.

Mr. McGUIRE of Oklahoma. How about Carlisle?

Mr. STEPHENS of Nebraska. If the Carlisle Institute has no legitimate students, it ought not to be supported at public expense.

Mr. McGUIRE of Oklahoma. How about Genoa?

Mr. STEPHENS of Nebraska. It ought not to be supported if it has no students that are within its territory.

Mr. McGUIRE of Oklahoma. I understand the gentleman is opposed to all these schools.

Mr. STEPHENS of Nebraska. No; I am not. I am in favor of the schools that are economically located, and I believe they

should be supported for the benefit of the students adjacent to them; but I am opposed to taking students from Chilocco territory, Oklahoma, and carting them off to Carlisle, Pa., or taking students from Carlisle territory and transporting them to Haskell Institute, or from the Sherman Institute territory in California and sending them to Haskell or to Carlisle at public expense.

Mr. McGUIRE of Oklahoma. On that theory the gentleman knows it would be impossible to carry on the Carlisle School, for example.

Mr. STEPHENS of Nebraska. No. Perhaps the gentleman does not know it, but they would have at least 250 or 300 students that are adjacent to that school.

Mr. McGUIRE of Oklahoma. Where would they get them?

Mr. STEPHENS of Nebraska. Something over 150 now go from New York State alone, and North Carolina sends 54, Massachusetts 2, Virginia 2, Porto Rico 2, Florida 1, and, in addition to these, Chilocco now has 15 that belong to Carlisle territory. There are 6,000 Indians in New York that are all within the legitimate territory of Carlisle.

If this amendment prevails and also the one I expect to offer to the paragraph on page 6, then it will not be necessary for the schools now existing to do more than to take care of the students adjacent to those schools. I believe this amendment should prevail. It costs nothing whatever to write it into this paragraph, as no appropriation is carried with it.

The CHAIRMAN. The time of the gentleman from Nebraska has expired.

Mr. STEPHENS of Texas. Mr. Chairman, I hope the amendment will not be adopted. The effect of it would be to change from 375 to 400 the number of students that are estimated for at Genoa, Nebr., which is now the capacity of this Genoa school.

Mr. STEPHENS of Nebraska. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Texas yield to the gentleman from Nebraska?

Mr. STEPHENS of Texas. I regret I can not yield. I did not disturb the gentleman when he was speaking. The average attendance of pupils at that point—Genoa, Nebr.—is 340. The estimated capacity is 375; and consequently there is a shortage there of 35 students. Now, why do they want to increase the number of pupils in the school to 400? The enrollment is only 397 and the average attendance only 340, and we have provided for more than the average attendance already. Besides, if this amendment should be adopted, we would be violating a rule that this House has followed for many years, and also the policy that the department has adopted, namely, that of not enlarging the nonreservation schools. This is a nonreservation school, a school off any reservation; and the gentleman must admit that the figures given here are correct, wherein the average cost per capita, based on average attendance, is $211.98. At the Chilocco School, with which the gentleman contrasts it, the cost is only $157 per capita.

The gentleman from Indiana [Mr. Cox] seems to think that we ought not to shift students from one point or from one State to another. Now, here is the Chilocco School in Oklahoma, with a cost, based on average attendance on a per capita basis, of $157. This school at Genoa has a per capita cost on the basis of its enrollment of $181. Consequently we have far more than paid the transportation from one point to another with what is saved here, and evidently there is no point in the contention of the gentleman about shifting students from one school to another.

If the gentleman will examine into conditions in his own district or in his own city, he will find that young ladies and young gentlemen from that city are attending school perhaps in the city of Washington, and he will find young men from his district attending college at Harvard and at Yale. He will find young men in those universities from every State in the Union. Why not let the young Indians be educated as you are educating white children?

Mr. STEPHENS of Nebraska. Mr. Chairman, will the gentleman yield there?

Mr. STEPHENS of Texas. Yes.

Mr. STEPHENS of Nebraska. Those white students here are paying their own transportation and expenses. The Indians that belong in the vicinity of Chilocco should go to Chilocco. If they want to go to Haskell Institute, let them pay their own transportation charges. I can not see anything wrong in that philosophy. Any other course is uneconomic and ought to be abandoned.

Mr. STEPHENS of Texas. The schools are all established—the Sherman Institute in California, the Chilocco School in Oklahoma, the Haskell Institute in Kansas, and the Carlisle School in Pennsylvania. They have fine buildings and all the appliances there for industrial schools. They are quite expensive. Something must be done with them, and they must be kept up. It is cheaper to send the young Indians to them than to enlarge or reorganize the schools in the vicinity where they are located. All the department can do is to keep these schools up to the present capacity. Any new schools erected should be on the reservation, and any additional amount of expense above the present amount expended for nonreservation schools should be expended on reservation schools, and the children should be kept on the reservation and not off the reservation.

Mr. STEPHENS of Nebraska. Mr. Chairman, will the gentleman answer one question?

Mr. STEPHENS of Texas. Yes.

Mr. STEPHENS of Nebraska. Does the gentleman think it economical to take 100 students, for example, that should go to school at Flandreau, S. Dak., and send them to Carlisle, Pa., at Government expense for transportation, where the per capita cost is greater, or send them to Riverside, Cal., or to Albuquerque, N. Mex., or to Haskell, Kans.? Does the gentleman think the Government should take those 100 students that ought to be educated at Flandreau and pay their transportation charges to other schools, and pay an equally high per capita charge or more for educating them there? If they go to other schools, ought they not to pay their own transportation or else stay at home and be educated in the schools that are provided for them at home, just as is the case with our own children, who are educated in the schools that we have established for white people?

Mr. STEPHENS of Texas. Mr. Chairman, the gentleman has furnished an additional reason for changing pupils from one school to another—say, for example, from the school at Genoa to Chilocco. I stated that at the Genoa School the per capita cost per pupil is $211.88. In the Chilocco School it is only $157. For that reason the Government can shift them from one State to another, where they can be educated to the best advantage and more cheaply. Discretion must be lodged somewhere; and that discretion being lodged with the Secretary of the Interior, we imagine it should be upheld, and we should not adopt the gentleman's amendment.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MANN. Mr. Chairman, as I understood the gentleman from Nebraska [Mr. STEPHENS], the amendment which he now offers is dependent for its value upon an amendment which he says he proposes to offer to change the language on page 6. Is that correct?

Mr. STEPHENS of Nebraska. That is correct.

Mr. STEPHENS of Texas. Page 6 has been passed.

Mr. MANN. I know. The gentleman from Nebraska [Mr. STEPHENS] made quite a speech, not about the amendment which is pending, but about the amendment which he proposes to offer on page 6, but the gentleman was asleep at the switch when we passed page 6. The gentleman knows that we can not return to that for the purpose of letting him offer an amendment. He makes a very eloquent speech. Perhaps his proposition is correct, but he should have presented his proposition and his speech when they were in order. It is not in order to offer that amendment. The amendment that the gentleman talks about will not be offered. If I were the gentleman, I would keep my speech out of the RECORD and not show that I failed to perform my duty at the time when it would have been effective.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Nebraska [Mr. STEPHENS].

The amendment was rejected.

The Clerk read as follows:

For support and education of 350 Indian pupils at the Indian school at Santa Fe, N. Mex., and for pay of superintendent, $59,550; for general repairs and improvements, $5,000; for water supply, $1,600; in all, $66,150.

Mr. HARRISON. Mr. Speaker, I move to strike out the last word. I will ask the chairman of the committee, Is there any money appropriated in this bill out of the Treasury of the United States to educate any other children than Indian children?

Mr. STEPHENS of Texas. There is not.

Mr. HARRISON. In other words, all the money that is appropriated in this bill for the education of children is for Indian children. Is that right?

Mr. STEPHENS of Texas. That is correct; and if there is anyone else educated with the money, the Indian Bureau is violating the law.

Mr. HARRISON. In looking over the bill I notice an item further on that appropriates $275,000 for the common schools of Oklahoma. Do you consider that to be an appropriation, not out of the Treasury of the United States, for white children?

Mr. STEPHENS of Texas. It is not for white children, but is for Indian children attending the schools where white children are taught. Where Indians live in the same neighborhood with whites, and where the State maintains a school for those white children, we find it is cheaper for the Indians to attend the common day schools. But the Government or somebody else must pay the tuition, because it would not be right to force the State to pay for the tuition of Indians in these schools.

Mr. HARRISON. The Oklahoma item of $275,000 for the common schools of Oklahoma is the only instance in this bill where the Government appropriates money as such, is it not?

Mr. STEPHENS of Texas. I will yield to the gentleman from Oklahoma [Mr. CARTER] to answer that question.

Mr. CARTER. There is an appropriation of $50,000 in the first part of the bill for children in white schools.

Mr. HARRISON. On what page?

Mr. CARTER. On page 5, line 12.

Mr. HARRISON. That item is—

Provided further, That not more than $50,000 of the amount herein appropriated may be expended for the tuition of Indian children enrolled in the public schools.

Mr. CARTER. Yes.

Mr. HARRISON. Where is that money used? It is not under the heading of any particular State.

Mr. CARTER. It is used in any place where Indian children go to schools for white children.

Mr. HARRISON. So those are the only two instances?

Mr. CARTER. Those are all I know of.

Mr. HARRISON. Fifty thousand dollars to be used in any part of the United States, and the other is $250,000——

Mr. CARTER. Two hundred and seventy-five thousand dollars.

Mr. HARRISON. Two hundred and seventy-five thousand dollars to go to Oklahoma.

Mr. CARTER. Yes. I will say that the reason for that is the condition that exists in Oklahoma. The treaties under which the Indians in Oklahoma had their lands allotted provided that the lands should not be taxable while the title remained in the original allottee. Several years after the treaty a law was passed by Congress removing the restrictions on about one-half of the allotted lands, about 8,000,000 or 9,000,000 acres. One of the things that caused the removal of the restrictions was the fact that there were not sufficient taxable lands in the State to support schools. After that law was passed the Indians in Oklahoma brought suit to nullify that act of Congress, and it was nullified by the Supreme Court of the United States. So, it left the entire eastern side of the State of Oklahoma, about 40 counties, with practically no taxable land with which to support schools or any other part of the public business of the State. In deference to that there was placed in this bill, first, $300,000 for the support of these schools, and afterwards it was cut down to $275,000.

I will say, however, that before the admission of Oklahoma to statehood, and before the Oklahoma delegation came to Congress, there had been similar amounts carried in the bill for the institution and building of schools.

The urgent necessity now is that schools in a great many instances, on account of the decision in Choate against Trapp case, can not be maintained unless this amount is used for the upkeep of those schools and to pay for Indian students. Let me add, further, that this only replaces about one-eighth of the value of the taxes taken away from Oklahoma by the decision in Choate against Trapp. I understand that the value of the taxes taken away from Oklahoma under that decision was about $2,000,000, and this appropriation is only $275,000.

Mr. HARRISON. Mr. Chairman, I withdraw my pro forma amendment.

The CHAIRMAN. If there be no objection, the pro forma amendment will be considered as withdrawn, and the Clerk will read.

The Clerk read as follows:

For fulfilling treaties with Six Nations of New York: For permanent annuity, in clothing and other useful articles (art. 6, treaty of Nov. 11, 1794), $4,500.

Mr. GOULDEN. Mr. Chairman, I move to strike out the last word for the purpose of getting information. How many Indians are there in New York State connected with the Seneca Tribe?

Mr. STEPHENS of Texas. I will yield to the gentleman from New York [Mr. CLANCY].

Mr. CLANCY. About 2,300.

Mr. GOULDEN. How many in the Six Nations?

Mr. CLANCY. About 6,000; that is about the Indian population in New York State.

Mr. GOULDEN. Are they increasing or decreasing in number?

Mr. CLANCY. They are increasing at the rate of about 3 per cent per annum.

Mr. GOULDEN. Some years ago I had occasion to travel through this section of the State in the gentleman's district, and found that the Indians were making an effort to become self-supporting. Are they meeting with any success?

Mr. CLANCY. Individually they are.

Mr. GOULDEN. There were reasons why they should improve their condition, so far as farming and manner of living were concerned.

Mr. CLANCY. There are some farms in the Tuscaloosa Reservation that will equal the farm of any white man in New York State.

Mr. GOULDEN. I am very glad to hear it. Mr. Chairman, I withdraw the pro forma amendment.

The Clerk read as follows:

NORTH CAROLINA.

SEC. 14. For support and education of 180 Indian pupils at the Indian school at Cherokee, N. C., including pay of superintendent, $30,000; for general repairs and improvements, $4,000; in all, $34,000.

Mr. HARRISON. Mr. Chairman, I move to strike out the last word. I want to ask the chairman how many Cherokees there are now in North Carolina.

Mr. STEPHENS of Texas. I will yield to the gentleman from North Carolina [Mr. PAGE].

Mr. PAGE of North Carolina. I am sorry to say that I can not give the gentleman the information. I will say that the Cherokee Tribe is several hundred miles from me. I see on page 221 of the hearings it says that there are approximately 2,000.

Mr. HARRISON. Mr. Chairman, I withdraw the pro forma amendment.

The Clerk read as follows:

For support and civilization of Indians at Fort Berthold Agency, in North Dakota, including pay of employees, $15,000.

Mr. MANN. Mr. Chairman, I reserve a point of order on this item for the support and civilization of Indians at Fort Berthold Agency, N. Dak.

Mr. STEPHENS of Texas. What is the gentleman's point of order—that it is not authorized by law?

Mr. MANN. That is the point of order. What is the necessity for this item?

Mr. STEPHENS of Texas. The term "civilization" I suppose the gentleman objects to, but that has been ruled on before. I will yield to the gentleman from North Dakota [Mr. NORTON].

Mr. MANN. What is the situation at that agency; are we not ready to let the Indians support themselves up there?

Mr. NORTON. At the present time they have a superintendent in charge of the work at the Fort Berthold Agency. The expenses for 1915, as stated in the hearings, page 222, are as follows:

Salaries, wages, etc	$7,972.33
Traveling expenses	18.51
Transportation of supplies	233.27
Subsistence supplies	2,265.97
Forage	899.54
Fuel	1,139.09
Stationery and office supplies	200.80
Medical supplies	372.40
Equipment, material, etc	1,378.53
Total	14,470.44

Now, there are on that reservation about 1,168 Indians. They are engaged in farming, and for the most part maintain themselves; they are largely self-supporting. The department deems it necessary to have some supervision over them for the purpose of instructing and assisting them in their agricultural pursuits, and the supervision at the present time is certainly not very expensive to the Government. I can say personally that I believe that in the near future these Indians will be in a condition to be released from the supervision of the Indian Bureau and will be able to fully support themselves, and then this agency can be disbanded.

Mr. MANN. I may be mistaken, but I am inclined to think that the time has now arrived when these Indians are capable of self-support. Of course, they will not be self-supporting as long as the Government undertakes to feed and clothe them.

Mr. NORTON. There is a considerable number of aged and indigent Indians at this particular agency who in all justice should be cared for by the Federal Government. I trust the gentleman will not insist on his point of order against this meritorious item.

Mr. MANN. There are always a great many aged persons in every nation that have to be cared for by their own people, either by reason of their having saved something or by some kind of a government. That is always the case everywhere, but it is hardly a sufficient reason for making an appropriation for the maintenance of a superintendence that costs from seven to eight thousand dollars a year in order to spend $15,000. I think it will bring it to their attention more acutely if this item goes out, although it may be restored in another body.

Mr. STEPHENS of Texas. Does the gentleman know that there are ration Indians on this reservation?

Mr. MANN. I know that wherever the gentleman from Texas has his way he would like to cut off appropriations, but he can not find a way to do it, and I want to assist him.

Mr. STEPHENS of Texas. I am much obliged to the gentleman for his gratuitous remarks.

Mr. MANN. They do not cost anything, but they go to the point.

The CHAIRMAN. The gentleman from Illinois makes a point of order against lines 12, 13, and 14 on page 23, and the Chair thinks the point of order is well taken, and therefore sustains it. The Clerk will read.

The Clerk read as follows:

For support and education of 400 Indian pupils at Fort Totten Indian School, Fort Totten, N. Dak., and for pay of superintendent, $68,500; for general repairs and improvements, $5,000; in all, $73,500.

Mr. NORTON. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 23, line 24, after the figures 68,500, insert the following: For sinking wells and making improvement of the water system, $5,000.

Mr. STEPHENS of Texas. Mr. Chairman, I reserve a point of order against that.

Mr. NORTON. Mr. Chairman, I wish to say that since this bill was made up the superintendent in charge of this agency writes that the supply of water of the agency that has heretofore been secured from springs has failed, so that at the present time there is not a sufficient supply of water to meet the actual needs of the agency and the school.

Mr. STEPHENS of Texas. How long has this agent been in charge there?

Mr. NORTON. He has been in charge for several years, I believe.

Mr. STEPHENS of Texas. These springs have been there a great many years, have they not?

Mr. NORTON. Yes; but a great many things that have been in existence a very long time have finally ceased in whole or in part to exist.

Mr. STEPHENS of Texas. Why did not this superintendent make the discovery before the 1st of December, so as to have it estimated for and put into the bill?

Mr. NORTON. I wish to say to the gentleman in reply to that inquiry that the fact of the sudden failure of the water supply at this agency at this time is not strange at all. Devils Lake, which is one of the largest inland bodies of water in the United States west of the Great Lakes, has gradually been receding, so that at the present time the city of Devils Lake is about 8 miles from the waters of Devils Lake, whereas 30 years ago large steamboats plying on the lakes docked within 200 hundred yards of the business part of the city of Devils Lake. The water has receded more than 10 feet within the last 30 years. It has receded gradually each year since the surrounding territory was settled up and cultivated by white people. Many of the springs surrounding the lake have ceased to flow. This is not any suggestion of my own that I am putting up before the committee, but it is a case of actual and immediate need as represented by the superintendent in charge of the agency. I took the matter up personally with Assistant Commissioner Meritt, of the Indian Bureau, and he tells me that the agency is in very great need of this appropriation at this time.

Mr. STEPHENS of Texas. Then, as I understand, recent developments relative to the water supply there show that it is necessary that they should have this $5,000 in addition to supply the school already in existence.

Mr. NORTON. It is urgently necessary to have this $5,000 to sink wells and to put in an adequate water supply for this agency. The superintendent writes that at the present time they are not able to secure sufficient water to do the washing necessary in the school there; that they are not able at the present time to secure the necessary water for baths for the pupils attending the school; that they are not even able to secure at the present time all the water necessary to provide for reasonably safe sanitary conditions at the school.

Mr. CARTER. Can the gentleman give us any information as to what the Indian Bureau thinks?

Mr. NORTON. Yes; I certainly can give the gentleman this information. As I remarked before, I took the matter up with Mr. Meritt, and he stated that the Indian Bureau was in favor of it, and they hoped that this amendment would prevail. There is actual need for this appropriation. I would not press it otherwise. I trust the gentleman will withdraw the point of order.

Mr. YOUNG of North Dakota. Mr. Chairman, this is a case of great emergency. The shortage of water at the Indian school for bathing purposes, laundry purposes, and for the flushing of closets, if permitted to continue, will be a menace to the health of the students and expose them to the danger of an epidemic of typhoid fever. I hope the Chairman will consent to the request of my colleague [Mr. NORTON].

Mr. STEPHENS of Texas. Mr. Chairman, I understand from the department by telephone message that the department desires this amendment. I withdraw any objection to it.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from North Dakota.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

OKLAHOMA.

SEC. 16. For support and civilization of the Wichitas and affiliated bands who have been collected on the reservations set apart for their use and occupation in Oklahoma, including pay of employees, $5,000.

Mr. MANN. Mr. Chairman, on that I reserve the point of order. What is the necessity for the Government now making appropriations for the Wichita Indians in Oklahoma? Why can they not support themselves?

Mr. FERRIS. Mr. Chairman, there is a little band of full-blood Wichitas that were the original occupants of that country. They are full-blood Indians. They have never mixed at all with other tribes or the whites. I attended a conference of those Indians about a year ago and met a lot of the old tribesmen. They have not a cent of trust-fund money, and I doubt if they have any other kind. They assert the Kiowa, Comanche, and Apache Reservation was originally theirs. They have old landmarks and data to show that they were the original occupants of that entire country where I live. They have been urging me to press a claim for them to recover for it. There are 1,080 of them, and they want me to press a claim for the lands that the Kiowa, Comanche, and Apache Indians have. They are now poor and penniless.

Mr. MANN. Why not do it, and get them taken care of by these other rich Indians?

Mr. FERRIS. That is the theory of some people around here—to take from those who have and give to those who have not.

Mr. MANN. That is the whole theory of the gentleman's party.

Mr. FERRIS. But, in good faith and earnestness, these Indians are poor and they are being administered on as economically as they can be. They have not a cent of money anywhere.

Mr. MANN. They never will have, I take it, as long as we support them. Those other Indians down there are becoming citizens, becoming civilized, but these, the gentleman says, remain by themselves—exclusive—because the Government is good to them.

Mr. FERRIS. I do not think that the Government has done so very much for these people.

Mr. MANN. I expect the only thing the Government does is to pay some employees. Five thousand dollars will not go very far toward support.

Mr. FOSTER. Mr. Chairman, I think if the gentleman will look at the hearings he will see that they show that out of $4,000 expended last year $3,186 were paid for salaries, so that the Indians probably do not get very much.

Mr. FERRIS. Mr. Chairman, neither of the gentlemen from Illinois can get me very much excited about this item. I think the money is needed. It is the usual item that has always been carried for them. There are 10,080 of these poor old rusty Indians there added to the Comanche Agency, and this $5,000 was appropriated for long before I came here——

Mr. MANN. And that is the reason it is continued?

Mr. FERRIS. And it has been continued since. If the gentleman thinks they ought not to have it any longer, I simply urge that they need it; but if the gentleman thinks it ought to go out, I am helpless, as it is subject to a point of order. If these poor old Indians come to want it will be the fault of some one other than I.

Mr. MANN. I think they ought to get a shock, so that we will have a reinvestigation of the subject. I make the point of order against the paragraph.

Mr. STEPHENS of Texas. Mr. Chairman, I concede it.

The CHAIRMAN. The point of order is sustained.

The Clerk read as follows:

The Secretary of the Interior is hereby authorized to withdraw from the Treasury of the United States, at his discretion, the sum of $25,000, or so much thereof as may be necessary, of the funds on deposit to the credit of the Kiowa, Comanche, and Apache Tribes of Indians in Oklahoma for the support of the agency and pay of employees maintained for their benefit.

Mr. HARRISON. Mr. Chairman, I reserve the point of order. We have now reached the Oklahoma items. It occurs to me that the Democratic Party has done well in enacting into law a great many reforms that were promised the people before we came into control of this Government. In the Sixty-second Congress the House of Representatives made a most wonderful record in writing on the statute books, or attempting to do so, so far as the House was concerned, many reforms. We had told the people that the Speaker of the House had too much authority, that he could stack committees of this House, that he was too powerful and autocratic, and that we would change the rules of the House and make the House more representative, more democratic, that the people of the country through their Representatives here might have more voice in legislation, more rights, and more equality of treatment. We did much to redeem those pledges. No more can the Speaker of the House name the committees of the House. We thought, however, when we removed this former cancerous sore from the legislative part of the Government that in the future there would not be any "stacked" committees, because the House would name the committees. Much more representative is this body now than it used to be. Most of the committees of this House are fair representatives of all the people of the country. All the sections, as a rule, have equal representation on the committees, but when we come to Oklahoma and the Committee on Indian Affairs of the House——

Mr. STEPHENS of Texas. Will the gentleman yield?

Mr. HARRISON. When I get through with this peroration. [Laughter and applause.] When we come to the Indian Affairs Committee of this House we find that really Oklahoma has an unequal representation. And my friend here [Mr. CARTER], I see, has a Congressional Directory now in his hand, and he is going to substantiate what I am going to assert, and that is that Oklahoma has three very distinguished and able Representatives on the Committee on Indian Affairs of the House—the distinguished gentleman here, my friend Mr. CARTER, able and persuasive; my good friend on that side of the aisle, McGUIRE, who is influential and a splendid Representative; and my friend BILL MURRAY, strong, congenial, and eloquent. Now, I ask the House, with Oklahoma having three men on this most important committee, what chance has a Mississippi Indian to get some legislation out of that committee? Influential it is bound to be, because we are all human. Why, I know on my committee that if there was some fellow from another State who wanted some particular item embodied in the bill affecting his locality I would be loath to oppose it, because the association with my colleague would just make it so that I would want to help him if I could, and how much more so on appropriating committees. I am not on an appropriating committee, and consequently it does not make so much difference; but how much more would it be if I were on an appropriating committee of the House, like so many other Members?

The CHAIRMAN. The time of the gentleman has expired.

Mr. HARRISON. Mr. Chairman, I ask unanimous consent to proceed for 10 minutes.

The CHAIRMAN. The gentleman from Mississippi asks unanimous consent to proceed for 10 minutes.

Mr. STEPHENS of Texas. Mr. Chairman, I object.

Mr. CARTER. Mr. Chairman, I hope the gentleman from Texas will not object.

Mr. HARRISON. I will take it on some other paragraph.

Mr. CARTER. I am being very much edified by the gentleman from Mississippi.

Mr. MURRAY. I would like to hear the gentleman's speech myself, having just come in.

The CHAIRMAN. Does the gentleman reserve his point of order or make it? The gentleman was speaking to the point of order.

Mr. HARRISON. Mr. Chairman, then I do not think I am limited on the point of order.

The CHAIRMAN. The Chair will state that the gentleman reserved the point of order and was discussing some proposition other than the point of order, and under the rule he would be limited——

Mr. HARRISON. I withdraw the point of order, and I move to strike out the last word.

Mr. STEPHENS of Texas. Mr. Chairman, I ask for the regular order.

Mr. HARRISON. This is the regular order. [Laughter.] Now, Mr. Chairman, if the committee would be persuaded by one member on a committee, how much more would the influence and the power and the persuasion be with two men, Representatives from one State, on the committee, and how much more would it be when there were three Representatives from the same State on the committee? That is, would be if they were just ordinary Representatives; but when they are such influential, such eloquent, such able, and persuasive Representatives as the three distinguished gentlemen from Oklahoma on the committee, I ask you what chance, indeed, has a Mississippi Indian to get any legislation out of that committee? Now, I do not say that in criticism of the other members of the committee, because you just can not help it; it is natural to be influenced by my friend CARTER and my friend MURRAY and my friend McGUIRE. I say, Mr. Chairman, it is so powerful that even the distinguished gentleman from Texas, the chairman of the committee, can not keep away from their seductive smiles and persuasive ways. Why, the gentleman himself I do not believe is in favor of doing anything for the Mississippi Choctaws, in allowing them to present their claims to any of the courts or to be heard by Congress any more.

Mr. STEPHENS of Texas. I desire to say those claims have been presented several times. They have had their day in court and in the commission, and they have been uniformally turned down for 20 years, and the investigation that has been made of those claims showed that they did not amount to anything at all.

Mr. HARRISON. When did the gentleman think that was estopped—in 1907, when the rolls were finally closed?

Mr. STEPHENS of Texas. They were estopped by every piece of legislation ever enacted by Congress.

Mr. HARRISON. Well, the final piece of legislation was in 1907. I hope the gentleman——

Mr. STEPHENS of Texas. The gentleman has the floor.

Mr. HARRISON. If the gentleman will permit—the chairman of the committee—1907, I believe, is the last act passed by Congress.

Mr. STEPHENS of Texas. I am not discussing that question with the gentleman. We have not reached that point.

Mr. HARRISON. Well, I was in hopes I could get the distinguished gentleman from Texas to tell me just when the last piece of legislation came out of Congress about the Mississippi Choctaws, as he says they have been estopped by Congress and that they have had their day in the courts. It only goes to show, sir, the influence of three men or two men from one State on a committee of this House, because up until the Sixty-second Congress the distinguished chairman of the Committee on Indian Affairs did not have the same ideas and beliefs that he now has.

Mr. STEPHENS of Texas. The gentleman is misrepresenting me. Will the gentleman permit me to make a statement that the last Congress attempted to put every Indian entitled on the rolls and they now have the rights of other Indians in Oklahoma?

Mr. HARRISON. I know nothing of the kind; on the contrary, I want to quote the exact words of the distinguished gentleman from Texas on the proposition, to see whether or not I am wrong or he is wrong, and to prove the assertion I make that it is unfair in this representative body of the American people that one State should have so much representation on a committee here.

Mr. CARTER. Let me ask the gentleman this question. Has the State of Mississippi ever attempted to get anybody on the Indian Committee?

Mr. HARRISON. I am not discussing whether or not the State of Mississippi has ever attempted to have anybody on that committee. The delegation from Mississippi, when each of its Members came to Congress, left it to Congress to say what committees they should go on. They did not see fit to place any men from Mississippi on that committee and consequently Mississippi has no representation; but I suspect that the delegation from Oklahoma when they came here did not just leave it to the Speaker of the House or to the body to say, but I expect they brought their strong influence upon the body through the Ways and Means Committee, or the Speaker, to allow them the big representation on the committee which they have.

Mr. CARTER. Will the gentleman say that he made no indication to the Ways and Means Committee, or that no other Member from Mississippi made any indication or suggestion to the Ways and Means Committee, as to what committees they would like to serve upon?

Mr. HARRISON. I do not think so. Mississippi is not so greedy as to want three men on the Indian Affairs Committee or on any other committee of this House.

Mr. CARTER. They could have had one on the Committee on Indian Affairs had they wanted it.

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. HARRISON. Mr. Chairman, I ask unanimous consent for 10 minutes more.

Mr. STEPHENS of Texas. I shall have to object, Mr. Chairman, because the gentleman has occupied two days in needless discussion on this floor since we began the consideration of the bill.

The CHAIRMAN. The gentleman from Texas objects. The Clerk will read.

Mr. CARTER. Mr. Chairman, I have been very much edified and instructed by the speech of the gentleman from Mississippi [Mr. HARRISON]. When the gentleman complains about the organization of the majority party's committees, he criticizes not the delegation from Oklahoma but the Ways and Means Committee of this House for placing certain Members on the Committee on Indian Affairs of the House. There was no urgent effort, so far as I know, by the Oklahoma delegation to have placed on the committee any certain number of men. When I came to the Sixtieth Congress I came here with a letter from a great many Congressmen, who had asked the Speaker to place me on the Committee on Indian Affairs because I was of Indian blood. If it be a crime to place men on the Indian Committee who have Indians in their States, then I assume it might be a greater crime to place men of Indian blood on that committee, and of both these heinous crimes certainly the Ways and Means Committee is guilty, because they have placed one-half of the members of the Indian Committee on the majority side of this House from States that have Indians and one-half from States that do not have Indians. This monstrous Ways and Means Committee furthermore stands convicted by the records of placing the only Indian on its muster rolls on this most important Indian Committee. Moreover, we find that this stealthy, designing Ways and Means Committee, for the purpose of consummating the machinations of its nefarious schemes, has committed the unpardonable crime of dividing the majority membership of the Indian Committee equally between the East and West, choosing about one half its membership east of the Mississippi River and the other half west. On the minority side committee assignments are made at the suggestion, I understand, of the distinguished leader of the minority. Certainly, Mr. Chairman, no man on the floor of this House, no matter what his political affiliations may be, will question or impugn the motives of the distinguished gentleman from Illinois [Mr. MANN].

The gentleman from Illinois, the leader of the minority, who has no Indians in his district, who has no Indians that are wards of the Federal Government in his State, certainly would have no improper motive in placing any man on the Indian Committee of this House. But the gentleman from Illinois we all know, Mr. Chairman, needs no defense at my hands. I will leave the defense of his case to himself. The gentleman from Mississippi seems to be in a very captious frame of mind. He criticizes the gentleman in charge of this bill for some imaginary inconsistencies. Let us see about the consistencies of the gentleman from Mississippi himself. The gentleman from Misisippi has often told this House that the Mississippi Choctaws had never been given a day in court, and I doubt not that every man within hearing of my voice has heard him make the statement. He has asseverated and reiterated that the case of the Mississippi Choctaws have never been tried by court, commission, or otherwise; that they have never had a day in court, had never any trial. Let us hear what the gentleman from Mississippi says about that himself. On January 29 of this year the gentleman from Mississippi introduced a bill providing for the opening of the rolls of the Five Civilized Tribes. Let us read section 2 of the gentleman's own bill, the Harrison bill, and see what information the gentleman really had when he gave this solemn statement to the House. Now, the gentleman knew, or should have known, that the Mississippi Choctaw contention had been adjudicated by the trial of the Jack Amos case, not only by a Federal commission but by a Federal court, and that because of the settlement of a similar contention in the Cherokee Nation against Stephens case this Jack Amos case had been dismissed by the attorneys for the Mississippi Choctaws themselves. But let us see whether the gentleman from Mississippi was fully informed on this question. In this Harrison bill I find the following language:

SEC. 2. That the Secretary of the Interior shall be vested with the power to determine the rights of said claimants upon such evidence as may be produced by the applicant, without regard to any adverse judgment or decision heretofore rendered by any court or commission to the Five Civilized Tribes or the Department of the Interior, and without regard to any condition or disability heretofore imposed by any act of Congress.

What does this section 2 propose to do, provide for adjudication of cases which have not heretofore been tried? Not by any manner of means. It provides to determine the rights of individuals. How? "Without regard to any adverse judgment or decision heretofore rendered by any court or commission," no matter though the Supreme Court of the land may have rendered a decision. If these cases have not been tried, why, pray tell me, set aside decisions of courts and commissions?

The CHAIRMAN. The time of the gentleman has expired.

Mr. CARTER. Mr. Chairman, I ask unanimous consent for five minutes more.

Mr. STEPHENS of Texas. I will have to object, for the reason that there have been 45 minutes allowed on this question, and they are presupposing the fight that will be made hereafter.

The CHAIRMAN. The gentleman from Texas objects, and the Clerk will read.

The Clerk read as follows:

That the Secretary of the Interior be, and he is hereby, authorized to withdraw from the Treasury of the United States, at his discretion, the sum of $250,000, or so much thereof as may be necessary, of the funds on deposit to the credit of the Kiowa, Comanche, and Apache Tribes of Indians in Oklahoma, and pay out the same for the benefit of the members of said tribes for their maintenance and support, and improvement of their homesteads, in such manner and under such regulations as he may prescribe: *Provided*, That the Secretary of the Interior shall report to Congress on the first Monday in December, 1916, a detailed statement as to all moneys expended as provided for herein.

Mr. McGUIRE of Oklahoma. Mr. Chairman, I move to strike out the last word.

Mr. HARRISON. Mr. Chairman, I reserve a point of order.

Mr. McGUIRE of Oklahoma. Mr. Chairman, I have served for some time with the distinguished, able, and congenial gentleman from Mississippi. He is abundantly able to take care not only of the constituents of his district but to do his full share in representing the people of his great State. But his talk was both a flareback and a prelude—a flareback from what transpired last Congress and a prelude of what is to follow now in a few moments.

It is true that there are three members on the Indian Committee now from Oklahoma, and unless the facts are called to the attention of the Members of this House that may seem an unfair and an overrepresentation, at least so far as numerical strength is concerned. But I would have the Members of this House remember that two-fifths of all the Indians in the United States are in Oklahoma.

Mr. MURRAY. A little over a third, I will say to the gentleman.

Mr. McGUIRE of Oklahoma. I had it two-fifths. That is really more than one-third. Almost two-fifths of the Indians of the United States are in Oklahoma. But that is not all. Practically one-half of all the Indian business in the United States is in the State of Oklahoma. I will ask the chairman of the committee if the Committee on Indian Affairs has not a membership of 20?

Mr. STEPHENS of Texas. It has 21 members.

Mr. McGUIRE of Oklahoma. Twenty-one members on the Committee on Indian Affairs.

Mr. STEPHENS of Texas. And there are 117,000 Indians in the State and $100,000,000 worth of property involved.

Mr. McGUIRE of Oklahoma. Two-fifths of the Indians are there and one-half of all the Indian business, and only three men to represent that one-half of the Indian business. Now, so far as any reforms are concerned, inaugurated and brought about by the Democratic Party, of course no one ever believed anything of that sort.

When we were talking about the usurpation of the power of the Speaker in years gone by, those who knew what they were talking about knew that there was nothing in it. If a man wants to get on a committee and has a standing in this House, he has the same opportunities now to attain his desire that he had before the rules were changed.

The facts are, I went to the minority leader and discussed the proposition with him, and we were perfectly willing, so far as this side of the House is concerned, to take his suggestion. That is about what you gentlemen did on that side of the House and what you have always done and what you always will do—take the suggestions of your leaders. Some of you may not know it, but you take their suggestions just the same.

Now, then, I went to him and talked to him about the advisability of my going to another committee, but it was ultimately agreed, so far as he was concerned and so far as I was concerned, that I should remain on the Committee on Indian

Affairs. Now, then, if there is any one thing to be charged against the committee, it is that we have not the sufficient representation from the State of Oklahoma that we ought to have.

I know that down in the gentleman's State there has been sleeping for something like a hundred years a proposition that has recently been awakened. It is an easy thing to bring in old Indian claims against the Government. It is an easy thing to lay a foundation to present that claim, seemingly by criticizing the acts of the House of Representatives in appointing the members of a committee or otherwise. But those who are familiar with the purpose, those who are familiar with and know something of the foundation that is being laid, and know something of its purpose, know why my good friend from Mississippi [Mr. HARRISON] feels that Oklahoma has too great a representation on the Committee on Indian Affairs. We have not, as I say, our full representation. We have not what we are entitled to. All that the gentleman lacks in the House he seems to make up for in the other branch of the Congress of the United States. What he failed to get in the House in the last Congress seems to have been gotten over at the other end of the Capitol. But they did not get it rightfully. They got it wrongfully, and it was an imposition upon every man of Indian blood of the Choctaw and Chickasaw Tribes in my State. [Applause.]

The CHAIRMAN. The time of the gentleman from Oklahoma has expired.

Mr. HARRISON rose.

Mr. MANN. Mr. Chairman, I call for the regular order.

Mr. HARRISON. Mr. Chairman, I move to strike out the last two words.

Mr. MANN. I give notice, Mr. Chairman, that I will make a point of order unless the gentleman confines himself to the items in the bill.

The CHAIRMAN. The gentleman from Mississippi [Mr. HARRISON] moves to strike out the last two words.

Mr. HARRISON. I withdraw my motion, then, Mr. Chairman.

Mr. MANN. Let the gentleman take it up when we come to the item.

Mr. HARRISON. I was not going to discuss the merits at all. I was going to answer a question propounded by the chairman of the Committee on Indian Affairs.

Mr. STEPHENS of Texas. Then I withdraw my question, Mr. Chairman. [Laughter.]

The CHAIRMAN. The pro forma amendment is withdrawn, and the Clerk will read.

The Clerk read as follows:

For support and civilization of the Cheyennes and Arapahoes who have been collected on the reservations set apart for their use and occupation in Oklahoma, including pay of employees, $35,000.

Mr. MANN. Mr. Chairman, I reserve a point of order on the paragraph.

The CHAIRMAN. The gentleman from Illinois [Mr. MANN] reserves a point of order on the paragraph.

Mr. STEPHENS of Texas. Mr. Chairman, if the gentleman desires to make it, I concede it.

Mr. MANN. All right. I make the point of order.

The CHAIRMAN. The point of order is sustained. The Clerk will read.

The Clerk read as follows:

For support and civilization of the Kansas Indians, Oklahoma, including pay of employees, $1,500.

Mr. MANN. Mr. Chairman, I make a point of order against the paragraph.

Mr. STEPHENS of Texas. I also concede that, owing to the recent rulings of the Chair.

The CHAIRMAN. The gentleman from Illinois makes a point of order on the paragraph.

Mr. FERRIS. Mr. Chairman, would the gentleman from Illinois withhold his point of order for a moment?

Mr. MANN. Yes; I will withhold it if the gentleman desires.

Mr. FERRIS. Mr. Chairman, I would like to appeal to the gentleman and say to him that he is attacking and striking from the bill the neediest Indians of the scattered tribes on the western side of our State. I think the gentleman from Oklahoma [Mr. MCGUIRE] and his colleague [Mr. MORGAN], on the gentleman's own side, and my colleagues on this side, will say to the gentleman—and I think the Indian Office also will say to him—that the protection and appropriations he is striking from the bill are small appropriations for scattered tribes of remnant bands of Indians in the western part of the State of Oklahoma—some of them are in my district and some are not—that have no trust funds and have not any protection except the protection offered them here.

Mr. MANN. I have no information on these items, and no information was vouchsafed, I suppose, because nobody else had any information. These appropriations have continued from year to year, and possibly they may be desirable. But did they spend as much as $4 for subsistence at this place?

Mr. FOSTER. Only $4.37 was spent, outside of salaries and wages.

Mr. MANN. We had an item of $5,000 for support, and they spent less than $4 for subsistence.

Mr. FOSTER. They have expended much more in this case.

Mr. MANN. If there is any reason for this, I do not want to be arbitrary about it.

Mr. FERRIS. I will say to the gentleman that, so far as I am concerned, I have no more personal interest in these Indians than anybody else outside of my State. If the gentleman from Illinois thinks he will punish me personally by making points of order on this item, he is mistaken. These Indians are without funds and they need the protection which these items give them. These items have been carried for years and years in the same form.

Mr. MANN. The point of their having been carried for years and years does not cut much figure with me, because I suspect we have just got into the habit of making the appropriation. I have been making these points of order for the purpose of having a little investigation made by somebody. If there is any good reason for them, I shall have no objection to them. The amounts are small, and I have no objection to them.

Mr. FERRIS. The gentleman should know that our State or Territory has been made pretty much of a catchall for collecting small bands of Indians from other places and gathering them there. Some have been gathered from Kansas and other States, where the tribes dwindled down. They were sent to the Indian Territory, and later came statehood, and they were then included in the State.

Mr. MANN. Where they took Indians down to the Indian Territory and settled them, as I recall, they always gave them land on which to settle.

Mr. FERRIS. That is very true. I think they all have allotments. But a full-blood Indian with an allotment, without a cent to maintain himself with it, however strange it may seem to the House, is just about as helpless as if he had no land at all. A piece of bald prairie land without any wood on it or any fences makes an Indian without an avocation or industry just about as well off without it as with it, so far as his present needs are concerned.

Mr. MANN. The gentleman is probably correct, and demonstrates the futility of an item like this in the bill. Here is an item of $1,500 for support and civilization of the Kansas Indians in Oklahoma, who have allotments. It is perfectly evident that the $1,500 is not for the purpose of giving them live stock or seed or instruction or anything else——

Mr. FERRIS. No——

Mr. MANN. Except to pay somebody a salary to look at them once in a while.

Mr. FERRIS. The gentleman is right about that. This is probably what they do with it, although I do not know the exact facts. If the gentleman were to go out there, he would probably find that there was an Indian matron at $600 a year going around to help Indian women in childbirth, and an Indian agent, perhaps, who rides around and looks after the interests of the Indians, the expense being prorated with other agencies, and in such cases the amount is chiefly used to pay the Indian agent his salary. These clerks are all snugly tucked away here in the civil service, and I presume they will be there until Gabriel blows his horn; and if the gentleman wants to get rid of them, this is probably the best way to do it.

Mr. MANN. The gentleman from Oklahoma [Mr. FERRIS] is giving us such information as we have. He does not know anything about it. I do not know anything about it. I was hoping that during the discussion some distinguished member of the Committee on Indian Affairs would discover that he did know something about it and be able to give us the information.

Mr. FERRIS. While I am not on the Indian Committee, I doubt if the Indian Committee ought to be indicted for not being able to answer promptly as to all these little $1,500 and $2,000 items that have been carried, I assume, ever since Indian appropriations began.

Mr. MANN. On this matter I will withdraw the point of order, just as an evidence of good faith.

The CHAIRMAN. The gentleman from Illinois withdraws the point of order, and the Clerk will read.

The Clerk read as follows:

For support and civilization of the Kickapoo Indians in Oklahoma, including pay of employees, $2,000.

Mr. MANN. I reserve a point of order on that item. I hope some gentleman can give us some information about it.

Mr. MURRAY. Mr. Chairman, I will say to the gentleman from Illinois that this item is for the agency in Pottawatomie County. I am not personally acquainted with the agency, although it is in my district, but they have blacksmithing and they have matrons and some farm instruction. In addition to this, there are certain funds paid to these Indians, and just the other day I had occasion to ask the commissioner to individualize the funds, to give some 20 or 30 of these Indians, who had moved away from the agency, their portion of the funds, because they were getting nothing out of it. I am sure this agency is doing good work, and I hope the gentleman will not insist on the point of order.

Mr. MANN. Mr. Chairman, I have listened with interest to my distinguished friend from Oklahoma. He tells how this money is spent for hiring matrons and other people to attend to the wants of the Indians. I find, as a matter of fact, that out of the $2,000 appropriated for the last fiscal year they spent $1,753.45; for telegraph and telephone service, $56.04. I suppose it gave the Indians the privilege of telephoning about little social affairs at Government expense. Out of this small sum they expended for stationery and office supplies $357. They were probably engaged in writing letters to all of the Indians when they were not telephoning them. For heat, light, and power service they spent $55, and for fuel $20. Of course the Indians provide fuel for themselves, but we pay for the telegraph and telephone service and for the stationery. The gentleman's explanation, which was evidently made without consulting the facts, assumed that this was really spent for the benefit of the Indians.

Mr. MURRAY. No; I will state this——

Mr. MANN. The gentleman did not assume that. Well, the gentleman was correct.

Mr. MURRAY. These are restricted Indians.

Mr. MANN. Restricted in telephone service or in stationery?

Mr. MURRAY. They are wholly restricted in those two items, but they have restricted lands; and whenever one dies the question of the inheritance must be looked after, and the leasing of their lands must be looked after. I will call the attention of the gentleman from Illinois to the fact that a few years ago a bunch of grafters got an "auger" in on the property of these Indians, and some of them moved to Mexico. I think it is highly essential to maintain these offices, even though the employees of the Government, who have been there a number of years, do spend too much for telephone service. I rather think a criticism on the department for permitting such expense in excess of what is reasonable——

Mr. MANN. I was not making any criticism of the department. As another evidence of good faith I am going to withdraw the point of order on this item. I do not like to make it on a mere $2,000 in the gentleman's own district, because I expect to make a point of order later on a larger item.

Mr. HARRISON. Mr. Chairman, I move to strike out the last word. A few moments ago the gentleman from Oklahoma [Mr. McGUIRE] and the gentleman from Oklahoma [Mr. CARTER] answered the remarks which had been made here and demanded greater representation on the Committee on Indian Affairs.

Mr. STEPHENS of Texas. I make the point of order that the gentleman from Mississippi is not discussing the item.

The CHAIRMAN. The Chair will ask the gentleman to proceed in order.

Mr. HARRISON. The gentleman from Oklahoma [Mr. McGUIRE] is mighty honest about this matter. He really wants more representation on this committee.

Mr. STEPHENS of Texas. The gentleman is not discussing the Kickapoo item.

The CHAIRMAN. The Chair thinks the point of order is well taken.

Mr. HARRISON. Well, I will read what the chairman of the Committee on Indian Affairs said about this Mississippi Choctaw matter some time ago.

Mr. STEPHENS of Texas. Mr. Chairman, I make the same point of order.

The CHAIRMAN. The Chair thinks the point of order is well taken. The Chair trusts the gentleman will proceed in order.

Mr. HARRISON. Mr. Chairman, this item here is under Oklahoma. I am discussing the proposition whether or not this item is good, Oklahoma being represented by 3 men out of 21 men on the committee; and it strikes me that in trying to show the influence of these 3 men on the committee I have a right to use the words of the distinguished chairman of the committee to show a change of front about this matter.

Mr. STEPHENS of Texas. The gentleman may be in order if he is discussing the Kicking Kickapoos, because that is one of the bands of Kickapoos, and the gentleman is the kicking Indian in this House and has delayed the consideration of this bill two or three days already. I therefore make the point of order.

Mr. HARRISON. Does the Chair hold that I am not in order?

The CHAIRMAN. The Chair thinks the gentleman is out of order in the remarks he has made up to date.

Mr. HARRISON. Very well.

The CHAIRMAN. The pro forma amendment will be considered as withdrawn, and the Clerk will read.

The Clerk read as follows:

For support and civilization of the Ponca Indians in Oklahoma and Nebraska, including pay of employees, $8,000.

Mr. MANN. Mr. Chairman, I make a point of order against that item.

The CHAIRMAN. Does the gentleman from Texas desire to be heard?

Mr. STEPHENS of Texas. I believe that is in the district of the gentleman from Oklahoma [Mr. McGUIRE], and I will yield to him.

The CHAIRMAN. Does the gentleman from Oklahoma desire to be heard on the point of order?

Mr. McGUIRE of Oklahoma. I do not know whether I do or not. My impression is that this is the result of a treaty agreement and based on existing law. If I am mistaken about that, I suppose it will have to go out; but it is my understanding that it is the result of treaty agreement. It has been a continuous appropriation now for some time. I doubt very seriously whether it is subject to a point of order. If it is a continuing appropriation based on treaty agreement, it is not subject to a point of order.

Mr. STEPHENS of Texas. If the gentleman will permit, I will state that it has been in existence since 1881, but by a ruling of the Chair these items providing for the support and civilization have been held to be subject to a point of order.

The CHAIRMAN. If there is a treaty stipulation or existing law that authorizes it, of course it is not subject to a point of order; but the burden is upon the committee to show the Chair that there is such treaty stipulation or existing law.

Mr. McGUIRE of Oklahoma. At present I am not prepared, Mr. Chairman, to show that there is any treaty stipulation or existing law, for I did not think that anything of this kind would come up. But if I find it, I will submit it later.

The CHAIRMAN. In the absence of any treaty stipulation or existing law, the Chair will sustain the point of order, and the Clerk will read.

The Clerk read as follows:

For support and education of 500 Indian pupils at the Indian school at Chilocco, Okla., including pay of superintendent, $86,250; for general repairs and improvements, $6,000; in all, $92,250.

Mr. HARRISON. Mr. Chairman, I move to strike out the last word. May I ask the chairman of the committee how long this school has been established?

Mr. STEPHENS of Texas. I will yield to the gentleman from Oklahoma [Mr. McGUIRE].

Mr. McGUIRE of Oklahoma. I think since 1881—about 30 years.

Mr. HARRISON. I withdraw the pro forma amendment.

The Clerk read as follows:

For fulfilling treaties with Pawnees, Oklahoma: For perpetual annuity, to be paid in cash to the Pawnees (art. 3, agreement of Nov. 23, 1892), $30,000; for support of two manual-labor schools (art. 3, treaty of Sept. 24, 1857), $10,000; for pay of one farmer, two blacksmiths, one miller, one engineer and apprentices, and two teachers (art. 4, same treaty), $5,400; for purchase of iron and steel and other necessaries for the shops (art. 4, same treaty), $500; for pay of physician and purchase of medicine, $1,200; in all, $47,100.

Mr. HARRISON. Mr. Chairman, I reserve a point of order.

Mr. STEPHENS of Texas. This is a treaty item and is not subject to a point of order.

Mr. HARRISON. May I ask the gentleman from Texas how much money is appropriated in this bill for Oklahoma?

Mr. STEPHENS of Texas. We do not estimate or make up the bill in that way. It is done item by item.

Mr. HARRISON. Can the gentleman give us any idea?

Mr. STEPHENS of Texas. I can not give the gentleman any idea.

Mr. HARRISON. Does the gentleman think that 50 per cent of the whole bill is appropriated for Oklahoma?

Mr. STEPHENS of Texas. Oh, no; I think not.

Mr. HARRISON. How many schools are there in Oklahoma?

Mr. STEPHENS of Texas. This is the only nonreservation Indian school in Oklahoma.

Mr. HARRISON. Then the gentleman can not give any idea as to how much of the whole appropriation goes to Oklahoma?

Mr. STEPHENS of Texas. I can not; for I have not added it up. We make the appropriation item by item, school by school, and there is no estimate or consideration given as to particular States.

Mr. CARTER. Mr. Chairman, if the gentleman will permit, I find that there is less than $200,000 appropriated for western Oklahoma, and that there is about $500,000, perhaps $600,000, appropriated for the eastern part of Oklahoma. That would make about $800,000 in all, about one-tenth of the bill, while Oklahoma has one-half of the Indian business. That is stated in the report, at the bottom of page 3.

Mr. HARRISON. In the amount of $250,000 that the committee has recommended for appropriations for the common schools of Oklahoma——

Mr. CARTER. I estimated it at $275,000.

Mr. HARRISON. Has the gentleman taken into consideration the amount appropriated for traveling vehicles—automobiles—in the bill?

Mr. CARTER. If there is a single one that goes to Oklahoma, it is beyond my knowledge. None goes there so far as I know.

Mr. HARRISON. There are a good many traveling vehicles.

Mr. MURRAY. There are none that go to the Five Civilized Tribes.

Mr. HARRISON. The item for the support of industrial schools—does any of that go to Oklahoma?

Mr. MURRAY. To 20 small tribes in the western part of the State, $16,000, but there is none to the Five Civilized Tribes.

Mr. HARRISON. Did the gentleman from Oklahoma [Mr. CARTER] include that in his estimate?

Mr. CARTER. No; but I want to say that the proportion that goes to Oklahoma does not bear any measure or proportion to the amount of business when you come to consider the number of Indians that we have.

Mr. HARRISON. Does any part of the $350,000 item for distressed Indians go to Oklahoma?

Mr. CARTER. No, sir; I do not think a dollar of it does.

Mr. HARRISON. The gentleman is not sure about that?

Mr. CARTER. I am not positive.

Mr. HARRISON. How much of this appropriation for the collection and transportation of pupils to and from Indian schools, $72,000, goes to Oklahoma?

Mr. CARTER. The gentleman from Nebraska [Mr. STEPHENS] says 480 pupils are taken from Oklahoma to other States. None of it goes to bring pupils into Oklahoma.

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. HARRISON. I ask for five minutes more.

Mr. STEPHENS of Texas. I ask that the Chair rule on the point of order.

Mr. HARRISON. Mr. Chairman, I withdraw the point of order. I wish to elicit some information from the gentleman from Texas.

The CHAIRMAN. Is there objection to the request of the gentleman from Mississippi? The Chair hears none.

Mr. STEPHENS of Texas. I hope that the gentleman will confine his questions to the item under consideration.

Mr. HARRISON. This is an appropriation, and I am asking for information with reference to this and other appropriations that may go to Oklahoma.

Mr. STEPHENS of Texas. This is an item at the bottom of page 25, and is a treaty item.

Mr. HARRISON. I may make a motion to strike out the item after getting this information and the information may have some bearing on that motion.

The CHAIRMAN. The Chair will ask the gentleman to confine himself to the item under consideration.

Mr. HARRISON. I am trying to do so.

Mr. MURRAY. I want to say that all this money that goes for the transportation of pupils is where they carry them away from the day school to the schools at Chilocco and Haskell and Carlisle. There is only one nonreservation school in Oklahoma, and that is at Chilocco, and that is made up almost wholly of pupils belonging to the Indians in Kansas.

Mr. CARTER. Mr. Chairman, the point is this, if the gentleman will yield for a moment. This money is not being used to take Indians into Oklahoma for educational purposes, but, as was shown by the gentleman from Nebraska [Mr. STEPHENS], it is being used to take Indians out to other States for education, and among those a number go from Oklahoma.

Mr. MURRAY. And none of them from the Five Civilized Tribes.

Mr. HARRISON. Mr. Chairman, I have not yet been permitted to get to the question. Take the item for the purpose of encouraging industry and self-support, $200,000. Does any part of that go to Oklahoma?

Mr. CARTER. None that I know of.

Mr. HARRISON. Does not some of it go to those tribes in Oklahoma other than the Five Civilized Tribes?

Mr. CARTER. Not a dollar. It goes to Indians in Montana, Idaho, and all of the Northwestern States, except that some of it goes to Arizona.

Mr. HARRISON. And none at all to Oklahoma?

Mr. CARTER. No.

Mr. HARRISON. Then take the item that provides money for superintendents of farms and to encourage the Indians in farming, to pay some matrons for going around and teaching children how to sew. Does any of that go to Oklahoma?

Mr. STEPHENS of Texas. Mr. Chairman, I make the point of order that the gentleman is not discussing the item relative to the Pawnee Indians of Oklahoma, the treaty item.

Mr. HARRISON. Mr. Chairman, I submit that this information will have a bearing on whether or not I shall make a motion to strike out that item. It is getting information of how much money in this bill goes into the State of Oklahoma.

Mr. STEPHENS of Texas. Does the gentleman imagine that he can strike out a treaty item?

Mr. HARRISON. If the House so wills, and the majority of the Members vote for a motion to strike it out; yes. Does the gentleman from Oklahoma [Mr. CARTER] answer that question?

Mr. CARTER. I think perhaps they have half a dozen farmers in Oklahoma.

Mr. HARRISON. Then take the item of $1,440,000 for schools. Does any part of that go into Oklahoma to be used among the Indians of that State who are not members of the Five Civilized Tribes?

Mr. CARTER. What page is that on?

Mr. HARRISON. That is on pages 4 and 5.

Mr. CARTER. I think perhaps a small amount of that item goes to Oklahoma, to the reservation schools in the western part of the State. Not one dollar of it goes to the Five Civilized Tribes. The Choctaws and Chickasaws, the Creeks, and the Seminoles support their schools as Indian schools entirely from the funds of the tribes, and there is not a dollar of charge on the Treasury of the United States.

The CHAIRMAN. The time of the gentleman from Mississippi has again expired.

The Clerk read as follows:

For support of Quapaws, Oklahoma: For education (art. 3, treaty of May 13, 1833), $1,000; for blacksmith and assistants, and tools, iron, and steel for blacksmith shop (same article and treaty), $500; in all, $1,500: *Provided*, That the President of the United States shall certify the same to be for the best——

Mr. MANN. Mr. Chairman, I make the point of order against the paragraph.

Mr. STEPHENS of Texas. Mr. Chairman, that is a treaty item. I do not think it would be subject to a point of order.

Mr. MANN. The proviso, I take it, makes it subject to a point of order.

Mr. STEPHENS of Texas. I will admit that the proviso is subject to the point of order. I hope the gentleman will only move to strike that portion of it out.

Mr. MANN. Mr. Chairman, I make the point of order against the paragraph.

Mr. STEPHENS of Texas. Then I offer the item as an amendment without the proviso.

The CHAIRMAN. Let the Chair rule on the point of order. The gentleman from Illinois makes the point of order against the paragraph. The proviso clearly renders it subject to the point of order, and the Chair sustains the point of order. The gentleman from Texas offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 26, after line 4, insert the following:

"For support of Quapaws, Oklahoma: For education (art. 3, treaty of May 13, 1833), $1,000; for blacksmith and assistants, and tools, iron, and steel for blacksmith shop (same article and treaty), $500; in all, $1,500."

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Texas.

The amendment was agreed to.

The Clerk read as follows:

FIVE CIVILIZED TRIBES.

SEC. 17. For expenses of administration of the affairs of the Five Civilized Tribes, Oklahoma, and the compensation of employees, $150,000.

Mr. BURKE of South Dakota. Mr. Chairman, I move to strike out the last word. I am not opposed to this item which provides for the expense of administration of the affairs of the Five Civilized Tribes. I think, if anything, that it perhaps ought to be increased; but assuming that it will probably be increased when it becomes a law, I am not going to object to it and will favor the amount that the committee has reported. I want to call the attention of the committee, and particularly of my friend from Oklahoma, Mr. FERRIS, to this item. The gentleman from Oklahoma was a very able and useful member of the Committee on Indian Affairs a few years ago, and with reference to this appropriation he had much to say, and did much to try and have the amount reduced from what it had been theretofore.

Mr. SISSON. Mr. Chairman, will the gentleman yield?

Mr. BURKE of South Dakota. Yes.

Mr. SISSON. How many Indian agencies are paid out of this $150,000?

Mr. BURKE of South Dakota. Mr. Chairman, I have not the time in the limit of five minutes to go into a detailed explanation of how this money is expended, and I prefer not to do it at this time.

Mr. SISSON. I want to say to the gentleman that unless the House should know something about the number of employees and what they do, it would be utterly impossible for us to determine whether the amount is sufficient or not.

Mr. BURKE of South Dakota. Mr. Chairman, I do not yield any further. The gentleman from Oklahoma will recall that he made many declarations during 1912 and later in 1913 about the large number of persons employed at this agency, and to refresh his memory I want to repeat two or three brief statements that he made at that time. On April 6, 1912, on page 4385 of the RECORD of the Sixty-second Congress, second session, he said:

> There is no other agency in the United States the expenses of which are as great as this. Nothing even approaches it within my knowledge; and I was on the subcommittee of three that made this bill. The expenditures here are more unusual than at any other agency that I know of.

He said further:

> Nineteen long years have passed, and still they are there, and instead of retrenching and getting out they are increasing and sticking tighter to their jobs.

Then he said:

> Now, when we come in and try to limit this and try to get rid of some part of these 211 unnecessary officers in the interest of economy, in the interest of justice, in the interest of a safe and sane guardianship, what are we met with? We are met with the proposition that we are trying to destroy ourselves and trying to destroy our Indian people. It is farcical; it is unsound; it will not bear the understanding of this House.

Then he further said:

> We are suffering from too many officers. We are suffering from too much detailed supervision. You are destroying our State and spoiling the Indian.

Mr. Chairman, the gentleman is no longer a member of the Committee on Indian Affairs, but I am sure he will be interested in knowing what the conditions are there now, three years after he made those statements. Remember that when he made those statements it was in 1912, and when the administration of the affairs of the Government was under the Republicans, then he was clamoring for a reduction of appropriations and for a reduced number of employees in connection with this agency, and he referred to the 211 who were then upon the pay rolls and said that many of them ought to be dismissed. I want to call his attention to the statement made by the assistant commissioner in the hearings before the Subcommittee on Indian Affairs when this present bill was under consideration, in which he said that the number had not been reduced and that the number of employees at this agency at the present time is 291; I want to call his attention to the fact that the appropriation for the year when the gentleman was conducting his crusade against the item and endeavoring to reduce it was reduced to only $200,000, but in the next year, and after our Democratic friends came into control of the Government and had full control in all its branches, the appropriation was increased to $250,000, and for the last year to $260,000, and this year, according to this bill and assuming that no more is carried by its provisions, the item will amount to $235,000. I know the gentleman will be interested in this information, and to know that instead of having 211 employees, as we had at the time he was making his complaint, that the number seems to have increased.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BURKE of South Dakota. Just one minute more?

The CHAIRMAN. The gentleman from South Dakota asks unanimous consent to proceed for one minute. Is there objection? [After a pause.] The Chair hears none.

Mr. BURKE of South Dakota. Mr. Chairman, I am not complaining about the number of employees at that agency. I stated three years ago that I did not believe the number there was excessive, and that those who were there were required in order to carry out the work that was necessary to be done in connection with the Five Tribes. I am not complaining about the number that are there at the present time. I have no doubt they are all performing efficient service, that they are all necessary, probably, if the business affairs of the Five Civilized Tribes are ever to be closed up, or to be closed up within the lifetime of anyone who is now a Member of this House. Perhaps the gentleman may have some explanation for the fact that in the last three years the appropriations have not only not decreased but have increased and, according to the statement of the assistant commissioner, there are as many employees now as there were then, if not a larger number. In my opinion, though, as already stated, I believe that the number of employees is not excessive considering the great amount of detail and work there is to be performed in connection with the business of settling the affairs of the Five Civilized Tribes.

Mr. FERRIS. Mr. Chairman, I do not rise to get into any colloquy with my good friend from South Dakota. I am very fond of him personally and in every other way, and what he said does not wound my feelings a particle. I said then, and I say now, that in my judgment there are too many Indian employees running around in our State, and if he can produce one line, one word, or one sentence from me anywhere to the contrary, I bid him Godspeed. I do not believe in appointing an Indian agent to supervise every Indian in my State or in the State of the gentleman from Minnesota [Mr. MILLER] or in the State of the gentleman from South Dakota [Mr. BURKE]. You can hover over and cuddle and blow the nose of every Indian until he does not do anything and is not worth anything and he does not do any good in my State or in the gentleman's State; and my belief is not changed now from what it was three years ago, when the Republicans were running the affairs of the Government. The same kind-faced gentlemen in the Indian service are there now who were there then. Lots of them ought to be discharged, and if I had it in my power I would accomplish it quickly. It is not in my power. I am not consulted much about Indian matters. As I said before, my words are not at variance, and my statement now is not at variance, and I believe now, just as I believed then, that neither by word of mouth or energy or activity before the gentleman's committee or before the commissioner or before the Indian Department or before the Interior Department or before the Congress have I ever wavered in that belief.

I want the Indian people to do well. I wish I could help them more than I am able to do. I wish I could close their affairs, give them their funds, release them from too much controversy and from being treated as a football. They have occupied the center of the stage too long. May God speed the day when it is over.

Mr. MILLER. Mr. Chairman, I would like to be recognized to ask the gentleman a question.

The CHAIRMAN. The gentleman from Minnesota moves to strike out the last two words.

Mr. FERRIS. To ask me a question?

Mr. MILLER. Of either the gentleman from Oklahoma [Mr. FERRIS] or of the gentleman from Oklahoma [Mr. CARTER].

Mr. FERRIS. I thought my statement was clearly of such brutal frankness that no one would desire to ask me a question.

Mr. MILLER. I desire to ask the gentleman a serious question. As I understand the law which we passed a year ago, providing for the combining of the two offices of the Commissioner to the Five Civilized Tribes and the superintendent of the Union Agency into one office, the incumbent to be known as the superintendent of the Five Civilized Tribes. That has now been put into operation——

Mr. CARTER. If the gentleman will excuse me, I did not understand the latter part of the gentleman's question.

Mr. MILLER. There has now been put into full operation and effect the reorganization of the affairs of the Union Agency provided for in the act of a year ago?

Mr. CARTER. Well, the superintendent has been appointed.

Mr. MILLER. He is now in charge, is he not?

Mr. CARTER. He is in charge.

Mr. MILLER. And the agent of the Union Agency no longer is there, I assume?

Mr. CARTER. The superintendent of the Union Agency is there temporarily, as I understand. The gentleman has had some experience with temporary matters relating to warehouses. Perhaps he may know what that means?

Mr. MILLER. May I inquire of the gentleman whether it is his opinion that Mr. Kelsey, superintendent of the Union

Agency, is soon to be relieved of his duties and assigned to duties elsewhere, so that there will be one official left?

Mr. CARTER. I can not give any information about that. Mr. Kelsey is still there, and he is carried as a temporary employee. How long he will stay I do not know.

Mr. MILLER. Is he at work?

Mr. CARTER. I do not think so.

Mr. MILLER. He used to be a very busy man. It seems to me that if there had been this consolidation, which was contemplated in the act a year ago, very likely $150,000 could be very materially reduced now.

Mr. CARTER. I had hoped so.

Mr. MILLER. If the gentleman has hoped it could be reduced, what is his expectation as to present conditions requiring it to be reduced?

Mr. CARTER. Mr. Chairman, the superintendent has been appointed only a short time. Perhaps he has not yet had time to reorganize the force, and just what reorganization he will be able to make I am unable to say.

Mr. MILLER. In the interest of economy, for which we are all striving, do you not think that we ought to reduce it from $150,000 to $100,000?

Mr. CARTER. The gentleman will remember that I was trying to reduce that item very strenuously at one time and was unable to do it, and I have about given up all hope of ever getting it reduced.

Mr. MILLER. We were opposed to it then, because we thought that the amount was necessary for the proper administration of the affairs. We think so now, but if the gentleman's program has not failed we might do it.

Mr. CARTER. I admit, Mr. Chairman, that this gentleman from Oklahoma does not seem to have a great amount of influence with his own program.

Mr. MILLER. As I understood it, on a former occasion the gentleman from Oklahoma [Mr. FERRIS] and his colleague [Mr. CARTER] both eloquently expressed their opinion to Congress that if we reduced that provision, that in itself would be the strongest and best way to clarify things as they wanted them clarified.

Mr. CARTER. If the gentleman will permit me just a moment, I do not think there is a particle of doubt that there is a lot more of dead timber in the Indian Service in Oklahoma than in any other branch of the service, and I doubt not there is a surplussage in every State. I would like to see it cleaned out and see it placed on the cheapest and most economical basis, so that every man would earn every dollar he gets. To that end I will join with the gentleman from Minnesota or any other gentleman at any time in an effort for the betterment of the service. I tried my best to have that done when we provided for the consolidation of this office. If that does not do it, then I shall feel almost at my rope's end, so far as that particular proposition is concerned.

Mr. MILLER. As I understand the facts now, it is admitted that within a recent period of time—that is, within two or three years, at least—in the Creek Nation lands that were known absolutely to be worth fabulous sums, even in these days of great riches, were allotted to individuals?

Mr. CARTER. I did not catch the gentleman's question.

Mr. MILLER. I understand within a recent period of two or three years lands belonging to the Creek Nation have been allotted to individuals of the Creek Nation at a time when it was known that those lands were worth fabulous sums?

Mr. CARTER. I think, perhaps, that is correct.

Mr. MILLER. May I inquire whether that was due to too much supervision or to too little supervision? It seems to me unconscionable that a few individuals should get hold of them instead of their becoming part of the wealth of the entire nation.

Mr. CARTER. I think, Mr. Chairman, it was due to Congress and laws that we passed permitting it to be done.

The CHAIRMAN. The time of the gentleman from Minnesota [Mr. MILLER] has expired.

Mr. CARTER. Mr. Chairman, I desire to be heard in opposition to the amendment.

The CHAIRMAN. The gentleman from Oklahoma is recognized.

Mr. CARTER. The gentleman is discussing now a proposition that takes us back to the making of the treaties with the Creek Indians and the provisions for the breaking up of their communalistic holding of property and dividing it in severalty. The gentleman well remembers that the law provided that each enrolled Indian should be allotted not a certain number of acres of land but a certain valuation of land, based upon an appraisement made by the commissioners appointed by the Secretary of the Interior.

Mr. MILLER. I do not think that is quite a fair statement. I think it is provided that each individual should receive 160 acres of land, and if that land in valuation was less than $1,040——

Mr. CARTER. That is, of course, a detail of the proposition. But each allottee was to have not less than $1,040 worth of land. But the appraisement of any official did not represent the actual value of the land. That was only an arbitrary appraisement made for the purpose of allotment, and in fairness to the commissioners who made the appraisement it might be said that their appraisement was made before the fabulous wealth of this land became known. But before the allotments were made of which the gentleman speaks oil had been developed upon the land and it had become fabulously wealthy. I assume that the Secretary of the Interior concluded that he had no right to deny a man the right to allot any certain portion of the Creek domain that he saw fit to allot, and he would be violating the law which Congress passed if he did it. Was that the information the gentleman wanted?

Mr. MILLER. I think that is unquestionably the situation. But the reason for my inquiry was that, having regard to the tremendous wealth and the desirability of equally distributing that wealth among the Indians in Oklahoma, is it not necessary that there should be quite an extensive force to ascertain necessary facts and administer the law? Are not the circumstances there such as justify the retention of quite a material force to administer and handle, as it were, this very enormous estate?

Mr. CARTER. As the gentleman well knows, the tribal affairs of the Creek people have about been wound up, with the exception of some contested allotments and a small amount in the Treasury, and everything has been divided among the Creek people. The fabulous wealth that the Creek people have does not consist of tribal property, but it consists of allotments made to allottees, in most instances, before anyone knew that these lands were fabulously wealthy.

Mr. MILLER. As a matter of fact, the activities of many of these employees of the Government have been exerted to aid and assist the Indian allottees in regard to their mineral wealth?

Mr. CARTER. I assume they have.

Mr. MILLER. And to aid in a proper administration of this wealth out among the Indians?

Mr. CARTER. If they have not done that, Mr. Chairman, they have certainly been derelict in their duties.

Mr. MILLER. They have been doing that, and for that reason a large number of employees are necessary?

Mr. CARTER. Yes; a large number of employees are necessary; but I do not back down from my position that there is in the Indian Service a lot of dead timber that ought to be cleaned out.

Mr. BURKE of South Dakota. Mr. Chairman, will the gentleman yield?

Mr. CARTER. Yes; I yield to the gentleman.

Mr. BURKE of South Dakota. I do not think the gentleman will say or that the gentleman thinks that the force that is employed in connection with the agency at Muskogee is unnecessary when you consider the number of persons that are under the supervision of that agency, and the great amount of property that is involved—a great sum, I believe as much as $10,000,000 in a year being collected, and having to be accounted for. In view of the fact that a great deal of that money is on deposit in local banks in the State of Oklahoma, which must be deposited under regulations and with much care, together with the collection of interest upon deferred payments in connection with the sale of lands and town lots, and interest on deposits, and the other numerous matters that there are in connection with that great work, I do not think the gentleman will say that there is an excessive number of employees at that agency, and that they are not necessary in the proper conduct of the affairs of that agency; and to reduce them until such time as the affairs may be more nearly concluded than they are now would be harmful to the service.

The CHAIRMAN. The time of the gentleman from Oklahoma has expired.

Mr. BURKE of South Dakota. Mr. Chairman, I ask that the gentleman from Oklahoma [Mr. CARTER] may have two minutes more.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

The CHAIRMAN. The gentleman from Oklahoma [Mr. CARTER] is recognized for two minutes more.

Mr. CARTER. Mr. Chairman, there is much virtue in what the gentleman from South Dakota [Mr. BURKE] says, but I am

convinced, as I said two or three times on the floor of the House, that there are a great number of unnecessary employees in the Indian Service throughout the country. I am in hopes that our present Commissioner of Indian Affairs will weed out those that are unnecessary and keep only those that are necessary to protect the Indians. There is a large estate there, and it is necessary to have employees to supervise it. But I had hoped that when we appropriated $85,000 for probate attorneys to take from that agency the responsibility for the settlement of probate matters we would be able to reduce the force of employees and the amount appropriated, but the commissioner does not seem to think he will be able at this time to reduce the amount below that carried in this bill.

Mr. HARRISON. Mr. Chairman, will the gentleman yield?

Mr. CARTER. Yes.

Mr. HARRISON. In that connection the gentleman mentioned probate attorneys. That item was formerly carried in this item of $150,000, was it not?

Mr. CARTER. Oh, no. They were not probate attorneys.

Mr. HARRISON. Who attended to those minors' matters?

Mr. CARTER. No probate attorneys were employed to attend to those. The district agents were made use of for that purpose at that time.

Mr. BURKE of South Dakota. If the gentleman will permit, in the appropriation bill for the fiscal year ending June 30, 1914, in the lump sum appropriated for the administration of the Five Civilized Tribes, there was included a provision for these probate attorneys.

Mr. CARTER. That is the first time it was carried. That is what I intended to say.

Mr. HARRISON. That is my impression. Now, you carry $150,000 in one item and $85,000 in another. Is that more than was formerly carried altogether?

Mr. CARTER. It was $250,000 before.

Mr. HARRISON. Then you reduced it $15,000?

Mr. CARTER. Yes.

Mr. HARRISON. Are there as many employees now, counting the probate attorneys, as there were before?

Mr. CARTER. I think so.

Mr. HARRISON. Is Miss Kate Barnard employed in the Indian Service now?

Mr. CARTER. No, sir; she is not.

Mr. HARRISON. What was her position?

Mr. CARTER. I think she was commissioner of charities.

The CHAIRMAN. The time of the gentleman from Oklahoma has expired.

Mr. HARRISON. Mr. Chairman, I move to strike out the last word.

Mr. BURKE of South Dakota. Would it not be more in order for the gentleman to discuss the probate attorneys in the next item?

Mr. HARRISON. Yes. Very well.

The CHAIRMAN. Without objection, the pro forma amendment is withdrawn. The Clerk will read.

The Clerk read as follows:

For salaries and expenses of such attorneys and other employees as the Secretary of the Interior may, in his discretion, deem necessary in connection with probate matters affecting individual allottees in the Five Civilized Tribes, $85,000.

Mr. MANN. Mr. Chairman, I reserve a point of order on the paragraph.

The CHAIRMAN. The gentleman from Illinois reserves a point of order on the paragraph.

Mr. BURKE of South Dakota. Mr. Chairman, I ask to be recognized for 30 minutes.

Mr. CARTER. The gentleman has 30 minutes. Does he propose to use that now?

Mr. BURKE of South Dakota. Yes.

The CHAIRMAN. The gentleman is recognized for 30 minutes under the unanimous-consent agreement.

Mr. BURKE of South Dakota. Mr. Chairman, I am not going to say anything against the appropriation that is proposed by the provision just read, because I am very much in favor of it, believing that it is necessary to provide for a force of attorneys for the protection of Indian minors in the county or probate courts of Oklahoma. I wish, however, to make a brief statement, not for the purpose of criticizing, but in order that my views with reference to the necessity for providing such a force may again be recorded for the benefit of the next and future Congresses, because I do not expect ever again to take part in the consideration of an Indian appropriation bill in this House, for on March 4 my services here will be terminated. What I shall say now will be in justification of the position asserted by me a few years ago, when I brought to the attention of the House a condition of affairs that existed in the county courts in the Five Civilized Tribes in Oklahoma with reference to the handling of the estates of Indian minors that was most outrageous and appalling, and unequaled by anything like it in our entire history. Because I exposed those conditions I was denounced and assailed from various quarters by those who live in Oklahoma, and by some of the Members of this House from that State, for making statements that they said were intended to be sensational and that were without foundation. I can now say that as the facts have become better known, instead of the charges and statements I made with reference to the conditions that obtained in the probate courts of Oklahoma as to estates of Indian minors being without foundation or exaggerated, they were all true, and no one will attempt to dispute them; and I am sure that those who have any information on the subject will admit that I was fully justified in everything that I said; and, if anything, a very much worse condition really existed than the one described by me. This subject first attracted widespread attention three or four years ago, and I will briefly review how it came to be discussed at that time.

Beginning with the Sixty-second Congress, a very determined effort was made on the part of some of the distinguished Representatives from Oklahoma on that side of the House to eliminate an appropriation that had been made annually for the purpose of maintaining in the Five Civilized Tribes what are known as "district agents," who were employed for the purpose of supervising the affairs of the restricted Indians, and particularly to represent Indian minors in the probate courts. It was represented by some of these gentlemen that these agents were unnecessary and that they interfered with the business of the county courts, and that Oklahoma was quite capable of administering the law with reference to the estates of Indians the same as the estates of white people in the State. One of the very distinguished Members of this House from Oklahoma on that side of the Chamber, referring to the district agents, called them "political smellers, misfits, without authority, and men who should look for another job."

Prior to May 27, 1908, the jurisdiction of administering estates of minor Indians in the Five Civilized Tribes was exclusively in the Interior Department, but on May 27, 1908, the following law was enacted:

That the persons and property of minor allottees of the Five Civilized Tribes shall, except as otherwise specifically provided by law, be subject to the jurisdiction of the probate courts of the State of Oklahoma.

In my opinion, it was unfortunate that Congress placed the jurisdiction of administering estates of Indian minors in Oklahoma in the county courts, and particularly the estates of restricted Indians. The environment is not such in a locality where there are many Indians as to insure a safe administration of their affairs in the county courts of the State, and a better administration can be secured through the supervision of the Federal Government. Under the law the probate jurisdiction as to Indians generally is in the Interior Department, with the exception of the Five Civilized Tribes in Oklahoma.

I resisted the effort to eliminate the appropriation for the district agents and asserted that I believed if they were discontinued it would result in estates of the Indians being despoiled, and particularly the estates of Indian children. I cited on different occasions certain concrete cases where it was shown that minors were being robbed through the incompetence and dishonesty of administrators and guardians, and that if the courts were not parties to it they were indifferent as to what happened.

In 1910 this matter first came to my attention, when I was in Oklahoma as a member of a commission of which the gentleman from Kansas [Mr. CAMPBELL], the gentleman from Minnesota [Mr. MILLER], the able chairman of the committee at the present time [Mr. STEPHENS of Texas], and the gentleman from Virginia [Mr. SAUNDERS] were members; and while we were not there for the purpose of investigating the subject of Indian administration generally, but a special matter having reference to Indian contracts made with attorneys, we did make some inquiries about probate proceedings, and particularly in regard to the way estates of minors were being managed. Later we brought the matter to the attention of Congress.

We found at the time we were in Oklahoma two cases that I particularly want to mention; one that of a Choctaw Indian child, 11 years of age, owning 320 acres of land. A guardian was appointed and an application made to the court by the guardian to lease 26 acres of the land for a stone quarry for 10 years at $25 a month, payable in advance. The lease was made and approved by the county judge. On the same day the guardian filed with the court a petition to sell the 320 acres of land, alleging it was necessary to get money to pay for the support of the child. The petition was granted, and the 320 acres, in-

cluding the tract that had been leased at $25 a month, was sold to the lessee for $420; $100 of the amount was allowed for court costs and expenses. The county judge approved the sale.

In the other case a probate judge appointed a white man guardian of his own child by an Indian mother. A few days later the guardian filed a petition to sell 320 acres of land that the child had inherited from its mother. The court ordered the land sold. Appraisers were appointed. The land was appraised at $2,560. It was sold for $2,000 to one of the appraisers. In the account filed by the guardian, which was approved by the court, expenses were charged against the ward, so that the ward was owing the guardian $2,062.15. Then a petition was presented for authority to sell the homestead of the child, in order to pay the balance claimed to be due after taking all of the proceeds received from the 320 acres of land that the child had inherited from its mother.

Mr. STEPHENS of Texas. Is it not a fact that these are a few exceptional cases, and that the judge who was guilty of that was defeated at the next election?

Mr. BURKE of South Dakota. I am only citing two of the cases which we discovered. I will say to the gentleman from Texas and to the committee that there were many such cases. As to whether the judge was defeated in the next election, I am unable to say.

Our Oklahoma friends on the other side of this Chamber, with great feeling and eloquence, resented the charges presented by me and asserted that there was no foundation therefor.

On December 13, 1912, when this question was again under consideration, I made some remarks, among other things, assailing the honesty and integrity of some of the probate judges in the counties within the Five Civilized Tribes, and charging others with indifference as to the affairs of Indian minors and Indian children, and particularly in guardianship matters; and in connection with my remarks I quoted from a report made by Mr. M. L. Mott, who was then the tribal attorney for the Creek Nation, and showed that it cost about 20 per cent of the amount handled to pay the expenses incident to the guardianships of certain Indian minors in a very large class of cases where the guardians were known as "professional" guardians; that in one county it was 20.13 per cent, while in the same county in Indian cases where the guardian was some man of repute the cost of administration was only 4.2 per cent, and in cases of guardians of white minors the cost was only 1.7 per cent. I also pointed out that in addition to excessive cost of administration, enormous losses had resulted through embezzlement of funds, loaning money belonging to estates upon worthless security, and a general indifference and neglect on the part of those charged with the administration of estates of Indians. Many Members of the House will recall the speech to which I have referred and the action of the gentlemen from Oklahoma on the other side of the House in denouncing the statements made by me, and also the Mott report, asserting that the charges were untrue and without foundation and a libel and slander upon their State. I am not now going to embarrass any of my good friends from Oklahoma by quoting at any length what some of them said at that time or on other occasions when this matter was discussed. I am quite sure that they will admit that practically all that I said was true, as well as the charges contained in the Mott report, and that I was fully justified in making the charges. I think they will also admit that it is necessary for the protection of the minor Indians in their State to have some kind of Federal supervision in the probate courts.

Following my speech of December, 1912, the membership in this House from Oklahoma, desirous, probably, of ascertaining whether there was any foundation for the charges that I had made and those contained in the Mott report, communicated the same to the governor of their State and requested that he make an investigation thereof. I understand the governor caused a thorough investigation to be made, and when the result of that investigation reached our friends here and at the other end of the Capitol, on April 22, 1913, this letter was addressed and mailed to the governor of Oklahoma.

WASHINGTON, D. C., *April 22, 1913.*

LEE CRUCE,
Governor of Oklahoma, Oklahoma City, Okla.:

Your delegation in Congress desires to respectfully call your attention to the necessity for amending and improving our probate laws for the better protection of minor estates and full-blood heirs. The numerous investigations of these matters made by Federal employees report appalling conditions. These reports have been exploited in both Chambers of Congress——

Mr. MURRAY. Will the gentleman yield just there?

Mr. BURKE of South Dakota. I would rather wait until I have finished the reading of the letter.

An investigation by our State authorities confirm such reports and finds the derogatory accusations of the Mott report "substantially correct." Your delegation is sure to be confronted with these charges and this admission when attempts are made to get legislation. Unless something is done toward outlining a procedure which will regulate and reduce to a minimum the cost of administering those estates, which will give to the incompetent proper representation in the sale of his property and disposition of the proceeds thereof, which will provide hearings in open court after due notice on important matters affecting these estates, and which generally tightens up our probate procedure along safe and honest lines, your delegation in Congress will be unable to get congressional legislation necessary for the development and prosperity of our State, and it may be extremely difficult to retain such probate jurisdiction as we now have. To avoid expense of wiring all Members, please have this message read to both house and senate.

R. L. OWEN, *Chairman.*
CLAUDE WEAVER, *Secretary.*
T. P. GORE.
W. H. MURRAY.
J. B. THOMPSON.
B. S. MCGUIRE.
DICK T. MORGAN.
JAMES S. DAVENPORT.
C. D. CARTER.
SCOTT FERRIS.

I have read that letter, Mr. Chairman, in order to show that the Oklahoma delegation in Congress finally recognized that there was foundation for the charges that I had made, and they evidently were desirous that something be done to correct the evil conditions that they finally realized existed. I commend them for their action in that regard. Now, I yield to the gentleman from Oklahoma.

Mr. MURRAY. Of course, the gentleman knows that I was not here when that was up. He knows also that I agree to what he says, that it has a fundamental basis of truth. What I want to say is this: Some time last year the Commissioner of Indian Affairs, in connection with the county judges in the east half of the State, agreed upon a set of probate rules——

Mr. BURKE of South Dakota. I am coming to that, if the gentleman will allow me.

Mr. MURRAY. You remember that the Supreme Court——

Mr. BURKE of South Dakota. The gentleman was here in April, 1913, and his name is signed to the letter addressed to the governor of Oklahoma that I read a moment ago. It is only fair to the gentleman that I say his service here only dated from the 4th of March of that year.

Mr. MURRAY. The Supreme Court since that time have adopted those rules.

Mr. BURKE of South Dakota. I understand that. I am going to mention that.

Mr. MURRAY. Very well.

Mr. BURKE of South Dakota. In addition to continuing the force of district agents, or at least some of the force, we are now appropriating annually $85,000 and expending it in the employment of probate attorneys, and this bill contains an item for such an appropriation, which is the item now being considered. There are now employed 18 attorneys in the Five Civilized Tribes who go to the court records, check up the proceedings in connection with the estates of minor Indian children, see that proper returns are made, and assist the county judges in protecting the interests of the minor Indians. These probate attorneys were asked for by the present Commissioner of Indian Affairs, who evidently became convinced early in his administration that it was absolutely necessary to have some kind of a force to protect Indian minors, and I quote from his annual report:

PROBATE WORK IN OKLAHOMA.

The minor children of the Five Civilized Tribes are perhaps the richest average children in the United States, which condition results from the fact that in allotting the Oklahoma Indians the children were given the same number of acres of land as their parents and share equally in tribal funds. Consequently when Congress, in the act of May 27, 1908, conferred upon the county courts probate jurisdiction there was involved a greater amount of probate work than existed anywhere else. This, together with the fact that Oklahoma was admitted into the Union in 1907 and that the county judges then elected did not all possess the highest standards, necessarily brought about a demoralized, inefficient and in some instances corrupt condition.

It is apparent that many guardians were appointed without regard to their fitness and insolvent bondsmen accepted. It was not uncommon for lands of minor Indian children to be sold on appraisements influenced by prospective purchasers and for inadequate prices. Excessive compensation was many times allowed guardians and unreasonably large fees paid to attorneys. Under these conditions the property of Indian children was frequently so ravished that when final reports were called for they were not forthcoming, and estates were often found to have been dissipated and their bondsmen financially irresponsible. Altogether it developed a condition demanding speedy and radical reforms.

I found this startling situation soon after my induction into office in June, 1913, and immediately proceeded to effect an organization whereby there might be assurance that this indefensible procedure might no longer obtain.

This is the statement of the present Commissioner of Indian Affairs, who is a Democrat, and therefore our friends from Oklahoma on the other side of this Chamber, I am sure, will not question the truthfulness of what he says with relation to the conditions that he states existed in 1913.

After the commissioner had been in Oklahoma and had gone from there to Colorado, and upon December 31, 1913, he was interviewed at Denver with reference to probate matters in Oklahoma, his interview appearing in the Denver Times of that date, and in that interview he corroborated what he later stated in his annual report. And this is what he said:

The Indian children of Oklahoma are the richest average children in the United States. However, it is a lamentable fact that they have less statutory protection there than in any other State. In the 40 counties in eastern Oklahoma there are now pending from 800 to 1,500 probate estates, about 85 per cent of which are Indian children's estates.

I have recently discovered that it costs about 3 per cent to settle a white child's estate and that it costs more than 20 per cent to settle the estate of an Indian boy or girl. This is the result of guardians having been appointed without regard to their equipment and the acceptance of bondsmen many times wholly insolvent.

Enormous fees have been charged by attorneys and unconscionable fees by guardians, together with indefensible expenditures of their funds, which has frequently resulted in the dissipation of their entire property.

GUARDIANS OFTEN ABSCOND.

It is not an uncommon thing when an Indian child reaches his majority to find that his guardian has absconded and that his bondsmen are wholly financially irresponsible. It is my determined intention to reform this indefensible condition, and to this end I have recently appointed a number of probate attorneys, who will give their whole time, under my direction, to this work. I am now submitting a number of cases to the grand juries in Oklahoma looking toward the indictment and criminal prosecution of those who have embezzled their funds.

The commissioner on one of his visits to Oklahoma held a conference with the county judges, the prosecuting attorneys, and district judges within that section of the State comprising the Five Civilized Tribes, and rules of probate procedure were adopted, which are very complete, and I understand they were later approved and promulgated by the Supreme Court of Oklahoma and are now being observed generally by the several county judges. An effort was made to have the State legislature enact legislation giving these regulations the force of law, but my information is the effort was defeated at the instance of a lobby that represented those who were profiting from the traffic.

As the result of the employment of probate attorneys and the adoption of the rules of probate procedure, conditions have greatly improved and much has been accomplished thereby. The commissioner in his annual report for the last fiscal year, with reference to the matter, says:

Widespread and gratifying results have already been accomplished. Wrongdoers have been prosecuted; estates have been recovered; dishonest and incompetent guardians have been removed; worthless bonds have been replaced with responsible bondsmen; and many thousands of dollars have been saved to Indian minors and invested for their benefit. These direct results are also increased to an extent which can only be approximated by the moral influence which has resulted operating powerfully to prevent a repetition of wrongdoing and to insure better conditions in the future.

He also expresses confidence that the next legislature will enact laws in harmony with the probate rules that have been adopted and that permanent protection of the property of Indian minors will be assured. He gives it as his opinion that there is now among the people of Oklahoma a universal sentiment that such legislation is necessary. I understand that this question was an issue in the last election and that many of those who refused to allow action by the last legislature and who were controlled by the lobby were defeated for reelection. If this is true, it is to the credit of the State, and it gives hope to those who are honestly endeavoring to protect the Indians that conditions which have heretofore obtained, particularly in the probate courts, will no longer be tolerated.

With reference to the $85,000 for probate attorneys, the estimate shows how it is proposed to expend the money if it is appropriated, and it appears that during the next fiscal year it is intended to employ 21 probate attorneys and pay them a salary of $2,500 each, in addition to their traveling expenses, instead of 18, as are now employed, and it is also proposed to expend $17,000 for stenographic and clerical assistants. The estimate in detail is as follows:

APPROPRIATION JUSTIFICATION, 1916.

"Probate attorneys, Five Civilized Tribes: For salaries and expenses of such attorneys and other employees as the Secretary of the Interior may, in his discretion, deem necessary in connection with probate matters affecting individual allottees in the Five Civilized Tribes, $85,000."

In justification of the above item included in the estimates for the Indian Service for the year ending June 30, 1916, I submit the following:

21 probate attorneys, at $2,500 each	$52,500
Stenographic and clerical assistance	17,000
Traveling expenses	10,000
Telegraph and telephone service	1,750
Printing, binding, advertising, etc	350
Rents	3,000
Miscellaneous	400
Total	85,000

I wish to call the attention of the House to the way this $85,000 is expended in the matter of the force that it provides for. Notwithstanding all employees in the Indian Service, as well as the district agents, who formerly performed much of the service that is now being performed by the probate attorneys, are in the classified service, this appropriation is all expended and appointments are made by the Commissioner of Indian Affairs without any regard to the civil-service requirements; in other words, these probate attorneys are political jobs. I merely mention it in passing. It will be apparent that, considering that the persons appointed will be chosen in Oklahoma, they will have to be selected with a regard to the wishes of those who dispense the patronage in that State, and that it can not result in the appointment of as strong a force as would be secured if appointments were made from an eligible list furnished by the Civil Service Commission, the same as other similar appointments in the civil service of the Government are made.

Mr. STAFFORD. Will the gentleman yield?

Mr. BURKE of South Dakota. For a brief question.

Mr. STAFFORD. What salary do these special attorneys receive?

Mr. BURKE of South Dakota. Two thousand five hundred dollars and expenses.

Mr. STAFFORD. I notice in another place where the attorneys receive less than $2,000.

Mr. BURKE of South Dakota. That is another matter. Mr. Chairman, in order that I may not be accused of being unfair or partisan, I want to say that in the last campaign in Oklahoma there was a contest between the present or then county judge of a certain county, who is a Democrat, and another Democrat who was seeking the office. The man who was attempting to dislodge the incumbent published in one of the leading papers of Oklahoma a political advertisement in which he set forth the reasons why the incumbent should not be reelected. I want to quote briefly from his statement, because it comes from a Democratic source in Oklahoma; it will surely have great weight with our friends on that side of the House, being the statement of a local Democrat in that State. This is the substance of what was contained in the political advertisement referred to:

That in one case of a minor's estate a firm of lawyers was allowed a fee of $7,500 for acting as the attorneys for the guardian of the estate, and the county judge who allowed this fee before his election was a member of the firm; that $500 would have been a liberal fee for the services performed; that there was no litigation whatever, and the service was merely giving advice to the guardian. In this same estate other attorneys' fees and expenses were allowed, so that the total, including the $7,500 fee paid to one firm of attorneys, as before stated, was $22,000.

In another case the judge allowed the attorney $8,000 for his fee in acting as attorney for the guardian.

In another case attorneys were employed by the guardian of a minor and authorized by the court to bring suit for the minor to quiet title to his land. They did so, and in the superior court secured a decree quieting the title and securing a judgment for $250. Subsequently the attorneys allowed the judgment to be set aside by agreement and permitted another party to intervene in the case, and consented that a judgment might be entered in favor of this other party against the minor's estate, awarding him $750. The attorneys were allowed by the court a fee of $500, which was paid from the minor's estate.

That the judge approved a loan of $2,400 made by a guardian of some minors. The loan was approved by the judge and the money paid from the estate of the minors. Within two years, default having been made on the first interest payment, the mortgage was foreclosed at sheriff's sale and the property only brought $263.20, or about 10 per cent of the amount loaned.

In another case this same judge permitted the guardian of a minor to purchase and pay for out of the minor's funds $5,000 worth of bonds in a certain publishing company that publishes a newspaper in Oklahoma; that he has permitted guardians to purchase $22,000 more of the same bonds; and that notwithstanding he has approved investments in these bonds aggregating $27,000, the assets of the company are listed for taxation at only $14,000. A prominent citizen living in Oklahoma told me only a few days ago that the actual value of the entire plant of this newspaper is not more than $5,000. I have no personal knowledge of the value of the plant, but as one that has had some experience in making investments, I do not regard such property a desirable security for a loan of any amount, especially not a security upon which to loan the money of a minor, Indian or white.

Mr. Chairman, Oklahoma is the only instance where Federal aid has been extended to a State to protect a class of its citizens from being wronged in its courts. That aid is requested and recommended by the Indian Bureau, and the appropriation now annually being made for that purpose gives to that State a conspicuous publicity and calls attention to a condition that is certainly degrading, and it can not help but affect the development of the State.

As I stated, we must provide this appropriation whether we like it or not. I think we not only ought to employ these attorneys, but they should by law be clothed with authority, so that they can appear in court and have a right, if necessary, to appeal from the order of the county court without bond. I could cite, if I had the time, many instances where injustice has been done by reason of the fact that county judges have taken exception to one of these attorneys appearing, claiming that they possessed no legal authority to represent the Indian minors.

The CHAIRMAN. The time of the gentleman from South Dakota has expired.

Mr. MANN. I ask unanimous consent that the gentleman may have five minutes more.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. BURKE of South Dakota. Mr. Chairman, I am not going to talk any further at length except that I want to express the opinion that I believe the present Commissioner of Indian Affairs is honestly endeavoring to correct the evil conditions that obtain in Oklahoma, and he has my full sympathy and support, and so long as he demonstrates a disposition to protect the Indians from being despoiled as they have been in the past I sincerely trust he will have the support of Congress. It is my belief, however, that if he attempts to act independent of the political influences in Oklahoma some way will soon be devised to displace him as commissioner and install some other man in his place who will not be too critical as to what may happen with reference to Indian matters.

Mr. MANN. Will the gentleman yield for a question?

Mr. BURKE of South Dakota. I yield to the gentleman.

Mr. MANN. The gentleman has already referred to and recalls the debate that we had in the House two years ago on the item where the gentleman from South Dakota was offering an amendment to provide for district agents, which met with violent opposition from the other side of the House. I would like, with the permission of the gentleman, to quote from a speech made at that time in connection with an inquiry put to him.

Mr. BURKE of South Dakota. I will yield if I have the time.

Mr. MANN. The gentleman from Oklahoma [Mr. CARTER], in opposing the appropriation for district agents in 1912, made this statement. It is found on page 4446 of the RECORD of April 8, 1912:

> Now, with regard to the district-agent amendment, I have only time to remind this committee that Oklahoma has been a State for almost five years, and she is as fully equipped to protect and care for her minors as the average State in this Union. Our courts are vested with full jurisdiction of probate matters and the judges have the right to appoint attorneys for incompetents. Furthermore, Mr. Chairman, we have in Oklahoma a State board of charities and corrections, presided over most efficiently and courageously by that fearless defender of the weak and helpless—Miss Katie Barnard. There has been created in her department a special bureau for this very purpose—the care of Indian minors—with an attorney at its head, equally capable and enthusiastic, in the person of Dr. J. H. Stolper, and I would like to see the color of the grafter's eye that puts any shady deal across the plate when these two crusaders are on watch.

I would like to ask my friend from South Dakota if he knows whether these two "crusaders" are now on watch, or whether the political ring has dispossessed them and put somebody else in their place?

Mr. BURKE of South Dakota. Mr. Chairman, I have no information that will enable me to answer the gentleman's question except what Miss Barnard herself has stated.

Mr. STEPHENS of Texas. I hope the gentleman will confine himself to the section.

Mr. MANN. This is to the section. This is what it is about.

Mr. BURKE of South Dakota. I have a copy of the New York Herald of July 23, 1914, which contains a statement purporting to have been made by Miss Barnard, and this is what she is quoted as having said:

> The bold action of the fourth legislature in wrecking a department of state—a constitutional office—and securely tying the hands of an officer elected by the people is unexampled in the history of our Nation. Thieves and robbers have always preyed upon the property of others, but it remains for the land grafters of Oklahoma to attack and attempt to destroy a constitutional office in order that their past villainies shall be covered up and to make easy the looting of every Indian estate within our borders.
>
> I asert and maintain that the wrecking of the department of charities and corrections came about because the grafters attempted to gain control of it and failed. Long before the legislature met it was decided that everything was to be controlled by a small clique. If the legal bureau connected with the department could be placed in "friendly" hands, the department would be spared and the commissioner voted to be a good little woman. I would not consent to turn my department over to the grafters. You know the result. From that time until now I have been unable to protect a single child in the State. My inspector was taken from me, and since that time our State institutions have had no inspection nor supervison.
>
> The department of charities and corrections has been given ample authority by law to protect minor children from robbery and graft. It is now the only duly constituted authority of Oklahoma empowered by law to appear in the courts of the State on behalf of a minor child. The exercise of this authority, of course, depends upon the means at my disposal. Without funds nothing can be done. In pursuance of a well-laid plan the fourth legislature by its refusal to appropriate money for the performance of the duties imposed by law wrecked the department.
>
> I openly charge that this act of the fourth legislature was but one step in a general conspiracy to despoil the Indians, and that in furtherance of this scheme two other steps have followed the wrecking of the department of charities and corrections.

While this may not satisfactorily answer the inquiry of the gentleman, I think he will say that if Miss Barnard said what I have just read it is a complete answer.

Mr. MANN. It does not satisfactorily answer it, but it seems to answer it. [Laughter.]

Mr. BURKE of South Dakota. For the information of the House as to what the probate attorneys in Oklahoma have accomplished during eight months preceding December 1, 1914, and to show the number of cases that there are pending in the probate courts of Oklahoma, I submit the following summary, furnished me by the Indian Bureau:

SUMMARY OF PROBATE WORK IN THE FIVE CIVILIZED TRIBES, OKLAHOMA, DURING THE EIGHT MONTHS ENDING DECEMBER 1, 1914.

1. Number of probate cases pending January 1, 1914, 41,000.
2. Number of probate cases pending December 1, 1914, 42,000.
3. Number of probate cases in which attorneys have appeared, 11,100.
4. Number of civil actions now pending, 240. (These civil actions are where suits have been brought to recover for misappropriation, etc.)
5. Number of criminal cases now pending, brought against guardians and others for misappropriation and other criminal conduct, 99.
6. Number of new bonds filed in place of old bonds found not to be satisfactory, 1,500.
7. Number of guardians removed or discharged, 802.
8. Amount invested for Indian minor children under the rules of probate procedure now in force in Oklahoma, $649,000.
9. Amount saved to Indian minors, $601,000.

My attention has been called to two important cases involving large estates in the Creek Nation that were recently disposed of, in which one or more of the probate attorneys had much to do. In one of the cases there were three Creek minors owning an estate valued at $150,000. The guardian had submitted his account and it had been approved by the probate judge. One of the probate attorneys, believing that all of the funds of the estate were not accounted for, and that many of the items for which the guardian was given credit had either not been furnished or cost much less than was charged, instituted a suit against the guardian. It resulted in a judgment being entered against the guardian amounting to $73,000. Fortunately in this case it is said the bondsmen of the guardian are solvent.

In another case a Creek Indian, who was a widower, had one child. The Indian was possessed of an estate valued at $75,000. He was very intemperate, and to such an extent that he was irresponsible. An adventuress who moved into Oklahoma succeeded in marrying him, and shortly after he died as the result of being poisoned, and I believe his wife is charged with having murdered him. Under the law of descent in Oklahoma the wife is entitled on the death of her husband to one-half of his estate. In this case a suit was instituted at the instance of one of the probate attorneys to annul the marriage on the grounds of fraud, and the case was tried to a jury last month, resulting in a verdict annulling the marriage, which means that the minor child of the Indian will inherit his entire estate.

That there ought to be a force of Federal employees for the protection of Indian minors in the probate courts of Oklahoma is so evident that I am sure no one will oppose the appropriation of $85,000 as carried in this bill. I think I have satisfied the House that in bringing this matter to the attention of Congress and in assailing the probate courts within the Five Civilized Tribes in Oklahoma I was fully justified, and that every statement made by me was true, and that much more might have been said.

Mr. HARRISON. Mr. Chairman, what is before the committee?

The CHAIRMAN. The gentleman from Illinois reserved the point of order for the paragraph, beginning on line 16.

Mr. HARRISON. Mr. Chairman, I desire to quote further from what Miss Barnard said in that connection, and I read from the same article as did the gentleman from South Dakota:

> Supported by the whole Oklahoma delegation in Congress, an appropriation of $85,000, to be paid out of the Federal Treasury, is contained

in the Indian appropriation bill for the fiscal year ending June 30, 1915, for the purpose of employing what are known as Federal probate attorneys, and 29 little lawyers will be given political jobs, all of these appointments being recommended by some Congressman.

The second step is the proposed consolidation of the office of superintendent of the Union Agency with that of the office of the Commissioner of the Five Civilized Tribes. These two steps are contradictory, because if the State of Oklahoma is not strong enough to grapple with the land grafters, with the assistance of the two Federal Indian offices located within the State, how can it be expected that the Federal probate attorneys, being for the most part fledglings and briefless lawyers, can cope with the graft situation without the whole assistance of the two Indian offices, with their large force of inspectors and complete records?

Further on she says:

With all safeguards removed, the grafters are preparing for the last act in the conspiracy. In the Indian bill now before Congress there is an appropriation to make cash payments to the Indians this fall.

That is what is known a little later on in this bill as a per capita payment.

No Indian will have a cent of this money in his pocket the day after the payment. Times will be good for a few days, but, by methods known to big business, all of this money will soon be gathered into the coffers of a few hundred boss grafters.

Mr. STEPHENS of Texas. Mr. Chairman, I ask unanimous consent that all debate on this paragraph and all amendments thereto close in 10 minutes.

Mr. McGUIRE of Oklahoma. Mr. Chairman, I would like to have five minutes.

Mr. STEPHENS of Texas. Then I make it 15 minutes.

The CHAIRMAN. The gentleman from Texas asks unanimous consent that all debate on this paragraph and all amendments thereto close in 15 minutes. Is there objection?

There was no objection.

[Mr. MURRAY addressed the committee. See Appendix.]

Mr. McGUIRE of Oklahoma. Mr. Chairman, I only want sufficient time to make one or two observations and state my position with respect to the representation on the part of the Government in the east end of our State. The east end of the State is known as the Indian Territory end of the State. I do not know whether there have been too many Federal representatives in that section of the State or not. I do know that there has been a great deal of rascality on the part of some county judges. This might have occurred even though it had been in the Republican end of the State, but as it happened there was not a single one of the judges there who were Republicans. All parties have not been consistent. There is not a Member of Congress from Oklahoma, in my judgment, who would not have the best administration down there, but they have not all been consistent. There was no objection to providing for these district agents. They are needed. Their duty was to cooperate—now notice—to cooperate with the county judges. They were either civil-service men or nonpolitical. They were not partisan appointments. There might have been as many as, but not more than, four Republicans, at least there were only three or four of them appointed upon the recommendation of the Republicans of the State. Most of them were civil service. The county judges refused to cooperate with them, because they said they were interlopers, that they, the county judges, were abundantly able under the laws of the State to transact their business and had sufficient scope to transact that business under the law.

Now, then, comes another administration. The Indian Commissioner states he went down there, and he reconciled the judges, and I wondered how he reconciled those county judges. Only one way—by promising them that all attorneys appointed to work with them would be Democrats. It is all right now. Make your appropriation, increase your salaries, make them $2,500 a year and expenses. There are 18 of them this year, and there are to be 21 next year, and all of it is taken out of the civil service, and not a single one of them either Republican or civil service, but all Democrats up to date, and part of them are recommended by these very county judges. Now, gentlemen, you may get the very best service. I hope you will, but you should be consistent and say that we are taking these away from the civil service and making it a political matter. Now, then, I am a partisan; I am a heroic partisan; I believe I could put Republican attorneys there just as good or better than any civil-service men, and I hope you can; but be honest and square about it and say that you have abandoned a nonpartisan administration and are making it a most intense political partisanship. I have nothing to say about Miss Barnard. Mr. CARTER has said some kind things about her and so have the other members of the Oklahoma delegation.

She is a splendid lady and of fair ability. I take it that Mr. MURRAY, who is always in sympathy with the very best administration of government down there, knows what he is talking about; and if so, she is not entirely faultless. But the condition in my State, so far as the Indians are concerned, is that we have gone from a nonpartisan government to a partisan government, and I hope the very best results will follow. But I do not want to hear anyone say, either from the commissioner's office or in this House, that the administration in Oklahoma is a nonpartisan administration, because it is not. It has been transferred from a nonpartisan to a great partisan organization, and we have only to await results to see whether it is to the best interests in general of the Indian administration in my State.

Mr. CARTER. Mr. Chairman, the gentleman from Oklahoma [Mr. McGUIRE] is mistaken when he says that anybody has been taken out of the civil service in Oklahoma. As has been shown by the gentleman from South Dakota [Mr. BURKE] and, I think, by the gentleman from Oklahoma [Mr. FERRIS], every one of the civil-service employees is still there.

Mr. McGUIRE of Oklahoma. I think the gentleman misunderstood me, or I may have made a misstatement. This probate business has been taken away from the civil service and these partisan probate lawyers are appointed. That was the sense in which I intended the statement.

Mr. CARTER. This is a clear statement of the case, Mr. Chairman. They had, by the act of May 27, 1908, appointed 18 so-called district agents. None of them were lawyers. Not one of them was appointed by a civil-service examination.

Mr. McGUIRE of Oklahoma. No. They were already in the service of the Government.

Mr. CARTER. No. I think, if the gentleman will permit me, that I know that thing pretty thoroughly. Not a single one was appointed from the civil service.

Mr. McGUIRE of Oklahoma. Well, that is a matter of record, and I will put the record in.

Mr. CARTER. Not a single one of them had taken the civil-service examination.

Mr. McGUIRE of Oklahoma. But they were already classified.

Mr. CARTER. They might have been covered in the civil service prior to that, some of them, but a majority of them were appointed.

Mr. McGUIRE of Oklahoma. I do not know, because they were classified there. I do not know where they came from.

Mr. CARTER. I have but little time, and I will ask the gentleman not to take it up.

Mr. McGUIRE of Oklahoma. I beg the gentleman's pardon.

Mr. CARTER. The majority of them were appointed just as these probate attorneys are now appointed, and covered into the civil service by Executive order. There may have been one or two exceptions to the rule, but that is the way most of them were appointed. I think my friend had something to do with the appointment, and I have no doubt he recommended the best men in his party to the position, but they were appointed and covered into the civil service. Not a single one of them was an attorney, and when they went into court and tried to protect an Indian, and had on the other side an attorney who knew the short cuts in the court room, they naturally fell by the wayside and fell short of the requirements that were necessary to protect the Indian. Consequently, Congress thought, and I thought everybody agreed upon it, that there ought to be attorneys to represent people when they had cases in court, and that they might be more properly and much better represented by attorneys than by men who were not familiar with court procedure. It is a very natural consequence, Mr. Chairman, when these district agents, who are not familiar with court procedure, went into the courts, that they soon got at variance with the judges before whom they were practicing. They did not know the rules of the courts, and perhaps some of them got in contempt of court without knowing it. That went to the extent of one judge in my district having a row with the district agent, and he would not let him appear in the court any more. It was then that the Oklahoma delegation took up the matter of providing probate attorneys, so that this matter might be corrected. And if, as the gentleman from Oklahoma [Mr. McGUIRE] states, this was a political proposition, the other was not; and if that be true, then welcome the day when all the positions in this country may be under political appointment, for prior to the time of the provision for the probate attorneys all these discrepancies, all this graft, crept in, and there have not been any charges since the probate attorneys have been administering and caring for the estates of individual Indians.

Now, Mr. Chairman, when Oklahoma was organized as a State it was organized by green hands. I do not suppose there were a dozen county judges of the 75 in the State who had ever held office before. Naturally they did not know the responsibility of those positions as persons who were familiar with the holding of office. There were one or two cases—I

think not over three—in which judges were accused, perhaps rightfully, with crookedness. There were several other cases in which judges might have been convicted of gross carelessness. But the matters were confined to several counties only out of the 40 on the east side of the State, and the wonder is, Mr. Chairman, that the graft, being in a few counties, did not extend to many other counties of the State.

The CHAIRMAN. The time of the gentleman has expired. The Clerk will read.

The Clerk read as follows:

For the support, continuance, and maintenance of the Cherokee Orphan Training School near Tahlequah, Okla., for the orphan Indian children of the Five Civilized Tribes belonging to the restricted class, to be conducted as an industrial school under the direction of the Secretary of the Interior, $35,000; for repairs and improvements, $5,000; in all, $40,000.

Mr. MANN. Mr. Chairman, I ask to have a typographical error corrected in line 1 of page 27. I suppose the amount there is "$35,000." The last cipher should be stricken out.

The CHAIRMAN. The Clerk will report the amendment suggested by the gentleman from Illinois [Mr. MANN].

The Clerk read as follows:

Amend, page 27, line 1, by striking out the cipher following "$35,000."

Mr. STEPHENS of Texas. That is correct.

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

The sum of $275,000, to be expended in the discretion of the Secretary of the Interior, under rules and regulations to be prescribed by him, in aid of the common schools in the Cherokee, Creek, Choctaw, Chickasaw, Seminole, and Osage Nations and the Quapaw Agency in Oklahoma during the fiscal year ending June 30, 1916: *Provided*, That this appropriation shall not be subject to the limitation in section 1 of this act limiting the expenditure of money to educate children of less than one-fourth Indian blood.

Mr. MANN. Mr. Chairman, I reserve a point of order on the paragraph. I see the gentleman from Mississippi [Mr. HARRISON] has his attention attracted somewhere else for the moment.

Mr. CARTER. I did not understand the gentleman.

Mr. MANN. I understood the gentleman from Mississippi [Mr. HARRISON] to say a while ago that he was going to have a point of order raised or was going to discuss this item.

Mr. CARTER. The gentleman did discuss it. He and I discussed it.

Mr. MANN. I noticed that somebody was distracting his attention, so I reserved the point of order in his behalf.

Mr. HARRISON. Mr. Chairman, I merely wanted to ascertain something about this school business out there. Here is an item of $275,000 for the purpose of aiding public schools in Oklahoma. How many Indian children did the gentleman say went to the public schools of Oklahoma?

Mr. CARTER. I am not sure that I can tell how many. The total scholastic enumeration of the children of the Five Civilized Tribes was 24,557. That does not include the freedmen.

Mr. HARRISON. How much money is appropriated by the State of Oklahoma for the public schools of Oklahoma?

Mr. CARTER. I could not answer that question. That money, as the gentleman knows, is paid out by the county commissioners.

Mr. HARRISON. Could not the gentleman give an idea of the amount?

Mr. CARTER. No. Perhaps my colleague from Oklahoma [Mr. MURRAY] could answer.

Mr. MURRAY. I could not state exactly, but this $275,000 is a bare beginning in the matter of schools in our State, to say nothing of higher education.

Mr. HARRISON. How long do the public schools run in the gentleman's State?

Mr. MURRAY. All the way from 7 months to 10 months. The State provides for a certain fund that comes from the school lands of the State for the common schools. It then has a certain gross production fund arising from coal, oil, and gas. In addition to that, each school district is authorized to levy not exceeding 15 mills of tax. In most of the places they exhaust that amount, and this amount is a mere bagatelle in comparison with the amounts spent in that State for the common schools, to say nothing of the higher institutions.

We appropriate half a million dollars to the university and that much to the Agricultural and Mechanical College, and six normal schools, for which we appropriate $42,000 each. Then we have six district agricultural schools. We have one industrial school for girls, and one school of mines in the mining belt. The fact is we have more higher institutions of learning than any other Southern State or any State that adjoins ours.

Mr. HARRISON. The gentleman, I believe, said that they had between 7 and 10 months of free public schools in Oklahoma?

Mr. MURRAY. Yes, sir. I think they do not fall below that except in exceptional communities.

Mr. HARRISON. Mr. Chairman, I withdraw the point of order. I move to strike out the last word.

The CHAIRMAN. The gentleman from Mississippi moves to strike out the last word.

Mr. HARRISON. Mr. Chairman, I want to say that this is but another evidence of the powerful influence of three Members from one State on an appropriation committee of this House—the fact that there is in this bill no other item, except one, I believe, and in that instance a very small amount, where the Federal Government appropriates money for the common schools of a State. None of the other gentlemen on the committee from other States of the Union could be influential enough to get an appropriation to aid the common schools of their States, but Oklahoma is enabled to get $275,000 out of the Treasury of the United States for the purpose of lengthening the terms of the public schools of Oklahoma. In my State I believe the public schools run for five or six months; I think six months. Yet in the State of Oklahoma, through an appropriation that three influential members of the Committee on Indian Affairs are able to get, they are able to run their schools for 8 or 10 months.

I submit, sirs, that it is a bad policy for the Federal Government to appropriate money for the public schools of a State. I believe that every State in this Union ought to take care of the education of its children out of the funds in the treasury of the respective States, and when we allow this generosity to be exercised in behalf of Oklahoma, even though it benefits the youth of that State, we are following, in my opinion, a very unwise policy.

But, as I say, it shows one thing very clearly, and that is the powerful influence of three Members from one State on a big committee in this House. [Applause.]

Mr. MURRAY rose.

Mr. STEPHENS of Texas. Mr. Chairman, I ask that all debate on this paragraph close in 10 minutes.

The CHAIRMAN. The gentleman from Texas [Mr. STEPHENS] asks unanimous consent that all debate on the pending paragraph close in 10 minutes. Is there objection?

Mr. NORTON. I would like to have 5 minutes.

Mr. MURRAY. I want 5 minutes.

Mr. MORGAN of Oklahoma. I also want 5 minutes.

Mr. STEPHENS of Texas. Then, Mr. Chairman, make it 17 minutes.

The CHAIRMAN. The gentleman from Texas [Mr. STEPHENS] asks unanimous consent that all debate on the pending paragraph close in 17 minutes. Is there objection?

There was no objection.

The CHAIRMAN. The gentleman from Oklahoma [Mr. MURRAY] is recognized.

Mr. MURRAY. Mr. Chairman, on the contrary, instead of this being an evidence of the powerful influence of Oklahoma membership in Congress because of this appropriation in aid of the Oklahoma schools, I believe that if we had the powerful membership that our people expect us to have on this floor we would get a good deal more.

In the first place, Mr. Chairman, the United States Government made a treaty with the Five Civilized Tribes by which they were to give up certain rights, and then the tribes were to be exempt in their landed estates for 21 years from all taxation of any Government. Immediately thereafter Congress admitted the State of Oklahoma, and it was provided that all of the land should be taxed. In other words, the Indian was deceived in the first place, and all the citizens of Oklahoma, white and Indian, were deceived in the second place. We proceeded to tax those lands.

The governor of the Chickasaw Nation, foreseeing what would occur in the building of numerous schoolhouses, foreseeing that the great body of the minor Indians would lose their property under forced sale for taxes, went into the courts to contest the right of the State to tax these Indian lands. Over the protest of the Secretary of the Interior, over the protest of the Government, he employed an attorney and went into the courts and won that suit in the Supreme Court of the United States, exempting all of those lands from taxation. After that exemption a movement was made to get this Government to pay a reasonable sum toward public education. Since that time the Indian bill has carried this item.

Mr. Chairman, in view of the promise to the Indian in the first place, by a solemn treaty, and in view of the effort of the Government later to deceive the people of the State, if the mem-

bership on this floor from Oklahoma had the strength that the gentleman from Mississippi [Mr. HARRISON] urges we have and the strength that the people of our State expect of us, the Government would pay the entire taxes upon these exempted lands. And if you calculate the highest tax rate, which is $3 on $100 under the constitution of the State, and place those lands at but the valuation placed upon them by the Government itself for allotment purposes, the highest being $6.50 an acre, and down to 25 cents an acre, and make the calculation for 21 years, you will find that by that very act the State of Oklahoma is denied $17,000,000 in taxes during that period of 21 years. I believe that nothing will be done right toward the State of Oklahoma until the Government pays these taxes that it took away from us. The Government should make it one million a year. This $275,000 a year does not amount to more than the interest upon this $17,000,000; and if you were to value these lands at one and one-half times the appraisal, which was what they brought at the time of allotment, some of them, and some of them at twice the value of the appraisal, the amount would run up to $26,000,000. A fair valuation now would make it $42,000,000 in taxes that the people of the towns and those few who have bought dead claims and claims upon which restrictions have been removed have to pay the taxes on the east side of the State, in support of the State government, the county government, the district government, and the district school. That burden is a very severe one upon the city property holder and upon the personal property of the State and the few who have bought homes in that country.

No, Mr. Chairman, this item is not an evidence of our overpowering strength; it is but a partial evidence of justice; it is only a partial balm for the action of this Government in its effort to deceive the Indian on the one side with a solemn treaty, and to deceive the people of Oklahoma on the other, when it led them to believe by the passage of an act that they could tax this property.

This is the one sore spot in our State. This is the one thing out of which more politics has been made against an Indian citizen who runs for office than all others, and all of us have felt it. In my campaign last summer the charge was made on every stump that MURRAY owned property that was nontaxable, and the only way I could reply to it was to say, "I have paid my taxes ever since statehood, and am going to continue to do it, although it amounts to nearly $3 an acre." With the demoralization of the cotton market the past season the rent failed to pay the taxes.

No, Mr. Chairman, this is not an evidence of strength, but the fact is that it is an evidence of weakness in our ability to get for the people of our State that to which they are entitled. We ought to get one million a year for 21 years. That would be just. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. MORGAN of Oklahoma. Mr. Chairman, the gentleman who has just spoken [Mr. MURRAY] in large measure expresses my views. I introduced in the last Congress, and I reintroduced in this Congress, a bill to appropriate out of the Treasury of the United States $20,000,000 to compensate the State of Oklahoma—State, county, and local governments—for the loss of revenue from nontaxable Indian lands.

Mr. HARRISON. Will the gentleman yield for a moment?

Mr. MORGAN of Oklahoma. I yield to the gentleman.

Mr. HARRISON. The gentleman is not on the Indian Affairs Committee or he would get it.

Mr. MORGAN of Oklahoma. I do not know about that.

Mr. MURRAY. No; I introduced a bill, too, just like it. [Laughter.]

Mr. MANN. Both gentlemen were reelected. That is the purpose for which the bills were introduced. [Laughter.]

Mr. MORGAN of Oklahoma. I understand, and when I introduced that bill and stood here in advocacy of it the gentleman from Illinois [Mr. MANN] and other able gentlemen here apparently thought it was mere buncombe, introduced for the purpose of getting reelected. I deny it. It was introduced in the interest of justice. Oklahoma was admitted to the Union with something like 20,000,000 acres of nontaxable Indian lands. Go back to the admission of Ohio in 1802, take the provisions in the enabling act, and you will find that the National Government clearly admitted that a State was entitled to compensation for loss of revenue from nontaxable lands, made so by action of the Federal Government. The National Government has never claimed the right to exempt lands within a State from taxation after the Government had disposed of the title. The National Government in many of the enabling acts made special grants to compensate the State for loss of revenue from lands disposed of by the National Government upon terms making them exempt from taxation. Yet the National Government, through treaties with the Indians, exempted from taxation nearly 20,000,000 acres of land in Oklahoma. This means a loss in revenue to the State, county, and school districts of from $25,000,000 to $50,000,000.

The care of the incompetent Indian is a national burden and a national duty. It should not be placed upon one State. If the Indian is entitled to have his land exempt from taxation; if he must be exempted from the ordinary duties of citizenship, the payment of taxes, the National Government should pay the cost of this exemption. This amount in this bill is only a bagatelle. If the National Government would appropriate $1,000,000 for 20 years, it would not then compensate the people of Oklahoma for the loss of revenue from nontaxable Indian lands.

It is well settled that the State has a right to tax public lands as soon as the National Government disposes of the title; but the National Government, through treaties, have made these lands nontaxable. This was done in the interest of the Indian. It was done by the National Government in the discharge of a national duty. But the burden of all this is placed on the people of Oklahoma. Their burdens of taxation are largely increased by reason of the fact that Indian lands are nontaxable.

Mr. Chairman, I have given very close attention to this problem. I have studied carefully the enabling acts by which the various States have been admitted into the Union. The National Government always, in a number of these enabling acts, made specific grants and appropriations on condition that the State would exempt certain lands disposed of by the National Government from taxation for a number of years. The United States disposed of these lands to the Indians, exempted them from taxation for 21 years, but has in no way compensated the State for the loss of revenue on these nontaxable lands. The State of Oklahoma therefore has a just claim against the Federal Government for the loss of revenue from these nontaxable lands, which the Federal Government made nontaxable in discharging a duty it owed to the incompetent Indian; but the burden of providing these nontaxable lands did not fall upon the National Government, but upon the people of Oklahoma, because thereby the extra taxation is levied upon them.

Now, in the first place, the United States conveyed these lands to the Indians and received a consideration therefor. The Indians relinquished other lands. The treaties with the Indians provided the lands should be nontaxable for a number of years. Congress provided for the admission of the State of Oklahoma into the Union. The taxing power of the State extends to all property in the State except that which belongs to the Federal Government. The Federal Government long ago parted with its title to these lands. Patents to these lands were delivered to the Indians. If through treaties made by the United States with the Indians these lands are exempt from taxation, then the State has a legal claim against the Federal Government for the loss of revenue on these nontaxable lands. Prior to statehood Oklahoma was in a sense like the incompetent Indian—a ward of the Government. When statehood came, Oklahoma was clothed with all the power, privileges, and rights possessed by the other sovereign States of the Union. If the National Government disposed of the public domain in Oklahoma to the Indians on conditions which exempted them from taxation, the people of the State, who must bear large additional burdens by reason of these nontaxable lands, have a legal right to demand of the Federal Government an accounting, and in the end to make restitution to the State for the vast losses to the State, county, and school district governments by reason of these nontaxable lands. I am pleading here for the rights of the people of Oklahoma, for the rights of the taxpayers of the State, who now carry the burden of providing nontaxable homes for incompetent Indians, and which does not belong to the people of Oklahoma, but to all of the 100,000,000 people of this country. [Applause.]

Mr. NORTON. Mr. Chairman, the most striking thing about the arguments of the gentlemen from Oklahoma is their modesty. The gentleman who has just spoken, Mr. MORGAN, states that if he had his way this item would be a million dollars instead of $275,000. I do not doubt it at all. If the gentlemen from Oklahoma had their way in this House, the Federal Government would support the entire State of Oklahoma.

Mr. MANN. It does it now pretty nearly.

Mr. NORTON. Yes; it does it now to a large extent.

Mr. MORGAN of Oklahoma. Will the gentleman yield?

Mr. NORTON. Yes; certainly.

Mr. MORGAN of Oklahoma. Does not the State of North Dakota, which the gentleman represents in part, have a large amount of Indian lands?

Mr. NORTON. The State of North Dakota, which the gentleman represents, has a large amount of Indian land, and a

great deal of it is nontaxable; but the State of North Dakota is not asking the Federal Government, as is the State of Oklahoma, to support its common schools.

Mr. MORGAN of Oklahoma. I will ask the gentleman if he believes the National Government has the right to exempt land from taxation after the Government has disposed of it?

Mr. NORTON. I will ask the gentleman from Oklahoma whether the white people in Oklahoma were there first or the Indians were there first?

Mr. MORGAN of Oklahoma. The Indians were there first, as they were in North Dakota.

Mr. NORTON. Does the gentleman think that the Federal Government gave the Indians any rights they were not entitled to?

Mr. MORGAN of Oklahoma. I am not talking about the Indians. Does the gentleman think that the National Government has the legal right to exempt lands after the Government has disposed of them to the State?

Mr. NORTON. That is an idle question. The Federal Government had the right to enact the provision referred to by the gentleman, and it has been so held by the Supreme Court of the United States in the case brought before it.

Mr. MORGAN of Oklahoma. The Government did not hold that. The court held that by reason of treaties Congress and the National Government could exempt it from taxation, but the question of the rights between the National Government and the State of Oklahoma was not in issue at all. It was simply a question of the right of the National Government to exempt land from taxation. The question of compensation from the Government to the State was not in issue.

Mr. NORTON. Why, the gentleman offers no argument that has any merit in it. No sound reason whatever has been presented on the floor of the House why the Federal Government should pay $275,000 to the support of the common schools in Oklahoma any more than it should pay $275,000 for the support of the common schools in New York. When Oklahoma was admitted to the Union the Federal Government gave the State of Oklahoma nearly 5,000,000 acres of land. Nothing has been said about that. It gave the State of Oklahoma a larger amount of land than it gave to any other State admitted to the Union prior to that time.

Mr. MORGAN of Oklahoma. The gentleman is altogether mistaken about that.

Mr. NORTON. It gave it 5,000,000 acres of public land, and that was reasonably worth a hundred million dollars.

Mr. MORGAN of Oklahoma. Will the gentleman yield?

Mr. NORTON. No; I do not have the time to yield further. The statement I make is true, and the gentleman knows it. The Indians of Oklahoma to-day have, it is estimated, property worth from $200,000,000 to $2,000,000,000. They have ample property to pay for the support of their schools. They have ample property to pay for public and private schools for the education of their children. The Indians in Oklahoma—the Five Civilized Tribes—have to-day in the Treasury of the United States and the banks of Oklahoma between seven and eight million dollars to their credit. It is unfair and unreasonable to ask the Government to make this gratuitous appropriation to the Five Civilized Tribes of Oklahoma for the support of the common schools of Oklahoma. The item should be stricken from the bill.

Mr. CARTER. Mr. Chairman, the gentleman from Mississippi [Mr. HARRISON] makes some complaint because the schools in Mississippi are run without Federal aid, and the schools in Oklahoma the Federal Government pays something toward the tuition of the Indian pupils. If the gentleman will investigate the hearings before the subcommittee which investigated his bill, he perhaps will find a reason for that. I find here a lawyer from Carthage, Miss., T. B. Sullivan, who gives some evidence upon that fact, and it might have some bearing on this question. He says:

Mr. SULLIVAN. The Choctaws are very few—about 1,200 in all the State of Mississippi—and I wish to show the distinction there. The colored race is more populous in my State than the white. They have good schools, good farms, and are making money. Many of them are doing well

Mr. CARTER. The colored people?

Mr. SULLIVAN. Yes. Some of them have good farms and good stock, and they have good schools provided for by law.

Mr. CARTER. Do the Indians have any schools?

Mr. SULLIVAN. No; they have no schools whatever.

Mr. CARTER. Then your State does a great deal more for the negroes than it does for the Indians?

Mr. SULLIVAN. I am getting to that. It does not do anything for the Indians.

Mr. CARTER. Do they allow them to attend the white schools?

Mr. SULLIVAN. No, sir. Now, we have in Mississippi what is known in the railroad passenger business as the "Jim Crow law." That is, it is a criminal offense for a colored person to be found in a white coach. But the blacks are strong enough and able enough to make themselves felt and have their own trains or separate coaches. They have as good coaches as the white man, and they are in the same trains. Perhaps this coach will be colored and this one will be white, but they are all separated.

Now, the Indians are weak; there are only 1,000 or 1,200 of them. He does not have much business capacity, and he goes along and hardly ever makes any complaint. If you deal with him and he does not like it, the first thing you know he is gone, but he does not say anything about it. That is the situation there. The Indian is weak; he is not able to make himself felt, and he is not desirous of doing it.

Mr. CARTER. Where does the Indian ride when he rides on the train?

Mr. SULLIVAN. In the coach with the negroes. On the same trip with Mr. Arnold I saw them sent into the coach with the darkies. Farther on, when we got to the station, the proprietor of the hotel there suggested to the liveryman that he would not let the Indian come into the hotel, but he would let him come into the kitchen.

Mr. CARTER. You say these Indians have no school facilities whatever?

Mr. SULLIVAN. No, sir.

Mr. CARTER. And is there no provision whatever made for them to attend school?

Mr. SULLIVAN. Let me answer that in this way. I want to give you facts, and facts only. There was a young white man who taught two schools west of the town for three months some time ago. He was paid by the State for his services. He was not examined and they did not require him to be examined.

Mr. CARTER. I mean there is no regular provision for them?

Mr. SULLIVAN. None at all.

Mr. CARTER. And they will not allow them to go to the white schools?

Mr. SULLIVAN. No, sir.

Mr. CARTER. Would they allow them to go to the colored schools?

Mr. SULLIVAN. I suppose they would.

Mr. CARTER. They will not allow them to ride in the white coaches?

Mr. SULLIVAN. No, sir.

Mr. CARTER. Are they allowed to vote?

Mr. SULLIVAN. By the law they are; but there are, perhaps, not 25 in the State that could vote. Let me give you a little of the franchise requirements. They were years ago, I believe, declared to be citizens, and for a long time they were exempt from taxation, but now they are taxed.

Mr. CARTER. They are taxed, but not allowed to vote?

Perhaps that is one of the reasons why the Federal Government does not feel justified in sending money to the State of my esteemed friend from Mississippi. Perhaps the Government does not have in its mind, in the elevation of the Indian, that it must be placed with an inferior race and not upon the same level with the white man that is trying to elevate it.

Mr. HARRISON. Mr. Sullivan is wrong in respect to that.

Mr. CARTER. Oh, there can not possibly be any mistake about it. Another Mississippi lawyer, Mr. Conerly, of Gulfport, testified to the fact that full-blood Indians could only attend negro schools in Mississippi. Mr. Conerly claims Choctaw blood himself and, I think, hails from Mr. HARRISON's home town.

Mr. MANN. Mr. Chairman, I make the point of order against the paragraph.

Mr. CARTER. I hope the gentleman will not make the point of order.

Mr. BURKE of South Dakota. I hope the gentleman from Illinois will not make the point of order.

Mr. MANN. Mr. Chairman, I thought debate had ended; if not, I want to occupy a little time myself.

The CHAIRMAN. The point of order is sustained.

The Clerk read as follows:

That the Secretary of the Interior be, and he is hereby, authorized to use not exceeding $40,000 of the proceeds of sales of unallotted lands and other tribal property belonging to any of the Five Civilized Tribes for payment of salaries of employees and other expenses of advertising and sale in connection with the further sales of such tribal lands and property, including the advertising and sale of the land within the segregated coal and asphalt area of the Choctaw and Chickasaw Nations, or of the surface thereof as provided for in the act of Congress approved February 19, 1912 (37 U. S. Stat. L., p. 67), and of the improvements thereon, and for other work necessary to a final settlement of the affairs of the Five Civilized Tribes: *Provided*, That not to exceed $10,000 of such amount may be used in connection with the collection of rents of unallotted lands and tribal buildings: *Provided further*, That during the fiscal year ending June 30, 1916, no moneys shall be expended from tribal funds belonging to the Five Civilized Tribes without specific appropriation by Congress, except as follows: Equalization of allotments, per capita and other payments authorized by law to individual members of the respective tribes, tribal and other Indian schools for the current fiscal year under existing law, salaries and contingent expenses of governors, chiefs, assistant chiefs, secretaries, interpreters, and mining trustees of the tribes for the current fiscal year at salaries not exceeding those for the last fiscal year, and attorneys for said tribes employed under contract approved by the President, under existing law, for the current fiscal year.

Mr. HARRISON. Mr. Chairman, I reserve a point of order. May I ask the gentleman if there is any authority of law for this provision?

Mr. CARTER. There is.

Mr. HARRISON. I make the point of order so that we may get at it.

Mr. CARTER. Mr. Chairman, in what is known as the supplemental agreement you will find this authorization:

When allotments as herein provided have been made to all citizens and freedmen, the residue of the lands not reserved or otherwise disposed of, if any there be, shall be sold at public auction, under rules and regulations and on terms to be prescribed by the Secretary of the Interior, and so much of the proceeds as may be necessary for equaliz-

ing allotments shall be used for that purpose, and the balance paid into the Treasury of the United States to the credit of the Choctaws and Chickasaws and distributed per capita as other funds of the tribes.

Mr. FERRIS. That treaty is still in effect?

Mr. CARTER. Oh, yes.

Mr. HARRISON. Mr. Chairman, under the law it strikes me that the per capita payments must be authorized by law.

Mr. MURRAY. We have not reached that yet.

Mr. HARRISON. I know; but I see here, on page 28 of the bill, some language that confuses me, as I do not exactly understand, and I am not sure that that does not carry with it some authorization for the payment of per capita money. It says:

Provided further, That during the fiscal year ending June 30, 1916, no moneys shall be expended from tribal funds belonging to the Five Civilized Tribes without specific appropriation by Congress, except as follows: Equalization of allotments, per capita and other payments authorized by law to the individual members of the respective tribes.

I am a little afraid that that exception might give them authority, without a special act of Congress, to appropriate some money per capita, and I do not think they have authority to do that.

Mr. CARTER. Mr. Chairman, that has been carried in every appropriation bill for three or four years. The Secretary has made no per capita payment under it, and under this very language it brings itself clearly within the rules of the House, because it provides "per capita and other payments authorized by law." If they are not authorized by law, then they can not be made.

Mr. LENROOT. Mr. Chairman, I would like to ask the gentleman whether the act he refers to was not repealed by the act of 1906—April 26—and whether the authorization——

Mr. CARTER. Oh, no; it was not repealed by the act of 1906, and the Chair has so ruled.

Mr. LENROOT. Let me finish my question. The only authorization there now—and I think it covers it—is section 16 of that act.

Mr. CARTER. The gentleman is mistaken about that—the gentleman means section 17 of the act of April 26, 1906?

Mr. LENROOT. Yes.

Mr. CARTER. When that provision was passed the same men were on the Indian Committee that made these agreements—the same high-class men who made agreements for final settlement of the affairs of the Five Civilized Tribes. They were then conducting the Indian affairs of the House and the Senate, and if they had intended to repeal that they would have done it.

Mr. LENROOT. The gentleman will see that it covers the identical question. It provides for the sale of the residue of these lands.

Mr. CARTER. And so does the agreement.

Mr. LENROOT. Certainly; and of course the later act is the one that will govern.

Mr. CARTER. And they both provide the same thing.

Mr. LENROOT. They do; but the authorization in section 16 says nothing about per capita payment.

Mr. CARTER. But section 17 does say all about per capita payment—section 17 of the same act.

Mr. BURKE of South Dakota. Mr. Chairman, will the gentleman from Oklahoma permit me to call his attention to an act, which I think was passed in the Sixty-first Congress, which expressly provided that interest might be used for making per capita payments?

Mr. CARTER. Yes; if the gentleman will permit me to read——

Mr. BURKE of South Dakota. There was such an act.

Mr. CARTER. Yes. I would like to read section 17 of the act of April 26, 1906.

Mr. LENROOT. They both govern.

Mr. CARTER. Section 17 provides:

That when the unallotted lands and other property belonging to the Choctaw, Chickasaw, Creek, Cherokee, and Seminole Tribes of Indians have been sold and the moneys raised from such sale, or from any other source whatever, have been paid into the United States Treasury to the credit of said office, and the just charges against the respective tribes have been deducted therefrom—

And that is the charges for the sales of lands and the collection of moneys—

then the remaining fund shall be distributed per capita to the members then living and the heirs of deceased members whose names appear on the finally approved rolls of the respective tribes, such distribution to be made under rules and regulations to be prescribed by the Secretary of the Interior.

That is an additional authorization, which is in line with that in the treaty of 1902, and was not intended to repeal it.

Mr. LENROOT. To be additional authorization it must take the place of the other authorization.

Mr. CARTER. Unless it repeals the other.

Mr. CAMPBELL. And it does not.

Mr. CARTER. It does not.

Mr. FERRIS. They are in harmony?

Mr. CARTER. Yes.

Mr. HARRISON. Mr. Chairman, I wanted to ask the gentleman a question. On page 27, line 25, and on line 1 on the next page the following language is used which was not incorporated in the prior act; that is, in the act of 1915:

And for other work necessary to a final settlement of the affairs of the Five Civilized Tribes.

Mr. CARTER. That is provided by treaties, and has been carried in the act for several years until this provision was placed in it, that the affairs should be wound up by the end of the fiscal year for which the bill was being written. After that was placed in it for three or four years in the hope that those affairs might be wound up, then it was stricken out of the bill.

The Assistant Commissioner of Indian Affairs reminded me that there were some things that it might not be possible to do, and he said he thought that language was necessary, so we incorporated it.

Mr. HARRISON. Would the gentleman object to that language going out?

Mr. CARTER. Yes; I would.

Mr. MURRAY. Would the gentleman yield for just a moment? The Seminole Nation is the only one I know of that does not require an appropriation, and if you knock this wording out we can not make payment, and we will have to put in an appropriation and try to make payment. This does not affect the Chickasaws and Choctaws.

Mr. HARRISON. May I ask the gentleman if he would object to an exception being made of the Choctaws?

Mr. MURRAY. Well——

Mr. STEPHENS of Texas. Mr. Chairman, I ask that all debate on this paragraph close.

The CHAIRMAN. But a point of order is pending.

Mr. BURKE of South Dakota. I want to call the attention of the committee and of the gentleman from Oklahoma to the act of March 3, 1911, which provides:

That the net receipts from the sale of surface and unallotted lands and other tribal property belonging to the Five Civilized Tribes, after deducting the necessary expenses of advertising and sale, may be deposited in National or State banks in the State of Oklahoma in the discretion of the Secretary of the Interior—

And so forth—

the interest accruing on such funds may be used to pay expenses of the per capita payment of such funds.

So there is an express authority of law by which we can use money to bear the expenses of making the per capita payment.

Mr. CARTER. Yes; I think so.

Mr. CAMPBELL. Mr. Chairman, there is no question about the authority of law. It is authorized by the Atoka agreement, by the act of 1902, by the act of 1906, and by the act of 1911.

The CHAIRMAN. The Chair is ready to rule. The Chair thinks the provision is authorized by law and overrules the point of order.

Mr. MURRAY. Mr. Chairman, I will ask unanimous consent, if the gentleman from Mississippi has no objection, to pass this next paragraph without reading until the bill is concluded.

Mr. HARRISON. I want to say to the gentleman I am not going to object to this item.

Mr. STAFFORD. I assume this is subject to a point of order.

Mr. CARTER. I think not.

Mr. STAFFORD. I think it is.

Mr. CARTER. The gentleman has not read it.

Mr. MURRAY. I ask unanimous consent to pass the next paragraph over until we are through with the bill, and then go back and take it up.

Mr. MANN. What is the paragraph?

The CHAIRMAN. The gentleman from Oklahoma asks unanimous consent that the paragraph beginning with line 18, page 28, and ending with line 5, page 29, be passed over until the conclusion of the bill.

Mr. MANN. Oh, well, we might as well settle it now; I am going to make the point of order on it.

Mr. MURRAY. That will settle it all right.

The CHAIRMAN. Is there objection?

Mr. MANN. I will object.

Mr. CARTER. Does the gentleman make the point of order?

Mr. MANN. I will as soon as it is read.

Mr. MURRAY. I will ask the gentleman to withhold it a moment.

Mr. MANN. If the gentleman wishes to discuss the matter, I have no objection to it going over.

The Clerk read as follows:

The Secretary of the Interior is hereby authorized to withdraw from the Treasury of the United States, at his discretion, the sum of $50,000, or so much thereof as may be necessary, of the funds on deposit to the credit of the Chickasaw Tribe of Indians, and to use the same for constructing and equipping dormitories at the Murray State School of Agriculture at Tishomingo, Okla., for the accommodation of Chickasaw children and, in the discretion of the Secretary of the Interior, of any other pupils attending said school: *Provided*, That this appropriation shall become available after the said city of Tishomingo shall have donated and conveyed to said tribe suitable and necessary sites upon which same are to be constructed.

Mr. MANN. Mr. Chairman, I reserve a point of order on the paragraph.

Mr. MURRAY. Mr. Chairman, the only purpose I had was to try to convince the gentleman from Illinois, and if I now could convince him I would try——

Mr. MANN. The gentleman will not convince me on this item—he may; I may be mistaken. I try to be a reasoning and reasonable being.

Mr. MURRAY. Very well; I will make this statement: This Murray State School of Agriculture is a State institution. The Interior Department, through the agency at Muskogee, every year since its creation has entered into a contract by which so many Chickasaw children and so many Choctaw children of a certain age may attend this school, of which the department is to have complete supervision of their boarding facilities and everything of that sort. In other words, there must be complete cooperation with the department. Now, these pupils' board is paid every year from what is called the "coal royalty" coming to them every year, $12 a month. A pupil who goes to the school there, having to board at a private place, is compelled to pay $1 to $2 a week more than the sum that comes from this royalty amounts to. If they had this dormitory, they could board at the dormitory without any additional funds, and that is all of the proposition of building the dormitory, to enable the poorer ones to go who otherwise can not go. Men who are acquainted with the school, and Members of the House, saw the furniture I had on exhibit, which does not even start to explain the benefits of the school, know that if the Indian needs anything in the world it is an industrial training. The key to this work is agriculture, and they have a manual-training department and domestic science, a fruit department, a dairy, and a creamery. They have a farm of 200 acres there that is cultivated and the products used in all of these experiments with the dairy herd and everything of that character, and I will state further that the legislature passed an appropriation to build this dormitory some years ago, but it was vetoed, largely on the score that no one could benefit from it except the Indians, and that the Federal Government should do it. The Indians themselves want it, and it serves them; and I hope the gentleman will reserve his point of order. We provide that the town must give the lot free with the title in the tribe, or when sold it will go lot and property together. I realize it is subject to a point of order, but I hope the gentleman will withdraw his point of order, because it is to the best interest of these Indians.

Mr. STEPHENS of Texas. I cite the gentleman to the law, the act of March 1, 1907 (34 Stat. L., p. 1016):

That hereafter, when not required for the purpose for which appropriated, the funds provided for the pay of specified employees at any Indian agency may be used by the Secretary of the Interior for the pay of other employees at such agency, but no deficiency shall be thereby created; and, when necessary, specified employees may be detailed for other service when not required for the duty for which they were engaged; and that the several appropriations made for millers, blacksmiths, engineers, carpenters, physicians, and other persons, and for various articles provided for by treaty stipulation for the several Indian tribes may be diverted to other uses for the benefit of said tribes, respectively, within the discretion of the President and with the consent of said tribes, expressed in the usual manner; and that he cause report to be made to Congress, at its next session thereafter, of his action under this provision: *Provided*, That so much of the appropriations of any annual Indian appropriation act as may be required to pay for goods and supplies, for expenses incident to their purchase, and for transportation of the same, for the fiscal year for which such appropriations are made, shall be immediately available upon the approval of such act, but no such goods or supplies shall be distributed or delivered to any of said Indians prior to the beginning of such fiscal year.

Mr. MANN. I insist upon the point of order, Mr. Chairman.

The CHAIRMAN. The gentleman from Illinois makes the point of order against the paragraph as being new legislation. The Chair sustains the point of order. The Clerk will read.

The Clerk read as follows:

The Secretary of the Interior is hereby authorized to withdraw from the Treasury of the United States, at his discretion, the sum of $50,000, or so much thereof as may be necessary, of the funds now on deposit to the credit of the Choctaw Tribe of Indians, and to use the same for constructing and equipping dormitories at the Southeastern State Normal School at Durant, Okla., for the accommodation of Choctaw children and, in the discretion of the Secretary of the Interior, of any other pupils attending said school: *Provided*, That this appropriation shall become available after the said city of Durant shall have donated and conveyed to said tribe suitable and necessary sites upon which same are to be constructed.

Mr. MANN. Mr. Chairman, I make the point of order against the paragraph.

The CHAIRMAN. The gentleman from Illinois makes the point of order against the paragraph. The point of order is sustained. The Clerk will read.

The Clerk read as follows:

For fulfilling treaties with Choctaws, Oklahoma: For permanent annuity (art. 2, treaty of Nov. 16, 1805, and art. 13, treaty of June 22, 1855), $3,000; for permanent annuity for support of light-horsemen (art. 13, treaty of Oct. 18, 1820, and art. 13, treaty of June 22, 1855), $600; for permanent annuity for support of blacksmith (art. 6, treaty of Oct. 18, 1820, and art. 9, treaty of Jan. 20, 1825, and art. 13, treaty of June 22, 1855), $600; for permanent annuity for education (art. 2, treaty of Jan. 20, 1825, and art. 13, treaty of June 22, 1855), $6,000; for permanent annuity for iron and steel (art. 9, treaty of Jan. 20, 1825, and art. 13, treaty of June 22, 1855), $320; in all, $10,520.

Mr. MANN. Mr. Chairman, I reserve the point of order on the paragraph. I would like to ask the gentleman about it. It covers $3,000 for permanent annuity for support of light-horsemen, $600 for permanent annuity for support of blacksmith, and $320 for permanent annuity for iron and steel for Choctaws. How is this money expended?

Mr. STEPHENS of Texas. It is expended under the direction of the Bureau of Indian Affairs.

Mr. MANN. Under what authority does the bureau disburse it?

Mr. STEPHENS of Texas. I do not think there is any specific authority of law for that except the statute authorizing the expenditure of Indian funds.

Mr. MANN. What statute is there that authorizes them to expend it for other purposes?

Mr. STEPHENS of Texas. I know of no specific law.

Mr. MANN. In some places it is provided by treaty that these annuities may be spent elsewhere, but I have not been able to find any provision in the treaties authorizing this money to be expended for any other purpose, and I have not been able to find any provision of law authorizing it to be spent for any other purpose. And I maintain that the treaty is ended now so far as these items are concerned.

Mr. BURKE of South Dakota. I think if the gentleman will look it up he will find there is a law.

Mr. MANN. I tried to look it up, but I could not find it.

Mr. BURKE of South Dakota. Annually it is accounted by the Secretary of the Interior as to how these treaty items are expended, and you will find it in a document which came up from the Indian Office at the beginning of this session, which refers specifically to this item among others.

Mr. MANN. Very well. That does not give me the information as to the authority.

Mr. BURKE of South Dakota. I think that contains a reference to the authority.

Mr. MANN. I had supposed there would be such authority, and I looked through the volume of Indian laws and treaties as well as I could and examined the index very carefully. Of course an index is very seldom any good, my observation being that you never find what you look for in an index. But I was unable to find it by looking through the volume.

Now, Mr. Chairman, this tribe has been dissolved. We have admitted a State and the tribe has ended, has it not?

Mr. CARTER. No; the tribe was continued, but practically, in effect, has ended. It is continued in existence by law.

Mr. MANN. The Choctaw Nation has ended. Does it still exist?

Mr. CARTER. Quite a debate was had over that, I will say to the gentleman, in the Senate, and the Senate voted that it still existed.

Mr. MANN. That does not settle it. The Choctaw Nation does not longer exist.

Mr. CARTER. The Choctaw Nation was extended by the act of April 26, 1906, I think it was.

Mr. MANN. The gentleman may maintain that the Cherokee Nation has been dissolved?

Mr. CARTER. I admit that that has been dissolved.

Mr. MANN. You admit that?

Mr. MURRAY. They all exist except the Cherokee.

Mr. CARTER. The Cherokee Nation has no council, no tribunal in which to try cases, but it still has a chief, and attorneys, a mining trustee, and three or four other officials, who are provided for in this bill.

Mr. MANN. I can remember when we used to make an annual appropriation for a blacksmith for some Indians in Chicago, but finally dropped that out.

Mr. STEPHENS of Texas. I will state to the gentleman that the governors are maintained for the purpose of signing the deeds and patents.

Mr. MANN. They are not retained for the spending of any money on light-horsemen, or for the purchase of iron and steel, or for police purposes; that is a sure thing. The State of Oklahoma has police power.

Mr. CARTER. I supposed this item was carried in the language of the treaty. I do not know whether it is authorized by law or not.

Mr. MANN. It is carried in the language of the treaty, but I was unable to find any provision in the treaty under which the money could be expended for any other purpose. Of course, we know that money can be expended for that purpose.

Mr. CARTER. I thought the treaty carried that language. If the gentleman knows——

Mr. MANN. I will not say that I know anything about it. But as I examined it, I was unable to find anything about it. I withdraw the point of order.

Mr. CARTER. I think it is immaterial whether it goes in or not.

MESSAGE FROM THE SENATE.

The committee informally rose; and the Speaker having resumed the chair, a message from the Senate, by Mr. Tulley, one of its clerks, announced that the Senate had passed without amendment joint resolution of the following title:

H. J. Res. 257. Joint resolution authorizing the Commissioner of Patents to exchange printed copies of United States patents with the Dominion of Canada.

The message also announced that the Senate had insisted upon its amendments to the bill (H. R. 6060) to regulate the immigration of aliens to and the residence of aliens in the United States, disagreed to by the House of Representatives, had agreed to the conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. SMITH of South Carolina, Mr. ROBINSON, and Mr. LODGE as the conferees on the part of the Senate.

The message also announced that the President had, on January 2, 1915, approved and signed bills of the following titles:

S. 6227. An act granting the consent of Congress to the Norfolk-Berkley Bridge Corporation, of Virginia, to construct a bridge across the eastern branch of the Elizabeth River in Virginia; and

S. 6687. An act to authorize the Chesapeake & Ohio Northern Railway Co. to construct a bridge across the Ohio River a short distance above the mouth of the Little Scioto River, between Scioto County, Ohio, and Greenup County, Ky., at or near Sciotoville, Ohio.

INDIAN APPROPRIATION BILL.

The committee resumed its session.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

That the Secretary of the Interior be, and he is hereby, authorized to pay to the enrolled members of the Choctaw and Chickasaw Tribes of Indians of Oklahoma entitled under existing law to share in the funds of said tribes, or to their lawful heirs, out of any moneys belonging to said tribes in the United States Treasury or deposited in any bank or held by any official under the jurisdiction of the Secretary of the Interior, not to exceed $200 per capita in the case of the Choctaws, and $100 per capita in the case of the Chickasaws, said payment to be made under such rules and regulations as the Secretary of the Interior may prescribe: *Provided*, That in cases where such enrolled members, or their heirs, are Indians who by reason of their degree of Indian blood belong to the restricted class, the Secretary of the Interior may, in his discretion, withhold such payments and use the same for the benefit of such restricted Indians: *Provided further*, That the money paid to the enrolled members as provided herein shall be exempt from any lien for attorneys' fees or other debt contracted prior to the passage of this act.

Mr. HARRISON. Mr. Chairman, I want to make a point of order on this paragraph.

The CHAIRMAN. The gentleman from Mississippi makes a point of order on the paragraph.

Mr. MANN. Let us have the point of order settled.

Mr. CARTER. The Chair has ruled on this before and it has been dismissed. There is no use for us to go into a discussion of the point of order, I guess.

Mr. MANN. I do not want to discuss it.

Mr. CARTER. The same question was up last year and the Chair ruled that it was in order.

The CHAIRMAN. The Chair understands it was the same paragraph that was in the bill a year ago.

Mr. MURRAY. Since that time the presiding officer of the Senate ruled like the Chairman of this House.

Mr. MANN. Well, that does not cut any ice.

Mr. MURRAY. And the Senate, by a vote of 45 to 16, sustained it.

Mr. MANN. They do not vote on parliamentary law over there. They vote on prejudice.

The CHAIRMAN. The Chair is ready to rule, unless some gentleman desires to be heard.

Mr. MANN. The last proviso may render this subject to the point of order, but I do not suppose the gentleman cares anything about that.

Mr. HARRISON. I suppose this could be cured by the offering of another amendment. I do not care to be heard on the point of order.

The CHAIRMAN. The Chair is ready to rule. The gentleman from Mississippi makes a point of order against the paragraph. The Chair had occasion to examine the various treaties and statutes which have some bearing on the question of whether or not this paragraph is in order a year ago when a point of order was made against a similar provision in the Indian appropriation bill then pending. The Chair went into the matter at some length and cited the various treaties and statutes bearing on the subject in an opinion which appears in the RECORD of that date. The Chair thinks it unnecessary to take up the time of the committee by again citing the precedents. The Chair believed then, and believes now, that this paragraph is clearly authorized by existing law and therefore overrules the point of order.

Mr. HARRISON. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Mississippi [Mr. HARRISON] offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amend, at line 20, page 30, by striking out "$200" and inserting "$100," and, at line 6, page 31, after the word "act," by inserting the following: *"Provided further, however,* That no per capita payment as provided in this paragraph of this act or hereafter to the enrolled members of the Choctaw Tribe of Indians in Oklahoma shall be paid until the questions of difference arising out of treaty stipulations between the members of the Choctaw Tribe of Indians in Oklahoma and the Choctaw Indians in Mississippi, commonly known as the Mississippi Choctaws, are decided by the Court of Claims; and the Court of Claims is hereby authorized to take jurisdiction of and try all claims of difference arising out of treaty stipulations between the United States Government and the Choctaw Nation, and the laws passed by Congress affecting the Mississippi Choctaws and the members of the Choctaw Tribe living in Oklahoma, and the claims of the Mississippi Choctaws either against the Choctaw Tribe in Oklahoma or the United States Government, and the rights of any claimants as Mississippi Choctaws for enrollment upon the final rolls of the Choctaw Tribe whose names do not now appear upon the final rolls of said tribe, and the legal, equitable, and moral rights of the Mississippi Choctaws in the funds or properties of the Choctaw Tribe under the treaties, laws, actions of the Choctaw Tribe and attorneys for the tribe, decisions of commissioners and courts, and actions, conditions, and circumstances of the Mississippi Choctaw claimants; and said Court of Claims is hereby granted power to review the entire questions of difference de novo; and any claimant as a Mississippi Choctaw who is not now upon the final rolls of the Choctaw Nation shall have the right for and on behalf of himself and any or all claimants as Mississippi Choctaws to begin the ascertainment of the judgment of the Court of Claims on these questions by filing in the Court of Claims a petition stating the facts on which these Mississippi Choctaw claimants base their right for enrollment upon the final rolls of the Choctaw Nation as Mississippi Choctaws"——

Mr. STEPHENS of Texas. Mr. Chairman, I desire to raise the point that this amendment is subject to a point of order, and I raise it now. Enough has been read by the Clerk to disclose the fact that this is not germane.

Mr. HARRISON. Only a short clause of the amendment remains to be read.

Mr. STEPHENS of Texas. I raise a point of order against it, Mr. Chairman, but the Clerk can conclude the reading.

The Clerk concluded the reading of the amendment, as follows:

"And in all respects the rules and practices of the Court of Claims shall be followed; and the Choctaw Nation, and the Chickasaw Nation if it so desires, through their attorneys, and the United States Government, through its Attorney General, may answer the petitions and represent the contentions of the respective parties throughout the presentation of the matter to the Court of Claims; and the Court of Claims shall make its findings and transmit them to the Congress of the United States."

Mr. STEPHENS of Texas. Mr. Chairman, I make a point of order against it. It is new legislation, and it is not germane.

The CHAIRMAN. Does the gentleman from Mississippi wish to be heard?

Mr. HARRISON. What was the gentleman's point of order?

Mr. STEPHENS of Texas. That it is new legislation and changes existing law and is not germane.

Mr. HARRISON. Mr. Chairman, the amendment is drawn so that it reduces the appropriation, and it therefore is a retrenchment; and it strikes me that the only question before the Chair is whether or not it is germane.

I think that probably it ought to be construed as being germane, because the per capita payment is under the bill to be made to those Indians on the final rolls, and this proviso restricts the payment and refers it to the Court of Claims to ascertain what members should be on the final rolls. And if some members are not on the rolls, who should be on them? The whole matter is dealing with one question. It reduces the appropriation carried, and under the Holman rule, it occurs to me, it might be held in order.

Mr. FERRIS. Mr. Chairman, I take it that it is hardly necessary to make comment upon the amendment just offered. But certainly it repeals existing statutes not once, but in five or six instances; and certainly it creates not legislation in one place, but in five or six places. Certainly it creates new conditions under the law, and repeals statutes one after another almost ad infinitum; and certainly there is nothing on its face that would show that it would come within the Holman rule.

On the contrary, as a matter of fact, it would probably be one of the most extravagant amendments that could be offered from the standpoint of retrenchment. It would cause the retrial and reinvestigation of matters that have been, not once but four or five times, adjudicated, and it would bring on lawsuits and litigation that would distort and enlarge the expenditures of the Government rather than retrench them.

It could not from any conceivable viewpoint, in my judgment, be held in order. I do not think there is any rule of the House that would even squint at its being in order.

Mr. LENROOT. Mr. Chairman, will the gentleman yield there?

Mr. FERRIS. Yes.

Mr. LENROOT. In addition to what the gentleman has said, it does not affect any expenditure of the Government at all, so that the Holman rule would not apply.

Mr. FERRIS. That is true. It is a proposition to withdraw from the Indian funds their money, and it does not concern Government funds in any way.

Mr. MURRAY. And besides it is new legislation.

Mr. HARRISON. Mr. Chairman, I do not understand the gentleman's argument that there can not be a limitation placed upon the expenditure of Indian funds the same as funds out of the Treasury of the United States. Do I understand the gentleman to make that statement?

Mr. FERRIS. My thought is that this question involves almost a ministerial act of the Government in carrying out a treaty provision with the Indian tribes. In other words, in 1897 and again in 1902 the Federal Government agreed to sell the surplus land and town sites of the Indians and to distribute to them per capita their money.

The CHAIRMAN. The Chair is ready to rule. The gentleman from Texas [Mr. STEPHENS] makes a point of order on the amendment that has been offered by the gentleman from Mississippi [Mr. HARRISON] and which has been read at the Clerk's desk.

The paragraph to which this amendment is offered provides for a per capita payment to enrolled members of certain tribes of Indians in Oklahoma. The gentleman from Mississippi proposes a proposition for a determination on the part of the Court of Claims as to whether or not other tribes of Indians are entitled to enrollment.

The Chair does not think that the amendment offered by the gentleman from Mississippi is germane to the pending paragraph. In addition to that, it is clearly new legislation, and therefore the Chair sustains the point of order.

Mr. HARRISON. Mr. Chairman, I offer another amendment.

The CHAIRMAN. The gentleman from Mississippi offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amend, line 6, page 31, after the word "act," by inserting the following:

"*Provided, however,* That the provisions of the preceding paragraph of this act with respect to the Choctaw Tribe shall not be operative until Congress shall have determined the rights of the Mississippi Choctaws whose names do not appear upon the final rolls of the Choctaws in Oklahoma."

Mr. CARTER. I make a point of order against that amendment, Mr. Chairman.

The CHAIRMAN. The gentleman from Oklahoma makes a point of order against this amendment.

Mr. HARRISON. Mr. Chairman, this amendment is clearly in order. It is a limitation upon the amount appropriated in the paragraph. There is no new legislation proposed in it. It is merely a limitation upon the appropriation of the per capita payment.

In this connection I want to cite the chairman of the committee a precedent for this amendment, found in volume 4 of Hinds' Precedents, page 637, section 3943. There are many others holding to the same view, but I think this one ought to convince the Chair that it is in order.

On February 23, 1907, the sundry civil appropriation bill was under consideration in Committee of the Whole House on the state of the Union, when the following amendment was offered to the paragraph providing appropriation for the National Homes for Disabled Volunteer Soldiers:

Add the following:

"*And provided further,* That no part of this appropriation shall be apportioned to any National Home for Disabled Volunteers that contains a bar or canteen where intoxicating liquors are sold."

Mr. RICHARD BARTHOLDT, of Missouri, made the point of order that the amendment proposed legislation.

In the course of the debate Mr. JAMES R. MANN, of Illinois, argued:

Here is a situation now proposed where Congress by law is creating soldiers' homes. It has by law provided for the government of soldiers' homes. At soldiers' homes it has vested the government in a board of managers in accordance with the provisions of the statute. It is true that Congress can refuse to appropriate, but, Mr. Chairman, it is also true that the Chair has frequently ruled that Congress can not, against a point of order, by a limitation change the organic law. Here is a provision—

Argued Mr. MANN—

that although Congress has created these soldiers' homes by an organic law, although it has provided for the government of the soldiers' homes by a board of managers, a proposition through the form of a limitation to take away the control of the board of managers and by affirmative legislation in the guise of a limitation to change the statute upon that subject. While limitations are usually favored by the Chair, properly, still it is true that the Chair might well rule, it seems to me, that a limitation in this guise, changing the law, giving the board of managers the discretion over the management of the homes, is positive affirmative legislation, as it undoubtedly would be construed by the Comptroller of the Treasury, and therefore subject to a point of order. It is perfectly manifest that an item of this kind in the bill is construed by the Comptroller of the Treasury as positive legislation, although it be in the form of a limitation.

After further debate the Chairman ruled:

The language used in the amendment offered by the gentleman from Kansas is as follows:

"*And provided further,* That no part of this appropriation shall be apportioned to any National Home for Disabled Volunteers that contains a bar or canteen wherein intoxicating liquors are sold."

The Chairman said:

This very proposition was presented in regard to the State Soldiers' Homes in 1904, and the Chair at that time overruled the point of order and held it in order as a limitation. If the Chair were only following the precedent, he would be constrained to overrule the point of order in this case. One year ago this whole question, as most of the Members will remember, was taken up and discussed thoroughly and elaborately, and at that time the gentleman from Kansas offered this proviso:

"That this appropriation shall be available only under the condition that no bar or canteen shall be maintained at said homes for the sale of beer, wine, or other intoxicating liquors."

In legislation we look to the substance, and not to the form; and unless there is an affirmative attempt to restrict the administrative power or departmental function, it has always been held that a limitation in negative language is in order.

The present occupant of the chair went fully into the authorities and quoted a large number of decisions by Mr. Hemenway, of Indiana; Mr. BURTON, of Ohio; Mr. Payne, of New York; and other eminent parliamentarians who had occupied this chair when questions of similar import had been raised, all sustaining the theory that limitations of this character are clearly in order.

The Chair does not care to go fully into this line of decisions again, because the Chair believes that the ruling at that time was acquiesced in and believed to be the proper ruling under the circumstances. Therefore the Chair overrules the point of order.

It strikes me, Mr. Chairman, that there was an appropriation for the soldiers' homes, and the amendment offered was a limitation on the appropriation that precluded this appropriation being expended in any soldiers' home where intoxicating liquors were permitted to be sold. This amendment is analogous, because in this bill an appropriation is made for the per capita payment to these Indians. The amendment that is offered is a limitation upon that appropriation. It does not ask to do any affirmative thing. It only says that that appropriation shall not be expended, or that the per capita payment shall not be distributed, until the rights of the Mississippi Choctaws shall be heard and determined by Congress. It is merely a withholding of the distribution.

Mr. STEPHENS of Texas. Will the gentleman yield?

Mr. HARRISON. Yes.

Mr. STEPHENS of Texas. Is it not a fact that there is existing law requiring the United States Government, under the language of the treaty and under the act of Congress, to pay out that money? And would not this amendment, if adopted, violate and set aside and repudiate the treaty with the Indians and also the act of Congress?

Mr. HARRISON. The law now is that Congress in its discretion shall make these payments, when the lands have all been sold, and so forth. It is a matter of discretion with Congress and for Congress to say when these per capita payments shall be made.

Mr. CARTER. The present law provides really that the payments shall be made from year to year.

Mr. HARRISON. When the lands have all been sold and the proceeds paid into the Treasury.

Mr. FERRIS. Mr. Chairman, the treaty of 1897 and the treaty of 1902, known as the Atoka agreement and the supplemental agreement, respectively, the first made in 1897 and the second in 1902, were two solemn treaties entered into between the tribe of Indians in Oklahoma and the Federal Government. Without reading the treaties at length, the task of the Federal Government was to sell the surplus lands, to sell the town sites, convert their surplus property into money, and pay it out

through the proper channels. Later, on April 26, 1906, Congress, trying to vitalize and carry out to the letter the terms of those treaties, passed an act providing for the closing of the roll on March 4, 1907. The exact language is as follows:

Provided, That the rolls of the tribes affected by this act shall be fully completed on or before the 4th of March, 1907.

Of course, the act deals with some other things. Now, my thought is that the gentleman comes in under the guise of a limitation on a thing that the Federal Government is bound to do by statute law and by solemn treaties, and asks the Chair to hold that he may repeal two solemn treaties and the act of April 26, 1906. I think he is asking the Chair to do too much. Under the guise of a limitation he is asking to break the faith of the Federal Government and repeal an act of Congress.

The CHAIRMAN. Is not that a question for Congress rather than for the Chair to decide?

Mr. FERRIS. I think not. If this was a limitation on a thing that the Federal Government was to do, I think the gentleman would be correct, but surely under the guise of a limitation the Federal Government in a thing it is legally bound to do can not attack and break up three subsidiary, far-reaching obligations and destroy them. If such was the case, every appropriation bill that comes into the House and every paragraph read from the desk might be amended with a proviso that nothing under this section shall be expended unless something or other occurred, thereby stopping the wheels of Government and stopping the supply bills until the Member could have such legislation as he desired. I want to call the attention of the Chair to the mischief and trouble he makes for the House in the future if he tries to hold that because a man starts out in his amendment with "*Provided*," which proposes to be a limitation and as to matters wholly foreign to the appropriation, and tries to inject into it something else, there would be no end to it. In case of the sundry civil bill and the general deficiency bill, can I, because I start off and say, *Provided*, no part of the appropriation shall be used until some wholly independent piece of legislation is acted upon—can I get that in under the guise of a limitation? Can the supply bills, the wheels of Government, the appropriations made for a thousand things for the Government, be stopped because I start out with the proposition that it is a limitation? The Chair gets on thin ice if he holds that before money can be expended for a given specified purpose that certain matters of specific legislation must be settled in advance.

The gentleman from Mississippi asks the Chair to repeal two treaties and an act of Congress. I can not believe that the Chair, I can not believe that the gentleman from Mississippi, or any other Member can ask that his matters be adjudicated because he starts out with an amendment and calls it a limitation in an appropriation bill.

Mr. LENROOT. Mr. Chairman, just a word. I do not think the gentleman from Oklahoma [Mr. FERRIS] is right. I shall vote against the amendment. The gentleman from Oklahoma can not claim that if this amendment is adopted it will change existing law in any way, because the rights of the Five Civilized Tribes with relation to the Government will remain exactly the same as they are now. The only thing that it can affect is this particular appropriation to carry out the rights which may exist. Gentlemen will not claim that it would not be a proper amendment to say that no part of the appropriation shall be paid out before the 1st day of January, 1916.

Mr. FERRIS. I think not.

Mr. LENROOT. All the amendment does is to provide that payment shall not be made except upon the happening of some other event, and if the event does not happen within the year the appropriation fails.

Mr. FERRIS. Mr. Chairman, I do not want to eliminate the Chair from this, because the Chair has to decide it. Let me call attention to the position the gentleman from Wisconsin is trying to lead the House into. Suppose the Agricultural appropriation bill provides some service for the gentleman's State; would the Chair be asked to hold that I could offer a proviso and have it held in order that no money could be expended in Wisconsin until an equal amount was spent in Oklahoma? I think that any such troublesome course as that would not be held lawful. Suppose a bill comes in for the construction of a bridge across the Mississippi River, and I offer an amendment providing that they shall not build that bridge until they build five bridges in the State of Texas or Oklahoma.

Mr. LENROOT. What rule does it violate?

Mr. FERRIS. I think it violates the rule that prohibits a change of existing law. I think it would repeal existing law.

Mr. CARTER. It is new law, and requires the Government or renders it liable to do things that it is not bound to do.

Mr. LENROOT. If the amendment was adopted the rights of the Five Civilized Tribes will remain the same as they are now. It could only affect the paying out of the money.

Mr. FERRIS. It would affect it to this extent: The Government is legally bound to pay out under the treaties and the act of Congress this money. Any amendment offered which throws a monkey wrench into the machinery and requires it to do things that it is not bound to do is a change of law.

Mr. LENROOT. The gentleman does not differentiate between liability and making an appropriation. We might strike out the item entirely and the liability will remain the same.

Mr. CARTER. We might strike out the item, but the amendment changes existing law, because the rights of the Mississippi Choctaws have been determined by a court and by a commission, and after that had been decided an act was passed by Congress.

Mr. LENROOT. This does not change their rights in that respect.

Mr. CARTER. It says that no money shall be paid out until these rights are adjudicated.

Mr. LENROOT. It does not provide for adjudication.

Mr. CARTER. It contemplates further adjudication of the case.

Mr. SISSON. Mr. Chairman, I call the Chair's attention to the language of this amendment. It does not, as was stated by the gentleman from Wisconsin [Mr. LENROOT], change existing law. On the contrary, it is a mere limitation placed upon the right of the Secretary of the Treasury to pay this money out until the rights of the Mississippi Choctaws have been determined. In other words, a limitation is always in the nature of a provision providing that upon conditions prescribed being complied with the money may be paid out. It does not change the status of an Indian in Oklahoma; it does not change the language or words of a single treaty; but it simply is a limitation that the money shall not be expended out of the Treasury until the rights of other people shall have been determined who may not now be on the Choctaw rolls. You might put in this limitation this language: "That it shall not be paid out until the rolls of the Choctaws have been carefully gone over and their rights adjudicated." That would not in any way change the existing law. This does not change existing law. It simply provides that those who have the right now shall simply remain in statu quo for the purpose of determining whether or not there are other parties that may be entitled under the very law these gentlemen cite to a portion of this money. It is not sufficient to say, nor can the Chair nor can this Congress say, that every man's right has been properly adjudicated there. Therefore it is simply a precautionary measure which Congress should take in expending the money, to see to it that the rights of all the parties in interest are taken into consideration.

If the Chair were a judge upon the bench determining the rights of wards in chancery, he would first determine whether or not all of the wards were properly in the court, whether or not they were all properly represented, and whether each was to get his pro rata share of the distribution of the estate. That is what this amendment does. It is simply a precaution put upon this appropriation for the purpose of determining with certainty before this estate is distributed that these wards have all had their rights properly adjudicated; and, if so, instantly under this limitation the money could be paid, but until that matter was fixed and determined, then this limitation upon this appropriation bill is binding, and binding that far only. It therefore changes no existing law; it changes no treaty or the language of any treaty obligation which the Government is under to anybody.

Mr. JACOWAY. Mr. Chairman, will the gentleman yield?

Mr. SISSON. Yes.

Mr. JACOWAY. I will ask the gentleman if, under the provisions of the Atoka agreement, there is not a provision of the treaty that these funds shall be paid out from year to year.

Mr. SISSON. That may be true. This does not prevent it being paid out from year to year, but simply provides that it shall be paid to the proper parties, and that the proper parties must be determined before this appropriation can be distributed; and that is all it does, and that is the right which Congress has to see to it that the proper parties get the money where you are distributing an estate like this. If Congress has not, then it is the duty of Congress to make provision to do so, and Congress has the right to withhold any appropriation until Congress is absolutely satisfied that the proper parties will get the money which belongs to them, and it is the duty of Congress to so safeguard these appropriations that the proper parties may obtain the money.

This proposition here is simply a limitation providing that the proper parties shall obtain the money, and that only those who are entitled to it under the treaties and under the law shall be heard, and that they shall be heard before this money is distributed; and after they shall have been heard, then,

under this proviso, in the next year or the following year they can get every dollar to which they are entitled.

Mr. JACOWAY. I will ask the gentleman if in the decision in the Jack Amos case and in the Stevens case and under the provisions of the Curtis Act of 1902 it has not been ascertained that the proper parties to this——

Mr. SISSON. That has nothing to do with this limitation.

Mr. JACOWAY. But the gentleman said until the proper parties and the rights of the proper parties had been ascertained, and I will ask the gentleman——

Mr. SISSON. Oh, the Chair can not take judicial notice of the fact as to whether those acts have been complied with and whether every man has presented himself; nor is that a matter for this Chair now to decide. The only question for him to decide is not the wisdom or the unwisdom of this limitation, nor whether or not it is unfair, but the only question is whether it is in order; and if it is in order, then it is up to Congress to decide the other question.

Mr. JACOWAY. I will ask if the adjudication in all those cases was not against the contention of the Mississippi Choctaws?

Mr. SISSON. Mr. Chairman, I am not arguing the contention of the Mississippi Choctaws, nor am I arguing their rights. I am arguing the right of this House to place this limitation on this appropriation bill. The rights of the Mississippi Choctaws are not involved in this discussion, nor are the rights of the Choctaws in Oklahoma involved. The only question involved is whether or not this limitation placed in this bill is a proper limitation on this appropriation, and if it is in order, then Congress has the right to place the limitation upon it. Taking that view of it, I contend that it is nothing but a limitation and in exact accord with the decision of the Chair already referred to in the case of the canteen, which was a limitation placed upon an appropriation bill. It was contended then that that was legislation, legislating out of the Army the right of the canteen, the right of those people who had been selling liquor to the soldiers, and the effect of it was, as if they had legislated in hæc verba, that it could not be sold there. The only thing they did was to say that the appropriation could not be used until the canteen had been eliminated. In this case this money can not be paid out until the rights of the Mississippi Choctaws—the amendment does not say Mississippi Choctaws, but the right of those people who are entitled to this distribution under the laws and treaties—have been determined, and when that right shall have been determined, then and not until then should this money be paid out.

Mr. CAMPBELL. Mr. Chairman, the amendment offered provides that the appropriation with respect to the Choctaw Tribes shall not be operative until Congress shall have determined the rights of the Mississippi Choctaws whose names do not appear upon the final roll of the Choctaws in Oklahoma. The question is whether or not that is such a limitation as comes within the rules of the House. The gentleman from Mississippi has cited the case of a limitation on an appropriation bill providing for soldiers' homes that an appropriation should not be used until the sale of intoxicating liquors had been prohibited in the homes. The fact is that there was no legal right to sell intoxicating liquors in the home prior to the time that limitation was made. There was no direction that the authorities of the home should sell or might sell or were permitted to sell. Liquors were sold by sufferance, not by right, and the limitation was very proper. In this case the Atoca agreement directed that the lands of the Choctaws in Oklahoma should be appraised and sold and that the proceeds should be paid to the members of the tribe. The act of 1902 provided that the affairs of the Choctaws should be wound up, that they should be paid everything that was their due, and that the moneys in the Treasury of the United States for their benefit should be paid to them, and that the affairs of the tribe should be wound up. Again, in 1906, the Congress solemnly closed the roll of the Choctaw Tribe of Indians in Oklahoma, and made that closing of the rolls effective on the 4th day of March, 1907. That is the law of this country to-day, the law that has governed Congress ever since, the law that has governed the Secretary of the Interior and the administration of the Indian Office, and the law that has governed the courts with respect to the Choctaws and Chickasaws. So the limitation placed by this amendment clearly sets aside not only the Atoca agreement, the act of 1902, but also the act of 1906, to finally close the Choctaw rolls on the 4th day of March, 1907, and says now that nothing further shall be done with respect to these payments until—what? Why, the rolls shall be opened again; that the act of 1906, so far as the closing of the rolls is concerned, shall be repealed and the rolls reopened.

Mr. LENROOT. Will the gentleman yield?

Mr. CAMPBELL. Yes.

Mr. LENROOT. I know the gentleman means to be accurate, but he is inaccurate in this. This, if adopted, does not say that nothing further shall be done until Congress shall act, because the next appropriation may come in and make this per capita payment, and if it is adopted it will have no effect upon it whatever. It falls with this appropriation.

Mr. CAMPBELL. Well, so far as this law is concerned, it goes as far as it can. It sets aside the act of 1906, in so far as each of these appropriation bills could set it aside. It sets it aside for the period of one year, and with a precedent of a subsequent chairman to hold that a similar limitation upon an appropriation bill a year hence could set the same law aside for the subsequent period of another year, and so on from year to year set aside a law of Congress.

The CHAIRMAN. Now, the fact that Congress has the power and right under the law to make this per capita payment, of course, does not necessarily mean that Congress is compelled to make the appropriation.

Mr. CAMPBELL. The intention of this Congress was and the mandate of the law was that the affairs should be closed up and that this appropriation should be made. There was a solemn treaty agreement made at Atoka, Okla., in 1902, pledging the Congress of the United States to close up the affairs of the Choctaws and the Chickasaws, and then the act of 1906, finally closing the rolls, is substantially modified by this amendment.

The CHAIRMAN. Has the gentleman the amendment? The gentleman from Kansas will proceed.

Mr. CAMPBELL. I had submitted, if the Chair pleases, the observations that I had to make upon the point of order.

The CHAIRMAN. The gentleman from Mississippi [Mr. HARRISON] offers an amendment to add the following language to the paragraph:

Provided, however, That the provisions of this paragraph in respect to the Choctaw Tribe shall not be operative until Congress shall determine the rights of the Mississippi Choctaws whose names do not appear upon the final rolls of the Choctaws in Oklahoma.

The gentleman from Texas [Mr. STEPHENS] made the point of order that this amendment is not germane and is new legislation.

Mr. STEPHENS of Texas. And will repeal existing laws, Mr. Chairman.

The CHAIRMAN. And that it repeals existing laws. The purpose of the paragraph under consideration is to direct a per capita payment of a given sum to certain tribes of Indians, the payment to be made out of trust funds belonging to the Indians and within the control of the United States Government. It provides for an unconditional per capita payment. The fact that under existing law Congress has the right in an appropriation bill to make a per capita payment to the Indians does not, of course, carry with it the absolute requirement on the part of the Congress to make the appropriation.

In other words, it is entirely within the discretion of the Congress whether or not it will make the appropriation. It may make all or a part of the appropriation, or it may adopt a provision making the appropriation entirely nugatory, provided such provision is germane and does not change existing law. The amendment offered by the gentleman from Mississippi seeks to delay the payment of any per capita payment until Congress shall have determined the rights of the Mississippi Choctaws whose names do not now appear upon the final rolls of the Choctaws in Oklahoma. There is nothing in the amendment seeking to force the Congress or to compel the Congress to determine the rights of the Mississippi Choctaws. It simply provides that a per capita tax shall not be paid until the Congress shall have determined such rights. Now, it seems to the Chair that Congress, having the right to make the appropriation in any amount it deems proper, may also adopt a provision rendering the entire appropriation nugatory. The wisdom of such a course is for the committee and not the Chair to determine. The Chair does not think the amendment open to the objection of being new legislation or that it changes existing law. The Chair has not been furnished with any treaty or statute providing specifically for an annual per capita payment. If there was any such statute, the Chair apprehends that it would not be necessary to have the provision which has been reported as a part of the pending bill. The Chair is of opinion, however, that there is ample authority for Congress to make such annual payment in an appropriation bill if it sees fit to do so. On the other hand, Congress may withhold it, as has been done in the past. The Chair therefore does not think that the amendment changes existing law, nor does it propose new legislation. It is, in the opinion of the Chair, only a condition or limitation on the appropriation, the effect of which

and the advisability of which the committee and not the Chair must determine.

The Chair thinks the amendment in order, and therefore overrules the point of order. The question is——

Mr. FERRIS. Mr. Chairman, now that the Chair has held this is in order, as this naturally strikes at the whole question, I think there ought to be some arrangement of gentlemen more interested in it than I am as to the time for debate on this question.

Mr. MANN. There is a half an hour on a side.

Mr. STEPHENS of Texas. I thought there was a general arrangement the other day in reference to debate upon this question that each side should have a half an hour. Am I correct in that—one-half an hour to the gentleman from Oklahoma [Mr. CARTER] and half an hour to the gentleman from Mississippi [Mr HARRISON]?

Mr. CARTER. That was the understanding; and there was a further understanding that the agreement should not interfere with the debate under the five-minute rule, as I now remember.

Mr. STEPHENS of Texas. It has not.

The CHAIRMAN. Under the rule adopted, or, rather, under the unanimous-consent agreement of the committee, the gentleman from Mississippi [Mr. HARRISON] was to be entitled to 30 minutes and the gentleman from Oklahoma [Mr. CARTER] to 30 minutes.

Mr. BURKE of South Dakota. That was for general debate.

The CHAIRMAN. The Chair does not understand that that interferes with the five-minute rule in any sense.

Mr. CARTER. Mr. Chairman, there ought to be an arrangement about the time when the general debate shall come and when the debate under the five-minute rule shall come.

Mr. CAMPBELL. May I suggest to the gentleman from Texas [Mr. STEPHENS] and the gentleman from Mississippi [Mr. HARRISON] and the gentleman from Oklahoma [Mr. CARTER] that it is now 20 minutes after 4 o'clock. There are only a few Members of the House here. I suggest that this item be passed over and that we finish the bill and come back to this in the morning, when we have a full House.

Mr. FERRIS. Mr. Chairman, reserving the right to object, I know my good friend from Kansas and I believe about this matter alike, so it is not a question of interest or noninterest. I hope we can take it in the regular order. I hate to have our State singled out and shot at all the time. So let us fight it out as we go.

Mr. CAMPBELL. We can finish this bill to-night and get on this in the morning.

Mr. STEPHENS of Texas. That would take us to 20 minutes of 5 o'clock. That would leave us plenty of time to get through with the bill by 6 o'clock.

Mr. MANN. That would not end the five-minute debate.

Mr. STEPHENS of Texas. I understand, but I think that general debate could be concluded in the hour.

Mr. FERRIS. Let me state to those who are more interested than myself that the chairman of the committee tried to get unanimous-consent agreement in the House to have a certain amount of debate yielded out on either side and fix the time positively and definitely for the vote.

Mr. STEPHENS of Texas. That is probably what they will do.

Mr. MANN. They will do it anyway.

Mr. CAMPBELL. And then to-morrow they will want to know what they are voting on.

Mr. STEPHENS of Texas. I ask unanimous consent that we vote at 5.30 o'clock p. m. on this section and all amendments thereto.

Mr. LENROOT. Mr. Chairman, I object.

Mr. STEPHENS of Texas. Then I extend it to 6 o'clock.

Mr. SHERLEY. Mr. Chairman, if the gentleman will permit, we have only a few legislative days left for the consideration of appropriation bills. This bill has taken already an unusual length of time. I realize that gentlemen are interested, but there is no reason why this whole case should not be stated pro and con in 15 minutes on a side. The thing is to go on with the debate, and those in charge of the bill move to end the debate on it at the proper time.

Mr. FERRIS. Mr. Chairman, I ask unanimous consent that at the expiration of two hours, one hour to be controlled by the chairman of the committee or the gentleman from Oklahoma [Mr. CARTER] and the other hour by the gentleman from Mississippi [Mr. HARRISON], a vote be had on this proposition.

Mr. SHERLEY. I will not agree to anything like two hours' debate.

Mr. FERRIS. We have already gotten unanimous-consent agreement through for half an hour on a side.

Mr. SHERLEY. All right. I can not stop that.

Mr. STEPHENS of Texas. I ask that we proceed, then, under the half-hour arrangement as heretofore agreed upon as the regular order.

Mr. CARTER. The gentleman from Mississippi [Mr. HARRISON] will probably want some time for closing his side of the case—more than five minutes—and it may, perhaps, be possible for us to come to some agreement upon that proposition, anyway.

Mr. MANN. You better do that after you finish the general debate.

Mr. STEPHENS of Texas. We have already agreed by unanimous consent on 30 minutes for debate, and we have reached the point for that debate to begin, and I shall insist on the agreement being carried out.

Mr. HARRISON. Mr. Chairman, I ask for 45 minutes on a side. I have 30 minutes already. I am willing to give out my time. All I want is a few minutes in which to close. I am willing to agree to 40 minutes, 45 minutes, or even 30 minutes.

Mr. STEPHENS of Texas. Thirty minutes on a side has already been agreed to.

Mr. HARRISON. The gentleman is wrong about that. They agreed that the gentleman from Oklahoma [Mr. CARTER] should have 30 minutes and I should have 30 minutes. But that would not interfere with discussion under the five-minute rule. The gentleman would save time by agreeing to take a vote on this amendment at the end of a certain period.

Mr. STEPHENS of Texas. There is no trouble about this matter whatever. We have reached the point now where the general debate should begin, and if these gentlemen are not ready I will ask for the reading of the bill under the five-minute rule.

The CHAIRMAN. Does the gentleman ask for the regular order?

Mr. STEPHENS of Texas. I ask for the regular order.

Mr. HARRISON. I make the point of order there is no quorum present.

The CHAIRMAN. The gentleman makes the point of no quorum.

Mr. HARRISON. I withdraw the point, Mr. Chairman.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Mississippi [Mr. HARRISON].

Mr. HARRISON. A parliamentary inquiry, Mr. Chairman.

The CHAIRMAN. The gentleman will state it.

Mr. HARRISON. Under the agreement before we went into the Committee of the Whole the gentleman from Oklahoma [Mr. CARTER] was to have half an hour and I was to have half an hour. I have proposed an amendment that is pending. I believe that under the rules of the House I have the close.

Mr. CARTER. The committee has the close, Mr. Chairman, under the rules.

The CHAIRMAN. No agreement was made as to the question of closing. The Chair would consider it, as a general proposition, that the chairman of the committee would have the right to close the debate.

Mr. MANN. Will the gentleman from Mississippi [Mr. HARRISON] yield to a question?

Mr. HARRISON. Yes.

Mr. MANN. I notice the amendment refers to the preceding paragraph.

Mr. HARRISON. I want to ask unanimous consent that the word "preceding" be stricken out in order to make the amendment applicable to this paragraph of the act.

The CHAIRMAN. Does the gentleman move to strike out the word "preceding" and substitute the word "this"?

Mr. HARRISON. This paragraph of this act.

The CHAIRMAN. Is there objection to the request of the gentleman from Mississippi to have the paragraph modified?

Mr. STEPHENS of Texas. I ask to have it reported as it would read.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amend, line 6, page 21, after the word "act," by inserting the following:

"*Provided, however,* That the provisions of this act with respect to the Choctaw Tribe shall not be operative until Congress shall have determined the rights of the Mississippi Choctaws whose names do not appear upon the final rolls of the Choctaws in Oklahoma."

The CHAIRMAN. Is there objection to the gentleman from Mississippi modifying his amendment as indicated?

There was no objection.

Mr. STEPHENS of Texas. Mr. Chairman, will it read "this paragraph" or "this act"?

Mr. MANN. No; "this paragraph."

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Mississippi.

Mr. HARRISON. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. HARRISON. Is it the ruling of the Chair that I must proceed for 20 minutes, if I want to avail myself of that privilege?

Mr. MANN. You can proceed and reserve part of your time, and the others will have to take it or not take it at all. They are entitled to close.

Mr. HARRISON. May I ask the Chairman another parliamentary inquiry? May I talk as long as I want to and reserve the balance of my time?

The CHAIRMAN. The Chair understands that the gentleman has that right.

Mr. HARRISON. Mr. Chairman, the provision of this bill that we are opposed to is the per capita payment of $200 to the Oklahoma Choctaws. The amendment that I have proposed does not ask for anything to be done by Congress with respect to reopening the rolls. Our only desire is at this time that Congress do not distribute any of the moneys in the funds of the Choctaw Nation, for the very potent reason that the differences existing between Indians in Mississippi who lay claim to the right to be enrolled and the Choctaws in Oklahoma should first be fairly settled. That has not been done. I shall later on in the argument present to you not what I may myself say about the claims of the Mississippi Choctaws, but I will present to you what the chairman of the Committee on Indian Affairs said about their rights, after the rolls were closed in 1907, and how badly and unjustly they were treated, and I shall read to you what was said by a distinguished citizen of Oklahoma who now occupies a seat in the Senate of the United States [Mr. OWEN]. He knows more about these claims of the Mississippi Choctaws than any man in the country. I shall present to you what he says with respect to these claims and these rights of the Mississippi Choctaws. If these claims are fictitious, if they are no good, if there is nothing to them, then let me say that you must say he is wrong, because I shall read to you from his pen and his mouth the most convincing arguments and facts about their claims. And his utterances were made only a few years ago, four or five years after the rolls were closed.

These are the character of arguments that I shall present to you, in order that you may know that they are not partisan statements tinctured with partiality for my people. However, in the face of all these facts that I shall present we are only asking Congress to withhold this money at this time, so that these claims of the Mississippi Choctaws might be fairly considered by Congress or might be presented to the Court of Claims and be passed upon.

I submit to you, sirs, that when we ask Congress simply to withhold this distribution we are not asking too much. We are trying to protect the Treasury of the United States, because the Oklahoma Members would have this Congress pass laws for the benefit of the Mississippi Choctaws, but they want it appropriated out of the Treasury of the United States. I do not want that. I want it to come out of the funds of the tribe. I do not want any claims to come up in the future from these Mississippi Choctaws against the Government of the United States.

Now is the time to settle the question between the Oklahoma Choctaws and the Mississippi Choctaws, not after these funds are all distributed; and I submit that it would be folly for this Congress to go ahead under the circumstances and distribute these funds.

I shall later on submit to you a letter that my good friend from Oklahoma [Mr. CARTER] wrote to his constituents, saying that this was the way they wanted to deplete the Treasury of those funds and to distribute them so that there would be nothing left.

Mr. CARTER. Mr. Chairman, I do not think the gentleman should say that. I do not think I made any such statement as that.

Mr. HARRISON. Well, virtually that. I reserve the balance of my time, Mr. Chairman.

Mr. STEPHENS of Texas. Mr. Chairman, will the gentleman yield to me at this point?

Mr. HARRISON. No; I reserve the balance of my time.

The CHAIRMAN. The gentleman from Mississippi reserves the balance of his time. The gentleman from Oklahoma [Mr. CARTER] is recognized.

Mr. CARTER. Mr. Chairman, I yield 12 minutes to the gentleman from Oklahoma [Mr. FERRIS].

The CHAIRMAN. The gentleman from Oklahoma [Mr. FERRIS] is recognized for 12 minutes.

Mr. FERRIS. Mr. Chairman and gentleman of the Congress, the House of Representatives and all people interested in the nonresident Mississippi Choctaw claimants, so called, residing in Mississippi, are entitled to know the truth regarding this controversy which is to-day annoying the Congress.

I will in the time allotted to me present facts, historical data, treaties, laws, regulations, decisions of courts, the decision of the Dawes Commission, and provisions in the patent, that I think will simplify this case so that every man will understand that the nonresident Mississippi Choctaw claimants, so called, have neither in law nor equity any claim whatsoever against the Oklahoma Band of Choctaws.

HISTORICAL DATA.

Ninety-five years ago, in 1820, the Choctaw Tribe of Indians in toto resided in the State of Mississippi. They owned approximately 15,000,000 acres of land in Mississippi, and all resided there. By the treaty of 1820, which was a treaty between the Choctaw Tribe and the Federal Government, these Indians exchanged 4,000,000 acres of their Mississippi lands for certain lands west of the Mississippi River, which now comprises that section of the State of Oklahoma known as the Choctaw and Chickasaw Nation. It was, up until statehood, designated as the southeastern part of the Indian Territory, and since statehood may well be described as comprising the southern and southeastern portion of the State of Oklahoma.

Ten years later an additional treaty was entered into between the same tribe and the Federal Government, which was intended to more effectually carry out the treaty of 1820. This treaty was designated as the Dancing Rabbit treaty of 1830 between the Choctaw Indians and the United States Government. It contains the fourteenth article of the treaty on which the so-called Mississippi nonresident Choctaws base their purported claim for a share in the property of the Oklahoma Indians. Under this treaty of 1830, 15,000 of the 18,000 Indians moved west and took up residence in the then Indian Territory, in strict compliance with the terms of the treaty they had made. Some three or four thousand of the tribesmen refused to move to Oklahoma under the provisions of the treaty and remained in Mississippi, accepting land, land scrip, and money in lieu of going to Oklahoma and participating in that estate. The approximately 4,000 Indians who remained in Mississippi from 1830 to 1842 had the privilege, under the treaty, of taking up residence on and being allotted any part of the 10,000,000 acres left in Mississippi that they desired. Under the fourteenth article of the treaty each head of a family was entitled to 640 acres of land, each child over 10 years of age 320 acres, and each child under 10 years of age 160 acres. At that time land was of little or no value in Mississippi. The Indians cared nothing for the land, and during that period of 12 years only 143 families were induced to take lands from the 10,000,000 acres left in Mississippi. The remaining Indians, up until 1842, had therefore not received directly any benefits under the treaty, so the Government took the matter in hand, pursuant to an act of Congress passed for that express purpose, and identified 3,885 of these Indians who had refused to take allotments during the 12-year period, and delivered in person to each of them land scrip and money equivalent in value to 640 acres for every head of a family, 320 acres for every child over 10 years of age, and 160 acres for every child under 10 years of age. The muster rolls of the Indian Office show that this land scrip and money was actually delivered to the Indians in person and that they actually received it and got the benefits of it, and a list of their names will be incorporated in my remarks later.

It will, therefore, be conclusively shown that the Indians who remained in Mississippi actually received more benefits than did the treaty Indians who removed west. They really had a larger patrimony than the Indians who moved on to the frontier at the instance of the Government to what was then a savage, hostile, dangerous country. Those who moved west at that time were subject to the hardships and outrages inflicted upon them by the wilder tribes of Indians who then lived upon the prairie sections of the State and who preyed upon their peaceful neighbors and committed all manner of outrages against them. It will be remembered that the Choctaws were always a peaceful people and never warlike, as were the other uncivilized tribes.

It will also be interesting to observe that of the 4,000 Indians who remained in Mississippi, up until the issuance of patent in 1842 by President Tyler, 3,400 of them actually emigrated between the years 1830 and 1855 and took up residence with their brethren in Oklahoma, were again allotted land, and either they or their descendants are now members of and participating in all the property and benefits incident to tribal citizenship with the Oklahoma Choctaws. It will be observed with interest, I think, that these 3,400 Mississippi Choctaws who

emigrated West therefore received double patrimony and that only 700 of the old treaty Indians who lived at that time failed to receive any share in the Oklahoma property. Of course it will be remembered that these 700 received the land scrip or the land itself and the money that went with it to make up the equivalent of their full allotments.

I think I will be able to show that the Oklahoma Indians have had a solemn patent from the Federal Government to their lands for 73 years; I think I will be able to show that the Oklahoma Indians have been in possession of their lands in Oklahoma for 85 years; I think I will be able to show that the original Mississippi Choctaws who signed the treaty of 1830, and who refused to move West, are long since dead, and although the rolls of the Oklahoma Indians were open from 1830 to 1890, a period of 60 years, each day the Mississippi Choctaws refused to come and be enrolled and become a part of the Oklahoma Band or Tribe of Indians; I will also be able to show that Congress itself divested the Oklahoma Tribe of Indians of their power to make the rolls and took full charge of the matter itself, and that after they held the rolls open for a period of from 12 to 14 years that Congress itself, under the act of April 26, 1906, by solemn enactment closed the rolls, to take effect on March 4, 1907, and that the rolls are affirmatively closed. I will be able to show that the patent issued under President Tyler in 1842 to the Oklahoma Indians prescribes that residence upon the land was absolutely necessary, and not only that, but that they must initiate residence and remain residents of the territory, otherwise the land would be forfeited. I will be able to show that the rights of these people have been passed upon, first, by President Tyler when he issued the patent in 1842; second, by the Indian tribal government which then under the law had power to make their own rolls; third, by the Dawes Commission, which consisted of a board of lawyers created by Congress for the express purpose of determining this proposition; fourth, by the Federal court; and fifth, by the Congress itself in the act of April 26, 1906. I will be able to show that practically all of the Indians who participated in that treaty are dead; that the remnant band who remain in Mississippi are the descendants of the original parties to the treaty, who received their patrimony and disposed of it.

I will be able to show by Government reports that most, if not quite all, of this remarkable and unusual activity which seeks to break down treaties between the Federal Government and the Oklahoma Indians, which seeks to override the decisions of courts, which seeks to upset Indian laws and treaties for almost a hundred years back, is brought about by some unconscionable, unscrupulous, grafting, shyster attorneys who are seeking to enrich their own pocketbooks at the expense of the Oklahoma Indians. The truth of this assertion will be established by the report of Maj. James McLaughlin, one of the oldest inspectors in the Indian Service, who went to Mississippi in person, was there on the ground where this work was going on, made an investigation, and presents a statement of facts which is more scandalous and far-reaching than any thoughtful person can fathom or understand.

Without further preliminary remark at this time I will present to the Congress the treaties and laws in connection with these transactions, which will make it possible for those desiring to know the facts to get hold of them, read them for themselves, and understand them.

TREATY WITH THE CHOCTAWS, 1820.

A TREATY OF FRIENDSHIP, LIMITS, AND ACCOMMODATION BETWEEN THE UNITED STATES OF AMERICA AND THE CHOCTAW NATION OF INDIANS, BEGUN AND CONCLUDED AT THE TREATY GROUND, IN SAID NATION, NEAR DOAK'S STAND, ON THE NATCHEZ ROAD.

Preamble.

Whereas it is an important object with the President of the United States to promote the civilization of the Choctaw Indians by the establishment of schools amongst them and to perpetuate them as a nation by exchanging for a small part of their land here a country beyond the Mississippi River, where all who live by hunting and will not work may be collected and settled together; and

Whereas it is desirable to the State of Mississippi to obtain a small part of the land belonging to said nation, for the mutual accommodation of the parties and for securing the happiness and protection of the whole Choctaw Nation, as well as preserving that harmony and friendship which so happily subsists between them and the United States, James Monroe, President of the United States of America, by Andrew Jackson, of the State of Tennessee, major general in the Army of the United States, and Gen. Thomas Hinds, of the State of Mississippi, commissioners plenipotentiary of the United States, on the one part, and the mingoes, head men, and warriors of the Choctaw Nation in full council assembled, on the other part, have freely and voluntarily entered into the following articles, viz:

ARTICLE 1. To enable the President of the United States to carry into effect the above grand and humane objects the mingoes, head men, and warriors of the Choctaw Nation, in full council assembled, in behalf of themselves and the said nation, do, by these presents, cede to the United States of America all the land lying and being within the boundaries following, to wit: Beginning on the Choctaw boundary east of Pearl River at a point due south of the White Oak Spring on the old Indian path; thence north to said spring; thence northwardly to a black oak standing on the Natchez Road about 40 poles eastwardly from Doake's fence, marked "A. J." and blazed with two large pines and a black oak standing near thereto and marked as pointers; thence a straight line to the head of Black Creek, or Bouge Loosa; thence down Black Creek, or Bouge Loosa, to a small lake; thence a direct course so as to strike the Mississippi 1 mile below the mouth of the Arkansas River; thence down the Mississippi to our boundary; thence around and along the same to the beginning.

ART. 2. For and in consideration of the foregoing cession, on the part of the Choctaw Nation and in part satisfaction for the same, the commissioners of the United States, in behalf of said States, do hereby cede to said nation a tract of country west of the Mississippi River, situate between the Arkansas and Red Rivers and bounded as follows: Beginning on the Arkansas River where the lower boundary line of the Cherokees strikes the same; thence up the Arkansas to the Canadian Fork, and up the same to its source; thence due south to the Red River; thence down the Red River 3 miles below the mouth of Little River, which empties itself into Red River on the north side; thence a direct line to the beginning.

ART. 3. To prevent any dispute upon the subject of the boundaries mentioned in the first and second articles it is hereby stipulated between the parties that the same shall be ascertained and distinctly marked by a commissioner or commissioners to be appointed by the United States, accompanied by such person as the Choctaw Nation may select, said nation having 30 days' previous notice of the time and place at which the operation will commence. The person so chosen by the Choctaws shall act as a pilot or guide, for which the United States will pay him $2 per day while actually engaged in the performance of that duty.

ART. 4. The boundaries hereby established between the Choctaw Indians and the United States on this side of the Mississippi River shall remain without alteration until the period at which said nation shall become so civilized and enlightened as to be made citizens of the United States, and Congress shall lay off a limited parcel of land for the benefit of each family or individual in the nation.

ART. 5. For the purpose of aiding and assisting the poor Indians who wish to remove to the country hereby ceded on the part of the United States and to enable them to do well and support their families the commissioners of the United States engage, in behalf of said States, to give to each warrior a blanket, kettle, rifle gun, bullet molds, and nippers, and ammunition sufficient for hunting and defense for one year. Said warrior shall also be supplied with corn to support him and his family for the same period and while traveling to the country above ceded to the Choctaw Nation.

ART. 6. The commissioners of the United States further covenant and agree on the part of said States that an agent shall be appointed in due time for the benefit of the Choctaw Indians who may be permanently settled in the country ceded to them beyond the Mississippi River, and at a convenient period a factor shall be sent there with goods to supply their wants. A blacksmith shall also be settled amongst them at a point most convenient to the population, and a faithful person appointed whose duty it shall be to use every reasonable exertion to collect all the wandering Indians belonging to the Choctaw Nation upon the land hereby provided for their permanent settlement.

ART. 7. Out of the lands ceded by the Choctaw Nation to the United States the commissioners aforesaid, in behalf of said States, further covenant and agree that 54 sections of 1 mile square shall be laid out in good land by the President of the United States and sold for the purpose of raising a fund to be applied to the support of the Choctaw schools on both side of the Mississippi River. Three-fourths of said fund shall be appropriated for the benefit of the schools here, and the remaining fourth for the establishment of one or more beyond the Mississippi, the whole to be placed in the hands of the President of the United States, and to be applied by him expressly and exclusively to this valuable object.

ART. 8. To remove any discontent which may have arisen in the Choctaw Nation in consequence of $6,000 of their annuity having been appropriated annually for 16 years by some of the chiefs for the support of their schools, the commissioners of the United States oblige themselves, on the part of said States, to set apart an additional tract of good land for raising a fund equal to that given by the said chiefs, so that the whole of the annuity may remain in the nation and be divided amongst them. And in order that exact justice may be done to the poor and distressed of said nation, it shall be the duty of the agent to see that the wants of every deaf, dumb, blind, and distressed Indian shall be first supplied out of said annuity and the balance equally distributed amongst every individual of said nation.

ART. 9. All those who have separate settlements and fall within the limits of the land ceded by the Choctaw Nation to the United States and who desire to remain where they now reside, shall be secured in a tract or parcel of land 1 mile square, to include their improvements. Anyone who prefers removing, if he does so within one year from the date of this treaty, shall be paid their full value, to be ascertained by two persons to be appointed by the President of the United States.

ART. 10. As there are some who have valuable buildings on the roads and elsewhere upon the lands hereby ceded, should they remove it is further agreed by the aforesaid commissioners, in behalf of the United States, that the inconvenience of doing so shall be considered and such allowance made as will amount to an equivalent. For this purpose there shall be paid to the Mingo Puckshenubbee, $500; to Harrison, $200; to Capt. Cobb, $200; to William Hays, $200; to O'Gleno, $200; and to all others who have comfortable houses a compensation in the same proportion.

ART. 11. It is also provided by the commissioners of the United States, and they agree in behalf of said States, that those Choctaw chiefs and warriors who have not received compensation for their services during the campaign to Pensacola, in the late war, shall be paid whatever is due them over and above the value of the blanket, shirt, flap, and leggins which have been delivered to them.

ART. 12. In order to promote industry and sobriety amongst all classes of the red people in this nation, but particularly the poor, it is further provided by the parties that the agent appointed to reside here shall be, and here is hereby, vested with full power to seize and confiscate all the whisky which may be introduced into said nation, except that used at public stands or brought in by the permit of the agent or the principal chiefs of the three districts.

ART. 13. To enable the mingoes, chiefs, and headmen of the Choctaw Nation to raise and organize a corps of light horse, consisting of 10 in each district, so that good order may be maintained, and that all men, both white and red, may be compelled to pay their just debts, it is stipulated and agreed that the sum of $200 shall be appropriated by the United States for each district annually and placed in the hands of the

agent, to pay the expenses incurred in raising and establishing said corps, which is to act as executive officers in maintaining good order and compelling bad men to remove from the nation who are not authorized to live in it by a regular permit from the agent.

ART. 14. Whereas the father of the beloved Chief Mushulatubbee, of the lower towns, for and during his life did receive from the United States the sum of $150 annually, it is hereby stipulated that his son and successor, Mushulatubbee, shall annually be paid the same amount during his natural life, to commence from the ratification of this treaty.

ART. 15. The peace and harmony subsisting between the Choctaw Nation of Indians and the United States are hereby renewed, continued, and declared to be perpetual.

ART. 16. These articles shall take effect and become obligatory on the contracting parties so soon as the same shall be ratified by the President, by and with the advice and consent of the Senate of the United States.

This treaty was the first contractual relation between the Federal Government and the Mississippi Choctaws. It did not accomplish all that was desired, and the treaty of 1830 was entered into to more fully carry out the terms thereof.

TREATY WITH THE CHOCTAWS, 1830.

A TREATY OF PERPETUAL FRIENDSHIP, CESSION, AND LIMITS ENTERED INTO BY JOHN H. EATON AND JOHN COFFEE, FOR AND IN BEHALF OF THE GOVERNMENT OF THE UNITED STATES, AND THE MINGOES, CHIEFS, CAPTAINS, AND WARRIORS OF THE CHOCTAW NATION, BEGUN AND HELD AT DANCING RABBIT CREEK ON THE 15TH OF SEPTEMBER, IN THE YEAR 1830.

Whereas the General Assembly of the State of Mississippi has extended the laws of said State to persons and property within the chartered limits of the same, and the President of the United States has said that he can not protect the Choctaw people from the operation of these laws; now, therefore, that the Choctaw people may live under their own laws in peace with the United States and the State of Mississippi, they have determined to sell their lands east of the Mississippi and have accordingly agreed to the following articles of treaty (this paragraph was not ratified):

ARTICLE 1. Perpetual peace and friendship is pledged and agreed upon by and between the United States and the Mingoes, chiefs, and warriors of the Choctaw Nation of red people; and that this may be considered the treaty existing between the parties, all other treaties heretofore existing and inconsistent with the provisions of this are hereby declared null and void.

ART. 2. The United States, under a grant especially to be made by the President of the United States, shall cause to be conveyed to the Choctaw Nation a tract of country west of the Mississippi River in fee simple to them and their descendants, to inure to them while they shall exist as a nation and live on it, beginning near Fort Smith where the Arkansas boundary crosses the Arkansas River, running thence to the source of the Canadian fork, if in the limits of the United States, or to those limits; thence due south to Red River and down Red River to the west boundary of the Territory of Arkansas; thence north along that line to the beginning. The boundary of the same to be agreeably to the treaty made and concluded at Washington City in the year 1825. The grant to be executed so soon as the present treaty shall be ratified.

ART. 3. In consideration of the provisions contained in the several articles of this treaty, the Choctaw Nation of Indians consent and hereby cede to the United States the entire country they own and possess east of the Mississippi River; and they agree to move beyond the Mississippi River early as practicable and will so arrange their removal that as many as possible of their people, not exceeding one-half of the whole number, shall depart during the falls of 1831 and 1832, the residue to follow during the succeeding fall of 1833. A better opportunity in this manner will be afforded the Government to extend to them facilities and comforts which it is desirable should be extended in conveying them to their new homes.

ART. 4. The Government and people of the United States are hereby obliged to secure to the said Choctaw Nation of red people the jurisdiction and government of all persons and property that may be within their limits west, so that no Territory or State shall ever have a right to pass laws for the government of the Choctaw Nation of red people and their descendants; and that no part of the land granted them shall ever be embraced in any Territory or State; but the United States shall forever secure said Choctaw Nation from and against all laws except such as from time to time may be enacted in their own national councils not inconsistent with the Constitution, treaties, and laws of the United States, and except such as may and which have been enacted by Congress to the extent that Congress under the Constitution are required to exercise a legislation over Indian affairs. But the Choctaws, should this treaty be ratified, express a wish that Congress may grant to the Choctaws the right of punishing by their own laws any white man who shall come into their nation and infringe any of their national regulations.

ART. 5. The United States are obliged to protect the Choctaws from domestic strife and from foreign enemies on the same principles that the citizens of the United States are protected, so that whatever would be a legal demand upon the United States for defense or for wrongs committed by an enemy on a citizen of the United States shall be equally binding in favor of the Choctaws, and in all cases where the Choctaws shall be called upon by a legally authorized officer of the United States to fight an enemy such Choctaw shall receive the pay and other emoluments which citizens of the United States receive in such cases: *Provided*, No war shall be undertaken or prosecuted by said Choctaw Nation but by declaration made in full council and to be approved by the United States unless it be in self-defense against an open rebellion or against an enemy marching into their country, in which cases they shall defend until the United States are advised thereof.

ART. 6. Should a Choctaw or any party of Choctaws commit acts of violence upon the person or property of a citizen of the United States or join any war party against any neighboring tribe of Indians without the authority in the preceding article, and except to oppose an actual or threatened invasion or rebellion, such person so offending shall be delivered up to an officer of the United States, if in the power of the Choctaw Nation, that such offender may be punished as may be provided in such cases by the laws of the United States; but if such offender is not within the control of the Choctaw Nation, then said Choctaw Nation shall not be held responsible for the injury done by said offender.

ART. 7. All acts of violence committed upon persons and property of the people of the Choctaw Nation, either by citizens of the United States or neighboring tribes of red people, shall be referred to some authorized agent, by him to be referred to the President of the United States, who shall examine into such cases and see that every possible degree of justice is done to said Indian party of the Choctaw Nation.

ART. 8. Offenders against the laws of the United States or any individual State shall be apprehended and delivered to any duly authorized person where such offender may be found in the Choctaw country, having fled from any part of the United States, but in all such cases application must be made to the agent or chiefs, and the expense of his apprehension and delivery provided for and paid by the United States.

ART. 9. Any citizen of the United States who may be ordered from the nation by the agent and constituted authorities of the nation and refusing to obey or return into the nation without the consent of the aforesaid persons shall be subject to such pains and penalties as may be provided by the laws of the United States in such cases. Citizens of the United States traveling peaceably under the authority of the laws of the United States shall be under the care and protection of the nation.

ART. 10. No person shall expose goods or other articles for sale as a trader without a written permit from the constituted authorities of the nation or authority of the laws of the Congress of the United States under penalty of forfeiting the articles, and the constituted authorities of the nation shall grant no license except to such persons as reside in the nation and are answerable to the laws of the nation. The United States shall be particularly obliged to assist to prevent ardent spirits from being introduced into the nation.

ART. 11. Navigable streams shall be free to the Choctaws, who shall pay no higher toll or duty than citizens of the United States. It is agreed further that the United States shall establish one or more post offices in said nation, and may establish such military post roads and posts as they may consider necessary.

ART. 12. All intruders shall be removed from the Choctaw Nation and kept without it. Private property to be always respected, and on no occasion taken for public purposes without just compensation being made therefor to the rightful owner. If an Indian unlawfully take or steal any property from a white man, a citizen of the United States, the offender shall be punished; and if a white man unlawfully take or steal anything from an Indian, the property shall be restored and the offender punished. It is further agreed that when a Choctaw shall be given up to be tried for any offense against the laws of the United States, if unable to employ counsel to defend him the United States will do it, that his trial may be fair and impartial.

ART. 13. It is consented that a qualified agent shall be appointed for the Choctaws every four years, unless sooner removed by the President; and he shall be removed on petition of the constituted authorities of the nation, the President being satisfied there is sufficient cause shown. The agent shall fix his residence convenient to the great body of the people, and in the selection of an agent immediately after the ratification of this treaty the wishes of the Choctow Nation on this subject shall be entitled to great respect.

ART. 14. Each Choctaw head of a family being desirous to remain and become a citizen of the States shall be permitted to do so by signifying his intention to the agent within six months from the ratification of this treaty, and he or she shall thereupon be entitled to a reservation of one section of 640 acres of land, to be bounded by section lines of survey; in like manner shall be entitled to one-half that quantity for each unmarried child which is living with him over 10 years of age and a quarter section to such child as may be under 10 years of age, to adjoin the location of the parent. If they reside on said lands intending to become citizens of the States for five years after the ratification of this treaty, in such case a grant in fee simple shall issue; said reservation shall include the present improvement of the head of the family or a portion of it. Persons who claim under this article shall not lose the privilege of a Choctaw citizen, but if they ever remove are not to be entitled to any portion of the Choctaw annuity.

ART. 15. To each of the chiefs in the Choctaw Nation, to wit, Greenwood Laflore, Nutackachie, and Mushulatubbe, there is granted a reservation of four sections of land, two of which shall include and adjoin their present improvement and the other two located where they please, but on unoccupied, unimproved lands; such sections shall be bounded by section lines, and, with the consent of the President, they may sell the same. Also to the three principal chiefs and to their successors in office there shall be paid $250 annually while they shall continue in their respective offices, except to Mushulatubbe, who, as he has an annuity of $150 under a former treaty, shall receive only the additional sum of $100 while he shall continue in office as chief; and if in addition to this the nation shall think proper to elect an additional principal chief of the whole to superintend and govern upon republican principles, he shall receive annually for his services $500, which allowance to the chiefs and their successors in office shall continue for 20 years. At any time when in military service and while in service by authority of the United States the district chiefs, under and by selection of the President, shall be entitled to the pay of majors; the other chief under the same circumstances shall have the pay of lieutenant colonel. The speakers of the three districts shall receive $25 a year for four years each, and the three secretaries, one to each of the chiefs, $50 each for four years. Each captain of the nation, the number not to exceed 99, 33 from each district, shall be furnished upon removing to the West with each a good suit of clothes and a broadsword as an outfit, and for four years, commencing with the first of their removal, shall each receive $50 a year for the trouble of keeping their people at order in settling, and whenever they shall be in military service by authority of the United States shall receive the pay of a captain.

ART. 16. In wagons and with steamboats, as may be found necessary, the United States agree to remove the Indians to their new homes at their expense and under the care of discreet and careful persons, who will be kind and brotherly to them. They agree to furnish them with ample corn and beef or pork for themselves and families for 12 months after reaching their new homes.

It is agreed further that the United States will take all their cattle at the valuation of some discreet person to be appointed by the President, and the same shall be paid for in money after their arrival at their new homes, or other cattle, such as may be desired, shall be furnished them, notice being given through their agent of their wishes upon this subject before their removal that time to supply the demand may be afforded.

ART. 17. The several annuities and sums secured under former treaties to the Choctaw Nation and people shall continue as though this treaty had never been made.

And it is further agreed that the United States, in addition, will pay the sum of $20,000 for 20 years, commencing after their removal to the West, of which, in the first year after their removal, $10,000 shall be divided and arranged to such as may not receive reservations under this treaty.

ART. 18. The United States shall cause the lands hereby ceded to be surveyed, and surveyors may enter the Choctaw country for that purpose, conducting themselves properly and disturbing or interrupting

none of the Choctaw people. But no person is to be permitted to settle within the nation or the lands to be sold before the Choctaws shall remove. And for the payment of the several amounts secured in this treaty the lands hereby ceded are to remain a fund pledged to that purpose until the debt shall be provided for and arranged. And, further, it is agreed that in the construction of this treaty, wherever well-founded doubt shall arise, it shall be construed most favorably to the Choctaws.

ART. 19. The following reservations of land are hereby admitted: To Col. David Fulsom four sections, of which two shall include his present improvement and two may be located elsewhere on unoccupied, unimproved land.

To I. Garland, Col. Robert Cole, Tuppanahomer, John Pytchlynn, Charles Juzan, Johokebetubbe, Eaychahobia, Ofehoma, two sections, each to include their improvements and to be bounded by sectional lines, and the same may be disposed of and sold with the consent of the President. And that others, not provided for, may be provided for, there shall be reserved as follows:

First. One section to each head of a family not exceeding 40 in number who during the present year may have had in actual cultivation, with a dwelling house thereon, 50 acres or more.

Second. Three quarter sections after the manner aforesaid to each head of a family not exceeding 450, as shall have cultivated 30 acres and less than 50, to be bounded by quarter sections of survey and to be contiguous and adjoining.

Third. One half section as aforesaid to those who shall have cultivated from 20 to 30 acres, the number not to exceed 400.

Fourth. A quarter section as aforesaid to such as shall have cultivated from 12 to 20 acres, the number not to exceed 350, and one-half of that quantity to such as shall have cultivated from 2 to 12 acres, the number also not to exceed 350 persons. Each of said class of cases shall be subject to the limitations contained in the first class and shall be so located as to include that part of the improvement which contains the dwelling house. If a greater number shall be found to be entitled to reservations under the several classes of this article than is stipulated for under the limitation prescribed, then and in that case the chiefs separately or together shall determine the persons who shall be excluded in the respective districts.

Fifth. Any captain, the number not exceeding 90 persons, who, under the provisions of this article, shall receive less than a section, shall be entitled to an additional quantity of half a section adjoining his other reservation. The several reservations secured under this article may be sold with the consent of the President of the United States, but should any prefer it, or omit to take a reservation for the quantity he may be entitled to, the United States will, on his removing, pay 50 cents an acre after reaching their new homes, provided that before the 1st of January next they shall adduce to the agent, or some other authorized person to be appointed, proof of his claim and the quantity of it.

Sixth. Likewise, children of the Choctaw Nation, residing in the nation, who have neither father nor mother, a list of which, with satisfactory proof of parentage and orphanage, being filed with agent in six months, to be forwarded to the War Department, shall be entitled to a quarter section of land, to be located under the direction of the President, and with his consent the same may be sold and the proceeds applied to some beneficial purpose for the benefit of said orphans.

ART. 20. The United States agree and stipulate as follows: That for the benefit and advantage of the Choctaw people, and to improve their condition, there shall be educated, under the direction of the President and at the expense of the United States, 40 Choctaw youths for 20 years. This number shall be kept at school, and as they finish their education others to supply their places shall be received for the period stated. The United States agree also to erect a council house for the nation at some convenient central point after their people shall be settled, and a house for each chief, also a church for each of the three districts, to be used also as schoolhouses until the nation may conclude to build others; and for these purposes $10,000 shall be appropriated; also $50,000, viz, $2,500 annually shall be given for the support of three teachers of schools for 20 years. Likewise there shall be furnished to the nation three blacksmiths, one for each district, for 16 years, and a qualified millwright for 5 years; also there shall be furnished the following articles: Two thousand one hundred blankets; to each warrior who emigrates, a rifle, molds, wipers, and ammunition; 1,000 axes, plows, hoes, wheels, and cards each, and 400 looms. There shall also be furnished 1 ton of iron and 2 hundredweight of steel annually to each district for 16 years.

ART. 21. A few Choctaw warriors yet survive who marched and fought in the Army with Gen. Wayne, the whole number not to exceed 20.

These, it is agreed, shall hereafter, while they live, receive $25 a year, a list of them to be as early as practicable and within six months made out and presented to the agent, to be forwarded to the War Department.

ART. 22. The chiefs of the Choctaws who have suggested that their people are in a state of rapid advancement in education and refinement, and have expressed a solicitude that they might have a delegate on the floor of the House of Representatives extended to them. The commissioners do not feel that they can under a treaty stipulation accede to this request, but at their desire present it in the treaty, that Congress may consider and decide the application.

THE FOURTEENTH ARTICLE.

Particular attention is invited to the fourteenth article of the treaty of 1830, which is the sole basis of the claim of the Mississippi Choctaws. It is as follows:

ART. 14. Each Choctaw head of a family being desirous to remain and become a citizen of the States shall be permitted to do so by signifying his intention to the agent within six months from the ratification of this treaty, and he or she shall thereupon be entitled to a reservation of one section of 640 acres of land, to be bounded by section lines of survey; in like manner shall be entitled to one-half that quantity for each unmarried child which is living with him over 10 years of age and a quarter section to such child as may be under 10 years of age, to adjoin the location of the parent. If they reside on said lands intending to become citizens of the States for five years after the ratification of this treaty, in such case a grant in fee simple shall issue; said reservation shall include the present improvement of the head of the family or a portion of it. Persons who claim under this article shall not lose the privilege of a Choctaw citizen, but if they ever remove are not to be entitled to any portion of the Choctaw annuity.

Under these treaties 15,000 removed west immediately after the signing of the treaty of 1830; approximately 4,000 remained in Mississippi.

From 1838 to 1855, of the 4,000 Choctaws who remained 3,400 emigrated and took up residence in Indian Territory, were enrolled, and are now a part of the Oklahoma Band or Tribe. Thus, only 700 were left behind.

NAMES OF THOSE WHO RECEIVED PATENTS.

Under the fourteenth article of the treaty, of the 4.000 who remained 143 received patents to the remaining 10,000,000 acres of land in Mississippi. The names of those receiving patents are as follows:

List of Mississippi Choctaw Indians to whom patents were issued for land under the provisions of article 14 of the treaty of September 27, 1830 (7 Stat. L., 333–335).

Patentee.	Date of patent.	Remarks.
Ab-be-ho-kah	Jan. 13,1846	
Afa-ma-tubbe	Sept. 3,1846	
Agnes	Sept. 9,1846	
Ah-be-nah-tubbe	Jan. 20,1846	
Ah-chee-non-tubbe	Sept. 7,1846	
Ah-chuk-mah-tubbe	Aug. 18,1846	
Ak-kah-po-tubbe	....do.....	
Ah-la-mo-tubbe	Dec. 4,1845	
Ah-no-sa-cubbe	Oct. 14,1846	
Ah-num-po-lah	Dec. 24,1845	
Ah-to-nee	Dec. 4,1845	
Ah-to-ble-cha	Jan. 5,1846	
Ah-took-lah-ho-nah	Sept. 4,1846	
Ah-pa-sah-too-nah	Sept. 7,1846	
Ah-woon-te-nah	Dec. 24,1845	
Ah-wan-to-nah	Mar. 30,1846	
Al-la-tah-ho-yo	Jan. 13,1846	
Amah	Sept. 3,1846	
Anolah	Feb. 4,1857	And 2 children over 10 years of age and 3 children under 10 years of age at date of treaty.
A-nok-ae-tubbe	Nov. 3,1837	
Anthle-Honah	Sept. 4,1846	
Asholata	Sept. 3,1846	
Aun-ah-che-mah	Oct. 14,1846	
Aun-to-tubbe	Dec. 24,1845	
Bah-ne-tubbe	Aug. 18,1846	
Beams, Betsey	Nov. 23,1846	In her own right and to "Vicey," her child over 10 years of age, and to "Amy" and "Kitty," her children under 10 years of age at date of the treaty.
Bell, Robert	Dec. 14,1846	
Bo-le-ho-nah	Jan. 5,1846	
Brashears, Alexander	Sept. 17,1841	
Brashears, Delilah	Dec. 8,1842	In her own right and for her 3 children over 10 and her 3 children under 10 years of age at date of the treaty.
Brashears, Rachel	June 21,1841	
Brashears, Zadock (commonly called Zadock, jr.).	Mar. 29,1842	
Bryant, Louis	Jan. 29,1840	
Buchanan, Charles	Aug. 20,1841	
Buckles, Betsy	Feb. 17,1838	
By-ana	Feb. 3,1847	
Cah-mul-le	Jan. 13,1846	
Carney, Jeremiah	Apr. 13,1848	
Cha-fa-ho-na	Sept. 3,1846	
Chanahajo (alias Oake Chanahajo).	Dec. 14,1846	
Cha-tambee	Sept. 9,1846	
Che-caw (or Che-caugh)	Jan. 5,1846	
Che-mah-yo-ka	....do.....	
Chuck-po-tubbe	Dec. 28,1846	
Christie, William	Sept. 21,1841	
Cobb, Samuel	Mar. 20,1846	For himself and for his children.
Con-chi-hee-tubbe	Dec. 5,1845	
Con-na-ho-te-mah	Jan. 20,1846	
Coon-oou-tah-te-mah	Oct. 14,1846	
Cun-e-mah-tubbe	Aug. 18,1846	
Cun-oon-tam-be	Sept. 2,1846	
Daniel	Apr. 13,1848	
Durant, Fisher	Apr. 12,1848	
Durant, Pierre	May 13,1848	
Durant, Risseze	Dec. 14,1846	
E-ah-pil-lah	Dec. 24,1845	
Eahambee	Feb. 3,1847	
Eahoo-ka-chubbee	....do.....	
Eha-hah-tomah	Oct. 14,1846	
Eia	Feb. 3,1847	
Ela-ba-tubbe	Sept. 7,1847	
Do	Dec. 14,1846	
Elah-chubbe	Aug. 18,1846	
Ela-pahoka	Feb. 3,1847	
Ela-nam-tubbee	Sept. 9,1846	
Eli-o-tubbe	Mar. 30,1846	
Eliza	Sept. 4,1846	
Emah-ho-to-nah	Jan. 13,1846	
Emanoatona	Sept. 9,1846	
E-me-sha	Jan. 13,1846	
E-minta-ham-be	Sept. 8,1846	
E-mok-lam-be	Oct. 14,1846	
E-muck-a-to-na	Aug. 12,1845	And to Ko-na-la-hona, Sa-ho-yo, and Ta-na-cubbee, her children over 10 years of age; and E-la-pa-ho-ka, her child under 10 years of age at date of treaty.

List of Mississippi Choctaw Indians, etc.—Continued.

Patentee.	Date of patent.	Remarks.
Ey-ya-tubbe	Dec. 21, 1837	
E-ya-la-ko-noh	Sept. 7, 1846	
Falissa	Sept. 9, 1846	
Feb-e-mah-ho-nah	Mar. 30, 1846	
Fe-le-ka-chubbe	Dec. 1, 1845	
Foster, William	June 6, 1844	In his own right and to his 2 children under 10 years of age at date of treaty.
Garvin, Henry	July 7, 1842	
Garwin, Benjamin W	Aug. 11, 1845	For himself and 3 children under 10 years of age at date of treaty.
Graham, Susan or Susanna	Feb. 7, 1846	And her child over 10 years of age at date of treaty.
Ha-cubbe	Dec. 6, 1845	
Ha-la	Jan. 5, 1846	
Hall, William	June 29, 1841	
Hancock, Caroline D	June 28, 1850	
Hancock, Jubal B	do	
Hancock, Mary M	do	
Hancock, William M	do	
Hardaway, Hartwell	Nov. 23, 1841	
Harris	Apr. 13, 1848	
Heccatambe	Sept. 9, 1846	
He-o-te-mah	Oct. 14, 1846	
Hin-o-la	do	
Hi-a-tubbee	Dec. 21, 1837	
Hoecalahoma	Sept. 8, 1846	
Ho-ka	Sept. 9, 1846	
Hok-la-homa	Dec. 28, 1846	
Hok-o-lo-chubbe	Dec. 4, 1845	
Homer, John	June 29, 1841	
Hotaiahhona	Sept. 9, 1846	
Hotah	Dec. 21, 1837	
Ho-ta-mah	Oct. 14, 1846	
Ho-te-mah-lah	Mar. 30, 1846	
Ho-te-mah	Sept. 8, 1846	
Ho-te-nah-chubbe	Sept. 4, 1846	
Hotiah, Abbah (otherwise written Hoter).	Jan. 2, 1851	And to her 2 children (1 over 10 years and 1 under 10 years of age at date of treaty).
Ho-ti-yah	Mar. 30, 1846	
Ho-to-mah	Sept. 4, 1846	
Ho-to-man-ka	Mar. 30, 1846	
Ho-tubbe	Dec. 6, 1845	
Hoo-tubbe	Oct. 14, 1846	
Howell, Calvert (alias Calvin H.).	May 9, 1840	
Hoyo	Sept. 3, 1846	
Ho-yubbe	Dec. 11, 1845	
I-am-in-tubbee	July 17, 1845	
I-ath-le-pah	Dec. 24, 1845	
I-bah-osh-tah	do	
Ille-ho-nah	Sept. 7, 1846	
Im-ah-ho-yo	Jan. 5, 1846	
Im-ma-no-a-ho-ka	Mar. 30, 1846	
Im-un-no-ubbe	Jan. 5, 1846	
I-o-pon-na	Dec. 11, 1845	
Isaac	Feb. 3, 1847	
Isha (or Ayaha)	Dec. 14, 1846	
Ish-man-tubbe	Mar. 30, 1846	
Ish-mi-ah	do	
Ish-no-ak-ke	Jan. 30, 1846	
Ish-ta-bo-le	Oct. 14, 1846	
Ish-te-la-mah	Aug. 18, 1846	
Ish-te-o-nah	Mar. 30, 1846	
Ish-ti-hok-ta	Jan. 5, 1846	
Ish-tim-e-le-chubbe	Mar. 30, 1846	
Ish-tim-lah-homah	do	
Ish-to-niah	Jan. 13, 1846	
Ish-to-nah	Mar. 30, 1846	
Ispia	Jan. 2, 1841	
Is-te-ubbe	Jan. 5, 1846	
Is-to-noka	Dec. 28, 1846	
Jacob	Mar. 30, 1846	
James, Adam	Sept. 30, 1844	
Jemmy	Dec. 14, 1846	
Jenkins, Jack	Oct. 10, 1842	
John	Oct. 14, 1846	
Joel	Sept. 9, 1846	
Johnson, George	Aug. 11, 1845	For himself and 7 of his children, and to S. D. Johnson, 1 of his children.
Johnson, Mary	do	For herself and 2 children under 10 years of age at date of treaty.
Jonas	Apr. 13, 1848	
Jones, John	Aug. 18, 1842	
Jones, Tennessee	Jan. 5, 1846	
Kan-che	Sept. 4, 1846	
Kanoon-tubbe	Dec. 14, 1846	
Kan-o-to-nah	Sept. 4, 1846	
Ko-na-la-ho-na	Dec. 28, 1846	
Koo-cha	Dec. 11, 1845	
Labrouse, Mathew	Jan. 12, 1839	
Lah-bah-tubbe	Jan. 5, 1846	
Lah-tubbe	Mar. 30, 1846	
Lap-pa-te-mah	Jan. 13, 1846	
Lapissa	Sept. 8, 1846	
Lightfoot, William	Mar. 10, 1843	
Lila	Apr. 13, 1848	
Lo-ah-ho-ka	Mar. 30, 1846	
Lu-ock-ho-mah	Apr. 30, 1848	
Lush-ho-min-tubbe	Oct. 14, 1846	
Machaia	Sept. 8, 1846	
Mah-la	Apr. 12, 1848	
Martha	Apr. 13, 1848	
Matona	Sept. 3, 1846	
McGilbry (alias McGilverry), John.	June 21, 1839	
McGilbry (alias McGilverry), John.	Apr. 8, 1845	As he had 4 children over 10 years of age at date of treaty, instead of 3 children.
McGilbry (otherwise called McGilvery), Lucy.	Mar. 20, 1845	And to Susie, her child.
McGilbry (otherwise called McGilvery), Turner.	Apr. 8, 1845	And to his 2 children under 10 years of age at date of treaty.
McGilvery, Gordon	Nov. 18, 1851	
Me-ah-shan-tah	Jan. 5, 1846	
Me-ah-she-cubbe	Dec. 6, 1845	
Me-he-tim-ah	Aug. 18, 1846	
Me-she-mah	Sept. 4, 1846	
Me-hah	Oct. 14, 1846	
Mima	Apr. 13, 1848	
Min-ta-ham-bee	do	
Mol-a-tubbe	Sept. 4, 1846	
Mol-la	Dec. 4, 1845	
Muncrief, Sampson	Oct. 24, 1838	
Murphy, George	Jan. 29, 1840	
Na-con-sha	Dec. 1, 1845	
Nah-ho-to-nah	Mar. 30, 1846	
Nail, Benjamin	Sept. 2, 1846	
Nail, Greenwood L	do	
Nail, Marceline	do	
Nelson	Sept. 9, 1846	
No-ah-ho-nah	Oct. 14, 1846	
No-a-timah	Nov. 3, 1837	
Nok-e-ne-ham-be	Aug. 18, 1846	
Nok-o-an-tubbe	Dec. 11, 1845	
No-que-ah	Apr. 13, 1848	
No-wah-ho-na	July 17, 1845	For herself and for 3 children over 10 years of age and 2 children under 10 years of age at date of treaty.
Oak-la-yubbe	Dec. 11, 1845	
Ogalaima	Sept. 8, 1846	
Ogleasta	Sept. 9, 1846	
Ohoya (or Ohoyo Tom)	Jan. 20, 1888	
O-ka-in-check-mah	Sept. 2, 1846	
Ok-is-tam-bee	Mar. 30, 1846	
Ok-la-ho-ya	Jan. 13, 1846	
Ok-lah-kah-ho-yo	Sept. 7, 1846	
Oklanowah	Sept. 9, 1846	
O-na-ham-be	Jan. 2, 1841	
Ona-hain-taiah	Sept. 8, 1846	
Oon-ah-tubbe	Dec. 5, 1845	
Oun-tah-che-ah	Dec. 24, 1845	
Oxberry, James	Mar. 24, 1841	
Pah-lubbe	Dec. 14, 1846	
Paneebba	Sept. 3, 1846	
Paress, Antony or Anthony	Oct. 11, 1843	
Pa-sa-chubbe	Sept. 2, 1846	
Pa-shah-ho-nah	Dec. 11, 1845	
Pebworth, Henry	May 14, 1842	
Pe-his-tubbe	Jan. 20, 1846	
Pe-tah-ah-mah	Aug. 18, 1846	
Pie-yah	Sept. 7, 1846	
Pinson, Betsey	July 2, 1842	
Pis-ah-ha-mah	Sept. 2, 1846	
Pish-tah-o-nah	Jan. 13, 1846	
Riley, Patrick	Oct. 11, 1843	
Robertson, Lewis	Sept. 28, 1842	
Sahoyo	Dec. 28, 1846	
Sa-lah-ma	Mar. 10, 1843	
Sampson	Dec. 28, 1846	
Shota	Sept. 3, 1846	
Sho-tubbe	Sept. 4, 1846	
Silas	Sept. 8, 1846	
Shallahohoka	Dec. 28, 1846	
Sock-a-to-nah	Jan. 20, 1846	
Socke-tubbe	Jan. 13, 1846	
Sow-ah-tubbe	Dec. 24, 1845	
Stabohla (alias Stapolelona)	Dec. 28, 1846	
Stanton, Allan	do	And to his 2 children under 10 years of age at date of treaty.
Su-Sa	Aug. 18, 1846	
Syllin	Sept. 8, 1846	
Ta-ho-ba	Sept. 7, 1846	
Tah-ho-pe-ah	Dec. 4, 1845	
Tah-lah-mo-tubbe	Sept. 8, 1846	
Tah-te-nah	Jan. 20, 1846	
Tah-pa-nis-sto-nah-ho-nah	Nov. 23, 1846	In his own right and to Cun-nah-ho-yo-E-lah-no-la, and Ona-tubbee, his children over 10 years of age, and to O-quah-ha-nah and Cun-nah-la-tubbee, his children under 10 years of age at date of the treaty.
Tallawahomibbee	Feb. 3, 1847	
Tanacubbee	Dec. 28, 1846	
Tilly	Sept. 9, 1846	
Te-he-cubbee	Aug. 12, 1845	And to Hota-tubbee, his child over 10 years of age, and Iota-tubbee and E-mo-konah, his children under 10 years of age at date of treaty.
To-bla-chubbe	Dec. 1, 1845	
Toby (alias Tobba), James	do	
Tom, Jim	Feb. 26, 1841	
Tom, Jack	Apr. 4, 1849	And to Sinai Tom, Sophia Tom, Levicy Tom, and Hamah Tom, his 4 children under 10 years of age at date of the treaty.
Tomahoka	Sept. 9, 1846	
To-ne	Mar. 30, 1846	
Took-lah-tubbe	Oct. 14, 1846	
Turnbull, William	Oct. 11, 1843	
Tus-ka-ah-tubbe	Oct. 14, 1846	
Tuskiaha	Dec. 14, 1846	
Tussaka	Dec. 28, 1846	

List of Mississippi Choctaw Indians, etc.—Continued.

Patentee.	Date of patent.	Remarks.
Tu-wah-kee	Oct. 14, 1846	
Tu-wa-tu-cha	Mar. 10, 1843	Patent surrendered and new patent issued July 14, 1848.
Tu-wa-tu-cha	July 14, 1848	
Ub-aheni-ah	Dec. 5, 1845	
Un-ah-han-tubbe	Sept. 2, 1846	
Un-ah-tubbe	Jan. 13, 1846	
Un-ta-hi-o-che	Dec. 4, 1845	
Un-tim-ah-ho-nah	Sept. 7, 1846	
Walker, John	June 29, 1841	
Ward, Tobias	Sept. 3, 1846	
Wa-tubbe	Dec. 24, 1845	
Wes-hock-she-homa	Sept. 3, 1846	
Wesley	Feb. 3, 1847	
Ya-ha-mah	Sept. 2, 1846	
Yem-e-tubbe	Dec. 24, 1845	
Yem-ma-hubbe	Sept. 2, 1846	
Yem-o-ho-nah	Sept. 7, 1846	

ISSUANCE OF SCRIP.

Of the 4,000 Choctaws remaining in Mississippi 3,885 of them, due to the fact that land at that day was considered of little value, refused to take up land as provided for them under the fourteenth article of the treaty of 1830. In lieu of this they were given, under the act of August 23, 1842 (5 Stat. L., 513), one-half the amount of land provided for in land scrip, which was capitalized at $1.25 per acre, which in the aggregate amounted to $872,000. It is to be noted that both land and scrip was actually delivered to them by the Federal Government—see records in Indian Office. The names of those who received land and money under this act are as follows:

LIST OF MISSISSIPPI CHOCTAW INDIANS IN WHOSE BEHALF SCRIP WAS ISSUED UNDER THE PROVISIONS OF THE ACT OF CONGRESS OF AUGUST 23, 1842 (5 STAT. L., 513), IN LIEU OF LAND TO WHICH THEY WERE ENTITLED UNDER ARTICLE 14 OF THE TREATY OF SEPTEMBER 27, 1830 (7 STAT. L., 333–335).

Anolata.
Aletisteia.
Anonitama.
Ashahoma.
Alonesa.
Anontamia (or Anotaloubbee).
Anontona.
Anointubbee.
Anatambee.
Ataiahona.
Alamantubbee.
Alahoma.
Anaintubbee.
Alanantubbee.
Ahotema.
Akomotubbee.
Anocwaatonah.
Atanahajo.
Apatubbee.
Athpota.
Antamba.
Aleisteia.
Alahotema.
Anokcheto.
Apolo-apah.
Ashatema.
Akostellatubbee.
Alchma.
Atakohubbee.
Altona.
Anahoyo.
Atabotema.
Ashahema.
Alanintubbee.
Apala-hoka.
Ancubbee (or Ooncubbee).
Alatahoma.
Athtolahoka.
Anontee-na.
Allah-ho-te-mah.
Ah-fah-mo-ah.
Ah-te-ubbee.
Ah-pock-ah-mah-tubbee.
Ah-tah-chubbee.
Ah-te-uh-la-ho-ka.
A-o-nah-ha-mah.
A-low-a-ho-nah.
Ah-pock-ar-mah.
Ah-chah-fah-tubbee.
An-no-sa-tubbee (or Pessahtubbee).
A-bon-wa-te-mah.
Ah-ta-hah.
A-he-ah-tubbee.
Ah-ne-la-ho-yo.
Ah-took-ko.
Ah-po-to-tubbee.
Ah-no-yo-ka.
Ah-chah-fah-le-mah.
Ah-ho-te-mah.
Ah-lah-ka-tubbee.
Ah-fah-mo-ah.
Ah-no-ah-ka.
Ah-la-mah-ho-nah.
Ah-na-sa.
Ah-no-le-che-mah.
Ah-pok-ah-nan-tubbee.
Ah-pa-sah.
Ah-no-lah.
Ah-lock-ka-cha.
Ah-to-nubbee.
Ah-la-chubbee.
Ah-to-shoubbee.
Ah-min-tubbee.
Ah-pah-lah-ho-nah.
Ah-lo-co-tubbee.
Ah-took-la.
Ah-pah-tubbee.
Ath-tubbee.
Ah-mesa-cubbee.
Ah-pah-sah-te-mah.
Ah-mo-gla-tubbee.
Ah-chi-ah-tubbee.
Ah-be-hah-tah.
Ah-sha-la-tubbee.
Ah-ho-la-to-nah.
Ah-chah-pa-tubby.
Ah-na-chubbee.
Ah-no-fa-nubbee.
Abba-ho-nah.
Ah-nook-tah-lubbee.
Ah-moon-pis-ah-cha (or He-tuck-loo-ah).
Ah-to-lah.
Ah-no-ka.
Ah-to-nan-ka.
Ah-took-ah-lah.
Ah-to-no-ham-bee.
Ah-hath-la.
Ah-pe-sah-tubbee.
Ah-lo-min-chubbee.
Ah-mak-ham-ubbee.
Ah-no-ah-ha-cubbee.
Ah-no-skoo-nah.
Ah-ho-tu-nah.
Ah-no-ho-tim-ah.
An-tim-ah.
Ah-na-hoak-ho-nah.
Ah-chuck-ma.
Al-me-ho-ye.
Ah-ho-nah.
Ah-na-tim-ah.
Al-moon-tubbee.
Al-e-he-mah.
Ah-la-che.
An-un-tim-ah.
As-she-ap-ki-ka.
Ah-kah-ne-ubbe.
Ah-no-le-chubbe.
An-thle-no-nah.
Ah-be-ho-ka.
Ah-chaffa-ho-nah.
Ah-che-lah.
Ah-be-ne-tubbe.
Ah-moon-to-nah.
Ah-took-co-la (alias Andrew Wier, i. e., Ware).
Ah-take-ah-ho-nah.
Ah-ish-tim-ah.
Ah-bah-ka-tubbee.
Ah-be-ho-nah.
An-o-ok-mah.
Abit-ish-tiah.
Ah-to-ko-tubbe.
Al-be-ish-to-nah.
Ah-che-to-nah.
Ah-look-lin-tubbee.
A-mah.
Ah-no-le-ho-na.
Ah-cho-ah-ho-ka.
Ah-sha-ho-ka.
Ah-bah pil-a-ba-ka.
Ah-kas-te-ma-tubbee.
Ah-noo-se-ho-nah.
Ah-to-chubbe.
Ah-fab-moon-tubbee.
Ah-te-ko-fubbe.
Ah-nubbe.
Ah-took-ah-li-ah.
Ah-he-o-ke.
Ah-tah-ho-nah.
Ah-lo-me.
Amah.
Ah-pe-la-tubbe.
Ah-be-tah-tah.
Ath-la-ho-yubbe.
Ah-che-tubbe.
Ah-toke-ah-to-nah.
Ah-che-ah-tubbe.
Ah-che-bah
Ah-mok-le-tubbe.
Ah-he-kah-ho-nah.
Ah-yo-mah-te-kah.
Ah-lo-mah-tubbe.
Ah-hooklin-tubbe.
Ah-shal-in-tubbe.
Ah-muk-fil-le.
Ah-lo-ko-tubbee.
Ah-took-la-ho-ka.
Ah-fa-ko-me-ho-nah.
An-it-im-ah.
Al-mo-tubbe.
Ah-ho-la-tim-ah.
Ah-thlup-pik-chi-ah.
Al-be-hah-tubbe.
Al-be-ho-chi-ah.
Ah-ki-sah.
Ah-ho-nah.
Ah-chuck-mah-he-ah.
Ah-ko-moon-tubbee.
Ah-look-la-tubbe.
Ah-ka-ko-tubbe.
Ah-lo-te-shubbe.
Ah-la-chun-ah.
An-ha-tun-ah.
Ah-tho-me-ho-nah.
Ah-e-nah.
Ah-kah-pul-e-tubbe.
Ah-to-bo-tubbee.
Ah-be-ho-nah.
Ah-pa-sah-ho-ka.
Ah-pa-la-ho-nah.
Ah-tah-ho-nah.
Ah-che-ah.
Al-moon-to-nah.
Ah-fah-moon-tubbe.
Ah-sho-me-kah.
Ah-ash-tubbe.
Ah-no-ah-ham-bee.
Ash-ha-cam-bee.
Ah-ha-to-nah.
Ah-no-sa.
Ah-be-ne-tubbe.
Al-be-ho-nah.
Ah-to-la-te-mah.
Ah-tah-le-ho-nah.
Ah-chiah.
Ah-chah-ah-tubbee.
Ah-wah-te-ah.
An-tubbe.
Ah-lo-sho-mo-tubbe.
Ah-ho-te-nah.
Al-be-te-ah.
Ah-tah-le-ah.
Ah-noo-tom-be.
Ah-nook-wah-ah-too-nah.
Ah-tah-be-le-ho-nah.
Ah-to-catch-a.
Ah-unk-fa-la.
Ah-no-ah-ta-cubbe.
Ah-e-o-ka-tim-ah.
Ah-pe-le-tubbe.
Ah-che-ah-ho-nah.
Ah-to-no-ho-nah.
Ah-pa-la-ho-nah.
Ah-no-ah-tam-be.
Abbe-to-ble-tubbe.
An-uk-fil-le-te-mah.
Ab-it-is-te-ah.
Ah-sha-chin-ah.
Ah-le-ho-ka.
Ah-tubbe.
Ah-ne-ho-te-mah.
Ah-pis-sal-la.
Ah-ho-yo.
Ah-mi-yah.
Ah-cha-pa-ho-nah
Ah-she-lah.
Ah-pa-sa-tam-he.
Ah-la-che.
Ah-wa-che-ho-nah.
Ah-puk-yo-hubbe.
Ab-be-ish-ti-yah.
Atuk-lam-be.
Ah-pah-lah-ho-nah.
Ab-ti-ti-yah.
Ah-fah-mah.
Ah-fa-ko-ma-to-nah.
Ah-chuk-ma-tubbe.
Ah-took-la-ho-mah.
Ah-no-la-ho-nah.
Ah-koo-chun-tubbe.
Ah-che-le-tah.
Ah-cho-mah-kah.
Ah-lo-mah.
Ab-be-ho-nah.
Ah-lah-nah-tubbe.
Ah-no-ah-tubbe.
Ah-took-lah-tubbee.
Ah-nook-we-ah-che.
Ah-ka-che-ho-nah.
Ah-nook-lah.
Ah-lo-mah-tubbe.
Ah-to-la.
Ah-cha-fo-tubbe.
Ah-che-lah.
Ah-pa-sa-ho-nah.
Ah-nook-fille.
Ah-ne-po-tubbe.
Ab-it-ik-ah-ne-wah.
Ah-pa-san-tubbe.
Ah-fa-ko-me.
Ah-cha-le-tah.
Ah-che-ah.
Ah-pe-lah.
Ah-cha-fo-ho-nah.
Ah-nook-fille-hoka.
Ah-ne-hoon-tubbe.
Ah-che-to-nah.
Ah-hak-po-tubbe.
Ash-tubbe.
Ahe-min-tubbe.
Ah-fa-no-tubbe.
Ah-cha-po-tubbe.
Ah-nook-we-ah.
Ah-no-sa-tubbe.
Ah-po-to-he.
An-cha-to-nah.
Ah-no-la-tubbe.
Ah-pa-sa-ho-nah.
Ah-no-si.
An-tubbe.
Abbe-took-chi-ah.
Ah-che-ah-so-nah.
Ah-took-li-ah.
Al-a-te-mah.
Ah-nook-fil-la.
Ah-nook-hum-ah.
Ah-lo-mah-ho-nah.
Ah-chuk-mo-ho-yo.
Ah-che-ah.
An-tah-ho-nah.
Ah-look-le-tubbe.
Ath-ta-lam-la.
An-ta-te-mah.
Ah-noon-tubbe.
Ah-took-lan-tubbe.
Abbe-neen-tubbe.
Al-noon-tubbe.
Ah-cha-kah-hoo-nah.
An-chok-to-nubbe.
Ah-the-ho-nah.
Ah-pa-sah-ho-ka.
Ah-no-si.
Ah-fa-ma-ho-ka.
Ah-nook-cha-mah-ho-nah.
Al-be-chef-fah.
Ah-che-ubbe.
Ah-no-la-ham-bee.
Ah-wa-che-ho-nah.
Ah-wah-che (alias Ah-wah-che-ho-nah).
Ah-nook-che-to.
Ath-ko-la.
Ah-tah-she-nah (alias Hash-tah-sho-nah).
Ah-po-tubbe.
Ah-hom-lah.
Al-moon-tubbe (or Oon-an-cha-tubbe).
Ah-man-to-nah.
Ah-pok-a-mah.
Ah-took-ah-lan-tubbe.
Ash-ka-ma.
Ah-be-ti-ah-ho-ka.
Ah-yo-ah-ho-nah.
Abbe (or Ah-nah-be).
An-an-to-mah.
Ah-ne-he-nah.
Ah-chah-le-ho-nah.
Ah-fum-ah-took-a-lo.
Ah-to-ga-te-mah.
Ah-ne-he-mah.
Ah-nook-we-ubbe.
Ah-pa-lah-to-nah.
Ah-toog-la-he-nah.
Ah-le-ho-tonah.
Ah-to-ble-cha.
Ash-chin-tubbe.
Ash-te-ah-ho-nah.
Ah-chi-ah.
Ah-chin-tubbe.
Ah-chuck-mah-tubbe.
Abbe-ho-yo.
Ash-ho-nah.
Ah-wan-tubbe.
Ah-po-to-le.
Ah-took-ah-lan-tubbe.

Ah-la-mah-ho-mah.
Ah-man-tubbee.
Al-o-ma-cha.
Ah-pe-hah-tubbe.
Ah-chuck-mish-tubbe.
Ah-no-ha.
Ah-to-be-tubbe.
Ah-no-la-che-mah.
Ah-took-ah-lah.
Ah-chuck-mah-to-tubbe.
Ah-to-kah.
Ah-take-ah-te-mah.
Ah-to-bah-tubbe.
Ah-pis-ta-ka-tubbe.
An-ta'-ha-mah.
Ami-yah (or Emi-yah).
Ah-wa-tu-nah.
Ah-to-lah-tubbe.
Ah-che-to-nah.
Ah-chick-mah-ho-nah.
Ah-lo-wa-tubbe.
Ah-hum-me.
Al-be-ti-yah.
Ah-po-la-chubbe.
Ash-wak-tubbe.
Ah-ho-nah.
Ah-ca-no-tubbe.
Ah-che-toma.
Ah-che-le-tubbe.
Ah-cho-ah.
Ah-no-wah-tubbe.
Ah-moon-ti-yah.
Ah-chuk-mah-to-ka-tubbe.
Ah-onk-tim-ah.
Ah-oon-tam-be.
Ah-tuk-la-me-ho-nah.
Ah-ha-tam-be.
Ah-ta-hubbe.
Ah-ho-yo-tubbe.
Ah-ho-gla-cha.
Al-is.
Ah-cha-fon-tubbe.
Ah-pa-san-tubbe.
Ah-be-chunk-tah.
Ah-chu-nan-tubbe.
Ah-pa-sam-la (or Pa-sam-lee).
Ah-ho-nah.
Ah-fah-nah.
Ah-fun-ne.
Ah-pul-e-chubbe.
Ah-ho-ka.
Ah-kah-me-zubbe.
Ah-cah-lah-honubbe.
Ah-pa-nam-tim.
Ah-chuf-fah-take-ubbe.
Ah-chunk-ma-ho-ka.
Ah-po-la (or Big Billy).
Ah-nook-chin-to.
Ah-pa-sa-ka.
Ah-the-o-hubbe.
Ah-ka-na-la-tubbe.
An-ta-ho-na.
Allice.
Ah-to-ko-ah.
Alth-to-ca-ho-nah.
Ah-chuk-a-la.
Ah-can-non-tubbe.
Ah le-noon-tubbe.
Ah mo-te-ah.
Ah-pah-ta-tubbe.
Ab-be-ho-ka.
Ah-pa-kah-tubbe.
Al-ca-in-ta.
A-num-brilla.
Ak-an-ubbe.
A-che-ho-ka.
Augustin.
Ala-ti-ya (alias Ho-le-te-a).
A-be-ha-ya.
Ah-nook-fa-lah.
Ah-to-sho-tubbe.
Ah-pa-hah (alias Johny Walk).
Ah-pis-ah-te-mah.
Ah-nah-ho-te-nah.
Ah-min-tubbe.
Ah-no-sa-cubbe (or No-sa-cubbe).
Ah-cha-can-tubbe.
Ah-lah-ho-ka.
Ah-pa-lah-ho-nah.
Ah-lah-ta-mah.
Ah-pa-san-tubbe.
Ah-took-ah-lah-him-ah.
An-a-in-ta.
At-ta-tam-ca.
An-ti-kubbe.
A-to-ni-cubbee.
A-cha-l-a-tubbe.
An-ti-cub-kubbee.
Ah-be-hat-tah
Ah-fo-kah-tubbe.
Ah-ne-te-mah.
An-ok-che-to.
Ab-a-wa-la.
A-po-la-tubbee.
Achi-a.
Al-a-la-ko-la.
Ash-o-mo-ta.
A-hath-la.
An-na.
A-ya-to-na.
Ah-o-la-ta.
Ah-la-ha-ma.
Al-a-te-ma.
Ano-la-ho-na (alias Yin-ma-ne-la).
A-cha-la.
Ah-be-coo-chah.
An-thle-hubbe.
Ans-coon-la-tubbe.
Ah-tuk-la-me-ho-nah.
Ah-cho-man-tubbe.
Ash-tubbe.
An-tu-nah.
Aush-tubbe.
Ah-hi-o-tubbe.
Ah-chuck-a-la-mah.
A-hu-ta.
Amos.
An-un-tubbe.
Ah-fa-koma.
Al-it-o-nah.
Bun-na-ho-na.
Bo-leho-na (alias To-lo-le-ho-na).
Binia.
Butah.
Bling-a-tubbe.
Ba-maha.
Beck-y.
Bi-a-ta.
Bil-la.
Bah-fo-cubbe.
Bah-pis-sah.
Be-lin-go-nah.
Beckey.
Bun-na-chubbe.
Bah-sa.
Be-lin-kat-tah.
Be-nah.
Be-nan-cha-ho-ka.
Bah-fun-kah.
Ben.
Bun-ah-tu-nah.
Bum-ah-tah-ka (or Tik-be-ubbe).
Becka.
Bessy.
Buch-ah-hono.
Be-nan-che.
Bah-la-ho-nah.
Bah-ho-te-nah.
Bah-te-nah.
Bah-ah-nubbe.
Bo-la.
Bah-na-tubbe.
Ba-ho-nah.
Ba-ha-ka.
Bah-ka-tubbe.
Be-nin-tubbe.
Bah-nubbe.
Bell David.
Basey.
Becky.
Bu-mah.
Bat-sey.
Be-lin-go-nah-gohn.
Bah-nah-tubbee.
Bah-tubbee.
Bah-na-che.
Be-na-tam-le.
Boh-tubbe.
Boh-cha-lah.
Bi-o-glah.
Bo-ha-le.
Bah-na-tubbee.
Bob Captain (alias Mingo-ho-nah).
Belink-at-tah.
Can-a-ho-yo.
Chompah.
Che-mo-na.
Chickasa.
Cun-nea-ho-na.
Cun-nea-tubbee.
Charles.
Con-sha-tubbee
Chis-he-ho-ma (alias Capt. Red Post Oak).
Conam-o-mubba.
Chonk-choo.
Can-on-e-ta-la.
Cun-ne-a-tubbee.
Chom-pa.
Chok-ma-he-ma.
Can-che-te-ma.
Cunnam-an-tubbee.
Can-cha-to-na.
Chil-le-tam-la.
Can-cha-ho-ka.
Chonnis.
Chuffa-to-na.
Can-pa-lubbee.
Che-hom-bee.
Co-cha-tubbee.
Cun-na-cha.
Cun-ne-chubbee.
Cah-to-nah.
Che-no-lah.
Charles.
Chuffa-ta-no-la.
Co-lick.
Cun-ne-chubbe.
Cah-la-tubbee.
Cun-ne-ubbee.
Cun-ne-ah-tubbe.
Cah-la-tubbee.
Cun-ne-o-nah.
Cun-ne-ah.
Chuffa-tubbee
Cun-ah-he-mah.
Carson.
Cah-to-nah.
Com-pal-tubbee.
Con-noon-tam-lee.
Chamis.
Cun-ne-ish-to-nah.
Charles.
Cah-la-ho-na.
Cun-ne-che-nah.
Cun-a-la-to-nah.
Cun-ne-mo-nubbee.
Ce-lia.
Cun-ne-ubbee.
Cun-na-see.
Cun-ne-ho-chubbee.
Co-chubbee.
Cun-noon-ta-mah-ho-nah.
Cun-noon-tah-cubbee.
Cun-noon-tah-cubbee.
Creesay.
Cun-ne-tam-bee.
Con-che-te-mah.
Chah-ley.
Cun-no-ma-tubbee.
Cus-cahtick lah (or Yock-a-na-ho-mah).
Chille-tah.
Cun-na-mam-lee.
Chin-sah.
Cun-noon-tah-chubbee.
Chum-tah.
Cun-ah-ha-mah.
Cun-e-mam-la.
Cun-e-mah-tim-ah.
Cun-un-tah-lee.
Can-un-tah-mah.
Cun-e-ubbe.
Cun-e-mam-lee.
Cun-e-me-yubbe.
Co-ah-ho-mah.
Cun-e-mah.
Chaffa-to-nubbe.
Cun-e-o-te-kah.
Che-kah.
Cun-e-mah-ho-nah.
Chin-alle.
Chille.
Captain Bob (or Mingohoma).
Che-ma-ho-ka.
Co-tah.
Chal-le.
Chak-al-e-che.
Cun-e-te-mah.
Con-cheto-nah.
Che-po-lah.
Chah-hubbe.
Cun-e-ish-tu-nah.
Cun-e-o-te-mah.
Can-e-tam-le.
Chul-le.
Coon-oon-tan-te-mah.
Cun-noon-to-mah-la-ho-ka.
Chah-ah-tubbe.
Con-ah-la-chubbe.
Che-ho-nah.
Chum-pah-te-mah.
Cun-ne-mah-chubbe.
Che-ho-te-mah.
Cun-ubbe.
Chuf-ah-tam-be.
Con-che-ho-ka.
Cun-e-mah-tim-ah.
Cun-ah-min-chubbe.
Chane.
Cun-e-mo-nubbe.
Chan-le.
Cun-e-me-tim-ah.
Cun-u-ta-cubbe.
Con-she-ho-yo.
Chef-fa-to-nah.
Charles.
Chit-o-kubbe.
Chif-fa-ti-yah.
Chuf-fa-ho-ka.
Chook-mam-le.
Cha-le-ho-nah.
Chaf-ubbe.
Cheffa-to-nah.
Che-co-tubbe.
Cha-wah-te-ah.
Chick-a-mah.
Chef-fa-to-no-wah.
Cha-lan-tah.
Chick-a-sah-ho-ka.
Chef-fo-ti-yah.
Cho-ho-ka (or Ah-chu-wah).
Che-mah.
Chuk-fy-noo-sa.
Chil-le-tam-be.
Chuf-fa-tu-nubbe.
Chef-fa-ho-ka.
Chick-oon-tubbee.
Chif-fo-ti-ya.
Chuf-fa-tubbee.
Chef-fah-hin-lubbe.
Cun-ne-tam-be.
Che-lok-kee.
Chick-e-mah-ho-yo.
Chum-pah-te-mah.
Can-o-me-tubbe.
Cun-e-ah-he-mah.
Cun-e-ah-hok-tah.
Cun-e-moon-tubbe.
Con-oon-te-mah-homah.
Cum-un-mubbee.
Cun-e-ah-ston-ah.
Cousin.
Con-ah-la-cha.
Con-sha-lah.
Cun-oun-tam-be.
Cun-e-mah-tubbee.
Con-e-moon-tubbee.
Con-sha-ho-ka.
Cun-e-mo-nubbee.
Choom-pah.
Chum-pah-ho-ka.
Chah-e-te-mah.
Cun-ne-ah-ho-nah.
Con-che-ton-nah.
Chum-pah-te-mah.
Cun-e-o-to-nah.
Cun-ne-te-nah.
Che-cah-ta.
Cah-po-la.
Chick-a-sha.
Che-mi-o-ka.
Cut-tah-ho-chubbee.
Che-ah.
Chief-fah-tam-lee.
Cun-ne-tubbe.
Cun-ne-o-to-nah.
Chubbee.
Chah-la.
Com-pa-lubbee.
Cun-ne-tam-bee.
Cut-a-po-la.
Chik-mah-em-ah-tubbee.
Cun-e-me-to-nah.
Cole-Coleman.
Colbert.
Cham-a-ha-jo.
Che-po-ka.
Cah-te-mah.
Cha-fahn-to-nah.
Can-cha-ho-nah (or Tan-cha-ho-nah).
Cuffah-ka.
Cun-ne-mah.
Co-chubbee.
Cun-oon-ta-mah.
Cun-oon-ta-bee.
Che-ni-la-ho-ka.
Con-o-he-mah.
Con-sha-ho-nah.
Cun-oon-ta-kah.
Chuf-fa-tubbee.
Che-ho-a-to-na.
Cha-cha.
Cha-co-nubbee.
Co-cha-tam-co.
Carson (or Ka-chi-en).
Chuf-fa-ta-no-la.
Cham-pa-ya (or Sham-pi-n).
Choom-pa-ho-ka.
Chuffa-tubbee.
Cobb Pickens.
Cobb, Any.
Cobb, Molly.
Chuffa-to-ke-ubbe.
Chook-ah-tal-le.
Cush-o-nah.
Chil-le-ta.
Cun-con-tick-cah.
Cune-me-tim-ah.
Chok-tah-ho-ma (or Pis-it-ti-yah).
Chas-po-ho-nah.
Che-mah-le-ho-ka.
Cut-te-o-to-mah.
Cun-ne-me-ubbe.
Caleb, John.
Con-she-ho-ka.
Cole, Colbert.
Cole, John.
Cole, Augustin.
Dyer, Lucinda.
Dyer, Nelly.
Dyer, Jeremiah.
David.
Dixon.
Davis.
Dennis.
Durant, Pierre.
Durant, George.
Durant, Vina.
Durant, Sylvester.
Durant, Jefferson.
Durant, Isham.
Durant, Sophia.
Durant Charles.
Dyer, Polly.
E-o-ta.
E-mait-cha-tubbee.
Esteeupunna-koka.
E-la-ho-yo-ta-ma.
E-mach-o-nubba.
Em-a-la.
E-mam ba.
E-la-to-nubbee.
E-li-che-to.
Ea-to-na.
Een-puk-a-nubbee.
Eli-lubbee.
Ea-ish-ya.
E-muth-pa-sa-lubbee.
E-me-she-ho-na.
E-lo-tu-ne.
Ema-ho-na.

E-yo-ko-tubbee.
E-laah a ho-na.
Eli-an-ne-ho-nah.
E-a-chub-bee.
E-a-han-tubbee.
E-man-o-a-tubbee.
Ea-ho-na.
E-la-is-te-ma.
E-la-cha.
E-ma-ho-na
E-lah-ho-te-mah.
E-lah-so-quah.
E-yok-a-ma-tubbee.
E-mock-mahn-tubbee.
Eho-ah-to-nah.
Eah-la-ho-nah.
E-ho-yo.
E-ah-ho-ke-ta.
Emah-ho-kah.
E-lah-moon-tubbee.
E-a-mock-in-tubbee.
E-mo-mah-ho-ka.
E-ah-ho-nah.
Eah-ho-nubbee.
E-man-te-ah-ho-ka.
E-ah-chubbee.
E-lam-bee.
E-ah-tubbee.
E-o-tubbee.
E-lah-nubbee.
E-low-e-te-mah.
E-yosh-moon-tubbee.
E-o-nah.
E-coffe-tubbee.
E-ah-ha-cubbe.
E-o-kah-tubbe.
E-o-kah-tubbe.
E-mak-ko-nubbe.
E-lah-ho-to-nah.
E-lu-nah-tubbe.
E-me-la-chubbe.
E-mish-toe-nah.
E-lah-e-shubbe.
E-lo-nah.
E-o-tim-ah.
E-la-yo-kak-tubbe.
E-mi-ah-tubbe.
E-math-la-cubbe.
E-la-pe-ah.
Ela-pe-sa-ho-ka.
E-le-ah-ho-nah.
E-lah-pun-ah-ho-yo.
E-la-pam-le.
E-mah-yah-ste-mah.
E-lah-took-am-be.
E-la-po-nubbe.
E-la-ho-tubbe.
Em-ma-le-ho-ka.
E-la-ho-ta-ka.
E-le-ho-yo.
E-ok-tam-bee.
E-mith-lubbe.
E-mish-ah-ho-nah.
E-ah-ho-chubbe.
E-lu-nubbe.
Eah-kiah-ho-ka.
E-ah-ho-nah.
E-lap-o-tim-ah.
E-male-le.
E-lah-ho-tim-ah.
E-lah-u-kah.
E-ca-we-che.
E-lah-pish-te-ah.
E-lah-ho-ka.
E-lah-in-im-ah.
E-ah-ho-ka-tubbe.
E-yak-o-tubbe.
E-lah-tam-be.
Eah-to-chubbe.
E-ah-ho-kah-tubbe.
E-lah-ne-ho-nah.
E-glen-ubbe.
E-lu-nah-tubbe.
E-le-no-ah-chubbe.
E-ah-tah-ah-ho-mah.
E-le-mah-ho-nah (or La-mah-ho-nah).
E-mo-nubbe.
E-lah-u-kah.
E-cah-le-ho-nah.
E-li-o-te-ka.
E-klen-ah-tah (or E-glen-ah-tubbe).
E-ah-ho-ka.
E-ki-o-nubbe.
E-lah-ha-cubbe (or Il-ah-he-kah).
E-ah-to-nah.
E-li-o-te-mah.
E-lap-no-wah.
E-ah-ho-nubbee.
E-ah-ho-tim-ah.
E-li-yubbe.
E-yal-a-ho-ka.
E-la-pa-subbe.
E-la-lo-ma-tubbe.
E-lah-ho-nah.
E-mah-to-kah.
E-le-ah-tubbe.
E-la-cha-te-mah.
E-ah-he-tubbe.
E-ha-la-to-nah.
E-la-ho-te-mah.

E-me-la-to-nah.
E-mock-he-tubbe.
E-lah-he-kah (alias E-la-ha-cubbe).
E-ah-tubbe.
E-ho-ah-to-nah.
E-la-pe-wah-ho-nah.
E-ma-che-ah-ho-nah.
Eah-eah-tim-ah.
E-lah-fe-tu-nah.
E-ah-to-nah.
E-ah-an-tubbe.
E-lah-tah-tubbe.
E-as-tu-ubbe.
Eli-pipa.
E-oh-tah.
E-ah-ha-tubbe.
E-lah-pah-nubbe.
E-ah-le-ho-tim-ah.
E-Cah-tah.
E-lap-in-tubbe.
E-yah-ah-to-nah.
E-la-shubbe (or Billy N-kon-Shaw).
E-ya-ka-tubbe.
E-mish-te-ubba.
E-mo-nubbe.
E-ne-cun-e-ubbe.
E-yah-hubbe.
E-cha-pah-no-nah.
E-lah-ho-yubbe.
E-mack-lubbe.
E-li-che-tubbe.
E-mah-tall-ah.
E-mah-sha.
E-li-chuf-cubbe.
E-me-ha.
E-cha-po-tubbe.
E-lo-ok-chi-ah.
Emo-nubbe (alias Im-mo-nubbe).
E-lan-tubbe.
E-mah-no-wah.
E-mah-ho-to-nah.
E-sha-ho-ka.
E-lah-tah-to-nah.
E-ho-ah-tubbe.
E-lah-he-nubbe.
Edmund.
E-yak-tubbe.
E-yah-he-tubbe.
E-mish-tubbe.
Elah-pah-ne.
E-lah-pis-ubbe.
E-le-o-nah.
E-lah-pe-kah.
E-yah-ish-to-nah.
E-chah-pah.
E-lo-ma-him-mah.
E-ah-ham-be.
E-lah-tubbe.
E-lah-ho-yubbe.
E-mah-a-lubbe.
E-yak-a-che.
E-li-ho-kubbe.
Esta-ho-yo.
E-lah-lo-ma-tubbe.
E-cha-po-tubbe.
E-lan-to-nah.
E-as-ta-ho-nah.
E-bak-ah-tubbe.
E-yah-tu-nah.
E-mi-ya-tubbe.
E-mo-na-ho-ka.
Ey-ah-li-yah.
E-lak-che-te-mah.
E-li-yubbee.
E-bah-took-lah.
E-lah-o-tubbe.
E-ah-ho-nubbe.
E-yan-to-ho-ka.
E-lah-po-chubbe.
E-min-te-ho-nah.
E-lah-he-mah.
E-la-ho-te-ah.
E-ah-ho-nubbe.
E-lah-pish-ti-yah.
Este-mil-le.
E-yak-a-tubbe.
E-yi-ho-yo.
E-yah-hah-tubbe.
E-mal-ho-mah (alias E-mah-le-ho-mah).
E-mah-tam-bee.
E-lah-ko-tubbe.
E-lah-ke-mah.
E-lah-te-ubbe.
E-lah-ho-yo.
E-li-to-nubbe.
E-ya-le.
E-ah-tom-bee.
E-li-chin-tubbe.
E-li-he-nubbe.
E-la-ba-cubbee.
E-lap-no-an-tubbe.
E-lah-che-ho-nah.
E-yah-ham-bee.
E-ah-ho-ka-te-mah.
Elice.
E-sha-to-nah.
E-hu-e-te-tubbe.
E-ah-cah-to-nah (or Cah-to-nah).
E-mis-tubbe.
E-ah-ho-te-mah.
E-man-che.

E-me-to-ho-nah.
E-mo-no-la-cho-nah.
E-ho-ah-tam-be.
E-le-o-ka-te-mah.
E-lah-yo-kah-to-nah.
E-ah-ham-bee.
E-lo-mah.
E-lah-pish-ah.
E-cah-no-ah-ho-nah.
E-ah-ho-ka.
E-lah-to-nah.
E-mam-be.
E-mah.
E-lo-nah.
E-yah-ham-ba.
E-hi-o-cubbee.
E-man-cha.
E-mah-nin-che.
E-yak-ki-ah
E-yah-ham-ba.
E-ham-bee.
E-ma-cha-tubbe.
Eli-cha-tubbe.
E-lah-pa-ah.
E-liza.
E-mah.
E-li-tubbe.
E-lah-e-mah.
E-lo-yah-tubbe.
E-lik-hon-ah.
E-lah-pio-ubbe.
Em-bo-tah.
E-ah-te-mah.
E-o-kah-tubbe.
E-cha-po-tubbe.
E-li-an-ne-ho-nah.
Ex-ah-kah-ho-tubbe.
E-lam-bee.
E-mah-lah-te.
E-no-wah.
E-him-mah-la-tubbe.
E-ah-sha-tubbee.
E-lah-ho-yo-ho-nah.
E-ah-lo-ho-nah.
E-lo-mon-to-cubbee.
E-me-le.
E-li-za.
Eah-che-hubbe.
E-lah-tim-ah.
E-o-cutch-ah.
E-chah-pah.
E-mah-shah-chubbe.
E-ah-ham-bee.
E-lah-pe-ah-ho-nah.
E-mah-om-be.
E-te-pok-a-nah.
E-meen-tah-ho-nah.
E-li-oon-ah.
E-lah-tubbe.
E-lap-ik-e-bah.
E-yon-tah.
E-mipah.
E-mo-thah-tubbe.
E-li-o-te-mah.
E-lan-tubbe (or Tish-o-pi-a).
E-a-chubbe.
E-la-ha-iu-ta.
E-lo-ni-ah.
E-lo-ho-ka.
E-liza.
E-mo-na-tubbe.
E-o ca-tubbe-to-nah (or To-cubbe).
E-whah-to-nah.
E-ah-kah-tubbe.
E-lah-ma-tubbe.
E-la-ha-cubbe.
E-la-te-mah.
E-mah-lubbe.
E-ah-tahn-tubbe.
E-ah-ki-ah-to-nah.
E-ah-ho-nubbe.
E-li-o-nubbee.
Eatamia Charles.
E-mil-la.
E-la-ho-tema.
E-lan-tubbe.
E-la-ta-i-ho-na.
Ea-ish-tubbe.
E-math-lo-la.
Een-ta-ho-ka.
E-ma-lubbee.
E-no-ka.
E-li-za.
E-lo-wa-tubbe.
Eliza.
E-la-took-e-la.
E-lo-ma-chubbe.
E-la-pa-nubbe.
Elijah.
Ellen
E-o-tah.
E-lah-pam-la.
E-lah-we-tubbe.
E-ye-me-tubbe.
E-loom-ah-ho-kah.
E-li-emah.
E-lah-pa-lubbe.
E-no-wah.
E-me-le-hubbe.
E-la-u-ka-tubbe.
E-lah-pun-te-mah.
E-me-la-ho-na.

Faya
Fannubbe.
Falle-cheto.
Fal-a-min-chubbee.
Fe-ma-la.
Fa-nubbee.
Fe-tick-ah-chubbe.
Fil-e-ah-tubbe.
Fo-kah-lin-tubbe.
Fe-temah-ti-mah.
Fe-le-kah.
Fal-ah-moon-tubbe.
Fe-le-nubbe.
Fe-le-tah.
Fe-laka-tubbe.
Fil-e-ah-tim-ah.
Fo-ko-lin-tubbe.
Fah-hah-mah-ho-nah.
Full-o-mo-tubbe.
Fil-e-mam-le.
Fal-lal-moon-tubbe.
Ful-le-ho-mah.
Fun-ne-ho-mah.
Fa-la-moon-tubbe.
Fil-e-ti-yah.
Fe-lah-moon-tubbe.
Fil-e-tubbe.
Fo-look-a-che.
Fish-o-ho-cubbe.
Fo-le-na-te-mah.
Fa-lam-e-tubbe.
Fish-u.
Fil-e-cutch-e.
Fa-lam-a-tubbe.
Fal-am-a-tubbe.
Fal-am-ah-ho-ka.
Fil-e-tah-ho-nah.
Fal-ah-mo-tubbe.
Fille-moon-tubbe.
Fallo-ah-ham-be.
Fil-e-mah.
Fil-e-to-nah.
Fe-le-moon-tubbe.
Fe-lem-e-tubbe.
Fin-min-tubbe.
Fille-tah.
Fut-cha.
Fil-le-ca-tubbe.
Fille-man-tubbe.
Fah-lah-mah.
Fan-e-ubbe.
Fo-lub-be-chubbe.
Fo-look-a-che.
Fitch-ik-no-wah.
Fish-ah-he-lubbe.
Fah-lam-bee.
Fillubbee.
Fil-e-mon-e-ti-ma.
Fil-e-mah-tubbe.
Fa-lo-mah.
Fee-chubbe.
Foster, Thomas W.
Foster, George H.
Foster, Elija G.
Frazer, Sweeny.
Fo-ca-tubbee.
George.
Gibson.
Go-ma-chubbee.
Gibson.
Gowin, Betsey.
Hol-la-chee.
Him-mo-ka-to-na.
Hoya (or Ahoya).
Hothma.
Ha-ma-yo-lubbee.
Hoth-ta-ma.
Hok-a-tubbe.
Ha-o-cho.
Hillubbee.
Hoy-e-ta-na.
Hoyo-ho-tubbee.
High-i-ho-na.
Hol-la-chubbee.
Hem-a-che-na.
Ho-pa-ka-che.
Hus-he-Mingo.
Ho-ka-lo-che.
Ho-te-ma-ta.
Ho-ti-a-ka.
Ho-te-mo-na-ho-ka.
Hul-tuk-ho-ma.
Hollah.
Hi-a-ca-to-na.
Han-nubbee.
Hia-cutch-ee (or Hi-yo-ca-chee).
Ho-ta-cubbee.
Ho-but-a-ka.
Hi-a-tubbee.
Ho-te-o-a.
Ho-let-tah-ho-nah.
Ho-te-nah-chubbee.
Hi-ack-co-nubbee.
Hick-a-tom-bee.
Hi-a-la.
Hal-la.
Ho-che-fo.
Ho-te-mah.
Hop-pa-la-tubbee.
He-ne-ah-ho-nah.
Ho-to-man-eha.
Ho-ta.
Ho-tah-ho-nah.

Ho-tam-bee.
Ho-lah-tubbee.
Han-nah.
Ho-ha-cubbee.
Hith-ah.
Ho-cubbee.
Him-mock-ah-bee.
Hi-ah-la-ho-mah.
Ho-te-man-chubbee.
Ha-chah.
Ho-pa-na.
Ho-gla.
Ha-cho-na.
Hick-a-te-nah.
Ho-tan-te-ni-ah.
Hi-o-tah.
Ha-la.
Ho-te-nubbee.
Ho-to-nah.
Ha-cubbee.
Hi-o-te-mah.
Hun-o-nah-tubbee.
Ho-ni-an.
Ho-te-ah.
Ho-bah-cha-ho-nah.
Ho-te-ah-ho-nah.
Ho-yo-pa-tubbe.
He-kah-tubbee.
Ha-cha.
Ho-chubbe.
Ho-nah.
Ho-ta-che-ho-nah.
Ho-lima.
Hah-tak-lam-ah.
Hock-la-ho-nah.
Hun-nubbe.
Ho-tim-ah.
Ho-tah-at-tubbe.
He-kah-tubbe.
Ha-le-tubbe.
Hi-oun-ubbe.
Ho-lah-bah-ho-nah.
He-kah-ti-mah.
Ho-tan-yah.
Ho-tish-tam-be.
Ho-tish-im-ah.
Ha-ka-a-ho-mah.
Hal-le.
He-kak-ti-mah.
Hok-la-ho-nah.
Ha-o-le-tim-ah.
Ho-tim-e-ah.
Hah-tak-ubbe.
Ha-tick-illa.
Ho-tik-ia.
Ho-tah-tah.
Hi-ne-ubbe.
He-cubbe.
Ho-te-ah.
He-u-ah-le-tubbe.
Ho-to-nah.
Ho-ne-tam-be.
Hol-ba-tubbe.
Ho-ne-mah.
He-nah-ho-mah.
Hook-e-la.
Hi-ah-ka-tubbe.
Hath-la.
Hi-o-tubbe.
He-yo-ho-nah.
Hool-lo.
Ho-ka.
Ho-cha.
Ho-te-mi-ah.
Hon-oon-tam-ba.
Hi-ah-ka-tubbe.
Hi-e-le-ho-nah.
Ha-lubbe.
Ho-tim-ah-che.
Ha-la-che.
Ho-te-an-ah.
Hota-tim-ah.
Ho-lis-ah-tubbe.
Ho-yo-ubbe.
He-challe.
Ho-pak-o-nah.
Ho-te-ah.
Hik-it-e-ah-ho-nah.
Ho-tin-lubbe.
Ho-yo.
Hon-ah-ho-tubbee.
Hah-be-nah.
Ho-yo-nubbe.
Ho-bah-tam-tubbe.
Hok-e-lo-tubbe.
Ha-took-lubbe.
Ho-te-tubbe.
Hush-e-ho-mah.
Hi-yo-la.
Hol-le.
Hi-een-ah-tubbe.
Ho-le-ti-ah.
Holla-ti-yah.
Hok-lo-tubbe.
Ho-bah-to-mah.
Ho-tan-tu-nah.
Hi-o-to-nah.
Ho-te-mah.
Hill-a-tubbe.
Ho-lis-so-ho-nah.
Hos-to-no-che.
Hio-gale.
Hi-yah-kubbe.

Ho-chubbe.
Han-tubbe.
Hush-shook-ho-mah.
Ho-te-mah.
He-kah-tubbe.
Ho-te-mah.
Hus-ke-ah-hooc-ta.
Heo-te-mah.
He-lubbe.
Ho-yubbe.
Hah-la-le.
Ho-te-nah.
Hool-bah-tubbe.
Hushe-te-mah.
Hok-sa-gee.
Hi-yok-ah.
Hi-ape-ha-sa.
Ho-pi-yah.
Hoo-sah-tubbe.
Hoo-che-mah.
Heith-lah-tho-nah.
Ho-tubbe.
Ho-mok-o-nubbe.
Ho-to-pah-le.
Hoth-te-nubbe.
Ho-be-ti-yah.
Hin-che.
Ho-te-kubbe.
Hoth-te-nubbe.
Ho-tubbe.
Ho-pah-ka-ho-nah.
Hush-hook-ho-nah.
Hi-tuke-pa-ho-ma (or Yak-i-ah).
Hush-e-no-wah.
Hi-em-e-te-mah.
Hi-o-tubbe.
Hi-a-lee.
Ho-yubbe.
Hash-ah-i-ta-nah.
Hi-a-lee.
He-ki-yuable.
Ho-te-nah.
Hi-en-e-chubbe.
Hah-mook-la-ho-nah.
Ho-chon-chubbe.
Ho-pa-hin-tubbe.
Ho-tish-le-ah.
Ho-te-yah.
Ho-te-mah.
Ho-yo-ho-nah.
Hoy-ubbe.
Hi-ak-ah.
He-yape-ah-ha-jo.
Hi-yak-hubbe.
Ho-che-fo-tubbe.
Hol-la-ho-nah.
Han-ah-to-nah.
Hi-ah-co-nubbe.
He-no-nah-tubbe.
Hool-bah-tubbe.
Ho-nah.
Ha-ba-nah.
Ho-nah.
Ho-pah-ka-tubbe.
Ho-lah-cha.
Ho-lah.
Ham-bee.
Ho-ni-o-nubbee.
Ho-te-mah.
Ho-yo-an-tubbe.
Han-ah-mock-ah-yah.
Ho-to-ak-ah.
Ho-tah-ho-nah.
Hon-to-nah.
Ho-lah-te-mah.
Hoo-nah.
Ho-me-ho-tubbe.
Ho-bah-tam-bee.
Hah-nubbee.
Hi-ak-e-tubbee.
Han-nubbe.
Hool-bah-ho-nah.
Hik-e-yah.
Ho-nah.
Hi-ah-ka-tubbe.
He-lubbe.
Ha-man-che.
Ho-kubbe.
Hik-ah-che.
Him-ah-ubbe.
He-ka-che-ho-nah.
He-ah-ka-ish-to-nah.
Ho-ka.
Hun-nuk-ubbe.
Ho-ba-tubbe.
Him-mock-am-bee.
Ho-te-mah.
Hi-a-to-nah.
Ho-yo-pah.
Ho-ta-ho-nah.
Ho-tah-lah-ha-mah.
Ho-le-ba-chubbee.
Ho-che-nah.
Ha-ta-mah-ho-nah.
Ho-ka.
Ho-te-nah-ho-nah.
Ho-pah-kah.
Ho-pi-ah-tubbe.
Ho-shin-she-ho-mah.
Ho-yo-pa.
Ho-e-o-na.
He-a-ka-ti-na.
Hotch-a-ka.

Ho-ba-te-i-a.
Ha-tubbee.
Hoh-tah.
Hi-ah-ko-nubbe.
Hi-ah-ka-mah-tubbe.
Ho-le-to-pah.
Ho-ta-cubbe.
Hick-a-tubbe.
Ho-yo-ka.
Ho-to-nah.
Hetty.
Ho-te-mah.
Ho-pi-ah-ho-mah.
Ho-no-que-ah.
Hun-oon-pah.
Ho-pah-cubbe.
Ho-chah.
Hong-ki-o.
Ha-cubbe.
Hoth-te-ma-ho-yo.
Hoth-te-ma-ho-yo.
Ho-ma-a-che.
Hik-in-tubbe.
Hick-a-tubbe.
Ha-yo-pa.
Hali-son.
Ha-to-na.
Ho-ba-tish-ubbe.
Ho-ti-kah.
Hok-ta.
Ho-ka-lo-tubbe.
Hush-to-nubbee (alias Ae-ma-to-cubbe, alias O-gle-ish-ti-a).
Ho-yo-ho-nubbee.
Ho-lin.
Ho-na-chi-to.
Ho-cha.
Ho-cha.
Ho-te-ock-a.
Ho-yo.
Hol-la.
Ho-e-ho-nah.
He-ke-ah-ho-nah.
He-kah.
Ho-ba-te-yah.
Ho-to-nah.
Ho-chubbe.
Ha-mook-lah-tubbe.
He-to-nah.
Ho-te-mi-ah.
Ho-yubbee.
Ho-tam-bee.
He-in-tim-ah.
Hoo-too-nah.
Hoo-la-te-i-a.
Hock-lo-hatt-ah.
Ho-ba-lah.
Ho-yo-ki-ah.
Hock-a-la-tubbee.
Hash-ta-sho-nah.
Is-te-a-ka-ia-ho-na.
Is-tam-ba.
Is-tilla-bala-tubbee.
Ia-ma.
Is-ti-e-a-tubbe.
Ish-kumma.
Is-tam-ba-la-bee.
Ista-pe-ca-nubbee.
Ish-te-mei-a-nubbee.
Is-tam-cha.
Is-tim-a-la-ho-na.
Is-o-gla-te-ma (alias Oclatema-Im-mil-o-ho-na).
Is-tam-tubbee.
Ish-tam-yah.
I-ubbee.
Is-tam-to-na.
Is-ta-ho-la
Iste-man-cha-ho-na.
I-o-wa-che.
Ick-a-na.
Im-ubbee.
I-a-tubbee.
Im-mish-to-nah.
I-a-mah.
I-sum.
Ish-a-tubbee.
I-sim.
Ish-te-mahn-a-chubbee.
Im-mah-la-hubbee.
Im-mi-e-ho-to-nah.
I-ah-nin-tubbee.
Ish-wa-chubbee.
I-to-tubbee.
Ish-to-mah-ho-nah.
Im-sey.
Im-moch-fo-quah-tubbee.
Ish-ton-te-mah.
Ick-neth-lo.
I-a-hubbee.
Ish-tim-a-so-yo.
Im-mah-tha-chubbe.
Is-un-mah.
I-o-glah-tubbe (or Hustuk).
I-a-mah.
Illa-ho-nah.
Ish-ta-ka.
Ooos-ta.
Ish-ta-ho-nah.
Ish-sham-bee.
I-orth-la.
Illa-ho-ka.
Illa-glah-to-nah.

I-a-mah.
Ish-te-lah-mah.
Ish-wah-ki-yo.
Ish-te-mah-ka.
I-con-nah.
Im-mah-no-wah-ho-nah.
Im-mock-kah-ho-nah.
Io-pun-na-chubbee.
Im-mish-ti-yah.
I-o-ke-a-to-nah.
Ish-tah-shubbee.
Ish-tah-lah
Im-me-ho-ba-tubbee.
Ish-to-mahlone-chubbee.
Ista-min-cha-tubbee (or Mincha).
Im-mah-lah-te-mah.
Illa-con-a-tubbee.
I-ok-lo-tubbe.
I-e-ne-tim-ah.
In-pak-nah-ho-nah.
Im-ah-illa.
Iye-le-he-mah (or I-la-ho-nah).
Isaac.
Im-my.
Ik-o-nah-te-mah.
Ish-te-ah-ho-nah.
Ish-te-lah-ne.
Ish-tah-ho-va-ho-nah.
Im-ah-le-ho-nah.
Ish-lah-ho-ka.
Ish-ta-mah-ho-nah.
It-a-pe-sah.
Ish-te-mi-ah.
In-lah-tim-ah.
Im-al-to-va.
Im-e-lubbe.
Ish-te-mah.
Ish-to-me.
Is-tubbe-hattah.
Ish-tu-nah-tubbe.
Ish-ta-ah-ho-nah.
Ish-taho-nah.
Io-ka-to-nah.
Im-pun-ah.
Is-shan-ke-ho-yo.
Ish-ho-ni-ye.
Ish-tubbe-ho-ka.
Im-an-o-tik-a
Ish-tan-we-che.
Im-ah-ho-nah.
Ish-to-nah-che-ho-nah.
In-lah-tubbe.
Im-om-ubbe.
Ish-tah-lubbe.
Im-ah-ho-yo.
Illa-ho-yubbe.
Insh-kam-ah.
Ish-tal-ath-i-ah.
Ish-tal-lah-ho-nah.
Im-ah-ho-ka.
Is-ho-ka (or Ath-le-ho-ka).
Ish-tah-yo-co-nah.
In-am-be.
I-yo-nah.
Ish-pah-lah-te.
In-am-be.
I-yo-nah.
Ish-pah-lah-te.
Im-ah-tish-e-ho-nah.
Ish-im-ah-ho-ka.
Ish-te-mi-o-nah.
In-lah-to-nah.
Im-pun-ah.
Ish-ti-ah.
Ish-tam-mo.
Ish-te-me-le-ho-ka.
Ish-ti-ah.
I-ath-le-pah.
Im-ah-le-ho-nah.
Ish-ta-lubbe.
Ish-te-mi-ah-ho-ka.
Is-te-che.
In-lah-ho-nah.
I-ah-che-ho-nah.
Im-ah-tah-ho-nah.
Ish-to-ni-ye.
Ish-tem-bo-la.
Im-uk-tah-nubbe.
Ille-tubbe.
Im-ah-chi-ah.
Ish-mi-ah-ho-nah.
Is-sta-cha.
Ish-ton-ok-eu-ah (or Ish-ton-ah-kue-ah, or Nok-we-ah).
I-yok-e-tubbe.
Ish-un-ah-ho-ka.
Im-mah.
I-e-ah-ho-nah.
Im-ho-ah-to-nah.
Im-i-e-ah-ha-tubbe.
Ish-to-ka-ho-tim-ah.
Ish-te-me-lubbe.
Ish-ho-yo.
Im-ok-po-to-tubbe.
Ish-tubbe.
Ik-ic-ne-nah.
Ish-ta-lo-la-tubbe.
Is-tubbe.
Ish-no-wah.
Isaac.
In-lah-cubbee.
Ish-ah-hok-ta.
Im-ah-ho-yo.

Ish-tah-ham-me.
Ish-ta-uek-la.
I-tun-la-tubbe.
Is-te-me-chubbe.
Im-ah-no-an-tim-ah.
Ish-tah-tubbee (or Big Jacob).
Is-til-i-ah-ho-ka.
Ish-ti-o-pa.
I-yo-co-nubbe.
Ish-te-ah-ho-ka.
Im-al-tah-ho-nah.
I-ok-la.
Ish-tah-hook-tah.
Ish-tah-tubbe.
Ish-ti-ah.
Il-ah-chaf-fubbe.
I-a-nah.
Im-uth-ta-ha-to-nah.
Ish-li-vah.
I-o-ko-nubbe.
I-map-kan-che.
Itte-ho-mis-tubbe.
Im-mo-nubbe.
Illah-ish-te-mah.
It-ta-mith-ubbe.
Im-me-ho-nah.
I-tu-nah.
It-ah-ho-bo.
Ish-me-ah.
Ib-ah-no-wah.
In-chuk-mah-ho-yo.
I-bak-ah-hubbe.
I-lah-yo-kubbe.
I-ha-kon-bee.
Illah-no-la.
Iha-gah-tubbe.
Ish-te-ma-ho-nah.
In-too-lah.
I-ha-kah-tubbe.
I-lap-im-hah.
Im-ah-talle.
I-ape-ah-tubbe.
I-ik-len-ah.
I-yo-ke-nubbe.
I-hik-e-tubbee.
I-mut-te-ah.
I-ok-Che-ho-ka.
Im-ah-yah.
I-em-ma.
In-tu-la-ho-ka.
Ish-to-pah-nubbe.
I-lap-o-nah.
Ish-tan-te-mah.
Ish-ko-chubbe.
I-o-pa-chee.
Ish-la-ho-ka.
Ish-ta-bo-la.
Im-o-na-ho-ka.
I-it-tu-lah.
Ish-te-mak-ah.
Ik-tah-te-mah.
Ish-te-mi-yah.
Ish-te-ma.
It-e-lak-na.
Ik-be-tubbe.
Il-ah-ish-to-nah.
Ish-tik-ah-tubbe.
In-sha-la-tubbe.
Io-yah-hubbe.
I-yah.
Ish-tah-pak-mah.
I-ask-ka-mah.
Il-le-ho-ka.
I-oath-ah.
Il-ah-e-mah.
Im-ish-too-nah.
I-m-ah-tha-kah.
Im-ah-i-sha.
I-m-mil-le.
Ik-lan-ah-tah.
Im-ish-le-ah.
I-a-che-ho-nah.
Ish-ti-o-nah.
I-hool-bah-tubbee.
I-lah-ho-tubbe.
I-hi-o-tubbe.
I-lah-ha-be-to-nah.
I-bah-wa-che.
Il-ah-ish-te-mah.
I-een-la-hubbe.
I-o-ga-be.
I-o-kubbe.
I-sham.
Isk-te-kubbe.
I-ha-ne-ubbe.
It-e ok-chak-ko.
Ish-tah-ho-ho-tubbe.
I-yo-mah-ho-ka.
I-o-gle-te-mah.
Ish-tah-ho-cubbe.
Ish-te-mah-le-chubbe.
I-yo-nah-te-mah.
Ish-tah-ho-nah.
I-lik-e-tubbe.
I-al-ba.
Ish-tan-tubbe.
In-tah-hubbe.
Im-ah-no-wabbe.
Ish-tal-lah.
In-lah-tubbe.
Ish-tah-tubbe.
Is-te-mi-o-nah.
Ish-tesh-tan-be.
I-yo-nan-te-nah.
Ish-tah-ho-nah.
Ik-ham-ah.
I-ath-le-pah.
Ish-tan-to-nah.
Ish-ta-ne-mah-tubbe.
I-orth-lah.
I-yo-ko-mah.
Ish-ta-hem-ah.
I-e-ton-lah.
Ish-te-mah-ho-nah.
I-math-pis-a-tam-be.
Ish-ho-ya.
Ish-tah-a-mah.
Ish-tah-he-mah.
Ish-tah-ah-ho-mah.
I-tin-lah-him-ah.
Is-chaf-ubbe.
I-yo-lah.
Ish-tah-ho-nah.
Ish-ton-tin-ah.
I-kah-po-lubbe.
Im-me-ho-ka.
I-an-ta-tubbe.
Ish-tah-ho-nah.
Ish-ti-o-klu.
Ik-lan-ubbe.
Ish-to-ho-yo.
I-o-bon-ubbe.
Ish-ten-eah-to-nah.
Ik-len-ah.
Ish-to-nan-chi.
Ish-pah-na.
Ish-tim-mi-ho-ya.
Ish-a-ho-nah.
Io-ka-chubbe.
Il-la-con-nah-tubbe.
Ish-tin-mo-na-chubbe.
I-co-mah.
Im-ubbe.
Im-moon-tubbee.
Ik-ko-nah-ho-nah.
Il-la-mo-to-nah.
Im-mah-ho-nah.
Illa-ho-chubbee.
Im-il-le.
Im-ah-ho-tonah.
Is-tim-ah-ham-be.
I-o-pan-ubbe.
In-ah-lubbe.
In-ish-tam-be.
Ish-to-me-hah-tubbe.
I-it-ah-nubbe.
Im-ah-to-nah.
I-ok-lo-hubbe.
In-no-tubbe.
Ish-ta-ho-lubbe.
I-wa-tu-nah.
I-ah-ka-ho-che.
I-yo-ho-nah.
Im-ah-no-le-ham-be.
It-e-mi-ya- (or Man-ya).
I-yo-wa.
Ish-te-chubbe.
Il-le-no-wa.
Ish-no-wa.
Im-ma-no-le-ho-yo.
Is-stubbee.
Im-po-nah.
Im-mogla-chubbe (or O-glah-chubbe).
Im-me-yah-ho-nah.
Im-mo-nah-ho-ka- (alias Na-wa).
Im-pi-ah.
I-o-mah.
I-o-gla.
Ish-tim-mah-la.
I-a-min-tah-ho-ka.
Ish-ta-ah-ha-cubbe.
Im-mah-sho-mah.
Il-la-che.
Ish-tah-ho-pah.
Ish-tah-lubbe.
It-tah-low-echah.
Im-mo-nah-to-nah.
Im-mo-na-tubbe.
Ish-te-mah.
Ish-tahn-tah.
Im-mah-tiyah.
Ish-ti-a-mah.
I-a-nah.
Im-me-sha.
Ish-tah-ho-we-cha.
Ish-stanthly
Is-te-me-i-a.
Im-mo-na-ho-yo.
I-cha.
Im-ma-to-ho-ho-na (or A-to-ba).
Im-mah-sah-che.
Is-ton-a-ka.
I-o-glah.
Ick-glen-a-hee-cha.
Ish-te-maho-nah.
Il-le-o-tubbe.
Im-al-to-bah.
Im-ah-lah-ho-nah.
I-o-koon-ah.
Ik-be-ho-nah.
Im-mah-na-chubbee.
Im-mis-te-mah.
I-mah-pi-sah-timah.
I-mah-tah.
I-o-ka.
I-o-a-ho-ma.
Illah-payn-to-nah (or To-nah).
I-ah-ho-to-nah.
Ish-te-mah.
I-la-tubbe.
I-o-ma.
Jackson.
Jack (alias Ona-lubbee).
Joshua.
Jones, Jenny.
Joel.
John.
John.
John-im-mey.
Jackson.
Josephus.
Jipie.
Jackson.
Jep.
Jefferson.
Josey.
Jum-pah (or Chum-pah).
Johny.
Jake.
Jinny.
Jo-se.
Jim.
Joses.
Johny.
John.
Jepe.
Jim-Tom.
John.
Jinny.
Jackson.
Jones, Levi.
James.
Kan-she-ho-to-ma.
Kan-cha.
Kunnea.
Ke-yo-cubbe.
Kon-the-tubbe.
Kan-oon-tubbe.
Kon-che-ho-ka.
Kan-oon-tubbe.
Kan-che-to-nubbe.
Kon-che-tam-be.
Kun-e-moon-tubbe.
Kom-pil-lah.
Kon-e-toon-tubbe.
Kon-che-ti-ah.
Kan-che-ti-ah.
Kan-oon-ta-tubbe.
Kan-oon-ubbe.
Kon-me-mah-ubbe.
Kon-oon-tah-tubbe.
Ko-tah.
Ka-chubbe.
Kis-ah-nah.
Kon-che-tubbe.
Kan-an-ren-tin-tubbe.
Kem-ish-to-nah.
Kam-pa-lubbe.
Kooch-abbe.
Ko-mubbe.
Kan-che-le.
Kun-ne-ahto-nah.
Ka-ne-tim-be.
Kun-nal-le-tubbe.
Kan-cha-tubbe.
Kan-che-ma-ha.
Kah-ne-tah.
Ko-nan-chubbe.
Ka-tha-ho-nah.
Kan-che-tam-be.
Kah-no-ma-ho-nah.
Kis-tubbe.
Kan-che.
Kun-ne-ah-ho-nah.
Koos-ta-na.
Kut-tah-hah.
Kah-il-le.
Ka-tubbe.
Kah-non-te-ubbe.
Kanche-ho-ka.
Kun-e-tah-ho-nah.
Kah-po-tubbe.
Ke-ille.
Kun-ne-a-tubbe.
Kam-pe-tubbe.
Ka-to-nah.
Kah-tam-bee.
Ka-yu-hubbe.
Kush-oon-an-che-hubbe.
Kun-ne-ah-ho-nah.
Ka-ha-le-ho-nah.
Ko-bah-tom-bee.
Kal-so-tah.
Kush-ah-nam-bee.
Ke-lis-ta.
Kah-lo-tubbe.
Kik-e-te-mah.
Ke-yo-ho-nah.
Kan-ah-to-nah.
Kun-e-mah-ho-nah.
Kush-oon-a-mus-tubbee.
Ka-yo-he-mah.
Kal-po-tubbe.
Koo-chubbe.
Ka-o-cubbe.
Kun-e-tom-be.
Kam-pillah.
Kam-pilla.
Kon-kah-noos-ko-bo.
Kush-oon-an-cha-ha-ba.
Ko-noo-tubbe.
Kun-e-ah-to-nah.
Ke-ah-na-chubbe.
Ko-tah.
Kan-sho-nun-she-hubbe (or Billy John).
Kun-ne-ah-ho-nah.
Ka-no-yo-he-kubbe.
Koo-tah.
Kan-cha-tom-la.
Kan-che.
Kuth-lee-lee.
Kun-e-an-che-ha-la.
Kun-ah-ho-tubbe.
Ko-na-chubbe.
Ka-le-ho-na.
Ko-ke-i-a.
Ka-o-tubbe.
Ko-chubbee.
Kan-a-ho-te-ma.
Kish-u-mus-tubbe (or Ka-lubbee).
Kon-che-ho-nah.
Ka-sa.
Ke-ka.
Kan-alle.
Koo-cha-tiyah.
Kan-che-ho-nah.
Kah-no-me-he-mah.
Kush-ah-hooc-ta.
Kun-o-te-ma.
Kurney, Charles.
Kon-e-moon-tah.
Ken-che-to-ah.
Kearney, Creesay.
Kearney, Wilson.
Kearney, Josephus.
La-pin-tubbe.
Lewis.
Loma.
Look-fan-cha.
Laris.
Lo-sho-ma.
Lushta.
Lo-ka.
Lo-mo-ka.
La-pa-sa.
Lo-mah-ka.
Ll-la.
Lis-mah.
Li-la.
Lah-sa.
La-man.
Lah-pah-ho-nah.
Lucy.
Lo-ma.
Low-ch-te-mah.
La-sho-mah.
La-mah.
Ll-za.
Lah-sa.
Lah-po-ka.
Lo-mah-ta-ka.
Lah-pah-te-mah.
Lush-pam-le.
Look-o-la-tubbe.
La-po-te-mah.
Le-ah-ho-nah.
Lo-man-to-nah.
Lucy.
Lo-sho-mah.
La-mah-ho-nah.
Lo-ma-tubbe (alias E-la-lo-ma-tubbe).
Lo-mah.
Lah-wah-ho-nah.
Lo-ko-tam-be.
Lo-sho-na.
Low-ah-tubbe.
Lah-ta-kah (or Tom Billy).
Lo-ho-no-tubbe.
Low-wa-tubbe.
Loo-sa.
Lah-ha-nubbe.
Lo-mah-to-nah.
Lap-ah-la.
Lo-mah.
Lah-pa-sa-ho-nah.
Lah-habbe.
Lash-pah.
Lah-nah-che-ho-nah.
La-sho-ma.
Le-neah-ho-nah.
Low-ah-che.
Lah-mah-ha-cubbe.
Lap-oon-ah-hah.
Lo-mah.
Low-a-chubbe.
Low-um-che.
Lo-ma.
Lah-pahn-la.
Lo-mah-ho-shul-bee.
La-fah-tah.
Ll-wea.
Lewis.
Lo-mah-tubbee.
Le-ah-ho-ka.
Lah-pah-ma-tu-mah.
Lucy.
Lo-wa-to-na.
Lo-wa-ho-ka.
Lo-ma-ho-na.
La-ho-na.

Lo-wa.
Lub-bee.
Lirea Ann.
Lo-ma-ka.
Lovie.
Lo-mah.
La-ti-ma-sha.
Low-a-tam-ba.
La-sin.
Li-la.
La-i-e-ma-ho-na.
La-pa-ta-ma.
Lah-ma.
La-pish-no-wah.
Loo-ak-ish-tubbe.
Lap-ah-hove-ta.
Lah-pim-a-ho-ka.
La-pa-chubbee.
Lucy.
Lo-wa-tubbe.
Low-in-cha.
La-po-nubbee.
Ma-ha-to-na (or Wahatona).
Molly.
Min-ta-ho-to-na.
Manc-che.
Mon-in-tubbe.
Min-te-nubbe.
Mak-kee-ha-to-na.
Ma-al-e-he-ma.
Mut-ta-ho-na.
Mul-tubbee.
Mal-cho-na.
Mon-to-na.
Mal-a-ke-tubbe.
Mach-ca-ho-na.
Man-sha-tubbee.
Ma-hubbee.
Ma-to-na (alias Ona-to-na).
Me-hi-a-te-na.
Ma-ho-la-tubbee.
Me-ah-te-ubbe.
M-le-ah.
Mal-le-te-ah.
Me-ah-tubbee.
Mi-yah.
Mo-min-tubbee.
Mock-an-tubbee.
Mason.
Mina.
Mon-tah.
Me-mock-a-wah.
Me-ha-to-nubbee.
Mah-la-ho-na.
Me-ah-sho-nah.
Mary Ann.
Me-ah-sham-tubbee.
Meah-sho-tubbee.
Mock-ah-to-nah.
Me-la-ho-nah.
Mo-me tim-ah.
Me-ha-tubbe.
Mok-a-chubbee.
Mah-no-te-mah.
Me-ah-ish-tam-be.
Mak-ah-le-ho-nah.
Math-la.
Ma-che-tubbe.
Min-tah-hubbee.
Mah-han-tubbe.
Me-la.
Mak-ah-hi-ah.
Me-ah-sho-tubbe.
Me-ash-e-mah.
Mak-a-le-ho-ke.
Mo-min-tubbe (alias Mo-ma-cha).
Mah-to-nah.
Mah-ke.
Mah-ye (alias Ok-lih-mi-ah).
Mah-he-cubbe.
Me-he-yo-ka-lubbe.
Me-ah-shu-nah.
Min-te-hubbe.
Moc-ah-be.
Mal-le-tubbe.
Me-he-le-ho-nah.
Mah-ah-tah-ho-nah.
Me-o-chubbe.
Mi-ah-tubbe.
Muk-ah-ho-tim-ah.
Me-he-o-tim-ah.
Mak-e-ubbee.
Me-hah-tah-tah.
Me-he-looth-tubbe.
Mingo-homa. See Capt. Bob.
Me-tah.
Me-ash-fane-ubbe.
Me-ah-che.
Me-hah-tish-te-ah.
Min-te-ho-yo.
Me-ah-shin-tubbe (or Me-ash-in-tubbe).
Me-ah-ho-ka-tubbe.
Me-she-mah-tubbe.
Mah-le-le-ho-nah.
Me-chubbe.
Mi-ah-tim-ah.
Me-yo-to-nah.
Mo-nah-tubbe.
Mish-tah-tubbe.
Min-to-cubbe.
Malle.
Min-te-nubbe.
Mah-ho-nah.
Me-ah-i-ah-chu-nah.
Min-to-ha-nah.
Min-ta-chubbe.
Me-ah-sho-nah.
Mis-e-an-ha-tubbe.
Ma-hi-ye.
Mah-ha-cubbe.
Me-ah-chubbe.
Mah-le-le.
Mi-ah-tubbe.
Me-hah-kah-tim-ah.
Man-chubbe.
Mo-sho-le-tubbe.
Me-shun-tah-tubbe.
Mish-een-ah-to-nah.
Mah-le-ah.
Min-te-chubbe.
Me-ah-she-mah.
Me-hah-tim-ah.
Ma-la-he-yo-che (or Math-le-hi-o-ja).
Me-ah-to-co-nah.
Me-he-ah-chubbe.
Mo-min-tubbe (or Billy Jackson).
Mo-min-che.
M-ha-che.
Me-ha-te-kubbe.
Me-cam-bee.
Mo-sha-kal.
Mue-la-le-chubbe.
Mingo-hapia (alias Ne-ta-cubbe).
Me-sham-bee.
Mi-o-nubbe.
Mi-yah-ho-nah.
Mo-shu-lak-a.
Mah-to-nah.
Mam-bah.
Mo-min-che.
Mul-la-le-ho-nah.
Me-ash-pal-lah.
Mah-li
Moon-tah.
Me-ha-tubbe.
M-she-he-kubbe.
Me-ha-che.
Mush-a-lah-kah.
Ma-he-tubbe.
Mul-a-tubbe.
Mah-lah.
Minte-ho-nah.
Ma-ko-ka.
Man-tubbe.
Mo-nim-tubbe.
Me-tah-lah.
Mi-yah-tubbe.
Mah-ka-tubbe.
Mah-yah.
Me-hat-e-she.
Mah-ko-cha.
Mah-ho-tubbe.
Muk-am-bee.
Mulla-tubbe.
Mi-ya-cubbe.
Me-ha-che-tubbe.
Me-yah-tubbe.
Ma-ha-te-tubbe.
Maho-ka.
Me-ho-te-ah.
Me-she-mah-ho-nah.
Muk-in-tubbe.
Me-ha-to-nam-bee.
Me-haw.
Me-shom-ti-yah.
Me-ha-che-to-nah.
Muttul-bee.
Me-ah-sho-ka.
Mah-la-ho-ka.
Me-sham-le.
Me-ha-took-ho-nah.
Mah-le.
Mab-e-ti-yah.
Mal-as-ho-nah.
Ma-sho-la.
Ma-chubbe.
Me-he-mah.
Me-ah-she-mah.
Me-sha-tubbe.
Me-sha-tubbe.
Me-shone-tah-tubbe.
Me-ho-te-mah.
Moon-tubbe.
Me-han-to-tubbe.
Me-ah-sho-nah.
Me-ah-sho-tubbee.
Me-he-o-tubbee.
Mok-in-lubbee.
Me-mah-tam-be.
Me-ah-to-chubbee.
Me-sham-be.
Me-hah-to-nah.
Me-ah-she-nah.
Mah-la.
Mus-shu-le-lah.
Me-ah-tubbee.
Min-te-lubbee.
Math-la-tubbe.
Me-shune-tubbee.
Mi-hah-tim-ah.
Mo-nim-tom-ba.
Me-ash-oon-te-mah.
Me-ha-la-ho-nah.
Me-ha-to-nah.
Mish-oon-tubbe.
Mah-la-ho-nah.
Me-ash-in-tubbe.
Mok-o-nubbe.
Mok-a-tubbe.
Me-she-mah-tubbe.
Me-hah.
Me-shoon-tah-tah.
Mah-le-ho-ka.
Me-he-ah-te-mah.
Me-ah-shu-nah.
Me-ah-ho-nah.
Me-hi-o-tubbee.
Min-ta-hubbee.
Moon-ta.
Moon-tah.
Me-la.
Ma-ha-lo-ma-tubbee.
Min-ta-ho-ka.
Ma-hen-to-nah.
Ma-ha-cha.
Mah-ho-nah.
M-ah-sho-nocka.
Moon-tubbee.
Me-o-tubbee.
Mah-le-ah-tah.
Min-te-hubbee.
Ma-an-too-nah.
Mal-la-le-ho-nah.
Ma-lo-la-ho-nah.
Ma-lubbee.
Mis-to-bo-yea.
Mook-ka-fa.
Mi-yah.
Min-tah-chubbe.
Min-te-ho-yo.
Me-he-tam-be.
Ma-ha-to-na.
Min-ta-hubbe.
Me-ah-shla.
Me-ha-to-na.
Mish-sham-be (or Me-ash-am-be).
Me-a-tube.
Mal-la-ho-ka.
Muth-toon-bah.
Mock-ah-hi-yah.
Mah-la (or Suckey).
Mah-han-to-nah.
Moon-tubbe (or Moon-tah).
Mah-la-tubbe.
Mint-tubbee.
Ma-ka-le.
Muk-a-to-na.
Mas-sa-la.
Me-lin-ga-li-ah.
Mat-he-chubbee.
Mis-ta-i-a-ho-ka.
Ma-ho-lut-ubbe.
Ma-lis-sa.
Mi-ha-ya-tubbe.
Molly.
Moon-tah.
Mary.
Maa-shem-a-ho-ka.
Me-ah-tim-mah.
Moon-tubbee.
Me-he-ubbe.
Mis-tubbe.
Ma-ham-bee.
Me-shom-kubbe.
Mul-la-le-ho-nah.
Me-hah-to-nah.
M-ha-che-ho-nah.
Ma-ha-tai-omubbee.
Me-hi-a-tubbee.
Min-tubbee.
Na-i-o-ka.
Nancy.
No-a-te-ma.
Nat.
Nancy.
Ne-take-in-lubbee.
No-wa.
Nok-o-nubbee.
Nok-any-ta-ya.
Nin-ta-ho-ma.
Nock-ubba.
Nock-ne-mi-yubbee.
Nol-a-tubbee.
Nok-ne-a-tubbe.
Nah-na-e-mah.
Nah-sa.
Nock-a-way-chubbee.
Nock-a-la-ho-te-mah.
No-se-ho-nah.
Ne-hi-ah-to-nah.
No-ah-ho-tubbee.
Nock-a-che-tubbee.
Nock-a-na-ho-nubbee.
No-la.
No-ah-to-nubbee.
Ne-la.
Nock-a-na-chubbee.
Nock-a-nubbee.
Nock-e-a-chubbee (or Chub-bee).
Na-chubbe (or Nock ne-chubbee).
Nokis-tah-ahah.
Nan-to-wah-yo.
Nook-a.
No-ke-mo-nubbe.
No-wah-ho-ka.
Nok-e-ne-ti-yah.
Nock-un-am-be.
Nock-e-mah-shubbe.
Nok-is-ni-ubbe.
Nok-se-ka-tubbe.
Nok-ish-to-nah.
Nok-e-ne-ubbe.
Nok-ko-ah-ho-mah.
Ne-tock-oosh-tah.
Nok-ish-tah-ok-la-tubbee.
Nancy, or Un-an-che.
Nok-ne-ho-tubbe.
Na-po-le.
Ne-le.
Nok-e-na-tam-be.
Nok-e-mo-nubbe.
Nok-ne-to-lubbe.
Nok-ah-pe-sah.
No-la.
Nock-fa-lah (alias Ah-nook-pa-la).
No-wah-ho-cubbe.
Na-tubbe.
Nock-i-o-tubbe.
Nok-in-tambe.
Nok-ne-hah-tah-e.
Nuk-ok-ah-ho-mah.
No-ah-ho-nah.
Nok-e-chubbe.
Nok-ne-ha-tubbe.
Nok-ish-ti-yah.
Nok-i-ne-lah.
No-wah-te-mah.
Ne-tock-am-be.
Nok-is-tubba.
Nok-ish-to-nubbe.
Nu-wa-ho-ka.
Nook-tah-lubbe.
Nok-ho-mah.
Nok-na-thub-be.
Na-wabbe.
Ne-tah-cubbe.
Ne-tuk-o-ka.
Na-o-ka.
Nok-we-tah.
Nok-e-wa-tubbe.
Nok-ish-ti-ubbe.
Nok-ho-tubbe.
Noon-chubbe.
Ne-tuk-ah-che.
Nok-ne-la.
Nok-e-ne-tubbe.
Nok-a-ne-la.
Nok-nam-be.
No-wa-hubbe.
Nok-a-shubbe.
Nok-a-chubbe.
Nok-ish-tah-shah.
Ne-nok-kinm-bee.
Nulth-la (or E-la-bo-ti-ah).
Nok-ish-te-ubbe.
Nok-neen-tubbee.
Nok-e-ne-fe-nah.
Ne-tuk-ah-chick-e-ma.
No-wah-tam-be.
Nuk-sho-pubbe.
Nok-ne-ti-yah.
Ne-ash-e-nubbe.
Nok-ish-tam-be.
Nok-a-man-che-ka-bee.
Nah-ho-lo-mustubbe.
Nok-ish-tubbee.
Nook-wa-tubbe.
Na-ho-sa.
Nok-me-hat-tubbee.
Nok-ho-ma-hajo.
Nok-ish-to-nah.
Nok-ne-o-ka-tubbee.
Nok-nin-che.
Nok-ni-ta-hubbe.
Nok-wan-be.
No-wah.
Nok-o-un-cha-hubbe.
Nok-chu-nubbe.
No-wah-ho-nah.
Nok-ne-tubbe.
No-la.
Nah-sho-lah-ho-nah.
No-sa-kah.
Nush-ko-ho-to-ko-lo.
Nock-e-ne-tubbe.
No-wah.
Nock-e-na-lah-nubbee.
Nock-ne-a-che.
Nok-ish-ti-yah.
Ne-tah-che-to.
Nock-fil-e-hi-yah.
Nuk-she-pa-ubbe.
Ne-tak-e-mah.
No-sa-kah.
Nok-ne-een-tubbe.
Nu-wa-tom-bee.
No-sa-kah.
No-ah-tubbe.
No-ah-hubbe.
Nah-min-ah-ho-ka.
No-h-ne-man-to-nah.
Nock-a-ne-lah.
Nah-ho-te-mah.
Nock-ish-to-nubbee.
Nan-no-ha-ho-nah.
No-le-ham-be.
Nok-ne-tubbe.

Noke-e-ne-ene-hubbe.
No-ko-she.
Nok-is-tom-be.
Ne-tuk-e-lubbe.
No-a-ham-ba.
No-kan-yo-ka-tu-na.
Na-ne-ma.
Nan-cha.
No-cum-mah-ho-ka.
No-ka-tah.
No-wa-yah.
No-wah-ta-kah.
Nock-ho-mah-hah-cho.
No-wa-ho-nah.
Nan-ne-ubbe.
No-sa-cubbe.
No-quo-ah-tubbe.
Nock-a-chook-ma.
Nock-pe-la-sa.
No-e-em-yea.
Nok-a-ha-la-jee.
No-la.
No-a-ho-na.
Nok-e-fil-la-ho-na.
No-la-ho-na.
Nok-pa-la.
No-wah-he-mah.
No-sho-bah.
Nook-chin-tubbe.
Na-wa-ho-ka.
Nok-ne-o-ka-tubbee.
Nok-an-e-tubbee.
Nim-nok-ha-cubbe.
No-wah-ho-ka.
Nok-ish-te-mah-yubbe.
Nook-fille or Fil-le.
Ona-tubbe.
Oak-la-te-a.
Oon-ta-che-a.
Oon-te-a-tubbe.
Ona-chee.
Ona-ho-ka.
Ok-pe-a-hubbee.
Ok-le-me-l-a.
Ogle-as-te-ma.
Oke-cha-te-ma.
Ona-tubbee.
On-wa-ka.
Ona-te-na.
On-a-to-ho-yo.
Og-lam-is-tubbee.
O-na-ho-ka
O-on-ta-cha.
O-nok-fil-la-tubbee (alias Fillatubbee).
O-gla-hubbee.
Oke-me-l-a.
Ok-a-ish-ba-la-la.
O-gle-a-te-ma.
Ooon-ka-hubbee.
O-glah-ho-nubbee.
Ooon-tim-to-ka.
O-nah-he-chubbee.
Oon-nah-tom-tubbee.
Ogle-ho-lah.
O-glah-non-nah.
O-na-chubbee.
Oo-nah-tubbee.
Oke-la-we-tubbee (or Ohe-lin-tubbee).
O-tim-po-nubbee.
O-nah-te-ah.
O-nah-tubbee.
Oon-nah-ho-ka.
Oon-a-tam-bee.
Ogle-mi-o-nah.
O-glah-no-wah-cha.
O-nah-hubbee.
Oon-na-ho-kee.
O-nubbee.
Oon-nah.
Ow-wah-te-ah.
O-gla-ham-bee.
Oon-ta-ho-yo.
O-quun-tah.
Oon-ta-mah-chubbee.
O-gla-ubbee.
Ow-we-chah.
O-lubbee-to-nah.
Oppa-sah-he-mah.
O-gla-ho-te-nah.
Oon-tah-zubbee.
O-thulck-a-ho-yo.
Oon-ta-kah.
Ok-lish-ti-ah.
Oas-te-nubbe.
Oon-ah-tubbee.
Ok-chubbee.
Ona-hin-lubbe.
O-mol-le-tubbe.
Oon-cha-la.
Oon-ah-chubbe.
Oon-ha-tubbe.
Ok-la-ho-tubbee.
Ok-che-tim-ah.
Ok-lah-o-mah.
Oon-te-ah-tubbee.
Ok-la-me-ash-ah.
Oon-ah-he-tubbe.
Ok-lah-tubbe.
Oth-la-ho-nah.
Oon-ah-chubbe.
Oon-an-che-ah-tubbe.
Ok-cha (or Ela-ok-chubbe).
Oc-chock-ah-tubbe.
Ok-in-to-la-ho-nah.
Oon-ta-tubbe.
Ok-lah-ho-tubbe.
Oon-ubbe.
Ok-ah-in-chuk-mah.
Ok-ish-te-mah.
Ok-lah-ha-mah.
Ok-ah-che-ah.
Ok-lee-han-tubbe.
Oon-te-ka-ah.
Onah-te-mah.
Ok-lah-le.
Ok-ish-tah-na.
Ok-ah-fa-ma-ho-nah.
O-na-te-ah.
Ok-lah-oka.
Ok-le-mi-ubbe.
Ok-lah-chubbe.
Ok-hah-che-tah.
Ok-l-yo-me-ho-nah.
Oon-ah-hubbe.
O-nah-hubbe.
Ok-lah-tim-ah.
Ok-po-ches-he-mah.
O-ma-tubbe.
Oon-ah-he-mah.
Ok-la-o-nah.
On-wak-ubbe.
Oon-ah-hook-ta.
Oon-wah-tubbe.
Ok-ish-ta-mah-ho-mah.
Ok-le-an-ne.
Ok-lam-ba.
Okish-ti-yah (or Ish-ti-ah).
Okis-tah-chock-ma-haka.
Ok-a-hubbe.
Ok-a-la-an-cha-hubbe.
Ok-cha-tubbe.
Ok-li-yah.
Ok-ti-e-che-mah.
On-te-ma-ho-zo.
Ok-le-mi-yah.
Okah-no-wah.
Oon-te-mah.
On-ti-o-mah.
Oon-te-ah-tubbe.
Ok-lu-hubbe.
Ok-ah-che-ah-honah.
Ok-la-to-nah.
O-kis-ti-yah.
Ok-la-che-ho-ka.
Ok-a-to-la-he-nah.
Oon-ubbe.
Ope-ah-kubbe.
Ok-la-ho-nah.
Okah-ta-ho-nah.
Okis-tah-la-ho-nah.
Ok-che-ha-to-nah.
O-chee.
Onem-chehubbe.
Ok-le-muttah.
Ok-lah-yah-ho-nah.
Ok-le-mah-che-ah-ho-nah.
O-na-che-hubbe.
On-ti-o-mah.
O-na-ha-tubbe.
Ok-la-bee.
O-fa-ho-mah.
Ona-ho-kah.
O-na-he-mah.
Oha-nubbe.
On-tah-e-mah.
O-nah-che-tim-ah.
On-te-i-tubbe.
On-te-kah.
Ota-kubbe.
O-te-ah-tubbe.
Oke-la-he-mah.
Ok-la-no-wah.
Ok-lah-he-yubbee.
Oon-ti-e-mah.
Ok-lak-in-tubbe.
Ok-lun-gee-hubbe.
Ono-che-hubbe.
Ok-li-ho-ka.
Ochee.
Ohe-nah.
Ok-cha-tubbe.
Ochee.
O-nah-che-ho-yo.
Osh-ta-hah-ba.
Ok-la-hubbee.
O-thah.
O-nah-tah.
Oath-la-che.
O-ka-ish-te-e-mah.
O-nah-be-mah.
Ok-la-ho-nubbe (alias Muk-o-nubbe).
Ok-cha-tubbe.
Ok-lah-she-ho-nah.
Oon-ubbe.
Ok-lah-he-mah.
O-nah-tubbe.
Ok-li-ah.
Oka-ish-te-mah.
Oon-ah-ho-chubbee.
O-ka-in-chuck-nah.
Oon-an-cha-hubbee.
Oon-ah-he-mah.
Ona-hook-ta.
Onan-che-hubbe.
Ok-cha-tubbe.
Ok-la-hubbe.
Ok-le-mo-mah.
Ok-lo-hah.
Ok-a-yo-mah.
Oo-naw-mah-e-tubbe.
O-man-too-nah.
Oun--tam-be.
Oun-ah-han-tubbee.
Oun-ah-ho-yo.
On-ta-cubbee.
Ok-la-kin-ah.
Oon-ah-hook-tah.
Ok-cha-tu-nah.
Oon-te-ah-tubbe.
Oon-ah-ho-nah.
O-kish-ti-me.
Ok-ah-sta-mah.
Ok-lah-che-ho-yo.
Ok-is-tan-tah.
Oo-tub-ba.
O-ne-mi-yah.
Oo-hah-tubbe.
Owa-tubbe.
O-nah-chubbee.
Oon-tah-hah-yo-tubbee.
Og-li-mi-a.
Oun-nubbee.
O-nah-cha-tubbee.
O-kah-che-ah.
Oon-take-ubbee (alias Take-ubbe).
O-lah-tin-tubbee.
O-gle-o-nah.
Ok-is-te-mo-nah.
Ok-la-ho-nah.
Ok-ish-tal-o-hah-ho-ka.
Onah-che-ham-be.
Outh-la-hubbe.
On-to-bah-nah.
Oke-lish-ti-yah.
Oon-a-ham-bee.
Oon-hik-ah.
Ok-lan-hoo-nah.
O-ta-she-mak.
Ok-labba (or Tap-pe-na-ho-ma).
O-na-ho-ka.
O-na-ham-bee.
O-na-he-ma.
Ok-la-ha-la.
O-nah-tick-ah.
O-nah-ha-mah.
Oon-shu-ah-ho-ka.
O-nubbe.
O-lah-hahn-cha.
O-kah-ho-te-mah.
O-nah.
O-glock-ka-yo.
O-glah-mah-ka.
Oon-nock-a-mah.
Oon-tock-ah-ne-ubbe.
Oak-is-ta-cha.
O-nook-cha (or Onook-chubbe).
Ok-i-a-cha (alias Tah-nap-pe-ho-ja).
O-mahn-sha.
Ow-wa-cha-ho-nah.
O-gle-a-tubbee.
Ok-a-ha-chubbee.
Oon-tan-tubbee.
Oth-la.
O-gla-o-ha-tubbe.
O-gla-ha-ma.
O-lut-le-to-na.
O-pe-ah-tubbe.
Ok-la-ho-tubbee.
O-ka-lan-che-hubbee.
Oh-la-lah.
Ok-is-tah-lo-la.
Ok-la-him-ah.
Ok-la-he-lubbe.
Ok-chil-e-he-ka.
Oth-la-chubbe.
On-ah-ta-kah.
Og-lah-ham-lee.
Ona-tubbe.
Ok-li-yok-ubbe.
Oli-o-ka.
Ok-lah-ho-nah.
Ohul-in-tubbe.
Ok-lo-hah.
Ok-a-la-che (or Ish-to-pah-nubbe).
Ok-lah-o-nah.
Oh-ne-ho-te-ma.
Ok-ish-tal-la-wah-ho-nah.
Oh-to-gah-lan-tubbe.
O-gli-o.
Oon-ah-tubbe (or Un-chu-tubbee).
O-na-tubbee.
O-gle-ash-ubbe.
Ok-la-ka-tubbee.
Ooclury, Pallas.
Ooclury, George.
Ooclury, Cyrus.
O-glish-ti-yah.
Oon-te-mah.
Ok-ain-to-la.
Pan-a-cha.
Po-sho-a-tubbe.
Pis-ubbe.
Phillis.
Pis-ha-lo-ti-ma.
Pis-am-ok-an-tubbee.
Pis-ak-a-chook-e-ma.
Pis-a-tubbe.
Pis-ah-o-te-ma.
Pa-lam-a-ho-ka.
Pa-shuth-lo-ke.
Pa-le-sa-ho-ka.
Paush-o-nubbee.
Pom-fillah.
Pis-ah-ke-a-tubbee.
Pah-nah.
Palla-machubbee.
Pah-hah-cho.
Pis-sah-hoke-ta.
Phil-le-ti-ah.
Pick-but-tah.
Pal-la.
Pusley.
Pusk-co-chubbee.
Phil-le-kah-ja.
Pis-sah-ha-mah.
Po-sha-to-nubbee.
Peggy.
Palla.
Phil-le-mah.
Peter.
Pal-wah-chubbee.
Pis-tick-e-ah.
Pah-lam-mah.
Pis-subbee.
Po-tah.
Po-nubbee.
Pah-sho-nah.
Pish-tan-ta-tubbee.
Pah-sha-ho-te-mah.
Pickens, Rachel.
Pe-lubba.
Pa-tubbe.
Pe-lubbe.
Pis-ah-to-ke-mah.
Pis-ah-ho-ka-tubbe.
Pis-ah-le-ho-ka.
Pis-ah-ho-ka-tubba.
Pah-nah.
Pis-ah-tik-cubbe.
Pis-ah-le-ho-ka.
Pis-ah-ho-ka-tubba.
Pah-nah.
Pis-ah-tik-cubbe.
Pok-o-chubbe.
Pe-sa-che-ho-nah.
Pis-ah-tim-lah.
Pis-ah-hom-be.
Pa-sa-chubbe.
Pis-a-ho-kah-tim-ah.
Pis-tek-e-ubbe.
Po-tubbe.
Pock-om-e-chubbe.
Pock-ah-ma.
Pe-le-ham-be.
Pel-le-sah-ho-nah.
Pis-ah-che-tubbe.
Pe-ah-hubbe.
Pith-le-le.
Po-te-le-chubbe.
Pis-te-ah-tubbe.
Pun-ah.
Pis-ah-tu-nah.
Phe-lin-tah.
Pis-ah-tim-ah.
Paunch-tunah.
Pis-ah-chan-tubbe.
Pis-ah-ho-chubbe.
Po-nok-to-Chubbe.
Po-shon-she-hubbe.
Pul-ke-tubbe.
Pis-ah-tam-be.
Pis-ah-tish-ubbe.
Phe-la-cha-ho-ka.
Pis-ah-tim-o-nah.
Pis-ah-chim-ah.
Pa-la-chubbe.
Pah-lubbe.
Pe-tam-o-tubbe.
Pis-ah-ho-tu-na.
Pis-ah-ho-ka-tim-ah.
Pis-is-tubbe.
Pah-lah.
Po-lah.
Pis-subbe.
Pis-ah-cho-ho-nah.
Pis-took-chubbe.
Pah-sah-che-mah.
Pah-yah.
Pul-ka-tubbe.
Pis-ah-ho-kah-tim-ah.
Pis-ah-mok-in-tubbe.
Pis-ah-ho-tim-ah.
Pe-he-le-tubbe.
Pah-sah-ho-nah.
Pon-these-tubbe.
Pa-la-sa-ho-mah.
Pis-ah-che-ho-yo.
Pash-ah-ho-mah.
Pa-sha-ho-nah.
Pis-ah-ho-nah.
Pis-ah-tubbe (alias Ah-pa-sa-tambe).
Phil-e-mo-yah.
Pis-a-ham-bee.
Pa-sah-te-mah.
Pe-yah-ho-ka.
Pis-ah-man-tubbe.
Pash-ah-ho-yo.
Puk-an-ho-ka.
Pi-yah-hooc-ta.
Phil-e-ah-ho-yo.

Phil-e mon-te-kah.
Pis-ah-cha-hubbe.
Pis-sah-te-mah
Pul-le-ho-nah.
Po-la-tubbe.
Pis-sa-che-ho-yo.
Pis-sa-ho-ka.
Po-ka.
Pah-lah-hubbe.
Pah-ta-tubbe.
Pis-sah-ho-nubbe.
Pis-sa-ham-bee.
Pis-sah-e-kah.
Pis-sah-ho-nah.
Pis-to-pun-ne.
Pis-sah-te-kah.
Po-tah.
Pis-e-ho-temah.
Pis-sah-lah-he-mah.
Pun-ubbe.
Paush-ok-chi-ah.
Pis-ah-to-nah.
Po-ta-mah.
Poush-is-nah-ho-mah.
Pis-ah-on-te-mah.
Pis-took-cha.
Pa-nubbe.
Pis-ah-to-she-mah.
Paush-ok-chea.
Poo-tah.
Poush-is-to-nubbe.
Pis-sah-che-te-mah.
Poush-is-te-nubbe.
Pa-sa-tubbe.
Pe-ha-tubbe.
Po-tah.
Phil-e-ma-hubbe.
Phil-e-moon-tubbe.
Pil-e-ho-nubbe.
Pa-sa-tom-ba.
Posh-e-mah.
Pis-a-cha-tubbe.
Posh-an-o-wabbee.
Pas-cum-me.
Paush-ik-ish-o.
Pul-ka.
Pis-sah-ka-to-nah.
Pis-ah-ta-cubbe.
Pis-te-ah.
Pash-i-o-nah.
Phil-e-moon-tubbe.
Pash-ish-te-ubbe.
Pis-i-to-kubbee.
Pis-took-chah.
Po-sis-ti-yah.
Pis-sah-te-mah.
Pul-lah.
Pis-sah-mock-an-tubbe.
Po-shah-tubbee.
Pa-sah-ho-nah.
Peg-ga.
Po-tho-tah.
Pa-sam-bee.
Phil-le-ah.
Pus-sah-kah.
Pis-sah-koke-ah-ta-mah.
Pis-ah-kah.
Po-shut-tah.
Pis-am-be.
Pe-le-chubbe.
Pis-ah-tim-ah.
Posh-a-ma-ta-ka.
Pis-ah-ti-ah.
Pis-ah-o-gla.
Po-tubbe.
Pa-sah-ho-nah.
Po-nah.
Pis-ah-ish-no-wah.
Pis-ah-ho-min-ah.
Pes-ta-ge.
Pah-na.
Pe-no-la-Perry.
Pis-a-tubbee.
Po-to-tubbe.
Pe-ah-shubbee.
Pis-sah-hah-tubbe.
Pah-sho-nah.
Pis-sah-nah-to-nah.
Po-shah-loke-ta (or Po-shock-ta).
Pockin-am-bee.
Pis-hubbee.
Pash-ho-mah.
Pocka-na-yah.
Pe-tah.
Pis-sah-tubbee.
Pan-shisk-tu-na.
Pi-al-e-ho-ka.
Pis-a-to-nubbee.
Pa-shub-ba-tubbee.
Po-cham-ba.
Pa-sa-chubbee.
Pis-a-be-tubbee.
Posh-a-mus-tubbee.
Pi-sa-te-a.
Pis-aho-ka-tubbee.
Peter.
Puck-chuubbee.
Puth-kin-tubbee.
Pan-she-o-na.
Pa-subbee.
Pah-ha-mah.
Peel-ah-tubbee.
Pis-ah-to-cubbee.
Po-tubbee.
Pis-tah-ho-nah.
Pis-ah-ho-nah.
Pis-ah-ho-ka-to-nah.
Pok-ah-la-ho-nah.
Pis-ah-te-mah.
Po-she-mah.
Pa-sha-ho-to-na.
Pis-ah-jah.
Poo-ah-loop-ka.
Pis-at-i-ah.
Pis-ah-che-ho-nah.
Pone-lah.
Pis-took-chah.
Poush-ish-to-nah.
Pis-ah-she-te-mah.
Pa-sah-ho-nah.
Pis-ah-han-bee.
Pis-sah-ho-to-mah.
Pis-sah-ham-be.
Po-to-tubbe.
Pis-at-am-te-mah.
Phil-e-men-tu-nah.
Pis-sah-che-hubbee.
Pil-ah-tubbe.
Poon-tah.
Peas-tubbe.
Pis-ah-ha-lubbe.
Pa-chubbe (or La-pa-chubbee).
Pis-ah-tubbee.
Po-she-mah.
Pen-mis-sah.
Polly.
Quah-na.
Quish-tut-tah.
Row-le.
Raybarn.
Sah-o-yo.
Syla.
Smith.
Shi-mi-ah.
Sukey.
Sophy.
Sampson.
Susa.
Shok-ta.
Socka.
Span-a-min-go.
Stela.
Stay matubbee.
Stan-ti-ma.
Si-e-na.
Syop-a-tubbee.
Shuk-a-tubbee.
Sta-ta-he-ma.
Ste-a-ho-te-ma.
So-kin-nah.
Stam-mah-han-to-mah.
Shock-ko-yea.
Shin-e-ah.
Sina.
Stim-ah-ha-tubbee.
Stah-tubbee.
Silis.
Sta-ah-nubbee.
Stil-la-chubbee.
Sha-ho-ka.
Sho-na-ho-ke-ta- (or Cush-ho-nah).
Sam.
Sarah.
Sho-mi-yah.
Suckey.
Sully-ho-yo.
Sto-nah-chubbee.
Sutte.
Stah-na.
Shum-to-nah.
Sah-ho-nah.
Shah-lah-tah.
Sofa.
Sho-mo-lahka.
Sah-la.
Sha-mah-ho-yo.
Sill-la-ho-nah.
Sak-e-tim-ah.
She-mah-la-to-nah.
Sha-ka-pa-ho-nah.
Sho-tubbe.
Sal-la.
Suck-a.
Sham-pa-no-ka.
Sam-me.
Sho-nah.
Sah-un-me-ho-ka.
Sho-tim-ah.
She-ko-pah-ho-mah.
Sah-tubbe (or Pisah-tubbe).
She-ne-po-tubbe.
Sho-te-mah.
Shum-pa-la (or Chumk-ul-a-ka).
Shan-lo-tubbe.
Sham-pi-e.
Stah-nubbe.
Sho-nah.
Sile
Sha-ne-kia.
She-se.
Sham-ta-ho-ka.
Sho-moon-tah.
Sho-mah-la-tubbe.
Ste-mok-ka-yo.
She-mah-ho-yo.
Sha-ka-ho-mah.
She-mah.
Stah-ho-nah.
Shon-wa-no.
Suk-a-tubbe.
Shu-wak-ki-yah.
She-mi-yah.
Stoo-nok-a.
Ste-ma-lah.
Stu-na.
Sal-lie.
Stea-le.
She-ma.
Sho-tubbe.
So-kutchi.
She-co-pam-be.
Shi-ah-kah.
Sal-le-ok-ka.
Sok-ka-ti-ah.
Shah-ni-o-tubbe.
Sally.
Sal-lie.
Sho-ma-ho-ka.
Sham-bee.
Sak-ka-tubbe.
Sho-tubbee.
Sum-e-hah-chubbe.
She-co-pan-she-hubbe.
Sha-nook-a.
So-ma-ka.
Sock-ki-a.
Si-a-na.
Sah-chah-ho-nah.
Sal-la.
She-me-ho-ka.
She-co-pah-ho-mah.
Shim-to-nah.
Sa-ho-yo.
Shi-ka-jo-na-wa.
Ste-ma-ho-yo.
Solomon.
Shah-pa-ja.
Shi-yah.
Sham-pi-o-nah.
Sal-la.
Smith.
Shah-pah-ho-mah.
Shah-mah.
Sah-mi-o-ka.
Sho-nak.
Se-a-no-la.
Sta-fa-na.
Ste-a-tubbee.
Si-e-la.
Sta-lubbe.
Sally.
Sho-wa.
Ste-ma-ho-yo-ho-na.
Stan-cha (alias Ste-ma-ya, alias Kon-che).
Sham-pi-a.
Sti-ma-la.
Sa-ba-la.
Sinah.
Si-na.
Shah-nah.
Sham-tah-o-ka.
Sah-ho-ba.
Ste-ah-ho-ka.
Sho-tubbee.
Si-la.
Tan-a-bon-ubbe.
Tan-e-cha.
Tan-a-chee.
Tho-po-nubbe.
Tom-pe-i-a.
Tem-mepa-pona.
Tik-conubbee.
Tis-ho-chi-le-ta.
Tahubbee.
To-ta-ho-yo.
Ta-ho-na.
Te-i-ya.
Tik-pa-tubbee.
Tus-cubbee-ha.
Tus-ka-em-itta.
Tam-a-ho-ta-na (allas Stam-a-ho-to-na)
Tik-lo-nubbee.
Tis-pa-ham-ba (alias Tis-ho-ham-ba)
Tik-beia.
Tem-a-ka.
Tam-a-ho-na.
Tal-a-ho-na.
Tam-a-tubbee.
Tuk-a-la-ma-ho-na.
To-ta-ho-ma.
Tillo-watubbe.
To-lin-cha.
To-ah-e-min-tubbee.
Ti-yah.
Tish-o-ham-bee.
Thock-o-fa-tubbee (or Thock-o-tubee)
To-che-ah.
Tah-hock-a-ma-tubbee.
To-mah-la-chah.
Ta-cubbee.
To-ma.
Ta-hu-te-mah.
To-ko-tah.
Tish-o-pam-bee.
Tal-wah-ham-bee.
Tus-ki-ah-leek-ah.
Tick-a-lin-tubbee.
Tick-but-tah.
Tith-la-ho-nah.
Tim-am-ho-tubbee.
Tennepee.
Thompson.
To-no-wah.
To-nah.
Ti-ee-nah.
Tah-ho-yo.
To-cha.
Tock-ah-la-to-nah.
Ta-cubbee.
Tock-ki-ah-chah-ho-nah.
Tah-ho-nah.
Ta-mah.
Te-mi-yah-tubbee.
To-mah-ho-yo.
Tim-min-ta-hubbee.
Tah-ho-ka.
Tush-a-min-tubbee.
Tah-ho-la-tubbee.
To-ki-ah-Carnes.
Tish-ah-ho-nubbee.
Tick-lam-bee.
Tak-ho-ka.
To-pah.
To-mah-ho-nubbee.
To-no-te-mah.
Ta-ba-cha.
Tille-mah.
Tah-no-wah.
To-me-hattah.
Tick-be-too-lah.
To-tubbe.
Took-la-he-mah.
Tith-ho-tubbee.
To-ma.
Ton-ubbee.
Tah-pe-chubbe.
Tosho-ah-ho-nah.
Tak-a-lam-be.
Tha-o-hubbee.
Thlo-po-tubbe.
Tah-ish-cam-be.
Te-aske-ho-mah.
Tim-ah-ha-tubbe.
Tin-lah.
Tam-bee (alias Pis-tam-bee).
Tah-ho-nah.
To-ni-ya.
Tub-be-ee.
Tack-ah-lam-be.
Te-lan-ah-che.
Tah-ho-vah-ho-niah.
Tick-ba-ho-nah.
Tush-ho-nah-tah.
Tah-he-kah.
Te-me-ak-ke.
Ta-to-bah.
To-no-ho-ka.
Tik-e-tim-ah.
Tah-hah-ba.
Tah-bo-kah.
To-sho-yo-ho-nah.
Tan-ne-too-nah.
To-hubbe.
Tan-tubbe.
To-chubbe.
Tith-le-le.
Too-lah-tubbe.
Ta-cubbe.
To-ho-nah-te-mah.
Te-ho-bah-tubbee.
Tith-li-ah-ho-nah.
Tah-lo-wah.
To-nah.
Tah-pe-nah.
Tim-o-nah.
Tith-lo-o-mte-ah.
Tim-ma-la-ha-cha.
Tah-pah-lah.
Te-he-kah.
Te-ah-ho-nah.
Tith-le-le-ho-ka.
Tish-o-pi-ah.
Te-mah-lah-chee.
Tah-nah-ho-nah.
Te-mah-lah.
Thlo-pulla.
Tish-o-no-wah-tubbe.
Tik-ba-ho-tubbe.
Ta-nam-po-tubbe.
Tone-ubbe.
Tak-al-ah-tim-ah.
Ta-shu-tubbe.
Tik-ba-ho-tubbe.
Tah-ho-ye.
Tusko-lotto.
To-nah.
Tack-cubbe.
Te-mi-ah-ho-yo.
Tan-pe-na-hubbe.
To-la-ho-nah
To-ba.
Tish-u-no-wa-tubbe.
Tom-e-hi-yo.
Tim-ah-no-la.
Tik-bah-ho-nah.

Tan-oon-i-o-cubbe.
Took-a-chubbe.
Tick-e-bah.
Tick-lah-oo-nah.
Tan-up-pi-yah.
Tah-ho-nah.
Tah-Hubbe.
Took-a-loon-tubbe.
To-te-mus-tubbe.
Tik-li-yah.
Tal-lo-wah-ho-nah.
Took-la-ho-na.
To-bah-tam-ya.
Tah-neen-cha.
Tok-ka-la-too-nah.
Tah-ho-nah.
Te-mah-he-mah.
Tah-ka-la-to-nah.
Tah-hubbe.
Tal-wah.
Ta-hubbe.
To-ah.
To-ni-a.
Te-bah-noo-kubbe.
Tah-nin-to-nah.
Tik-e-lah.
Tah-ho-nah.
Tah-nap-ha-cubbe.
Te-mah-tam-be.
Tah-ne-ho-nah.
Tus-ka-a-to-kah.
Take-ho-yo.
Tah-hubbe.
To-bul-la.
To-te-pi-ya.
Tah-no-wah.
Tah-we-wah-ho-nah.
Tik-lo-nubbe.
To-noon-cha.
Te-me-ah-ho-nah.
To-pe-lah.
Toon-lah-ho-nah.
Tah-mah-hoke-chiah.
Tan-ke-yo.
Tah-mah-ha-lubbe.
To-te-ho-yo.
Tah-e-min-tubbe.
Tah-mah-le-lubbe.
Te-lubba.
Tellis.
Tik-bone-te-mah.
Tik-bah-he-mah.
To-me-hubbe.
Tib-bah-ubbe.
Took-la-ho-na.
Te-mo-nah.
Tish-ok-chia.
Tok-o-la-tubbe.
Tash-pa-ho-ka.
Te-mah.
To-kal-la-tubbe.
To-lah-tubbe.
To-kah-ho-nah.
Te-ho-yo.
Tike-be-ubbe.
Tim-e-tubbe.
Te-mi-yea.
To-pa-ho-mah.
Ti-yea.
Te-nah.
Tal-o-wah-ho-nah.
Tal-ne-ho-yo.
Te-mah.
Toon-la-ho-nah.
To-ho-lah.
Tah-ho-nah.
Te-mah.
To-lah-hubbe.
Ta-she-co.
Te-ok-ho-mah.
To-hee-le.
Tah-the-ho-nah.
Tash-pah-tubbe.
Te-meen-tah-ho-nah.
Tebbe-ho-mah.
Tus-co-chi-am-be.
To-kah.
Too-nah.
Tin-to-tubbe.
Tik-lah-tubbe.
Tam-mo.
Te-mam-ba.
Ta-bo-kah.
Ta-ho-nah.
Te-ho-yo.
Tush-pah-tubbe.
Tah-nubbe.
Tibbe-ho-nah.
Tith-i-o-tubbe.
To-lah-ho-nah.
To-ne.
Took-ah-lam-be.
To-wah-noo-hah.
Ta-wamp-ha-cubbe.
To-sho-yo-tubbe.
Tam-e-tubbee
Tim-ah-no-la-ho-nah.
Te-ah-ho-yo.
Tath-le-yo.
Take-un-i-ye.
Tan-u-wa-ho-nah.
Ti-o-nah.
Tus-ka-ha-kah.

Te-lo-way.
Te-the-ubbe.
Tush-kam-ba.
Tah-pe-nam-be.
Tish-o-mus-tubbe.
Ta-nam-pis-te-ubbe.
Te-lah-ho-nah.
Thla-ko-fa-che.
To-tam-bee.
Tush-pa-o-ka.
Ti-am-ba.
Tah-no-le.
Tah-ho-ye.
Tan-uth-la-che.
Ta-nam-pa-ha-ka.
Tith-lah-ho-nah.
Tonk-le.
Tal-wah-ho-nah.
To-pah-ho-nah.
Te-ho-mus-tubbee.
Tan-o-wa-tubbe.
Tik-lo-nubbee.
Tah-fa-mah.
To-nam-pish-ubbe.
Tah-nin-tubbe.
To-nubbee.
Te-cumseh.
Taylor, Peggy.
To-nah.
Ti-ock-he-im-lubbee.
To-ke-o-to-nah.
Taylor, Pirena.
Taylor, Hester A.
Taylor, David F.
Tal-wah-to-nah.
Te-mah-lah.
Te-a-he (or Is-te-an).
Ta-ka.
Tick-bone-tah-yubbe (or hubbe).
Tik-ah-lut-tah.
To-tubbe.
Te-me-ho-ka.
Ta-pe-ne-hubbe.
Tish-o-tubbe.
Tus-kam-bee.
Ta-nam-pa-cha.
Te-ah-ho-yo.
Tah-hubbe.
Tah-me-ne-lubbe.
Te-ma-yo-la.
Tap-pe-na-ho-ma.
Thomas.
Tan-ti-ma.
To-kubbee.
Tuk-a-lubbee.
Tock-o-la-tubbe.
Tus-ka-chuck-ah-mah.
Tah-la-ho-lubbe.
Tush-cubbe (or Tus-cuppa).
Tah-na-hin-po.
To-nubbe.
Tus-ka-ho-ma.
To-hah.
Ta-hol-ba-tubbe.
Tish-o-ham-bee.
Te-ah-pahn-tah.
Tah-li-yah.
Took-lah-bee.
Tus-sah-hah.
Tah-nap-pe-ho-ja.
Tith-le-tam-be.
Tho-po-tubbee.
Tus-sa-ha.
Tan-na-pish-wa.
Ta-mo-la-ho-na.
Tal-la-hubbee.
Tith-lo-ya.
To-ta.
Ta-hom-ba.
Tith-a-la.
Tish-a-ko-nubbee.
Ta-mo-a-ho-na.
Tap-pa-non-che-a.
Tus-ca-no-la.
Tal-la-wa-ho-na.
Tish-o-emitta.
Tish-o-chi-le-ta.
Tuk-a-la-nubbee.
Tom.
Tal-wah-ho-ke-ta.
Te-mah.
Un-me-hah-to-nah.
Un-ah.
Un-tah-she-mah.
Un-nah-che-he-mah.
Un-ta-ho-te-mah.
Un-tah-tubbe.
Ul-la-che-mah.
Un-ah-to-lubbe.
Un-te-ah-tubbe.
U-lan-le-tubbe.
Un-te-cum-e-ubbe.
U-we-te-mah.
Un-ah-to-lubbe.
Un-ah-le-ho-ka.
Un-te-ah.
Un-tah-tubbe.
Un-te-chubbe.
Un-che-le.
Ulth-la-ho-nah.
Un-te-mah-ho-nah.
Ush-wah-ho-nah.

Ut-tut-te-mah.
Us-tah-hi-ah.
Ulth-lo-tah.
Un-ah-timah.
Ut-tut-e-mah.
Ul-ah-we-lah (or Ah-bo-we-la).
Utul-bee (or His-tubbee, alias Mr. Shoat).
Ush-we-tubbee.
Up-pa-hubbee.
Un-ah-tubbee.
Wak-a-tubee.
Was-kin.
Wa-ta-ho-yo.
Washington.
Wesley
Wa-to-ho-yo.
Winna.
Wausa.
Wallace.
Wale.
Ward, Nicholas.
Wah-ha-chah.
Wilson, Tom.
Wi-o-ka.
Wah-ki-o-nubbee.
William.
Wilson.
Wah-ah-o-tubbe.
We-ah-ish-to-nah.
Wak-ah-che-ho-yo.
Wak-ah-tubbe.
Wah-kah-tubbe.
Wak-ah-ho-nah.
Wa-tubbe (or Oan-wah-tubbe).
Wah-kah-a-te-mah.
Wash-ko-mah.
Wa-li.
Wah-li (or Billy).
Wal-lee.
Wak-a-tu-nah.
Wa-te-mah.
Wak-i-chubbee.
Wak-i-e-to-nah.
Wak-i-o-tubbe.
Win-ne.
Wizy.
Wah-tubbe.
Wak-a-to-nah.
Wak-lo-nubbe.
Way-tubbe.
Way-ta-ho-nah.
Way-te-mah.
Wah-ki-ah.
Wa-la-ho nah.
William.
Wah-kin.
Willis.
Wah-tubbe.
Wak-is-tubbee.
We-tuck-eeu-lubbee.
Wak-ka-te-i-a.
Wak-i-ah-te-ah.
Walis.
Wak-kin.
William.
Washington.
Win-na.
Wak-a-tubbee.
Wa-ka-i-on-ubbee.
Wacka-ya.
Wa-a-ho-na.
Wa-chah.
Wah-ka-ho-ke-tah.
Wah-ki-o-tubbe.
We-ah-ho-nah.
Wa-te-mah.
Way-tubbe.
Yalla-ma.
Yim-me-tubbee.

Yaco tona.
Yo-k-odee-tubbee.
Yaccomma.
Ya-co-to-na.
Yak-on-tubbee.
Yo-ca-ta.
Yimma-ho-ka.
Yimma-tubbee.
Yac-o-tam-ba.
Yak-a-hajo
Ya-ka-pa.
Yim-ma.
Yim-min-tah.
Yock-a-tubbee.
Yock-a-ma-tubbee.
Yock-a-ma-tubbee.
Yocko-tah-nubbee.
Yo-kah, or Tiyah.
Yow-wah-to-nah.
Yun-ma.
Yon-ah-ti-kah.
Ye-min-tah-ho-nah.
Yok-o-tim-ah.
Yem-e-ti-ah.
Yim-ish-lah-nah.
Yok-o-tubbee.
Yok-ko.
Yok-o-me-too-nah.
Yok-o-me-cha-ho-nah.
Yem-e-ti-ah.
Yo-bah-tubbee.
Yim-mo-nubbee.
Yok-o-me-tim-ah.
Yok-io-tim-ah.
Yum-ah-to-nah.
Yem-ah-ho-ka.
Yok-ah-ho-nah.
Yo-ba.
Yew-o-nubbe.
Yok-ah-ham-be.
Yo-hubbe.
Yon-ah.
Yon-ah-tah.
Yon-wah.
Yun-e-chubbe.
Yok-a-tubbe.
Yan-ish-lak-nah.
Yok-ah-to-nah.
Yok-o-te-mah.
Yo-pal-lah.
Yok-me-tam-be.
Yol nubbe.
Yok-no-la.
Yem-ak-ah-tubbe.
Yem-e-tubbe.
Yok-ah-tubbee.
Ye-me-tubbe.
Yah-mak-in-tubbe.
Yam-moon-tubbee.
Ye-ah-tam-bee.
Yazoo-ho-pi-a.
Yok-me-tubbee.
Yah-kubbee.
Yem-e-tubbe.
Yok-a-tam-be.
Yok-mi-ti-ah.
Yock-ma-chubbee.
Yim-min-tubbee.
Yim-mah-ho-wah.
Yok-ko-me-ah.
Yock-ah.
Yok-a-tam-bee.
Yo-ka.
Yahk.
Yo-pul-lah-ho-nah.
Yok-o-ta-hah-chubbee.
Ya-ta.
Yo-ca-chubbee.
Yah-ho-ka-te-nah.
Yock-a-te-nah.

The proponents of the Mississippi Choctaw claimants have too often said in debate that the Mississippi Choctaws who remained in Mississippi received nothing; that they have been defrauded, treated badly, and so forth. This statement can not be borne out by the facts. On the contrary, they have received a larger patrimony, have received greater consideration, have received more land and more money than did the Oklahoma Choctaws at the time this transaction took place. Of course, the procedure which has transpired since that time has developed the fact that the Choctaws who remained in Mississippi sold their land, spent their money, and are now without funds. But the Oklahoma Choctaws moved West, obeyed their treaty stipulations, kept their lands, refused to sell their lands, and profited thereby.

It will also be observed that at this late day to permit the decendants of a band of people who have almost for a hundred years absented themselves and refused to move West and take up residence with their people, and who still refuse to do so—to permit them to reach their hand into the treasury of the Oklahoma Band of Indians and thereby enrich themselves from the fruits of labor, industry, and zeal of the Oklahoma Indians—would be a rule more harsh than any court, any Congress, or tribunal has ever exacted in the past, and, as I believe, more drastic than the Congress will do at this time. The Mississippi

Choctaws have simply had their patrimony, have eaten it up, and are now asking to participate in a fund that they did not help to create; are asking to take from the tribe in Oklahoma a thing which was given the Oklahoma Indians by the Federal Government under the treaties of 1820 and 1830, by a patent which was issued to them for their lands by President Tyler in 1842, and it is preposterous to even think of taking it from them at this late day in the face of the fact that they are estopped by treaties, laches, decisions of courts, acts of Congress, and all the rules of right, reason, and justice. The Oklahoma Indians have long since been entitled to their peace and Congress has so decreed, not once but often, by solemn enactment.

PATENT ISSUED TO OKLAHOMA CHOCTAWS.

President Tyler, on March 3, 1842, issued to the Oklahoma Choctaws a patent for the lands. The important part of this patent which ran to the Oklahoma tribe of Choctaws is the provision which requires them to (1) establish residence upon the land and (2) to remain upon it; otherwise, the patent would be forfeited. The particular provision referred to is as follows:

That the United States of America, in consideration of the premises, and in execution of the agreement and stipulation in the aforesaid treaty, have given and granted, and by these presents do give and grant unto the said Choctaw Nation the aforesaid "tract of country west of the Mississippi"; to have and to hold the same, with all the rights, privileges, immunities, and appurtenances of whatsoever nature thereunto belonging, as intended "to be conveyed" by the aforesaid article, "in fee simple to them and their descendants, to inure to them, while they shall exist as a nation and live on it" liable to no transfer or alienations except to the United States or with their consent.

Here, it will be observed, that the patent itself specifically required that tribesmen should first move onto the land, and, second, remain on the land; otherwise the land was to be forfeited. Can any thoughtful man conceive of a construction to be read into any treaty or any law which would permit tribesmen who never moved on the land at all, as is the case with the Mississippi Indians, to share in an estate under a patent provision like the one just quoted? President Tyler, in issuing that patent, and the Land Office, at that time, of course, had before them the treaties of 1820 and 1830, and particularly the fourteenth section of the treaty of 1830, upon which these claims are based, and notwithstanding the existence of these treaties, issued a patent which required the tribesmen to live upon the land, and if they ever removed therefrom patent should forfeit. Even though we had no court decisions to follow or to guide us, it ought to be conclusive that the Mississippi claimants have no right to share in these lands for which patent was issued.

PUBLICATION OF NOTICES.

The article of the treaty of 1866 required that the Mississippi Choctaws should have notice:

The notice required in the above article shall be given, not only in the Choctaw and Chickasaw Nations, but by publication in newspapers printed in the States of Mississippi and Tennessee, Louisiana, Texas, Arkansas, and Alabama, to the end that such Choctaws and Chickasaws as yet remain outside of the Choctaw and Chickasaw Nations may be informed and have opportunity to exercise the rights hereby given to resident Choctaws and Chickasaws: *Provided*, That before any such absent Choctaw or Chickasaw shall be permitted to select for himself or herself or others, as hereinafter provided, he or she shall satisfy the register of the land office of his or her intention, or the intention of the party for whom selection is to be made, to become a bona fide resident in the said nation within five years from the time of selection, and should the said absentee fail to remove into said nation and occupy and commence an improvement on the land selected within the time aforesaid the said selection shall be canceled, and the land shall thereafter be discharged from all claim on account thereof.

The records of the Indian Office show that notices were published in newspapers throughout Louisiana, Texas, Arkansas, and Alabama, advising the Mississippi Choctaws of their rights and notifying them that they must come in and establish residence in Oklahoma in order to avail themselves of their rights under the treaty.

The Choctaws in Oklahoma resided upon their land and were in full possession and charge of their rolls from 1830 to 1890, a period of 60 years. They at all times, during these 60 years, notified their brethren in Mississippi to come to Oklahoma and take up residence, help carry on the government, help preserve the lands from the wilder tribes, share in the estate, and in all things become full members of the tribe.

The records in the Indian Office, the records of the Dawes Commission, and the records of the Federal court all show conclusively that the Oklahoma Choctaws were ever ready with wide-open arms to receive their brethren from 1830 to 1890, a period of 60 years, and that they repeatedly passed resolutions and even appropriated money from their own funds inviting the Mississippi Choctaws to come and live with them and to share in the estate. The Mississippi Choctaws for all these 60 years did steadfastly refuse to come; they remained in Mississippi; they still refuse to come; they still remain in Mississippi—at least their descendants do—and they are not entitled to share in the estate of the Oklahoma Indians. The later decisions of the courts all show conclusively that this was the correct course for the Oklahoma Indians to pursue, and these decisions have steadfastly been upheld by Congress. These decisions and acts referred to will be cited later within the course of my remarks.

The Dawes Commission, which was created by act of Congress, took over full charge of making the Oklahoma Choctaw rolls and superseded the tribal government thereby.

CREATION OF THE DAWES COMMISSION.

The Indian appropriation act for the fiscal year ending June 30, 1894, approved March 3, 1893, and found at page 645, Twenty-seventh Statutes, provides, in part, as follows:

The President shall nominate and, by and with the advice and consent of the Senate, shall appoint three commissioners to enter into negotiations with the Cherokee Nation, the Choctaw Nation, the Chickasaw Nation, the Muscogee (or Creek) Nation, the Seminole Nation, for the purpose of the extinguishment of the national or tribal title to any lands within that Territory now held by any and all of such nations or tribes, either by cession of the same or some part thereof to the United States, or by the allotment and division of the same in severalty among the Indians of such nations or tribes, respectively, as may be entitled to the same, or by such other method as may be agreed upon between the several nations and tribes aforesaid, or each of them, with the United States, with a view to such an adjustment, upon the basis of justice and equity, as may, with the consent of such nations or tribes of Indians, so far as may be necessary, be requisite and suitable to enable the ultimate creation of a State or States of the Union which shall embrace the lands within the said Indian Territory.

The commissioners so appointed shall each receive a salary, to be paid during such time as they may be actually employed, under direction of the President, in the duties enjoined by this act, at the rate of $5,000 per annum, and shall also be paid their reasonable and proper expenses incurred in the prosecution of the objects of this act, upon accounts therefor to be rendered to and allowed by the Secretary of the Interior from time to time. That such commissioners shall have power to employ a secretary, a stenographer, and such interpreter or interpreters as may be found necessary to the performance of their duties, and by order to fix their compensation, which shall be paid, upon the approval of the Secretary of the Interior, from time to time, with their reasonable necessary expenses, upon accounts to be rendered as aforesaid; and may also employ in like manner and with the like approval a surveyor or other assistant or agent, which they shall certify in writing to be necessary to the performance of any part of their duties.

Such commissioners shall, under such regulations and directions as shall be prescribed by the President, through the Secretary of the Interior, enter upon negotiation with the several nations of Indians as aforesaid in the Indian Territory, and shall endeavor to procure, first, such allotment of lands in severalty to the Indians belonging to each such nation, tribe, or band, respectively, as may be agreed upon as just and proper to provide for each such Indian a sufficient quantity of land for his or her needs, in such equal distribution and apportionment as may be found just and suited to the circumstances; for which purpose, after the terms of such an agreement shall have been arrived at, the said commissioners shall cause the lands of any such nation or tribe or band to be surveyed and the proper allotment to be designated; and, secondly, to procure the cession, for such price and upon such terms as shall be agreed upon, of any land not found necessary to be so allotted or divided, to the United States; and to make proper agreements for the investment or holding by the United States of such moneys as may be paid or agreed to be paid to such nation or tribes or bands, or to any of the Indians thereof, for the extinguishment of their claims therein. But said commissioners shall, however, have power to negotiate any and all such agreements as, in view of all the circumstances affecting the subject, shall be found requisite and suitable to such an arrangement of the rights and interests and affairs of such nations, tribes, bands, or Indians, or any of them, to enable the ultimate creation of a Territory of the United States, with a view to the admission of the same as a State in the Union.

The commissioners shall at any time, or from time to time, report to the Secretary of the Interior their transaction and the progress of their negotiations, and shall at any time, or from time to time, if separate agreements shall be made by them with any nation, tribe, or band, in pursuance of the authority hereby conferred, report the same to the Secretary of the Interior for submission to Congress for its consideration and ratification.

For the purposes aforesaid there is hereby appropriated, out of any money in the Treasury of the United States, the sum of $50,000, to be immediately available.

Neither the provisions of this section nor the negotiations or agreements which may be had or made thereunder shall be held in any way to waive or impair any right of sovereignty which the Government of the United States has over or respecting said Indian Territory or the people thereof, or any other right of the Government relating to said Territory, its lands, or the people thereof.

It will be observed that from this time on the Oklahoma Choctaws had little or nothing to do with the making of their rolls, and the whole matter was intrusted to the Federal Government, which assumed the task, and the Dawes Commission and the courts then determined whose name should go on the rolls and whose name should not. These Indians also entered into two treaties with the Federal Government, which will be set out at length hereafter, providing for the making of the rolls, the disposition and sale of the surplus property, the distribution of the funds therefrom, and many other details which I shall not here reiterate.

I think it is not claiming too much to assert that from the time of the taking out of the hands of the tribal government the matter of making the rolls, if any errors were made thereafter it would be the errors of the Federal Government. I assert, however, that the acts of the Federal Government, the decisions of the courts, acts of Congress, while perhaps not entirely free

from mistakes, were probably administered as well as could be expected under the circumstances. I do not believe the proponents of the claims of the Mississippi Choctaws can sustain themselves in charging either bad faith against the Federal Government or the Oklahoma Indians. I think in the last analysis their case will resolve itself into the conviction that the Mississippi Choctaws were given their patrimony in Mississippi; that they accepted, ate it up, and are now bankrupt, a condition for which neither the Federal Government nor the Oklahoma Indians are responsible or to blame.

ACT AUTHORIZING THE COMMISSION TO FURTHER ACCEPT, CONSIDER, AND PASS UPON ENROLLMENT CASES.

The Indian appropriation act for the fiscal year ending June 30, 1897, approved June 10, 1896, and found in Twenty-ninth Statutes, 321, provides, in part, as follows:

That said commission is further authorized and directed to proceed at once to hear and determine the application of all persons who may apply to them for citizenship in any of said nations, and after such hearing they shall determine the right of such applicant to be so admitted and enrolled: *Provided, however,* That such application shall be made to such commissioners within three months after the passage of this act.

The said commission shall decide all such applications within 90 days after the same shall be made.

THE ATOKA AGREEMENT.

This agreement, by and between the Government of the United States, of the first part, entered into in its behalf by the Commission to the Five Civilized Tribes, Henry L. Dawes, Frank C. Armstrong, Archibald S. McKennon, Thomas B. Cabaniss, and Alexander B. Montgomery, duly appointed and authorized thereunto, and the governments of the Choctaw and Chickasaw Tribes or Nations of Indians in the Indian Territory, respectively, of the second part, entered into in behalf of such Choctaw and Chickasaw governments, duly appointed and authorized thereunto, viz: Green McCurtain, J. S. Standley, N. B. Ainsworth, Ben Hampton, Wesley Anderson, Amos Henry, D. C. Garland, and A. S. Williams, in behalf of the Choctaw Tribe or Nation, and R. M. Harris, I. O. Lewis, Holmes Colbert, P. S. Mosely, M. V. Cheadle, R. L. Murray, William Perry, A. H. Colbert, and R. L. Boyd, in behalf of the Chickasaw Tribe or Nation

ALLOTMENT OF LANDS.

Witnesseth, That in consideration of the mutual undertakings, herein contained, it is agreed as follows:

That all the lands within the Indian Territory belonging to the Choctaw and Chickasaw Indians shall be allotted to the members of said tribe so as to give to each member of these tribes so far as possible a fair and equal share thereof, considering the character and fertility of the soil and the location and value of the lands.

That all the lands set apart for town sites, and the strip of land lying between the city of Fort Smith, Ark., and the Arkansas and Poteau Rivers, extending up said river to the mouth of Mill Creek; and 640 acres each, to include the buildings now occupied by the Jones Academy, Tushkahoma Female Seminary, Wheelock Orphan Seminary, and Armstrong Orphan Academy, and 10 acres for the capitol building of the Choctaw Nation; 160 acres each, immediately contiguous to and including the buildings known as Bloomfield Academy, Lebanon Orphan Home, Harvey Institute, Rock Academy, and Collins Institute, and 5 acres for the capitol building in the Chickasaw Nation, and the use of 1 acre of land for each church house now erected outside of the towns, and 80 acres of land each for J. S. Murrow, H. R. Schermerhorn, and the widow of R. S. Bell, who have been laboring as missionaries in the Choctaw and Chickasaw Nations since the year 1866, with the same conditions and limitations as apply to lands allotted to the members of the Choctaw and Chickasaw Nations, and to be located on lands not occupied by a Choctaw or a Chickasaw, and a reasonable amount of land, to be determined by the town-site commission, to include all courthouses and jails and other public buildings not hereinbefore provided for, shall be exempted from division. And all coal and asphalt in or under the lands allotted and reserved from allotment shall be reserved for the sole use of the members of the Choctaw and Chickasaw Tribes, exclusive of freedmen: *Provided,* That where any coal or asphalt is hereafter opened on land allotted, sold, or reserved the value of the use of the necessary surface for prospecting or mining and the damage done to the other land and improvements shall be ascertained under the direction of the Secretary of the Interior and paid to the allottee or owner of the land by the lessee or party operating the same before operations begin. That in order to such equal division the lands of the Choctaws and Chickasaws shall be graded and appraised so as to give to each member, so far as possible, an equal value of the land: *Provided further,* That the Commission to the Five Civilized Tribes shall make a correct roll of Chickasaw freedmen entitled to any rights or benefits under the treaty made in 1866 between the United States and the Choctaw and Chickasaw Tribes and their descendants born to them since the date of said treaty, and 40 acres of land, including their present residences and improvements, shall be allotted to each, to be selected, held, and used by them until their rights under said treaty shall be determined, in such manner as shall hereafter be provided by act of Congress.

That the lands allotted to the Choctaw and Chickasaw freedmen are to be deducted from the portion to be allotted under this agreement to the members of the Choctaw and Chickasaw Tribes so as to reduce the allotment to the Choctaws and Chickasaws by the value of the same.

That the said Choctaw and Chickasaw freedmen who may be entitled to allotments of 40 acres each shall be entitled each to land equal in value to 40 acres of the average land of the two nations.

That in the appraisement of the lands to be allotted the Choctaw and Chickasaw Tribes shall each have a representative, to be appointed by their respective executives, to cooperate with the Commission to the Five Civilized Tribes, or anyone making appraisements under the direction of the Secretary of the Interior in grading and appraising the lands preparatory to allotment. And the land shall be valued in the appraisement as if in its original condition, excluding the improvements thereon.

That the appraisement and allotment shall be made under the direction of the Secretary of the Interior, and shall begin as soon as the progress of the surveys, now being made by the United States Government, will admit.

That each member of the Choctaw and Chickasaw Tribes, including Choctaw and Chickasaw freedmen, shall, where it is possible, have the right to take his allotment on land, the improvements on which belong to him, and such improvements shall not be estimated in the value of his allotment. In the case of minor children allotments shall be selected for them by their father, mother, guardian, or the administrator having charge of their estate, preference being given in the order named, and shall not be sold during his minority. Allotments shall be selected for prisoners, convicts, and incompetents by some suitable person akin to them, and due care taken that all persons entitled thereto have allotments made to them.

All the lands allotted shall be nontaxable while the title remains in the original allottee, but not to exceed 21 years from date of patent, and each allottee shall select from his allotment a homestead of 160 acres, for which he shall have a separate patent and which shall be inalienable for 21 years from date of patent. This provision shall also apply to the Choctaw and Chickasaw freedman to the extent of his allotment. Selections for homesteads for minors to be made as provided herein in case of allotment, and the remainder of the lands allotted to said members shall be alienable for a price to be actually paid, and to include no former indebtedness or obligation—one-fourth of said remainder in one year, one-fourth in three years, and the balance of said alienable lands in five years from the date of the patent.

That all contracts looking to the sale or encumbrance in any way of the land of an allottee, except the sale hereinbefore provided, shall be null and void. No allottee shall lease his allotment, or any portion thereof, for a longer period than five years, and then without the privilege of renewal. Every lease which is not evidenced by writing, setting out specifically the terms thereof, or which is not recorded in the clerk's office of the United States court for the district in which the land is located, within three months after the date of its execution, shall be void, and the purchaser or lessee shall acquire no rights whatever by an entry or holding thereunder. And no such lease or any sale shall be valid as against the allottee unless providing to him a reasonable compensation for the lands sold or leased.

That all controversies arising between the members of said tribes as to their right to have certain lands allotted to them shall be settled by the commission making the allotments.

That the United States shall put each allottee in possession of his allotment and remove all persons therefrom objectionable to the allottee.

That the United States shall survey and definitely mark and locate the ninety-eighth meridian of west longitude between Red and Canadian Rivers before allotment of the lands herein provided for shall begin.

MEMBERS' TITLES TO LANDS.

That as soon as practicable after the completion of said allotments the principal chief of the Choctaw Nation and the governor of the Chickasaw Nation shall jointly execute, under their hands and the seals of the respective nations, and deliver to each of the said allottees patents conveying to him all the right, title, and interest of the Choctaws and Chickasaws in and to the land which shall have been allotted to him in conformity with the requirements of this agreement, excepting all coal and asphalt in or under said land. Said patents shall be framed in accordance with the provisions of this agreement, and shall embrace the land allotted to such patentee and no other land, and the acceptance of his patents by such allottee shall be operative as an assent on his part to the allotment and conveyance of all the lands of the Choctaws and Chickasaws in accordance with the provisions of this agreement, and as a relinquishment of all his right, title, and interest in and to any and all parts thereof, except the land embraced in said patents, except also his interest in the proceeds of all lands, coal, and asphalt herein excepted from allotment.

That the United States shall provide by law for proper records of land titles in the territory occupied by the Choctaw and Chickasaw Tribes.

RAILROADS.

The rights of way for railroads through the Choctaw and Chickasaw Nations to be surveyed and set apart and platted to conform to the respective acts of Congress granting the same in cases where said rights of way are defined by such acts of Congress, but in cases where the acts of Congress do not define the same, then Congress is memorialized to definitely fix the width of said rights of way for station grounds and between stations, so that railroads now constructed through said nations shall have, as near as possible, uniform rights of way; and Congress is also requested to fix uniform rates of fare and freight for all railroads through the Choctaw and Chickasaw Nations; branch railroads now constructed and not built according to acts of Congress to pay the same rates for rights of way and station grounds as main lines.

TOWN SITES.

It is further agreed that there shall be appointed a commission for each of the two nations. Each commission shall consist of one member, to be appointed by the executive of the tribe for which said commission is to act, who shall not be interested in town property other than his home, and one to be appointed by the President of the United States. Each of said commissions shall lay out town sites, to be restricted as far as possible to their present limits, where towns are now located in the nation for which said commission is appointed. Said commission shall have prepared correct and proper plats of each town, and file one in the clerk's office of the United States district court for the district in which the town is located, and one with the principal chief or governor of the nation in which the town is located, and one with the Secretary of the Interior, to be approved by him before the same shall take effect. When said towns are so laid out, each lot on which permanent, substantial, and valuable improvements, other than fences, tillage, and temporary houses, have been made, shall be valued by the commission provided for the nation in which the town is located at the price a fee-simple title to the same would bring in the market at the time the valuation is made, but not to include in such value the improvements thereon. The owner of the improvements on each lot shall have the right to buy one residence and one business lot at 50 per cent of the appraised value of such improved property, and the remainder of such improved property at 62½ per cent of the said market value within 60 days from date of notice served on him that such lot is for sale, and if he purchases the same he shall within 10 days from his purchase pay into the Treasury of the United States one-fourth of the purchase price, and the balance in three equal annual installments, and when the entire sum is paid shall be entitled to a patent for the same. In case the two members of the commission fail to agree as to the market value of any lot, or the limit or extent of said town, either of said commissioners may report any such disagreement to the judge of the district in which such town is located, who shall appoint a third member to act with said commission, who is not

interested in town lots, who shall act with them to determine said value.

If such owner of the improvements on any lot falls within 60 days to purchase and make the first payment on same, such lot, with the improvements thereon, shall be sold at public auction to the highest bidder, under the direction of the aforesaid commission, and the purchaser at such sale shall pay to the owner of the improvements the price for which said lot shall be sold, less 62½ per cent of said appraised value of the lot, and shall pay the 62½ per cent of said appraised value into United States Treasury, under regulations to be established by the Secretary of the Interior, in four installments, as hereinbefore provided. The commission shall have the right to reject any bid on such lot which they consider below its value.

All lots not so appraised shall be sold from time to time at public auction (after proper advertisement) by the commission for the nation in which the town is located, as may seem for the best interest of the nations and the proper development of each town, the purchase price to be paid in four installments as hereinbefore provided for improved lots. The commission shall have the right to reject any bid for such lots which they consider below its value.

All the payments herein provided for shall be made under the direction of the Secretary of the Interior into the United States Treasury, a failure of 60 days to make any one payment to be a forfeiture of all payments made and all rights under the contract: *Provided*, That the purchaser of any lot shall have the option of paying the entire price of the lot before the same is due.

No tax shall be assessed by any town government against any town lot unsold by the commission, and no tax levied against a lot sold, as herein provided, shall constitute a lien on same till the purchase price thereof has been fully paid to the nation.

The money paid into the United States Treasury for the sale of all town lots shall be for the benefit of the members of the Choctaw and Chickasaw Tribes—freedmen excepted—and at the end of one year from the ratification of this agreement, and at the end of each year thereafter, the funds so accumulated shall be divided and paid to the Choctaws and Chickasaws—freedmen excepted—each member of the two tribes to receive an equal portion thereof.

That no law or ordinance shall be passed by any town which interferes with the enforcement of or is in conflict with the laws of the United States in force in said Territory, and all persons in such towns shall be subject to said laws, and the United States agrees to maintain strict laws in the territory of the Choctaw and Chickasaw Tribes against the introduction, sale, barter, or giving away of liquors and intoxicants of any kind or quality.

That said commission shall be authorized to locate, within a suitable distance from each town site, not to exceed 5 acres to be used as a cemetery, and when any town has paid into the United States Treasury, to be part of the fund arising from the sale of town lots, $10 per acre therefor, such town shall be entitled to a patent for the same as herein provided for titles to allottees, and shall dispose of same at reasonable prices in suitable lots for burial purposes, the proceeds derived from such sales to be applied by the town government to the proper improvement and care of said cemetery.

That no charge or claim shall be made against the Choctaw or Chickasaw Tribes by the United States for the expenses of surveying and platting the lands and town sites, or for grading, appraising, and allotting the lands, or for appraising and disposing of the town lots as herein provided.

That the land adjacent to Fort Smith and lands for courthouses, jails, and other public purposes, excepted from allotment shall be disposed of in the same manner and for the same purposes as provided for town lots herein, but not till the Choctaw and Chickasaw Councils shall direct such disposition to be made thereof, and said land adjacent thereto shall be placed under the jurisdiction of the city of Fort Smith, Ark., for police purposes.

There shall be set apart and exempted from appraisement and sale in the towns, lots upon which churches and parsonages are now built and occupied, not to exceed 50 feet front and 100 feet deep for each church or parsonage: *Provided*, That such lots shall only be used for churches and parsonages, and when they ceased to be used shall revert to the members of the tribes to be disposed of as other town lots: *Provided further*, That these lots may be sold by the churches for which they are set apart if the purchase money therefor is invested in other lot or lots in the same town, to be used for the same purpose and with the same conditions and limitations.

It is agreed that all the coal and asphalt within the limits of the Choctaw and Chickasaw Nations shall remain and be the common property of the members of the Choctaw and Chickasaw Tribes (freedmen excepted), so that each and every member shall have an equal and undivided interest in the whole; and no patent provided for in this agreement shall convey any title thereto. The revenues from coal and asphalt, or so much as shall be necessary, shall be used for the education of the children of Indian blood of the members of said tribes. Such coal and asphalt mines as are now in operation, and all others which may hereafter be leased and operated, shall be under the supervision and control of two trustees, who shall be appointed by the President of the United States, one on the recommendation of the principal chief of the Choctaw Nation, who shall be a Choctaw by blood, whose term shall be for four years, and one on the recommendation of the governor of the Chickasaw Nation, who shall be a Chickasaw by blood, whose term shall be for two years; after which the term of appointees shall be four years. Said trustees, or either of them, may, at any time, be removed by the President of the United States for good cause shown. They shall each give bond for the faithful performance of their duties, under such rules as may be prescribed by the Secretary of the Interior. Their salaries shall be fixed and paid by their respective nations, each of whom shall make full report of all his acts to the Secretary of the Interior quarterly. All such acts shall be subject to the approval of said Secretary.

All coal and asphalt mines in the two nations, whether now developed or to be hereafter developed, shall be operated and the royalties therefrom paid into the Treasury of the United States, and shall be drawn therefrom under such rules and regulations as shall be prescribed by the Secretary of the Interior.

All contracts made by the national agents of the Choctaw and Chickasaw Nations for operating coal and asphalt with any person or corporation which were, on April 23, 1897, being operated in good faith are hereby ratified and confirmed, and the lessee shall have the right to renew the same when they expire, subject to all the provisions of this act.

All agreements heretofore made by any person or corporation with any member or members of the Choctaw or Chickasaw Nations, the object of which was to obtain such member or members' permission to operate coal or asphalt, are hereby declared void: *Provided*, That nothing herein contained shall impair the rights of any holder or owner of a leasehold interest in any oil, coal rights, asphalt, or mineral which have been assented to by act of Congress, but all such interests shall continue unimpaired hereby and shall be assured by new leases from such trustees of coal or asphalt claims described therein, by application to the trustees within six months after the ratification of this agreement, subject, however, to payment of advance royalties herein provided for.

All leases under this agreement shall include the coal or asphaltum, or other mineral, as the case may be, in or under 960 acres, which shall be in a square as nearly as possible, and shall be for 30 years. The royalty on coal shall be 15 cents per ton of 2,000 pounds on all coal mined, payable on the 25th day of the month next succeeding that in which it is mined. Royalty on asphalt shall be 60 cents per ton, payable same as coal: *Provided*, That the Secretary of the Interior may reduce or advance royalties on coal and asphalt when he deems it for the best interests of the Choctaws and Chickasaws to do so. No royalties shall be paid except into the United States Treasury as herein provided.

All lessees shall pay on each coal or asphalt claim at the rate of $100 per annum, in advance, for the first and second years; $200 per annum, in advance, for the third and fourth years; and $500 for each succeeding year thereafter. All such payments shall be treated as advanced royalty on the mine or claim on which they are made and shall be a credit as royalty when each said mine is developed and operated and its production is in excess of such guaranteed annual advance payments, and all persons having coal leases must pay said annual advanced payments on each claim whether developed or undeveloped: *Provided, however*, That should any lessee neglect or refuse to pay such advanced annual royalty for the period of 60 days after the same becomes due and payable on any lease the lease on which default is made shall become null and void, and the royalties paid in advance thereon shall then become and be the money and property of the Choctaw and Chickasaw Nations.

In surface, the use of which is reserved to present coal operators, shall be included such lots in towns as are occupied by lessees' houses—either occupied by said lessees' employees or as offices or warehouses: *Provided, however*, That in those town sites designated and laid out under the provision of this agreement where coal leases are now being operated and coal is being mined there shall be reserved from appraisement and sale all lots occupied by houses or miners actually engaged in mining, and only while they are so engaged, and in addition thereto a sufficient amount of land, to be determined by the town-site board of appraisers, to furnish homes for the men actually engaged in working for the lessees operating said mines, and a sufficient amount for all buildings and machinery for mining purposes: *And provided further*, That when the lessees shall cease to operate said mines, then and in that event the lots of land so reserved shall be disposed of by the coal trustees for the benefit of the Choctaw and Chickasaw Tribes.

That whenever the members of the Choctaw and Chickasaw Tribes shall be required to pay taxes for the support of schools, then the fund arising from such royalties shall be disposed of for the equal benefit of their members (freedmen excepted) in such manner as the tribes may direct.

It is further agreed that the United States courts now existing or that may hereafter be created in the Indian Territory shall have exclusive jurisdiction of all controversies growing out of the titles, ownership, occupation, possession, or use of real estate, coal, and asphalt in the territory occupied by the Choctaw and Chickasaw Tribes; and of all persons charged with homicide, embezzlement, bribery, and embracery, breaches, or disturbances of the peace, and carrying weapons, hereafter committed in the territory of said tribes, without reference to race or citizenship of the person or persons charged with such crime; and any citizen or officer of the Choctaw or Chickasaw Nations charged with such crime shall be tried, and, if convicted, punished as though he were a citizen or officer of the United States.

And sections 1636 to 1644, inclusive, entitled "Embezzlement," and sections 1711 to 1718, inclusive, entitled "Bribery and embracery," of Mansfield's Digest of the laws of Arkansas, are hereby extended over and put in force in the Choctaw and Chickasaw Nations; and the word "officer," where the same appears in said laws, shall include all officers of the Choctaw and Chickasaw governments; and the fifteenth section of the act of Congress, entitled "An act to establish United States courts in the Indian Territory, and for other purposes," approved March 1, 1889, limiting jurors to citizens of the United States, shall be held not to apply to United States courts in the Indian Territory held within the limits of the Choctaw and Chickasaw Nations; and all members of the Choctaw and Chickasaw Tribes, otherwise qualified, shall be competent jurors in said courts: *Provided*, That whenever a member of the Choctaw and Chickasaw Nations is indicted for homicide he may, within 30 days after such indictment and his arrest thereon, and before the same is reached for trial, file with the clerk of the court in which he is indicted his affidavit that he can not get a fair trial in said court; and it thereupon shall be the duty of the judge of said court to order a change of venue in such case to the United States district court for the western district of Arkansas, at Fort Smith, Ark., or to the United States district court for the eastern district of Texas, at Paris, Tex., always selecting the court that in his judgment is nearest or most convenient to the place where the crime charged in the indictment is supposed to have been committed, which courts shall have jurisdiction to try the case; and in all said civil suits said courts shall have full equity powers; and whenever it shall appear to said court, at any stage in the hearing of any case, that the tribe is in any way interested in the subject matter in controversy, it shall have power to summon in said tribe and make the same a party to the suit and proceed therein in all respects as if such tribe were an original party thereto; but in no case shall suit be instituted against the tribal government without its consent.

It is further agreed that no act, ordinance, or resolution of the council of either the Choctaw or Chickasaw tribes, in any manner affecting the land of the tribe, or of the individuals, after allotment, or the moneys or other property of the tribe or citizens thereof (except appropriations for the regular and necessary expenses of the government of the respective tribes), or the rights of any persons to employ any kind of labor, or the rights of any persons who have taken or may take the oath of allegiance to the United States, shall be of any validity until approved by the President of the United States. When such acts, ordinances, or resolutions passed by the council of either of said tribes shall be approved by the governor thereof, then it shall be the duty of the national secretary of said tribe to forward them to the President of the United States, duly certified and sealed, who shall, within 30 days after their reception, approve or disapprove the same. Said acts,

ordinances, or resolutions, when so approved, shall be published in at least two newspapers having a bona fide circulation in the tribe to be affected thereby, and when disapproved shall be returned to the tribe enacting the same.

It is further agreed, in view of the modification of legislative authority and judicial jurisdiction herein provided, and the necessity of the continuance of the tribal governments so modified, in order to carry out the requirements of this agreement, that the same shall continue for the period of eight years from the 4th day of March, 1898. This stipulation is made in the belief that the tribal governments so modified will prove so satisfactory that there will be no need or desire for further change till the lands now occupied by the Five Civilized Tribes shall, in the opinion of Congress, be prepared for admission as a State to the Union. But this provision shall not be construed to be in any respect an abdication by Congress of power at any time to make needful rules and regulations respecting said tribes.

That all per capita payments hereafter made to the members of the Choctaw or Chickasaw Nations shall be paid directly to each individual member by a bonded officer of the United States, under the direction of the Secretary of the Interior, which officer shall be required to give strict account for such disbursements to said Secretary.

That the following sum be, and is hereby, appropriated, out of any money in the Treasury not otherwise appropriated, for fulfilling treaty stipulations with the Chickasaw Nation of Indians, namely:

For arrears of interest, at 5 per cent per annum, from December 31, 1840, to June 30, 1889, on $184,143.09 cents of the trust fund of the Chickasaw Nation erroneously dropped from the books of the United States prior to December 31, 1840, and restored December 27, 1887, by the award of the Secretary of the Interior, under the fourth article of the treaty of June 22, 1852, and for arrears of interest at 5 per cent per annum, from March 11, 1850, to March 3, 1890, on $56,021.49 of the trust fund of the Chickasaw Nation erroneously dropped from the books of the United States March 11, 1850, and restored December 27, 1887, by the award of the Secretary of the Interior, under the fourth article of the treaty of June 22, 1852, $558,520.54, to be placed to the credit of the Chickasaw Nation with the fund to which it properly belongs: *Provided*, That if there be any attorneys' fees to be paid out of same, on contract heretofore made and duly approved by the Secretary of the Interior, the same is authorized to be paid by him.

It is further agreed that the final decision of the courts of the United States in the case of the Choctaw Nation and the Chickasaw Nation against the United States and the Wichita and affiliated bands of Indians, now pending, when made, shall be conclusive as the basis of settlement as between the United States and said Choctaw and Chickasaw Nations for the remaining lands in what is known as the leased district, namely, the land lying between the ninety-eighth and one hundredth degrees of west longitude and between the Red and Canadian Rivers, leased to the United States by the treaty of 1855, except that portion called the Cheyenne and Arapahoe country, heretofore acquired by the United States, and all final judgments rendered against said nations in any of the courts of the United States in favor of the United States or any citizen thereof shall first be paid out of any sum hereafter found due said Indians for any interest they may have in the so-called leased district.

It is further agreed that all of the funds invested, in lieu of investment, treaty funds, or otherwise, now held by the United States in trust for the Choctaw and Chickasaw tribes, shall be capitalized within one year after the tribal governments shall cease, so far as the same may legally be done, and be appropriated and paid, by some officer of the United States appointed for the purpose, to the Choctaws and Chickasaws (freedmen excepted) per capita, to aid and assist them in improving their homes and lands.

It is further agreed that the Choctaws and Chickasaws, when their tribal government cease, shall become possessed of all the rights and privileges of citizens of the United States.

ORPHAN LANDS.

It is further agreed that the Choctaw orphan lands in the State of Mississippi yet unsold shall be taken by the United States at one dollar and twenty-five cents ($1.25) per acre, and the proceeds placed to the credit of the Choctaw orphan fund in the Treasury of the United States, the number of acres to be determined by the General Land Office.

In witness whereof the said commissioners do hereunto affix their names at Atoka, Ind. T., this the 23d day of April, 1897.

Green McCurtain, principal chief; J. S. Standley, N. B. Ainsworth, Ben Hampton, Wesley Anderson, Amos Henry, D. C. Garland, Choctaw Commission. R. M. Harris, governor; Isaac O. Lewis, Holmes Colbert, Robert L. Murray, William Perry, R. L. Boyd, Chickasaw Commission. Frank C. Armstrong, acting chairman; Archibald S. McKennon, Thomas B. Cabaniss, Alexander B. Montgomery, Commission to the Five Civilized Tribes; H. M. Jacoway, jr., secretary Five Tribes Commission.

Here it will be observed that the Federal Government entered into sacred contractual relations with the Oklahoma Choctaws to do certain things for them; here it will be observed that this agreement was enacted into law as a part of the Curtis Act of June 28, 1898, and was later ratified by vote of the tribe.

THE CURTIS ACT.

I will incorporate in my remarks at this point those portions of the Curtis Act of June 28, 1898, which have in any way a bearing on the subject at issue. For brevity's sake I will not incorporate the act in toto, as a large portion of it does not in any way pertain to this question. The portions which I will incorporate are as follows:

SEC. 11. That when the roll of citizenship of any one of said nations or tribes is fully completed as provided by law, and the survey of the lands of said nation or tribe is also completed, the commission heretofore appointed under acts of Congress, and known as the Dawes Commission, shall proceed to allot the exclusive use and occupancy of the surface of all the lands of said nation or tribe susceptible of allotment among the citizens thereof, as shown by said roll, giving to each, so far as possible, his fair and equal share thereof, considering the nature and fertility of the soil, location, and value of same; but all oil, coal, asphalt, and mineral deposits in the lands of any tribe are reserved to such tribe, and no allotment of such lands shall carry the title to such oil, coal, asphalt, or mineral deposits; and all town sites shall also be reserved to the several tribes and shall be set apart by the commission heretofore mentioned as incapable of allotment. There shall also be reserved from allotment a sufficient amount of lands now occupied by churches, schools, parsonages, charitable institutions, and other public buildings for their present actual and necessary use, and no more, not to exceed 5 acres for each school and 1 acre for each church and each parsonage, and for such new schools as may be needed; also sufficient land for burial grounds where necessary. When such allotment of the lands of any tribe has been by them completed, said commission shall make full report thereof to the Secretary of the Interior for his approval: *Provided*, That nothing herein contained shall in any way affect any vested legal rights which may have been heretofore granted by act of Congress, nor be so construed as to confer any additional rights upon any parties claiming under any such act of Congress: *Provided further*, That whenever it shall appear that any member of a tribe is in possession of lands, his allotment may be made out of the lands in his possession, including his home if the holder so desires: *Provided further*, That if the person to whom an allotment shall have been made shall be declared, upon appeal as herein provided for, by any of the courts of the United States in or for the aforesaid Territory, to have been illegally accorded rights of citizenship, and for that or any other reason declared to be not entitled to any allotment, he shall be ousted and ejected from said lands; that all persons known as intruders who have been paid for their improvements under existing laws and have not surrendered possession thereof who may be found under the provisions of this act to be entitled to citizenship shall, within 90 days thereafter, refund the amount so paid them, with 6 per cent interest, to the tribe entitled thereto; and upon their failure so to do said amount shall become a lien upon all improvements owned by such person in such Territory, and may be enforced by such tribe; and unless such person makes such restitution no allotments shall be made to him: *Provided further*, That the lands allotted shall be nontransferable until after full title is acquired and shall be liable for no obligations contracted prior thereto by the allottee, and shall be nontaxable while so held: *Provided further*, That all towns and cities heretofore incorporated or incorporated under the provisions of this act are hereby authorized to secure, by condemnation or otherwise, all the lands actually necessary for public improvements, regardless of tribal lines; and when the same can not be secured otherwise than by condemnation, then the same may be acquired as provided in sections 907 and 912, inclusive, of Mansfield's Digest of the Statutes of Arkansas.

SEC. 19. That no payment of any moneys on any account whatever shall hereafter be made by the United States to any of the tribal governments or to any officer thereof for disbursement, but payments of all sums to members of said tribes shall be made under direction of the Secretary of the Interior by an officer appointed by him; and per capita payments shall be made direct to each individual in lawful money of the United States, and the same shall not be liable to the payment of any previously contracted obligation.

SEC. 20. That the commission hereinbefore named shall have authority to employ, with approval of the Secretary of the Interior, all assistance necessary for the prompt and efficient performance of all duties herein imposed, including competent surveyors to make allotments, and to do any other needed work, and the Secretary of the Interior may detail competent clerks to aid them in the performance of their duties.

SEC. 21. That in making rolls of citizenship of the several tribes, as required by law, the Commission to the Five Civilized Tribes is authorized and directed to take the roll of Cherokee citizens of 1880 (not including freedmen) as the only roll intended to be confirmed by this and preceding acts of Congress, and to enroll all persons now living whose names are found on said roll, and all descendants born since the date of said roll to persons whose names are found thereon; and all persons who have been enrolled by the tribal authorities who have heretofore made permanent settlement in the Cherokee Nation whose parents, by reason of their Cherokee blood, have been lawfully admitted to citizenship by the tribal authorities, and who were minors when their parents were so admitted; and they shall investigate the right of all other persons whose names are found on any other rolls and omit all such as may have been placed thereon by fraud or without authority of law, enrolling only such as may have lawful right thereto, and their descendants born since such rolls were made, with such intermarried white persons as may be entitled to citizenship under Cherokee laws.

It shall make a roll of Cherokee freedmen in strict compliance with the decree of the Court of Claims rendered the 3d day of February, 1896.

Said commission is authorized and directed to make correct rolls of the citizens by blood of all the other tribes, eliminating from the tribal rolls such names as may have been placed thereon by fraud or without authority of law, enrolling such only as may have lawful right thereto, and their descendants born since such rolls were made, with such intermarried white persons as may be entitled to Choctaw and Chickasaw citizenship under the treaties and the laws of said tribes.

Said commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article 14 of the treaty between the United States and the Choctaw Nation concluded September 27, 1830, and to that end they may administer oaths, examine witnesses, and perform all other acts necessary thereto and make report to the Secretary of the Interior.

The roll of Creek freedmen made by J. W. Dunn, under authority of the United States, prior to March 14, 1867, is hereby confirmed, and said commission is directed to enroll all persons now living whose names are found on said rolls, and all descendants born since the date of said roll to persons whose names are found thereon, with such other persons of African descent as may have been rightfully admitted by the lawful authorities of the Creek Nation.

It shall make a correct roll of all Choctaw freedmen entitled to citizenship under the treaties and laws of the Choctaw Nation, and all their descendants born to them since the date of the treaty.

It shall make a correct roll of Chickasaw freedmen entitled to any rights or benefits under the treaty made in 1866 between the United States and the Choctaw and Chickasaw Tribes and their descendants born to them since the date of said treaty and 40 acres of land, including their present residences and improvements, shall be allotted to each, to be selected, held, and used by them until their rights under said treaty shall be determined in such manner as shall be hereafter provided by Congress.

The several tribes may, by agreement, determine the right of persons who for any reason may claim citizenship in two or more tribes, and to allotment of lands and distribution of moneys belonging to each tribe, but if no such agreement be made, then such claimant shall be entitled to such rights in one tribe only, and may elect in which tribe he will take such right; but if he fail or refuse to make such selection in due

time, he shall be enrolled in the tribe with whom he has resided, and there be given such allotment and distributions, and not elsewhere.

No person shall be enrolled who has not heretofore removed to and in good faith settled in the nation in which he claims citizenship: *Provided, however,* That nothing contained in this act shall be so construed as to militate against any rights or privileges which the Mississippi Choctaws may have under the laws of or the treaties with the United States.

Said commission shall make such rolls descriptive of the persons thereon, so that they may be thereby identified, and it is authorized to take a census of each of said tribes, or to adopt any other means by them deemed necessary to enable them to make such rolls. They shall have access to all rolls and records of the several tribes, and the United States court in Indian Territory shall have jurisdiction to compel the officers of the tribal governments and custodians of such rolls and records to deliver same to said commission, and on their refusal or failure to do so to punish them as for contempt; as also to require all citizens of said tribes, and persons who should be so enrolled, to appear before said commission for enrollment, at such times and places as may be fixed by said commission, and to enforce obedience of all others concerned, so far as the same may be necessary, to enable said commission to make rolls as herein required, and to punish anyone who may in any manner or by any means obstruct said work.

The rolls so made, when approved by the Secretary of the Interior, shall be final, and the persons whose names are found thereon, with their descendants thereafter born to them, with such persons as may intermarry according to tribal laws, shall alone constitute the several tribes which they represent.

The members of said commission shall, in performing all duties required of them by law, have authority to administer oaths, examine witnesses, and send for persons and papers; and any person who shall willfully and knowingly make any false affidavit or oath to any material fact or matter before any member of said commission, or before any other officer authorized to administer oaths, to any affidavit or other paper to be filed or oath taken before said commission, shall be deemed guilty of perjury, and on conviction thereof shall be punished as for such offense.

SEC. 28. That on the 1st day of July 1898, all tribal courts in Indian Territory shall be abolished, and no officer of said courts shall thereafter have any authority whatever to do or perform any act theretofore authorized by any law in connection with said courts, or to receive any pay for same; and all civil and criminal causes then pending in any such court shall be transferred to the United States court in said Territory by filing with the clerk of the court the original papers in the suit: *Provided,* That this section shall not be in force as to the Chickasaw, Choctaw, and Creek Tribes or Nations until the 1st day of October, 1898.

SEC. 29. That the agreement made by the Commission to the Five Civilized Tribes with commissions representing the Choctaw and Chickasaw Tribes of Indians on the 23d day of April, 1897, as herein amended, is hereby ratified and confirmed, and the same shall be of full force and effect if ratified before the 1st day of December, 1898, by a majority of the whole number of votes cast by the members of said tribes at an election held for that purpose; and the executives of said tribes are hereby authorized and directed to make public proclamation that said agreement shall be voted on at the next general election, or at any special election to be called by such executives for the purpose of voting on said agreement; and at the election held for such purpose all male members of each of said tribes qualified to vote under his tribal laws shall have the right to vote at the election precinct most convenient to his residence, whether the same be within the bounds of his tribe or not: *Provided,* That no person whose right to citizenship in either of said tribes or nations is now contested in original or appellate proceedings before any United States court shall be permitted to vote at said election: *Provided further,* That the votes cast in both said tribes or nations shall be forthwith returned duly certified by the precinct officers to the national secretaries of said tribes or nations, and shall be presented by said national secretaries to a board of commissioners consisting of the principal chief and national secretary of the Choctaw Nation, the governor and national secretary of the Chickasaw Nation, and a member of the Commission to the Five Civilized Tribes, to be designated by the chairman of said commission; and said board shall meet without delay at Atoka, in the Indian Territory, and canvass and count said votes and make proclamation of the result; and if said agreement as amended be so ratified, the provisions of this act shall then only apply to said tribes where the same do not conflict with the provisions of said agreement; but the provisions of said agreement, if so ratified, shall not in any manner affect the provisions of section 14 of this act, which said amended agreement is heretofore presented.

MISSISSIPPI CHOCTAWS GIVEN ADDITIONAL OPPORTUNITY TO BE ENROLLED.

Again Congress authorized the identified Mississippi Choctaws an opportunity to enrollment any time prior to the formal closing of the rolls. Listen to the following:

The Indian appropriation act for the fiscal year ending June 30, 1901, approved May 31, 1900, and which is found in Thirty-first Statutes, page 170, carried a provision as follows:

"That any Mississippi Choctaw duly identified as such by the United States Commission to the Five Civilized Tribes shall have the right, at any time prior to the approval of the final rolls of the Choctaws and Chickasaws by the Secretary of the Interior, to make settlement within the Choctaw-Chickasaw country, and on proof of the fact of bona fide settlement may be enrolled by the said United States commission and by the Secretary of the Interior as Choctaws entitled to allotment."

DECISION OF THE DAWES COMMISSION IN THE MISSISSIPPI CHOCTAW CLAIMANTS' CASE.

During the fiscal year that ended June 30, 1899, and in the report of that year, at page 92, the Dawes Commission decided the Jack Amos case, which construed the rights of Jack Amos and 97 full-blood Choctaws residing in Mississippi, and asserted that the absent Mississippi Choctaws were not entitled to be enrolled as citizens of the Choctaw Nation. (See Sixth Annual Report of the Commissioner to the Five Civilized Tribes to the Secretary of the Interior for the fiscal year ending June 30, 1899, at page 92.) It is as follows:

In this case the proof shows that the claimants are Choctaw Indians by blood now living in the State of Mississippi; that neither they nor their ancestors have ever removed into the present Choctaw Nation.

The claimants base their right to be enrolled as Choctaw citizens upon the terms of the second and fourteenth articles of the treaty negotiated at Dancing Rabbit Creek on September 27, 1830, and of the conditions of the patent to the lands of the Choctaw Nation executed by President Tyler in the year 1842. * * *

The conditions of article 2 of the treaty, that the land should be conveyed "to the Choctaw Nation in fee simple to them and their descendants, to inure to them while they shall exist as a nation and live on it," are carried into the patent and are the only portions of that instrument which shed any light on the question now being considered, and therefore article 2 and the conditions of the patent may be considered together. * * *

Article 3 of the treaty of 1830 stipulates that the Choctaws agree to remove all of their people during the years 1831, 1832, and 1833 to those lands.

Article 14 of the treaty, however, provides for certain privileges and rights for those who might choose to remain in Mississippi with a view of becoming citizens of that State. They and their descendants were to receive certain lands and, after living on them for five years, intending to become citizens of the State, those lands were to be granted to them in fee simple. Then follows this very peculiar clause:

"Persons who claim under this article shall not lose the privilege of a Choctaw citizen, but if they ever remove are not to be entitled to any portion of the Choctaw annuity."

The difficulty in construing this clause of the treaty is to ascertain the meaning of the word "remove." To what does it relate, and how shall we give it meaning? It certainly does not purpose to impose a penalty on the Choctaw who may choose to remove for removing, and for that reason forfeit his right to the annuity, because so long as he remained in Mississippi he was not entitled to any annuity, and therefore by removing he could not forfeit that which he did not have. If he removed he was to have no annuity, and if he remained he was to have no annuity. It is evident, therefore, that the word was not used for the purpose of forfeiting the annuity in case of removal. Then what are its uses? The very object of the treaty was to procure a removal of these people. The whole of the Choctaw Nation, with all of its sovereignty, its powers, and its duties, was to be transferred beyond the Mississippi. It was to exercise its powers, confer its privileges, and maintain the citizenship of its people in another place. Those who were left behind were to retain, not this Choctaw citizenship but only the "privileges of a Choctaw citizen"; that is, that when they put themselves into a position that these privileges could be conferred upon them they were to have them, and under the conditions and purposes of this treaty, how would it be possible for them to put themselves in such a position without first removing within the territorial jurisdiction of the Choctaw Nation and within the sphere of its powers? What privilege would it be possible for the Choctaw Nation to confer or a Mississippi Choctaw to receive so long as he remained in Mississippi and out of the limits of the Choctaw Nation?

By the very terms of the treaty they were to become citizens of another State, owing allegiance to and receiving protection from another sovereignty. If one Mississippi Choctaw were to commit a wrong against the person or property of another, the right would be enforced and the wrong redressed under the laws of Mississippi. The Choctaw Nation would be powerless to act in such a case. The Choctaws in that State can not vote, sit as jurors, or hold office as a Choctaw citizen, or receive any other benefit or privilege as such. They can not participate in the rents and profits of the lands of the Choctaw Nation, because by the very terms of the grant the Choctaw people and their descendants must live upon them. If they do not it is an act of forfeiture, made so by the provisions of article 2 of the treaty of 1830, and also of those of the patent to their lands afterwards executed.

The title of the Choctaw people to their lands is a conditional one, and one of the conditions of the grant, expressed in both the second article of the treaty of 1830 and the patent, is that the grantees shall live upon them. And who are the grantees? Who are these people who are to live upon the land? Unquestionably the Choctaw people and their descendants; for, while the grant is to the Choctaw Nation, the people seem to be included both as grantees and beneficiaries. The language of the treaty is, and it is carried into the patent:

"The President of the United States shall cause to be conveyed to the Choctaw Nation a tract of country west of the Mississippi River in fee simple, to them and their descendants, to inure to them while they shall exist as a nation and live on it."

The Choctaw Nation is not "them" and can not have "descendants." And while it may exercise its sovereignty and its national powers within certain defined territorial limits, it can not "live on land." Those provisions of the grant which are expressed in the plural and attach to "descendants" and which require as a condition that the land shall be lived on beyond doubt refer to the Choctaw people and their descendants. * * * There can be no question but that the second article of the treaty of 1830, negotiated 12 years before the execution of the patent. * * * was intended to convey a fee-simple title, burdened by two conditions subsequent, the one that the grantees should continue the corporate existence of their nation, and the other that the people of that nation and their descendants should forever live upon the land. A failure of either would work a forfeiture of the title to the grantor. * * *

This condition was inserted for two reasons: First, to compel the grantees to remove upon the lands; and, second, to compel them to remain on them after removal. It was not intended that some should go and locate on the lands and hold the title for themselves and also for the others who should choose to remain. * * *

The word "successors" was omitted from the treaty, because by its terms the Choctaw Nation was to have no successors. They were to live on the land forever or it should be forfeited to the grantor. When the technical words "successors" and "heirs" were dropped and the common word "descendants" was used, these Indians could understand it. They knew what they and their offspring were. It was to them—the people and their children—that the land was sold, and when the condition was added that the grant was to be made to them and their descendants only in the event that they should live upon the lands, they could not but understand that this implied a removal and a continual residence upon them.

When the fourteenth article of the treaty was framed, the negotiating parties understood that the policy of the United States was that the Choctaws were to be removed. The Choctaws, in article 3, had just agreed that they should all go. The ink was not yet dry in article 2, whereby the condition was placed in this grant to the lands that they were to live upon them or they should be forfeited, and that no privilege of citizenship could be conferred or enjoyed outside of the territorial jurisdiction of their newly located nation. Understanding these conditions the latter clause of article 14 was penned:

"Persons who claim under this article shall not lose the privilege of a Choctaw citizen, but, if they ever remove (that is, if they ever place themselves on the land and within the jurisdiction of the nation whereby those privileges may become operative), are not to be entitled to any portion of the Choctaw annuity."

In other words, if they ever remove, they are to enjoy all of the privileges of a Choctaw citizen except that of participating in their annuities. If this be not the meaning to be attached to the word "remove" as used in the clause of the treaty under consideration, it must be meaningless. But in the interpretation of statutes it is the duty of the court to so interpret them as to give to every word a meaning, and, in doing so, it must take into consideration the whole statute, its objects and purposes, the rights which are intended to be enforced and the evils intended to be remedied; it may go to the history of the transaction about which the legislation is had and call to its aid all legitimate facts proven or of which the courts will take judicial notice in order to find the true meaning of the word as used in the statute.

Of course the same rule of interpretation applies to treaties. Adopting these rules in the interpretation of article 14 of the treaty of 1830, I arrive at the conclusion that the "privilege of a Choctaw citizen" therein reserved to those Choctaws who shall remain, thereby separating themselves, it may be forever, from their brethren and their nation, becoming citizens of another sovereignty and aliens of their own, situated so that it would be impossible, while in Mississippi, to receive or enjoy any of the rights of Choctaw citizenship, was the right to renounce his allegiance to the Commonwealth of Mississippi, move upon the lands conveyed to him and his people, and there, the only spot on earth where he could do so, renew his relations with his people and enjoy all of the privileges of a Choctaw citizen except to participate in the annuities.

* * * * * * *

To permit men with, perchance, but a strain of Choctaw blood in their veins who, 65 years ago, broke away from their kindred and their nation and during that time, or the most of it, had been exercising the rights of citizenship and doing homage to the sovereignty of another nation, who have borne none of the burdens of this nation and have become strangers to the people, to reach forth their hands from their distant and alien home and lay hold of a part of the public domain, the common property of the people, and appropriate it to their own use, would be unjust and inequitable.

It is, therefore, the opinion of the court that absent Mississippi Choctaws are not entitled to be enrolled as citizens of the Choctaw Nation. * * *

THE SUPPLEMENTAL AGREEMENT.

[Public—No. 228.]

An act to ratify and confirm an agreement with the Choctaw and Chickasaw Tribes of Indians, and for other purposes.

Be it enacted, etc., That the following agreement, made by the Commission to the Five Civilized Tribes with the commissions representing the Choctaw and Chickasaw Tribes of Indians on the 21st day of March, 1902, be, and the same is hereby, ratified and confirmed, to wit:

AGREEMENT BETWEEN THE UNITED STATES AND THE CHOCTAWS AND CHICKASAWS.

This agreement, by and between the United States, entered into in its behalf by Henry L. Dawes, Tams Bixby, Thomas B. Needles, and Clifton R. Breckinridge, commissioners duly appointed and authorized thereunto, and the Choctaw and Chickasaw Tribes of Indians in Indian Territory, respectively, entered into in behalf of such Choctaw and Chickasaw Tribes, by Gilbert W. Dukes, Green McCurtain, Thomas E. Sanguin, and Simon E. Lewis in behalf of the Choctaw Tribe of Indians; and Douglas H. Johnston, Calvin J. Grant, Holmes Willis, Edward B. Johnson, and Benjamin H. Colbert in behalf of the Chickasaw Tribe of Indians, commissioners duly appointed and authorized thereunto—

Witnesseth that, in consideration of the mutual undertakings herein contained, it is agreed as follows:

DEFINITIONS.

1. Wherever used in this agreement the words "nations" and "tribes" shall each be held to mean the Choctaw and Chickasaw Nations or Tribes of Indians in Indian Territory.

2. The words "chief executives" shall be held to mean the principal chief of the Choctaw Nation and the governor of the Chickasaw Nation.

3. The words "member" or "members" and "citizen" or "citizens" shall be held to mean members or citizens of the Choctaw or Chickasaw Tribe of Indians in Indian Territory, not including freedmen.

4. The term "Atoka agreement" shall be held to mean the agreement made by the Commission to the Five Civilized Tribes with the commissioners representing the Choctaw and Chickasaw Tribes of Indians at Atoka, Indian Territory, and embodied in the act of Congress approved June 28, 1898. (30 Stat., 495.)

5. The word "minor" shall be held to mean males under the age of 21 years and females under the age of 18 years.

6. The word "select" and its various modifications, as applied to allotments and homesteads, shall be held to mean the formal application at the land office, to be established by the Commission to the Five Civilized Tribes for the Choctaw and Chickasaw Nations, for particular tracts of land.

7. Every word in this agreement importing the masculine gender may extend and be applied to females as well as males, and the use of the plural may include also the singular, and vice versa.

8. The terms "allottable lands" or "lands allottable" shall be deemed to mean all the lands of the Choctaw and Chickasaw Tribes not herein reserved from allotment.

APPRAISEMENT OF LANDS.

9. All lands belonging to the Choctaw and Chickasaw Tribes in the Indian Territory, except such as are herein reserved from allotment, shall be appraised at their true value: *Provided*, That in determining such value consideration shall not be given to the location thereof, to any mineral deposits, or to any timber except such pine timber as may have been heretofore estimated by the Commission to the Five Civilized Tribes, and without reference to improvements which may be located thereon.

10. The appraisement as herein provided shall be made by the Commission to the Five Civilized Tribes, and the Choctaw and Chickasaw Tribes shall each have a representative to be appointed by the respective executives to cooperate with the said commission.

ALLOTMENT OF LANDS.

11. There shall be allotted to each member of the Choctaw and Chickasaw Tribes, as soon as practicable after the approval by the Secretary of the Interior of his enrollment as herein provided, land equal in value to 320 acres of the average allottable land of the Choctaw and Chickasaw Nations, and to each Choctaw and Chickasaw freedman, as soon as practicable after the approval by the Secretary of the Interior of his enrollment, land equal in value to 40 acres of the average allottable land of the Choctaw and Chickasaw Nations; to conform, as nearly as may be, to the areas and boundaries established by the Government survey, which land may be selected by each allottee so as to include his improvements. For the purpose of making allotments and designating homesteads hereunder, the 40-acre or quarter-quarter subdivisions established by the Government survey may be dealt with as if further subdivided into four equal parts in the usual manner, thus making the smallest legal subdivision 10 acres, or a quarter of a quarter of a quarter of a section.

12. Each member of said tribes shall, at the time of the selection of his allotment, designate as a homestead out of said allotment land equal in value to 160 acres of the average allottable land of the Choctaw and Chickasaw Nations, as nearly as may be, which shall be inalienable during the lifetime of the allottee, not exceeding 21 years from the date of certificate of allotment, and separate certificate and patent shall issue for said homestead.

13. The allotment of each Choctaw and Chickasaw freedman shall be inalienable during the lifetime of the allottee, not exceeding 21 years from the date of certificate of allotment.

14. When allotments as herein provided have been made to all citizens and freedmen, the residue of lands not herein reserved or otherwise disposed of, if any there be, shall be sold at public auction under rules and regulations and on terms to be prescribed by the Secretary of the Interior, and so much of the proceeds as may be necessary for equalizing allotments shall be used for that purpose, and the balance shall be paid into the Treasury of the United States to the credit of the Choctaws and Chickasaws and distributed per capita as other funds of the tribes.

15. Lands allotted to members and freedmen shall not be affected or encumbered by any deed, debt, or obligation of any character contracted prior to the time at which said land may be alienated under this act, nor shall said lands be sold except as herein provided.

16. All lands allotted to the members of said tribes, except such land as is set aside to each for a homestead as herein provided, shall be alienable after the issuance of patent as follows: One-fourth in acreage in one year, one-fourth in acreage in three years, and the balance in five years; in each case from date of patent: *Provided*, That such land shall not be alienable by the allottee or his heirs at any time before the expiration of the Choctaw and Chickasaw tribal governments for less than its appraised value.

17. If, for any reason, an allotment should not be selected or a homestead designated by or on behalf of any member or freedman, it shall be the duty of said commission to make said selection and designation.

18. In the making of allotments and in the designation of homesteads for members of said tribes under the provisions of this agreement, said commission shall not be required to divide lands into tracts of less than the smallest legal subdivision provided for in paragraph 11 hereof.

19. It shall be unlawful after 90 days after the date of the final ratification of this agreement for any member of the Choctaw or Chickasaw Tribes to inclose or hold possession of in any manner, by himself or through another, directly or indirectly, more lands in value than that of 320 acres of average allottable lands of the Choctaw and Chickasaw Nations, as provided by the terms of this agreement, either for himself or for his wife, or for each of his minor children if members of said tribes; and any member of said tribes found in such possession of lands, or having the same in any manner inclosed after the expiration of 90 days after the date of the final ratification of this agreement, shall be deemed guilty of a misdemeanor.

20. It shall be unlawful after 90 days after the date of the final ratification of this agreement for any Choctaw or Chickasaw freedman to inclose or hold possession of in any manner, by himself or through another, directly or indirectly, more than so much land as shall be equal in value to 40 acres of the average allottable lands of the Choctaw and Chickasaw Tribes as provided by the terms of this agreement, either for himself or for his wife, or for each of his minor children, if they be Choctaw or Chickasaw freedmen; and any freedman found in such possession of lands, or having the same in any manner inclosed after the expiration of 90 days after the date of the final ratification of this agreement, shall be deemed guilty of a misdemeanor.

21. Any person convicted of violating any of the provisions of sections 19 and 20 of this agreement shall be punished by a fine not less than $100, and shall stand committed until such fine and costs are paid (such commitment not to exceed one day for every $2 of said fine and costs), and shall forfeit possession of any property in question, and each day on which such offense is committed or continues to exist shall be deemed a separate offense. And the United States district attorneys for the districts in which said nations are situated are required to see that the provisions of said sections are strictly enforced, and they shall immediately after the expiration of 90 days after the date of the final ratification of this agreement proceed to dispossess all persons of such excessive holdings of lands and to prosecute them for so unlawfully holding the same. And the Commission to the Five Civilized Tribes shall have authority to make investigation of all violations of sections 19 and 20 of this agreement, and make report thereon to the United States district attorneys.

22. If any person whose name appears upon the rolls, prepared as herein provided, shall have died subsequent to the ratification of this agreement and before receiving his allotment of land, the lands to which such person would have been entitled if living shall be allotted in his name and shall, together with his proportionate share of other tribal property, descend to his heirs according to the laws of descent and distribution as provided in chapter 49 of Mansfield's Digest of the Statutes of Arkansas: *Provided*, That the allotment thus to be made shall be selected by a duly appointed administrator or executor. If, however, such administrator or executor be not duly and expeditiously appointed, or fails to act promptly when appointed, or for any other cause such selection be not so made within a reasonable and practicable time, the Commission to the Five Civilized Tribes shall designate the lands thus to be allotted.

23. Allotment certificates issued by the Commission to the Five Civilized Tribes shall be conclusive evidence of the right of any allottee to the tract of land described therein; and the United States Indian agent at the Union Agency shall, upon the application of the allottee, place him in possession of his allotment, and shall remove therefrom all persons objectionable to such allottee, and the acts of the Indian agent hereunder shall not be controlled by the writ or process of any court.

24. Exclusive jurisdiction is hereby conferred upon the Commission to the Five Civilized Tribes to determine, under the direction of the Secretary of the Interior, all matters relating to the allotment of land.

EXCESSIVE HOLDINGS.

25. After the opening of the land office for allotment purposes in both the Choctaw and the Chickasaw Nations any citizen or freedman of either of said nations may appear before the Commission to the Five Civilized Tribes at the land office in the nation in which his land is located and make application for his allotment and for allotments for members of his family and for other persons for whom he is lawfully authorized to apply for allotments, including homesteads, and after the expiration of 90 days following the opening of such land offices any such applicant may make allegation that the land or any part of the land that he desires to have allotted is held by another citizen or person in excess of the amount of land to which said citizen or person is lawfully entitled, and that he desires to have said land allotted to him or members of his family as herein provided; and thereupon said commission shall serve notice upon the person so alleged to be holding land in excess of the lawful amount to which he may be entitled, said notice to set forth the facts alleged and the name and post-office address of the person alleging the same, and the rights and consequences herein provided, and the persons so alleged to be holding land contrary to law shall be allowed 30 days from the date of the service of said notice in which to appear at one of said land offices and to select his allotment and the allotments he may be lawfully authorized to select, including homesteads; and if at the end of the 30 days last provided for the person upon whom said notice has been served has not selected his allotment and allotments as provided, then the Commission to the Five Civilized Tribes shall immediately make or reserve said allotments for the person or persons who have failed to act in accordance with the notice aforesaid, having due regard for the best interest of said allottees; and after such allotments have been made or reserved by said commission, then all other lands held or claimed, or previously held or claimed, by said person or persons shall be deemed a part of the public domain of the Choctaw and Chickasaw Nations and be subject to disposition as such: *Provided*, That any persons who have previously applied for any part of said lands shall have a prior right or allotment of the same in the order of their applications and as their lawful rights may appear.

If any citizen or freedman of the Choctaw and Chickasaw Nations shall not have selected his allotment within 12 months after the date of the opening of said land offices in said nations, if not herein otherwise provided, and provided that 12 months shall have elapsed from the date of the approval of his enrollment by the Secretary of the Interior, then the Commission to the Five Civilized Tribes may immediately proceed to select an allotment, including a homestead for such person, said allotment and homestead to be selected as the commission may deem for the best interest of said person, and the same shall be of the same force and effect as if such selection had been made by such citizen or freedman in person, and all lands held or claimed by persons for whom allotments have been selected by the commission as provided, and in excess of the amount included in said allotments, shall be a part of the public domain of the Choctaw and Chickasaw Nations and be subject to disposition as such.

RESERVATIONS.

26. The following lands shall be reserved from the allotment of lands herein provided for:

(a) All lands set apart for town sites either by the terms of the Atoka agreement, the act of Congress of May 31, 1900 (31 Stats., 221), as herein assented to, or by the terms of this agreement.

(b) All lands to which, at the date of the final ratification of this agreement, any railroad company may under any treaty or act of Congress have a vested right for right of way, depots, station grounds, water stations, stockyards, or similar uses connected with the maintenance and operation of the railroad.

(c) The strip of land lying between the city of Fort Smith, Ark., and the Arkansas and Poteau Rivers, extending up the said Poteau River to the mouth of Mill Creek.

(d) All lands which shall be segregated and reserved by the Secretary of the Interior on account of their coal or asphalt deposits, as hereinafter provided. And the lands selected by the Secretary of the Interior at and in the vicinity of Sulphur in the Chickasaw Nation under the cession to the United States hereunder made by said tribes.

(e) One hundred and sixty acres for Jones' Academy.

(f) One hundred and sixty acres for Tuskahoma Female Seminary.

(g) One hundred and sixty acres for Wheelock Orphan Seminary.

(h) One hundred and sixty acres for Armstrong Orphan Academy.

(i) Five acres for capitol building of the Choctaw Nation.

(j) One hundred and sixty acres for Bloomfield Academy.

(k) One hundred and sixty acres for Lebanon Orphan Home.

(l) One hundred and sixty acres for Harley Institute.

(m) One hundred and sixty acres for Rock Academy.

(n) One hundred and sixty acres for Collins Institute.

(o) Five acres for the capitol building of the Chickasaw Nation.

(p) Eighty acres for J. S. Murrow.

(q) Eighty acres for H. R. Schermerhorn.

(r) Eighty acres for the widow of R. S. Bell.

(s) A reasonable amount of land, to be determined by the town-site commissioners, to include all tribal courthouses and jails and other tribal public buildings.

(t) Five acres for any cemetery located by the town-site commissioners prior to the date of the final ratification of this agreement.

(u) One acre for any church under the control and used exclusively by the Choctaw or Chickasaw citizens at the date of the final ratification of this agreement.

(v) One acre each for all Choctaw or Chickasaw schools under the supervision of the authorities of the Choctaw or Chickasaw Nations and officials of the United States.

And the acre so reserved for any church or school in any quarter section of land shall be located when practicable in a corner of such quarter section lying adjacent to the section line thereof.

ROLLS OF CITIZENSHIP.

27. The rolls of the Choctaw and Chickasaw citizens and Choctaw and Chickasaw freedmen shall be made by the Commission to the Five Civilized Tribes, in strict compliance with the act of Congress approved June 28, 1898 (30 Stats., 495), and the act of Congress approved May 31, 1900 (31 Stats., 221), except as herein otherwise provided: *Provided*, That no person claiming right to enrollment and allotment and distribution of tribal property by virtue of a judgment of the United States court in the Indian Territory under the act of June 10, 1896 (29 Stats., 321), and which right is contested by legal proceedings instituted under the provisions of this agreement, shall be enrolled or receive allotments of lands or distribution of tribal property until his right thereto has been finally determined.

28. The names of all persons living on the date of the final ratification of this agreement entitled to be enrolled as provided in section 27 hereof shall be placed upon the rolls made by said commission, and no child born thereafter to a citizen or freedman and no person intermarried thereafter to a citizen shall be entitled to enrollment or to participate in the distribution of the tribal property of the Choctaws and Chickasaws.

29. No person whose name appears upon the rolls made by the Commission to the Five Civilized Tribes as a citizen or freedman of any other tribe shall be enrolled as a citizen or freedman of the Choctaw or Chickasaw Nations.

30. For the purpose of expediting the enrollment of the Choctaw and Chickasaw citizens and Choctaw and Chickasaw freedmen, the said commission shall, from time to time, and as early as practicable, forward to the Secretary of the Interior lists upon which shall be placed the names of those persons found by the commission to be entitled to enrollment. The lists thus prepared, when approved by the Secretary of the Interior, shall constitute a part and parcel of the final rolls of citizens of the Choctaw and Chickasaw tribes and of Choctaw and Chickasaw freedmen, upon which allotment of land and distribution of other tribal property shall be made as herein provided. Lists shall be made up and forwarded when contests of whatever character shall have been determined, and when there shall have been submitted to and approved by the Secretary of the Interior lists embracing names of all those lawfully entitled to enrollment, the rolls shall be deemed complete. The rolls so prepared shall be made in quintuplicate, one to be deposited with the Secretary of the Interior, one with the Commissioner of Indian Affairs, one with the principal chief of the Choctaw Nation, one with the governor of the Chickasaw Nation, and one to remain with the Commission to the Five Civilized Tribes.

31. It being claimed and insisted by the Choctaw and Chickasaw Nations that the United States courts in the Indian Territory, acting under the act of Congress approved June 10, 1896, have admitted persons to citizenship or to enrollment as such citizens in the Choctaw and Chickasaw Nations, respectively, without notice of the proceedings in such courts being given to each of said nations; and it being insisted by said nations that, in such proceedings, notice to each of said nations was indispensable, and it being claimed and insisted by said nations that the proceedings in the United States courts in the Indian Territory, under the said act of June 10, 1896, should have been confined to a review of the action of the Commission to the Five Civilized Tribes, upon the papers and evidence submitted to such commission, and should not have extended to a trial de novo of the question of citizenship; and it being desirable to finally determine these questions, the two nations, jointly, or either of said nations acting separately and making the other a party defendant, may, within 90 days after this agreement becomes effective, by a bill in equity filed in the Choctaw and Chickasaw citizenship court hereinafter named, seek the annulment and vacation of all such decisions by said courts. Ten persons so admitted to citizenship or enrollment by said courts, with notice to one but not to both of said nations, shall be made defendants to said suit as representatives of the entire class of persons similarly situated, the number of such persons being too numerous to require all of them to be made individual parties to the suit; but any person so situated may, upon his application, be made a party defendant to the suit. Notice of the institution of said suit shall be personally served upon the chief executive of the defendant nation, if either nation be made a party defendant as aforesaid, and upon each of said 10 representative defendants, and shall also be published for a period of four weeks in at least two weekly newspapers having general circulation in the Choctaw and Chickasaw Nations. Such notice shall set forth the nature and prayer of the bill, with the time for answering the same, which shall not be less than 30 days after the last publication. Said suit shall be determined at the earliest practicable time, shall be confined to a final determination of the questions of law here named, and shall be without prejudice to the determination of any charge or claim that the admission of such persons to citizenship or enrollment by said United States courts in the Indian Territory was wrongfully obtained as provided in the next section. In the event said citizenship judgments or decisions are annulled or vacated in the test suit hereinbefore authorized, because of either or both of the irregularities claimed and insisted upon by said nations as aforesaid, then the files, papers, and proceedings in any citizenship case in which the judgment or decision is so annulled or vacated, shall, upon written application therefor, made within 90 days thereafter by any party thereto, who is thus deprived of a favorable judgment upon his claimed citizenship, be transferred and certified to said citizenship court by the court having custody and control of such files, papers, and proceedings, and, upon the filing in such citizenship court of the files, papers, and proceedings in any such citizenship case, accompanied by due proof that notice in writing of the transfer and certification thereof has been given to the chief executive officer of each of said nations, said citizenship case shall be docketed in said citizenship court, and such further proceedings shall be had therein in that court as ought to have been had in the court to which the same was taken on appeal from the Commission to the Five Civilized Tribes, and as if no judgment or decision had been rendered therein.

32. Said citizenship court shall also have appellate jurisdiction over all judgments of the courts in Indian Territory rendered under said act of Congress of June 10, 1896, admitting persons to citizenship or to enrollment as citizens in either of said nations. The right of appeal may be exercised by the said nations jointly or by either of them acting separately at any time within six months after this agreement is finally ratified. In the exercise of such appellate jurisdiction said citizenship court shall be authorized to consider, review, and revise all such judgments, both as to findings of fact and conclusions of law, and may, wherever in its judgment substantial justice will thereby be subserved, permit either party to any such appeal to take and present such further evidence as may be necessary to enable said court to determine the very right of the controversy. And said court shall have power to make all needful rules and regulations prescribing the manner of taking and conducting said appeals and of taking additional evidence therein. Such citizenship court shall also have like appellate jurisdiction and authority over judgments rendered by such courts under the said act denying claims to citizenship or to enrollment as citizens in either of said nations. Such appeals shall be taken within the time hereinbefore specified and shall be taken, conducted, and disposed of in the same manner as appeals by the said nations, save that notice of appeals by citizenship claimants shall be served upon the chief executive officer of both nations: *Provided*, That paragraphs 31, 32, and

33 hereof shall go into effect immediately after the passage of this act by Congress.

33. A court is hereby created to be known as the Choctaw and Chickasaw Citizenship Court, the existence of which shall terminate upon the final determination of the suits and proceedings named in the last two preceding sections, but in no event later than the 31st day of December, 1903. Said court shall have all authority and power necessary to the hearing and determination of the suits and proceedings so committed to its jurisdiction, including the authority to issue and enforce all requisite writs, process and orders, and to prescribe rules and regulations for the transaction of its business. It shall also have all the powers of a circuit court of the United States in compelling the production of books, papers, and documents, the attendance of witnesses, and in punishing contempt. Except where herein otherwise expressly provided, the pleadings, practice, and proceedings in said court shall conform, as near as may be, to the pleadings, practice, and proceedings in equity causes in the circuit courts of the United States. The testimony shall be taken in court or before one of the judges, so far as practicable. Each judge shall be authorized to grant in vacation or recess interlocutory orders and to hear and dispose of interlocutory motions not affecting the substantial merits of the case. Said court shall have a chief judge and two associate judges, a clerk, a stenographer, who shall be deputy clerk, and a bailiff. The judges shall be appointed by the President, by and with the advice and consent of the Senate, and shall each receive a compensation of $5,000 per annum and his necessary and actual traveling and personal expenses while engaged in the performance of his duties. The clerk, stenographer, and bailiff shall be appointed by the judges, or a majority of them, and shall receive the following yearly compensation: Clerk, $2,400; stenographer, $1,200; bailiff, $900. The compensation of all these officers shall be paid by the United States in monthly installments. The moneys to pay said compensation are hereby appropriated, and there is also hereby appropriated the sum of $5,000, or so much thereof as may be necessary, to be expended under the direction of the Secretary of the Interior, to pay such contingent expenses of said court and its officers as to such Secretary may seem proper. Said court shall have a seal, shall sit at such place or places in the Choctaw and Chickasaw Nations as the judges may designate, and shall hold public sessions, beginning the first Monday in each month, so far as may be practicable or necessary. Each judge and the clerk and deputy clerk shall be authorized to administer oaths. All writs and process issued by said court shall be served by the United States marshal for the district in which the service is to be had. The fees for serving process and the fees of witnesses shall be paid by the party at whose instance such process is issued or such witnesses are subpœnaed, and the rate or amount of such fees shall be the same as is allowed in civil causes in the Circuit Court of the United States for the Western District of Arkansas. No fees shall be charged by the clerk or other officers of said court. The clerk of the United States court in Indian Territory having custody and control of the files, papers, and proceedings in the original citizenship cases shall receive a fee of $2.50 for transferring and certifying to the citizenship court the files, papers, and proceedings in each case, without regard to the number of persons whose citizenship is involved therein, and said fee shall be paid by the person applying for such transfer and certification. The judgment of the citizenship court in any or all of the suits or proceedings so committed to its jurisdiction shall be final. All expenses necessary to the proper conduct on behalf of the nations of the suits and proceedings provided for in this and the two preceding sections shall be incurred under the direction of the executives of the two nations, and the Secretary of the Interior is hereby authorized, upon certificate of said executives, to pay such expenses as in his judgment are reasonable and necessary out of any of the joint funds of said nations in the Treasury of the United States.

34. During the 90 days first following the date of the final ratification of this agreement the Commission to the Five Civilized Tribes may receive applications for enrollment only of persons whose names are on the tribal rolls, but who have not heretofore been enrolled by said commission, commonly known as "delinquents," and such intermarried white persons as may have married recognized citizens of the Choctaw and Chickasaw Nations in accordance with the tribal laws, customs, and usages on or before the date of the passage of this act by Congress, and such infant children as may have been born to recognized and enrolled citizens on or before the date of the final ratification of this agreement; but the application of no person whomsoever for enrollment shall be received after the expiration of the said 90 days: *Provided*, That nothing in this section shall apply to any person or persons making application for enrollment as Mississippi Choctaws, for whom provision has herein otherwise been made.

35. No person whose name does not appear upon the rolls prepared as herein provided shall be entitled to in any manner participate in the distribution of the common property of the Choctaw and Chickasaw tribes, and those whose names appear thereon shall participate in the manner set forth in this agreement: *Provided*, That no allotment of land or other tribal property shall be made to any person, or to the heirs of any person whose name is on the said rolls and who died prior to the date of the final ratification of this agreement. The right of such person to any interest in the lands or other tribal property shall be deemed to have become extinguished and to have passed to the tribe in general upon his death before the date of the final ratification of this agreement, and any person or persons who may conceal the death of anyone on said rolls as aforesaid for the purpose of profiting by the said concealment, and who shall knowingly receive any portion of any land or other tribal property or of the proceeds so arising from any allotment prohibited by this section, shall be deemed guilty of a felony and shall be proceeded against as may be provided in other cases of felony, and the penalty for this offense shall be confinement at hard labor for a period of not less than one year nor more than five years and, in addition thereto, a forfeiture to the Choctaw and Chickasaw Nations of the lands, other tribal property, and proceeds so obtained.

CHICKASAW FREEDMEN.

36. Authority is hereby conferred upon the Court of Claims to determine the existing controversy respecting the relations of the Chickasaw freedmen to the Chickasaw Nation and the rights of such freedmen in the lands of the Choctaw and Chickasaw Nations under the third article of the treaty of 1866 between the United States and the Choctaw and Chickasaw Nations and under any and all laws subsequently enacted by the Chickasaw Legislature or by Congress.

37. To that end the Attorney General of the United States is hereby directed, on behalf of the United States, to file in said Court of Claims, within 60 days after this agreement becomes effective, a bill of interpleader against the Choctaw and Chickasaw Nations and the Chickasaw freedmen, setting forth the existing controversy between the Chickasaw Nation and the Chickasaw freedmen and praying that the defendants thereto be required to interplead and settle their respective rights in such suit.

38. Service of process in the suit may be had on the Choctaw and Chickasaw Nations, respectively, by serving upon the principal chief of the former and the governor of the latter a certified copy of the bill, with a notice of the time for answering the same, which shall not be less than 30 nor more than 60 days after such service, and may be had upon the Chickasaw freedmen by serving upon each of three known and recognized Chickasaw freedmen a certified copy of the bill, with a like notice of the time for answering the same, and by publishing a notice of the commencement of the suit, setting forth the nature and prayer of the bill, with the time for answering the same, for a period of three weeks in at least two weekly newspapers having general circulation in the Chickasaw Nation.

39. The Choctaw and Chickasaw Nations, respectively, may in the manner prescribed in sections 2103 to 2106, both inclusive, of the Revised Statutes, employ counsel to represent them in such suit and protect their interests therein; and the Secretary of the Interior shall employ competent counsel to represent the Chickasaw freedmen in said suit and to protect their interests therein; and the compensation of counsel so employed for the Chickasaw freedmen, including all costs of printing their briefs and other incidental expenses on their part, not exceeding $6,000, shall be paid out of the Treasury of the United States upon certificate of the Secretary of the Interior setting forth the employment and the terms thereof, and stating that the required services have been duly rendered; and any party feeling aggrieved at the decree of the Court of Claims, or any part thereof, may, within 60 days after the rendition thereof, appeal to the Supreme Court, and in each of said courts the suit shall be advanced for hearing and decision at the earliest practicable time.

40. In the meantime the Commission to the Five Civilized Tribes shall make a roll of the Chickasaw freedmen and their descendants, as provided in the Atoka agreement, and shall make allotments to them as provided in this agreement, which said allotments shall be held by the said Chickasaw freedmen, not as temporary allotments, but as final allotments, and in the event that it shall be finally determined in said suit that the Chickasaw freedmen are not, independently of this agreement, entitled to allotments in the Choctaw and Chickasaw lands, the Court of Claims shall render a decree in favor of the Choctaw and Chickasaw Nations according to their respective interests, and against the United States, for the value of the lands so allotted to the Chickasaw freedmen as ascertained by the appraisal thereof made by the Commission to the Five Civilized Tribes for the purpose of allotment, which decree shall take the place of the said lands and shall be in full satisfaction of all caims by the Choctaw and Chickasaw Nations against the United States or the said freedmen on account of the taking of the said lands for allotment to said freedmen: *Provided*, That nothing contained in this paragraph shall be construed to affect or change the existing status or rights of the two tribes as between themselves respecting the lands taken for allotment to freedmen, or the money, if any, recovered as compensation therefor, as aforesaid.

MISSISSIPPI CHOCTAWS.

41. All persons duly identified by the Commission to the Five Civilized Tribes under the provisions of section 21 of the act of Congress approved June 28, 1898 (30 Stats., 495), as Mississippi Choctaws entitled to benefits under article 14 of the treaty between the United States and the Choctaw Nation concluded Sepember 27, 1830, may, at any time within six months after the date of their identification as Mississippi Choctaws by the said commission, make bona fide settlement wthin the Choctaw-Chickasaw country, and upon proof of such settlement to such commission within one year after the date of their said identification as Mississippi Choctaws shall be enrolled by such commission as Mississippi Choctaws entitled to allotment as herein provided for citizens of the tribes, subject to the special provisions herein provided as to Mississippi Choctaws, and said enrollment shall be final when approved by the Secretary of the Interior. The application of no person for identification as a Mississippi Choctaw shall be received by said commission after six months subsequent to the date of the final ratification of this agreement, and in the disposition of such applications all full-blood Mississippi Choctaw Indians and the descendants of any Mississippi Choctaw Indians, whether of full or mixed blood, who received a patent to land under the said fourteenth article of the said treaty of 1830 who had not moved to and made bona fide settlement in the Choctaw-Chickasaw country prior to June 28, 1898, shall be deemed to be Mississippi Choctaws, entitled to benefits under article 14 of the said treaty of September 27, 1830, and to identification as such by said commission, but this direction or provision shall be deemed to be only a rule of evidence and shall not be invoked by or operate to the advantage of any applicant who is not a Mississippi Choctaw of the full blood, or who is not the descendant of a Mississippi Choctaw who received a patent to land under said treaty, or who is otherwise barred from the right of citizenship in the Choctaw Nation; all of said Mississippi Choctaws so enrolled by said commission shall be upon a separate roll.

42. When any such Mississippi Choctaw shall have in good faith continuously resided upon the lands of the Choctaw and Chickasaw Nations for a period of three years, including his residence thereon before and after such enrollment, he shall, upon due proof of such continuous, bona fide residence, made in such manner and before such officer as may be designated by the Secretary of the Interior, receive a patent for his allotment, as provided in the Atoka agreement, and he shall hold the lands allotted to him as provided in this agreement for citizens of the Choctaw and Chickasaw Nations.

43. Applications for enrollment as Mississippi Choctaws and applications to have land set apart to them as such must be made personally before the Commission to the Five Civilized Tribes. Fathers may apply for their minor children, and if the father be dead the mother may apply; husbands may apply for wives. Applicaions for orphans, insane persons, and persons of unsound mind may be made by duly appointed guardian or curator, and for aged and infirm persons and prisoners by agents duly authorized thereunto by power of attorney, in the discretion of said commission.

44. If within four years after such enrollment any such Mississippi Choctaw, or his heirs or representatives if he be dead, fails to make proof of such continuous bona fide residence for the period so prescribed, or up to the time of the death of such Mississippi Choctaw, in case of his death after enrollment, he, and his heirs and representatives if he be dead, shall be deemed to have acquired no interest in the lands set apart to him, and the same shall be sold at public auction for cash, under rules and regulations prescribed by the Secretary of the Interior,

and the proceeds paid into the Treasury of the United States to the credit of the Choctaw and Chickasaw Tribes, and distributed per capita with other funds of the tribes. Such lands shall not be sold for less than their appraised value. Upon payment of the full purchase price patent shall issue to the purchaser.

TOWN SITES.

45. The Choctaw and Chickasaw Tribes hereby assent to the act of Congress approved May 31, 1900 (31 Stats., 221), in so far as it pertains to town sites in the Choctaw and Chickasaw Nations, ratifying and confirming all acts of the Government of the United States thereunder, and consent to a continuance of the provisions of said act not in conflict with the terms of this agreement.

46. As to those town sites heretofore set aside by the Secretary of the Interior on the recommendation of the Commission to the Five Civilized Tribes, as provided in said act of Congress of May 31, 1900, such additional acreage may be added thereto, in like manner as the original town site was set apart, as may be necessary for the present needs and reasonable prospective growth of said town sites, the total acreage not to exceed 640 acres for each town site.

47. The lands which may hereafter be set aside and reserved for town sites upon the recommendation of the Commission to the Five Civilized Tribes, under the provisions of said act of May 31, 1900, shall embrace such acreage as may be necessary for the present needs and reasonable prospective growth of such town sites, not to exceed 640 acres for each town site.

48. Whenever any tract of land shall be set aside for town-site purposes, as provided in said act of May 31, 1900, or by the terms of this agreement, which is occupied by any member of the Choctaw or Chickasaw Nations, such occupant shall be fully compensated for his improvements thereon, out of the funds of the tribes arising from the sale of town sites, under rules and regulations to be prescribed by the Secretary of the Interior, the value of such improvements to be determined by a board of appraisers, one member of which shall be appointed by the Secretary of the Interior, one by the chief executive of the tribe in which the town site is located, and one by the occupant of the land, said board of appraisers to be paid such compensation for their services as may be determined by the Secretary of the Interior out of any appropriation for surveying, laying out, platting, and selling town sites.

49. Whenever the chief executive of the Choctaw or Chickasaw Nation fails or refuses to appoint a town-site commissioner for any town, or to fill any vacancy caused by the neglect or refusal of the town-site commissioner appointed by the chief executive of the Choctaw or Chickasaw Nation to qualify or act, or otherwise, the Secretary of the Interior, in his discretion, may appoint a commissioner to fill the vacancy thus created.

50. There shall be appointed, in the manner provided in the Atoka agreement, such additional town-site commissions as the Secretary of the Interior may deem necessary, for the speedy disposal of all town sites in said nations: *Provided*, That the jurisdiction of said additional town-site commissions shall extend to such town sites only as shall be designated by the Secretary of the Interior.

51. Upon the payment of the full amount of the purchase price of any lot in any town site in the Choctaw and Chickasaw Nations, appraised and sold as herein provided, or sold as herein provided, the chief executives of said nations shall jointly execute, under their hands and the seals of the respective nations and deliver to the purchaser of the said lot, a patent conveying to him all right, title, and interest of the Choctaw and Chickasaw Tribes in and to said lot.

52. All town lots in any one town site to be conveyed to one person shall, as far as practicable, be included in one patent, and all patents shall be executed free of charge to the grantee.

53. Such towns in the Choctaw and Chickasaw Nations as may have a population of less than 200 people, not otherwise provided for, and which in the judgment of the Secretary of the Interior should be set aside as town sites, shall have their limits defined not later than 90 days after the final ratification of this agreement, in the same manner as herein provided for other town sites; but in no such case shall more than 40 acres of land be set aside for any such town site.

54. All town sites heretofore set aside by the Secretary of the Interior on the recommendation of the Commission to the Five Civilized Tribes, under the provisions of the act of Congress approved May 31, 1900 (31 Stats., 221), with the additional acreage added thereto, and all town sites which may hereafter be set aside, as well as all town sites set aside under the provisions of this agreement having a population of less than 200, shall be surveyed, laid out, platted, appraised, and disposed of in a like manner, and with like preference rights accorded to owners of improvements as other town sites in the Choctaw and Chickasaw Nations are surveyed, laid out, platted, appraised, and *disposed of* under the Atoka agreement, as modified or supplemented by the said act of May 31, 1900: *Provided*, That occupants or purchasers of lots in town sites in said Choctaw and Chickasaw Nations upon which no improvements have been made prior to the passage of this act by Congress shall pay the full appraised value of said lots instead of the percentage named in the Atoka agreement.

MUNICIPAL CORPORATIONS.

55. Authority is hereby conferred upon municipal corporations in the Choctaw and Chickasaw Nations, with the approval of the Secretary of the Interior, to issue bonds and borrow money thereon for sanitary purposes and for the construction of sewers, lighting plants, waterworks, and schoolhouses, subject to all the provisions of laws of the United States in force in the organized Territories of the United States in reference to municipal indebtedness and issuance of bonds for public purposes; and said provisions of law are hereby put in force in said nations and made applicable to the cities and towns therein the same as if specially enacted in reference thereto; and said municipal corporations are hereby authorized to vacate streets and alleys, or parts thereof, and said streets and alleys, when so vacated, shall become the property of the adjacent property holders.

COAL AND ASPHALT.

56. At the expiration of two years after the final ratification of this agreement all deposits of coal and asphalt which are in lands within the limits of any town site established under the Atoka agreement, or the act of Congress of May 31, 1900, or this agrement, and which are within the exterior limits of any lands reserved from allotment on account of their coal or asphalt deposits, as herein provided, and which are not at the time of the final ratification of this agreement embraced in any then existing coal or asphalt lease, shall be sold at public auction for cash under the direction of the President as hereinafter provided, and the proceeds thereof disposed of as herein provided respecting the proceeds of the sale of coal and asphalt lands.

57. All coal and asphalt deposits which are within the limits of any town site so established, which are at the date of the final ratification of this agreement covered by any existing lease, shall, at the expiration of two years after the final ratification of this agreement, be sold at public auction under the direction of the President as hereinafter provided, and the proceeds thereof disposed of as provided in the last preceding section. The coal or asphalt covered by each lease shall be separately sold. The purchaser shall take such coal or asphalt deposits subject to the existing lease, and shall by the purchase succeed to all the rights of the two tribes of every kind and character, under the lease, but all advanced royalties received by the tribe shall be retained by them.

58. Within six months after the final ratification of this agreement the Secretary of the Interior shall ascertain, so far as may be practicable, what lands are principally valuable because of their deposits of coal or asphalt, including therein all lands which at the time of the final ratification of this agreement shall be covered by then existing coal or asphalt leases, and within that time he shall, by a written order, segregate and reserve from allotment all of said lands. Such segregation and reservation shall conform to the subdivisions of the Government survey as nearly as may be, and the total segregation and reservation shall not exceed 500,000 acres. No lands so reserved shall be allotted to any member or freedman, and the improvements of any member or freedman existing upon any of the lands so segregated and reserved at the time of their segregation and reservation shall be appraised under the direction of the Secretary of the Interior, and shall be paid for out of any common funds of the two tribes in the Treasury of the United States, upon the order of the Secretary of the Interior. All coal and asphalt deposits, as well as other minerals which may be found in any lands not so segregated and reserved, shall be deemed a part of the land and shall pass to the allottee or other person who may lawfully acquire title to such lands.

59. All lands segregated and reserved under the last preceding section, excepting those embraced within the limits of a town site, established as hereinbefore provided, shall, within three years from the final ratification of this agreement and before the dissolution of the tribal governments, be sold at public auction for cash, under the direction of the President, by a commission composed of three persons, which shall be appointed by the President, one on the recommendation of the principal chief of the Choctaw Nation, who shall be a Choctaw by blood, and one on the recommendation of the governor of the Chickasaw Nation, who shall be a Chickasaw by blood. Either of said commissioners may, at any time, be removed by the President for good cause shown. Each of said commissioners shall be paid at the rate of $4,000 per annum, the Choctaw commissioner to be paid by the Choctaw Nation, the Chickasaw commissioner to be paid by the Chickasaw Nation, and the third commissioner to be paid by the United States. In the sale of coal and asphalt lands and coal and asphalt deposits hereunder, the commission shall have the right to reject any or all bids which it considers below the value of any such lands or deposits. The proceeds arising from the sale of coal and asphalt lands and coal and asphalt deposits shall be deposited in the Treasury of the United States to the credit of said tribes and paid out per capita to members of said tribes—freedmen excepted—with the other moneys belonging to said tribes in the manner provided by law. The lands embraced within any coal or asphalt lease shall be separately sold, subject to such lease, and the purchaser shall succeed to all the rights of the two tribes of every kind and character, under the lease, but all advanced royalties received by the tribes shall be retained by them. The lands so segregated and reserved, and not included within any existing coal or asphalt lease, shall be sold in tracts not exceeding in area a section under the Government survey.

60. Upon the recommendation of the chief executive of each of the two tribes, and where in the judgment of the President it is advantageous to the tribes so to do, the sale of any coal or asphalt lands which are herein directed to be sold may be made at any time after the expiration of six months from the final ratification of this agreement, without awaiting the expiration of the period of two years, as hereinbefore provided.

61. No lease of any coal or asphalt lands shall be made after final ratification of this agreement, the provisions of the Atoka agreement to the contrary notwithstanding.

62. Where any lands so as aforesaid segregated and reserved on account of their coal or asphalt deposits are in this agreement specifically reserved from allotment for any other reason, the sale to be made hereunder shall be only of the coal and asphalt deposits contained therein, and in all other respects the other specified reservation of such lands herein provided for shall be fully respected.

63. The chief executives of the two tribes shall execute and deliver, with the approval of the Secretary of the Interior, to each purchaser of any coal or asphalt lands so sold, and to each purchaser of any coal or asphalt deposits so sold, an appropriate patent or instrument of conveyance, conveying to the purchaser the property so sold.

SULPHUR SPRINGS.

64. The two tribes hereby absolutely and unqualifiedly relinquish, cede, and convey unto the United States a tract or tracts of land at and in the vicinity of the village of Sulphur, in the Chickasaw Nation, of not exceeding 640 acres, to be selected, under the direction of the Secretary of the Interior, within four months after the final ratification of this agreement, and to embrace all the natural springs in and about said village, and so much of Sulphur Creek, Rock Creek, Buckhorn Creek, and the lands adjacent to said natural springs and creeks as may be deemed necessary by the Secretary of the Interior for the proper utilization and control of said springs and the waters of said creeks, which lands shall be so selected as to cause the least interference with the contemplated town site at that place consistent with the purposes for which said cession is made, and when selected the ceded lands shall be held, owned, and controlled by the United States absolutely and without any restriction, save that no part thereof shall be platted or disposed of for town-site purposes during the existence of the two tribal governments. Such other lands as may be embraced in a town site at that point shall be disposed of in the manner provided in the Atoka agreement for the disposition of town sites. Within 90 days after the selection of the lands so ceded there shall be deposited in the Treasury of the United States, to the credit of the two tribes, from the unappropriated public moneys of the United States, $20 per acre for each acre so selected, which shall be in full compensation for the lands so ceded, and such moneys shall, upon the dissolution of the tribal governments, be divided per capita among the members of the tribes, freedmen excepted, as are other funds of the tribes. All improvements upon the lands so selected which were lawfully there at the time of the ratification of this agreement by Congress shall be appraised, under the direc-

tion of the Secretary of the Interior, at the true value thereof at the time of the selection of said lands, and shall be paid for by warrants drawn by the Secretary of the Interior upon the Treasurer of the United States. Until otherwise provided by law, the Secretary of the Interior may, under rules prescribed for that purpose, regulate and control the use of the water of said springs and creeks and the temporary use and occupation of the lands so ceded. No person shall occupy any portion of the lands so ceded, or carry on any business thereon, except as provided in said rules, and until otherwise provided by Congress the laws of the United States relating to the introduction, possession, sale, and giving away of liquors or intoxicants of any kind within the Indian country or Indian reservations shall be applicable to the lands so ceded, and said lands shall remain within the jurisdiction of the United States court for the southern district of Indian Territory: *Provided, however*, That nothing contained in this section shall be construed or held to commit the Government of the United States to any expenditure of money upon said lands or the improvements thereof, except as provided herein, it being the intention of this provision that in the future the lands and improvements herein mentioned shall be conveyed by the United States to such Territorial or State organization as may exist at the time when such conveyance is made.

MISCELLANEOUS.

65. The acceptance of patents for minors, prisoners, convicts, and incompetents by persons authorized to select their allotments for them shall be sufficient to bind such minors, prisoners, convicts, and incompetents as to the conveyance of all other lands of the tribes.

66. All patents to allotments of land, when executed, shall be recorded in the office of the Commission to the Five Civilized Tribes within said nations in books appropriate for the purpose, until such time as Congress shall make other suitable provision for record of land titles as provided in the Atoka agreement, without expense to the grantee; and such records shall have like effect as other public records.

67. The provisions of section 3 of the act of Congress approved June 28, 1898 (30 Stats., 495), shall not apply to or in any manner affect the lands or other property of the Choctaws and Chickasaw or Choctaw and Chickasaw freedmen.

68. No act of Congress or treaty provision, nor any provision of the Atoka agreement, inconsistent with this agreement, shall be in force in said Choctaw and Chickasaw Nations.

69. All controversies arising between members as to their right to select particular tracts of land shall be determined by the Commission to the Five Civilized Tribes.

70. Allotments may be selected and homesteads designated for minors by the father or mother, if members, or by a guardian or curator, or the administrator having charge of their estate, in the order named; and for prisoners, convicts, aged and infirm persons by duly appointed agents under power of attorney; and for incompetents by guardians, curators, or other suitable person akin to them; but it shall be the duty of said commission to see that said selections are made for the best interests of such parties.

71. After the expiration of nine months after the date of the original selection of an allotment, by or for any citizen or freedmen of the Choctaw or Chickasaw Tribes, as provided in this agreement, no contest shall be instituted against such selection.

72. There shall be paid to each citizen of the Chickasaw Nation, immediately after the approval of his enrollment and right to participate in distribution of tribal property, as herein provided, the sum of $40. Such payment shall be made under the direction of the Secretary of the Interior, and out of the balance of the "arrears of interest" of $558,520.54 appropriated by the act of Congress approved June 28, 1898, entitled "An act for the protection of the people of the Indian Territory, and for other purposes," yet due to the Chickasaws and remaining to their credit in the Treasury of the United States; and so much of such moneys as may be necessary for such payment are hereby appropriated and made available for that purpose, and the balance, if any there be, shall remain in the Treasury of the United States, and be distributed per capita with the other funds of the tribes. And all acts of Congress or other treaty provisions in conflict with this provision are hereby repealed.

73. This agreement shall be binding upon the United States and upon the Choctaw and Chickasaw Nations and all Choctaws and Chickasaws, when ratified by Congress and by a majority of the whole number of votes cast by the legal voters of the Choctaw and Chickasaw Tribes in the manner following: The principal chief of the Choctaw Nation and the governor of the Chickasaw Nation shall, within 120 days after the ratification of this agreement by Congress, make public proclamation that the same shall be voted upon at any special election to be held for that purpose within 30 days thereafter, on a certain day therein named; and all male citizens of each of the said tribes qualified to vote under the tribal laws shall have a right to vote at the election precinct most convenient to his residence, whether the same be within the bounds of his tribe or not. And if this agreement be ratified by said tribes as aforesaid, the date upon which said election is held shall be deemed to be the date of final ratification.

74. The votes cast in both the Choctaw and Chickasaw Nations shall be forthwith returned and duly certified by the precinct officers to the national secretaries of said tribes, and shall be presented by said national secretaries to a board of commissioners consisting of the principal chief and the national secretary of the Choctaw Nation and the governor and national secretary of the Chickasaw Nation and two members of the Commission to the Five Civilized Tribes; and said board shall meet without delay at Atoka, Ind. T., and canvass and count said votes, and make proclamation of the result.

In witness whereof the said commissioners do hereby affix their names at Washington, D. C., this 21st day of March, 1902.

Approved, July 1, 1902.

As will be observed, this act provides for the appraisement of the lands, that the homesteads shall be inalienable; it provides for the allotment of freedmen or ex-negro slaves with the Indians; it specifically provides that the surplus lands after the allotments have been made shall be disposed of by sale and the proceeds distributed per capita to the enrolled members of the tribe, and particularly under this agreement full and complete jurisdiction is conferred upon and surrendered to the Dawes Commission to settle their allotment matters, their enrollment matters, the sale of their surplus lands, and, in a word, to do all things necessary to be done looking to the immediate winding up of their affairs. The act provides for certain reservations for schools, parks, and so forth.

Section 27 of the supplemental agreement authorizes and empowers the commission to make the rolls, thereby taking the matter wholly out of the hands of the Choctaw Indians.

Sections 28, 29, 30, and 31 all prescribe details, methods, and proceedings to hasten the method of making the rolls and have the tribe cooperate with the commission in making the rolls.

It will be observed that section 41 of the supplemental agreement, which was approved and enacted into law by the act of Congress of July 1, 1902, specifically deals with the Mississippi Choctaws and again extends the time under the act of June 28, 1898, and gives them six months in which to make application and one year thereafter in which to make proof of bona fide settlement within the Choctaw-Chickasaw country, pursuant to which they could be enrolled.

CONGRESS ASSERTS THAT THE ROLLS MADE BY THE DAWES COMMISSION AND APPROVED BY THE SECRETARY OF INTERIOR SHALL BE FINAL.

The Indian appropriation act for the fiscal year ending June 30, 1902, approved March 3, 1901, found in Thirty-first Statutes, page 1058, provides in part as follows:

The rolls made by the Commission to the Five Civilized Tribes, when approved by the Secretary of the Interior, shall be final, and the persons whose names are found thereon shall alone constitute the several tribes which they represent; and the Secretary of the Interior is authorized and directed to fix a time, by agreement with said tribes, or either of them, for closing said rolls, but upon failure or refusal of said tribes or either of them to agree thereto, then the Secretary of the Interior shall fix a time for closing said rolls, after which no name shall be added thereto.

CONGRESS FINALLY CLOSES ROLLS.

[Public—No. 129.]

An act to provide for the final disposition of the affairs of the Five Civilized Tribes in the Indian Territory, and for other purposes.

Be it enacted, etc., That after the approval of this act no person shall be enrolled as a citizen or freedman of the Choctaw, Chickasaw, Cherokee, Creek, or Seminole Tribes of Indians in the Indian Territory, except as herein otherwise provided, unless application for enrollment was made prior to December 1, 1905, and the records in charge of the Commissioner to the Five Civilized Tribes shall be conclusive evidence as to the fact of such application; and no motion to reopen or reconsider any citizenship case in any of said tribes shall be entertained unless filed with the Commissioner to the Five Civilized Tribes within 60 days after the date of the order or decision sought to be reconsidered except as to decisions made prior to the passage of this act, in which cases such motion shall be made within 60 days after the passage of this act: *Provided*, That the Secretary of the Interior may enroll persons whose names appear upon any of the tribal rolls and for whom the records in charge of the Commissioner to the Five Civilized Tribes show application was made prior to December 1, 1905, and which was not allowed solely because not made within the time prescribed by law.

SEC. 2. That for 90 days after approval hereof applications shall be received for enrollment of children who were minors living March 4, 1906, whose parents have been enrolled as members of the Choctaw, Chickasaw, Cherokee, or Creek Tribes, or have applications for enrollment pending at the approval hereof, and for the purpose of enrollment under this section illegitimate children shall take the status of the mother, and allotments shall be made to children so enrolled. If any citizen of the Cherokee Tribe shall fail to receive the full quantity of land to which he is entitled as an allotment, he shall be paid out of any of the funds of such tribe a sum equal to twice the appraised value of the amount of land thus deficient. The provisions of section 9 of the Creek agreement ratified by act approved March 1, 1901, authorizing the use of funds of the Creek Tribe for equalizing allotments, are hereby restored and reenacted, and after the expiration of nine months from the date of the original selection of an allotment of land in the Choctaw, Chickasaw, Cherokee, Creek, or Seminole Tribes, and after the expiration of six months from the passage of this act as to allotments heretofore made, no contest shall be instituted against such allotment: *Provided*, That the rolls of the tribes affected by this act shall be fully completed on or before the 4th day of March, 1907, and the Secretary of the Interior shall have no jurisdiction to approve the enrollment of any person after said date: *Provided further*, That nothing herein shall be construed so as to hereafter permit any person to file an application for enrollment in any tribe where the date for filing application has been fixed by agreement between said tribe and the United States: *Provided*, That nothing herein shall apply to the intermarried whites in the Cherokee Nation, whose cases are now pending in the Supreme Court of the United States.

SEC. 3. That the approved roll of Creek freedmen shall include only those persons whose names appear on the roll prepared by J. W. Dunn, under authority of the United States prior to March 14, 1867, and their descendants born since said roll was made, and those lawfully admitted to citizenship in the Creek Nation subsequent to the date of the preparation of said roll, and their descendants born since such admission, except such, if any, as have heretofore been enrolled and their enrollment approved by the Secretary of the Interior.

The roll of Cherokee freedmen shall include only such persons of African descent, either free colored or the slaves of Cherokee citizens and their descendants, who were actual personal bona fide residents of the Cherokee Nation August 11, 1866, or who actually returned and established such residence in the Cherokee Nation on or before February 11, 1867; but this provision shall not prevent the enrollment of any person who has heretofore made application to the Commission to the Five Civilized Tribes or its successor and has been adjudged entitled to enrollment by the Secretary of the Interior.

Lands allotted to freedmen of the Choctaw and Chickasaw Tribes shall be considered "homesteads," and shall be subject to all the provisions of this or any other act of Congress applicable to homesteads of citizens of the Choctaw and Chickasaw Tribes.

SEC. 4. That no name shall be transferred from the approved freedmen or any other approved rolls of the Choctaw, Chickasaw, Cherokee,

Creek, or Seminole Tribes, respectively, to the roll of citizens by blood, unless the records in charge of the Commissioner to the Five Civilized Tribes show that aplication for enrollment as a citizen by blood was made within the time prescribed by law by or for the party seeking the transfer, and said records shall be conclusive evidence as to the fact of such application, unless it be shown by documentary evidence that the Commission to the Five Civilized Tribes actually received such application within the time prescribed by law.

SEC. 5. That all patents or deeds to allottees in any of the Five Civilized Tribes to be hereafter issued shall issue in the name of the allottee, and if any such allottee shall die before such patent or deed becomes effective, the title to the lands described therein shall inure to and vest in his heirs, and in case any allottee shall die after restrictions have been removed, his property shall descend to his heirs or his lawful assigns, as if the patent or deed had issued to the allottee during his life, and all patents heretofore issued, where the allottee died before the same became effective, shall be given like effect; and all patents or deeds to allottees and other conveyances affecting lands of any of said tribes shall be recorded in the office of the Commissioner to the Five Civilized Tribes, and when so recorded shall convey legal title, and shall be delivered under the direction of the Secretary of the Interior to the party entitled to receive the same: *Provided*, The provisions of this section shall not affect any rights involved in contests pending before the Commissioner to the Five Civilized Tribes or the Department of the Interior at the date of the approval of this act.

SEC. 6. That if the principal chief of the Choctaw, Cherokee, Creek, or Seminole Tribe, or the governor of the Chickasaw Tribe shall refuse or neglect to perform the duties devolving upon him, he may be removed from office by the President of the United States, or if any such executive become permanently disabled, the office may be declared vacant by the President of the United States, who may fill any vacancy arising from removal, disability, or death of the incumbent, by appointment of a citizen by blood of the tribe.

If any such executive shall fail, refuse, or neglect, for 30 days after notice that any instrument is ready for his signature, to appear at a place to be designated by the Secretary of the Interior and execute the same, such instrument may be approved by the Secretary of the Interior without such execution, and when so approved and recorded shall convey legal title, and such approval shall be conclusive evidence that such executive or chief refused or neglected after notice to execute such instrument.

Provided, That the principal chief of the Seminole Nation is hereby authorized to execute the deeds to allottees in the Seminole Nation prior to the time when the Seminole government shall cease to exist.

SEC. 7. That the Secretary of the Interior shall, by written order, within 90 days from the passage of this act, segregate and reserve from allotment, sections 1, 2, 3, 4, 5, 9, 10, 11, 12, 13, 14, 15, the east half of section 16, and the northeast quarter of section 6, in township 9 south, range 26 east, and sections 5, 6, 7, 8, 17, 18, and the west half of section 16, in township 9 south, range 27 east, Choctaw Nation, Indian Territory, except such portions of said lands upon which substantial, permanent, and valuable improvements were erected and placed prior to the passage of this act and not for speculation, but by members and freedmen of the tribes actually themselves and for themselves for allotment purposes, and where such identical members or freedmen of said tribes now desire to select same as portions of their allotments, and the action of the Secretary of the Interior in making such segregation shall be conclusive. The Secretary of the Interior shall also cause to be estimated and appraised the standing pine timber on all of said land, and the land segregated shall not be allotted, except as hereinbefore provided, to any member or freedman of the Choctaw and Chicksaw Tribes. Said segregated land and the pine timber thereon shall be sold and disposed of at public auction, or by sealed bids for cash, under the direction of the Secretary of the Interior.

SEC. 8. That the records of each of the land offices in the Indian Territory, should such office be hereafter discontinued, shall be transferred to and kept in the office of the clerk of the United States court in whose district said records are now located. The officer having custody of any of the records pertaining to the enrollment of the members of the Choctaw, Chickasaw, Cherokee, Creek, or Seminole Tribes, and the disposition of the land and other property of said tribes, upon proper application and payment of such fees as the Secretary of the Interior may prescribe, may make certified copies of such records, which shall be evidence equally with the originals thereof; but fees shall not be demanded for such authenticated copies as may be required by officers of any branch of the Government nor for such unverified copies as such officer, in his discretion, may deem proper to furnish. Such fees shall be paid to bonded officers or employees of the Government, designated by the Secretary of the Interior, and the same or so much thereof as may be necessary may be expended under the direction of the Secretary of the Interior for the purposes of this section, and any unexpended balance shall be deposited in the Treasury of the United States, as are other public moneys.

SEC. 9. The disbursements, in the sum of $186,000, to and on account of the loyal Seminole Indians, by James E. Jenkins, special agent appointed by the Secretary of the Interior, and by A. J. Brown as administrator de bonis non, under an act of Congress approved May 31, 1900, appropriating said sum, be, and the same are hereby, ratified and confirmed: *Provided*, That this shall not prevent any individual from bringing suit in his own behalf to recover any sum really due him.

That the Court of Claims is hereby authorized and directed to hear, consider, and adjudicate the claims against the Mississippi Choctaws of the estate of Charles F. Winton, deceased, his associates and assigns, for services rendered and expenses incurred in the matter of the claims of the Mississippi Choctaws to citizenship in the Choctaw Nation, and to render judgment thereon on the principle of quantum meruit, in such amount or amounts as may appear equitable or justly due therefor, which judgment, if any, shall be paid from any funds now or hereafter due such Choctaws by the United States. Notice of such suit shall be served on the governor of the Choctaw Nation, and the Attorney General shall appear and defend the said suit on behalf of said Choctaws.

SEC. 10. That the Secretary of the Interior is hereby authorized and directed to assume control and direction of the schools in the Choctaw, Chickasaw, Cherokee, Creek, and Seminole Tribes, with the lands and all school property pertaining thereto, March 5, 1906, and to conduct such schools under rules and regulations to be prescribed by him, retaining tribal educational officers, subject to dismissal by the Secretary of the Interior, and the present system so far as practicable, until such time as a public school system shall have been established under Territorial or State government, and proper provision made thereunder for the education of the Indian children of said tribes, and he is hereby authorized and directed to set aside a sufficient amount of any funds, invested or otherwise, in the Treasury of the United States, belonging to said tribes, including the royalties on coal and asphalt in the Choctaw and Chickasaw Nations, to defray all the necessary expenses of said schools, using, however, only such portion of said funds of each tribe as may be requisite for the schools of that tribe, not exceeding in any one year for the respective tribes the amount expended for the scholastic year ending June 30, 1905; and he is further authorized and directed to use the remainder, if any, of the funds appropriated by the act of Congress approved March 3, 1905, "for the maintenance, strengthening, and enlarging of the tribal schools of the Cherokee, Creek, Chocktaw, Chickasaw, and Seminole Nations," unexpended March 4, 1906, including such fees as have accrued or may hereafter accrue under the act of Congress approved February 19, 1903, Statutes at Large, volume 32, page 841, which fees are hereby appropriated, in continuing such schools as may have been established, and in establishing such new schols as he may direct, and any of the tribal funds so set aside remaining unexpended when a public school system under a future State or Territorial government has been established, shall be distributed per capita among the citizens of the nations, in the same manner as other funds.

SEC. 11. That all revenues of whatever character accruing to the Choctaw, Chickasaw, Cherokee, Creek, and Seminole Tribes, whether before or after dissolution of the tribal governments, shall, after the approval hereof, be collected by an officer appointed by the Secretary of the Interior under rules and regulations to be prescribed by him; and he shall cause to be paid all lawful claims against said tribes which may have been contracted after July 1, 1902, or for which warrants have been regularly issued, such payments to be made from any funds in the United States Treasury belonging to said tribes. All such claims arising before dissolution of the tribal governments shall be presented to the Secretary of the Interior within six months after such dissolution, and he shall make all rules and regulations necessary to carry this provision into effect and shall pay all expenses incident to the investigation of the validity of such claims or indebtedness out of the tribal funds: *Provided*, That all taxes accruing under tribal laws or regulations of the Secretary of the Interior shall be abolished from and after December 31, 1905, but this provision shall not prevent the collection after that date nor after dissolution of the tribal government of all such taxes due up to and including December 31, 1905, and all such taxes levied and collected after the 31st day of December, 1905, shall be refunded.

Upon dissolution of the tribal governments every officer, member, or representative of said tribes, respectively, having in his possession, custody, or control any money or other property of any tribe shall make full and true account and report thereof to the Secretary of the Interior, and shall pay all money of the tribe in his possession, custody, or control, and shall deliver all other tribal property so held by him, to the Secretary of the Interior, and if any person shall willfully and fraudulently fail to account for all such money and property so held by him, or to pay and deliver the same as herein provided for 60 days from dissolution of the tribal government, he shall be deemed guilty of embezzlement and upon conviction thereof shall be punished by a fine of not exceeding $5,000 or by imprisonment not exceeding five years, or by both such fine and imprisonment, according to the laws of the United States relating to such offense, and shall be liable in civil proceedings to be prosecuted in behalf of and in the name of the tribe for the amount or value of the money or property so withheld.

SEC. 12. That the Secretary of the Interior is authorized to sell, upon such terms and under such rules and regulations as he may prescribe, all lots in towns in the Choctaw and Chickasaw Nations reserved from appraisement and sale for use in connection with the operation of coal and asphalt mining leases or for the occupancy of miners actually engaged in working for lessees operating coal and asphalt mines, the proceeds arising from such sale to be deposited in the Treasury of the United States as are other funds of said tribes.

If the purchaser of any town lot sold under the provisions of law regarding the sale of town sites in the Choctaw, Chickasaw, Cherokee, Creek, or Seminole Nations fail for 60 days after approval hereof to pay the purchase price of any installment thereof then due, or shall fail for 30 days to pay the purchase price or any installment thereof falling due hereafter, he shall forfeit all rights under his purchase, together with all money paid thereunder, and the Secretary of the Interior may cause the lots upon which such forfeiture is made to be resold at public auction for cash, under such rules and regulations as he may prescribe. All municipal corporations in the Indian Territory are hereby authorized to vacate streets and alleys, or parts thereof, and said streets and alleys, when vacated, shall revert to and become the property of the abutting property owners.

SEC. 13. That all coal and asphalt lands, whether leased or unleased, shall be reserved from sale under this act until the existing leases for coal and asphalt lands shall have expired or until such time as may be otherwise provided by law.

SEC. 14. That the lands in the Choctaw, Chickasaw, Cherokee, Creek, and Seminole Nations reserved from allotment or sale under any act of Congress for the use or benefit of any person, corporation, or organization shall be conveyed to the person, corporation, or organization entitled thereto: *Provided*, That if any tract or parcel thus reserved shall before conveyance thereof be abandoned for the use for which it was reserved by the party in whose interest the reservation was made, such tract or parcel shall revert to the tribe and be disposed of as other surplus lands thereof: *Provided further*, That this section shall not apply to land reserved from allotment because of the right of any railroad or railway company therein in the nature of an easement for right of way, depot, station grounds, water stations, stockyards, or other uses connected with the maintenance and operation of such company's railroad, title to which tracts may be acquired by the railroad or railway company under rules and regulations to be prescribed by the Secretary of the Interior at a valuation to be determined by him; but if any such company shall fail to make payment within the time prescribed by the regulations or shall cease to use such land for the purpose for which it was reserved, title thereto shall thereupon vest in the owner of the legal subdivision of which the land so abandoned is a part, except lands within a municipality the title to which, upon abandonment, shall vest in such municipality.

The principal chief of the Choctaw Nation and the governor of the Chickasaw Nation are, with the approval of the Secretary of the Interior, hereby authorized and directed to issue patents to the Murrow Indian Orphans' Home, a corporation of Atoka, Ind. T., in all cases where tracts have been allotted under the direction of the Secretary of the Interior for the purpose of allowing the allottees to donate the tract so allotted to said Murrow Indian Orphans' Home.

In all cases where enrolled citizens of either the Choctaw or Chickasaw Tribe have taken their homestead and surplus allotment and have remaining over an unallotted right to less than $10 on the basis of the

allotment value of said lands, such unallotted right may be conveyed by the owners thereof to the Murrow Indian Orphans' Home aforesaid; and whenever said conveyed rights shall amount in the aggregate to as much as 10 acres of average allottable land, land to represent the same shall be allotted to the said Murrow Indian Orphans' Home, and certificate and patent shall issue therefor to said Murrow Indian Orphans' Home.

And there is hereby authorized to be conveyed to said Murrow Indian Orphans' Home, in the manner hereinbefore prescribed for the conveyance of land, the following-described lands in the Choctaw and Chickasaw Nations, to wit: Sections 18 and 19 in township 2 north, range 12 east; the south half of the northeast quarter, the northeast quarter of the northeast quarter, the south half of the northwest quarter of the northeast quarter, the south half of the southeast quarter, the northeast quarter of the southeast quarter, the south half of the northwest quarter of the southeast quarter, the northeast quarter of the northwest quarter of the southeast quarter, the northeast quarter of the southeast quarter of the southwest quarter, and the northwest quarter of the northwest quarter of section 24, and the northwest quarter of the southeast quarter, the north half of the southwest quarter of the southeast quarter, the south half of the southwest quarter of the southwest quarter, the northwest quarter of the southwest quarter of the southwest quarter, and the southeast quarter of the northwest quarter of the southwest quarter of section 23, and the southwest quarter of the southwest quarter of the southeast quarter of section 26, and the southeast quarter of the northwest quarter of the northwest quarter, the south half of the northeast quarter of the northwest quarter, the northeast quarter of the northeast quarter of the northwest quarter, and the east half of the southeast quarter of the norhwest quarter of section 25, all in township 2 north, range 11 east, containing 1,790 acres, as shown by the Government survey, for the purpose of the said home.

SEC. 15. The Secretary of the Interior shall take possession of all buildings now or heretofore used for governmental, school, and other tribal purposes, together with the furniture therein and the land appertaining thereto, and appraise and sell the same at such time and under such rules and regulations as he may prescribe, and deposit the proceeds, less expenses incident to the appraisement and sale, in the Treasury of the United States to the credit of the respective tribes: *Provided*, That in the event said lands are embraced within the geographical limits of a State or Territory of the United States, such State or Territory, or any county or municipality therein, shall be allowed one year from date of establishment of said State or Territory within which to purchase any such lands and improvements within their respective limits at not less than the appraised value. Conveyances of lands disposed of under this section shall be executed, recorded, and delivered in like manner and with like effect as herein provided for other conveyances.

SEC. 16. That when allotments as provided by this and other acts of Congress have been made to all members and freedmen of the Choctaw, Chickasaw, Cherokee, Creek, and Seminole Tribes, the residue of lands in each of said nations not reserved or otherwise disposed of shall be sold by the Secretary of the Interior under rules and regulations to be prescribed by him and the proceeds of such sales deposited in the United States Treasury to the credit of the respective tribes. In the disposition of the unallotted lands of the Choctaw and Chickasaw Nations each Choctaw and Chickasaw freedman shall be entitled to a preference right, under such rules and regulations as the Secretary of the Interior may prescribe, to purchase at the appraised value enough land to equal with that already allotted to him 40 acres in area. If any such purchaser fails to make payment within the time prescribed by said rules and regulations, then such tract or parcel of land shall revert to the said Indian tribes and be sold as other surplus lands thereof. The Secretary of the Interior is hereby authorized to sell, whenever in his judgment it may be desirable, any of the unallotted land in the Choctaw and Chickasaw Nations, which is not principally valuable for mining, agricultural, or timber purposes, in tracts of not exceeding 640 acres to any one person, for a fair and reasonable price, not less than the present appraised value. Conveyances of lands sold under the provisions of this section shall be executed, recorded, and delivered in like manner and with like effect as herein provided for other conveyances: *Provided further*, That agricultural lands shall be sold in tracts of not exceeding 160 acres to any one person.

SEC. 17. That when the unallotted lands and other property belonging to the Choctaw, Chickasaw, Cherokee, Creek and Seminole Tribes of Indians have been sold and the moneys arising from such sales or from any other source whatever have been paid into the United States Treasury to the credit of said tribes, respectively, and when all the just charges against the funds of the respective tribes have been deducted therefrom, any remaining funds shall be distributed per capita to the members then living and the heirs of deceased members whose names appear upon the finally approved rolls of the respective tribes, such distribution to be made under rules and regulations to be prescribed by the Secretary of the Interior.

SEC. 18. That the Secretary of the Interior is hereby authorized to bring suit in the name of the United States, for the use of the Choctaw, Chickasaw, Cherokee, Creek, or Seminole Tribes, respectively, either before or after the dissolution of the tribal governments, for the collection of any moneys or recovery of any land claimed by any of said tribes, whether such claim shall arise prior to or after the dissolution of the tribal governments, and the United States courts in Indian Territory are hereby given jurisdiction to try and determine all such suits, and the Secretary of the Interior is authorized to pay from the funds of the tribe interested any costs and necessary expenses incurred in maintaining and prosecuting such suits: *Provided*, That proceedings, to which any of said tribes is a party pending before any court or tribunal at the date of dissolution of the tribal governments, shall not be thereby abated or in any wise affected, but shall proceed to final disposition.

Where suit is now pending, or may hereafter be filed in any United States court in the Indian Territory, by or on behalf of any one or more of the Five Civilized Tribes, to recover moneys claimed to be due and owing to such tribe, the party defendants to such suit shall have the right to set up and have adjudicated any claim it may have against such tribe; and any balance that may be found due by any tribe or tribes shall be paid by the Treasurer of the United States out of any funds of such tribe or tribes upon the filing of the decree of the court with him.

SEC. 19. That no full-blood Indian of the Choctaw, Chickasaw, Cherokee, Creek, or Seminole Tribes shall have power to alienate, sell, dispose of, or encumber in any manner any of the lands allotted to him for a period of 25 years from and after the passage and approval of this act, unless such restriction shall, prior to the expiration of said period, be removed by act of Congress; and for all purposes the quantum of Indian blood possessed by any member of said tribes shall be determined by the rolls of citizens of said tribes approved by the Secretary of the Interior: *Provided, however*, That such full-blood Indians of any of said tribes may lease any lands other than homesteads for more than one year under such rules and regulations as may be prescribed by the Secretary of the Interior; and in case of the inability of any full-blood owner of a homestead, on account of infirmity or age, to work or farm his homestead, the Secretary of the Interior, upon proof of such inability, may authorize the leasing of such homestead under such rules and regulations: *Provided further*, That conveyances heretofore made by members of any of the Five Civilized Tribes subsequent to the selection of allotment and subsequent to removal of restriction, where patents thereafter issue, shall not be deemed or held invalid solely because said conveyances were made prior to issuance and recording or delivery of patent or deed; but this shall not be held or construed as affecting the validity or invalidity of any such conveyance, except as hereinabove provided; and every deed executed before, or for the making of which a contract or agreement was entered into before the removal of restrictions, be, and the same is hereby, declared void: *Provided further*, That all lands upon which restrictions are removed shall be subject to taxation, and the other lands shall be exempt from taxation as long as the title remains in the original allottee.

SEC. 20. That after the approval of this act all leases and rental contracts, except leases and rental contracts for not exceeding one year for agricultural purposes for lands other than homesteads, of full-blood allottees of the Choctaw, Chickasaw, Cherokee, Creek, and Seminole Tribes shall be in writing and subject to approval by the Secretary of the Interior and shall be absolutely void and of no effect without such approval: *Provided*, That allotments of minors and incompetents may be rented or leased under order of the proper court: *Provided further*, That all leases entered into for a period of more than one year shall be recorded in conformity to the law applicable to recording instruments now in force in said Indian Territory.

SEC. 21. That if any allottee of the Choctaw, Chickasaw, Cherokee, Creek, or Seminole Tribes die intestate without widow, heir or heirs, or surviving spouse, seized of all or any portion of his allotment prior to the final distribution of the tribal property, and such fact shall be known by the Secretary of the Interior, the lands allotted to him shall revert to the tribe and be disposed of as herein provided for surplus lands; but if the death of such allottee be not known by the Secretary of the Interior before final distribution of the tribal property, the land shall escheat to and vest in such State or Territory as may be formed to include said lands. That heirs of deceased Mississippi Choctaws who died before making proof of removal to and settlement in the Choctaw country and within the period prescribed by law for making such proof may within 60 days from the passage of this act appear before the Commissioner to the Five Civilized Tribes and make such proof as would be required if made by such deceased Mississippi Choctaws; and the decision of the Commissioner to the Five Civilized Tribes shall be final therein, and no appeal therefrom shall be allowed.

SEC. 22. That the adult heirs of any deceased Indian of either of the Five Civilized Tribes whose selection has been made, or to whom a deed or patent has been issued for his or her share of the land of the tribe to which he or she belongs or belonged, may sell and convey the lands inherited from such decedent; and if there be both adult and minor heirs of such decedent, then such minors may join in a sale of such lands by a guardian duly appointed by the proper United States court for the Indian Territory. And in case of the organization of a State or Territory, then by a proper court of the county in which said minor or minors may reside or in which said real estate is situated, upon an order of such court made upon petition filed by guardian. All conveyances made under this provision by heirs who are full-blood Indians are to be subject to the approval of the Secretary of the Interior, under such rules and regulations as he may prescribe.

SEC. 23. Every person of lawful age and sound mind may by last will and testament devise and bequeath all of his estate, real and personal, and all interest therein: *Provided*, That no will of a full-blood Indian devising real estate shall be valid, if such last will and testament disinherits the parent, wife, spouse, or children of such full-blood Indian, unless acknowledged before and approved by a judge of the United States court for the Indian Territory or a United States commissioner.

SEC. 24. That in the Choctaw, Chickasaw, and Seminole Nations public highways or roads 2 rods in width, being 1 rod on each side of the section line, may be established on all section lines; and all allottees, purchasers, and others shall take title to such land subject to this provision, and if buildings or other improvements are damaged in consequence of the establishment of such public highways or roads, such damages accruing prior to the inauguration of a State government shall be determined under the direction of the Secretary of the Interior and be paid for from the funds of said tribes, respectively.

All expenses incident to the establishment of public highways or roads in the Creek, Cherokee, Choctaw, Chickasaw, and Seminole Nations, including clerical hire, per diem, salary, and expenses of viewers, appraisers, and others, shall be paid under the direction of the Secretary of the Interior from the funds of the tribe or nation in which such public highways or roads are established. Any person, firm, or corporation obstructing any public highway or road, and who shall fail, neglect, or refuse for a period of 10 days after notice to remove or cause to be removed any and all obstructions from such public highway or road, shall be deemed guilty of a misdemeanor, and upon conviction shall be fined not exceeding $10 per day for each and every day in excess of said 10 days which said obstruction is permitted to remain: *Provided, however*, That notice of the establishment of public highways or roads need not be given to allottees or others, except in cases where such public highways or roads are obstructed, and every person obstructing any such public highway or road, as aforesaid, shall also be liable in a civil action for all damages sustained by any person who has in any manner whatever been damaged by reason of such obstruction.

SEC. 25. That any light or power company doing business within the limits of the Indian Territory in compliance with the laws of the United States that are now or may be in force therein be, and the same are hereby, invested and empowered with the right of locating, constructing, owning, operating, using, and maintaining canals, reservoirs, auxiliary steam works, and a dam or dams across any nonnavigable stream within the limits of said Indian Territory for the purpose of obtaining a sufficient supply of water to manufacture and generate water, electric, or other power, light, and heat, and to utilize and transmit and distribute such power, light, and heat to other places for its own use or other individuals or corporations, and the right of locating, constructing, owning, operating, equipping, using, and maintaining the necessary pole lines and conduits for the purpose of transmitting and distributing such

power, light, and heat to other places within the limits of said Indian Territory.

That the right to locate, construct, own, operate, use, and maintain such dams, canals, reservoirs, auxiliary steam works, pole lines, and conduits in or through the Indian Territory, together with the right to acquire, by condemnation, purchase, or agreement between the parties, such land as it may deem necessary for the locating, constructing, owning, operating, using, and maintaining of such dams, canals, reservoirs, auxiliary steam works, pole lines, and conduits in or through any land held by any Indian tribe or nation, person, individual, corporation, or municipality in said Indian Territory, or in or through any lands in said Indian Territory which have been or may hereafter be allotted in severalty to any individual Indian or other person under any law or treaty, whether the same have or have not been conveyed to the allottee, with full power of alienation, is hereby granted to any company complying with the provisions of this act: *Provided*, That the purchase from and agreements with individual Indians, where the right of alienation has not theretofore been granted by law, shall be subject to approval by the Secretary of the Interior.

In case of the failure of any light or power company to make amicable settlement with any individual owner, occupant, allottee, tribe, nation, corporation, or municipality for any lands or improvements sought to be condemned or appropriated under this act, all compensation and damages to be paid to the dissenting individual owner, occupant, allottee, tribe, nation, corporation, or municipality by reason of the appropriation and condemnation of said lands and improvements shall be determined as provided in sections 15 and 17 of an act of Congress entitled "An act to grant a right of way through Oklahoma Territory and the Indian Territory to the Enid & Anadarko Railway Co., and for other purposes," approved February 28, 1902 (Public, No. 26), and all such proceedings hereunder shall conform to said sections, except that sections 3 and 4 of said act shall have no application, and except that hereafter the plats required to be filed by said act shall be filed with the Secretary of the Interior and with the Commissioner to the Five Civilized Tribes, and where the words "principal chief or governor" of any tribe or nation occur in said act, for the purpose of this act there is inserted the words "Commissioner to the Five Civilized Tribes." Whenever any such dam or dams, canals, reservoirs, and auxiliary steam works, pole lines, and conduits are to be constructed within the limits of any incorporated city or town in the Indian Territory, the municipal authorities of such city or town shall have the power to regulate the manner of construction therein, and nothing herein contained shall be so construed as to deny the right of municipal taxation in such cities and towns: *Provided*, That all rights granted hereunder shall be subject to the control of the future Territory or State within which the Indian Territory may be situated.

SEC. 26. That in addition to the powers now conferred by law, all municipalities in the Indian Territory having a population of over 2,000 to be determined by the last census taken under any provision of law or ordinance of the council of such municipality, are hereby authorized and empowered to order improvements of the streets or alleys or such parts thereof as may be included in an ordinance or order of the common council with the consent of a majority of the property owners whose property as herein provided is liable to assessment therefor for the proposed improvement; and said council is empowered and authorized to make assessments and levy taxes, with the consent of a majority of the property owners whose property is assessed, for the purpose of grading, paving, macadamizing, curbing, or guttering streets and alleys, or building sidewalks upon and along any street, roadway, or alley within the limits of such municipality, and the cost of such grading, paving, macadamizing, curbing, guttering, or sidewalk constructed, or other improvements under authority of this section, shall be so assessed against the abutting property as to require each parcel of land to bear the cost of such grading, paving, macadamizing, curbing, guttering, or sidewalk, as far as it abuts thereon, and in the case of streets or alleys to the center thereof; and the cost of street intersections or crossings may be borne by the city or apportioned to the quarter blocks abutting thereon upon the same basis. The special assessments provided for by this section and the amount to be charged against each lot or parcel of land shall be fixed by the city council or under its authority, and shall become a lien on such abutting property, which may be enforced as other taxes are enforced under the laws in force in the Indian Territory. The total amount charged against any tract or parcel of land shall not exceed 20 per cent of its assessed value, and there shall not be required to be paid thereon exceeding 1 per cent per annum on the assessed value and interest at 6 per cent on the deferred payments.

For the purpose of paying for such improvements the city council of such municipality is hereby authorized to issue improvement scrip or certificates for the amount due for such improvements, said scrip or certificates to be payable in annual installments and to bear interest from date at the rate of 6 per cent per annum, but no improvement scrip shall be issued or sold for less than its par value. All of said municipalities are hereby authorized to pass all ordinances necessary to carry into effect the above provisions, and for the purpose of doing so may divide such municipality into improvement districts.

That the tangible property of railroad corporations (exclusive of rolling stock) located within the corporate limits of incorporated cities and towns in the Indian Territory shall be assessed and taxed in proportion to its value the same as other property is assessed and taxed in such incorporated cities and towns; and all such city or town councils are hereby empowered to pass such ordinances as may be necessary for the assessment, equalization, levy, and collection, annually, of a tax on all property except as herein stated within the corporate limits and for carrying the same into effect: *Provided*, That should any person or corporation feel aggrieved by any assessment of property in the Indian Territory, an appeal from such assessment may be taken within 60 days by original petition to be filed in United States court in the district in which such city or town is located, and the question of the amount and legality of such assessment and the validity of the ordinance under which such assessment is made may be determined by such court, and the costs of such proceeding shall be taxed and apportioned between the parties as the court shall find to be just and equitable.

SEC. 27. That the lands belonging to the Choctaw, Chickasaw, Cherokee, Creek, or Seminole Tribes, upon the dissolution of said tribes, shall not become public lands nor property of the United States, but shall be held in trust by the United States for the use and benefit of the Indians respectively comprising each of said tribes, and their heirs as the same shall appear by the rolls as finally concluded as heretofore and hereinafter provided for: *Provided*, That nothing herein contained shall interfere with any allotments heretofore or hereafter made or to be made under the provisions of this or any other act of Congress.

SEC. 28. That the tribal existence and present tribal governments of the Choctaw, Chickasaw, Cherokee, Creek, and Seminole Tribes or Nations are hereby continued in full force and effect for all purposes authorized by law, until otherwise provided by law, but the tribal council or legislature in any of said tribes or nations shall not be in session for a longer period than 30 days in any one year: *Provided*, That no act, ordinance, or resolution (except resolutions of adjournment) of the tribal council or legislature of any of said tribes or nations shall be of any validity until approved by the President of the United States: *Provided further*, That no contract involving the payment or expenditure of any money or affecting any property belonging to any of said tribes or nations made by them or any of them or by any officer thereof, shall be of any validity until approved by the President of the United States.

SEC. 29. That all acts and parts of acts inconsistent with the provisions of this act be, and the same are hereby, repealed.

Approved, April 26, 1906.

Thus it will be observed that Congress itself closed the rolls by act of April 26, 1906, and said hereafter the Oklahoma rolls shall not be reopened, and outside people shall not again be permitted to participate in the estate of the Oklahoma Choctaws. The act of April 26, 1906, took effect March 4, 1907.

It will be remembered that the Dawes Commission was created by Congress to go to the then Indian Territory and determine the very matters which are now before us, egging Congress. It will be observed here is a case square in point, where the Federal commission and the Federal court both construed and held that the Indians who did not remove west from Mississippi to the Indian Territory, there to take up their residence, were forever and unalterably barred from membership with the tribe in Oklahoma. It will be observed that the Dawes Commission, familiar with the matter, went there on the ground, had all the facts and figures before them, passed upon this identical question, and settled it once and for all.

FEDERAL COURT DECISION ON MISSISSIPPI CHOCTAW CLAIM FOR ENROLLMENT.

The Jack Amos case was appealed to the Federal court, and was decided by Judge Clayton, a Federal judge, who was by Congress empowered to pass upon this identical case as to whether the Mississippi Choctaws were entitled to participate in this property. His decision is as follows:

JACK AMOS ET AL. AGAINST THE CHOCTAW NATION.

In this case the proof shows that the claimants are Choctaw Indians by blood now living in the State of Mississippi; that neither they nor their ancestors have ever removed into the present Choctaw Nation.

The claimants base their right to be enrolled as Choctaw citizens upon the term of the second and fourteenth articles of the treaty negotiated at Dancing Rabbit Creek on September 27, 1830, and of the conditions of the patent to the lands of the Choctaw Nation executed by President Tyler in the year 1842. (Durant Ed. Choctaw Laws, p. 31.)

Articles 2 and 14 of the treaty of 1830 are as follows:

"ART. 2. The United States, under a grant specially to be made by the President of the United States, shall cause to be conveyed to the Choctaw Nation a tract of country west of the Mississippi River in fee simple to them and their descendants, to inure to them while they shall exist as a nation and live on it, beginning near Forth Smith, where the Arkansas boundary crosses the Arkansas River, running thence to the source of the Canadian Fork, if in the limits of the United States, or to those limits; thence due south to Red River, and down Red River to the west boundary of the Territory of Arkansas; thence north along that line to the beginning, the boundary of the same to be agreeable to the treaty made and concluded at Washington City in the year 1825. The grant to be executed so soon as the present treaty shall be ratified.

"ART. 14. Each Choctaw head of a family being desirous to remain and become a citizen of the States shall be permitted to do so by signifying his intention to the agent within six months from the ratification of this treaty; and he or she shall thereupon be entitled to a reservation of one section of 640 acres of land, to be bounded by sectional lines of survey; in like manner shall be entitled to one-half of that quantity for each unmarried child which is living with him over 10 years of age, and a quarter section to such child as may be under 10 years of age, to adjoin the location of the parent. If they reside upon said lands, intending to become citizens of the States, for five years after the ratification of this treaty, in that case a grant in fee simple shall issue. Said reservation shall include the present improvements of the head of the family or a portion of it. Persons who claim under this article shall not lose the privilege of a Choctaw citizen, but, if they ever remove, are not to be entitled to any portion of the Choctaw annuity."

The conditions of article 2 of the treaty, that the land should be conveyed "to the Choctaw Nation in fee simple to them and their descendants, to inure to them while they shall exist as a nation and live on it," are carried into the patent, and are the only portions of that instrument which shed any light on the question now being considered, and therefore article 2 and the conditions of the patent may be considered together.

The whole object of the treaty of 1830 was to procure the removal, as far as practicable, of the Choctaw people to the lands west of the Mississippi which they now occupy. The Supreme Court of the United States, in the case of the Choctaw Nation v. United States (119 U. S., 36), after reviewing the treaties of 1820 and 1825, says:

"In the meantime, however, under the pressure of the demand for settlement of the unoccupied lands of the State of Mississippi by emigrants from other States, the policy of the United States in respect to the Indian tribes still dwelling within its borders underwent a change, and it became desirable, by a new treaty, to effect, as far as practicable, the removal of the whole body of the Choctaw Nation, as a tribe, from the limits of the State to the lands which had been ceded to them west of the Mississippi River. To carry out that policy the treaty of 1830 was negotiated."

Again, in the case, page 27, the court says:

"It is notorious as a historical fact, as it abundantly appears from the records of this case, that great pressure had to be brought to bear upon the Indians to effect their removal, and the whole treaty was evidently and purposely executed not so much to secure to the Indians the rights for which they had stipulated as to effectuate the policy of the United States in regard to their removal."

Article 3 of the treaty of 1830 stipulates that the Choctaws agree to remove all of their people during the years 1831, 1832, and 1833 to those lands. (7 Stat. L., 333.)

Article 14 of the treaty, however, provides for certain privileges and rights for those who might choose to remain in Mississippi with a view to becoming citizens of that State. They and their descendants were to receive certain lands and, after living on them for five years, intending to become citizens of the State, those lands were to be granted to them in fee simple. Then follows this very peculiar clause:

"Persons who claim under this article shall not lose the privilege of a Choctaw citizen, but if they ever remove are not to be entitled to any portion of the Choctaw annuity."

The difficulty in construing this clause of the treaty is to ascertain the meaning of the word "remove." To what does it relate and how shall we give it meaning? It certainly does not purpose to impose a penalty on the Choctaw who may choose to remove, for removing, and for that reason forfeit his right to the annuity, because so long as he remained in Mississippi he was not entitled to any annuity, and therefore by removing he could not forfeit that which he did not have. If he removed he was to have no annuity, and if he remained he was to have no annuity. It is evident, therefore, that the word was not used for the purpose of forfeiting the annuity in case of removal. Then what are its uses? The very object of the treaty was to procure a removal of these people.

The whole of the Choctaw Nation, with all of its sovereignty, its powers, and its duties, was to be transferred beyond the Mississippi. It was to exercise its powers, confer its privileges, and maintain the citizenship of its people in another place. Those who were left behind were to retain, not this Choctaw citizenship, but only the "privileges of a Choctaw citizen"; that is, that when they put themselves into a position that these privileges could be conferred upon them they were to have them, and under the conditions and purposes of this treaty how would it be possible for them to put themselves in such a position without first removing within the territorial jurisdiction of the Choctaw Nation and within the sphere of its powers? What privilege would it be possible for the Choctaw Nation to confer, or a Mississippi Choctaw to receive, so long as he remained in Mississippi and out of the limits of the Choctaw Nation? By the very terms of the treaty they were to become citizens of another State, owing allegiance to and receiving protection from another sovereignty. If one Mississippi Choctaw were to commit a wrong against the person or property of another, the right would be enforced and the wrong redressed under the laws of Mississippi. The Choctaw Nation would be powerless to act in such a case. The Choctaws in that State can not vote, sit as jurors, or hold office as a Choctaw citizen or receive any other benefit or privilege as such. They can not participate in the rents and profits of the lands of the Choctaw Nation, because by the very terms of the grant the Choctaw people and their descendants must live upon them. If they do not, it is an act of forfeiture, made so by the provisions of article 2 of the treaty of 1830, and also of those of the patent to their lands afterwards executed.

The title of the Choctaw people to their lands is a conditional one, and one of the conditions of the grant, expressed in both the second article of the treaty of 1830 and the patent, is that the grantee shall live upon them. And who are the grantees? Who are these people who are to live upon the land? Unquestionably the Choctaw people and their descendants; for, while the grant is to the Choctaw Nation, the people seem to be included, both as grantees and beneficiaries. The language of the treaty is, and it is carried into the patent:

"The President of the United States shall cause to be conveyed to the Choctaw Nation a tract of country west of the Mississippi River, in fee simple, to them and their descendants, to inure to them while they shall exist as a nation and live on it."

The Choctaw Nation is not "them" and can not have "descendants." And while it may exercise its sovereignty and its national powers within certain defined territorial limits, it can not "live on land." Those provisions of the grant which are expressed in the plural and attach to "descendants" and which require as a condition that the land shall be lived on beyond doubt refer to the Choctaw people and their descendants. Whatever effect upon the title the limitation upon the right of alienation expressed in the patent, so that the lands can not be sold except to the grantor or by its consent, may have, there can be no question but that the second article of the treaty of 1830, negotiated 12 years before the execution of the patent, and in which no limitation on the right of alienation is expressed, was intended to convey a fee-simple title, burdened by two conditions subsequent, the one that the grantees should continue the corporate existence of their nation, and the other that the people of that nation and their descendants should forever live upon the land. A failure of either would work a forfeiture of the title to the grantor.

Now, why was it that this fee-simple title was to be burdened by the condition that the grantee must live on the land? In the light of the knowledge of the conditions that then existed the answer is plain. The policy of the Federal Government at that time, relating to the Indian tribes, was to move them upon a reservation and keep them there; and if the Indians, either singly or in numbers, should stray off, soldiers with guns and bayonets were used to drive them back. This very treaty was negotiated with the Choctaws for that very purpose. Hence the condition in the grant that they should live on the land or it should be subject to forfeiture to the United States. This condition was inserted for two reasons: First, to compel the grantees to remove upon the lands; and, second, to compel them to remain on them after removal. It was not intended that some should go and locate on the lands and hold the title for themselves and also for the others who should choose to remain. This would defeat the very object of the conditions. These lands were conveyed to the Choctaw people to be held by them as tenants in common. This intention of the second article of the treaty of 1830 is expressed by the use of the words "them and their descendants" and of the clause that they were to "live on the land." Both of these clauses are expressed in the plural, and evidently do not relate to the nation as a corporate body. That a tenancy in common was intended is made clear by a consideration of section 3 of an act of Congress entitled "An act to provide for an exchange of lands with the Indians residing in any of the States or Territories, and for their removal west of the Mississippi River," approved May 28, 1830 (4 U. S. Stat. L., 412). The section reads as follows:

"*And be it further enacted*, That in the making of any such exchange or exchanges it shall and may be lawful for the President solemnly to assure the tribe or nation with which the exchange is made that the United States will forever secure and guarantee to them and their heirs or successors the country so exchanged with them; and, if they prefer it, that the United States will cause a patent or grant to be made and executed to them for the same: *Provided always*, That such lands shall revert to the United States if the Indians become extinct or abandon the same."

At the time the treaty of 1830 was negotiated (Sept. 29, 1830) this act had been on the statute books of the United States for four months, and as a matter of course the commissioners to negotiate the treaty were familiar with it. But the language used in this act to limit the estate is "to them, their heirs, or successors." The language used in the treaty to limit the estate therein granted is "in fee simple to them and their descendants"; and then conditions are attached not named in the statute. Why the word "successors" was left out of the treaty is plain, but why the word "heirs" was changed to the word "descendants," unless it was that a word should be used within the comprehension of those untutored Indians, who knew nothing of the technical phrasing of the common law used in the conveyance of real estate, is not easy to determine. The word "successors" was omitted from the treaty because by its terms the Choctaw Nation was to have no successors. They were to live on the land forever or it should be forfeited to the grantor. When the technical words "successors" and "heirs" were dropped and the common word "descendants" was used, these Indians could understand it. They knew that they and their offspring were. It was to them—the people and their children—that the land was sold; and when the condition was added that the grant was to be made to them and their descendants only in the event that they should live upon the lands, they could not but understand that this implied a removal to and a continual residence upon them.

As a further evidence that the parties understood that by this transaction the land was to be held in common by the people, the treaty of 1833, article 1, provides, after describing the lands, as follows:

"And pursuant to an act of Congress approved May 28, 1830, the United States do hereby forever secure and guarantee the lands embraced within the said limits to the members of the Choctaw and Chickasaw tribes, their heirs and successors, to be held in common, so that each and every member of either tribe shall have an equal undivided interest in the whole: *Provided, however*, No part thereof shall ever be sold without the consent of both tribes and that said land shall revert to the United States if said Indians and their heirs become extinct or abandon the same." (4 U. S. Stat. L., 276.)

If this be true there is no holding in trust by the corporate body of the Choctaw Nation for the benefit of the people, but the people themselves have the title and hold in common.

"A tenancy in common is a joint estate in which there is unity of possession but separate and distinct title. The tenants have separate and independent freeholds or leaseholds in their respective share, which they manage and dispose of as freely as if the estate was one in severalty. * * * The interest of one tenant in common is so independent of that of his cotenant that in a joint conveyance of the estate it would be treated as a grant to each of his own share of the estate." (Tiedeman on Real Property, 235.)

And therefore any condition of the grant would be as binding on each of the tenants in common as if the estate was in severalty and vested in the individual tenant. And therefore the condition named in the second article of the treaty of 1830 and in the patent, that "they shall live on the land," is binding individually upon each and upon all of the grantees.

In the third article of the treaty the Choctaws agreed to move all of their people within three years, and the United States intended that they should go. But, by the fourteenth article of the treaty, provisions were made whereby those who should decide to remain and become citizens of the State of Mississippi, in the event that, because of the intolerance and persecutions of the whites, which they themselves had so bitterly experienced, or for any other cause, they might become dissatisfied with their altered conditions and their new citizenship and desire to follow them to their new homes and thereafter exercise with them in their own country the privileges of citizenship they could do so, except that they were not to participate with them in their annuities, the lands which they were to receive in Mississippi being deemed a compensation for that.

When the fourteenth article of the treaty was framed the negotiating parties understood that the policy of the United States was that the Choctaws were to be removed. The Choctaws, in article 3, had just agreed that they should all go. The ink was not yet dry in article 2, whereby the condition was placed in this grant to the lands that they should live upon them or they should be forfeited, and that no privilege of citizenship could be conferred or enjoyed outside of the territorial jurisdiction of their newly acquired nation. Understanding these conditions, the latter clause of article 14 was penned:

"Persons who claim under this article shall not lose the privilege of a Choctaw citizen, but if they ever remove—that is, if they ever place themselves on the land and within the jurisdiction of the nation whereby those privileges may become operative—are not to be entitled to any portion of the Choctaw annuity."

In other words, if they ever remove, they are to enjoy all of the privileges of a Choctaw citizen except that of participating in their annuities. If this be not the meaning to be attached to the word "remove" as used in the clause of the treaty under consideration, it must be meaningless. But in the interpretation of statutes it is the duty of the court to so interpret them as to give every word a meaning, and, in doing so, it must take into consideration the whole statute, its objects and purposes, the rights which are intended to be enforced and the evils intended to be remedied; it may go to the history of the transaction about which the legislation is had and call to its aid all legitimate facts proven or of which the courts will take judicial notice in order to find the true meaning of the word as used in the statute. Of course, the same rule of interpretation applies to treaties. Adopting these rules in the interpretation of article 14 of the treaty of 1830, I arrive at the conclusion that the "privilege of a Choctaw citizen" therein reserved to those Choctaws who shall remain, thereby separating themselves, it may be forever, from their brethern and their nation, becoming citizens of another sovereignty and aliens of their own, situated so that it would be impossible while in Mississippi to receive or enjoy any of the rights of Choctaw citizenship, was the right to renounce his allegiance to the Commonwealth of Mississippi, move upon the lands conveyed to him and his people, and there, the only spot on earth where he could do so, renew his relations with his people and enjoy all of the privileges of a Choctaw citizen, except to participate in the annuities.

As an evidence that the Choctaw people themselves took this view of the question, attention is called to the fact that their council has passed many acts and resolutions inviting these absent Choctaws to move into their country, and on one occasion appropriated a considerable sum of

money to assist them on their journey; and until the past two or three years have always promptly placed those who did return on the rolls of citizenship, but never enrolled an absent Choctaw as a citizen.

On December 24, 1889, the General Council of the Choctaw Nation passed the following resolution:

"Whereas there are large numbers of Choctaws yet in the States of Mississippi and Louisiana who are entitled to the rights and privileges of citizenship in the Choctaw Nation; and

"Whereas they are denied all rights of citizenship in said States; and

"Whereas they are too poor to immigrate themselves into the Choctaw Nation: Therefore be it

"*Resolved by the General Council of the Choctaw Nation assembled*, That the United States Government is hereby requested to make provisions for the emigration of said Choctaws from said States to the Choctaw Nation," etc.

The language is not that they are entitled to the rights and privileges of Choctaw citizenship in the States named, but "who are entitled to all the rights and privileges of citizenship in the Choctaw Nation," and the prayer is that because of the fact that they are denied the rights of citizenship in the States that the United States will remove them to a place—their own country—where the rights of Choctaw citizenship may be enjoyed by them.

As a further evidence of the fact that all of the parties to the treaty, the United States, the Choctaw Nation, and the Mississippi Indians themselves, have always understood that the Mississippi Choctaws were entitled to none of the rights of a Choctaw citizen so long as they remained in that State, attention is called to the fact that the lands in Mississippi which were ceded to the United States by the Choctaw Nation by virtue of the treaty of 1830 were, under the laws of the United States, sold. The Choctaw Nation claimed that they had never been paid any consideration for them, and that the United States justly owed them the net proceeds arising out of the sale. For many years this contention was carried on before the departments of the Government, commissions, and other tribunals. Finally, by treaty, it was submitted to the Senate of the United States for decision. That body found in favor of the Choctaw Nation. The case then went to the Court of Claims, and from there to the United States Supreme Court, in which court judgment was finally rendered for nearly $3,000,000.

This judgment was rendered in November, 1886. The money was turned over to the Choctaws by the United States, and by them, with the knowledge and consent of the United States, divided among their own people who lived in the nation. Not one farthing of it was ever paid to an absent Mississippi Choctaw, and no portion of it was ever claimed by them. During this whole litigation, running through many years, no effort was made to make themselves parties to the suit. And when the money was finally paid to the Choctaw authorities to be divided among the people they made no claim for any part of it, and entered no protest to its being paid to the resident Choctaws, nor have they brought suit for their share since. The other party to the treaty, the United States Government, the guardian of these Indians, paid the money without ever making any provisions for the Mississippi Choctaws to get their share or intimating that anything was due them. When it is remembered that this money was the proceeds of the sale of the lands in Mississippi belonging to the united Choctaw people while they lived in that State, and that the great bulk of the Mississippi Choctaws had never received one farthing for their share in the lands, if they, living in Mississippi, are entitled there to the rights of a Choctaw citizen it is remarkable that they did not assert their rights.

Again, a few years ago, the interest of the Choctaws to lands lying west of their present boundaries was sold by them to the United States for a considerable sum of money. This, like the other, was promptly divided among the resident Choctaws with the knowledge and consent of the United States, and without protest or claim of the Mississippi Choctaws. If they are entitled to the privilege of Choctaw citizens without removing into the boundaries of the nation they are and were entitled to their pro rata share of this money. If they do not understand that they have no claim to the rights of citizenship without moving into the country why have they, for the past 65 years, silently stood by and permitted these kinds of transactions to be had without claim, protest, or suit?

The Eastern Band of Cherokees, now residing in North Carolina, sustained a relationship to the Cherokee Nation almost identical to that sustained by the Mississippi Choctaws to the Choctaw Nation. Like the Mississippi Choctaws, there were some among them who were averse to moving to their new country, west of the Mississippi River. Provisions were made for them by the treaty of New Echota—the treaty of 1835—between the Cherokee Nation and the United States similar to those with the Choctaws by the treaty of 1830. When the Cherokee people moved to the present home of the Cherokees, these remained behind in North Carolina, where they have ever since resided. Like the Choctaw treaty of 1830, the treaty of New Echota provided that their lands should be ceded to them and their descendants, and so forth. The Cherokee Nation, by virtue of a treaty with the United States, afterwards sold some of these lands.

The Eastern Band of Cherokees, in North Carolina, unlike their Mississippi Choctaw brethren, promptly demanded their pro rata of the proceeds of this sale, and upon being denied at once sought and obtained permission of the United States to sue the Cherokee Nation in the Court of Claims for this money, and also, in the same suit, to sue for another fund which was created by the treaty of New Echota, consisting of certain annuities in the sum of $214,000, of which the Eastern Band of Cherokees claimed a pro rata share. The suit was brought, and the Court of Claims, in a very elaborate and learned decision, decided against the right of the Eastern Band of Cherokees to recover, upon the ground that those Cherokees, by the act of remaining in North Carolina, had alienated themselves from the Cherokee Nation to such an extent that they could not claim any rights of a Cherokee citizen without moving into the Cherokee Nation and there being readmitted in accordance with the constitution and laws of that nation. The case was appealed to the Supreme Court of the United States, and there the decision of the Court of Claims was affirmed. (Eastern Band of Cherokees v. U. S., 117 U. S., 288.) In that case the Supreme Court, after reviewing all of the treaties and statutes relating to the matter, concluded by saying:

"If Indians in that State (North Carolina) or any other State east of the Mississippi wish to enjoy the benefits of the common property of the Cherokee Nation, in whatever form it may exist, they must, as held by the Court of Claims, comply with the constitution and laws of the Cherokee Nation and be readmitted to citizenship as there provided. They can not live out of its territory, evade the obligations and burdens of citizenship, and at the same time enjoy the benefits of the funds and common property of the nation. These funds and that property were dedicated by the constitution of the Cherokees and were intended by the treaties with the United States for the benefit of the united nation, and not in any respect for those who had separated from it and become aliens to their nation. We can see no just ground on which the claim of the petitioners can rest in either of the funds held by the United States in trust for the Cherokee Nation."

It seems to me that this decision of the Supreme Court, founded on a case so nearly similar to the one at hearing, conclusively settles the contention in favor of the Choctaw Nation. Indeed in that case the Supreme Court expresses a very strong intimation that those provisions of the treaty of New Echota relating to and providing for those Cherokees who should refuse to move West were confined in their operation to that class of Cherokees then in esse, and the rights conferred by those provisions of the treaty did not descend to their offspring; that the descendants of those Cherokees did not succeed to the rights of their ancestors under the treaty. The language of the Supreme Court is:

"Nor is the band (Eastern Band of Cherokees), organized as it now is, the successor of any organization recognized by any treaty or law of the United States. Individual Indians who refused to remove West and preferred to remain and become citizens of the States in which they resided were promised certain moneys, but there is no evidence that the petitioners have succeeded to any of these rights. The original claimants have probably all died, for 50 years have elapsed since the treaty of 1835 was made, and no transfer from them to their legal representatives is shown." (Ib., 310.)

The court proceeds, however, to decide this case, as heretofore shown, on the ground that the Indians composing the Eastern Band of Cherokees had not removed into the Cherokee Nation and reassumed their citizenship under the constitution and laws of that nation.

I am disposed to the opinion, however, and will so hold, that the descendants of the Mississippi Choctaws, by virtue of the fourteenth article of the treaty of 1830, are entitled to all of the rights of Choctaw citizenship, with all of the privileges and property rights incident thereto, provided they have renounced their allegiance to the sovereignty of Mississippi by moving into the Choctaw Nation in good faith to live upon their lands, renewing their allegiance to that nation, and putting themselves in an attitude whereby they will be able to share in the burdens of their government. The reason for this conclusion is, to my mind, made morally certain when it is remembered that ever since the treaty of 1830, now for the period of nearly 67 years, with the exception of the past 2 or 3 years, the Choctaw Nation, by its legislative enactments, and by its acts so long continued that by custom they have become crystallized into law, have universally admitted all who should remove to this country and rehabilitate them in all of the rights and privileges of citizenship enjoyed by themselves.

The counsel for the claimants lay considerable stress on the effect of the provisions of article 13 of the treaty of 1866 between the United States and the Choctaw Nation. (14 Stat., —.)

By the eleventh and twelfth articles of that treaty a scheme was devised by which the lands of the Choctaw and Chickasaw Nations were to be surveyed and divided and allotted to the individual Indians, provided the councils of the respective nations should agree to it, which, however, they have refused to do. A land office was to be established at Boggy Depot in the Choctaw Nation. When all of the surveys were completed, maps thereof were to be filed in the said land office, subject to the inspection of all parties interested, and immediately thereafter notice of such filing was to be given for 90 days, calling upon all parties interested to examine said maps, to the end that errors in the location of occupancies, which were to be noted on the map, might be corrected.

Then followed article 13 of the treaty, which is as follows:

"ART. 13. The notice required in the above article shall be given not only in the Choctaw and Chickasaw Nations, but by publication in the newspapers printed in the States of Mississippi and Tennessee, Louisiana, Texas, Arkansas, and Alabama, to the end that such Choctaws and Chickasaws as yet remain outside of the Choctaw and Chickasaw Nations may be informed and have opportunity to exercise the rights hereby given to resident Choctaws and Chickasaws: *Provided*, That before any such absent Choctaw or Chickasaw shall be permitted to select for him or herself, or other, as hereinafter provided, he or she shall satisfy the register of the land office of his or her intention, or the intention of the party for whom the selection is to be made, to become bona fide resident in the said nation within five years from the time of selection and should the said absentee fail to remove into said nation and occupy and commence an improvement on the land selected within the time aforesaid the said selection shall be canceled and the land shall thereafter be discharged from all claim on account thereof."

From an examination of this article of the treaty it will be seen that the Choctaws and Chickasaws recognized the right of absent members of their nations to participate in the allotment and subsequent ownership of their lands to the same extent as they themselves enjoyed, but on conditions, however: First, that they should satisfy the register of the land office of their intention to become bona fide residents in the said nation within five years from the time of said selection; and second, that within the said five years they should actually remove into the said nation (there is a statute of limitation); and third, that within the said five years they should occupy and commence an improvement upon the selected lands.

It will be observed that this latter clause imposes a condition on absent Indians nowhere required of the resident ones by any clause of the treaty. They were required to move into the country and show their good faith and their intention to remain bona fide citizens of the nation by actual occupancy of the land and an expenditure of money in its improvement. The notice was to be given them in order that they might have an opportunity of removing into the nation and there residing and resuming their rights as citizens; but care was to be taken, and safeguards provided by which their removal was to be actually had, and that was to be done in good faith. First, the register of the land office was to be convinced by such proof as might satisfy him of the intention of the absent Indian to become a bona fide resident of the nation before he was allowed to make a selection; and, second, that was to be followed by an actual occupancy and improveent of the land; and if he failed in this, it worked a forfeiture of his rights. Nowhere within whole treaty is any right recognized or conferred on an absent Indian except consummated or enjoyed until after actual removal. No treaty or act of the Choctaw council or of any officer of the Choctaw Nation since the treaty of 1830 can be cited, or at least I have not found them, whereby any right or privilege has been conferred, granted, or recognized in or to a Mississippi Choctaw so long

as he shall remain away from his people, but there are an infinitude of such acts and conduct granting and recognizing such rights and privileges to him after he shall have moved away.

The provisions of the treaty of 1866, so far from being an authority in favor of the contention of claimants, seems to me to be strongly against them.

To permit men with, perchance, but a strain of Choctaw blood in their veins, who 65 years ago broke away from their kindred and their nation, and during that time, or the most of it, have been exercising the rights of citizenship and doing homage to the sovereignty of another nation, who have borne none of the burdens of this nation, and have become strangers to the people, to reach forth their hands from their distant and alien home and lay hold of a part of the public domain, the common property of the people, and appropriate it to their own use would be unjust and inequitable.

It is, therefore, the opinion of the court that absent Mississippi Choctaws are not entitled to be enrolled as citizens of the Choctaw Nation.

The action of the Dawes Commission is therefore affirmed, and a decree will be entered for the Choctaw Nation.

The Jack Amos case, which is squarely in point, and having been twice decided adversely to Jack Amos and his 97 full-blood Choctaws, was appealed to the Supreme Court of the United States and was, on the motion of the attorney for Jack Amos, dismissed, the theory of dismissal being that numerous other cases had just been decided by the Supreme Court which conclusively first and for all held that without residence there could be no enrollment and citizenship. For a case parallel in point see Stephens *v.* The Cherokee Nation (174 U. S. Repts., p. 445).

CONGRESS AGAIN ENROLLS CERTAIN MEMBERS WHOSE CASES THE INTERIOR DEPARTMENT DECIDED HAD MERIT.

Though the rolls had been open for a period of 63 years while the Oklahoma Indian tribesmen were in charge, and though the rolls remained open 14 years while the Federal Government officials had been in charge, this clamoring for the reopening of the rolls continued until a communication on April 22, 1914, was addressed to the Department of the Interior making inquiry if there were any citizens within the knowledge of the department whose names could properly and of right be placed upon the rolls. The department's reply is embodied in Senate Document No. 478, Sixty-third Congress, second session, and is as follows:

CITIZENSHIP OF FIVE CIVILIZED TRIBES.

Communication from the Assistant Secretary of the Interior to Hon. ROBERT L. OWEN, submitting a list of names of persons apparently equitably entitled to enrollment on the rolls of the various tribes composing the Five Civilized Tribes of Oklahoma, being Senate Document 472, Sixty-third Congress, second session, together with a list approved by attorneys of the Choctaw and Chickasaw Nations.

DEPARTMENT OF THE INTERIOR,
Washington, April 24, 1914.

Hon. ROBERT L. OWEN,
United States Senate.

MY DEAR SENATOR: In response to your request of April 22, I am inclosing herewith a list of the names of persons who, upon the investigation heretofore made, have been found apparently equitably entitled to enrollment on the rolls of the various tribes composing the Five Civilized Tribes of Oklahoma. The data as to each of these names have heretofore been submitted to the Committee on Indian Affairs of the Senate and may be found in Senate Document No. 1139, Sixty-second Congress, third session.

This list contains the names of all those whom the department has found equitably entitled to enrollment, omitting, as suggested, the names of new-born Choctaw freedmen.

Very truly, yours,

A. A. JONES,
First Assistant Secretary.

List of persons found to be apparently equitably entitled to enrollment in the Five Civilized Tribes of Oklahoma (but whose names do not appear on the final rolls of said tribes), as set forth in the list accompanying the report of W. C. Pollock of January 15, 1912, and including those listed in a report of November 15, 1907, of the Commissioner to the Five Civilized Tribes, but omitting from said lists the names of the new-born Choctaw freedmen claimants and duplications.

SEMINOLES BY BLOOD.

Johnson Albert, Lina Davis, Cora Hulwa, Joseph S. Jones, Edward Jones, Elsie Paddy, Willie Tiger, Witness Washington.

CREEKS BY BLOOD.

Wootsy Allen, Cain Archibald, or Narchubby, Adda Archibald, or Narchubby, Peggy Barnett, Chotekey Billy, Hannah Brown, Mollie Chupco, Ambrose Downing, Willie Fish, Luther Givins, Siah Green, Martha Jones, Tobe Lasley, Sampson Lewis, Jennie (Chinhoker) Mully, Smedlow Archibald, or Narchubby, Abel Archibald, or Narchubby, Coowees-coo-wee Asbury, Lucinda Bear, Lewis Birdcreek, Sam Brown, Susie Cosar, Eli Fish, Sallie Foster, Jeanetta Green, Addie Johnson, Sulphur Lasley, Tustunnuga Lasley, Lucy Long, Mitchell Mully, Barney Mully, Katie Mully, Susie Perry, Freeman Proctor, Washington Raiford, Fred E. Ralston, Washie Riley, Annie Screechowl, Samuel Simmon, Mandy Simmons, Nettie Simpson, Mellissa Simpson, Mollie Starr, Albert Terry, Ada Wesley, Edmund White, Simon Mully, James Perry, Siah Polk, Maxie Proctor, Elva Leona Ralston, Jeanetta Louise Ralston, Mary Scott, Concharty Micco Screechowl, Della Simmons, George Simpson, Mallie Simpson, Wootsy Stanley, Alpha Omega Terry, Albert Willie Wattie, Nellie West, Mattie Byrd.

CREEK FREEDMEN.

Freddie Adams, Robert Bullocks, Mosetta Brown.

CHEROKEES BY BLOOD.

Buck Aleck, John Baldridge, Jennie Beamer, Charles Bean, Nancy Bigfeather, Alta May Brassfield, Jennie Bread, Lesie Carey, Nancy Catron, Pearl Christian, Frank Christie, Maggie Christie, William Chuculate, Samuel Coming, Mary Mildred Crapoe, William Crittenden, Suagee Dirteater, Maggie Dreadfulwater, Willie Elk, Dolly Feather, Ross Johnson Fisher, Johnson Flute, Charles Gritts, Samuel Hair, Peggy Hawkins, Lydia Hicks, John Hooper, Joe Johnson, Polly Johnson, Hattie Keener, Sampson Keener, John King, Peggie Knight, Sarah Leaf, John L. Liver, Sampson McCarter, Jack McCoy, Jennie Miller, French Noisewater, Nancy Palone, Sinda Phillips, Walter Potter, Ada Pumkin, Stanley Q. Anderson, Dave Ballou, Ellis Beamer, James Bean, Edgar T. Bitting, Ben Bread, Andrew Cameron, Charles Catcher, jr., or Tehee, Peggy Catron, Willie Christian, James Christie, Gussie Chuculate, Daisy Cochran, Lucy Cookinghead, Osie Crittenden, Betsy Daugherty, Laura Downing, Porter Drywater, Grant Feather, Pearle Field, Thompson Flute, Stan Field Girty, Nannie Guess, George Hawkins, Enoch Henson, John E. Hilderbrand, Jason Houston, Wilda Johnson, Coleman Kenner, Lucy Kenner, Andrew Ketcher, West King, Nancy Leaf, Polly Lewis, Charlotte McCarter, Nancy McCarter, Hattie Martin, May Mitchell, Elias Oakball, Josie Pettit, Olie Phillips, J. George Porter, John Rhodes, Welling Sack, Kenneth Sanders, Striker Shade, Emma Snell, Lacey Spade, Sunday Speaker, or Peter, Lizzie Milo Sullateskee, Lincoln Swimmer, Lizzie Tadpole, Rebecca Thompson, Lala Toney, Ice Vann, Maggie Vann, John Waterfallen, Bessie Welch, Sallie Ellen West, Dick Wolfe, Tom Woodall, William S. Wright, Rufus Young, Jim Wolf, Katie Sam, Narcy Scraper, Harvey Sixkiller, Charlie Sourjohn, Myrtle May Spaniard, Swimmer Snake, Grace Swimmer, Betsy Tadpole, Eliza Tehee, John Tinoowie, Wesley Turtle, Lillie Vann, Thomas Vann, jr., Anderson Waters, Simon Welch, Allen Wilkerson, Dave Wolf, Edgar Ervin Wright, Charlotte Yaholah, Viola Grazier, Eli Springwater.

CHEROKEE FREEDMEN.

Alma Hill, Lucy Scott, Pearlie Lane.

CHICKASAWS BY BLOOD.

Ben Alexander, Sidney Arpealer, Jim Johnson, Corinne May Johnson, Ecius Shields, Nicey Arpealer, Annie Ensharkey, Eva Agnes Johnson, Buster Orphan, Barney Shields.

CHICKASAW FREEDMAN.

Savanna Thompson.

CHOCTAWS BY BLOOD.

David Carn, Dicey Fisher, Lizzie Garland, Melissa Hodges, William Jackson, Alphrus Johnson, Benjamin Franklin McKinney, William F. Robinson, Alpha Robinson, James William Robinson, Mary Ola Robinson, Mary King, Abram Charles, Mary Fobb, Amos Halakonobi, Sallie Jackson, Fannie Myrtle James, Solomon King, Willis Polk, Alice Robinson, Ada B. Robinson, Emeline Robinson, Joseph James Wright.

MISSISSIPPI CHOCTAWS.

Mond Amos Davis, Houston McDaniel, Joseph Taylor, Billy Nickey, Bettie Russell Nickey, Clemogene Farve, Sallie Charlas, Bettie Charlas, James Charlas, Nora M. Adams, Lillie Jackson John, Joe McDaniel, Maggie (now John) Nickey, Sam Nickey, Mollie Mass Nickey, Elizabeth Farve, Minnie Charlas, Louisa Charlas, Mitchell C. Adams, Lillie M. Adams, Mitchell C. Adams, jr.

INTERMARRIED CHOCTAW.

Joe T. Bevill.

CHOCTAW FREEDMEN.

[Born prior to Sept. 25, 1902.]

Ida Bird, Mary Malinda Boyles, Oscar Brown, Hattie Burris, Fredonia Butler, Jeff Cole, Erna Folsom, Nellie Gaffney, Estoria Hall, Johnnie Johnson, Martha Ann Owens, Gertie Riley, Noel Walker, Pearlie Washington, Leroy Williams, Lena Dunford, Sephus Liggons, Archie Newton, Henry Owens, Emma (now Austin) Boyd, Martha Boyles, Alex Buffington, Siras Jeffie Burris, Jennie Butler, Frank Folsom, Augusta Gaffney, Amy Jane Green, Nora Jackson, Herman Johnson, Henry Owens, Wade Thompson, Albert Washington, John Henry Washington, Gilbert McKinney, Della Chester, Roberta Liggins, Martha Ann Owens.

SPECIAL LIST OF PERSONS AGREED ON APRIL 28, 1914, TO BE ENROLLED AS CHOCTAWS BY THE ATTORNEYS OF THE CHOCTAW AND CHICKASAW NATIONS.

The following list of persons, all of whom appear to have been on the original Choctaw rolls by blood, seem in equity to be entitled to enrollment as members of the Choctaw Nation by blood, and it is agreed by the attorneys representing the Choctaw and Chickasaw Nations that they should be enrolled, to wit:

James B. Nichols, Nan V. Nichols, Della May Nichols (now Scott), Nema May Scott, Lyda Lois Scott, John W. B. Nichols, Bessie Nichols, Louis Herman Nichols, Golda Ula Nichols, Sylva Jewel Nichols, Orin M. Nichols, Amanda M. Nichols, James W. Nichols, Maggie M. Nichols (now Engle), Nettie Myrtle Nichols, Louis A. Nichols, Osa Nichols, Cora Lee Nichols.

Hon ROBERT L. OWEN,
Chairman, United States Senate.

DEAR SIR: We, the undersigned, attorneys representing several of the five tribes, agree that for the purpose of obtaining an absolutely final settlement of the citizenship rolls and for the purpose of securing our peace, will agree to the enrollment of the persons enumerated in Senate Document 472, Sixty-third Congress, second session, and to the enrollment of the Nichols family, as enumerated in H. R. 13794, Sixty-third Congress, second session.

REFORD BOND,
Attorney for the Chickasaw Nation.

MAY 2, 1914.

[Telegram.]

TULSA, OKLA., *April 30, 1914.*

Hon. ROBERT L. OWEN,
United States Senate, Washington, D. C.:

I acquiesce in your recommendation for enrollment, under letter of Secretary of the Interior, or persons whom he has found equitably entitled; also Nichols family, with understanding that this positively concludes enrollment. I suggest that you not agree to such enrollment until provision has been agreed to for vesting of tribal estate in individual members of the tribe and making final settlement. I do not consent to the enrollment of the Howell list.

P. J. HURLEY.

[Telegram.]

MUSKOGEE, OKLA., *May 1, 1914.*

Hon. ROBERT L. OWEN,
Washington, D. C.:

The enrollment of the 52 and the enrollment of the Pollock roll and the enrollment of the Nichols family would, in my judgment, settle the rolls question, and such concession meets my approval.

R. C. ALLEN,
National Attorney for Creek Nation.

Total, 318.

SECRETARY LANE OPPOSES OPENING OF ROLLS.

Four Secretaries of the Interior and four Indian Commissioners have all refused to report favorably upon a reopening of the rolls. The last utterance on the subject is straight to the point and deals with the question fairly and squarely and ought to be the last word on the subject. It is embodied in a report from Secretary Franklin K. Lane, of the Interior Department, to Hon. JOHN H. STEPHENS, chairman of the House Committee on Indian Affairs, under date of January 8, 1915, on the Harrison bill which involves this identical question. It is printed herewith at length and is as follows:

REPORT OF THE SECRETARY OF THE INTERIOR ON THE HARRISON BILL (H. R. 12586).

THE SECRETARY OF THE INTERIOR,
Washington, January 8, 1915.

Hon. JOHN H. STEPHENS,
Chairman Committee on Indian Affairs,
House of Representatives.

MY DEAR MR. STEPHENS: I have the honor to refer herein to a communication of August 12, 1914, from Hon. C. D. CARTER, then acting chairman of the Committee on Indian Affairs of the House of Representatives, with which was inclosed a copy of H. R. 12586, entitled "A bill to reopen the rolls of the Choctaw-Chickasaw Tribe and to provide for the awarding of the rights secured to certain persons by the fourteenth article of the treaty of Dancing Rabbit Creek, of date September 27, 1830." He also referred to H. R. 4536, and requested that I consider the two bills together and make a report thereon.

Upon examination of H. R. 4536, I find that said bill is identical with H. R. 19213, introduced by Mr. Harrison, of Mississippi, in the Sixty-second Congress, second session, upon which last-mentioned bill the department submitted to your committee a report dated July 2, 1912. H. R. 12586, introduced in the present Congress by Mr. Harrison, is a similar bill to the above-mentioned bills, except that in said H. R. 12586 an additional paragraph is included in section 2 to provide for the enrollment of all persons who were identified as Mississippi Choctaws by the Dawes Commission in its report of March 10, 1899, commonly known as the McKennon roll, and of all persons identified as Mississippi Choctaws by the Dawes Commission from March 10, 1899, to March 4, 1907, whose identification was approved by the Secretary of the Interior but whose names did not appear on the final citizenship rolls of the Choctaw and Chickasaw Nations.

The claims of Mississippi Choctaw Indians to recognition as citizens of the Choctaw Nation of Oklahoma and to share in the property of said nation are based upon article 14 of the treaty of September 27, 1830. (7 Stat. L., 335.) Pursuant to the terms of the treaty, a large number of Choctaws were transferred from Mississippi to the country west, later known as Indian Territory. These Choctaws who so removed and their descendants now constitute the main body of what is known as the Choctaw Nation. There were, however, a considerable number of Choctaws who remained behind in Mississippi, some of them under the provisions of article 14 above mentioned.

Said article 14 provided that the persons who claimed thereunder should not lose the privilege of a Choctaw citizen, but if they ever removed were not to be entitled to any part of the Choctaw annuity. The Indians who remained behind under the provisions of said article 14 received either land in Mississippi or scrip, which gave the applicants the right to enter public lands in certain Southern States. A part of said scrip, however, was later commuted by a money payment. Some of the fourteenth-article claimants later made their way west and joined the main body of the tribe in the Indian Territory. The Choctaw Council by various acts recognized the right of said absentee Mississippi Choctaws to remove to the nation, and actually invited them to do so.

Under the provisions of the Atoka agreement with the Choctaw and Chickasaw Tribes contained in the act of Congress of June 28, 1898 (30 Stat. L., 495), the supplemental agreement contained in the act of July 1, 1902 (32 Stat. L., 641), and later acts of Congress for the purpose of carrying out the provisions of said agreements, the claims of individual Mississippi Choctaw Indians to be identified and to be enrolled as entitled to share in the property of the Choctaw Nation were fully considered by the Commission to the Five Civilized Tribes and by the department after full hearing, at which the claimants had ample opportunity to present all the evidence which they could procure in support of their claims. Very few claimants were able to prove descent from an ancestor who received or applied for benefits under the provisions of article 14 of the treaty of 1830.

The history of the Dawes Commission enrollment work relative to Mississippi Choctaw claimants is very fully set out in a communication of April 14, 1914, from William O. Beall, at one time secretary of the Commission to the Five Civilized Tribes. A copy thereof is inclosed for your information.

For your further information as to the history of the Mississippi Choctaw claims and of the department action in the preparation of the final rolls there is inclosed a copy of department letter of July 2, 1912, to the chairman of the Committee on Indian Affairs of the House of Representatives.

Judge William H. H. Clayton, in his decision in the case of Jack Amos *v.* The Choctaw Nation, a copy of which may be found in the appendix of the annual report of the Commission to the Five Civilized Tribes for the fiscal year ended June 30, 1901, said that no treaty or acts of the Choctaw Council or of any officer of the Choctaw Council since the treaty of 1830 could be cited, or at least he had not found them, whereby any right or privilege had been conferred, granted, or recognized in or to a Mississippi Choctaw so long as he remained away from his people, and that no right was recognized or conferred upon such absent Indian except upon the condition that he should remove to the nation, and the right was not to be consummated or enjoyed until actual removal.

Mississippi Choctaw Indians who, while the opportunity was theirs under the privileges accorded them, refused to emigrate with the tribe to the new country west, and who never shared in the burdens and hardships of the pioneer life incident to the establishment of the new tribal government west of the Mississippi, have at this late date (now that the tribal property of the Choctaw Nation made valuable by the emigrants is being divided per capita among the enrolled recognized citizens of the nation) no equitable right to share in said property.

With respect to the persons who were identified by the Dawes Commission as Mississippi Choctaws under the provisions of the act of Congress of June 28, 1898 (30 Stat. L., 495), but who failed to remove and make settlement in the Choctaw-Chickasaw country, as required by the act of Congress of July 1, 1902 (32 Stat. L., 641, secs. 41, 42, 43, and 44), it may be said that, irrespective of their unfortunate condition of poverty and ignorance, there is no ground, legal or equitable, for holding the Choctaw and Chickasaw Nations responsible for the failure of said identified persons to comply with the law as to removal and settlement. No obligation rested upon the United States to provide means for the removal of such Indians.

Referring to the class of claimants whose names were contained in an identification roll submitted by the Commission to the Five Civilized Tribes on March 10, 1899, but never approved by the Secretary of the Interior, your attention is invited to the fact that the commission soon recognized the inaccuracy and incompleteness of that roll and requested the department to disregard it and to return the same to the commission. In order that there might be no doubt as to the standing of said roll, it was disapproved by the department on March 1, 1907. The larger part of the persons whose names were contained on that disapproved roll, were afterwards placed on the approved identification rolls, and those who complied with the law as to removal and settlement were enrolled on the final rolls of Mississippi Choctaw Indians.

In the investigation and examination of Mississippi Choctaw claims made in 1900 and the years following by the Commission to the Five Civilized Tribes every effort that was possible to be made was made by said commission to reach all persons who had any equitable claim to recognition as Mississippi Choctaws, and especially to find those who were full-blood Choctaw Indians.

H. R. 4536 and 12586 in effect provide, so far as the Mississippi Choctaw claimants are concerned, a general reopening of the rolls of the Choctaw Nation, necessitating a review of all the cases which had been adversely decided by the United States courts, the Department of the Interior, and the Choctaw and Chickasaw citizenship court, as well as the consideration of claims not heretofore presented or considered, and empowered the Secretary of the Interior to determine the rights of the claimants upon such evidence as may be produced by the applicants, without regard to any adverse judgment or decision heretofore rendered by any court or commission to the Five Civilized Tribes, or the Department of the Interior, and without regard to any condition or disability heretofore imposed by any act of Congress.

The records of the department show that Mississippi Choctaw claimants have been to an unusual extent the victims of numerous extortionate contracts, and the correspondence in many cases indicates that contracts were obtained through misrepresentations as to the facts, and in some cases that such contracts were obtained from claimants who believed that the persons obtaining the contracts were Government agents. Your attention is invited to the report of Inspector McLaughlin, of this department, which report appears in print in the CONGRESSIONAL RECORD of July 10, 1914, commencing on page 13022.

Referring to section 9 of said bill, I am of the opinion that, in view of the large amount of tribal property yet to be disposed of and of other matters affecting the tribes, it would be inadvisable to abolish the tribal organization of the Choctaw and Chickasaw Nations at the present time.

In view of the facts as presented to me, I am of the opinion that no legislation should be enacted for the reopening of the rolls of the Choctaw Nation for the benefit of the Mississippi Choctaw claimants.

Very truly, yours,

FRANKLIN K. LANE,

It will be observed that Secretary Lane goes into the proposition fairly, squarely, and conclusively. He recites how the Dawes Commission decides the question; he makes report on the act of April 26, 1906, which affirmatively closed the rolls on March 4, 1907; he debates the fourteenth article of the treaty of 1830, the very item on which these gentlemen base their claims, and shows conclusively that they have no rights to share in the property of the Oklahoma Indians. He shows that under the provisions of the Atoka agreement with the Choctaws and the supplemental agreement the Government is bound to give to the Indians the property that was patented to them, is duty bound to protect the Oklahoma Choctaws, and states that the claimants had ample opportunity to present all the evidence which they could procure in support of their claims before the rolls were closed. Secretary Lane makes reference to a letter dated July 2, 1912, addressed to the chairman of the Committee on Indian Affairs of the House of Representatives, showing that the department knows and is aware that there is no foundation for these claims. His report again takes up the decision of Judge William H. H. Clayton, who rendered the decision in the Jack Amos against Choctaw Nation case, a copy of which may be found in the appendix of the annual report of the Commissioner to the Five Civilized Tribes for the fiscal year ended June 30, 1901. He comments on the soundness of Judge Clayton's decision and shows how preposterous it would be to allow these descendants of a remnant band who have for almost a hundred years absented themselves and refused to reside with their own tribesmen and after having received their quota of land and money, after a period of a hundred years would come and reach their hand into the treasury of a people with whom they refused to reside and share in a fund they did not help to create. Sec-

retary Lane calls attention to the persons who were identified by the Dawes Commission as Mississippi Choctaws, but who failed to remove and make settlement in the Choctaw country of Oklahoma, as was contemplated under the act of June 28, 1898, and as they were advised to do by the Oklahoma Indians. He also shows that no obligation rested upon the United States to remove these Indians vi et armis. He further calls attention to the fact that there were certain persons identified as Mississippi Choctaws under the act of March 10, 1899, but those so identified were never approved by the Secretary of the Interior and hence are of no force, validity, or effect. In truth and in fact on March 1, 1907, this so-called roll was disapproved by the Interior Department.

The Secretary's report makes reference to the unusual and unconscionable fees sought to be collected by unscrupulous, unprofessional attorneys who are endeavoring to prey upon the Oklahoma Indians, and closes his report with the statement that the matter should forever be put to rest.

It seems to me that those unacquainted with the matter would be willing to rely upon so able a man as Secretary Lane and his judgment, a man who is absolutely efficient, a master of details and affairs, and one who has gone into this subject thoroughly and at great length, whose department in one form or another has had to deal with it for almost a hundred years.

LEGISLATION REPORTED ADVERSELY BY COMMITTEE.

This enrollment matter has never been reported upon favorably by any Committee on Indian Affairs of either the House or the Senate, although it has been before these committees in one form or another for the past eight years.

The matter has been carefully examined and a decision had thereon in a subcommittee report which was adopted by the full committee of the Committee on Indian Affairs of the House of Representatives. It was printed under date of January 2, 1915. The Harrison bill, which is one of the most remarkable pieces of legislation that has recently appeared in Congress, has been carefully considered, was reported adversely, laid upon the table by the unanimous vote of the Indian Committee, headed by Congressman JOHN H. STEPHENS, who might well bear the title of "father of Indian legislation." The report of this subcommittee is as follows:

REPORT OF SUBCOMMITTEE.

JANUARY, 2, 1915.

Hon. JOHN H. STEPHENS,
Chairman House Committee on Indian Affairs, Washington, D. C.

SIR: Your subcommittee appointed to investigate and report on H. R. 12586 begs leave to submit the following observations:

A careful and painstaking investigation of all treaties, laws, and other records bearing on this claim, including hearings lasting from April 1, 1914, until August 27, 1914, was gone into by your committee.

H. R. 12586 directs:

1. The Secretary of the Interior to enroll certain Mississippi Choctaws upon the rolls of the Choctaw Nation in Oklahoma, with a full participation in their tribal estate.

2. To reopen the Choctaw rolls for the adjudication of 20,000 or more alleged claimants.

There are some Choctaws still remaining in Mississippi who have persistently refused and successfully resisted all efforts of the Federal Government and the Choctaw Nation to have them move west and affiliate with the tribe.

The testimony before the subcommittee discloses many thousands of persons of doubtful descent, African and other, living in Mississippi and surrounding States, who have attempted to assert claims as Choctaw Indians.

Such Indians of real Choctaw blood as still reside in Mississippi appear to take little interest in the claims asserted by their alleged attorneys. On the other hand, those claiming remote Indian blood and of doubtful descent have manifested much interest in being enrolled and sharing in a division of the Choctaw funds in Oklahoma.

The contention of these latter seems to have been inspired and augmented by certain attorneys who have sent agents among these people advising them that they were Indians and taking contracts for their enrollment for a contingent fee of from 30 to 40 per cent of recovery, and in many instances a small cash retainer in addition.

According to statements and admissions of these attorneys and their agents, two firms alone, those of Cantwell & Crews, of St. Louis, Mo., and Ballinger & Lee, of Washington City, D. C., and Ardmore, Okla., hold contracts with 15,596 individuals, carrying provisions for fees aggregating $10,882,815.

The testimony further shows that a syndicate for the purpose of securing the enrollment of Mississippi Choctaws and a participation in the tribal estate of the western Choctaws has been formed under the name "The Texas-Oklahoma Investment Co.," capitalized at $100,000, $25,000 of which has been paid in and used. The directors of this corporation are S. L. Hurlbut, of El Campo, Tex.; H. Masterson and W. A. Smith, of Houston, Tex.; and T. B. Crews and H. J. Cantwell, of St. Louis, Mo.

This claim of the Mississippi Choctaw attorneys for enrollment of their clients and participation in the Choctaw Nation's estate is by no means a new contention. The claim was, under direction of law, fully adjudicated by the Commission to the Five Civilized Tribes (House Doc. 274, 55th Cong., 2d sess.) and afterwards by the Federal court, to which appeal was taken (Jack Amos et al. *v.* The Choctaw Nation, Decisions of United States Courts in Indian Territory, 465), both decisions being adverse to the Mississippi Choctaw contention for enrollment.

In rejecting the claim of nonresident Mississippi Choctaws the Commission to the Five Civilized Tribes said in part:

"This historical review of the acquisition of this territory by the Choctaw Nation and its subsequent legal relations to it makes it clear in the opinion of this commission that the Mississippi Choctaws are not under their treaties entitled to all rights of Choctaw citizenship, except an interest in the Choctaw annuities, and still continue their residence and citizenship in Mississippi." (House Doc. 274, 55th Cong., 2d sess.)

In affirming the decision the United States District Court for the Central District of Indian Territory closed its decision with the following paragraph:

"To permit men with, perchance, but a strain of Choctaw blood in their veins, who, 65 years ago, broke away from their kindred and their nation, and during that time, or the most of it, have been exercising the rights of citizenship and doing homage to the sovereignty of another nation, and have become strangers to the people, to reach forth their hands from their distant and alien homes and lay hold on a part of the public domain, the common property of the people, and appropriate to their own use, would be unjust and inequitable. It is therefore the opinion of the court that the absent Mississippi Choctaws are not entitled to be enrolled as citizens of the Choctaw Nation. The action of the Dawes Commission is therefore affirmed and a decree will be entered for the Choctaw Nation." (Jack Amos et al. *v.* the Choctaw Nation, Decisions of United States Courts in Indian Territory, 465.)

An appeal was taken from these decisions by the attorneys for the Mississippi Choctaws to the Supreme Court of the United States and the Jack Amos case was dismissed upon motion of the attorneys for the Mississippi Choctaws (190 U. S., 873).

Several years subsequent to the date of these decisions excluding the Mississippi Choctaws from enrollment this matter was again taken up and readjusted by the legally constituted authorities of the Federal Government and the Choctaw and Chickasaw Nations in Oklahoma, by which agreement the Mississippi Choctaws were given additional time for identification and establishment of bona fide residence in the Choctaw Nation in Indian Territory. (Supplemental agreement, "An act to ratify and affirm the agreement with the Choctaw and Chickasaw Tribes of Indians, etc.," approved July 1, 1902.)

The Choctaw Nation in Oklahoma has dealt justly and liberally with the Mississippi Choctaws, always granting them full citizenship in their nation with all emoluments thereto whenever they would agree to affiliate with the tribe, and the Choctaw Nation in Oklahoma is under no legal, equitable, or moral obligation to enroll the Mississippi Choctaws as citizens of the tribe in the West at this time.

By the agreements negotiated between the Federal Government and the Choctaw Nation, all native western Choctaws were required to be on the reservation by June 28, 1898, or stand debarred from enrollment and participation in the tribal estate forever thereafter, and this rule has been strictly adhered to.

The time for establishment of residence on the reservation was extended to the Mississippi Choctaw claimants until July 1, 1903, giving the Mississippi Choctaws five years to move on the reservation after the time for establishment of such residence had been closed to the native Choctaws.

After 11 years were consumed by the Commission to the Five Civilized Tribes in making up the rolls of the Choctaw and Chickasaw Nations such rolls were affirmatively closed by action of Congress on March 4, 1907.

The rolls of the Choctaw Nation were held open to the Mississippi Choctaws from 1830 until March 4, 1907, giving the Mississippi Choctaws 77 years in which to complete enrollment with full benefits of citizenship.

The Federal Government as such is neither legally nor equitably obligated to enroll Mississippi Choctaws with the Choctaws west, and is under only such moral obligation to the Mississippi Choctaws as is due to dependent North American Indians who were originally occupants and owners of the soil and who have been deprived of their patrimony by white settlers.

The passage of H. R. 12586 would completely upset and undo 11 years of careful, painstaking work of the Interior Department in settling the affairs of the Five Civilized Tribes, turn the wheels of progress backward for more than 20 years, and, as has been said by President Taft, "open up a Pandora's box of troubles, which the life of the present generation might not see closed."

The passage of H. R. 12586 would doubtless result in stupendous claims of millions of dollars against the Federal Government on the part of the Oklahoma Choctaws because of a division of their funds among persons whom the Federal commissions and Federal courts have decided were not entitled thereto.

Its passage would lend encouragement to grafting attorneys with contracts for enormous attorneys' fees, running into millions of dollars, and hold out inducement for procuring additional contracts from spurious claimants.

Your subcommittee therefore recommends that the Harrison bill (H. R. 12586) be not favorably reported by the House Committee on Indian Affairs.

Respectfully submitted.

C. D. CARTER, *Chairman.*
J. D. POST
ROBT. P. HILL.
P. P. CAMPBELL.

ADMITTED BY PROPONENTS OF NONRESIDENT MISSISSIPPI CHOCTAWS THAT THEY HAVE NO LEGAL RIGHTS TO ENROLLMENT.

At page 11651 of the CONGRESSIONNAL RECORD, of June 19, 1914, Senator JOHN SHARP WILLIAMS used the following language:

I am not contending here that the Mississippi Choctaws, in the face of all that legislation and in the face of these decisions, have any right here that is enforceable in a court of law, but I am trying to get the legislative branch of this Government to change that law which was enacted against them and construed against them.

Continuing, Senator JOHN SHARP WILLIAMS says:

So far as the construction of the court was concerned, I hardly see how the Supreme Court could have come to any other conclusion. * * * I am not talking now, however—and I can not be thrown off the right scent—about what are their rights in court to-day. I am talking about what their rights ought to be. * * *

Congressman MILLER, who has given considerable attention to these Mississippi Choctaw claims, in a colloquy with Mr. Redford Bond, attorney for the Chickasaws, admitted in terms plain and unmistakable that the Mississippi Choctaw Indians have no legal rights enforceable under the law. It would seem to me that, if two such vigorous proponents as Senator JOHN

SHARP WILLIAMS and Congressman CLARENCE B. MILLER are willing to admit that the claimants have no rights under the law that this ought to put to rest once and for all this question between the two bands or factions concerned. It would seem to me that for the Federal Government, which is the guardian of the Indians, to take from one ward the property that was given him and give it to another ward, when it is admitted that these claimants have no legal right under the law to share in the property, would be a proceeding more outrageous than the Congress would care to undertake. The truth is these claims were all paid long ago; only a little remnant of them yet remains; they are intermarried, mixed with other races, and received their allotments in land scrip and money almost a hundred years ago, and accepted the same. Now, to think of such a thing as permitting them, a people who have become alien to the Oklahoma Choctaw Indians, to participate with Oklahoma Indians, is to my mind not even conscionable.

FEDERAL GOVERNMENT DUTY BOUND TO DISTRIBUTE TO OKLAHOMA INDIANS PROCEEDS FROM SALE OF SURPLUS LANDS.

The Federal Government which assumed jurisdiction of making the rolls and closing up Indian affairs is, under the Atoka and supplemental agreement, duty bound to distribute pro rata among the Oklahoma Indians the proceeds from the sale of their surplus lands.

Let me urge upon Congress a duty more salient, perhaps, than the rest that under the provisions of the Atoka and supplemental agreement the Federal Government is pledged to sell the surplus lands, which has been done, and to pro rate the proceeds, which has not been done, and that this delinquency has existed for longer than eight years, and to longer continue this course upon one pretext or another and to longer withhold these funds is breaking faith with the Indians, a thing which the Government should no longer want to do.

I know it is perplexing in the extreme to have certain Members of Congress and Senators here and certain unscrupulous attorneys on the outside with briefs and personal calls plead with Congress not to do a thing they have agreed to do; but, on the contrary, to give the money to some of their clients whose rights have been passed upon, not once, but five or six times, by as many different bodies and by the Congress of the United States itself. I repeat, I know it must be perplexing for the moment, but when one reads such a solemn contract as the Atoka and supplemental agreement between the United States and the Oklahoma Indians, which promises emphatically to do a certain thing within a certain specified time, it would seem that every Congressman and every Senator who cares to uphold the dignity of his own Government and the respect it ought to have for its contracts, would let those things have weight with him and regard it as his duty, solemn duty, to let the Government fulfill its solemn contracts. This Government can not afford to agree with its wards to do a certain specified thing and then not do it. The distribution of this money has awaited too long already; to longer put it off would but magnify the breach of faith this Government has through one pretext or another already visited upon the Oklahoma Choctaw Indians.

I beg of my colleagues in Congress not to overturn a solemn patent issued by President Tyler in 1842; I beg of you, my colleagues in Congress, not to wrench away from the Government wards living in my State property they have held a patent for for 73 years; I beg of my colleagues in Congress not to take from their Oklahoma wards property they have occupied and resided upon for 85 years; I beg of my colleagues in Congress who have heretofore taken from the Oklahoma Choctaws the right to administer their own affairs and who went about it and administered these affairs themselves, who closed the rolls themselves, and agreed to distribute the money themselves to not now overturn the acts performed for them by that undertaking; I beg of my colleagues in Congress to keep their solemn agreement with the Oklahoma Choctaws, which in effect was to distribute the proceeds from the sale of their surplus lands per capita to the enrolled members of that tribe. It is not too much to ask; it is simply what this Government agreed to do.

Under the treaties all tribal money was to be paid to each individual allottee in per capita payments. (See Vol. I, p. 655, Kappler's Laws and Treaties:)

It is further agreed that all of the funds invested, in lieu of investment, treaty funds or otherwise, now held by the United States in trust for the Choctaw and Chickasaw Tribes shall be capitalized within one year after the tribal government shall cease, so far as the same may be legally done, and be appropriated and paid by some officer of the United States appointed for the purpose to the Choctaws and Chickasaws (freedmen excepted) per capita to aid and assist them in improving their homes and lands.

Also see page 654, Kappler's Laws and Treaties:

That all per capita payments hereafter made to the members of the Choctaw or Chickasaw Nations shall be paid directly to each individual member by a bonded officer of the United States under the direction of the Secretary of the Interior, which officer shall be required to give strict account for such disbursements to aid Secretary.

Government obligated to pay out this money prior to March 4, 1907, and to be paid out at the end of each year as fast as it should come in after the ratification of the Atoka provision:

The money paid into the United States Treasury for the sale of all town lots shall be for the benefit of the members of the Choctaw and Chickasaw Tribes (freedmen excepted), and at the end of one year from the ratification of this agreement, and at the end of each year thereafter, the funds so accumulated shall be divided and paid to the Choctaws and Chickasaws (freedman excepted), each member of the two tribes to receive an equal portion thereof.

The Federal Government forced the Indians to divide their property with ex-slaves, to which they had held a Government patent since 1842:

The Government forced Indians to divide their property with ex-slaves. (See Atoka agreement, found on p. 648 of Kappler's Laws and Treaties:)

"*Provided further*, That the Commission to the Five Civilized Tribes shall make a correct roll of Chickasaw freedmen entitled to any rights or benefits under the treaty made in 1866 between the United States and the Choctaw and Chickasaw Tribes and their descendants born to them since the date of said treaty, and 40 acres of land, including their present residences and improvements, shall be allotted to each, to be selected, held, and used by them until their rights under said treaty shall be determined in such manner as shall hereafter be provided by act of Congress.

"That the lands allotted to the Choctaw and Chickasaw freedmen are to be deducted from the portion to be allotted under this agreement to the members of the Choctaw and Chickasaw Tribes so as to reduce the allotment to the Choctaws and Chickasaws by the value of the same.

"That the said Choctaw and Chickasaw freedmen who may be entitled to allotments of 40 acres each shall be entitled each to land equal in value to 40 acres of the average land of the two nations.

From the very inception of Indian tradition an Indian must establish residence upon the land before he could acquire membership in the tribe. This was recognized in all the statutes on the subject, in the very patent itself, and even as late as June 30, 1900, when Congress passed an act on the subject embodying a provision to the effect that due notice was given all the tribes in Mississippi:

Residence on the land always necessary in order to acquire citizenship (see Indian appropriation act of June 30, 1900), which provides:

"*Provided*, That any Mississippi Choctaw duly identified as such by the United States Commission to the Five Civilized Tribes shall have the right at any time prior to the approval of the final rolls of the Choctaws and Chickasaws by the Secretary of the Interior to make settlement within the Choctaw-Chickasaw country, and on proof of the fact of bona fide settlement may be enrolled by the said United States commission and by the Secretary of the Interior as Choctaws entitled to allotment."

WHY ALL THIS ACTIVITY?

The Congress of the United States and others who have become interested in the Mississippi Choctaw so-called claimants are entitled to know from a nonpartisan, unbiased source what is bringing about all this unusual activity for a claim that is almost a hundred years old and one that has been adjudicated over and over again.

The oldest inspector in the Indian Service, Maj. James McLaughlin, was detailed to go in person to Mississippi among these so-called Mississippi Choctaws and report why all this activity.

After extended personal investigation he, on June 29, 1914, made his report to the Secretary of the Interior. His report reveals a set of facts in connection with this matter that are shocking and without parallel. I will later incorporate in my remarks the complete report of Maj. McLaughlin, who investigated all this entire case fully, went to Mississippi in person, ascertained just why these claims were being presented, ascertained just how these contracts were secured, how they were fixed, how they were arrived at, and all about the matter. His report is startling in the extreme and one of the most remarkable documents I have come across in connection with my work here or elsewhere.

I hold in my hand, Mr. Chairman, a document which shows that a firm of attorneys in St. Louis, known as Crews & Cantwell, employed three negroes, one named Robert L. Fortune, another named J. Milton Turner, a negro as black as your hat, and another down in Mississippi by the name of A. P. Powell, a negro with kinky hair and who has since gone to the penitentiary. These negroes were employed to go around among the ignorant classes of people with an alleged fictitious roll, teach these people to believe that they were of Indian origin and entitled to share in fabulous sums of wealth away off in Oklahoma if they would but sign up the contract.

Maj. McLaughlin explains in detail that these negroes went around among these ignorant people, secured these contracts in a plausible manner, alleging that the estate that would be procured for them from the Oklahoma Indians would aggregate for each claimant $8,000; that the firm of lawyers would charge a fee of only 40 per cent for its collection, agitated and

excited these ignorant people into believing that this could be secured for them, and secured all sorts of contracts which were carried back to the firm in St. Louis. This, to these ignorant, mixed-breed negroes, seemed like a soft snap, and one which they were led to believe they would quickly realize upon. In this way contracts were gathered up to the amount of 4,200, and Maj. McLaughlin explains that few, if any, of those who signed the contracts are of Indian origin.

This selfsame report shows that another firm of attorneys, known as Ballinger & Lee, secured contracts from 3,738 other persons, and that letters and documentary evidence submitted from Albert J. Lee and C. B. Moling, acting as promoters to sell these contracts, show that the aggregate of these attorney fees, which would be recovered in the event of this fabulous scheme going through and these claimants being placed upon the rolls of the Oklahoma Indians, would amount to more than $10,000,000. Mark you, this is in attorney fees alone. The McLaughlin report goes on and shows how these contracts were thrown into a corporation, and how all these unprofessional attorneys hovered about to sell stock to promoters in the several congressional districts, so that all these promoters who could be induced to enter into the scheme might manifest great interest in it and bombard their Congressmen with letters, telegrams, and personnal appeals to the end that they might vote to put this outrageous scheme into effect, to rob and graft and defraud the Oklahoma Indians; and it surely is a scheme the parallel of which has not as yet been told. For example, let me read a portion from a letter written by C. B. Moling, a promoter engaged in the sale of contracts and stock in this illicit corporation:

A reputable and responsible firm of attorneys, with offices in St. Louis and Washington, D. C., have secured contracts with 4,200 Choctaw Indians to secure them their allotment of lands and money upon a percentage basis. The contracts provide that the attorneys are to receive 30 per cent of all lands and money received. These 4,200 contracts are each signed by an Indian, two witnesses to his signature, and acknowledged before a notary public.

These contracts, providing for this contingnent fee, have been recognized by the Government, and Congress passed a resolution making all such contracts a first lieu upon the property of the Indian. This insures direct payment to us of our fee.

For financing the project, such as hunting up the Indians and securing the proof of each individual Indian to his right of participation and the attorneys for working the bill through Congress, one-half of the profits to go to the attorneys and the other half to those who financed it.

It is estimated that each Indian's share of the estate is worth $8,000. The attorneys' contract calls for 30 per cent of this or $2,400, of which we are to get one-half or $1,200.

We are organizing a syndicate to take over 1,000 of these contracts at $25 per contract. We will not accept subscription for less than 20 contracts or $500. The estimated value of 20 contracts, if we win, will be approximately $24,000, or a profit of $23,500 upon each $500 investment.

The proofs of these claims for these 4,200 Indians have all been secured and has been presented to the congressional Committee on Indian Affairs and reported favorably. This committee consists of 19 Members of Congress.

At this next session of Congress the bill will be introduced and voted upon, and as there are several precedents identical to this proposition wherein the other Choctaws secured their rights, we have every reason to believe that the bill will pass.

Can anyone fathom such frenzied finance as this C. H. Moling letter? Can anyone vote to perpetuate such a graft as that? Can anyone maintain his self-respect if he helps to carry out such a gigantic fraud as this report unearths? Can anyone be continually introducing bills and pressing such claims as this and maintain a good reputation and a clean conscience? These are questions that must of necessity address themselves to those who continually exert themselves in an effort to aid this class of men who continually hover around and haunt this Capitol.

Let me read another clause from a letter written by Albert J. Lee, who asserts that he and Webster Ballinger represent 13,000 persons, and that their fee for so doing will approximate $2,065,911. The first portion of his letter is as follows:

Mr. Webster Ballinger and I represent some 13,000 persons who claim a right in the tribal property of the Choctaw and Chickasaw Indians in Oklahoma. Of the above number of persons represented by us, there are some 3,738 who are conclusively, as shown by the Government records, entitled to share in the distribution of the tribal property. An individual share is estimated at $3,000 cash. We represent these people under contracts providing for a contingent fee of from 12½ to 40 per cent of the value of each share. I am attaching a statement showing the value of our fees. The statement also shows the amount of said fees we have already contracted for.

You will observe that my individual share of said fee will amount to $850,911, based upon the cases I consider certain; and that if we succeed in one-third of the cases that are uncertain, or rather if we succeed in enrolling 3,000 out of the 10,000 doubtful cases, my individual share of the fee would be $2,065,911.

I am in urgent need of funds with which to meet indebtedness incurred in the prosecution of these claims, and with which I may be enabled to continue the fight for our clients, and I want to raise $16,000, which I will agree to return with interest, and will assign the people furnishing the money 40 per cent of my individual share of the fee. Estimated upon the cases considered certain, this would return about $22 for every dollar subscribed, and upon the basis of one-third of the uncertain cases going through in addition to those that I consider certain, the estimated return would be about $120 for every dollar advanced.

The following pages will give you some idea of the nature and basis of the claims.

I again repeat, can anyone sanction or be a party to aiding and abetting men who resort to such tactics as these? Who is there here who will rise in his place and say that he is willing to be a party to such a performance? Of course, no one will openly reply that he is willing to do that thing; but if we do by inuendo or inadvertence the thing that makes such irregularity possible, would we not at least be partially guilty, and should we not at least stop, look, and listen, and observe where we are asking this Congress to travel and what we are asking it to do?

Let me read another sentence from the letter of one of these very interesting and ambitious attorneys. He says:

I am in urgent need of funds—

I presume he is. I presume he would ask the Congress of the United States to ravish, raid, rob, and divest its own wards of money that he might have his urgent need of funds satisfied. Let me proceed:

I am in urgent need of funds with which to meet indebtedness incurred in the prosecution of these claims, and with which I may be enabled to continue the fight for our clients.

True! It cost money to send three low, trifling, fraudulent negroes into Mississippi who could burrow around among the fence corners and highways and byways and pick up ignorant, unsuspecting people and make them believe they were Indians while in truth and in fact they were not Indians at all. True; it cost money and made the unprofessional attorneys hard up and in need of funds; but does such an illicit appeal as this tug at the heartstrings of Congress or appeal to the bosoms of Congressmen to set the wheels of Congress in motion for the benefit of these so-called claimants?

Again, let us pause and see if we can understand what he means when he says he needs money to further continue the fight for "our clients." What is the purpose for which this money is to be used? Who is to get the money that is to be used in carrying on this fight for his clients in Congress? Yea, we know the Members of Congress will not receive it, nor would they touch it. Still, let us pause in bewilderment and wonderment as to the manner in which this money is to be used. Let me quote from this most interesting letter a little further:

I want to raise $16,000, which I will agree to return, with interest, and will assign the people furnishing the money 40 per cent of my individual share of the fee.

Gentlemen of the Congress, just such performances as this and just such encouragement as Congress is asked to lend them are the things that bring the Congress into disrepute with people unaccustomed with its workings and unable to know the truth.

I ask Congress this day to do its full duty and reject all such claptrap, illicit arrangements for attorney fees, as referred to in this Albert J. Lee letter.

I will incorporate in my remarks at this point the full report of Maj. McLaughlin, which has heretofore been referred to. It is as follows:

WASHINGTON, D. C., *June 29, 1914.*

The SECRETARY OF THE INTERIOR.

SIR: Under departmental instructions of the 13th ultimo, I have the honor to report my investigation concerning the representations made and methods adopted by certain solicitors in securing contracts from individual Indians who claim the right to enrollment as members of the Choctaw-Chickasaw Tribe of Indians, and respectfully submit the following conclusions relative to same:

In my tour of investigation I visited Columbus, Ohio; St. Louis, Mo.; Muskogee, Poteau, Wilburton, and McAlester, Okla.; San Antonio and Houston, Tex.; Lake Charles, Baton Rouge, and New Orleans, La.; and Gulfport, Miss., inquiring into the matter and interrogated numerous persons who had knowledge of the representations made and methods adopted by the soliciting agents in obtaining contracts from the class of claimants referred to.

From my investigation I ascertained that during the past four years several persons have been engaged in soliciting contracts from Choctaw and Chickasaw Indians and freedmen of those tribes, and that one Alexander P. Powell, who claims to be a Choctaw Indian and a lineal descendant of one of the parties to the Dancing Rabbit Creek treaty of September 27, 1830, has been actively engaged in canvassing a large extent of country, chiefly in the States of Alabama, Mississippi, Louisiana, and Texas, in procuring the names of unenrolled persons who claim to possess Choctaw or Chickasaw Indian blood, and obtaining contracts from them to prosecute, on a contingent fee, their right to share in the distribution of the funds and property of the Choctaw Nation of Oklahoma; and while, as above stated, there were several persons engaged in procuring contracts of similar character from unenrolled Indians of these tribes, it appears from the record that said A. P. Powell obtained more contracts from the class of claimants referred to than all of the other solicitors combined, notwithstanding the fact that he did not solicit contracts from any of the freedmen.

I failed to meet this man Powell during my tour of the localities in which he has been operating very extensively the past four years, and therefore can not speak of him from personal knowledge, but have been told by many who know him that he shows a decided strain of negro blood, is large of stature, prepossessing in appearance, shrewd and plausible, which, with his posing in the communities he visits in solicit-

ing contracts as a very important person, has succeeded in arousing great enthusiasm among the people of the localities canvassed by him, and has thus procured contracts with little or no difficulty from all persons who believed they possessed or were led by Powell to believe they possessed any Choctaw or Chickasaw Indian blood.

From what I was told by reputable persons at Lake Charles and Baton Rouge, La., and Gulfport, Miss., it would appear that said Powell was interested chiefly in procuring a large number of contracts, regardless of the ancestry of the applicants, as Mr. Luke W. Conerly, of Gulfport, Miss., told me that to his personal knowledge Powell obtained contracts from several families, the ancestry of whom as supplied by Powell was absurdly erroneous. It is also alleged that Powell took contracts from any persons claiming to have Indian blood and from many who had never claimed to possess Indian blood until told by Powell that they were descendants of Indians who were parties to the Dancing Rabbit Creek treaty of 1830 and therefore entitled to certain benefits under that treaty.

Mr. C. R. Cline, an attorney of Lake Charles, La., and Hon. Isaac C. Boyd, of Leesville, La., also an attorney, a member of the present Louisiana Assembly, and who claims to possess Choctaw Indian blood, both informed me that there are about 300 persons living in the neighborhood of Kinder, Allen Parish, La., who are of mixed descent, being of French, Spanish, Portuguese, and negro blood, with a very few of them possibly possessing some Indian blood, and the name "Red Bone" was given those of them who were supposed to have any Indian blood; that prior to Powell's visit to Kinder soliciting contracts with Indians it was regarded a great insult to be called a "Red Bone," thus classing them as of Indian blood, but a number of them were advised by Powell that they were of Choctaw descent, as shown by a book which he possessed and by which he traced their ancestry, as eligible to enrollment, and it is alleged that he thus obtained contracts from all of them, and since Powell thus recognized those people, the name "Red Bone" is no longer objectionable, but, on the contrary, all are desirous of being thus classed, and to be now called a "Red Bone" is exceedingly pleasing to each and all of them, as they believe that the cognomen fixes their status as of Indian blood and entitles them to share in the property of the Choctaw Nation of Oklahoma.

Hon. Isaac C. Boyd, of Leesville, Vernon Parish, La., above referred to, stated to me that in 1911 he was induced by one Mrs. Ella Taylor, of Leesville, La., to enter into contract for Mississippi Choctaw rights, said Mrs. Taylor representing herself an authorized agent of A. P. Powell and Luke W. Conerly, whose headquarters were then at Gulfport, Miss., engaged in obtaining contracts from Choctaw claimants, for the prosecution of their right to participate in the funds and property of the Choctaw Nation of Oklahoma, said Mrs. Taylor stating to him that each beneficiary would be entitled to receive 320 acres of land or double the value of it in money, also anywhere from $5,000 to $10,000 in cash from the Choctaw funds, but that in order to participate in this distribution claimants must enter into contracts without delay, as the time limit would soon expire, therefore promptness in executing contracts for same was absolutely necessary.

Mr. Boyd, who is of Choctaw blood, a lawyer by profession with quite a lucrative practice, and who is also a member of the State Assembly of Louisiana, feels chagrined in having fallen to the flattering presentation of the matter by Mrs. Taylor, resulting in his entering into a contract for himself and his sister and for which he paid Mrs. Taylor $7.50 for executing each of said contracts.

Mr. Boyd stated that Mrs. Taylor procured a great many similar contracts at Leesville, La., and surrounding country, and that he has little doubt but that she thus realized in the neighborhood of $3,000 from her charge of $7.50 to applicants for each contract obtained. Mr. Boyd further stated that after realizing he had been victimized in the sum of $15, through the enthusiasm aroused by a plausible talk, he, in order to have the solicitors prosecuted, if possible, made diligent inquiry of persons who had entered into similar contracts to ascertain if any of them had represented themselves as Government officials, and was unable to find any person to whom they represented themselves as being in any way connected with the Government or an official of the Choctaw Nation, but that the impression prevailed among the claimants that A. P. Powell and his assistants were fully empowered to procure the contracts they were engaged in soliciting from Choctaw claimants.

Mr. Boyd still further stated that having talked a great deal against these solicitors, denouncing them as frauds and fakirs, that Powell never visited Leesville, La., to solicit contracts, but established himself for a short time at De Ridder, 21 miles distant, and sent notices to Leesville applicants to proceed to De Ridder for that purpose.

I made particular inquiry as to whether or not Powell or any of the other solicitors had been ever heard to represent themselves as Government officials or officials of the Choctaw Nation, but did not meet any person who stated that they had ever heard any of those solicitors make such a statement. On the contrary, many of the persons whom I interrogated with reference thereto stated that they had frequently heard Powell say that he was fighting the Government to have the rightful claims of the Choctaw and Chickasaw Indians allowed; but notwithstanding the fact that Powell when questioned regarding the matter invariably denied that he had any connection with the Government in the work he was engaged in, the impression prevailed, as expressed by Attorneys Cline and Boyd and Mr. Luke W. Conerly, especially among the more ignorant persons, that Powell represented some high authority in the premises, he being engaged in executing contracts with claimants, using printed blank forms therefor, and this impression prevailed as to the several other solicitors engaged in obtaining similar contracts.

When assigned to this investigation, the Indian Office furnished me, for my information, a voluminous file of correspondence with reference to this matter, which file embraced report of Special United States Indian Agent W. W. McConihe, dated May 2, 1911, with accompanying exhibits, from which record, together with what I ascertained in my investigation, the facts appear to be as follows:

1. The citizenship rolls of the Choctaw Nation, embracing those Indians entitled to share in the property of the tribe, was closed March 4, 1907 (act of Apr. 26, 1906; 34 Stat. L., 137, sec. 2).

2. That there were possibly some persons omitted from the citizenship rolls who, because of the limitations imposed by the law as to time, were unable to produce the proof of their right to participate in the funds of the Choctaw Nation under article 14 of the treaty of September 27, 1830.

3. The possibility that there were some Mississippi Choctaw Indians whose right to enrollment had not been recognized induced a firm of attorneys—Messrs. Crews & Cantwell, of St. Louis, Mo.—to undertake the securing of legislation that would permit the reopening of the rolls for the purpose of establishing the rights of those who had previously failed to establish their right or had failed to take advantage of the opportunity to do so.

4. Messrs. Crews & Cantwell employed Alexander P. Powell, who asserts that he is a Choctaw Indian, to procure the names of unenrolled Mississippi Choctaw Indians and produce evidence by tracing the ancestry to establish their right to enrollment, and to obtain contracts from them for the prosecution of their claims.

5. Associated with Messrs. Crews & Cantwell was one S. L. Hurlbut, a banker residing at El Campo, Tex., who financed the project in the beginning by paying Powell $150 per month salary and his expenses.

6. Powell, while employed by Crews & Cantwell, procured the names of about 4,200 persons who claimed, or were led to believe by Powell, that they were entitled to participate in the funds of the Choctaw Nation of Oklahoma, and from each of whom he obtained a contract authorizing Crews & Cantwell to act as their attorneys in all legal proceedings in presenting to the Interior Department or any court such evidence as he or she might be able to produce in establishing a right to participate in the distribution of the fund and property of the Choctaw-Chickasaw Indians of Oklahoma, which contracts provided that Crews & Cantwell were to receive 30 per cent of all sums of money, lands, and property that might be received by reason of the right claimed. Powell did not make any charge to the claimants while operating under the above-stated salary until a short time previous to severing his connection with Crews & Cantwell, when he commenced charging the claimants $1.25 for each contract executed, and while engaged in this work in the employ of Crews & Cantwell it appears from the record that Powell received $2,971.02 from them, $900 of which was for salary and remainder for expenses incurred by him as shown by letter from Mr. S. L. Hurlbut's office, dated March 8, 1911, copy herewith Exhibit A.

7. Powell's connection with Crews & Cantwell appears to have terminated in March, 1911, and he then commenced soliciting contracts for William B. Matthews, an attorney of Washington, D. C., with office in the Evans Building, and the contracts procured by Powell in the name of Mr. Matthews are similar in every respect to those he obtained for Crews & Cantwell, except as to name of the attorney.

The Crews & Cantwell contracts contain the stipulation that their appointment as attorneys is joint, and that in the event of the death of either the survivor shall succeed to all rights and benefits, and perform all the duties imposed by the contract upon the attorneys. This same stipulation is contained in the printed form of contract taken in the name of William B. Matthews [copy herewith], and the fact that it does so appear would indicate that Mr. Matthews had nothing to do with the drafting of the form, but that the wording of the Crews & Cantwell contract was probably adopted by A. P. Powell, simply substituting the name of William B. Matthews, as attorney, for that of Crews & Cantwell, and Powell thus continued procuring contracts from any and all persons whom he met who believed, or were led to believe, that they possessed Choctaw or Chickasaw Indian blood, and from each of whom he collected $2.50 for his services in executing the papers.

8. After Powell discontinued securing contracts for Crews & Cantwell and started soliciting for Attorney William E. Matthews and charging applicants $2.50 for each set of papers executed it is alleged he procured contracts from a number of persons residing in and around Kinder, Allen Parish, La., who did not claim to be of Choctaw descent, but were advised by Powell that he possessed a book which enabled him to trace the ancestry of every living person who possessed any Choctaw blood, and that he had traced those people entitled to enrollment as descendants of certain persons appearing as beneficiaries under the Choctaw treaty of 1830. As to the book referred to as possessed by Powell, which is said to have been produced in evidence by him very frequently, I was informed by Mr. Luke W. Comerly, of Gulfport, Miss., who was for some months associated with Powell, that he carried with him for reference in tracing the ancestry of applicants for enrollment a copy of volume 7, "American State Papers," which contains the names of 19,554 Choctaw Indians who were parties to the Dancing Rabbit Creek treaty of 1830, as per roll made by F. W. Armstrong, special agent, under date of September, 1831, which volume was published in 1860.

10. Crews & Cantwell, as attorneys for a number of these claimants, with evidence as to some of the unenrolled Mississippi Choctaws to an equitable right to share in the funds of the Choctaw Nation of Oklahoma, have sought legislation to reopen the rolls to permit them to prosecute the claims of these persons with whom they have contract.

11. The financing of the project to secure reimbursement of Crews & Cantwell and S. L. Hurlbut for previous expenditures was effected by incorporating the "Texas-Oklahoma Investment Co.," chartered under the laws of the Territory of Arizona, November 14, 1911. The articles of incorporation provide for a capital stock of $100,000, or 1,000 shares of the par value of $100 each, the directors of the company as incorporated being S. L. Hurlbut, of El Campo, Tex.; H. Masterson and W. A. Smith, of Houston, Tex.; and T. B. Crews and H. J. Cantwell, of St. Louis, Mo.; and the principal stockholders are T. B. Crews and H. J. Cantwell, of St. Louis, Mo.; Clifford Greve and S. L. Hurlbut, of El Campo, Tex.; H. Masterson, L. Bryan & Co., J. J. Sweeney, and W. H. Gill, of Houston, Tex.; and J. H. Kempner, of Galveston, Tex.

Two hundred and fifty shares of the 1,000 shares of the stock of this company were sold at par value of $100 per share, thus realizing $25,000 in cash, with which Crews & Cantwell and S. L. Hurlbut were reimbursed for previous expenditures and a contingent fund created to meet future expenses as incurred.

12. Crews & Cantwell turned over to the Texas-Oklahoma Investment Co. the contracts procured for them by Alexander P. Powell, numbering about 4,200, and received in cash from the fund realized from the 250 shares of the stock sold, reimbursement for their previous expenditures in connection with their Mississippi Choctaw contracts, and leaving the 750 unsold shares in the treasury as common property of the company.

In promoting the organization of the Texas-Oklahoma Investment Co. flattering figures of prospective returns to investors therein appear to have been sent out to prominent persons throughout the country, as evidenced by letter of Mr. C. B. Moling, of Houston, Tex., under date of June 12, 1911, to Hon. W. L. Dechant, of Middletown, Ohio, which reads as follows:

HOUSTON, TEX., *June 12, 1911.*

Hon. W. L. DECHANT,
Middletown, Ohio.

DEAR SIR: In 1820 the United States Government made a treaty with the Choctaw Indians, then living in Mississippi, whereby the Government bought 5,000,000 acres of the Indians, and in return gave to the Indians all the lands lying in the Indian Territory north of Red River up to the Canadian and east of the ninety-eighth meridian, and paid for moving as many of the Indians out to this land as desired to go.

The Choctaws still had 10,000,000 acres left back in Mississippi, and in 1830 the Government made another treaty with them whereby the Government purchased the remaining lands for $8,000,000. In this treaty *it was agreed that the remaining Indians were to be protected in the community property or the original lands in Indian Territory granted them by the treaty of 1820.*

The Government still holds approximately 3,450,000 acres of these original Territory lands, as well as several millions in cash, in trust for the Choctaws who have not as yet been allotted their share.

A reputable and responsible firm of attorneys, with offices in St. Louis and Washington, D. C., have secured contracts with 4,200 Choctaw Indians to secure them their allotment of lands and money upon a percentage basis. The contracts provide that the attorneys are to receive 30 per cent of all lands and money received. These 4,200 contracts are one signed by the Indian, two witnesses to his signature, and acknowledged before a notary public.

These contracts, providing for this contingent fee, have been recognized by the Government, and Congress passed a resolution making all such contracts a first lien upon the property of the Indian. This insures direct payment to us of our fee.

For financing the project, such as hunting up the Indians and securing the proof of each individual Indian to his right of participation and the attorneys for working the bill through Congress, one-half of the profits to go to the attorneys and the other half to those who financed it.

It is estimated that each Indian's share of the estate is worth $8,000. The attorneys' contract calls for 30 per cent of this, or $2,400, of which we are to get one-half, or $1,200.

We are organizing a syndicate to take over 1,000 of these contracts at $25 per contract. We will not accept subscription for less than 20 contracts, or $500. The estimated value of 20 contracts, if we win, will be approximately $24,000, or a profit of $23,500 upon each $500 investment.

The proof of these claims for these 4,200 Indians has all been secured and has been presented to the congressional Committee on Indian Affairs and reported favorably. This committee consists of 19 Members of Congress.

At this next session of Congress the bill will be introduced and voted upon, and as there are several precedents identical to this proposition wherein the other Choctaws secured their rights, we have every reason to believe that the bill will pass.

* * * * * * *

We are unable to go into all the details of this proposition in this letter to you, but I have spent several days investigating it, and conclude that the chances for defeat are no greater than in the ordinary course of business. I believe the estimated results herein will be obtained, or substantially so.

I expect to give the matter my attention and to look after the interest of those who come into the deal at my request, and to take a proper assignment of the contracts and place them in the hands of some local trust company or bank with authority to make the collection and disburse the receipts to the subscribers in the amounts to which each subscriber would be entitled at same; it will be safer for the subscribers.

My charges will be about 20 per cent of whatever profits you may make on the deal; if none are made, you owe me nothing. I would like to have you take a flier in this, say, for $500 or $1,000, and to notify me of your intentions promptly. Should you happen to lose, I think you will agree with me that it was at least a good bet, as the prospective returns justify taking the chance.

Awaiting your prompt reply, either by letter or wire, I am,

Yours, very truly,

C. B. MOLING.

To the foregoing communication of Mr. Moling, Mr. Dechant replied as follows:

MIDDLETOWN, OHIO, *July 24, 1911.*

C. B. MOLING,
432 Mason Building, Houston, Tex.

MY DEAR MR. MOLING: Your letter of June 12 was received in my absence, hence delay in answering.

I have gone over same carefully and note what you say, and it would seem to me if Congress has taken the steps enumerated by you the proposition is a good one, and on further investigation I might be induced to come in, everything appearing in good shape.

Who is the firm of attorneys representing you and located at St. Louis and Washington, and what is the name of the member of the firms looking specially after the matter?

Can you refer me to the reports wherein the Government has recognized the contracts referred to providing for a contingent fee, etc., in these specific cases; also, can you further refer me to the congressional reports where the Congress recognized such contracts and made them a valid first lien on the Indians' property?

What Congress passed this resolution legalizing these contracts as liens, and is it the present Committee of Congress on Indian Affairs to whom the proofs of the 4,200 claims you refer to were presented and reported favorably?

What is the name of the attorney who represented the matter to the Indian Affairs Committee of Congress and secured the passage of the favorable resolution?

On receipt of a letter from you in reply to the above I will take the matter up more fully and advise you at once what I will do. Thanking you for bringing this matter to my attention,

I am, as ever, yours,

W. L. DECHANT.

To the inquiries contained in the foregoing letter of Judge Dechant Mr. Moling replied as follows:

HOUSTON, TEX., *July 28, 1911.*

Hon. W. L. DECHANT,
Middletown, Ohio.

MY DEAR JUDGE: I have your letter of the 24th, in regard to further information regarding the Choctaw Indian contracts, etc.

I sent for Mr. S. L. Hurlbut, who owns the contracts, and gave him your letter and asked him to give me the information desired, and I herewith hand you his dictated letter, as also the brief he refers to with the clippings attached.

In regard to the brief and the clippings, he requests that you take care of them, as they are all he has here in Houston.

It might be a good idea for you to write to Mr. Cantwell in Washington, as he is thoroughly familiar with all the details, and then the information would come to you first handed.

I am not personally acquainted with Mr. Cantwell or his partner, Mr. Crews, in St. Louis, but from what I learned they are very capable men in their line of business and have worked other similar contracts through Congress, but I know Mr. Hurlbut for several years; he is all right, and I consider him straight and reliable; my dealings with him has all been in the real estate line and all very satisfactory; he stands well in this community.

It might also be a good idea to get in touch with the chairman of the present Committee on Indian Affairs; he ought to know all about it.

As stated in my letter of June 12, I think it's a good bet, for the reason I believe the Government will carry out the terms of its treaty made with them in 1820 and 1830; if they do, then these contracts will be good.

Awaiting your further advices, I am,

Very truly, yours,

C. M. MOLING.

The presentation of the matter as above set forth by Mr. Moling to Judge Dechant for financing the project was so flattering as to justify the average speculator in taking a chance, and it would appear, from the sale of one-fourth of the stock of the Texas-Oklahoma Investment Co. at its par value, that no great difficulty was experienced in promoting and consummating this financing of the project.

About a year subsequent to the organization of the Texas-Oklahoma Investment Co. for financing the project of handling Mississippi-Choctaw Indian contracts taken in the name of Crews & Cantwell, Mr. Albert J. Lee, of Ardmore, Okla., a member of the law firm of Ballinger & Lee, claiming to represent a large number of persons who claim a right in the tribal property of the Choctaw and Chickasaw Indians in Oklahoma, on a contingent fee of from 12½ to 40 per cent, and which do not conflict with the claims handled and represented by the Texas-Oklahoma Investment Co., but are in a line with them, desired, as shown by certain correspondence relative thereto, to raise a fund of $16,000 to meet indebtedness incurred in the prosecution of their Indian claims and with which to continue the fight for their clients, and to show that persons engaged in handling the claims of nonenrolled Choctaw and Chickasaw Indians have succeeded in interesting many prominent persons in such claims, I submit copy of tabulated statement of said Albert J. Lee, dated October 17, 1912, setting forth the prospective profits that he calculates upon deriving from his handling of said claims, together with an indorsement of same by Mr. Harris Masterson, an attorney of Houston, Tex., who is a prominent financier and promoter of projects of this character, which statement of Attorney Lee and indorsement of Mr. Masterson reads as follows:

OCTOBER 17, 1912.

Mr. HARRIS MASTERSON,
Houston, Tex.

DEAR SIR: Mr. Webster Ballinger and I represent some 13,000 persons who claim a right in the tribal property of the Choctaw and Chickasaw Indians in Oklahoma. Of the above number of persons represented by us, there are some 3,738 who are conclusively, as shown by the Government records, entitled to share in the distribution of the tribal property. An individual share is estimated at $3,000 cash. We represent these people under contracts providing for a contingent fee of from 12½ to 40 per cent of the value of each share. I am attaching a statement showing the value of our fees. The statement also shows the amount of said fees we have already contracted for.

You will observe that my individual share of said fee will amount to $850,911, based upon the cases I consider certain; and that if we succeed in one-third of the cases that are uncertain, or rather if we succeed in enrolling 3,000 out of the 10,000 doubtful cases, my individual share of the fee would be $2,065,911.

I am in urgent need of funds with which to meet indebtedness incurred in the prosecution of these claims, and with which I may be enabled to continue the fight for our clients, and I want to raise $16,000, which I will agree to return with interest, and will assign the people furnishing the money 40 per cent of my individual share of the fee. Estimated upon the cases considered certain, this would return about $22 for every dollar subscribed, and upon the basis of one-third of the uncertain cases going through in addition to those that I consider certain, the estimated return would be about $120 for every dollar advanced.

The following pages will give you some idea of the nature and basis of the claims.

CHOCTAW AND CHICKASAW LANDS, AND OTHER PROPERTY.

In southeastern Oklahoma, in what was formerly the Choctaw and Chickasaw Nations, are nearly 3,000,000 acres of land, which the Federal Government will offer for sale from day to day from November 12 to December 23, this year. These lands are classed as follows: Nine hundred thousand acres agricultural, 445,000 acres agricultural surface with deposits of coal and asphalt, 1,500,000 acres of pine and hardwood lumber.

In addition to the above lands the coal and asphalt deposits are shortly to be sold. The United States mine inspector has estimated that the coal is worth in royalties to the Choctaw and Chickasaw people at least $70,000,000. There is now on deposit to the credit of these two tribes something like $1,000,000, derived from the sale of town sites.

VALUE OF PROPERTY.

It is reasonable to assume that the Federal Government will be able to get for the coal deposits at least one-half of the amount that said deposits are estimated to be worth in royalties, which would be, in round numbers, $35,000,000.

Should the 3,000,000 acres of land bring an average price of $10 per acre, which is a very reasonable estimate considering the fact that there is standing timber on 1,500,000 acres thereof, $30,000,000 will be derived from this source.

There is no accurate estimate of the value of the asphalt deposits, but they are worth several hundred thousand dollars. Eliminating the value of the asphalt deposits, we have the following values:

On deposit	$10,000,000
Value of the coal	35,000,000
Value of the surface and timber	30,000,000
Total value of the property	66,000,000

OWNERS OF THE PROPERTY.

The above property belongs to the citizens of the Choctaw and Chickasaw Nations of Indians under a grant made by the Federal Government under the terms of the treaty of September 27, 1830. The grant conveyed to said Indians all the lands lying between the Canadian and Red Rivers, the Arkansas line, and the one hundredth parallel west. All of said land, however, with the exception of the 3,000,000 acres above referred to, has been parceled out to the individual Indians in allotments of 320 acres of average value land.

As the property belonged to the citizens of the tribes of whom the Federal Government was the guardian, it became the duty of the Fed-

eral Government, upon the dissolution of the tribal governments, to ascertain who were the citizens entitled to share in the distribution of the property. This the Federal Government undertook to do. The tribal governments agreed to such action upon condition that each citizen be allotted 320 acres of average value land and should then share in the proceeds derived from the sale of any lands remaining undisposed of after all allotments had been made. It was also agreed that certain town sites, coal deposits, asphalt deposits, and timberlands should be withheld from the allotment scheme.

Congress passed seven different acts under which the citizenship of the two tribes should be determined and the distribution made. The acts were: Act of June 10, 1896, act of June 7, 1897, act of June 28, 1898, act of May 31, 1900, act of July 1, 1902, act of March 3, 1905, and the act of April 26, 1906. The latter act provided that the question of citizenship should be finally closed upon March 4, 1907, and since that date no person has been added to the rolls of those Indians entitled to share in the property. Assistant Attorney General J. W. Howell stated to the House Committee on Indian Affairs that the abovementioned acts were "inherently defective" and "administered so as to prevent a full realization of their purpose." (Hearings on H. R. 19279, 61st Cong., 2d sess., p. 265.)

WHY THE CLAIMANTS WHOM WE REPRESENT WERE OMITTED FROM THE ROLLS.

1. Sufficient time was not given to do the work. The Department of the Interior was forced to act pro forma upon the claims of more than 2,000 persons during the week preceding March 4, 1907.

2. The commission created by act of Congress was incompetent and composed of laymen who conceived the idea that it was their duty to oppose the applicants and restrict the number of persons entitled to share to the fewest possible. This commission suppressed records and failed to transmit the full case of applicants to the Secretary of the Interior, who had a supervisory authority and right of review. Upon charges filed against officers of this commission two of them were forced to resign. (S. Doc. 357, 59th Cong., 2d sess.)

3. The tribal officials who had control of tribal funds sought at all times to restrict the number of persons enrolled in order that the share of each would be greater.

4. The attorneys, Mansfield, McMurray & Cornish, employed under Government sanction to represent the tribes, for an extra consideration of $750,000 paid out of tribal funds, and which latter employment was unknown to the Government officials, succeeded in defeating the claims of nearly 4,000 persons who had been enrolled by judgments of the United States courts rendered in cases appealed from the action of the Commission to the Five Civilized Tribes under the provisions of the act of June 10, 1896. This action was investigated by the committee of Congress, and, with respect to the persons enrolled by judgments of the United States courts, this committee said: "There was no way by which persons so enrolled—locally known as court citizens—could be eliminated lawfully from participation in the tribal estate."

These tribal attorneys succeeded, however, in eliminating from the citizenship rolls the persons placed thereon by judgment of the United States courts by lobbying through a provision of law which became part of the agreement entered into by the Government and the tribes contained in the act of July 1, 1902, with reference to the distribution of the property, by having created a special court to review the judgments of the United States courts, and a committee of Congress has reported upon the manner in which this court was created, as follows:

"After the agreement had been duly signed by the representatives of the two nations and by the representatives of the Government, and after it was transmitted to Congress for ratification and approval, sections 31, 32, and 33 were inserted at the request of McMurray, which sections are predicated on the assumption that the United States courts in the Indian Territory, acting under the act of June 10, 1896, had admitted persons to citizenship in the Choctaw and Chickasaw Nations without notice to both of said nations. It was contended by the nations that in such proceedings notice to each of said nations was indispensable, and they claimed and insisted that the proceedings in the United States courts in the Indian Territory, under the act of June 10, 1896, should have been confined to a review of the action of the Commission to the Five Civilized Tribes upon the record in each case and should not have extended to a trial de novo of the question of citizenship. These sections authorized the two nations jointly, or either of said nations acting separately and making the other a party defendant, by a bill in equity filed in the citizenship court, to bring a suit for the purpose of testing the validity of all such decisions of the United States courts. It further provided that 10 persons admitted to citizenship or enrollment by the United States courts with notice to but one of said nations should be made defendants to a suit as representatives of the entire class of persons similarly situated. In other words, it authorized the bringing of a test suit and provided that in the event said citizenship judgments or decisions were annulled or vacated, any party thereto, within 90 days thereafter, by a written application, might have his case transferred to the citizenship court by the court where the judgment was entered, and that the citizenship court should have jurisdiction therein as if no judgment or decision had been rendered by the United States court. It was provided that the judgment of the citizenship court should be final.

This act provided that it should not be effective until submitted to and ratified by a vote of the two nations, but exception was made as to sections 31, 32, and 33, creating the citizenship court, but which became effective upon the passage and approval of the act.

Immediately following the passage of the act ratifying the agreement of 1902, the judges authorized to be appointed to constitute the citizenship court were appointed, as follows: Spencer Adams, of North Carolina; Henry S. Foote, of California; and Walter L. Weaver, of Ohio. Judge Foote appears to have been appointed upon the recommendation of Senator Stewart, who was then chairman of the Senate Committee on Indian Affairs, and Judge Adams, on the recommendation of Senator Pritchard, of North Carolina. Judge Foote was the brother-in-law of Senator Stewart. The law creating this court is without legislative parallel; the manner of its enactment was extraordinary, and the authority which it conferred upon the court it created is without precedent in American jurisprudence.

As soon as this court was created and organized, the firm of Mansfield, McMurray & Cornish proceeded to bring before it a very large number of claims of "court citizens," and they succeeded in eliminating from the rolls between 3,500 and 4,000 persons. They then claimed a fee of 9 per cent on a basis of $4,800 per person, as provided in the contingent-fee contract made in 1901, before referred to, which had not been approved in accordance with law. (H. Rept. No. 2273, 61st Cong., 2d sess.)

It was reported, and commonly accepted as a fact, that Judges Foote and Adams received a part of the fee paid Mansfield, McMurray & Cornish, and in the case of Adams *v.* Butler, in which case Adams sued ex United States Senator Butler, of North Carolina, for libel, it was shown that Adams received $50,000 of the fee. While the committee was considering the evidence upon which the above report was made, Judge Adams cut his throat with a razor. Judge Foote died shortly after the fee was paid. Foote was a confirmed drunkard.

5. There are many other reasons impossible of explanation in this short statement.

CONGRESS NOW CONSIDERING CLAIMS.

Since the closing of the rolls those whose names appear thereon and the Representatives in Congress from Oklahoma have constantly pressed for legislation directing the Secretary of the Interior to finally wind up the affairs of the tribes and to distribute the funds to those enrolled. This Congress has refused to do, and at each session has considered the enactment of legislation that would place upon the rolls all meritorious cases. The hearings upon such proposed legislation has progressed to the point where it now seems certain that action will be taken at the coming session of Congress. The Secretary of the Interior on February 12, 1910, recommended that Congress give him authority to add to the rolls two classes of persons who had been omitted. (App. Hearing on H. R. 19279, 61st Cong., 2d sess.) And during the last session of Congress the Secretary advised Congress that there were several different classes of cases which should be reheard before the estates were finally wound up, and suggested that Congress give him authority to hear the cases and to add the names to the rolls of those persons found entitled to be placed thereon.

It is our purpose to continue the fight for our clients until definite action is taken by Congress. We have been strong enough at all times to prevent a final settlement and distribution of the property. The opposition now realizes that, in order to get their own shares of the property, they must consent to legislation giving our clients their rights. I have spent a great deal of money and have given all of my time since March 4, 1907, in the work of securing justice for our clients, and I shall continue to do so until some final action is taken by Congress.

ESTIMATED VALUE OF EACH CLAIMANT'S SHARE OF PROPERTY.

As the lands have all either been alloted or ordered to be sold, the persons added to the rolls will have to take their share of the estate in cash, and it has been tentatively agreed that each person so enrolled is to receive $3,000 in cash.

Yours, very truly,

ALBERT J. LEE.

CLAIMS IN CHOCTAW AND CHICKASAW ESTATE.

Below is the list of the number of persons claiming a share of the Choctaw and Chickasaw tribal estates, represented by Ballinger & Lee, attorneys, and the basis of their employment.

The value of an individual share in the estate is estimated at $3,000 in cash.

Number of individual claimants: 3,738, more or less.

Of the above number 2,051 persons, more or less, are represented under written contracts and powers of attorney, for a contingent fee of 40 per cent of claims recovered; 487 are represented by agreement with other attorneys who hold contracts for 25 per cent of recovery, the share of Ballinger & Lee being 12½ per cent of the amount recovered. One thousand two hundred persons, more or less, are represented by *Ballinger & Lee under 50 per cent contract, of which Ballinger & Lee's share will estimate $500 per person.*

Lee's proposed sale of 40 per cent of his individual shares, or fee, is figured as follows:

	2,051	persons,
	$3,000	Value of individual share.
	$6,153,000	Total value of shares of 2,051 persons.
	40	per cent basis of fee.
	$2,461,200	Estimated fee.
	487	persons.
	$3,000	Value of share.
	$1,461,000	Total value of shares of 487 persons.
	12½	per cent basis of fee of Ballinger & Lee.
	$183,023	Total estimated fee of Ballinger & Lee for 487 persons.
	1,200	persons.
	$500	Ballinger & Lee's fee per person.
	$600,000	Total estimated fee for 1,200 persons.
	$2,461,200	
	183,023	
	600,000	
	$3,244,223	Total of Ballinger & Lee's fee.
Less	150,000	Estimated expense of collection.
	$3,094,223	
	45	per cent with which assistance was contracted.
	$1,392,400	Estimated cost of assistance.
	$3,094,223	Net fee.
Less	1,392,400	Cost of assistance.
2)	$1,701,823	Net fee to Ballinger & Lee.
	850,911	Net fee to Lee.
	40	per cent proposed assignment.
	$340,364	Fee which will go to owners of the 40 per cent to be sold.

In addition to the above cases, we represent about 10,000 people whose records do not conclusively show that they are entitled to share in the distribution of the property, but if Congress permits proof to be made in these cases, I estimate that at least 3,000 of them will be good. Our fee in these cases is 40 per cent, and in the event of success in the 3,000 cases indicated, my individual fee would approximate $2,065,911. My proposed assignment includes all of these cases.

ALBERT J. LEE.

MASTERSON & MASTERSON, ATTORNEYS AT LAW,
Houston, Tex., October 17, 1912. (Received Apr. 20, 1914.)

To whom it may concern:

I have carefully read the statement of Albert J. Lee, of the law firm of Ballinger & Lee, in his letters of the 17th instant, relating to the claims of the Choctaw and Chickasaw Indians, represented by his firm,

and from my own knowledge of the facts, the manner in which the estate of these Indians was administered by officers of the Federal Government, and the steps that are now being taken to protect the interests of the claimants, I know that Mr. Lee's statements is substantially correct. The claims represented by Mr. Lee are meritorious; however, he does not by half set forth the merits of the claims, nor does his statement fully cover the injustice that has been perpetrated upon the class of Indians whom he represents. It would be impossible for him to fully deal with the merits of these claims in a brief letter.

The records in these cases are so plain and so clearly disclose fraud and incompetent administration that I am firmly convinced that Congress will restore the claimants to their rights. I therefore believe that money advanced to Mr. Lee in aid of his cases will return a big profit within the next two years, and that such profits will not be less than a return of $20 for every dollar advanced him.

On the 7th day of this month I furnished $2,000 to Mr. Lee in order to afford him temporary relief in connection with the Indian claims represented by him, and in addition thereto I am subscribing $2,000 to the fund of $16,000 which he is now endeavoring to raise, notwithstanding the fact that I am largely interested in similar claims of the Choctaw Indian descendants.

Of my own knowledge—for I have investigated many of the claims of the clients of Mr. Lee before deciding to invest $4,000 in the enterprise—I know that the claims of the Indians so investigated, whom Messrs. Ballinger & Lee represent are full of merit. I therefore consider the $2,000 already invested and subscription of $2,000 to be in the nature of a fine speculative investment. It is hoped, and I think reasonably certain, that the Choctaw claimants will be given relief during the coming session of Congress.

These claims do not conflict with the claims handled and represented by the Texas-Oklahoma Investment Co., but are in line with them.

Yours, very truly,

H. MASTERSON.

I visited Muskogee, Okla., where I conferred with Commissioner Wright and Superintendent Kelsey with reference to persons soliciting contracts from the Indians of Oklahoma, and then proceeded to Poteau, Okla., where I met T. V. Sprinkel, an attorney of that town, whom I learned had been obtaining contracts from certain Indians, and upon interrogating him relative thereto, he stated with apparent frankness that he has been engaged at intervals the past three years in procuring contracts from Choctaw Indians who are interested in what is known as the Glenn-Tucker claim, and that he has not solicited contracts in any other Indian claim; that there are about 700 Choctaw families interested in said claim; and that he has procured contracts from 75 of the leading families interested, and only from those of them with whom he has been acquainted for many years past.

He stated that to meet the expenses incurred by him in executing the contracts and preparing the case he charges each family $10 who employ him, this being the total charge he makes to each family regardless of the number in the family, and that his contracts provide for payment to him of a 25 per cent contingent fee of whatever he may recover for them. He further stated that he has been engaged in this work since 1911, during which time he has made two trips to Washington, D. C., in the interests of his clients, and that up to the present time the total received by him from the 75 families with whom he has contracts amounts to only $129.

He also stated that Webster Ballinger, Walter S. Field, and W. W. Wright, attorneys of Washington, D. C., have a large number of similar contracts with Choctaw Indians.

While at Poteau I learned that a colored man named Robert L. Fortune, of Wilburton, Okla., had been soliciting contracts for Crews & Cantwell from Choctaw freedmen residing in the vicinity of Poteau, and I obtained from Mr. Felix Bird, a notary public of Poteau, one of the contracts, which said Fortune had left with the notary for acknowledgement when the freedman represented therein appeared to execute it, and after concluding my business at Poteau I proceeded to Wilburton, where I met said Robert L. Fortune and interrogated him with reference to the matter.

Said Robert L. Fortune resides in the town of Wilburton, Okla., and bears a good reputation in the community. He stated to me that he is 48 years of age, and was for 10 years, terminating in 1906, a deputy United States marshal for the eastern district of Indian Territory, now a part of Oklahoma, and that about three years ago he was employed by a negro lawyer, named J. Milton Turner, to canvass certain localities in eastern Oklahoma and procure contracts from Choctaw freedmen for Crews & Cantwell, of St. Louis, Mo.; that said Turner employed two other colored men as subagents in this work, whose names were J. E. Eubanks and H. A. Guess, respectively, and that Turner, in directing the work, maintained an office first at McAlester, Okla., and subsequently at Fort Smith, Ark.; that he (Fortune) procured about 700 contracts for Crews & Cantwell from Choctaw freedmen, including minors, but took no contracts from minors except when executed by legal guardians; that he delivered all of the contracts thus procured by him to J. Milton Turner, who paid him $1.25 for each duly executed contract delivered, and that the contract provided for a 35 per cent contingent fee to Crews & Cantwell.

Said Robert L. Fortune stated that in no instance while engaged in this work did he represent himself as a Government official, but invariably as a subagent of J. Milton Turner, in procuring contracts for Crews & Cantwell, of St. Louis, Mo.; that H. A. Guess, another of Turner's subagents, who was a negro attorney, then residing at McAlester, Okla., was given a much larger and better territory to operate in than that assigned to him by Turner, in consequence of which, as stated by Fortune, Subagent Guess procured about double the number of contracts that he (Fortune) obtained, and which, with the contracts procured by J. E. Eubanks, another of Turner's subagents, a colored man, and said to be a lawyer, whose field of operation was in the southeastern part of Oklahoma and adjoining territory in Arkansas, and Fortune stated, as an estimate, that about 2,300 contracts were obtained for Crews & Cantwell from Choctaw freedmen by himself and the two other subagents operating under the direction of said J. Milton Turner.

On the 23d ultimo I called upon Mr. Harris Masterson, attorney at law, at his office in the Chronicle Building, Houston, Tex., and had a very pleasant interview with him relative to his connection with certain attorneys engaged in prosecuting Mississippi Choctaw Indian claims, and he was exceedingly courteous throughout our conference.

Mr. Masterson is a very affable gentleman and stated quite freely his interest in the claims handled by Crews & Cantwell, in which he said he became interested by having the case presented and explained to him by Mr. S. L. Hurlbut, of El Campo, Tex., and that after investigating the matter he concluded to go in on it as a speculative investment, and that he took an active part in promoting the organization of the Texas-Oklahoma Investment Co. to finance the project.

The organization of said company and financing of the project is set forth on pages 12 and 13 of this report, based upon the statements of Mr. Masterson to me with reference thereto.

Mr. Masterson further stated that he also promoted the raising of a fund for Attorney Albert J. Lee, of Ardmore, Okla., to enable him to continue the prosecution of certain Choctaw-Chickasaw Indian claims that are being handled by Ballinger & Lee, which do not conflict with those handled by Crews & Cantwell.

Luke W. Conerly, of Gulfport, Miss., being frequently referred to in the communications contained in the file of papers furnished me by the Indian Office for use in my investigation, and his name appearing in the correspondence as an active solicitor in obtaining contracts from Mississippi Choctaws, therefore I proceeded to Gulfport, Miss., to meet him.

I reached Gulfport the afternoon of the 27th ultimo, and learning that Mr. Conerly lived out in the country about 3 miles from Gulfport, I got into telephone communication with him and he immediately came in to meet me at the Great Southern Hotel, where we were over three hours in conference, and he returned about 9 o'clock the following morning, accompanied by Henry Wilson and Carl Wilson, two prominent members of the Mississippi Choctaws, and remained until near noon discussing Choctaw matters generally and A. P. Powell particularly.

The said Luke W. Conerly is 73 years of age and a lawyer by profession, but has not practiced in the courts for several years past. He is quite intelligent, bears a good name in the community, and is well spoken of by those who know him. He claims to be a lineal descendant of one of the leading Choctaw families who participated in the Dancing Rabbit Creek treaty of 1830, and stated that he is now regarded by all the Choctaws living outside of Oklahoma as their captain and recognized leader; also that it was he who first interested Congressman Harrison, of Mississippi, in Choctaw matters and got him to introduce the bill for reopening the Choctaw rolls; that he had interested United States Senators Williams and Vardaman, of Mississippi, in the Choctaw claim; also Congressman Morgan, of Louisiana, in whose district many Choctaws reside.

I had a very pleasant interview with Harry Wilson, president chief council, Society of Mississippi Choctaws, together with his son, Pearl L. Wilson, secretary of said council, both of whom reside in Gulfport, Miss., and they corroborated substantially the statements of Luke W. Conerly regarding Mississippi Choctaw matters.

Mr. Conerly stated that he assisted A. P. Powell in writing up contracts with Mississippi Choctaws in 1910, when Powell was working on a salary for Crews & Cantwell, and that again in March, 1911, he commenced assisting Powell in writing up contracts for W. B. Matthews, an attorney of Washington, D. C., and for whom Powell procured 2,258 contracts and had charged the claimants $2.50 each for executing. He further stated that he was in Washington, D. C., in February, 1912, and suggested to Mr. Cantwell, who was also in Washington, the advisability of Crews & Cantwell purchasing the Matthews contracts, as Mr. Matthews had never done anything toward furthering the Choctaw case before the committees of Congress or elsewhere, and that Mr. Cantwell was so favorably impressed with the proposition that he authorized him (Conerly) to call upon Attorney Matthews and endeavor to bring about a transfer of his contracts to Crews & Cantwell, which he (Conerly) proceeded to carry out, resulting in Mr. Matthews transferring the 2,258 contracts that were procured in his name to Crews & Cantwell for a cash consideration of $1,300, together with Mr. Matthews retaining a certain per cent interest in the contingent fee provided in the contracts, and that he (Conerly) supervised the legal transfer of said contracts from Matthews to Crews & Cantwell and carried them from Mr. Matthews's office in the Bond Building to Crews & Cantwell's office, then in the Munsey Building.

Mr. Conerly further stated that A. P. Powell in his deal with W. B. Matthews was to receive a certain per cent of the contingent fee provided in the contracts, and in order to eliminate Powell, and that he would have no further interest in these 2,258 contracts, Mr. Cantwell paid Powell $300 in cash; this payment to Powell, as stated by Mr. Conerly, was that he might thus be gotten rid of in a friendly way and with the understanding that he (Powell) was not to return to Mississippi to engage in soliciting contracts with Choctaw or Chickasaw claimants.

Mr. Conerly stated that he was then engaged by Crews & Cantwell to procure contract for them, and that arrangements were subsequently made by which Powell assisted him for a time, and that during 1912 and early part of 1913 he (assisted by Powell) procured about 1,300 contracts for Crews& Cantwell and turned the same in to them; that Powell then commenced taking contracts in his own name, and his present whereabouts are unknown to Conerly.

Mr. Conerly still further stated that since March, 1913, he has been in the employ of Mr. T. B. Crews, of the firm of Crews & Cantwell, in procuring Choctaw contracts, and had on the 28th ultimo about 1,800 executed contracts all indexed and ready to turn in, thus approximating about 9,558 of this class of contracts controlled by Crews & Cantwell, apart from any they may have obtained through parties of whom he—Conerly—has no knowledge. To the above-stated total may be added the 2,300 freedmen contracts, as estimated by Robert L. Fortune, of Wilburton, Okla., who was one of the solicitors obtaining contracts from freedmen for Crews & Cantwell.

Mr. Conerly stated to me that he had obtained contracts from Mississippi Choctaws residing in 15 different States, and that there are now so many influential persons interested in this claim that he has great hope of the early enactment of legislation directing the reopening of the Choctaw and Chickasaw rolls.

With reference to the representations made and methods adopted by A. P. Powell in obtaining contracts from Mississippi Choctaw applicants, Mr. Conerly stated that he had been associated with Powell at intervals, from 1910 to the early part of 1913, in writing up contracts for Choctaw claimants, and that during all that period he had never heard Powell represent himself as a Government official; on the contrary, had often heard him tell applicants that he was in no way connected with the Government, but that the impression prevailed among the people in general that Powell represented some high authority in canvassing for and executing the contracts he was obtaining; that he never heard Powell state that he was a lawyer, but knows that the impression prevailed in general that he was an attorney.

Mr. Conerly stated that he has not met Powell during the past year and did not know where he is at the present time, but had heard that he is still engaged in soliciting contracts from Choctaw claimants, taking the contracts in his own name on a 20 per cent contingent fee and charging each applicant $2.50 for executing their papers, and he—

Conerly—expressed the belief that Powell has realized several thousand dollars through the $2.50 fee invariably received by him from each of the many claimants from whom he obtained contracts since severing his connection with Crews & Cantwell in 1911.

Mr. Conerly remarked with reference to A. P. Powell that he regarded him as a shrewd individual who made a good impression upon persons meeting him casually, but that from having acquired a very thorough knowledge of Powell's characteristics, he—Conerly—would not wish to be associated with him in any business transaction.

As pertinent in the premises, I transmit herewith as "Exhibit B" copy of statement of said Luke W. Conerly, made under oath to Special Indian Agent W. W. McConihe at Jackson, Miss., on April 26, 1911; the original of which I submitted to Mr. Conerly at Gulfport, Miss., on the 28th ultimo, and which he verified as true and a correct statement of matters therein referred to up to the time the said statement was made and sworn to by him.

There is also transmitted herewith as "Exhibit C" letter of Luke W. Conerly, of Gulfport, Miss., addressed to me under date of 17th instant, to which is attached a printed circular of Crews & Cantwell, date February 16, 1912, accompanied by printed copy of an affidavit of A. P. Powell, dated November 6, 1911, which has reference to the discontinuance of A. P. Powell by Crews & Cantwell and the employment by them of said Mr. Conerly to continue the work of procuring contracts from Choctaw claimants who desired to be represented by Crews & Cantwell.

I also transmit as "Exhibit D" copy of affidavit of said A. P. Powell, acknowledged at Jackson, Miss., by W. W. McConihe, special United States Indian agent, on April 27, 1911, wherein Powell states that he took about 4,000 applications and made no charge for them, after which he charged applicants $1.25 each; that he made this charge because the money that had been advanced by Crews, Cantwell & Hurlbut was exhausted; that he sent all these claims he was making a charge for to Crews & Cantwell; that he took about 100 applications at Monticello, Miss., for Crews & Cantwell and charged $2.50 each there; that he took a few names at Biloxi, Miss., and charged $1.25 for each applicant there, and that these claims were for Crews & Cantwell; that he also visited Meridian, Miss., and took about 88 applications there for Crews & Cantwell, but for which no charge was made; and that he had taken no applications for Crews & Cantwell after his association with Matthews (meaning Attorney W. B. Matthews, of Washington, D. C.).

From the foregoing statements of Powell, in his said affidavit, he doubtless took contracts for Crews & Cantwell from approximately 4,200 claimants, as stated on page 13 of this report, and also as shown on page 14 hereof, by copy of Mr. C. B. Moling's letter of June 12, 1911, to Hon. W. L. Dechant, of Middletown, Ohio, which, with the 2,258 contracts taken by Powell for W. B. Matthews and subsequently transferred to Crews & Cantwell, and as stated by Luke W. Conerly (assisted by Powell), 1,300 turned into Crews & Cantwell during 1912 and early part of 1913 (see p. 37 of this report), together with about 1,800 additional contracts which Mr. Conerly has recently procured and ready to turn in to Mr. Crews (see also p. 37 of this report), approximates 9,558 of this class of contracts on a 30 per cent contingent fee, controlled by Crews & Cantwell and their associates of the Texas-Oklahoma Investment Co., and which, with about 2,300 contracts obtained for Crews & Cantwell from freedmen on a 35 per cent contingent fee, as stated by Robert L. Fortune (see pp. 30–32 of this report), brings the number of claimants represented by them up to 11,858, approximately.

I transmit herewith five forms of blanks used in executing these contracts, "Exhibit E" being the form used by A. P. Powell in procuring contracts for Crews & Cantwell while working on a salary for them. "Exhibit F" was the form used by said Powell while procuring contracts for W. B. Matthews. "Exhibit G" is the form now being used by A. P. Powell in taking contracts in his own name. "Exhibit H" is the form used by Luke W. Conerly in writing up contracts for T. B. Crews. "Exhibit I" was the form used by the three subagents of J. Milton Turner in procuring contracts from Choctaw and Chickasaw freedmen for Crews & Cantwell, and "Exhibit J" contains copies of five notices circulated by A. P. Powell in soliciting contracts; also specially prepared press dispatches for distribution, with the evident object of thus arousing enthusiasm in the Mississippi Choctaw matter.

In conclusion I desire to state that from a careful perusal of the numerous letters of claimants, from whom A. P. Powell had obtained contracts, seeking information with reference thereto, as contained in the file of papers furnished me by the Indian Office for reference in this investigation, together with my having interrogated numerous persons as to the representations made to claimants by Powell and other solicitors, it appears that Powell did not represent himself as an official of the Government nor of the Choctaw Nation, and thus therefore avoided violating the statutes in that respect, notwithstanding which, as stated by many persons, the impression undoubtedly prevailed, especially among the more ignorant, that he was a lawyer and represented the Government in some manner in soliciting contracts from Choctaw claimants.

Many persons whom I interrogated regarding the matter asserted that Powell had invariably denied being in any way connected with the Government, and was only endeavoring to get the rolls reopened that the unenrolled Choctaws might receive their rightful shares, which, as stated by him, would be 320 acres of land and about $2,500 in cash to each claimant, less 30 per cent contingent fee to the attorneys.

I return herewith the file of papers furnished me by the Indian Office for reference in this investigation.

Very respectfully, your obedient servant,

JAMES MCLAUGHLIN, *Inspector.*

EXHIBIT A.

[S. L. Hurlbut, president; L. H. Beal, secretary. Alfalfa, corn, oats, cotton, rice, cane, and truck lands.]

GULF COAST LAND & INVESTMENT CO.,
STATE BANK BUILDING,
El Campo, Tex., March 8, 1911.

A. P. POWELL,
Bay St. Louis, Miss.

DEAR SIR: Your letter addressed to Mr. Hurlbut, under date of March 6, has just reached us, and as Mr. Hurlbut is away from the office at this time and as you seem to have a wrong idea of the amount that has been spent for contracts, or rather for the actual expense of taking contracts up to the present time, we think it advisable to supply you with the figures, as shown on our books, for the money already paid out for field work, for the actual expense of taking the contracts, not to say anything of that used by Crews & Cantwell, in getting ready for proving up.

Powell has received, to cover expenses, to date	$2,006.02
Powell has received salary for taking contracts	900.00
Nickols has received for helping in taking Oklahoma contracts	125.00
Turner has received for helping in taking Oklahoma contracts	165.00
Hurlbut has been to an expense in going to Oklahoma and taking contracts there	327.00
Or there has been a total spent on taking contracts of	3,523.02

So you will see that, instead of as you say, when you make the statement that you have used only $1,800 yourself, you have really used $2,906.02, and this does not include the $65 given you by Cantwell while you were in Washington the last time. And you will see by this that Mr. Hurlbut was exactly right when he stated that about $7,000 has already been spent.

Mr. Hurlbut will no doubt answer the part of your letter where you refer to his paying you $122 when he returns to the office, and I think this matter will be fixed up between you and him in a satisfactory manner, as he wishes to do exactly what is right by you.

Yours, very truly,

L. S. HURLBUT.
Per L. H. BEAL.

STATEMENT OF MR. LUKE WARD CONERLY.

Mr. Luke Ward Conerly, of Gulfport, Miss., station A, made the following statement to Special Agent McConihe at Jackson, Miss., April 26, 1911, under oath:

"I know A. P. Powell. He is engaged in writing up Choctaw claims in Mississippi. I am working with Mr. Powell now. Have been with him at Tylertown, Pike County, Bay St. Louis, and I am now engaged at McComb City, Pike County. I was not with him all the time at Bay St. Louis. I have been present when large numbers of persons appeared before Mr. Powell, and I never heard him say he was a Government official or agent, or make any statement that could lead others to think so.

"I met Powell about July and asked him what he was doing, and he said he was getting up claims for Mississippi Choctaws under the treaty of 1830. I understood that he had been before Congress with the claims. He said that Crews & Cantwell were getting up the claims to present to Congress, the courts, or the department. Powell said he was getting the claims for that firm. I do not know what he gets out of it. I have never heard Powell say that he was representing the Government, nor have I ever heard anyone say that they heard or was told by Powell that he was a United States official, or was representing the Government. At Bay St. Louis he was making no charges at first for his work. Powell required every applicant to show up his ancestry.

"At Bay St. Louis he ran out of blanks and had some more printed, and afterwards charged them $1.25, including notary fee. Powell sent me to Tylertown to work there getting up claims, and I made a charge of $2.50 for each application written up and paid him $1 for blanks. I wrote up about 150 applications. The charge was to cover expenses. I represented to the people that they were entitled to put in claims against the Government under the provisions of the treaty of 1830, subject to such legislation by Congress as might be determined, and that they would have to enter into a contract if they wanted to put in a claim on a 30 per cent contingent fee, as shown by the contract with Crews & Cantwell, who were the lawyers having charge of the matter, who would present the claims to Congress. I have been at McComb City working up claims since March 21, and making a charge of $2.50 for each application. I pay Powell $1 for a set of blanks of two, and keep $1.25, and pay the notary 25 cents. I am taking all these applications in the name of William B. Mathews, of Washington, D. C. Last December 19 I closed at Tylertown and went to Bay St. Louis and brought him all the applications I had left. These were the last I wrote up for Crews & Cantwell. I wrote no more after that until about March 13, when I met him at Columbia, where he was writing up claims for W. B. Mathews. He gave me to understand that he no longer represented Crews & Cantwell, but gave me no reason for the change. He gave me 100 sets of blanks to take to McComb and open an office there. Our agreement was that I should write 25 claims and send them to him with the $25. I have sent him 50 contracts and $50. I was not at Jackson with Mr. Powell. I made $1.25 on each application at McComb. I tell the people this is for my expenses."

I certify that the above statement was made to me under oath.

W. W. MCCONIHE,
Special Indian Agent.

EXHIBIT C.

GULFPORT, MISS., *June 17, 1911.*

Maj. JAMES MCLAUGHLIN,
Inspector, Indian Office, Washington, D. C.

DEAR SIR: While you were in Gulfport I promised you I would send you a circular sent out by Crews & Cantwell from Washington in reference to A. P. Powell and also my employment by them in February, 1912. You will note that during the engagement of myself by Crews & Cantwell, in which Mr. Masterson was concerned, I was forbidden to charge even a notary fee against those who appeared before me.

Mr. Masterson refusing, after the 1st of February, 1913, to furnish any more money to cover my expenses, I took contracts during that month for that firm at my own expense. After February, 1913, say 1st of March, 1913, I entered into an agreement with Thomas B. Crews to take contracts in his name, he to cover my expenses, except I reserved the right under the Mississippi laws to charge my notary fee of 50 cents each against those able to pay, and I have made it a rule not to charge a widow or a woman dependent on her own resources for a support, nor a cripple, nor anyone else not able to pay the 50 cents notary fee.

Not being allowed any traveling money in 1912 by Crews & Cantwell and Mr. Masterson, in some instances, in order to save the expense of coming to Gulfport, where there were groups of claimants, they volunteered to cover my expenses to their neighborhoods and return. In no instance whatever have I made a charge against persons putting in claims through me; neither have I appointed any subagent, nor allowed anyone, if I could help it, to charge for making out proof and contracts for others where I furnished the blanks, but I can not say this was not done in some instances without my knowledge.

I have always been careful to explain the situation of our case before the Committee on Indian Affairs, as I was present at the opening of the case before the subcommittee, February, 1912, and understood

the situation, and have tried to impress upon the minds of all that the rolls could not be opened; nor could the Secretary of the Interior do anything without the enactment of a law to authorize it; and especially have I urged people not to annoy the Interior Department, nor our lawyers and Congressmen, with letters—to be patient and wait.

So anxious have our people been to get their claims in and to secure their rights that they would willingly have paid me a cash fee for the work of getting up their ancestral records and proof and preparing their papers for their attorneys, and I could have reaped thousands of dollars in the last two years; but, instead, I have expended a thousand dollars of my own earnings going to them to do the work for them free of charge, besides money furnished me by my associates and employers, Crews & Cantwell. Knowing the hard contest before us in Congress on account of powerful opposition, I was opposed to the charge of a petty fee against the claimants when their attorneys were doing their work for a contingent fee subject to modification and approval of the Secretary. By a special arrangement with Mr. Cantwell and also with Thomas B. Crews, I own a number of contracts in my own right, taken in the name of Crews & Cantwell, and I am trying, and have been all the time, to conform to my instructions from them as outlined in the circular inclosed sent out by them in February, 1912.

Yours, sincerely and truly,

LUKE W. CONERLY.

OFFICE OF CREWS & CANTWELL, 420 MUNSEY BUILDING,
Washington, D. C., February 16, 1912.

To the Mississippi Choctaws:

We inclose herewith a copy of an affidavit made by A. P. Powell which explains itself. The occasion for sending this affidavit to you and for the statement which follows arises by reason of the fact that all relations between A. P. Powell and the firm of Crews & Cantwell are now severed.

A short history of our relations with him may not be improper. In the month of May, 1910, Mr. Cantwell had some business before the Committee on Indian Affairs with relation to citizenship claims in the Choctaw-Chickasaw Tribe, and made an argument before the committee on that day. At the conclusion of his argument Powell made to the committee a statement of his claim as a Mississippi Choctaw. (A copy of the statement of Mr. Powell made at that time is herewith inclosed for your information.) Mr. Cantwell had had no occasion to investigate the claims of the Mississippi Choctaws prior to that time, but upon a casual examination of the matter he became impressed with the idea that there was much more foundation for the claim of rights of the Mississippi Choctaws than had been stated by Mr. Powell before the committee, and upon a full investigation he became convinced that the claim of rights of the Mississippi Choctaws was well founded, and thereupon our firm employed Powell upon a salary to go to Mississippi and secure contracts for us and in our name as attorneys to represent the claimants. Powell gave us to understand at that time that the number of claimants would be about 2,000, and the money was provided for all the expense of taking that number of contracts. There were many more claimants than we were led to believe existed, and after nearly 3,000 contracts had been taken the money provided for that purpose became exhausted. Mr. Cantwell requested Powell, who was then in Washington, to return to Mississippi and stop the work of taking contracts until arrangements could be provided for funds to pay the expenses of taking more contracts, and Powell was paid his expenses to return to Mississippi. Powell at that time suggested to Mr. Cantwell that the claimants would pay the expenses themselves, but as no bill had been introduced for the relief of the Mississippi Choctaws, and as it was uncertain at that time whether any legislation would be enacted, Mr. Cantwell felt that to charge claimants for making out the papers, or to permit them to pay the cost of doing so, might cause the enemies of the Mississippi Choctaws to designate the efforts to get them together as a scheme of graft for these fees, and our firm was not willing to have the cause injured by permitting any occasion for such charges. Powell then went to Mr. W. B. Matthews, a lawyer, of Washington, D. C., and represented to Mr. Matthews that there were a large number of claimants in Mississippi who were willing to pay for writing up their contracts, provided they could get a lawyer to represent them. Mr. Matthews consented to represent them in the event that Powell could secure the contracts, and quite a number of contracts were taken by Powell in the name of W. B. Matthews under this arrangement, the claimants paying a fee for writing the contracts.

The firm of Crews & Cantwell had absolutely no connection with this whatever, and during all this period Powell was not in our employ and not in any wise connected with us. During all this time, however—that is, while Powell was taking contracts for Mr. Matthews—no contracts were taken for us or in our name, although we were doing all the work of preparing the law governing the case of the Mississippi Choctaws. Powell had up to this time still retained a contingent interest in the fee which might be eventually recovered by us, and desiring to eliminate him from all connection with our contracts he was paid the sum of $2,400 in cash, and he then relinquished all interest, contingent or otherwise, in the contracts which he had secured for us. This payment was in addition to the sum of $150 per month and his expenses, which had been fully paid him during the time he was taking contracts for us. Later—that is, within the last two months—Mr. Matthews, having then investigated the matter, became convinced that we were in a better position to present the case of the Mississippi Choctaws and to handle their interests than anyone else, transferred all the contracts which had been secured in his name to us and substituted our names as attorneys in accordance with the power given him by each individual contract.

From the beginning of this work we have been entirely willing to give Powell all the credit to which he may be entitled, by reason of the fact that, without knowing upon what legal ground the rights of the Mississippi Choctaws depended, he remained in Washington almost friendless and alone (up to the time that he met Mr. Cantwell), insisting that he, as a Mississippi Choctaw, had some rights which had been disregarded. We have always regarded Powell as the instrument of Providence in keeping alive the claim of at least one Mississippi Choctaw after the closing of the rolls in 1907 up to the time when the work was commenced at our expense in Mississippi. For his energy, after his return to Mississippi, in keeping up the interest of the people there in their rights (although he was paid therefor a much higher salary than he had ever earned before in his life), we have always been willing to concede him full credit and honor. Unfortunately, however, Powell now seems to have the impression that he is a lawyer, that he should direct this campaign, and he has been particularly restless and sensitive about the few mild criticisms which we have indulged in regarding certain misrepresentations which he had ignorantly made to the people in Mississippi.

Some two weeks ago we engaged Powell upon a salary to go back to Mississippi to assist Mr. Luke W. Conerly, of Gulfport, Miss., in taking such contracts as might still be obtainable from claimants, with the express provision that Powell and Conerly should be paid a salary and that no charge should be made the claimants. While we do not regard it as anything improper for the claimants to pay the expenses necessarily incident to making contracts for the protection of their rights, yet, having defrayed all the expenses of taking contracts for us before and desiring to prevent any reflection upon the agitation for those rights as being a means by which a petty profit might be made, we have steadily opposed the idea of taking any contracts except at our own expense.

A telegram has just been received from Powell in Mississippi saying that "Our deal is off." Owing to his peculiar impulsive disposition, we are led to fear that he may be indulging in some misrepresentation as to what is now being done in Washington and that he contemplates some arrangement by which he may continue to charge claimants for taking their contracts as he had heretofore done with the Matthews contracts.

We desire to say to the claimants that a bill for their full and adequate relief has been introduced in the lower House by Mr. HARRISON of Mississippi; that all the members of the Mississippi delegation and Mr. Wickliffe, of Louisiana, are enthusiastically supporting the bill; and that Congressman HARRISON and Mr. Cantwell are now engaged in making arguments before the Subcommittee on Indian Affairs in Congress, making a full presentation of the case, and that everything is being done that can be done for the relief of these claimants.

Mr. Luke W. Conerly, of Gulfport, Miss., who is himself a Mississippi Choctaw claimant, will return to Mississippi from Washington in a few days, and any of your friends or relatives who are not now represented by us who desire attorneys to represent them may procure blank contracts and blank memoranda of evidence from Mr. Conerly. All those who apply to him at Gulfport, Miss., will have the memorandum of their evidence filled and the contracts prepared and acknowledged without charge, and upon giving him the preliminary information by mail, the papers will be prepared by him and returned to you at your home in the event that you can not get to Gulfport. In case the papers are acknowledged at your own home, however, the claimant would be expected to pay the notary fee, which in any event would not be more than 50 cents.

We repeat we have never had any desire to take away from Powell the credit for whatever work he has done. He is in the habit of looking upon himself as the "father" of the Mississippi Choctaws. We have been reliably informed that Powell has heretofore represented throughout Mississippi that he was the attorney who presented this matter before Congress. In order to gratify his vanity, we had inserted in the first contracts a recognition of Powell's services, but the copy of the statement, and the only statement which Powell has ever made before any committee of Congress, is herewith inclosed, from which each claimant can easily determine for himself that if the rights of the Mississippi Choctaws had depended upon Powell's efforts alone they would not have gotten very far toward being recognized. The statement itself shows that Powell did nothing except call attention to his own claim; and a comparison of his statement with the voluminous brief of Mr. Cantwell shows how imperfectly even his own rights were stated. Whatever Mr. Powell may do can not affect the rights of the claimants. Their rights will be fully protected in any event, and this letter is sent you only for the purpose of thoroughly acquainting you with the situation in order to prevent the possibility of any wrong impression being created in regard to your claim.

CREWS & CANTWELL.

STATE OF MISSOURI, *City of St. Louis, ss.*

A. P. Powell, upon his oath, deposes and says:

That in the month of May, 1910, at the city of Washington, D. C., he was employed by the firm of Crews & Cantwell to secure contracts for them for their employment as attorneys by persons claiming rights as Mississippi Choctaws under the treaty of 1830; that his instructions from Mr. Cantwell were to write the contract of no person who was not a bona fide claimant under said treaty, and to write contracts with no person except those who had record or evidence by tradition of their pedigree as a descendant of a person entitled to lands under the treaty of 1830; that he was paid a salary of $150 per month and all of his expenses, and had a contract for a contingent interest in the fees that might be recovered by Crews & Cantwell; that all of the expenses of securing about 3,800 contracts, including the acknowledgments, were paid by the firm of Crews & Cantwell, and that no charges were made by him against any of the claimants for any of his services in writing contracts for Crews & Cantwell; that after Crews & Cantwell stopped taking contracts the affiant was besieged by other persons who had had no opportunity up to that time to have their contracts written, and that affiant upon his own responsibility took contracts with about 300 persons, in the name of Crews & Cantwell, charging the applicants a fee of $1.50 for each contract; that after communicating to the firm of Crews & Cantwell the fact that these last 300 had been taken for which this charge had been made, Mr. Cantwell first declared that, as they had made no charges for the other contracts, they did not want these contracts at all, but realizing that this would put the claimants in a bad position and that their rights might be neglected, the contracts were finally accepted by Crews & Cantwell; that Mr. Cantwell instructed this affiant to return the $1.50 charge made by this affiant, and that Crews & Cantwell then paid this affiant his expenses while taking these last-mentioned contracts.

That over 3,800 contracts had been taken prior to that time, for which no charges had been made; that under no circumstances and at no time did Crews & Cantwell, or any one of them, authorize or request that any contracts be taken for which a charge should be made, and that the only contracts taken in their name for which charges were made, were as above detailed and under the above circumstances, which was after Crews & Cantwell had notified this affiant that they did not wish to go further on taking contracts.

That at no time and under no circumstances did Crews & Cantwell, or any one of them, ever instruct this affiant to take the contract of any person who did not claim to be a lineal descendant of an Indian entitled to lands under the treaty of 1830.

Affiant further states that he has taken no contracts with full-blood negroes; that until within the last six weeks neither Crews nor Cantwell had any knowledge of the large number of persons with negro blood in Mississippi claiming such rights, although Mr. Cantwell had stated to this affiant that he did not regard the presence of negro blood

as a sufficient bar to destroy the legal right of one who had undoubted Indian blood and is an undoubted descendant of an Indian claiming rights under the treaty of 1830, although Mr. Cantwell had stated to this affiant on several occasions that the fact that one had negro blood would make it very difficult to establish the heirship. This affiant states that out of over 4,000 contracts taken, there are not more than 20 per cent who have any negro blood whatever.

Affiant further states that in consideration of the sum of $2,400 paid him in cash, he has relinquished and conveyed to Crews & Cantwell all his contingent right in the fees in the contracts above referred to, and hereby cancels said contract; and that this affiant has no further financial interest in the fees or the contracts made in the name of Crews & Cantwell.

Affiant further states that he has not heretofore assigned his right to a contingent interest in the fees aforesaid to anyone.

A. P. POWELL.

Subscribed and sworn to before me this 6th day of November, 1911. (My term expires June 3, 1913.)

[SEAL.] SARAH M. HAWLEY, *Notary Public.*

EXHIBIT D.

JACKSON, MISS., *April 27, 1911.*

Alex. P. Powell, being first duly sworn by Special United States Indian Agent W. W. McConihe, deposes and says as follows:

I reside at Homer, Okla. My present occupation is getting up claims among the Choctaw and Chickasaw Indians and their descendants who remained in Mississippi after the Dancing Rabbitt Creek treaty of 1830. I was first employed by Crews & Cantwell, of St. Louis, Mo. I went before the Committee of Indian Affairs in Congress at Washington April 2, 1910, and they gave me a hearing on the claims of these Indians. Mr. Harry J. Cantwell was present at the hearing, and after I got through my talk with the committee Cantwell came to me and asked me how much money I wanted to take the claims in Mississippi. I said it would take at least $5,000. Cantwell wired S. L. Hulbert, of El Campo, Tex., to come to Washington at once. Hulbert came to Washington and arranged with Cantwell, and Hulbert guaranteed to put up $5,000 for getting the work of the applications.

I first opened an office at 315 Farish Street, Jackson, Miss., and began to take applications. I put an advertisement in the paper at Jackson inviting all persons who were descendants of the Choctaw-Chickasaws under the treaty of 1830 to appear before me and make proof of their rights and descent. I took about 700 applications at Jackson and made no charges to the applicants therefor. I next went to Bay St. Louis and opened an office there near the railroad depot and put an advertisement in the Sea Coast Echo of that city, being the same as I put in the papers at other places. I took about 4,000 applications and made no charge for them. After the 4,000 were registered more applications came in and I charged them $1.25 each. I made this charge because the money that had been advanced by Crews, Cantwell, and Hulbert was exhausted, and they refused to put up any more money for taking applications. This charge by me was to cover expenses of continuing the work of getting applications. I sent all these claims that I was making a charge for to Crews & Cantwell. I went from Bay St. Louis to Washington to see Mr. Cantwell, and tried to get Hulbert to put up more money and Hulbert notified me at Jackson, Miss., that he had put up $7,000, and that we had to take proof of the same, and he was willing to put up the $7,000 for that purpose. He has not put it up yet.

We went to Columbia, Miss., and took about 100 applications there. The contracts that we wrote there were made in the name of William D. Matthews, of Washington, D. C. I have associated myself with Matthews for the reason that Crews & Cantwell said that they had enough claims, and that Hulbert would not put up any more money for claims. My agreement was made with Matthews that he was to appear before the committee of Congress with me, and our contract with the applicants was for 20 per cent of all amounts recovered and not for 30 per cent as was printed in the contract, which is an error and which has been corrected in the written applications. I went to Monticello and took applications for Crews & Cantwell and charged $2.50 each there. I took about 100 names there. I took a few names at Biloxi and charged $1.25 for each applicant there. These claims were for Crews & Cantwell. I also visited Meridian and took about 88 applications there for Crews & Cantwell, but for which no charge was made. I have taken no applications for Crews & Cantwell since my association with Matthews.

I am working at Philadelphia, Miss., now and have taken about 100 applications for Matthews and am charging $2.50, and the applicants are very willing to pay the amount. I am making this charge because Mathews has put up no money for me and my expenses, and I have to use the money to pay for my clerk hire, office rent, and other expenses in connection with the work of taking applications.

Mr. Luke Conerly is employed by me at McComb City, Miss., to get applications. He charges each applicant $2.50. I get a dollar out of this $2.50 for my expenses and the printing of blanks which I furnish him. I have paid expenses of Conerly out of this money when he was traveling; board bill, telegraphing, and other incidental expenses he has incurred.

No one is working for me in Oklahoma or Arkansas. I do not know J. Eubanks, and he is not associated with me in any way in the work I am doing

I have never at any time, or to any person, said that I was a Government official in any respect. I have only represented that I am acting and representing my people before Congress, and I am getting up these claims for that purpose.

When at Jackson in June, 1910, I had a circular sent out and meant to say that I was a representative of my tribe and obtaining applicants for their rights as Choctaws and Chickasaws, but by an error my clerk said that I was a practicing attorney before the committees of Congress. That was not my intention to have it so stated, and I am not responsible for the error.

The contract forms used by me were worded and made up by Crews and Cantwell, and I am not responsible for anything in such wording.

I, Alec P. Powell, do solemnly swear that the foregoing statement was made voluntarily by me, and that it is true in every respect, to the best of my knowledge and belief.

ALEXANDER P. POWELL.

Sworn to and subscribed before me, this 27th day of April, 1911, at Jackson, Miss.

W. W. MCCONIHE,
Special United States Indian Agent.

FRANK B. LEMLY, *Jackson, Miss.*

EXHIBIT E.

MISSISSIPPI CHOCTAW CONTRACT.

This agreement, made this 5th day of September, 1910, by and between Louis Joseph Ryan, now residing at the town of Biloxi, in the county of Harrison, State of Mississippi, party of the first part, and Thomas B. Crews and Harry J. Cantwell, jointly, parties of the second part, witnesseth:

That, whereas, the party of the first part is entitled, as a Mississippi Choctaw or as a descendant of a Mississippi Choctaw, under the laws of the United States, to certain rights in the distribution of the tribal property of the Choctaw-Chickasaw Indian Tribe in Oklahoma; and

Whereas the party of the first part has been heretofore denied enrollment or has had no opportunity to make application for proper enrollment in said rolls as a Mississippi Choctaw; and

Whereas it is necessary that the party of the first part shall secure the lawful professional services of attorneys for the purpose of presenting such evidence as the party of the first part may have of his status and right as a Mississippi Choctaw or a descendant of a Mississippi Choctaw so entitled to the rights aforesaid, and for other necessary legal services in establishing and securing his rights in the premises; and

Whereas the party of the first part is without any means or funds to compensate such attorneys and counsel:

Now, therefore, the premises considered, the parties of the second part jointly agree:

First. To represent the party of the first part as attorneys and counsel in presenting to the Interior Department such lawful evidence as the party of the first part may collect to establish tne facts of his pedigree and status, and such other facts as may be necessary to establish the right claimed.

Second. To represent as attorneys the party of the first part in all legal proceedings before any court, commission, or department of the Government of the United States or the State of Oklahoma, wherever and whenever such right may be properly and legally tried.

Third. To present before the committees of Congress proper legal argument in support of the right so claimed or in support of any measure tending to provide a remedy for the right so claimed.

Fourth. To furnish party of the first part necessary information for the purpose of enabling him to select to the best advantage any lands that he may be entitled to by reason of said right.

Fifth. To collect all sums of money, lands, and property that may properly be collected, selected, and received hereafter by reason of said right, and to faithfully pay over and account to said party of the first part for all such sums of money and property after deducting the compensation hereinafter provided for.

In consideration of the premises and the agreement of the parties of the second part as aforesaid, and of services heretofore rendered by them, the party of the first part contracts and agrees to pay and assign, transfer, and convey to the parties of the second part 30 per cent of all sums of money, lands, and property that may be received by reason of the right claimed, and hereby irrevocably appoints the parties of the second part his true and lawful attorneys in fact, to do any and all acts in his name, place, and stead as fully and completely as he might do in person in and about the subject matter of this agreement, and to execute such receipts, discharges, and releases as the party of the first part might lawfully do, hereby ratifying and confirming all that his said attorneys in fact and in law may do in the premises.

The party of the first part hereby revokes all powers of attorney, if any, heretofore made by him to any person or persons whomsoever, touching said rights or interests, and requests that the Interior Department of the United States recognize the parties of the second part as his exclusive agents and attorneys in the premises.

And it is hereby specifically agreed that the appointment herein of Thomas B. Crews and Harry J. Cantwell is joint, and that in the event of the death of either the survivor shall succeed to all rights and benefits of this agreement, and shall perform all of the duties hereunder.

It is further agreed that by reason of the legal services rendered prior to and at the signing of this agreement, in advising the party of the first part as to his legal rights, and in consideration of the services heretofore rendered by A. P. Powell before the committees of Congress in presenting the claims of the class of persons to which the party of the first part belongs, said parties of the second part having compensated said A. P. Powell therefor, and in further consideration of the absolute agreement herein of the parties of the second part to perform the services herein, that the powers herein granted are powers coupled with an interest; and it is agreed that the parties of the second part may jointly designate, substitute, and appoint, in writing, any competent attorney or attorneys at law to assist in the performance of the duties of the parties of the second part hereunder, and to clothe said person or persons with all the powers herein granted to the parties of the second part, the parties of the second part hereby guaranteeing the efficiency and integrity of any and all persons who may be thus appointed, it being distinctly understood that the compensation of such persons for such assistance shall not be paid by the party of the first part.

It is further understood and agreed that, in the event it becomes necessary under any law now existing or thereafter enacted, that this contract shall be approved by the Secretary of the Interior, then, in that event, the Secretary of the Interior may, in his discretion, modify the terms of this contract as to the compensation to be paid the parties of the second part, without invalidating this contract, and said contract as modified by said Secretary of the Interior shall be binding upon the parties hereto, provided always that the compensation fixed by the Secretary of the Interior shall in no event exceed the percentage above stated.

Executed in duplicate.

In witness whereof the parties hereto have hereunto set their hands the day and year first above written.

Signed and delivered in presence of:

_____ _____.
_____ _____.

State of _____, county of _____, ss:

Before me, _____ _____, a _____ _____ in and for said county and State, on this _____ day of _____, 191—, personally appeared _____ _____ and _____ _____, to me known to be the identical person who executed the within and foregoing instrument, and acknowledged to me that _____ executed the same as _____ free and voluntary act and deed for the uses and purposes therein set forth.

In witness whereof I have hereunto set my hand and official seal at said county the day and year last above written.

_____ _____
_____ _____

EXHIBIT J.

To whom it may concern:

This is to certify that I, Alexander P. Powell, a representative of the Choctaw Tribe of Indians now engaged in soliciting contracts with Mississippi Choctaws for services to be rendered in prosecuting their claim before the different branches of the Government, in order to secure for them a reopening of the rolls of those entitled to share in the tribal property belonging to the Choctaw Tribe in the State of Oklahoma, am acting in my individual capacity and for the benefit of myself and those associated with me in this effort to secure the right of said Indians in said property.

I further certify that I am in no manner employed or engaged by the United States Government to solicit any contract with said Indians or perform any duty in connection therein.

Respectfully,

ALEXANDER P. POWELL.

—

NOTICE TO INDIANS.

This is your last chance in connection with William B. Matthews, attorney at law, Evans Building, Washington, D. C. I am engaged in writing up claims of all Mississippi Choctaws and their descendants who remain in Mississippi after Dancing Rabbit Creek treaty with the United States Government in 1830.

I will remain here for a few days only; I will be glad to write up all beneficiaries; we intend to submit all claims to the Sixty-second Congress, which convenes in Washington, D. C., April 4, 1911. I am Indian and Spaniard, and my grandfather was a signer of the great treaty concluded September 27, 1830.

ALEXANDER P. POWELL.

PHILADELPHIA, MISS.

—

NOTICE TO INDIANS AND THEIR DESCENDANTS—IN CONNECTION WITH HON. HARRY PEYTON, ROOM 420 BOND BUILDING, WASHINGTON, D. C.

This is your last chance to secure benefits under the bill introduced by Hon. PAT HARRISON, of the sixth district of Mississippi, now pending before the Sixty-second Congress, for the relief of Mississippi Choctaws and their descendants who remained in Mississippi after the treaty of 1830.

I am an Indian and a Spaniard and my grandfather was a signer of the treaty of 1830.

I will be glad to write up all beneficiaries, and I have in my possession a record that will enable you to trace your ancestors back to 1780.

Those with negro blood need not apply.

I will be at ——— Miss., on the —— day of ——, 1912.

ALEXANDER P. POWELL,
No. 106 Fourth Avenue, Laurel, Miss.
Office: Room 420 Bond Building, Washington, D. C.

(This paper was sent to Indian Office by Mrs. Viola Strickland, of Meridian, Miss., No. 1400 Tenth Avenue, under date of Sept. 16, 1912.)

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THIS IS YOUR LAST CHANCE—NOTICE TO THE ONCE MIGHTY TRIBE OF RED MEN WHO ONCE OWNED THIS COUNTRY AND TO THEIR DESCENDANTS.

In connection with Hon. Harry Peyton, room 408, and Hon. Oliver A. Phelps, room 619, Bond Building, Washington, D. C., I am still engaged in writing up all Mississippi Choctaws and their descendants who remained in Mississippi after the Dancing Rabbit Creek treaty with the United States Government, concluded September 27, 1830.

The treaty of 1830, known as the treaty of "Perpetual friendship," provides that the Indian Territory shall go to the red man and his descendants "as long as water runs and grass grows"; the treaty furthermore provided that our descendants that did not see fit to go to the Territory then, at any time that they may take a notion to come on and join the tribe in the Territory, they shall share in this distribution as long "as water runs and grass grows." If your ancestors were born east of the Mississippi River, call on me; it is possible that some of them may have been at the treaty mentioned above.

I am an Indian and a Spaniard, and my grandfather, Nita, was a signer of the treaty of 1830.

I have in my possession a record of the old aboriginal that will permit you to trace your Indian ancestry back as far as 1780.

All Mississippi Choctaw cases are now pending before Committee on Indian Affairs, Sixty-third Congress, first session, waiting for report and decision. I will be glad to write up all beneficiaries.

Those with negro blood need not apply.

I will be at W. J. Nelson's, 802 Second Street, Lake Charles, La., on September 5.

ALEXANDER P. POWELL.

—

NOTICE TO MISSISSIPPI CHOCTAWS.

In connection with Harry J. Cantwell, Thomas L. Crews, and William B. Matthews, attorneys, of Washington, D. C., I am still engaged in writing up claims for the Choctaw-Chickasaw Indians and their descendants who remained in Mississippi after the Dancing Rabbit Creek treaty with the United States Government. I am a member of the Choctaw Tribe of Indians and my grandfather was a signer of the great treaty made September 27, 1830. I will be glad to communicate with any beneficiary at my office in Bay St. Louis, Miss.

A. P. POWELL,
Seabrook Hotel, Bay St. Louis, Miss.

—

"INDIANS" LIVING IN OLD MISSISSIPPI.

"All Mississippi Choctaw Indians and their descendants are asked to meet at the county courthouse next Sunday afternoon at 2 o'clock. The object of the meeting is to further the rights contained in the treaty of 1830 between the United States and Choctaws.—(Biloxi Herald.)"

To which is answered: Such a meeting as is scheduled as per the above would be "nuts" for some moving-picture company, provided such meeting is attended by all the people who have filed claims as descendants of the tribe of red men known as Choctaws. They are of all shades and color, running from the real Indian to the coal-black, thick-lipped, flat-nosed, kinky-headed negro, with a good sprinkling of whites, in whose veins no one but themselves ever suspected that a drop of Indian blood flowed. But anything goes in this day and generation when the thought of "easy money" presents itself. Uncle Sam's coffers will scarcely be opened for the motley crew, however just may be the claims of some of the pure-bred Choctaws.—(Gulf Coast Progress.)

HOUSTON INVESTORS MAY GET MILLIONS FROM INDIAN CLAIM.

A Houston organization, in which more than $2,500,000 is at stake and the hereditary rights of the Choctaw Tribe of Mississippi is the merchandise, has received quite a boost in a telegram received by Judge Harris Masterson. Many Houstonians are interested in the enterprise. The telegram reads as follows:

"Subcommittee report of Friday last was unanimous and recommends admission of all full bloods, also all others who can prove descent from one who either received or should have received patent under fourteenth article treaty of 1830. Meetings are executive and no arguments being heard."

To those who are not interested in the venture the telegram needs interpretation. It comes from Washington and has to do with a bill introduced by Mr. HARRISON of Mississippi in behalf of the admission to enrollment of the Mississippi Choctaw Indians and their descendants to participation in the money and lands belonging to the Choctaw Tribe.

Some time ago Judge Masterson was instrumental in forming an organization to urge the claim of the Choctaw Tribe in a participation of certain lands in the territories and moneys in the United States Treasury. Many of these Indians were his clients. Going rather deeply into the matter he banded over 4,000 of these claimants together and became their representative and legal advisor.

Money was needed to carry the enterprise through, and a company was formed. Between 50 and 60 men came into the company, and many of these are prominent Houstonians.

Judge Masterson says that the venture is one which promises tremendous returns for the amount invested by the stockholders, and that he is confident Congress will give assent to the recommendation of the subcommittee.

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WOULD RESTORE CHOCTAW INDIAN PENSION BILLS.

[Associated Press.]

WASHINGTON, *December 13.*

The bill introduced in the House last session by Representative HARRISON, providing reopening of rolls of the Chickasaw-Choctaw Indian Tribes, came up for consideration in the House yesterday. A vote was not reached. In his speech in favor of the bill Mr. HARRISON said, in part:

"The Mississippi Choctaws have been woefully neglected and unmercifully treated. They acquired rights under the fourteenth article of the treaty of 1830 that the United States Government has never fairly and justly recognized Every act of Congress passed with respect to the Mississippi Choctaws has violated the spirit and the letter of that article of the treaty

"The Oklahoma Choctaws were permitted by act of Congress in 1881 to sue the United States Government, in which suit they recovered from the Government $8,000,000 for damages done to the Mississippi Choctaws in Mississippi. Scheming attorneys, representing the tribe, dictate agreements, suggest, lobby for, and have passed laws that not only make it impossible for the Mississippi Choctaws to be enrolled upon tribal rolls, but through their influence they have actually created courts to prevent or exclude the Mississippi Choctaws from being enrolled. One of the blackest spots in the history of the administration of the Choctaw Nation is the escapades practiced in the citizenship court.

"The Mississippi Choctaw is a part of that great Indian nation which never raised a tomahawk against an American citizen. Thousands of her warriors displayed their heroism under Jackson at New Orleans."

—

[Alexander P. Powell, representative Mississippi Choctaw Indians; office, room 408 Bond Building, Washington, D. C.; 331 Pine Street, Laural, Miss.]

SHREVEPORT, LA., *October 28, 1913.*

Mr. COLUMBUS OVERMAN,
Dexter, Kans.

DEAR SIR: Yours of recent date to hand. Beg to advise that I have already written up a number of your relatives under their great-great-grandmother Delilah, who was an Indian woman, and if you wish to be written up, on receipt of $2.50, which I require for recording fee, etc., I will send you blanks to be filled out. I do not charge you any fee, but when I collect for you I get 20 per cent of collections.

I am also inclosing you a Pat Harrison bill and other literature and you can see for yourself how the case stands.

Yours, truly,

ALEXANDER P. POWELL.

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——— ———,
——— ———, *1913.*

Hon. ALEXANDER P. POWELL,
——— ———.

DEAR SIR: Being a Choctaw descendant and desiring to make application for compensation for the violation of my rights under the treaty of 1830, between the Choctaw Nation and the United States Government, and being unable to go to your office for that purpose, I do hereby request that you come at your earliest convenience to ———, my place of residence, for that purpose, and I agree to reimburse you the necessary expense of your trip to and from said place, provided the same shall not exceed the sum of $2.50.

——— ———.

Witness:
——— ———.

MEMORANDUM OF EVIDENCE.

In the matter of ——— ———, Mississippi Choctaws.
Full name, ——— ———.
Post-office address. ——— ———.
When and where were you born? ——— ———.
Is there any official record of your birth or baptism? If so, state where. ——— ———.
Father's name, ——— ———.
If living, state post-office address. ——— ———.
If dead, state date and place of his death. ——— ———.
Mother's maiden name, ——— ———.
If living, state post-office address. ——— ———.
If dead, state date and place of her death. ——— ———.
When and where were your parents married? ——— ———.
Is there any record of their marriage? If so, state where. ——— ———.

What was the name of your father's father? ——— ———.
When did he die, and where? ——— ———.
What was the name of your father's mother? ——— ———.
When and where did she die? ——— ———.
What was the name of your mother's father? ——— ———.
When and where did he die? ——— ———.
What was the name of your mother's mother? ——— ———.
When and where did she die? ——— ———.
What is the name of ancestors who received land or script under the treaty of 1830? ——— ———.
How can you prove your descent from him or her? ———.
Give name and address of all witnesses as to your descent from such ancestor, and refer to all church records which can give any information. ——— ———.
Did you ever go to Oklahoma to make application for enrollment on Choctaw rolls? ———.
Have you ever made settlement on any lands in Oklahoma? If so, describe same. ———.
Where were you denied enrollment? ———.
Have you any documents proving your pedigree? Where are they? If so, attach or submit them. ———.
Are any of your relatives now on the rolls of the Choctaws? ———.
Give names of friends and neighbors who can testify to any matter of interest regarding your pedigree.

NAME.	ADDRESS.
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Are any of your relative now on the rolls of the Choctaw-Chickasaw Tribe as a Mississippi Choctaw? If so, give names and address and number on roll. ———.
If you can, give a description of the land your ancestors received in Mississippi under the treaty of 1830. ———.
STATE OF MISSISSIPPI, ——— ———, *County of* ———.
——— ———, being duly sworn upon h— oath, deposes and says that the matters and things set forth in the foregoing statement are true to the best of h— knowledge and belief.
Subscribed and sworn to before me this ——— day of ———, 191—.
——— ———, *Notary Public.*

Mr. FERRIS. Can I have three minutes more?

Mr. CARTER. I am sorry that my time has all gone, but I will ask unanimous consent that the gentleman proceed for five minutes under the five-minute rule.

Mr. MANN. I shall not object to that request.

Mr. STEPHENS of Texas. I think I shall have to object because we have an agreement as to the time for debate, and I do not think we should violate that agreement.

The CHAIRMAN. The gentleman from Texas objects.

MR. WILLIS, OF OHIO.

Mr. MANN. Mr. Chairman, may I make a request for unanimous consent out of order? One of the most respected and beloved Members of the House is leaving us to-day to become governor of Ohio. I ask unanimous consent, out of order, that the gentleman from Ohio [Mr. WILLIS] may have five minutes to address the House.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. WILLIS. Mr. Chairman, I assure you that I greatly appreciate the courtesy that is implied in the action the committee has just taken, and I appreciate the kindness of the gentleman from Illinois [Mr. MANN] in making the suggestion. When I came into the Chamber I had not thought of saying a word. It has not been my custom to participate especially in the discussion of the Indian appropriation bill, because I have not known very much about that subject.

But since unanimous consent has been very kindly extended to me, I take this opportunity to say what I suppose is in the mind of every man when he is about to leave this Chamber, and that is that he leaves the House with great regret. I am not insensible to the honor which the people of Ohio have bestowed upon me, and yet I should not be true to myself if I failed to say that I think that service in this body is as great an honor as can come to any man. I shall look upon my service here with you with the very fondest recollections. Some of the ideas that I had concerning the House when I came here have been somewhat rudely shattered. I had supposed that I would find a number of men, practically the whole membership, sitting up straight, listening to some one making a speech, all of them wearing long-tailed coats. That was my idea; but I found that not many of them wear long-tailed coats, and not very many of them sit up straight, and generally only a few of them listen when anyone is making a speech. But at that the House of Representatives is the fairest and, in the broad sense, the most democratic body in the world. It will listen to anybody any time who has any information to give the House that will aid it in the solution of its problems.

As I have been here only a comparatively short time I do not understand the workings of the House as some of you older Members do, but one thing I have come to recognize, and that is that in the last analysis this House is fair and square. Without going into a discussion of any questions that are past, may I suggest that in my opinion the vote here yesterday upon the amendment relative to the admission of black men into this country is an illustration of that attitude on the part of the House. Without criticizing anyone who takes an opposite view, it seems to me that the argument that went home, the argument which appealed to the majority, and a very large majority, of the membership of this House was the proposition that the amendment to exclude men from this country because their skin is black was not fair. This House is fair, and in the biggest and broadest sense it is democratic. It gives everybody a fair deal. It is no respecter of persons. A man comes here, and the question is not Who is his father or his grandfather? but the question is Who is he and what can he contribute to the solution of the problems that come before the House? In the solution of those problems may I suggest that it seems to me that with the flight of years asperities of politics are somewhat softened? Sometimes we become bitter, but in the last analysis we realize that although we may fight under different banners and upon opposite sides of the aisle, yet we all want the greatest good for this great Republic. I can not forget that some 54 years ago there stood out yonder at the east front of the Capitol one of the mightiest men in the tides of time. Looking out upon a sea of faces, thousands of which were distorted with distrust and hate, this courageous, heroic soul was big enough to say:

> We are not enemies, but friends. We must not be enemies. Though passion may have strained, it must not break our bonds of affection. The mystic chords of memory, stretching from every battle field and patriot grave to every living heart and hearthstone all over this broad land, will yet swell the chorus of the Union when again touched, as surely they will be, by the better angels of our nature.

It seems to me, Mr. Chairman and gentlemen of the committee, that that is the sentiment that is coming more and more to dominate American politics—the recognition that after all we are all seeking the common good, we are all trying to bring about the largest measure of welfare for our common country.

And may I say one more thing before I take my seat, and that is this: Without any disposition to criticize anyone, may I suggest that it seems to me of vital importance in this country that the rights and prerogatives and powers of the House of Representatives, both in the State and the Nation, shall be maintained? [Applause.] There is drifting about in this country a sentiment—and I say I am not criticizing any official in particular now, but I am speaking of tendencies—there is a tendency in this country to hold that a legislative body can not solve the problems of legislation unless it is seized by the strong hand of a dictator. I have been told within my own State, within a month, that the general assembly of the State could not make its organization, could not choose its officials, could not proceed with public business, unless it was guided by the strong hand of a dictator. I did not and do not accept this view. My experience, short though it is in this great legislative body and in that same general assembly, led me to believe that in the elected representatives of the people themselves was the solution of the great legislative problems of the country. I tell you that it is of tremendous importance that we keep alive in this country the sense of responsibility that ought to rest upon every Member of the House. This is a Government by the people and by the people's representatives, and not by the strong hand of any executive. [Applause.]

Let me say this last word, and I think I have occupied my time already. I leave off as I began, by saying that I greatly appreciate the opportunities that I have had to serve with you. I am not unappreciative of the great responsibility of the place to which I have been elected, and may I say to you, my friends, that as I go to that station I am almost overwhelmed and overawed by the sense of responsibility. Words fail and expression is palsied. I am not unmindful of the fact that in that station have been many great men whom the Republic has delighted to honor—Brough, Foster, Foraker, Harmon, Hayes, McKinley, and others. May we not hope that the spirits of those who have gone before, coming out of the mysteries of Shadowland, may hover above us to help us and uphold our hands so long as we fight for the right? I have tried as best I could to do my duty here. Mr. Chairman, in the position to which I have been called I shall try to do my duty as I see it, try to be true to the principles of this American Republic, to discharge the duties of that office in the sight of my fellow citizens, and so as to be acceptable to Him without whose guidance no success is possible.

I thank you and bid you good-by. [Loud and continued applause.]

INDIAN APPROPRIATION BILL.

Mr. CARTER. Mr. Chairman, I now renew my request for unanimous consent that the gentleman from Oklahoma [Mr. FERRIS] may have five minutes to use in general debate which

he might have under the five-minute rule if he could get recognition of the Chair. I know the gentleman from Texas is pressing to get his bill through, and I know that every one of us is doing his best to try to get through by the 4th of March; and I hope the gentleman from Texas will make an exception in this case.

The CHAIRMAN. The gentleman from Oklahoma [Mr. CARTER] asks unanimous consent that the gentleman from Oklahoma [Mr. FERRIS] be allowed to proceed for five minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. FERRIS. Mr. Chairman, the committee must be in a quagmire to know what to do. The proponents of the Mississippi Choctaws tell you the law is one thing. Those of us who are vitally interested on the other side of the proposition tell you it is another thing. Why do not you do the sensible thing and follow the Federal court decision in 1897, which passed on this years before Oklahoma even had a Congressman here? Why do not you do what the Dawes Commission did in the Jack Amos case? Amos and 97 full-blood Choctaws came to the Dawes Commission and said that under the fourteenth article of the treaty they were entitled to enrollment and still live in Mississippi. What was that Dawes Commission? A board of high-class lawyers created by this body to do this thing and pass on these details. Under the influence of Oklahoma? No. Under the influence of the Oklahoma Indians? No. Who were they? They were lawyers appointed from States far removed from Oklahoma. What did they say? In terms clear, in terms emphatic, in terms unmistakable, they said: No Indian had a right to remain in Mississippi and alien to his people and share in the property of the Oklahoma Indians. They appealed. Judge Clayton, a Federal judge, came squarely at the question, and here is his language, words plain and unmistakable. Dealing with this fourteenth section of the treaty of 1830, he says:

I am disposed to the opinion, however, and will so hold—

He did not have an undigested amendment offered on the floor of the House with an adverse report of a committee, with four Secretaries of the Interior reporting against him, including the present one, with four Commissioners of Indian Affairs reporting against him, including the present one, but in his quiet moments, sitting as a court, under the responsibilities of a court, here is what he says:

I am disposed to the opinion, however, and will so hold, that the descendants of the Mississippi Choctaws, by virtue of the fourteenth article of the treaty of 1830—

Now, you see this is the same article of the treaty Mr. HARRISON talks about—

are entitled to all of the rights of Choctaw citizenship, with all of the privilege and property rights incident thereto—

Now listen—

provided they have renounced their allegiance to the sovereignty of Mississippi by moving into the Choctaw Nation in good faith to live upon their lands, renewing their allegiance to that nation and putting themselves in an attitude whereby they will be able to share in the burdens of their government.

Will you to-day turn down the opinion of four Secretaries of the Interior, who are especially charged with these affairs? Will you to-day turn down the opinion of four Commissioners of Indian Affairs, who know more of these intricate matters than we can possibly know? Will you to-day turn down the opinion of the ex-chairman of the Indian Affairs Committee [Mr. BURKE of South Dakota], who has this day spoken against this amendment? Will you turn down the opinion of dear old JOHN STEPHENS, who has been the father of the Indians and their rights on this floor long before I came to Congress?

Will you turn down the act of Congress of April 26, 1906, that said these rolls should be forever closed? Will you go in the face of the patents issued by President Tyler in 1842, 73 years ago? Will you say that you will wrench from the Oklahoma Indians property for which they have held patent for 73 years and property they have occupied for 95 years? Will you take it away by an amendment offered on the floor of this House that has no committee action behind it? Will you wreck the solemn treaties with the Oklahoma Choctaws that you have promised to protect? Friends, this is not an Oklahoma and a Mississippi proposition. I presume that I, as well as the other members of the delegation, have incurred much unpopularity on this floor in trying to maintain the rights of two-fifths of all the Indians of the United States. They are helpless to do for themselves. They are dependent on this Congress. They can not even sell a cemetery lot, they can not lease their lands, they can not sell their lands, without our appealing to Congress and troubling you with it.

Friends, will you, by reason of any incurred unpopularity, by reason of our contention for our people, do your Oklahoma Choctaw wards a grave, a lasting, a notorious, and revolutionary injustice? Will you, by an amendment that has had consideration at the hands of no one, offered here on the floor, undo the work of the Congress and the Interior Department for almost a hundred years?

I hold in my hand a report on this identical proposition from Franklin K. Lane, the Secretary of the Interior, and his letter bears out every word that I have said about this litigation and about the adjudication and the res adjudicata features of it. Concluding his report he says:

In view of the facts as presented to me I am of the opinion that no legislation should be enacted for the reopening of the rolls of the Choctaw Nation for the benefit of the Mississippi Choctaw claimants.

What is the equation to be solved here to-day? In 1897, when the Oklahoma Indians were saying, "Do not let the white man come in and take our land," what happened? The Atoka agreement was made permitting the white men to come in. In 1902, while the Oklahoma Indians were still saying, "Do not let the white people come in and trespass upon our rights," what happened? The supplemental agreement of 1902 came in and again allowed them to come in. What happened? The Choctaws agreed to it. They agreed to let the Federal Government do what? To allot their lands, to make their rolls, to sell their surplus property, and, last, to give them the proceeds paid direct to them. The money was all to be paid on or before March 4, 1907. What is this year? Pray tell. This is January, 1915, and this money as yet has not been paid to the Choctaws. The old Indians are dying fast in Oklahoma. The very Indians who signed these treaties are about all gone. All of them, practically, are dead. Those who remain ask that before they die the Federal Government shall do for them, what? The exact thing the Federal Government agreed to do—nothing more and nothing less. The Federal Government has so far refused. Probably it is not to be criticized for this, because the unprofessional shyster attorneys who to-day roost in these galleries like a lot of buzzards work up these scandals and tell the Congress what it ought to do. [Applause.]

Mr. BUTLER. Will you please read the remarks of Mr. JOHN SHARP WILLIAMS on the binding effect of the decision of Judge Clayton?

Mr. FERRIS. I will. Senator JOHN SHARP WILLIAMS, long a beloved Member of this House, admits that these Indians have no legal rights. Listen:

I am not contending here that the Mississippi Choctaws, in the face of all the legislation and in the face of these decisions, have any rights here that are enforcible in law, but I am trying to get the legislative branch of the Government to change the law.

He was trying to have the preceding session change the law, and the gentleman from Mississippi [Mr. HARRISON] is trying to have this Congress overturn, if you please, the decisions of the courts and provisions of patents issued 67 years ago.

Mr. STEPHENS of Texas. Will my friend yield at that point in order that I may read one sentence from the bill that was offered by the gentleman from Mississippi [Mr. HARRISON]?

Mr. FERRIS. I will.

Mr. STEPHENS of Texas. Section 2 reads as follows, in part:

That the Secretary of the Interior shall be vested with the power to determine the rights of said claimants upon such evidence as may be produced by the applicant, without regard to any adverse judgment or decision heretofore rendered by any court or commission of the Five Civilized Tribes or the Department of the Interior, and without regard to any condition or disability heretofore imposed by any act of Congress.

Now he is advocating the setting aside of these things.

Mr. FERRIS. The gentleman from Texas [Mr. STEPHENS] reads a section of the bill of the gentleman from Mississippi [Mr. HARRISON], which says that he is in favor of giving them rights, the courts and the decision of the Dawes Commission to the contrary notwithstanding. It was said yesterday that these Mississippi Choctaws had had nothing. With as much emphasis as I have at my command I deny that. I hold in my hand the names of 3,885 of them who were given scrip, delivered to them in their hands, for one-half of the land, the second half was delivered in cash. The records of the Indian Office show they received it. They did receive it.

The CHAIRMAN. The time of the gentleman from Oklahoma has expired.

Mr. CARTER. I yield one minute more to the gentleman.

Mr. FERRIS. And they received $872,000 in money, which was a capitalization at $1.25 an acre of the other half of the scrip. If I was a lawyer before a court, I would first plead that these claimants are without remedy at law, and then I would plead, secondly, that they had no remedy in equity; third, I would plead "accord and satisfaction" fourth, laches, estoppel, and res adjudicata, and I would plead to this House that this effort to take "vie et armis" property from one ward and give

it to another is revolutionary, is destructive of precedent, that it is destructive of rights, and that it is an overturning of a Government land patent of 67 years, and vicious ob initio. And no man on either side of this Chamber can in good conscience vote for such amendment as this.

Mr. Chairman, the adoption of this amendment would break two solemn treaties between the United States and the Oklahoma Indians, wherein the Government promised to give them their lands and to administer their affairs. It will overthrow and in effect repeal the act of April 26, 1906, which took effect on March 4, 1907, by which Congress closed the rolls; it will overthrow the judgment of the Dawes Commission, which was a commission of high-class lawyers, who went West to investigate into and adjudicate these affairs; it will overthrow the decision of Judge Clayton, of the Federal court, who passed upon this matter in the Jack Amos et al. case. It would be an act of broken promises and blasted faith to the Oklahoma Choctaws; it would mean the rewarding of unfaithful, unscrupulous attorneys, who have sought to graft the Indians out of millions of dollars in attorney fees which they did not earn; it would bring reproach upon Congress and the Government; and, in short, it would work a greater wrong and greater mischief upon the Oklahoma Indians than any just man or body of men would hope to accomplish. [Applause.]

Mr. HARRISON. Mr. Chairman, I yield three minutes to the gentleman from Mississippi [Mr. SISSON].

Mr. SISSON. Mr. Chairman, I want to propound this famous question propounded by Mr. CARTER for Mr. FERRIS, that I may be permitted to use the five minutes I would be permitted to use under the five-minute rule at this time.

The CHAIRMAN. The gentleman from Mississippi asks unanimous consent to use five minutes in addition to the three minutes granted him by his colleague. Is there objection? [After a pause.] The Chair hears none, and the gentleman from Mississippi is recognized for eight minutes.

Mr. SISSON. Mr. Chairman and gentlemen of the committee, it is rather a peculiar coincidence that just 100 years to a day after the Battle of New Orleans, where the Choctaw Indians of Mississippi fought for the Stars and Stripes and helped to win that great victory, that their rights should now be pending before this Congress. Under the Dancing Rabbit treaty—the treaty which the Government made with the Choctaw Indians—they gave to the Choctaw Indians certain amounts in fee simple in the Choctaw Nation, and in the treaty it was specifically provided in article 14 that the Choctaw lost none of his rights by remaining in Mississippi. If that had not been in this treaty, the chief of the Choctaws would never have made the treaty. Now, I have no sort of sympathy with the rascality with which the Mississippi Choctaw has been treated by his attorneys; I have no sympathy with the rascality perpetrated upon the Indians in Indian Territory and throughout the West; but that has nothing to do with the merits of this controversy. I do not want this Congress to measure out the same justice to the 1,100 full-blooded Choctaws in poverty in Alabama, Mississippi, and Louisiana—I do not want the same sort of justice to be measured to them—that has been measured out to the Indians in the past.

Mr. NORTON. Will the gentleman yield?

Mr. SISSON. I have not time to yield.

Mr. NORTON. Just for a brief question. The gentleman claims the Mississippi Choctaws have a definite right under the Dancing Rabbit treaty to this land in Oklahoma.

Mr. SISSON. In so many words.

Mr. NORTON. Does the gentleman maintain it is a legal right?

Mr. SISSON. I do.

Mr. NORTON. Why have they not exercised that right in the courts?

Mr. SISSON. Now, wait. I do not contend that under the acts of Congress that these Indians could go into the court and win, but I do contend that where you vest a fee simple title, an undivided fee simple title, as invested here in this treaty in certain undivided lands in Oklahoma that this Government, the guardian of these Indians, can not in justice, in fairness, in truth, in everlasting equity, deprive these wards of their rights.

Mr. NORTON. The gentleman, then, maintains that these Indians have a "lip" right, such as he is exercising here for them?

Mr. SISSON. I did not yield for the purpose of hearing any of your "lip." If my heart were not behind me, and if behind my lips there was not a better sentiment than that of the gentleman, I, too, would interrupt a gentleman in order to use that sort of cheap repartee, particularly when it is known the gentleman had only eight minutes, as I have.

Is that the right spirit with which to deal with these wards that you, sir, ought to take to your conscience? Because if you do right you will take to your conscience the rights of these wards. They are nothing to me. I have never yet advocated the right of any man who was not a Choctaw Indian, but I do contend that in all equity, in all justice, and in all fairness in a body where the wrong was done, this is the place to right the wrong. [Applause.] And the wrong that was done was done by legislation which amounted to an absolute injustice and absolutely amounted to depriving the Indians up and down the creeks of Mississippi, Louisiana, and Alabama of their rights, because they did not have the opportunity to exercise their rights within the time prescribed by the statute. It is just the same kind of justice that the wolf would give to the innocent lamb. I am appealing for these Choctaw Indians, to this Congress, because I want every Choctaw Indian to know that the United States Government is going to deal fairly with him.

I have never yet asked for anything on the floor of this House for anybody or any party, so far as I am personally concerned, except the full-blooded Choctaw, and it is estimated that there are about 1,100 of them down in my State and in the State of Alabama and in the State of Louisiana; and I do say that every man ought to take to his heart the proposition that they are appealing to you now to have some little simple justice done them.

"Oh," you say, "their rights have been lost here." They have had no representative on this floor. The Representatives were from the State of Oklahoma. The thing commenced after the State of Oklahoma had representation as a Territory, and when Oklahoma had representation here as a Territory they had men here to speak for them, and then Congress could not deprive them of their rights without legislation; and, so far as the RECORD shows, nobody appeared here to represent the Mississippi Choctaws, and nobody made a fight for them until my friend, Adam Byrd, of Mississippi, made one speech here on this floor in their behalf.

Mr. CARTER. Mr. Chairman, will the gentleman yield there?

Mr. SISSON. Yes.

Mr. CARTER. Does the gentleman know that at the time this matter was settled Mississippi had full representation on the floor of this House and in the Senate, and that the Indian Territory had not one single representative here?

Mr. SISSON. I am not attempting to shoulder the burden of any Mississippi Representatives in the past. I am not shouldering any burden of theirs, but I do say they did not raise their voices in the interest of those 1,100 Mississippi Choctaws whose rights were ignored in this legislation, because if any man will read the history of it he will find they were given a "lip" right, but not an actual right. The poor, ignorant Mississippi Choctaw found the statute of limitations barring his rights before he knew he had any rights to press before this Congress. The only thing I ask Congress to do is to give the 1,100 full-blooded Mississippi Choctaws their rights, and if Congress will do that I shall never raise my voice in protest against the distribution of this Choctaw fund, and I have so told these gentlemen from Oklahoma; and every word I have uttered on this floor has been for the defenseless Mississippi Choctaw, not for attorneys or agents. We should protect them from their rascality. [Applause.]

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. CARTER. Mr. Chairman, I have only two more speeches under the 30-minute rule, and I hope that the gentleman from Mississippi [Mr. HARRISON] will use some of his time.

Mr. HARRISON. Mr. Chairman, I yield five minutes to the gentleman from Minnesota [Mr. MILLER].

The CHAIRMAN. The gentleman from Minnesota [Mr. MILLER] is recognized for five minutes.

Mr. MILLER. Mr. Chairman, each year about this hour comes on the boards the same fight. I do not know for how many years this same proceeding will continue, but I apprehend it will continue until a group of persons under the American flag, generally described as "the Mississippi Choctaws," have actually had a day in court.

For many reasons I find myself not exactly in harmony and in sympathy with the full strength of the amendment offered by the gentleman from Mississippi [Mr. HARRISON], but nevertheless agreeing with him substantially on the fundamental merits of the proposition.

Gentlemen, it seems that the subject has been discussed in this presence so many times that a repetition of the fundamentals need not occur on each occasion. And yet I have noted how easy it is, with the passage of a year, for many, even essential, details to escape my own memory. For that

reason I beg your indulgence that I may state to you those few things which in my mind, after three years of study on this question—and at times having devoted as many as several weeks without interruption upon it—I have come to believe the essential and deciding factors.

In 1820, residing in approximately the territory now occupied by the State of Mississippi, were a group of Indians known as Choctaws. They had 15,000,000 acres of land which was their own. They owned it just as much and by just as divine a right as the United States owns the plot of ground upon which stands this, the greatest of all Capitols.

We bargained and traded with those Indians, and received from them 10,000,000 acres of land, in consideration for which we gave them lands out West, on the prairie, in what is now Oklahoma.

Ten years later, in 1830, the whites who were coming within the region then occupied by the Indians in Mississippi, were anxious that all of their land remaining there should be ceded to the Government and the Indians removed. The Indians said, "No; we prefer to remain here where our fathers lived and died and where we were born." After many months of negotiation, and at a time when it seemed that all of their efforts would be of no avail, a representative of the Government said, "If we will put into this treaty a clause under which you can elect either to go"—to the region which is now the State of Oklahoma—"or to remain here, and if you remain here the head of every family shall receive 640 acres of land, every adult man and woman shall receive 320 acres of land, and every child under 10 years of age shall receive 160 acres, will you then sign the treaty?" They said they would and they did.

Clearly it was the intent of both the signatory parties to that treaty that an Indian of Choctaw blood could elect whether he should stay in Mississippi and take his land there or whether he should remove and go to the new land over beyond the great river in what is now Oklahoma. That looked fair and good. We know now and all the world knows that thereafter, when those Indians elected to remain in Mississippi and to take the land, by reason of the fraudulent and absolutely criminal conduct of the agents of the United States, they were prevented from doing so. And yet many of them remained in Mississippi.

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. STAFFORD. I ask unanimous consent that the gentleman may have five minutes longer, in addition to the time already agreed upon.

Mr. STEPHENS of Texas. Mr. Chairman, I do not think we can agree to that.

Mr. STAFFORD. Here is a gentleman who has some information.

The CHAIRMAN. Unanimous consent is asked that the gentleman from Minnesota have five minutes longer. Is there objection?

Mr. HAMILTON of Michigan. I hope the gentleman will not object. This is a most interesting and lucid statement.

Mr. BUTLER. I think we will gain time by granting the request. There are not quite a hundred of us here.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. MILLER. About 5,000 of them, as nearly as we can gather, remained in Mississippi at that time. The others went West.

Subsequent treaties were made. It was always recognized by the Government——

Mr. HAMILTON of Michigan. Will the gentleman answer a question?

Mr. MILLER. Yes; if it is very brief.

Mr. HAMILTON of Michigan. How were those Indians cheated out of their 640 acres of land? As I understand, it was not given to them.

Mr. MILLER. It was not, except to about 143 of them. An Indian who desired to take the benefits under article 14, which is the one permitting them to remain in Mississippi, would go to the agent and make application and the agent received many of their applications and threw them away. Many sheets of paper were found afterwards on which these applications were listed, and these sheets of paper were some of them used for shaving paper, and others torn up and thrown away.

Mr. FERRIS. Will the gentleman yield?

Mr. MILLER. I have only five minutes.

Mr. FERRIS. Will the gentleman state what really did happen that they received the land in scrip and in money?

Mr. MILLER. I will come to that, but it is not exactly as the gentleman states. I am giving an outline. Subsequently other treaties were entered into between the United States and the Choctaws, but always with the Choctaws west. Mind you, there is not a scrap of paper upon which there has ever been written an agreement between the United States and the Choctaws remaining in Mississippi subsequent to the treaty of 1830. All the agreements have been made by and between the Choctaws who went to Oklahoma and the United States. We must not lose sight of that in determining whether the Mississippi Choctaws have had their day in court.

There was a time when Congress thought it would make reparation for the injury it recognized had been done. As the gentleman from Oklahoma [Mr. FERRIS] has said, they said, "We will issue scrip to the defrauded Mississippi Choctaws, not in the amount provided for by article 14 of the treaty, but a reasonable amount, and the amount was 160 acres to each one as far as they could ascertain the Mississippi Choctaws—160 acres to each on the public domain. But this was not the result of any agreement; it was simply a gratuity handed out by the United States to compensate for this wrong.

This scrip provided that the Indian living in Mississippi could locate on 160 acres of land. Where? In Alabama, Mississippi, in Arkansas, or Tennessee. Not a foot in their own home State; not a foot in Oklahoma; and then it contained this marvelous feature, that in order to avail themselves of the right to this scrip, or one-half of it, they had to go to Oklahoma to get it. When they got there and got the scrip they could not locate any land unless they went to Tennessee, Alabama, Arkansas, or Mississippi.

Mr. CARTER. Will the gentleman yield?

Mr. MILLER. Yes.

Mr. CARTER. Was not the first one-half of the scrip paid in Mississippi?

Mr. MILLER. Yes; the first half was paid in Mississippi and the other half to be paid for when they went to Oklahoma. As a matter of fact, we know what happened. Congress might have known what would happen. The scrip was assignable, and it was assigned and lost. Congress always recognized that it was a futile effort and was not an effort that reached the merits of the case.

Mr. BUTLER. Did not Judge Clayton make a decision in this matter?

Mr. MILLER. Unquestionably, Judge Clayton had an opportunity to ascertain the facts, because they existed; whether he did or not I do not know.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. BUTLER. I ask unanimous consent that the gentleman have one minute more.

Mr. HARRISON. I will yield to the gentleman from Minnesota three minutes.

Mr. MILLER. Judge Clayton in the case so many times cited never for one moment decided the real merits of the Mississippi Choctaws' case. He said that under the law, under the treaty between the United States and whom? Not the Mississippi Choctaw, the party in interest, but between the United States and the Choctaw in Oklahoma. The Mississippi Choctaw to be enrolled had to go to Oklahoma.

Mr. FERRIS. Will the gentleman yield?

Mr. MILLER. Yes; for a brief question.

Mr. FERRIS. Does not the gentleman think that Judge Clayton dealt specifically with the fourteenth article of the treaty?

Mr. MILLER. Within the limits that I have just stated. Subsequently to that, the Choctaw Nation was complaining against the conduct of the United States. The United States Senate took this up and said, "Yes; we recognize that we must make reparation for the wrong that we have done to the Choctaws in Mississippi," and so the Senate was turned into a court of arbitration to consider the case, and made a finding of upward of $3,000,000, and they made the first payment of $250,000. To whom? To the Choctaws in Oklahoma for the wrongs done the Choctaws in Mississippi.

The war came on and nothing further was done on that award, but Congress passed an act authorizing the Choctaw Nation to sue the United States in the Court of Claims to recover for the wrongs done back in 1830 to 1833. The Choctaw Nation west in Oklahoma brought suit, hired an attorney, recovered a judgment which amounted to about $8,000,000. First, the United States deducted therefrom the cost of transporting all the Choctaws who had gone from Mississippi to Oklahoma, together with some other items of subsistence, so that the actual amount paid to the Choctaw Nation west was about $3,000,000. That was taken by the Choctaws in Oklahoma, distributed among the Choctaws in Oklahoma, but it must be said that some of those who received it—a very few—were really Mississippi Choctaws, but the Mississippi Choctaw off in the wilds of Mississippi I suppose never knew that a case was

brought for and in his behalf. At all events he never received any of the $3,000,000 that were distributed among the Choctaws in Oklahoma.

The CHAIRMAN. The time of the gentleman from Minnesota has again expired.

Mr. HENSLEY. Mr. Chairman, I ask unanimous consent that the time be extended 20 minutes, 10 minutes to go to the gentleman from Oklahoma [Mr. CARTER] and 10 minutes to the gentleman from Mississippi [Mr. HARRISON], to be given to the gentleman from Minnesota [Mr. MILLER].

Mr. STEPHENS of Texas. Mr. Chairman, I shall have to object to that.

Mr. HARRISON. Mr. Chairman, I yield five minutes to the gentleman from Minnesota.

Mr. MILLER. Mr. Chairman, I had no idea whatever of entering upon such an extensive discussion of this case when I first began to speak. This $3,000,000 was paid out in this way, and so far as I know that was never dug out until two years ago, when I made application both to the Treasury Department and to the Indian Department to find out who got the net proceeds of the money, and how it was divided, and how it went. The records are sufficiently accurate to enable anyone to determine the way in which it was distributed and where it went, and there is no man on the floor of this House who is so great a friend of the Choctaws in Oklahoma who will have the strength to stand up and say that that money was all fairly and honestly distributed. I can not quite bring myself to believe, at least I have not yet, that the Choctaws residing still in Mississippi have a right to be enrolled as citizens of the Choctaw Nation in Oklahoma, to share with the citizens in Oklahoma in all of the property and rights of that tribe; but I can never resist the feeling that the Choctaws in Oklahoma have received a very substantial sum of money that in good conscience was designed to go and should have gone to the Choctaws in Mississippi, and I do know that the Choctaw in Mississippi has never had his day in court. Some one is responsible. I believe there is a very measurable degree of responsibility resting upon the Government of the United States. It can never be dodged, nor do I believe it can ever be shifted. The Mississippi Choctaw has been a ghost before Congress, as has been stated by the gentleman from Oklahoma, for 70 or 80 years, and he will continue to be that ghost for 80 years more and until the Members of this body and the friends of the Indians give the Mississippi Choctaw his day in court, adjudicate his rights, and see that he gets them. [Applause.]

Mr. Chairman, I am not scared by attorneys' contracts. I frankly confess to you that I think the Mississippi Choctaw, probably more than any other Indian—and you will agree with me that this is a strong statement—has been the subject of exploitation by attorneys; but that has nothing to do with their rights. I will say, in answer to the gentleman from Oklahoma [Mr. FERRIS], that I can draft a law, as he can, and as can any Member of this House, providing that the Mississippi Choctaws shall have their day in court, prescribing the conditions under which they shall have their day in court, which will make all those attorneys' contracts of as much value, and no more, as the paper upon which they are written. They have not been exploiting the Mississippi Choctaw, because, God knows, the Mississippi Choctaw has nothing to-day to exploit. He has neither land, property, nor wealth. Apparently their exploitation has been largely among the whites, whom they have invited to come to their aid financially, holding out grossly absurd visions of speculative profits. This, Mr. Chairman and gentlemen of the House, is not a question of attorneys' contracts. It is a question of the Mississippi Choctaw having his rights for once determined in a court or in a place where his voice shall be heard.

Mr. STEPHENS of Texas. Mr. Chairman, will the gentleman yield?

Mr. MILLER. Yes.

Mr. STEPHENS of Texas. Mr. Chairman, the gentleman has studied this matter and has been investigating it for a number of years, and I know that he has greatly benefited all of us by his arguments. The question I desire to ask is this: Whatever equities these Indians may have—those that have never moved to Oklahoma and still reside in Mississippi—must be against the United States Government for misleading them and not against the Choctaw Indians who are in Oklahoma and who have obeyed the Government in every respect, and who have had the lands patented to them and have had possession of them for 75 years.

Mr. MILLER. Mr. Chairman, I could not quite agree with that statement of the gentleman from Texas.

The CHAIRMAN. The time of the gentleman from Minnesota has again expired.

Mr. HARRISON. Mr. Chairman, I yield the gentleman two minutes more. Mr. Chairman, I want to ask the gentleman a question. I notice that in 1910, on February 2, the gentleman who just asked that question used this language in offering an amendment to the Indian appropriation bill to take care of the Mississippi Choctaws. That was four years, practically, after the final rolls had been closed. Among the other language used by the gentleman from Texas, chairman of the committee, he said this:

> Mr. Chairman, there are yet 400,000 acres of land unallotted and funds unallotted still belonging to the Choctaw tribe, and before these funds are allotted, before this land has gone from the power and possession of the United States and into the hands of innocent purchasers, these Mississippi Choctaw Indians should be protected, and every one entitled to enrollment should be enrolled and receive their pro rata share of the tribal estate. If that is not done, they will be knocking at the doors of Congress for the next 50 years, stating that their claims were rejected when they were just. It is the duty of this Government to ascertain who its wards really are and to legally enroll them and set apart to them their property; and if we do not treat them thus justly and fairly, we will have committed a great moral wrong. This moral obligation rests upon us and can never be paid until justice is done to these Mississippi Choctaw Indians.

[Applause.]

Mr. MILLER. In further answer to the gentleman from Texas, I desire to state without any further consideration of the elements in the case I think the Choctaw Nation, west, has got to make some kind of an accounting to the Choctaws in Mississippi for the $3,000,000 they received from the Government on account of the injuries done to the Choctaws, and that has never yet been done.

Mr. BUTLER. That right is not involved here, is it?

The CHAIRMAN. The time of the gentleman has again expired.

Mr. FERRIS. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. FERRIS. I desire to ask if there is going to be a vote here to-night on this proposition? It is now 5.30, and I think the Members ought to know.

Mr. CARTER. I am perfectly willing—what is the status of the time, Mr. Chairman?

The CHAIRMAN. The gentleman from Oklahoma has 18 minutes and the gentleman from Mississippi 8 minutes.

Mr. CARTER. Mr. Chairman, I yield six minutes to the gentleman from Arkansas [Mr. JACOWAY], who was secretary of the Commission to the Five Civilized Tribes when these matters were adjudicated——

Mr. HARRISON. Mr. Chairman, regular order; I want to object to the gentleman's introduction.

The CHAIRMAN. The gentleman from Arkansas [Mr. JACOWAY] is recognized for six minutes.

Mr. JACOWAY. Mr. Chairman and gentlemen of the committee, some 20 years ago this month the Dawes Commission under an act of Congress of a year previous went to the then Indian Territory charged with the duty of treating with the Indians of the Five Civilized Tribes with a view looking toward the abolishment of their tribal relations—a surrendering of their lands held communistically to a holding in severalty. The Choctaws, Chickasaws, Cherokees, Creeks, and Seminoles comprised the Indians of the Five Civilized Tribes.

The conditions which confronted the commission at that time were most unhappy in so far as the Indian Territory was concerned. In fact, they were deplorable as reflected in the report of the Dawes Commission for that year as well as succeeding years. These conditions might be termed a case of arrested progress. There were as many delicate, intricate, and far-reaching problems to be met and to be honestly, earnestly, and with great ability dealt with and correctly and justly settled as there are tints upon the kaleidoscope. They may again be defined as an anomaly within an anomaly. As varied and multiplied as were these problems there was none so vexatious, troublesome, and which challenged the best thought of the Dawes Commission to a greater degree than did the question as to who were justly entitled to be enrolled as citizens of the Five Civilized Tribes. Ever since then has this question been one much discussed and which has clamored for final settlement at the hands of commissions, tribunals, and courts of intermediate and final jurisdiction. Composing this first commission were Senator H. L. Dawes, of Pittsfield, Mass.; Meredith H. Kidd, of Indiana; and Hon. A. S. McKennon, of Arkansas.

A few years later Col. T. B. Cabiness, of Georgia; Judge A. B. Montgomery, of Kentucky; Gen. Frank C. Armstrong, of Washington City; Hon. T. B. Needles, of Illinois; Hon. Clifton R. Breckinridge, of Arkansas; and Hon. Tams Bixby, of Minnesota, also were at different times appointed upon the commission. These were all good men and selected because of their well-known ability to deal with the questions confronting the

commission. At no time were there more than five members of the commission. The ever-varying fortune of politics was the cause in the change of the personnel of the commission from time to time. Too much credit can not be given to Mr. Bixby for the part that he played in solving the intricate problems before the commission. His membership upon the commission was probably longer than anyone, except Senator Dawes. It fell to his lot to finally wind up the affairs of the Five Tribes, the commission having been in the meantime reduced to one commissioner. He was able, conscientious, and painstaking, and after this great work had practically been finished, the question of citizeship adjudicated, and the affairs almost entirely completed, and Oklahoma found herself merging into statehood, Mr. Bixby, who was at all times a real friend of the Indians, stated that to ever again open the rolls and to cause a readjudication of the many problems that had been solved by courts, commissions, and tribunals would be a great injustice and irremediable wrong, and where the far-reaching influences for evil would end no one could determine. As a friend of the Indians, and as did Capt. McKennon and other members of the commission, he has decided the question against the Mississippi Choctaws who at this time seek enrollment. His opinion is worthy of the greatest weight.

The commission received its name from Senator Henry L. Dawes, of Pittsfield, Mass., who was the first chairman of the commission. In all respects Senator Dawes was a grand old man.

For 36 continuous years Senator Dawes was a Member of this body and the Senate, and during a greater portion of that time he was either chairman of the Committee on Indian Affairs in the House or chairman of the Committee on Indian Affairs in the Senate. In other words, Mr. Chairman, he was regarded by the Indians as their greatest champion. All Indians looked upon him as their leader and their chief who would not fail them, who never had, and, may I add, who never did. He presented to this House and the Senate of the United States more appropriation bills for the benefit of the Indians in the Five Civilized Tribes and other Indians than any other man, living or dead. He gave the last five years of his life to the just settlement of the intricate problems before the civilized tribes at that time. When I left the commission, as secretary, Senator Dawes, who has long since gone to his reward, one hand full of merited honors and the other rich in years, honorably and well spent, stated to me that the crowning injustice of injustices that could be done to the Indians of the Five Civilized Tribes was to ever again open these rolls and to allow a horde of claimants to filch the patrimony of the people of these tribes.

I desire to say in passing that I will attempt to present to the House the chronology of this proposition, and in doing so it will be my highest purpose to cleave close to the facts, and not knowingly will I travel outside of the record. The question before the House is, Are the Mississippi Choctaws now residing in Mississippi entitled to enrollment?

It is contended here that the Mississippi Choctaws are entitled to share in the property of the Oklahoma Choctaws. This principle was first adjudicated in the year 1866 in a case under the style of The Eastern Band of the Cherokee Nation against the United States and the Cherokee Nation, reported in the United States Reports, volume 117, pages 288 to 312, inclusive. The facts of this case, briefly stated, were these: By treaties with the Cherokees the United States had recognized them as a distinct political community, so far independent as to justify and require negotiations with them in that character. The Cherokees in North Carolina dissolved their connection with the Cherokee Nation when they refused to accompany the body of it on its removal, and have had no separate political organization since. Though fostered and encouraged, they have not been recognized by the United States as a nation in whole or in part, and as then organized were not the successor of any organization recognized by any treaty or law of the United States. The facts are, further, the eastern Cherokees in this suit sought a share of the commuted annuity fund of $214,000 and of the fund created by sales of land west of the Mississippi ceded to the Cherokee Nation. The facts show in addition that the Eastern Band of Cherokees never removed west and identified themselves with the original band that did so, claiming that it was not necessary so to do; that the Cherokee Indians, both those residing east and west of the Mississippi River formerly constituted one people and composed the Cherokee Nation; that by various treaty stipulations with the United States they have become divided into two branches, known as the Eastern Cherokees and the Western Cherokees; and that the Eastern Cherokees constitute a portion of the former, and as such are entitled to a proportionate share of the funds which the United States holds in trust for the nation. These are the facts in the main as gleaned from the syllabus and the statement of the court in this case.

In a lengthy and illuminating opinion rendered by Mr. Justice Fields, covering a number of pages, he concludes his opinion with the words:

They—

Speaking of the Eastern Band of Cherokees—

can not live out of its territory, evade the obligations and burdens of citizenship, and at the same time enjoy the benefits of the funds and common property of the nation. Those funds and that property were dedicated by the constitution of the Cherokees and were intended by the treaties with the United States for the benefit of the united nation and not in any respect for those who had separated from it and become aliens to their nation. We see no just ground on which the claim of the petitioners can rest to share in either of the funds held by the United States in trust for the Cherokee Nation, and the decree of the Court of Claims must therefore be affirmed.

In my judgment, this case is directly in point with the proposition involved in the amendment offered by the gentleman from Mississippi [Mr. HARRISON] and a solemn adjudication by the highest court in the land against his contention.

The next decision of this matter came also in 1886, as reported in One hundred and nineteenth United States Reports, page 36, in a case under the style of Choctaw Nation against United States:

The Supreme Court of the United States, in the case of the Choctaw Nation *v.* United States (119 U. S., 36), after reviewing the treaties of 1820 and 1825, says:

"In the meantime, however, under the pressure of the demand for settlement of the unoccupied lands of the State of Mississippi by emigrants from other States, the policy of the United States in respect to the Indian tribes still dwelling within its borders underwent a change, and it became desirable, by a new treaty, to effect, as far as practicable, the removal of the whole body of the Choctaw Nation as a tribe from the limits of the State to the lands which had been ceded to them west of the Mississippi River. To carry out that policy the treaty of 1830 was negotiated."

Again, in the case, page 27, the court says:

"It is notorious as a historical fact, as it abundantly appears from the records of this case, that great pressure had to be brought to bear upon the Indians to effect their removal, and the whole treaty was evidently and purposely executed not so much to secure to the Indians the rights for which they had stipulated as to effectuate the policy of the United States in regard to their removal.

Article 3 of the treaty of 1830 stipulates that the Choctaws agree to remove all of their people during the years 1831, 1832, and 1833 to those lands. (7 Stat. L., 333.)

Article 14 of the treaty, however, provides for certain privileges and rights for those who might choose to remain in Mississippi with a view of becoming citizens of that State. They and their descendants were to receive certain lands and, after living on them for five years, intending to become citizens of the State, those lands were to be granted to them in fee simple. Then follows this very peculiar clause:

"Persons who claim under this article shall not lose the privilege of a Choctaw citizen, but if they ever remove are not to be entitled to any portion of the Choctaw annuity."

The difficulty in construing this clause of the treaty is to ascertain the meaning of the word "remove." To what does it relate and how shall we give it meaning? It certainly does not purpose to impose a penalty on the Choctaw who may choose to remove for removing, and for that reason forfeit his right to the annuity, because so long as he remained in Mississippi he was not entitled to any annuity, and therefore by removing he could not forfeit that which he did not have. If he removed he was to have no annuity, and if he remained he was to have no annuity. It is evident, therefore, that the word was not used for the purpose of forfeiting the annuity in case of removal. Then, what are its uses? The very object of the treaty was to procure a removal of these people. The whole of the Choctaw Nation, with all of its sovereignty, its powers, and its duties, was to be transferred beyond the Mississippi. It was to exercise its powers, confer its privileges, and maintain the citizenship of its people in another place. Those who were left behind to retain not this Choctaw citizenship but only the "privileges of a Choctaw citizen"; that is, that when they put themselves into a position that these privileges could be conferred upon them they were to have them, and under the conditions and purposes of this treaty how would it be possible for them to put themselves in such a position without first removing within the territorial jurisdiction of the Choctaw Nation and within the sphere of its powers? What privilege would it be possible for the Choctaw Nation to confer or a Mississippi Choctaw to receive so long as he remained in Mississippi and out of the were to commit a wrong against the person or property of another, the limits of the Choctaw Nation? By the very terms of the treaty they were to become citizens of another State, owing allegiance to and receiving protection from another sovereignty. If one Mississippi Choctaw right would be enforced and the wrong redressed under the laws of Mississippi. The Choctaw Nation would be powerless to act in such a case. The Choctaws in that State can not vote, sit as jurors, or hold office as a Choctaw citizen or receive any other benefit or privilege as such. They can not participate in the rents and profits of the lands of the Choctaw Nation, because by the very terms of the grant the Choctaw people and their descendants must live upon them. If they do not, it is an act of forfeiture, made so by the provisions of article 2 of the treaty of 1830 and also of those of the patent to their lands afterwards executed.

The title of the Choctaw people to their lands is a conditional one, and one of the conditions of the grant, expressed in both the second article of the treaty of 1830 and the patent, is that the grantee shall live upon them. And who are the grantees? Who are these people who are to live upon the land? Unquestionably the Choctaw people and their descendants, for while the grant is to the Choctaw Nation the people seem to be included, both as grantees and beneficiaries. The language of the treaty is, and it is carried into the patent:

"The President of the United States shall cause to be conveyed to the Choctaw Nation a tract of country west of the Mississippi River, in fee simple, to them and their descendants, to inure to them while they shall exist as a nation and live on it."

The Choctaw Nation is not "them" and can not have "descendants." And while it may exercise its sovereignty and its national powers within certain defined territorial limits it can not "live on land." Those provisions of the grant which are expressed in the plural and attach to "descendants" and which require as a condition that the land shall be lived on beyond doubt refer to the Choctaw people and their descendants. Whatever effect upon the title the limitation upon the right of alienation expressed in the patent, so that the lands can not be sold except to the grantor or by its consent, may have, there can be no question but that the second article of the treaty of 1830, negotiated 12 years before the execution of the patent, and in which no limitation on the right of alienation is expressed, was intended to convey a fee-simple title, burdened by two conditions subsequent, the one that the grantees should continue the corporate existence of their nation, and the other that the people of that nation and their descendants should forever live upon the land. A failure of either would work a forfeiture of the title to the grantor.

Now, why was it that this fee-simple title was to be burdened by the condition that the grantee must live on the land? In the light of the knowledge of the conditions that then existed the answer is plain. The policy of the Federal Government at that time, relating to the Indian tribes, was to move them upon a reservation and keep them there; and if the Indian, either singly or in numbers, should stray off, soldiers with guns and bayonets were used to drive them back. This very treaty was negotiated with the Choctaws for that very purpose. Hence the condition in the grant that they should live on the land or it should be subject to forfeiture to the United States. This condition was inserted for two reasons: First, to compel the grantees to remove upon the lands, and, second, to compel them to remain on them after removal. It was not intended that some should go and locate on the lands and hold the title for themselves and also for the others who should choose to remain. This would defeat the very object of the condition. These lands were conveyed to the Choctaw people to be held by them as tenants in common. This intention of the second article of the treaty of 1830 is expressed by the use of the words "them and their descendants" and of the clause that they were to "live on the land." Both of these clauses are expressed in the plural and evidently do not relate to the nation as a corporate body. That a tenancy in common was intended is made clear by a consideration of section 3 of an act of Congress entitled "An act to provide for an exchange of lands with the Indians residing in any of the States or Territories, and for their removal west of the Mississippi River," approved May 28, 1830 (4 U. S. Stat. L., 412). The section reads as follows:

"And be it further enacted, That in the making of any such exchange or exchanges it shall and may be lawful for the President solemnly to assure the tribe or nation with which the exchange is made that the United States will forever secure and guarantee to them and their heirs or successors the country so exchanged with them; and, if they prefer it, that the United States will cause a patent or grant to be made and executed to them for the same: *Provided always,* That such lands shall revert to the United States if the Indians become extinct or abandon the same."

At the time the treaty of 1830 was negotiated—September 29, 1830—this act had been on the statute books of the United States for four months, and as a matter of course the commissioners to negotiate the treaty were familiar with it. But the language used in this act to limit the estate is "to them, their heirs, or successors." The language used in the treaty to limit the estate therein granted is "in fee simple to them and their descendants," and then conditions are attached not named in the statute. Why the word "successors" was left out of the treaty is plain. But why the word "heirs" was changed to the word "descendants," unless it was that a word should be used within the comprehension of those untutored Indians, who knew nothing of the technical phrases of the common law used in the conveyance of real estate, is not easy to determine. The word "successors" was omitted from the treaty because by its terms the Choctaw Nation was to have no successors. They were to live on the land forever, or it should be forfeited to the grantor. When the technical words "successors" and "heirs" were dropped and the common word "descendants" was used, these Indians could understand it. They knew what they and their offspring were. It was to them—the people and their children—that the land was sold, and when the condition was added that the grant was to be made to them and their descendants only in the event that they should live upon the lands, they could not but understand that this implied a removal to and a continual residence upon them.

As a further evidence that the parties understood that by this transaction the land was to be held in common by the people, the treaty of 1833, article 1, provides, after describing the lands, as follows:

"And *pursuant to an* act of Congress approved May 28, 1830, the United States do hereby forever secure and guarantee the lands embraced within the said limits to the members of the Choctaw and Chickasaw Tribes, their heirs and successors, to be held in common, so that each and every member of either tribe shall have an equal undivided interest in the whole: *Provided, however,* No part thereof shall ever be sold without the consent of both tribes and that said land shall revert to the United States if said Indians and their heirs become extinct or abandon the same." (4 U. S., Stat. L., 276.)

If this be true, there is no holding in trust by the corporate body of the Choctaw Nation for the benefit of the people, but the people themselves have the title and hold it in common.

"A tenancy in common is a joint estate in which there is unity of possession, but separate and distinct title. The tenants have separate and independent freeholds or leaseholds in their respective share, which they manage and dispose of as freely as if the estate was one in severalty. * * * The interest of one tenant in common is so independent of that of his cotenant that in a joint conveyance of the estate it would be treated as a grant to each of his own share of the estate." (Tiedeman on Real Property, 235.)

And therefore any condition of the grant would be as binding on each of the tenants in common as if the estate was in severalty and vested in the individual tenant. And therefore the condition named in the second article of the treaty of 1830 and in the patent, that "they shall live on the land," is binding individually upon each and upon all of the grantees.

In the third article of the treaty the Choctaws agreed to move all of their people within three years, and the United States intended that they should go. But, by the fourteenth article of the treaty, provisions were made whereby those who should decide to remain and become citizens of the State of Mississippi, in the event that, because of the intolerance and persecutions of the whites, which they themselves had so bitterly experienced, or for any other cause, they might become dissatisfied with their altered conditions and their new citizenship and desire to follow them to their new homes, and thereafter exercise with them in their own country the privileges of citizenship, they could do so, except that they were not to participate with them in their annuities, the lands which they were to receive in Mississippi being deemed a compensation for that.

When the fourteenth article of the treaty was framed, the negotiating parties understood that the policy of the United States was that the Choctaws were to be removed. The Choctaws, in article 3, had just agreed that they should all go. The ink was not yet dry in article 2, whereby the condition was placed in this grant to the lands that they were to live upon them or they should be forfeited, and that no privilege of citizenship could be conferred or enjoyed outside of the territorial jurisdiction of their newly located nation. Understanding these conditions, the latter clause of article 14 was penned:

"Persons who claim under this article shall not lose the privilege of a Choctaw citizen, but if they ever remove—that is, if they ever place themselves on the land and within the jurisdiction of the nation whereby those privileges may become operative—are not to be entitled to any portion of the Choctaw annuity."

In other words, if they ever remove, they are to enjoy all of the privileges of a Choctaw citizen except that of participating in their annuities. If this be not the meaning to be attached to the word "remove" as used in the clause of the treaty under consideration, it must be meaningless. But in the interpretation of statutes it is the duty of the court to so interpret them as to give to every word a meaning, and in doing so it must take into consideration the whole statute, its objects and purposes, the rights which are intended to be enforced and the evils intended to be remedied; it may go to the history of the transaction about which the legislation is had and call to its aid all legitimate facts proven or of which the courts will take judicial notice in order to find the true meaning of the word as used in the statute. Of course the same rule of interpretation applies to treaties. Adopting these rules in the interpretation of article 14 of the treaty of 1830, I arrive at the conclusion that the "privilege of a Choctaw citizen" therein reserved to those Choctaws who shall remain, thereby separating themselves, it may be forever, from their brethren and their nation, becoming citizens of another sovereignty and aliens of their own, situated so that it would be impossible, while in Mississippi, to receive or enjoy any of the rights of Choctaw citizenship, was the right to renounce his allegiance to the Commonwealth of Mississippi, move upon the lands conveyed to him and his people, and there, the only spot on earth where he could do so, renew his relations with his people and enjoy all of the privileges of a Choctaw citizen except to participate in the annuities.

As an evidence that the Choctaw people themselves took this view of the question, attention is called to the fact that their council has passed many acts and resolutions inviting these absent Choctaws to move into their country, and on one occasion appropriated a considerable sum of money to assist them on their journey, and until the past two or three years have always promptly placed those who did return on the rolls of citizenship, but never enrolled an absent Choctaw as a citizen.

On December 24, 1889, the general council of the Choctaw Nation passed the following resolution:

"Whereas there are large numbers of Choctaws yet in the States of Mississippi and Louisiana who are entitled to all the rights and privileges of citizenship in the Choctaw Nation; and

"Whereas they are denied all rights of citizenship in said States; and

"Whereas they are too poor to immigrate themselves into the Choctaw Nation: Therefore

"Be it resolved by the general council of the Choctaw Nation assembled, That the United States Government is hereby requested to make provisions for the emigration of said Choctaws from said States to the Choctaw Nation," etc.

The language is, not that they are entitled to the rights and privileges of Choctaw citizenship in the States named, but "who are entitled to all the rights and privileges of citizenship in the Choctaw Nation," and the prayer is that because of the fact that they are denied the rights of citizenship in the State that the United States will remove them to a place—their own country—where the rights of Choctaw citizenship may be enjoyed by them.

As a further evidence of the fact that all of the parties to the treaty, the United States, the Choctaw Nation, and the Mississippi Indians themselves, have always understood that the Mississippi Choctaws were entitled to none of the rights of a Choctaw citizen so long as they remained in that State, attention is called to the fact that the lands in Mississippi which were ceded to the United States by the Choctaw Nation by virtue of the treaty of 1830 were, under the laws of the United States, sold. The Choctaw Nation claimed that they had never been paid any consideration for them, and that the United States justly owed them the net proceeds arising out of the sale. For many years this contention was carried on before the departments of the Government, commissions, and other tribunals. Finally, by treaty, it was submitted to the Senate of the United States for decision. That body found in favor of the Choctaw Nation. The case then went to the Court of Claims, and from there to the United States Supreme Court, in which court judgment was finally rendered for nearly $3,000,000. This judgment was rendered in November, 1886. The money was turned over to the Choctaws by the United States, and by them, with the knowledge and consent of the United States, divided among their own people who lived in the nation. Not one farthing of it was ever paid to an absent Mississippi Choctaw, and no portion of it was ever claimed by them. During this whole litigation, running through many years, no effort was made to make themselves parties to the suit. And when the money was finally paid to the Choctaw authorities, to be divided among the people, they made no claim for any part of it and entered no protest to its being paid to the resident Choctaws, nor have they brought suit for their share since. The other party to the treaty, the United States Government, the guardian of these Indians, paid the money over without making any provision for the Mississippi Choctaws to get their share or intimating that anything was due them. When it is remembered that this money was the proceeds of the sale of the lands in Mississippi belonging to the united Choctaw people while they lived in that State and that the great bulk of the Mississippi Choctaws had never received one farthing for their share in the lands, if they, living in Mississippi, are entitled there to the rights of a Choctaw citizen, it is remarkable that they did not assert their rights.

Again, a few years ago the interest of the Choctaws to lands lying west of their present boundaries was sold by them to the United States for a considerable sum of money. This, like the other, was promptly divided among the resident Choctaws, with the knowledge and consent of the United States and without protest or claim of the Mississippi Choctaws. If they are entitled to the privilege of Choctaw citizens without removing into the boundaries of the nation, they are and were

entitled to their pro rata share of this money. If they do not understand that they have no claim to the rights of citizenship without moving into the country, why have they for the past 65 years silently stood by and permitted these kinds of transactions to be had without claim, protest, or suit?

The Eastern Band of Cherokees, now residing in North Carolina, sustained a relationship to the Cherokee Nation almost identical to that sustained by the Mississippi Choctaws to the Choctaw Nation. Like the Mississippi Choctaws, there were some among them who were averse to moving to their new country west of the Mississippi River. Provisions were made for them by the treaty of New Echota (the treaty of 1835) between the Cherokee Nation and the United States similar to those with the Choctaws by the treaty of 1830. When the Cherokee people moved to the present home of the Cherokees, these remained behind in North Carolina, where they have ever since resided. Like the Choctaw treaty of 1830, the treaty of New Echota provided that their lands should be ceded to them and their descendants, etc. The Cherokee Nation, by virtue of a treaty with the United States, afterwards sold some of these lands. The Eastern Band of Cherokees, in North Carolina, unlike their Mississippi Choctaw brethren, promptly demanded their pro rata of the proceeds of this sale, and upon being denied at once sought and obtained permission of the United States to sue the Cherokee Nation in the Court of Claims for this money, and also, in the same suit, to sue for another fund which was created by the treaty of New Echota, consisting of certain annuities in the sum of $214,000, of which the Eastern Band of Cherokees claimed a pro rata share. The suit was brought and the Court of Claims, in a very elaborate and learned decision, decided against the right of the Eastern Band of Cherokees to recover, upon the ground that those Cherokees, by the act of remaining in North Carolina, had alienated themselves from the Cherokee Nation to such an extent that they could not claim any of the rights of a Cherokee citizen without moving into the Cherokee Nation and there being readmitted in accordance with the constitution and laws of that nation. The case was appealed to the Supreme Court of the United States, and there the decision of the Court of Claims was affirmed. (Eastern Band of Cherokees *v.* United States, 117 U. S., 288.) In that case the Supreme Court, after reviewing all of the treaties and statutes relating to the matter, concluded by saying:

"If the Indians in that State (North Carolina) or in any other State east of the Mississippi wish to enjoy the benefits of the common property of the Cherokee Nation, in whatever form it may exist, they must, as held by the Court of Claims, comply with the constitution and laws of the Cherokee Nation, and be readmitted to citizenship as there provided. They can not live out of its territory, evade the obligations and burdens of citizenship, and at the same time enjoy the benefits of the funds and common property of the nation. Those funds and that property were dedicated by the constitution of the Cherokees and were intended by the treaties with the United States for the benefit of the united nation, and not in any respect for those who had separated from it and become aliens to their nation. We can see no just ground on which the claim of the petitioners can rest in either of the funds held by the United States in trust for the Cherokee Nation."

It seems to me that this decision of the Supreme Court, founded on a case so nearly similar to the one at hearing, conclusively settles the contention in favor of the Choctaw Nation. Indeed, in that case, the Supreme Court expresses a very strong intimation that those provisions of the treaty of New Echota relating to and providing for those Cherokees who should refuse to remove West were confined in their operation to that class of Cherokees then in esse, and the rights conferred by those provisions of the treaty did not descend to their offspring; that the descendants of those Cherokees did not succeed to the rights of their ancestors under the treaty. The language of the Supreme Court is:

"Nor is the band (Eastern Band of Cherokees), organized as it now is, the successor of any organization recognized by any treaty or law of the United States. Individual Indians who refuse to remove West and preferred to remain and become citizens of the States in which they resided were promised certain moneys, but there is no evidence that the petitioners have succeeded to any of these rights. The original claimants have probably all died, for 50 years have elapsed since the treaty of 1835 was made, and no transfer from them to their legal representatives is shown. (Ib., 310.)"

The court proceeds, however, to decide this case, as heretofore shown, on the ground that the Indians composing the Eastern Band of Cherokees had not removed into the Cherokee Nation and reassumed their citizenship under the constitution and laws of that nation.

I am disposed to the opinion, however, and will so hold, that the descendants of the Mississippi Choctaws, by virtue of the fourteenth article of the treaty of 1830, are entitled to all of the rights of Choctaw citizenship, with all of the privileges and property rights incident thereto, provided they have renounced their allegiance to the sovereignty of Mississippi by moving into the Choctaw Nation in good faith to live upon their lands, renewing their allegiance to that nation, and putting themselves in an attitude whereby they will be able to share in the burdens of their government. The reason for this conclusion is, to my mind, made morally certain when it is remembered that ever since the treaty of 1830, now for the period of nearly 67 years, with the exception of the past two or three years, the Choctaw Nation, by its legislative enactments and by its acts so long continued that by custom they have become crystallized into law, have universally admitted all who should remove to this country and rehabilitate them in all of the rights and privileges of citizenship enjoyed by themselves.

The counsel for the claimants lay considerable stress on the effect of the provisions of article 13 of the treaty of 1866 between the United States and the Choctaw Nation. (14 Stat., ——.)

By the eleventh and twelfth articles of that treaty a scheme was devised by which the lands of the Choctaw and Chickasaw Nations were to be surveyed and divided and allotted to the individual Indians, provided the councils of the respective nations should agree to it, which, however, they have refused to do. A land office was to be established at Boggy Depot, in the Choctaw Nation. When all of the surveys were completed, maps thereof were to be filed in the said land office, subject to the inspection of all parties interested, and immediately thereafter notice of such filing was to be given for 90 days, calling upon all parties interested to examine said maps to the end that errors in the location of occupancies, which were to be noted on the maps, might be corrected. Then followed article 13 of the treaty, which is as follows:

"ART. 13. The notice required in the above article shall be given, not only in the Choctaw and Chickasaw Nations, but by publication in newspapers printed in the States of Mississippi and Tennessee, Louisiana, Texas, Arkansas, and Alabama, to the end that such Choctaws and Chickasaws as yet remain outside of the Choctaw and Chickasaw Nations may be informed and have opportunity to exercise the rights hereby given to resident Choctaws and Chickasaws: *Provided*, That before any such absent Choctaw or Chickasaw shall be permitted to select for him or herself, or others, as hereinafter provided, he or she shall satisfy the register of the land office of his or her intention, or the intention of the party for whom the selection is to be made, to become bona fide residents in the said nation within five years from the time of selection; and should the said absentee fail to remove into said nation and occupy and commence an improvement on the land selected within the time aforesaid the said selection shall be canceled, and the land shall thereafter be discharged from all claim on account thereof."

From an examination of this article of the treaty it will be seen that the Choctaws and Chickasaws recognized the right of absent members of their nation to participate in the allotment and the subsequent ownership of their lands to the same extent as they themselves enjoyed, but on conditions, however: First, that they should satisfy the register of the land office of their intention to become bona fide residents in the said nation within five years from the time of said selection; and, second, that within the said five years they should actually remove into the said nation (here is a statute of limitation); and, third, that within the said five years they should occupy and commence an improvement upon the selected lands.

It will be observed that this latter clause imposes a condition on absent Indians nowhere required of the resident ones by any clause of the treaty. They were required to move into the country and show their good faith and their intention to remain bona fide citizens of the nation by actual occupancy of the land and an expenditure of money in its improvement. The notice was to be given them in order that they might have an opportunity of removing into the nation and there residing and resuming their rights as citizens; but care was to be taken, and safeguards provided by which their removal was to be actually had, and that it was to be done in good faith. First, the register of the land office was to be convinced, by such proof as might satisfy him, of the intention of the absent Indian to become a bona fide resident of the nation before he was allowed to make a selection; and, second, that was to be followed by an actual occupancy and improvement of the land; and if he failed in this it worked a forfeiture of his rights. Nowhere within the whole treaty is any right recognized or conferred on an absent Indian except on the condition that he shall remove into the nation, and the right is not to be consummated or enjoyed until after actual removal. No treaty or act of the Choctaw council, or of any officer of the Choctaw Nation, since the treaty of 1830, can be cited—or at least I have not found them—whereby any right or privilege has been conferred, granted, or recognized in or to a Mississippi Choctaw, so long as he shall remain away from his people, but there are an infinitude of such acts and conduct granting and recognizing such rights and privileges to him after he shall have removed.

The provisions of the treaty of 1866, so far from being an authority in favor of the contention of claimants, seems to me to be strongly against them.

To permit men with, perchance, but a strain of Choctaw blood in their veins, who 65 years ago broke away from their kindred and their nation, and during that time, or the most of it, have been exercising the rights of citizenship and doing homage to the sovereignty of another nation, who have borne none of the burdens of this nation and have become strangers to the people, to reach forth their hands from their distant and alien home and lay hold of a part of the public domain, the common property of the people, and appropriate to their own use, would be unjust and inequitable.

It is therefore the opinion of the court that absent Mississippi Choctaws are not entitled to be enrolled as citizens of the Choctaw Nation.

The action of the Dawes Commission is therefore affirmed, and a decree will be entered for the Choctaw Nation.

And again, in 1898, the Dawes Commission, under an act approved June 7, 1897, and who were specially charged with the duty of reporting on the rights of the Mississippi Choctaws now residing in Mississippi who were entitled to enrollment. That report is as follows:

REPORT OF THE COMMISSION TO THE FIVE CIVILIZED TRIBES UPON THE QUESTION "WHETHER THE MISSISSIPPI CHOCTAWS UNDER THEIR TREATIES ARE NOT ENTITLED TO ALL THE RIGHTS OF CHOCTAW CITIZENSHIP, EXCEPT AN INTEREST IN THE CHOCTAW ANNUITIES," REQUIRED BY ACT OF CONGRESS APPROVED JUNE 7, 1897.

To the Congress of the United States:

The Commission to the Five Civilized Tribes were required by act approved June 7, 1897, to—

"Examine and report to Congress whether the Mississippi Choctaws under their treaties are not entitled to all the rights of Choctaw citizenship, except an interest in the Choctaw annuities."

The commission has attended to that duty, and make the following

REPORT.

The Mississippi Choctaws are the descendants of those Choctaw Indians who declined to remove to the Indian Territory with the tribe under the provisions of the treaty made with the United States September 27, 1830, under which the Choctaws obtained their present reservation in the Indian Territory. There has never been a census taken of them, but they are estimated to number at the present time about 1,200. These are represented to be a poor and feeble band, somewhat scattered in different parts of the State of Mississippi, but located mostly in the counties of Neshoba, Newton, Leake, Scott, and Winston. They claim the right to continue their residence and political status in Mississippi, as they and those from whom they descended have done for 65 years, and still are entitled to enjoy all the rights of Choctaw citizenship except to share in the Choctaw annuities. This claim is based on the fourteenth article of said treaty, which is in these words:

"ARTICLE 14. Each Choctaw head of a family, being desirous to remain and become a citizen of the States, shall be permitted to do so by signifying his intention to the agent within six months from the ratification of this treaty, and he or she shall thereupon be entitled to a reservation of one section of 640 acres of land, to be bounded by sectional lines of survey; in like manner shall be entitled to one-half that quantity for each unmarried child which is living with him over 10 years of age; and a quarter section to such child as may be under 10 years of age, to adjoin the location of the parent. If they reside upon said lands, intending to become citizens of the States, for five years after the ratification of this treaty, in that case a grant in fee simple shall issue. Said reservation shall include the present improvement of the head of the family, or a portion of it. Persons who claim under this article shall not lose the privilege of a Choctaw citizen, but if they ever remove are not entitled to any portion of the Choctaw annuity."

What their political status is in the State of Mississippi is defined in this fourteenth article of the treaty. Their ancestors, each, was to

signify, within six months after the ratification of the treaty, his desire to remain and become a citizen of the States, which would entitle them to 640 acres of land and a less amount to each member of his family, and after a residence on the same of five years with intent to become a citizen, are then entitled to a patent in fee, and are thereby made citizens of the States. Their ancestors having done this, they claim under the concluding clause of said article that their ancestors could and they now can continue such citizenship and residence in Mississippi and be still entitled to all the rights of a Choctaw citizen in the tribal property of said nation in the Indian Territory, except their annuities. This clause upon which the claim rests is in these words:

"Persons who claim under this article shall not lose the privilege of a Choctaw citizen, but if they ever remove are not to be entitled to any portion of the Choctaw annuity."

But this construction is in direct conflict with the very purpose for which the treaty was made, and with the nature of the title to the lands in the territory secured to the Choctaws by it, and to the whole structure and administration of their government ever since under it.

No fact is better established than this, that the leading motive, if not the only one, on the part of the United States, was to get the Chocaws out of Mississippi and into what is now the Indian Territory. They accordingly provided in the second article of the treaty, among other things, that the Choctaws should live on the land ceded to them by it in the Indian Territory. That article is in these words:

"ARTICLE 2. The United States, under a grant specially to be made by the President of the United States, shall cause to be conveyed to the Choctaw Nation a tract of country west of the Mississippi River, in fee simple, to them and their descendants, to inure to them while they shall exist as a nation and live on it [here follows a description of the land], the grant to be executed as soon as the present treaty shall be ratified."

And the Choctaws agree in the third article to remove all their people to this territory during the years 1831, 1832, and 1833.

Now, to construe the concluding clause of the fourteenth article to mean an offer to those who refuse to go with their brethren to the new territory an equal share in the new lands with those who go and the additional fee simple of 640 acres of land in Mississippi and citizenship if they do not go, is to offer a bounty to those who refuse to go, and would defeat the very purpose of the treaty. Not one would have gone when offered so much better terms for staying. It is well known that the Choctaws were very reluctant to enter into this treaty at all, because a portion of them—the ancestors of these claimants—refused to leave with the main body, and the treaty was not executed till the provisions of the fourteenth article were made for those unwilling to leave with their brethren. But the United States did not cease its original purpose to secure the removal of them all to the new country, even those provided for in the fourteenth article. They therefore inserted the concluding clause to that article to the effect of a continuing offer and pledge, that if they did ever "remove"—that is, if they ever changed their minds and concluded to remove—the fact that they had been freeholders and citizens of Mississippi should not bar them out of Choctaw citizenship, but that they should share like all the rest in everything but the annuities. Thus construed the clause is a standing inducement to those Indians to remove in accordance with the purpose of the treaty instead of a standing bounty to remain and thus thwart that purpose.

In addition to the condition which entered into the title that the grantees must "live on it" or lose it, the nature of the title was such that these claimants could derive no benefit from it without living on it, and by remaining in Mississippi it would be worthless to them. It is a territory in common, and has been held as such from that day, 1830, till now. Now no tenant in common who voluntarily leaves the common property to the occupancy of his contenants can ever claim of them any of the fruits of its use. So that these Mississippi Choctaws, if they are cotenants with the resident Choctaws in these lands in the Indian Territory, must first go there and occupy them with their cotenants or forego any use of them.

Another condition of this title is that the grantees shall not only "live upon it," but if the Choctaw Nation ceases to exist the title is lost. If all the Choctaws should follow the example of these Mississippi Choctaws and remain residents and citizens of Mississippi, it would ipso facto cease to exist as a nation and the title be lost. It is impossible to conceive that the Choctaw Nation itself, as well as the United States, entered into this fourteenth article with any intention of enabling them so to do.

As further evidence that both parties to this treaty understood that they had created a title to be held in common by the members of the tribe alone, in which no one not a member could have any interest, the United States and the Choctaws entered into a treaty in 1855 in respect to the title to those lands (U. S. Stats., 11, p. 612), the first article of which is in these words:

"ARTICLE I. And pursuant to an act of Congress approved May 28, 1830, the United States do hereby forever secure and guarantee the lands embraced within the said limits to the members of the Choctaw and Chickasaw Tribes, their heirs and successors, to be held in common, so that each and every member of either tribe shall have an equal, undivided interest in the whole: *Provided, however,* No part thereof shall ever be sold without the consent of both tribes, and that said land shall revert to the United States if said Indians and their heirs become extinct or abandon the same."

Although it is true that any vested right of the Mississippi Choctaws in this land could not be affected by any treaty to which they were not a party, attention is called to this article for the double purpose of showing that both the United States and the Choctaw Nation have from the beginning held that the title has always been in the members of the tribe alone, and is now so fixed that no one else but members can share in it. The treaty uses the same language in the outset as is used in the treaty of 1830 containing the fourteenth article, on which the present claim rests. It says, like that treaty, that it is entered into "pursuant to an act of Congress approved May 28, 1830," and then declares that "the United States do hereby forever secure and guarantee the lands embraced within the said limits to the members of the Choctaw and Chickasaw Tribes, their heirs and successors, to be held in common, so that each and every member of either tribe shall have an equal, undivided interest in the whole: *Provided, however,* No part thereof shall ever be sold without the consent of both tribes, and that said land shall revert to the United States if said Indians and their heirs become extinct or abandon the same."

There can be no longer doubt that the present title is in the members of the tribes alone, and that the United States has pledged itself to so maintain it, and that it so does in the belief of both parties to the treaty that such was the title from the beginning. No man can, therefore, as the title now stands, have any interest in these lands unless he is a member of one of these tribes.

Now, it has been a law of the Choctaw Nation from the beginning of its existence, recognized by the Supreme Court and by Congress, that no man can be a citizen of that nation who does not reside in it and assume the obligations of such citizenship before he can enjoy its privileges. To "enjoy the privileges of a Choctaw citizen" one must be a Choctaw citizen.

If this land should be ultimately allotted, any allotment to other than a citizen would come in direct conflict not only with the terms of the treaty but also with the whole system of the Choctaw government from the beginning. By the treaty, the allottee must be a member of either the Choctaw or Chickasaw Tribes. He can, being a stranger, neither occupy nor sell his allotment, for by the treaty all strangers are to be kept out of the territory, and the land is to be sold to no one except with the consent of both tribes.

This historical review of the acquisition of this territory by the Choctaw Nation, and its subsequent legal relations to it, makes it clear in the opinion of this commission that the Mississippi Choctaws are not, under their treaties, entitled to "all the rights of Choctaw citizenship except an interest in the Choctaw annuities," and still continue their residence and citizenship in the State of Mississippi.

What, then, are "the privileges of a Choctaw citizen," secured to them by the fourteenth article of the treaty of 1830? That article, after having secured to those unwilling to remove with their brethren to the Indian Territory, 640 acres of land and enrollment and citizenship in the State of Mississippi, added this further clause:

"Persons who claim under this article shall not lose the privileges of a Choctaw citizen, but if they ever remove are not to be entitled to any portion of the Choctaw annuity."

The commission are of the opinion that this clause was intended to offer a further inducement to those Indians to follow at some future time their brethren and join them in their new home, and that the true construction of it is that the door of admission shall be kept open to them, and if they ever remove this stay and citizenship in Mississippi shall not bar them out, but that, notwithstanding it, they shall be admitted to all the privileges of Choctaw citizenship equally with all others, save only a share in their annuity. This construction finds further corroboration in the treaty of 1866 (14 Stat. L.), between the United States and the Choctaws and Chickasaws concerning the title to this same territory. In this treaty, for the first time, the possibility of an allotment of these lands in severalty to the members of the tribes at some time in the future was recognized. It was, therefore, provided in this treaty that whenever the tribes desired it, such allotment among their members should take place, and at great detail the manner in which it was to be done was set forth. The treaty then provided that before it did take place notice should be given "not only in the Choctaw and Chickasaw Nations but by publication in newspapers printed in the States of Mississippi and Tennessee, Louisiana, Texas, Arkansas, and Alabama, to the end that such Choctaws and Chickasaws as yet remain outside of the Choctaw and Chickasaw Nations may be informed and have opportunity to exercise the rights hereby given to resident Choctaws and Chickasaws: *Provided,* That before any such absent Choctaw or Chickasaw shall be permitted to select for him or herself, or others, as hereinafter provided, he or she shall satisfy the register of the land office of his or her intention, or the intention of the party for whom the selection is to be made, to become bona fide resident in the said nation within five years from the time of selection; and should the said absentee fail to remove into said nation and occupy and commence an improvement on the land selected within the time aforesaid, the said selection shall be canceled, and the land shall thereafter be discharged from all claim on account thereof."

There can be no doubt that this provision was inserted for the special benefit of those claiming to enjoy the rights of a Choctaw citizen under this fourteenth article of the treaty of 1830, many of those Choctaws having wandered away from Mississippi into the other States mentioned. It was a notice to them that these lands were about to be allotted to members of the tribes, and if they desired to avail themselves of a share in the allotment they must make themselves such members by coming from "outside" and join their brethren in the common citizenship of the nation.

The terms upon which each applicant can avail himself of this opportunity are clear and unequivocal. He must satisfy the register of his intention to become a bona fide resident in the Territory within five years of the date of his application before he can select his allotment. And a failure to remove into said nation and to occupy and commence improvement on the land so occupied within the time specified forfeits altogether the selection.

This proviso needs no explanation. The United States and the Choctaws have affixed it to the title, and those claiming the benefit of the fourteenth article must conform to it or lose their rights.

It follows, therefore, from this reasoning, as well as from the historical review already recited, and the nature of the title itself, as well as all stipulations concerning it in the treaties between the United States and the Choctaw Nation, that to avail himself of the "privileges of a Choctaw citizen" any person claiming to be a descendant of those Choctaws who were provided for in the fourteenth article of the treaty of 1830, must first show the fact that he is such descendant, and has in good faith joined his brethren in the Territory with the intent to become one of the citizens of the nation. Having done so, such person has a right to be ernolled as a Choctaw citizen and to claim all the privileges of such a citizen except to a share in the annuities. And that otherwise he can not claim as a right the "privilege of a Choctaw citizen."

To the claim, as thus defined, the Choctaw Nation has always acceded, and has manifested in many ways its willingness to take into its citizenship any one or all of the Mississippi Choctaws who would leave their residence and citizenship in that State and join in good faith their brethren in the Territory, with participation in all the privileges of such citizenship, save only a share in their annuities, for which an equivalent has been given in the grant of land and citizenship in Mississippi.

The national council, in view of the poverty and inability of these Choctaws to remove at their own expense to the Territory, memorilized Congress on December 9, 1889, to make provision for their removal by the adoption of the following resolution:

"Whereas there are large numbers of Choctaws yet in the States of Mississippi and Louisiana who are entitled to all the rights and privileges of citizenship in the Choctaw Nation; and

"Whereas they are denied all rights of citizenship in said States; and

"Whereas they are too poor to immigrate themselves into the Choctaw Nation: Therefore,

"Be it resolved by the general council of the Choctaw Nation assembled, That the United States Government is hereby requested to make provisions for the emigration of said Choctaws from said States to the Choctaw Nation, etc."

It is a significant fact that this claim on the part of the Mississippi Choctaws to all the privileges of a citizen in the Choctaw Nation, and still retain their residence and citizenship in the State of Mississippi, is a very recent one. There is no evidence known to the commission that the early Mississippi Choctaws ever made such a claim. In later years the Choctaws and Chickasaws have sold at different times large portions of their territory to the United States, and the proceeds, amounting in the aggregate to several millions of dollars, have been distributed per capita among the Choctaw and Chickasaw citizens. If this claim as now presented is the correct one, these Mississippi Choctaws were entitled to their per capita share in all the money equally with all other citizens of the nation, yet not a dollar of it was ever paid to them or claimed by them.

This claim to participate in the privileges of a Choctaw citizen and still retain a residence and citizenship in Mississippi has recently come before the United States court in the third district in the Indian Territory, in the case of Jack Amos et al. *v.* The Choctaw Nation, No. 158 on the docket of that court. The case was an appeal of Mississippi Choctaws from a refusal of this commission to place them on the rolls of Choctaw citizenship. The court, Judge William H. H. Clayton, overruled the appeal and confirmed the judgment of this commission, denying such enrollment, in a very elaborate and exhaustive opinion.

If, in accordance with this conclusion of the commission, these Mississippi Choctaws have the right at any time to remove to the Indian Territory, and, joining their brethren there, claim participation in all the privileges of a Choctaw citizen save participation in their annuities, still, if any person presents himself claiming this right, he must be required by some tribunal to prove the fact that he is a descendant of some one of those Indians who originally availed themselves of and conformed to the requirements of the fourteenth article of the treaty of 1830. The time for making application to this commission to be enrolled as a Choctaw citizen has expired. It would be necessary, therefore, to extend by law the time for persons claiming this right to make application and be heard by this commission or to create a new tribunal for that purpose.

In conclusion, it seems to the commission that the importance of a correct decision of this question, both to the Mississippi Choctaws and the Choctaw Nation, justifies a provision for a judicial decision in a case provided for that purpose. They therefore suggest that, in proper form, jurisdiction may be given the Court of Claims to pass judicially upon this question in a suit brought for that purpose by either of the interested parties.

Respectfully submitted.

HENRY L. DAWES,
TAMS BIXBY,
FRANK C. ARMSTRONG,
A. S. MCKENNON,
Commissioners.

WASHINGTON, D. C., *January 28, 1898.*

I wish next to call the attention of the committee to the decision of the Jack Amos case in 1899. Let it be remembered that Jack Amos was a Mississippi Choctaw. He, like the present Mississippi Choctaws who seek enrollment now, had never removed to Oklahoma and established a citizenship, but remained in Mississippi. Let it also be borne in mind that this opinion was rendered by a tribunal clothed with especial power to hear and determine the rights of the Mississippi Choctaws to enrollment as members of the Choctaw Tribe of Indians of Oklahoma:

THE JACK AMOS CASE AND THE FEDERAL COURT DECISIONS THEREON.

The decision in the Jack Amos case is as follows:

DECISIONS OF COURTS IN CITIZENSHIP CASES IN FIVE CIVILIZED TRIBES.

CHOCTAW NATION.

[Opinion of William H. H. Clayton, judge central district of Indian Territory.]

There are upon the docket of this court, appealed from the commission to negotiate with the Five Civilized Tribes, known as the Dawes Commission, 241 cases, involving the right of citizenship in the Choctaw Nation of about 2,500 applicants.

All of these cases have been by my predecessor, Judge Lewis, placed on the equity side of the docket, and in the case of Mary A. Sanders, No. 63, a motion to transfer to the law side of the docket was filed and argued and by him overruled. It is not my purpose in these cases to disturb or to go back and open up questions already decided but to adopt the past rulings of the court and to proceed as rapidly as possible to a final disposition of them. In passing I will remark, however, that it seems to me that the peculiarity of these cases, the many suits brought by persons having a common interest and a common purpose against the same defendant, the difficulties of enforcing the rights by judgments at law, and the many equities claimed by both parties to these suits make them proper cases for a court of equity.

The question of the jurisdiction of this court to hear and determine these cases has been raised by the pleadings. The counsel on neither side, however, have seen fit to press this question or to point out, either by brief or oral argument, the reasons for this contention. The statute giving the court jurisdiction is plain, and I know of no constitutional objections. It has been said, however, that Congress does not possess the power, under the Constitution, to give to the courts of the United States appellate jurisdiction over the final orders and awards of commissions and other such tribunals. This very question was raised in the case of The United States *v.* Ritchie, decided by the Supreme Court of the United States, and reported in volume 58, United States Supreme Court Reports, page 524. In that case the proceedings were originally commenced before a board of commissioners to settle private land claims in California, under an act of Congress of March 3, 1851. Provisions were made by the act, at the suit of the losing party, for an appeal to the United States district court for the northern district of California. The board decided the case in favor of the claimant and against the Government. The United States appealed, in accordance with the provisions of the statute, to the aforesaid district court, where it was again tried de novo and an appeal regularly taken to the United States Supreme Court. In that court the question of the jurisdiction of the district court to try the case was raised. The contention is stated in the opinion. In deciding the case the court say:

"It is also objected that the law prescribing an appeal to the district court from the decision of the board of commissioners is unconstitutional, as this board, as organized, is not a court under the Constitution and can not, therefore, be vested with any of the judicial powers conferred upon the General Government.

"But the answer to this objection is that the suit in the district court is to be regarded as an original proceeding, the removal of the transcript, papers, and evidence into it from the board of commissioners being but a mode of providing for the institution of the suit in that court. The transfer, it is true, is called an appeal; but we must not, however, be misled by a name but look to the substance and intent of the proceedings. The district court is not confined to a mere reexamination of the case as heard and decided by the board of commissioners but hears the case de novo, upon the papers and testimony which had been used before the board, they being made evidence in the district court, and also upon such further evidence as either party may see fit to produce."

Following this decision, I will in these cases proceed as if they were originally brought in this court, try them de novo, and give to all of the parties all of the advantages of an original suit—that is, all cases brought here in conformity with the statute.

It is therefore ordered by the court that the claimants to the right of citizenship in these cases may have 15 days from this date—that is, until the —— day of July, 1897—in which to take and file further proof, and that the Choctaw Nation may have immediately thereafter 15 days in which to take and file further rebuttal proof—that is, from the said —— day of July, ——, until the —— day of July, 1897—and that all legal testimony heretofore taken and filed with the so-called Dawes Commission shall be considered as competent proof on the trial of these cases.

And that the trial of all of these cases, except such as may be disposed of otherwise, are hereby set for trial on Tuesday, the —— day of ———, 1897.

These cases naturally divide themselves into six heads or classes, to wit:

1. As to the right of citizenship of those Choctaws who, under the treaty of 1830, decided to remain in the State of Mississippi, called "Mississippi Choctaws," and have not since removed into the present Choctaw Nation.

[No. 158.]

I.—JACK AMOS ET AL. V. THE CHOCTAW NATION.

In this case the proof shows that the claimants are Choctaw Indians by blood now living in the State of Mississippi; that neither they nor their ancestors have ever removed into the present Choctaw Nation.

The claimants base their right to be enrolled as Choctaw citizens upon the terms of the second and fourteenth articles of the treaty negotiated at Dancing Rabbit Creek on September 27, 1830, and of the conditions of the patent to the lands of the Choctaw Nation executed by President Tyler in the year 1842. (Durant Ed. Choctaw Laws, p. 31.)

Articles 2 and 14 of the treaty of 1830 are as follows:

"ART. 2. The United States, under a grant specially to be made by the President of the United States, shall cause to be conveyed to the Choctaw Nation a tract of country west of the Mississippi River in fee simple to them and their descendants, to inure to them while they shall exist as a nation and live on it, beginning near Fort Smith, where the Arkansas boundary crosses the Arkansas River, running thence to the source of the Canadian Fork, if in the limits of the United State, or to those limits; thence due south to Red River, and down Red River to the west boundary of the Territory of Arkansas; thence north along that line to the beginning. The boundary of the same to be agreeably to the treaty made and concluded at Washington City in the year 1825. The grant to be executed as soon as the present treaty shall be ratified.

"ART. 14. Each Choctaw head of a family being desirous to remain and become a citizen of the States shall be permitted to do so by signifying his intention to the agent within six months from the ratification of this treaty, and he or she shall thereupon be entitled to a reservation of one section of 640 acres of land, to be bounded by sectional lines of survey; in like manner shall be entitled to one-half of that quantity for each unmarried child which is living with him over 10 years of age, and a quarter section to such child as may be under 10 years of age, to adjoin the location of the parent. If they reside upon said lands, intending to become citizens of the State, for five years after the ratification of this treaty, in that case a grant in fee simple shall issue. Said reservation shall include the present improvements of the head of the family, or a portion of it. Persons who claim under this article shall not lose the privilege of a Choctaw citizen, but if they ever remove are not to be entitled to any portion of the Choctaw annuity."

The conditions of article 2 of the treaty, that the land should be conveyed "to the Choctaw Nation in fee simple to them and their descendants, to inure to them while they shall exist as a nation and live on it," are carried into the patent, and are the only portions of that instrument which shed any light on the question now being considered, and therefore article 2 and the conditions of the patent may be considered together.

The whole object of the treaty of 1830 was to procure the removal, as far as practicable, of the Choctaw people to the lands west of the Mississippi which they now occupy. The Supreme Court of the United States, in the case of the Choctaw Nation *v.* United States (119 U. S., 36), after reviewing the treaties of 1820 and 1825, says:

"In the meantime, however, under the pressure of the demand for settlement of the unoccupied lands of the State of Mississippi by emigrants from other States, the policy of the United States in respect to the Indian tribes still dwelling within its borders underwent a change, and it became desirable, by a new treaty, to effect, as far as practicable, the removal of the whole body of the Choctaw Nation, as a tribe, from the limits of the State to the lands which had been ceded to them west of the Mississippi River. To carry out that policy the treaty of 1830 was negotiated."

Again, in the case, page 27, the court says:

"It is notorious as a historical fact, as it abundantly appears from the records of this case, that great pressure had to be brought to bear upon the Indians to effect their removal, and the whole treaty was evidently and purposely executed not so much to secure to the Indians the rights for which they had stipulated as to effectuate the policy of the United States in regard to their removal."

Article 3 of the treaty of 1830 stipulates that the Choctaws agree to remove all of their people during the years 1831, 1832, and 1833 to those lands. (7 Stat. L., 333.)

Article 14 of the treaty, however, provides for certain privileges and rights for those who might choose to remain in Mississippi with a view of becoming citizens of that State. They and their descendants were to receive certain lands, and after living on them for five years, intending to become citizens of the State, those lands were to be granted to them in fee simple. Then follows this very peculiar clause:

"Persons who claim under this article shall not lose the privilege of a Choctaw citizen, but if they ever remove are not to be entitled to any portion of the Choctaw annuity."

The difficulty in construing this clause of the treaty is to ascertain the meaning of the word "remove." To what does it relate and how shall we give it meaning? It certainly does not purpose to impose a penalty on the Choctaw who may choose to remove for removing, and for that reason forfeit his right to the annuity, because so long as he remained in Mississippi he was not entitled to any annuity, and therefore by removing he could not forfeit that which he did not have. If he removed he was to have no annuity, and if he remained he was to have no annuity. It is evident, therefore, that the word was not used for the purpose of forfeiting the annuity in case of removal. Then what are its uses? The very object of the treaty was to procure a removal of these people. The whole of the Choctaw Nation, with all of its sovereignty, its powers, and its duties, was to be transferred beyond the Mississippi. It was to exercise its powers, confer its privileges, and maintain the citizenship of its people in another place. Those who were left behind to retain not this Choctaw citizenship but only the "privileges of a Choctaw citizen"; that is, that when they put themselves into a position that these privileges could be conferred upon them they were to have them, and under the conditions and purposes of this treaty how would it be possible for them to put themselves in such a position without first removing within the territorial jurisdiction of the Choctaw Nation and within the sphere of its powers? What privilege would it be possible for the Choctaw Nation to confer or a Mississippi Choctaw to receive so long as he remained in Mississippi and out of the limits of the Choctaw Nation? By the very terms of the treaty they were to become citizens of another State, owing allegiance to and receiving protection from another sovereignty. If one Mississippi Choctaw were to commit a wrong against the person or property of another, the right would be enforced and the wrong redressed under the laws of Mississippi. The Choctaw Nation would be powerless to act in such a case. The Choctaws in that State can not vote, sit as jurors, or hold office as a Choctaw citizen or receive any other benefit or privilege as such. They can not participate in the rents and profits of the lands of the Chocaw Nation, because by the very terms of the grant the Choctaw people and their descendants must live upon them. If they do not, it is an act of forfeiture, made so by the provisions of article 2 of the treaty of 1830 and also of those of the patent to their lands afterwards executed.

The title of the Choctaw people to their lands is a conditional one, and one of the conditions of the grant, expressed in both the second article of the treaty of 1830 and the patent, is that the grantee shall live upon them. And who are the grantees? Who are these people who are to live upon the land? Unquestionably the Choctaw people and their descendants, for while the grant is to the Choctaw Nation the people seem to be included, both as grantees and beneficiaries. The language of the treaty is, and it is carried into the patent:

"The President of the United States shall cause to be conveyed to the Choctaw Nation a tract of country west of the Mississippi River, in fee simple, to them and their descendants, to inure to them while they shall exist as a nation and live on it."

The Choctaw Nation is not "them" and can not have "descendants." And while it may exercise its sovereignty and its national powers within certain defined territorial limits, it can not "live on land." Those provisions of the grant which are expressed in the plural and attach to "descendants" and which require as a condition that the land shall be lived on beyond doubt refer to the Choctaw people and their descendants. Whatever effect upon the title the limitation upon the right of alienation expressed in the patent, so that the lands can not be sold except to the grantor or by its consent, may have, there can be no question but that the second article of the treaty of 1830, negotiated 12 years before the execution of the patent, and in which no limitation on the right of alienation is expressed, was intended to convey a fee-simple title, burdened by two conditions subsequent, the one that the grantees should continue the corporate existence of their nation and the other that the people of that nation and their descendants should forever live upon the land. A failure of either would work a forfeiture of the title to the grantor.

Now, why was it that this fee-simple title was to be burdened by the condition that the grantee must live on the land? In the light of the knowledge of the conditions that then existed, the answer is plain. The policy of the Federal Government at that time, relating to the Indian tribes, was to move them upon a reservation and keep them there; and if the Indian, either singly or in numbers, should stray off, soldiers with guns and bayonets were used to drive them back. This very treaty was negotiated with the Choctaws for that very purpose. Hence the condition in the grant that they should live on the land or it should be subject to forfeiture to the United States. This condition was inserted for two reasons: First, to compel the grantees to remove upon the lands, and, second, to compel them to remain on them after removal. It was not intended that some should go and locate on the lands and hold the title for themselves and also for the others who should choose to remain. This would defeat the very object of the condition. These lands were conveyed to the Choctaw people to be held by them as tenants in common. This intention of the second article of the treaty of 1830 is expressed by the use of the words "them and their descendants" and of the clause that they were to "live on the land." Both of these clauses are expressed in the plural, and evidently do not relate to the nation as a corporate body. That a tenancy in common was intended is made clear by a consideration of section 3 of an act of Congress entitled "An act to provide for an exchange of lands with the Indians residing in any of the States or Territories, and for their removal west of the Mississippi River," approved May 28, 1830 (4 U. S. Stat. L., 412). The section reads as follows:

"And be it further enacted, That in the making of any such exchange or exchanges it shall and may be lawful for the President solemnly to assure the tribe or nation with which the exchange is made that the United States will forever secure and guarantee to them and their heirs or successors the country so exchanged with them; and, if they prefer it, that the United States will cause a patent or grant to be made and executed to them for the same: *Provided always*, That such lands shall revert to the United States if the Indians become extinct or abandon the same."

At the time the treaty of 1830 was negotiated—September 29, 1830—this act had been on the statute books of the United States for four months, and as a matter of course the commissioners to negotiate the treaty were familiar with it. But the language used in this act to limit the estate is "to them, their heirs, or successors." The language used in the treaty to limit the estate therein granted is "in fee simple to them and their descendants," and then conditions are attached not named in the statute. Why the word "successors" was left out of the treaty is plain. But why the word "heirs" was changed to the word "descendants," unless it was that a word should be used within the comprehension of those untutored Indians, who knew nothing of the technical phrases of the common law used in the conveyance of real estate, is not easy to determine. The word "successors" was omitted from the treaty because by its terms the Choctaw Nation was to have no successors. They were to live on the land forever, or it should be forfeited to the grantor. When the technical words "successors" and "heirs" were dropped and the common word "descendants" was used these Indians could understand it. They knew what they and their offspring were. It was to them—the people and their children—that the land was sold, and when the condition was added that the grant was to be made to them and their descendants only in the event that they should live upon the lands, they could not but understand that this implied a removal to and a continual residence upon them.

As a further evidence that the parties understood that by this transaction the land was to be held in common by the people, the treaty of 1833, article 1, provides, after describing the lands, as follows:

"And pursuant to an act of Congress approved May 28, 1830, the United States do hereby forever secure and guarantee the lands embraced within the said limits to the members of the Choctaw and Chickasaw Tribes, their heirs and successors, to be held in common, so that each and every member of either tribe shall have an equal undivided interest in the whole: *Provided, however*, No part there of shall ever be sold without the consent of both tribes and that said land shall revert to the United States if said Indians and their heirs become extinct or abandon the same. (4 U. S. Stat. L., 276.)"

If this be true, there is no holding in trust by the corporate body of the Choctaw Nation for the benefit of the people, but the people themselves have the title and hold it in common.

"A tenancy in common is a joint estate in which there is unity of possession but separate and distinct title. The tenants have separate and independent freeholds or leaseholds in their respective share, which they manage and dispose of as freely as if the estate was one in severalty. * * * The interest of one tenant in common is so independent of that of his cotenant that in a joint conveyance of the estate it would be treated as a grant to each of his own share of the estate. (Tiedeman on Real Property, 235.)"

And therefore any condition of the grant would be as binding on each of the tenants in common as if the estate was in severalty and vested in the individual tenant. And therefore the condition named in the second article of the treaty of 1830 and in the patent, that "they shall live on the land," is binding individually upon each and upon all of the grantees.

In the third article of the treaty the Choctaws agreed to move all of their people within three years, and the United States intended that they should go. But, by the fourteenth article of the treaty, provisions were made whereby those who should decide to remain and become citizens of the State of Mississippi, in the event that, because of the intolerance and persecutions of the whites, which they themselves had so bitterly experienced, or for any other cause, they might become dissatisfied with their altered conditions and their new citizenship and desire to follow them to their new homes, and thereafter exercise with them in their own country the privileges of citizenship, they could do so, except that they were not to participate with them in their annuities, the lands which they were to receive in Mississippi being deemed a compensation for that.

When the fourteenth article of the treaty was framed, the negotiating parties understood that the policy of the United States was that the Choctaws were to be removed. The Choctaws, in article 3, had just agreed that they should all go. The ink was not yet dry in article 2, whereby the condition was placed in this grant to the lands that they were to live upon them or they should be forfeited, and that no privilege of citizenship could be conferred or enjoyed outside of the territorial jurisdiction of their newly located nation. Understanding these conditions, the latter clause of article 14 was penned:

"Persons who claim under this article shall not lose the privilege of a Choctaw citizen, but if they ever remove—that is, if they ever place themselves on the land and within the jurisdiction of the nation whereby those privileges may become operative—are not to be entitled to any portion of the Choctaw annuity."

In other words, if they ever remove, they are to enjoy all of the privileges of a Choctaw citizen except that of participating in their annuities. If this be not the meaning to be attached to the word "remove" as used in the clause of the treaty under consideration, it must be meaningless. But in the interpretation of statutes it is the duty of the court to so interpret them as to give to every word a meaning, and in doing so it must take into consideration the whole statute, its objects and purposes, the rights which are intended to be enforced and the evils intended to be remedied; it may go to the history of the transaction about which the legislation is had and call to its aid all legitimate facts proven or of which the courts will take judicial notice in order to find the true meaning of the word as used in the statute. Of course the same rule of interpretation applies to treaties. Adopting these rules in the interpretation of article 14 of the treaty of 1830, I arrive at the conclusion that the "privilege of a Choctaw citizen" therein reserved to those Choctaws who shall remain, thereby separating themselves, it may be forever, from their brethren and their nation, becoming citizens of another sovereignty and aliens of their own, situated so that it would be impossible, while in Mississippi, to receive or enjoy any of the rights of Choctaw citizenship, was the right to renounce his allegiance to the Commonwealth of Mississippi, move upon the lands conveyed to him and his people, and there, the only spot on earth where he could do so, renew his relations with his people and enjoy all of the privileges of a Choctaw citizen except to participate in the annuities.

As an evidence that the Choctaw people themselves took this view of the question, attention is called to the fact that their council has passed many acts and resolutions inviting these absent Choctaws to move into their country, and on one occasion appropriated a considerable sum of money to assist them on their journey, and until the past two or three years have always promptly placed those who did return on the rolls of citizenship, but never enrolled an absent Choctaw as a citizen.

On December 24, 1889, the general council of the Choctaw Nation passed the following resolution:

"Whereas there are large numbers of Choctaws yet in the States of Mississippi and Louisiana who are entitled to all the rights and privileges of citizenship in the Choctaw Nation; and

"Whereas they are denied all rights of citizenship in said States; and

"Whereas they are too poor to immigrate themselves into the Choctaw Nation: Therefore

"Be it resolved by the general council of the Choctaw Nation assembled, That the United States Government is hereby requested to make provisions for the emigration of said Choctaws from said States to the Choctaw Nation," etc.

The language is, not that they are entitled to the rights and privileges of Choctaw citizenship in the States named, but "who are entitled to all the rights and privileges of citizenship in the Choctaw Nation," and the prayer is that because of the fact that they are denied the rights of citizenship in the State that the United States will remove them to a place—their own country—where the rights of Choctaw citizenship may be enjoyed by them.

As a further evidence of the fact that all of the parties to the treaty, the United States, the Choctaw Nation, and the Mississippi Indians themselves, have always understood that the Mississippi Choctaws were entitled to none of the rights of a Choctaw citizen so long as they remained in that State, attention is called to the fact that the lands in Mississippi which were ceded to the United States by the Choctaw Nation by virtue of the treaty of 1830 were, under the laws of the United States, sold. The Choctaw Nation claimed that they had never been paid any consideration for them, and that the United States justly owed them the net proceeds arising out of the sale. For many years this contention was carried on before the departments of the Government, commissions, and other tribunals. Finally, by treaty, it was submitted to the Senate of the United States for decision. That body found in favor of the Choctaw Nation. The case then went to the Court of Claims, and from there to the United States Supreme Court, in which court judgment was finally rendered for nearly $3,000,000. This judgment was rendered in November, 1886. The money was turned over to the Choctaws by the United States, and by them, with the knowledge and consent of the United States, divided among their own people who lived in the nation. Not one farthing of it was ever paid to an absent Mississippi Choctaw, and no portion of it was ever claimed by them. During this whole litigation, running through many years, no effort was made to make themselves parties to the suit. And when the money was finally paid to the Choctaw authorities, to be divided among the people, they made no claim for any part of it and entered no protest to its being paid to the resident Choctaws, nor have they brought suit for their share since. The other party to the treaty, the United States Government, the guardian of these Indians, paid the money over without making any provision for the Mississippi Choctaws to get their share or intimating that anything was due them. When it is remembered that this money was the proceeds of the sale of the lands in Mississippi belonging to the united Choctaw people while they lived in that State and that the great bulk of the Mississippi Choctaws had never received one farthing for their share in the lands, if they, living in Mississippi, are entitled there to the rights of a Choctaw citizen, it is remarkable that they did not assert their rights.

Again, a few years ago the interest of the Choctaws to lands lying west of their present boundaries was sold by them to the United States for a considerable sum of money. This, like the other, was promptly divided among the resident Choctaws, with the knowledge and consent of the United States and without protest or claim of the Mississippi Choctaws. If they are entitled to the privilege of Choctaw citizens without removing into the boundaries of the nation, they are and were entitled to their pro rata share of this money. If they do not understand that they have no claim to the rights of citizenship without moving into the country, why have they for the past 65 years silently stood by and permitted these kinds of transactions to be had without claim, protest, or suit?

The Eastern Band of Cherokees, now residing in North Carolina, sustained a relationship to the Cherokee Nation almost identical to that sustained by the Mississippi Choctaws to the Choctaw Nation. Like the Mississippi Choctaws, there were some among them who were averse to moving to their new country west of the Mississippi River. Provisions were made for them by the treaty of New Echota (the treaty of 1835) between the Cherokee Nation and the United States similar to those with the Choctaws by the treaty of 1830. When the Cherokee people moved to the present home of the Cherokees, these remained behind in North Carolina, where they have ever since resided. Like the Choctaw treaty of 1830, the treaty of New Echota provided that their lands should be ceded to them and their descendants, etc. The Cherokee Nation by virtue of a treaty with the United States afterwards sold some of these lands. The Eastern Band of Cherokees in North Carolina, unlike their Mississippi Choctaw brethren, promptly demanded their pro rata of the proceeds of this sale, and upon being denied at once sought and obtained permission of the United States to sue the Cherokee Nation in the Court of Claims for this money, and also in the same suit to sue for another fund which was created by the treaty of New Echota, consisting of certain annuities in the sum of $214,000, of which the Eastern Band of Cherokees claimed a pro rata share. The suit was brought and the Court of Claims in a very elaborate and learned decision decided against the right of the Eastern Band of Cherokees to recover, upon the ground that those Cherokees by the act of remaining in North Carolina had alienated themselves from the Cherokee Nation to such an extent that they could not claim any of the rights of a Cherokee citizen without moving into the Cherokee Nation and there being readmitted in accordance with the constitution and laws of that nation. The case was appealed to the Supreme Court of the United States, and there the decision of the Court of Claims was affirmed. (Eastern Band of Cherokees *v.* United States, 117 U. S., 288.) In that case the Supreme Court, after reviewing all of the treaties and statutes relating to the matter, concluded by saying:

"If the Indians in that State (North Carolina) or in any other State east of the Mississippi wish to enjoy the benefits of the common property of the Cherokee Nation in whatever form it may exist, they must, as held by the Court of Claims, comply with the constitution and laws of the Cherokee Nation, and be readmitted to citizenship as there provided. They can not live out of its territory, evade the obligations and burdens of citizenship, and at the same time enjoy the benefits of the funds and common property of the nation. Those funds and that property were dedicated by the constitution of the Cherokees and were intended by the treaties with the United States for the benefit of the united nation, and not in any respect for those who had separated from it and become aliens to their nation. We can see no just ground on which the claim of the petitions can rest in either of the funds held by the United States in trust for the Cherokee Nation."

It seems to me that this decision of the Supreme Court, founded on a case so nearly similar to the one at hearing, conclusively settles the contention in favor of the Choctaw Nation. Indeed, in that case, the Supreme Court expresses a very strong intimation that those provisions of the treaty of New Echota relating to and providing for those Cherokees who should refuse to remove West were confined in their operation to that class of Cherokees then in esse, and the rights conferred by those provisions of the treaty did not descend to their offspring; that the descendants of those Cherokees did not succeed to the rights of their ancestors under the treaty. The language of the Supreme Court is:

"Nor is the band (Eastern Band of Cherokees), organized as it now is, the successor of any organization recognized by any treaty or law of the United States. Individual Indians who refuse to remove West and preferred to remain and become citizens of the States in which they resided were promised certain moneys, but there is no evidence that the petitioners have succeeded to any of these rights. The original claimants have probably all died, for 50 years have elapsed since the treaty of 1835 was made, and no transfer from them to their legal representatives is shown. (Ib., 310.)"

The court proceeds, however, to decide this case, as heretofore shown, on the ground that the Indians composing the Eastern Band of Cherokees had not removed into the Cherokee Nation and reassumed their citizenship under the constitution and laws of that nation.

I am disposed to the opinion, however, and will so hold, that the descendants of the Mississippi Choctaws, by virtue of the fourteenth article of the treaty of 1830, are entitled to all of the rights of Choctaw citizenship, with all of the privileges and property rights incident thereto, provided they have renounced their allegiance to the sovereignty of Mississippi by moving into the Choctaw Nation in good faith to live upon their lands, renewing their allegiance to that nation, and putting themselves in an attitude whereby they will be able to share in the burdens of their government. The reason for this conclusion is, to my mind, made morally certain when it is remembered that ever since the treaty of 1830, now for the period of nearly 67 years, with the exception of the past two or three years, the Choctaw Nation, by its legislative enactments and by its acts so long continued that by custom they have become crystallized into law, have universally admitted all who should remove to this country and rehabilitate them in all of the rights and privileges of citizenship enjoyed by themselves.

The counsel for the claimants lay considerable stress on the effect of the provisions of article 13 of the treaty of 1866 between the United States and the Choctaw Nation. (14 Stat., —.)

By the eleventh and twelfth articles of that treaty a scheme was devised by which the lands of the Choctaw and Chickasaw Nations were to be surveyed and divided and allotted to the individual Indians, provided the councils of the respective nations should agree to it, which, however, they have refused to do. A land office was to be established at Boggy Depot, in the Choctaw Nation. When all of the surveys were completed, maps thereof were to be filed in the said land office, subject to the inspection of all parties interested, and immediately thereafter notice of such filing was to be given for 90 days, calling upon all parties interested to examine said maps to the end that errors in the location of occupancies, which were to be noted on the maps, might be corrected. Then followed article 13 of the treaty, which is as follows:

"ART. 13. The notice required in the above article shall be given, not only in the Choctaw and Chickasaw Nations, but by publication in newspapers printed in the States of Mississippi and Tennessee, Louisiana, Texas, Arkansas, and Alabama, to the end that such Choctaws and Chickasaws as yet remain outside of the Choctaw and Chickasaw Nations may be informed and have opportunity to exercise the rights hereby given to resident Choctaws and Chickasaws: *Provided*, That before any such absent Choctaw or Chickasaw shall be permitted to select for him or her self, or others, as hereinafter provided, he or she shall satisfy the register of the land office of his or her intention, or the intention of the party for whom the selection is to be made, to become bona fide resident in the said nation within five years from the time of selection; and should the said absentee fail to remove into said nation and occupy and commence an improvement on the land selected within the time aforesaid the said selection shall be canceled, and the land shall thereafter be disregarded from all claim on account thereof."

From an examination of this article of the treaty it will be seen that the Choctaws and Chickasaws recognized the right of absent members of their nation to participate in the allotment and the subsequent ownership of their lands to the same extent as they themselves enjoyed, but on conditions, however: First, that they should satisfy the register of the land office of their intention to become bona fide residents in the said nation within five years from the time of said selection; and, second, that within the said five years they should actually remove into the said nation (here is a statute of limitation); and, third, that within the said five years they should occupy and commence an improvement upon the selected lands.

It will be observed that this latter clause imposes a condition on absent Indians nowhere required of the resident ones by any clause of the treaty. They were required to move into the country and show their good faith and their intention to remain bona fide citizens of the nation by actual occupancy of the land and an expenditure of money in its improvement. The notice was to be given them in order that they might have an opportunity of removing into the nation and there residing any resuming their rights as citizens; but care was to be taken and safeguards provided by which their removal was to be actually had, and that it was to be done in good faith. First, the register of the land office was to be convinced, by such proof as might satisfy him, of the intention of the absent Indian to become a bona fide resident of the nation before he was allowed to make a selection; and, second, that was to be followed by an actual occupancy and improvement of the land; and if he failed in this it worked a forfeiture of his rights. Nowhere within the whole treaty is any right recognized or conferred on an absent Indian except on the condition that he shall remove into the nation, and the right is not to be consummated or enjoyed until after actual removal. No treaty or act of the Choctaw council, or of any officer of the Choctaw Nation, since the treaty of 1830, can be cited—or at least I have not found them—whereby any right or privilege has been conferred, granted, or recognized in or to a Mississippi Choctaw, so long as he shall remain away from his people, but there are an infinitude of such acts and conduct granting and recognizing such rights and privileges to him after he shall have removed.

The provisions of the treaty of 1866, so far from being an authority in favor of the contention of claimants, seems to me to be strongly against them.

To permit men with, perchance, but a strain of Choctaw blood in their veins, who 65 years ago broke away from their kindred and their nation, and during that time, or the most of it, have been exercising the rights of citizenship and doing homage to the sovereignty of another nation, who have borne none of the burdens of this nation and have become strangers to the people, to reach forth their hands from their distant and alien home and lay hold of a part of the public domain, the common property of the people, and appropriate to their own use, would be unjust and inequitable.

It is therefore the opinion of the court that absent Mississippi Choctaws are not entitled to be enrolled as citizens of the Choctaw Nation.

The action of the Dawes Commission is therefore affirmed, and a decree will be entered for the Choctaw Nation.

In its report to Congress in 1897 the Dawes Commission construed the two provisions of the Dancing Rabbit treaty upon which the gentleman from Mississippi contends lies the rights for the Mississippi Choctaws to be enrolled at this time. That was the second adjudication.

In 1898 that which was known as the Curtis Act settled this principle against the contention of the Mississippi Choctaws. But it may be argued, Mr. Chairman, that the facts governing the Cherokee case and the case reported in the One hundred and nineteenth United States are not analogous to the proposition that is before the House to-day, but in the adjudication of 1898, known as the Jack Amos and the Stevens case, is an authority, in my judgment, directly in point with that which is before the Congress at this time. In that case allow me to restate the facts.

Jack Amos was a Mississippi Choctaw, as are the Choctaws who are clamoring for admission here to-day. Under the provisions 2 and 14 of the Dancing Rabbit treaty, Jack Amos and Stevens never removed to that country west of the Mississippi now known as the State of Oklahoma. That suit was decided by one of the ablest and most careful judges, Judge H. H. H. Clayton. Before he assumed the bench all of these cases by his predecessor were transferred to the equity side of the docket, and in deciding that case, where the facts were identical with the facts before Congress at this moment, Judge Clayton uses the significant language which I again repeat and which I think should guide the deliberations of this body to-day, when he said, speaking of the Choctaw Indians:

To permit men with, perchance, but a strain of Choctaw blood in their veins, who 65 years ago broke away from their kindred and their nation, and during that time, or the most of it, have been exercising the rights of citizenship and doing homage to the sovereignty of another nation, who have borne none of the burdens of this nation and have become strangers to the people, to reach forth their hands from their distant and alien home and lay hold of a part of the public domain, the common property of the people, and appropriate to their own use, would be unjust and inequitable.

It is therefore the opinion of the court that absent Mississippi Choctaws are not entitled to be enrolled as citizens of the Choctaw Nation.

The action of the Dawes Commission is therefore affirmed, and a decree will be entered for the Choctaw Nation.

The CHAIRMAN. The time of the gentleman has expired.

Mr. FOSTER. Mr. Chairman, I ask unanimous consent that the gentleman have five minutes more.

The CHAIRMAN. The gentleman from Illinois [Mr. FOSTER] asks unanimous consent that the gentleman may be allowed to proceed for five minutes. Is there objection?

Mr. STEPHENS of Texas. I believe the gentleman from Minnesota had five minutes of an extension. It is all right.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. JACOWAY. After being so kindly indulged further by the committee, I desire to say that the gentleman from Pennsylvania [Mr. BUTLER] has gone to the gist of this case, as I understand it. He asked the gentleman from Mississippi what are the facts relative to the Mississippi Choctaws. I answer that and say that the facts in this case are that the Mississippi Choctaw to-day are relying upon articles 2 and 14 of the Dancing Rabbit treaty of 1830 in support of their position. And to get that before the Congress I will read the fourteenth article of the treaty of 1830. It provides:

ART. 14. Each Choctaw head of a family being desirous to remain and become a citizen of the States shall be permitted to do so by signifying his intention to the agent within six months from the ratification of this treaty, and he or she shall thereupon be entitled to a reservation of one section of 640 acres of land, to be bounded by sectional lines of survey; in like manner shall be entitled to one-half that quantity for each unmarried child which is living with him over 10 years of age; and a quarter section to such child as may be under 10 years of age, to adjoin the location of the parent. If they reside upon said lands, intending to become citizens of the United States, for five years after the ratification of this treaty, in that case a grant in fee simple. Said reservation shall include the present improvement of the head of the family or a portion of it. Persons who claim under this article shall not lose the privilege of a Choctaw citizen, but if they ever remove are not to be entitled to any portion of the Choctaw annuity.

Section 2 provides, and that is the crux of this matter, and that is one of the sections upon which the gentleman from Mississippi and others who occupy a similar position rely particularly to have the Mississippi Choctaws enrolled. It is all determined and finally settled in what is the judicial ascertainment of the word "remove." The courts deciding the question take this view.

The passage I desired to read is this:

Persons who claim under this article shall not lose the privileges of a Choctaw citizen, but if they ever remove they are not entitled to any portion of the Choctaw annuity.

Mr. BUTLER. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Arkansas yield to the gentleman from Pennsylvania?

Mr. JACOWAY. Gladly.

Mr. BUTLER. Was Jack Amos conceded and admitted to be a Mississippi Choctaw?

Mr. JACOWAY. He was; and never removed to Oklahoma.

Mr. BUTLER. And he brought suit to obtain a part of the land that is here in dispute?

Mr. JACOWAY. He did; and it was decided against his contention.

Mr. BUTLER. And did the judge have jurisdiction over the subject matter?

Mr. JACOWAY. Yes.

Mr. BUTLER. And did the judge hold that Jack Amos became a Mississippi Choctaw, and not having removed was not entitled to participate in this land?

Mr. JACOWAY. He did. And in that opinion he construed these two sections, and laid down the proposition that one of the fundamental principles of interpretation was to render no opinion, if possible, that would be prejudicial to the Choctaw Indians, or, in other words, to construe all provisions, where possible, in favor of the Indians who are wards of the Government, and in the manner as they understood the treaties. He held that, instead of article 2 and article 14 being at variance with each other, they were in harmony. "In other words," he held, "if they ever remove"—meaning by that that the words "ever remove" were a continuous invitation to the Choctaw Indians in Mississippi to remove and become members of the Choctaw Indians in Oklahoma, and if they did so and established a *bona fide citizenship* they would be entitled to enrollment. That was his decision. Again I submit a case directly in point.

Mr. PETERSON. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Arkansas yield to the gentleman from Indiana?

Mr. JACOWAY. I will.

Mr. PETERSON. Do you contend that the amount of land was ever given to these Indians as provided for in section 2?

Mr. JACOWAY. I do, or its equivalent. I do not want to incorporate in my observations anything except that which will be borne out by the record. I am trying to speak absolutely within the record.

Mr. PETERSON. Can you show in what way and when that was done?

Mr. JACOWAY. Not within the limited time I have. But I can go into the record and show it to the gentleman beyond question. I invite his attention to pages 12 and 15 of the Dawes Commission's report. The decisions in the cases I have just cited—other reports of the Dawes Commission, the opinions of four different Secretaries of the Interior, and, further, the failure of the Mississippi Choctaws to remove to the Indian Territory in the years 1830, 1831, and 1832, as they agreed. Again I will answer the gentleman's question and say that if this were a matter in court I believe you could plead accord and satisfaction and win on that plea, as well as other pleas which later I will call the attention of the committee to, if my time will permit.

Mr. PETERSON. I want to ask the gentleman another question, and that is whether or not there was any other treaty made with the Indians in Mississippi except this one?

Mr. JACOWAY. Oh, yes. There were treaties made in 1820 and in 1855 and in 1860 some others.

The CHAIRMAN. The time of the gentleman from Arkansas has expired.

Mr. CRISP. Mr. Chairman, I ask unanimous consent that the gentleman's time be extended five minutes.

The CHAIRMAN. The gentleman from Georgia [Mr. CRISP] asks that the gentleman from Arkansas [Mr. JACOWAY] be allowed to proceed for five additional minutes. Is there objection?

Mr. STEPHENS of Texas. Mr. Chairman, I dislike very much to object, but this debate has been drawn out to an unusual length.

Mr. HARRISON. Mr. Chairman, that would give them 5 minutes more. Suppose you make it 10 minutes. Suppose the time is extended 5 minutes to that side and that we have the other five minutes.

Mr. CARTER. That is satisfactory.

The CHAIRMAN. The gentleman from Mississippi [Mr. HARRISON] amends the request of the gentleman from Georgia [Mr. CRISP] by asking that the time be extended 10 minutes, one half to be controlled by himself and the other half by the gentleman from Arkansas [Mr. JACOWAY]. Is there objection?

There was no objection.

The CHAIRMAN. The gentleman from Arkansas [Mr. JACOWAY] is recognized for five minutes more.

Mr. LOBECK. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Arkansas yield to the gentleman from Nebraska?

Mr. JACOWAY. I will yield to the gentleman for a question.

Mr. LOBECK. I want to know whether or not the Mississippi Choctaw Indians ever received any land from Mississippi in accordance with this provision for 640 acres?

Mr. JACOWAY. I answered that question a while ago, and did so by stating that I believed the issue could be determined in favor of the Oklahoma Choctaws on the plea of accord and satisfaction and other pleas.

Mr. FERRIS. Mr. Chairman, I have in my hand the muster roll from the Indian Office showing that these Mississippi Choctaws received from the Indian Office land and money, and here are the names of the Mississippi Choctaws that received the land and the money.

Mr. HAMILTON of Michigan. How many of them were there?

Mr. FERRIS. Every one of them received it.

Mr. HAMILTON of Michigan. Have you the number of them there?

Mr. FERRIS. I have not added them up.

Mr. JACOWAY. I consider it germane to state here that the man who was particularly charged with the duty of ascertaining the status of the Mississippi Choctaws and reporting these findings to Congress was Hon. A. S. McKennon, formerly from my State and my congressional district. He went to Mississippi for this purpose and remained there many weeks. Widespread notice was given to this mission through every available avenue. I do not think I overstate the facts to say that it was generally known that this mission was to establish all facts relative to the enrollment of the Mississippi Choctaws. He had a corps of assistants helping him. It is a pleasure for me to count him my personal friend. He was the good friend of my father in his lifetime. I employ an old saying, Mr. Chairman, one that is worn and tattered at the edges from constant use, "but a better man never lived than Capt. McKennon." He was the soul of honor and builded upon those plans and specifications that elicit one's admiration and compel our unstinted respect. As a citizen of Arkansas he lived in the esteem, confidence, and admiration of all who knew him. In Oklahoma to-day he occupies the same coveted niche with the people of that great and resourceful Commonwealth. Knowing of his work and how arduously he labored to solve these problems correctly, and how preeminently successful he was in so doing, I want to make the observation that the people of Oklahoma, and especially the Indians of that State, owe him a debt of gratitude they can never repay. The efforts he expended in behalf of these people for their advancement and permanent good will be felt long years after Capt. McKennon has ceased to be.

Again, Mr. Chairman, may I be permitted to submit that Oklahoma is entitled to her day of rest. For multiplied years she has sought to settle this question aright. Her normal growth and development have been retarded and held in abeyance pending the solution of this question. It should not be trammeled longer. Oklahoma is a great State, peopled by a potential citizenship. After she has contended for her rights over almost the locus of a continent and the cycle of nearly an hundred years, she has the perfect right to respectfully demand at the hands of this Congress that she be given her peaceful day of rest, and at once.

In view of court decisions, reports of commissions, conclusions of tribunals, opinions of public men who have delved deep into this question honestly, fairly, and squarely and have rendered a decision in regard thereto unbiased and unprejudiced, it occurs to me that to permit at this time the enrollment of the Mississippi Choctaws upon claims which at best appear chimerical would be legislative and political piracy. Knowing this Congress as I do and acquainted with the greater portion of its personnel, I do not believe it will be guilty of this great wrong to the people of Oklahoma.

May I add, also, under the terms of the Atoka agreement the Choctaw and Chickasaw Indians had the right guaranteed to them that these per capita payments should be made to them yearly. This was one of the conditions flowing to these Indians provided they would enter into this agreement. This portion of the agreement has not been carried out by this Government, and I ask is it fair dealing? Let me submit also that for the past five years they have been lean ones for Oklahoma on account of crop conditions. This is especially true for the past year and as a result of the low price of cotton conditions are anything but inviting in Oklahoma. People in all the various callings are suffering as a result and are paying enormous rates of interest for the money used by them in order to tide them over. A payment now will enable them to liquidate their indebtedness and stop the running of a ruinous rate of interest. This money is theirs by right, and to deny it to them at this time would be an unpardonable injustice that I feel this Congress will not permit. Mr. Speaker, the children of Israel wandered 40 years in the wilderness in an endeavor to come into their own. Their trials and difficulties have been pointed to by multiplied thousands. The people of Oklahoma have in this instance contended for their rights nearly an hundred years. Grant this relief to them at this time. Let justice be done though the heavens fall.

I want to submit, further, that I have looked into the meaning of "removal" and find that the word has been judicially ascertained. The first decision I can find is in the One hundred and fifteenth Pacific Reporter and the other is in the Thirty-ninth Montana. The courts have judicially ascertained the meaning of the word "remove" in the One hundred and fifteenth Pacific Reporter, and I want to say that this is the crux of the situation and so held by the courts. It means moving from one home to another. In the Thirty-ninth Montana the court has judicially ascertained that the word "remove" means a permanent absence. Taking that as the premise here to-day, the Mississippi Choctaws never removed from Mississippi to Oklahoma. They have refused for 85 years to do so; and when you come to sum this matter up I believe that if the rights of the Oklahoma Choctaw Indians were sought to be adjudicated in the courts they could win under the pleas of accord and satisfaction, laches, staleness of claim, want of equity, statute of limitations, and 85 years of open and continuous noncompliance with treaty provisions, and other pleas too numerous to mention in my limited time.

I want to say further that every contention that has been made here by those who occupy the opposite of this issue from me, that there is written against same an eternal traverse in the decision in the Jack Amos case, in the decision of the Stephens case, in the decision in the case of the Eastern Band of Cherokees against The United States, and in the case in One hundred and nineteenth United States, of the Choctaws against The United States, in which that court held that a removal is necessary before they can share in the annuities and the properties of the Indians of Oklahoma.

Some suggestion has been made that the Choctaw Indians of Mississippi have been unfairly treated. I take issue with the gentlemen who maintain that position. The people of Oklahoma have been generous, and profligately so, in their invitations to the Mississippi Choctaws to become one of them. Year in and year out the Oklahoma Choctaws have memorialized those people to come and bear their proportionate share of the burdens of that country and become citizens of Oklahoma, and in every instance they have been met with a negative answer. In addition to that, out of their generosity the Oklahoma Choctaws appropriated large sums of money seeking to defray a portion of the expenses of the Mississippi Choctaws who would come west and be their brethren, and to that generous appeal the Mississippi Choctaws have turned a deaf ear. Their rights, instead of being trampled upon and ruthlessly handled, have been dealt with gently and generously; and when a summary of the whole situation is made, I think you will find that the Mississippi Choctaws have no claim on any ground to share in the rights and property of the Choctaws of Oklahoma.

Mr. Chairman, in presenting this matter I have attempted to make a legal argument. But I wish to say also that I have no hesitancy in stating that some of the most shameless pages of our history are a recital of the treatment that has been accorded the American Indian. But at last the American Indian is the victim of untoward circumstances. From many viewpoints his story is as sad as the notes of a requiem. Long years ago he, unfamiliar with the ways of the white man, unlettered, and surrounded by civilization most crude, was found to be in the way of and impeding the triumphal march of a preeminent Anglo-Saxon civilization. Through all this stretch of time he was compelled to give away for greater enlightenment at the instance of his white brother. He is the product of the survival of the fittest.

Again, let us see what the Indians of the Five Civilized Tribes surrendered to the Federal Government in order to have their day of rest. Each of these nations had a principal chief and legislative bodies in the form of a house and a senate as well as many other governmental functions. They passed their own laws and to them was charged the duty of administering and executing them. To reach the result that has been attained they surrendered the communistic holding of their lands to a holding in severalty. The criminal and civil jurisdiction of their courts were taken from them. The making of their own

rolls by them was willingly placed in the hands of the white man so it would reflect a product unbiased and unprejudiced. This action was taken out of abundance of caution so none could allege that these rolls were improperly made. To many these governments were the pride and the boast of the Indians. They wanted them continued, but finally awoke to realize that the beginning of the end was near; to see their great tower of strength torn down, stone by stone, section by section, their rights taken from them piecemeal by piecemeal, their tribal autonomy disintegrating, until the day dawned when they stood surrounded by and amid the wreck of their former governments. Yesterday they were, to-day they are not. Whether this action was voluntary or enforced, right or wrong, for better or worse, at last it was done and it was much for them to concede.

In conclusion, permit me to say that in view of an overwhelming array of undisputed facts bearing on this question, and a long line of decisions, as shown by me, that, beyond cavil, will the good judgment of this body see this question as it should be, and when they do my faith is abiding that the amendment of the gentleman from Mississippi should not and will not prevail. [Applause on the Democratic and Republican sides.]

Mr. HARRISON. Mr. Chairman, I only want to use four minutes.

The Dawes Commission, which my friend who has just taken his seat speaks of, decided the Jack Amos case in 1906; and while that case went up to a Territorial court in Oklahoma presided over by Judge Clayton, it went at the same time to two other branches of the Territorial courts in Oklahoma; one of them was presided over by Judge Townsend; and if the gentleman will read the case he will see that Judge Townsend decided directly opposite to Judge Clayton.

Mr. CARTER. What was the decision?

Mr. HARRISON. I do not yield to the gentleman. Judge Townsend decided in favor of the Mississippi Choctaws, and Judge Clayton decided against them. The Dawes Commission made its report to Congress in 1897.

To show that Congress did not believe in the decision of the Dawes Commission and did not believe in the Jack Amos case decision as rendered by Judge Clayton, it referred the Mississippi Choctaw claims back to the Dawes Commission for another decision and report, and among other things that commission, in concluding its report, used this language, viz:

In conclusion, it seems to the commission that the importance of a correct decision of this question, both to the Mississippi Choctaws and the Choctaw Nation, justifies a provision for a judicial decision in a case provided for that purpose. They therefore suggest that in proper form jurisdiction may be given the Court of Claims to pass judicially upon that question in a suit brought for that purpose by either of the interested parties.

The Congress turned down this recommendation of the commission and repudiated the Clayton decision in the Jack Amos case, and passed the Curtis Act of June, 1898, and incorporated in that act a provision that directed the Dawes Commission to identify in Mississippi the Mississippi Choctaws claiming rights under article 14 of the treaty of 1830. Here is the provision:

Said commission shall have authority to determine the identity of Choctaw Indians claiming rights in Choctaw lands under article 14 of the treaty between the United States and the Choctaw Nation, and to that end they may administer oaths, examine witnesses, and perform all other acts—

And so forth.

Acting under that authority of law to identify the Mississippi Choctaws, Mr. McKennon, the man whom the gentleman from Arkansas [Mr. JACOWAY] talks about, and who was a member of the Dawes Commission, went into Mississippi with the commission, and they met many of the Mississippi Choctaws. And what did they do? Here is what Senator OWEN two years ago in his brief said about this roll that McKennon made, identifying the Mississippi Choctaws under the act of 1898, the act passed after the Jack Amos decision. He says:

Mr. McKennon, representing the Dawes Commission, went to Mississippi in February, 1899, after having sent them a circular letter of December 2, 1898, instructing them what to do. * * *

In this report the commissioner made a schedule of 1,925 Mississippi Choctaws, whom he identified as Mississippi Choctaws entitled to citizenship by treaty rights, and stated that in Leake, Neshoba, and Newton Counties there were from 300 to 500 full blood Mississippi Choctaws who did not appear before the commission.

The report declares that the Mississippi Choctaws were poor, ignorant, and helpless. This report in behalf of the full blood Mississippi Choctaws, signed and submitted by the Dawes Commission, was disapproved eight years later by Mr. Secretary Hitchcock on March 4, 1907, without notice or warning, so that no person upon this roll ever knew for eight years whether he was so far identified as to be entitled to remove as an identified Mississippi Choctaw, and finally—

Says this brief of Senator OWEN—

and finally the entire schedule was rejected without notice. Against this treatment of the Mississippi Choctaws the petitioner, OWEN, from time to time vigorously protested, but in vain. It was obvious that, although this report showed that at least 2,500 full blood Mississippi Choctaws, fourteenth article claimants, were entitled to identification, they were poor, ignorant, and helpless, and it also demonstrates the fact that the Dawes Commission, which was expressly charged by law to identify these helpless, ignorant people, never did discharge their full duty in the premises.

Mr. MURRAY. Senator OWEN never made that statement; that was filed by Lawyer OWEN.

Mr. HARRISON. I would not bring an indictment like the distinguished gentleman [Mr. MURRAY] intimates against Senator OWEN. He is a gentleman of the very highest type. He would not write or utter such views if he did not believe in them. This roll he was talking about was made under authority of law long after the Jack Amos decision was rendered, and these people are not now on the rolls. I submit that these people at least ought to be on the rolls and share in this fund. I reserve the balance of my time. [Applause.]

Mr. CARTER. Mr. Chairman, I yield one minute to the gentleman from Oklahoma [Mr. MURRAY].

Mr. MURRAY. Mr. Chairman, the brief which the gentleman from Mississippi has just read from was not a brief by Senator OWEN, but was a brief by Attorney OWEN advocating the cause of his clients, out of which he had a contingent fee.

Mr. STAFFORD. What is the difference?

Mr. MURRAY. One was under oath and the other was not. Senator OWEN makes this statement:

I was the attorney of the Mississippi Choctaws who were enrolled under the Choctaw-Chickasaw agreement of 1902. I represented them from 1896 to 1906, and devoted my entire time to them for 10 years. No Choctaw in Mississippi or elsewhere not on the approved roll of 1907 has any legal or equitable right to enrollment in the Choctaw Nation.

That is what Senator OWEN said. The brief the gentleman read from was what any lawyer would file.

Mr. STEPHENS of Texas Mr. Chairman, it is evident that we can not finish this to-night, and there is another session to be held.

Mr. MANN. Would it be possible to agree on a time for debate on the paragraph?

Mr. STEPHENS of Texas. I would like to agree on a time.

Mr. MANN. How much time remains on the two sides?

The CHAIRMAN. The gentleman from Oklahoma has 11 minutes remaining and the gentleman from Mississippi has 8 minutes remaining. Nineteen minutes will end the general debate unless the time is extended.

Mr. CARTER. Mr. Chairman, I ask unanimous consent that debate under the five-minute rule be first disposed of when the bill is taken up again and the time remaining, controlled by the gentleman from Mississippi and myself, be used after the five-minute debate is over.

Mr. LENROOT. I object.

Mr. FOSTER. Mr. Chairman, we ought to agree upon some time for debate or else the 4th of March will be here and we will be talking about the Mississippi Choctaws.

Mr. MANN. The gentleman from Wisconsin [Mr. LENROOT] wants 5 minutes on another amendment. Would it not be satisfactory if there should be 20 minutes' additional time on a side, to be controlled by the gentleman from Mississippi and the gentleman from Oklahoma, with the understanding that the gentleman from Wisconsin will get 5 minutes?

Mr. LENROOT. I have no objection to taking a vote on the pending amendment. I desire to offer an amendment striking out the paragraph, and I want to discuss it at some length.

Mr. STEPHENS of Texas. Mr. Chairman, I understand there is a desire for additional general debate, and I ask that the general debate be extended 20 minutes on a side.

Mr. MANN. And the gentleman from Wisconsin is to have 10 minutes?

Mr. LENROOT. I would like 10 minutes after the disposition of the pending amendment.

Mr. FERRIS. Let the time be extended 20 minutes on a side, in addition to the pending amendment.

Mr. MANN. You had better make the agreement with reference to the paragraph and all amendments.

Mr. STEPHENS of Texas. Mr. Chairman, after consultation with several Members, I ask unanimous consent that debate close on this paragraph and all amendments thereto in 30 minutes after each side has exhausted its time.

Mr. MANN. And the gentleman from Wisconsin is to have 10 minutes out of that time?

Mr. STEPHENS of Texas. Yes.

The CHAIRMAN. The 30 minutes on a side is to be in addition to the 19 minutes remaining for general debate?

Mr. FERRIS. Mr. Chairman, reserving the right to object, let this request be modified to this effect——

Mr. MANN. Oh, we can not modify it.

Mr. FERRIS. Oh, yes; we can. The gentleman from Wisconsin [Mr. LENROOT] wants 10 minutes on a separate amendment.

Mr. MANN. He will get that, because he will not take the floor until they will have had a vote on this amendment. Then he will be entitled to his 10 minutes on each side.

The CHAIRMAN. Will the gentleman from Texas again state the proposition?

Mr. STEPHENS of Texas. Mr. Chairman, the proposition is this, that the 10 minutes be first exhausted on general debate, as has heretofore been understood; that 30 minutes be granted on each side for and against the amendment, with the right of the gentleman from Wisconsin [Mr. LENROOT] to offer an amendment.

Mr. MANN. Anyone can offer an amendment. The proposition is to increase the time on each side 30 minutes, to be controlled by the gentleman from Mississippi and the gentleman from Oklahoma.

The CHAIRMAN. The Chair understands that the gentleman from Oklahoma and the gentleman from Mississippi are to control the additional time?

Mr. STEPHENS of Texas. That is right.

The CHAIRMAN. The gentleman from Texas asks unanimous consent that the time on the pending paragraph and all amendments thereto be increased 1 hour, 30 minutes of which will be controlled by the gentleman from Oklahoma and 30 minutes by the gentleman from Mississippi, and that at the end of that time all debate shall be closed on the pending paragraph and all amendments thereto. Is there objection?

Mr. GARRETT of Tennessee. Mr. Chairman, reserving the right to object for a moment, I want to say that there has been considerable trouble in reaching this agreement, and I think it is fair that the agreement having been once made shall be kept. If there be any effort to break it for extension of time when this bill is taken up again for consideration, if the chairman of the Committee on Indian Affairs does not object, I shall object myself.

Mr. MANN. Oh, there will be no effort of that kind, I think.

Mr. GARRETT of Tennessee. I make this statement so that Members may know now and speak for time to the gentlemen who are controlling the time, so that it may be understood in advance that no personal matter will enter into it.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas [After a pause.] The Chair hears none, and it is so ordered.

Mr. STEPHENS of Texas. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. BYRNS of Tennessee, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 20150, the Indian appropriation bill, and had come to no resolution thereon.

HOUR OF MEETING TO-MORROW.

Mr. STEPHENS of Texas. Mr. Speaker, I ask unanimous consent that when the House adjourns to-night it adjourn to meet at 11 o'clock to-morrow.

The SPEAKER. The gentleman from Texas asks unanimous consent that when the House adjourns to-night it adjourn to meet at 11 o'clock to-morrow. Is there objection?

There was no objection.

RECESS.

The SPEAKER. Under the order of the House heretofore made, the House will stand in recess until 8 o'clock to-night, at which time it will again meet, with the gentleman from New York, Judge GOULDEN, in the chair as Speaker pro tempore, and it can proceed until 11 o'clock, and no other business shall be transacted except the consideration of the two pension bills named in the order heretofore made.

Accordingly (at 6 o'clock and 8 minutes p. m.) the House stood in recess until 8 o'clock p. m.

EVENING SESSION.

The recess having expired, the House was called to order by the Speaker pro tempore [Mr. GOULDEN].

Mr. ADAIR. Mr. Speaker, I call up the bill H. R. 20562, on the Private Calendar.

The SPEAKER pro tempore. The Clerk will report the bill.

Mr. ADAIR. Mr. Speaker, I ask unanimous consent that this bill be considered in the House as in the Committee of the Whole House.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Indiana?

Mr. FINLEY. Mr. Speaker, reserving the right to object, I would like to ask the gentleman are these the ordinary class of pensioners provided for in this bill—anything unusual?

Mr. ADAIR. There is nothing unusual about this bill in any particular. It is the same class of cases that have been considered heretofore—those whose condition is such that they largely require the care of other persons, and whose pensions are not sufficient for their maintenance.

Mr. FINLEY. Now, are there any increases in the rates over those usually granted heretofore?

Mr. ADAIR. Oh, no; the rates are just about the same; in fact, lower in many instances. These are only extreme cases that need immediate relief.

Mr. FINLEY. About how many are there?

Mr. ADAIR. There are 227 in the bill.

Mr. FINLEY. The increases will total about how much?

Mr. ADAIR. The increases will amount to about $22,000 per annum.

Mr. FINLEY. This is the first bill this session?

Mr. ADAIR. This is the second bill this session. We did not have any bills, I might say, for eight months until two weeks ago.

Mr. FINLEY. I have not had time to go over the bill in detail, and that is why I am asking the gentleman these questions. Now, one question further, and that is as to whether dependent children are provided for in this bill.

Mr. ADAIR. I am not sure whether there are any cases in this bill of dependent children or not. Occasionally we have cases where the pension to a mother is increased because of an invalid child, but I am not sure there are any such cases in this bill.

Mr. FINLEY. In all cases where we make allowance for children the committee limits the pension to such children as are under 16 years of age?

Mr. ADAIR. Except in cases where their disabilities are shown to continue after they become 16 years of age—where they are helpless, idiotic, insane, and so forth.

Mr. FINLEY. None of those are provided for in this bill?

Mr. ADAIR. I think not. There might be one or two, but I think not.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Indiana?

Mr. MOORE. Mr. Speaker, I reserve the right to object for a moment, while I ask the gentleman from Indiana a question. May I inquire of the gentleman from Indiana whether amendments to this bill will be in order to-night?

Mr. ADAIR. Well, it would depend upon the character of the amendment. An amendment that was not germane to this bill would not be in order.

Mr. MOORE. If the gentleman will indulge me a moment, I will state what is in my mind——

Mr. ADAIR. I yield to the gentleman.

Mr. MOORE. And he can then answer the question. For some time past the maimed soldiers, soldiers who have lost a leg or an arm or both an arm and a leg in the service, have been asking for special consideration at the hands of the Congress. I think several bills are pending. Recently it occurred to them that they might make a short cut to recognition by an amendment to one of the pending pension bills. Now, the bill they particularly desire to have passed is one which provides a pension at the rate of $75 per month for such soldiers as have lost a leg or an arm in the service, and $125 per month for such soldiers as have lost both a leg and an arm—that is to say, who have lost two limbs. Now, I would not want to break in at this time, if there has been any agreement on the subject, but at some time or other I would like to have considered the application of these old maimed soldiers for an increase.

Mr. ADAIR. I would say to the gentleman from Pennsylvania that the Committee on Invalid Pensions, to which the bill he speaks of has been referred, has given a great deal of thought and consideration to it and feel very favorably inclined toward it, but have not reported it as yet. I would also say I doubt very much whether that kind of bill, being general legislation, could be tacked onto this bill. But even though it could, it would not be in order to-night for the reason that in securing unanimous consent to-day for the consideration of the two bills, H. R. 20562, from the Invalid Pensions Committee, and H. R. 20643, from the Pensions Committee, it was a part of the agreement that nothing should be considered except these two bills. And in view of that agreement the amendment would not be in order to-night.

Mr. MOORE. The gentleman says that there was an agreement that no amendment should be offered to this bill to-night?

Mr. ADAIR. There was an agreement to-day that nothing should be considered except the two bills I have mentioned.

Mr. STAFFORD. The gentleman does not mean to state that there was an agreement that no germane amendment should be considered?

Mr. ADAIR. Oh, no.

Mr. MOORE. May I ask the gentleman this: Will the gentleman, as a representative of the Committee on Pensions, accept an amendment of this kind to this bill to-night?

Mr. ADAIR. I could not. It would be a violation of the order of to-day.

Mr. MOORE. In view of the fact that the committee will not accept the amendment at this time if I should offer it——

Mr. ADAIR. It would not be considered to-night, because there was an agreement in the House to-day that nothing would be considered except these two bills.

Mr. MOORE. I do not want to prejudice the chances of these old soldiers; so I will not offer it at this time.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Indiana [Mr. ADAIR]? [After a pause.] The Chair hears none. The Clerk will report the bill.

The Clerk read as follows:

A bill (H. R. 20562) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war.

The foregoing bill is a substitute for the following House bills referred to the Committee on Invalid Pensions:

H. R. 873. Fanny S. Chambers.
H. R. 1446. Charles Terbush.
H. R. 3256. Charles H. Rankin.
H. R. 3518. Lillian M. Dayton.
H. R. 4259. John W. Huff.
H. R. 4465. John W. Grimm.
H. R. 4626. Joseph C. Dickson.
H. R. 5450. Luthera J. Douglas.
H. R. 6169. Joseph Dean.
H. R. 6342. Sophia Lother.
H. R. 7346. Elizabeth McManus.
H. R. 7577. Belle S. Gould.
H. R. 7885. Isaac Beck.
H. R. 8162. William Todd.
H. R. 8728. Elizabeth L. Bennett.
H. R. 8950. Hezekiah S. Williams.
H. R. 8972. John H. Estes.
H. R. 8989. Alpheus Danley.
H. R. 9150. John McArthur.
H. R. 9231. Rachel R. Haddox.
H. R. 9238. John Henry Miller.
H. R. 9359. William R. Whittaker.
H. R. 9570. William C. Young.
H. R. 9745. Philip Johnson.
H. R. 9772. Charles Free.
H. R. 9966. Charles C. Gullic.
H. R. 10480. Violet Burd Grubb.
H. R. 10485. Lisander Teater.
H. R. 10656. Mary J. Hill.
H. R. 10920. Stringer White.
H. R. 11089. Nancy Bachor.
H. R. 11230. Frederick Baker.
H. R. 11490. William R. Calvert.
H. R. 11509. Joseph C. Pannell.
H. R. 12450. Renselaer B. Ransom.
H. R. 12577. Eugene Schilling.
H. R. 12970. Sarah J. Millikin.
H. R. 13201. George W. Rank.
H. R. 13322. Louisa Hedrick.
H. R. 13400. Burrill Harris.
H. R. 13498. George W. Kremer.
H. R. 13508. Felix Clark.
H. R. 13536. John W. Stirling.
H. R. 13833. Cad Ingram.
H. R. 13914. Alexander Hamilton.
H. R. 13989. James W. Winall.
H. R. 14026. Daniel O'Donnell.
H. R. 14029. Othniel L. Moffitt.
H. R. 14058. Sylvester Lane.
H. R. 14409. Bridget Carey.
H. R. 14713. Caswell York.
H. R. 14882. Charles W. Nickels.
H. R. 14924. Delima Mathieu.
H. R. 14987. John L. Lytle.
H. R. 15006. Edward A. Kinney.
H. R. 15062. David W. Kerns.
H. R. 15107. D. Porter Leonard.
H. R. 15127. David H. Myers.
H. R. 15143. Isaac J. Leech.
H. R. 15229. John Eakin.
H. R. 15234. William E. Templeton.
H. R. 15346. James P. Woods.
H. R. 15363. Bentley C. Mercer.
H. R. 15462. Emanuel Miller.
H. R. 15481. J. Berdina R. Bierbower.
H. R. 15510. Samuel Turpin.
H. R. 15532. James H. McGuire
H. R. 15637. Charles A. Harter
H. R. 15792. Martin P. Schaffner.
H. R. 15842. Priscilla Smith.
H. R. 15877. David Lewis, alias David Jones.
H. R. 15942. Lettie E. Wilson.
H. R. 15948. Samuel P. Reed.
H. R. 16035. Evaline A. Fedderly.
H. R. 16050. Elizabeth Hemmann.
H. R. 16064. Mary Haas.
H. R. 16116. Amelia Schoefer.
H. R. 16139. Lewis Low.
H. R. 16142. John Stark.
H. R. 16180. Richard Varndell.
H. R. 16202. Elizabeth J. Machen.
H. R. 16262. William H. Huff.
H. R. 16277. Daniel Williams.
H. R. 16335. John Brown.
H. R. 16337. Orra M. Duncan.
H. R. 16338. John Gray.
H. R. 16344. Hezekiah B. Hulbert.
H. R. 16356. Catharine Doty.
H. R. 16373. Isaac W. Johnston.
H. R. 16398. Frances L. Skillings.
H. R. 16423. Joseph H. Woodruff.
H. R. 16498. Charles R. Van Norman.
H. R. 16530. George Lovett.
H. R. 16549. Henry W. Edens.
H. R. 16566. David Hoover.
H. R. 16568. John C. Leonard.
H. R. 16597. Samuel Nichols.
H. R. 16603. James L. Soupene.
H. R. 16614. Catherine M. Hazleton.
H. R. 16644. George W. Saunders.
H. R. 16649. Isaiah H. McDonald.
H. R. 16698. Abner W. Fletcher.
H. R. 16704. Alexander C. Harper.
H. R. 16762. Martha Broomfield.
H. R. 16764. Irene M. Bush.
H. R. 16790. James R. Harris.
H. R. 16848. Rhuamah Wilson.
H. R. 16870. Maria H. Redfield.
H. R. 16871. Abbie L. Simpson.
H. R. 16879. Dennis Smith.
H. R. 16893. John W. Sisk.
H. R. 16912. Maria C. Locke.
H. R. 16927. Mary A. Keller.
H. R. 16945. Adaline L. Day.
H. R. 16965. Anna M. Dayton.
H. R. 16981. Jennie C. True.
H. R. 17003. Delliah Kirker.
H. R. 17026. Elizabeth McKeever.
H. R. 17053. Jacob T. Martin.
H. R. 17073. Elias England.
H. R. 17094. Edwin N. Hubbard.
H. R. 17120. William R. Pingry.
H. R. 17128. Charles M. Long.
H. R. 17134. Leanna M. Barry.
H. R. 17138. Adelbert Gray.
H. R. 17203. Edwin A. Phinney.
H. R. 17215. Edmond C. Kirk.
H. R. 17243. Henry Stansbury.
H. R. 17244. Frances E. Dulmage.
H. R. 17288. Mary J. White.
H. R. 17293. Hudson J. Martin.
H. R. 17307. Michael Deady.
H. R. 17321. Edwin R. Allen.
H. R. 17419. Anna C. McCulloch.
H. R. 17425. Silas P. Rainey.
H. R. 17453. John Walsh.
H. R. 17500. Melvina M. Riley.
H. R. 17539. Robert C. Angus.
H. R. 17540. Adelia Hall.
H. R. 17598. Uriah Golder.
H. R. 17797. Catherine A. Keses.
H. R. 17908. Luvena Stevens.
H. R. 18020. James M. Cooke.
H. R. 18078. Alice C. Wode.
H. R. 18081. Thomas Wilkie, jr.
H. R. 18137. Katharine A. Ringhiser.
H. R. 18212. Mary Edith Myers.
H. R. 18265. Edward Fitzpatrick.
H. R. 18277. Lydia A. Lint.
H. R. 18287. Anne Hanson.
H. R. 18319. Helen Brandt.
H. R. 18386. John C. Magill.
H. R. 18412. James Blackburn.
H. R. 18787. Elizabeth H. Emmel.
H. R. 18816. William H. Vance.
H. R. 18822. Emma St. Ange.
H. R. 18885. Mary E. Walker.
H. R. 18924. Ellen E. Howes.
H. R. 18970. William Walling.
H. R. 18995. Hannah L. May.
H. R. 19011. Thomas Whalon.
H. R. 19035. George C. Foose.
H. R. 19074. James Smith.
H. R. 19102. Allen Jamison.
H. R. 19128. Mary J. Campbell.
H. R. 19146. Clement Zumbriger.
H. R. 19209. Julia Frasier.
H. R. 19232. Harry Payne.
H. R. 19251. William Hill.
H. R. 19254. Johanna Covert.
H. R. 19258. George O. Stevens.
H. R. 19287. Jane Amanda Putnam.
H. R. 19317. Jacob Schopp.
H. R. 19328. Edward G. Humphrey.
H. R. 19343. Joseph L. Deweese.
H. R. 19344. Luke Reynolds.
H. R. 19389. William Reigle.
H. R. 19390. Mariah Williams Funkhouser.
H. R. 19450. Julius Edwards.
H. R. 19456. Andrew S. Loux.
H. R. 19461. Mettie Baymore.
H. R. 19473. William H. Taylor.
H. R. 19476. Catherine Schmadel.
H. R. 19477. Thomas Brassie.
H. R. 19481. Emory G. Cannell.
H. R. 19483. Mary A. Brown.
H. R. 19491. Henry Barkey.
H. R. 19492. Reuben Axe.
H. R. 19493. Colbert Ratliff.
H. R. 19511. Martha York.
H. R. 19540. Albert C. Pattee.
H. R. 19541. Edmund F. Burson.
H. R. 19566. Henry T. Denius.
H. R. 19583. Melissa L. Gomersall.
H. R. 19584. James Lockoby.
H. R. 19598. George Knaggs.
H. R. 19602. Amanda Krueger.
H. R. 19612. James Messer.
H. R. 19635. Barbara Krause.
H. R. 19640. Ann Herrendeen.
H. R. 19648. Alfred G. Watson.
H. R. 19650. Levi Chute.
H. R. 19653. Bridget McGarry.
H. R. 19664. Edward T. Keithley.
H. R. 19668. Mary Jane Moore.
H. R. 19678. Samuel B. McNeill.
H. R. 19685. Thomas R. Gillispie.
H. R. 19691. Marcia Swift.
H. R. 19693. Laura A. Graham.
H. R. 19701. John D. Lewis.
H. R. 19772. William Ray.
H. R. 19776. Abner B. Johnson.
H. R. 19777. William S. Stewart.
H. R. 19835. Emery W. Clifford.
H. R. 19923. James S. Blackwell.
H. R. 19931. Eugene L. Sheftall.
H. R. 19937. Singleton Albert.
H. R. 19951. John Richards.
H. R. 20027. Sarah A. Bennett.
H. R. 20042. Marcellus M. Justus.
H. R. 20060. Johanna Zschocke.
H. R. 20168. Henry C. Sowards.
H. R. 20446. Nathan Baker.
H. R. 20477. Laura J. Spencer.
H. R. 20517. William H. Hatfield.
H. R. 20521. Alice E. Atherton, insane.

Mr. ADAIR. Mr. Speaker, I ask unanimous consent that the first reading of the bill be dispensed with.

The SPEAKER pro tempore. The gentleman from Indiana asks unanimous consent that the first reading of the bill be dispensed with. Is there objection?

There was no objection.

The SPEAKER pro tempore. The Clerk will report the bill for amendment.

The Clerk read as follows:

The name of Lettie E. Wilson, formerly Lettie E. Thayer, nurse, United States Army, and pay her a pension at the rate of $12 per month.

Mr. FINLEY. Mr. Speaker, I move to strike out the last word for the purpose of asking the chairman of the committee a question. I observe here the name of Lettie E. Wilson, formerly Lettie E. Thayer, nurse, United States Army. Are nurses not pensioned under some general law?

Mr. ADAIR. There is no general law pensioning nurses of which I know. There is a bill pending before the committee now, but it has not been reported.

Mr. FINLEY. It has not been reported?

Mr. ADAIR. No, sir.

Mr. FINLEY. I wish to ask this question. I see that a number of widows are pensioned at $12 a month. Those widows have been receiving no pension heretofore?

Mr. ADAIR. No; I think not.

Mr. FINLEY. Why do they not come in under the general law?

Mr. ADAIR. To which particular case has the gentleman reference?

Mr. FINLEY. Any of those cases, as a rule, where the pension is $12 a month.

Mr. ADAIR. It may be possible that those the gentleman refers to married again and lost their pension, and could not be reinstated at the bureau because they were not war widows.

Mr. FINLEY. To what extent are pensions provided for widows who married subsequent to 1890?

Mr. ADAIR. To what extent?

Mr. FINLEY. Yes; in this bill.

Mr. ADAIR. Widows who were married subsequent to June 27, 1890, can be pensioned at $12 a month.

Mr. FINLEY. To what extent is it proposed to pension them in this bill?

Mr. ADAIR. There may be a few cases in the bill—possibly two or three—where widows were married within a short time after June 27, 1890, but——

Mr. FINLEY. It is not a general policy?

Mr. ADAIR. No; it is the exception and not the rule.

Mr. FINLEY. And where special circumstances are shown?

Mr. ADAIR. Yes, sir.

The Clerk read as follows:

The name of Henry Barkey, late of Company F, Two hundred and sixth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

Mr. ADAIR. Mr. Chairman, I offer the following amendment: On line 15, page 34, insert, after the name "Barkey," the following: "late of Company A, First Battalion, Pennsylvania Volunteer Cavalry."

Mr. LANGLEY. I suggest to the gentleman to strike out the word "late," in the same line, so as not to repeat it, and to use the words "and of."

Mr. ADAIR. Yes; so that it will show both services.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 34, line 15, after the word "Barkey," insert the words "late of Company A, First Battalion, Pennsylvania Volunteer Cavalry, and," and strike out the word "late" in line 15, page 34.

The SPEAKER pro tempore. The question is on agreeing to the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The Clerk will read.

The Clerk read as follows:

The name of Alice E. Atherton (insane), widow of Charles W. Atherton, late of Company D, Second Regiment Wisconsin Volunteer Infantry, and pay her a pension at the rate of $24 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of Charles W. Atherton, helpless and dependent son of said Charles W. Atherton, the additional pension herein granted shall cease and determine: *And provided further*, That in the event of the death of Alice E. Atherton, the name of said Charles W. Atherton shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of $12 per month from and after the date of death of said Alice E. Atherton.

Mr. RUSSELL. Mr. Speaker, I offer the following committee amendment.

The SPEAKER pro tempore. The Clerk will report the amendment.

Mr. RUSSELL. It is to be added as a new paragraph.

The Clerk read as follows:

Insert as a new paragraph at the end of the bill the following: "The name of Joseph E. Crow, late of Company I, One hundred and seventy-fourth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving."

Mr. RUSSELL. Mr. Speaker, it has always been the rule of our committee not to encourage or to permit amendments to the bill, but this is a committee amendment and is proposed for this reason: The whole committee has approved of this item and has recommended $36 per month, and directed the clerk to put it in this bill; but the clerk told me this morning that it is due to his oversight that it is not in the bill. So it is simply to correct a clerical error or omission that we ask to insert it in the bill. The committee asks its insertion in order to make the correction.

Mr. MOORE. Mr. Speaker, will the gentleman yield?

The SPEAKER pro tempore. Does the gentleman from Missouri yield to the gentleman from Pennsylvania?

Mr. RUSSELL. I do.

Mr. MOORE. Did I not hear the gentleman from Indiana [Mr. ADAIR] say a little while ago that there had been an agreement as to amendments? Would this amendment contravene that agreement?

Mr. RUSSELL. I think not, because this is a germane amendment. It is simply to correct a clerical error. This is germane, simply adding an item that should have been in the bill.

Mr. MOORE. Is this a committee amendment or is it an amendment offered by the gentleman himself?

Mr. RUSSELL. It is not my own personal item. It was introduced by another Member. It is a committee amendment, authorized by the committee to be offered on the floor.

Mr. LANGLEY. It does not belong to a member of the committee?

Mr. RUSSELL. No member of the committee introduced the original bill.

Mr. MOORE. It is not an individual Member's bill, but is offered by the committee?

Mr. RUSSELL. It is offered by the committee to correct an error, the result of the omission of one of the clerks in the examiner's office.

Mr. GARRETT of Tennessee. It is simply carrying out the intention of the committee and the order of the committee?

Mr. RUSSELL. Yes. It ought to have been inserted, but the clerk says it was through his oversight that it was omitted.

I will ask, Mr. Speaker, to insert in the RECORD the report of the committee on this item, showing the facts in the case, so that there will be no mistake about it. The RECORD will show the facts.

The SPEAKER pro tempore. Is there objection to the gentleman's request?

There was no objection.

Following is the report of the committee referred to:

JOSEPH E. CROW.

The last certificate of examination by a board of surgeons, dated October 14, 1914, shows him rated at $24 per month for gunshot wound of left shoulder, with a statement to the effect that the wound is equivalent to the loss of hand or foot for the purpose of manual labor. On that certificate the rejection of his claim for increase from $24 per month under the general law was affirmed.

Medical and other testimony presented this committee indicates the claimant is incapacitated for the performance of manual labor and unable to earn a support by his own exertions by reason of the gunshot wound of left shoulder, for which now pensioned, resulting complete disorganization of joint structure and loss of use of left arm and hand, and the infirmities of age; that he is without means of support, no property except a home place, valued at $3,150 and mortgaged for $1,000, and that he has no income except his pension, which, it is recommended, be increased to $36 per month.

The SPEAKER pro tempore. The question is on agreeing to the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The question is now on the engrossment and third reading of the bill.

Mr. LOBECK. Mr. Speaker, I wish to call to the attention of the committee the fact that on page 16 the name of "Catherine Doty" appears at the rate of $12 a month, and in the report, No. 1261, accompanying this bill, on page 38, it is stated that she is now getting $12 per month, and they recommend an increase on account of her troubles to $12 per month. Evidently it is intended to increase the sum to some higher amount, and I think the committee ought to make some recommendation outside of increasing it to $12 a month while she is now receiving $12 per month. I would like to ask the committee about that.

Mr. ADAIR. I will say to the gentleman that from the report I judge it is an error in printing the bill, and that it was intended for $20 instead of $12, because she has been drawing $12.

Mr. LOBECK. I just happened to read the report, and saw that it was not consistent with the bill.

Mr. LANGLEY. Either the report or the bill is in error.

Mr. ADAIR. It is hard to tell which is in error, without examining the original documents.

Mr. LOBECK. It states that she was receiving $12 a month, that she is 73 years of age, and that you increase the amount.

Mr. ADAIR. The clerk of the committee thinks it should have been $20 instead of $12.

Mr. LOBECK. I should think so by the reading of the report, and I move to amend to make it $20 a month, if the committee will accept it.

Mr. GARRETT. Do not do that. The report may be in error.

Mr. ADAIR. We will let it go as it is, and if we find that it should be $20 we will ask to have it changed in the Senate, and will take care of it in conference.

Mr. MAPES. Mr. Speaker, I wish to ask the gentleman from Indiana [Mr. ADAIR] who has this bill in charge in regard to a paragraph in the bill that we have passed. On page 28, line 17, of the bill I notice that it is proposed to give Elizabeth H. Emmel, widow of Albert S. Emmel, a pension of $12 a month. In the report of the committee, on page 65, I notice that she and the soldier were married in September, 1895. The report of the committee also states that she owns a home taxed at $1,850, besides having money in the bank. Is it the policy of the committee to recommend pensions to deserving widows who married their soldier husbands as late as 1895?

Mr. ADAIR. This bill was introduced by the gentleman from New Jersey [Mr. BROWNING]. I have not all the proofs here in connection with the claim and I could not answer the gentleman's question without looking at the papers.

Mr. MAPES. My question is directed more to the policy of the committee than to the facts in this particular case. I would like to know if it is the policy of the committee to recommend pensions to deserving widows who married their soldier husbands as late as 1895?

Mr. ADAIR. We have passed a few such cases, where the physical condition of the widow was such that we felt she deserved it and needed it, where she was destitute, and so on. I do not know what the facts are in relation to the property owned by this widow except what is stated in the report. In a few instances we have passed bills for widows who married as late as 1895, but very few.

Mr. MAPES. I have one or two very deserving cases of this kind in which I am very much interested.

Mr. ADAIR. If the gentleman will introduce the bills and send them to the committee, we will give them consideration.

Mr. MAPES. I have one case where the widow is bedridden and has no property, who was married a little later than 1895. That bill has been before the committee for some time, and I

hope this case here is an evidence of a more liberal policy on the part of the committee in this class of cases.

The bill was ordered to be engrossed and read a third time, and was accordingly read the third time and passed.

On motion of Mr. ADAIR, a motion to reconsider the last vote was laid on the table.

Mr. HARRIS. Mr. Speaker, I desire to call up the bill (H. R. 20643) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors.

The SPEAKER pro tempore. The gentleman from Alabama calls up a bill the title of which will be reported by the Clerk.

The Clerk read the title of the bill.

The foregoing bill is a substitute for the following House bills referred to the Committee on Pensions:

H. R. 997. Edward J. Baker.
H. R. 1478. Robert L. Abston.
H. R. 2041. Edward Wilson.
H. R. 2510. Margaret A. Warren.
H. R. 3515. Philip Raper.
H. R. 3628. Lottie A. Fox.
H. R. 4003. John P. Murphy.
H. R. 4845. Jane Augusta Beasley.
H. R. 5001. William Kral.
H. R. 6874. Charles Strassburg.
H. R. 7345. Walter E. Petrie.
H. R. 7492. Wesley C. Beatty.
H. R. 7941. Ernest Miller.
H. R. 8359. Ida V. Kelley.
H. R. 8375. George Brant.
H. R. 8894. Thomas J. McQuillen, alias Thomas J. Jones.
H. R. 9166. Charles B. Ross.
H. R. 9215. Mahala J. H. Johnson.
H. R. 9449. Edward Younger.
H. R. 9517. William S. Wilmoth.
H. R. 10105. Margaret McGreevy.
H. R. 10188. Hayse Butler.
H. R. 10275. Samuel R. Price.
H. R. 10662. Eugene Belanger.
H. R. 11148. Michael E. Fogarty.
H. R. 11464. Thomas B. Lumpkin.
H. R. 11534. Arthur D. Murphy.
H. R. 11769. Oscar H. Cox.
H. R. 11775. Thomas McCormick.
H. R. 11854. Monroe F. Kirby.
H. R. 11876. Henry Kehl.
H. R. 11885. Albert Foraker.
H. R. 12703. Irving Reed.
H. R. 13109. Ellen Owens.
H. R. 13151. Swain M. Bunn.
H. R. 13252. Otto C. Fredericks.
H. R. 13265. Ernest F. Slater.
H. R. 13436. Ex Reynolds.
H. R. 13748. Warren E. Beam.
H. R. 14005. Zachariah Divine.
H. R. 14207. James W. Gillespie.
H. R. 14340. Herbert A. Miller.
H. R. 14374. David W. Duncan.
H. R. 14375. Lydia L. Gardner.
H. R. 14610. Edward B. Earl.
H. R. 14703. Roscoe City.
H. R. 14779. Ella V. Temple.
H. R. 14852. William R. Ford.
H. R. 14962. Archie M. Leighton.
H. R. 15065. Daisy M. Watson.
H. R. 15163. John C. Wilson.
H. R. 15165. Lewis G. Trotter.
H. R. 15335. Mary J. Grogan.
H. R. 15378. Mary A. Daniel.
H. R. 15396. Lewis M. Benaway.
H. R. 15676. Virginia Fleming.
H. R. 15825. Peter Zarr.
H. R. 15895. Cornelius Meek.
H. R. 15921. Elizabeth I. Pulsipher.
H. R. 15925. Frederick C. Hammetter.
H. R. 15944. Otto Burkart.
H. R. 15971. Thomas Allen.
H. R. 16048. Katharina Bamberg.
H. R. 16118. Robert W. Parker.
H. R. 16232. Elizabeth J. Brennan.
H. R. 16401. Walter E. Swett.
H. R. 16656. Malcom J. McNeill.
H. R. 16733. George Hofius.
H. R. 16766. Clifford Rowley.
H. R. 16966. Joseph E. La Rocque.
H. R. 16995. Sallie F. Sheffield.
H. R. 17148. William H. Miller.
H. R. 17274. Mary A. Judson.
H. R. 17372. William H. Phillips.
H. R. 17451. Tressie Bratton.
H. R. 17467. Louise P. Freelon.
H. R. 17489. Guy C. King.
H. R. 17547. Bella Doyle.
H. R. 17626. Susan Lanckart.
H. R. 17798. William T. Hamilton.
H. R. 17844. Ann M. Morrison.
H. R. 18007. Walter C. Lettie.
H. R. 18039. Henry Wachter.
H. R. 18111. Henry H. Collins.
H. R. 18330. Helen R. Cantwell.
H. R. 18333. Alice R. Jones.
H. R. 18422. Volney A. Parmer.
H. R. 18697. Alice W. France.
H. R. 18699. Thomas L. Sharp.
H. R. 18724. Frederick Ernest.
H. R. 18786. Charles Hoff.
H. R. 18849. Mary Koons.
H. R. 18953. Elizabeth Smith.
H. R. 18975. Mary E. Patterson.
H. R. 19014. Catherine E. Wooldridge.
H. R. 19022. Augusta Neff.
H. R. 19083. William H. Peavy.
H. R. 19280. Charles L. Nance.
H. R. 19290. Levi B. Roseberry.
H. R. 19513. Joseph C. White.
H. R. 19621. Mollie Crosswhite.
H. R. 19625. George L. Porter.
H. R. 19669. Goldie M. Nichols.
H. R. 19774. William Lammerhirt.
H. R. 19873. Alice McClung.
H. R. 19929. Harry Wildey.
H. R. 19930. James Scroggins.
H. R. 19986. Luther Detwiler.

Mr. HARRIS. Mr. Speaker, I ask unanimous consent to consider the bill in the House as in Committee of the Whole.

The SPEAKER. The gentleman from Alabama asks unanimous consent to consider the bill in the House as in Committee of the Whole. Is there objection?

There was no objection.

Mr. HARRIS. Mr. Speaker, I ask unanimous consent that the first reading of the bill be dispensed with.

The SPEAKER pro tempore. The gentleman from Alabama asks unanimous consent to dispense with the first reading of the bill. Is there objection?

There was no objection.

The SPEAKER pro tempore. The Clerk will report the bill for amendment.

The Clerk read as follows:

The name of Mrs. Lydia L. Gardner, wife of James E. Gardner, late of Company B, Tenth Regiment United States Infantry, Regular Establishment, and pay her a pension at the rate of $12 per month.

Mr. KEY of Ohio. Mr. Speaker, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

On page 8, line 12, strike out, after the words "the name of," the word "Mrs."

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

The name of Elizabeth I. Pulsipher, widow of David Pulsipher, late of Company C, Mormon Battalion Iowa Volunteers, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

Mr. KEY of Ohio. Mr. Speaker, I offer the following amendment.

The Clerk read as follows:

Page 11, line 3, after the word "volunteers," insert the words "War with Mexico."

The SPEAKER pro tempore. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk concluded the reading of the bill.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. HARRIS, a motion to reconsider the vote by which the bill was passed was laid on the table.

ADJOURNMENT.

Mr. ADAIR. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 8 o'clock and 46 minutes p. m.), in accordance with the order heretofore made, the House adjourned until to-morrow, Saturday, January 9, 1915, at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. Letter from the Secretary of the Treasury, transmitting copy of a communication from the Acting Secretary of the Navy reporting that the Navy Department has considered, ascertained, adjusted, and determined the respective amounts due claimants therein specified on account of damages for which the vessels of the Navy were found to be responsible (H. Doc. No. 1477); to the Committee on Appropriations and ordered to be printed.

2. Letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, reports on preliminary examination and survey of inland waterway from Norfolk, Va., to Beaufort Inlet, N. C., with a view to determining whether there should be any change in that part of the route from Alligator River southwardly to Neuse River from that heretofore recommended in House Document 391, Sixty-second Congress, second session, and heretofore adopted, and whether it would be desirable to extend the route from Alligator River to Pungo River, thence to Goose Creek, thence from the head of Goose Creek to Jones Bay, and thence to Neuse River, or whether any modification of said part of the route is desirable (H. Doc. No. 1478); to the Committee on Rivers and Harbors and ordered to be printed, with illustrations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. GOEKE, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 19078) granting the consent of Congress to the Cleveland Yacht Club Co. to construct a bridge across the west arm of Rocky River, Ohio, reported the same without amendment, accompanied by a report (No. 1267), which said bill and report were referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. CHURCH, from the Committee on the Public Lands, to which was referred the bill (H. R. 2668) for the relief of the heirs of Ellery B. Wilmar, reported the same with amendment, accompanied by a report (No. 1266), which said bill and report were referred to the Private Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XX, the Committee on Invalid Pensions was discharged from the consideration of the bill (H. R. 20530) granting a pension to Clarence E. Gleason, and the same was referred to the Committee on Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. WEBB: A bill (H. R. 20688) to place Bartow County, Ga., in the eastern division of the northern district of Georgia; to the Committee on the Judiciary.

By Mr. MOSS of Indiana: A bill (H. R. 20689) to establish national farm-land banks; to the Committee on Banking and Currency.

By Mr. KINKAID of Nebraska: A bill (H. R. 20690) to appropriate $10,000 for a highway across the Fort Robinson Military Reservation and the timber reservation; to the Committee on Military Affairs.

By Mr. POST: A bill (H. R. 20691) to sell and dispose of the Panama Canal bonds heretofore authorized and not disposed of, and to expend the proceeds in further fortifying and strengthening existing fortifications of the coast defenses of the United States and its insular possessions, and to strengthen the Navy of the United States; to the Committee on Military Affairs.

By Mr. TEN EYCK: A bill (H. R. 20692) providing for the purchase of a site and the erection of a public building at Watervliet, N. Y.; to the Committee on Public Buildings and Grounds.

By Mr. FERGUSSON: A bill (H. R. 20693) to supplement existing legislation relative to the United States court for China, and to increase the serviceability thereof; to the Committee on the Judiciary.

By Mr. WITHERSPOON: A bill (H. R. 20694) to repeal section 9 of the naval personnel act of March 3, 1899, and to transfer certain classes of officers from the retired to the active list of the Navy and Marine Corps; to the Committee on Naval Affairs.

By Mr. OLDFIELD: A bill (H. R. 20695) to amend sections 21 and 31 of the act entitled "An act to amend and consolidate the acts respecting copyright," approved March 4, 1909; to the Committee on Patents.

By Mr. TAVENNER: A bill (H. R. 20696) to add two upper stories to the one-story portion of the west side of the post-office building at Rock Island, Ill.; to the Committee on Public Buildings and Grounds.

By Mr. CHURCH: A bill (H. R. 20697) to create a Federal tariff commission; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. COX: A bill (H. R. 20646) granting a pension to Ellen Moffatt; to the Committee on Invalid Pensions.

By Mr. ADAIR: A bill (H. R. 20698) granting an increase of pension to Amos Hall; to the Committee on Invalid Pensions.

By Mr. ANTHONY: A bill (H. R. 20699) granting a pension to William Sommers; to the Committee on Pensions.

Also, a bill (H. R. 20700) granting a pension to Winnie Turner; to the Committee on Pensions.

By Mr. ASHBROOK: A bill (H. R. 20701) granting an increase of pension to Samuel Brown; to the Committee on Invalid Pensions.

By Mr. BURKE of South Dakota: A bill (H. R. 20702) authorizing the health officer of the District of Columbia to issue a permit for the removal of the remains of the late Robert A. Culbertson from Woodlawn Cemetery, District of Columbia, to Rocky Spring Cemetery, Chambersburg, Pa.; to the Committee on the District of Columbia.

By Mr. BURKE of Wisconsin: A bill (H. R. 20703) granting an increase of pension to Silas M. Abers; to the Committee on Invalid Pensions.

By Mr. CARAWAY: A bill (H. R. 20704) granting an increase of pension to Justin S. Randolph; to the Committee on Invalid Pensions.

By Mr. CLINE: A bill (H. R. 20705) granting an increase of pension to Abraham Gindlesparger; to the Committee on Invalid Pensions.

By Mr. DERSHEM: A bill (H. R. 20706) granting a pension to Maud S. Hayes; to the Committee on Invalid Pensions.

By Mr. FESS: A bill (H. R. 20707) granting a pension to Gilbert Wilson; to the Committee on Pensions.

Also, a bill (H. R. 20708) granting an increase of pension to Jacob Mapes; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20709) granting an increase of pension to Clara E. Smith; to the Committee on Pensions.

By Mr. FRENCH: A bill (H. R. 20710) granting an increase of pension to Thomas Phillips; to the Committee on Invalid Pensions.

By Mr. GARD: A bill (H. R. 20711) to place the name of James P. Barney on the lineal list of first lieutenants of Cavalry of the Army; to the Committee on Military Affairs.

By Mr. HELVERING: A bill (H. R. 20712) granting a pension to Catharine Walker; to the Committee on Pensions.

Also, a bill (H. R. 20713) granting an increase of pension to Pauline Chase; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20714) granting an increase of pension to William Foster; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20715) granting an increase of pension to Rebecca J. Gist; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20716) granting an increase of pension to Louisa Haun; to the Committee on Invalid Pensions.

By Mr. HENSLEY: A bill (H. R. 20717) for the relief of Mary Ann Snider; to the Committee on War Claims.

By Mr. HOLLAND: A bill (H. R. 20718) granting a pension to James J. Booth; to the Committee on Pensions.

By Mr. LAFFERTY: A bill (H. R. 20719) granting a pension to Cynthia Rudler Osgood; to the Committee on Invalid Pensions.

By Mr. LANGHAM: A bill (H. R. 20720) granting an increase of pension to Eliza A. McKallip; to the Committee on Invalid Pensions.

By Mr. LESHER: A bill (H. R. 20721) granting an increase of pension to Elizabeth C. Johnson; to the Committee on Invalid Pensions.

By Mr. LEWIS of Maryland: A bill (H. R. 20722) granting an increase of pension to Allen D. Wolf; to the Committee on Invalid Pensions.

By Mr. MOSS of West Virginia: A bill (H. R. 20723) granting an increase of pension to Lydia A. Heatherly; to the Committee on Invalid Pensions.

By Mr. REILLY of Connecticut: A bill (H. R. 20724) granting an increase of pension to Nora Davis; to the Committee on Invalid Pensions.

By Mr. SHERLEY: A bill (H. R. 20725) granting an increase of pension to Augusta Albert; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20726) granting an increase of pension to Barbara Mehringer; to the Committee on Invalid Pensions.

By Mr. SMITH of Maryland: A bill (H. R. 20727) granting an increase of pension to Frank Coalman; to the Committee on Pensions.

By Mr. SUTHERLAND: A bill (H. R. 20728) granting a pension to Anderson Crum; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20729) granting a pension to Joseph Stevens; to the Committee on Pensions.

Also, a bill (H. R. 20730) granting a pension to Lulu E. Winans; to the Committee on Pensions.

Also, a bill (H. R. 20731) to remove the charge of desertion from the military record of John B. Connolly; to the Committee on Military Affairs.

By Mr. TEN EYCK: A bill (H. R. 20732) granting a pension to Walter V. Haskell; to the Committee on Pensions.

By Mr. THOMAS: A bill (H. R. 20733) granting an increase of pension to John W. B. Huntsman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20734) granting an increase of pension to Barbara J. Ward; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20735) for the relief of Samuel A. Jones; to the Committee on War Claims.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ANTHONY: Petition of William H. Steinkemp and other citizens of Topeka, Kans., favoring House joint resolution 377; to the Committee on Foreign Affairs.

By Mr. BAILEY: Petition of L. N. De Lozier, C. Liebegott, C. E. Howley, William M. Piper, and L. McMaster, all of Duncansville, Pa., for the passage of House bill 5308, a bill providing for the taxation of mail-order houses for local purposes; to the Committee on Ways and Means.

By Mr. BRITTEN: Memorial of the Illinois State Federation of Labor, protesting against the agitation for a greater Army and Navy; to the Committee on Military Affairs.

By Mr. BROWNE of Wisconsin: Petition signed by Charles F. Reuter, Charles Zerge, and other residents of New London, Wis., and its vicinity, asking that laws be passed enabling the President of the United States to levy an embargo on all contraband of war, save foodstuffs only, thereby withdrawing from

all contending powers all aid and assistance from this Republic; to the Committee on Foreign Affairs.

Also, petition signed by Gustav Kosanke, H. F. Roloff, and other residents of Waupaca County, Wis., asking that House joint resolution 377, which provides that the President be authorized, in his discretion, to prohibit the export of arms, ammunition, and munitions of war of every kind, be enacted into law; to the Committee on Foreign Affairs.

Also, petition signed by J. H. Deterding, C. F. Schroeder, and other residents of Mattoon, Wis., asking that further shipment of ammunition to any of the belligerent countries cease, and urgently requesting the enactment of a law to that effect; to the Committee on Foreign Affairs.

Also, petition signed by Rev. H. J. Anger, G. M. Byse, and other residents of Wautoma, Wis., asking that laws be passed enabling the President of the United States to levy an embargo on all contraband of war, save foodstuffs only, thereby withdrawing from all contending powers all aid and assistance from this Republic; to the Committee on Foreign Affairs.

Also, petition signed by Wilhelm Hagen, Jerry Bradley, and other residents of Marathon County, Wis., asking that House joint resolution 377, which provides that the President be authorized, in his discretion, to prohibit the export of arms, ammunition, and munitions of war of every kind, be enacted into law; to the Committee on Foreign Affairs.

Also, petition signed by George Fiorke, Martin Brandt, and other residents of Nekoosa, Wis., asking that House joint resolution 377, which provides that the President be authorized, in his discretion, to prohibit the export of arms, ammunition, and munitions of war of every kind, be enacted into law; to the Committee on Foreign Affairs.

Also, petition signed by Guy Van Doren, S. K. Adams, and other residents of Birnamwood, Wis., asking that the United States forbid the sale of bonds of a belligerent, issued since the war began, in this country, and to forbid the exportation of arms and ammunition to any country for use against a country with which the United States is at peace; to the Committee on Foreign Affairs.

Also, petition signed by Peter A. Eberhardy, F. X. Durst, and all other members of the American Society of Equity, of Hewitt, Wis., asking that an embargo be placed on ammunition and all munitions of war of every kind; to the Committee on Foreign Affairs.

Also, petition signed by H. E. Gerlach, H. W. Glocke, and other residents of Waupaca County, Wis., asking that House joint resolution 377, which provides that the President be authorized, in his discretion, to prohibit the export of arms, ammunition, and munitions of war of every kind, be enacted into law; to the Committee on Foreign Affairs.

By Mr. CLINE: Petitions of 9 business men of South Whitley, 6 business men of Larwill, 8 business men of Butler, 22 business men of Kendallville, and 12 business men of Topeka, all in the State of Indiana, favoring House bill 5308, to tax mail-order houses; to the Committee on Ways and Means.

Also, petition of 47 householders on route No. 2, rural free delivery, Fremont, Ind., favoring retention of present rural delivery system; to the Committee on the Post Office and Post Roads.

By Mr. CRAMTON: Petitions of Carl Binhammer and 124 others, of Sebewaing; J. H. Nieschulz, of Pigeon; E. E. Sauer and 13 others, of Avoca; Gustav and Theodore Eggert, of Port Hope; A. G. Kurth and 15 others, of Port Huron; Albert Stange, of Vassar; Charles W. Fitz, of Lamb; George Huber, of Gera; Rev. J. A. Bohn and 14 others, of Fraser; Frank Shock, of Ruth; W. F. Mundt and 12 others, of Ubly; Theodore Stank and 7 others, of Bad Axe; and Fred Kolberg and 10 others, of Harbor Beach, all in the State of Michigan, in support of House joint resolution 377, proposing to prohibit exportation of arms, etc.; to the Committee on Foreign Affairs.

By Mr. DILLON: Petition of citizens of Parkston, S. Dak., favoring passage of House joint resolution 377; to the Committee on Foreign Affairs.

By Mr. DOOLING: Petition of New York Board of Trade and Transportation, favoring the passage of the Root bill (S. 3672); to the Committee on Rivers and Harbors.

By Mr. DOOLITTLE: Petitions of citizens of Marion County, Hillsboro, Vassar, and Lehigh, Kans., favoring prohibiting exportation of war material to warring nations; to the Committee on Foreign Affairs.

By Mr. DONOHOE: Petitions of various church organizations of Philadelphia, Pa., protesting against violation of the spirit of neutrality in America; to the Committee on Foreign Affairs.

By Mr. ESCH: Petition of citizens of the State of Wisconsin, favoring passage of House joint resolution 377, prohibiting exportation of war material; to the Committee on Foreign Affairs.

By Mr. GOOD: Petition of citizens of the fifth congressional district of Iowa, favoring passage of House joint resolution 377, relative to exportation of war material; to the Committee on Foreign Affairs.

By Mr. GOODWIN of Arkansas: Petition of citizens of Arkadelphia, Ark., and vicinity, against contract plan of rural delivery; to the Committee on the Post Office and Post Roads.

By Mr. GRAHAM of Pennsylvania: Petition of the Philadelphia (Pa.) Maritime Exchange, protesting against passage of House bill 18666, providing Government ownership, etc., of merchant vessels; to the Committee on the Merchant Marine and Fisheries.

By Mr. HAMILTON of New York: Papers to accompany H. R. 20671, granting an increase of pension to John A. Peterson; to the Committee on Invalid Pensions.

Also, papers to accompany H. R. 20165, granting a pension to Louise Jones Nesmith; to the Committee on Invalid Pensions.

Also, papers to accompany H. R. 20666, granting a pension to Charles Gould; to the Committee on Invalid Pensions.

Also, papers to accompany H. R. 20667, granting an increase of pension to Hiram Ells; to the Committee on Invalid Pensions.

Also, papers to accompany H. R. 20668, granting an increase of pension to George W. Rice; to the Committee on Invalid Pensions.

Also, papers to accompany H. R. 20669, granting an increase of pension to Hiram D. Stoddard; to the Committee on Invalid Pensions.

Also, papers to accompany H. R. 20670, granting an increase of pension to John Peterson; to the Committee on Invalid Pensions.

By Mr. HARRIS: Petition of citizens of Athens, Ala., favoring House joint resolution 377, forbidding export of arms; to the Committee on Foreign Affairs.

By Mr. KENNEDY of Rhode Island: Memorial of Rhode Island Medical Society, urging provision in immigration bill for the examination of arriving aliens; to the Committee on Immigration and Naturalization

Also, petitions of Mrs. E. M. Harris, Mrs. Caroline Dowell, Miss Lucy McDonald, Mrs. J. J. Duffy, Mrs. J. J. Butler, and Mrs. Carl Barus, all of Providence, R. I., and Lizette G. Vise, of Newport, R. I., favoring woman suffrage; to the Committee on the Judiciary.

By Mr. KONOP: Petition of citizens of ninth congressional district of Wisconsin, favoring House joint resolution 377, to forbid export of arms; to the Committee on Foreign Affairs.

By Mr. LIEB: Petitions of William C. McGlacken, Evansville Planing Mill Co., H. G. Schmeltekop, C. Krieger & Son, Dr. W. F. Cleveland, Newton W. Thrall, J. Chester Vaught, William J. Walker, Oscar J. Oehlkuch, C. H. Battin, Horace M. Lukens, Paul Pfeiffer, Charles J. Nenneker, Gotlieb H. Bippus, Charles H. Kleiderer, Henry Bohnsack, F. O. Weber, and Henry F. Decker, all of Evansville, Ind., favoring Hamill civil-service retirement bill; to the Committee on Reform in the Civil Service.

Also, petitions of Gustav Holland, of Hanna; Joseph Freudenberg, of Armstrong; Wilhelm E. Becker, of Cypress; William Hay and H. E. Menke, of the Indiana Furniture Co., and George Mohr and Dr. Ernst H. C. Heusler, of Evansville; and Rev. R. Godfrey Kurz, of Boonville, all in the State of Indiana, favoring House joint resolution 377, relative to export of munitions of war; to the Committee on Foreign Affairs.

By Mr. LLOYD: Petition of 294 merchants of the first Missouri congressional district, favoring House bill 5308, to tax mail-order houses; to the Committee on Ways and Means.

By Mr. LONERGAN: Petition of Mrs. Carl Becker, of Windsor, and other Connecticut citizens, favoring the passage of Senate bill 6688, to forbid export of arms; to the Committee on Foreign Affairs.

Also, memorial of Rev. C. E. Heydoureist and others, of Hartford, Conn., favoring passage of House joint resolution 377; to the Committee on Foreign Affairs.

By Mr. MOON: Papers to accompany a bill (H. R. 15929) for the relief of Samuel T. Baker; to the Committee on Military Affairs.

By Mr. J. I. NOLAN: Petitions of sundry citizens of San Francisco, Cal., favoring the passage of House joint resolution 377, to prohibit the export of munitions of war from the United States; to the Committee on Foreign Affairs.

By Mr. O'BRIEN: Petition of New York Board of Trade and Transportation, favoring passage of the Root bill (S. 3672); to the Committee on Rivers and Harbors.

By Mr. PARKER of New Jersey: Petition of the Fair Play League of Newark, N. J., urging strict enforcement of neutrality; to the Committee on Foreign Affairs.

By Mr. POST: Memorial of 167 citizens of Springfield, Clark County, Ohio, protesting against exportation of war material to warring nations; to the Committee on Foreign Affairs.

By Mr. REILLY of Connecticut: Petition of German-American Alliance of New Haven, Conn., favoring passage of House joint resolution 377; to the Committee on Foreign Affairs.

By Mr. SCULLY: Petitions of Gottlob Fehrle and Martin Amareszkn, of South River; Louis Schmachtonberger, of Avon by the Sea; F. W. P. Bruning, of Atlantic Highlands; J. Gornb, of Matawan; Joseph A. Synchy, of Perth Amboy; William C. Ludi, of Matawan; and M. Lienert, of Matawan, all in the State of New Jersey, in favor of prohibition of the shipment of war material to foreign countries; to the Committee on Foreign Affairs.

By Mr. SUTHERLAND: Papers to accompany bill granting a pension to John B. Connolly; to the Committee on Invalid Pensions.

Also, papers to accompany pension claim of Lulu E. Winans; to the Committee on Pensions.

Also, affidavits in the pension claim of Jaseph Stevens; to the Committee on Pensions.

By Mr. UNDERHILL: Petitions of citizens of Cohocton, and New York State League of U. S. A., and German Roman Catholic Church of Elmira, N. Y., favoring passage of House joint resolution 377, relative to munitions of war; to the Committee on Foreign Affairs.

SENATE.

SATURDAY, *January 9, 1915.*

Rev. Ulysses G. B. Pierce, D. D., of the city of Washington, offered the following prayer:

Almighty God, our heavenly Father, Thou hast promised that Thou wilt never leave us nor forsake us. Fulfill unto us now, we beseech Thee, Thine own gracious word and be with us at this tender and holy hour. Thou hast called us to this day and to this hour, nor do we come, our Father, empty handed, but we come bringing the most precious gift that Thou dost grant unto us to present to Thee, for we come bringing to Thee the memory of one who was dear to Thee, and therefore dear to us, the memory of one whom we loved because Thou didst first love. Though we behold not now his face and listen in vain for his voice, yet we can not, our Father, forget the honored companion, the wise counselor, the faithful public servant. We thank Thee not as we would but as we may for the life and the public services of him whom this day our lips shall name.

We remember before Thee those to whom this loss is most sore and whose grief it is beyond our words to repair. Give unto them, we pray Thee, Thou most gracious One, the oil of joy for mourning, beauty for ashes, and the garment of praise for the spirit of heaviness. Lead them by the still waters of Thy grace. Grant that the rod of Thy faithfulness and the staff of Thy providence may be their comfort; and grant that neither the present with its sorrow, nor the future with its uncertainty, nor the height of their love nor the depth of their grief may be able to separate them from the love of God which is in Christ Jesus our Lord. And unto Thee, our Father, who loved us with an everlasting love and hast given us comfort and good hope through the gospel, unto Thee, be the glory, the praise, the dominion, and power, now and forevermore. Amen.

The Journal of yesterday's proceedings was read and approved.

THE PRESIDENT'S ADDRESS AT INDIANAPOLIS.

Mr. ASHURST. Mr. President, I ask unanimous consent to include in the RECORD a copy of the address delivered yesterday by the President of the United States at Indianapolis.

The VICE PRESIDENT. Is there objection? The Chair hears none.

The address is as follows:

"Gov. Ralston, ladies, and gentlemen, you have given me a most royal welcome, for which I thank you from the bottom of my heart. It is rather lonely living in Washington. I have been confined for two years at hard labor, and even now I feel that I am simply out on parole. You notice that one of the most distinguished members of the United States Senate is here to see that I go back. And yet, with sincere apologies to the Senate and House of Representatives, I want to say that I draw more inspiration from you than I do from them.

SHOULD CENTER THOUGHT ON UNITED STATES.

"They, like myself, are only servants of the people of the United States. Our sinews consist in your sympathy and support, and our renewal comes from contact with you and with the strong movements of public opinion in this country. That is the reason why I, for one, would prefer that our thoughts should not too often cross the ocean but should center themselves upon the policies and duties of the United States. If we think of the United States, when the time comes we shall know how this country can serve the world. I will borrow a very interesting phrase from a distinguished gentleman of my acquaintance and beg that you will keep your moral powder dry.

READY TO FIGHT FOR HIS BELIEFS.

"But I have come here on Jackson Day. If there are Republicans present, I hope they will feel the compelling influences of such a day. There was nothing mild about Andrew Jackson; that is the reason I spoke of the 'compelling influences of the day.' Andrew Jackson, was a forthright man, who believed everything he did believe in in fighting earnest. And, really, ladies and gentlemen, in public life, that is the only sort of man worth thinking about for a moment.

"If I was not ready to fight for everything I believe in, I would think it my duty to go and take a back seat. I like, therefore, to breathe the air of Jackson Day. I like to be reminded of the old militant hosts of Democracy which I believe have come to life again in our time.

"The United States had almost forgotten that it must keep its fighting ardor in behalf of mankind when Andrew Jackson became President; and you will notice that whenever the United States forgets its ardor for mankind, a Democrat is elected President.

REPUBLICANS WITHOUT IDEAS.

"The trouble with the Republican Party is that it has not had a new idea for 30 years. I am not speaking as a politician; I am speaking as an historian. I have looked for new ideas in the records, and I have not found any proceeding from the Republican ranks.

"They have had leaders from time to time who suggested new ideas, but they never did anything to carry them out. I suppose there was no harm in their talking, provided they could not do anything. Therefore when it was necessary to say that we have talked about things long enough which it was necessary to do and the time had come to do them, it was indispensable that a Democrat should be elected President.

REFUGE FOR THOSE AFRAID.

"I would not speak with disrespect of the Republican Party. I always speak with great respect of the past. The past was necessary to the present, and was a sure prediction of the future. The Republican Party is still a covert and refuge for those who are afraid, for those who want to consult their grandfathers about everything. You will notice that most of the advice taken by the Republican Party is taken from gentlemen old enough to be grandfathers, and that when they claim that a reaction has taken place they react to the reelection of the oldest members of their party. They will not trust the youngsters. They are afraid the youngsters may have something up their sleeves.

"You will see, therefore, that I have come to you in the spirit of Jackson Day. I got very tired staying in Washington and saying sweet things. I wanted to come out and get in contact with you once more and say what I really thought.

SAYS INDEPENDENT VOTERS RULE.

"My friends, what I particularly want you to observe is this, that politics in this country does not depend any longer upon the regular members of either party. There are not enough regular Republicans in this country to take and hold national power; and I must immediately add there are not enough regular Democrats in this country to do it, either. This country is guided and its policy is determined by the independent voter; and I have come to ask you how we can best prove to the independent voter that the instrument he needs is the Democratic Party and that it would be hopeless for him to attempt to use the Republican Party. I do not have to prove it; I admit it.

"What seems to me perfectly evident is this, that if you made a rough reckoning you would have to admit that only about one-third of the Republican Party is progressive; and you would also have to admit that about two-thirds of the Democratic Party is progressive. Therefore the independent progressive voter finds a great deal more company in the Democratic ranks than in the Republican ranks.

SOME DEMOCRATS HOLDING BACK.

"I say a great deal more because there are Democrats who are sitting on the breeching strap; there are Democrats who

are holding back. There are Democrats who are nervous. I dare say they were born with that temperament. And I respect the conservative temper. I claim to be an animated conservative myself, because being a conservative I understand to mean a man not only who preserves what is best in the Nation but who sees that in order to preserve it you dare not stand still, but must move forward. For the virtue of America is not statical; it is dynamic. All the forces of America are forces in action or else they are forces of inertia.

"What I want to point out to you, and I believe that this is what the whole country is beginning to perceive, is this: That there is a larger body of men in the regular ranks of the Democratic Party who believe in the progressive policies of our day, and mean to see them carried forward and perpetuated, than there is in the ranks of the Republican Party. How can you be otherwise, gentlemen? The Democratic Party, and only the Democratic Party, has carried out the policies which the progressive people of this country have desired.

PUBLIC OPINION SUPREME.

"There is not a single great act of this present great Congress which has not been carried out in obedience to the public opinion of America, and the public opinion of America is not going to permit any body of men to go backward with regard to these great matters.

"Let me instance a single thing: I want to ask the business men here present if this is not the first January in their recollection that did not bring a money stringency for the time being because of the necessity of paying out great sums of money by way of dividends and other settlements which come at the first of the year? I have asked the bankers if that happened this year, and they say, 'No; it did not happen; it could not happen under the Federal reserve act.' We have emancipated the credits of this country. And is there anybody here who will doubt that the other policies that have given guaranty to this country that there will be free competition are policies which this country will never allow to be reversed?

WANTS RIGHT MEN ON TRADE BOARD.

"I have taken a long time, ladies and gentlemen, to select the Federal Trade Commission, because I wanted to choose men, and be sure that I had chosen men, who would be really serviceable to the business men of this country, great as well as small, the rank and the file. These things have been done, and will never be undone. They were talked about, and talked about with futility, until a Democratic Congress attempted and achieved them.

"But the Democratic Party is not to suppose that it is done with the business. The Democratic Party is still on trial. The Democratic Party still has to prove to the independent voters of this country not only that it believes in these things, but that it will continue to work along these lines and that it will not allow any enemy of these things to break its ranks. This country is not going to use any party that can not do continuous and consistent teamwork. If any group of men should dare to break the solidarity of the Democratic team for any purpose or from any motive, theirs will be a most unenviable notoriety and a responsibility which will bring deep bitterness to them. The only party that is serviceable to a nation is a party that can hold absolutely together and march with the discipline and with the zest of a conquering host.

"TEAMWORK" IS DEMANDED.

"I am not saying these things because I doubt that the Democratic Party will be able to do these things, but because I believe that as leader for the time being of that party I can promise the country that it will do these things. I know my colleagues at Washington; I know their spirit and their purpose; and I know that they have the same emotion, the same high emotion of public service, that I hope I have.

"I want at this juncture to pay my tribute of respect and of affectionate admiration for the two great Democratic Senators from the State of Indiana. I have never had to lie awake nights wondering what they were going to do. And the country is not going to trouble itself, ladies and gentlemen, to lie awake nights and wonder what men are going to do. If they have to do that, they will choose other men, and that is all to the business. Teamwork all the time is what they are going to demand of us, and that is our individual as well as our collective responsibility. That is what Jackson stands for. If a man will not play in the team, then he does not belong to the team. You see, I have spent a large part of my life in college, and I know what a team means when I see it; and I know what the captain of a team must have if he is going to win. So it is no idle figure with me.

LAUDS RECORD OF THIS CONGRESS.

"Now, what is their duty? You say, 'Hasn't this Congress carried out a great program?' Yes; it has carried out a great program. It has had the most remarkable record that any Congress since the Civil War has had; and I say since the Civil War, because I have not had time to think about those before the Civil War. But we are living at an extraordinary moment. The world has never been in the condition that it is in now, my friends. Half the world is on fire. Only America among the great powers of the world is free to govern her own life; and all the world is looking to America to serve its economic need, and while this is happening, what is going on?

"Do you know, gentlemen, that the ocean freight rates have gone up in some instances to ten times their ordinary figure, and that the farmers of the United States—those who raise grain and those who raise cotton, these things that are absolutely necessary to the world as well as to ourselves—can not get any profit out of the great prices that they are willing to pay for these things on the other side of the sea because the whole profit is eaten up by the extortionate charges for ocean carriage? In the midst of this the Democrats propose a temporary measure of relief in a shipping bill.

"The merchants and the farmers of this country must have ships to carry their goods, and just at the present moment there is no other way of getting them than through the instrumentality that is suggested in the shipping bill; and I hear it said in Washington on all hands that the Republicans in the United States Senate mean to talk enough to make the passage of that bill impossible.

SAYS MINORITY DEFIES NATION.

"These self-styled friends of business, these men who say the Democratic Party does not know what to do for business, are saying that the Democrats shall do nothing for business. I challenge them to show their right to stand in the way of the release of American products to the rest of the world. Who commissioned them, a minority, a lessening minority? For they will be in a greater minority in the next Senate than in this. You know it is the peculiarity of that great body that it has rules of procedure which make it possible for a minority to defy the Nation; and these gentlemen are now seeking to defy the Nation and prevent the release of American products to the suffering world which needs them more than it ever needed them before. Their credentials as friends of business and friends of America will be badly discredited if they succeed.

SOME MISGUIDED; MOST IGNORANT.

"If I were speaking from a selfish, partisan point of view, I could wish nothing better than that they could show their true colors as partisans and succeed. But I am not quite so malevolent as that. Some of them are misguided; some of them are blind; most of them are ignorant. I would rather pray for them than abuse them. But the great voice of America ought to make them understand what they are said to be attempting now. I have to say 'are said to be attempting' because they do not come and tell me that they are attempting them. I do not know why. I would express my opinion of them in parliamentary language, but I would express, I hope, no less plainly because couched in the terms of courtesy. This country is bursting its jacket, and they are seeing to it that the jacket is not only kept tight, but is riveted with steel.

DEMOCRATS "HAVE EMANCIPATED UNITED STATES."

"The Democratic Party does know how to serve business in this country, and its future program is a program of service. We have cleared the decks. We have laid the lines now upon which business that was to do the country harm shall be stopped and an economic control which was intolerable shall be broken up. We have emancipated America, but America must do something with her freedom.

"There are great bills pending in the United States Senate just now that have been passed by the House of Representatives, which are intended as constructive measures in behalf of business—one great measure which will make available the enormous water powers of this country for the industry of it; another bill which will unlock the resources of the public domain, which the Republicans desire to save locked up so that nobody could use them.

G. O. P. ONLY SITS ON LID.

"The reason I say the Republicans have not had a new idea in 30 years is that they have not known how to do anything except sit on the lid. Now, if you can release the steam so that it will drive great industries it is not necessary to sit on the lid. What we are trying to do in the great conservation bill is to carry out for the first time in the history of the United

States a system by which the great resources of this country can be used, instead of being set aside so that no man can get at them. I shall watch with a great deal of interest what the self-styled friends of business try to do to those bills.

"Do not misunderstand me. There are some men on that side of the Chamber who understand the value of these things and are standing valiantly by them, but they are a small minority. The majority that is standing by them is on our side of the Chamber, and they are the friends of America. But there are other things which we have to do.

FOR FEDERAL EMPLOYMENT BUREAU.

"Sometimes when I look abroad, my friends, and see the great mass of struggling humanity on that Continent it goes very much to my heart to see how many men are at a disadvantage and are without guides and helpers. Don't you think it would be a pretty good idea for the Democratic Party to undertake a systematic method of helping the workingmen of America? There is a very simple way in which they can help the workingmen. If you were simply to establish a great Federal employment bureau, it would do a vast deal; by the Federal agencies which spread over this country men could be directed to those parts of the country, to those undertakings, to those tasks where they could find profitable employment. The labor of this country needs to be guided from opportunity to opportunity. We proved it the other day.

"We were told that in two States of the Union 30,000 men were needed to gather the crops. We suggested in a Cabinet meeting that the Department of Labor should have printed information about this in such form that it could be posted up in the post offices all over the United States, and that the Department of Labor should get in touch with the labor departments of the States, so that notices could go out from them.

GOT WORK FOR 30,000 MEN.

"What was the result? Those 30,000 men were found, and were sent to the places, where they got profitable employment. I do not know any one thing that has happened in my administration that made me feel happier than that—that the job and the man had been brought together. It will not cost a great deal of money, and it will do a great deal of service if the United States were to undertake to do such things systematically, and all the year round, and I, for my part, hope that it will do that. If I were writing an additional plank for a Democratic platform, I would put that in.

"And there is another thing that needs very much to be done. I am not one of those who doubt either the industry or the learning or the integrity of the courts of the United States, but I do know that they have a very antiquated way of doing business.

JUDICIAL PROCEDURE BEHIND TIMES.

"I do know that the United States, in its judicial procedure, is many decades behind every other civilized Government in the world; and I say that it is an immediate and an imperative call upon us to rectify that, because the speediness of justice, the inexpensiveness of justice, the ready access of justice, is the greater part of justice itself.

"If you have to be rich to get justice, because of the cost of the very process itself, then there is no justice at all. So I say there is another direction in which we ought to be very quick to see the signs of the times and to help those who need to be helped.

"And then there is something else. The Democrats have heard the Republicans talking about the scientific way in which to handle the tariff, though the Republicans have never given any exhibition of a knowledge of how to handle it scientifically. If it is scientific to put additional profits into the hands of those who are already getting the greater part of the profits, then they have been exceedingly scientific. It has been the science of selfishness; it has been the science of privilege.

FOR SCIENTIFIC HANDLING OF TARIFF.

"That kind of science I do not care to know anything about, except enough to stop it. But if by scientific treatment of the tariff they mean adjustment to the actual trade conditions of America and the world, then I am with them; and I want to call their attention, for though they voted for it they apparently have not noticed it, to the fact that the bill which creates the new trade commission does that very thing. We were at pains to see that it was put in there. That commission is authorized and empowered to inquire into and report to Congress not only upon all the conditions of trade in this country, but upon the conditions of trade, the cost of manufacture, the cost of transportation—all the things that enter into the question of the tariff—in foreign countries as well as in the United States, and into all those questions of foreign combinations which affect international trade between Europe and the United States. It has the full powers which will guide Congress in the scientific treatment of questions of international trade. Being by profession a schoolmaster, I am glad to point that out to the class of uninstructed Republicans, though I have not always taught in the primary grade.

A DETAIL PROGRESSIVES OVERLOOK.

"At every turn the things that the progressive Republicans have proposed that were practicable, the Democrats either have done or are immediately proposing to do. If that is not our bill of particulars to satisfy the independent voters of the country, I would like to have one produced. There are things that the progressive program contained which we, being constitutional lawyers, happened to know can not be done by the Congress of the United States. That is a detail which they seem to have overlooked. But so far as they can be done by State legislatures, I for one, speaking for one Democrat, am heartily in favor of their being done. Because Democrats do not congregate merely in Washington. They congregate also in the State capitals, and they congregate there in very influential numbers and with very influential organizations.

DISCUSSES THE ELECTION.

"Just before I came away from Washington I was going over some of the figures of the last elections, the elections of November last. The official returns have not all come in yet. I do not know why they are so slow in getting to us, but so far as they have come in they have given me this useful information, that taking the States where Senators were elected and where Senators were not elected, taking the election of governors and where governors were not elected, taking the returns for the State legislatures, or for the congressional delegates, the Democrats, reckoning State by State, would, if it had been a presidential year, have had a majority of about 80 in the electoral college.

"Fortunately or unfortunately, this is not a presidential year, but the thing is significant to me for this reason.

NEITHER PARTY HAS MAJORITY.

"A great many people have been speaking of the Democratic Party as a minority party. Well, if it is, it is not so much of a minority party as the Republican, and as between the minorities I think we can claim to belong to the larger minority. The moral of that is merely what I have already been pointing out to you, that neither party in its regular membership has a majority. I do not want to make the independent voter too proud of himself, but I have got to admit that he is our boss, and I am bound to admit that the things that he wants are, so far as I have seen them mentioned, things that I want.

"I am not an independent voter, but I hope I can claim to be an independent person; and I want to say this distinctly, I do not love any party any longer than it continues to serve the immediate and pressing needs of America. I have been bred in the Democratic Party, but I love America a great deal more than I love the Democratic Party; and when the Democratic Party thinks that it is an end in itself, then I rise up and dissent.

INDEPENDENT HAS BALANCE OF POWER.

"It is a means to an end, and its power depends, and ought to depend, upon its showing that it knows what America needs and is ready to give it what it needs. That is the reason I say to the independent voter you have got us in the palm of your hand. I do not happen to be one of your number, but I recognize your supremacy, because I read the election returns, and I have this ambition, my Democratic friends—I can avow it on Jackson Day:

"I want to make every independent voter in this country a Democrat. It is a little cold and lonely out where he is, because, though he holds the balance of power, he is not the majority, and I want him to come in where it is warm. I want him to come in where there is a lot of good society, good companionship, where there are great emotions. That is what I miss in the Republican Party; they do not seem to have any great emotions. They seem to think a lot of things, old things, but they do not seem to have any enthusiasm about anything.

FOR "HANDS OFF" IN MEXICO.

"Now, there is one thing I have got a great enthusiasm about—I might almost say a reckless enthusiasm—and that is human liberty. The governor has just now spoken about watchful waiting in Mexico. I want to say a word about Mexico, or not so much about Mexico as about our attitude toward Mexico. I hold it as a fundamental principle, and so do you, that every people has the right to determine its own form of government; and until this recent revolution in Mexico, until the end of the Diaz reign, 80 per cent of the people of Mexico never had a 'look-in' in determining who should be their governor or what their Government should be. Now, I am for the

80 per cent. It is none of my business, and it is none of your business, how long they take in determining it. It is none of my business and it is none of yours how they go about the business. The country is theirs. The Government is theirs. The liberty, if they can get it, and Godspeed them in getting it, is theirs. And so far as my influence goes while I am President nobody shall interfere with them.

NOT TO DENY RIGHT TO SPILL BLOOD.

"That is what I mean by a great emotion, the great emotion of sympathy. Do you suppose that the American people are ever going to count a small amount of material benefit and advantage to people doing business in Mexico against the liberties and the permanent happiness of the Mexican people? Have not European nations taken as long as they wanted and spilt as much blood as they pleased in settling their affairs, and shall we deny that to Mexico because she is weak? No, I say! I am proud to belong to a strong nation that says: 'This country, which we could crush, shall have just as much freedom in her own affairs as we have. If I am strong, I am ashamed to bully the weak. In proportion to my strength is my pride in withholding that strength from the oppression of another people.' And I know when I speak these things—not merely from the generous response with which they have just met from you, but from my long-time knowledge of the American people—that that is the sentiment of the American people.

TAKES A "SHOT" AT EDITORS.

"With all due respect to editors of great newspapers, I have to say to them that I never take my opinion of the American people from their editorials. So that when some great dailies not very far from where I am temporarily residing thundered with rising scorn at watchful waiting, Woodrow sat back in his chair and chuckled, knowing that he laughs best who laughs last—knowing, in short, what were the temper and principles of the American people. If I did not at least think I knew, I would emigrate, because I would not be satisfied to stay where I am. There may come a time when the American people will have to judge whether I know what I am talking about or not; but at least for two years more I am free to think that I do, with a great comfort in immunity in the time being.

NEXT CONGRESS DEMOCRATIC.

"And it is, by the way, a very comforting thought that the next Congress of the United States is going to be very safely Democratic, and that therefore we can all together feel as much confidence as Jackson did that we know what we are about. You know Jackson used to think that everybody who disagreed with him was an enemy of the country. I have never got quite that far in my thought, but I have ventured to think that they did not know what they were talking about, knowing that my fellow Democrats expected me to live up to the full stature of Jacksonian Democracy.

"So I feel, my friends, in a very confident mood to-day. I feel confident that we do know the spirit of the American people, that we do know the program of betterment which it will be necessary for us to undertake, that we do have a very reasonable confidence in the support of the American people.

"I have been talking with business men recently about the present state of mind of American business.

"STATE OF MIND" TROUBLING BUSINESS.

"There is nothing the matter with American business except a state of mind. I understand that your chamber of commerce here in Indianapolis is working now upon the motto, 'If you are going to buy it, buy it now.' That is a perfectly safe maxim to act on. It is just as safe to buy it now as it ever will be, and if you start the buying there will be no end to it and you will be a seller as well as a buyer. I am just as sure of that as I can be, because I have taken counsel with the men who know. I never was in business, and therefore I have none of the prejudices of business. I have looked on and tried to see what the interests of the country were in business, and I have taken counsel with men who did know, and their counsel is uniform, and all that is needed in America now is to believe in the future, and I can assure you as one of those who speak for the Democratic Party that it is perfectly safe to believe in the future.

"We are so much the friends of business that we were for a little time the enemies of those who were trying to control business. I say for a little time, because we are now reconciled to them. They have graciously admitted that we had a right to do what we did do, and they have very handsomely said that they were going to play the game.

UNITED STATES BUSINESS MEN "SOUND AT HEART."

"I believe—I always have believed—that American business men were absolutely sound at heart, but men immersed in business do a lot of things that opportunity offers to do which in other circumstances they would not do, and I have thought all along that all that was necessary to do was to direct their attention sharply to the kind of reforms in business which were necessary and that they would acquiesce, and I believe they have heartily acquiesced. There is all the more reason, therefore, that great and small we should be confident in the future. And what a future it is, my friends!

"Look abroad upon the troubled war! Only America is at peace. Among all the great powers of the world only America saving her power for her own people! Only America using her great character and her great strength in the interests of peace and of prosperity!

"Do you not think it likely that the world will some time turn to America and say: 'You were right and we were wrong. You kept your heads when we lost ours; you tried to keep the scale from tipping and we threw the whole weight of arms in one side of the scale. Now, in your self-possession, in your coolness, in your strength, may we not turn to you for counsel and for assistance'?

AMERICA THE "SERVANT OF MANKIND."

"Think of the deep-wrought destruction of economic resources, of life, and of hope that is taking place in some parts of the world, and think of the reservoir of hope, the reservoir of energy, the reservoir of sustenance that there is in this great land of plenty. May we not look forward to the time when we shall be called blessed among the nations, because we succored the nations of the world in their time of distress and of dismay?

"I, for one, pray God that that solemn hour may come, and I know the solidity of character, and I know the exaltation of hope, I know the high principle with which the American people will respond to the call of the world for this service, and I thank God that those who believe in America, who try to serve her people, are likely to be also what America herself from the first intended to be, the servant of mankind."

A PLEA FOR NEUTRALITY.

Mr. OVERMAN. I ask to have printed in the RECORD an article by Dr. Archibald Henderson, of the University of North Carolina, on the subject of neutrality.

The VICE PRESIDENT. Is there objection? The Chair hears none.

The article referred to is as follows:

AMERICA AND FAIR PLAY—A PLEA FOR NEUTRALITY.

[By Archibald Henderson.]

"The cause? Half a dozen expanding empires and only one planet."—Philadelphia Ledger.

President Wilson's admonition to the American people upon the outbreak of the European war, to preserve a strict neutrality, carried with it a certain sense of shock. This message of advice and warning brought forcibly home to the minds of every thoughtful citizen a profound consciousness of the unique position occupied by the United States and of the obligation thereby imposed upon her citizens. As the Nation greatest in power outside the circle of the combatants, the United States can not be indifferent to or unaware of the effect produced upon the minds of Europe by ardent advocacy on the part of the American people of the cause of either side in the European conflict. As the nation animated by ideals of peace, and through the most noteworthy international pronouncement of her present Chief Executive committed in opposition to a policy of territorial aggrandizement, the United States is thereby even more deeply obligated to preserve a neutrality befitting a nation of the most advanced humanitarianism.

Within the past two decades American expressions of international policy have been rigorously adhered to and honorably acted upon. The laudable self-restraint in the case of Cuba was an object lesson to the entire world of a broader conception of the responsibility of the greater nations to weaker peoples. In the case of the Philippines the United States found herself suddenly confronted with the newer obligations of her widening destiny as a world power. This self-restraint on the part of the United States was all the more laudable in view of the fact that the retention of Cuba would have been accepted without protest in Europe. Indeed, we may go further and say that this self-abnegation on the part of the United States was regarded in Europe with astonishment, not altogether unmixed with contempt. We were generally regarded in Europe as a fool for our pains. Yet events since the Spanish-American War have steadily shaped themselves to a single end—the gradual liberation of the Filipinos and the ultimate assurance to them of the benefits of democratic self-government. The nations of Europe would doubtless have accepted without protest, if not with genuine satisfaction, the armed intervention of the United States in Mexico. Only the statesmanlike patience of a wise Executive, in conjunction with the laudable restraint of an equable and pacific Cabinet, prevented a step which would have most seriously taxed the military resources of the country and embroiled the United States for perhaps a decade in a most hazardous and thankless war. The military occupation of Vera Cruz, the self-control of the American troops in destroying no property in reprisal for the "sniping" of the Mexican guerrillas, the establishment of law and order, and the assurance of a peaceful withdrawal whenever sufficient stability within Mexico warranted withdrawal, all afford another triumphant vindication of the high ground occupied by the United States in dealing with a sister Republic, torn by most lamentable internal dissensions. In each of these grave incidents of international moment the United States has demonstrated herself to be animated and guided by the spirit of true fair play. Toward all these peoples, these weaker peoples, the United States has acted not as a big bully but as a big brother, giving to all not only fair treatment, but in the largest meaning of a popular phrase, a "square deal."

It is from a nation animated by such a spirit of justice and acting in good faith upon such broadly humanitarian principles that the nations

of Europe now at death grips have reason to expect a like fair-mindedness in judgment and liberality of opinion in regard to the issues now being fought out upon the battle fields of Europe. It is obviously enough the manifest, the imperative, duty of the American Government to maintain the strictest neutrality toward the European war. This idea was not in the mind of the President when he counseled the American people to observe a neutral attitude toward the warring nations. Assuredly he was thinking of the individual citizens, in particular of the leaders of thought and molders of public sentiment. Upon such as these, and in particular upon the publicists and the editors of the great newspapers, rest the obligation and the responsibility of giving the fullest consideration to all the facts, to the directing motives at work, and to the underlying causes which precipitated the conflict.

In view of these considerations, which were brought to the attention of the country by the Chief Executive with a suddenness and force little short of dramatic, we should naturally expect a thoroughly impartial attitude on the part of the American people toward the warring nations. Yet the most powerful instrumentalities have been steadily and consistently at work from the very beginning of the conflict to prejudge the issues for the American people. It has been the fortune of war that England, through her control of the seas, has been able to control the channels of publicity through which news of the war reaches this country. Aside from brilliant diplomatic expositions of the type engaged in by the sagacious Dr. Dernburg, the magazine articles and books hurriedly rushed into print by German professors in American colleges and universities, the heated defense of Germany by her diplomatic representatives, and the more balanced expositions of Germany's position by such American students of Weltpolitik as Prof. Burgess and Prof. Sloane, the vast majority of the reports of the war emanate from English and French sources. These reports, sent through English and French channels, are biased deliberately and carefully in the interests of national policy. The American mind is assailed with a thousand unverified reports, an enormous number of which are quickly demonstrated to be false. A large number of these reports remain to accomplish the immediate purpose for which they are designed. Truth unsupported is but slow to outrun official falsehood. It is the old story over again of "Calumniate, calumniate, and something will always remain."

England has put forth all the resources of her news agencies in the effort to convince the American people of the righteousness of her own cause and the unrighteousness of the cause of Germany. It is part of the psychology of such a situation that each nation should endeavor to establish the purity of the motives which actuated her own people in entering the conflict and to coin a formula therefor. England seeks to impose upon America and the world the belief that the maintenance of treaty obligations and the preservation of the integrity of lesser peoples were the controlling motives in her decision. And already her efforts in this direction have been crowned with remarkable success in the United States. The reasons for this are readily understood when one realizes that the small newspapers of the country but reflect the views expressed in the great metropolitan dailies, and these metropolitan dailies, acting as the medium for English and French opinion, mirror the political mind of England and France.

The American people are singularly tender-hearted, singularly sentimental. The pictures of devastated villages, ruined homes, and desolate peasants arouse in them not only horror at the miseries of war, but a sympathy for the people thus pictured and indignation against their conquerors. It must also be recognized that all people of highly organized religious consciousness, especially an essentially reverential people, like the Americans, experience a strong shock of revulsion at the sight of photographs of defaced cathedrals, dismantled altars and wrecked churches, even though these may be the inevitable results of the dread exigencies of bombardment. "Which way will American sympathies swing," the Philadelphia Ledger pertinently inquires, "when the ruins in the photographs are German?"

Our own American publicists have coolly disregarded the prudent admonition of President Wilson. Writing in the Times of September 4, the eminent publicist, Dr. Charles W. Eliot, makes bold to act as spokesman for American sentiment and American opinion in the words:

"It follows from the very existence of these American instincts and hopes that, although the people of the United States mean to maintain faithfully a legal neutrality, they are not and can not be neutral or indifferent as to the ultimate outcome of this titanic struggle. It already seems to them that England, France, and Russia are fighting for freedom and civilization."

And again in the same article he writes:

"American sympathies and hopes can not possibly be neutral, for the whole history and present state of American liberty forbids."

To all men of profound reflection it must be manifest that a neutrality which means national championship of either side in the titanic struggle in Europe is a violation of the very essence of neutrality. And the assumption for the entire United States that the American people believe, for example, that Russia is "fighting for freedom and civilization" is one of those dangerous generalizations which may not find their origin in demonstrable facts.

As one who has mingled with the peoples of England and Germany, studied at both English and German universities, and felt the impress of both English and German culture, I became convinced some years ago that the English people fully anticipated the present war and that the German people, while realizing the possibility of a conflict with England, were very far from desiring it. I can never forget the remark of Mr. Bernard Shaw at the time the question of the initiative and referendum was being actively discussed in the British Parliament, "The first thing the English people would vote for under the initiative and referendum," he said, "would be war with Germany; and the second would be war with the United States."

During the course of many months spent in England and Germany in 1910 and 1911, in the effort to gather the trend of public opinion with regard to an Anglo-German war, I made it a practice to question people of every rank of life, from the nobleman and the man of affairs to the cabman and the washerwoman in both countries. Virtually without exception the Germans with whom I talked disclaimed any and every desire for such a conflict. The reasons most frequently advanced by German citizens for desiring to avoid such a conflict were: First, that they had no quarrel with England; and second, that they foresaw the irreparable damage to their industry, commerce, and maritime trade in the event of such a war.

Virtually without exception the English people with whom I talked expressed the conviction that war with Germany was inevitable, deplored the supineness and parsimony of the English Government in the matter of preparation for such a conflict, and voiced the necessity for England of destroying the naval power of Germany. The problem of maintaining indefinitely the two-power standard was recognized as England's almost insuperable difficulty in view of Germany's rapid strides in naval development. And yet the maintenance of the two-power standard was universally recognized as the indispensable safeguard for England's supremacy on the sea and for the maintenance of her food supply in time of war. The people at large deplored the apparent fact that the British war office, in face of an English army totally unable to cope with Germany in the event of a European war, was making no appreciable effort to strengthen and increase materially its numbers and efficiency. This popular conviction was, I feel assured, based on a profound error. The campaign of territorial recruiting was proceeding steadily, if quietly, and even secretly, throughout the length and breadth of the British Isles. This information I had from the most authoritative source. And I was assured that large portions of the British Isles already had such forces recruited and undergoing limited terms of service. I had occasion to examine maps of the British Isles on which were marked in red those sections where such military organizations were already under way. I was informed that whenever that entire map was colored with red, England would be ready for war with Germany. This method of local recruiting has been steadily progressing in England for at least five years. Since the outbreak of the European war, England has endeavored to attach to Germany, because of her maintenance of powerful military and naval forces, the stigma of a barbaric militarism. Yet it is a question whether every Englishman to-day, secretly, if not openly, does not regret that England had not inaugurated compulsory military service long ago and trained every man in the Empire to arms.

In the eyes of the world at this moment the better cause is the cause of England, no doubt. With that "pot-bellied equanimity," which Carlyle found so offensive in the English, with the sublime assurance of self-righteousness which makes the English people often so intolerable to the citizens of other countries, the English statesmen and publicists announce that England declared war on Germany to preserve the sanctity and inviolability of treaty relations and to preserve the integrity of a lesser people.

In the same way Germany is using every vocal instrumentality at her disposal for the purpose of disclaiming responsibility for the war, under the plea that she was driven to it by the desperate need for self-preservation. She is waging a war of self-defense we are assured by a thousand voices; the sword was thrust into her hands. She is fighting the battle of European civilization, the ultimate conflict of Teutonic culture with Slavic "rudeness and barbarism." The preservation of the German people and the maintenance of Teutonic culture—these are the motives plausibly advanced by Germany in her declaration of war.

If we look deeper and endeavor to penetrate the mask which veils from public view the vital motives of the conflict, the true, the vital, reasons may not be far to seek. When the wholesome growth of two rival nations reaches the point where there is no longer room for the expansion and progress of both, in the present state of the world's civilization, a condition conducive to war inevitably arises. It can not be doubted that back of all the specious fine phrases and uplifting sentiments out in front—phrases and sentiments which ring hollow to the ear of the disillusionized man behind the scenes—the ambition of an advancing Germany in conflict with the adamantine resistance of a retrograding England have been the primary and fundamental conditions leading on to the present war. For the past decade England has echoed with the plaints of pessimists and alarmists—cawing raucously of England's decadence and of the necessity for arousing the "nation of shopkeepers" to a realization that Germany, their virile and aggressive foe, must be crushed. I shall never forget, one morning in London, my almost physical sense of the shudder of apprehension which swept over England when Bleriot flew across the channel. The ancient barrier of the sea was obliterated. England's safety in isolation was destroyed in the twinkling of an eye. In that revolutionary moment the history of the world was altered. England became only a part of Europe.

Within recent years Germany's growing maritime power has been pointed out again and again as England's greatest menace. Shrewd observers have noted that while the increase of Germany's over-seas trade has been the result of an almost perfectly efficient commercial system, England's corresponding decrease in over-seas trade has been the inevitable outcome of antiquated and haphazard business methods. These two closely interrelated facts, so dangerous to British pride, acted as a violent irritant in relations between England and Germany.

Realizing the impossibility of keeping pace with Germany's advance in military preparation and at the same time maintaining her own colossal internal reforms, such as national insurance and old-age pensions, England concentrated her principal efforts upon strengthening her navy, determined that when war should come her policy would be to blockade German ports, to sweep Germany's shipping from the high seas, and in the event to destroy Germany's navy. The results of the war thus far have already fully justified the wisdom of England's policy in this respect.

Nothing could be more clearly indicative of the attitude of England toward Germany—an attitude which fully exposes England's real motives in declaring war on Germany—than the various tentative proposals put forward by English publicists as conditions precedent to any conclusion of peace. Staggering indemnities, of course, are to be imposed; Germany is to be compelled to pay for every home desolated by war, every public building destroyed under the compulsion of military necessity; Alsace and Lorraine must be surrendered to France, Schleswig-Holstein to Denmark, German Poland to Russia. The more violent proposals embrace the razing to the ground of the Krupp manufactory at Essen and the banishment of the Kaiser to Devils Island, or preferably to St. Helena. The cardinal condition to be imposed by England—the condition which apparently represents the true spirit of England's sentiment and policy—is the condition that Germany must be deprived of her fleet. The means are immaterial. Germany may hand over her fleet to England, or she may sink it herself, but the demand is unalterable—Germany's fleet must be destroyed.

However the world may now view it as a lapse into a wild orgy of primitive barbarism, the European conflict will eventually be recognized, no doubt, to have been an irrepressible one. For it is a conflict for supremacy between rivals unalterably determined to yield not a jot. England, the mistress of the seas, with the most far-flung line of possessions in the world, has been sorely taxed within recent years to maintain the integrity of the empire. Her part in the European conflict is a double one—the maintenance of her hard-earned supremacy in geographical size, colonial possessions, international influence, and world-trade, and the crushing of her most dangerous rival on the sea. In like manner, Germany fulfills a double rôle in the present conflict—to prevent, if possible, the lopping away of any portion of her territory, and, in the last resort, to defend her own people from annihilation; and, furthermore, to make good her boasted strength as the first

military power of Europe. England, filled with dark forebodings of national decadence, fights to retain her old position as the world's greatest nation. Germany, animated by a spirit of the most aggressive ambition, fights for a "place in the sun"—for room to expand, for power to enforce her demand to be left alone, and to be permitted to go forward in the orderly course of her phenomenal national development.

These, it would seem, are the real motives which underlie the reasons of state so assiduously put forward by England and Germany. In each case the reasons are natural, human, thoroughly comprehensible. The motives actually assigned by each nation are advanced in the interest of their psychological effect upon the great masses of the people of the countries represented. The real motives lie deeper down in the racial consciousness. "The cause? Half a dozen expanding empires and only one planet."

The American people, it is well for us all to recall, stand at the portals of a new era. We are of the race of energy, of progress, of constitutional government, of democratic civilization. We are the Nation of purest national ideals, if not of greatest material accomplishment, in the world to-day. America's national destiny, in the light of these ideals, should be the greatest and profoundest concern of all thinking citizens of this country.

In the face of such a consideration one may well pause to reflect over America's wisdom in this international crisis in clinging to sentimental attachments. Too long has the United States all too modestly devoted its energies to fostering the causes of other nations. Too tardy has been the United States in assuming her great rôle in international relationship and world policy. America, too, desires a "place in the sun"—not of territorial aggrandizement but of international leadership in the cause of civilization. America, too, has great national ambitions, vast international aspirations. A great struggle may now be preparing for the United States, the greatest struggle this country has ever known. England and Germany are now locked in a titanic struggle, the death grapple of the supreme rivals for world supremacy. When this struggle is concluded the power of one will be crippled, mayhap shattered; the power of the other will be enormously magnified. It is with the victor of this herculean contest that we, the American Nation, will have to reckon in the long, long future. Concern for self-perpetuation is the driving force of nations as well as of individuals. Enlightened self-interest is the foundation stone in the edifice of national integrity.

No one can be blind to the fact that it is the part neither of prudence, of sanity, nor of wisdom for the people of this country to alienate the sympathies or to invite the hostility of any of the participants in the European war. Our geographical isolation, our remoteness from Europe, with its tense air and vibrant atmosphere of cosmopolitanism and Weltpolitik, has had one inevitable result. We do not seem as yet to have become capable, individually or collectively, of viewing world politics from the international point of view. We are moved by sentimental national attachments which may have no solid basis in reciprocal feeling. We are swayed by phantom fears evoked by the lurid fancy of the jingoist. As that notably cosmopolitan representative of the United States, Dr. Nicholas Murray Butler, has recently said, with a trenchant force peculiarly apposite at this moment so big with fate, "We Americans need the international mind as much as any people ever needed it. We shall never be able to do justice to our better selves or to take our true part in the modern world until we acquire it. We must learn to suppress, rather than to exalt, those who endeavor, whether through ignorance, selfishness, or malice, to stir up among us antagonism to other nations and to other peoples." This pronouncement has no more immediate, no more pressing application than is to be found at the present juncture. We must learn to suppress—now, and in the immediate future—those who endeavor, for whatever motive, to stir up among us antagonism to Germany or to England, to Russia or to France.

In the interest of public policy alone—were no more lofty principle at stake—the American people could commit no greater blunder than that of indulging in universal popular condemnation of Germany and her entire cause in the present war. Many observers, in Germany as well as out, testify to the feelings of the bitterest, most vehement animosity now displayed by all classes in Germany toward England because of her participation in the present war—a participation which they believe was not occasioned by any real quarrel with Germany. The German people as a whole—philosophers, scientists, men of letters, statesmen, soldiers—seem to believe that England used Germany's violation of Belgium's neutrality merely as a convenient moral pretext for declaring war. It is, they say, not because of England's participation in the war, but because of the lack of any valid ground for this participation, that she has aroused the deepest animosity of a people against whom she had no real grievance. England, they say, had no quarrel with Germany. Still less has America any quarrel with any one of the warring nations. Why, then, invite the hostility of any one of them through violent and unnecessary partisanship? May prudence and common sense prevail to spare America this ultimate fatuity.

To all good citizens of the United States an appeal for neutrality has already been issued by the Nation's Chief Executive. The coming responsibilities for our national destiny not less than the pressing obligations of our past history, enjoin us to display at this present juncture that admirable spirit of equity, the sporting spirit of fair play, which we all honestly deem characteristic of the American people.

Suggestions adverse to the peace-loving instincts of our people are already beginning to crop out in public prints. Openly avowed fear lest Germany eventually prove victorious in the European war is beginning to prompt publicly expressed opinion in America prints that the United States should engage in the present war and throw her strength on the sides of the allies. Such suggestions are prompted by the fear that Germany, if victorious in the present war, would be strong enough to flout with impunity the Monroe doctrine, which is popularly accepted as a cardinal tenet of America's national policy.

Such suggestions are dangerous to the peace of this country, and in open violation of the fundamental principle of neutrality which it is the duty of every American citizen to maintain. It is in gross violation of our obligation to Germany as the guardian of her interests in many world capitals at the present time. Our ambassadors are acting in behalf of Germany in the great capitals of the countries now waging war against Germany. The suggestion that without aggression on Germany's part, but solely through fear of her eventual predominance in world affairs, the United States support the cause of the allies is nothing else than the suggestion that this country forswear national honor and violate the very principles which have given the United States her enviable reputation for unsullied national faith.

Whether we realize it or not, the United States now stands forth in the eyes of the world as the supreme judge of the issues now being fought out upon the battle fields of Europe. At this very moment the position of the United States is all-important. Each of the warring nations is straining every nerve to influence the opinion of the American people favorably to its own individual cause. May we not forget that, in forming our judgment and making up our minds, the United States herself stands at the bar of posterity. The thread of history is in her hands. The world already recognizes it as inevitable that the United States will play the leading rôle in the great drama of the conclusion of a world peace. This is the most titanic judicial rôle which has ever been wrought by fate in the dramas of international affairs and world politics. May we, in making up our present estimate and rendering our final verdict, not be unreasonably influenced by the coward fear of any country. May we not now be influenced, by reason of such alarm, to the extent of condemning unheard or on insufficient grounds, any country's cause. May we, over undisputed facts, calmly reserve judgment until all the cards are face upward upon the table. If, in this vaunted American game of fair play, the dice are already heavily loaded with racial prepossession and prejudices, let us at least refrain from boasting of it. In this hour of our peril and our responsibility let us heed the wise admonition of President Wilson and, pending the conclusion of the struggle, preserve the neutrality of the just judge—a neutrality not only of national action, but also of individual expression of opinion.

CREDENTIALS.

Mr. KENYON. Mr. President, I have the honor to present the credentials of my colleague for the ensuing term, commencing March 4, 1915.

The VICE PRESIDENT. The credentials will be read and referred to the Committee on Privileges and Elections.

The credentials of ALBERT B. CUMMINS, chosen by the electors of the State of Iowa a Senator from that State for the term beginning March 4, 1915, were read and referred to the Committee on Privileges and Elections.

PETITIONS AND MEMORIALS.

Mr. NELSON presented petitions of sundry citizens of Minnesota, praying for the enactment of legislation to prohibit the exportation of ammunition, etc., which were referred to the Committee on Foreign Relations.

He also presented the memorial of Dr. J. J. McKinnon, of Wadena, Minn., remonstrating against the transmission of anti-Catholic publications through the mail, which was referred to the Committee on Post Offices and Post Roads.

Mr. STERLING presented petitions of sundry citizens of Parkston, Flandreau, Elkton, Akaska, Groton, Spencer, and South Shore, all in the State of South Dakota, praying for the enactment of legislation to prohibit the exportation of ammunition, etc., which were referred to the Committee on Foreign Relations.

Mr. OLIVER presented petitions of sundry citizens of Pennsylvania, praying for the enactment of legislation to prohibit the exportation of ammunition, etc., which were referred to the Committee on Foreign Relations.

Mr. BURLEIGH presented a petition of sundry citizens of Perry, Me., praying for national prohibition, which was referred to the Committee on the Judiciary.

Mr. BRANDEGEE presented a petition of the congregation of the German Evangelical Lutheran Trinity Church, of Hartford, Conn., and a petition of sundry citizens of Danbury, Conn., praying for the enactment of legislation to prohibit the exportation of ammunition, which were referred to the Committee on Foreign Relations.

He also presented a memorial of Local Branch, Connecticut Association Opposed to Woman Suffrage, of Woodbury, Conn., remonstrating against the adoption of an amendment to the Constitution to grant the right of suffrage to women, which was ordered to lie on the table.

PUBLIC BUILDING AT MARLIN, TEX.

Mr. CULBERSON. From the Committee on Public Buildings and Grounds I report back favorably without amendment the bill (H. R. 13815) to increase the limit of cost for the construction of a public building at Marlin, Tex., and I submit a report (No. 882) thereon. I ask unanimous consent for the present consideration of the bill.

There being no objection, the bill was considered as in Committee of the Whole. It proposes to increase the limit of cost from $45,000 to $57,000.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

REPORTS OF COMMITTEES.

Mr. SHEPPARD. From the Committee on Commerce I report back favorably without amendment the bill (H. R. 17168) to authorize the North Alabama Traction Co., its successors and assigns, to construct, maintain, and operate a bridge across the Tennessee River at or near Decatur, Ala., and I submit a report (No. 889) thereon. I ask for its immediate consideration.

The VICE PRESIDENT. The Senator from Texas asks unanimous consent for the present consideration of the bill.

Mr. TOWNSEND. Mr. President——

Mr. SMOOT. I object.

Mr. TOWNSEND. I did not want to object, but I should like to know if we are to proceed with any business this morning or not.

The VICE PRESIDENT. There is objection and the bill goes to the calendar.

Mr. SHEPPARD, from the Committee on Commerce, to which was referred the bill (H. R. 19424) to extend the time for the completion of the municipal bridge at St. Louis, Mo., reported it without amendment and submitted a report (No. 890) thereon.

Mr. BRYAN (for Mr. BURLEIGH), from the Committee on Claims, to which were referred the following bills, reported them severally without amendment and submitted reports thereon:

H. R. 3305. An act directing the accounting officers of the Treasury to credit and settle an account of Maj. George H. Penrose (Rept. No. 883);

H. R. 2667. An act for the relief of the legal representatives of Parker S. Rouse, deceased (Rept. No. 884);

H. R. 3613. An act to reimburse Le Grand C. Cramer for amount of damages to his motor launch *Winninish* by the U. S. launch *Gunedmertrix* at Morris Heights, N. Y., on March 31, 1911 (Rept. No. 885); and

H. R. 3435. An act for the relief of Mrs. Max S. Retter (Rept. No. 886).

Mr. ROBINSON. I am directed by the Committee on Claims, to which was referred the bill (S. 5404) for the payment of certain sums due by reason of an injury sustained by Second Lieut. Rogers, United States Army, while attempting to provide suitable mounts for United States Army, to submit an adverse report (No. 888) thereon.

The VICE PRESIDENT. The bill will be placed on the calendar.

Mr. ROBINSON, from the Committee on Claims, to which was referred the bill (S. 1763) for the relief of Isador Miller, reported it with an amendment and submitted a report (No. 887) thereon.

Mr. BRADY, from the Committee on Military Affairs, to which was referred the bill (H. R. 1090) for the relief of Alonzo D. Cadwallader, reported it with an amendment and submitted a report (No. 892) thereon.

He also, from the same committee, to which was referred the bill (H. R. 3885) for the relief of Peter Scott, reported it without amendment and submitted a report (No. 891) thereon.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. STERLING:

A bill (S. 7208) granting an increase of pension to John Jones; to the Committee on Pensions.

By Mr. BRADY:

A bill (S. 7209) granting an increase of pension to Leonard E. Griffith (with accompanying papers); to the Committee on Pensions.

By Mr. JOHNSON:

A bill (S. 7210) for the relief of the Maine Central Railroad Co. (with accompanying papers); to the Committee on Post Offices and Post Roads.

By Mr. BURLEIGH:

A bill (S. 7211) granting an increase of pension to Susan E. Norton; to the Committee on Pensions.

THE MERCHANT MARINE.

Mr. CUMMINS. I offer an amendment, in the nature of a substitute, which I shall propose at the proper time to Senate bill 6856, the pending ship-purchase bill. I ask that it be printed and lie on the table.

The VICE PRESIDENT. Without objection, that action will be taken.

The amendment of Mr. CUMMINS is as follows:

That the President is hereby authorized to acquire, by purchase or construction, at a cost not exceeding in the aggregate $30,000,000, vessels which shall be both suitable for naval auxiliaries and for use in foreign commerce. In order to provide a fund for the payment for vessels so to be purchased and the cost of the construction of vessels so to be built and equipped hereunder, the President may issue and sell or use any of the bonds of the United States now available in the Treasury of the United States under the act of August 5, 1909, the act of February 4, 1910, and the Act of March 2, 1911, relating to the issue of bonds for the construction of the Panama Canal, to an amount not exceeding $30,000,000: *Provided*, That the bonds issued and sold or used under the provisions of this section may be made payable at such time after issue as the President, in his discretion, may deem advisable, but not exceeding 50 years.

SEC. 2. That all vessels, whether purchased or constructed under the last preceding section, shall become a part of the Naval Establishment of the United States and shall, except as hereinafter provided, be under the direction and management of the Secretary of the Navy as are other naval ships.

SEC. 3. That in so far as they are applicable the laws relating to the construction of battleships shall control the construction of vessels built under the provisions of this act.

SEC. 4. That when the United States is at peace vessels purchased or constructed under this act not needed as a part of the naval force may be leased by the President to any responsible person, partnership, or corporation engaged, or which proposes to engage, in the business of a common carrier between the ports of the United States and the ports of a foreign country. The lease, which shall be in writing, shall, among other things, provide—

First. The period of the lease.

Second. The rental, which shall be either a fixed sum, to be agreed upon between the President, representing the United States, and the lessee or lessees, but which shall not in any event be less than 4 per cent annually upon the cost of the vessel, with proper addition for depreciation; or, if it be found impracticable to rent them, or any of them, for such fixed compensation, then for a conditional or contingent rental as follows: That proportion of the profits of operation that the cost of the vessel to the United States bears to the entire capital necessarily invested to operate and carry on business with the ship as a part of a transportation enterprise.

Third. The ports between which the vessel shall ply.

Fourth. That the United States shall have the right to cancel or terminate the lease and retake the vessel whenever in the judgment of the President it is needed for use as an auxiliary in the naval force of the United States.

Fifth. That the vessel shall, at all times while in commercial use, be registered under the laws of the United States, and that the lessee or lessees shall observe all the laws of the United States relating to commercial vessels.

Sixth. That the United States undertakes no obligation or responsibility connected with or growing out of the operation of the vessels.

Seventh. Such other provisions as in the judgment of the President may be necessary to protect the interests of the United States and to carry out the objects of the act.

SEC. 5. That the President is further authorized to lease in like manner and upon like terms any vessel now belonging to the Naval Establishment suitable for commercial use and not needed for naval purposes, and also vessels of the War Department suitable for commercial use and not needed for military transports in times of peace, and also the vessels now owned by the Panama Railroad Co.

SEC. 6. That this act shall take effect upon its passage.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. OWEN submitted an amendment providing for an investigation concerning duplicate and fraudulent enrollments and allotments of members of the Creek Tribe of Indians in Oklahoma, etc., intended to be proposed by him to the Indian appropriation bill (H. R. 20150), which was referred to the Committee on Indian Affairs and ordered to be printed.

He also submitted an amendment providing that the unallotted land or public domain of the Creek Nation or Tribe of Indians including any land the title to which may be or has been recovered for the Creek Nation in any pending or other suit be withheld from allotment to members of that nation or tribe under certain conditions, etc., intended to be proposed by him to the Indian appropriation bill (H. R. 20150), which was referred to the Committee on Indian Affairs and ordered to be printed.

He also submitted an amendment proposing to appropriate $98,000 for the erection of a wagon bridge across the South Canadian River connecting the counties of Seminole and Pontotoc, etc., intended to be proposed by him to the Indian appropriation bill (H. R. 20150), which was referred to the Committee on Indian Affairs and ordered to be printed.

Mr. BANKHEAD submitted an amendment proposing to increase the salary of the assistant clerk to the Committee on Post Offices and Post Roads from $2,000 to $2,220, intended to be proposed by him to the legislative, etc., appropriation bill (H. R. 19909), which was referred to the Committee on Appropriations and ordered to be printed.

RIVER AND HARBOR APPROPRIATIONS.

Mr. JOHNSON submitted an amendment intended to be proposed by him to the river and harbor appropriation bill (H. R. 20189), which was referred to the Committee on Commerce and ordered to be printed.

IMPORT DUTIES COLLECTED AT VERA CRUZ.

The VICE PRESIDENT. The Chair lays before the Senate a resolution coming over from the preceding day.

The SECRETARY. Senate resolution 514, by Mr. CUMMINS, requesting the President to furnish the Senate with certain information relative to the money collected by the United States at Vera Cruz during the occupation of that city by the military forces of the United States.

The VICE PRESIDENT. The question is on agreeing to the resolution.

Mr. STONE. I desire to have the resolution read.

The VICE PRESIDENT. The resolution will be read.

The Secretary read the resolution, as follows:

Resolved, That the President is requested to inform the Senate, if compatible with the public interest, with respect to the following matters, to wit:

1. As to the amount of money collected by the United States at the Port of Vera Cruz, Mexico, during the occupation of that city

by our military forces as import duties or other taxes or imports laid under the laws of Mexico.

2. Whether the duties, imposts, or taxes so collected by the United States had been pledged in any form to secure or insure the payment of obligations issued by any Government, or alleged Government, of the Republic of Mexico, or one of the States thereof.

3. As to the ownership of such obligations at the time the military forces of the United States occupied Vera Cruz, and such ownership at the present time.

4 As to any claims which have been made upon the United States for the payment or transfer of the money so collected, and the names of the persons making such demands.

5. As to the deposit of the money so collected in the Treasury of the United States and the account to which it was deposited.

6. Whether it is the intention of the executive department of the Government to pay out or otherwise dispose of the money so collected without action or authority on the part of Congress.

Mr. STONE. Mr. President, at the moment I am not disposed to make any observations on the adoption of the resolution, but before action is taken by the Senate I will ask the Senator from Iowa if he will not consent to allow the resolution to lie over for a day or two. It is my fault, no doubt, that although I was present when the resolution was presented I had not read it or heard it read until now, and I would be glad to have an opportunity to look into it a little before it is acted upon.

Mr. CUMMINS. I am very glad to oblige the Senator from Missouri by consenting that the resolution shall lie over until a time that will be entirely convenient to him, provided it can go over with the privileges it now enjoys for consideration; that is, that it may go over without prejudice.

Mr. STONE. Surely; I have no wish to change its status at all. Let it lie on the table of the Vice President under the same rights it has now, or subject to call.

Mr. CUMMINS. What time does the Senator from Missouri suggest? Monday morning?

Mr. STONE. I would rather that it should go over for a day or two later than that—say Tuesday morning or Wednesday morning.

Mr. CUMMINS. I will allow the Senator from Missouri to fix the time, because there is no——

Mr. STONE. I will confer with the Senator from Iowa about it, and by Tuesday or Wednesday we will make some disposition of the resolution.

Mr. CUMMINS. Very well; I am entirely willing that that should be done provided it goes over with its right to be considered at that time, just as it has the right to be considered now.

The VICE PRESIDENT. The Chair can not make the rules of the Senate. Unless it goes over until Monday morning by unanimous consent, it will go to the table to be considered later.

Mr. STONE. What would be the status of the resolution if it went over by unanimous consent?

The VICE PRESIDENT. If it goes over by unanimous consent, it may go over until Monday morning, and then by unanimous consent until Tuesday morning, and again to Wednesday morning, and right on. If it is not considered this morning and there is no unanimous consent about it, it will go to the table.

Mr. CUMMINS. I am willing that it shall go over until Monday morning without prejudice, and then if the Senator from Missouri is not ready to consider it I will agree that it shall go over to another day.

Mr. STONE. Very well.

The VICE PRESIDENT. There being no objection, the resolution goes over without prejudice until Monday morning.

MEMORIAL ADDRESSES ON THE LATE SENATOR JOSEPH F. JOHNSTON.

Mr. BANKHEAD. Mr. President, pursuant to the notice given on December 17 last I offer the resolutions which I send to the desk and ask unanimous consent for their present consideration.

The resolutions (S. Res. 516) were read, considered by unanimous consent, and unanimously agreed to, as follows:

Resolved, That the Senate has heard with profound sorrow of the death of the Hon. JOSEPH F. JOHNSTON, late a Senator from the State of Alabama.

Resolved, That as a mark of respect to the memory of the deceased the business of the Senate be now suspended to enable his associates to pay proper tribute to his high character and distinguished public services.

Resolved, That the Secretary communicate a copy of these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

Mr. BANKHEAD. Mr. President, it is one of the inscrutable mysteries of creation, if not the most lamentable tragedy of human existence, that when a man reaches the fullest maturity of wisdom and attains the ripest development of temper and judgment, then he must die. The death of Senator JOSEPH FORNEY JOHNSTON, my late colleague, adds affirmance to this melancholy contemplation.

He had not reached his seventieth year, and was not an old man by the measure of patriarchs; and yet out of the various conflicts of a combative life, out of the intellectual contests that he had waged against master minds both in the forum of politics and the activities of a period of marvelous industrial development, out of the exultation of his triumphs and the philosophy of his disappointments, he had contrived to reach that eminence where he could survey all human affairs not only with great wisdom but also with a great sense of justice and tolerance.

Subjected as he was in the course of a long and arduous political life to many asperities, assailed front and rear not only by worthy but sometimes by sinister adversaries, he would have been justified in harboring in his bosom some natural resentment; and yet it is my firm conviction that, although he may have pitied some and condoned others, Senator JOHNSTON died with peace in his heart and with love and charity toward all the world.

Reminded as I often am of the deep sense of the loss of his comradeship and counsel, deprived as we all are of his splendid attributes of geniality and courtesy, I deeply regret that there can not be conveyed with these biographical reminiscences the expression of the real spirit of Senator JOHNSTON'S personality.

JOSEPH F. JOHNSTON, the eleventh of 12 children, was born in Lincoln County, N. C., March 23, 1843, and was reared on his father's farm near Charlotte. His forefathers were of sturdy Scotch stock and were among the early pioneers of the State while it was yet a colony. That Senator JOHNSTON'S ancestors were men prominent and useful in the public service is evidenced by the fact that two of his kinsmen served as governor of North Carolina—one, Gabriel Johnston, before the Revolutionary War, and the other, Samuel Johnston, during that war. That he inherited in just measure the soldier blood which he so freely shed for the Confederacy is shown by the record of his grandfathers on both sides, who served with distinguished gallantry as colonels of militia in the War for Independence.

At an early age he moved to Shelby County, Ala., where his guardian then resided. Although youth is ever hopeful and fashions for the future roseate dreams and high ambitions, it is doubtful if this stalwart lad on his tedious journey from his native State to his new home had the temerity to contemplate the high and ungrudged honors that Alabamians would in the reach of the years bestow upon him.

When he was 17 years of age the great Civil War came upon us. Although lacking four years of his majority, JOE JOHNSTON heard and answered the call of the South and enlisted as a private soldier in the Eighteenth Alabama Regiment. He did not go to the front to parade or to seek epaulettes or for any thin veneer of glory. He went to fight.

The chronicle of Holy Writ informs us that when David, Prince of Israel, desired, for unworthy reasons, to compass the death of Uriah, the Hittite, he wrote a letter to Joab in command of his forces of battle, and he sent it by the hand of Uriah. "And he wrote in the letter saying, 'Set ye Uriah in the forefront of the hottest battle that he may be smitten and die,' and Joab assigned Uriah unto a place where he knew that valiant men were." By the four separate wounds received by him it is known that JOSEPH F. JOHNSTON, as a Confederate soldier, fought in the forefront of the hottest battles where valiant men desired to be. He finished the service with the rank of captain, won by virtue of devotion to duty and gallantry in action. Alabama has not forgotten nor failed to reward the services of her sons who defended her honor during the Civil War. At no time since her people regained control of her affairs after the days of reconstruction up to this hour has my State ever been represented in this great body save by a Confederate soldier.

After the war Capt. JOHNSTON returned to Alabama and began the study of law in the office of his kinsman, Gen. William H. Forney, another great Alabamian, who with signal ability served his State and country for a number of years in the House of Representatives. Upon admission to the bar he located at Selma, Ala., which was also the home of the late lamented Senators John T. Morgan and Edmond W. Pettus.

Those were perilous times in the days of the South, and especially so in the Black Belt section of Alabama, where the Senator then lived. It is rather difficult, even in retrospect, to recall now the tumult and the passion in which our southern people were embroiled on account of the conditions imposed upon us by the blunders of reconstruction. It was a desperate, an unyielding, and a relentless struggle to sustain the traditions of our fathers and the social integrity of our race.

As evidencing the political conditions with which as a young citizen Capt. JOHNSTON and his people were confronted at that time, it may not be amiss to quote the following extract from a speech delivered by Senator Daniel W. Vorhees, of Indiana, in the House of Representatives on March 23, 1872:

From turret to foundation you tore down the governments of 11 States. You left not one stone upon another. You rent all their local laws and machinery into fragments and trampled upon their ruins.

Not a vestige of their former construction remained. Their pillars, their rafters, their beams, and all their deep-laid corners, the work of a wise and devoted generation of the past, were all dragged away, and the sites where they once stood left naked for the erection of new and different structures. You removed the rubbish, pushed the Army into the vacant ground, established provisional governments as you would over territory just acquired by conquest from a foreign power, and clothed brigadier and major generals with extraordinary functions as governors.

With reference to this part of his career, a friend, in writing a brief sketch of the Senator, said in 1907:

His first public service after the disbanding of the Confederate Army was in connection with the overthrow of Africanism in Alabama. Residents of the Black Belt counties need not be retold of the nature of Capt. JOHNSTON'S services in those days. He did not waste Jehovah's good time in persuading the black man that the entire theory of republican government is repugnant to the domination of the illiterate and degenerate, though that was a constitutional question of lofty interest and truth. On the contrary, he acted. Organizing the famous "Lightning Committee," whose purposes were practical and not academic, he and his patriotic associates kept Dallas County habitable for the white man until good government had been fully restored in the State.

And so it was amid such turbulent surroundings that Capt. JOHNSTON entered the arena of politics and public life and began that long struggle for civic leadership which, through the varying vicissitudes of triumph and disaster, culminated in the achievement of the highest honor within the bestowal of a grateful and affectionate people—their commission to a seat in the Senate of the United States.

Senator JOHNSTON continued to practice his profession at Selma until the year 1883, when he foresaw the possibilities of Birmingham as the industrial metropolis of the South, and moved to that city when it had a population of only 3,000 people. He was offered and accepted the presidency of the Alabama National Bank, and remained at the head of that institution for many years. When the Sloss Iron & Steel Co., the pioneer iron-making corporation of the district, was organized, he was elected its first president, and financed and conducted it successfully, and from that time on to his death was identified as one of the leading figures in the industrial and civic development of what is now a great city.

In the campaign of 1890 he was a candidate for the Democratic nomination for governor, but was defeated. In 1894 Senator JOHNSTON made his second race for the office of governor of Alabama, but was again defeated by Gen. William C. Oates. This contest was exceedingly close and was not settled until the State convention met, when Gen. Oates was nominated by a narrow margin. Undismayed by two defeats, in 1896 Senator JOHNSTON made his third and successful race for chief executive of the State, and in 1898 was renominated without opposition and elected.

During the last administration of Gov. JOHNSTON the question of the constitutional convention for the State became a leading issue, and the legislature in 1898 passed an act providing for the holding of an election to determine whether or not a convention should be held. This act was approved by Gov. JOHNSTON. Thereafter, however, Gov. JOHNSTON decided to throw the weight of his influence against holding the convention. He called an extra session of the legislature to repeal the convention act, and the legislature not only repealed the act but refused to submit the question of a suffrage amendment to the constitution to a vote of the people. This act upon the part of Gov. JOHNSTON temporarily alienated from him many of his political admirers, but no man ever questioned that in his conduct on this matter he was actuated by the highest and purest motives. In 1900 Gov. JOHNSTON was a candidate for the United States Senate against John T. Morgan, but was defeated in the primary election. It could not be said, however, in disparagement of any candidate that he was defeated by John T. Morgan, for the man did not live in that State who could compass the defeat of Senator Morgan as long as he offered for the position. Gov. JOHNSTON in the hour of his defeat did not sulk nor repine. He accepted the situation with good grace and announced that as a Democrat he abided by the will of his party.

In 1902 the leading issue was the ratification of the new constitution, and Gov. JOHNSTON again announced as a candidate for the gubernatorial nomination against Gov. W. D. Jelks on the platform of opposition to the ratification of the constitution, which resulted in another defeat. But defeat to the indomitable spirit of Senator JOHNSTON only served to spur his ambition to renewed efforts and activity.

In 1906 the Democratic State committee agreed upon the plan of nominating in the primary election two "alternate Senators," which meant the selection of two nominees to succeed Senators Morgan and Pettus in the event of death or resignation during their terms. There were seven candidates in the primary, and Senator JOHNSTON, having received the second largest number of votes, under the primary plan succeeded to the seat of Senator Pettus upon the death of that venerable and well-beloved Alabamian.

If asked to state Senator JOHNSTON'S leading characteristic, I should without hesitation say that it was his absolute devotion to and reliance upon his friends. It is doubtful if the political history of Alabama affords an instance of a public man who, through the varying phases and tumult of public life, gained and absolutely held a larger or more devoted coterie of personal followers than did Senator JOHNSTON. And so it happened that throughout the varying fortunes of his stormy political career Senator JOHNSTON was never without his close and devoted personal following in every county in Alabama, whose ardor and devotion no defeat could chill, and who formed the nucleus of a force that never became dissipated and who were always eager and anxious to be summoned by their leader to another contest.

At the time when he was stricken with his fatal illness he had sent out his summons of fidelity once again, and for the last time, and with the same unfaltering trust in his character and statesmanship, they were answering the call with the old ardor and enthusiasm, because they loved the man, because they trusted in the leader, because they knew that he believed in and loved them.

It is a wonderful thing to contemplate the magnetic qualities of a man who through the long process of the years can so lay hold on the hearts of hosts of men, who in every controversy affecting public affairs, without cavil or question, gave to their leader unreserved allegiance.

It was another of Senator JOHNSTON'S leading characteristics that he always followed his own counsel and acted upon his own convictions. His was not a dogmatic obstinacy, but after patiently hearing all views, diligently seeking to inform himself, tolerantly weighing all arguments on a given proposition, he came to a deliberate conclusion; he adhered to his views with unfaltering integrity. His intellectual processes were discursive and analytical rather than academic and ornate. He sought the truth of a proposition rather than to observe the pleasing ornamentation by which the truth is surrounded. He delighted to drive the spear of question through the armored mail of doubt—in short, his quest was for the verities of life, of society, of government, to the end that by their use he could better serve his people, the State, and the Nation.

Any attempt at recalling the life and character of my lamented colleague would be conspicuously incomplete were mention not made of the softer side of his nature. He was not a man who wore his heart upon his sleeve; he was not given to lamentation, nor was he ostentatious in the bestowal of favors, and yet to those who really knew him his nature was as tender as a child's. The unswerving and gracious solicitude that he bestowed upon the wife of his bosom and the splendid sons who survive him testify to his qualities as husband and father.

Touching another of Senator JOHNSTON'S chief characteristics, well remembered by his colleagues here and his constituency in Alabama, I desire to quote an excerpt from an editorial in a Birmingham paper commenting upon his death:

It remains to say a word about his humor. Without it Senator JOHNSTON could not have traveled so far or have climbed so high. A man of his good, tough fighting qualities would have raised up enemies to last far beyond the next campaign. But Senator JOHNSTON'S unfailing good humor, his second nature to make his points with anecdotes, and such anecdotes as were pure fun, without a sting, smoothed down the rough places in the conflicts and made it easy to bridge every difference. And so in commending to the rising generation a study of the eminent virtues and patriotism and the career of the dead statesman, we would point them especially to this shining quality of qualities in the man, that he walked ever on the sunny side of the road of life, saw shadows and brightened them, felt that most things and men were good and rejoiced thereat.

In conclusion I desire to commend to the youth of Alabama and of this Nation as a pattern of conception of and devotion to honest conviction, of fearless adherence to moral and intellectual standards, a portion of the speech delivered by Senator JOHNSTON in explanation of his vote on a question that had attracted national attention, and invited considerable adverse criticism from portions of the press. From his own lips in life fell the brave and manly words that now in death may be read as a true epitaph of his character. I quote from the speech Senator JOHNSTON made in the Senate on the Lorimer contested-election case:

Mr. President, I entered the Confederate Army in April, 1861, because the State of Alabama had seceded from the Union, and I believed their cause was righteous and that it was my duty so to do. For four long, bloody years I followed the flag of Dixie, sometimes in defeat and often to victory. I became convinced before the surrender that we could not succeed, because we could not replace the brave men who fell on the field of battle. We were shut out from the world, and could only draw recruits from the cradle. The idea never came into

my mind that because we must inevitably fail I should desert to the enemy. I stood by my colors facing death and defeat until Lee and Johnston surrendered the fragments of glorious armies whose fame will never die. The span of my years may be shortened by the shots stopped by my breast in that failing cause, but, all in all, my keenest satisfaction in the past rests not upon those moments when I swam with the tide but when I bared my breast, with Ajax, and took the lightning. Mr. President, I refuse to save myself at the sacrifice of my convictions and my honor. The people have not heard the evidence as I have. They have not taken an oath to do impartial justice according to the Constitution and the laws. I have. I can not render judgment upon their convictions, nor can they transfer to themselves my punishment if I violate my own. I would be unworthy of my place if, for any fears of public retribution or disapproval, or for the sake of securing popular favor, I should disregard the convictions of my judgment and conscience. If every member of the Legislature of Alabama and every citizen of the State should demand that I should yield to the popular clamor for the conviction of anyone upon their belief about the facts contrary to my judgment, my convictions, and my oath as a Senator, I should promptly resign my commission and permit them to choose a successor who might be more willing than I to sacrifice his honor and self-respect for a seat in the Senate. I have taken no oath and made no promise to cast my vote according to the edict of the press. I ran before the wind of no popular temporary issue. I rode into this Chamber upon no hobby selected for political effect. I believe that the dignity of a Senator is not consistent with catchpenny platforms, patent issues, or maudlin generalities, and that my presence here is based upon the conviction of my people that upon all public questions my experience and my record of service in the past justified them in relying upon me to consider patiently each question in the light of public welfare and vote my convictions.

During his service in the Senate possibly no other Member was more punctual or constant in his presence in the Chamber during the sessions of this body or attended with more regularity his various committee meetings.

He died in the city of Washington on the 8th day of August, 1913, and is buried in Oak Hill Cemetery in the city of Birmingham in the soil of his adopted State which he loved so well and to which he gave such valuable patriotic service.

Mr. GALLINGER. Mr. President, JOSEPH FORNEY JOHNSTON entered the Senate in the year 1907 as a Senator from the State of Alabama. Senator JOHNSTON had served as governor of his State, and had also been a soldier in the Confederate Army, enlisting as a private at the age of 17 years. He distinguished himself in battle, was wounded four times, and rose to the rank of captain. In spite of his zeal for the Confederate cause, at the close of the war he became an earnest advocate of reconstruction. In a speech delivered in the Senate he said:

I am glad that I survived the war to support and aid the Government that my forefathers helped to establish.

This feeling dominated his life, and he did all in his power to weld the North and the South more firmly together.

Upon Mr. JOHNSTON'S election to the Senate, among other assignments he was given a place on the Committee on the District of Columbia, of which committee at that time I was chairman. During the five years of his service on that committee he was a regular attendant at the meetings, and devoted much time and attention to the matters brought before it. On meeting days he was always one of the first members to appear in the committee room, and, while waiting for a quorum, furnished much enjoyment to the Senators present by relating some of his inexhaustible stock of stories. His rendering of the negro dialect was perfect, and his most amusing anecdotes dealt with the colored people, always in a good-natured and kindly way.

Senator JOHNSTON was a profound believer in the Christian religion, and made repeated efforts to secure the enactment of a law for the more complete observance of Sunday as a day of rest in the city of Washington. The bill introduced by him was passed by the Senate, but, much to the Senator's disappointment, never became a law.

For some time during his term of service in the Senate Senator JOHNSTON was a member of the Committee on Privileges and Elections. It became his duty, with other members of the committee, to pass judgment on the validity of the election of some of his colleagues, a duty which he never shirked, but, on the contrary, gave forceful utterance to his convictions on the floor of the Senate, never allowing partisan considerations to influence his opinions in the slightest degree.

He also served as a member of the Committee on Military Affairs, in which position he displayed his usual broad and conciliatory views. When his death occurred he was chairman of that great committee.

Senator JOHNSTON gave much time and thought to the study of the negro question. He was a true friend of the colored man, and believed, as he expressed it, that it was the duty of the superior race to do what it could for him, to develop and enlarge his usefulness and increase his happiness. On New Year's eve, 1907, he delivered an address before the Algonquin Club, of Boston, on the negro question, discussing it with great frankness and making a profound impression upon his audience.

Senator JOHNSTON endeared himself to the people of New Hampshire in a peculiar way, and for that, among other reasons, I esteem it a privilege to participate in these memorial exercises. While governor of his State he visited New Hampshire with his staff, accompanied by his wife and a large party of the most attractive girls of Alabama, the purpose of the visit being to accept on behalf of his State a bas-relief presented by New Hampshire to the new battleship *Alabama*, at that time lying with her sister ship, the *Kearsarge*, in the harbor of Portsmouth. The joint participation in such a ceremony in northern waters of these two vessels, whose progenitors had engaged in the historic combat of the Civil War, was of peculiar significance, which Senator JOHNSTON recognized, and in accepting the gift of New Hampshire spoke feelingly of the ever-growing friendship between the people of the North and South. One of the features of the celebration was a banquet at Hotel Wentworth, at the close of which two crippled veterans presented to Gov. JOHNSTON two Alabama battle flags that they had captured during the war. The governor accepted them in a speech which brought tears to the eyes of many of those present.

Gov. JOHNSTON, accompanied by Secretary of the Navy Long, Assistant Secretary of the Navy Frank W. Hackett, ex-Secretary of the Navy Hilary A. Herbert, and Rear Admiral W. T. Sampson, United States Navy, with ladies, arrived in Portsmouth on a special car from Boston on the 17th day of September, 1900. They were met at the depot by several hundred people, headed by a band, and were welcomed by Mayor McIntyre and Hon. Wallace Hackett, of the reception committee, and were driven to the Hotel Wentworth, at Newcastle, a short distance from Portsmouth. The company remained in Portsmouth and vicinity for three days, and every possible courtesy was bestowed upon the distinguished visitors. There was a great parade and presentation of the bas-reliefs of the tablets, followed by a banquet and ball at the Hotel Wentworth. The inscription on one of the tablets reads as follows:

The State of New Hampshire to the U. S. S. *Alabama*. This tablet, companion to that on the U. S. S. *Kearsarge*, placed here by courtesy of the State of Alabama, perpetuates in enduring peace names once joined in historic combat.

On one side of the car in which Gov. JOHNSTON reached Portsmouth was conspicuously displayed the word "Alabama," on another line the words "*Alabama-Kearsarge*," and on still another appeared the name "New Hampshire."

In advance of his arrival Gov. JOHNSTON wrote to Gen. Chadwick about a flag which the party would carry, thus showing his great regard for the proprieties. It was the State flag of Alabama—a red St. Andrew's cross on a white field, with a yellow hammer on the staff. The governor explained in his letter that it was carried by a soldier in the Spanish War, and, as there might be danger of its being taken for a Confederate flag, he deemed the explanation necessary, that the people of New Hampshire might fully understand it.

At the banquet Gov. JOHNSTON made an eloquent and touching speech, two paragraphs of which I quote from the Portsmouth Herald, a Republican newspaper, as follows:

It is fit that the Commonwealth of New Hampshire, a Commonwealth the mother of Webster, that great apostle of an indissoluble Union of indestructible States, should be the first, officially, not only to rise superior to the passions and prejudices of a fratricidal war, but to determine to commemorate and honor the gallant deeds of the American sailor, without regard to the flag which floated over him.

Men may differ about the right or wrong of any cause, and they may conscientiously take one side or the other. A great nation worthy of liberty and inspired by lofty sentiments can not fail to honor courage and heroism by whomsoever displayed; and especially should it do so when those heroes are descendants of the very men who gave so freely of their blood and treasure to secure the independence of our common country.

At the close of the celebration Gov. JOHNSTON and his party were taken on a trip through the White Mountains, Hon. Frank W. Rollins, at that time governor of New Hampshire, accompanying the party on the tour. Gov. Rollins became greatly attached to Gov. JOHNSTON, and the two became firm friends. I have received from Gov. Rollins some reminiscences of Senator JOHNSTON upon the occasion of this visit, and I beg to quote a few sentences from his letter:

Every time the train stopped Gov. JOHNSTON would go out on the back platform and make a speech to the assembled multitude, to their huge delight, for he always had something pat and pertinent to say. The trip was one of the pleasantest of my life, and I know that Gov. JOHNSTON enjoyed it greatly.

One of the curious happenings of this trip was the fact that Senator Chandler was present, and he and Gov. JOHNSTON kept up a running fire of repartee, which was immensely amusing and in which JOHNSTON more than held his own.

I found him a most whole-souled, honorable, and genial man, and I should imagine him a very loyal man, standing strongly for his friends. He was, without question, the best story teller I ever knew. When we took him through New England he kept everybody in laughter from the time he struck Boston until he left for home. He was always

ready with an impromptu speech, clever and to the point. He could illustrate his speeches and his stories by quotations from the best authors and from the Bible, with which he was very familiar, and which he used with great effect.

One of the lovely things about Gov. JOHNSTON—

Says ex-Gov. Rollins—

was his devotion to his wife and his deference to her wishes. He was always consulting her, either verbally or by a glance of the eye, to see if she approved of his course; and apparently she knew just how to handle him, and toward her he always exhibited extreme tenderness and courtesy.

Mr. President, the death of Senator JOHNSTON removed from this body a man whom I was privileged and proud to call friend. His sweet spirit, his genial manner, his delightful companionship, all appealed to me, and his memory will remain as an inspiration for all that is best in both public and private service. Our associate has left us never to return, and we may well say, slightly changing the words of the poet:

Again a parting sail we see;
Another boat has left the shore;
As kind a soul on board has she
As ever left the land before;
And as her onward course she bends—
Sit closer, friends.

Mr. THORNTON. Mr. President, although I did not know him until I reached Washington in 1910, I think I can truthfully say that Senator JOHNSTON had no more intimate relations with any of his brother Senators than with myself.

We were thrown together from my arrival, as we lived in the same house during the first year of my term, and we made it a point after our separation to seek the company of each other whenever we could conveniently do so, and our wives found the same attraction in each other's company from the beginning as did their husbands, which was another link between the latter.

I was drawn toward him by his strong qualities of head and heart, his dislike of sham and humbug, the highly developed sense of quiet humor which he possessed in so eminent a degree and which, with me, adds to the attractiveness of its possessors when not maliciously used by them, as it never was by him, and also by the subtle and indefinable feeling that exists between former Confederate soldiers and serves as a link to bind them closer together.

It was to me that when he was taken with the illness that finally carried him off after only a week's duration and which neither he nor anyone thought in the beginning was serious, he sent word requesting that I would announce his necessary absence from the Senate, and I did so regularly during the week of his illness.

I did not seek to see him during the first four days of his sickness because each day I was expecting his return to the Senate on the following morning, and when on the fifth day I learned the disease had taken a sudden turn for the worse and sought to visit him, it was deemed best that he should receive no visitors, and I could only send him word of my deep solicitude on his behalf and of my prayers for his recovery.

And so I never saw him in his sickness, and it is a mournful pleasure to me that the recollection of his face which will ever abide with me is that of the strong yet kind and genial countenance lit up by the eyes kindling with humor that I had always known, rather than one drawn by pain and wasted by disease.

Senator JOHNSTON belonged to that class of men more generally the product of this than of any other country, the class to which this Nation owes more than to any other class of her citizens, and the class I honor above all others, the self-made men of strong and virile character who rise to eminence through the native strength of their intellects, the assiduity with which they have cultivated their minds later in life when circumstances beyond their control prevented them from doing so earlier, their conscientious devotion to all duties private or public intrusted to their care, coupled with absolute integrity of character.

Such a man was Senator JOHNSTON, and through the application of these principles throughout life he rose to financial and political influence.

In every phase of human endeavor in which he embarked he played well and honorably his part.

True to his conception of duty, he entered the Confederate Army as a private in the beginning of the Civil War at the age of 17, and left it as a captain at its conclusion at the age of 21, bearing on and in his body four different wounds received in that strife as a testimonial to the fact that he had not failed to discharge his duty as a soldier.

He received from his State the highest political honors she could bestow on one of her citizens, having been twice elected governor and then sent to the United States Senate as one of her ambassadors to that body, and he died in her service in the last position.

May the State of Alabama always continue to send to this body men of the type she has been universally sending for so many years, and thereby continue to maintain here the high prestige she has established in the past and maintains in the present time.

In all positions of public honor or trust he ably and worthily discharged his duty and to the satisfaction of the people of his State, who had given him these proofs of their confidence.

In all private relations of life he proved himself the good husband, father, kinsman, and friend.

It was my privilege to be named on the Senate committee selected to accompany his body to his home, and thus I was permitted to pay the last tribute of respect to his remains.

I heard the solemn and beautiful burial service of the Episcopal Church of Birmingham, of which he was a member and vestryman, read over his body, and then saw it consigned to the earth in the beautiful Oak Hill Cemetery of that city, in the midst of a great and sorrowing concourse who had known and loved and respected him in life.

There may his body rest in peace with his spirit returned to God who gave it.

Mr. NELSON. Mr. President, the first active and pronounced work Senator JOHNSTON entered upon in his early youth was that of a soldier. When the tocsin of the great Civil War first sounded he left school and joined the Confederate Army as a private, infused with the enthusiasm and warlike spirit which then arose and prevailed in the South. He was barely 17 years old at that time. He rose in the service to the rank of a captain, and was wounded on four different occasions, once or twice quite severely. His record as a soldier and officer was of a high order. He was noted for his skill, his energy, and his more than ordinary bravery. That enthusiastic spirit and fervor of youth, which swept so many of the young men of the South into the Confederate Army, also prevailed at the North, and swept thousands of her youth into the Union Army. The war was fought largely by boys and young men. The spirit of patriotism, as each side understood it and felt it, was paramount and controlling. It was not a mercenary war nor a war of mercenaries. It was a war of the entire people of one section against the entire people of the other section, involving fundamental and vital principles of government, and hence when the god of battle had determined the result and the war had come to an end the veterans of the North and the veterans of the South returned to the avocations of peace, untarnished and with their manhood intact, ready and willing to assume the duties of citizenship in a reunited country. The war was a hard school, but the veterans came out of it with a purpose and determination to bear their full share in promoting the welfare, the progress, and the prosperity of our common country.

The historian Macaulay tells us that when the Stuarts came into power again in England and disbanded the old veterans of Oliver Cromwell it was feared that these old Puritan soldiers had become so demoralized by the war that they would prove to be a lawless and dangerous element in the community. These fears, however, the historian adds, proved wholly groundless and unfounded. As a matter of fact, these old veteran soldiers of many a bloody battle field, on resuming the avocations of peace, proved themselves to be among the most law-abiding, industrious, and thrifty men in the community; that if a mechanic, an artisan, or a skilled laborer in any community was found to be more sober, more industrious, and more prosperous than any other of his class it turned out on investigation that he was apt to be one of Cromwell's veterans.

What proved true as to these veterans of the "Commonwealth" has, on the whole, proved equally true as to the veterans of our great Civil War. Disbanded as warriors, they at once enlisted in the great armies that were invading the industrial fields in all directions and rendered good and faithful service therein. It was not always an easy matter for the soldiers of the North to take up the severed thread of their civil life, and, in the nature of the case, it must have been much harder for the soldiers of the South. Yet both classes, with that fortitude which they had exemplified as soldiers, took up their tasks of civil pursuits with energy and perseverance. With them peace had its victories no less than war.

At the close of the war Senator JOHNSTON took up the study of the law, was admitted to the bar, and soon became a successful and much-sought-after lawyer, with a lucrative practice for that locality.

In 1896 the people of Alabama had such confidence in him that they elected him their governor and reelected him in 1898. After serving four years as governor he resumed the practice

of law, and continued therewith until in 1907, when he was elected United States Senator, to fill the unexpired term of Senator Pettus, deceased. He was also reelected for the succeeding full term ending March 3, 1915. Senator JOHNSTON proved himself a wise, prudent, and able governor, and as such had the confidence, esteem, and good will of all the people of his State.

As a Member of this body he was active, attentive, and energetic in the performance of his duties, both in committees and on the floor of the Senate. While he was not much given to debate, yet when he spoke there was always force and wisdom in what he said, and he had the attention of his associates. He was a most genial, kind-hearted, and sympathetic man, ready and willing to hear and help those who were worthy and in need of assistance. In his youth, and before the war had laid a heavy hand on him, he must have had a strong and vigorous constitution, but the many wounds he received in battle had to some extent undermined his strength and vitality; yet he bore up cheerfully and courageously under the burden, while his mind and the spirit of his youth abided with him to the last.

I have, and have had, many dear friends on the other side of the Chamber, but the nearest and dearest to me have always seemed to me to be the old Confederate soldiers. The memory of the march, the bivouac, and the stress of battle, though we were on opposite sides, has somehow through the lapse of years eliminated all but a feeling of fellowship, kinship, and sympathy for each other and an untarnished love for our common country. The war was the great crucible which removed the dross and left the pure metal to survive. We never knew or understood each other as we came to know and understand each other through the stress of war. And this knowledge and understanding thus acquired has bred a moral ligament stronger even than our written Constitution.

Since the war both the North and the South have honored many of their veterans by sending them to the Halls of Congress. Many of them have served in years past in this body, but time and advancing years have thinned their ranks. Ten, however, remain, and of these five, namely, DU PONT, GOFF, WARREN, WORKS, and NELSON, were in the Union Army, and five, namely, BANKHEAD, CATRON, MARTIN, THORNTON, and WHITE, were in the Confederate Army.

In a few years time will eliminate the last of the veterans from this Chamber, but let us hope that the memory of what they wrought in peace and in war will survive among the sagas of our country. One of these old veterans, a brave and heroic soul, passed away when Senator JOHNSTON left us, left us in line of battle, for his final reward. Corpl. NELSON, of the Union Army, pays this brief and sincere tribute to Capt. JOHNSTON, of the Confederate Army—opponents in war but comrades and brothers in peace.

Mr. OVERMAN. Mr. President, three times within 18 months has this Senate Chamber been converted into a "lodge of sorrow." Within this short time the pale horse has entered its portals from whence its mysterious rider, without warning, has borne to the great beyond, from whose bourn no traveler returns, three of our colleagues—great Senators who served their country well and had endeared themselves to us in a marked degree. They were suddenly called to take a journey which we all must take, solitary and alone. A journey which not only those who occupy high positions of trust, honor, and influence must take, but for this sad journey the pale messenger of death knocks with importune hand at all doors. He enters alike the house of the humble, the gates of the great, the palaces of the rich, and the home of the poor.

On such occasions we are solemnly reminded that riches, pride, ambition, vain glory, strife, bitterness, animosity, is all vanity; that "the path of glory leads but to the grave"; that at such a time only things eternal are worthy of supreme consideration.

Man that is born of woman is of few days and full of sorrow. He cometh forth like a flower and is cut down. He fleeth like a shadow and continueth not.

Beyond the circle of our immediate family the dead are soon forgotten; and it is meet and proper when our colleagues, the representatives of great States, depart this life, that a day be set apart, in order that there shall be some public reminder and memorial of their death to perpetuate their memory in the records of the Senate.

JOSEPH FORNEY JOHNSTON was born and reared in Lincoln County, N. C., a small county situated near the foot of the mountains. A county full of historic interest and inhabited by a brave people. Here was fought the Battle of Ramseur's Mill, where a splendid victory was won over Cornwallis's men. In the Revolutionary War it furnished two generals—Gen. Joseph Graham and Gen. Peter Forney—and also Maj. Daniel M. Forney and Maj. Abram Forney, all of whom fought valiantly in the cause of liberty. Of Gen. Forney's family Senator JOHNSTON, as his middle name would indicate, was a direct descendant.

In the Civil War this county furnished one brigadier general and two major generals, all of whom were promoted from the ranks for gallantry, and made fame for their State. They were Gen. Robert F. Hoke, Gen. Stephen D. Ramseur, and Gen. Robert D. Johnston, a brother of Senator JOHNSTON, who was promoted several times for gallantry, and on the field at Gettysburg was shot five times while leading his men in a charge in that great battle.

Senator JOHNSTON was descended from fighting stock, and no braver man ever wore the Confederate gray than he. He was in school when the war began, volunteered at the beginning, and served four years. He enlisted as a private and rose to the rank of captain. He bore upon his body four wounds received in as many battles.

His paternal ancestors were no less brave than his maternal. He was descended from the brave Scottish Highlanders, who, after the destructive battle of Culloden, the Johnston Clan, with other clans, settled in the Old North State, and from these splendid people have descended some of our best and greatest men.

After the war, in 1886, Senator JOHNSTON left North Carolina and went to Alabama, and first settled in Selma, where he resided for 18 years. He then moved to Birmingham, where he took an active part in the upbuilding of that great city. He was not only a strong figure in politics, but was one of the leaders in the industrial, financial, and political progress of that city and State. He was president of the Alabama National Bank and was the first president of the Sloss Iron & Steel Co. He was particularly active in restoring to the white people the control of that great State. Recognizing his leadership and activity in their behalf, the people elected him governor of Alabama for two terms. In 1907 he was unanimously elected to the United States Senate to succeed the late Senator Pettus, and was reelected in 1909. He was rarely ever absent from his seat in the Senate and was one of the most untiring and industrious workers in this body.

I knew him well not only as a Senator but our personal relations were intimate. No one knew him but to admire him. His evenness of temper, his courage, his great ability, his forbearance, his gentlemanly and courteous manners, I recall with fondness. These qualities, with his inimitable wit and humor, made men love and follow him. His ready wit left no scars.

He never made a brow look dark nor caused a tear but when he died.

He loved his people and his people loved him. He was one of them—their champion, their guide, their friend.

In time of war, when but a young man, he fought in the ranks with his people in North Carolina; he suffered with them; he shared their sorrow and their adversities; "he was with them in the burning light of battle, by the solemn camp fires, besides the dying and the wounded, amid hunger and cold, and came back home with them in defeat and humiliation."

In the State of his adoption during the terrible days of reconstruction, amid tumult, amid ruin and anarchy, amid distress and tyranny, "he guided his people through the wilderness of woes, helped to bring them safely back to their rights and to restore their hopes. He helped to preserve their priceless honor, their sacred homes, and to restore their liberties." When the history of the great men of Alabama is written, his name will be recorded there.

To his family and his friends he was all tenderness and indulgence. In his married life he was most happy. His noble wife, who was his faithful and loving companion, was a descendant of William Hooper, of North Carolina, one of the signers of the Declaration of Independence. Sweet spirited, gentle, and kind, she adorned her station in life and shed luster and joy upon his home. His happiest and most contented hours were passed in her presence, and his love and best thoughts centered about her. To him his home was the holiest spot on earth. He loved and read his Bible. He was a member of the Episcopal Church, and rarely did he miss attending the Sunday morning service. In Washington he and his lovely wife every Sunday morning could be seen wending their way to the House of God to worship Him in His holiness. He lived a patriot. He served his State and country well, and died a Christian. What higher tribute can be paid any man?

In the early morning of the 8th day of August, 1913, his spirit took its flight to the home of the soul in that realm where the sun never sets and the waves of eternity roll.

A soldier, a leader, a captain of industry, a financier, a governor, a Senator, and a statesman has departed this life; and, as his friend, I am glad to pay this poor, but just and deserved, tribute to his memory. His voice is still, but his public career will live in history. When he crossed the bar he had no fears but that he would meet his "Pilot face to face."

Sunset and evening star,
And one clear call for me!
And may there be no moaning of the bar,
When I put out to sea,

But such a tide as moving seems asleep,
Too full for sound and foam,
When that which drew from out the boundless deep
Turns again home.

Twilight and evening bell,
And after that the dark!
And may there be no sadness of farewell,
When I embark;

For tho' from out our bourn of Time and Place
The flood may bear me far,
I hope to see my Pilot face to face
When I have crost the bar.

Mr. WORKS. Mr. President, I have not prepared any formal eulogy upon the life and character of Senator JOHNSTON. I desire only in a few simple words to express my kindly appreciation of a man who brought so much of joy and happiness and sunshine into the world. My acquaintance with him was brief. I first met him in this Chamber. I had the good fortune to serve with him upon one of the important committees of the Senate and met him frequently.

What appealed to me and drew me to him was his boundless good humor. The work of a United States Senator is not of a kind, as a rule, to cheer the heart; it is a round of incessant toil day after day, but Senator JOHNSTON always met it cheerfully. They who knew him when he was young and strong and vigorous and full of worthy ambition may speak of his courage and bravery in time of war and his great achievements in civil life, but I venture to say that he brought more of good to humanity by his kindly disposition, his brotherly love, and the sunshine and sweetness that he brought not only into his own life but into the lives of those who associated with him than by deeds of valor in war or worthy achievements in time of peace. It was that quality of his nature that, as the years go by, will serve more than anything else to keep green his memory in the minds and hearts of those who have loved him.

Mr. SHEPPARD. Mr. President, when JOSEPH FORNEY JOHNSTON died there passed from earth as gentle and as brave a spirit as ever dwelt within the casements of mortality. His qualities were of so rare a type as to suggest an environment of surpassing inspiration. He was born and brought up in the State of North Carolina. For nearly 70 years he illustrated the virtue, the chivalry, the patriotism for which that Commonwealth is so signal a synonym. Moreover, the physical charm of the land of his birth stamped his budding years with a love of the beautiful, a reverence for the divine. For who, sir, may observe that stretch of peak and plain from the Blue Ridge to Raleigh Bay, the island chain that links the sounds of Currituck, of Albemarle, and Pamlico, the shores on which beats the music of the sea from Mooney Swamp to Kitty Hawk, the cypress and the cedar—nature's priesthood robed in moss, the forest floors all carpeted with shrub and plant of royal bloom, azaleas and the goldenrods, the gorges and the valleys in which the Hiwassee, the French Broad, the Little Tennessee, the Yadkin, the Dan, the Roanoke, the Catawba bare silver bosoms to the sapphire skies, the Great Smoky, the Bald, and the Unaka Mountains gathering about their shoulders cloaks of spruce, of balsam, and of pine, while on their crests the rhododendrons cluster among the clouds, without feeling that in such a land men well may rise to the highest possibilities of ambition and achievement.

Such were the surroundings amid which JOSEPH FORNEY JOHNSTON obtained his first impressions of the world, surroundings that found appreciative response in every fiber of his being. To the last he remained the modest, unassuming, courageous, courteous gentleman of the South. The highest of honors could not alter, the heaviest of financial responsibilities could not modify, his unaffected, his genuine, his wholesome democracy of thought and conduct. His frank, clear eye, his vigorous handclasp, his straightforwardness of speech, all denoted a man with whom concealment or indirection were alike repugnant and impossible.

While still a youth he became a Confederate soldier. When he joined the Confederate Army he signed a muster roll that will be called by angel lips through all eternity. He united with a band of men whose devotion to duty has furnished a prevision of the ultimate perfection of humanity. What a welcome his comrades who had gone before must have given him as he reached the other shore! With what precision must this soldier of eternal life have answered the command to about face and to salute his God! What hallelujahs must shake the tabernacles of the blessed as each old soldier, blue or gray, arrives to take his place in the ranks that never break!

They are purged of pride because they died,
They know the worth of their bays;
They sit at wine with the Maidens Nine
And the Gods of the Elder Days—
It is their will to serve or be still
As fitteth our Father's praise.

'Tis theirs to sweep through the surging deep
Where Azrael's outposts are;
Or buffet a path through the Pit's red mouth
When God goes out to war,
Or hang with the reckless Seraphim
On the rein of a red-maned star.

A northern historian has this to say of the Confederate Army:

Who can forget it that once looked upon it? That array of tattered uniforms and bright muskets—that body of incomparable soldiery, which for four years carried the revolt on its bayonets, opposing a constant front to the mighty concentration of power brought against it, which, receiving terrible blows, did not fail to give the like, and which, vital in all its parts, died only with its annihilation?

JOSEPH FORNEY JOHNSTON served four years in that army with a fidelity and courage that made him a typical Confederate soldier. He rose from private to captain, and was wounded four times. He contributed, therefore, as much as any other man of his toil and zeal and blood to make the military organization of the Confederacy worthy of the remarkable tribute to which I have alluded.

After the conclusion of the war he became a stalwart figure in the rebuilding of the shattered South. He took up his residence in Alabama, that glorious Commonwealth which was to be the scene of his principal labors as a civilian. As a lawyer he was distinctly successful; as a banker he demonstrated business ability of the highest order. It is given to few men to achieve such eminence in both the profession of the law and the avocation of banking as did JOSEPH FORNEY JOHNSTON. But this is not all. He acquired so firm a place in the affection and admiration of his people that he was successively elevated to the positions of governor and United States Senator. In both capacities he displayed a statesmanship as broad as it was practical. When the Democracy assumed control of the Senate and the Nation he was accorded prominent recognition by being made chairman of one of the Senate's great committees—the Committee on Military Affairs. He gave a patient and sympathetic attention to the petitions and appeals of the many who sought his consideration. His mind was a tribunal where every man had an equal chance, a fair and impartial hearing. In his relations with his brother Senators the attributes of a kind and generous nature, including an invincible good humor, were always in evidence. I recall that as a new member of this body I felt that I could always approach him for information or assistance with perfect freedom. He was dignified without reserve, firm without harshness, just without severity. His name is proudly linked with that of Alabama and the Nation.

How false it is to say that such men die. His example has become a light to lead us to the higher and the nobler paths. It is a part of every life he touched while on this sphere, and it will be transmitted from heart to heart, from soul to soul, until the last mortal shall put on immortality.

Mr. ASHURST. Mr. President, when brought into the presence of death vast and shapeless forms and images come crowding themselves on the mind faster than we can put them into words. We mournfully think of the closely bound ties of kin and fellowship violently sundered, of valuable attainments and accomplishments lost to the world, of rare and attractive gifts scattered and dispersed; we think of the instability of all things human, and especially of the instability of power, fame, and glory. We think of men and women of genius, industry, eloquence, wit, courage, imagination, and fertility of thought "moldering cold and low." We think of the youth with its enthusiasms, its high hopes, its illusions, and its dreams cut off in the morning of its beauty; we think of the dimpled, darling babe called to its "windowless palace of rest" before its little life had done aught else than enshrine itself as the pride and joy of its parents and the ruler of their hearts, and yet withal we think of death as the charitable softener of asperities and enmities, the courier of reconciliation to warring factions, and the messenger of silence, rest, repose, and peace.

In Milton's description of death it is astonishing with what a gloomy pomp, with what significant and impressive strokes and coloring the poet finishes the picture of the king of terrors:

> The other side,
> If shape it might be called, that shape had none
> Distinguishable in member, joint, or limb;
> Or substance might be called that shadow seemed,
> For each seem'd either; black he stood as night;
> Fierce as ten furies; terrible as hell;
> And shook a deadly dart. What seem'd his head
> The likeness of a kingly crown had on.

In all literature passages are to be found delineating, portraying, and vividly describing the horrors of sudden death. In all ages mankind has complained of the uncertainty of life, but upon candid and serious reflection we inevitably come to know that even if we possessed the power to draw aside the curtain which mercifully veils and conceals from us the exact time when we shall become a part of the awful enigma of the grave very few persons would avail themselves of such dubious privilege. In all probability those who dared thus to transcend the borders of the finite and gaze into the infinite would during their remaining years be wretchedly unhappy and would live a life of bitter and vain regret that they had so far presumed as to attempt to solve the great problem of human destiny—the problem of whence came we and whither are we going.

If we knew the exact hour of our dissolution the appalling knowledge would overcast the pleasures and comforts of existence, it would hinder the improvement and industry of the human race, and would become an insupportable mischief to human society, because we would then no longer concern ourselves with diversions, with pleasant conversation, with books, with laborious tasks, science, art, progress, cultivation, or with the business of living. Hence, the wisdom and goodness of God are vindicated and made manifest in His concealing from us knowledge as to the exact time of our death.

It is to reflect upon the mystery of life and death, as well as to pay proper tribute to the memory of our late colleague, Senator JOSEPH FORNEY JOHNSTON, that the Senate pauses in its labors to-day. Others more familiar with the life work of the dead Senator will relate the history of his career. It will be fitting for me to submit a few simple words of appreciation of his acknowledged ability and courage.

As a flash of lightning in the dark sometimes discloses to our view weather-beaten pinnacles, storm riven crags and domes and minarets in the mountains which years of daylight have not revealed to our eyes, just so a crisis, a dark or dangerous hour in a man's career frequently calls our attention to some valuable attribute of character, some rare virtue possessed by him which years of acquaintance and comradeship do not reveal to his closest friends. An example of Senator JOHNSTON'S rugged independence of thought and action was manifested one day in the Senate when he differed from the majority of the Senators on some grave question, and it was suggested that he would better abandon his views or suffer some reverse of his political successes. He replied in the following words:

> Mr. President, I entered the Confederate Army in April, 1861, because the State of Alabama had seceded from the Union, and I believed that their cause was righteous and that it was my duty so to do. For four long, bloody years I followed the flag of Dixie; sometimes in defeat and often to victory. I became convinced before the surrender that we could not succeed, because we could not replace the brave men who fell on the field of battle. We were shut out from the world and could only draw recruits from the cradle. The idea never came into my mind that, because we must inevitably fail, I should desert to the enemy. I stood by my colors facing death and defeat until Lee and Johnston surrendered the fragments of glorious armies whose fame will never die. The span of my years may be shortened by the shot stopped by my breast in that falling cause; but, all in all, my keenest satisfaction in the past rests not upon those moments when I swam with the tides, but when I bared my breast, with Ajax, and took the lightning. Mr. President, I refuse to save myself at the sacrifice of my convictions and my honor.

Such was the character of our departed colleague. He might break, but he would not bend. After a life characterized by industry, courage, devotion to duty as he saw it, success at the bar, and distinguished service as governor of Alabama and in the Senate of the United States, he met death with that tranquil and decorous fortitude which marked his labors here. He has at last reached the place where the path of every life will end, and is to-day resting in that beautiful island valley of Avalon, where falls not hail, or rain, or any snow.

Mr. WILLIAMS. Mr. President, when I was first elected to fill a seat in the House of Representatives I had been strenuously supported by an old comrade who had been a schoolmate at the primary school, at college, and at the university. It was only natural that I should say to him that I was at his behest for any service "within my cable tow." He responded, "John, I don't want and won't want anything except one thing; I want each year a copy of the Congressional Directory, so that I may read the autobiographical sketches that Representatives and Senators prepare of themselves. I love to study human nature, and especially the human nature of those 'drest in a little brief authority.'" That utterance struck me then as cynical; it has struck me afterwards as wisdom. I think I may safely say that the chief recorded line of demarcation to be found between men who are wise and men who are otherwise, elected to these two Houses, may be found in these sketches in the Congressional Directory. One man tells about his ancestors, whom he married, the names of his children, boasts of his achievements and his "popularity with the people," foretells what a figure he is going to be—the prophecy antedating his swearing in—and sometimes takes a vicious under-the-rib dagger stroke from this safe vantage ground at his political or personal enemies, and thereby "writes himself down ass," as Dogberry proudly insisted that he should be written down. This sort of man belongs to the class who take themselves seriously. To take one's work seriously is one thing; to take oneself seriously is another. The former rule of guidance is needful and helpful; the latter is confusing, self-destructive, and foolish—*vanitas vanitatum*.

A wholesome sense of humor is the only corrective for those of the latter class. This wholesome sense of humor in its turn grows out of the conscious viewing of oneself as a part only of all humanity and all humanity as a part only of God's universe. No man who habitually thinks that thought can find any reason why "the spirit of mortal should be proud." Such a man with such a thought is to himself only a part of his allotted work. I have clipped from the Congressional Directory ex-Senator JOHNSTON'S short sketch of himself. Here it is:

> JOSEPH FORNEY JOHNSTON, Democrat, of Birmingham, was born in North Carolina in 1843; quit school to join the Confederate Army as a private in March, 1861; served during the war, was wounded four times, and rose to the rank of captain; practiced law 17 years; was a banker 10 years; was elected governor of Alabama in 1896 and reelected in 1898, serving 4 years; never sought or held any office other than governor and Senator. He was unanimously elected to the United States Senate by the legislature August 6, receiving the Republican as well as Democratic vote, to fill out the unexpired portion of the term of Hon. E. W. Pettus, deceased, ending March 3, 1909, also for the term ending March 3, 1915.

It is *multum in parvo*, and bears the impress of intellectual humility. Not a word about the Johnstons, one of the best and most useful families of the old North State; not a word about the Forneys, several of whom have been so prominent that their names became household words in the State of Alabama, to which State JOE JOHNSTON moved. Here we find only the bare facts without boast or embellishment; only that he had been private, captain, lawyer, banker, governor, Senator—not a word about bearing himself greatly in each capacity. Only once is there the appearance even of claiming any superiority over anyone, and that consists in the recital of the fact that as a Confederate soldier "he was wounded four times." Others may have been wounded only once or twice or not at all, but he wants his friends to remember that he was wounded four times. His scars alone are referred to as a badge of honor, and those scars received in battling for a cause which went down, not for a victorious and applauded cause. Several things are true, which he does not tell you; he was promoted from the ranks for gallantry; he never swerved in loyalty to the cause he espoused nor afterwards in loyalty to a reunited country. Most men boast of being self-made; not he, with better cause than most.

He never utters a word of regret that his volunteering to "live and die for Dixie" left him half educated; nor a word about his self-teaching and the wide range of attentive reading whereby he sought to make up for his lack of schooling; nor a word to the effect that despite this great disadvantage, thus in a great sense overcome, he became and for years continued to be one of the best and most completely well-grounded lawyers in the State of Alabama; not a word of his universally recognized business capacity as a banker; not a word of the truth that his record as governor was so honest and true and faithful to platform, party, and people, and so intelligent that golden opinions from all, friend and foe, came to be his part. You infer it only from the recital of the bare fact that he was "unanimously elected by the Alabama Legislature to the Senate"—all factions of the Democracy and all the Republicans, as well, voting for him. I first knew him after I became a Member of this body. He attracted the love of all who became intimate with him by his sterling common sense, his honesty of purpose, and his sly and acute and genial sense of humor. Even those who were the butt of it enjoyed it. No malice entered into it. He possessed honesty, courage, knowledge of self, and love of truth. These four are the cardinal virtues of man. Their opposites are the only sources of sin and evil in this world. I will not say that "none knew him but to love him." That can be said with truth of no strong man.

But I will say that no generous, honest, and brave soul ever came in contact with his without recognizing a kindred spirit. Not for us to say—God has already said: "Requiescat in pace." He finds, Mr. President, his best monument in our memories.

Mr. WHITE. Mr. President, I prize the distinction of being the immediate successor in this body of the late Senator JOSEPH FORNEY JOHNSTON. I esteem as a privilege the opportunity of participating in the proceedings by which we are paying tribute to his memory.

I did not know him in his early life, nor am I as familiar with his services in the Senate as are many of you who were associated in service with him. I shall therefore speak very briefly of those periods of his life, leaving them for others who have more accurate and detailed information.

I did know him, however, through many years of his active business and political life. I knew enough of him, I think, to enable me to form a fair estimate of his character and qualities.

He was a North Carolinian by birth, an Alabamian by adoption. The former State nurtured him in childhood and equipped him for the struggles and duties of life; the latter opened to him the way on which he traveled to business and political success.

With the equipment furnished by the one and the opportunity presented by the other, he entered earnestly upon life's arduous task. Both States watched his upward progress with a selfish, lively interest; both felt proud of his achievements. He did not disappoint either, but reflected credit on them both.

He possessed characteristics which gave proof of his Scotch-Irish descent. He had the humor and wit of the Irish, the deliberation, persistence, and keen insight of the Scotch. In social life he showed the Irish traits; in his business and political undertakings he manifested the Scotch qualities. These inherited gifts performed for him useful service; they were ever naturally and conveniently at hand to do his bidding.

Senator JOHNSTON was endowed with a strong native intellect, which he assiduously cultivated throughout his life. His attainments were of a high order. While his college course was interrupted—in fact, cut off—by his participation as a Confederate soldier in the Civil War, he nevertheless by his own efforts acquired a liberal education. His range of information was extensive and varied. It embraced not only much learning that was classic, but also current literature. He was not only a student of books but of men and their concerns; he observed their conduct, saw the objects of their pursuits, and in this wise divined their motives. It was the knowledge obtained in this way that enabled him to control and lead them. His look was prospective; he beheld the panoramic view of real life. He mixed and mingled with it. Life to him was real, and he was real life. He saw the struggling masses; they had his sympathy and help.

He was a lawyer by profession; he possessed skill and ability as such, and in his young manhood was successful in the practice. He had, however, not practiced his profession for a number of years immediately prior to his death. He was an active, successful business man; he followed it with zest; but his speciality was the banking business. He was accomplished in this line. He was devoted to it; he studied its principles; he understood its philosophy; he actively participated in it for many years as president of a large and successful banking institution. He engaged in other important industrial and business enterprises, in all of which he attained success.

His decided leaning, however, was for public affairs. He was a close and apt student of them, viewed them from many angles, understood and comprehended their underlying principles. He had long and practical experience in dealing with them; he demonstrated his capacity for handling them.

The chief characteristic of our departed friend was his great will power. It was a boyhood trait; it continued with him to the end; it seldom bent; it never broke. When he brought it into play on a course of conduct he adhered to that course with a tenacity of purpose that bordered on stubbornness. He never called into action this faculty in light or trivial matters, but only when some principle in which he believed was involved or when some preconceived plan was questioned. His plans were well considered before they were adopted; when adopted they were intended to be followed, and were followed wherever they led. When they were assailed he listened with patience to his friends who opposed them, gave full consideration to their views, and when fully convinced that they were right he changed his course, but he was rarely convinced and seldom changed.

His iron will, backed by his natural abilities and varied accomplishments, made him an attractive figure in all the spheres of life in which he moved, a dominant force in many of them.

He was inclined by nature to be a partisan; certainly he had pronounced views on all matters of importance. His convictions on political questions especially were decided and obstinately maintained.

In politics he was a Democrat. By some it may be thought that this was the result of environment and training. This is not my view. I think he was a Democrat because he believed in its catholicity, in its ability and disposition to serve all the people of the country—the entire country. He regarded it as the foe of special interests, the favored few. He was steeped in its principles, controlled by its purposes, thrilled by its achievements. He was ever ready to champion its cause, to give battle to its enemies; he met them on every field. He fought them, as was his custom, with courage and persistence.

In political conflicts he was a real gladiator, giving blow for blow and ofttimes two for one. He smote his enemy hard but fair, asked no quarter and gave none, until his enemy had fallen.

To those who opposed him or were unfriendly he was reserved, in fact, austere. He held aloof from them and kept them at arms' length. To his friends he was approachable and genial. To them he was confiding, except in the graver and more serious concerns of life; in these he was reserved even with them.

He loved his friends, he trusted them, enjoyed their association. He added much to their comfort and happiness. He owed them much for their loyalty.

Senator JOHNSTON was a favorite in social life; he enjoyed it himself, and helped to make others enjoy it. He enlivened it with his wit, brightened it with his humor, charmed it with his proverbial good nature.

In domestic life he was a paragon. Happily married in early life, he was blessed with a continuation of the union until his own sad death severed the bond. He appreciated the obligations and responsibilities imposed by the wedded vow; he discharged them with marked fidelity.

He was fortunate in his selection of a wife; she made his life and career a part of her own. In early life with him she faced its conflicts and endured its hardships. Later she shared in his disappointments and his triumphs. In some of his political disappointments he must have felt the need of her sympathy, for they were real disappointments. Once he had the senatorial toga almost within his grasp, when it was snatched from him. Thrice he was near the governorship of his State, when ashes took the place of his hopes; but they both lived to see these defeats reversed by his being called to fill the very places which had been denied him. She was to him a loving, faithful, confiding companion; he, in turn, cherished, loved, and honored her. Their union was blessed with a number of children, all of whom were boys, as I remember. He was to them a firm, devoted, generous father.

This well-ordered and happy home life, filled with comfort and pleasure, unmixed with strife and pain, must have been prized by him more than all of life besides. To me it seems his greatest achievement.

Mr. President, the subject of these exercises in his early life adopted high moral standards by which he was to be guided. He never lowered them or failed to observe them; his conduct and mode of life were clean; they furnished a fit example to be followed by all.

He had deep, sincere religious convictions; they controlled him in his daily life; they abided with him in all the vicissitudes of a varied life; they were not expedients with him, but convictions that guided and directed the whole course of his life. He lived fully up to his religious obligations; he never brought reproach upon his church or his brethren. The light of his religious life was never hid, never obscured; it shone alike in prosperity and adversity.

Senator JOHNSTON'S political career, though successful, was a stormy one; it dates back to the close of the Civil War. The peace that Gen. Grant declared and asked to let our section have did not come, in fact, though the war itself had closed. The soldiers on both sides returned to their homes, those of the North to be welcomed and honored by a grateful country. Their political status was as good, if not better, then than it was when they enlisted. Their section had lost much by the war, but had gained more than it lost.

The soldiers of the South returned to their homes without means and faced a country made desolate by the ravages of war. This they expected to find on their return. It was a natural consequence flowing to the section that had been invaded and overcome in the armed conflict. It took heroes to meet and battle with this situation; but this was not the full penalty inflicted upon us by our conquerors—for they

were, indeed, conquerors—as the men on both sides, in the hate and passions engendered by war, had forgotten the brotherhood that bound them together. The people of the North had not only defeated us in war, but they misunderstood us; they doubted our loyalty to the institutions of our fathers, and doubted our good faith in observing the promises we made when we renewed our allegiance to the Union. As a consequence, they denied our right to participate in the politics of our common country, to share in its responsibilities and its rewards; they supplanted us with an ignorant and avaricious horde, whose purpose it was to strip us not only of the property which the waste and exigencies of war had left, but to humiliate us beyond endurance. We saw that in its far-reaching consequences this situation was more ruinous, more appalling even, than that which had resulted from war; we saw not only our financial ruin, but saw that we had lost our liberties.

We reread our parole and saw that this cruel, unnecessary penalty was not written in the pact made for us between Grant and Lee at Appomattox. We rebelled and entered upon a war against reconstruction. It was in this just cause that JOSEPH F. JOHNSTON enlisted as a political warrior and led the citizens of his adopted State to victory, and with them unfurled the banner of white supremacy, placed it beside the Stars and Stripes on the spire of our capitol, where since they have floated together in peace and harmony, evincing our loyalty to the Union, our devotion to race integrity and race supremacy.

Mr. President and Senators, it was his valiant and successful leadership in this struggle for race preservation that endeared your late associate to the people of Alabama. As a recognition of his services and sacrifices made for them in this the darkest hour of their country's history, the people of that State twice elected him as their governor and commissioned him to sit in this Chamber, where he served until the final summons came calling him to a higher service, a greater reward.

Mr. President, the brightest jewel in the crown of the distinguished dead was that won by him as a Confederate soldier. When a mere youth his country claimed of him the greatest sacrifice possible for man to make—it asked him to lay his life upon her altar. She obtained from him a willing and prompt response. He enlisted as a private soldier; by gallant conduct and faithful service he rose to the rank of captain.

Others preceding me have mentioned many of his brave deeds, much of his daring conduct; they have pointed to the hardships and privations endured by him, the long and arduous marches he made. They have performed this gracious service much better than I can. Allow me to say, however, that he was foremost among that heroic band that followed the Stars and Bars that floated over the army of Virginia. He was noted for the cheerfulness with which he underwent hardships, with which he endured privations, for his disposition to encourage others, his soldierly bearing, his manly conduct, for his courage and coolness in battle. His gallantry in the battle at Spotsylvania Court House was such as to attract the personal attention of Gen. Robert E. Lee, who observed him by the side of another young officer dash forward in advance of their command to capture a flag that was posted on the breastworks of the enemy. It was an inspiring scene to those who beheld it. They were so evenly matched in the race that it could not be told which would obtain the prize. Just as they were reaching out their hands to seize it one of these young officers fell, stricken to the ground, wounded by a bullet from the ranks of the enemy. The one who had fallen was none other than the man whose memory we are commemorating. His gallantry was so conspicuous on this occasion that Gen. Lee made special mention of it in complimenting him and his command for the part they took in that battle.

Throughout that sanguinary struggle he performed a notable and worthy part. While the life which he offered to his country was not required by her, her soil was sanctified with his blood, shed on many battle fields. He wore upon his body numerous scars which he received for his country's sake, and in which were preserved his country's honor.

Mr. President, when for the want of men and munitions it became impossible for the South to longer continue the unequal conflict, this young hero, with a mere fragment of the gallant army that followed Lee, laid down his arms at his country's bidding as he had taken them up at her command.

The only excuse he or they ever gave was that Lee had ordered it. This was enough; they never doubted his wisdom; they never questioned his authority. The name of JOSEPH F. JOHNSTON, if otherwise undistinguished, will go down in history associated with the name of Robert E. Lee and the dauntless band that followed and fought with him. This itself is sufficient to forever endear it to and enshrine it in the memory of the people he loved with all his heart and served with all of his ability.

Mr. President, I offer the following resolution:

Resolved, That as a further mark of respect to the memory of the deceased the Senate do now adjourn.

The resolution was unanimously agreed to; and the Senate (at 2 o'clock and 10 minutes p. m.) adjourned until Monday, January 11, 1915, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

SATURDAY, *January 9, 1915.*

The House met at 11 o'clock a. m.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Eternal God, our heavenly Father, above all, through all, and in us all, our hearts go out in gratitude to Thee for the confidence reposed in us as free moral agents. May we use the gift in the worship of Thee and in a faithful service to our fellow men and prove ourselves worthy of such preferment under the spiritual leadership of Thy Son Jesus Christ our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

SPEECH OF THE PRESIDENT AT INDIANAPOLIS.

Mr. COX. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by inserting a speech made by the President of the United States yesterday at Indianapolis, Ind.

The SPEAKER. The gentleman from Indiana asks unanimous consent to extend his remarks in the RECORD by printing a speech of the President of the United States at Indianapolis. Is there objection?

Mr. MANN. I shall not object, because the more people who read it the less use they will have for the Democratic Party.

Mr. COX. I think the gentleman from Illinois is mistaken.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

INLAND WATERWAYS.

Mr. MOORE. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

Mr. GARNER. On what subject?

Mr. MOORE. On the subject of inland waterways.

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent to extend remarks in the RECORD on the subject of inland waterways. Is there objection?

There was no objection.

CALL OF THE HOUSE.

Mr. BURKE of South Dakota. Mr. Speaker, I suggest the absence of a quorum, and make the point that there is no quorum present.

The SPEAKER. The gentleman from South Dakota makes the point of no quorum, and evidently there is no quorum present.

Mr. STEPHENS of Texas. Will the gentleman withdraw the point until we get into Committee of the Whole?

Mr. GARNER. The Chair has already announced that there is no quorum present, and the gentleman can not withdraw the point of order.

Mr. UNDERWOOD. Mr. Speaker, I move a call of the House.

The motion was agreed to.

The SPEAKER. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

Aiken	Brown, N. Y.	Conry	Flood, Va.
Ainey	Browning	Copley	French
Allen	Bruckner	Crosser	Gardner
Ansberry	Brumbaugh	Curry	George
Anthony	Burke, Pa.	Dale	Gerry
Austin	Burke, Wis.	Davenport	Goldfogle
Avis	Burnett	Dershem	Graham, Pa.
Baltz	Byrnes, S. C.	Difenderfer	Green, Iowa
Barchfeld	Campbell	Dillon	Gregg
Bartholdt	Cantor	Dooling	Griest
Bartlett	Cantrill	Driscoll	Griffin
Barton	Carew	Dunn	Guernsey
Beall, Tex.	Carlin	Eagan	Hamill
Bell, Ga.	Carr	Eagle	Hamilton, N. Y.
Blackmon	Cary	Edmonds	Hart
Booher	Casey	Elder	Hay
Bowdle	Claypool	Fairchild	Hayes
Britten	Coady	Faison	Helgesen
Brodbeck	Connelly, Kans.	Falconer	Hinebaugh
Broussard	Connolly, Iowa	Finley	Hobson

Houston	Lewis, Pa.	Patton, Pa.	Smith, N. Y.
Hoxworth	Lindquist	Peters	Stanley
Igoe	Linthicum	Post	Stevens, Minn.
Johnson, Utah	Lobeck	Pou	Stevens, N. H.
Johnson, Wash.	Loft	Powers	Switzer
Jones	Logue	Price	Taggart
Kelley, Mich.	McAndrews	Prouty	Talbott, Md.
Kennedy, Conn.	Maher	Reed	Taylor, N. Y.
Kennedy, Iowa	Manahan	Riordan	Townsend
Kennedy, R. I.	Metz	Roberts, Mass.	Treadway
Kent	Montague	Roberts, Nev.	Tuttle
Kettner	Morin	Rothermel	Vare
Kiess, Pa.	Moss, W. Va.	Sabath	Vollmer
Kinkaid, Nebr.	Mott	Saunders	Volstead
Kinkead, N. J.	Mulkey	Scott	Walsh
Knowland, J. R.	Murdock	Scully	Walters
Kreider	Neely, W. Va.	Seldomridge	Watkins
Lafferty	Nelson	Shackleford	Watson
Langham	O'Brien	Shreve	Whitacre
Lee, Ga.	Oglesby	Sinnott	Wilson, Fla.
L'Engle	O'Shaunessy	Slemp	Wilson, N. Y.
Levy	Parker, N. Y.	Smith, Md.	Winslow
Lewis, Md.	Patten, N. Y.	Smith, Minn.	Woodruff

The SPEAKER. On this roll call 252 Members, a quorum, have answered to their names.

Mr. UNDERWOOD. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

The doors were opened.

INDIAN APPROPRIATION BILL.

Mr. STEPHENS of Texas. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the Indian appropriation bill.

The motion was agreed to.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union, with Mr. BYRNS of Tennessee in the chair.

The CHAIRMAN. The House is now in Committee of the Whole House on the state of the Union for the further consideration of the Indian appropriation bill, of which the Clerk will read the title.

The Clerk read as follows:

A bill (H. R. 20150) making appropriations for the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1916.

Mr. CARTER. Mr. Chairman, I yield 10 minutes to the gentleman from Kansas [Mr. CAMPBELL].

Mr. CAMPBELL. Mr. Chairman, the case before the House involves the right to share in the distribution of an estate of great value. These are the facts: In the early part of the last century the Choctaw Indian Tribe lived in the State of Mississippi and had in their own right about 15,000,000 acres of land. In 1820 the Government of the United States, desiring to make room for white people, negotiated a treaty with the Choctaw Indians for about 5,000,000 acres of that 15,000,000 acres of land, and provided in that treaty that the Indians who desired to make their living by hunting and fishing should have lands beyond the Mississippi in the Indian Territory. There were no removals from Mississippi under that treaty.

In 1830 another treaty was entered into known as the Dancing Rabbit Creek treaty. By this treaty the remaining 10,000,000 acres of land in Mississippi were ceded by the Choctaw Indians to the United States for what is now the Choctaw country in Oklahoma.

Let me call the attention of Members of the House to the fact that they are to vote very soon on the largest disputed question that this House has voted upon in many days. They will decide as upon their oaths as jurors upon the right of the Mississippi Choctaws to share in the greatest estate that has been distributed in the United States. I am stating what the facts are.

Under the treaty of 1830 the Choctaws agreed to remove to the then Indian country within a period of three years. They were to retain out of the 10,000,000 acres of land ceded to the United States a sufficient amount for such Indians as desired to remain in Mississippi, giving adults or heads of families 640 acres of land; children over 10 years of age, 320 acres of land; and children under 10 years of age, 160 acres of land. These were the conditions of article 14 of the treaty of 1830. There was a large emigration of Choctaws to the Indian country under the terms of that treaty. Many remained in Mississippi. Some took the lands to which they were entitled by the terms of the treaty. Afterwards a settlement was made with the Indians who did not receive land, and payment was made in script and later in cash. Since 1830 the Choctaws who had gone to the Indian country sent repeated invitations to their friends and relatives back in Mississippi, inviting them to come on to the Indian country and join them in that far-off western land. The Mississippi Choctaws refused to go, and they refused to go when the Government of the United States used every effort to induce them to go. Their expenses were offered, everything that could be done by the Choctaws in Oklahoma and by the Government of the United States was done to induce the Choctaws in Mississippi to join their brethren in the West. They refused to go. They remained in Mississippi.

In the early nineties a movement was undertaken in Congress to wind up the affairs of the Five Civilized Tribes, one of these tribes being the Choctaws. The Dawes Commission was created with that purpose in view. In 1898 what was known as the Atoka agreement was entered into. The act of June 28, 1898, provided for the winding up of the affairs of the Five Civilized Tribes in Oklahoma. That act also provided the terms and conditions under which Indians might become enrolled as members of the tribes. It also provided the terms under which the Choctaws in Mississippi might come to the West. It gave them an indefinite period of time to go to the Indian country, join their brethren there, show their Indian blood and right to participate in the distribution of the estate that would ultimately be distributed. It gave them unlimited time in which to come under the terms of that act. It is a rule, and has been, of all the Indian tribes that an Indian, to share in the property of a tribe, must reside with the tribe on their lands. That is true of all Indian tribes in Oklahoma and in the Indian country, so that no exception was made in the case of the Mississippi Choctaws.

Mr. HULINGS. Will the gentleman allow me an interruption there?

Mr. CAMPBELL. Very briefly.

Mr. HULINGS. What are the legal or treaty rights and liabilities of those who refused to go?

Mr. CAMPBELL. The courts have decided that they have no rights. They were invited again and again to join the tribe in the Indian country. It was decided by the Dawes Commission and by the United States courts that Indians remaining in Mississippi, refusing to go to Oklahoma, had no right to share in the property of the Choctaws in Oklahoma. That has been decided definitely by the courts. They have had a fair chance to come within the law. The act of 1898 gave them an indefinite period to go to the Indian country and secure their rights, and they refused. The act of 1902 again gave them a year in which to move to Oklahoma and six months after their arrival to prove their citizenship or right as heirs in the estate in Oklahoma, and they refused to go. They did not go.

Again, in 1906, they were given another year to go, and they did not go. Finally they were given until the 4th day of March, 1907, in which to go and prove their right to share in the distribution of the Choctaw estate in Oklahoma, and they did not go. They have had their day. They chose to remain in Mississippi, refusing to join their tribe in Oklahoma.

In the late nineties and early in 1900 great coal fields, asphalt fields, and oil and gas were discovered in Oklahoma. Immense wealth was coming to those who had gone into Oklahoma in the early days. Then it was that, not the Indians in Mississippi but attorneys claiming to represent them, worked up cases for the Mississippi Choctaws, hoping they could share in the distribution of wealth that has been estimated anywhere from $60,000,000 to $5,000,000,000. Why, one attorney says here that he represents claimants that are entitled to a share in the estate to the amount of $60,000,000. Now, let me say this: There would not have been a word uttered in this House within the last 10 years about the rights of the Mississippi Choctaws if it had not been for the undistributed property belonging to the Choctaws in Oklahoma, and rightfully belonging to Indians whose ancestors moved to Oklahoma almost 100 years ago, severing their relations with their old home in Mississippi and their friends and kindred there to take their chances in the western territory.

Mr. STEPHENS of Texas. Will the gentleman yield at that point?

Mr. CAMPBELL. I will, briefly.

Mr. STEPHENS of Texas. Is it not a fact that patents issued to the tribe of Indians required them to go there and remain there?

Mr. CAMPBELL. It did. Every legal right to which these Mississippi Choctaws could be entitled has been forfeited by them, because they refused to comply not only with the conditions of the patent ceding the Oklahoma country to the Choctaw Nation but with every law that has been enacted requiring them to move there.

Mr. FERRIS. Will the gentleman yield at that point?

Mr. CAMPBELL. Yes; briefly.

Mr. FERRIS. It has been stated in the debate that the Indians who came there had received nothing. I hold in my hand a statement showing that 3,885 Indians who remained

received both scrip and money in lieu of allotment, and I would like to ask the gentleman if that is true?

Mr. CAMPBELL. That is absolutely true. I stated that in the opening of my remarks——

Mr. FERRIS. I have them right here.

Mr. CAMPBELL (continuing). That Indians who remained received either money or scrip in lieu of land.

Mr. FERRIS. Is it not true from the period of 1830 to 1842, when the patent issued, a period of 12 years, every one of these Indians could go and take 640 acres of land during that period?

Mr. CAMPBELL. Yes; in any one of three Southern States—Mississippi, Alabama, or Louisiana.

The CHAIRMAN. The time of the gentleman has expired.

Mr. STEPHENS of Texas. I yield two minutes additional to the gentleman from Kansas.

Mr. CAMPBELL. Let me say this. It is stated here—and I will read that because I think it is vital in this case—it is stated here by one of the attorneys that he has claims for 13,000 Indians.

By the way, there are lawyers' contracts with 24,258 persons claiming to be Mississippi Choctaws. The fees run from 12½ to 40 per cent, and one attorney claims that he would be entitled to about $1,500,000 as his fee. Here is what he says in a letter trying to sell a share in his fee. Now listen:

> We have been strong enough at all times to prevent a final settlement and distribution of the property. The opposition now realizes that in order to get their own share of the property they must consent to legislation giving our clients their rights.

That is, the pending motion of the gentleman from Mississippi, that no distribution shall be made at this time, is playing into the hands of this grafter. Twenty-four thousand eight hundred and fifty-eight contracts, aggregating fees amounting to millions upon millions of dollars, if they could win! The claim of the Utes and Choctaws is based on sympathy. Senator JOHN SHARP WILLIAMS said in the Senate of the United States a year ago that they had no legal or equitable rights; that the only claim he could make was that the Congress had the power to set aside former laws and court decisions, and appealed as a matter of sympathy in behalf of the Mississippi Choctaws. That is all. If the Utes and Choctaws have any rights at all, even as a matter of sympathy, they have no share in the distribution of the estate of the Choctaws in Oklahoma. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. HARRISON. Mr. Chairman, I yield 10 minutes to the gentleman from Minnesota [Mr. MILLER].

Mr. MILLER. Mr. Chairman and gentlemen of the committee, it was not my intention to make any statement in addition to that which I made yesterday afternoon until I had presented to me a few moments ago a copy of a report on the bill introduced by Mr. HARRISON, of Mississippi, covering the subject of the Mississippi Choctaws, which report is in printed form from the Secretary of the Interior and bearing date of January 8. I do think, Mr. Chairman and gentlemen of the committee, that some word is necessary in order that a just estimate of the bearing of this report may be had. A careful reading of this report convinces me of two things. In the first place, it does not represent the views of some of the best-informed men in the Interior Office with whom I have personally talked and from whom I have officially very elaborate reports covering the subject.

I think further it is only fair to say that it was unquestionably written by some one in the department not in possession of all of the facts in the case. I state this because some of the language to me seems inexact having regard to all the facts.

Mr. STEPHENS of Texas. Will the gentleman yield?

Mr. MILLER. I can not yield now. I have only 10 minutes. If I get through with the statement in time, I shall be glad to yield after that.

For instance, the Secretary's letter states that the Mississippi Choctaws received either land in Mississippi or scrip for land. This is particularly misleading. The reader, unfamiliar with the subject, would infer that these Choctaws had received their full share of land. This is exceedingly erroneous. These Indians tried to get land in Mississippi in accordance with the terms of the treaty, but were prevented by the fraudulent conduct of the agent of the United States. Everybody admits this. Herein lies the inception of their claim. The issuance of scrip thereafter was entirely abortive, as I demonstrated yesterday. Our Government has officially admitted that this issue of scrip was in no sense adequate reparation for the wrong committed.

And yet if we accept as true, so far as it goes, the statement signed by the Secretary of the Interior and submitted to us now I really believe I can show you in the time at my disposal why it should not have weight or influence in the decision of the motion now pending. In the first place, Mr. Chairman, this does not purport to cover the whole case. It purports to cover one side only; that is, the side of the legality of the enrollment of the Mississippi Choctaws as members and citizens of the Choctaws in Oklahoma. I have endeavored in the presentation which I have made in this case not to set forth any narrowed position confined to the letter of the law, but to set forth the broad and entire position involving both law and equity. After all, Mr. Chairman, in our dealings with the Indian wards the principles of equity are often of greater weight with us, and should be, than the letter of the law. I hold it never has been the purpose of this governing body to hold its wards to the letter of a law which this body itself makes without the consent and cooperation of the wards. To do so would be inequitable, would be unconscionable. So it is entirely correct for the Secretary in this statement to say that the Dawes Commission held that the Mississippi Choctaws, so long as they remained in Mississippi, should not be enrolled as members of the nation then in the Indian Territory. It perhaps is also correct for the Secretary's office to say that Judge Clayton, in the decision which he rendered affirming the attitude of the Dawes Commission, decided the case before him under the law.

The law was to govern the enrollment of citizens in the Choctaw Nation west. It was not to decide what were the rights of the Choctaws in Mississippi. It had not in its contemplation their rights at all. It simply left either undetermined the rights of the Mississippi Choctaw or said the Mississippi Choctaw must move to Oklahoma to be enrolled as a citizen. I know it is correct to say that on at least two occasions Congress passed a law with the cooperation and consent of the Choctaws in Oklahoma that, for Mississippi Choctaws to be enrolled, they must go to Oklahoma; but neither act was asked for by the Mississippi Choctaws. Neither act was designed for their benefit. Both acts were passed by Congress at the urgent, active solicitation of the paid agents of the Choctaws in Oklahoma. And when any man, either in this body or of the Government administrative force, holds up the agreement of July, 1902, as one that adjudicated the rights of the Mississippi Choctaw, giving him benefits, he knows not the sinister, subtle influence at work here that produced the act of 1902. Instead of being an aid to the Mississippi Choctaw it was an absolute fraud upon his rights, and this report recognizes that, because it said that practically no Mississippi Choctaws were able to come within its provisions. Mr. Chairman, it was so framed that no Mississippi Choctaw could come within its provisions. And while I make this statement so strong, I desire in this connection to say that the Choctaw Indians in Oklahoma have always maintained a fair, a friendly, and a somewhat brotherly attitude toward their brethren still remaining in Mississippi. And the things that I am now referring to as contained in these provisions of law and treaties never emanated from the breasts of the red men, but came from the breasts of the white men who were presumed to handle the Indians' affairs and shape their destiny.

Now, much has been said to the effect that the decision of Judge Clayton has foreclosed the right of the Mississippi Choctaw. Let me repeat what I said last night: The decision of Judge Clayton did not at all adjudicate any rights or claims of the Mississippi Choctaw beyond the single one of his right to enrollment in the Choctaw Nation in Oklahoma without his removal there. It did not, as it could not, contemplate or decide his equitable rights either to enrollment or to an accounting for moneys had and received.

Now, this broad position that I think we should take in a consideration of this important question requires that we ask ourselves, first, have the Choctaws in Mississippi, for whom no law has yet been passed, who have never yet entered into any agreement with the United States since that fatal one of 1830, in the carrying out of whose provisions we defrauded them of their patrimony and their birthright, a right to have considered and determined their property and citizenship rights? If so, let us adjudicate them and then banish this whole question forever.

I sympathize with the anxiety displayed by the people of Oklahoma—and I am speaking of the Indian population there—that their affairs be wound up and their property distributed. It ought to be done as soon as possible; but I want to say to you that there is only one way to do it, and that is to do it right. The reason this question is here to-day, and has been continually coming before us for more than half a century, is because we have never tried to settle it right according to the rights of the Mississippi Choctaws.

Whether it should be our policy to pay out the funds now in our hands belonging to the Choctaws in Oklahoma is a

question for you to decide. I simply urge upon you this, after as careful a consideration of the subject as I have been able to make—and I say it has had as careful consideration from me as I probably have ever given to any subject in my life, and without any possibility of interest on one side or the other—that the National Government owes a duty to the full-blood Indians in Mississippi. That duty must be fulfilled. There must be given to the Choctaws resident in Mississippi a chance to have adjudicated whether they have any claim against the United States. Then, indeed, the Mississippi Choctaws must be given a chance to present and have decided a claim against the Oklahoma Choctaws for the $3,000,000 paid by the United States to the Oklahoma Choctaws for injuries done to the Mississippi Choctaws.

The CHAIRMAN. The time of the gentleman has expired.

Mr. CARTER. Mr. Chairman, the gentleman from Minnesota is such a seductive, logical advocate that he sometimes almost convinces me in the face of contradictory existing records; but he is certainly mistaken about the Jack Amos case being tried under laws and agreements with the Oklahoma Indians and not under treaties with the Mississippi Choctaws. The records are so plain, are so specific, that there is no reasonable doubt in the premises. I will read from the act of June 7, 1897, which submitted the Mississippi Choctaw claim to the Commission to the Five Civilized Tribes for adjudication.

Mr. MILLER. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Oklahoma yield to the gentleman from Minnesota?

Mr. CARTER. After I have finished reading this I will yield to the gentleman.

Mr. MILLER. I think the gentleman and I will agree without reading it.

Mr. CARTER. Bear in mind that this authorization was contained in the act of June 7, 1897, before any agreement had been consummated with the Indians in Oklahoma. Under it the commission was directed to try the case not under laws but under treaties. Permit me to read this extract from the act itself:

> That the commission appointed to negotiate with the Five Civilized Tribes in Indian Territory shall examine and report to Congress whether the Mississippi Choctaws under their treaties are not entitled to all the rights of Choctaw citizenship except an interest in the Choctaw annuities.

That was the only authorization given the commission to try the Mississippi Choctaw case at that time. Under this authorization the commission did take up and try the case of Jack Amos et al. and rendered a decision adverse to the Mississippi Choctaw claimants. (H. Doc. 274, 55th Cong., 2d sess.) The case was appealed by the Mississippi Choctaws to the central district of the Federal court in Indian Territory, where it was placed on the equity docket and tried de novo. The decision of this Federal court affirmed the decision of the Dawes Commission, and the Mississippi Choctaw claim was again adjudicated and rejected. (Jack Amos et al. *v.* Choctaw Nation, Decisions of United States Courts in Indian Territory, 465.) The case was appealed from the Federal court to the Supreme Court of the United States, but because a similar contention had just been settled adversely to claimants in the case of Stephens *v.* The Cherokee Nation (174 U. S., p. 445) the attorneys for the Mississippi Choctaws moved themselves to have the case dismissed from court (19 Fed. Rep., p. 873).

Mr. BUTLER. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Oklahoma yield to the gentleman from Pennsylvania?

Mr. CARTER. Yes.

Mr. BUTLER. I have listened to this discussion for an hour, and I would like to be informed better than I am now. Did not the Indians agree in 1830 that those who went to the Indian Territory, as it was then called, should own this property in Oklahoma that is now in dispute?

Mr. CARTER. The treaty of 1820 was the first treaty bearing upon this proposition. By that treaty the Choctaws ceded 4,000,000 acres of land in consideration of a reservation to be ceded in the West for all those Choctaws "who would not work but desired to live by hunting and fishing," as was the custom among the Indians at that time. Mark the language. This reservation in the West was for the benefit of those "who would not work but desired to live by hunting and fishing." Who was it that did not desire to work but to hunt and fish? Not the Indians who remained in Mississippi, but the Indians who would go to the western reservation. Clearly the intent of this treaty was that the western reservation should belong to those who would not work but desired to go West and hunt and fish. Ten years later the Federal Government found that none of these Indians had moved. A new treaty was negotiated ceding to the whites the remaining 10,000,000 acres belonging to the Choctaws with this exception: That an amount was excepted and reserved sufficient to allot to those Choctaws remaining in Mississippi "640 acres to the head of the family, 320 to each member of the family over 12 years of age, and 120 to each child under 12 years of age," with the distinct understanding that none of this land should be reserved to the Indians who went to Indian Territory, but all for those who remained in Mississippi and lived upon it.

Mr. BUTLER. Those who remained there received that land, did they?

Mr. CARTER. Yes; they received either their land or the scrip, and my colleague from Oklahoma [Mr. FERRIS] holds right now in his hand the report of the Secretary of the Interior giving not only their numbers but their names.

Mr. MADDEN. Did they get the land or the scrip?

Mr. CARTER. That is an important question. At that time the Federal Government had not come to the intelligent way of dealing with Indian affairs that it has now, so when the scrip was given it was not made nontransferable, but was negotiable. The result was the same in Mississippi as it would be in any other State to-day. The Indian was deprived of his scrip for little or nothing and the white people of Mississippi are now enjoying the fruits of the Indians' rightful patrimony.

Mr. MADDEN. Did the Indian ever get the money in lieu of the land?

Mr. CARTER. They received scrip for half of the land and money for the other half on the basis of $1.25 an acre.

Mr. MADDEN. I understood that nobody got the title to the land.

Mr. CARTER. Oh, Mr. Chairman, there is no possible chance for dispute about that. The first half of the scrip was delivered to the Choctaws in the State of Mississippi, not under limitations but giving the Indian the right to do just as he pleased with it. We have evidence presented of that fact once every week on the floor of this House. Scarcely a unanimous-consent day passes that the consideration is not asked for some bill to quiet title in some white man to lands purchased by him from an Indian in Mississippi.

Mr. MADDEN. But there is some dispute about that.

Mr. CARTER. Who disputes it?

Mr. MADDEN. The gentlemen from Mississippi dispute it.

Mr. CARTER. The report of the Secretary of the Interior shows that they got the scrip without any doubt and gives their names.

Mr. MADDEN. Nobody got the land in Mississippi.

Mr. CARTER. Oh, the white man got the land in Mississippi. He has it now. He has his homes and farms from these very lands which were reserved to the Choctaws remaining in Mississippi.

Mr. BUTLER. Mr. Chairman, will the gentleman yield again?

The CHAIRMAN. Does the gentleman from Oklahoma yield to the gentleman from Pennsylvania?

Mr. CARTER. I do.

Mr. BUTLER. Will the gentleman give us the reason why the Mississippi Choctaw has any standing here? What does he claim?

Mr. CARTER. No man can give any valid reason on the face of the earth why the Mississippi Choctaw has any legal, equitable, or moral right to any part of the Oklahoma Choctaw estate. Furthermore, I have been unable to find any justification for any legal or equitable claim the Mississippi Choctaws might have against the Federal Government. The Federal Government seems to have exerted every effort to protect and assist these unfortunate Indians, and the Federal Government is now under only such moral obligations to the Mississippi Choctaws as might be due any other dependent, helpless Indians who have been deprived of their property by their white neighbors in other parts of the United States.

Mr. BUTLER. Does the Mississippi Choctaw claim that he was in any way defrauded or that he was deprived of his rights originally, or that this property was taken from him against his will, or that he was removed against his will? I would like to know the reason why he is here. I have asked for it over and over again. What is the claim that he sets up?

Mr. CARTER. I am unable to tell the gentleman. I only know what I have stated, and that a case adjudicated and readjudicated as this has been has no business monopolizing time at this short session of Congress.

Mr. BUTLER. What does he want?

Mr. FERRIS. He wants money.

Mr. CARTER. I think he wants to be let alone. Mr. Chairman, I yield five minutes to the gentleman from South Dakota [Mr. BURKE]. How much time did I use, Mr. Chairman?

The CHAIRMAN. The gentleman consumed five minutes. The gentleman from South Dakota [Mr. BURKE] is recognized for five minutes.

Mr. BURKE of South Dakota. Mr. Chairman, in the brief time allotted to me I am not going to discuss the merits of the claim of the Mississippi Choctaws, and shall address myself strictly to the provision under consideration, which provides for paying to the Choctaw Indians out of money in the Treasury, or in banks to their credit, the sum of $200 per capita.

Mr. Chairman, that is the question before the committee, not whether or not the Mississippi Choctaws have some claim in the moneys and property belonging to the Choctaw Nation in Oklahoma. I supported in the committee and approved this provision because I believed that, assuming even for the sake of argument that everything that has been said in behalf of the Mississippi Choctaws is true, which I do not concede, there is no reason why we should not distribute and pay to the Choctaw Indians now the amount that is provided in this provision, namely, $200 per capita. These Indians have in the Treasury at the present time, or in banks in Oklahoma, in the neighborhood of $7,000,000. They have due at the present time from the sale of lands and town lots, where the payments have not been made in full, somewhere in the neighborhood of from a million and a half to two million dollars, and they have other property, surface lands and timber lands undisposed of, of great value, besides the mineral or coal underneath the surface, estimated to be worth many millions of dollars, so that if we authorize this payment and the money is paid as provided by this bill there will be sufficient money and property to fully protect the Mississippi Choctaws if they have any claim, legal or equitable; but upon that question, Mr. Chairman, I am not going to express an opinion. I have some ideas in regard to it, and am convinced of one thing, and that is that the question can not be settled in Congress or through committees of Congress or some bureau or department, but it ought to go to some court, where there will be an opportunity to fully examine every question pertaining to it in the fullest sense and in a proper and legal way and when all the facts can be ascertained. Before I conclude I shall submit my views as to what possibly ought to be done.

Mr. Chairman, we are under a solemn obligation to the Choctaw Indians in Oklahoma to distribute their estate on or before March 4, 1907, and this is 1915, and it has not yet been distributed. No part of it has been paid to the Choctaw Nation, except possibly one nominal per capita payment of $50; and I say, in view of the great sum of money that is to their credit in the Treasury and in banks in Oklahoma, we owe it to the Indians to make a partial distribution, and it is my opinion that we can pay out $200 to each of them without impairing the estate to the detriment of anyone who may have any claim to it—Mississippi Choctaws or other alleged claimants.

I will say further that my friend from Minnesota [Mr. MILLER] and I agree to quite an extent with regard to the rights of the Mississippi Choctaws and what ought to be done, and I will say that the only difference between us on this question of payment is whether we shall pay $200 per capita or only $100. He believes—and I am sure he would so state if asked—that something ought to be paid now, and that he would not object to a per capita payment of $100. I believe we can pay $200; and I submit, in view of the amount of money that they have, in view of the fact that the Oklahoma Choctaw Indians are in no manner responsible for the condition that is said to exist, according to the statement of the friends of the Mississippi Choctaws, they ought not to be punished and have withheld from them a part of the money that we honestly owe them because some claim is being asserted, any more than it would be just to say that if a man had a thousand-dollar interest in a $50,000 estate that was ready for distribution the whole $50,000 ought to be withheld perhaps for a period of 5, 10, or 15 years while the matter was being litigated through the courts. The reservation of a sufficient amount to protect the $1,000 interest would be fair and just, but to withhold the whole amount would not only be unfair and unjust but unreasonable.

Mr. COOPER. At $200 per capita, what would be the aggregate payment?

Mr. BURKE of South Dakota. About $4,000,000. In order that my views may be known with reference to what should be done, if anything is to be done, with reference to the Mississippi Choctaws, I would suggest the enactment of a law that in substance would provide:

First. That those persons in Mississippi who are of Indian blood and who are direct descendants of an ancestor who received land under article 14 of the treaty of 1830 between the United States and the Choctaw Nation or who are descendants of an ancestor who was entitled to receive land under said article 14 of the said treaty shall be held and considered Mississippi Choctaws.

Second. Conferring jurisdiction upon the Court of Claims of the United States, with right of appeal by either party to the Supreme Court, to hear, try, and determine whether under existing laws and treaties the Mississippi Choctaws have a legal right to be enrolled as citizens of the Choctaw Nation now residing in Oklahoma and to share in the property and lands of the said Choctaw Nation.

Third. If it should be determined by the Court that they have no legal right to enrollment in the Choctaw Nation and to share in the property and lands of said Choctaw Nation, then authorizing the court to determine whether they have in equity any right to be enrolled as citizens of the Choctaw Nation in Oklahoma and to share in the money and property of said Choctaw Nation.

Fourth. Authorizing the court to determine whether or not the Choctaw Nation in Oklahoma is indebted to the said Mississippi Choctaws or any individuals thereof; and if so, how much on account of the collection, use, and distribution of the sums secured from the Government of the United States in payment of the judgment secured by the Choctaw Nation against the United States in what is known as the Net Proceeds case.

Fifth. Authorizing the court to determine whether or not the said Mississippi Choctaws or any of the individuals thereof have a legal or equitable claim against the United States; and if so, how much, arising out of any treaties or laws heretofore entered into or made to which the United States was a party or arising out of any acts or conduct on the part of the United States Government in relation to the property or rights of the said Mississippi Choctaws or their ancestors.

I would authorize the court to appoint a guardian ad litem for the said Mississippi Choctaws and authorize and empower him to conduct in the name and in behalf of said Mississippi Choctaws and the individuals thereof an action or actions in the Court of Claims. I would also authorize the employment of an attorney either under a contract in accordance with existing law, to be approved as the law provides, or by the court, and would limit the fees that should be allowed in the contract and in contracts between any of the individual Mississippi Choctaws and any attorney or attorneys. There ought to be, and would have to be, an appropriation made from the Treasury of the United States to pay the expenses connected with the prosecution of an action along the lines indicated.

Mr. HARRISON. I yield five minutes to the gentleman from Illinois [Mr. MADDEN].

Mr. MADDEN. Mr. Chairman, I know nothing whatever about the legal complications involved in this question, but it seems to me that with such a dispute as exists between the Mississippi Choctaws and the Oklahoma Choctaws, a limitation such as the amendment of the gentleman from Mississippi proposes would place the case where no injustice would be done to anyone. This proposed limitation repeals no law. It leaves every right existing in the Mississippi Choctaws where that right exists to-day. It only provides that before this appropriation of $200 per capita be paid out, such investigation be made as should be made to determine the rights of the Mississippi Choctaws.

Now, it has been said—I know not with what degree of truth—that although scrip was issued to the Mississippi Choctaws, no land in most cases was obtained as the result of the issue of that scrip; that the Government sold the land and used the money, and that somebody, somewhere, either the Choctaw Nation or the Government of the United States, owes $8,000,000 to the Mississippi Choctaws. It seems to me that that question remaining in doubt is of sufficient importance to justify the retention of the payment proposed by this appropriation until it can be definitely settled. The definite settlement of that propositoin is one for which this House should undoubtedly stand. I have no disposition whatever to impose any hardship upon any Oklahoma Choctaw. On the other hand, I believe that ample justice should be done to every man concerned, whether he be in Mississippi or in Oklahoma; that if there is a doubt about what became of the money from the sale of the land owned by the Mississippi Choctaws, that doubt should be swept away and cleared up before any part of this money is paid.

Mr. NORTON. Will the gentleman yield?

Mr. MADDEN. I have no time to yield.

Mr. NORTON. The gentleman makes pretty broad statements.

Mr. MADDEN. I should like to yield, but I have not the time. And so I find myself unable to resist being in favor of some such limitation as is proposed by the amendment

introduced by the gentleman from Mississippi [Mr. HARRISON]. No harm can come from its adoption. Great good may result from its enactment, because its enactment may, while delaying the payment proposed to the Oklahoma Choctaws in this bill, relieve a situation which might, if not cleared up, result in unjustifiable wrong and injury to an innocent, unoffending number of these Mississippi Choctaws, whose rights should be in every way within our power conserved. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. CARTER. I should like to ask the gentleman from Mississippi how many more speakers he has on his side.

Mr. HARRISON. There are three more speeches to be made on our side, counting the gentleman from Wisconsin [Mr. LENROOT]. Under the agreement he was to occupy 10 minutes.

Mr. MANN. That comes after the vote on this amendment.

Mr. HARRISON. Yes. So there will be only two more speeches on our side.

Mr. CARTER. Does the gentleman from Mississippi propose to use all his time before or after?

Mr. HARRISON. After.

Mr. MANN. After the vote on this amendment?

Mr. HARRISON. What is the time now, counting out 10 minutes to the gentleman from Wisconsin [Mr. LENROOT]?

The CHAIRMAN. The gentleman from Mississippi has 23 minutes and the gentleman from Oklahoma 19.

Mr. HARRISON. Then I have only 13 minutes left, excluding the time to the gentleman from Wisconsin, and the gentleman from Oklahoma has 19 minutes.

Mr. FERRIS. The gentleman has 23 minutes.

Mr. HARRISON. Ten minutes to go to the gentleman from Wisconsin [Mr. LENROOT].

Mr. FERRIS. Oh, the time of the gentleman from Wisconsin is to be counted in the 23 minutes.

Mr. CARTER. I should like to have the gentleman from Mississippi consume some of his time.

Mr. HARRISON. I yield to the gentleman from Illinois [Mr. MANN].

Mr. MANN. Mr. Chairman, the Government of the United States holds a large trust fund comprising money and property which belong to the Choctaw Indians. There has been a determination in favor of the Oklahoma Choctaws, speaking generically, and the Mississippi Choctaws are insisting that they are entitled to share in this trust fund. It is proposed now on the one side to pay to the Oklahoma Choctaws in the neighborhood of $5,000,000 of this trust fund, and on the other side it is proposed that this payment shall not be made until Congress in some way has determined the respective rights of the claimants both in Oklahoma and Mississippi.

Personally I do not sympathize with the claim of the Mississippi Choctaws, and yet I realize that I have not sufficient knowledge to satisfy myself in passing a final judgment upon the matter. Hence I think Congress ought in some way to provide for a determination of the rights of the Mississippi Choctaws. I think that the determination when made will probably be against their having any rights at all to this fund.

Now, what is the situation? Last year we refused to make a per capita payment to the Oklahoma Choctaws, and it was stated repeatedly on the floor of the House that there ought to be some solution arrived at by which we could determine the rights of the Mississippi Choctaws, and the gentlemen from Oklahoma were urged to present some method of determination. But instead of doing that they now ask us again to pay out $200 per capita to the Oklahoma Choctaws, with no determination of the rights of the Mississippi Choctaws. Suppose we do this. We know that in the end Congress will in some way provide for a determination of the rights of the Mississippi Choctaws. And if we provide for that and ascertain in the end that they are entitled to a share in this fund, and meanwhile we have paid out the trust fund, what will be the claim then? Why, they will say, you had a fund that belonged to us in part and you paid it out to somebody else, and as trustee you are responsible to us and must pay our money to us out of the Treasury.

Would anyone who holds a trust fund with two claimants for it pay it to one of the claimants until the right of the other claimant was determined? But they say there has been a determination. In a sense, that is true. It is like a verdict rendered in court and a motion for a new trial pending. Who would pay the amount of the verdict with a motion for a new trial pending? Not any sensible man. Now the fact is that if we go ahead——

Mr. FERRIS. Will the gentleman yield?

Mr. MANN. I can not; I have only five minutes. If we do not pay this money, these gentlemen will get together in some way and will present to Congress a method for a final determination of all the rights of the people entitled to the money. If we do not pay the money, that will be the result. If we do pay the money, they will in the end get the Mississippi Choctaws paid out of the Treasury. I think we had better hold on to it until the question is settled. [Applause.]

Mr. CARTER. Mr. Chairman, I yield three minutes to the gentleman from Oklahoma [Mr. MCGUIRE]

Mr. McGUIRE of Oklahoma. Mr. Chairman, I entertained at one time the same opinion expressed by the gentleman from Minnesota [Mr. MILLER], and largely the opinion expressed by the minority leader. I went into the matter very carefully, and you will observe in the statement of the gentleman from Illinois [Mr. MANN] that it is like a motion pending for a new trial. Mr. Chairman, this is the seventh motion pending for a new trial. Six times this matter has gone to final litigation. Twice it has been litigated finally in this House, with all of these facts before you. It has been litigated before the Secretary of the Interior. Yes, the Dawes Commission passed upon it, which was a court appointed for that specific purpose, and composed of as able men as there were in this country—as able men as ever considered Indian affairs.

Not only that; it was taken to the Federal courts and this identical question was decided. Not only that, but they appealed to the Supreme Court of the United States, and there it was dismissed by whom? Not by the Choctaws of Oklahoma, but upon a motion of the attorneys for the Choctaws in Mississippi.

It has been litigated time and again and time and again. Gentlemen, this case is not different from other cases. We have the Pawnees in Oklahoma and the Pawnees in other States. We have the Senecas in Oklahoma and the Senecas in New York. If you decide in favor of the Mississippi Choctaw Indians, then you have established a precedent which will open up the cases of all the different tribes in the United States, a part of which is in one State and the other part in Oklahoma. Sixty years they have been separated, and they are only similar in name and in no other way in the world.

The Mississippi Choctaws remained at home, where they had no hardships. The Indians who went to Oklahoma endured all kinds of hardships; and, now that they have discovered oil, the attorneys having contracts amounting to $40,000,000 come to the Mississippi Choctaws and say, "You have a good case." That was the reason I was misled. I followed that will-o'-the-wisp. I followed that fellow with the broad-brimmed hat who was arrested a few days ago. What was his name?

Mr. CARTER. Powell.

Mr. McGUIRE of Oklahoma. Yes; Powell. And he had 40 or 50 men who interviewed me, and they hoodwinked me; but I began to look into it, and I found that they were frauds and that this case had been settled over and over again. The committee ought to make this final, and if you do not make it final it will be many years before it is made final. [Applause.]

Mr. CARTER. Mr. Chairman, I yield one minute to the gentleman from Oklahoma [Mr. MURRAY].

Mr. MURRAY. Oh, give me two minutes.

Mr. CARTER. Two.

Mr. MURRAY. Mr. Chairman, I shall address myself to only one question, because I know this subject must weary the Members, and that is, why an Indian may be an Indian by blood and not entitled to enrollment in the tribe. In the first place, all of this property was community property, tribal property, or, in law, national property. An Indian by blood who complied with the law of citizenship of the nation, or a negro who had no Indian blood or a white man who had no Indian blood, but who complied with the law of citizenship of that nation, are entitled to enrollment, and no one else, so that the Chickasaw and Choctaw rolls now have twenty-odd thousand Indians by blood, some 3,000 white men and women, and 11,000 negroes, none of whom has any Indian blood; but having complied with the law of citizenship of the nation, they are enrolled without dispute and draw land. So that those who did not comply failed to be citizens. This property does not descend as other property under the law of descent and distribution to individuals, but like all national property. A German who comes here and becomes a citizen of this country has rights under this Nation that his blood relatives in Germany will not possess. The Choctaw Indian living in Texas, Mississippi, or elsewhere, acquiring citizenship there, ceases to be a citizen of the Choctaw Nation, and therefore is not entitled to enrollment. The fourteenth article of the Dancing Rabbit Creek treaty is identical with the provision in the treaty of 1866 by the Government with the Choctaws and Chickasaws, which provided——

The CHAIRMAN. The time of the gentleman from Oklahoma has expired.

Mr. MURRAY. Oh, give me half a minute to finish the statement.

Mr. CARTER. I yield one-half a minute.

Mr. MURRAY. That provision provided for the Kansas Indians to come to the Chickasaw and Choctaw Nations, and the Kansas Indians are as much entitled to come there and get property as the Mississippi Choctaws, because the provisions are identical. These reasons show, therefore, conclusively that neither the 10,000 Kansas Indians nor the Mississippi Choctaws are now entitled to a division of the tribal property of the Choctaw Nation. Their claims are equally false.

Mr. HARRISON. Mr. Chairman, there is nothing so complicated in this question, and what has been said about attorneys' fees ought not to influence the membership of this House. I have enough respect for the intelligence of this House to believe that whatever law it might pass will have placed in it such restrictions as will not allow Indian agents and Indian attorneys to rob the Indians. It should be so, and I shall use my every effort to make it so.

In the few minutes remaining I want to talk about the facts in this controversy. What are they? Briefly, in 1820 every member of the Choctaw Nation lived in Mississippi. They owned 16,000,000 acres of the finest land in that State. At that time, under a treaty of that date, they acquired from the United States Government this great tract of land in Oklahoma, from which these funds were derived, by giving up 4,000,000 acres of their land in Mississippi. They had remaining about 12,000,000 acres of land in Mississippi. All of the Indians of the Choctaw Nation lived in Mississippi at that time. The only condition in the treaty of 1820 was the ceding to the United States 4,000,000 acres of their land in Mississippi for this great tract of land in Oklahoma. Ten years elapsed, and during that time the Government tried to persuade the Indians in Mississippi to enter into another treaty, agreeing to move to the lands in Oklahoma, but during all of that time a large number of the Choctaws in Mississippi refused to agree to leave the home of their nativity. The Government could not get them to enter into such a treaty until 1830, and not then until the Government agreed to let those who desired to remain in Mississippi to do so, and to incorporate into the treaty article 14, which provided that "every person who desired to remain in Mississippi might do so, and by doing so would not lose any of the rights or privileges of a Choctaw citizen." Those who remained, except 143, have received nothing, although by the treaty of 1830 they gave up practically all of these 12,000,000 acres of lands they owned at that time in Mississippi.

The lands that have been sold in Oklahoma belong to them in part; they acquired them under the treaty of 1820, and I submit to you that they have never lost any rights as Choctaw citizens under the treaties when fairly interpreted. They have been treated badly; yes. Why, about 1886, as the gentleman from Minnesota [Mr. MILLER] told you, a judgment was recovered against the United States Government by the Choctaw Indians in Oklahoma and a verdict of $8,000,000 was rendered against the United States Government for injuries and wrongs committed against the Choctaws in Mississippi. From this judgment, after deducting expenses, $3,000,000 net went into the funds of the Choctaw Nation in Oklahoma. I submit that none of this amount ever went into the pockets of a Mississippi Choctaw Indian. They may say that it did, but it did not. The records show that it did not. I submit that if they were entitled to nothing else they would certainly be entitled to their part of this $3,000,000 that the Oklahoma Indians got from the United States Government for wrongs committed by the Government against the Mississippi Choctaws. Sirs, Congress has never dealt fairly with these Indians. I submit that something ought to be done. Acts of Congress have been passed that have restricted their rights. Attorneys for the Choctaw Nation have worked overtime in defeating their legitimate claims. Surely justice has been denied them and something should be done for them.

In 1898 Mr. McKinnon, a member of the Dawes Commission, went down into Mississippi, under the authority of the Curtis Act of 1898, and identified 1,900 of these Mississippi Choctaws. They proved their right surely to enrollment. There are over a thousand of these persons who are not now on the final rolls. They have been identified, they have proven their rights, and certainly these people should be upon the rolls. We have not come to Congress and asked Congress to appropriate money out of the Treasury of the United States for the Mississippi Choctaws, and why? Because we believe that the funds of the Choctaw Nation should be taken to recompense these people for their rights, and I submit to you as long as I hold a commission from my people, as long as I stay in Congress, my voice will be lifted in behalf of these Mississippi Choctaws. You can take the funds of the tribe now and distribute it, if you will it. You can pay it among the members in Oklahoma, if you want to, and refuse these Indians in Mississippi, but I tell you when you do it you are doing a great injustice to a wronged people. Why, of course, my friends from Oklahoma want this payment made. Their idea is to appropriate this money now. Why? Because they know after a while there will be nothing left to be distributed.

Sirs, this question was up in the Sixty-second Congress in a bill that I had before the Indian Affairs Committee. Three fair, able, and impartial men passed upon the rights of the Mississippi Choctaws and thoroughly investigated and considered them. These men were Mr. SMITH of New York, Mr. RUSSELL of Missouri, and Mr. MILLER of Minnesota. Here is their report. It was not made up of Oklahoma men on that committee at that time, or it would not have been unanimous. The report says:

Your committee begs leave to report—

First. That a considerable number of Indians not enrolled are entitled to the benefits of Choctaw citizens.

Second. That persons of the following two classes are entitled to such benefits: All full-blooded Choctaws, all mixed-blood Choctaws, who can prove descent from an ancestor who received or was entitled to receive a patent to land under article 14 of the treaty of 1830.

Third. That the Secretary of the Interior be requested to furnish this committee from records in his possession or under his control, and within nine months, certain information.

That was the report of a fair and impartial subcommittee of the Committee on Indian Affairs in the Sixty-second Congress. Ask me if I expect anything out of the committee now? I tell you no. The chairman of the committee used to believe in the rights of the Mississippi Choctaw, as I quoted last night from his speech, but now——

Mr. STEPHENS of Texas. Mr. Chairman, will the gentleman yield?

Mr. HARRISON. I can not yield. I have not the time.

Mr. STEPHENS of Texas. But the gentleman misrepresented me yesterday, and if he will permit me to read the resolution I spoke to, he will see that he is wrong.

Mr. HARRISON. Not out of my time. I am perfectly willing if the gentleman will let it come out of the other gentleman's time.

The CHAIRMAN. The gentleman declines to yield.

Mr. HARRISON. Here is a bill that he introduced in 1910. Here are books that contain other bills that were introduced by him in their behalf. I read you what he said from the CONGRESSIONAL RECORD. There are three Oklahoma Members on the Committee on Indian Affairs. Can you expect me to get a bill out of that committee? If you do, you expect an impossible thing. I appeal to you, gentlemen, in behalf of the Mississippi Choctaws, in the spirit of Pushmataha, not to distribute this money at this time—leave it in the fund until the whole question has been fairly and justly settled. The distinguished gentleman from Illinois [Mr. MANN], the distinguished gentleman from South Dakota [Mr. BURKE], all these gentlemen say that these questions ought to be determined by some court, and I submit that is the way it ought to be done in order to be settled. It has not been settled by courts of any standing. Here is what Mr. OWEN says about that proposition, and I call the attention of my friend from Oklahoma [Mr. MURRAY] to the fact he was under oath when he said it:

Q. 16. Do you recall whether Mr. Williams ever made the suggestion that the Mississippi Choctaws could secure their rights by litigation and without legislation?

Mr. OWEN. I do not recall any particular view that he expressed with regard to this matter, although I strenuously endeavored to obtain the right to go into court for the interpretation of their rights under the fourteenth article, always believing that they had a legal right, not depending upon the grace of the Choctaw Nation or of the United States.

I trust that you will vote for the adoption of my amendment. [Loud applause.]

Mr. CARTER. Mr. Chairman, I desire to read what Senator OWEN said when he was sitting as an arbitrator and not as an advocate in this case, which was just last year:

I was the attorney of the Mississippi Choctaws who were enrolled under the Choctaw-Chickasaw agreement of 1902. I represented them from 1896 to 1906, and devoted my entire time to them for 10 years. No Choctaw in Mississippi or elsewhere not on the approved roll of 1907 has any legal or equitable right to enrollment in the Choctaw Nation.

Mr. STEPHENS of Texas. Mr. Chairman, I would like to have one minute. I only want to answer a misstatement the gentleman from Mississippi made relative to me.

Mr. HARRISON. Mr. Chairman, a parliamentary inquiry.

Mr. STEPHENS of Texas. Or I want to rise to a question of personal privilege.

Mr. MANN. The gentleman can not do that in committee.

The CHAIRMAN. The gentleman can not do that in the Committee of the Whole House on the state of the Union.

Mr. STEPHENS of Texas. The gentleman has misrepresented what I have said, and I only want to present——

The CHAIRMAN. To whom does the gentleman yield?

Mr. CARTER. I would like to yield to the gentleman from Texas if the gentleman from Mississippi is not going to object to it. I ask that the gentleman from Texas may have one minute out of my time.

Mr. HARRISON. Reserving the right to object——

Mr. MANN. I think it is a violation of the courtesy of the House when it is agreed that only one Member shall be heard. That is being constantly violated on that side.

Mr. CARTER. I have no desire to violate any courtesies, but I think the gentleman should have the right to correct any erroneous statements made about his conduct.

Mr. MANN. And there has been no occasion recently where they have not violated it over there.

Mr. CARTER. Mr. Chairman, I yield 10 minutes to the gentleman from Oklahoma [Mr. FERRIS].

[Mr. FERRIS addressed the committee. See Appendix.]

Mr. CARTER. Mr. Chairman, I ask unanimous consent that all gentlemen who have spoken on this question may be permitted to extend their remarks in the RECORD on the subject.

Mr. STEPHENS of Texas. I would like to include myself. I was not able to answer the statement of the gentleman from Mississippi [Mr. HARRISON].

The CHAIRMAN. The gentleman from Oklahoma [Mr. CARTER] asks unanimous consent that all gentlemen who have spoken on the paragraph and amendment be permitted to extend their remarks in the RECORD. Is there objection?

Mr. HARRISON. I desire to suggest that those who desired to speak and were not able to speak have permission to extend remarks.

The CHAIRMAN. The gentleman from Mississippi amends the motion by asking consent that all gentlemen who desired to speak and did not have an opportunity to do so have permission to extend their remarks in the RECORD on this subject.

Mr. MANN. That can not be done in committee.

The CHAIRMAN. The gentleman is correct. The question is on the request of the gentleman from Oklahoma [Mr. CARTER].

The question was taken, and the motion was agreed to.

Mr. STEPHENS of Texas. Mr. Chairman, I desire to ask unanimous consent to read the resolution on which my speech was delivered and which entirely shows that the gentleman from Mississippi [Mr. HARRISON] was in error.

Mr. HARRISON. I would have no objection to it, provided that the gentleman reads the speech that he made on that resolution.

The CHAIRMAN. The gentleman from Texas [Mr. STEPHENS] asks unanimous consent to read the resolution named by him. Is there objection?

Mr. MANN. I have no objection to the gentleman's speaking. How much time does he want?

Mr. STEPHENS of Texas. One minute.

The CHAIRMAN. Is there objection?

Mr. FOSTER. I object, Mr. Chairman.

The CHAIRMAN. The gentleman from Illinois [Mr. FOSTER] objects. The question is on agreeing to the amendment offered by the gentleman from Mississippi [Mr. HARRISON].

The question was taken, and the Chairman announced that the noes seemed to have it.

Mr. HARRISON. I ask for a division, Mr. Chairman.

The CHAIRMAN. A division is demanded.

The committee divided; and there were—ayes 50, noes 79.

So the amendment was rejected.

Mr. CARTER. Mr. Chairman, I believe I have four minutes remaining, have I not?

The CHAIRMAN. The gentleman has only two minutes remaining.

Mr. CARTER. I yielded to the gentleman from Oklahoma [Mr. FERRIS] two minutes.

The CHAIRMAN. The gentleman yielded one minute additional, and then the gentelman himself used a minute more.

Mr. CARTER. Did I use a minute, Mr. Chairman?

The CHAIRMAN. The gentleman used a minute in making a statement prior to yielding to his colleague.

Mr. CARTER. Then I have two minutes remaining?

The CHAIRMAN. Yes. Unless there is some further motion the Clerk will read.

Mr. LENROOT rose.

Mr. COOPER. Mr. Chairman——

Mr. STAFFORD. Mr. Chairman, the gentleman from Wisconsin [Mr. COOPER] has a motion to make.

Mr. COOPER. Mr. Chairman, I move to strike out the paragraph.

Mr. STEPHENS of Texas. Mr. Chairman, I hope the gentleman's motion will not prevail.

Mr. MANN. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. MANN. How much time remains on the two sides?

The CHAIRMAN. The gentleman from Minnesota [Mr. MILLER] has two minutes and the gentleman from Oklahoma [Mr. CARTER] has two minutes.

Mr. HARRISON. Mr. Chairman, I yield to the gentleman from Wisconsin [Mr. LENROOT].

The CHAIRMAN. The gentleman from Wisconsin [Mr. LENROOT] is recognized for two minutes.

Mr. LENROOT. Mr. Chairman, I did not vote for the motion of the gentleman from Mississippi [Mr. HARRISON], because in the form in which it was presented it did not cover the objection that I have particularly to this per capita payment, and it also amounted to an expression of opinion on the part of the House that no per capita payment should be made until Congress determined the rights of the Mississippi Choctaws.

But, Mr. Chairman, I propose to state to the committee some facts which will not be disputed, facts which to my mind conclusively show that this per capita payment ought not to be made until the gentlemen from Oklahoma upon the Committee on Indian Affairs are willing to consent to legislation that will correct an acknowledged and admitted injustice.

Mr. STEPHENS of Texas. Is the gentleman aware that the Committee on Indian Affairs has been investigating those subjects for a month?

The CHAIRMAN. Does the gentleman yield?

Mr. LENROOT. I decline to yield.

The CHAIRMAN. The gentleman from Wisconsin declines to yield.

Mr. LENROOT. Mr. Chairman, reference has been made to the act of 1906, which provided for the final disposition of the affairs of the Five Civilized Tribes, and reference has been made a number of times to a certain section of that act which it was stated was a statute of limitations with reference to the Indian, whereby his application should be barred on March 4, 1907.

Now, Mr. Chairman, that statute of limitations is a somewhat remarkable one. It is not a statute of limitations against the Indians. Statutes of limitations against the Indians are found in other portions of the act, but this was a statute of limitations against the Secretary of the Interior, compelling him to decide every case that was pending in his department by March 4, 1907, and prohibiting him from considering any cases after that date.

Now, Mr. Chairman, the history shows that there were thousands of cases pending, where the Indians had complied with the law in every respect, had made their applications, had gone into the courts, and had been before the Dawes Commission, and had finally come up to the Secretary of the Interior. There were thousands of such cases pending before the Secretary, and between February 25, 1907, and March 4, 1907, a period of seven days, the Secretary of the Interior was compelled to decide 2,024 cases. He was compelled to decide those cases in seven days.

The Secretary states—the department states—that it was impossible to give consideration to that number of cases within that period of time; and the Secretary of the Interior, in a communication to the President of the Senate on January 12, 1907, pleaded for an extension of time in which to consider these cases. He says:

> The department concurs in the views of the Indian Office. Unless the time is extended, many persons entitled to enrollment will not be enrolled. The Commission to the Five Civilized Tribes and the commissioner have been for years taking testimony and rendering decisions in cases involving complicated questions of citizenship in these tribes, and some of the cases have not yet reached the department.
>
> While the department has disposed of most of the citizenship cases which have come before it, it apparently can not give due consideration to all the cases still pending and to be submitted by the Commissioner to the Five Civilized Tribes and the Indian Office within the time prescribed by the second section of the act of April 26, 1906 (34 Stat., 137).

As I stated, the Secretary of the Interior was compelled to decide 2,000 and more cases within seven days, and will any gentleman say that it was possible for the Secretary to give due consideration to those cases within that period of time?

More than that, Mr. Chairman, the records in the Department of the Interior show that upon the department's construction of an opinion of the Attorney General, rendered February 19, 1907, about three weeks before March 4, they threw out and excluded from the rolls a large number of Indians who had been found entitled to enrollment by the Dawes Commission. In one case alone they excluded from the roll 131 persons whom the Dawes Commission had found to be entitled to enrollment, and the Attorney General of the United States on March 4, the very day upon which these rolls were closed, in a letter written to

the President of the United States, stated that the Secretary of the Interior had entirely misconstrued his opinion, and that it did not apply in any sense to the cases that the Secretary had excluded; and under the findings of the Dawes Commission, under the opinion of the Attorney General, under the law that existed at that time in one case alone they had excluded 134 cases, involving from two to three persons each, from the rolls, and it is admitted by all. Is that justice? Why has that not been corrected?

There is only one reason why, and that is because——

Mr. STEPHENS of Texas. Mr. Chairman, will the gentleman yield there?

The CHAIRMAN. Does the gentleman from Wisconsin yield to the gentleman from Texas?

Mr. LENROOT. I have not the time to yield. And that is because these very Indians in Oklahoma are trying to prevent any addition being made to those rolls, regardless of their justice, and the gentlemen of the committee from Oklahoma are carrying out the will of the Indians whom they represent; and these never will be restored unless we refuse to make these per capita payments and those Indian constituents of theirs realize that they will be compelled to permit their representatives to do justice in this class of cases.

Now, Mr. Chairman, to my mind the House last year was imposed upon to a certain extent. This same fight was made last year, and when it was over there were only 17 votes in the House to make this per capita payment. Afterwards it was reported to me that a full investigation had been made by the Secretary, and that the Senate had provided for the placing upon the rolls all of these cases where the Secretary had found they were equitably entitled to be placed upon the rolls. I found such a provision in the bill, placing upon these Five Civilized rolls all those names contained in a certain report. Now, I got that report, and I read this language of the Assistant Secretary, who said:

This list contains the names of all those whom the department has found equitably entitled to enrollment, omitting, as has been suggested, the names of newborn Choctaw freedmen.

I supposed that that included these cases of admitted injustice, of admitted error; but to my amazement I find this year that while they placed 300 names upon the roll pursuant to that provision last year not one of them includes any consideration of these 2,000 cases, but, on the contrary, 250 of them were names of Indians that were secured by a special agent down in Oklahoma who had never made any application at all, 52 of them were names where applications had been made but did not reach the Department of the Interior in time for decision, and as to these 2,000 cases the special agent reported that he had given no consideration to those cases because he did not deem that they had jurisdiction to do so. No; I must make one exception. There were 18 names placed upon the roll pursuant to the provision of last year, known as the Nichols family. Now, this Nichols family were included in rejected cases by the Secretary of the Interior within the period I have named, but with those 18 there were 116 others in identically the same situation as the Nichols family, but for some reason your committee agreed arbitrarily to select 18 names upon this roll that the Dawes Commission had found entitled to enrollment—18 out of 131. Why did you not put on the balance of the 131? [Applause.]

The CHAIRMAN. The time of the gentleman has expired. The gentleman from Oklahoma [Mr. CARTER] is recognized for two minutes.

Mr. CARTER. Mr Chairman, the gentleman from Wisconsin [Mr. LENROOT] complains because the Nichols family were placed on the Choctaw rolls and others claiming Choctaw blood were not. The reason for this, as the gentleman from Wisconsin should know, was because after investigation the Secretary of the Interior found that they were not entitled to be enrolled. Perhaps they could not prove Indian blood; perhaps they were not on the reservation at the required time. Many reasons which neither the gentleman from Wisconsin nor myself know might be given for their nonenrollment.

Mr. LENROOT. He never investigated it at all.

Mr. CARTER. Mr. Chairman, the gentleman from Wisconsin persistently refused to permit any interruptions from me when he had plenty of time. I hope he will not now interrupt me without my permission in my limited time.

Mr. LENROOT. All right.

Mr. CARTER. The gentleman from Wisconsin [Mr. LENROOT] has no right to say that the Secretary did not investigate these cases. I will read what the Secretary himself says about the matter in this House Document No. 478, placing these people on the roll:

The list contains the names of all those whom the department found equitably entitled to enrollment, omitting, as has been suggested, the names of newborn Choctaw freedmen.

Now, my friend from Wisconsin goes into a great furore about some people who were stricken from the roll after March 4, 1907. As a matter of fact, Mr. Chairman, the gentleman knows, or should know, if he investigated these cases at all, that every name stricken from the tribal rolls after March 4, 1907, was afterwards restored by a decision of the Supreme Court of the United States, and the Secretary of the Interior has already had those names reinstated on the rolls.

What justification have we here, Mr. Chairman, for this per capita payment? We have the plighted faith of the Federal Government, we have agreements made between the duly authorized representatives of the Choctaw and Chickasaw Nations and the commissioners on the part of the United States; we have agreements ratified by a majority of the voters at a general election of the tribe and adopted by Congress on June 28, 1898, and July 1, 1902, respectively, both these agreements containing pledges as sacred as any ever penned by the hand of man, promising a per capita distribution of these funds shall begin not later than March 4, 1907. The supplemental agreement was made after these other matters had already been ordered adjudicated. The pledges of those agreements for a per capita distribution of these funds are already eight years delayed. How long is the sacred obligation of this Federal Government to be held in abeyance pending the readjudication of some imaginary claim that has already been fought out and then fought over again? What are you going to do about it, gentlemen of the committee? Are you going to stand by the sacred obligation of this Government, or do you propose that it shall be violated now, as has often been done in the past?

The CHAIRMAN. The time of the gentleman has expired. All time has expired. The question is on the motion of the gentleman from Wisconsin [Mr. LENROOT] to strike out the paragraph.

The question being taken, on a division (demanded by Mr. LENROOT) there were—ayes 44, noes 69.

Accordingly the motion was rejected.

Mr. MILLER. Mr. Chairman, I move to amend, page 30, line 20, by striking out the figures "$200" and inserting in lieu thereof the figures "$100."

The CHAIRMAN. The gentleman from Minnesota offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amend, page 30, line 20, by striking out "$200" and inserting "$100."

The CHAIRMAN. The question is on the amendment offered by the gentleman from Minnesota.

The question being taken, on a division (demanded by Mr. MILLER), there were—ayes 39, noes 54.

Mr. MANN. Mr. Chairman, I ask for tellers.

Tellers were ordered, and the Chair appointed as tellers Mr. MILLER and Mr. CARTER.

The committee again divided; and the tellers reported that there were 43 ayes and 57 noes.

So the amendment was rejected.

Mr. LENROOT. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Amend, by inserting at the end of the paragraph, after the word "act," in line 6, the following: "*Provided further*, That in the final distribution of moneys belonging to said tribes the per capita payments herein authorized shall be taken into account in determining the per capita payments to which each Indian shall be entitled."

Mr. STEPHENS of Texas. I make a point of order to that; it violates the agreement entered into yesterday.

Mr. MANN. Oh, no; it violates no agreement.

Mr. FERRIS. I make the point of order that the amendment offered is new legislation in that it provides for distributing the fund in the future which is provided for by law. It does not purport to be a limitation or retrenchment, and is not in order under the rules.

Mr. LENROOT. This is the same amendment that was offered last year to the Indian appropriation bill, concerning which a point of order was raised and was overruled by the Chair. It is a limitation. We have a right to fix the conditions on which the appropriation is made, and that is all there is to it. The same question was raised and argued and ruled upon last year, and will be found on page 3982 of the RECORD.

Mr. FERRIS. There are two treaties and half a dozen statutes that provide that the money shall be paid in person to the Indian allottees. To introduce legislation on an appropriation bill which provides some other method and bring in extraneous matter renders it out of order. The treaty provides that it shall be paid annually.

The CHAIRMAN. The Chair overrules the point of order. The question is on the amendment.

The question was taken; and on a division (demanded by Mr. LENROOT) there were 23 ayes and 42 noes.

So the amendment was lost.

The Clerk read as follows:

OREGON.

SEC. 18. For support and civilization of Indians of the Klamath Agency, Oreg., including pay of employees, $6,000.

Mr. MANN. Mr. Chairman, I reserve a point of order on that.

Mr. STEPHENS of Texas. I hope the gentleman will not make it.

Mr. MANN. I trust the gentleman from Texas will cease expressing his hopes; it is information I want and not hopes.

Mr. STEPHENS of Texas. I concede that it is subject to a point of order.

Mr. HAWLEY. Mr. Chairman, the purpose of this appropriation is to take care of the Indians on the Klamath Reservation, Oreg., as far as their interests and property are concerned. The most of the money is spent in salary and wages. The Indians have a part of the land as tribal land, and they have timber on it valued at some $25,000,000. Sales are being made, rentals are being made, and the grazing privileges are let. There is some agricultural land which is being rented, and there are various business interests of the Indians to be looked after. The Government has assumed charge of all of the business of their wards, and unless some agents are stationed there to take care of the business interests of these Indians there will be no one to look out for them and guard against the aggression of people who may come in from the outside and do great damage and to the great loss of the Indians' property.

Mr. MANN. Are they still living in tribal relations?

Mr. HAWLEY. Many of them have had allotments, but some have not.

Mr. MANN. How much is the property that they have worth?

Mr. HAWLEY. The hearings state that the timber is worth $23,000,000.

Mr. MANN. If they have $23,000,000 worth of property, does not the gentleman think that they ought to be able to pay the overhead charges instead of paying them out of the Treasury? In other words, what reason is there for us to appropriate to take care of property worth twenty or thirty million dollars belonging to some one else which is bringing in a revenue?

Mr. HAWLEY. The point is this: The Government has assumed control of these Indians and their affairs and has not allowed the Indians any authority to control them. They have taken out of the hands of the Indians all supervision or power to deal with them and kept them in the hands of the Government. Consequently, if this item should go out, the Indians will have no opportunity, no authority, and no right to act for themselves.

Mr. MANN. The gentleman is mistaken; the only difference will be that instead of paying for the supervision by officials out of the General Treasury we will pay for it out of the funds of the Indians, where the payment ought to come from.

Mr. HAWLEY. Is there any legislation which would authorize such payment?

Mr. MANN. I know there is legislation under which we pay a great many of these items. We spend large sums of money belonging to the Indians every year which we do not appropriate.

Mr. HAWLEY. That is true; but is it not necessary that there should be some specific authority to appropriate the moneys in that way?

Mr. MANN. The gentleman from Oregon says that they have a revenue coming in from these rentals. We do not appropriate that; how is it expended?

Mr. HAWLEY. The revenues coming in are for the benefit of the Indians.

Mr. MANN. And never expended?

Mr. HAWLEY. It is expended by the Indians when paid over to them.

Mr. MANN. They are expended by the Government; they are not salted away and never expended.

Mr. HAWLEY. Much of the revenue is collected and paid over to the Indians in the administration of the land.

Mr. MANN. Very likely. There ought to be some method by which, if the Government is furnishing supervisory officials needed in the protection of large and valuable properties, of having the properties pay the expenses instead of having it paid out of the Treasury. Why should I contribute toward the expense of maintaining $10,000,000 worth of property somewhere else? You in your State do not contribute anything of that kind to my people, and we do not ask it.

Mr. HAWLEY. Mr. Chairman, the gentleman may be right about that, but the Government has assumed one line of action, and it has kept in its hands the administration of these properties. It ought not to turn loose these people, whom it calls its wards and over whom it has assumed guardianship, without control of their own property, or with no money to pay anyone to look after it. They would be absolutely left without any control of their property and with no one to protect them.

Mr. MANN. I am not sure whether the Government ought to keep supervisory control or not, but I am very sure that it will.

Mr. HAWLEY. Then, if the Government wants to indulge in that luxury, it ought to pay for it.

Mr. MANN. Oh, it is not a luxury for us. We do not do this for our benefit. Everyone knows that this money is not expended for support and civilization of these Indians. It has been a convenient and easy way of getting money out of the Treasury to say that it was for the support and civilization of Indians. We neither support them nor do we civilize them with the money.

Mr. HAWLEY. I could not agree with the last conclusion of the gentleman that we have not civilized them, because much of this money does result in a material benefit.

Mr. MANN. I have no doubt that it results in a material benefit.

The CHAIRMAN. Does the gentleman from Illinois make the point of order?

Mr. MANN. Mr. Chairman, I make the point of order.

The CHAIRMAN. The point of order is sustained.

Mr. BURKE of South Dakota. Mr. Chairman, I offer the following amendment in lieu of the paragraph just stricken out on the point of order, which I send to the desk.

The Clerk read as follows:

After line 21, on page 32, insert the following as a new section:
"SEC. 18. For expenses incident to the administration of Indians at the Klamath Agency, Oreg., including pay of employees, $6,000."

Mr. MANN. Mr. Chairman, I make the point of order on that.

Mr. BURKE of South Dakota. Mr. Chairman, I desire to discuss the point of order briefly. It seems it was held some years ago—and I think properly so—that an appropriation in the nature of a gratuity for the purpose of support and civilization was not authorized by law, and therefore was subject to a point of order. It has grown to be the practice, as has been stated by the gentleman from Illinois [Mr. MANN] that these appropriations under the head of support and civilization are appropriations made in connection with the expenses incident to administering the affairs of the Indians at the different agencies in accordance with existing law.

I call the attention of the Chair to the fact that under the law the Department of the Interior is authorized, among other things, to determine heirship among the Indians. It is also required to appraise lands that are offered for sale. It is authorized under the law to supervise the leasing of Indian allotments. In other words, the Indians can not make a lease of their allotments during the restricted period except under the supervision of the department, and there are many other matters of administration required by law, and it does seem to me that an appropriation that proposes to pay the expense of that administration at that particular agency is not subject to a point of order, as would be an item for a gratuity to the Indians in the form of money or rations. As the gentleman from Illinois has stated, an analysis of these appropriations made under the words "support and civilization" shows that almost without exception every dollar of the money is used in paying the salaries of employees and the necessary expenses in connection with the agency, and that in some instances not one dollar of the money goes directly to the Indians in the form of a gratuity. Therefore, I say that in the form in which I have now submitted it, it is clearly within the law and therefore is not subject to the point of order.

Mr. MANN. Mr. Chairman, there is no law authorizing this. The gentleman has not referred to any law that I have heard that authorizes it.

Mr. BURKE of South Dakota. Mr. Chairman, I will refer the gentleman to numerous acts. The act of June 25, 1910, provides, among other things, that the Secretary of the Interior shall have jurisdiction in determining heirship. There are many acts, as I have said, with relation to the sale of lands, and the appraisement of lands, allotments that are made to the Indians, the paying out of per capita payments, and the leasing of allotments—all authorized by law, and the only way that the law can be enforced is to provide a force of employees and maintain an agency where the things can be done that must be done

in order to properly administer and protect the affairs of the Indians.

Mr. MANN. Mr. Chairman, if the law provides for the allotment of lands, it probably would be a warrant for an appropriation for an allotment of lands, but it is no warrant for an appropriation for employing persons ad libitum. If the gentleman's amendment is in order, it is in order anywhere in the bill to simply appropriate money without limit for the employment of officials, the employment of persons, and with no limit on what they are to do. That is not in order, and there is no law providing for it.

Mr. BURKE of South Dakota. Mr. Chairman, if the gentleman will permit me, there is a law with relation to timbered lands on Indian reservations. There is a law with relation to how timber may be sold, and at this particular agency there is valuable timber, and a part of the duty of the employees for which we propose to appropriate under the head of "Support and Civilization" is to look after that timber.

Mr. MANN. Oh, the gentleman does not, I think, get the distinction I was endeavoring to make, Mr. Chairman. If there be a law, and I am not informed as to that, in reference to timber on these lands, it might be in order, dependent upon the terms of the law, to appropriate money for the enforcement of that law, but it might be that the money the gentleman proposes to appropriate would be used for that purpose, but it might not be used for that purpose. It is not required to be under the terms of the amendment, and hence the amendment which he offers is not limited to anything which is authorized by law. There is no authority of law generally for the employment of persons generally at this place.

The CHAIRMAN. The Chair is ready to rule. The Chair accepts the statement of the gentleman from South Dakota that there is a law relative to care of timberlands, but, as has been stated, the amendment offered by the gentleman from South Dakota goes farther and provides generally for the expense of administration of Indians which may or may not refer to timberlands and other activities authorized by law. The Chair thinks the point of order is well taken and sustains it.

The Clerk read as follows:

For support and education of 600 Indian pupils, including native pupils brought from Alaska, at the Indian school, Salem, Oreg., including pay of superintendent, $102,000; for general repairs and improvements, $10,000; for remodeling sewer system, $3,000; in all, $115,000.

Mr. HAWLEY. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

"Page 32, line 9, strike out the figures "$10,000" and insert the following: "$19,000, of which not to exceed $9,000 may be used for the construction of a dairy barn."

Mr. HAWLEY. Mr. Chairman, the purpose of this amendment is this: There were enrolled in the school at Salem last year 737 pupils. There are some 50 employees in connection with the school. They have a herd of about 100 cattle. They can only milk about 40, because of the limited capacity of the barn for the storage of feed and the protection of the cows. There are at this school, on the average, about 650 to 675 people, and without some additional barn facilities they can not provide an adequate milk supply for the school for many pupils, several hundred of them being very small and having need of milk for their daily food; and 40 cows are all that can properly be provided for. If this amendment goes through, it will enable them to house and milk from 60 to 70 cows, which will provide for the needs of the school, especially for the younger pupils; and, as everyone knows, milk is a very indispensable portion of their diet, and as many of the Indians of the West are subject to tuberculosis, it is the most acceptable and the most useful food that can be given the children. I hope the committee will see fit to adopt the amendment.

Mr. CARTER. Mr. Chairman, in the estimate sent to us by the department provision for new buildings were asked in perhaps a third or half of the schools. In every instance we cut out any provision for a new building. Perhaps the gentleman from Oregon may have a very meritorious proposition, but we applied the same rule to all, as we cut out every building in the estimates; and unless some special reason may have been given for one, on account of fire or something of that kind, we have provided no new buildings.

Mr. MANN. That was a very intelligent way to proceed.

Mr. CARTER. Well, Mr. Chairman, we gave, I think, one building perhaps, if I remember correctly, to a school we thought might not be conducted without it, but in the other instances we cut out every new building proposition that was offered, and for that reason I hope that all the schools will be treated alike by the committee.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Washington.

Mr. NORTON. Mr. Chairman, as a member of the committee, it seems to me this is a very meritorious amendment, and I hardly think the committee can afford to deprive these children of something which they really need, and I desire for one to be recorded as being in favor of the amendment.

The CHAIRMAN. The question is on the amendment.

The question was taken, and the Chairman announced the ayes seemed to have it.

Mr. CARTER. Division, Mr. Chairman.

The committee divided; and there were—ayes 15, noes 25.

So the amendment was rejected.

The Clerk read as follows:

For support and civilization of Indians at Grande Ronde and Siletz Agencies, Oreg., including pay of employees, $4,000.

Mr. MANN. Mr. Chairman, I reserve a point of order on the paragraph, if the gentleman desires to be heard; otherwise I will make the point of order.

Mr. HAWLEY. Mr. Chairman, upon this matter of the Siletz and Grande Ronde Agencies, in Oregon, the principal part of this money will be used on the Siletz Agency. The situation is this: Many years ago—I think about 1893 or 1894—the Government opened a reservation and ordered an allotment in severalty of the land. Most of the lands have been allotted in severalty. A town site was reserved, and also five sections of timber. There were a number of Indians brought in from other parts of the State and located at this agency, many of whom were aged and in need of attendance at times.

There are some minor children who have not yet received their allotment. There are some to whom allotments were not made because they were not sufficiently prepared to receive their property in severalty and handle it. Now, that money is principally used for two purposes—the first, about $1,000 for a medical attendance and subsistence of these old Indians and some children who have no allotments in severalty, and therefore have only the bounty of the Government to depend upon. A part of this is used in looking after the sale of the five town lots and sale of the five sections that has been ordered by Congress and taking care of the rents and leases of the lands not divided in severalty. The money is absolutely needed. I have been on this reservation, have investigated the situation, and seen a number of the old Indian men and women. They very much need the superintendence and care of some one who is able to look after them.

Mr. MANN. What was the money used for in the last fiscal year, if the gentleman happens to have it?

Mr. HAWLEY. The money of the last fiscal year was used in salaries and wages, $2,111. That was one clerk and some occasional assistance. The next largest item is $639 for subsistence of the Indian and medical supplies, $210, and this, with the transportation of the supplies, as the agency is some 12 or 14 miles away from the nearest railroad points, makes about $1,000 in those items for the subsistence and support of the Indians. I hope that before long all these Indians will have their lands allotted in severalty and that this item can be taken out of the bill; but just at present these Indians are very much in need of this care on the part of the Government, and if it is not provided they will be left without any provision, some of them will be absolutely in need, and they will have no one to look after their property, because they have no authority to look after it themselves or hire anybody to do it for them.

Mr. MANN. How many Indians are there? Does the gentleman recall?

Mr. HAWLEY. There are 429 on the reservation.

Mr. MANN. And how many have allotments?

Mr. HAWLEY. I think the major portion of them; a very large proportion of them.

Mr. MANN. The amount we have appropriated for support and civilization has not been decreasing, I take it. They make the allotments and give the Indians the valuable land, and we preserve the value to them, although they are not entitled to it. They do not give the value to the land; and, in addition to that, we give them subsistence, not very much—$600 out of $4,000—for support; to be accurate, $639.34, though I suspect most of that did not get to the Indians.

Mr. HAWLEY. I am inclined to believe that the subsistence went to the Indians.

Mr. MANN. The forage, I suppose, did not go to the Indians. I see there is $36.34 for forage. Do we buy hay and furnish it to the Indians to feed their cattle?

I would like to make one observation.

Mr. HAWLEY. The item for this agency has decreased. Before the allotments were made, as I recall, and not many years ago, the item was $10,000, but with the making of the

allotments that item was decreased from time to time until now it is $4,000. The old Indians will not live very much longer. The young children who are entitled to allotments and need care on the part of the Government will soon have attained that majority which will enable them to receive their allotments, and others will be disposed of, and the item can be stricken from the bill. But under the present condition, with absolutely no way of taking care of them, because they are not authorized to spend any money or administer their own affairs, they will be in a very precarious and very unfortunate condition.

Mr. MANN. Well, I think it ought to be reduced some this year, and the only way I know of now is to make a point of order.

Mr. HAWLEY. The gentleman could move an amendment.

Mr. MANN. Well, I have not information sufficient, and I fear my friend has not, although I have a great respect for his opinion. I think this will be taken care of. If I did not think so, I probably would not make the point of order. But I want to bring to the attention of the Indian Office these propositions where they keep on asking year after year for the same appropriation for support and civilization. It is not what the money is used for, and apparently we would continue it forever unless they take it up as new matter. Possibly the new Commissioner of Indian Affairs will have time enough, in addition to his reflections about himself and his own work, to consider some of these practical questions. And in the hope that he will, I am going to make the point of order, and I do make the point of order.

The CHAIRMAN. Does the gentleman insist on his point of order?

Mr. MANN. I do.

The CHAIRMAN. The point of order is sustained. The Clerk will read.

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. JOHNSON of Kentucky having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. Tulley, one of its clerks, announced that the Senate had passed joint resolution and bills of the following titles, in which the concurrence of the House of Representatives was requested:

S. J. Res. 218. Joint resolution to provide for the detail of an officer of the Army for duty with the Panama-California Exposition, San Diego, Cal.;

S. 2589. An act for the relief of Peter McKay; and

S. 6121. An act to authorize the construction of a bridge across the Niagara River, in the town of Lewiston, in the county of Niagara and State of New York.

INDIAN APPROPRIATION BILL.

The committee resumed its session.

The Clerk read as follows:

SOUTH DAKOTA.

SEC. 20. For support and education of 365 Indian pupils at the Indian school at Flandreau, S. Dak., and for pay of superintendent, $61,500; for general repairs and improvements, $5,000; in all, $66,500: *Provided*, That the unexpended balance of the $10,000 appropriated by the Indian appropriation act approved August 1, 1914, for the repair of buildings and to replace equipment destroyed or damaged by the tornado of June 10, 1914, at the Flandreau Indian School, S. Dak., is hereby made available for expenses incurred for the purpose stated after the tornado and before August 1, 1914, and for a water tank and the purchase of dairy cattle to be used in connection with said school.

Mr. BURKE of South Dakota. Mr. Chairman, I would like to offer an amendment, on line 9, page 33, to insert the word "immediately," and I will explain why as soon as the amendment is submitted.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from South Dakota [Mr. BURKE].

The Clerk read as follows:

Page 33, line 9, before the word "available," insert the word "immediately."

Mr. MANN. Mr. Chairman, I reserve a point of order on that.

The CHAIRMAN. The gentleman from Illinois reserves a point of order.

Mr. BURKE of South Dakota. Mr. Chairman, I will explain the purpose of this amendment. Last summer there was a cyclone or tornado at this school, and it destroyed some buildings and killed two or more of the Indian children. The Indian Office, by wire, directed the superintendent to begin making the repairs and restoring the buildings that had been demolished. The roof was removed, I believe, from one of the buildings. He began making the repairs, purchased material, and the work was well under way when the Indian appropriation act was approved on August 1, 1913, but the comptroller ruled that the money that had been expended before the passage of the act was not authorized and could not be paid out.

If we are going to make this money available to pay that amount, which is something over $1,000, the parties in interest ought not to be required to wait until after July 1 for their money. They have already waited nearly a year, and for that reason I hope the appropriation may be made immediately available, so that it can be used to pay these expenses that were incurred for the purpose for which the money was subsequently appropriated.

Mr. MANN. Mr. Chairman, may I ask the gentleman a question?

Mr. BURKE of South Dakota. Certainly.

Mr. MANN. Is this a committee amendment?

Mr. BURKE of South Dakota. No, sir; it is not a committee amendment.

Mr. STEPHENS of Texas. I see no objection to it.

Mr. MANN. I understood the gentleman from South Dakota a while ago, when we had another amendment up before the House, to say that he felt obliged to oppose all amendments not offered by the committee.

Mr. BURKE of South Dakota. Well, I will say to the gentleman that I am quite sure this amendment has the approval of the committee.

Mr. MANN. If it is offered as a committee amendment, that is another thing.

Mr. BURKE of South Dakota. It is not offered as a committee amendment.

Mr. STEPHENS of Texas. This is a meritorious amendment, Mr. Chairman, and it is acceptable to the committee. It is offered for the purpose indicated by the gentleman from South Dakota.

Mr. MANN. Well, in view of the fact that "hope springs eternal in the human breast," I will withdraw my point of order.

The CHAIRMAN. The gentleman from Illinois withdraws his point of order. The question is on agreeing to the amendment offered by the gentleman from South Dakota.

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

For support and maintenance of day and industrial schools among the Sioux Indians, including the erection and repairs of school buildings, $200,000, to be expended under the agreement with said Indians in section 17 of the act of March 2, 1889, which agreement is hereby extended to and including June 30, 1916.

Mr. SISSON. Mr. Chairman, I make a point of order against the paragraph.

Mr. STEPHENS of Texas. Mr. Chairman, I hope the gentleman will not make the point of order, for the reason that this has been carried for several years. It is under a lapsed treaty. The treaty lapsed, I think, in 1909, and the item has been carried in its present condition since that time.

At the time the treaty was made it was the hope that the Indians should be self-supporting and the land should be allotted to them and they should become citizens by this time, but the limitation should be removed and the Indians should have this $200,000 for school purposes.

Mr. BURKE of South Dakota. Do I understand the gentleman makes the point of order against the entire paragraph?

Mr. SISSON. Yes; I make the point of order against the entire paragraph. The language, Mr. Chairman, to which I want to direct attention of the Chair is this:

Which agreement is hereby extended to and including June 30, 1916.

Mr. BURKE of South Dakota. If the gentleman would limit his point of order to that part of the provision, that perhaps would save a little time.

Mr. SISSON. I have no objection to the item going into the bill, but I do not want the item to go into the bill as an item of appropriation.

Mr. BURKE of South Dakota. Will the gentleman limit his point of order?

Mr. SISSON. If it goes into the bill as a gratuity and the members of the committee believe that it is a gratuity, I am more than willing that the item shall stay in the bill.

Mr. BURKE of South Dakota. Can we not save a little time by having an understanding? If the gentleman desires to make a point of order against the entire paragraph——

Mr. SISSON. I have no objection, then, Mr. Chairman, to offering again the language, "For support and maintenance of day and industrial schools among the Sioux Indians, including the erection and repairs of school buildings, $200,000."

I have no objection to that language going into the bill. The language which makes it clearly subject to a point of order is this: "Which agreement is hereby extended to and including June 30, 1916."

I make a point of order, Mr. Chairman, on the entire paragraph because of that particular language. If the committee desires to offer it as a gratuity and believes that $200,000 should be paid to these Indians as a gratuity, I have no objection to that. This matter was before the Chair once before, but that particular language—"which agreement is hereby extended to and including June 30, 1916"—was not passed upon by the Chair at that time.

Mr. BURKE of South Dakota. Mr. Chairman, I have stated to the gentleman that I thought we could save time if he would let the Chair rule upon the point of order, and then I will reoffer the provision. There is no use in discussing it.

The CHAIRMAN. The Chair thinks the language referred to by the gentleman from Mississippi [Mr. SISSON], "which agreement is hereby extended to and including June 30, 1916," is clearly obnoxious to the rule, and therefore the Chair sustains the point of order.

Mr. BURKE of South Dakota. Now, Mr. Chairman, I offer as an amendment to the bill what appears in lines 11 to 15, down to and including the words "eighteen hundred and eighty-nine."

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from South Dakota.

The Clerk read as follows:

Page 34, after line 10, insert the following: "For support and maintenance of day and industrial schools among the Sioux Indians, including the erection and repairs of school buildings, $200,000, to be expended under the agreement with said Indians in section 17 of the act of March 2, 1889."

Mr. SISSON. Mr. Chairman, I make the point of order on the language of the amendment, "to be expended under the agreement with said Indians in section 17 of the act of March 2, 1889."

Mr. MANN. The gentleman makes his point of order on the amendment?

Mr. SISSON. Yes; on so much as is included in the language after the figures "$200,000."

Mr. BURKE of South Dakota. Mr. Chairman, I do not care to delay the proceedings in the consideration of this bill to discuss this point of order. I have furnished to the Chair the record that covers the proceedings when this whole matter was gone into very fully on a former occasion. I have not examined it to ascertain whether the item as offered then was in the form in which I am now offering it or not. I presume the Chair is quite familiar with what transpired at that time, and I am quite willing to submit it without any discussion.

Mr. REILLY of Connecticut. I should like to ask the gentleman from Mississippi the reason for making the point of order.

Mr. SISSON. Because I think the point of order ought to lie. That treaty has expired, and there is no reason why that language should now be added, because it becomes legislation on this appropriation bill.

The CHAIRMAN. The Chair has no information before him on which he can intelligently pass upon this point. The attention of the Chair has been directed to the CONGRESSIONAL RECORD, but the Chair has been unable to find anything which is of assistance to him in this regard.

Mr. BURKE of South Dakota. I do not wish to delay the committee, and I do not wish to embarrass the Chair in passing upon the question without having an opportunity to look it up, but I will ask unanimous consent to amend my amendment by striking out everything after the figures "$200,000."

The CHAIRMAN. The Chair will sustain the point of order. Is there objection to the request of the gentleman from South Dakota?

Mr. SISSON. I have no objection; but if the Chair sustains the point of order the gentleman does not have to offer it again.

Mr. BURKE of South Dakota. That strikes it out, and I prefer to do it in this way.

The CHAIRMAN. Is there objection to the request of the gentleman from South Dakota to modify his amendment as stated?

There was no objection.

The CHAIRMAN. The Clerk will report the amendment as modified.

The Clerk read as follows:

On page 34, after line 10, insert:
"For support and maintenance of day and industrial schools among the Sioux Indians, including erection and repairs of school buildings, $200,000."

The amendment was agreed to.

The Clerk read as follows:

For subsistence and civilization of the Yankton Sioux, South Dakota, including pay of employees, $14,000.

Mr. MANN. I reserve a point of order on the paragraph if the gentleman from South Dakota wishes to make a statement about it; otherwise I will make the point of order.

Mr. BURKE of South Dakota. I was going to offer an amendment to that provision. I presume, in the face of the decisions that the Chair has been making upon similar items, it will have to go out. I have prepared an amendment that I was going to offer, but I have mislaid it, and I suppose I will have to concede the point of order.

Mr. MANN. Probably it would not be in order anyhow. [Laughter.]

The CHAIRMAN. Does the gentleman from Illinois make the point of order?

Mr. MANN. Yes.

The CHAIRMAN. The point of order is sustained. The Clerk will read.

The Clerk read as follows:

For the equipment and maintenance of the asylum for insane Indians at Canton, S. Dak., for incidental and all other expenses necessary for its proper conduct and management, including pay of employees, repairs, improvements, and for necessary expense of transporting insane Indians to and from said asylum, $45,000.

Mr. BURKE of South Dakota. I offer the following amendment.

The CHAIRMAN. The gentleman from South Dakota offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 34, after line 25, insert a new paragraph, as follows:
"That the Secretary of the Interior be, and he is hereby, authorized to withdraw from the Treasury of the United States not to exceed the sum of $5,000, or so much thereof as may be necessary, of the principal sum on deposit to the credit of the Indians of the Standing Rock Indian Reservation in North Dakota and South Dakota, and expend the same in the construction of a road across the said Standing Rock Indian Reservation, as proposed in House Document No. 1236, Sixty-third Congress, third session: *Provided*, That the amount herein authorized to be expended shall be expended in such manner and at such times as the Secretary of the Interior may deem proper, and in the employment of Indian labor for the construction of said highway, as far as the same is practicable: *Provided further*, That before any part of the amount herein authorized to be expended shall be paid the county of Corson, S. Dak., shall appropriate an equal amount to be expended upon said road, and that there shall only be expended of the money belonging to the Indians upon said road an amount equal to what may be appropriated and expended by said Corson County."

Mr. MANN. I reserve a point of order on the amendment.

The CHAIRMAN. The gentleman from Illinois reserves a point of order.

Mr. STEPHENS of Texas. We should like to have some explanation of that item.

Mr. BURKE of South Dakota. Mr. Chairman, the last Indian appropriation act, approved August 1, 1914, provided—

That the Secretary of the Interior is hereby authorized and directed to make an investigation with respect to the necessity and practicability of constructing a wagon road or highway through the Standing Rock Indian Reservation in Corson County, S. Dak., from a point on the Missouri River north of Pontis, S. Dak., thence in a northwesterly direction to the town of Tatanka, and submit his report thereon to Congress on the first Monday in December, 1914, and the sum of $1,000, or so much thereof as may be necessary, is hereby appropriated for the purposes herein specified.

Under that authority the Secretary of the Interior, at the opening of this session of Congress, submitted a report, which is House Document No. 1236. Connected with the report is a map showing the proposed road, and on account of the printing of that map, so I was informed by the Government Printing Office, there was a delay in getting the document, and I was only able to get a copy of it a day or two ago. That is the reason why I did not bring the matter to the attention of the Indian Committee.

This report shows that it is proposed to construct a wagon road through the northern part of South Dakota, connecting with the road that is being constructed through Minnesota and west to the Yellowstone Park, by the Yellowstone Trail Association; and it is being constructed by voluntary contributions of both money and labor. Many of the counties through which the road passes have made appropriations for the aid of the construction of this road. Corson County, S. Dak., which is in the Standing Rock Indian Reservation, is most of it in Indian allotments not subject to taxation, and there is no way for that county, without making it an extreme hardship upon those who may own lands in the county, to bear all of the expense connected with the construction of the road through that county. These Indians have in the Treasury several hundred thousand dollars, not counting a large trust fund, which I do not include, as the result of proceeds from the sale of surplus lands. Another sale is authorized and will take place in April, from which they will receive quite a sum; and under the agreement of 1889 the money received from the sale of surplus land is paid into the Treasury and is expended for the benefit of the

Indians and for their support and civilization. This item provides that $5,000 of the money may be used by the Indian Bureau in construction work on this road, in the employment of Indian labor, provided that the county of Corson shall appropriate and expend, dollar for dollar, an amount equal to what is expended by the Indian Bureau of the money that I have referred to.

The report of the Interior Department gives the facts and circumstances connected with the construction of this road, and says that—

It is believed that the Indians could well afford to share with the county that portion of the expense which is to be borne by it under the agreement it has made with the Trail Association; or, in other words, to pay one-half of the sum of $9,166.66, provided the amount so contributed by the Indians should be expended in such manner and at such times as the Secretary of the Interior may deem proper in the employment of Indian labor for the construction of said highways. That part of the highway the location of which has been amended as shown on the accompanying illustration follows the section lines and seems to do no unnecessary damage to the Indian land.

Mr. NORTON. Will the gentleman yield?

Mr. BURKE of South Dakota. Yes.

Mr. NORTON. I want to call the gentleman's attention to the fact that the Trail Association is to pay one-third of the amount.

Mr. BURKE of South Dakota. Oh, yes. I will say that the cost of the road is estimated at $18,333.33, and one-half of that amount the Trail Association contributes. Then, the county of Corson is to pay $9,166,66; and it is one-half of that amount that this amendment is proposed to authorize to be paid, and in the employment of Indian labor in construction work as far as practicable.

Mr. STEPHENS of Texas. Mr. Chairman, I reserved the point of order, and I desire to ask the gentleman from South Dakota how many miles of this road is built on the Indian reservation?

Mr. BURKE of South Dakota. This report says the distance is about 25 miles.

Mr. STEPHENS of Texas. How much is it estimated to cost a mile?

Mr. BURKE of South Dakota. The report says:

Based upon the cost of constructing a 20-mile section of the road across the lands adjacent to the reservation, it is estimated that the construction of the road across the reservation will cost approximately $500 a mile, or $12,500 for the 25-mile section; and, assuming that the length of the road as finally laid out will be about 30 miles, the cost of that section would be approximately $15,000, making the total estimated cost of the roadway across the reservation amount to $27,500.

Mr. STEPHENS of Texas. Has the county been consulted about the building of the road through the reservation and has it agreed to pay its pro rata part?

Mr. BURKE of South Dakota. It has, and there is such an agreement in existence. The superintendent at the agency representing the Indians recommends the expenditure. I will say that it is customary among the Sioux Indians instead of taking the money and paying it out for rations or paying it per capita to the Indians to employ Indians in road work on the reservation. But in order to spend any of the money on this particular road it is thought that an authorization by Congress is necessary.

Mr. STEPHENS of Texas. Have the Indians given their consent?

Mr. BURKE of South Dakota. I understand they do not object to it.

Mr. STEPHENS of Texas. I have no objection to it; it is on all fours with the roads that they have heretofore built.

Mr. MANN. Mr. Chairman, my friend from South Dakota says that he got the report a few days ago. I got the report some time ago, and it has a map in connection with it. The map is designed to show where the road runs to, but if anybody can examine it and tell where the road runs I will agree to withdraw the point of order. I have examined it right side up, upside down, wrong end to, and the other way, but was not able to determine from the lines on it where the road is to run. I thought that if anybody could get up a map so unintelligible there was not intelligence enough to make a correct estimate of the cost of the construction of the road.

Mr. BURKE of South Dakota. I will say to the gentleman that if he will take the map he will see that the road is proposed to run where the heavy black line runs.

Mr. MANN. There are heavy black lines on the top, bottom, and middle of the map. The lines are precisely the same in one place as in the other, and in an irregular way.

Mr. BURKE of South Dakota. The other lines are township and range lines.

Mr. MANN. I do not know whether they are or not. It is not unusual to have a road run along the range line. No one can tell from the map where this road is to run. I am compelled to make the point of order, but I would like to ask one question. The gentleman speaks of somebody else contributing half or one-third of the cost of this road. I would like to ask whether they have put up the money?

Mr. BURKE of South Dakota. I understand that they have; that it is guaranteed.

Mr. MANN. Guaranties do not go.

Mr. BURKE of South Dakota. There is a contract in existence between the county of Corson and the trail association by which the trail association has contracted to pay one-half of the construction cost of this road; and I understand that under that contract the county will not appropriate any money until they have paid their one-half of it, and my understanding is the money has been deposited. None of the money authorized to be expended by this provision is to be expended until the county of Corson provides an equal amount, and it seems to me it is safeguarded in that particular.

Mr. STEPHENS of Texas. As I understand, these appropriations are made and are under control of the Secretary of the Interior.

Mr. BURKE of South Dakota. Certainly; and the employment of the Indian labor as far as practicable.

Mr. STEPHENS of Texas. I have no objection to it.

Mr. MANN. The gentleman can bring in a special bill for this purpose. I do not think it is fair to ask the House to consider a proposition of this sort without notice, and I make the point of order.

The CHAIRMAN. Does the gentleman from South Dakota pretend that there is any authority of law for it?

Mr. BURKE of South Dakota. I think not; I do not think it is authorized by law.

The CHAIRMAN. The Chair sustains the point of order.

The Clerk read as follows:

For the support and civilization of detached Indians in Utah, including pay of employees, $10,000.

Mr. MANN. Mr. Chairman, I reserve the point of order on that paragraph, or I will reserve it if the gentleman from Utah [Mr. HOWELL] or the gentleman in charge of the bill desires to discuss the matter.

Mr. HOWELL. Mr. Chairman, this item is for the purpose of civilizing and supporting numerous scattered bands of Indians throughout the State of Utah. There are about twelve hundred Indians in different small settlements in the State of Utah, including a number of wandering bands pursuing a nomadic life. The agent in charge of this work, according to the best of my information, is doing a most creditable and benevolent work in behalf of these Indians. He has been very successful in collecting the roaming Indians into small settlements and inducing them to adopt agriculture. I believe it would be a wise thing to continue this appropriation. I think the appropriation has been made now for two or three years—so that it might be said to be a work in progress and beyond the reach of the fatal point of order. The Indian Service is very desirous of having this appropriation continued, as they fully recognize the necessity for it and the great value of the services rendered for the benefit of these Indians through it. Only a few years ago the Indians to whom we are giving this support were free to roam at will and enjoyed the unrestricted use of the country for their hunting and fishing grounds. They are but a remnant of the original occupants of the country. Not belonging to any agency, they have no right or claim on any tribal lands or funds. They have been deprived of their accustomed means of subsistence and are now dependent upon the charity of the General Government and the mercy of the communities in that section of the country and impose a burden upon them.

Mr. MANN. Let me ask the gentleman why they do not work?

Mr. HOWELL. Some of them do work. There are two or three small settlements, and they are engaged in agriculture. This money is now used in assisting and instructing those so engaged, so as to encourage them to become civilized and self-supporting. I myself have sent out hundreds of farm bulletins to these small Indian settlements, in order that the white people in the same locality might instruct the Indians in the best methods of utilizing their lands.

Mr. MANN. How many of these detached Indians are there in Utah?

Mr. HOWELL. There are about twelve hundred detached Indians. There are three or four small settlements and one small reservation besides a number of roaming bands of Indians.

Mr. MANN. Mr. Chairman, it is proposed here to appropriate $10,000 for some kind of supervision over 1,200 Indians who ought to be self-supporting, and many of whom doubtless are. The rest would be if we would not encourage them not to be.

Mr. HOWELL. But there are some of these Indians that are simply roaming, vagabond Indians.

Mr. MANN. And they will always be so, as long as they can come in once in a while and get some subsistence.

Mr. HOWELL. The agent in charge of this work in Utah has been very diligent in trying to collect the roaming bands of Indians and get them to settle with their brethren in the Indian settlements and adopt the arts of agriculture. He has exhibited a commendable solicitude for their welfare and has done a splendid work for them. I hope he will be permitted to continue the benevolent and practical work he has so successfully undertaken.

Mr. MANN. Yes; and if we would leave them alone, they would have to work.

Mr. HOWELL. Oh, no; there is always an opportunity to beg. They can go from place to place and impose upon the charity of the white settlers and become a burden to the various settlements in which they pitch their tents from time to time. The task of inducing them to adopt ways of industry and civilization is a most worthy and commendable object for us. Over $3,000 of this appropriation last year was given for assistance to Indians in furnishing implements and fencing their lands and securing their water rights and encouraging them in the progress of agriculture and civilization.

Mr. MANN. Mr. Chairman, I do not feel very positive upon the subject in many respects; but what do we do? Wherever the Indians have lands we save their rights, we put white settlers around them and improve the value of their lands. If there are minerals upon the lands, which would not be worth anything at all to the Indians in the first place, we give them the full benefit of all the value there. Whatever they have we give to them. If they squander what they have, we still keep taking care of them; and at the same time nearly all of the reformers of the country abuse the Government because they say we take no care of the Indians, that we rob the Indians. The fact is, we give the Indians everything that is coming to them, and if they do not have anything coming to them, we still give it to them. I understand that we are under some obligations, I suppose; but I think this ought to receive new consideration at the hands of Congress.

Mr. STEPHENS of Texas. Mr. Chairman, I hope the gentleman will not insist upon his point of order. These Indians are scattered over the State, and they are very poor, as is stated here in the hearings. If there are any Indians in the United States that are in a bad condition, I think some of these bands are. If the gentleman from Illinois is correct, we could strike out all of these appropriations.

Mr. HOWELL. Mr. Chairman, I do not want the gentleman from Illinois to overlook the fact that these Indians are the aboriginal settlers of that country. They had the whole region there once for their maintenance and for their hunting and fishing grounds. They are not connected with any tribe, and therefore there are no tribal funds from which they can receive relief. They are dependent solely upon the bounty of the Government for their advancement and civilization. In view of their ancient heritage and the great value of the rights relinquished by them to the settlers who have come upon their lands, and in view of the generous treatment by the Government extended to all other Indians having tribal relations, it does seem to me that it is a very meager amount that we are asking for their civilization and support when we ask for only $10,000 a year, and I hope the gentleman from Illinois will not insist on his point of order.

Mr. MANN. I suppose they have allotments of land, or are entitled to them, if they ever owned any land there at all.

Mr. HOWELL. Some of them have, but there are others who are mere wanderers, the remnant of the original owners of the country.

Mr. MANN. Oh, no; I beg the gentleman's pardon. They probably were not out there at the time at all. Certainly these Indians were not. I am going to make the point of order, although I feel very much impressed by what the gentleman from Utah has said.

The CHAIRMAN. The point of order is sustained.

Mr. BURKE of South Dakota. Mr. Chairman, I ask unanimous consent to recur to page 34, line 18, for the purpose of offering an amendment that I could not lay my hand upon when we passed that item.

The CHAIRMAN. The gentleman from South Dakota asks unanimous consent to recur to page 34 for the purpose of offering an amendment. Is there objection?

Mr. MANN. Mr. Chairman, as the amendment will be subject to a point of order, I object.

The CHAIRMAN. The gentleman from Illinois objects.

Mr. BURKE of South Dakota. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 37, after line 16, insert a new paragraph, as follows:

"For expenses in connection with the Yankton Sioux Indians in South Dakota, including pay of employees, for leasing of land, appraisement of land when offered for sale, determining of heirship, suppression of intoxicating liquors among the Indians, and in the general administration of the affairs of said Indians in accordance with the law, $14,000."

Mr. MANN. Mr. Chairman, I make the point of order, first, that this amendment is not offered at the proper place in the bill and is not germane to this point in the bill; second, that there is no authorization of law for the appropriation. As to the first point, this bill is divided into sections under the various States. The section to which the gentleman offers the amendment is section 21, under the head of "Utah," whereas the amendment relates to South Dakota, is not in Utah, and does not relate to Utah Indians, and hence is not in order in this place in the bill.

Mr. BURKE of South Dakota. Mr. Chairman, I do not think that there is anything to that point of order that it is not offered at the proper place in the bill. If it is authorized and it has not been offered, it seems to me just as much in order to offer it here as it would at any other part of the bill, and the form of the bill, which is subdivided by States, does not necessarily mean that every item that might be offered with reference to an Indian agency in a certain State would have to be offered when the items for that State were under consideration. I do not think that that is the governing feature in this bill at all, and if it was in order on page 34 it is in order here, and it would be in order at the end of the bill or at any other place.

Mr. MANN. Mr. Chairman, the gentleman is clearly mistaken. It has been held, time and time again, in the Indian bill that you could not offer an amendment relating to Utah under the head of South Dakota, or vice versa. It has been held on all of these bills that an amendment has to be germane to that part of the bill. It has been held so repeatedly. Members have the right to know where amendments come in.

Mr. BURKE of South Dakota. Mr. Chairman, I want to call the gentleman's attention to something he will well remember, and that is that for many years after I was a Member of this House and after he was a Member of the House the Indian appropriation bill did not follow any form, so far as the appropriations were concerned, by States; and I may say that I had something to do with the change of the form of the bill and that I recall very distinctly the gentleman from Illinois and the gentleman from New York [Mr. FITZGERALD] particularly criticizing the change which had been made in the form in which the bill was submitted, stating it was impossible to compare the pending bill with the existing law, because the items had been shifted about and appeared in a different place in the bill; and since that time, simply following the form—no rule about it, no law about it—we have divided the Indian appropriation bill so as to make these appropriations by States; and I offer this as a separate paragraph, and I do not think that it necessarily would have to be offered while we are under the item of South Dakota.

Mr. MANN. Mr. Chairman, my friend from South Dakota is drawing a long bow on his imagination. The Indian bill was made up without dividing it into sections, but it was made up, as far as these things are concerned, in accordance with State lines in the same part of the bill. When they divided it into sections—it is the only appropriation bill which passes that is divided into sections under appropriating items—I did not criticize it, and I do not know whether the gentleman from New York did or not. We wondered they commenced to divide it into sections, and the gentleman's own statement shows that his amendment is not in order, even if it had been in order under the old form of the appropriation bill, when the committee makes it up by States, making an amendment relating to one State out of order under a section relating to another State.

The CHAIRMAN. The Chair will state that the paragraph under consideration deals only with the State of Utah. The bill is so drawn as to apply to the various States separately. The committee has passed the section referring to South Dakota, and under the rule of the committee and its custom in considering this bill and other bills of the same character, the Chair does not think the amendment is in order at this point, or will be in order unless the gentleman obtains unanimous consent to recur to that portion of the bill to which it would be germane.

Mr. BURKE of South Dakota. A parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. BURKE of South Dakota. Do I understand the Chairman to hold it would not be in order if offered at the end of the bill?

Mr. MANN. The Chair can decide that when he reaches it.

The CHAIRMAN. The Chair will not undertake to pass upon that point until it is reached. The Chair does think it is not in order at this particular time and sustains the point of order.

The Clerk read as follows:

For continuing the construction of lateral distributing systems to irrigate the allotted lands of the Uncompahgre, Uintah, and White River Utes, in Utah, and to maintain existing irrigation systems, authorized under the act of June 21, 1906, reimbursable as therein provided, $10,000, to remain available until expended: *Provided*, That this appropriation shall be used to hold, maintain, and operate said systems so as to secure to the Indians their paramount rights to so much of the waters of the streams in said reservation as may be needed by them for agricultural and domestic purposes, and to regulate the use, enlargement, and extension of said systems by any person, association, or corporation under the provisions of the act of June 21, 1906 (34 Stat. L., p. 325), only upon the acquisition of a right thereto as provided in the act of March 1, 1899 (30 Stat. L., p. 941).

Mr. MORGAN of Oklahoma. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Mr. MORGAN of Oklahoma offers the following amendment as a new paragraph following the word "one," in line 16, page 37:

"That the Secretary of the Interior is hereby authorized and directed to loan at not to exceed 5 per cent interest per annum to bona fide farmers, secured by mortgages upon improved farms, any portion of the trust funds in the Treasury of the United States"——

Mr. MANN. Mr. Chairman, I make the point of order that the amendment is not in order.

The CHAIRMAN. The Chair thinks that portion of the amendment which has been read is clearly subject to a point of order.

Mr. MANN. I do not think we ought to have that sort of thing in the House, trying to put other people in a hole, and I am not in favor of it.

Mr. STEPHENS of Texas. I make the point of order that it is not germane to anything in the bill.

The CHAIRMAN. The Chair thinks it is not germane to the bill——

Mr. MORGAN of Oklahoma. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. And the point of order is sustained.

Mr. MORGAN of Oklahoma. Mr. Chairman, it may be that the amendment as presented is not in order on this appropriation bill, but I desire to present to the House some observations relative thereto. The amendment does not apply to Oklahoma alone. It applies to all trust funds in the Treasury of the United States belonging to the Indians.

I have three main objects in view in presenting the above amendment:

First. To aid in national economy.

Second. To reduce interest charges to the farmers of the States wherein the Indians are located.

Third. To promote justice to the people of the States wherein the bulk of our Indians reside.

NATIONAL ECONOMY.

According to the report of the Commissioner of Indian Affairs for 1914, there are in the United States 331,250 Indians; they own 69,899,570 acres of land; their lands and property are valued by the commissioner at $667,454,639; they have an annual income from all sources of $31,000,000; they have trust funds in the United States Treasury to their credit to the amount of $39,366,367; and on these trust funds the Government in 1914 paid to the various Indian tribes and to the members thereof the sum of $1,777,543.

The proposition before us, then, is that the Government has in the Treasury $40,000,000 belonging to the Indians in the United States on which the Government is paying the Indians interest of $1,777,543. These funds are lying idle in the Treasury, and constitute an immense charge annually upon the Federal Government.

The Commissioner of Indian Affairs, the Hon. Cato Sells, in his able and interesting report for 1914, on page 4, declares that during the fiscal year 1914 in his department there has been the greatest activity in "endeavoring to place the Indian Service on a sound, economical, efficient business basis."

I do not question at all that the present Indian Commissioner is doing his utmost to place the great bureau over which he presides upon "a sound, economical, efficient business basis." I submit, however, that on purely economical grounds the National Government should provide some way to reimburse itself for the large annual interest it pays upon Indian trust funds.

Some conception of this annual interest charge may be gathered by comparing it with the total annual expenses of the Indian Department. The bill now before us, making appropriations for the expenses of the Bureau of Indian Affairs and for all matters connected with the Indians in the United States for the year ending June 30, 1916, in the aggregate carries the sum of $8,135,624.25; $884,440 is reimbursable from Indian funds; $6,400,824.25 is appropriated as a gift or gratuity to the Indians; $850,360 is appropriated under treaty obligations. Leaving out the reimbursable fund, the bill as reported by the committee carries a total appropriation of $7,251,184, but the Government is paying out annually on Indian trust funds $1,777,543, or an amount equal to 25 per cent of the entire annual appropriation for the administration of the affairs of the Indians and their support. If there can be devised any safe and practicable means and method whereby we can reduce by one-fourth the annual expenses for the support of the Indians of the United States, certainly it should receive the most earnest consideration of Congress, of the Commissioner of Indian Affairs, and the Secretary of the Interior.

My suggestion is a simple one. It is this: Loan the Indian trust funds in the Treasury of the United States on which the Government is paying interest to the farmers of those States where the Indian tribes are located, and thus reimburse the Government for the amount it pays out in interest on these trust funds. In this way we could save the Government nearly $2,000,000 annually, pay all the expenses connected with the loaning of these funds, and perhaps have a surplus left to go back to the credit of the Indians.

This interest payment on this trust fund of $1,177,000 a year is a dead loss to the Government of the United States. These funds, as I take it, are idle funds in the Treasury of the United States.

Mr. MANN. Will the gentleman yield for a suggestion?

Mr. MORGAN of Oklahoma. Yes.

Mr. MANN. The funds are not actually in the Treasury; they are only theoretically there. The money is not there, but we owe it.

Mr. MORGAN of Oklahoma. The law requires the money to be in the Treasury to the credit of the Indians.

Mr. MANN. That is a fact. The money is not there.

Mr. MORGAN of Oklahoma. I do not agree with the distinguished gentleman from Illinois. These funds, under the law, are to the credit of the Indians. It seems to me the gentleman might as well argue that when an individual has money on deposit in a bank that it is not there, only in theory.

Mr. STEPHENS of Texas. Is it not a fact that the money you refer to is in the banks of Oklahoma now?

Mr. MORGAN of Oklahoma. No, sir. I am now talking about the trust funds of all the Indians of the United States. It is true that Oklahoma banks now have on deposit the proceeds of the sale of certain lands belonging to the Five Civilized Tribes amounting to over $5,000,000.

Mr. STEPHENS of Texas. Then, if that money is in the Treasury and it is turned over to the bankers, is it not subject, then, to go into circulation through the banks, and would it not benefit your State in that way?

Mr. MORGAN of Oklahoma. Of course the transfer of $5,000,000 from the Treasury to the banks of Oklahoma is some benefit to the bankers and the business community generally. But these bankers pay from 4 to 6 per cent interest on these deposits. This compels the banks to charge a high rate of interest therefor. This especially is what the farmers complain of. My great object is to provide our farmers with cheaper interest, and the way to do this is to loan the money direct to the farmers. So I have offered my amendment to loan all of these Indian trust funds on farm mortgages.

Mr. LENROOT. To what trust fund does the gentleman refer?

Mr. MORGAN of Oklahoma. The commissioner reports that, all told, the Government has $40,000,000 of trust funds held in the Treasury of the United States belonging to the various Indian tribes of the Nation.

Mr. LENROOT. In my State there are several million dollars of those trust funds, every dollar of which is placed in banks and drawing interest.

Mr. MORGAN of Oklahoma. That is not true generally in the United States. I think the gentleman is mistaken. At any rate, the trust funds of the Indians are, generally speaking, not in the banks of the States. But if such funds were in the banks, I still insist that it would be a far wiser policy to loan direct to the farmers rather than to the farmer through the banks, especially in view of the high rate of interest the farmers of many of the States are paying.

LOWER INTEREST TO THE FARMER.

Above all, one of the main objects to be attained is the reduction of the rate of interest which the farmers are paying. Practically all of our Indians are located in the Western States. It is a matter of common knowledge that interest rates in these States is much higher than in the Central and Eastern States. For some years we have been agitating the question of better rural credit. The two great political parties in their national platforms of 1912 declared in favor of legislation to provide a system of rural credits that would greatly reduce the interest charge to the farmers of the United States and provide agriculture with the necessary capital to insure its proper growth, extension, and expansion. The Democratic Party was placed in power in both the executive and legislative branches of the National Government.

The farmers of the United States had a right to expect that the party in power would keep their platform pledges and come to their relief with proper rural-credit legislation. In this they have so far been disappointed. The Sixty-third Congress was in continuous session for nearly 20 months with no rural-credit legislation enacted. We are now in the third session of this Congress. The Congress will expire by limitation of law on the 4th of March next. Only a few weeks remain for action. It is, I believe, understood that there will be no rural-credit legislation during this session. The proposition which I present would not, of course, be any great benefit to the farmers generally of the United States; it would, however, be of vast benefit to the farmers in those States in which the bulk of the Indians reside. Among these States are Oklahoma, Arizona, South Dakota, Montana, New Mexico, Washington, North Dakota, Oregon, and Minnesota.

I wish especially to call attention to the benefits that would be derived, if my proposition were adopted, to the farmers of the State of Oklahoma. The various Oklahoma Indian tribes have on deposit to their credit in the Treasury of the United States $21,341,764; $8,992,867 of this belongs to the Five Civilized Tribes and $12,348,897 belongs to Indians other than the Five Civilized Tribes. There is due the Five Civilized Tribes for lands which have been sold but not paid for $5,623,950, which, added to the twenty-one millions now in the Treasury, would make a total of $27,000,000 to the credit of the Oklahoma Indians either now in the Treasury or soon to be placed there. But, excluding the fund of the Five Civilized Tribes, other than trust funds, on which the Government is paying interest, there would be left, say, $15,000,000 to be loaned to the farmers of Oklahoma, at not to exceed 5 per cent interest. For the fiscal year ending June 30, 1914, the Indians of Oklahoma drew in interest on trust funds $872,184; $289,535 of this amount went to the Five Civilized Tribes and $582,647 went to Indians other than the Five Civilized Tribes. The farmers of Oklahoma, according to the report of the 1909 census, owed $28,000,000 on farm mortgages. The rate is exceedingly high, running generally from 7 to 12 per cent on farm loans. It is safe to say that if my proposition was adopted it would save the farmers of my State $500,000 annually, which in 10 years alone would be a saving of $5,000,000, and the National Government would save annually $872,184, the amount it is paying in interest on trust funds to Oklahoma Indians. In 10 years it would make a total saving to the Government of $8,721,000. If my proposition were adopted, the farmers in the States in which the bulk of our Indian population reside would save in annual interest charge probably $1,000,000 and the Federal Government would save annually nearly $2,000,000.

JUSTICE TO THE STATES.

One of the important objects I have in view is simple justice to the people of those States wherein the Indians are located. We should bear in mind that these funds belong to the Indians and that these Indians are citizens of the various States in which they reside. The money is therefore a part of the general capital of the State in which the Indians reside. Under the policy now pursued $40,000,000 belonging to the Indians are withdrawn from the States, locked up in the vaults of the National Treasury, where it entails a burden upon the National Treasury. Evidently it is neither a wise nor just policy for the National Government to divert from a State capital which belongs to the State and which should be utilized in that State for the development of its local industries. This is just the purpose, or one of the purposes, which I have in view. The Indian trust funds belonging to the Indians of Oklahoma are legitimate capital of our State. These funds should be used in the State for the development of Oklahoma industries. As agriculture is our chief industry, I believe that these funds should be used for the development of the agriculture of our State, because whatever develops, encourages, and aids agriculture will help every other kind and character of business.

Besides, it is a fact which all will admit that a large Indian population, having a large proportion of Indians of the restricted class, necessarily is more or less a burden upon the people of the State. Primarily this comes from the fact that the lands of the restricted Indians are nontaxable, and this increases the burden of taxation upon all other property. The States which have a large Indian population carry a burden which naturally belongs to the Nation at large. It is therefore but just that the capital of these Indians in the control of the National Government should be returned to the State to in part recompense the State for the burden the people thereof must bear by reason of having as a part of their population a large number of incompetent Indians.

Mr. Chairman, this is not the first time I have called the attention of this House to wisdom and justice of the National Government loaning Indian trust funds in the Treasury of the United States on farm mortgages. I introduced a bill early in this Congress for this purpose. I have more than once spoken on the subject. I am thoroughly convinced that Oklahoma is clearly entitled to have the funds of her citizens utilized in the State for the development of her industries. The incompetent Indians of Oklahoma are wards of the Government. They are also citizens of the State of Oklahoma. Their property should be used, so far as it can be done with safety to the Indian, to promote the general prosperity and the welfare of the State in which the Indians reside. Because the people of that State give the Indians many benefits and advantages through the institutions of the State, the citizens of the State must submit to heavy taxation that the Indians may have the advantages of these institutions. The incompetent, restricted Indian contributes little in taxes to the State. The National Government has exempted his property from State taxation.

In view of these facts, why should not it be the policy of the Federal Government, so far as it may be with safety, to permit these funds to go back to the State from whence they came, to do their part in the expansion of the business of the State, in the growth of its industries, in the development of its natural resources, in the extension of its commerce, in the building up of all its institutions which have for their object the welfare of its citizens.

Oklahoma is young. The State has its own problems to solve and its own destiny to work out. Her people are patriotic and loyal, and are willing to contribute their full share to the support of the National Government. The people of Oklahoma do not desire that their Representatives and Senators in Congress shall beg gifts and donations from the National Government. The people of Oklahoma do ask justice; they demand their rights. And this is what I plead for to-day. For one I would not endanger the property of the Indian. The money in the Treasury of the United States belonging to the Indian must be safeguarded in every way. But so far as it can be done with safety, the capital of the Indian should be made available to do its share in bearing the burdens of statehood, in the founding, expansion, and perfection of those institutions of the State which in future years will contribute to the greatness of the Commonwealth of Oklahoma and the welfare and happiness of her people, conspicuous among whom for all time will be the descendants of her Indian citizens.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MORGAN of Oklahoma. Mr. Chairman, I ask unanimous consent for five minutes more.

The CHAIRMAN. The gentleman from Oklahoma asks unanimous consent for five minutes more. Is there objection?

Mr. FOSTER. Mr. Chairman, I do not think we ought to discuss this matter any further.

The CHAIRMAN. The gentleman from Illinois objects.

Mr. MORGAN of Oklahoma. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Oklahoma asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

The Clerk read as follows:

WASHINGTON.

Sec. 22. For support and civilization of the D'Wamish and other allied tribes in Washington, including pay of employees, $7,000.

Mr. FOSTER. Mr. Chairman, I make a point of order on the paragraph.

The CHAIRMAN. The gentleman from Illinois makes a point of order on the paragraph, and the point of order is sustained.

The Clerk read as follows:

For support and civilization of the Makahs, including pay of employees, $2,000.

Mr. FOSTER. Mr. Chairman, I make a point of order against that.

Mr. JOHNSON of Washington. Will the gentleman withhold the point of order?

Mr. FOSTER. Certainly.

Mr. JOHNSON of Washington. The Makahs and these several other tribes named here are among the fish-eating tribes in western Washington. In 1858 the governor of that State, under the direction of the President of the United States, went among them and promised each and every one of them two hats filled with gold if they would relinquish their rights to fishing and hunting, timber, and land rights, except on certain reservations.

Mr. FOSTER. I observe by the report that these Indians have $5,000,000 worth of timber at the present time?

Mr. JOHNSON of Washington. That is exactly what I am coming to.

Here are the Qui-nai-elts and Quil-leh-utes in the next paragraph, seven or eight hundred of one band and two or three hundred in the other, who are immensely wealthy in a tribal way. A few of them have agricultural lands which have been allotted. Several hundred allotments have been held up. Indians all over that part of the country belong on the big Qui-nai-elt Reservation, and want to go on that reservation, but can not go because the allotments can not be completed, the policy of the Government being that an Indian must take agricultural lands, but if there is timber on it he can not have it. Many of the first allottees have timber on their pieces of land, which they are not permitted to sell. The Indians are controlled, but are not "supported." Therefore I do not object particularly to this point of order. I can see why the point is being made. It was only one year ago—last February, I think it was—when this item was up in support of the Qui-nai-elts and the Quil-leh-utes that I stated that the employees would get the $1,000 and the Indians would get the ozone.

Mr. FOSTER. I observe that is about the case with most of these.

Mr. JOHNSON of Washington. Now, take the Makahs item: Pay of employees, $2,000, and the man in charge there gets $600. They have been driven away off in a corner of the United States and controlled to a point where they can not live as they would live or advance as they should advance.

Mr. FOSTER. Probably they would live better if they were left alone.

Mr. JOHNSON of Washington. Indeed, they would. Our people do not think the Government has a superior way of treating them. Any Indian trader who has been looking after them would treat them better than the Government does.

Mr. FOSTER. Then I think it would be well to withhold the appropriation and let them try it a year and see if it would be better.

Mr. JOHNSON of Washington. If the gentleman would let the Indians live with what they have got, they would get along in the world and there would be no harm done.

Mr. MILLER. How much was given to the Makahs?

Mr. JOHNSON of Washington. Two thousand dollars. The bill provides that for their support and civilization.

Mr. MILLER. I know; but how much does the gentleman's amendment provide for?

Mr. JOHNSON of Washington. I have not offered any amendment at all. I am saying that if all these items should be stricken out and were allowed to stay out until some one would organize some rational plan of taking care of those Indians, they would be better off than they are now. As it is now, they are controlled wards, and they need assistance in almost everything they do.

Mr. MILLER. I understand the gentleman's position is that he requests that this item be retained in the bill?

Mr. JOHNSON of Washington. Certainly, unless a better plan is ready. I suppose this is all flubdub and waste. After we have gotten through with the major portion of this bill, in which we have attended to the Oklahoma Indians on the theory that they have three-fifths of all the business, then other tribes in other States may go on without any new plan being devised to take care of them.

Mr. STEPHENS of Texas. I would like to ask the gentleman from Washington how long these Indians have been, under treaty with the Government, under the care of agents?

Mr. JOHNSON of Washington. The treaty was made in 1857, and under that treaty it was provided that for 20 years they should have blacksmiths and teachers and hospitals and doctors. Along came the Civil War, and the Indians fell back to their roving ways of life under those conditions; but for the last 25 years, to my knowledge, they have had some form of care. This very hearing states that this appropriation that has been carried for the Qui-nai-elts and the Quil-leh-utes, $1,000, has not amounted to much, and that the department has at last decided to put a superintendent there as a result of complaints made on the floor here a year ago.

Mr. STEPHENS of Texas. How was the money expended last year?

Mr. JOHNSON of Washington. In providing minimum sums for doctors and an agent and a superintendent.

The CHAIRMAN. The point of order is sustained.

Mr. BURKE of South Dakota. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from South Dakota.

The Clerk read as follows:

After line 20, on page 37, insert the following: "For expenses in connection with the Makah Indians in Washington, including pay of necessary employees, for the leasing of lands, appraisement of lands when offered for sale, determining of heirships, suppressing intoxicating liquor among the Indians, care of timber, and in supervision of affairs of said Indians in accordance with law, $2,000."

Mr. MANN. Mr. Chairman, I make a point of order against that amendment.

The CHAIRMAN. The gentleman from Illinois [Mr. MANN] makes a point of order against the amendment.

Mr. BURKE of South Dakota. Now, Mr. Chairman, it seems to me that that is clearly limited so that it can only be expended in accordance with law.

Mr. MANN. Well, the gentleman is mistaken. Although he drew the amendment, he did not get the full force and purport of it. It is for expenses of Indians, including some legitimate objects.

The CHAIRMAN. The Chair thinks the point of order is well taken. The Clerk will read.

The Clerk read as follows:

For support and civilization of the Qui-nai-elts and Quil-leh-utes, including pay of employees, $1,000.

Mr. FOSTER. Mr. Chairman, I make a point of order against that.

The CHAIRMAN. The point of order is sustained.

Mr. JOHNSON of Washington. Mr. Chairman, will the gentleman reserve his point of order for a moment?

Mr. FOSTER. Yes.

Mr. JOHNSON of Washington. Mr. Chairman, these Indians have had for quite a number of years $1,000 for support and civilization. They live on a very large reservation, on which, according to the lowest calculation, there is about $5,000,000 worth of timber. A number of tribal oil leases have been issued, which have brought some money into the tribal fund—the first money that these Indians have had. Those Indians are not permitted to do much of anything. We have lately succeeded in having a detached agent assigned there, and his principal duty will be to settle quarrels between the Indian police and the other officials.

Mr. STEPHENS of Texas. How was the money expended? Was not this $1,000 expended in having an agent there and in giving this police protection that they have?

Mr. JOHNSON of Washington. No. The agent will go there at a minimum salary outside of this, and a doctor will go there. They have now decided to send a doctor there, at $1,200, but that must come out of general funds in the bill.

Mr. STEPHENS of Texas. If they have a doctor and an agent, why is there any necessity for this $3,000?

Mr. JOHNSON of Washington. It is not $3,000. It is $1,000. Six hundred dollars is for salaries and expenses.

Mr. STEPHENS of Texas. To whom do these salaries go?

Mr. JOHNSON of Washington. Well, we have just had an actual agent there for the first time this year. Now, there is a forest agent there who does not belong to the Forest Service, but belongs to the Indian forest service. This fine body of timber that I referred to is adjacent to the Forest Department timber, and it is just as necessary to protect this as to protect the forest reserve.

The CHAIRMAN. The point of order is sustained.

Mr. MILLER. Mr. Chairman, I move to amend by inserting, after line 20, the following: "For expenses incident to carrying out the provisions of law applicable to the Qui-nai-elts and Quil-leh-utes, including pay of employees necessary in such work, $1,000."

The CHAIRMAN. The Clerk will report the amendment. The gentleman from Minnesota will send his amendment to the desk.

Mr. FOSTER. Mr. Chairman, I think we ought not to wait for Members to prepare amendments.

Mr. MILLER. Mr. Chairman, I offered my amendment from the floor. It is perfectly proper under the rules of the House.

Mr. JOHNSON of Washington. Mr. Chairman, I move to strike out the last three words.

The CHAIRMAN. The Chair will state that the paragraph has been ruled out of order.

Mr. MANN. One can not offer an amendment to an amendment.

The CHAIRMAN. Does the gentleman ask for the regular order? The Clerk will report the amendment.

Mr. MILLER. It is to come in after line 20.

The Clerk read as follows:

After line 20, on page 37, insert the following:
For expenses incident to carrying out the provisions of law applicable to the Que-nai-elts and Quil-leh-utes, including pay of employees necessary to such work, $1,000.

Mr. FOSTER. Mr. Chairman, I make a point of order on that amendment.

Mr. MILLER. Mr. Chairman, that amendment certainly is not subject to a point of order. It simply provides the money for the purpose of carrying out the law that exists, applicable to these bands of Indians.

Mr. FOSTER. I think there is no provision of law with reference to them.

Mr. MILLER. There are many provisions of law. The treaties that we have made with these two bands of Indians are laws, and by reason of them we have in our possession and are administering for them large tracts of land and large amounts of money. We are to expend the moneys that we now have belonging to them, for their benefit, and in such ways as are provided for by the treaties and by the laws that we have made. It is not necessary that we specify each and every one of the acts, but the phraseology of the amendment is such that the expenditures must be confined exclusively within the provisions of the laws which already exist.

Mr. MANN. May we have the amendment reported again, Mr. Chairman?

The CHAIRMAN. If there be no objection, the Clerk will again report the amendment.

The amendment was again reported.

Mr. MANN. Mr. Chairman, the amendment is clearly subject to the point of order. For instance, it would provide for the Government of the United States appropriating money to enforce the laws of the State of Washington which are applicable to these Indians. Here is a proposition to have the Government appropriate money for the enforcement of the statutory laws of the State of Washington—of course, only the provisions of law applicable to these Indians—including something else. Now, there are many laws that are applicable to the Indians and applicable to white people alike, but that does not authorize an appropriation in the Indian bill or elsewhere, unless there is authority of law providing for the appropriation of money for the enforcement of that law.

The CHAIRMAN. The Chair will ask the gentleman from Minnesota what provision of law applies.

Mr. MILLER. I will state to the Chair that I think the statement just made by the gentleman from Illinois is in full support of the proper character of the amendment. As I understand his remarks, he states that one trouble with this is that it is simply for the enforcement of law. It does not specify that it is a certain law that is to be enforced. Of course it does not, because it does not need to. It does not state that it is not a law of Russia that is to be enforced. Of course not. The United States Government and the United States officials have no right and no authority, and could not exercise any, to enforce any law of that kind, and hence the phraseology, in the very terms used, would be construed by any court as intended to apply to the laws of the United States.

As to the latter part of it, that it does not state whether or not some of this money could be expended in enforcing criminal law, I want to state to the gentleman that it does not need to state that. If there is any criminal law passed by the United States Government which is applicable to these two bands of Indians, we have a right to pass an appropriation for the purpose of enforcing that law.

Now, in order that the gentleman may not have even a portion of his argument left, I ask unanimous consent to change the amendment by inserting the words "of the United States" after the word "law."

The CHAIRMAN. Is there objection to the request of the gentleman to modify his amendment?

There was no objection.

Mr. STEPHENS of Texas. How will it read if amended?

The CHAIRMAN. The Clerk will report the amendment as modified.

The Clerk read as follows:

After line 20, on page 37, insert the following:
"For expenses incident to carrying out the provisions of the laws of the United States applicable to the Qui-nai-elts and Quil-leh-utes, including pay of employees necessary to such work, $1,000.

Mr. MANN. I make a point of order against that amendment, if no one else wishes to make it.

The CHAIRMAN. The gentleman from Illinois makes a point of order against the amendment. The amendment is clearly not legislation, neither does it change existing law; and since it is germane, the Chair thinks it is in order. The point of order is overruled. It is a question for the committee whether or not the appropriation should be made. The question is on the amendment offered by the gentleman from Minnesota.

The amendment was agreed to.

Mr. JOHNSON of Washington. Mr. Chairman, I offer an amendment to follow the one just adopted.

The CHAIRMAN. The gentleman from Washington offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 37, line 18, insert: "For expenses incident to carrying out provisions of laws of the United States applicable to the D'Wamish and allied tribes in Washington, including pay of employees, $7,000."

The CHAIRMAN. The Chair will ask the gentleman from Washington if there is any law providing for this.

Mr. JOHNSON of Washington. The laws of the United States; and the argument presented by the gentleman from Minnesota [Mr. MILLER], in regard to the Qui-nai-elts and Quil-leh-utes, applies to this amendment. There are the laws relating to the sale of their timber, and all of the laws of the United States applying to these Indian people.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Washington.

The amendment was agreed to.

Mr. JOHNSON of Washington. Mr. Chairman, I have another amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 37, line 21, insert:
"For expenses incident to carrying out provisions of laws of the United States applicable to Makahs, including pay of employees, $2,000."

Mr. MANN. Mr. Chairman, I make a point of order against the amendment.

The CHAIRMAN. The Chair will hear the gentleman.

Mr. MANN. There is no provision of law authorizing employees for this purpose. Here is a provision which says "for the purpose of enforcing the law." Suppose on the sundry civil appropriation bill I offer an amendment to appropriate a million dollars for the purpose of carrying out or enforcing some law, including the pay of employees. There has got to be some authority for employees before you can specifically appropriate for them.

Mr. MILLER. Will the gentleman yield?

Mr. MANN. Yes.

Mr. MILLER. Is it possible to perform any act except through an agent?

Mr. MANN. Yes; it is possible to perform a great many acts except through an agent, and my friend from Minnesota, who is bright and intelligent, does it frequently himself.

Mr. MILLER. I had reference to the United States. Is it possible for the United States to perform an action except by an agent or an officer?

Mr. MANN. It has to be performed through somebody, although I regret to say that very often it is done without anybody acting.

Mr. MILLER. That is true; but is it possible to do any proper, legal act without some employee or officer to carry it out?

Mr. MANN. That is another proposition.

Mr. MILLER. The language of this amendment is not "any employee," it is such employees as are necessary and required by the statute.

The CHAIRMAN. The amendment now pending is different from the one heretofore adopted by the committee, in that the present amendment provides for the expenses incident to carrying out a law of the United States applicable to the Indians named, including the pay of employees, but does not limit payment to only such employees as are necessary to do the particular work under such law. It is very clear that the amendment in its present form is subject to a point of order, and the Chair so holds.

The Clerk read as follows:

For support and civilization of Indians at Yakima Agency, including pay of employees, $3,000.

Mr. FOSTER. I make a point of order against the amendment.

The CHAIRMAN. The point of order is sustained.

The Clerk read as follows:

For support and civilization of Indians at Colville, Taholah, Puyallup, and Spokane Agencies, including pay of employees, and for purchase of agricultural implements, and support and civilization of Joseph's Band of Nez Perce Indians in Washington, $15,000.

Mr. FOSTER. Mr. Chairman, I make the point of order.

The CHAIRMAN. The point of order is sustained.

Mr. LA FOLLETTE. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 38, at the top of the page, insert the following:
"For expenses incident to the carrying out of the provisions of the laws of the United States applicable to the Indians at Colville, Taholah, Puyallup, and Spokane Agencies, including pay of employees necessary for such work, $15,000."

Mr. FOSTER. Mr. Chairman, I think that is subject to the same ruling which the Chairman made a while ago.

Mr. LA FOLLETTE. I beg the gentleman's pardon; that is the language of the Miller amendment just declared in order.

The CHAIRMAN. The amendment provides for an appropriation necessary to carry out the laws of the United States now on the statute book for the Indians named and for the employees necessary to carry out the law. The Chair thinks that amendment is in order. The question is on the amendment.

The question was taken, and the amendment was agreed to.

Mr. LA FOLLETTE. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 38, before line 8, insert the following:
"For expenses incident to carrying out the provisions of the law of the United States applicable to the Indians at the Yakima Agency, including the pay of employees necessary for such work, $3,000."

The CHAIRMAN. The question is on the amendment.

The question was taken, and the amendment was agreed to.

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. FERRIS having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. Tulley, one of its clerks, announced that the Senate had passed the following resolution:

Resolved, That the Senate has heard with profound sorrow of the death of the Hon. JOSEPH F. JOHNSTON, late a Senator from the State of Alabama.

Resolved, That as a mark of respect to the memory of the deceased the business of the Senate be now suspended to enable his associates to pay proper tribute to his high character and distinguished public services.

Resolved, That the Secretary communicate a copy of these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

Resolved, That as a further mark of respect to the memory of the deceased the Senate do now adjourn.

The message also announced that the Senate had passed without amendment bill of the following title:

H. R. 13815. An act to increase the limit of cost for the construction of a public building at Marlin, Tex.

INDIAN APPROPRIATION BILL.

The committee resumed its session.

The Clerk read as follows:

For support and education of 350 Indian pupils at the Cushman Indian School, Tacoma, Wash., including repairs and improvements, and for pay of superintendent, $50,000, said appropriation being made to supplement the Puyallup school funds used for said school.

Mr. GREEN of Iowa. Mr. Chairman, I move to strike out the last word. I do that because I want to ask the chairman of the committee a question relative to another matter. There is, as the chairman doubtless well knows, claims to a large amount pending against certain Indians which have been filed with the Interior Department. As I understand, the reason that nothing has been done is that the Interior Department claims that it has not sufficient force to audit the claims and determine how much are just and how much are unjust. The claims have been pending a long time. There is no question as to the justice of them to a certain extent, and I would like to ask the chairman of the committee if that matter was considered in the committee.

Mr. STEPHENS of Texas. There has been no bill introduced in relation to that matter. If there had been, it would have been sent either to our committee or to the Committee on Claims. That is the only way to get the claim before the committee. It has to go through the proper channel and reach the committee before the committee can have jurisdiction. If the gentleman will introduce a bill, he can have the committee investigate the matter, and that is the only way it can be reached.

Mr. GREEN of Iowa. I think there is an altogether different way of reaching it.

Mr. STEPHENS of Texas. The gentleman will have to do it by resolution or bill before the committee has jurisdiction of the matter or would be authorized to act upon it.

Mr. GREEN of Iowa. It is my understanding that the claims would be paid if audited.

Mr. STEPHENS of Texas. Each claim has to stand on its own bottom, and before the committee can have jurisdiction of it there must be a bill or a resolution introduced.

Mr. GREEN of Iowa. The chairman does not think that there should be a bill for each individual claim, does he?

Mr. STEPHENS of Texas. Certainly, before it can be investigated.

Mr. GREEN of Iowa. In other words, the gentleman means that this matter never can be adjusted, because, after the statement he has made, that would be the effect of it. It would be absolutely impossible for several thousand claims to get through this House by any such process as that.

Mr. STEPHENS of Texas. If the gentleman has a certain class of claims, they may be included in one bill, but we can not possibly pass upon that in advance.

Mr. GREEN of Iowa. Certainly not.

Mr. STEPHENS of Texas. Generally outside matters of that kind must be presented in some concrete form.

Mr. GREEN of Iowa. I might say that I had received assurances from the department that the matter would be presented to the committee, and, as I understand the gentleman, the question of providing the department with funds to audit these claims has not been presented to it in any way by the department.

Mr. STEPHENS of Texas. The department has not called our attention to anything except through the regular channels, as I have explained.

The Clerk read as follows:

For support, education, and civilization of the Pottawatomie Indians who reside in the State of Wisconsin, including pay of employees, $7,000.

Mr. MANN. Mr. Chairman, on that I reserve the point of order.

Mr. STEPHENS of Texas. Mr. Chairman, I admit that the point of order is well taken.

Mr. STAFFORD. Mr. Chairman, the gentleman from Texas should not be too previous, because the gentleman from Illinois has not as yet made the point of order. He has an open mind in regard to this item, I am sure. According to the hearings, there are some 590 Pottawatomie Indians. Many of them are indigent, and where heretofore their affairs had been provided by numerous agencies under former regulations they are all attended to from one agency located at Carter. I assume there is very pressing need for this appropriation, otherwise the Commissioner of Indian Affairs would not have so strongly recommended it.

The CHAIRMAN. Does the gentleman withdraw the point of order?

Mr. MANN. No; I make the point of order.

The CHAIRMAN. The point of order is sustained.

Mr. STAFFORD. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Page 39, line 7, insert: "For expenses incident to carrying out provisions of laws of the United States applicable to the Pottawatomie Indians who reside in the State of Wisconsin, including pay of employees, $7,000.

Mr. STEPHENS of Texas. Is that on all fours with the amendment of the gentleman from Minnesota?

Mr. STAFFORD. It is on all fours, except the change of names and other phraseology to make it applicable to the Pottawatomies.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Wisconsin.

The amendment was agreed to.

The Clerk read as follows:

Section 3 of the act of March 28, 1908 (35 Stat L., p. 51), is hereby amended to read:

"That the lumber, lath, shingles, crating, ties, piles, poles, posts, bolts, logs, mark, pulp wood, and other marketable materials obtained from the forests on the Menominee Reservation shall be sold under such rules and regulations as the Secretary of the Interior may prescribe. The net proceeds of the sale of all forest products shall be deposited in the Treasury of the United States to the credit of the Menominee Tribe of Indians. Such proceeds shall bear interest at the rate of 4 per cent per annum, and the interest shall be used for the benefit of such Indians in such manner as the Secretary of the Interior shall prescribe."

Mr. MANN. Mr. Chairman, I reserve the point of order on this proposition. I thought I had examined all of the provisions

in this bill, but I do not recall this provision as to how it changes existing law.

Mr. STEPHENS of Texas. Section 3 of the act of March 28, 1908, was amended to provide that the lumber, laths, shingles, and so forth, should be sold, as I understand it, under such rules and regulations as the Secretary of the Interior might prescribe. I think that is the only change.

Mr. LENROOT. Under the law at present existing they must make all sales for cash, and they have found it very difficult to make sales on that account. The amendment would provide for extending credit under certain rules and regulations.

Mr. BURKE of South Dakota. Mr. Chairman, the purpose of this amendment is to make it possible to market the lumber that is manufactured, belonging to these Indians, so that it can be marketed in competition with other lumber that is manufactured there where those who purchase it are given reasonable time—30, 60, or 90 days. Under the original proposition the timber could only be sold for cash, and it is claimed that the bureau was handicapped in selling the timber because they were unable to give any terms whatever. That is the purpose of the change in the law.

Mr. MANN. As it is now, of course, they are required to sell for cash.

Mr. BURKE of South Dakota. Absolutely.

Mr. MANN. There can be no favoritism granted to anyone. A private person or a corporation which is selling goods has officers or agents who are interested to protect that corporation, and it may be that the Government would have some one there who would protect it. It is quite possible, however, that the Government might have some one there who would sell on 60 or 90 days' time to some one who would get the goods and dispose of them without paying the Government. Undoubtedly that will happen if the Government undertakes this method of carrying on business. I suppose it is a natural result, however, of the Government endeavoring to run this sawmill at the Menominee Reservation.

Recently some one went up there from the Board of Indian Commissioners and made an examination and sent around a very expensively bound copy of the report. I do not know whether that report was bound at the expense of the Government or whether the gentleman who went there paid for it out of his private pocket. It was a very expensive binding. I read the report. I have no doubt that it was exceedingly satisfactory to the very able gentleman who made it, but he went up there, as he says, unprejudiced, and the first thing he did was to say that anybody who said anything against the work that was being done up there was a thief and a liar—in effect, if not in terms. He was so unprejudiced that anyone who did not agree with him was not entitled to respect at all.

Mr. MILLER. Will the gentleman yield?

Mr. MANN. Yes.

Mr. MILLER. Did he make that statement before or after his visit to Menominee?

Mr. MANN. After his visit.

Mr. MILLER. Possibly he returned in a prejudiced condition, however unprejudiced he may have gone there.

Mr. MANN. Well, he was taking notes as he went along, according to his statement, and it looks to me as though when he arrived there he arrived in that frame of mind where he, like the Irishman, did not care what the color was so it was green. [Laughter.]

The CHAIRMAN. Does the gentleman withdraw the point of order.

Mr. MANN. I withdraw the point of order.

Mr. LENROOT. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 39, between lines 23 and 24, insert the following:
"For the repair and construction of sidewalks in the village of Odanah, within the Bad River Reservation, $500; said sum to be reimbursed to the United States from any moneys which are now or which may hereafter be placed to the credit of the Bad River Band of Wisconsin Chippewa Indians."

Mr. STEPHENS of Texas. Mr. Chairman, I make the point of order that this is not authorized by existing law.

Mr. MILLER. Will the gentleman withhold that? I think the gentleman from Wisconsin has something important to state.

Mr. LENROOT. I would like to make a statement in reference to this amendment.

Mr. STEPHENS of Texas. Then, I will withhold the point of order.

Mr LENROOT. Mr. Chairman, the village of Odanah is within the Bad River Reservation, of Wisconsin, a village of several hundred people, and the title of all land upon which the village is situated is still in the United States Government; not even trust patents have been issued to a single lot in this village. The sidewalks were constructed a number of years ago, but they have worn to a very dilapidated condition, so much so that accidents have happened—one, a very serious one, to a lady visiting the reservation, who was seriously crippled because of its condition, and who now has a bill pending for her relief. If it was an ordinary municipal corporation, there is no question—and the department has so held in reports to Congress—that the liability is complete. Now, there is no way in which these sidewalks can be repaired except through a direct appropriation by Congress.

Mr. MILLER. Will the gentleman yield?

Mr. LENROOT. I will.

Mr. MILLER. Will the gentleman state to the committee whether a railroad station is not located at this place?

Mr. LENROOT. A railroad station is there, and also a sawmill is there. Now, the department did make an estimate for this very purpose of $1,000, found in the hearings, and the reason stated for it, but I have only asked for $500 instead of the $1,000 asked by the department.

Mr. STEPHENS of Texas. Is this town of Odanah on an Indian reservation?

Mr. LENROOT. Absolutely within the reservation.

Mr. STEPHENS of Texas. Is it an Indian town?

Mr. LENROOT. An Indian town; nothing but Indians.

Mr. STEPHENS of Texas. Do the Indians own the site? Is it in segregated lots?

Mr. LENROOT. It has been platted, but not a single foot has gone to patent.

Mr. STEPHENS of Texas. Are they under the control of an agent?

Mr. LENROOT. Absolutely.

Mr. STEPHENS of Texas. Who recommends this?

Mr. LENROOT. It has been recommended by the department, and it will be found in the estimates. Although they have asked for $1,000, I have only asked for $500.

Mr. MILLER. Will the gentleman from Wisconsin also state whether or not Odanah is the headquarters of the band of Bad River, Wis., Chippewa Indians? Is it not their capital, so to speak?

Mr. LENROOT. Yes.

Mr. STEPHENS of Texas. Mr. Chairman, with the information furnished by the gentleman I withdraw the objection.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

For continuing the work of constructing roads and bridges within the diminished Shoshone or Wind River Reservation, in Wyoming, $15,000, said sum to be reimbursed from any funds which are now or may hereafter be placed in the Treasury to the credit of said Indians.

Mr. MARTIN. Mr. Chairman, I move to strike out the last word. When an item for an appropriation for the maintenance of the school at Genoa, Nebr., was under consideration, the gentleman from Nebraska [Mr. STEPHENS] made certain comparisons between the school at that point and other Indian nonreservation schools and the cost of their support. This was not done in a spirit of criticism, but at the same time I think he left a somewhat incorrect impression as to the actual facts with regard to this matter. In comparison of the school at Genoa, Nebr., with the school at Rapid City, S. Dak., by the simple process of dividing the amount of appropriation in each case by the number of pupils stated to be involved in the appropriation, he comes to the conclusion that $160 per capita per annum is the amount required for the support of the children at the Genoa school and $195 for the children at the Rapid City school. The facts upon investigation will be found to be practically the reverse. The Rapid City school although an appropriation is made for the support of only 250 children annually has in fact a capacity for 300 annually and has in fact supported 300 annually at that school. I find by consulting the report given us by the commissioner for the last year that the average attendance at the Rapid City school for the fiscal year is 267, or 17 average attendance more than provided for. The number of enrollments for the year is 300, or 50 more than provided for. By comparison with the other school, however, at Genoa I ascertain that the number of average attendance, although the apporpriation is for 375 pupils, is 340, or 35 under the number appropriated for. When we consult the amount actually expended for the maintenance per capita of the children in each school I find the comparison entirely in favor of the Rapid City school. I do not make this in a spirit of criticism at all, but only to correct what otherwise might be a false impression. I find by the report at Genoa the cost per capita, based on the enrollment, is $181.54. At Rapid City, based upon the enrollment, it is $166, or a difference of $15.54; but when based upon the average attendance

the comparison is still more in favor of the Rapid City school. The cost at Genoa, based upon the average attendance, is $211.98 per pupil, whereas at the Rapid City school it is $187 per pupil, or a cost of $24.98 less per pupil, based upon the average attendance at the school.

I find by comparison with the other schools in our State that the expenses are all below the school at Genoa, and, indeed, when I compare the Rapid City school with the school at Phoenix, Ariz., for which we make an appropriation for 700 pupils annually, the school at Rapid City, although in a colder climate, as against the milder climate at Phoenix, and whereas at Rapid City we have an appropriation for 250 pupils as against 700, the cost of maintenance is $24 less at Rapid City than at Phoenix. I simply make this statement that we may understand by the right test what is really being expended in these various schools.

The value of the annual products at the Rapid City school is $12,897. It is strictly an industrial school. The Indian children there are being taught agriculture, both with and without irrigation, and stock raising, as well as other industries connected with agriculture. These are the employments they must follow at home, and the Indians under this system of education are rapidly becoming self-supporting. Situated near the Indian reservations, this school supplies the best features of the reservation and nonreservation schools. The Indian youth are learning the things most profitable for them to know industrially, and at the same time, by example and association, they are acquiring from their white brethren some of the best traits and conditions of civilization.

Mr. MONDELL. Mr. Chairman, I offer an amendment, which I send to the Clerk's desk, for the extension of the La Clair ditch.

The CHAIRMAN. The gentleman from Wyoming offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 40, after line 21, insert the following:
"For extension, enlargement, and construction of the La Clair or Riverton ditch for the irrigation of Indian allotments on the north side of the Big Wind River Reservation, Wyo., reimbursable as provided by section 1 of the act of August 1, 1914, $100,000."

Mr. STEPHENS of Texas. Mr. Chairman, I make the point of order against the amendment, on the ground that it is new legislation, is not authorized by existing law, and not germane to this section.

Mr. MONDELL. Is that the only point of order that the gentleman makes—that it is not germane?

Mr. STEPHENS of Texas. Not germane, and contrary to existing law, and not authorized by law.

Mr. MONDELL. I would like to be heard on the point of order, if the Chair has any question about it.

The CHAIRMAN. The Chair will hear the gentleman.

Mr. MONDELL. Mr. Chairman, this is a section of the bill that relates to Wyoming and to the Wind River Reservation. At no other point in the bill could this amendment properly be offered, and therefore it is germane. Now, as to its being in order on the bill, I will say to the Chair that the La Clair ditch, which it is proposed to extend, is an Indian ditch, built out of Indian funds for the irrigation of Indian lands, and my amendment simply proposes to further extend the La Clair ditch for the irrigation of other Indian lands. Clearly it is not subject to a point of order. It is a work in progress.

The CHAIRMAN. The Chair will hear the gentleman from Texas [Mr. STEPHENS].

Mr. STEPHENS of Texas. The last paragraph begins on line 17, page 40, and reads:

For continuing the work of constructing roads and bridges within the diminished Shoshone or Wind River Reservation, in Wyoming, $15,000, said sum to be reimbursed from any funds which are now ar may hereafter be placed in the Treasury to the credit of said Indians.

Now, this applies to an irrigation project and is not germane to this section of the bill, if it was germane to any point of the bill. It is new legislation and not authorized by law. There is nothing to show that there has been any authorization for this expenditure of money.

The CHAIRMAN. The point is made by the gentleman from Wyoming that it provides for the continuation of a work in progress.

Mr. STEPHENS of Texas. That might have been germane to the section beginning with line 11 and ending with line 17, but it is added at the end of line 21.

The CHAIRMAN. The Chair thinks that clearly the amendment is in order at this place in the bill if it is in order at all. Now, the Chair will ask the gentleman from Texas whether or not this amendment is a continuation of a work now in progress. On its face it appears to be so.

Mr. STEPHENS of Texas. I know of no law authorizing that. There may be a statute, however, to that effect. If there is, I think the gentleman should produce it.

Mr. MONDELL. If the gentleman will allow me, I am familiar with the situation. The gentleman from Texas, after he hears what I have to say, will agree with me that the item is in order. The La Clair ditch is an Indian ditch on the north side of the Big Wind River on the Shoshone Reservation, built out of funds carried in this bill in times past for the irrigation of Indian lands. It is proposed to enlarge and extend the ditch somewhat for the irrigation of additional lands some distance down below. This item is as clearly a work in progress as any item provided for in the bill.

Mr. STEPHENS of Texas. Will the gentleman yield?

Mr. MONDELL. Yes.

Mr. STEPHENS of Texas. The gentleman says this is to enlarge and extend an irrigation ditch. Now, would it not require new legislation to do that, and do you not contemplate by this very language the expenditure of money not authorized by law at the present time?

Mr. MONDELL. I will say to the gentleman, no. If that is what I contemplated, or what was contemplated, then I would agree with the gentleman that the item was subject to the point of order. But the item is not subject to a point of order, because any item is in order on this bill that provides for the continuation of work for the irrigation of Indian lands. The La Clair ditch was undertaken quite a number of years ago and work has been done on it from time to time. This is simply to continue and carry on that work and irrigate allotments that can not otherwise be irrigated.

Mr. MILLER. Will the gentleman yield for an inquiry?

Mr. MONDELL. I will.

Mr. MILLER. Can the gentleman state whether or not the ditch was begun under the provision of the law which was passed some years ago prohibiting the beginning of any irrigation project that would cost more than $35,000 without specific authority from Congress?

Mr. MONDELL. The La Clair ditch, like all the ditches on the Wind River Reservation in Wyoming, was begun under legislation providing for a general system of irrigation for the Indian lands on that reservation. This is one of the ditches that was built.

Mr. STEPHENS of Texas. Under what act was this built? Does the gentleman remember?

Mr. MONDELL. I do not recall the exact date of the act, but the gentleman from Texas is familiar with the legislation under which we have spent approximately $500,000 on that reservation for the building of ditches, and this bill carries an item of $25,000 for the continuation of that system, but that particular item is confined to the ditches on the south side of the river. This is one of the ditches that was built on the north side of the river.

Mr. STEPHENS of Texas. What was the estimate on this project originally? Was it over $30,000?

Mr. MONDELL. The original estimate of the completed system on Wind River Reservation was some $750,000, as I recall it.

Mr. STEPHENS of Texas. Was the expenditure of that money on this item authorized at the time the law went into effect?

Mr. MONDELL. I do not think any sum was authorized for any particular ditch. We undertook the work of the irrigation of those Indian lands under an estimate, as I recall it, that the total work would cost about $750,000. We have now expended, as I recall it, in the neighborhood of $500,000, more or less, I do not recall the exact amount.

Mr. STEPHENS of Texas. Then, Mr. Chairman, I think it is clear that it is subject to a point of order, from the fact that it is enlarging and increasing the number of acres, as the gentleman admits. It is for the enlarged irrigation of these lands.

Mr. MONDELL. Oh, nothing of the kind. I have said that when this project was undertaken for the irrigation of the land on the Shoshone reservation the estimate, as I recall it, for the project as a whole was in the neighborhood of $750,000—three-quarters of a million dollars—and $25,000 for that work is in this bill. There has been appropriated thus far in the neighborhood of $500,000. We are still well within the original estimate of the cost of that project. That project was undertaken, I will say to my friend, for the irrigation of the irrigable lands of this reservation, and as long as there are irrigable lands on the reservation an item for it would be in order, even if it were beyond the original estimate. But this is within the original estimate.

Mr. STEPHENS of Texas. Mr. Chairman, will the gentleman yield for a question?

Mr. MONDELL. Yes.

Mr. STEPHENS of Texas. Take line 11. The first words there are, "For continuing the work of constructing irrigating systems." Suppose you would say, "continuing and enlarging and extending the construction," and so forth. Would not those words, "enlarging and extending," make it new legislation?

Mr. MONDELL. No; not at all; because an extension of a ditch is of necessity an enlargement, and you can not extend an irrigation ditch along great distances without enlarging it, because the farther you extend it the more loss there is by seepage and evaporation. Therefore, the larger the ditch must be at the upper end. I do not insist upon using the word "enlargement" or the word "extension," but the words used convey the thought of what is intended to be done, all of which is in line with the authority we have for the irrigation of the lands of this reservation.

Mr. STEPHENS of Texas. Would the gentleman contend, if we had started out to irrigate 1 section of land, that he could extend that to 10 sections or to 50 sections without changing the law?

Mr. MONDELL. If the gentleman will allow me, we started out to irrigate all the irrigable lands of these Indians. That was the project. Now, a plan was drawn for that work. That plan has been carried on. It has not been completed. Some ditches contemplated by that plan have not been started; but this is one of the ditches the construction of which was started years ago, and it was carried to a certain point, which at that time was as far as lands had been allotted. But now lands have been allotted farther down the river, and it is necessary further to extend the ditch in order to cover the lands lower down. These are the lands the irrigation of which was contemplated under the original authorization.

Mr. STEPHENS of Texas. The gentleman is aware that this language, from line 11 to line 17, inclusive, contemplates the maintenance and operation of a completed canal, $25,000. Now, if you extend and enlarge that canal, you ask for a different appropriation and a greater appropriation. Is not that true, and is not that new legislation?

Mr. MONDELL. If the gentleman will read that item, he will find it is for the purpose of "continuing the construction of an irrigation system." All of the work required to be done in the construction of an irrigation system comes within that language.

Mr. STEPHENS of Texas. This language only contemplates, as I understand it, the maintenance and operation of completed canals, and here you want to extend and enlarge.

Mr. MONDELL. Oh, no. The language is:

For continuing the work of constructing an irrigation system * * *, including the maintenance and operation of completed canals.

The main purpose is the construction. The minor purpose is the maintenance. But a small part of this money is used for maintenance. The main portion of it is used for construction.

Mr. STEPHENS of Texas. Then why is this language not sufficient? Why do you put the language in the amendment that you sent to the Clerk's desk?

Mr. MONDELL. I wanted to cover a particualr part of this system.

Mr. STEPHENS of Texas. You want to enlarge the system and extend the amount of lands to be irrigated?

Mr. MONDELL. No; we want to do work at a particular point on the system. The other is a general provision. This relates to a part of the system.

The CHAIRMAN. Can the gentleman cite to the Chair the language of the law providing for the construction of this ditch?

Mr. MONDELL. No; I can not. I do not recall the language now. If the Chair will turn to page 2 of the bill he will find, beginning there, an item for general construction, repair, and maintenance. That is under the general authority of this bureau to irrigate lands on Indian reservations, but under that general fund no ditch part of a plan carried as a special item can be taken care of. That general fund can not be utilized for any project that is specifically provided for.

Now, if the Chair will turn to page 40, where my amendment is offered, beginning with line 11, he will find the item that has been in this bill for years for the continuation of this same project. Now, a point of order has never been raised against that item, because it is not subject to a point of order. Formerly we appropriated $100,000 a year for a time. Then we appropriated $50,000 a year, and last year we appropriated $25,000, and this year we are proposing to appropriate $25,000. Now, my amendment covers exactly the same general system of irrigation which is covered by the language already in the bill, but applies to a specific portion of it not on the diminished reservation.

The CHAIRMAN. The Chair thinks the rule permits of an appropriation to continue a public work already in progress. The Chair understands the gentleman from Wyoming to state that this work is now in progress, but the Chair also understands the gentleman from Texas [Mr. STEPHENS] to contest that fact and to state that the ditch has been completed, and also to intimate that possibly this would result in enlarging the original limit of cost. The Chair can not be expected to pass on those propositions as between two gentlemen.

Mr. MONDELL. Mr. Chairman, the gentleman from Texas begs the question. I speak positively from information. The provision is for the irrigation of these Indian lands, which was contemplated under the general plan inaugurated some years ago. The very language of the amendment itself clearly indicates that it is a continuation and extension of this Indian ditch. If the gentleman from Texas [Mr. STEPHENS] was more familiar than he is—more familiar than we can expect him to be—with the details of this irrigation system, he would know that the Le Clair ditch is one of the ditches comprising this general system of irrigation on the Shoshone Reservation.

Mr. STEPHENS of Texas. But there is nothing here showing that that would cover the enlargement and extension that you propose by this $100,000 appropriation.

Mr. MONDELL. If in order to offer an amendment of this kind it is necessary for me to present an affidavit that this particular Indian ditch was contemplated by the language that said, "For the irrigation of all Indian lands"—if that was the requirement—then no amendment would be in order. The provision to which I refer was for the irrigation of the irrigable lands of this Indian reservation, and this is a part of them.

Mr. STEPHENS of Texas. Will the gentleman yield?

Mr. MONDELL. Yes.

Mr. STEPHENS of Texas. Is the gentleman aware of the act that we passed a few years ago, that all irrigation projects costing over $30,000 must be estimated for, and the project must be approved by the Department of the Interior?

Mr. MONDELL. This project was undertaken long before there was any such provision; but even though that were not true——

Mr. STEPHENS of Texas. Where is the authorization?

Mr. MONDELL. Even though that were not true, this is the irrigation of Indian lands with Indian money. We undertook to do that work, reimbursable from these Indian funds. The work started 15 years ago, and has been carried on continuously ever since. Sometimes one ditch has been extended and sometimes another, but the general work has never been abandoned and the general plan has never been enlarged. As a matter of fact, some of the ditches in the general plan have not been started. This is one of the ditches that was started and carried to a certain point as far as was necessary to carry it at that time. Since that time further allotments have been made down the river, and this carries the ditch to those lands.

The CHAIRMAN. The gentleman from Wyoming offers an amendment, which reads as follows:

For extension, enlargement, and construction of the Le Clair or Riverton ditch for the irrigation of Indian allotments on the north side of the Big Wind River, Wind River Reservation, Wyo., reimbursable as provided by section 1 of the act of August 1, 1914, $100,000.

To that amendment the gentleman from Texas [Mr. STEPHENS] interposes a point of order on the ground that it is new legislation not authorized by law. The gentleman from Wyoming insists that it is nothing more nor less than a continuation of a public work now in progress, as the Chair understands.

Mr. MONDELL. A continuation of a work in progress; a general plan upon which work has been going on for 15 years, and for a portion of which we are appropriating in this bill at another point.

The CHAIRMAN. Does the gentleman from Wyoming state that there is a specific statute covering this particular ditch?

Mr. MONDELL. Oh, no.

The CHAIRMAN. Or that the work on this ditch is now in progress, or that the ditch has been completed, and that this amendment seeks to extend or enlarge it?

Mr. MONDELL. The Chair understands the nature of an irrigation system and its development. This particular irrigation system consists of a number of separate ditches and of branches and laterals of those ditches. The work is undertaken as the water is needed for the irrigation of land, and from year to year the ditches are extended. This is for the extension of this particular ditch, the necessity for which arises out of the fact that allotments have been made below the point where the last work on the ditch was done.

The CHAIRMAN. Accepting the statement of the gentleman from Wyoming, which the Chair cheerfully does, that this is a continuation of work, the Chair thinks the point of order is not well taken.

Mr. STEPHENS of Texas. Mr. Chairman, I hope the amendment will not be adopted. This is an appropriation of $100,000 without being estimated for by the department and without any information which would justify this large expenditure of money. The committee has never investigated the matter.

Mr. MILLER. May I ask the chairman of the committee a question?

Mr. STEPHENS of Texas. Certainly.

Mr. MILLER. When the item was up some days ago on the amendment offered by the gentleman from Montana [Mr. STOUT], appropriating $500,000 for a project in Montana, did the chairman of the committee speak against it or urge the committee to refuse to incorporate it in the bill?

Mr. STEPHENS of Texas. That was a separate item, and it was my impression at the time the gentleman offered it that it was authorized by law. Had I known the facts then, as I know them now, I should have asked for tellers when the amendment was voted upon, and I propose later to ask for a separate vote on that amendment.

Mr. MILLER. I am very sorry to hear the chairman of our committee make such a strong statement right in the hearing of our beloved friend from Montana. It must be far from soothing and gracious to his soul.

Mr. STEPHENS of Texas. I have investigated the matter since, and I have in my pocket statements from the Secretary of the Interior and the Indian Office and the Irrigation Bureau, stating that they have made no estimates for this $500,000 appropriation, but that, on the other hand, they have agreed with the other branch of the irrigation service that they shall jointly irrigate these lands, and that they have a plan for that purpose, that it would require legislation to put that plan into effect, and that until that legislation is had we can not appropriate this $500,000, which is on all fours with the proposition of the gentleman from Wyoming, and they both ought to go out of the bill.

Mr. MILLER. If they are both alike, they should receive the same treatment.

Mr. STEPHENS of Texas. They are not both alike.

Mr. MILLER. Does not the gentleman think that it is proper to incorporate this in Committee of the Whole and then strike it out in the House, as he proposes to the Montana amendment?

Mr. STEPHENS of Texas. I do not think that either should be in the bill. I hope when there is a vote upon it that it will be rejected.

Mr. MONDELL. Mr. Chairman, I do not care to have this item compared with the item of the gentleman from Montana. I hope the item of the gentleman from Montana is meritorious. I am confident that this is meritorious. While it was not estimated for, the probability is that if the bill had not been reported so promptly it would have been estimated for by the department, for the Indian Bureau has for a considerable length of time been carrying on an investigation as to the advisability of a considerable extension of this ditch. The bureau is considering a plan to extend the ditch in connection with private parties, by which the Government will share in the benefit of the work done by them. That investigation, I am frank to say, has not been concluded by the Indian Bureau, but I believe that as soon as it is concluded the bureau will desire to go on with the extension of this particular ditch.

Mr. STOUT. Will the gentleman yield?

Mr. MONDELL. Yes.

Mr. STEPHENS of Texas. Mr. Chairman, I ask that all debate on the pending paragraph close in five minutes.

Mr. MONDELL. I have not yielded, except to the gentleman from Montana for a question.

Mr. STOUT. I was going to ask the gentleman if it is not a fact that the extreme celerity of the Indian Committee in reporting out this bill prevented the department from getting up the estimates which it might have submitted had the committee not reported so early?

Mr. MONDELL. There is no doubt about that. I have little doubt but that the item of the gentleman from Montana which got into the bill the other day would have been favorably reported by the bureau if they had had a little further time. I am hopeful this item would have been favorably reported and that it will be soon. This item does not require any additional legislation, for they are ready to do the work now.

Mr. MANN. Will the gentleman yield?

Mr. MONDELL. Yes.

Mr. MANN. The gentleman states that the celerity of the committee prevented the department from making these estimates. Does not the law require the department to make the estimates as early as October 1, at least, to the Secretary of the Treasury?

Mr. MONDELL. I suppose the gentleman from Montana had in mind the necessary supplementary estimates. Those are frequently quite as important as the initial estimates.

Mr. MANN. Have they made a supplementary estimate on this up to date upon either one of them?

Mr. MONDELL. I do not know about the Montana item, but I know that they have not on my item; they are still at work on it.

Mr. MANN. Evidently the committee is not as swift as the gentleman from Montana and the gentleman from Wyoming seem to think.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wyoming.

The amendment was considered and rejected.

Mr. MONDELL. Mr. Chairman, I now offer the following amendment.

The Clerk read as follows:

Page 40, after line 21, insert the following: "For the construction of an irrigation system for the irrigation of the irrigable land on the north side of the Big Wind River on the ceded portion of the Wind River Reservation, reimbursable under the act of August 1, 1914, $2,500,000.

Mr. STEPHENS of Texas. Mr. Chairman, this is on all fours with the other amendments, and I make the point of order.

Mr. STAFFORD. Mr. Chairman, I make a point of order.

Mr. MONDELL. Mr. Chairman, the gentleman from Texas began a discussion of the amendment before he made his point of order, and therefore it comes too late.

Mr. STEPHENS of Texas. Mr. Chairman, I ask for a vote.

Mr. MONDELL. Mr. Chairman, I will not take advantage of the fact that the gentleman from Texas began a discussion of the amendment, and I will admit that the item is subject to a point of order if the gentleman will withhold it until I can discuss the item very briefly.

Mr. STAFFORD. I will withhold the point of order I made.

Mr. STEPHENS of Texas. I will yield to the gentleman five minutes.

Mr. MONDELL. Mr. Chairman, this item is subject to a point of order, and I could not expect the House to make the appropriation it calls for at this time. I present the item to the House at this time for the reason that the time is likely to come, and may not be far distant, when such an item will be offered with the hope that it will be adopted; and I want the committee to become familiar with it. When the Shoshones and the Arapahoes, on the Wind River Reservation, ceded their land north of the Wind River, about nine years ago, an opportunity was afforded for the construction of an irrigation system to cover something like 180,000 acres of very fine land. The State undertook to secure the reclamation of this land. There were several unfortunate occurrences. There was a lawsuit over the question of water rights, and there arose a question as to whether the homesteaders would or could be compelled to pay water charges. This went on for a number of years, with the result that by the time the questions were settled the bloom was, in a sense, off the rye, and it was found difficult and became increasingly difficult to secure funds for the reclamation of the project.

The result is that the lands lie there, an arid desert, and the Indians can not realize on them. The water flows by unused, and the country is not settled. The State is still making an effort to secure capital for the reclamation of the project. We have hopes that the new State administration, just now taking the reins of government, may be able to find some one to finance this great enterprise. If it does not, we must seek aid through an appropriation on the Indian appropriation bill or through the reclamation fund, to be reimbursed by the sale of lands. There are several hundred thousand acres of lands that lie adjacent to these lands, some of which lands contain phosphates, coal, and oil, and may be of very considerable value. The enterprise is one of the very best, if it is not, in fact, the very best, undeveloped irrigation opportunity in all the West. The country is beautiful, the soil is rich, and the climate is salubrious; and some day in the no distant future we hope to see this great project carried out. [Applause.]

The CHAIRMAN. The point of order is sustained, and the Clerk will read.

The Clerk read as follows:

SEC. 25. Section 26 of the Indian appropriation act of June 30, 1913 (38 Stat. L., p. 103), is hereby repealed.

Mr. HAWLEY. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

Mr. MANN. Mr. Chairman, I reserve the point of order on the paragraph just read.

Mr. HAWLEY. Then I will withhold my amendment until the point of order is disposed of.

Mr. MANN. Mr. Chairman, what is the purpose of now repealing a law that we enacted two years ago? Do we not have enough to do in passing laws without every day stopping to repeal one that we recently passed? In the Post Office appropriation bill we repealed several statutes in this Congress that we passed in the last Congress, and here is a proposition to repeal in this Congress one that we passed in the last Congress. If I remember correctly, it is one which I said in the last Congress was foolish, unworkable, nonsensical, and so forth, and so on. The committee, notwithstanding that, passed it, and it became a law. What is the object of repealing it?

Mr. STEPHENS of Texas. I will say to the gentleman that it was found to be unworkable.

Mr. MANN. Anybody who had any brains, unbiased, could see that it was going to be unworkable before it was enacted.

Mr. STEPHENS of Texas. I will state that this was an amendment to the Indian appropriation bill last year, put on in the Senate, and when it went to conference we were compelled, as the gentleman knows in so many instances we are compelled, to accept the provision, as we must accept provisions sometimes that we do not like. This matter has proved to be unworkable, and its cost is enormous and it is unnecessary in actual work. Therefore it is necessary to repeal it.

Mr. MANN. Mr. Chairman, the gentleman says that this amendment was put on in the Senate. I may be mistaken about it, but I have an indistinct recollection that I had a similar item stricken from the bill in the House on a point of order. It having gone out on a point of order, then the gentleman went to the Senate and got the Senate to reinstate the item. He now seeks to put the responsibility on the Senate instead of on the conferees who agreed to it. I said two years ago that if you put it in and they followed the law, they would find that it would be unworkable. They have violated the law ever since. I said at the time that you could not spend any of the money appropriated in the Indian appropriation bill if this were passed. That is true. The department has violated the law passed two years ago as to practically every appropriation which has been made. Of course they say that Congress did not intend that none of this money should be expended, and that the law was so ridiculous that they could not spend the money under the law.

Mr. STEPHENS of Texas. Then what objection has the gentleman to repealing a ridiculous law?

Mr. MANN. I have no objection to it.

Mr. STEPHENS of Texas. That is what we are asking to do.

Mr. MANN. But I wish to call attention to the fact that many of the committees insist upon ridiculous provisions in the law, although their attention is attracted to it at the time, and that later they come in and want to repeal the law; or, if they do not want to repeal the law, they want to exempt some particular provision from the operation of the law.

Mr. STEPHENS of Texas. Is it ever too late to do right?

Mr. MANN. No; and the gentleman will never reach the time when he will do that.

Mr. STEPHENS of Texas. That is a gratuitous remark thrown in purely for buncombe.

Mr. MANN. No; I make the remark because it is true.

The CHAIRMAN. Does the gentleman make the point of order?

Mr. MANN. No; I withdraw the point of order.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Oregon.

The Clerk read as follows:

Amendment offered by Mr. HAWLEY: Page 40, after line 25, insert the following as a new section:

"SEC. 26. For expenses incident to the carrying out of the provisions of the laws of the United States applicable to the Indians at Grande Ronde and Siletz Agencies, Oreg., including pay of employees necessary to such work, $4,000; for expenses incident to the carrying out of the provisions of the laws of the United States applicable to the Indians on the Klamath Agency, Oreg., including pay of employees necessary to such work, $6,000."

Mr. STEPHENS of Texas. Mr. Chairman, I make the point of order against the amendment. It is new legislation, not authorized by law, and is not germane.

Mr. HAWLEY. Mr. Chairman, these items that I offer are two that the committee offered in the bill, which went out on a point of order. They have now been restated in a form held in order recently on other items. They make no new appropriation. They simply appropriate for two agencies that the committee appropriated for, but in the language held to be in order.

Mr. STEPHENS of Texas. Mr. Chairman, we would have to return to those items, and I object to doing that.

Mr. HAWLEY. I offer the matter as a new section.

Mr. STEPHENS of Texas. These items are under Oregon.

Mr. HAWLEY. Yes.

Mr. STEPHENS of Texas. I object to returning and make that as an additional reason.

Mr. HAWLEY. Mr. Chairman, on the point of order I would like to be heard. The gentleman objects——

Mr. STEPHENS of Texas. I object to returning to Oregon.

Mr. HAWLEY. I have not asked that. I have asked to insert this as a new section. This is a bill making appropriations for the support of the Indian agencies and schools. The bill is made up by the Committee of the Whole House on the state of the Union in the manner it finally determines it shall be made up. There is nothing in the law that says it shall be made up in a certain form. The order of the sections is purely arbitrary. There is nothing in the law which prescribes that the items on any one section shall be in any one place, and these two items offered in the form of a new section are items germane to the entire purpose of the bill, have been in the bill for many years, are the same items that the committee reported, except in just a little different form of phraseology to make them conform to recent rulings as to their staying in the bill under the point of order; and I submit to the Chair the new section is not subject to the point of order.

Mr. STEPHENS of Texas. Mr. Chairman, I insist on the point of order.

Mr. MANN. Mr. Chairman, there is no way of ever completing an appropriation bill if every item which went out of the bill at the time the item was reached at a proper place could be offered at the end of the bill, and it has been invariably held that where a bill is divided into parts, as it is presented by the committee, that any matter relating to a particular part must be offered at that place in the bill. Now, the items relating to Oregon are segregated by the committee in presenting the bill. They have a right to do that. They are not required to do it, but they have done it; and it would not be in order, on the agricultural bill, after you pass the item for forest service to insert an item at the end of the bill relating to some particular forest service. It must come in connection with the other items in the bill in order to be germane to that portion of the bill.

Mr. HAWLEY. Mr. Chairman, if I might be permitted further on the point of order, I desire to say it is the practice of the House in passing appropriation bills from time to time to add new sections. To argue that if an item goes out of one part of the bill on a point of order it can not be added as a new section because it would delay conclusion of the bill is not an argument in point. It is for the House——

Mr. STEPHENS of Texas. Will the gentleman yield?

Mr. HAWLEY. Yes.

Mr. STEPHENS of Texas. The gentleman should have offered that amendment at the time it was stricken out, before we left the items in reference to Oregon, and, having failed to do so, he has lost his right. If he can go back, any Member of the House can go back to any State and resurrect anything in the bill. We have been on the bill for a week already, and it is for the purpose of saving time I make this objection.

Mr. HAWLEY. The argument that a new section can not be offered to a bill on the ground that it has been stricken out previously on a point of order is not well founded. The purpose of the Committee of the Whole House on the state of the Union is to complete the bill, whether by amendments to items of the bill or by the addition of new sections. Now, the new section I offer is germane to the entire purpose of the bill. The make-up of the bill is an arbitrary arrangement. There is no law to justify it or require it or authorize it, or to say that it can not be made up in any way the Committee of the Whole House on the state of the Union may please to make it up.

The CHAIRMAN. The Chair is ready to rule.

Mr. MILLER. Mr. Chairman, I would like to be heard briefly.

The CHAIRMAN. The Chair will hear the gentleman briefly.

Mr. MILLER. Mr. Chairman, I do not think the point of order made by the gentleman from Illinois [Mr. MANN] is well taken. As I understand the gentleman from Texas, his position is that any item that relates to Indians of a particular State must be placed in the bill in the section headed by the name of the State. Now, manifestly, Mr. Chairman, that is not the way this bill is made up from the first page to the last. Also it is not the way the Indian bills have been made up from the bills beginning as far as I have any knowledge. For instance, I direct the attention of the Chair to page 2—I just call it to the attention of the Chair in passing—where it says:

Provided, That no part of the sum appropriated for that paragraph for realloting and resurveying unallotted lands shall be expended in

the State of New Mexico, nor shall any part of it be expended in the State of Arizona—

That no part of the appropriation shall be utilized in either of those States.

Mr. MANN. That is a limitation upon the appropriation.

Mr. MILLER. Precisely; and if we can not put into this bill anything applicable to the Indians or their affairs in separate States, naming the regions, except in that part of the bill where it is designated by the name of the State, why, of course three-fourths of the material of this bill is out of order. And, running along, we find the same situation continuing on page 7, where I find another limitation where it says:

Provided, That the foregoing shall not, as to timber, apply to the Menominee Indian Reservation in Wisconsin.

Continuously we go along and put in provisions in the bill that apply to Indians of particular reservations within a particular State.

Mr. MANN. Will the gentleman yield for a question?

Mr. MILLER. Certainly.

Mr. MANN. Does the gentleman think that the provision that the foregoing shall not apply to the Menominee Indian Reservation would be in order at the end of the bill after passing this item on page 7?

Mr. MILLER. I do not think there would be any question about it.

Mr. MANN. The gentleman thinks it would be in order?

Mr. MILLER. Certainly.

Mr. MANN. Then I will not argue with the gentleman.

Mr. MILLER. You do not need to do so. I think it would be in order precisely as much as it would be in order to put the limitation there.

The CHAIRMAN. The gentleman from Oregon [Mr. HAWLEY] offers an amendment which has been read at the Clerk's desk and which relates to the Indians in Oregon. The Committee on Indian Affairs, in preparing this bill and presenting it to the House, have segregated the items under various States. There is a section in this bill applying to Indians in the State of Oregon, but that section has been passed. The Chair does not think the amendment of the gentleman from Oregon, coming as it does at this time, after having passed the section, is in order.

The Chair desires to state that this decision or ruling is on all fours with a decision which was rendered years ago, and which appears in volume 5 of Hinds' Precedents, section 5822. It appears that an amendment was offered in the Committee of the Whole House on the state of the Union to the civil and diplomatic appropriation bill pending at that time. The amendment provided for the completion of the marine hospital at Cleveland, Ohio. The point of order was made by Mr. Houston, of Alabama, that the amendment was not in order at that portion of the bill. The Chairman, who was Hon. John S. Phelps, of Missouri, held that the amendment was not in order, saying:

The Chair decides that we have passed the point in the bill at which it might have been offered. We shall never finish the bill unless some rule of this kind is observed. There is a provision in the bill for the completion of marine hospitals, and after that clause of the bill was passed, the Chair ruled that amendments properly applicable to that clause of the bill at the time it was under consideration could not be received or entertained by the committee afterwards.

Of course, if there was no section of this bill to which this particular amendment might be considered exactly germane, it would be in order at this time. But it was clearly and properly in order when the section relating to the Oregon Indians was reached. The Chair thinks that it is clearly not in order at this time to offer the amendment, inasmuch as the Oregon item has been passed. Therefore the Chair sustains the point of order.

Mr. NORTON. Mr. Chairman, I ask to return to the last paragraph on page 23, for the purpose of offering an amendment to perfect the paragraph. I desire to offer an amendment to strike out "$73,500" and substitute in lieu thereof "$78,500."

The CHAIRMAN. That is in order to correct the bill?

Mr. NORTON. Yes.

The CHAIRMAN. The gentleman from North Dakota [Mr. NORTON] asks unanimous consent to return to page 23, line 25. Is there objection?

There was no objection.

Mr. NORTON. I offer the following amendment:

Page 23, line 25, strike out the figures "$73,500" and insert in lieu thereof "$78,500."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. STEPHENS of Texas. Mr. Chairman, I move that the committee do now rise and report the bill to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The motion was agreed to.

Thereupon the committee rose; and the Speaker having resumed the chair, Mr. BYRNS of Tennessee, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 20150, the Indian appropriation bill, and had directed him to report the same to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The SPEAKER. Is a separate vote demanded on any amendment?

Mr. STEPHENS of Texas. I desire to ask for a separate vote on the amendment on page 19, at the end of line 9, and I move the previous question on the bill and all amendments to final passage.

The SPEAKER. The gentleman from Texas moves the previous question on the bill and all amendments to final passage.

Mr. MANN. Does the gentleman want to move the previous question now? I understood he wanted some time.

Mr. CARTER. He intends to move the previous question.

Mr. MANN. Then he will not get any time. He promised me five minutes.

Mr. STEPHENS of Texas. The gentleman from Montana [Mr. STOUT], who offered the amendment, wanted five minutes.

Mr. MANN. I suggest to the gentleman from Texas that he ask for a separate vote on that amendment.

Mr. STEPHENS of Texas. I have done that. I have asked for a separate vote on the amendment on line 9, page 19, known as the Stout amendment, adding $500,000 to this bill.

Mr. MANN. Let the other amendments be disposed of.

The SPEAKER. The gentleman from Texas asks for a separate vote on the Stout amendment.

Mr. STEPHENS of Texas. I ask, Mr. Speaker, that the other amendments be put en bloc.

The SPEAKER. Is a separate vote demanded on any other amendment? If not, the Chair will put them in gross. The question is on agreeing to the amendments, exclusive of the Stout amendment.

The amendments were agreed to.

Mr. STEPHENS of Texas. Mr. Speaker, I ask that the gentleman from Illinois [Mr. MANN] have five minutes and the gentleman from Montana [Mr. STOUT] five minutes, and I reserve five minutes to myself. I will hold the floor.

The SPEAKER. What is the debate to be about?

Mr. STEPHENS of Texas. It will be on the Stout amendment.

The SPEAKER. The gentleman from Texas asks unanimous consent that the debate on the Stout amendment be limited to 15 minutes, 5 minutes to go to the gentleman from Illinois [Mr. MANN], 5 minutes to the gentleman from Montana [Mr. STOUT], and 5 minutes to himself. Is there objection?

Mr. MILLER. Mr. Speaker, reserving the right to object, do I understand that——

Mr. STEPHENS of Texas. I have the floor, Mr. Speaker, and I can yield five minutes to either one of those gentlemen.

The SPEAKER. The gentleman has the floor, certainly.

Mr. STEPHENS of Texas. I have an hour.

The SPEAKER. That is correct.

Mr. MILLER. May I inquire of the gentleman from Texas if it is proposed that the entire 15 minutes will be devoted to a discussion of this particular amendment, and that no other amendments or subjects will be discussed?

Mr. STEPHENS of Texas. All the other amendments have been agreed to. The Stout amendment is the only one open to discussion.

Mr. MANN. I may discuss something else, but I suppose no one will object to what I shall say.

Mr. STEPHENS of Texas. I move the previous question, Mr. Speaker, upon all amendments to the bill, including the Stout amendment.

Mr. MANN. The gentleman agreed to yield to me five minutes.

Mr. STEPHENS of Texas. Yes. I yield five minutes to the gentleman from Illinois.

The SPEAKER. The gentleman from Illinois [Mr. MANN] is recognized for five minutes.

Mr. MANN. Mr. Speaker, I think it is quite appropriate for me to say a word, under the circumstances, conveying at least the best wishes of the House to those members of the Committee on Indian Affairs who will not be with us in the next House.

There are eight of them who go off the committee. On this side of the House two of the oldest members in point of service upon the committee will retire. Two of the ablest Members on this side of the House will go out of the House and off the Committee on Indian Affairs. The gentleman from South Dakota [Mr. BURKE] has shown that he is one of the most capable men who ever sat in this Hall and one of the men who had the most intimate knowledge of the intricacies of Indian affairs. While we on this side of the House had hoped still to have his services in another body, we sincerely regret that we are to part with his services. Mr. BURKE, in my opinion, has at different times, both as chairman and as member of the Committee an Indian Affairs, saved to this Government and to the Indians many millions of dollars, and we could well have afforded, so far as money considerations are concerned, to have paid him a pension for life in order that he might give us his knowledge and his sound judgment of Indian affairs.

I say the same kind words to the gentleman from Oklahoma [Mr. MCGUIRE], and I extend the best wishes of this side of the House to the Members on the other side of the House who are going off this great Committee on Indian Affairs, where more service is rendered that is not of a personal interest to Members, probably, than on any other committee of the House. [Applause.]

Mr. STEPHENS of Texas. I agree with what has been said by the gentleman from Illinois. I do not believe there is a more faithful committee in the House than the Committee on Indian Affairs, and I regret exceedingly to part company with the gentleman from South Dakota [Mr. BURKE] and the gentleman from Oklahoma [Mr. MCGUIRE], who have fallen by the wayside in the last election. I certainly shall regret having new men in their places in the next Congress.

I yield five minutes to the gentleman from Montana [Mr. STOUT], if he desires the time.

Mr. STOUT. Mr. Speaker, I do not propose to detain the House longer than will be required simply to explain the amendment upon which we are now about to take a vote.

In 1908 a law was passed providing for the establishment of a reclamation project on the Flathead Indian Reservation in northwestern Montana. The project contemplated the reclamation, by a great system of storage reservoirs, canals, and tunnels, of 152,000 acres of land, of which 97,000 acres were Indian lands, 5,000 acres of State school lands, and 50,000 acres of unallotted lands, which were appraised under the direction of the Secretary of the Interior and thrown open to settlement. The project contemplated also the expenditure of something in excess of $6,000,000, of which sum $1,600,000 has already been appropriated and spent. Since that time all Indian appropriation bills brought into this House, five in number, have contained items making appropriations of sums ranging from $200,000 to $400,000 for carrying on work on this project.

This year, much to my surprise and to the surprise of everyone acquainted with the circumstances, the Bureau of Indian Affairs submitted no estimates to the Committee on Indian Affairs for this project. Before the bill was reported I made every possible effort, as did the other Members of the Montana delegation in Congress, to have this estimate prepared and submitted; but, owing to circumstances which I shall explain presently, this was not done. In my desire to have this unfortunate mistake corrected, when the Montana section of the present bill was reached in the Committee of the Whole, I submitted an amendment providing for the appropriation of $500,000 for the continuance of work on the reclamation project in the Flathead Indian Reservation, and the committee adopted that amendment by an overwhelming vote. It is now my most earnest contention that this item should remain in the bill. It seems to me that, after having already expended the enormous sum of $1,600,000 on this project, it would be utterly foolish and futile for the Government now to abandon the work which is in progress, or even to halt it for a period of 12 months or longer. Any person with sound business judgment will certainly agree with me that we should proceed with this work; and if we are to proceed in a logical, orderly, and workmanlike manner, the sum carried in the amendment which I proposed and which has been adopted by the Committee of the Whole is absolutely necessary.

Mr. MILLER. Will the gentleman yield for a question?

Mr. STOUT. Yes.

Mr. MILLER. We have quite a large number of projects of similar nature in the United States. Personally I believe that if we had the money it would be good business judgment and economy for us to enlarge the appropriations for these projects very materially, in order that the various projects might be completed with economy and in a good engineering and workmanlike manner. I agree with all that the gentleman has said in reference to economy and the advantage of completing the project in which he is interested; but in the present state of the Treasury does not the gentleman think that all of these projects ought to be treated alike, and that when we pare down the rest the project in which he is interested ought not to be excepted?

Mr. STOUT. I do not care to admit that. I think we should have $500,000 for this item. I also believe that we should have proportionate appropriations for other projects such as the Blackfeet and Fort Peck.

If I may be permitted, I think that much light can be thrown upon this matter by a brief recital of the historical data concerning the Flathead project.

The Flathead Indian Reservation is an agricultural country located on the western slope of the Rocky Mountains in the west central part of the State of Montana in Flathead, Missoula, and Sanders Counties. Ranges of mountains on the east and west sides of the reservation are covered with valuable timber and between these ranges lie the valleys and low table-lands suitable for both agriculture and grazing. These lands are as fertile as can be found between the two oceans, and, if irrigated, are capable of growing mammoth crops of grain, fruit, timothy, alfalfa, and clover.

The reservation contains, all told, 1,333,000 acres of land. This is the imperial domain set aside for the use and benefit of the Flathead and allied Indian tribes who, according to the latest report of the Commissioner of Indian Affairs, comprised 2,305 Indians. Up to June 30, 1914, 1,952 of these Indians had been allotted 228,408 acres of land, leaving 353 yet to receive allotments.

Under the provisions of the act of April 23, 1904, a commission was appointed to appraise all of the unallotted lands, and this commission subsequently appraised the agricultural and grazing lands at from $1 to $7 per acre.

The contention has been raised that the construction of this project is unfair to the Indians, for the reason that the Indians' money is being used also for the reclamation of unallotted lands which have been settled on by whites. The act of March 3, 1909, provides that the cost of the said reclamation project shall be "reimbursed from the proceeds of the sale of lands and timber within the said reservation." All official estimates of the probable receipts from those two sources indicate that sufficient money can and will be raised in this manner to complete the project. With the completion of the project, or of such units as may be completed and made subject to the reclamation charges prior to the opening of the entire project, the settlers on the unallotted lands immediately begin to reimburse the Indian fund to the amount of their water charges. Thus it may be observed there is not the slightest chance of the Indians losing one penny by reason of the reclamation of the unallotted lands.

I would impress upon you the fact that the primary purpose of this great undertaking is to reclaim the allotted Indian lands, which comprise nearly two-thirds of the entire project. But the building of a system for the reclamation of the Indian lands only, and excluding the white settlers' lands, would eventually have been fraught with many complications, and the Indians would undoubtedly have lost sooner or later valuable water rights by homesteaders not under the system filing on and making a beneficial use of the water. To be exact, it was not feasible from an engineering standpoint to place water on the Indian lands without at the same time extending the system to the homesteaders' lands.

In this connection, Mr. Speaker, I would direct the attention of the House to the fact we are under some obligations in this matter to the white settlers as well as to the Indians. Hundreds of homesteaders, practically all of them in fact, located on these lands and agreed to abide by the conditions fixed by the Government for their sale and disposition, under the implied promise of the Government that their claims were to be irrigated through the construction of this reclamation project. They had every reason for believing that the Government would proceed with the work of reclamation which had been begun when they went upon the lands. Had they not felt that this would be done, these settlers would have settled elsewhere, and the sale of the unallotted Indian lands would have been materially hindered if not made impossible. In other words, it was the promise that the irrigable lands thrown open for settlement would be irrigated which enabled the Indians to sell their lands, and thereby accumulate a fund with which the lands owned by the Indians themselves could also be irrigated, and at no cost either to the Indians or to the Government.

The plight of hundreds of settlers on the unallotted lands of this reservation is pitiable in the extreme. They have been most earnestly and faithfully endeavoring to fulfill their obli-

gations to the Government, by meeting all of the requirements imposed by the homestead law and the additional burden of paying the appraised value of the lands. But without the water which they so confidently counted on when they settled there, many of them are utterly helpless. The rainfall is not sufficient to insure the growing of crops successfully, although some of them have enjoyed a fair measure of success by the employment of dry-farming methods.

If this project is not completed, scores of these farmers must abandon their claims, lose the years of labor and improvements which they have placed on them, and start life all over again in some other section or employment. I desire not the slightest injustice to the Indians. Quite the contrary. I would have their lands placed under irrigation at the earliest possible date, in order that they may be placed in a position of self-support. But I must confess to an even keener concern for the welfare of the white settlers, the sturdy homesteaders, who are seeking to establish residence on those lands and prepare for themselves a future in which utter hopelessness is not the dominant note. These, after all, are the real hope of that great and undeveloped country. They and their descendants must bear the burdens of civilization. The example of industry and frugality and success which they set before the eyes of their aboriginal neighbors will prove of greatest value to those untutored folk of the forest in the process of civilization and culture.

I am informed that the failure of the Bureau of Indian Affairs to submit an estimate for this and the two other Indian reclamation projects in Montana was due to a desire on the part of those in charge of that bureau to include with any further appropriations certain legislation deemed necessary by them to safeguard the rights of the Indians. I am in hearty accord with any efforts which may be made in that direction. The purpose of the Indian Bureau is entirely commendable in that regard. My one complaint is that this desired legislation should have been prepared and made ready for submission to the Committee on Indian Affairs in ample season for that committee to consider such proposals and submit them to the House in the bill which is now before us. It would have saved me the necessity of submitting the amendments, one of which has been adopted in the Committee of the Whole House, and for which I am now most earnestly requesting your support. It is not a pleasant task to attempt to defeat the will of this great standing committee by securing the adoption of amendments of this character at this time, but I would have felt myself recreant to my duties as a Representative, not only of the Indians in my State, but also of the hundreds of struggling, aspiring homesteaders on the Flathead project, had I not exerted every possible endeavor to have an obvious blunder corrected.

To many the amount asked for in my amendment, $500,000, may appear extravagant, but as a matter of fact it is a moderate request. It will require nearly $5,000,000 to complete the project. It is in the interest of economy as well as of justice to those to be served by the scheme to have the work pushed ahead in the most expeditious manner possible. It will require 10 years to complete the project if we continue to appropriate $500,000 annually. To proceed as we have in the past it will be 20 or 30 years before we can see the end of the undertaking, and in the meanwhile two generations of Indians and white settlers will have worn themselves out waiting for the water promised them by a tardy Government.

Mr. STEPHENS of Texas. Mr. Speaker, I wish to read a letter from the Department of the Interior, showing the reason why this $500,000 item should not be in the bill. This is a letter from Secretary of the Interior Lane, dated at Washington, January 7, 1915:

MY DEAR MR. STEPHENS: Referring to the discussion in the Committee of the Whole, as shown by the CONGRESSIONAL RECORD for January 5, 1915, and an amendment providing $500,000 for continuing construction of the Flathead irrigation project in Montana, attention is invited to the fact that this project, together with the Fort Peck and Blackfeet projects, was made the subject of a special investigation and report which I submitted to Congress on December 7, 1914.

No estimates for these projects were included in the estimates submitted with the Indian bill, but supplemental estimates for continuing work on these projects have this day been forwarded to the Secretary of the Treasury, as required by law, which provide certain changes in the matter of financing the work as determined upon after conference with the members of the Senate and House Committees on Indian Affairs. The item of $500,000 mentioned is recommended for inclusion in the Indian bill with the following proposed legislation, which is urgent, highly important, and essentially that included in the estimates submitted to the Secretary of the Treasury.

Following this is the proposed legislation, several pages of it. We could not undertake on the floor of the House or in the Committee of the Whole to recommend the passage of this $500,000 item here, because it should go to the committee and be carefully considered. Inside of the Bureau of Indian Affairs is an irrigation bureau, with a chief in charge. This bureau comes in conflict with the general irrigation and reclamation projects. Therefore, in order to harmonize these two bureaus, both under the Department of the Interior, it is necessary to have this legislation. This was not furnished to the committee in time to be considered there, and we could not in Committee of the Whole, and we can not now, undertake to perfect a matter of as great importance as that. Therefore the $500,000 item should go out of this bill and should be referred to the Committee on Indian Affairs, and let it come here in an orderly and proper way. I hope that the amendment of the gentleman from Montana [Mr. STOUT] will be voted down.

The SPEAKER. The question is on the amendment of the gentleman from Montana [Mr. STOUT].

The question was taken; and on a division (demanded by Mr. STOUT) there were 39 ayes and 67 noes.

So the amendment was rejected.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. STEPHENS of Texas, a motion to reconsider the vote whereby the bill was passed was laid on the table.

Mr. CARTER. Mr. Speaker, I ask unanimous consent that all Members may be permitted to extend their remarks in the RECORD on the Harrison amendment and the per capita amendment in the Indian appropriation bill for five days.

The SPEAKER. The gentleman from Oklahoma asks unanimous consent that all Members may have the privilege of extending remarks in the RECORD on the Harrison amendment and the per capita amendment for five legislative days. Is there objection? [After a pause.] The Chair hears none.

Mr. STOUT. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the Flathead Indians.

The SPEAKER. The gentleman from Montana asks unanimous consent to extend his remarks in the RECORD on the Flathead Indians. Is there objection?

There was no objection.

ENROLLED JOINT RESOLUTION SIGNED.

Mr. ASHBROOK, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled joint resolution of the following title, when the Speaker signed the same:

H. J. Res. 257. Joint resolution authorizing the Commissioner of Patents to exchange printed copies of United States patents with the Dominion of Canada.

RIVER AND HARBOR BILL.

Mr. SPARKMAN. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of H. R. 20189, the river and harbor bill, and pending that, I ask unanimous consent that general debate be limited to four hours, two hours to be controlled by myself and two hours by the gentleman from Washington.

The SPEAKER. The gentleman from Florida moves that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 20189, the river and harbor bill, and pending that he asks unanimous consent that general debate shall be limited to four hours, two to be controlled by himself and two by the gentleman from Washington [Mr. HUMPHREY]. Is there objection?

Mr. MANN. Reserving the right to object, I would like to ask the gentleman whether we are going ahead with the river and harbor bill on Monday?

Mr. SPARKMAN. I understand that is District day, and the parties who have control of District business will not yield, but wish to go ahead.

Mr. MANN. I can not see what object there is in cutting off general debate on a great bill like this and fooling away the time in useless District business on Monday.

Mr. SPARKMAN. As far as I am concerned, I am willing to go ahead on that day.

Mr. MANN. We ought to go ahead if there is any desire to get through with the appropriation bills before March 4. I do not know that there is.

The SPEAKER. What statement did the gentleman from Florida make as to going on with the bill?

Mr. SPARKMAN. I said that I understood the parties in charge of the District business insisted on going ahead on Monday next.

Mr. LENROOT. Does the gentleman from Florida expect to make a motion on Monday to go on with the river and harbor bill?

Mr. SPARKMAN. I have not considered the propriety of making one as yet. If I see an opportunity to go ahead I shall make the motion.

Mr. MANN. If the gentleman would make the motion he would have priority.

The SPEAKER. The reason that the Chair asked is that the Members ought to be advised as to what is coming up on Monday.

Mr. SPARKMAN. If I see that we can go ahead on that day I will insist on doing so.

Mr. HUMPHREY of Washington. I hope the gentleman will state now whether he is going to make that motion or not.

Mr. SPARKMAN. Yes; Mr. Speaker, I will say that I will make the motion on Monday.

The SPEAKER. Is there objection to the request of the gentleman from Florida as to the division of time?

Mr. DONOVAN. Reserving the right to object, Mr. Speaker, the gentleman who is to have control of the time on the other side is the gentleman from Washington [Mr. HUMPHREY], who is in favor of the bill, and the gentleman from Florida on this side, who is in favor of the bill. Do they expect to give any time to those who might oppose the bill?

Mr. HUMPHREY of Washington. Answering the gentleman's question, I have not asked any Member who applied to me for time on which side he is, but my understanding is that at least one of the gentlemen I expect to yield to is against the bill or a portion of it.

Mr. DONOVAN. Will the gentleman yield me 20 minutes?

Mr. HUMPHREY of Washington. Has the gentleman applied to the gentleman from Florida for time?

Mr. DONOVAN. I have, and he has refused it.

Mr. HUMPHREY of Washington. Well, I will give the gentleman 10 minutes.

Mr. DONOVAN. I want 20 minutes; the gentleman can not deal with me at cut rates. [Laughter.]

Mr. SPARKMAN. I will try and find 10 minutes for the gentleman from Connecticut.

Mr. DONOVAN. Then, Mr. Speaker, I am to have 20 minutes.

The SPEAKER. No; the gentleman is to have 10 minutes positively and 10 minutes more probably. [Laughter.]

Mr. SPARKMAN. I will give the gentleman 10 minutes.

The SPEAKER. The gentleman from Washington will yield the gentleman from Connecticut 10 minutes and the gentleman from Florida will yield 10 minutes, making 20 minutes. Is there objection to the request of the gentleman from Florida as to the division of time? [After a pause.] The Chair hears none.

The motion of Mr. SPARKMAN to go into Committee of the Whole was then agreed to.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union, with Mr. RAINEY in the chair.

The CHAIRMAN. The House is now in Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 20189, the river and harbor bill, which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 20189) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

Mr. SPARKMAN. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. HUMPHREY of Washington. Mr. Chairman, I will now yield, if the gentleman from Florida will permit me, 10 minutes to the gentleman from Connecticut [Mr. DONOVAN].

Mr. DONOVAN. Mr. Chairman, I do not want to talk this evening, and I will reserve my time.

The CHAIRMAN. The gentleman from Connecticut is recognized for 10 minutes.

Mr. DONOVAN. Mr. Chairman, I understand that it is not for the gentleman from Washington or the gentleman from Florida to give me 10 minutes; that I have 20 minutes allotted to me under the agreement, independently of either gentleman. I reserve my time. [Laughter.]

Mr. HUMPHREY of Washington. I do not yield to the gentleman to reserve his time. He will have to use it or I shall not reserve it.

Mr. SPARKMAN. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. RAINEY, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 20189, the river and harbor appropriation bill, and had come to no resolution thereon.

PANAMA-CALIFORNIA EXPOSITION.

Mr. KETTNER. Mr. Speaker, I ask unanimous consent to take from the Speaker's table Senate joint resolution 218, to provide for the detail of an officer of the Army for duty with the Panama-California Exposition, San Diego, Cal., and consider it at this time.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

Resolved, etc., That the President of the United States be, and he is hereby, authorized to detail an officer of the Army, active or retired, for duty with the Panama-California Exposition, to be held at San Diego, Cal., during the year 1915.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The question is on the third reading of the Senate joint resolution.

The Senate joint resolution was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. KETTNER, a motion to reconsider the vote by which the resolution was passed was laid on the table.

By unanimous consent, at the request of Mr. KETTNER, House joint resolution 329, of similar tenor, was laid on the table.

INTERSTATE COMMERCE IN PRODUCTS BRANDED BY RELIGIOUS DENOMINATIONS.

The SPEAKER. The Chair lays before the House the following request for unanimous consent, which the Clerk will report.

The Clerk read as follows:

Mr. PALMER asks unanimous consent that the Committee on Interstate and Foreign Commerce be discharged from further consideration of the bill (H. R. 20500) to prohibit interstate commerce in products branded or marked with the name of any church, religious denomination, society, or association, or the name or designation by which any such church or religious denomination is commonly known, and that the same be referred to the Committee on the Judiciary.

The SPEAKER. Is there objection?

Mr. MANN. Mr. Speaker, the bill is already in the proper committee.

The SPEAKER. The situation about it is this: The principal bill on the same subject has been referred to the Committee on the Judiciary and that committee has been holding hearings upon it, the gentleman from Pennsylvania stated to the Chair. This bill is in the nature of an amendment to that, making a change in the verbiage. It seems to the Chair that if the Committee on the Judiciary has the principal bill, it ought to have this one.

Mr. MANN. I do not think the Judiciary Committee has jurisdiction over this subject matter, and I object.

The SPEAKER. The gentleman from Illinois objects.

ADJOURNMENT.

Mr. SPARKMAN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; and accordingly (at 5 o'clock and 10 minutes p. m.) the House adjourned until Monday, January 11, 1915, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. Letter from the Acting Secretary of the Treasury, transmitting copy of a communication of the chairman of the Interstate Commerce Commission submitting a supplemental estimate of appropriation "for all other authorized expenditures necessary in the execution of laws to regulate commerce," being additional to the estimate of $925,000 for this object on page 722 of the Annual Book of Estimates for the fiscal year ending June 30, 1916 (H. Doc. No. 1479); to the Committee on Appropriations and ordered to be printed.

2. Letter from the Acting Secretary of the Navy, transmitting statement of documents received and distributed by the Navy Department during the fiscal year ended June 30, 1914 (H. Doc. No. 1480); to the Committee on Printing and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. HAMILTON of Michigan, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 18745) in relation to the location of a navigable channel of the Calumet River in Illinois, reported the same without amendment, accompanied by a report (No. 1268), which said bill and report were referred to the House Calendar.

Mr. KITCHIN, from the Committee on Ways and Means, to which was referred the bill (H. R. 17982) to make Nyando, N. Y., a port through which merchandise may be imported for transportation without appraisement, reported the same without amendment, accompanied by a report (No. 1269), which said bill and report were referred to the House Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Pensions was discharged from the consideration of the bill (H. R. 16629) granting a pension to Mrs. Noble C. Burkhart, and the same was referred to the Committee on Invalid Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. WEBB: A bill (H. R. 20736) authorizing the Secretary of War to donate two condemned bronze or brass cannon or fieldpieces and a suitable outfit of cannon balls to the city of Morganton, N. C.; to the Committee on Military Affairs.

By Mr. BAILEY: A bill (H. R. 20737) amending sections 3 and 4 of the act of August 8, 1911, entitled "An act for the apportionment of Representatives in Congress among the several States under the Thirteenth Census," so as to give any State entitled to at least three Representatives in Congress the privilege of electing them by proportional representation; to the Committee on Election of President, Vice President, and Representatives in Congress.

By Mr. CLARK of Florida: A bill (H. R. 20738) to amend section 9 of an act entitled "An act to increase the limit of cost of certain public buildings; to authorize the enlargement, extension, remodeling, or improvement of certain public buildings; to authorize the erection and completion of public buildings; to authorize the purchase of sites for public buildings; and for other purposes," approved March 4, 1913; to the Committee on Public Buildings and Grounds.

By Mr. MANN: Resolution (H. Res. 700) creating a tariff board; to the Committee on Ways and Means.

By Mr. FARR: Resolution (H. Res. 701) calling upon the Secretary of Agriculture for information as to production, consumption, and exportation of certain food products; to the Committee on Agriculture.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADAIR: A bill (H. R. 20739) granting an increase of pension to Alexander Swisher; to the Committee on Invalid Pensions.

By Mr. ALEXANDER: A bill (H. R. 20740) granting a pension to Caroline E. Moore; to the Committee on Invalid Pensions.

By Mr. ANSBERRY: A bill (H. R. 20741) granting an increase of pension to Abraham Glits; to the Committee on Invalid Pensions.

By Mr. BOOHER: A bill (H. R. 20742) for the relief of John Albus, jr.; to the Committee on Claims.

By Mr. CAMPBELL: A bill (H. R. 20743) granting an increase of pension to Mathew E. Wolf; to the Committee on Invalid Pensions.

By Mr. CANTRILL: A bill (H. R. 20744) granting an increase of pension to Elijah D. Robertson; to the Committee on Invalid Pensions.

By Mr. CARAWAY: A bill (H. R. 20745) granting an increase of pension to William Maberry; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20746) to quiet the title to certain lands in the possession of G. B. Dickson, and for other purposes; to the Committee on the Public Lands.

By Mr. CRAMTON: A bill (H. R. 20747) to appoint Roy K. Carson a second lieutenant in the United States Marine Corps; to the Committee on Naval Affairs.

By Mr. GOOD: A bill (H. R. 20748) granting an increase of pension to Andrew W. Hepler; to the Committee on Invalid Pensions.

By Mr. HAMILL: A bill (H. R. 20749) granting a pension to Navarra Kautz Simpson; to the Committee on Pensions.

By Mr. HAYES: A bill (H. R. 20750) granting an increase of pension to Nathaniel F. Berry; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20751) granting an increase of pension to William T. Lambert; to the Committee on Invalid Pensions.

By Mr. HILL: A bill (H. R. 20752) granting an increase of pension to William A. Ice; to the Committee on Invalid Pensions.

By Mr. HINDS: A bill (H. R. 20753) granting a pension to George E. Bryant; to the Committee on Invalid Pensions.

By Mr. JACOWAY: A bill (H. R. 20754) for the relief of John W. Fein; to the Committee on Claims.

By Mr. KELLY of Pennsylvania: A bill (H. R. 20755) granting a pension to heirs of Henry R. Beam; to the Committee on Invalid Pensions.

By Mr. KINKAID of Nebraska: A bill (H. R. 20756) granting a pension to Mary C. Chrisman; to the Committee on Invalid Pensions.

By Mr. KIRKPATRICK: A bill (H. R. 20757) granting an increase of pension to Aurelius J. Quinn; to the Committee on Invalid Pensions.

By Mr. LANGLEY: A bill (H. R. 20758) granting an increase of pension to Louisa Patrick; to the Committee on Invalid Pensions.

By Mr. LEWIS of Maryland: A bill (H. R. 20759) for the relief of the estate of Robert Brown, deceased; to the Committee on War Claims.

By Mr. McKENZIE: A bill (H. R. 20760) granting a pension to Charles Wheelden; to the Committee on Pensions.

Also, a bill (H. R. 20761) granting an increase of pension to Lewis Shuber; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20762) granting a pension to Rose Ann Peacock; to the Committee on Invalid Pensions.

By Mr. McKELLAR: A bill (H. R. 20763) for the relief of the estate of A. W. Freedle, deceased; to the Committee on War Claims.

By Mr. J. I. NOLAN: A bill (H. R. 20764) granting a pension to Thomas J. Golding; to the Committee on Invalid Pensions.

By Mr. PAIGE of Massachusetts: A bill (H. R. 20765) granting a pension to Arthur Murphy; to the Committee on Pensions.

By Mr. PETERS: A bill (H. R. 20766) granting an increase of pension to Gilbert H. Hodgdon; to the Committee on Invalid Pensions.

By Mr. PORTER: A bill (H. R. 20767) granting an increase of pension to Amelia Walker; to the Committee on Invalid Pensions.

By Mr. RUCKER: A bill (H. R. 20768) granting an increase of pension to James W. Fisher; to the Committee on Pensions.

By Mr. RUPLEY: A bill (H. R. 20769) granting an increase of pension to Rebecca F. McKeehan; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20770) granting an increase of pension to Matilda B. Morrow; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20771) granting an increase of pension to William H. Smith; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20772) granting a pension to Catharine Ann Fisher; to the Committee on Pensions.

By Mr. STEVENS of Minnesota: A bill (H. R. 20773) to authorize the Secretary of the Treasury to adjust the accounts of the Chicago, St. Paul, Minneapolis & Omaha Railway Co. in accordance with the decision of the Court of Claims in case No. 29875; to the Committee on Claims.

By Mr. WILLIAMS: A bill (H. R. 20774) granting a pension to Flossie M. Ramsey; to the Committee on Invalid Pensions.

By Mr. WOODS: A bill (H. R. 20775) granting a pension to Permelia L. Dutcher; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20776) granting an increase of pension to Francis Gibson; to the Committee on Invalid Pensions.

By the SPEAKER (by request): Memorials of various organizations in the State of Kansas, relative to polygamy in the United States; to the Committee on the Judiciary.

By Mr. ANSBERRY: Petition of citizens of Amsler, Ohio, favoring passage of House joint resolution 377, relative to sale of war material; to the Committee on Foreign Affairs.

By Mr. ASHBROOK: Evidence to accompany bill H. R. 20701, for the relief of Samuel Brown; to the Committee on Invalid Pensions.

By Mr. BAILEY: Petition of George Bros., D. E. Barger & Co., Lane & Walls, J. M. Bortel, Stineman Bros. Supply Co., and Arthur Truscott, all of South Fork, Pa., for the passage of House bill 5308, a bill providing for the taxation of mail-order houses for local purposes; to the Committee on Ways and Means.

Also, petition of 715 members of Washington Camp 31, Pennsylvania Patriotic Order Sons of America, of Altoona, favoring passage of Vollmer-Bartholdt resolution; to the Committee on Foreign Affairs.

By Mr. BAKER: Memorial of German Presbyterian Church, of Atlantic City, N. Y., favoring House joint resolution 377; to the Committee on Foreign Affairs.

By Mr. BALTZ: Petition of business men of Addieville, Mascoutah, Oakdale, O'Fallon, Marissa, New Athens, Lenzburg, Belleville, Nashville, Okawville, and Ashley, Ill., in support of House bill 5308; to the Committee on Ways and Means.

By Mr. BORCHERS: Petition of citizens of the State of Illinois, favoring passage of House joint resolution 377, prohibiting sale of war material; to the Committee on Foreign Affairs.

By Mr. BURKE of Wisconsin: Petitions of Edward Schwamb and 44 other citizens of Richfield; Rev. William A. Lange, of Cedarburg, and 64 other citizens of Ozaukee County; Gustav A. Koenig, of Newburg, and 133 other citizens of Washington County, all in the State of Wisconsin, asking for the passage at this session of House joint resolution 377, to prohibit the exportation of arms, ammunition, etc., to any of the European nations now at war; to the Committee on Foreign Affairs.

Also, petitions signed by Rev. Adolph Toepel and 40 other citizens of Town Herman, Dodge County; Rev. J. Uhlmann and 20 other citizens of Dodge County; and A. W. Keibel and 95 other citizens of Cedarburg and Ozaukee County, all in the State of Wisconsin, asking for the passage at this session of Congress of Senate bill 6688, or any similar measure, to place an embargo upon and prohibit the exportation of arms, etc., from this country; to the Committee on Foreign Affairs.

Also, petition of John Rubner and 36 other citizens of Richfield; Nick Weber, of Cedar Grove, and 21 other citizens of Sheboygan County, all in the State of Wisconsin, asking for the passage at this session of House joint resolution 377, to prohibit the exportation of arms, ammunition, etc., to any of the European countries now at war; to the Committee on Foreign Affairs.

Also, petition of Rev. C. H. Auserwald and 30 other citizens of Washington County, Wis., asking for the passage of Senate bill 6688 or any similar measure to levy an embargo on all contrabands of war, save foodstuffs only; to the Committee on Foreign Affairs.

Also, petition of H. C. Prange and 40 other citizens of Sheboygan, Wis., asking for the passage of a law at this session of Congress absolutely forbidding the sale of war material to any of the European countries now at war; to the Committee on Foreign Affairs.

Also, petition of F. G. Schoeneberg and 16 other citizens of Arlington, Wis., asking for the passage of Senate bill 6688 or any similar measure to prohibit the exportation of contrabands of war to any of the warring European nations; to the Committee on Foreign Affairs.

Also, petition signed by R. H. Riebel, of Helenville, Wis., and 36 other citizens of Jefferson County, Wis., asking for the passage of House joint resolution 377, to prohibit the exportation of arms, etc., from this country; to the Committee on Foreign Affairs.

Also, petitions signed by Rev. F. J. Bliefernicht and 60 other citizens of Dodge County, Wis., asking for the passage of Senate bill 6688 or any similar measure to prohibit the exportation of arms from this country at this session; to the Committee on Foreign Affairs.

Also, petition of Gustav Elvers and 12 other citizens of Sheboygan, Wis., asking for the passage at this session of Congress of a measure forbidding the sale or exportation of war material from this country; to the Committee on Foreign Affairs.

Also, resolutions adopted at meeting of citizens of Johnson Creek, Wis., and petition signed by 128 citizens of Johnson Creek, Wis., asking for the passage of a law at this session to prohibit the exportation of arms, ammunition, etc., from this country to any of the European countries now engaged in war; to the Committee on Foreign Affairs.

Also, petition of G. Bruss and 100 other citizens of Cedarburg and Ozaukee County, Wis., asking for the passage at this session of House joint resolution 377, to prohibit the exportation of arms, ammunition, etc., from this country to any of the European countries now engaged in war; to the Committee on Foreign Affairs.

Also, resolutions adopted at a meeting of the Reformed Church of Watertown, Wis., representing 720 people, and signed by Rev. F. W. Lemke and members of church council, asking for the passage of a law at this session to prohibit the exportation of arms and all ammunition and contrabands of war to any of the European countries now engaged in war; to the Committee on Foreign Affairs.

Also, petition of Xavier Reiser and 45 other citizens of the town of Leroy, Dodge County, Wis., asking for the passage at this session of House joint resolution 377, to prohibit the exportation of arms, ammunition, etc., to any of the European countries now at war; to the Committee on Foreign Affairs.

Also, petition of Henry F. Lutze and 7 other citizens of Sheboygan, Wis., asking for the passage of a law at this session absolutely forbidding the sale of war material from the United States to European countries now at war; to the Committee on Foreign Affairs.

Also, petition of Louis G. Ruck and 74 other citizens of Cedarburg, Wis., asking for the passage at this session of House joint resolution 377, to place an embargo upon and prohibit the exportation of arms, ammunition, etc., from this country to any of the European countries now at war; to the Committee on Foreign Affairs.

Also, petition of Herman Lau and 42 other citizens of Hartford, Wis., asking for the passage at this session of Congress of Senate bill 6688 or any similar measure, to place an embargo upon and prohibit the exportation of arms, etc.; to the Committee on Foreign Affairs.

By Mr. DALE: Petition of citizens of New York, favoring passage of House joint resolution 377, to prohibit sale of munitions of war; to the Committee on Foreign Affairs.

Also, petition of E. W. Bliss Co., of Brooklyn, N. Y., protesting against passage of bill prohibiting sale of war material; to the Committee on Foreign Affairs.

By Mr. DILLON: Petition of citizens of South Dakota, favoring passage of House joint resolution 377, relative to sale of munitions of war; to the Committee on Foreign Affairs.

Mr. DONOHOE: Memorial of consistory of St. Mark's Episcopal Reformed Church and Fifth Reformed Church, of Philadelphia, Pa., relative to violation of spirit of neutrality by United States; to the Committee on Foreign Affairs.

By Mr. DOOLITTLE: Petition of citizens of Olpe, Kans., favoring prohibition of exportation of war material; to the Committee on Foreign Affairs.

By Mr. ESCH: Petition of citizens of Plains, La Crosse, and Spring Green, Wis., favoring passage of House joint resolution 377, relative to munitions of war; to the Committee on Foreign Affairs.

By Mr. FESS: Petition of 155 members of Ogden (Ohio) Friends on behalf of House bill 1698, for protection of the Quaker name; to the Committee on the Judiciary.

By Mr. FOWLER: Petitions of business men of Flora, Clay City, and Xenia, Ill., favoring passage of House bill 5308, relative to taxing mail-order houses; to the Committee on Ways and means.

By Mr. GERRY: Petition of Rhode Island Medical Society, of Providence, R. I., urging passage of bill for mental examination of immigrants; to the Committee on Immigration and Naturalization.

Also, petition of Catholic Knights of America, Providence, R. I., relative to protection for Catholics in Mexico; to the Committee on Foreign Affairs.

Also, petitions of Mrs. Carl Baros, Mrs. Caroline Dowell, Mrs. J. J. Duffy, Miss Lucy McDonald, Mrs. E. M. Harris, Katherine H. Austin, and Mrs. J. J. Butler, of Providence; Dr. Oliver W. Huntington, Herbert T. Turner, Mrs. O. W. Huntington, Mrs. W. S. Sims, and Lizette G. Vise, of Newport; Harriet N. Arnold, of Centerville, all in the State of Rhode Island; and Clara B. Miller, of New York City, urging the passage of legislation providing for equal suffrage; to the Committee on the Judiciary.

Also, petition of Hennessey Laundry Co., of Providence, R. I., urging passage of legislation for protection against Chinese competition; to the Committee on Interstate and Foreign Commerce.

By Mr. GILMORE: Memorial of Division 60, Ancient Order of Hibernians, of Boston, Mass., protesting against the treatment of Catholics in Mexico; to the Committee on Foreign Affairs.

Also, petition of Boston Post-Office Clerks' Association, Branch 5, U. N. A. P. O. C., favoring bill for erection of a new post-office building in Boston; to the Committee on Public Buildings and Grounds.

By Mr. GOULDEN: Petition of citizens of New York, urging Congress to prohibit making, etc., of dum-dum bullets; to the Committee on Foreign Affairs.

Also, petition of citizens of Seneca Falls, N. Y., favoring passage of the Root bill (S. 3672); to the Committee on Rivers and Harbors.

By Mr. KENNEDY of Rhode Island: Petition of Hennessey Laundry Co., of Providence, R. I., favoring House bill 20057, relative to Chinese competition; to the Committee on Interstate and Foreign Commerce.

Also, petitions of Clara B. Miller, of New York, N. Y.; and Katharine H. Austin, of Providence; Marrion H. Arnold, of Centerville; Dr. Olwa W. Huntington, Francis T. Chambers, jr., Herbert

T. Turner, Mrs. O. W. Huntington, Mrs. W. S. Sims, of Newport, all in the State of Rhode Island, favoring woman suffrage; to the Committee on the Judiciary.

By Mr. MOORE: Memorial of the Emanuel Evangical Church of Philadelphia, Pa., favoring passage of bills to prohibit the exportation of munitions of war; to the Committee on Foreign Affairs.

By Mr. J. I. NOLAN: Petitions from sundry citizens of San Francisco, Cal., favoring the passage of House joint resolution 377, to prohibit the exportation of munitions of war from the United States; to the Committee on Foreign Affairs.

By Mr. RAKER: Memorial of the German-American League and the United Irish Societies of San Francisco, Cal., relative to enforcement of neutrality by the United States; to the Committee on Foreign Affairs.

By Mr. SELDOMRIDGE: Petition of Modern Woodmen of America, of Colorado City; Major Charles H. Anderson Camp, No. 8, U. S. W. V., of Colorado Springs; the Pueblo Commerce Club, of Pueblo; the Amalgamated Association of Street and Electric Employees of America, Local Division No. 19, Colorado Springs, all in the State of Colorado, favoring passage of the Hamill bill, H. R. 5139; to the Committee on Reform in the Civil Service.

Also, memorial of the Brotherhood of Railroad Trainmen and Engineers, of Denver and Colorado Springs, Colo., favoring passage of the Cummins-Goeke bills, pertaining to inspection of locomotives; to the Committee on Interstate and Foreign Commerce.

By Mr. J. M. C. SMITH: Petition of Rev. A. G. Spigel and 53 others, of Albion, and William A. Marxen, of Battle Creek, Mich., favoring House resolution 377; to the Committee on Foreign Affairs.

Also, papers to accompany H. R. 2854, for pension for Sarah E. Wilson; to the Committee on Invalid Pensions.

By Mr. STEVENS of Minnesota: Memorial of the German-American Veterans' Association of the Grand Army of the Republic, of St. Paul, Minn., protesting against exportation of munitions of war; to the Committee on Foreign Affairs.

By Mr. VARE: Petition of 515 members of St. Pauls Consistory, of Philadelphia, Pa., relative to violation of the spirit of neutrality by the United States; to the Committee on Foreign Affairs.

SENATE.

MONDAY, *January 11, 1915.*

Rev. Ulysses G. B. Pierce, D. D., of the city of Washington, offered the following prayer:

O Thou who in the elder time didst promise unto the fathers that as their days so should their strength be, fulfill unto us, we humbly pray Thee, Thine ancient word of grace, and grant unto us this day such strength of mind, body, and soul as seems to Thee to be needful to us, that this day, by Thy grace, we may work Thy will, to the honor and glory of Thee, who art our God and our Savior. And unto Thee, whose we are and whom we serve, we render all praise, now and for evermore. Amen.

The VICE PRESIDENT. The Secretary will read the Journal of the preceding session.

Mr. SMOOT. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Fletcher	Norris	Smith, Md.
Brady	Gallinger	O'Gorman	Smoot
Bristow	Goff	Oliver	Stephenson
Bryan	Gronna	Overman	Sterling
Burleigh	Hardwick	Page	Stone
Burton	Hollis	Perkins	Sutherland
Chamberlain	James	Pittman	Thompson
Chilton	Johnson	Poindexter	Thornton
Clapp	Jones	Robinson	Townsend
Clark, Wyo.	Kenyon	Root	Vardaman
Clarke, Ark.	La Follette	Shafroth	Walsh
Colt	Lodge	Sheppard	White
Culberson	Martine, N. J.	Sherman	Williams
Cummins	Myers	Shively	Works
Dillingham	Nelson	Smith, Ga.	

Mr. SMITH of Georgia. I desire to state that the Senator from Indiana [Mr. KERN] is unavoidably detained from the city.

Mr. TOWNSEND. I wish to announce the absence of the senior Senator from Michigan [Mr. SMITH] on important business. He is paired with the junior Senator from Missouri [Mr. REED]. This announcement may stand for all votes to-day.

Mr. CLARK of Wyoming. I desire to announce the unavoidable absence of my colleague [Mr. WARREN]. I will let this announcement stand for the day.

Mr. ASHURST. My colleague [Mr. SMITH of Arizona] is unavoidably absent on business of the Senate. He is paired with the Senator from Connecticut [Mr. BRANDEGEE].

Mr. CHAMBERLAIN. I desire to announce the unavoidable absence of my colleague [Mr. LANE] on business of the Senate.

Mr. CHILTON. I wish to announce the necessary absence of the Senator from New Mexico [Mr. FALL] owing to serious illness in his family. He is paired with the senior Senator from West Virginia [Mr. CHILTON].

Mr. MARTINE of New Jersey. I beg to state that the junior Senator from South Carolina [Mr. SMITH] is unavoidably detained on account of illness in his family.

The VICE PRESIDENT. Fifty-nine Senator have answered to the roll call. A quorum is present. The Secretary will read the Journal of the proceedings of the preceding session.

The Journal of the proceedings of Saturday last was read and approved.

GRAY-THURBER AUTOMATIC TRAIN SYSTEM (H. DOC. NO. 1482).

The VICE PRESIDENT laid before the Senate a communication from the Interstate Commerce Commission, transmitting the report of the Chief of the Division of Safety for the fiscal year ended June 30, 1914, together with a copy of a report concerning a test of the Gray-Thurber automatic train-control system conducted by the commission's experts from April 13 to July 14, 1914, which, with the accompanying papers, was referred to the Committee on Printing.

CREDENTIALS.

The VICE PRESIDENT presented the certificate of the governor of Oklahoma certifying that on the 3d day of November, 1914, THOMAS PRYOR GORE was chosen a Senator from that State for the term of six years beginning March 4, 1915, which was referred to the Committee on Privileges and Elections.

The VICE PRESIDENT presented a certificate of the governor of Ohio, certifying that on the 3d day of November, 1914, WARREN G. HARDING was chosen a Senator from that State for the term of six years beginning March 4, 1915, which was referred to the Committee on Privileges and Elections.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House had passed the joint resolution (S. J. Res. 218) to provide for the detail of an officer of the Army for duty with the Panama-California Exposition, San Diego, Cal.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 20150. An act making appropriations for the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1916;

H. R. 20562. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war; and

H. R. 20643. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and certain soldiers and sailors of wars other than the Civil War and to widows of such soldiers and sailors.

ENROLLED JOINT RESOLUTION SIGNED.

The message further announced that the Speaker of the House had signed the enrolled joint resolution (H. J. Res. 257) authorizing the Commissioner of Patents to exchange printed copies of United States patents with the Dominion of Canada, and it was thereupon signed by the Vice President.

PETITIONS AND MEMORIALS.

The VICE PRESIDENT presented a telegram in the nature of a memorial from the Montana Association Opposed to Woman Suffrage, remonstrating against the adoption of an amendment to the Constitution granting the right of suffrage to women, which was ordered to lie on the table.

Mr. MYERS presented petitions of sundry citizens of Montana, praying for the enactment of legislation to prohibit the exportation of ammunition, etc., which were referred to the Committee on Foreign Relations.

He also presented a petition of sundry citizens of Butte, Mont., praying for national prohibition, which was referred to the Committee on the Judiciary.

Mr. THOMPSON presented petitions of sundry citizens of Independence, Hanover, Natoma, and Pittsburg, all in the State of Kansas, praying for the enactment of legislation to prohibit the exportation of ammunition, etc., which were referred to the Committee on Foreign Relations.

Mr. BRISTOW presented petitions of sundry citizens of Hudson, Modoc, Topeka, Sylvan Grove, Kansas City, Lanham, Pittsburg, Seward, Bremen, and Great Bend, all in the State of Kansas, praying for the enactment of legislation to prohibit the exportation of ammunition, etc., which were referred to the Committee on Foreign Relations.

He also presented petitions of sundry citizens of Wichita, Morrill, and Hudson, all in the State of Kansas, praying for national prohibition, which were referred to the Committee on the Judiciary.

He also presented petitions of sundry citizens of Walsburg and Leonardville, in the State of Kansas, praying for the establishment of a rural-credit system, which were referred to the Committee on Banking and Currency.

Mr. NELSON presented petitions of sundry citizens of Minnesota, praying for the enactment of legislation to prohibit the exportation of ammunition, etc., which were referred to the Committee on Foreign Relations.

He also presented a memorial of sundry citizens of Minnesota, remonstrating against the transmission of anti-Catholic publications through the mail, which was referred to the Committee on Post Offices and Post Roads.

Mr. GRONNA. I present a telegram in the nature of a memorial from the North Dakota Press Association, which I ask may be printed in the RECORD.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

FARGO, N. DAK., *January 9, 1915.*

Senator A. J. GRONNA,
Washington, D. C.:

The North Dakota Press Association in convention assembled strenuously objects to the renewing of the contract for the printing of stamped envelopes. The Government has stepped in and taken away from the country publisher a large part of his business. It has created a monopoly in the printing of stamped envelopes without saving to the Government, and we request that you as our representative do all in your power to prevent the Government from continuing its unjust discrimination against the publishers.

NORTH DAKOTA PRESS ASSOCIATION,
By G. D. COLCORD, *President*,
(And 325 publishers).

Mr. ROOT presented petitions of sundry citizens of New York, praying for the enactment of legislation to prohibit the exportation of ammunition, etc., which were referred to the Committee on Foreign Relations.

He also presented petitions of sundry citizens of New York City, praying for the restoration of the protective tariff, which were referred to the Committee on Finance.

He also presented a petition of sundry citizens of Springfield Center, N. Y., praying for national prohibition, which was referred to the Committee on the Judiciary.

Mr. McLEAN presented petitions of Jacob Haitsch and 57 other citizens of Danbury, Conn., praying for the enactment of legislation to prohibit the exportation of ammunition, etc., which were referred to the Committee on Foreign Relations.

He also presented memorials of 224 employees of factories in Southington, of C. L. Bowers and 30 other citizens of Hartford, and of 587 employees of factories in New Britain, all in the State of Connecticut, remonstrating against the enactment of legislation to prohibit the exportation of ammunition, etc., which were referred to the Committee on Foreign Relations.

He also presented a memorial of local branch, Association Opposed to Woman's Suffrage, of Woodbury, Conn., remonstrating against Federal action to enfranchise women, which was ordered to lie on the table.

Mr. BURLEIGH presented a petition of Frontier Loyal Orange Lodge, No. 216, of Vanceboro, Me., praying for the further restriction of immigration, which was ordered to lie on the table.

Mr. TILLMAN. I have received a letter from H. S. Ross, of Chester, S. C., inclosing petitions signed by a large number of citizens of my State who are patrons of the Carolina & Northwestern Railway Co., asking that their interests regarding mail pay be looked into and that they may be granted fair and substantial relief. I move that the communication and accompanying petitions be referred to the Committee on Post Offices and Post Roads.

The motion was agreed to.

REGULATION OF IMMIGRATION.

Mr. STONE. Mr. President, under the heading that has been passed I intended to offer a letter. I should like to present it now and have it read. It is not long.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the Secretary will read the letter.

The Secretary read as follows:

CITY OF CHICAGO, LAW DEPARTMENT,
OFFICE OF THE CITY ATTORNEY,
January 8, 1915.

Hon. WILLIAM J. STONE,
United States Senate, Washington, D. C.

DEAR SIR: I read in the dispatches from Washington that the immigration bill, including the literacy test clause, was passed by the Senate, exempting, however, from such test immigrants from Belgium. This was wise and humane, and I am sure that the heart of every liberty-loving man and woman in America will rejoice that the door of this country will be open to the unfortunate Belgians.

May I be permitted in this connection to call your attention to another country whose fate is even more tragic than that of Belgium? It is Poland. The Poles were robbed of their country nearly 150 years ago. That bloody tragedy, which revealed villainy unparalleled in the his- of modern Europe, by which unfortunate Poland was dismembered and plundered and 25,000,000 of her children were deprived of their liberty, I hope is not yet forgotten; neither, I trust, have the liberty-loving Americans become indifferent to the fate of Poland. The Poles have no country that they can call their own, and those who could get away from the persecution of their oppressors are wandering in every clime and country on the globe.

But permit me to call your attention to the lot of the Polish people in this terrible war. Nearly the whole of Galicia, which is Austrian Poland, with a population of 7,000,000, was first overrun by Russians, then by Austrians and Germans, and again by Russians, and it is now a mass of ruins, and the inhabitants that have not been killed are fleeing from place to place like wild animals—without food and without shelter—trying to escape the shells of the cannons. The same tragic fate befell the 12,000,000 Poles in Russian Poland. The Germans devastated the country to within 6 miles of Warsaw, the Russians completed the work of destruction by driving the Germans back through the same country, and now the Germans are fighting their way to Warsaw for the third time. It is reported that west of the Vistula River, in Russian Poland alone, more than 500 towns, occupied chiefly by Poles, have been destroyed. Everybody heard of Louvain, but hardly anyone heard of Kalisz, a city of 40,000 inhabitants in Russian Poland, which met exactly the same fate as Louvain. The Poles in East Prussia suffered equally, while the same fate is awaiting the Poles in Posen, Russian Poland.

The Belgians have at least the satisfaction that they are fighting for their own country and the hope that if the allies win their wrongs will be righted, but for the Poles, judging from past history, there is but little hope, in spite of the promises that have been made by the three powers. The Poles are compelled to fight not only against their own will, but for a cause that is not theirs, but that of their oppressors. And, what is worse, they are forced to fight against each other, often against their kin—brother against brother, father against son. For them it is a fratricidal war. This is the most ghastly tragedy of this terrible war.

There are about 350,000 Poles in the German Army. About the same number are in the Austrian Army, and about 700,000 in the Russian ranks. There are about 1,500,000 engaged in this war, fighting on one side or the other. And what are they fighting for? Certainly not for Poland. It is admitted by all who have read the reports from the theater of war that the Poles are as fully deserving of commiseration as the Belgians.

I am a naturalized American citizen, have lived here for 32 years, and I am devotedly attached to the country of my adoption, in defense of which I would gladly sacrifice my fortune and my life, but as a native of Poland, I love that unfortunate country which gave me birth, and my heart goes out in sympathy for my unhappy brothers and sisters who have the misfortune to live there.

Let me therefore appeal to you, in the name of humanity, to do for the Poles what the Senate did for the Belgians, namely, to exempt the Poles from the literacy test. Because many of them are illiterate is not their fault, but that of their oppressors. Remember, too, that two of Poland's greatest sons fought for the liberty of this country—Kosciusko and Pulaski—the latter having sacrificed his life at the battle of Savannah.

Very respectfully, N. L. PIOTROWSKI.

Mr. STONE. Mr. President, the writer of that letter is the city counsel of the city of Chicago. He is a distinguished citizen of this country and is of Polish origin. I have no wish to say anything about the matter referred to in the letter. I should like to have the letter referred to the Committee on Immigration, and I should also like to have it go to the committee of conference, if that be permissible.

Mr. LODGE. Mr. President, of course everyone who has listened to this very strong letter realizes the absolute truth of all the statements contained therein in regard to Poland and the misery which exists there; but the immigration bill has gone to conference, the conferees have agreed, and the report is now here in the hands of the Senator from Arkansas [Mr. ROBINSON], whom I do not see in the Chamber at this moment.

I will say to the Senator from Missouri that the vote of the other House against the Belgian amendment was so decided that the House conferees could not yield upon it without taking the matter back to the House for consideration, and so the Senate conferees yielded, and the Belgian amendment went out of the bill.

REPORTS OF COMMITTEES.

Mr. CHAMBERLAIN, from the Committee on Military Affairs, to which was referred the bill (S. 6857) authorizing the retirement from active service with increased rank of officers now on the active list of the Army who served in the Civil War, reported it without amendment and submitted a report (No. 896) thereon.

He also, from the same committee, to which was referred the bill (S. 7051) to authorize the disposal of clothing or uniforms which have become unserviceable or unsuitable, reported it with an amendment and submitted a report (No. 897) thereon.

Mr. MYERS, from the Committee on Public Lands, to which was referred the bill (H. R. 16673) to provide for the development of water power and the use of public lands in relation thereto, and for other purposes, reported it with amendments and submitted a report (No. 898) thereon.

Mr. LANE, from the Committee on Public Buildings and Grounds, to which was referred the bill (H. R. 13180) to amend the act of March 4, 1913 (37 U. S. Stats., p. 872), so as to provide that in the construction of the public building at Roseburg, Oreg., provision shall be made for the accommodation therein of the United States post office and other governmental offices, reported it without amendment and submitted a report (No. 899) thereon.

Mr. MARTINE of New Jersey, from the Committee on Public Buildings and Grounds, to which was referred the bill (H. R. 16642) authorizing the Secretary of the Treasury to disregard section 33 of the public buildings act of March 4, 1913, as to site at Vineland, N. J., reported it without amendment and submitted a report (No. 900) thereon.

He also, from the Committee on Industrial Expositions, to which was referred the joint resolution (S. J. Res. 106) to amend an act entitled "An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1914, and for other purposes," approved June 23, 1913, reported it without amendment.

Mr. SHIVELY, from the Committee on Pensions, submitted a report (No. 894) accompanied by a bill (S. 7212) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and wars other than the Civil War and to certain widows and dependent relatives of such soldiers and sailors, which was read twice by its title, the bill being a substitute for the following pension bills heretofore referred to that committee:

S. 1153. David R. Todd.
S. 2716. Samuel Rook.
S. 3318. Letta D. Webster.
S. 3124. Mary B. Howland.
S. 3972. Horace M. Patton.
S. 4406. John A. Shannon.
S. 4905. Noah E. Curtis.
S. 4912. Edward Lenfesty.
S. 4949. John Howard.
S. 5381. Daniel W. Setzer.
S. 5617. William Quinlivan.
S. 5636. Jacob Smith.
S. 5905. Charles Gustoson.
S. 5952. Oscar Ernst.
S. 5993. Vernon D. Blalock.
S. 6098. Ray M. Sherman.
S. 6130. Frank D. Brown.
S. 6238. Marie A. Berry.
S. 6272. Charles W. Coolidge.
S. 6347. Edward J. Gainan.
S. 6415. David W. Cutting.
S. 6427. George J. Newman.
S. 6515. Richard M. Longfellow.
S. 6681. Frank F. Judson.
S. 6733. Robert S. Smylie.
S. 6821. Matthew H. Jackson.
S. 6835. Mary E. Wash.
S. 6904. Samuel L. Hess.

Mr. SHIVELY, from the Committee on Pensions, submitted a report (No. 895) accompanied by a bill (S. 7213) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors, which was read twice by its title, the bill being a substitute for the following pension bills heretofore referred to that committee:

S. 794. Frederika B. Trilley.
S. 2120. George F. Brown.
S. 2146. John Bachtler.
S. 2362. George D. Stebbins.
S. 2524. Isabell C. Dean.
S. 2790. Nancy J. Northrup.
S. 2868. Lucy P. Wheeler.
S. 2874. Catherine Kelly.
S. 2892. William C. Hinson.
S. 3141. Julia C. Nickerson.
S. 3144. Frances E. Berry.
S. 3445. Mary Parsons.
S. 3459. Watie H. Stodder.
S. 3541. Alfred Dearmy.
S. 3570. Clarkson D. Ayers.
S. 3788. Jane Hubbard.
S. 4112. James T. Kent.
S. 4114. David R. Forsha.
S. 4341. Jesse Monticue.
S. 4581. Elizabeth Martin.
S. 4785. James H. Givens.
S. 4877. Egbert Dart.
S. 4985. Larkin Russell.
S. 5240. Anthony Krass.
S. 5246. Henry Miller.
S. 5271. James W. Lansberry.
S. 5367. John H. Condon.
S. 5369. George D. Hamm.
S. 5384. Wealthy L. Kelsey.
S. 5563. Henry C. Jacks.
S. 5567. Harrison Welch.
S. 5642. Martha Lance.
S. 5769. Mary Jane Campbell.
S. 5770. Henry S. Gay.
S. 5772. Agnes M. Heck.
S. 5773. Louise M. Hunie.
S. 5774. Maria B. Hyde.
S. 5776. Johanna Mansfield.
S. 5778. Isabella Neff.
S. 5780. Francis Robinson.
S. 5800. George W. Harding
S. 5818. William H. Hayes.
S. 5820. Robert G. Calhoun.
S. 5829. Albert A. Lance.
S. 5857. Maria E. Pitts.
S. 5891. Clara B. Randall.
S. 5926. Eugene Lenhart.
S. 5944. William D. Boyd.
S. 5992. Ann Simons.
S. 6009. George Warner.
S. 6026. Mary A. Selleck.
S. 6045. Adam F. Wilson.
S. 6063. David L. Cross.
S. 6068. Anna B. Fay.
S. 6087. Roswell Sayers.
S. 6091. Joseph L. Williams.
S. 6105. John T. Allen.
S. 6153. William Lockwood.
S. 6154. James S. Wintemute.
S. 6157. William Roseberry.
S. 6159. Albert W. Dyer.
S. 6166. John Gossage.
S. 6183. William Crouch.
S. 6189. Thomas Jefferson Stafford.
S. 6208. Benjamin McClelan.
S. 6215. David W. Mead.
S. 6222. Hymelius Mendenhall.
S. 6233. John Deering, jr.
S. 6237. Francis C. Wood.
S. 6239. Augusta A. Crommett.
S. 6240. Ella V. Jones.
S. 6258. Charles E. Ewing.
S. 6259. James M. Barnett.
S. 6274. Esli A. Bowen.
S. 6335. John F. Grayum.
S. 6336. Joseph L. Hays.
S. 6337. Sarah E. Squires.
S. 6350. Elizabeth Scott.
S. 6352. James M. Tackett
S. 6354. Hester Morse.
S. 6358. Mary T. Ryan.
S. 6371. Lewis Walker.
S. 6380. John W. Covey.
S. 6387. William W. Graham.
S. 6388. Sylvester Chaplin.
S. 6391. Amy D. Wetherell.
S. 6416. Henry Quint.
S. 6417. Sanford B. Sylvester.
S. 6459. Sarah M. Hicks.
S. 6473. Jacob Jones.
S. 6479. Jonathan Thuma.
S. 6488. John M. Miller.
S. 6494. James F. Brown.
S. 6499. Henry Miller.
S. 6500. William H. Fountain.
S. 6501. Albert E. Magoffin.
S. 6509. John M. Herder.
S. 6522. Carrie M. Case.

S. 6524. Amanda Baxter.
S. 6539. Cora H. Alward.
S. 6541. Alfred J. Adair.
S. 6542. William Porter.
S. 6543. Henry Clay.
S. 6546. Hannah M. Bates.
S. 6550. Joseph N. Stockford.
S. 6561. Salome Nothhardt.
S. 6600. Jefferson Wood.
S. 6601. Eli C. Walton.
S. 6614. Philip Crowl.
S. 6615. Nathaniel Trueblood.
S. 6642. Anna Mary McOmber.
S. 6645. Charles H. Morrison.
S. 6661. Henry Roth.
S. 6665. John C. Hamilton.
S. 6676. John Sigman.
S. 6693. Helen A. Underhill.
S. 6695. Susan E. Holt.
S. 6711. Robert S. Thomas.
S. 6785. Wyatt C. Crawford.
S. 6792. Julia M. Sayles.
S. 6794. Nicholas Metzer.
S. 6797. Gertrude Edmonds.
S. 6799. John T. Hayes.
S. 6800. William Franklin Stotts.
S. 6804. Mary J. Wilcox.
S. 6808. George Turnbaugh.
S. 6825. Isaac Baker.
S. 6826. John Ryan.
S. 6830. Jasper McPhail.
S. 6833. Louisa Bendel.
S. 6834. Stephen K. Ashley.
S. 6836. Samuel McClure.
S. 6840. Earl W. Soper.
S. 6841. Charles Fredrick.
S. 6847. John E. Saunders.
S. 6850. Nancy I. Williams.
S. 6852. James O. Anderson.
S. 6860. Edward Pilot.
S. 6867. James K. Deyo.
S. 6870. Susan E. Manning.
S. 6874. Juriah Cline.
S. 6879. Annette M. Lamoreaux.
S. 6880. Esen Z. Guild.
S. 6884. Emanuel Klepper.
S. 6885. Hiram W. Babcock.
S. 6886. George W. Carpenter.
S. 6897. Rose Anna Nagley.
S. 6914. Robert Jenkins.
S. 6926. Charles P. Harmon.
S. 6928. James Inman.
S. 6930. John H. Masterson.
S. 6931. William Carter.
S. 6932. Maria T. Jones.
S. 6953. Joseph S. Herndon.
S. 6955. Ellen M. Bellows.
S. 6956. Victoria S. Day.
S. 6959. Lucy W. Osborne.
S. 6961. Theodore M. Burge.
S. 6984. Edwin Rudrauff.
S. 7054. Eliza M. Doran.
S. 7055. Louisa Walters.

OPENING OF PANAMA CANAL.

Mr. OVERMAN. From the Committee on Appropriations I report back favorably without amendment the joint resolution (S. J. Res. 223) to provide for the expenses of the formal and official opening of the Panama Canal. I ask for the present consideration of the joint resolution.

Mr. GALLINGER. Let it be read.

The VICE PRESIDENT. The Secretary will read the joint resolution.

The Secretary read the joint resolution, as follows:

Resolved, etc., That the sum of $250,000 be, and the same is hereby, appropriated, out of any money in the Treasury not otherwise appropriated, for such expenses as, in the opinion of the President, are properly connected with the formal and official opening of the Panama Canal and each and every purpose connected therewith, to be expended at the discretion of the President without regard to existing laws and limitations governing ordinary expenditures, and to remain available until the 1st day of January, 1917.

SEC. 2. That the President is authorized to utilize the services of such officers of the Army and Navy as he may designate to assist in the formal and official opening of the Panama Canal. The services of the officers of the Army while so employed shall be counted as service with their organizations within the meaning of all laws relating to the detachment of officers from their organizations for duty of any kind. The actual expenses of officers of the Army and Navy while on such duty shall be paid them in lieu of any mileage allowance to which they may be entitled by law.

SEC. 3. That the President is authorized to use such vessels of the United States Army transport service and of the Panama Railroad for the purposes indicated in this resolution as in his opinion can properly be spared, and any expense connected with the use of such vessels under this resolution shall be payable out of the appropriation herein made, and any vessel not carrying freight-earning cargo used for the purposes indicated in this resolution shall during such use for those purposes be exempt from payment of Panama Canal tolls.

The VICE PRESIDENT. The Senator from North Carolina asks unanimous consent for the present consideration of the joint resolution.

Mr. TOWNSEND. Mr. President, there are bills on the calendar which to me are of a greater importance than this measure. It seems we are not going to be able to reach them but that some favored measures are to be considered in this way. Therefore I object.

Mr. OVERMAN. I wish to say to the Senator from Michigan that this appropriation should be made now if we are going to have any celebration at the opening of the canal.

Mr. TOWNSEND. I desire to say to the Senator from North Carolina that unless the bill which has come up several times for consideration is passed now there will never be any relief given to those entitled to it. The bill I have urged upon the Senate many times I regard as being of much more importance. The volunteer officers' retirement bill is the bill to which I refer.

Mr. OVERMAN. If the Senator desires to defeat the holding of the great celebration at Panama, all right.

The VICE PRESIDENT. Objection is made, and the joint resolution will go to the calendar.

ATLANTIC CANNING CO.

Mr. WHITE. From the Committee on Claims I report back favorably without amendment the bill (H. R. 5195) for the relief of the Atlantic Canning Co., and I submit a report (No. 893) thereon.

On behalf of the junior Senator from Iowa [Mr. KENYON] I ask unanimous consent for the immediate consideration of the bill. The claim therein embraced is entirely meritorious. It has the approval of the Department of Agriculture and of the Attorney General's office, and it has been passed upon by the Court of Claims. The money of this concern in Iowa is in the Treasury of the United States, and has been there for two years. In my judgment the bill should be passed by all means, and I therefore hope unanimous consent will be given for its consideration.

Mr. TOWNSEND. Mr. President, I have great sympathy for the proposition contained in the bill, and for many other claims which are presented, and when I was on my feet a few moments ago I did not give notice that I would object to everything that would be sought to be considered by unanimous consent hereafter. At the solicitation of the Senator from Iowa [Mr. KENYON], who is interested in the matter, and owing to the fact that I have not given such a notice, I shall not object to the consideration of this bill, but I give notice that I shall object to the consideration by unanimous consent of any other matter during the morning hour.

Mr. SMOOT. Let the bill be read, please.

The VICE PRESIDENT. The Secretary will read the bill.

The Secretary read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be authorized and directed to pay, out of any money in the United States Treasury not otherwise appropriated, to the Atlantic Canning Co., of Atlantic, Iowa, the sum of $522.90, being the amount paid into the Treasury of the United States from the sale of 498 cases of canned corn sold under the decree of the United States court for the district of Colorado, on the 28th day of August, 1912, in the matter of The United States *v.* Five Hundred and Seventeen Cases of Canned Corn, libel No. 5975, which said decree was afterwards and on the 30th day of October, 1912, by a subsequent decree rendered by said court, vacated and set aside.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

BILLS AND JOINT RESOLUTION INTRODUCED.

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. LA FOLLETTE:

A bill (S. 7214) to correct the military record of Martin Rosenberg (with accompanying papers); to the Committee on Military Affairs.

By Mr. POMERENE:

A bill (S. 7215) to amend section 5 of the motor-boat law, approved June 9, 1910; to the Committee on Commerce.

By Mr. CHILTON:

A bill (S. 7216) granting a medal of honor to John S. Kenney (with accompanying papers); to the Committee on Military Affairs.

By Mr. JOHNSON:

A bill (S. 7217) granting an increase of pension to James H. Kneeland;

A bill (S. 7218) granting a pension to Irena Ward;

A bill (S. 7219) granting a pension to Al Clark;

A bill (S. 7220) granting a pension to John C. Haley;

A bill (S. 7221) granting a pension to Jesse Kimball;

A bill (S. 7222) granting an increase of pension to Jeremiah Hurley;

A bill (S. 7223) granting an increase of pension to Charles F. Smith;

A bill (S. 7224) granting a pension to Lilian A. Doten;

A bill (S. 7225) granting an increase of pension to John G. Jackson;

A bill (S. 7226) granting an increase of pension to William H. Durham; and

A bill (S. 7227) granting an increase of pension to William F. Margon; to the Committee on Pensions.

By Mr. GALLINGER:

A bill (S. 7228) granting an increase of pension to John W. Fletcher; to the Committee on Pensions.

By Mr. STEPHENSON:

A bill (S. 7229) granting a pension to Peter Peterson (with accompanying papers);

A bill (S. 7230) granting a pension to Frank Schallert (with accompanying papers);

A bill (S. 7231) granting an increase of pension to Samantha M. Hudson (with accompanying paper); to the Committee on Pensions.

By Mr. NELSON:

A bill (S. 7232) granting an increase of pension to Louisa E. Catterson; to the Committee on Pensions.

By Mr. GRONNA (for Mr. McCUMBER):

A bill (S. 7233) for the relief of the Snare & Triest Co. (with accompanying papers); to the Committee on Claims.

By Mr. BRISTOW:

A bill (S. 7234) granting an increase of pension to Silas B. Hovious (with accompanying papers); to the Committee on Pensions.

By Mr. SHERMAN:

A bill (S. 7235) granting an increase of pension to Isaac H. Bodenhamer; and

A bill (S. 7236) granting a pension to Frank M. Gilmore; to the Committee on Pensions.

By Mr. BURLEIGH:

A bill (S. 7237) granting an increase of pension to Otis I. Trundy; to the Committee on Pensions.

By Mr. CHAMBERLAIN:

A bill (S. 7238) granting a pension to James G. Royse (with accompanying papers); and

A bill (S. 7239) granting a pension to Harold A. Salisbury (with accompanying papers); to the Committee on Pensions.

By Mr. JAMES:

A bill (S. 7240) granting a pension to Jesse Abbott (with accompanying papers); and

A bill (S. 7241) granting a pension to Clementine Williams (with accompanying papers); to the Committee on Pensions.

By Mr. SHIVELY:

A bill (S. 7242) granting an increase of pension to Joseph Weber;

A bill (S. 7243) granting an increase of pension to Gorham Tufts;

A bill (S. 7244) granting an increase of pension to James Menaugh;

A bill (S. 7245) granting an increase of pension to Martha A. White;

A bill (S. 7246) granting an increase of pension to Michael Kirk;

A bill (S. 7247) granting a pension to Sarah C. Kinsley;

A bill (S. 7248) granting an increase of pension to George W. Windell; and

A bill (S. 7249) granting an increase of pension to Benjamin F. Shepherd; to the Committee on Pensions.

By Mr. WEEKS:

A bill (S. 7250) granting an increase of pension to Elizabeth Adams Nye (with accompanying papers); and

A bill (S. 7251) granting a pension to Katharine H. McDonald (with accompanying papers); to the Committee on Pensions.

By Mr. MARTINE of New Jersey (by request):

A joint resolution (S. J. Res. 225) making formal certain declarations for pensions on file in the Pension Office, said declarations pertaining to the War with Spain; to the Committee on Pensions.

RAILROAD RATES.

Mr. LA FOLLETTE. I introduce a joint resolution, which I ask may be read.

The joint resolution (S. J. Res. 224) limiting charges to be made by common carriers engaged in interstate commerce in official classification territory, and for other purposes, was read the first time by its title and the second time at length, as follows:

Joint resolution (S. J. Res. 224) limiting charges to be made by common carriers engaged in interstate commerce in official classification territory, and for other purposes.

Whereas by an act to regulate commerce, approved February 4, 1887, and acts amendatory thereof, it is provided that all charges made for any service rendered or to be rendered in the transportation of passengers or property by any common carrier engaged in interstate commerce shall be just and reasonable, and that every unjust and unreasonable charge for such service or any part thereof is prohibited and declared to be unlawful; and

Whereas by the terms of said act a commission is created and established, known as the Interstate Commerce Commission, which commission is given authority under said act to inquire into the management of the business of all such common carriers and is required to execute and enforce the provisions of said act on complaint by petition, briefly setting forth the thing done or omitted to be done by any common carrier subject to the provisions of said act; that said commission is given full authority and power at any time to institute an inquiry upon its own motion in any case or as to any matter or thing concerning which a complaint is authorized to be made to or before said commission, or concerning which any question may arise under any of the provisions of said act; that whenever there is filed with the commission any schedule stating a new individual or joint rate or charge said commission is given authority upon complaint or upon its own initiative without complaint to enter upon a hearing concerning the propriety of such rate, fare, charge, classification, regulation, or practice; and at any hearing involving a rate increased after January 1, 1910, or of a rate sought to be increased after the passage of said act, the burden of proof to show that the increased rate or the proposed increased rate is just and reasonable shall be upon the common carrier; and

Whereas in 1910 tariffs were filed by eastern and western railroads proposing certain increased rates which were thereafter disallowed by the commission for reasons stated in its reports or decision thereon; and

Whereas in May, 1913, most of the rail carriers in official classification territory (to wit, in territory north of the Potomac and east of the Ohio Rivers) filed with the commission a petition praying for a reopening of the former proceeding decided in Advance in Rates—Eastern Case, Twentieth Interstate Commerce Commission, page 243, which petition was denied; and

Whereas the commission on June 21, 1913, ordered an investigation (docketed as No. 5860) on its own motion into the following matters: First, do the present rates of transportation yield to common carriers by railroad operating in official classification territory adequate revenues; and, second, if not, what general course may carriers pursue to meet the situation; and

Whereas October 15, 1913, and thereafter from time to time until May 7, 1914, the rail carriers in official classification territory filed tariffs embodying the so-called 5 per cent advances, the increases ranging from less than 3 per cent on some traffic to 50 per cent on other traffic, which increased rates were suspended by order of said commission, and their propriety investigated by order of November 4, 1913 (Investigation and Suspension Docket No. 333), which was thereafter conducted in connection with Docket No. 5860, and investigation completed and argument heard thereon; and

Whereas, on July 29, 1914, the commission handed down its report and decision (31 I. C. C., p. 351), deciding, upon the record, that the net operating income of the carriers in official classification territory, considered as a whole, is smaller than is demanded in the public interest, and suggested 10 sources of additional revenue for all carriers throughout official classification territory, by means of which, through the correction of abuses practiced by the carriers, they might sufficiently increase their revenues, but deciding that no showing had been made warranting a general increase in trunk-line rates, in rail-and-lake rates, or in the rates on traffic moving between the different rate territories in official classification territory, and therefore denying the so-called 5 per cent rate increase; and

Whereas, on September 15, 1914, the railroads in official classification territory joined in a petition for rehearing, which said petition was granted by order of said commission on September 19, 1914, limiting the rehearing to presentation of facts disclosed and occurrences originating subsequently to the date on which the records previously made in Docket No. 5860 and Investigation and Suspension Docket No. 333 were closed; and

Whereas said rehearing was had before said commission on October 19–23, 1914, followed by argument October 29–30, 1914, and taken under advisement by said commission; and

Whereas on December 16, 1914, said commission handed down its report and decision in said case (docket No. 5860, and investigation and suspension docket No. 333), reversing its decision of July 29, and deciding "that by virtue of the conditions obtaining at present it is necessary that the carriers' revenues be supplemented by increases throughout official classification territory," recognizing that war "is a calamity" and that "by it" commerce "has been disarranged and thrust into confusion," thus creating "a new situation" since the former decision of July 29, 1914, and authorizing "the carriers to file tariffs providing with certain exceptions specified therein, for horizontal rate increases in official classification territory"; and

Whereas the report, decision, and orders made and issued by the commission in this advance rate case operate to increase the transportation charges in official classification territory by approximately $50,000,000, solely upon the grounds and for the reason that in the opinion of the commission the railroads are in need of money, as appears by the report and decision of said commission, and not upon the grounds and for the reason that the commission after full investigation was of the opinion that the existing rates in official classification territory were found to be unjust and unreasonable to said

carriers, nor did said commission take, nor did said carriers offer any testimony whatever to show that the existing rates in official classification territory were so low as to be unjust and unreasonable, nor did said commission determine and prescribe as required by law that the advanced rates and charges granted to the carriers by the report, decision, and orders made and issued in said cases were just and reasonable rates and charges; and, as appears of record in said case, the carriers in official classification territory refused to offer any testimony in support of the reasonableness and justice of the increased rates petitioned for and granted in said case; that the course pursued by said carriers in this regard and the decision and orders of the commission in not requiring testimony as to the reasonableness and justice of the proposed advance in rates were without precedent in the history of the commission and are unwarranted by law: Now, therefore, be it

Resolved, etc., That it shall be unlawful for any common carrier engaged in interstate commerce in official classification territory to demand, collect, or receive a greater compensation for the transportation of property from any place in one State of the United States or the District of Columbia to any place in any other State of the United States or the District of Columbia than the charge fixed in the published schedules of rates filed with the Interstate Commerce Commission for the same service between the same points and in force on the 29th day of July, 1914: *Provided*, That any common carrier or carriers in official classification territory desiring to advance or discontinue any such rate or rates may file with the commission any schedule or schedules stating a new individual or joint rate or rates, and thereupon the commission shall have, and it is hereby given, authority, either upon complaint or upon its own initiative without complaint, at once, and, if it so orders, without answer or other formal pleading by the interested carrier or carriers or upon reasonable notice, to enter upon a hearing concerning the propriety of such rate or rates; and after full hearing if the commission shall be of the opinion that any existing rate or rates are unjust or unreasonable or otherwise in violation of any of the provisions of the act to regulate commerce, as amended, and after full hearing concerning the propriety of such proposed new individual or joint rate or rates, the commission is hereby authorized and empowered to determine and prescribe what will be the just and reasonable individual or joint rate or rates to be thereafter observed as the maximum to be charged in said official classification territory: *Provided further*, That upon such hearing to increase said existing rates or rates the burden of proof to show that the increased rate or proposed increased rate is just and reasonable shall be upon the common carrier or carriers in official classification territory.

Mr. LA FOLLETTE. I ask that the joint resolution lie on the table for the present.

The VICE PRESIDENT. The joint resolution will lie on the table and be printed.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. OVERMAN submitted an amendment proposing to appropriate $250,000 to provide for the expenses of the formal official opening of the Panama Canal, intended to be proposed by him to the legislative, executive, and judicial appropriation bill (H. R. 19909), which was referred to the Committee on Appropriations and ordered to be printed.

Mr. ASHURST submitted an amendment proposing to increase the appropriation for clerks in the office of the surveyor general, State of Arizona, from $10,000 to $13,000, intended to be proposed by him to the legislative, executive, and judicial appropriation bill (H. R. 19909), which was referred to the Committee on Appropriations and ordered to be printed.

Mr. STEPHENSON submitted an amendment proposing to appropriate $426,672.33, to be placed upon the books of the Treasury to the credit of that portion of the Wisconsin Band of Pottawatomie Indians now residing in the States of Wisconsin and Michigan, etc., intended to be proposed by him to the Indian appropriation bill (H. R. 20150), which was referred to the Committee on Indian Affairs and ordered to be printed.

Mr. GORE submitted an amendment proposing to appropriate $300,000 in aid of the common schools in the Cherokee, Creek, Choctaw, Chickasaw, Seminole, and Osage Nations and the Quapaw Agency in Oklahoma, etc., intended to be proposed by him to the Indian appropriation bill (H. R. 20150), which was referred to the Committee on Indian Affairs and ordered to be printed.

MILITARY ESTIMATES.

Mr. LODGE submitted the following resolution (S. Res. 517), which was considered by unanimous consent and agreed to:

Resolved, That the Secretary of War be directed to transmit to the Senate the estimates prepared by the General Staff of the Army, before the European war, of the equipment requisite for a mobile army of approximately 460,000 men in time of war in the following respects: Rifle ammunition, field artillery, field-artillery ammunition. Also a statement of this material on hand January 1, 1915, and the amount of material necessary to comply with the estimates of the General Staff.

THE MERCHANT MARINE (S. DOC. NO. 713).

Mr. FLETCHER. I have a copy of an address delivered by Hon. William G. McAdoo, Secretary of the Treasury, before the Commercial Club, at Chicago, January 9, 1915, on the shipping bill as a means for the creation of an American merchant marine. I ask that the address be printed as a public document and that 5,000 additional copies be printed for the use of the Senate document room.

The VICE PRESIDENT. Is there any objection? The Chair hears none, and it is so ordered.

PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. Latta, executive clerk, announced that the President had approved and signed the following acts:

On January 11, 1915:

S. 2651. An act providing for the purchase and disposal of certain lands containing the minerals kaolin, kaolinite, fuller's earth, china clay, and ball clay, in Tripp County, formerly a part of the Rosebud Indian Reservation in South Dakota.

S. 2824. An act to amend an act entitled "An act to provide for the adjudication and payment of claims arising from Indian depredations," approved March 3, 1891.

S. 6106. An act validating locations of deposits of phosphate rock heretofore made in good faith under the placer-mining laws of the United States.

S. 7107. An act to authorize the construction of a bridge across the Ohio River at Metropolis, Ill.

HOUSE BILLS REFERRED.

H. R. 20150. An act making appropriations for the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1916, was read twice by its title and referred to the Committee on Indian Affairs.

The following bills were severally read twice by their titles and referred to the Committee on Pensions:

H. R. 20562. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War, and certain widows and dependent children of soldiers and sailors of said war; and

H. R. 20643. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors.

IMPORT DUTIES COLLECTED AT VERA CRUZ.

The VICE PRESIDENT. The Chair lays before the Senate a resolution (No. 514) coming over from a preceding day, which the Chair understands is, by agreement, to go over until to-morrow.

Mr. CUMMINS. Mr. President, the Senator from Missouri [Mr. STONE] suggested to me this morning that he would like to have the resolution go over for another day. I am willing that that shall be done without prejudice.

The VICE PRESIDENT. Without objection, the resolution will go over until to-morrow morning.

DISTRICT OF COLUMBIA APPROPRIATIONS.

Mr. SMITH of Maryland. I move that the Senate proceed to the further consideration of House bill 19422, the District of Columbia appropriation bill.

The motion was agreed to, and the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 19422) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1916, and for other purposes.

Mr. NORRIS. Mr. President, I desire to offer a few observations on the pending committee amendment.

I desire to say at the start that, like most Members of Congress, I have not been able to give the particular amendment that is now before the Senate the time that it deserves. I believed that it was making so radical a change in the method of appropriating money by which the District is required to pay its proportional part for the upkeep of the District that it ought not to be passed upon by an amendment to an appropriation bill; and without giving the matter any consideration I had intended, and I had so expressed myself in conversation with Senators, to vote against the House provision. But, Mr. President, I have listened as best I could to the debate that has taken place on this amendment; I have examined the provisions of the House bill and the amendment proposed by the Senate committee, and I have been converted to the idea that the House provision is better than the amendment proposed by the committee. I therefore intend to vote against this particular amendment which the committee proposes and in favor of the House provision.

It seems to me that a great deal of the discussion that has taken place on questions of taxation and the valuation of property for the purpose of taxation is not in reality connected with the particular motion that is before the Senate. I want to take up for just a few moments what I believe to be the issue now presented to the Senate and upon which we shall soon be required to vote. Then I shall devote some time to the valuation of property, although I shall be doing what most of the Senators who have debated the question, in my judgment, were doing—

discussing something that is not directly before the Senate, but, nevertheless, an interesting subject, and one that can be very properly discussed on this bill.

The committee amendment proposes that the appropriations for the support of the District of Columbia shall be made on what is ordinarily known as the half-and-half plan; that is, that one half of every appropriation shall be paid out of the revenues of the District derived from taxation and that the other half shall be paid out of the Treasury of the United States. That has been the law and the custom for a great many years. The House bill, in lieu of that, makes a provision—and that is the provision which is sought to be struck out by the committee amendment—that in part I wish to read. I will read the part of it which pertains directly to the issue involved:

That all moneys appropriated for the expenses of the government of the District of Columbia shall be paid out of the revenues of said District to the extent that they are available, and the balance shall be paid out of money in the Treasury of the United States not otherwise appropriated.

Mr. President, I have reached the conclusion, from the debate and from my investigation, and particularly from the language of the bill itself, that that is a just, a fair, and an honest provision, and that, if enacted into law and carried out properly, it would be a good and fair method of paying the expenses connected with the District government. It is not, in my judgment, a full and a complete remedy for existing evils; and right here I wish to call attention to an objection to the House provision which, so far as I have heard, has not been referred to in this debate.

The objection that I see to it—and, to my mind, it is really the only tangible objection—is that if this method were adopted, then, since everybody admits that a portion of the expenses of the District of Columbia must be paid out of the General Treasury, it would always follow that residents of the District desiring an appropriation from Congress would know in advance that what they were asking for would, as a matter of practical application, come entirely out of the Treasury of the United States. In other words, since it is conceded that the amount raised by taxation in the District of Columbia will not be sufficient to pay the expenses of the District, the difference, being paid out of the Treasury by additional appropriations, would always have the effect of coming out of the Treasury of the United States.

The danger of that provision, as I see it, is that Congress would be subjected to a clamor on the part of the citizens of the District without their having any direct interest in the matter except to get the appropriation. In other words, they would not be liable for taxation for the appropriation for which they were clamoring. Ordinarily that would not be a serious objection; but as everybody knows, in matters connected with the District of Columbia most of the Members—perhaps all of the Members of Congress—are unable to give the time and attention that they deserve to the various items of expense and legislation arising in the District. Because of the varied duties of a Member of Congress, he necessarily must slight the details of legislation pertaining to the District of Columbia. He is more apt, and properly so, to be interested in questions of national importance or other questions that may affect his district or his State directly.

But, Mr. President, if this method of taxation is adopted, or if it is not adopted, if the old method is adopted, I believe there ought to be some provision by which the matter can be thoroughly investigated either by a joint committee made up of Members of the two Houses or some other committee by which the subject can be dealt with completely and systematically, with a view of reporting to Congress, for its action, some system that will make this difficulty impossible, or at least unnecessary, in the future. To my mind, however, that is no reason why the provision of the House bill should not be approved. The Members who are opposed to that provision claim that we ought to make this investigation before we make any change in the law. In my judgment the House provision, while not a complete remedy for the future, is a better method than the one that has been in vogue in the past, and for that reason I am going to support it.

I do not see how anyone can logically object to that provision. It is conceded by everybody that the property of the District ought to be taxed and ought to be fairly and honestly taxed. It is conceded likewise by everybody that after it has been fairly and honestly taxed there will not be enough money to pay the expenses of the District government. In other words, I think it is conceded on both sides of this proposition that the General Government ought to pay something toward the support of the District. I am not going into that question now to argue it, because I think it is practically conceded. There are various reasons why it is true, but to my mind it is not material to go into it, because, as I said, it is a conceded proposition.

But when the Government has paid out of the Treasury of the United States whatever may be necessary above a fair and honest taxation of the property in the District, then, it seems to me, no resident of the District can complain of this House provision. That is all it seeks to do. The discussion in the newspapers, and to a great extent on the floor of both Houses, has been along lines that would lead an observer to believe that those who are opposed to this half-and-half plan mean that the District shall pay all the expenses necessary to support the District government. It seems to me now that with the concessions which I believe will be made without dispute on both sides of the proposition it only resolves itself into a question as to what shall be fair.

Does any man in the District claim that he ought to be exempt from taxation? Does any man claim that property in the District of Columbia shall not be fairly appraised and fairly taxed? On the other hand, does anyone believe that after this taxation takes place, as I have indicated, in an honest and logical way, there would be money enough to run the District? I believe both those questions are understood, and that there is a universal agreement on both.

Then the question presents itself to the Senate, as I view it, what should be the method of paying this surplus money out of the Treasury of the United States? It strikes me that the fairest method would be, first, to determine how much the Government of the United States ought to pay, and then to provide by law that that much should be diverted from the Treasury of the United States to the payment of District affairs, and that the balance should be raised by taxation, and that therefore the rate of taxation should not be fixed by law but that it should be subject within limitations to be fixed by the District Commissioners, so that, knowing how much money they would have to raise and what was the valuation, they could easily fix the rate. Then when the citizens of the District came to Congress for an appropriation for improvement and development the interested citizens, those who in fact would have to pay the expense of the improvement after the Government had paid in a lump sum would know the amount that the District would have to pay.

Mr. ROOT. Is not that the exact reversal of the House provision?

Mr. NORRIS. It is. I said that the House provision is not satisfactory to me.

Mr. ROOT. I think the provision which the Senator from Nebraska suggests does obviate certain objections which arise against the House provision.

Mr. NORRIS. I think so.

Mr. ROOT. Whether it does not run into others I have not considered. It does obviate or decrease the objection to the House provision that we here, the representatives of these people in the District, not dependent upon them for their votes, determine whether the expenditures shall be great or small. They might want to economize. There might be an improvement proposed which the people of Omaha would think they could not afford and would vote against, or the people of Utica would think they could not afford and would vote against. The people of Washington have not any such privilege. They can not say whether the conduct of their affairs shall be economical or extravagant. We, who do not represent them, for whom they do not vote, from outside impose upon them either economy or extravagance at our will; and that makes the great injustice of the House proposition, which the Senator from Nebraska would to a great degree avoid by his proposal.

Mr. NORRIS. I should like to say to the Senator from New York that the suggestion which I made, of course, is a tentative one. I have only suggested it. It appealed to me as a remedy, that if there were a committee or a commission appointed to investigate the entire matter and report to Congress it would be a report worthy of their consideration. Of course that is not before the Senate now. We are required here to vote as between the House provision and the committee amendment, which is, in fact, a reenactment of the old law.

Mr. ROOT. Does not the Senator think it would be just as well to leave the law as it is until such a commission has reported?

Mr. NORRIS. I think there ought to be such a commission. I agree with the Senator. I would favor it.

Mr. GALLINGER. Mr. President——

Mr. NORRIS. I will yield in just a moment. I would favor such a commission. I wish it could be put in this bill. I think if Senators who are opposed to changing the half-and-half prop-

osition would propose it, there would be no objection to it. It could be put in this bill, and the commission could be appointed. I do not see why we should wait, however, for that before making this change. As I look at it, here are two propositions before the Senate—the House provision and the amendment suggested by the committee. As between those two, I favor the House provision. We could just as well appoint the commission and have them go on to work if that were in force. I now yield to the Senator from New Hampshire.

Mr. GALLINGER. The suggestion the Senator has made concerning a commission is one that I advocated two days ago. Since that time I have prepared a proposed amendment covering that point, which, if the Senator will permit me, I will have read.

Mr. NORRIS. I will be glad to have it read.

The PRESIDING OFFICER (Mr. WALSH in the chair). The Senator from New Hampshire offers an amendment, which will be read.

Mr. GALLINGER. I will say that it follows the line of the provision under which a commission was appointed, I think, in 1874 to take into consideration the relations between the Government and the District of Columbia.

The SECRETARY. It is proposed to add, on page 91, after line 4, the following proviso:

Provided, That a joint select committee shall be appointed, consisting of three Senators, to be named by the Presiding Officer of the Senate, and three Members of the House, to be named by the Speaker of the House of Representatives, whose duty it shall be to prepare and submit to Congress a statement of the proper proportion of the expenses of the government of the District of Columbia, or any branch thereof, including interest on the funded debt, which shall be borne by said District and the United States, respectively, together with the reasons upon which their conclusions may be based; and in discharge of the duty hereby imposed said committee is authorized to employ such assistance as it may deem advisable, at an expense not to exceed the sum of $5,000; and said sum, or so much thereof as may be necessary, be, and the same is hereby, appropriated for that purpose.

Mr. JAMES. Mr. President——

Mr. NORRIS. I yield to the Senator from Kentucky.

Mr. JAMES. If the Senator from Nebraska will yield, I will state that there was a joint committee appointed in 1876 which investigated this question, and they concluded their report by saying:

The committee considers the fair proportional part thereof which the Federal Government should bear is not less than 40 per cent, and the remaining 60 per cent should be realized by taxation.

That is the latest report we have from a joint committee as to the proportion of burden that should be borne by the District and by the Government. Does not the Senator from Nebraska think that we should adopt the House provision which approximately divides the taxation in the ratio of 60 per cent and 40 per cent as reported by this committee until an investigation is made by the select committee that is to be appointed under the amendment of the Senator from New Hampshire?

Mr. NORRIS. I will say to the Senator from Kentucky as I have already stated, that in my judgment the adoption of a provision providing for a commission or a joint committee like the Senator from New Hampshire has proposed is very desirable, but that desirability does not depend upon whether the House provision or the Senate committee provision is placed in this bill. As far as I am able to see from the reading of the amendment suggested by the Senator from New Hampshire, I *should think* it would be very desirable to put it in this bill as an amendment regardless of whether the House provision or the Senate committee amendment should be adopted.

Mr. JAMES. And if the House——

Mr. SUTHERLAND. Will the Senator from Kentucky read that language again from the report?

Mr. JAMES [reading]:

Your committee has been convinced that it is the duty of Congress to make regular annual appropriations toward the expenses of the District government; and from a careful examination of the estimated value of the property owned by the United States and that belonging to private persons and corporations, the committee considers the fair proportional part thereof which the Federal Government should bear is not less than 40 per cent, and the remaining 60 per cent should be realized by taxation.

Mr. SUTHERLAND. That is, "not less than 40 per cent." Forty per cent is the minimum.

Mr. JAMES. That is the minimum, and the remaining 60 per cent to be realized by taxation.

Mr. SUTHERLAND. The minimum to be paid by the Federal Government is fixed at 40 per cent, rather carrying the implication that it will be greater.

Mr. JAMES. Not at all; because it specifically says that the remaining 60 per cent shall be borne by the District government. That was in 1876. As the Senator of course knows, the city has grown vastly since that time in holdings and the vast property here now is worth a great deal more than it was then.

Mr. LIPPITT. Will the Senator allow me?

Mr. NORRIS. I yield to the Senator from Rhode Island.

Mr. LIPPITT. I should like to ask the Senator from Kentucky the date of that report.

Mr. NORRIS. 1876.

Mr. JAMES. December 27, 1876.

Mr. LIPPITT. I should like to ask the Senator also the date of the present plan by which the District government pays half and the Federal Government pays half. It was 1878, was it not?

Mr. JAMES. 1878. Of course the Senator knows that what we have called the "organic act" has been changed by amendment twice since it was adopted.

Mr. LIPPITT. Not in that respect.

Mr. JAMES. I know, but it has been changed in reference to taxation. An amendment of the act inserted the word "tangible" before "property" and exempted all money, notes, bonds, stocks, and evidences of debt.

Mr. NORRIS. I take it that the report of the commission was made on the theory that the exemption of intangible property would not take place.

Mr. JAMES. Certainly.

Mr. NORRIS. Of course, that would make a vast difference.

Mr. ROOT. The only effect of the exemption of intangible property is to throw a greater burden upon real estate.

Mr. NORRIS. The only effect is to throw a greater burden upon the Treasury of the United States and relieve from taxation a large proportion of the property in the District of Columbia.

Mr. ROOT. It does not throw any burden on the Government of the United States as long as the half-and-half provision continues; the same amount would be raised from the District that would be raised from the Government.

Mr. NORRIS. Of course, if the half-and-half principle would be in vogue, what the Senator says is absolutely true; but if the provisions of the bill as passed by the House were in vogue, then what I have said would be true.

Mr. LIPPITT. Mr. President——

Mr. NORRIS. I yield to the Senator from Rhode Island.

Mr. LIPPITT. It occurred to me to ask the date of the report and the date of the act providing for the half-and-half plan, because it is evident that the result of that report on the Congress to which it was made was the adoption of the present plan. The Senator from Kentucky suggests that the result of the making of that report would be the basis for changing the present plan. It seems to me the more logical conclusion would be that we should retain the present form because it grew out of the very reports to which the Senator from Kentucky has referred, as is manifest from the dates. The report was made in 1876 and the organic act was established in 1878.

Mr. JAMES. Of course the action of Congress was on the half-and-half principle, but here the joint committee of Senators and Representatives in Congress investigated this matter very carefully and made their report, which was 60 per cent and 40 per cent, and Congress, which had perhaps nothing like examined as carefully into the question, made it half and half, but they included taxation upon intangible property, too. They did that and that has since been changed.

Mr. GALLINGER. Mr. President——

Mr. SHAFROTH. I should like to suggest to the Senator from Kentucky——

Mr. NORRIS. I will yield first to the Senator from New Hampshire.

Mr. GALLINGER. I simply desire to occupy the floor for a moment in saying that Congress is not bound to adopt the recommendation of a committee, whether it is a Senate committee or a joint committee. In 1874 that committee did make the recommendations that the Senator from Kentucky called attention to, but in 1878, when Congress got around to pass an act bearing the title "An act providing a permanent form of government for the District of Columbia," the following language is used:

To the extent to which Congress shall approve of said estimates Congress shall appropriate the amount of 50 per cent thereof, and the remaining 50 per cent of such approved estimates shall be levied and assessed upon the taxable property in said District other than the property of the United States and of the District of Columbia.

That was the result of that investigation. It is true Congress did not adopt the recommendation of the committee. Congress, I suppose, looked into the matter very carefully and reached that conclusion which is a part of the statute of 1878.

Mr. JAMES. The Senator——

Mr. NORRIS. First let me yield to the Senator from Colorado [Mr. SHAFROTH], who asked me to yield to him.

Mr. SHAFROTH (to Mr. JAMES). Go ahead.

Mr. NORRIS. All right; I will yield to the Senator from Kentucky.

Mr. JAMES. The reason I called this report to the attention of the Senator from Nebraska was because the Senator from New Hampshire now has offered an amendment which creates a joint commission to do what this joint commission did in 1876. Now, then, if Congress is not going to pay any attention to it, if it is going to be argued after the report comes in as it is argued now, that the action of Congress is to be taken without any regard to the report, and the report is not to be in any way a guide to Congress, what is the need for the commission? But I was directing the attention of the Senator from Nebraska to this report of the commission. If the report of a commission is a good thing to follow, we can follow it at least until this other commission can report, and that directs an allotment of 40 per cent upon the part of the Government and 60 per cent upon the part of the District.

Mr. ROOT. Will the Senator allow me?

Mr. NORRIS. I yield to the Senator from New York.

Mr. ROOT. Mr. President, Congress did adopt the principle of the report to which the Senator from Kentucky called attention. The House amendment now proposes to abandon the principle of the report of the joint committee that there should be a fixed proportion established upon which should be paid all the expenses of the government, such a percentage from the Treasury of the United States and such a percentage to be raised by taxation. That is the principle of the report, and that principle was followed in the act of 1878, with this modification, that instead of making it 60 per cent and 40 per cent Congress made it 50 per cent and 50 per cent. Now, the Senator from Kentucky says there has been a great increase in property since that time. That is true. There has also been a great increase in the scale and character of improvements and of the government of the city.

The Senator from Kentucky would not remember, but the Senator from New Hampshire will remember what this city was 40 years ago. I remember it. Anyone who came to the city then would see that the Government was being conducted upon a most economical and safe basis; that the way in which the streets were kept and lighted and policed, and the way in which the whole business of the community was run, was one which would call for very little exaction of money from the residents here or from any other source. Since then we have become very lavish in our expenditures, and properly so; but if we are to proceed under the idea that there has been a great increase in taxable property, we should also remember that there has been a great increase in the scale upon which we require the capital of this great and prosperous country to be managed. On both sides it is quite appropriate that there should be a reexamination as to the proportion of expense to be borne by each, as the Senator from Nebraska and the Senator from New Hampshire agree. How absurd, however, sir, to abandon the principle which was adopted upon the report of that joint commission, and which has been applied for 37 years, before the commission reports instead of waiting for their report to determine whether or not that principle ought to be abandoned.

Mr. JAMES. Mr. President, if the Senator——

Mr. NORRIS. Just a moment. In my judgment, there is nothing absurd in the House provision of this bill. The defense made of the old law is that it is old, and that it has been in force for 37 years; but the very fact that those who favor it agree that this subject now, under the existing conditions and the light of the present age, ought to be reexamined is, in my judgment, a confession that there is something wrong—a belief, at least, that there is something wrong in the half-and-half proposition. Personally, I believe that that will be found to be true.

The provision of the House bill abandons the principle of the half-and-half division only to the extent that the surplus above what can be fairly and honestly raised by fair taxation in the District shall be paid out of the Treasury. I think it is conceded by everybody that it will be less than one-half. So far as I am concerned, if it were more than one-half I should be perfectly willing to vote for it.

I think we all on both sides of this proposition agree that we ought to be liberal with the District of Columbia and the Capital City; we are all equally interested in it; we are all equally patriotic in regard to it; but when we concede, to begin with, as every man must, that the residents and property owners of this District ought to be taxed fairly and honestly and then provide that what is lacking in revenue shall be paid out of the Treasury of the United States, it seems to me we have been fair. That is what the House bill provides.

Mr. President, I want to say something with regard to taxation in the District of Columbia and something in regard to the appraisement of property here for the purpose of taxation. A great deal of time has been devoted to that matter, and I believe some erroneous ideas have crept into the minds of those who have heard the debate; at least I know I formed a different opinion when I commenced to investigate from the records, as I did when this debate began last week.

I was led to the conclusion that under existing conditions in the assessor's office, with the force as it now stands and the law as it exists, there were not the great errors that many people had been led to believe had existed. We must remember that within the last year, or at least within the last two years, there has been a reorganization of the assessor's office. In my judgment that office is now conducted fairly and honestly, and the valuations of property as compared with actual sales, if examined, will reflect credit upon the men who fixed the valuations; at least it will not be said after such examination that the valuations of improvements in the District of Columbia are too low. In my judgment in many instances they are too high.

I think, in the appraisement of real estate, we ought to have an exemption of the improvements thereon, to some extent; at least the same as we have an exemption as to personal property. When the time comes I am going to offer an amendment to the amendment proposed by the Senator from Kentucky [Mr. JAMES]. I hope the Senator from Kentucky will not leave the Chamber until I finish this particular branch of the subject. The Senator from Kentucky has given notice that at the proper time he will offer an amendment, which will in effect change the existing law in regard to the taxation of intangible personal property. I am going to offer an amendment to the Senator's amendment that will do for real estate values what has been done as to personal property, give a small exemption to improvements. Under existing law in this city a man who plants a tree or a flower is penalized by having his taxes increased, while the man who lets his lot remain vacant and holds it for speculation, permitting it to grow up in weeds, to a great extent gets the benefit of the labor of the citizen who is trying to improve his home and make the city more beautiful both for himself and for everybody else. Therefore I say I am going to offer an amendment to the amendment proposed by the Senator from Kentucky. I am going to move to add to that amendment the following:

That section 5 of said act be amended by adding thereto the following: "*Provided*, That in fixing the value of improvements on any lot or tract of real estate for the purpose of taxation the first $2,500 of value thereof shall be exempt and shall not be taken into consideration in fixing such value."

That would mean that the small home owner building a home, when he made some improvement on his property would not be penalized for doing it by having his taxes increased. It would also apply to the mansion of the millionaire who would have $2,500 exemption, so that there could be no objection to it on the ground that it was class legislation.

Mr. GALLINGER. Will the Senator kindly repeat his statement? My attention was diverted for a moment.

Mr. NORRIS. Certainly. The effect of the amendment would be in fixing the value of real estate for taxation to exempt the first $2,500 of the value of improvements which might be on the real estate. If the improvement on a tract of land that the assessor was appraising was, in his judgment, worth $5,000, he would deduct $2,500 from that sum and leave $2,500, which would be taxed; in other words, there would be an exemption in the improvement on real estate of $2,500.

Mr. GALLINGER. Mr. President——

Mr. NORRIS. I yield to the Senator from New Hampshire.

Mr. GALLINGER. That would only apply, then, to unimproved property? Am I correct in that?

Mr. NORRIS. No; that would apply to improved property.

Mr. GALLINGER. It would apply to property when it was to be improved?

Mr. NORRIS. Of course. The effect of it would be perhaps to increase the taxes on unimproved property. I am willing, Mr. President, to vote for a proposition that will levy a tax on unused vacant and unimproved property in the District of Columbia. The taxation laws here and in a great many other places give an advantage to the speculator in real estate and compel the home builder, the man who wants to improve his property and to beautify the country and the city, to pay an additional tax every time he adds something for the good of humanity. The benefit of the increased value which comes from the improvement now goes to the speculator who holds his property vacant and unimproved simply for the purpose of making money.

Mr. VARDAMAN. Mr. President——

Mr. NORRIS. I yield to the Senator.

Mr. VARDAMAN. Does the Senator's amendment embody that provision?

Mr. NORRIS. Yes; in a modified form.

Mr. VARDAMAN. The idea, as I gather from what the Senator says, is to make it unprofitable to hold unimproved property?

Mr. NORRIS. It would have a tendency to do that.

Mr. VARDAMAN. To prevent a few speculators from buying up land and holding it for high prices; and the Senator's idea is to encourage the building of homes?

Mr. NORRIS. Exactly; the idea is to encourage the building of homes.

Mr. KENYON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from Iowa?

Mr. NORRIS. I yield to the Senator from Iowa.

Mr. KENYON. I should like to get the Senator's idea clearly in mind. Suppose a man has a lot worth a thousand dollars, and he builds on it a home worth $1,500, what would the exemption be in such a case? Would there be any exemption at all on the lot or merely on the improvement?

Mr. NORRIS. Merely on the improvement. In the case the Senator puts, if my amendment were adopted and should become a law, if a man had a lot worth a thousand dollars and built a house on it worth $1,500, he would pay taxes on a valuation of $1,000.

Mr. KENYON. If he built a house worth $2,500, he would still pay only on a valuation of a thousand dollars?

Mr. NORRIS. He would still pay on the valuation of the lot; in other words, he may improve his property to the extent of $2,500 without increasing his taxes.

Mr. KENYON. I think the idea is a splendid one.

Mr. SMITH of Maryland. Mr. President, may I ask the Senator a question?

Mr. NORRIS. I yield to the Senator.

Mr. SMITH of Maryland. I may have misunderstood the proposed amendment. Under the amendment do I understand that a property that is of less value than $2,500 is not taxed at all?

Mr. NORRIS. No; only the improvements are exempt in that case. There is no exemption on the real estate or the lot. If the improvement becomes in law part of the real estate, to that extent it is an exemption of the real estate.

Mr. SMITH of Maryland. Then, do I understand that if the improvements are valued at less than $2,500, there is no tax to be paid upon such improvements?

Mr. NORRIS. No tax is to be paid upon the improvements.

Mr. SMITH of Maryland. If a man builds a house that costs less than $2,500, he is to pay no tax on it?

Mr. NORRIS. No tax on the house. He would pay the same tax on his lot as though it were vacant.

Mr. SMITH of Maryland. I understand that the tax on the lot would not be increased at all by virtue of the fact that the owner has improved it?

Mr. NORRIS. No.

Mr. VARDAMAN. I suppose the Senator intends to say that the tax on the lot would not be increased unless there should be an appreciation in the value of the property?

Mr. NORRIS. I do not understand the Senator.

Mr. VARDAMAN. The Senator from Nebraska answered the Senator from Maryland by saying that the improvement of a property, the building of a house upon a lot, would not increase the tax upon the lot. I venture to suggest to the Senator from Nebraska that if the value of the property by reason of the improvement in the locality in which the land is situated should be increased by reason of the improvement the tax would be increased. If the land should appreciate in value, as a matter of course, I presume the Senator's idea is that it would be taxed for what it is worth.

Mr. NORRIS. Certainly.

Mr. VARDAMAN. I wanted the Senator's proposal to be understood.

Mr. NORRIS. Mr. President, the suggestion made by the Senator from Mississippi is a very good one. Technically speaking, there perhaps would be an increase in the value of the lot every time anything is added in the way of an improvement.

Mr. VARDAMAN. And the benefit would extend to adjoining land?

Mr. NORRIS. Exactly.

Mr. VARDAMAN. And the idea of the Senator is not to tax improvements to the amount of $2,500 put upon the land?

Mr. NORRIS. Yes.

Mr. VARDAMAN. But if such an improvement does bring about an appreciation in the value of the land, of course the land would pay taxes for what it was worth.

Mr. NORRIS. I can answer the question by taking a supposed case. Suppose that the Senator from Maryland owned a lot in the District of Columbia, and he built a house on it. Let us suppose that that house cost him $2,500 or less. The tax on the lot would be the same as though he had not built the house; but in case the house cost him, and was worth, $3,500, he would pay a tax on $1,000 of the value of the house.

Mr. SMITH of Maryland. The question which I asked, and which I think was answered by the Senator, was this: If a lot is taxed on a valuation of $1,000, if you build a house on that lot costing $2,250 or $2,500, then, I understand, the tax is to remain as it was before the building was put on the land?

Mr. NORRIS. Yes; though, of course, there is this modification, I will say to the Senator: As suggested by the Senator from Mississippi, an improvement on a particular lot, I suppose, would—although the increase would be so small, perhaps, that you could not compute it for practical purposes—increase the value of all property in that vicinity, and to the extent that all real estate would be improved it would share in paying increased taxes.

Mr. SMITH of Maryland. Then, I understand, under the Senator's proposition the land itself is not to be taxed over and above what it had been previously taxed, and that the building of improvements is not to be considered at all if the cost of such improvements amounts to $2,500 or less.

Mr. NORRIS. In fixing the value of a piece of property for taxation purposes, the assessor, if the improvements on the property cost $2,500 or less, would consider the lot just the same as though the house were not there.

Mr. GALLINGER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from New Hampshire?

Mr. NORRIS. Certainly.

Mr. GALLINGER. Did I not understand the Senator to say that that same exemption of $2,500 should be given to every man, no matter how expensive a house he built?

Mr. NORRIS. Yes, sir; it would apply to everybody.

Mr. GALLINGER. It is an entirely novel idea, so far as my investigations have gone; and I think if we adopt it the District of Columbia need not have any trouble about the Government paying 50 per cent of the revenues to carry on the municipal government, because it will reduce those revenues to such an extent as will be alarming, I think.

Mr. NORRIS. That only illustrates——

Mr. KENYON. Mr. President——

Mr. NORRIS. Let me reply to the Senator from New Hampshire for a moment. That only illustrates the anxiety that some people have to prevent the small property holder from having some property exempt from taxation.

Mr. GALLINGER. Now, Mr. President——

Mr. NORRIS. The fact is that in the law now we exempt personal property to the extent, I think, of $1,000. I do not believe anyone here denies that that is a wise exemption, but, on the other hand, as to a man who owns a little home, every time he builds a fence or plants a flower or paints his house or puts a shingle on it we penalize him and make him pay more taxes, while the speculator, who owns the adjoining vacant lot, gets the benefit of his energy and expenditure.

Mr. GALLINGER. Mr. President, the Senator, I think, did not mean to apply his observations to me as to any anxiety not to take care of the poor people.

Mr. NORRIS. Oh, no.

Mr. GALLINGER. One trouble with the Senator's amendment is that he takes care of the rich as well as the poor.

Mr. NORRIS. I want to take care of the rich; I want to take care of everybody. I do not believe we ought to make an exemption for one man that we do not apply to another man.

Mr. GALLINGER. Has any such system of taxation as this ever been adopted, I will ask the Senator, in any State in the Union?

Mr. NORRIS. No; not exactly like this.

Mr. VARDAMAN. Mr. President, if the Senator will pardon me, I will say that, so far as the exemption of homesteads is concerned, in most of the States the value of the homestead to be exempted is fixed. If a man owns a home that is worth more than the amount of the exemption, it is liable for his debts. The principle is carried out in that way.

Mr. KENYON and Mr. STERLING addressed the Chair.

Mr. NORRIS. I yield first to the Senator from Iowa.

Mr. KENYON. The Senator from New Hampshire [Mr. GALLINGER] asked the question I intended to ask. Does the Senator from Nebraska know of any State having such a law as the Senator now proposes?

Mr. NORRIS. No; I do not. That is a question, however, Mr. President, that has been discussed and agitated all over the United States. It usually is presented in a more violent form—to exempt all improvements; but my proposition, if it be

adopted, would not exempt all improvements, and would have no particular weight in placing a valuation on an improvement on property where the improvement was the principal part of the value and the real estate was only an incident, but it would be effective in helping out where the improvement is only an incident and the real estate is the principal thing.

Mr. SMITH of Maryland. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from Maryland?

Mr. NORRIS. I yield.

Mr. SMITH of Maryland. If I understand the Senator, every piece of property in the city of Washington is to be reduced in taxation by $2,500 from what it is now taxed at?

Mr. NORRIS. No; some of them you could not reduce $2,500. There are some that are taxed at less than that.

Mr. SMITH of Maryland. I understand; of course if the improvements do not amount to $2,500 there is no assessment whatever on them, but, as I understand, everybody is to have the same exemption of $2,500 on any improvement that may be upon any piece of realty?

Mr. NORRIS. Yes.

Mr. SMITH of Maryland. I will say to the Senator that if he does that he is going to reduce very largely the assessable basis in the city of Washington; and, as has been previously said, I take it for granted that the Government will pay more than the amount it pays now. If you take off $2,500 in each case, you are going to decrease the assessable value very largely.

Mr. NORRIS. Let me tell the Senator what would happen. If you have to raise a million dollars from taxation, and you exempt some of the property from taxation, it follows that you must increase the rate of taxation on the property that is not exempt. The effect of this provision would be to give an exemption that would benefit the poor man and perhaps increase the taxation on the man who is holding real estate as a speculation and not improving it. Then, too, if the amendment of the Senator from Kentucky were adopted with it—and this is an amendment to his amendment—it would bring into taxation millions of intangible personal property, mortgages, notes, and so forth, so that the total amount that would be raised from taxation would be more, I think, if the Senator's amendment were adopted with this added to it, than is raised now. It would be, in effect, reducing or removing the taxation of the poor home builder and increasing the taxation as against the money loaner and the speculator in real estate. That would be the effect of it.

Mr. WHITE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from Alabama?

Mr. NORRIS. I yield to the Senator from Alabama.

Mr. WHITE. I will ask the Senator from Nebraska if this exemption is not really intended for the poor people.

Mr. NORRIS. It is.

Mr. WHITE. I will ask the Senator from Nebraska further, if one person should happen to own a hundred houses, if he would not get a hundred times as much exemption as the person who owned only one house?

Mr. NORRIS. Yes; the man who owned the house would get a thousand—in fact, more than a million—per cent more of exemption than the man who did not own a house.

Mr. SMITH of Maryland. Does not the Senator recognize that there are many builders here who own large quantities of real estate, and that they would be exempt, notwithstanding they are not poor people? A great many of these houses are held by builders, by speculators.

Mr. NORRIS. Yes.

Mr. SMITH of Maryland. It is the speculators who build these houses. You will find that very often they buy a piece of property and build 10, 20, 30, 40, or 50 houses on it. As I understand, if no one of those houses costs more than $2,500 they will be entirely exempt from taxation.

Mr. NORRIS. Let me answer the Senator's suggestion. Suppose a man owned a lot of vacant land, and this amendment was agreed to, and immediately he started out and built a thousand houses worth $2,500 each, would not that be a pretty good thing for the city, to begin with? What would happen to the poor devil who is paying rent in case there were a thousand houses he could rent instead of only ten houses? The benefit would accrue again to the poor man.

Mr. SMITH of Maryland. I do not see how it would accrue.

Mr. NORRIS. Rents would be reduced immediately.

Mr. SMITH of Maryland. All of these houses would be free from taxation, according to the Senator's theory that the real estate should not be taxed any more. Therefore, on all of these buildings that were bringing the builder a profit he would pay no taxes to the city except the taxes he had previously paid upon his real estate. He would get the benefit of the proposed change.

Mr. NORRIS. He would build a lot of houses, as the Senator suggests. He would not have to pay taxes on them. Could he not rent them cheaper than he does now? Would he not build more houses then than he does now? Would not that have a tendency to make a man save up his money and get a home and pay for it if he could, and beautify it after he had it if he knew that he was not going to be penalized every time he did something of which the public as well as himself got the benefit?

Mr. President, I have here—it is difficult to see this chart, compiled by the assessor's office for me—a map of the business portion of the city of Washington, the part of the city that is presumed to be, and I suppose is, the most valuable and is the best built-up and improved portion of the city, where the most expensive buildings are. It runs over to Fifteenth Street and Sixteenth Street on one side, over beyond Sixth Street on the other, down to K Street north, and down to B Street on the south. Every Senator will recognize that it contains the most valuable improvements in the city of Washington. I have, under this, a list of actual sales that have taken place in the last four years in that particular territory of the city. I find that those sales, scattered all about over that portion of the city, aggregate $16,500,000. That is to say, within the territory included on this map the sales of property that have taken place in the last four years aggregate $16,500,000 as the actual transfer price. Below is a list of the properties and the prices for which they were sold and the assessed values.

On those properties that have been actually sold within four years for $16,500,000, in the aggregate, the present assessed value, fixed by the present board of assessors, is on a basis of $18,500,000. So it seems to me that while there may be, and undoubtedly are, individual cases where the assessment is too low, in the aggregate the charge can not be made against the present assessors that they are valuing property in the best business district of the city of Washington at too low a price.

On this other map I have a plat of the same district which shows the location of every piece of real estate that has been sold in the last four years. It is a map that goes naturally with the first one. The particular pieces of property described here are indicated on this map in red, so you can see that the sales that have been made cover the entire District, and the map is general in its nature. All of the pieces of property marked in red on this map have been sold within four years, and in the aggregate they were sold for $16,500,000. The present valuation placed by the present board on the same property for the purpose of assessment aggregates $18,500,000.

I am glad, Mr. President, to say what I believe ought to be said in defense of the present assessor's force in the District of Columbia, and which I believe demonstrates, as far as the business portion of the city is concerned—and I am going to take other portions soon—a fair and an honest attempt to put the proper value on real estate for purposes of taxation.

Mr. WORKS and Mr. KENYON addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Nebraska yield, and to whom?

Mr. NORRIS. I yield first to the Senator from California.

Mr. WORKS. I should like to ask the Senator from Nebraska what assurance he has that the prices given here are the real prices for which the property was sold?

Mr. NORRIS. That is a very pertinent and proper question. I took up that matter with the assessor. I went over that very thing with him. Of course we have no law in the District of Columbia that requires the divulging of the consideration when a transfer of property is made, so that if you only looked at the deed you would not get any idea at all of the real value. I asked the assessor this morning how he determined that and whether he made an investigation in every case. He told me that he had one man in his office that he called the "sleuth," who did not do anything else, and that under his instructions this man investigated every piece of property that was sold. Of course he had no law by which he could compel any man to answer under oath; he had to make the investigation, and these figures are based on his conclusions. The assessor told me, however, that he had no doubt whatever of the accuracy, with perhaps a very few exceptions, of this man's reports. He said that, first, when a sale was made this man interviewed the man who owned the property and who sold it; he talked it over with him and got his report. He then talked with the man who bought the property and got his idea. Then he took it up with the real estate agents, if there were any involved in the sale, and got their idea; and the assessor said that it was not a

very difficult thing to get the consideration in that way; that while there were no cases where the report was made under oath, he had no doubt of the accuracy of it. Of course the man making the investigation, in a way an expert, would have some idea of the value himself. He could not be fooled very much after he had investigated for a while. There are other cases where the property went through court, and valuations were made on it in the settlement of estates, and so forth. In those cases he took the court records for that.

Mr. CRAWFORD. Mr. President, is any of this condemned property included in it?

Mr. NORRIS. The Senator refers to property condemned by the Government?

Mr. CRAWFORD. Yes.

Mr. NORRIS. If there is any of it that was condemned, I presume that is true, although I did not ask the assessor particularly. Then, I presume, he took the assessments fixed on it in court.

Mr. KENYON. Mr. President——

Mr. NORRIS. I yield now to the Senator from Iowa.

Mr. KENYON. Does this assessment cover both land and improvements, as the figures are given by the assessor?

Mr. NORRIS. I believe so.

Mr. KENYON. Is there any way of differentiating the amount placed on improvements and the amount placed on land?

Mr. NORRIS. Not in this case. I have some other plats which give that information, and I am glad the Senator has called my attention to that matter.

Mr. KENYON. There is one more question I wish to ask.

Mr. NORRIS. Before the Senator asks the next question, I should like to say that there are some other maps in which that differentiation has taken place, and I should be glad to give the Senator both the improvement and the real estate value.

Mr. KENYON. One other question. The Senator, I think, does not make clear whether his figures as to the basis of assessment are the figures at the time of the sale during the last four years or whether they are the figures now.

Mr. NORRIS. I think they are the figures now.

Mr. KENYON. Then the Senator does not know what the assessment was at the time the property was sold?

Mr. NORRIS. No. My understanding that these figures—I think I stated it in that way—represent the present valuation.

Mr. KENYON. It is the triennial assessment?

Mr. NORRIS. The assessment, I think, that has just been completed. There is an assessment that has been recently completed. I do not know when it was done, but it is the assessment for the present year.

Mr. KENYON. The figures the Senator gives do not show the assessment at the time of the sale, necessarily?

Mr. NORRIS. No; they do not, and it would be fair to say, in answer to that suggestion of the Senator from Iowa, that the property has perhaps enhanced somewhat in value. I wish, however, to call the attention of the Senator to the fact that between the aggregated values of these properties of which sale has been made in the four years last past and the present assessment there is a difference of $2,000,000. That is, the present assessment is $2,000,000 higher than the aggregated sales. Some of these sales, of course, were made four years ago, some three years ago, some two years ago, and some more recently, and it is very probable that the present value of all that property would equal that assessed value.

I am only calling attention to these figures to show that it seems to me, this being the nearest that I can get at it, that the present valuation for taxation purposes is fair, and that it can not be said that it is too low. There has been no great rise in the value of property here, but a steady one, I suppose; and I think it would be fair to say that the value of some of these properties sold four years ago would be considerably enhanced now, and is so enhanced in the valuation that is given them in the present assessment.

Mr. CRAWFORD. Is there not some depreciation which would reduce values where buildings were old buildings and not kept up, thus becoming less tenantable?

Mr. NORRIS. I presume that is so. I presume there might be instances of that kind.

Mr. CRAWFORD. So there might be reductions in some cases?

Mr. NORRIS. Probably.

Mr. JAMES. Mr. President, does the Senator's proposed amendment give the same exemption to all property—not alone to dwelling houses, but to banks and business houses?

Mr. NORRIS. Yes, sir.

Mr. JAMES. To all sorts of property?

Mr. NORRIS. It makes no exception as to anything.

Mr. President, I have here another map showing the sales of what is ordinarily known as acreage property. The portions in red show the acreage property that has been sold within that time. The actual sale price was two and a half million dollars for all of them. That is what they aggregated. They are assessed now on the basis of a valuation of $1,700,000.

Mr. KENYON. Is that the assessment at the time of sale?

Mr. NORRIS. That, again, is the present assessment. It only bears out what I said at the beginning—that I believe the present board of assessors have somewhat revolutionized the method of assessing, as far as being fair in their valuations is concerned, and that they are trying their best to put the assessment on a fair basis. It seems to me they have done it. It seems to me that it is pretty good evidence that they have done it. I have also listed the property in each individual case there, if anyone cares to examine it.

I also had made for me a plat of property with which I am personally acquainted, out in the part of the city where I live, in order to find out whether the valuation placed on property for purposes of taxation is fair. Here I come to the question of fixing the valuation of the improvements as distinct and separate from the real estate upon which the improvements are located. In the maps I have so far shown that distinction has not been made. The information would have been much more valuable had it been made, I concede; but in the short time I had at my disposal I was unable to get it. I had made for me, however, a plat of a street along which I have to pass twice a day in coming to the Capitol where the property is altogether owned by small property owners, where no property is very valuable, and where none of the improvements are very expensive.

I have reached the conclusion that if the assessors of the District are making a mistake, they are making it in placing too high a value upon improvements and upon real estate. They may have made the same mistake in the cases that I have shown from the map; I am not able to say. In the particular case about which I am going to talk now I am satisfied they have made that mistake, and I think it is a serious mistake, although I have no doubt it was honestly made and without any intention to wrong anyone.

This plat [exhibiting] is a map of Macomb Street, running west from Connecticut Avenue. It is two or three blocks in length. The plat contains the name of the owners of each tract, whether it is vacant or improved, the valuation placed upon the real estate, and the valuation placed upon the improvements in each particular case for the purpose of taxation. Macomb Street is about 4 or 5 miles from the Capitol. It is the first street north on the Connecticut Avenue line of the Connecticut Avenue entrance to the Zoological Park. I know all the houses along there. I presume 95 per cent of those houses are occupied by men who own or will own them when they get the mortgage paid off that is on the houses. I have not examined the records, but I have no doubt that in nearly every instance this property is mortgaged. In fact, of the houses I do know about I do not know of a single instance where there is not a mortgage upon the home. They are occupied, as I said, almost exclusively by people who own them and who are trying to pay for them and make homes of them. They are beautified in a modest way. They all have lawns and trees and flowers, and it is a model section occupied by a modest set of people. There is not a house there that in my judgment contains as many as 10 rooms. Most of them are 6-room houses—from 4 to 5 and 6 and 7 rooms—one or two perhaps of 8 rooms.

For instance, on the north side of Macomb Street about a block from the car line there is a house. I have never been in it, but I should judge it has not to exceed four rooms. There are two built close together, and if there are more than four rooms in either one of them they must be small. While I am not an expert, I have built one or two houses, and it seems to me you could build either one of those houses for $1,500. It may be that they are finished off in mahogany inside or something that is expensive. But just listen and see what is the basis of the valuation put on those houses for taxation purposes.

Mr. ROBINSON. Mr. President——

Mr. NORRIS. I yield to the Senator from Arkansas.

Mr. ROBINSON. I desire to inquire if the morning hour has expired?

The PRESIDING OFFICER. It has.

Mr. SMITH of Maryland. I will say that the District of Columbia appropriation bill is the unfinished business.

Mr. ROBINSON. Will the Senator from Nebraska yield to me to present a report?

Mr. NORRIS. Does the Senator want to take it up now?

Mr. ROBINSON. I should like to take it up now.

Mr. NORRIS. I am nearly through, and I would rather finish now.

Mr. ROBINSON. Very well.

Mr. NORRIS. Each one of those houses has a valuation placed upon it by the assessor of $3,300. That is exclusive of the ground on which it stands. There are two other houses just west of those. They are one-story houses. I have never been in either one of them, but I have passed them twice every day. They have an attic, and each one of those I have mentioned have attics. Certainly they could hardly be called living rooms up there in the attic, but they are about as large as the others. They are assessed at $4,200 each. It seems to me that you could build either one of them for $2,000.

Mr. GALLINGER. Mr. President——

Mr. NORRIS. I yield to the Senator from New Hampshire.

Mr. GALLINGER. On what street are those houses?

Mr. NORRIS. Macomb Street.

Mr. GALLINGER. The Senator has been in conference with the assessor, and he has paid, I think, a deserving tribute to the assessors' office. I ask the Senator if he inquired of the assessor concerning those houses?

Mr. NORRIS. The assessor himself did not know anything about them. I talked with him in a general way. I did not call his attention to any specific residences, however.

Most of the houses along there are of the same kind. There is another house just west of the last one I have mentioned which I think contains six rooms and an attic and a bath. It is assessed at $4,200. So all the way down to Connecticut Avenue and up farther west it is the same; all through there is that proportion. I do not believe there is a house there that would cost to build what the assessor has put on it as the value.

That is a section of the city of homes. I have taken one in the highest-priced business portion of the city and another from suburban property—you might call it acreage property, but this has been a section of the city against which, I understand, complaint has been made where there are only modest homes, where there are people living most of whom are in the departments getting salaries of from $1,200 to $2,000, people with families, with children growing up; people who are trying to pay for those homes. I think they are assessed too high.

The real estate, both the vacant property and the improved property, is assessed on this plat just the same. I could not complain about it.

Mr. GRONNA. Mr. President——

Mr. NORRIS. I yield to the Senator from North Dakota.

Mr. GRONNA. It may be that I misunderstand the Senator from Nebraska, but I thought I heard him say that he had investigated the valuation and also the assessment of the high-priced buildings, the palatial homes here.

Mr. NORRIS. No; I have not done that. What I referred to—I think the Senator was not here—was the business portion right in the heart of the city. I have here a map of that part of the city.

Mr. GRONNA. Has the Senator made any investigation as to the valuation and the cost of the so-called palatial homes here?

Mr. NORRIS. No; I have not. I have no information on the subject.

Mr. SMITH of Maryland. If the Senator from Nebraska will pardon me, he recognizes that if these houses are assessed in this improper way they are not assessed according to law, because the law says that they shall not be assessed at over two-thirds of their value, and these people certainly have a redress.

Mr. NORRIS. Let me say to the Senator right there, that perhaps I have conveyed a wrong impression. I have given the valuation for taxation purposes. In these cases the assessment is two-thirds of that valuation, and the law provides that the property shall be assessed at two-thirds of its value.

Mr. SMITH of Maryland. Then, they are not assessed at the amount the Senator stated.

Mr. NORRIS. The value of the assessment is two-thirds.

Mr. SMITH of Maryland. It is two-thirds of that amount.

Mr. NORRIS. Two-thirds.

Mr. SMITH of Maryland. The Senator gave the impression to me, I do not know whether he did to others or not, that these houses were assessed at the amounts he stated.

Mr. NORRIS. I did not intend to convey that impression, and I am glad the Senator called my attention to it; but it makes no difference what was the valuation of the property if you assess it at only two-thirds of its value, when you put the value on the property for the purpose of assessment and do not put it everywhere, and take that proportion of the value, a wrong is done if the value placed on it is too high, no matter what the rate of assessment may be or the proportion that is taken for the purpose of levying a tax.

Mr. CRAWFORD. Mr. President——

Mr. NORRIS. I yield to the Senator from South Dakota.

Mr. CRAWFORD. The Senator has given his opinion about what these houses cost. Did he ever make an inquiry of any of the owners or any of the contractors to find out what, as a matter of fact, the houses cost?

Mr. NORRIS. In one or two instances. I had one of the properties offered me last fall, but I have forgotten the figure.

Mr. CRAWFORD. It seems to me quite material, because——

Mr. NORRIS. It was offered to me for considerably less than the valuation put on it by the assessor.

Mr. CRAWFORD. Of course the evidence of the contractor and the owner would relieve the question from the element of uncertainty.

Mr. NORRIS. Yes; but every man has some idea who has had any experience, when he sees a little house sitting out by the side of a street and passes it every day, by looking at it. Here is a little frame house; you look at it. I have never measured any of them, but I would say there is a house about 20 feet square. I remember building a house once 24 feet square, away out on the western plains, where lumber was very expensive. Perhaps these houses have a better grade of lumber inside, but I built it for less than $1,200, and it was as big as one of these houses, in my judgment. I have never measured it, of course. It is assessed here for $2,200, or the value put on it by the assessor is $2,200. I think there ought to be some exemption in such cases.

We ought to give a premium to men, if we can do it honestly and logically and legally, who want to build up homes. I have no doubt that you can go out in that very street—although I have not tried it—and buy plenty of houses for the assessed value placed on them by the assessor and for less. I know of one which you can buy in that way, and I have no doubt there are several others right in the locality about which I am speaking.

Mr. KENYON. A moment ago the Senator, I think, gave an erroneous impression as to these values. The property is not to be assessed at less than a two-thirds valuation.

Mr. NORRIS. It is not to exceed two-thirds.

Mr. KENYON. Not less.

Mr. NORRIS. It is assessed at two-thirds value in every instance in the District, and, of course, the assessor should apply the same rule everywhere as to valuation, and he ought to do it.

I may be wrong; it may be a very erroneous conception of what our duty may be, but it seems to me that we ought if we can, and I think we can, to do something to relieve to some extent the burden of taxation that falls upon the poor man. We have exempted $1,000 of personal property. Why should we not exempt $1,000 from the man who is building a home? Why should we not encourage the home builder, the effect of which would be to decrease rents? It would help those even who could not build and did not build, because others would build them houses no doubt, and if the man with money builds more houses that means a reduction in the price of rent. We ought to encourage him. It means helping the home builder.

I said at the beginning that I would be willing, if we could, to assess a tax upon all unoccupied, unused vacant property. I think we could raise enough money in that way. Thereby we would drive the speculator out of business. I say that without any feeling against the speculator. I do not blame the man who buys property and holds it to get the benefit of a rise. If I had the money and knew where the property was to which that was going to happen I do not see anything morally wrong or legally wrong about it, but, at the same time, the speculator holding up his real estate, depending for his increased values upon the exertions of men who are trying to build homes, presents a spectacle to us. We tax the man who is making the exertion and is building the house, and making improvements; we penalize him every time he does anything of that kind.

That does not seem to me to be right. It does not seem to me to be fair. It has a tendency to retard development. It has a tendency to increase rents. It has a tendency to prevent men from owning and building their own little modest homes.

REGULATION OF IMMIGRATION.

Mr. ROBINSON. Mr. President, the conferees have agreed upon a report on the disagreeing votes of the two Houses on

House bill 6060, the immigration bill. At the time the report was agreed upon the Senator from South Carolina [Mr. SMITH], who was chairman of the committee in charge of the bill, was called home on account of illness in his family. He requested me to present the report. I do so, and ask for its present consideration.

The PRESIDING OFFICER. The Senate will receive the report. Is there objection to the request made by the Senator from Arkansas for the immediate consideration of the report?

Mr. REED. Mr. President, I ask that the report be printed and that it lie over until to-morrow.

The PRESIDING OFFICER. The Senator from Missouri makes objection. The report will take its usual course. It will be printed.

Mr. ROBINSON. If it is in order to move the consideration of the report, I do so.

The PRESIDING OFFICER. The Senator from Arkansas moves that the Senate proceed to the consideration of the conference report.

Mr. SMOOT. Allow me to suggest to the Senator from Arkansas that under the rule the Senator from Missouri has a perfect right to ask that the report shall go over for a day.

Mr. ROBINSON. Will the Senator read the rule to which he refers?

Mr. SMOOT. I will read it in just a moment.

Mr. CLARKE of Arkansas. Mr. President, I hardly think the Senator from Missouri has a right to send the report over on a single objection. I think he has a right to have it printed, so that the Senate may know what it is going to dispose of when it reaches it. The Senator from Utah [Mr. SMOOT] probably refers to the universally observed custom rather than to the text of any rule. It is a rare thing to require a report on a bill of so much importance as this, when presented, to be disposed of without printing the report if any Senator desires to have it printed. I am satisfied, as far as I am concerned, that my colleague has a right to have the report placed before the Senate formally.

Mr. ROBINSON. If my colleague will yield to me for a moment, I am satisfied that under the rules I am entitled to have the Senate pass upon the question as to whether it will proceed to the consideration of the report at this time, and that that question must be determined without debate; but if the Senator from Missouri desires an opportunity to examine the report, I shall make no objection to the report being printed, which will carry it over for a day.

The PRESIDING OFFICER. The Chair understands that the Senator from Arkansas withdraws his motion?

Mr. ROBINSON. Yes.

The PRESIDING OFFICER. The report will be printed and lie on the table.

Mr. SMOOT. In order that the record may be straight, I desire to say that I mistook the rule. The statement just made by the Senator from Arkansas is correct.

Mr. REED. Mr. President, a parliamentary inquiry. Will the report be now printed without further motion?

The PRESIDING OFFICER. It is so ordered.

The conference report (S. Doc. No. 712) is as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill H. R. 6060, "An act to regulate the immigration of aliens to and the residence of aliens in the United States," having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 15, 18, 20, 22, 25, 26, 38, 58, 62, 74, and 95.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 4, 5, 6, 7, 8, 12, 13, 14, 16, 19, 21, 27, 29, 30, 32, 33, 37, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 51, 52, 53, 55, 56, 59, 60, 63, 64, 65, 66, 67, 69, 70, 71, 72, 73, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 88, 89, 90, 91, 92, 93, 94, and agree to the same.

Amendment numbered 11: That the House recede from its disagreement to the amendment of the Senate numbered 11, and agree to the same with an amendment as follows: Strike out the matter inserted by the Senate and in lieu thereof insert the following: "practice polygamy or believe in or advocate the practice of polygamy"; and the Senate agree to the same.

Amendment numbered 17: That the House recede from its disagreement to the amendment of the Senate numbered 17, and agree to the same with an amendment as follows: Strike out the matter inserted by the Senate and insert in lieu thereof the following: "treaties, conventions or"; and the Senate agree to the same.

Amendment numbered 23: That the House recede from its disagreement to the amendment of the Senate numbered 23, and agree to the same with an amendment as follows: In lines 3 and 4 of the matter inserted by the Senate strike out "and aliens returning after temporary absence to an unrelinquished United States domicile"; and the Senate agree to the same.

Amendment numbered 24: That the House recede from its disagreement to the amendment of the Senate numbered 24, and agree to the same with an amendment as follows: Strike out the matter inserted by the Senate and insert a period after the word "guests," on page 11, line 21; and the Senate agree to the same.

Amendment numbered 28: That the House recede from its disagreement to the amendment of the Senate numbered 28, and agree to the same with an amendment as follows: In line 1 of the amendment strike out "and" and insert "or"; and the Senate agree to the same.

Amendment numbered 31: That the House recede from its disagreement to the amendment of the Senate numbered 31, and agree to the same with an amendment as follows: Strike out the matter inserted by the Senate and in lieu thereof insert a period; and on page 13, line 18, strike out "for" and insert "For"; and the Senate agree to the same.

Amendment numbered 34: That the House recede from its disagreement to the amendment of the Senate numbered 34, and agree to the same with an amendment as follows: Page 14, line 18, after "commissions" insert "to an alien coming into the United States"; and the Senate agree to the same.

Amendment numbered 35: That the House recede from its disagreement to the amendment of the Senate numbered 35, and agree to the same with an amendment as follows: Page 14, line 19, after "alien" insert "coming into the United States"; and the Senate agree to the same.

Amendment numbered 36: That the House recede from its disagreement to the amendment of the Senate numbered 36, and agree to the same with an amendment as follows: In lieu of the language inserted by the Senate insert the following: "or otherwise"; and the Senate agree to the same.

Amendment numbered 50: That the House recede from its disagreement to the amendment of the Senate numbered 50, and agree to the same with an amendment as follows: After the word "thereto," in the last line of the amendment, insert the following: ", and the provisions of this section shall be excepted from that portion of section 38 of this act, which provides that this act shall not be construed to repeal, alter, or amend section 6, chapter 453, third session Fifty-eighth Congress, approved February 6, 1905, or the act approved August 2, 1882, entitled 'An act to regulate the carriage of passengers by sea,' and amendments thereto"; and the Senate agree to the same.

Amendment numbered 54: That the House recede from its disagreement to the amendment of the Senate numbered 54, and agree to the same with an amendment as follows: After "officers," in line 3 of the amendment, insert "at the discretion of the Secretary of Labor and under such regulations as he may prescribe"; and the Senate agree to the same.

Amendment numbered 57: That the House recede from its disagreement to the amendment of the Senate numbered 57, and agree to the same with an amendment as follows: After "inspectors," in line 3 of the amendment, insert "at the discretion of the Secretary of Labor and under such regulations as he may prescribe"; and the Senate agree to the same.

Amendment numbered 61: That the House recede from its disagreement to the amendment of the Senate numbered 61, and agree to the same with an amendment as follows: Strike out the matter inserted by the Senate and insert in lieu thereof the following: "any alien who at the time of entry was a member of one or more of the classes excluded by law; any alien who shall have entered or who shall be found in the United States in violation of this act or in violation of any other law of the United States, the methods and measure of proof and the destination of deportation to be those specified in the law violated"; and the Senate agree to the same.

Amendment numbered 68: That the House recede from its disagreement to the amendment of the Senate numbered 68, and agree to the same with an amendment as follows: Strike out the matter inserted by the Senate and insert in lieu thereof "or who enters without inspection"; and the Senate agree to the same.

Amendment numbered 87: That the House recede from its disagreement to the amendment of the Senate numbered 87, and agree to the same with an amendment as follows: Strike out the matter inserted by the Senate and insert in lieu thereof

the following: "by the master"; and the Senate agree to the same.

E. D. SMITH,
JOS. T. ROBINSON,
H. C. LODGE,
Managers on the part of the Senate.
JOHN L. BURNETT,
AUGUSTUS P. GARDNER,
Managers on the part of the House.

STATEMENT.

The managers on the part of the Senate on the disagreeing votes of the two Houses on the amendments of the Senate to the House bill (H. R. 6060) regulating the immigration of aliens submit the following detailed statement in explanation of the effect agreed upon and recommended in the conference report:

The principal changes in existing law proposed by the Senate to which the managers on the part of the House agree are as follows:

First. The amendment which increases the head tax on adult aliens to $6, coupled with the entire exemption from head tax of minor children accompanying a parent.

Second. So much of the Senate amendment No. 24 as strikes out the House provision prohibiting the exclusion of the wife or minor children of American citizens.

Third. The amendment which substitutes a new section 11, submitted by the Secretary of Labor, to take the place of the House provision relative to surgical examinations on board ships engaged in the transportation of aliens.

Fourth. The amendment which denies to alien prostitutes the privilege of obtaining United States citizenship through marriage.

Fifth. The amendment which requires transportation companies carrying immigrants from Mexico or Canada to the United States to provide suitable landing places.

The principal amendments proposed by the Senate from which the managers on the part of the Senate recede are as follows:

First. The amendment excluding persons of the African race.

Second. The amendment striking the word "solely" from the House provision, which extends exemption from the illiteracy test to refugees from religious persecution.

Third. So much of Senate amendment No. 24 as exempts certain Belgians from the illiteracy test and certain other provisions of the law.

The principal amendments proposed by the Senate to which the managers on the part of the House agree with amendments are as follows:

First. Senate amendment No. 11. The managers on the part of the House agree to so much of this amendment as strikes out of the polygamy clause the words objected to which require an alien to admit his belief in the practice of polygamy as a condition precedent to his exclusion on account of that belief. The managers on the part of the Senate agree to an amendment to Senate amendment No. 11 proposed by the House managers, the effect of which is as follows: A change in the words inserted by the Senate so as to exclude an alien who believes in the practice of polygamy, whether he admits it or not in contradistinction to his exclusion on account of an abstract article in his creed.

Second. To the amendments of the Senate which provide a double inspection and a double medical examination for immigrants the managers on the part of the House agree with amendments giving the Secretary of Labor discretion in the matter. To these amendments the managers on the part of the Senate agree.

E. D. SMITH,
JOS. T. ROBINSON,
H. C. LODGE,
Managers on the part of the Senate.

DISTRICT OF COLUMBIA APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed consideration of the bill (H. R. 19422) making appropriations to provide for the expenses of the Government of the District of Columbia for the fiscal year ending June 30, 1916, and for other purposes.

Mr. SHAFROTH. Mr. President, I think the discussion of the pending provision of the District of Columbia appropriation bill has elicited the information that the half-and-half proposition is too high and also that those who are advocating that the revennes be derived from taxation from the property in the District of Columbia would make a system too unjust to the District of Columbia. I think some intermediate proposition is better and fairer, and I expect to propose an amendment to that effect. I believe the reason why the Congress of the United States adopted the half-and-half principle over the report which was made at that time by commissioners appointed that the ratio should be 40 and 60 per cent, was due to the fact that the District of Columbia, at its own expense, had been for many years attempting to maintain a municipal government here, and it had plunged itself into debt to a large extent, and it was found that it could not be done upon the revenues raised upon the property of the District of Columbia. So, in a spirit of generosity, I think, the Congress concluded to ignore the recommendation of the commission and to give a half-and-half amount. The difficulty with the half-and-half principle was that it tended to extravagance on the part of the District of Columbia. Immediately the sentiment has been that as the National Government pays half let us have the improvement. If the Government pays half the expense of street paving, let us have the street paved; if shade trees are to be set out, one-half to be paid by the National Government, let us have the shade trees; if sewers are to be constructed, one-half to be paid by the Government, let us have the sewers.

Mr. SMITH of Maryland. Will the Senator allow me one moment?

Mr. SHAFROTH. Certainly.

Mr. SMITH of Maryland. I think the Senator is in error in saying that the Government pays one-half the street improvements.

Mr. SHAFROTH. It does not now; that is true. I was going to get to that.

Mr. SMITH of Maryland. The property holders pay one-half.

Mr. SHAFROTH. That condition existed immediately after the adoption of the half-and-half principle. The result was, as I said, to shift on the National Government half of everything that was in the nature of an improvement or in the nature of a large municipal expense on the part of the District of Columbia.

The people and Congress began to recognize that on account of the proportion being so large it ought to be curbed, and in the last four or five years there has been a tendency in that direction, so that now in street improvements the National Government and the District together out of their general treasury pay one-half the street improvement and the abutting property owners pay one-fourth each for all the improvement. That is true somewhat as to other improvements. There was a time here, I believe, when the National Government and the District government paid entirely for the sidewalks. Now I think the principle is that the property owners should pay half and the District government and the United States Government together pay the other half.

I know of no city in the Union where the city government itself pays a single dollar toward a sidewalk in front of personal property. In my city the adjoining property pays all the expense not only of the sidewalk but of the street paving. It is considered to be an improvement tax.

Mr. GALLINGER. Mr. President, I will correct the Senator from Colorado by saying that in the little city in which I live the municipality pays one-half.

Mr. SHAFROTH. I know there is a different rule. I do not think it is fair to impose the expense of street paving entirely upon the abutting property, but the rules are different in various cities with respect to that matter. It seems to me it can not be denied, however, that there has been a tendency in the District of Columbia, as there would naturally be a tendency where the Federal Government pays one-half of the expenses, to a degree of extravagance that would not exist where the proportion was a different amount. On that account it seems to me that the Government here has been run in an extravagant manner.

I heard this morning for the first time that the commission which was appointed in 1876 agreed that as between the Federal Government and the property of the District of Columbia the actual proportion of expenses respectively should be as 40 per cent was to 60 per cent. I believe that is a fair proportion, and after the amendment which has been offered has been passed upon I expect to offer an amendment to this effect:

That from and after the 30th day of June, 1916, 60 per cent of all moneys appropriated for the expenses of the government of the District of Columbia shall be paid out of the revenues of said District and 40 per cent out of the revenues of the United States.

Then there will not be such a tendency to throw expenditures upon the joint treasury of the District of Columbia and of the United States if this proportion exists. I believe the ratio of 40 per cent and 60 per cent is perhaps a little high in regard to the proportion which each owns in this District. I think, however, it would be wrong for us to raise the money

for the government of the District as it was raised in the olden times, namely, all upon the District of Columbia, relying upon the indirect benefits which the establishment of a Capital has made here. It is true that some cities would like to have the Capital, and, as some one said here, they would be glad to exempt the property entirely; but it is not right. Take this park that has been condemned recently between the Capitol Building and the Union Station. It was occupied by houses worth hundreds of thousands of dollars, and the taxes assessed and paid upon those houses went into the treasury of the District of Columbia. The Federal Government did not consult the District of Columbia as to whether it would condemn them for a park or not; it went and did it. It took practically hundreds of thousands of dollars away from the District of Columbia and away from its ability to raise taxes to pay its proportion. On that account I do not like the provision as it comes over from the House. It is too indefinite, it seems to me. But if we recognize that after June 30, 1916, there shall be a rule of division between them near the values of the property owned, we will come nearer doing justice to the people of the District of Columbia and to the United States Government.

I believe, as a matter of fact, it would be better even than that to permit the property of the Government to be subject to assessment and taxation, subject to appeal as to the amount of assessment by the Government just the same as in the case of individuals. Then you would get the exact proportion. I would include in that the parks, although gentlemen seem to think that it would be ridiculous to levy an assessment upon a park belonging to the Government of the United States. But whether you call it an assessment and a tax, or whether you call it a proportion paid by the Federal Government, it is practically the same, only one gets a more equitable distribution than the guesswork of the half-and-half principle.

I do not believe that the Senate would adopt the principle of taxation upon Government property, although I believe it would be fairer and more equitable than any other system; but I propose to offer, when the time comes, a ratio of a 40 per cent and 60 per cent. I do not believe in having it take effect until the 30th day of June, 1916, because the valuations which have been placed upon property in the District of Columbia—which, I understand, have been certified—make some $8,000,000, when the amount to be appropriated is only $5,000,000 or $5,500,000. To take two or three millions dollars, which under the rule and the agreement which now exist should be the subject of this joint fund, this proportion of it belonging to the District of Columbia, and then to apply that to the Government's portion, I can not see the justice of it. That seems to me to be radically unjust; and on that account I have made the operation of the amendment to begin on the 30th day of June, 1916, so that the assessors, knowing what is going to take place after that time, can make their assessments in accordance with this law. They have made the assessment already, I understand, which will raise $8,000,000, and they have done it under the impression that a stable and a permanent law is upon the statute books to the extent of one-half and one-half; and to abrogate that now, without any notice whatever, after having raised this money under the impression that it would go for the payment of their part of the expenditures to be paid by the District of Columbia, it seems to me would be radically wrong. It would not be right to take a dollar of that money and apply it to the portion which the United States Government should pay. But after that time this law, if it should pass, having given due notice to all parties of a change in the ratio, and to what I think is a fair ratio, it seems to me that that objection could not apply; and next year, when the assessments are to be made, knowing that 60 per cent is to be paid by the District of Columbia and 40 per cent by the Federal Government, all the officers, knowing those conditions, would regulate their conduct in accordance therewith.

Mr. SMITH of Maryland. Mr. President——

Mr. SHAFROTH. I yield to the Senator from Maryland.

Mr. SMITH of Maryland. The Senator from Colorado, in his proposition of 60 and 40 per cent, postpones the matter until June, 1916. Does he not think it would probably be better to have a commission to investigate, and could we not act more intelligently after an investigation and report, which report could be made by the time of the meeting of the next Congress in December? It seems to me that we would arrive at a solution of the matter just as quickly in that way as we would by the adoption of the proposition of the Senator from Colorado of 60 and 40 per cent. I merely make the suggestion that probably we should then be in better shape to more intelligently determine what would be the proper rate of taxation as to the District of Columbia.

Mr. SHAFROTH. Mr. President, I recognize the fact that the half-and-half principle does not come before Congress often; it is not a matter that gets here from the House very often, and unless on an appropriation bill such as that now before the Senate, the chances are that no action will be taken after the commission does report. There would be no objection to a commission being appointed if they report before June 30, 1916. That would be all right.

Mr. SMITH of Maryland. I suggested that they report before the meeting of the next Congress.

Mr. SHAFROTH. I know; but I think it is pretty clear from this discussion that the injustice exists now in requiring the Government of the United States to pay one-haf. It seems to me that if we, after due notice given to the District of Columbia that the proportion hereafter will be at the ratio of 40 per cent to 60 per cent, it would determine something at least; it would induce the commissioners to report sooner and it would induce Congress to act more promptly than if we should simply appoint a commission with no certainty that Congress will take the matter up, even after they report.

Mr. SUTHERLAND. Mr. President——

Mr. SHAFROTH. I yield to the Senator from Utah.

Mr. SUTHERLAND. The difficulty with the provision of the House and the amendment which is now suggested by the Senator from Colorado, to my mind, is that we have not sufficient data upon which to act intelligently. For instance, we all know—and it has been stated here, I think, several times—that there are many expenses which are put upon the District of Columbia and the Government of the United States jointly which would not properly appertain to a city government, independent of the fact that it is the Capital of the Nation. Attention has been called to the great park system which we have, to the wide streets, to the sidewalks, and all that sort of thing, which, if this were a city wholly apart from its relation to the National Government, the people of the city probably would not have. They involve expenditures which such a city would not undertake to make.

I call the Senator's attention to another item in this bill.

Mr. SHAFROTH. I should like to say right there, if the Senator will pardon me, that there is a good deal of force in what he says, and that argument, to my mind, is conclusive against the theory that municipal government here should be maintained solely by the District of Columbia as it was maintained previous to 1878, but there are things which are now maintained by other municipal governments which are pretty harassing. Take, for instance, the streets in the city of Salt Lake and the streets in the city of Ogden, Utah. They are much wider than are the streets here. We have but one street in this city which compares in width with the streets in Salt Lake City. Those streets are 166 feet wide.

Mr. SUTHERLAND. I am not aware whether the Senator from Colorado knows that a very large portion of those streets as they formerly existed has been taken out of them and turned over to the proprietors of abutting properties to be maintained.

Mr. SHAFROTH. That is what has been done here. You go out Massachusetts Avenue and you will find that 30 or 40 feet have been fenced in, but the width of the street under that same system was previously, I think, 150 feet on Massachusetts Avenue. Those spaces have been fenced in and used in a large portion of those streets by the abutting property owners as front yards.

Mr. SUTHERLAND. I call the Senator's attention to this item of expense, for example—and I think it is illustrative of others—the expense for the maintenance of the Militia of the District of Columbia. We have a city which practically comprises the District of Columbia, with a population of what—350,000?

Mr. SHAFROTH. The population of the District of Columbia is 366,000, I believe.

Mr. SUTHERLAND. We will say 366,000; and yet there is being maintained here a militia organization much larger than that maintained by many States which have a much larger population than has the District of Columbia.

Mr. SHAFROTH. Now——

Mr. SUTHERLAND. Just a moment. Why is that done? It is done because this is the Capital of the Nation, and the militia is organized here primarily as a defense for the Capital City of the Nation. If the District of Columbia had a government separate and apart from its peculiar relation to the United States, it would, of course, not maintain any such militia.

Here we are appropriating in one item $30,000 for incidental expenses and expenses of camps, including hire of horses; here is another item for the pay of troops other than Government employees——

Mr. SHAFROTH. Of how much?

Mr. SUTHERLAND. An appropriation of $24,000. It is to be disbursed under the authority and direction of the commanding general. We are keeping up a very large amount of expenditures of that character which the inhabitants of a city merely as a city ought not to be compelled to pay.

Mr. SHAFROTH. But, upon the other hand, there are a great many expenditures which the National Government pays, but which in an ordinary city would be paid by the municipal government. For instance, take the great stretch of park between the Capitol Building and the Potomac River, and there is not a District of Columbia policeman who patrols that park. Whenever it comes to the fact that the National Government owns something, then the National Government must employ the police force for its protection exclusively.

Mr. SUTHERLAND. Mr. President, I understand the expense of that is divided between the National Government and the District of Columbia.

Mr. SHAFROTH. If that is true, it has been done very recently.

Take the Capitol Grounds. There is not a policeman from the city who comes and patrols them at all, whereas in every other city where there is a public building the police force of the city protects it.

Mr. SUTHERLAND. If the Senator will pardon me, I find here an item with reference to Rock Creek Park.

Mr. SHAFROTH. Oh, Rock Creek Park is a joint park. That is the reason why it should be maintained jointly by the District and the National Government; but wherever the Government exclusively owns a park, the citizens of the District get the benefit of that park just as much as if it were owned jointly by the Government and by the District; but in every one of these instances I understand the National Government, in addition to paying half for their maintenance, also pays for the patrolling of such parks.

These are inequalities that have grown up, and there are reasons one way and the other as to them. I recognize the fact that the United States Government ought to pay, and pay handsomely, to the District, and I think it is more than handsomely paid when the United States pays 50 per cent. I really believe that one-third would be a fair proportion; but in order to be sure that it is a fair proportion I am proposing in this amendment that the Government pay 40 per cent of the amount, and I do so because the very conditions to which the Senator has referred in equity compel the Government to pay here something more than is paid by a State in connection with its capitol or other public building in the State.

One of the principal reasons for making a distinction between the payment by the National Government on the half-and-half principle and of a less amount is the fact that whenever you have had a half-and-half division there has been an inducement upon the part of the municipal government to put everything into the joint fund, to say "We are in favor of the improvement because the National Government has to pay half." If they had to pay three-fifths and the Government two-fifths, it would lessen their zeal to have that amount of appropriation made for the particular improvement or for the particular object desired. It would perhaps curb such a disposition a little more if the proportion were one-third and two-thirds. Still, I want to be fair to the District; I want the District to have good government, and a portion of this amount of money which would come in the division between them is surplus, I recognize. I do not believe that the value of the Government's property is 40 per cent of the entire property of the District, but in order to make sure that the District is not being treated unfairly I should be willing to place it at that amount.

Mr. SMITH of Maryland. I would say to the Senator from Colorado, if he will pardon me, that I think he is not quite fair in his idea about the District of Columbia paying the police in many cases. In the legislative bill the Senator will find that the total amount for public buildings in one place is $86,020, and another $224,550, one-half of which is paid by the Government and one-half by the District of Columbia.

Mr. SHAFROTH. That is for the regular city police.

Mr. SMITH of Maryland. No; that is not for the regular city police.

Mr. SHAFROTH. What is it for?

Mr. SMITH of Maryland. Of the regular city police there are 640. I think I can say that, so far as the police of the city of Washington are concerned, the District of Columbia, together with the Government, pays for as large a police force, probably, as any other city in the Union with the same population.

Mr. SHAFROTH. I have not any doubt of that.

Mr. SMITH of Maryland. The District of Columbia and the Government pay for 640 policemen. I do not know of any city that provides a greater protection in that particular than does the District of Columbia.

Mr. SHAFROTH. There is no doubt about that; in fact, when you take into consideration the amount which the Government itself pays in the way of appropriations for policemen in the various public buildings, unquestionably Washington is the best policed city in all the world.

Mr. SMITH of Maryland. There are a great many parks, I will say to the Senator, as to which the District of Columbia and the Government of the United States each pay a part of the cost of policemen.

Mr. SHAFROTH. Certainly, that is true; but those parks, I understand, belong to the Government and to the District of Columbia jointly. However, in the case of a piece of land like the Capitol Grounds, the city of Washington does not pay any part of the expense of policing them.

Mr. SMITH of Maryland. The Capitol Grounds are policed by the Government.

Mr. SHAFROTH. Yes; but at the same time in other cities such protection is afforded by the general city police.

Mr. SMITH of Maryland. I merely wanted to convey to the Senator the fact that as to the District of Columbia, so far as the amount of money paid for police and for safety to its citizens is concerned, probably there is no city in the Union that pays more or probably as much as does the District of Columbia.

Mr. SHAFROTH. That is quite likely; and I believe it is due to the fact that the Government does pay half that that large police force is maintained. I believe it is more extravagant by reason of that fact.

You must remember that the Government has a number of policemen also at the State, War, and Navy Department Building, where there are 69 privates, 2 lieutenants, and a captain. The District of Columbia does not pay any proportion of that expense. That relieves to some extent the duties of the police of the city. Take the Capitol police. I think we have 83 privates, 2 lieutenants, and a captain here. The District does not pay in proportion in that for every public building in this city there is some police protection paid for exclusively by the National Government.

I do not say that that is wrong. It seems to me, however, that it leads to extravagance in the number of peace officers who may be employed; but nevertheless I mean to say that in the relations between the District and the United States Government the proportion is not ascertained with certainty, and that the Government is paying not only its full proportion but more than its full proportion of the amount required to pay the expenses of the District.

What I believe should be done is this: After the assessment that has been made now is out of the way and the District of Columbia collects all the money that should be raised in accordance with existing law, then there ought to be a different division; and I think in fairness it should be at the rate of 40 per cent to be paid by the National Government and 60 per cent to be paid by the District. That is in accordance with the report of the commission which was made in 1878, which was read here this morning, though I did not know it at the time I prepared the amendment. I sized up the situation and thought that division would be about fair. The commission reported at that time that the value of the property owned by the Government contrasted with the value of the property privately owned in the District of Columbia was in the proportion of 60 per cent for the District and 40 per cent for the Government, and the value of the property of both has been increasing since then at probably about the same ratio. The National Government has been putting up fine buildings here, but at the same time there have been great office and business buildings and many private houses built in the District of Columbia, so that I do not believe there would be much variation from what was then estimated as a just division. It seems to me that such a division would be fairer than the proposition which comes here from the other House, which would have the effect of destroying the half-and-half system and of substituting for it nothing of any definite character.

If such a plan is adopted, the District of Columbia will not know what the situation is. If the District of Columbia on the property within its borders should raise a certain amount of money and Congress thinks it is too large to meet the proportion which under the existing law the District should pay, then it can be applied to the proportion which the United States Government has to pay. That, it seems to me, is not a fair proposition; but when you provide that after the 30th of June, 1916, a different ratio shall be fixed, and the year intervening

is given for the purpose of letting the people know their rights and adjusting themselves to the new condition, then I think the ratio of 40 per cent and 60 per cent would be the nearest approach to equity that we could arrive at, unless Congress should desire to adopt the system of letting the District of Columbia assess the property of the United States Government, the Government to pay according to such assessment. That, in my judgment, would be more accurate; but I do not believe that Congress will adopt such a policy, and for that reason I am going to propose, when the proper time comes, the amendment to which I have referred.

Mr. SMITH of Maryland and Mr. KENYON addressed the Chair.

The PRESIDING OFFICER (Mr. POINDEXTER in the chair). Does the Senator from Colorado yield; and if so, to whom?

Mr. SHAFROTH. I yield to the Senator from Maryland.

Mr. SMITH of Maryland. If the Senator will pardon me, he stated that he had arrived at that conclusion this morning. Evidently he has not given the matter very mature consideration. Does he not think that it would be better to have a commission investigate, look into these various matters, and come to some determination as to what would be the best course to pursue, so that after investigation the matter might be taken up in an orderly way by Congress? Does he not think that in that way we could act more intelligently than we can now?

Mr. SHAFROTH. I will state, as the Senator from Kentucky [Mr. JAMES] suggests, that the subject has been investigated, and it has been found by a commission that the ratio of 40 per cent and 60 per cent is about correct.

Mr. GALLINGER. That report was made 40 years ago.

Mr. SMITH of Maryland. That suggestion was made 39 years ago.

Mr. SHAFROTH. Yes; it was made 39 years ago; but since that time property has probably increased so uniformly that that ratio now is not greatly different from what it was then. The great objection to the proposition of the Senator from Maryland is the fact that we will probably not get at this question again for 10 years.

Mr. SMITH of Maryland. A provision could be made requiring the commission to report by the 5th of next December, when, no doubt, we would have all necessary information and would be able to act more intelligently than we can now do. In such event those who are called upon to act upon the matter now would probably be required to act upon it then. I can see no harm growing out of getting information and finding out what is a proper thing to do. It seems to me that is infinitely preferable to jumping at a conclusion as to what might be proper, because 39 years ago it was determined that 60 and 40 per cent was a just proportion as between the General Government and the District of Columbia.

Mr. KENYON and Mr. LIPPITT addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Colorado yield; and if so, to whom? There are two Senators addressing the Chair.

Mr. SHAFROTH. I yield to the Senator from Iowa.

Mr. KENYON. Mr. President, I tried to get the attention of the Senator on the proposition which he has suggested and which has been suggested here by nearly every Senator who has spoken—that the House amendment does permanently destroy the half-and-half principle. I have a good deal of doubt in my mind as to that. The recitation of the House provision is—

> That the following sums, respectively, are appropriated, in full for the following expenses of the government of the District of Columbia for the fiscal year ending June 30, 1916—

And so forth.

The Senator from Georgia [Mr. SMITH] proposed an amendment, which was adopted, eliminating the provision in the House bill that—

> The amount to be paid from the Treasury of the United States shall in no event be as much as one-half of said expenses—

I do not remember now whether the amendment of the Senator from Georgia went to the point of striking out the words which follow:

> And all laws in conflict herewith are hereby repealed.

It has been my thought that the House provision does not repeal permanently the half-and-half principle, but that it merely covers the present situation as to the funds carried by this bill by providing that the $8,000,000 raised by taxation in the District shall go first to cover the expenses of the District, the balance to be paid from the National Treasury; in other words, that this provision simply destroys the half-and-half principle as to this particular bill; so that, if nothing further were done, when the next District appropriation bill came to be considered the half-and-half principle would still be in vogue. It seems to me that we are simply dealing with the proposition now of having the surplus money arising from District taxation applied to the payment of the expenses of the municipal government of the District.

Mr. SHAFROTH. Mr. President, I do not think the position of the Senator is well taken, because of another paragraph in the House provision, which the Senator has not read and which, it seems to me, evidently is intended as a permanent provision as to the division of the amounts to be paid between the National Government and the District of Columbia. It is as follows:

> That all moneys appropriated for the expenses of the government of the District of Columbia shall be paid out of the revenues of said District to the extent that they are available, and the balance shall be paid out of the money in the Treasury of the United States not otherwise appropriated, but the amount to be paid from the Treasury of the United States shall in no event be as much as one-half of said expenses, and all laws in conflict herewith are hereby repealed.

Mr. KENYON. I should like to ask the Senator if he remembers how much of that was stricken out by the amendment of the Senator from Georgia?

Mr. SHAFROTH. No; I do not.

Mr. VARDAMAN. I ask, Mr. President, that the amendment which was offered by the Senator from Georgia be stated.

The PRESIDING OFFICER. In the absence of objection, the Secretary will state the amendment which has heretofore been agreed to on motion of the Senator from Georgia.

The SECRETARY. The amendment offered by Mr. SMITH of Georgia and agreed to is as follows:

In the House text, on page 2, lines 3 and 4, strike out the words "be as much as," and in lieu insert the word "exceed," so as to read:

> But the amount to be paid from the Treasury of the United States shall in no event exceed one-half of said expenses, and all laws in conflict herewith are hereby repealed.

Mr. SHAFROTH. Mr. President, it seems to me that that is intended to be permanent law. I do not think that is fair to the District; and at the same time I believe that the half-and-half division is not right for the Government.

Mr. VARDAMAN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from Mississippi?

Mr. SHAFROTH. I yield to the Senator from Mississippi.

Mr. VARDAMAN. If I am correctly informed, no money is paid out of the Treasury to meet the expenses of this District without an appropriation.

Mr. SHAFROTH. Yes, sir.

Mr. VARDAMAN. Then, the provision which has been read must necessarily have bearing only upon this bill, and a year from now or six months from now or a week from now, if another bill were pending making appropriations to meet the expenses of the District government, a provision could be inserted that would repeal the provision which it is now proposed to place on the bill. Certainly it has no permanent binding force beyond the life of the pending bill unless Congress shall see fit to keep it alive.

Mr. SHAFROTH. Yes; I have no doubt it can be repealed on the next appropriation bill; but the difficulty is that it evidently is intended as a permanent disposition of the half-and-half principle, because it repeals all laws in conflict therewith. Ordinarily a bill designed to be merely temporary does not provide for the repeal of all laws or parts of laws in conflict with it. It has been talked about in the newspapers, has been referred to in the discussions in the House, and has been understood as a proposition to change the present half-and-half division.

Mr. SMITH of Maryland. And dispose of the surplus that the District of Columbia has raised over and above the amounts necessary to meet its proportion of the expenditures of the District.

Mr. SHAFROTH. Yes, sir; and I think that is wrong. I think that whatever the District of Columbia has raised should be sacredly devoted to the expenditures on the part of the District of Columbia, and should not be used by the Government to pay its half of the amount of the joint appropriation.

The difficulty, however, with the provision in the House bill is that it leaves the situation chaotic; it does not determine what proportion shall be paid hereafter. The uncertainty of the thing is something that is to be seriously objected to. The District of Columbia will not know how to act; it will not know how to order an improvement to be made; it will not know what proportion it will have to pay. If all the revenues to be raised in the District are to be taken, then you will find that the authorities of the District will begin to see to it that very little revenue shall come in; they will make it sure that they will not have any surplus whatever, because they will

say "If we raise in the District of Columbia a large amount of money, the National Government will use it for the payment of its part of the joint municipal expenses of the District of Columbia."

Mr. JAMES. Mr. President, is not the Senator mistaken about that? In the District of Columbia whatever is expended, whatever goes into the Treasury for District purposes is entirely controlled by Congress. The Senator's argument that the District may do this, that, or the other, or prevent this, that, or the other, I do not think can be sustained at all in view of the fact that we are absolute masters of that situation.

Mr. SHAFROTH. Oh, yes; we are absolute masters, and we should be very careful not to do any wrong to the District of Columbia. The people of the District of Columbia now are acting on the basis of the half-and-half principle; they are making their assessments, they are making their estimates, as to how much revenue they will need upon the theory that the National Government will pay one-half.

Mr. JAMES. And yet under the present low rate of taxation, manifestly intended to exempt the gold hoarder, the bondholder, and the coupon clipper from taxation, the District of Columbia obtains more than the half it is required to pay under the half-and-half system to sustain the city government.

Mr. SHAFROTH. That may be.

Mr. SMITH of Maryland. Mr. President, I will say, if the Senator will pardon me, that the judgment of the committee was that many things were asked for by the various departments of the District government which we thought ought to have been allowed, but in our disposition to economize we cut them out.

I will also say to Senators here that if we had allowed what in our judgment was for the benefit of the District and for the benefit of the Government the whole amount of the taxes collected from the District of Columbia would have been absorbed.

Mr. JAMES. I thought, Mr. President, that the argument which has been used to sustain the half-and-half system was that that system was necessary in order that the government of the city might be one of splendor and of grandeur. I understood that was the reason for the half-and-half system. The Senator from Maryland now tells us that the District of Columbia has been dealt with in a parsimonious way.

Mr. SMITH of Maryland. I said that if we exercised our judgment we would have allowed many items which were not allowed, but there seemed to be a wave of economy in connection with everything.

Mr. JAMES. And a very good wave, too.

Mr. SMITH of Maryland. Taking that into consideration, and also in view of the conflict which we thought might arise at the other end of the Capitol, we gave way and did not appropriate for certain projects which we otherwise would have provided for.

Mr. JAMES. I feel sure that the efficiency of the city government has been in no way injured by lack of sufficient appropriations on the part of the Senator's committee.

Mr. SMITH of Maryland. I can say to the Senator from Kentucky that I believe if he had been present at some meetings of the committee when appropriations were asked for he himself would have said that they should have been allowed.

Mr. JAMES. Yes.

Mr. SMITH of Maryland. For instance, many things in the school department and in other branches of the public service, especially in connection with a certain hospital here. The fact is, that there is a hospital in this city, the condition of which is a crying shame. It would not be tolerated in any small county or any small town, and it should be supplanted by a better hospital, by one that is becoming and befitting the city of Washington. If the Senator would take the trouble to visit the municipal hospital, or, more properly speaking, the alms house, I think he would at once say that there should be quite a large appropriation—probably an appropriation of half a million dollars or a million dollars—to provide adequately for the care of the poor and feeble of this city. I do not believe there is a Senator in this Chamber who, if he would go there and look at the conditions, would not say at once that that should be done.

There are other needs of a similar nature which should be met; so that the whole amount of money collected in taxes in the District of Columbia could, in my judgment, properly be devoted and used in the interest of the city and in the interest of the Government of this country.

Mr. JAMES. Then, I will say in answer to that, that if I were on the committee—and I am not undertaking to draw any invidious comparisons—if the hospital is in that condition, to which my attention has not been heretofore directed, instead of buying hundreds of acres to add to an already overparked city, I would have taken care of the hospital. Then, in addition to that, I would have reached out with the hand of fair and honest taxation after these fortunes, these money hoarders, these gold owners, these coupon-clipping and the interest-bearing security owning class who are escaping taxation. Certainly I would not allow the hospitals of this great city to go without sufficient, even generous, appropriation, nor especially so when in order to do it I had to allow wealth to escape just taxation.

Mr. SMITH of Maryland. I will say to the Senator from Kentucky that, so far as I am concerned, I have no disposition to defend the people of whom he speaks.

Mr. JAMES. I am very glad to hear the Senator say that, and up to this time I have noticed that the Senator had not championed the tax-dodging class.

Mr. SMITH of Maryland. Had not done what?

Mr. JAMES. Had not defended this "intangible property exemption," and I congratulate the Senator upon that position.

Mr. SMITH of Maryland. I will say, further, that we did appropriate a sum of money the last time that was cut out, and we felt that probably this was not the time to make the request.

Mr. JAMES. But the point I am making is this: I have nothing against Washington. I am just as proud of it as anybody else. I never have a constituent that comes to see me that I do not take pleasure in either going around with him or having some one that works for me go with him to show him the grandeur of the Capital City. But while I want to deal with the city generously and deal with its charitable institutions in the most splendid fashion, yet, at present, while we are failing to do that, we are allowing a class of people to escape taxation that ought not to be allowed to go untaxed. That is my position.

Mr. GALLINGER. Mr. President, will the Senator permit me?

Mr. SHAFROTH. I yield to the Senator from New Hampshire.

Mr. GALLINGER. The Senator from Kentucky is greatly concerned about taxing intangibles in the District of Columbia. I believe they are taxed in Kentucky, are they not?

Mr. JAMES. They are.

Mr. GALLINGER. Yet the report of the special tax commission of the State of Kentucky for the year 1914 says:

> By common consent the law is universally evaded.

That is, in the State of Kentucky.

Mr. JAMES. I will say that by common consent that statement is not true.

Mr. GALLINGER. It is the statement of the tax commission of the State of Kentucky.

Mr. JAMES. I can show that hundreds of thousands of dollars have been collected from intangibles. The only tax I pay in Kentucky—because I own no land and no house there—is partly upon tangible property, which is a library and furniture, and in addition to that every dollar of taxation I pay in my State is paid upon what you allow to escape here—intangibles, notes, securities. Not only that, but hundreds and thousands of Kentuckians do the same thing. It is always the argument that is used, however. Whenever you undertake to tax somebody that has something, who is of the rich class, it is said that if you do it he will either leave the place or he will lie about it and escape taxation. I have this to say: Let us write the law fairly. This is the Nation's action. The law here ought to be a model one. Let us write it dealing justly with all, and then, if a man tries to dodge it, let us prosecute him for perjury or false swearing, and if he wants to leave here, let him go. The District will be better off without him.

Mr. GALLINGER. While I have not combated the idea of taxing intangibles in the District of Columbia if Congress thinks it wise, the fact is, as I shall show in a little while, that it has not been a great success in a great many States where it has been tried, and the State of Kentucky is a shining example. The tax commission of 1914 in the State of Kentucky say:

> The great dependence that is placed on the taxpayer's statement is the first weakness. It is not safe to assume that the taxpayers will list all their property. We know that they don't and won't. Everybody knows it.

Mr. JAMES. And the very tax commission that made that report went before the Kentucky Legislature and tried to get the legislature to pass a bill relieving from taxation the fortune holders of that State, and, as I remember it, they never got support in either house sufficient to have a favorable report upon their action, and the legislature absolutely refused to give any sort of approval to the finding of that commission or to take any action in keeping with its report. I know there were a few gentlemen in Kentucky, just as there are here, that wanted to

put all the taxes on the home-owning and the land-owning people of my State; but when they undertook to do that before the Kentucky Legislature they aroused those who theretofore had been silent, and when they made themselves heard the gentlemen were not successful in installing there a taxation system that exempted the bond-holding and gold-hoarding and security-owning class.

Mr. GALLINGER. I am glad to know that Kentucky continues virtuous in that behalf. I was reading from the report of the special tax commission of the State of Kentucky.

Mr. JAMES. Yes; that is true; and that special tax commission was repudiated by the Kentucky Legislature.

Mr. GALLINGER. I do not know who appointed that commission.

Mr. JAMES. It does not matter who appointed it. I can tell the Senator who appointed it, however. The governor of Kentucky appointed it; but that did not affect the sentiment among the people in favor of just taxation, and it did not affect the legislature of the State, which refused to follow it.

Mr. GALLINGER. In this report the commission does not ask to have the law changed, but it calls attention to the fact; that is all.

Mr. JAMES. Yes; but they did undertake to have it changed. A bill was introduced in the Kentucky Legislature in keeping with that report. The Kentucky Legislature, however, refused to accept it and voted it down, and the same principle of taxation exists there now that has existed heretofore.

Mr. SHAFROTH. Mr. President, this discussion is very illuminating, but the difficulty is that it has no relation whatever to the section which is now before the Senate nor to the amendment which I am proposing.

Whether this money is to be raised by a tax on intangibles or whether it is not is immaterial as to this amendment. It does not relate to the amendment which I have introduced. In this discussion I find that first I am attacked in my position by the gentlemen who believe in the half-and-half principle, and that then, before I get through a statement of that kind, I am attacked by the gentlemen who believe in the House provision. I am between two fires. I must say, however, that when I propose a compromise measure I feel very much like the judge who, having decided a case from which both the plaintiff and the defendant wanted to appeal, said that he thought that was the best evidence of the justice of the judgment.

I believe that the division which has occurred here between Senators who believe in the half-and-half principle upon the one hand and, upon the other hand, those Senators who believe in the House provision, the fact that they do not agree and neither of them agrees with me indicates that the compromise between the two, doing away with the half-and-half principle and dividing it on the basis of 40 per cent and 60 per cent, is about justice between the District of Columbia and the United States Government.

Mr. GALLINGER obtained the floor.

Mr. CLARK of Wyoming. Mr. President, will the Senator yield to me for one moment?

Mr. GALLINGER. I yield.

Mr. CLARK of Wyoming. I suppose the Senator from New Hampshire has given more study to this question than perhaps any other Member of the Senate. In view of the small number of Senators present I suggest the absence of a quorum.

The PRESIDING OFFICER. The absence of a quorum is suggested. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Gore	Norris	Shively
Bankhead	Hardwick	O'Gorman	Smith, Ga.
Brady	Hitchcock	Oliver	Smith, Md.
Bristow	Hollis	Overman	Smoot
Burleigh	Hughes	Page	Sterling
Burton	James	Perkins	Stone
Chamberlain	Johnson	Poindexter	Sutherland
Chilton	Jones	Pomerene	Swanson
Clapp	Kenyon	Ransdell	Thomas
Clark, Wyo.	La Follette	Reed	Thompson
Cummins	Lane	Robinson	Thornton
Dillingham	Lee, Md.	Root	Tillman
du Pont	Lippitt	Saulsbury	Vardaman
Fletcher	Lodge	Shafroth	Walsh
Gallinger	Martine, N. J.	Sheppard	White
Goff	Nelson	Sherman	Williams

Mr. SMITH of Georgia. I desire to announce that the junior Senator from South Carolina [Mr. SMITH] is unavoidably absent from the city on account of sickness in his family. As soon as the presence of a quorum is announced I desire, at his request, to ask for him a leave of absence for the next few days.

Mr. OVERMAN. I desire to announce that my colleague [Mr. SIMMONS] is necessarily absent at his home. I will let this announcement stand for the day.

Mr. SHIVELY. I desire to announce the unavoidable absence of my colleague [Mr. KERN].

The PRESIDING OFFICER. Sixty-four Senators have answered to the roll call. A quorum is present. The Senator from New Hampshire will proceed.

Mr. GALLINGER. Mr. President, I was about to observe when I was interrupted by the roll call—which, I apprehend, will not do very much good, so far as giving me an audience is concerned—that this discussion has been illuminating in some respects and very mystifying in others. The amount of misinformation that is abroad concerning matters relating to the District of Columbia would make a large book. I apprehend that I have some misinformation in my own mind concerning these affairs, but I think I know something about them.

I have said a good many times in debate in the Senate that the District of Columbia is an experiment station, so far as legislation is concerned. Where inequality, injustice, and wrong exist in the States in matters of taxation and otherwise, with apparently no effort to remedy them, the representatives from those States come here and undertake to make Washington what they call a model city by urging legislation of an entirely different character from that which prevails in their own communities.

I heard yesterday a statement that the Government paid all the expenses of the Zoological Park. I knew that was not so, and I tried to say so, but did not get an opportunity. I will direct the attention of Senators to the act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1915, on page 20, where they will observe that the revenues of the District of Columbia are appropriated for one-half the support of that park, just as they are for one-half the support of the great Rock Creek Park.

It has been suggested also that the District of Columbia does not pay anything for Potomac Park. I think that was suggested in the debate to-day. Mr. President, if Senators will go to the sundry civil appropriation bill for 1902—and the same thing has been carried through all our appropriation bills—they will find, under the head of "Buildings and grounds in and around Washington," that they embrace a great many items.

For improvement and maintenance of grounds south of Executive Mansion, $4,000.
For ordinary care of greenhouses and nursery, $2,000.
For ordinary care of Lafayette Park, $1,000.
For ordinary care of Franklin Park, $1,000.
For improvement and ordinary care of Lincoln Park, $2,000.
For care and improvement of Monument Grounds, $5,000.
For continuing improvement of reservation No. 17, and site of old canal northwest of same, $2,500. * * *
For construction and repair of post-and-chain fences, repair of high iron fences, constructing stone coping about reservations—

And 20 other items.

For improvement, care, and maintenance of various reservations, $20,000.
For improvement, care, and maintenance of Smithsonian grounds, $2,500.
For improvement, care, and maintenance of Judiciary Park, $2,500.
For laying asphalt walks in various reservations, $2,000.
For improvement of that part of Potomac Park west of and adjacent to Monument Park, * * * to be immediately available, $70,000.
For broken-stone road covering for park roads and walks, $2,000; for curbing and flagging, * * * $2,000; for the improvement of Iowa Circle, $2,500—

Then this language follows:

One-half of the foregoing sums under "Buildings and grounds in and around Washington" shall be paid from the revenues of the District of Columbia, and the other half from the Treasury of the United States."

Mr. President, it has been stated over and over again that these parks are policed by the Government. The watchmen on these parks are paid one-half from the revenues of the District of Columbia and one-half from those of the General Government. So there seems to be a good deal of misapprehension and some confusion of ideas on this subject.

I am not going to be put in the position, and no man can put me in the position, of objecting to any fair legislation concerning the affairs of this District. The only position I take is that so far as the so-called "organic act." declared to be that by the Supreme Court of the United States, is concerned, it ought not to be violently overthrown without due consideration and due investigation of the proper relations between the Government and this great District. On that one point I want to submit some observations. I want to be as brief as possible.

The question of taxation has troubled wise men, I apprehend, almost from the foundation of the world. To my knowledge, New Hampshire, which is a reasonably intelligent State, has been struggling with the question of taxation for 50 years, and is still struggling with it. A few days ago we inaugurated a most excellent man as governor of our State—a man with progressive ideas, a man of rare business integrity and

high principles. In his inaugural to the legislature, discussing this question of taxing intangibles in New Hampshire—and, as I have said a hundred times, I do not oppose the amendment of the law so as to include intangibles in the District of Columbia if it is thought desirable to do it—he said:

> One of the most difficult problems in taxation arises from the fact that under our constitution every class of property either must be taxed at its full value, regardless of the income from it, or must be entirely exempt from taxation. The result is that the tax on bonds and on some mortgages often is more than half of the income from the security. Such a tax is unjust, impossible to collect, inequitable, and unreasonable. Investors can not afford to hold such securities and are driven to put their money into investments more hazardous but less severely taxed. Thus this tax bears most heavily upon widows, trustees, and others who can least afford to pay it. In other words, it is a rich man's law, pure and simple. Because of this tax, some of our residents have moved to other States where the tax laws are more favorable, and for the same reason desirable citizens have been deterred from coming to New Hampshire to live.

That, Mr. President, is the opinion of a fair-minded, intelligent man, with large business experience, who has looked into this matter and has come to the conclusion which he expresses.

Take it in this District, Mr. President. In a single week I made inquiry of seven different owners of real estate regarding the purchase of a house at the request of a friend of mine, as he had thought of making a purchase in the District of Columbia. In every instance I was met with the suggestion that there was a trust deed on the house, oftentimes one-half the estimated value of the house. Those trust deeds carry in this District a rate of interest ranging from 4½ to 5 per cent. Those trust deeds are what we call mortgages in our States. If they are to be taxed, it goes without saying that the money will not be available at 5 per cent, certainly not at 4½ per cent. I do not know what proportion of the houses belonging to the poorer classes of the District of Columbia have those trust deeds on them, but I do know that it would be rather startling if we could ascertain the proportion. The result will be, so far as mortgages are concerned, if we reach out to tax those, that the borrowers of money in this District—and they include the poorer class—will have to pay a higher rate than they are paying at the present time.

Perhaps it is desirable to do it. I do not oppose it. I do not object to it. I only call attention to that circumstance.

This matter of taxing intangibles is one that has attracted a good deal of attention. Some States have such laws; other States have not. I called attention to what a special commission on taxation of the State of Kentucky said as to what was going on in that State. I have here, likewise, statements from some other States showing the same thing—that they are not collecting the tax they thought they were going to collect. The State of Illinois is an example, and in one other State that I might quote the tax commission has said that the law has been a failure; but if it is thought wise to try it in the District of Columbia, I certainly shall not stand in the way of it.

There is great inequality in the matter of taxation everywhere. There is here. There is in my little city. There is in every city of the United States. No man or men have been wise enough to evolve a system of taxation that will be just and equitable all along the line.

I have been handed a list of cities. I do not vouch for it, beyond the fact that it was given to me by a gentleman interested in this question. This list shows a great inequality in the assessed valuation in these various cities. I am going to read this list, and if there are any inaccuracies or misstatements in it, they can be readily corrected by the Senators who come from the States where those cities are located.

This list shows that Des Moines, Iowa; Cambridge, Mass.; Dayton, Ohio; Toledo, Ohio; Columbus, Ohio; Jersey City, N. J.; Newark, N. J.; Cincinnati, Ohio; Baltimore, Md.; Cleveland, Ohio; and New York assess their property at presumably its full value. The law requires it, as it does in New Hampshire; but it goes without the saying that they do not do what the law requires.

Coming to other cities I find that Salt Lake City has an assessed valuation of 33 per cent and Omaha 20 per cent. That seems to be correct, from the fact that Omaha has a population of 128,912, and the assessed valuation is only $23,435,000, while Dayton, Ohio, has a population of 120,364 a little less than Omaha, and has an assessed valuation of $110,540,269. Richmond has an assessed valuation of 75 per cent; Scranton, 80 per cent; Memphis, 60 per cent; Syracuse, 85 per cent; Birmingham, 50 per cent; Atlanta, 60 per cent; St. Paul, 60 per cent; Louisville, 70 per cent; Indianapolis, 60 per cent; Kansas City, 50 per cent; Minneapolis, 50 per cent; Washington, 67 per cent; New Orleans, 75 per cent; Los Angeles, 50 per cent; Milwaukee, 90 per cent; Buffalo, 75 per cent; Detroit, 75 per cent; and Pittsburgh, 95 per cent.

Mr. President, that shows the inequalities that exist in the various cities of the United States, and it shows, too, that upon the full valuations computed from the above figures Washington has a higher per capita valuation than almost any other city in the United States. I submit that for what it is worth.

Mr. President, I am not getting excited over this question at all, because it makes no difference to me. I have no interests here that are to be affected one way or the other. I have given a great deal of time to the consideration of matters relating to the District of Columbia, more than I ought to have given, very likely. I have tried to acquaint myself with the facts in the case.

It seemed to me on Friday that if we were to upset this so-called half-and-half principle adopted over 30 years ago, we would involve ourselves in a great deal of difficulty, so far as the legislation now on the statute books is concerned. It is very much like our saying, Why not impose a discriminating duty on imports from foreign countries, as was done in the early days of the Republic, and get revenue from it? That was tried in the tariff act which is now on the statute book, but they found, as some of us stated they would find, about 30 treaties in the way of carrying out that law, and hence it has been allowed to go by default. So in regard to the District of Columbia.

I happened to be looking over the statute books, and I came across one item which attracted my attention, and it seemed to me that it ought to be repealed before we did this revolutionary act, because in a sense it is revolutionary. I sent to the Municipal Building and asked them if they would look up the matter, and there are a great many other laws which ought to be repealed or which would be affected by legislation of this kind.

This amendment proposes the abrogation of the half-and-half system of appropriating for the expenses of local government in the District of Columbia, and therefore the repeal of the organic act of June 11, 1878, to the extent that said act is in conflict with this amendment. There is no doubt about that.

For a number of years following the passage of the organic act all moneys collected by the local authorities arising from any municipal activity or function were looked upon and disposed of as revenues of the District. But from time to time during these years special measures have been passed by Congress, mostly in the form of provisos in appropriation acts, whereby the revenues of the General Government have been credited with one-half of amounts of certain collections. For the fiscal year 1913 the total amount credited to the United States in this way was $276,894.95, and in the fiscal year 1914, $244,445.99. In other words, Mr. President, acting upon the half-and-half principle we have passed laws providing that moneys which are to be returned to the Treasury, unexpended balances, receipts from the sale of articles that have been purchased jointly by the District and the Government, shall be divided upon the principle of half and half.

Now let us see what laws we run into. The details of these collections for the United States, respectively named, are as follows:

Through collector of taxes.

Fees:	
Advertising taxes	$2,395.25
Bathing beach	366.45
Building permits	13,107.60
Crematorium	387.50
Electrical permits	2,740.00
Gas and meters	3,063.35
Health department	210.00
Municipal court	19,342.61
Pound	462.50
Public-convenience stations	1,377.29
Railings, etc	411.50
Sewer and gas permits	4,076.00
Surveyor	8,304.16
Tax certificates	2,336.25
Water-service permits	1,601.00
Superintendent of weights, measures, and markets	3,141.36
Rents:	
Wharves, street termini, and buildings	11,387.05
Fish wharf, including wharfage fees	1,421.47
Sales:	
Old material	2,980.16
Houses	117.65
District regulations	117.48
Manure and street sweepings	56.75
Workhouse	3,648.34
Alleys	1,462.08
Special assessments:	
Assessment and permit work, sewers	35,980.99
Assessment and permit work, sewers, interest	1,275.37
Main and pipe sewers	337.00
Main and pipe sewers, interest	18.05
Suburban sewers	2,635.00
Suburban sewers, interest	168.16
Assessment and permit work, streets	50,721.80
Assessment and permit work, streets, interest	1,358.97
Various sections	1,632.33
Various sections, interest	80.66
Suburban streets	2,875.10
Suburban streets, interest	73.78

Special assessments—Continued.	
Interior park	$1,590.97
Interior park, interest	5.64
Street extensions	24,453.72
Street extensions, interest	495.53
Miscellaneous:	
Board and care of insane	4,899.25
Tuition nonresident pupils, public schools	7,533.17
Police court, unclaimed collateral	31.00
Judgments	4,108.19
Damages to District property	286.07
Automobile wheel tax	20.00
Railroad passenger tax, Highway Bridge	5,891.99
Condemnation of Engine House No. 3, square 683	9,062.00
Baltimore & Ohio Railroad Co., account construction of Cedar Street subway and bridge, Takoma Park	7,619.91
Reimbursement account appropriations for extension of water mains pursuit to act of June 26, 1912, first installment	17,118.41
Total	264,795.86
Less amount transferred from United States to District of Columbia revenues after close of year in Treasury Department for railroad passenger tax, Highway Bridge, for passengers carried Jan. 1, 1912, to June 30, 1912	2,830.63
	261,965.23

Mr. President, that money, at the close of the year, has been turned over to the government of the District of Columbia on the principle of the half and half. Now, let us repeal the statute, the organic law, so called, as it stands to-day.

By the way, that reminds me to call attention to the fact that there is to be no apportionment of these revenues upon a basis that can be well calculated. Suppose we exact the nearly $7,000,000 the District has collected from the taxpayers this year, and the appropriation bill carries $11,200,000. The District would have a proportion of 7 to 4.20, and I do not see how in the world they could very well apportion the various items that are to be returned to the Treasury. Certainly it would be a pretty complicated system of bookkeeping, and we would be called upon to appropriate for a great many more clerks than are provided for in this bill.

Deposited in Treasury direct.

Surplus fees:	
Register of wills	$273.36
Recorder of deeds	6,833.72
Clerk, court of appeals	1,829.53
Clerk, supreme court	286.58
Rents, engineer in charge of public buildings and grounds	1,424.44
Sales:	
Engineer in charge of public buildings and grounds	183.87
Disbursing agent, Smithsonian Institution, account National Zoological Park	87.28
Engineer in charge Washington Aqueduct	258.69
Register of wills	2.25
Washington Market Co. franchise rental	3,750.00
Total collections deposited to credit of United States account fiscal year ended June 30, 1913	276,894.95

Those amounts are turned back into the Treasury.

Through collector of taxes.

Fees:	
Advertising taxes in arrears	$2,281.20
Bathing beach	429.35
Building permits	12,411.55
Crematorium	187.50
Electrical permits	2,532.50
Gas and meters	2,877.90
Health department	239.00
Municipal court	17,232.52
Pound	640.38
Public-convenience stations	1,451.31
Railings, etc	465.00
Sewer and gas permits	2,978.50
Surveyor's fees	6,767.95
Tax certificates	2,059.50
Water-service permits	1,190.00
Sealer of weights and measures	3,214.02
Rents:	
Wharves, street termini, and buildings	12,998.86
Fish wharf, including wharfage fees	5,052.08
Sales:	
Old house on property bought by District of Columbia	28.00
Old material	2,743.01
District regulations	168.18
Manure and street sweepings	36.50
Services and supplies	2,678.48
Workhouse	6,477.39
Special assessments:	
Assessment and permit work, sewers	32,216.87
Interest	1,373.72
Main and pipe sewers	26.18
Interest	2.60
Suburban sewers	1,416.35
Interest	93.28
Assessment and permit work, streets	48,008.54
Interest	1,516.61
Various sections	1,302.37
Interest	43.97
Suburban streets	3,267.15
Interest	116.31
Interior Park	2,055.59
Interest	80.88
Street extensions	7,347.97
Interest	485.26
Miscellaneous:	
Board and care of insane	$9,103.32
Tuition of nonresident pupils, public schools	6,431.08
Police court, unclaimed collateral	83.50
Judgments	43.80
Damages to District property	364.82
Railroad passenger tax, Highway Bridge	6,257.10
Reimbursement of the United States by the water department on account of advances for extension of water mains	20,000.00
Reimbursement of the United States for one-half of cost of site of District pound and stable	4,100.00
Total	232,886.95

That money is turned back upon the principle of the half and half.

Mr. President, those are some of the matters that we would have to deal with, and I will come to a good many others in a moment.

Deposited in the Treasury direct.

Home Title Insurance Co., account District Supreme Court, expenses, in re Capitol Plaza condemnation, rebate on expenses, abstracts of title	$412.50
Recorder of deeds, surplus fees	2,928.24
Register of wills, surplus fees	38.63
Clerk of Court of Appeals, surplus fees	2,392.77
Disbursing agent Smithsonian Institution, sale of old material, National Zoologic Park	34.38
National Training School for Girls, sales	5.00
Engineer in charge Washington Aqueduct, sales of old material	450.00
Engineer in charge public buildings and grounds:	
Sales of old material	192.02
Rents	1,355.50
Washington Market Co., rental	3,750.00
Total collections deposited to credit of United States fiscal year ended June 30, 1914	244,445.99

It is submitted in all fairness that if it be decided that the District of Columbia shall, to the extent of its revenues, pay the expenses of local government, with the United States contributing the residue between the amount of the revenues and the appropriations for each fiscal year, that all these laws whereby the General Government is the beneficiary should be either repealed and the District of Columbia permitted to retain all of these moneys as a part of its revenues or else the several laws in reference to these various moneys should be modified so that they may conform to the amendment in question. In principle, at least, the District is entitled to claim as its own all moneys which flow or result from local administration.

It seems most inadvisable to abrogate the half-and-half system, which has been in operation for 37 years, until a thorough and careful investigation has been conducted upon which a conclusion could then be reached and the equities of the United States and the District of Columbia in the premises carefully weighed and definitely determined.

If the amendment in question be adopted, then all acts which Congress has passed from 1878 down to the present time which in any way affect local revenues should be inquired into and made to conform to the new procedure. The following laws, hastily arranged and therefore not to be accepted as being all the laws bearing upon the matter, are submitted to illustrate this point:

MISCELLANEOUS FEES.

"SEC. 10. On and after July 1, 1912, fees collected by the District of Columbia shall be paid into the Treasury of the United States and the District of Columbia in equal parts, as follows, namely, fees of superintendent of weights, measures, and markets; fees of surveyor's office; health department fees; pound fees; fees for railing permits; fees for building permits; fees for electrical permits; bathing beach fees; fees from public-convenience stations; fees for tax certificates; fees of the municipal court; and fees collected by the building-inspection division on account of permits, certificates, and transcripts of records issued by the inspector of buildings; and the surplus fees of the recorder of deeds and register of wills, together with the tuition of nonresident pupils in public schools and the tax of one-half of 1 cent paid by any street or other railroad company for each passenger carried across the Highway Bridge; and the annual wheel tax on all automobiles or other motor vehicles." (District of Columbia appropriation act, Approved June 26, 1912.)

COURT OF APPEALS.

"That on or after July 1, 1912, the fees collected by the clerk of the court of appeals, District of Columbia, shall be deposited in the Treasury, one-half to the credit of the District of Columbia." (Legislative appropriation act, approved Aug. 23, 1912.)

SUPREME COURT.

"That on and after July 1, 1912, the surplus fees collected by the clerk of the Supreme Court of the District of Columbia shall

be deposited in the Treasury, one-half to the credit of the District of Columbia." (Legislative appropriation act, approved Aug. 23, 1912.)

ADVERTISING TAXES.

"Advertising taxes in arrears * * * to be reimbursed by a charge of 50 cents for each lot or piece of property advertised." This appropriation being payable half and half, reimbursements are made in like proportion, United States and District of Columbia, one-half each. (Annual District of Columbia appropriation acts.)

PUBLIC CREMATORIUM.

"All fees collected under the provisions of this act shall be paid to the collector of taxes of the District of Columbia, and be by him deposited in the Treasury of the United States, one-half to the credit of the United States and one-half to the credit of the District of Columbia." (Act to provide for the establishment of a public crematorium in the District of Columbia, and for other purposes, approved Apr. 20, 1906.)

GAS AND METERS, LEASES OF STREETS, WHARVES, RESERVATIONS, AND WHARF CHARGES.

"That hereafter all fees collected by the inspector of gas and meters and the harbor master and amounts collected for leases of streets and reservations and wharf charges shall be paid to the collector for payment into the Treasury to the credit of the United States and the District of Columbia in equal parts." (District of Columbia appropriation act, approved July 18, 1888.)

SEWER, WATER, AND GAS PERMITS.

"That the fees authorized by this section shall be paid to the collector of taxes of the District of Columbia and by him deposited in the Treasury of the United States, one-half to the credit of the United States and one-half to the credit of the District of Columbia." (Act of Apr. 28, 1892; 27 Stat., 21.)

SALE OF OLD MATERIAL—SURPLUS FUND—UNEXPENDED BALANCES, DISTRICT APPROPRIATIONS.

"That hereafter any moneys received from the sale of animals or materials of any sort purchased under appropriations made for the District of Columbia since July 1, 1878, other than the water department, shall be paid into the Treasury of the United States to the credit of the United States and the District in equal parts; and all balances of appropriations that have been heretofore made or that shall be made hereafter for the District of Columbia under section 3 of the act of June 11, 1878, entitled 'An act providing a permanent form of government for the District of Columbia,' heretofore or hereafter remaining unexpended at the end of two years from the close of the fiscal year for which such appropriations have been or shall be made, shall be covered into the Treasury, one-half to the credit of the surplus fund and one-half to the credit of the general fund of the District of Columbia." (Act of Mar. 2, 1889; 25 Stat., 808.)

That is the act that my eye fell upon which led me to think there might be other statutes of the same nature.

SALE OF DISTRICT REGULATIONS.

"* * * such publications shall only be disposed of by sale at not less than the cost price and 10 per cent thereof; and all moneys received from the sale of said regulations shall be paid into the Treasury of the United States to the credit of the District of Columbia and the United States in equal parts." (Deficiency appropriation act, approved Mar. 4, 1911.)

WORKHOUSE SALES.

"That the Commissioners of the District of Columbia are hereby authorized, under such regulations as they may prescribe, to sell to the various departments and institutions of the government of the District of Columbia the products of said workhouse, and all moneys derived from such sales shall be paid into the Treasury, one-half to the credit of the United States and one-half to the credit of the District of Columbia." (District appropriation act, approved Mar. 2, 1911.)

ASSESSMENT AND PERMIT WORK.

"On and after July 1, 1911, all collections for work done under the assessment and permit system shall be deposited by the collector of taxes in the Treasury of the United States to the credit of the revenues of the United States and the District of Columbia in like proportion as the said revenues were charged with the appropriations provided for their respective purposes." (District of Columbia appropriation act, approved Mar. 2, 1911.)

INTERIOR PARK.

"* * * That of the amounts found due and awarded by the jury in said condemnation proceedings as damages for and in respect to the land to be condemned, plus the cost and expense of said proceeding, not less than one-third thereof shall be assessed by the jury as benefits." (District of Columbia appropriation act, approved Mar. 2, 1911.)

This appropriation being payable half and half, the assessments for benefits are being deposited in like proportions.

STREET EXTENSIONING ASSESSMENTS.

The costs and expenses of the condemnation proceedings taken under the various acts, plus specific awards for damages payable thereunder, are assessed wholly or in part against property benefited and the moneys covered into the Treasury as specified in the particular act.

"Lanier Place and Eighteenth Street: That of the amount found to be due and awarded by the jury in said proceedings as damages for and in respect to the land to be condemned for the extension of Lanier Place, Eighteenth Street, and the connecting streets above described, plus the cost and expenses of the proceeding taken hereto, not less than two-thirds shall be assessed by the jury as benefits. * * * The amounts assessed as benefits when collected shall be covered into the Treasury to the credit of the revenues of the District of Columbia and the United States in equal parts." (District of Columbia appropriation act, approved Mar. 2, 1911.)

"Extension of Q Street NW.: That the entire amount found to be due and awarded by the jury in said proceedings as damages for and in respect of the land to be condemned for said widening and extension plus the cost and expenses of said proceedings shall be assessed by the jury as benefits. * * * The assessments for benefits, when collected, to be covered into the Treasury in equal parts to the credit of the revenues of the District of Columbia and the United States. (District of Columbia appropriation act, approved Mar. 2, 1911.)

"Land near Connecticut Avenue Bridge—Belmont Road to Calvert Street and Waterside Drive: The amounts assessed for benefits to be paid to the District of Columbia and covered into the Treasury to the credit of the revenues of the District of Columbia and the United States in equal parts. (Public act, No. 73, approved Mar. 2, 1910.)

"Extension of Nineteenth Street from Belmont Road to Biltmore Street: Amount appropriated for costs, etc. * * * To be repaid to the District of Columbia from the assessments for benefits and covered into the Treasury to the credit of the revenues of the District of Columbia and the United States in equal parts. (Public act, No. 184, approved May 18, 1910.)

"Road along south bank of Anacostia River: That one-half of the amount found to be due and awarded as damages for and in respect of the land condemned for said road, together with the costs and expenses of the proceedings, shall be assessed by the jury as benefits * * * and a sufficient amount to pay for the land taken hereunder is hereby appropriated, one-half to be paid out of the revenues of the District of Columbia and one-half out of any money in the Treasury not otherwise appropriated. The costs being paid half-and-half, the assessments are repaid in like proportion." (Public act, No. 336, approved Mar. 4, 1909.)

REIMBURSEMENTS ACCOUNT, BOARD AND CARE OF INSANE.

"Hereafter all collections or reimbursements on account of charges paid or payable by the District of Columbia for the care and support of the insane of said District at the Government Hospital for the Insane shall be made to the Commissioners of the District of Columbia and covered into the Treasury of the United States to the credit of the revenues of the United States and the revenues of the District of Columbia in equal parts." (Deficiency appropriation act, approved Mar. 4, 1913.)

TUITION NONRESIDENT PUPILS, PUBLIC SCHOOLS.

"Pupils shall not be admitted to or taught free of charge in the public schools of the District of Columbia: * * * *Provided*, That any other nonresident pupil may be admitted to and taught in said public schools on the payment of such amount, to be fixed by the board of education with the approval of the Commissioners of said District, * * * and all payments hereunder shall be paid into the Treasury of the United States, one-half to the credit of the United States and one-half to the credit of the District of Columbia." (District of Columbia appropriation act, approved June 26, 1912.)

POLICE COURT UNCLAIMED COLLATERAL.

"Hereafter all moneys remaining in the hands of the clerk of the police court for a period of two years and more for which claim or demand has not been made by the persons entitled thereto shall be paid over by the said clerk to the collector of taxes of the District of Columbia, and by him deposited in the Treasury to the credit of the revenues of the District of Columbia and of the United States in equal parts." (District of Columbia appropriation approved May 18, 1910.)

JUDGMENTS IN FAVOR OF THE DISTRICT OF COLUMBIA.

Appropriations for payment of judgments against the District of Columbia, being paid for half-and-half, all collections on account of judgments in favor of the District are deposited in the Treasury to the credit of the United States and the District of Columbia in equal parts. (Various deficiency appropriation acts.)

COLLECTIONS ACCOUNT DAMAGES TO DISTRICT PROPERTY.

The appropriations for the expenses of the government of the District of Columbia being paid for half-and-half, all collections account of damages to District property are paid into the Treasury of the United States, one-half to the credit of the United States and one-half to the credit of the District of Columbia.

REIMBURSEMENT OF THE UNITED STATES ACCOUNT MONEYS PAID OUT CHARGED HALF-AND-HALF FOR EXTENSION OF WATER MAINS TO CONGRESS HEIGHTS, ETC.

The water department is required to reimburse the United States its half of certain appropriations advanced for extension of water mains to Congress Heights, Benning, and the Conduit Road, appropriated during the fiscal years 1911 and 1912, said reimbursement being required by District of Columbia appropriation act approved June 26, 1912.

WASHINGTON MARKET CO. RENTAL.

Deposited as "amounts collected for leases of streets and reservations * * * into the Treasury to the credit of the United States and the District of Columbia in equal parts." (District of Columbia appropriation act approved July 18, 1888.)

REPAIRING PAVEMENTS OF STREET RAILWAYS WHEN NECESSARY.

"* * * the amounts thus expended shall be collected from such railroad companies * * * and shall be deposited to the credit of the appropriation for the fiscal year in which they are collected"; that is, deposited half and half. (District of Columbia appropriation act approved July 21, 1914.)

CONSTRUCTION AND REPAIR OF RAILWAY BRIDGES.

"* * * appropriation available for repairing, etc., * * * and the amount thus expended shall be collected from such railway * * * and shall be deposited in the Treasury to the credit of the United States and the District of Columbia in equal parts"; that is, half and half. (District of Columbia appropriation act approved July 21, 1914.)

STREET LIGHTING ALONG LINES OF STEAM RAILROADS.

"Street lighting along railroad lines other than street railroads, required to be paid for by companies, moneys received therefrom are credited to appropriations for lighting; that is, half and half." (District of Columbia appropriation acts approved May 26, 1908, and Mar. 4, 1913.)

BENNING ROAD VIADUCT AND BRIDGE.

"That the cost of constructing said viaduct and bridge, including approaches thereto, shall be borne and paid one-half by said companies in proportion to the widths of their respective rights of way * * * to the Treasurer of the United States, one half to the credit of the District of Columbia and the other half to the credit of the United States, * * * and any * * * change * * * in tracks of Washington Railway & Electric Co. * * * shall be made by and at the cost of said railway company, * * * and in event of refusing to do such work, same shall be done by the Commissioners of the District of Columbia * * * and collected * * * and paid into the Treasury, one-half to the credit of the United States and one-half to the credit of the District of Columbia." (District of Columbia appropriation approved July 21, 1914.)

PENNSYLVANIA AVENUE BRIDGE ACROSS ROCK CREEK.

"* * * Capitol Traction Co. shall, after the completion of said bridge, pay into the Treasury of the United States, one-half to the credit of the United States and one-half to the District of Columbia, a portion of the total cost of said bridge * * * equal to one-third thereof." (District of Columbia appropriation act approved Mar. 4, 1913.)

CEDAR STREET SUBWAY AND BRIDGE.

"* * * That no street railway shall use the subway herein authorized for its tracks until such company shall have paid to the Treasurer of the United States a sum equal to one-fourth of the total cost of said subway and bridge, one-half thereof to be credited to the United States and the other to be credited to the District of Columbia." (District of Columbia appropriation act approved May 18, 1910.)

MONROE STREET BRIDGE, BROOKLAND.

"That no street railway company shall use the bridge herein authorized for its tracks until such company shall have paid to the Treasurer of the United States a sum equal to one-sixth of the total cost of said bridge, one half thereof to be credited to the United States and the other half to the credit of the District of Columbia." (District of Columbia appropriation approved Mar. 2, 1907.)

Mr. President, all these citations go to show that we have on hand in the consideration of this amendment a subject of much greater importance than appears at first blush. We have been living under a system of taxation in this District for over 30 years. It has worked as a rule fairly well. It has been discovered that very likely the Government ought not to pay one-half the cost of administering the government of this great District. I do not share in that view, and yet I do not combat it; but what I want, Mr. President, is that this matter shall be gone into carefully, seriously, and with a view to ascertaining all the facts and all the equities of the case before we abrogate that system and enter upon a different plan.

It is well known that all appropriations which are chargeable to the revenues of the District of Columbia are not carried in the regular District bills. I call attention to a fact which had been overlooked when a Senator said that the District of Columbia paid nothing for the upkeep of the Zoological Park or the Potomac Park. The District of Columbia paid one-half the cost of acquiring these great parks, including Rock Creek Park. The District of Columbia pays one-half for the maintenance of those parks, but those appropriations are carried in the sundry civil appropriation bill as a rule and not in the District of Columbia appropriation bill.

Appropriations of this kind are contained each year in the sundry civil and legislative appropriation acts, in deficiency acts, public building acts, and special acts for parks, extension and widening of streets, and for other purposes. The amendment in question is apparently limited to appropriations contained in the regular District appropriation acts. Consequently, appropriations carried in other acts, unless brought within the provisions of this amendment, would probably continue to be paid under the half-and-half system. There is no doubt about that.

All appropriations chargeable to the revenues of the District of Columbia are not expended under the direction and control of the Commissioners of the District. A number of these appropriations are expended under the direction of the Attorney General of the United States, the Chief of Engineers of the United States Army, the militia authorities, and others. The District is not at any time furnished with information which shows for any given fiscal year the actual expenditures from and obligations outstanding under appropriations of the foregoing character. It would certainly be an anomalous situation should the proposed amendment be enacted to have such appropriations to continue to be so expended and the District authorities, therefore, without information to show what the actual expenses of the District yearly amount to. Information of this kind is essential to be considered in connection with local revenues and for the purpose of definitely ascertaining the amount that should be contributed in any given fiscal year to the District from the Federal revenues.

If the burden of maintaining and operating certain activities of government in the District of Columbia is to be borne in greater part by local revenues, then it should follow, in all fairness and justice, that the supervisory control of such activities be placed in the Commissioners of the District of Columbia and their subordinates. Reference is made to the filtration plant, the Washington Aqueduct, the Highway Bridge, public parks, and others. At the present time these activities of local government are under the complete and exclusive jurisdiction of officers of the Federal Government.

The provision in question says—

That all moneys appropriated for the expenses of the District of Columbia shall be paid out of the revenues of said District to the extent that they are available.

This is taken to mean revenues of the District represented by the actual cash collections during the fiscal year. As a matter of practical operation all appropriations made for the fiscal year are never wholly expended during that year nor are all revenues belonging to a fiscal year collected within the year. At the close of each fiscal year there remains unexpended on an average $2,000,000 of appropriations and uncollected revenue in the neighborhood of three-fourths of a million dollars. It is not clear how, under the proposed amendment, the amount which the United States is to contribute in a fiscal year to the District of Columbia can be definitely ascertained until all revenues of the District belonging to that year have been collected and appropriations authorized for that year expended. In the former case revenues may not be collected for 10 years or more, appropriations continue available for three years and some appropriations for a longer period. To state an account between the United States and the District of Columbia under

these circumstances at the close of a fiscal year would not present definite and accurate results.

It would not be practicable under the proposed amendment to determine until the close of the fiscal year how certain moneys covered into the Treasury from time to time during the year should be credited as between the revenues of the United States and the District of Columbia. Where such moneys are treated in the light of the pro rata participation by the United States in the expenses of local government for that year, the final disposition of these moneys would have to wait upon the determination of the General Government equities therein, which could not be ascertained until the finances of the whole year had been reviewed and the accounts stated.

If the amendment in question be adopted, then all appropriations chargeable in any way to the revenues of the District of Columbia should be included in the District appropriation bill, and all moneys in any way affecting the revenues of the District should be paid to the collector of taxes. Only in this way can all essential information be brought together whereby it would be possible for the District authorities to definitely and accurately determine the total charges payable by the District for each fiscal year, the revenues available for that year to be applied to the charges, and in this way ascertain the residue to be contributed by the General Government. At the present time and for years past appropriations of the District have been carried in any number of separate appropriations and special measures with the consequent decentralized control, and with the result that in no one place is the necessary data gathered together for analysis and report. Large sums of money representing revenue of the District of Columbia are paid directly into the Treasury and do not pass through the collector of taxes, and this fact causes confusion in reaching accurate conclusions as to the revenues of the District in a particular fiscal year. If the United States is to contribute toward local expenses only so much of the appropriations as the District revenues fall short of meeting, then it is imperative that the entire control over all appropriations in any way affecting the District and over all revenues in any way belonging to it should be centralized in the commissioners and their subordinates.

At the present time there are certain appropriations which are payable from the revenues of the District. Should the proposed amendment be adopted, the limitations placed upon said appropriations should be removed and the appropriations made in like manner as those provided for other expenses of the District.

Any action directed to the disturbance of the system of joint liability on the part of the General Government and the District government toward the maintenance of local administration should be taken in the light of and with an intelligent consideration of the effect that such action would have upon the large number of laws now standing upon the statutes dealing with the revenues and appropriations of the District, upon the procedure by which appropriations are expended and revenues collected, and upon the accounting and reporting systems of the District government and the Federal Government.

Mr. President, I have called attention to the difficulties that are in the way of deciding this matter offhand. It will involve us, I think, in inextricable confusion, and instead of reaching equity we will reach conclusions that will be unfair, unjust, and detrimental to the best interests of both the Government and the District of Columbia.

I want simply to add that I hold no brief for the District of Columbia. I have no interest that can possibly be affected by any legislation that is enacted. But I want, in fairness and in justice, in support of what I conceive to be well-considered and deliberate legislation, to plead that the existing condition may be allowed to continue for another year, and that in the meantime a joint committee, such as I have suggested in an amendment which I have sent to the desk, shall be appointed, and that it shall be given an appropriation sufficient to make a thorough, complete, comprehensive investigation of the entire subject; and when that report comes to Congress we will have a basis upon which to act in a legislative capacity. Without that, Mr. President, we are groping in the dark, and we are proposing to enact legislation that will not accomplish the purpose for which it is intended; it will create a great deal of confusion, so far as the statutes now on the books are concerned, and which ought in some manner be repealed or modified if the proposed amendments submitted by Senators not of the committee shall be agreed to.

My earnest plea is that the Senate shall follow its committee in this matter, and I make the plea in the full belief that the committee has acted wisely, and that to reject the recommendations of the committee will result in much more harm than some Senators can possibly conceive of.

Mr. RANSDELL. Mr. President, I wish to take a few moments to discuss a matter that is of vital concern to the District of Columbia and the entire United States—the pending treaty between this country and the Colombian Republic.

Never since the Latin-American Republics severed the political ties that bound them to their mother countries has there been such an opportunity for the American people to enlarge their trade relations with that part of the New World. The dreadful war now raging in Europe has not only diminished the demand for Latin-American products, but it has also cut off from Latin America the abundant supply of European capital through which the trade in question was largely controlled. At such a moment of exceptional opportunity, while the entire Nation is deeply interested, it is natural that those States which border on the Gulf of Mexico, possessed as they are of the great ports of Galveston, New Orleans, Mobile, Pensacola, and Savannah, should be especially eager to acquire as much as possible of that splendid Latin-American trade which Europe is now losing.

There is one serious barrier that stands across the path of this great opportunity, which the Senate may remove by prompt and just action. I refer to the grievance of a Central American Republic against the United States which all Latin America considers its own. It is not the cause of one; it is the cause of all; and until that grievance is removed by the act of justice to which we are now committed by treaty with Colombia there can be no cordial peace with the Latin-American world.

Mr. SMITH of Maryland. Mr. President——

The PRESIDING OFFICER. Does the Senator from Louisiana yield to the Senator from Maryland?

Mr. RANSDELL. I yield to the Senator.

Mr. SMITH of Maryland. I will ask the Senator from Louisiana if he is discussing the pending bill?

Mr. RANSDELL. Not especially. I am exercising the prerogative which belongs to every Senator to discuss a matter which relates to the whole American people and is of the greatest interest to this District and to every citizen of America.

Mr. SMITH of Maryland. That may be true; but the question before the Senate now is the District of Columbia appropriation bill, and it seems to me it is out of order to interrupt it by some foreign matter, something that does not pertain to the bill. I dislike very much to interfere with anything the Senator may have to say, because I have the utmost regard for him, but it does seem to me that it is inappropriate at this time to bring any matter of this kind before the Senate when we are discussing the appropriation bill.

Mr. RANSDELL. I think I have a right to make this discussion at this time, and hope the Senator will not try to cut me off. The matter I am discussing does relate to the District of Columbia, as it concerns all the people of America, and I think all of them ought to hear what I have to say.

Mr. President, I find in publications appearing in this country during the present month two presentations that embody exactly the ideas I desire to express on this subject. I shall read first from a very thoughtful and conservative article in the current number of the Atlantic Monthly, the exponent of the best thought of New England, in which the writer, under the title "A new era of good feeling," says:

> As ranking second on the list of those important constructive acts of the Wilson administration which certainly will affect Latin-American sentiment toward this country favorably, should come the signing of the treaty with Colombia at Bogota, on April 6. The administration has given every evidence of a resolve to push this treaty to confirmation by the Senate. It already has been approved by the Colombian senate. The treaty was referred to by the President in transmitting it to the Senate as one "between the United States and the Republic of Colombia for the settlement of their differences arising out of the political events which took place on the Isthmus of Panama in November, 1903."
>
> I shall not attempt here to defend the treaty from the political criticisms which have been directed against it by Members of Congress or to disprove Col. Theodore Roosevelt's declaration that it is "blackmail." It will suffice to say that the establishment of the administration's determination to have the treaty made effective between the two countries will do much to smooth out an important obstacle in the way of a constructive Latin-American policy.
>
> Whatever Mr. Roosevelt's views respecting the part played under his responsibility by the United States in the "political events on the Isthmus of Panama in November, 1903," which resulted in the acquirement of the Canal Zone by this Government, there is no considerable division of opinion on this subject in Latin America. The people of Latin America generally accept the view that the revolutionary movement which established the Republic of Panama was deliberately fostered by American interests with the approval of the Roosevelt administration.

Mr. JONES. Mr. President——

The PRESIDING OFFICER. Does the Senator from Louisiana yield to the Senator from Washington?

Mr. RANSDELL. I yield to the Senator.

Mr. JONES. Mr. President, I do not want to interrupt the Senator from Louisiana especially, and I have no objection to his proceeding with this discussion; but I wish to know whether or not it is understood that the Colombian treaty will be discussed in open session.

Mr. RANSDELL. I am not prepared to answer that question. I am simply trying to present my views on this very important subject to the American people and to quote the opinions expressed in very thoughtful and conservative publications.

Mr. JONES. I simply wish to say that I am very glad to see it done.

Mr. RANSDELL. I hope the matter will be discussed in open Senate.

Mr. JONES. I hope so, too, and I am glad to see that nobody is making any objection to its discussion now in the open Senate.

Mr. RANSDELL. Mr. President, permit me to emphasize the paramount importance of the thought just expressed when I was interrupted by the Senator from Washington. It matters very little what our people think on this subject, or what side of the controversy we, as individuals, may espouse; we are so big and rich and powerful that we can not afford to rest under the *least suspicion* of wrongdoing. The crucial point is, What do the vast majority of our Latin-American brethren think? And, as they agree with Colombia rather than with Mr. Roosevelt, would it not be the height of wisdom to make them our real friends when it can be done honorably and at such small cost?

Resuming the quotation from the Atlantic Monthly, the writer says:

Gen. Reyes, from whose book I have quoted friendly comment upon the attitude of his blood kin toward the United States, was in command of the military expedition which the Colombian Government dispatched to reestablish order in the Isthmus at the outbreak of the Panamanian revolution. In his narrative of the happenings under which he says that Colombia was deprived of her sovereignty, Gen. Reyes declares that the success of the revolution was made possible solely by the act of the American cruisers under Admiral Coghlan in preventing the Colombian forces from landing. He points to the recognition of the new Republic two days after it had declared its independence of Colombia, and to the agreement 14 days thereafter upon a treaty guaranteeing the rights of the new Republic and providing for the construction of the canal.

In conclusion, he says:

The claims of Colombia in this matter do not merely embody monetary compensation for the material losses involved in the dismemberment of her territory. They include as a paramount consideration a recognition of the moral wrong inflicted upon her, and, by reflection, upon all the other Latin-American countries, by an attack upon her territorial integrity, solemnly guaranteed at an earlier period by binding treaty obligations of the United States.

With this view permeating the Latin-American mind, the wisdom of eradicating it through the treaty signed at Bogota can not seriously be questioned from the standpoint of the constructive purposes which the President of the United States has in mind. The treaty negotiated at Bogota meets all the requirements of Latin-American thought so far as it is practicable to do so. It furnishes financial reparation in the form of $20,000,000—by mistake for $25,000,000—in gold, and of special privileges in the use of the canal and the Panama Railway; and in article 1 it makes this important concession:

"The Government of the United States of America, wishing to put at rest all controversies and differences with the Republic of Colombia arising out of the events from which the present situation on the Isthmus of Panama resulted, expresses, on its own part, and in the name of the people of the United States, sincere regret that anything should have occurred to interrupt or to mar the relations of cordial friendship that had so long subsisted between the two nations."

This sentiment is thus reciprocated by Colombia:

"The Government of the Republic of Colombia, in its own name and in the name of the Colombian people, accepts this declaration in the full assurance that every obstacle to the restoration of complete harmony between the two countries will thus disappear."

Turning my eyes from Boston to New York, I find in the long established and influential paper entitled "Las Novedades," published there in Spanish, a general review of the year 1915. At the head of that review appears an article as to our controversy with Colombia, of which the following is a translation:

[Las Novedades.]

NEW YORK, *Thursday, January 7, 1915.*

It is quite possible that 1915 may be known in history as "the black mournful year," during which the hideous European war reached its most awe-striking proportions. And if there were not a splendid compensation it might also be named the nefarious year of return to barbarism.

But 1915 will see the official inauguration of the Panama Canal, the gigantic work of progress, of peace, of union between all the nations, and the splendid event will insure to this year the most brilliant place in the annals of posterity.

In passing gloriously through the canal the vessels of the whole world will be preceded by the Stars and Stripes, surrounded by the banners of all the nations.

All the nations?

Let us hope so. Then for the glory and honor of Washington's country there will also be present the one nation whose presence is necessary to uplift material greatness by the moral grandeur of justice.

Nothing could prevent the Latin-American Republics from being oppressed with profound sorrow if they should miss in the inauguration of the canal, Colombia's flag; if they should hear in such a place, at such a moment, the complaint of a weak sister offended in her most tender interests.

It would be lamentable, indeed, if to-morrow the historian of the great inauguration were to record that the nation that once was sovereign of the soil and territory of the Isthmus pleaded in vain during long, anguishing years for the fair redress due her in full justice.

But, on the contrary, what a comforting and noble example of moral grandeur of this American people it would be if they can head the historical pageant with the flags of the United States, Colombia, and Panama together in one embrace, thus symbolizing the cordial union between the powerful builder of the canal, the once proprietor nation of the soil, and the young nation heiress to the efforts of the former and to the sovereign title of the latter.

In order that this high and inspiring example may be possible and fruitful the Senate of the United States should, and let us hope will, approve the treaty signed by the American minister at Bogota on April 6, 1914.

And truly, now more than ever, must the United States feel the need of relying upon the moral support of all America. Its international problems reach the proportions of world-wide problems; and in order that its voice may have the universal authority that the great powers seem inclined to grant this Nation it is necessary that none—not even the smallest—of the peoples of America may have ground to charge the United States with having violated solemn treaties at these times when the American Union is invited by all the belligerent powers to act as judge in the tribunal of universal public opinion and afterwards as a friendly arbitrator in questions involving outrages to international law and the inviolability of treaties.

If not for such reasons, there is still another of an immediate interest that ought to prevail powerfully upon this Nation to settle once for all the vexatious question with Colombia. The State Department has just invited the secretaries of the treasuries of Latin-American nations to a conference at Washington to advise on economic matters tending to the unification of Pan-American interests, and this Nation could not ask those gentlemen to have faith in the obligations contracted by this country by means of its authorities if it does not settle beforehand and satisfactorily the pending claims of Colombia.

What American, whose heart is in the right place, can stand unmoved when he listens to these two noble yet entirely dispassionate appeals for justice to a weak nation. The closing paragraph of the article from Las Novedades may well have been inspired by President Wilson's high-thoughted speech delivered before the Southern Commercial Congress at Mobile, October 27, 1913, when he said:

I want to take this occasion to say that the United States will never again seek one additional foot of territory by conquest. She will devote herself to showing that she knows how to make honorable, fruitful use of the territory she has, and she must regard it as one of the duties of friendship to see that from no quarter are material duties made superior to human liberty and national opportunity. I say this not with a single thought that anyone will gainsay it, but merely to fix in our consciousness what our real relationship with the rest of America is. It is the relationship of a family of mankind, devoted to the development of true constitutional liberty. We know that that is the soil out of which the best enterprise springs. We know that this is the cause which we have in common with our neighbors, because we have had to make it for ourselves.

Let these just and patriotic sentiments of our President be our guide not only for the future but in making just compensation for territorial acquisitions in the past.

We should not forget that a few days before the close of President Taft's administration, as one of his very last official acts, he sent to Congress a message indorsing a communication from the then Secretary of State, Mr. Knox, which concludes as follows:

The very latest telegram from Mr. Du Bois shows that in a subsequent interview he took it upon himself informally to ask whether if the United States should, without requesting options or privileges of any kind, offer Colombia $25,000,000, its good offices with Panama, the arbitration of the question of reversionary rights in the Panama Railway, and preferential rights of the canal, the Government would accept; to which he was answered in the negative.

As everybody knows, Colombia then declined that suggestion, because her claim for damages against this country exceeded $50,000,000. In order that that claim might be settled amicably she appealed earnestly to this Government for arbitration, either before The Hague tribunal or before any special arbitral court that might be agreed upon. Was she entitled to demand arbitration? Let those who have doubts on that subject read the words of one held by this Senate for many years in the highest possible respect and esteem.

At the moment when Colombia presented her demand for arbitration to this administration, about May, 1913, the chairman of the Senate Committee on Foreign Relations was the late lamented Senator Augustus O. Bacon, of Georgia, who on January 29, 1904, had made a famous speech in the Senate, in which he advocated the making "of a treaty with the Republic of Colombia, submitting to the permanent court of arbitration at The Hague, or to some other tribunal to be agreed upon, for impartial arbitrament and peaceful determination, all questions between the United States and the Republic of Colombia growing out of the matters herein recited." After an exhaustive review of every question of fact and law involved in the taking of Panama, Senator Bacon made this declaration:

I am content with anything which shall commit the Government of the United States in the face of the world to the proposition that, whatever there may be of difference between the United States and Colombia, the United States, as a great overshadowing power which

can not be compelled by this feeble power to do anything, will voluntarily endeavor to agree with it in the settlement of existing differences; and that if it can not come to an agreement by peaceful negotiations it will not assert its great and resistless power, but that it will endeavor to have a determination of such differences and the claims growing out thereof by some impartial tribunal.

In the light of such antecedents the present administration determined to strive to "come to an agreement by peaceful negotiations" rather than concede Colombia's demand for arbitration. The result of those "peaceful negotiations" has been embodied in a treaty in which Colombia has, after considerable hesitation, agreed to compromise her claim for less than one-half of what she considered her just due.

As the time is almost at hand for the formal opening of the canal to the commerce of the nations, should there not be an end made at once of the prolonged and painful negotiations through which we have acquired the title to the territory over which it passes? Should we run the risk of being reproached by mankind in general, and by the Latin-American peoples in particular, for appropriating part of the territory of a sister Republic that can not defend herself?

Should we, by further delay in this matter, put a barrier across the paths of commercial communities now striving to win for the United States that part of the trade of Latin America which Europe is losing? Certainly in this grave matter every business man in the country should feel a profound interest.

But over and above all such commercial considerations stands the question of simple justice which involves our national honor. Let us not forget that as the peace keeper of the New World the Monroe doctrine imposes upon us certain grave moral responsibilities of a very delicate character. When we say to the nations of Europe, there is in existence in this hemisphere a peculiar system for the protection of the territory of our weaker neighbors, which foreign powers can not be permitted to violate, we should remember that every restraint we impose upon others for their protection is doubly binding on ourselves.

The world is aghast at the awful spectacle of the war in Europe, and we are destined to play a great part in helping to solve its problems and secure relief for its victims. Let us keep our own escutcheon clean, without blot or stain or even the shadow thereof, and continue to perform our mission of big brother to mankind without fear or favor and with no apprehension of reproach for any of our national acts.

Mr. President, the United States is the true friend of the weak and oppressed of all nations. We plunged our country into war in order to rescue suffering Cuba, and without counting our great cost in life and treasure made it a free Republic. Our rule in the Philippines has been the gentlest and best ever accorded a subject people, and when our little brown brothers shall have demonstrated their fitness for independence we will give it to them and will not exact compensation for the many millions expended on them, and will ask nothing for the hundreds of American lives sacrificed in their behalf.

Colombia is weak, and believes with her whole heart and soul that we have grievously wronged her. We refused her insistent requests for arbitration, and the President then negotiated the pending treaty. Can we afford to reject it, even if the justice of Colombia's claims be denied? Can we pursue a course that will injure our country very seriously in a business way; that will make an enemy of Colombia, and possibly other States south of us, and that will leave a stain upon our reputation in the opinion of nearly every Latin American? Unquestionably we can not. Every principle of generosity, sound business, and wise statesmanship demands that this treaty be ratified at once.

Mr. LIPPITT obtained the floor.

Mr. LODGE. Mr. President, will the Senator allow me to make a very brief statement?

Mr. LIPPITT. I yield to the Senator from Massachusetts.

Mr. LODGE. I desire to say, Mr. President, that I shall not attempt to say anything in regard to the Colombia treaty, because that treaty is not before the Senate either in executive or in open session, and also because I think the subject is one which should be discussed in executive session, as it is executive business.

Mr. LIPPITT. Mr. President, there has been an amendment offered to the District of Columbia appropriation bill, which is not now immediately before the Senate, but upon which I wish to say a very few words at this time, because, unfortunately, I will not be able to be here to-morrow when that particular amendment, perhaps, will come up for consideration. The amendment to which I refer is the one offered by the Senator from Kentucky [Mr. JAMES], which provides that intangible personal property shall be taxed by the District at the same rate as other property.

Under the present law in regard to property subject to taxation, all real estate and tangible personal property is taxed at the rate of 1½ per cent. That law was the result of a consideration which was given to this subject by Congress in the year 1902. Previous to that time, as I understand, there had been in the District what is known amongst students of taxation as a general property tax; that is, a uniform rate of taxation upon all property, real and personal, whether tangible or intangible. As a result of the consideration given the subject at that time, intangible personal property was eliminated from taxation.

From the earliest times a general property tax was almost the uniform system of taxation. The first method of taxation was to put a uniform rate upon all classes of property. That plan was followed for centuries, until in modern times, when the intricacies of business and commercial relations have made the injustice which resulted from it very prominent.

Mr. President, I am not going into a general discussion of the subject, partly because I am not qualified for it and partly because to-day I have not the time. I have had some personal experience in the difficulties of taxation, because for a few years I served on a board of tax assessors, in which capacity these subjects were very conspicuously brought to my attention. At that time—it was some 20 years ago—I conceived the idea that taxes on personal property were very unjust and that they work with great hardship upon the people least qualified to bear them—that is, people of small and moderate means, and particularly upon householders who are obliged to mortgage their property.

I simply want now to call the attention of the Senate to the views which are entertained by some people who have studied this subject from the theoretical and scientific standpoints and of some who have studied it from the practical standpoint as members of commissions of some of the States. I have here a recent volume, published in the year 1913, entitled "Essays in Taxation," by Edwin R. A. Seligman, McVickar professor of political economy, Columbia University. His first chapter, of some 62 pages, is devoted to a discussion of the advisability and the justice of a general property tax, meaning by that a common rate of taxation upon all forms of property. His summary of that tax and of its operation is as follows:

> Practically, the general property tax as actually administered is beyond all doubt one of the worst taxes known in the civilized world. Because of its attempt to tax intangible as well as tangible things, it sins against the cardinal rules of uniformity, of equality, and of universality of taxation. It puts a premium on dishonesty and debauches the public conscience; it reduces deception to a system and makes a science of knavery.

I particularly invite attention to this reason:

> It presses hardest on those least able to pay; it imposes double taxation on one man and grants entire immunity to the next. In short, the general propery tax is so flagrantly inequitable that its retention can be explained only through ignorance or inertia. It is the cause of such crying injustice that its alteration or abolition must become the battle cry of every statesman and reformer.

I do not know how stronger language could be written in regard to the injustice of that tax than this by a theorist of the character of Prof. Seligman.

I now wish to call the attention of the Senate to what has been said by the assessors of the State of New York, who gave consideration to this very same subject. They also are speaking of the general property tax, such as is sought by this amendment to be reestablished in the District after it was abolished some 10 or 12 years ago after careful consideration by this body. I will read first the language of Prof. Seligman in introducing the criticisms contained in the first annual report of the State assessors of New York in 1860, at page 12:

> If we sum up all these inherent defects, it will be no exaggeration to say that the general property tax in the United States is a dismal failure. * * * The following extracts from the New York reports are given as samples:
>
> "A more unequal, unjust, and partial system for taxation could not well be devised."
>
> "The defects of our system are too glaring and operate too oppressively to be longer tolerated."
>
> "The burdens are so heavy and the inequalities so gross as almost to paralyze and dishearten the people."
>
> "The absolute inefficiency of the old rickety statutes passed in a bygone generation [is patent to all]."
>
> * * * * * * *
>
> "The system is a farce, sham, humbug."
>
> "The present result is a travesty upon our taxing system, which aims to be equal and just."

In their report for 1879 the assessors of the State of New York say:

> It is a reproach to the State, an outrage upon the people, a disgrace to the civilization of the nineteenth century.

Mr. CUMMINS. Mr. President——

The VICE PRESIDENT. Does the Senator from Rhode Island yield to the Senator from Iowa?

Mr. LIPPITT. I yield, Mr. President.

Mr. CUMMINS. I rise simply to ask whether the very emphatic language which the Senator from Rhode Island has quoted is used with regard to tangible property as well as intangible property?

Mr. LIPPITT. No.

Mr. CUMMINS. I think the Senator will find that it is. That is to say, it is asserted that the old system of levying taxes upon property under a valuation such as we adopt is obsolete and ought to be abolished. I may be wrong, but I think the language is used somewhat in connection with the entire system.

Mr. LIPPITT. If the Senator will allow me to call his attention to the first quotation which I made, Prof. Seligman says:

Because of its attempt to tax intangible as well as tangible things—

It does so and so, as I have quoted. That is, he uses this language of criticism because it applies to intangible personal property as well as to tangible personal property.

As an illustration of what had happened in the State of New York, there are some figures given which are not unimpressive. A list is given of the amount of the taxable real estate and of the taxable personal property in New York for a series of years, from 1843 to 1911. It shows the rapid growth in the value of real estate as compared with the very moderate growth in personal property. I shall not undertake to quote all the figures; but in 1843 the value of the real estate in the city of New York was $476,999,000 and that of the personal property was $118,602,000. In the year 1911 the real estate in the city of New York had grown to $9,639,000,000, whereas the personal property had reached a value of only $482,000,000. In the city of Brooklyn, in 1893, whereas the real estate was assessed at $486,000,000 the personal property was valued at only $19,000,000. In other words, the personal property in that city at that time paid only 3 per cent of the entire tax on property.

No one with the slightest knowledge of the situation of those cities will suppose for a minute that the value of the personal property owned by their citizens bore any such relation to the real estate as these figures indicate. The fact of the case is that it has been impossible to assess the personal-property tax, and the result has been that in those cases where it is least desirable to assess it the possibilities of assessing it are the greatest. I mean by that that the estates of which women and children are the beneficiaries that pass through the courts become known to the last dollar and bear the full brunt of the taxation; whereas the estates of the people in active business are almost impossible to discover, and they entirely escape the tax.

My attention was called only to-day to an instance of a person of moderate means who had bonds of $6,000 paying 4 per cent interest. In the community where that person resided they were taxed 2 per cent, which was equivalent to a 50 per cent tax on the return on those bonds, which constituted a very large part of the entire property of that person.

In addition to the opinions which I have quoted, I wish to quote the language of the tax commission of the State of Rhode Island. One reason why I am discussing this proposition for the District is because three or four years ago this whole subject of taxation came up in the State. A very able commission were appointed for its consideration. They spent some three years, I think, perhaps more, in its consideration. They made several reports upon the subject, and as a result of it an entire and very radical change was made in the system of taxation in that State. They also considered the subject of the general property tax, which was the one that was in force at that time, and was the one that had been in force in the State, I presume, from the beginning; certainly for a very large number of years.

Prof. Seligman, from whose book I quote an extract from the report of the Rhode Island Commission, says:

The year 1910 opened with a report from another New England State. The Rhode Island committee, like its predecessors, found conditions most unsatisfactory.

I will state that I read from page 659 of the book entitled "Essays on Taxation," from which I have already been quoting. This follows a number of extracts from reports of different State commissions, criticizing in most cases the general property tax which it is now proposed to inaugurate again in the District of Columbia after it has been once abandoned. So that Prof. Seligman says:

The Rhode Island committee, like its predecessors—

That is, he refers to the previous reports quoted from in this chapter—

found conditions most unsatisfactory.

This is what the commission says:

The general property tax has proved ineffectual in producing revenue; unjust, because it places the burden upon the weak and unwary and the conscientious, while it allows the shrewd and powerful to escape; inadvisable, because it brings the law into disrepute and debases the morals of the community.

As a result of the study which was made by that commission and of some three years' consideration of the matter by the legislature and the people of the State, where it was the subject of very general thought and discussion, the recommendation of the committee, slightly altered, was adopted. The recommendation of the committee was that instead of the full rate of the general tax—which, in the city of Providence, I think at that time was about 1¾ per cent, and in other large centers of population in the State about the same amount—the tax on intangibles should be reduced to three-tenths of 1 per cent. As a result of consideration that rate was changed to four-tenths of 1 per cent, and a law was passed by the legislature of the State establishing the uniform rate of four-tenths of 1 per cent on various forms of corporate intangible property and on all other kinds of intangible property which were not specifically described in the act.

The result of that change, although it has been in operation but a short time, I think has been generally very satisfactory. I think it is to-day very generally approved by the people of the State. I have not the exact figures of the amount of tax that has been raised in consequence of it, but my impression is that there has been no diminution at all in the amount of the tax as a result of the increase upon the property which readily came to the front by reason of this low and generally regarded equitable rate, which brought to light a much greater amount of property than it was possible to discover under the old system. In other words, the tax under the new system, the justice of which is so generally recognized, applies to an amount of property so much larger than that previously available for taxation that the revenues of the State have not been in any way injuriously affected.

Mr. President, I am quoting these figures and these opinions for this purpose: It seems to me that without a careful consideration of the modern tendency of taxation, without giving due regard to the result of the studies of such people as Prof. Seligman and such authorities as the commissions of the State of New York, the State of Rhode Island, and a number of other States which report similarly along the same lines, this law, which was established for the District of Columbia 12 years ago by this body after, it is proper to assume, careful consideration, ought not to be hastily changed back to an old system that has been discredited by the studies of almost everybody who has considered it, and which has so many elements of manifest injustice and unfairness that the very slightest consideration of them brings them to the surface.

The Senator from New Hampshire [Mr. GALLINGER] has proposed a method of dealing with this subject that appeals to me very strongly. He proposes that the present system shall be left intact and that a commission or joint committee of the two Houses shall be appointed to study the matter and report to Congress at an early time. I think that is a fair and proper method of making a study of this subject and of accomplishing results in a scientific way.

Mr. NELSON obtained the floor.

Mr. GALLINGER. Mr. President, will the Senator yield to me for one moment?

Mr. NELSON. Certainly.

Mr. GALLINGER. In connection with what the Senator from Rhode Island [Mr. LIPPITT] has suggested, I desire to withdraw the amendment I offered and submit the one I send to the desk, it being more comprehensive than the other one, which was hastily drafted. I will ask the Senator to allow it to be read.

The VICE PRESIDENT. The Secretary will read the amendment.

The SECRETARY. On page 91, after line 4, it is proposed to insert the following as a separate section:

SEC. —. That a joint select committee shall be appointed, consisting of three Senators, to be appointed by the Presiding Officer of the Senate, and three Members of the House, to be appointed by the Speaker of the House of Representatives, whose duty it shall be to prepare and submit to Congress a statement of the proper proportion of the expenses of the government of the District of Columbia, or any branch thereof, including interest on the funded debt, which shall be borne by said District and the United States, respectively, together with the reasons upon which their conclusions may be based; and that said committee be further authorized and directed to investigate the tax laws applicable to the District of Columbia, together with all questions relating to the classes and kinds of property taxable thereunder, as well as all questions relating to the basis and rates of taxation of such property, with a view to any necessary change in or revision of said laws; and that said committee shall make report of its findings

and recommendations to Congress at the beginning of the next regular session. In the discharge of the duty hereby imposed said committee is authorized to employ such assistance as it may deem advisable, at an expense not to exceed the sum of $5,000; and said sum, or so much thereof as may be necessary, is hereby appropriated for that purpose.

Mr. GALLINGER. I thank the Senator.

Mr. SMITH of Maryland. Mr. President, will the Senator yield to me for just one minute?

Mr. NELSON. Certainly.

Mr. SMITH of Maryland. This amendment has been pending for several days. It does seem to me that an hour ought to be set for the conclusion of the debate upon it, and I should like to ask unanimous consent to fix an hour to-morrow when we shall vote upon the amendment. I suggest, therefore, that after the Senator from Minnesota has finished the bill go over as the unfinished business, and that the hour of 2.30 to-morrow be set to vote upon this amendment.

Mr. CLARK of Wyoming. That requires a roll call.

Mr. SHAFROTH. Mr. President, before that is done——

Mr. GALLINGER. The request would necessitate a roll call under the rules, Mr. President.

Mr. GORE. Mr. President, it is my purpose to offer a substitute for the amendment offered by the Senator from New Hampshire. I therefore send it to the desk in order that it may be read into the RECORD at this time.

The VICE PRESIDENT. Does the Senator from Oklahoma desire to have it read?

Mr. GORE. Yes, sir.

The VICE PRESIDENT. The Secretary will read the amendment.

The SECRETARY. In lieu of the amendment proposed by the senior Senator from New Hampshire it is proposed to insert the following as additional sections:

SEC. —. That there is hereby created a commission which shall consist of nine members, three of whom shall be Members of the Senate and appointed by the President thereof, three of whom shall be Members of the House of Representatives and appointed by the Speaker thereof, and three of whom shall be appointed by the President of the United States. The latter three shall be authorities upon the subjects of taxation and public utilities, and at least one of them shall be a resident of the District of Columbia. It shall be the duty of such commission—

(a) After thorough investigation to report to the Congress, on or before the first Monday in December, 1915, a system of scientific and equitable taxation for the District of Columbia, based upon principles of reciprocal justice as between the people of the District and the General Government.

(b) After an original investigation, or after conference with the public utilities commission of the District, the Interstate Commerce Commission, and other authorities, to report to the Congress, on or before the first Monday in December, 1915, as to the original cost of the public utilities in the District of Columbia, the cost of reproduction thereof, and their present value and capitalization; and also as to the cost and advisability of the public ownership of such utilities.

SEC. —. That the commission created by the preceding section shall have the power to sit during the sessions or recesses of Congress, to subpœna witnesses and compel their attendance, to administer oaths, to compel the production of books and papers, to employ all needful assistants and to fix their compensation, to keep a record of its proceedings, and to do all other acts and things necessary to the full discharge of the duties prescribed and imposed upon them by the preceding section.

SEC. —. That the members of said commission appointed by the President of the United States shall receive compensation at the rate of $7,500 per year; and the payment of such salaries and all other expenses shall be made upon the presentation of itemized vouchers approved by the chairman of the commission; and the sum of $30,000, to be paid out of any money in the Treasury not otherwise appropriated, is hereby appropriated to defray the expenses of said commission.

Mr. NELSON. Mr. President——

The VICE PRESIDENT. Does the Senator from Maryland prefer a request?

Mr. SMITH of Maryland. I suggest the absence of a quorum, sir.

Mr. SHAFROTH. I should like to offer my amendment before that is done, Mr. President.

Mr. NELSON. I suggest to the Senator from Maryland that he postpone that suggestion for a short time. I simply want to make a few remarks, which will not take over 15 or 20 minutes.

Mr. SMITH of Maryland. I withdraw it, sir.

Mr. SHAFROTH. Mr. President, I will inquire whether any amendment has been offered to the committee amendment on page 2?

SEVERAL SENATORS. Yes.

Mr. SHAFROTH. I understood that the amendment of the Senator from New Hampshire applied to that, and for that reason I did not introduce my amendment.

Mr. GALLINGER. I will say to the Senator that it could not well be offered to that amendment, and so I made a separate section of my proposition.

Mr. SHAFROTH. Very well. If there is no amendment pending to the amendment of the committee, I should like to have read the amendment which I will send to the desk.

Mr. ROOT. Mr. President, a parliamentary inquiry. I understood that the Senator from Kentucky [Mr. JAMES] offered an amendment. Am I wrong?

Mr. SHAFROTH. I do not think he offered it.

Mr. JAMES. No; I offered a new section to the bill.

Mr. ROOT. Then this is an amendment to the committee amendment?

Mr. SHAFROTH. Yes. This is an amendment which leaves the half-and-half principle in existence until June 30, 1916, and then makes a change in the proportions. It is designed to follow the committee amendment.

The VICE PRESIDENT. The Secretary will read the amendment.

The SECRETARY. Following the committee amendment, on page 2, line 11, it is proposed to insert:

That from and after the 30th day of June, 1916, 60 per cent of all moneys appropriated for the expenses of the government of the District of Columbia shall be paid out of the revenues of said District and 40 per cent out of the revenues of the United States.

Mr. NELSON. Mr. President, it is not my purpose to enter into any extended discussion of some of the questions arising in connection with this bill. I only pause in the first instance to say that I am greatly surprised at the fact that in many quarters it seems to be assumed that we who are disposed to criticize the existing system of taxation in this District and are disposed to criticize the system of apportionment are the enemies of the District of Columbia and hostile to its prosperity and progress. I think that insinuation or contention, which seems to percolate through the public press and in the atmosphere all around us, is entirely unwarranted.

At the time the present system of government was established the finances of the District of Columbia were in a deplorable condition. Financially the District had been wrecked as it were by those who were in control of the local government at that time. There was then a justification, in order to build up the city from its condition at that time and to help put it on its feet and on the road to prosperity, for making a division such as was made; in other words, for adopting the half-and-half principle.

A long time, however, has elapsed since then. The city of Washington has grown immensely. The Federal Government has helped it in various ways in securing large and extensive parks—Rock Creek Park, the Zoo, Potomac Park, and other parks. In addition to that we have helped a great many of the citizens of this city to unload on the Government a lot of dead property in localities that were not very progressive; and we have been buying acres of ground and demolishing the buildings, much to the benefit of the real-estate owners in this city.

I have often thought, Mr. President, I would like to see a statement of the amount of money that we have expended in this District in relieving property owners of what I might call partially dead or not very progressive property and having Uncle Sam assume the burden. I would like to see also a statement of the many instances where we have been buying property at exorbitant rates. We have shown a good deal of poor management. We bought three or four squares down on the Avenue, property that I conceive was not very salable; we bought it at a very high figure, and there it stands unused.

I remember some years ago we had a good, large building situated near Lafayette Square, between the square and Riggs Bank, that was used by the Department of Justice. All at once the building was torn down on the ground that it was not fit to be occupied. Then buildings were rented for the Department of Justice away down beyond another park, and there that piece of land has remained ever since, the property of the Government, unutilized, a sort of a park with a theater on one side and a bank on the other side.

The Senator from New Hampshire [Mr. GALLINGER] can remember that, a great many years ago—and I call his attention to the fact—they sought to unload upon the Government the old Globe Building down here on the Avenue, and an old rookery of a building over on G Street. I believe the building on G Street is now used by the Government in connection with the Government Printing Office. They actually got an item into the sundry civil appropriation bill to buy those old dilapidated buildings and unload them on the Government.

Mr. GALLINGER. Mr. President——

The VICE PRESIDENT. Does the Senator from Minnesota yield to the Senator from New Hampshire?

Mr. NELSON. Certainly.

Mr. GALLINGER. The Senator and I collaborated in defeating that proposition.

Mr. NELSON. I am very glad to say that the Senator from New Hampshire and myself in that instance were able to save the Government; and those buildings are still at large, wait-

ing, like Micawber, for something to turn up to relieve the owners.

Mr. GALLINGER. It is proper, however, that it should be said that the District of Columbia had no interest in that movement. That was entirely outside of the District government.

Mr. NELSON. I believe one of the buildings was used a part of the time for medical stores. I do not know whether it is used now for that purpose; and the building over on G Street, I believe, is used in connection with the Government Printing Office in some way.

Mr. GALLINGER. If the Senator will permit me, it is very interesting historical information he is giving us, and I will state that a very distinguished Senator, coming down the stairs of the building on Pennsylvania Avenue to which the Senator has alluded, an old-fashioned brick building that probably would have stood for a thousand years, discovered a crack in the wall, and he immediately went to the authorities and told them there was great danger of the building falling down; and they agreed with him and condemned it, and it was pulled down.

Mr. ROOT. The Department of Justice Building?

Mr. GALLINGER. Yes.

Mr. NELSON. Now, there is another thing that has always seemed to me strange. We have a lot of high, elevated ground in this city, especially in Judiciary Square, and our well-to-do people, our aristocratic people, somehow or other always gravitate to the northwest. Some years ago when they concluded to have a Post Office Department building, they built it in a swamp in the lowest part of the city below the Avenue, where the outlet of the Tiber used to be in old times; and it was said they did that to placate a couple of newspapers, who wanted it near their offices. There it stands, like a feudal castle, with an architecture that reminds one of the Middle Ages, in the midst of a swamp; and all that is needed to make it a perfect picture of a feudal castle of the Middle Ages is to dig a mote around it.

Mr. ROOT. May I suggest to the Senator from Minnesota that the Senator from Mississippi [Mr. WILLIAMS] characterized that building at the last session very appropriately as a cross between a German town hall and a brewery.

Mr. NELSON. I can see the force of that comparison, and it is more exact than my description.

Then farther down the Avenue the Capital Traction Street Car Co. had a power house. They had a lot where there was a dismantled power house that lay there as an eyesore for years and years. But finally they applied to the Government, and the Government took it from them at a great figure and put the Municipal Building there. It has always seemed a mistake to me that instead of putting that building in a swamp near the purlieus of the Tiber they did not put it on Judiciary Square where the other city buildings are.

I call attention to these things, Mr. President, in this mild, homeopathic way for the purpose of showing to the Senate that we have a little reason to be suspicious of some of the patriots of the city of Washington who have been working the Government all these years in the manner I have indicated. There is much more that could be said on this matter, acquiring property for Rock Creek Park and other extensions, but I will not go into that.

I desire now to call the attention of the Senate to the system of assessments in this country. I am not talking now about assessing credits; I am talking about the law of 1902, which prescribes not only the minimum rate at which the property is to be assessed, but actually prescribes in mandatory terms the rate of taxes that shall be levied. In all other localities I have always supposed that no matter by what system, after you had the assessment, the question of the rate is determined by the total amount of your needs to carry on the government, that you apportion that revenue to the assessment made and thus you get the true rate. That is the only system I know of that can properly be followed.

In this city, under the law of 1902, whether the District needs $5,000,000 or $10,000,000 or any greater amount, no matter what it is, the rate of taxation is 1½ per cent upon the valuation. Senators ought to see that that system does not work well. As a legacy of that system the very controversy we are in now in the very first paragraph of the bill arises. I may not give the figures exactly, but Senators will understand my meaning. It is claimed here that it takes between eleven and twelve million dollars for the wants of the District of Columbia, that the District ought to pay one half of it and the Federal Government the other half. It is estimated that the half to be paid by the District would be about four and a half million dollars, or approximately $5,000,000, and that under the same half-and-half plan the other half would be paid by the Government. But here you have a case where under this system of assessment you find yourself with a surplus of two or two and a half million dollars levied upon the District in excess of what they claim is their half share. If you adopt the amendment of the committee, there is no provision I can discover in the bill as to what is to become of the two million or two and a half million dollars in excess of the half-and-half principle. In other words, that amount—two million or two and a half million—you leave in the air; you make no provision for it. If you do not want the Government to take that two and a half million, you leave it in the air, and some provision ought to be made for the disposal of that money. This city, I understand, has a funded debt.

Mr. SMITH of Maryland. I understand that $1,800,000 is the amount of surplus that could be appropriated to the funded debt or it could be held over for another session and be applied either to the funded debt or be devoted to such improvements as might be required, as may be thought best.

Mr. NELSON. The Senator is undoubtedly correct as to the amount. I do not claim to be exact as to it. It may be $1,800,000, as the Senator suggests.

Mr. SMITH of Maryland. It is about that.

Mr. NELSON. But whether it is $1,800,000 or $2,000,000 or $2,500,000, the principle is the same. Why should you leave that in the air? In another part of the bill you have an appropriation of something over $900,000 to apply on the funded debt of the District. If you do want this excess of taxes that are collected beyond the half the District is to pay, or that we claim it ought to pay, why leave it in the air? Why not apply it to the funded debt of the District? I suggest to Senators would not that be a proper and businesslike way instead of leaving it in the air to be questioned and discussed and debated hereafter?

Mr. GALLINGER. Mr. President——

The VICE PRESIDENT. Does the Senator from Minnesota yield to the Senator from New Hampshire?

Mr. NELSON. Certainly.

Mr. GALLINGER. The committee gave some consideration to that matter, and the committee has no objection to that disposition. Of course, in that event we ought to appropriate a similar amount from the General Government, because the funded debt is a joint debt against the General Government and the District of Columbia, amounting, I think, to three or four million dollars.

Mr. NELSON. I want to ask the Senator this question: Assuming that it ought to be divided, assuming further that the District ought not to pay more than half the expenses, and assuming that you have this surplus, which you all admit, without regard to the figures, why leave that surplus in the air? Why not devote it, half and half, to the payment of the funded debt of the District and thus stop interest instead of leaving it as you do?

Mr. GALLINGER. If we carried out the Senator's idea, to which we do not object, the entire amount would be devoted to reducing the funded debt, but an equal amount would have to be appropriated from the Treasury unless you specified that it was in behalf of the District of Columbia and that hereafter the District would not owe one-half of the funded debt. It would be better, I think, to make an appropriation from both the District government and the General Government for that purpose.

Mr. NORRIS. Will the Senator from Minnesota yield there?

Mr. NELSON. Certainly.

Mr. NORRIS. I think it would be well to get the information now. Is it true that the District owes this debt to the Government of the United States or is it owed by private parties?

Mr. GALLINGER. It is the 3.65 per cent bonds, I believe, that were issued a good many years ago.

Mr. NORRIS. I understood that the Government had paid some of those and that the District owes the Government for them.

Mr. GALLINGER. I do not know how that may be. I think the District paid its share and the Government has paid its share up to the present time. A contest was made as to whether the Government really was held for one-half the amount, and a recent decision of the comptroller decides that it is an obligation equally upon both the Government and the District.

Mr. NELSON. I got my information through the public press; not through any examination of the record. I only know that a year or so ago there was a controversy in respect to the interest on the funded debt between the District and the Federal Government, but I can not at this moment recall the nature of that controversy, because I did not investigate it. So much for that, Mr. President.

Now, in respect to another matter, I think all fair and candid men will concede that the system of taxation in this District is hardly as fair and just as it ought to be. I do not mean by

that to say that the assessment of such property as is assessable—real estate and tangible property and the license taxes contained in the law—are unreasonable or unjust, but what I maintain is that there is a lot of intangible property in this District that escapes taxation entirely—that has immunity. I am aware the argument is used that this is a kind of tax that is hard to collect; that the owners will escape it. That is exactly the same argument the liquor dealers throw up against us when we attempt to have prohibitory legislation. "Oh," they say, "you can not stop drinking; it will go on. It is all folly to attempt to check the drinking of liquor." In other words, they say if you do not accept our gospel we will continue to violate the law and furnish the public with drinks.

I concede that we can not lay down any hard-and-fast rule. I think in the State of Minnesota we do not assess personal property or credits or money at its full value. As to what the rate of taxation ought to be on credits—intangible property—that is another question that could be determined in the future; but what I maintain is that that kind of property ought to bear at least a part of the burden and of taxation, and that question should be thoroughly investigated.

Therefore, Mr. President, to sum up—and I want to be as brief as possible—in two respects the taxing system of the District of Columbia is defective, first, in the law prescribing, as I have indicated, without any regard whether the District needs it or not, an arbitrary rate upon the assessment; second, in omitting from all taxation of any kind intangible personal property.

Mr. President, I will go a step further, and say that I think it was a fair proposition at the time the District government was reorganized, after it had been wrecked, as it were, in view of the circumstances that prevailed in the city then and the condition of the people, with a great debt on their hands and a great many improvements to be made. I think at that time probably the half-and-half principle was a just one. But Washington has grown now to be a large, prosperous, and wealthy city, with fine parks, fine streets, everything in as good a condition as it can possibly be. People who come here admire the city and say it is one of the most beautiful cities in the whole country. Indeed, many of them say it is more beautiful than any city in the Old World.

I want to be exactly fair. It seems to me if we can amend the assessment laws of this District so as to make a just and fair assessment, a fair and proper apportionment for the future would be about one-third, and let the District pay two-thirds of all expenses of the District of Columbia and the Federal Government pay the other third. That would be something like the committee report to which the Senator from Kentucky [Mr. JAMES] called attention. I sincerely trust steps will be taken by the Senator and those who are immediately in charge of District affairs to see to it that the evils to which I have called attention are corrected.

While I am on the floor, there is another matter that is near and dear to my heart, and I want to call the attention of Senators to it. It concerns the welfare of this city. We have a great water power up at Great Falls. That water power is practically lying dormant. It furnishes a little water for the canal, and I believe the water that supplies the city is taken out of the Potomac River above the dam. Beyond that, that power is there perfectly idle. Look at the thousands of dollars that are spent here in the District of Columbia for power purposes, heat, and light, and it all comes out of the Treasury of the Government or out of the pockets of the people of the District. Look at the enormous quantity of coal that is consumed here in lighting and heating the public buildings of the Government. Look at the enormous quantity that is consumed here in lighting and heating the public buildings of the District. Look at the enormous quantity that is used in moving the street cars in the city and for other purposes. It seems to me steps ought to be taken to improve that power and utilize it for the benefit of the District of Columbia and for the benefit of the Federal Government. If that power were developed and utilized as it ought to be, it would save thousands of dollars a year to the Federal Government and to the government of the District of Columbia. I trust that Senators who are immediately in charge of the affairs of the District of Columbia will give that matter their careful consideration and attention. I regard it as a measure of the highest importance. It is a measure involving great economy both to the Government and to the District. I trust that due attention will be given to the matter.

Mr. NORRIS and Mr. ROOT addressed the Chair.

Mr. NELSON. I yield to the Senator from Nebraska.

Mr. NORRIS. In connection with the very subject which the Senator from Minnesota has discussed, I should like to say that a few years ago Congress appropriated $20,000 for the purpose of having a careful survey made of the power possibilities at Great Falls and as a means of increasing the water supply of the city of Washington. In accordance with that appropriation the War Department made a careful survey and a minute report, carrying it out in detail, as to what it would cost; in other words, they used up all the $20,000 in the investigation. A bill has been introduced to develop that water power in accordance with the plans and specifications of those engineers of the War Department.

Mr. NELSON. Before what committee is that bill pending?

Mr. NORRIS. The bill has been referred to the District Committee, and by that committee referred to a subcommittee; it is there now with the approval of the War Department under two different administrations.

Mr. ROOT. I was about to call attention to the very circumstance which the Senator from Nebraska has mentioned. If this had been a self-governing city, I have no doubt there would have been action upon the report, because the people of the city would have had something to say about it.

Mr. NORRIS. Mr. President, if the Senator from Minnesota will yield further, in connection with that proposition I wish to say that there is not any doubt but that there is great opposition, as there always is, to the development of power of this kind; and it is manifest here. Some of the great power companies and corporations of this city, of course, are opposed to the development of that power, as I take it.

Mr. TOWNSEND. What power companies are opposed to it?

Mr. NORRIS. Well, the street car companies, the electric light companies, and gas companies—all those companies.

Mr. TOWNSEND. Why should they be opposed to it?

Mr. NORRIS. Because it comes in direct competition with their product as it is produced and sold right now.

Mr. TOWNSEND. That is to say, of producing power more cheaply, as I understand it?

Mr. NORRIS. Yes.

Mr. TOWNSEND. If street car companies could obtain the power more cheaply, why should they oppose the development of power there?

Mr. NORRIS. The street car companies are satisfied now with conditions, I presume, and the method by which they develop power. They produce their power from steam, I presume.

Mr. TOWNSEND. From coal.

Mr. NORRIS. Yes; from coal. They have some money invested in plants which produce it, and some of that would probably be lost. I presume if electricity were sold here at the rate of 3 cents per kilowatt hour, instead of 10 cents, there would be many people who would use electricity who are at present using gas. So it would come in competition with the gas company.

This particular proposition was investigated by the Army engineers and the hydroelectric engineers who were employed for the purpose. I understand from Col. Langfitt, who was in charge on the part of the Government, that he employed the man he considered to be the best hydroelectrical engineer in the United States, an engineer from New York City, whose name I can not now recall, who worked with him in the preparation of the plans and specifications. Those plans and specifications provided for the development of power, for the building of a dam, for conducting electricity to the city of Washington and its distribution, and, I think, for three distributing substations. It stopped there. There was no provision made in that law that was passed, or in the appropriation which was made, for the running of a street car company or the sale of light. The appropriation was made simply to develop the power and bring it to the city. As to what should be done with it then was, of course, an unsettled question, and the bill that has been introduced does not provide for its ultimate sale.

Mr. CLARK of Wyoming. The Senator did not make the assertion, but he rather inclined to the notion that the different power companies of the city were opposing this proposition to develop the power at Great Falls. I thought the question of the Senator from Michigan [Mr. TOWNSEND] was quite apropos; and I will ask the Senator from Nebraska if he knows whether, as a matter of fact public-service corporations here, who are perhaps the largest users of electric power, have opposed the proposition of developing water power at Great Falls?

Mr. NORRIS. Well, in my judgment, they have opposed it and are opposed to it.

Mr. CLARK of Wyoming. It is not a question of judgment; it is a question of fact.

Mr. NORRIS. The Senator from Wyoming must understand, and I think other Senators will understand, that a great corporation which has a monopoly—for instance, a gas company—in selling light and heat, if something is going to be made to come into competition with it or its field, would not come out

and say, "We are opposed to this." They would not come to me or to other Senators or to the Senate committee as a body and say, "We are opposed to this." But there would be other methods by which they would try to defeat the legislation, if they could. So in this investigation—and I have been quite active in it—quite a great many people came to me and said, "This is not a plausible proposition. It will not work." Upon inquiry I found that they got their ideas from some engineer. They came to my office—I will not say that they were not acting in good faith and that they were not honest—and offered various objections to the plans of the Government engineers. They said it was not a practicable proposition to develop this power, and that they were able to demonstrate it. I know in one particular case I talked it over with an engineer, and I found he had got his information from his employment by one of these companies in the city of Washington. He was employed by them to investigate the very proposition and to go over the reports that the Army engineers had made. He made his examination of those reports, and claimed to have found great errors in them. He claimed to have discovered that these power developments were practical impossibilities.

Mr. CLARK of Wyoming. Mr. President, it occurred to me while the Senator from Nebraska was speaking and while the Senator from Michigan was making his interrogatory that if I were the owner of a street car system in the city of Washington and could obtain power from the Great Falls cheaper than I could myself manufacture it I should favor such development.

Mr. NORRIS. Probably so; but if the Senator owned a street car system and he had invested $25,000 or $100,000 in a plant here, as these companies have done—I do not know but what they have invested more than that; I have forgotten now the figures—if he was developing his power with coal, if he had a monopoly of the business and was making a good thing out of it, he would, perhaps from financial considerations, be opposed to throwing it aside as junk, even though he could get the power cheaper.

Mr. CLARK of Wyoming. That is entirely contrary to all of the history of the country for the last 25 years. We have known of power plants being continually wrecked and thrown into the scrap heap because power can be produced elsewhere and otherwise cheaper than they can produce it by the plants they have.

Mr. NORRIS. And we have also known power possibilities owned by corporations who had no other interest in them except to prevent their development. We do know that such developments are opposed by corporations, and I presume they oppose them because they think it is to their financial interest to do so.

Mr. CLARK of Wyoming. That is the question I asked the Senator. He made a statement that power companies here were opposing this legislation, and I asked if he had any basis for that statement other than the general surmise that power companies are opposed to such development.

Mr. NORRIS. I am satisfied they are; and they resort to the same methods to oppose legislation that they always do in cases of that kind.

Mr. WORKS. Mr. President, I should like to ask the Senator from Nebraska if he knows who compose the subcommittee to which he says this bill has been referred?

Mr. NORRIS. I will say, in answer to the Senator's question, that I do not want to reflect any criticism on the committee. This bill was referred to that subcommittee during the last Congress, when committees were overworked, and during the hot weather. I talked with members of the committee, and they said they were going to give the matter consideration; but they were unable, I presume, on account of other business—as everyone who was here during the long hot session knows—to give attention to a great many details.

My own idea is, that while it would probably be an impossibility to get the bill reported out of the subcommittee during this short session, when the next long session commences the subcommittee would take the matter up. I do not wish to cast any reflection on them, because I know from conversation with some of the members of the subcommittee that they are anxious to go into the subject.

Mr. WORKS. There must be some mistake about the District Committee being an overworked committee. There has not been a meeting of that committee during the present session of Congress, and during all the last session of Congress it was practically inactive and did practically no business.

Mr. NORRIS. The members of the District Committee are, however, members of other committees that have been overworked. I am satisfied that that is true not only of the members of the District Committee but of every Member of the Senate during the last session. They did not feel like going into the matter then.

Mr. NELSON. Mr. President, it was not my purpose when I arose to take up so much time, but interruptions occur, and we are not always masters of our own time.

I simply desire to say in conclusion that while I have called the attention of the Senate to this matter, I have not done so in a spirit of criticism. I am aware of the fact that we are here, each of us trying to do his very best for the public service. Some of us have a greater amount of work on our shoulders than have others, and we find it difficult to move as rapidly as others would like to have us move. I have simply called attention to these matters in order to direct the attention of Senators to the importance of the subject and to suggest that it be taken up at some future time and disposed of in a businesslike way, for the welfare of the Government of the United States and likewise for the welfare of the District of Columbia.

Mr. SMITH of Maryland. I present a request for unanimous consent, which I ask may be agreed to.

The VICE PRESIDENT. The Secretary will read the proposed unanimous-consent agreement.

The Secretary read as follows:

It is agreed by unanimous consent that on to-morrow, Tuesday, January 12, 1915, at not later than 2 o'clock p. m., the Senate will proceed to vote, without further debate, upon any amendment that may then be pending or that may be offered to the reported amendment of the committee on pages 1 and 2 of the bill H. R. 19422, the District of Columbia appropriation bill, and immediately thereafter on the said amendment of the committee, as amended or otherwise.

The VICE PRESIDENT. Is there objection to the proposed unanimous-consent agreement suggested by the Senator from Maryland?

Mr. BURTON. Mr. President, I should like to ask what is included? I understand it relates to the so-called half-and-half plan.

Mr. SMITH of Maryland. Yes, sir.

Mr. BURTON. That does not include the amendment proposing to tax intangible property.

Mr. SMITH of Maryland. Oh, no.

Mr. BURTON. That is entirely outside?

Mr. SMITH of Maryland. The proposed agreement relates to nothing but this one amendment.

Mr. BURTON. I would suggest to the Senator——

Mr. NELSON. As I understand, it relates only to the first amendment.

The VICE PRESIDENT. To the first amendment or any amendment proposed thereto. Is there objection to the request for unanimous consent?

Mr. BURTON. I suggest to the Senator from Maryland that the conference report on the immigration bill was presented to-day, and it was asked that it be printed and go over until to-morrow. Does the proposed agreement contemplate that all the time up to 2 o'clock will be given to discussion of the pending bill, or is it contemplated that the vote shall be taken without debate?

Mr. SMITH of Maryland. I did not catch the suggestion of the Senator.

Mr. GALLINGER. It is provided that debate shall cease at 2 o'clock on the amendment.

Mr. BURTON. It is said that there shall be no debate on the amendment after 2 o'clock.

Mr. SMITH of Maryland. After 2 o'clock debate shall cease.

Mr. BURTON. Is it expected that there will be any time given to debate before 2 o'clock?

Mr. SMITH of Maryland. There are one or two Senators, I think, who desire to speak briefly.

Mr. BRISTOW. Mr. President, I shall have to object to the proposed unanimous-consent agreement in its present form, because a dozen amendments may be offered to this proposition, and there will be no chance for even an explanation of any of them. If the Senator will change the phraseology of the proposed agreement so as to give an opportunity for debate limited, say, to five minutes, on amendments that may be offered, or allowing a Senator to speak not longer than five minutes on any amendment that may be offered, I think that would be satisfactory.

Mr. SMITH of Maryland. What hour would the Senator suggest?

Mr. BRISTOW. I am not particular about an hour if the usual provision which has been attached to such agreements is attached to this one.

Mr. SMITH of Maryland. I have no objection to that being done.

Mr. BRISTOW. I suggest that the proposed agreement contain the usual provision. So far as I am concerned, I am not interested in any particular hour, and I would have no objection to limiting debate under the 5-minute rule or the 10-minute rule

or whatever rule may be agreed upon; but I do not want amendments to be presented the meaning of which we can not understand and have to vote blindly on them. That is my objection.

Mr. SMITH of Maryland. Very well, I will accept the suggestion of the Senator.

Mr. JAMES. Mr. President, I should like to ask the Senator a question. That will not, as I understand it, shut out any amendment that may be offered to the amendment proposed by the Senate committee even if it is adopted as an amendment striking out the House provision?

Mr. SMITH of Maryland. I do not so understand. The Senator, I think, would have the right to offer any amendment he sees fit to the amendment reported by the Senate committee.

Mr. Clark of Wyoming. If the committee amendment should be adopted, then amendments could not be offered to it as in Committee of the Whole.

Mr. SMITH of Maryland. Not as in Committee of the Whole.

Mr. JAMES. Suppose a vote is taken and the amendment offered by the committee is adopted, striking out the House provision and substituting the half-and-half plan; then suppose I wanted to offer an amendment providing that the Government should pay one-third and the District two-thirds, would that be in order?

Mr. SMITH of Georgia. Would it not be necessary to offer that as an amendment to this provision?

Mr. JAMES. It certainly would not be in order after the action is taken upon the part of the Senate upon the pending amendment.

Mr. SMITH of Maryland. As I understand, the Senator can offer any amendment to this amendment that he desires.

Mr. JAMES. To which amendment?

Mr. SMITH of Maryland. To the amendment reported by the committee.

The VICE PRESIDENT. There is no doubt about the right to offer an amendment to the pending amendment.

Mr. GALLINGER. Provided it is not in the third degree.

Mr. JAMES. I have an amendment I wish to offer.

The VICE PRESIDENT. Does the Chair understand that the Senator from Kansas objects?

Mr. BRISTOW. I will ask the Secretary to read the proposed agreement as modified in accordance with the suggestions which have been made.

The VICE PRESIDENT. The Secretary will read as requested.

The Secretary read as follows:

It is agreed, by unanimous consent, that on to-morrow, Tuesday, January 12, 1915, at not later than 2 o'clock p. m., the Senate will proceed to vote upon any amendment that may be then pending or that may be offered to the reported amendment of the committee on pages 1 and 2 of the bill H. R. 19422, the District of Columbia appropriation bill, and immediately thereafter on the said amendment of the committee, as amended or otherwise: *Provided*, That after the hour of 2 o'clock p. m. no Senator shall speak more than once nor longer than five minutes upon any single amendment.

Mr. BRISTOW. That is all right.

The VICE PRESIDENT. Now, is there any objection?

Mr. OLIVER. A parliamentary inquiry. Is it not necessary to call the roll?

The VICE PRESIDENT. The language of the rule is that it is necessary to call the roll only when the proposed unanimous-consent agreement provides for a final vote on the passage of a bill or resolution. Is there objection to the unanimous consent requested by the Senator from Maryland? The Chair hears none, and the agreement is entered into.

Mr. SHEPPARD. I send to the desk a notice of a motion to suspend the rules, which I ask to have read.

The VICE PRESIDENT. The Secretary will read as requested.

The Secretary read as follows:

In accordance with Rule XL of the standing rules of the Senate, I hereby give written notice that it is my intention to move to suspend paragraph 3 of Rule XVI for the purpose of moving the following amendment to the bill (H. R. 19422) making appropriations for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1916, and for other purposes:

"SEC. —. That from and after the 1st day of November, A. D. 1916, it shall be unlawful to manufacture, barter, sell, or give away any spirituous, vinous, malt, or other alcoholic liquors of any kind within the District of Columbia, excepting, however, pure grain alcohol to be used for mechanical, pharmaceutical, medicinal, and scientific purposes, or wine for sacramental purposes by religious bodies, which alcohol and wine may be sold by registered druggists or pharmacists only.

"SEC. —. That any person who shall manufacture, barter, sell, or give away any such intoxicating liquors or otherwise violate the provisions of this section shall be guilty of a misdemeanor and be fined not less than $100 nor more than $5,000, or be imprisoned for not less than 1 or more than 12 months, or be both fined and imprisoned for each offense, and for a second or subsequent offense such person shall be fined and imprisoned; and each act of manufacturing, bartering, selling, or giving away such liquors shall, for the purpose of this section, constitute a separate offense.

"SEC. —. That the words 'give away' where they occur in this act shall not apply to the giving away of intoxicating liquors by any person in his private dwelling, unless such private dwelling is a place of public resort.

"SEC. —. That all laws and parts of laws relating to the subject of intoxicating liquors in the District of Columbia not inconsistent herewith are hereby declared to be in full force and effect."

EXECUTIVE SESSION.

Mr. STONE. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 10 minutes spent in executive session the doors were reopened, and (at 5 o'clock and 46 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, January 12, 1915, at 12 o'clock meridian.

NOMINATION.

Executive nomination received by the Senate January 11, 1915.

DEPUTY ASSISTANT TREASURER.

Frank J. F. Thiel, of New York, to be Deputy Assistant Treasurer of the United States, in place of George Fort, promoted to Assistant Treasurer of the United States.

CONFIRMATIONS.

Executive nominations confirmed by the Senate January 11, 1915.

CONSUL.

Frank C. Denison to be consul at Prescott, Ontario, Canada.

POSTMASTERS.

ALABAMA.

Leslie Booker, Phoenix.
Barney M. Roberts, Clanton.

COLORADO.

Joseph W. Burkhard, Florence.

HAWAII.

Henry K. Plemer, Waialua.

ILLINOIS.

Ralph A. Pate, Glencoe.

PENNSYLVANIA.

Daniel E. Hanrahan, Hallstead.

UTAH.

David Bennion, Vernal.

WASHINGTON.

George D. Shannon, Anacortes.

HOUSE OF REPRESENTATIVES.

MONDAY, *January 11, 1915.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Father in heaven, impress us, we beseech Thee, with the great responsibility Thou hast laid upon us in the gift of life that we may work out our salvation with fear and trembling and thus further the plans Thou hast ordained. But we are reassured, encouraged, and made stronger when we realize the responsibility Thou has taken upon Thyself as the author and finisher of our faith, and in the forces Thou art using to develop and ennoble our being as instruments in Thy hands for the carrying out of the work which Thou hast begun in us under the divine leadership of the world's great Exemplar. Amen.

The Journal of the proceedings of Saturday, January 9, 1915, was read and approved.

RESIGNATION OF A MEMBER.

The SPEAKER laid before the House the following resignation of a Member:

JANUARY 9, 1915.

Hon. CHAMP CLARK,
Speaker House of Representatives.

MY DEAR MR. SPEAKER: I beg leave to inform you that I have this day transmitted to the governor of Ohio my resignation as a Representative in the Congress of the United States from the fifth district of Ohio.

TIMOTHY T. ANSBERRY.

CHANGE OF REFERENCE.

Mr. ANTHONY. Mr. Speaker, on December 29 Senate bill 6011 came over to the House and was referred to the Committee on Naval Affairs. It is a bill for the reinstatement in the Revenue-Cutter Service, and the House Committee on Interstate and Foreign Commerce has jurisdiction over such matters, and I would ask that the bill be withdrawn from the Committee on

Naval Affairs, to which it was wrongfully referred, and, if it is in order, that it lie on the Speaker's table.

The SPEAKER. The gentleman from Kansas asks unanimous consent to withdraw from the consideration of the Committee on Naval Affairs the bill the number of which he has given, and the same lie on the Speaker's table. Is there objection?

Mr. MANN. Mr. Speaker, reserving the right to object, this is a very unusual proceeding.

The SPEAKER. The Chair knows it is. It is the first time the Chair has ever heard of it.

Mr. MANN. And it seems to me the gentleman ought to ask that it be referred to the proper committee.

Mr. STAFFORD. Will my colleague yield? There being a similar bill already reported and on the House Calendar, and it having been reported and on the House Calendar prior to the Senate bill having been brought to the House, why should not the gentleman from Kansas have the same right he would have had at the time to have it taken from the Speaker's table?

Mr. MANN. I do not think the bill is on the House Calendar. If it is, it does not belong there. It is a private bill.

Mr. ANTHONY. I will say a similar bill has been reported from the House committee.

Mr. MANN. And it is on the Private Calendar.

Mr. ANTHONY. It is.

Mr. MANN. And it ought to be referred.

The SPEAKER. Is there objection?

Mr. MANN. I hope the gentleman will make his request to refer it to the proper committee.

Mr. ANTHONY. Of course if the gentleman from Illinois feels——

Mr. MANN. I do not think we ought to commence the practice of bringing a bill back and placing it on the Speaker's table——

Mr. ANTHONY. It would expedite the bill; it is a most meritorious bill.

Mr. MANN. It will not expedite it at all.

Mr. ANTHONY. Then I will ask the bill be referred to the proper committee.

Mr. EDWARDS. Mr. Speaker, reserving the right to object, a few of us have not quite understood what is going on.

Mr. ANTHONY. Mr. Speaker, I would like to modify the request and ask that the bill be referred to the proper committee, which is the Committee on Interstate and Foreign Commerce.

The SPEAKER. The gentleman from Kansas asks a re-reference of the bill from the Committee on Naval Affairs to the Committee on Interstate and Foreign Commerce. Is there objection? [After a pause.] The Chair hears none.

HOUR OF MEETING TO-MORROW.

Mr. UNDERWOOD. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman from Alabama rise?

Mr. UNDERWOOD. Mr. Speaker, I desire to ask unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock a. m. to-morrow.

The SPEAKER. The gentleman from Alabama asks unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock to-morrow morning. Is there objection? [After a pause.] The Chair hears none.

ORDER OF BUSINESS.

Mr. UNDERWOOD. Mr. Speaker, I notice in the RECORD the gentleman from Florida [Mr. SPARKMAN], having in charge the river and harbor appropriation bill, gave notice Saturday that he desired to call it up to-day. There are not very many District days left, and, although I am very anxious to see the appropriation bills expedited, I hope the gentleman will not make that motion this morning, as I think there are some bills on the District Calendar that ought to be disposed of. Later in the session, of course, everything else will have to give way to appropriation bills; but this may be the last chance that the District Committee has to get its bills up, and I hope the gentleman will not insist on his motion to-day.

Mr. SPARKMAN. Mr. Speaker——

Mr. DONOVAN. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman from Connecticut rise?

Mr. DONOVAN. To make a unanimous-consent request, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. DONOVAN. I ask unanimous consent that the 20 minutes allotted to me in general debate on the river and harbor bill be allowed me when we consider the bill in the Committee of the Whole House on the state of the Union under the five-minute rule.

Mr. SPARKMAN. I shall object to that, Mr. Speaker.

The SPEAKER. The gentleman from Florida objects.

Mr. MANN. Oh, no; let him have it.

Mr. SPARKMAN. Mr. Speaker, in view of the statement made by the gentleman from Alabama and out of deference to his views on the subject I will not make the motion this morning.

DISTRICT OF COLUMBIA BUSINESS.

The SPEAKER. The gentleman from Kentucky [Mr. JOHNSON].

Mr. JOHNSON of Kentucky. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the purpose of considering District legislation.

The SPEAKER. The gentleman from Kentucky moves that the House resolve itself into the Committee of the Whole House on the state of the Union for the purpose of considering District legislation.

Mr. JOHNSON of Kentucky. Mr. Speaker, pending that, I wish to invite attention to House bill 13388, a bill for the relief of James T. Petty; Charles W. Church and others, executors of Charles B. Church, deceased; Jesse B. Wilson; and George T. Dearing. It is on the Private Calendar, and I feel quite sure it ought to be on the Union Calendar, as it carries an appropriation, or at least authorizes an appropriation. It is my opinion that it ought to be on the Union Calendar.

Mr. MANN. It is a private bill?

Mr. JOHNSON of Kentucky. It is a private bill, but it authorizes an appropriation.

Mr. MANN. Nearly all private bills do.

Mr. JOHNSON of Kentucky. Very well, Mr. Speaker, I just wished to invite attention to it for the purpose of ascertaining whether or not it is upon the Private Calendar. If it is on the Private Calendar, well and good.

The SPEAKER. The gentleman from Kentucky [Mr. JOHNSON] moves that the House go into Committee of the Whole House on the state of the Union for the consideration of District bills. The question is on agreeing to that motion.

The motion was agreed to.

The SPEAKER. The gentleman from South Carolina [Mr. FINLEY] will take the chair.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union for the consideration of District of Columbia bills, with Mr. FINLEY in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the purpose of considering bills on the calendar for the District of Columbia.

Mr. MANN. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. MANN. Is this the Committee of the Whole or the Committee of the Whole House on the state of the Union?

The CHAIRMAN. The Chair understood it was the Committee of the Whole House on the state of the Union.

Mr. JOHNSON of Kentucky. No; it is the Committee of the Whole.

The CHAIRMAN. The Chair got the idea that some appropriation was carried in the bill.

Mr. MANN. Is it in Committee of the Whole or Committee of the Whole House on the state of the Union?

Mr. JOHNSON of Kentucky. The first bill I wish to call up is on the Union Calendar.

Mr. MANN. That is in Committee of the Whole House on the state of the Union.

The CHAIRMAN. Yes; that is in Committee of the Whole House on the state of the Union; Calendar No. 348, on the Union Calendar.

SETTLEMENT OF SHORTAGES IN CERTAIN ACCOUNTS.

Mr. JOHNSON of Kentucky. Mr. Chairman, I call up the bill (H. R. 15215) to authorize the Commissioners of the District of Columbia to adjust and settle the shortages in certain accounts of said District, and for other purposes.

The CHAIRMAN. The Clerk will report the bill.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Commissioners of the District of Columbia are authorized and directed to adjust and settle the shortages in certain accounts of said District arising through the defalcation of J. M. A. Watson, formerly an employee of the government of said District, by paying into the Treasury of the United States the sum of $63,939.96, to be credited as follows: Miscellaneous receipts, United States, $10,623.75; miscellaneous trust-fund deposits, District of Columbia, $51,556.22; and permit fund, District of Columbia, $1,759.99. There is hereby appropriated to carry into effect the provisions of this act the sum of $63,939.96, to be paid wholly from the revenues of the District of Columbia.

Mr. JOHNSON of Kentucky. Mr. Chairman, in 1902, I believe it was, one of the employees of the District of Columbia, a man by the name of Watson, misappropriated about $70,000 of money belonging to a special fund. That deficit has since been carried as a deficit. This bill is for the purpose of having the proper book credits made, in order that this deficit may no longer be carried as such, but in order that it may be cleared up.

The report, No. 1212, which was filed some months ago by me, is, I think, quite clear and explicit, and I have no doubt that all those who are following this legislation are familiar with it, and I trust the reading of it will not be necessary.

Mr. MADDEN. What became of the man? Was he punished?

Mr. JOHNSON of Kentucky. The man was sent to the penitentiary. Mr. Chairman, I move that the bill be laid aside with a favorable recommendation.

Mr. MANN. Why should all this be charged to the District of Columbia? Why should the entire amount of the defalcation be charged to the District of Columbia?

Mr. JOHNSON of Kentucky. For the very good reason that the Commissioners of the District of Columbia, at the time of this defalcation, had collected money and had it placed within reach of this defaulter which they had no right to collect. They exceeded their authority in having this money paid into the District treasury at all.

Mr. MANN. Then it was the negligence or fault of the Commissioners of the District of Columbia?

Mr. JOHNSON of Kentucky. It was; to the extent indicated.

Mr. MANN. They are appointed by the President under an act of Congress?

Mr. JOHNSON of Kentucky. Yes.

Mr. MANN. Why should the entire cost of their negligence be charged to the people of the District, who have nothing whatever to do with their selection?

Mr. JOHNSON of Kentucky. Under the law they have to be selected from residents in the District of Columbia.

Mr. MANN. Yes; I know; under the law. But that law is not followed, apparently. But, even then, the District of Columbia——

Mr. JOHNSON of Kentucky. The present board of commissioners thinks, and I think the other board which preceded it thought, that this ought to be paid out of the District funds.

Mr. MANN. I have read the report, but I confess I could not see any reason why, for negligence on the part of the officials of the United States, the entire cost of that negligence should be charged to the people of the District of Columbia.

The CHAIRMAN. The question is on agreeing to the motion of the gentleman from Kentucky [Mr. JOHNSON] that the bill be laid aside with favorable recommendation.

The motion was agreed to.

Mr. JOHNSON of Kentucky. Mr. Chairman, the other bills which I have are on the House Calendar. Therefore I move that the committee rise and report to the House the bill which we have acted upon, with a recommendation that it pass.

The CHAIRMAN. The gentleman from Kentucky moves that the committee rise and report the bill to the House with the recommendation that it pass. The question is on agreeing to that motion.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. FINLEY, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 15215) to authorize the Commissioners of the District of Columbia to adjust and settle the shortages in certain accounts of said District, and for other purposes, and had directed him to report the same back to the House with the recommendation that it pass.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. JOHNSON of Kentucky, a motion to reconsider the vote whereby the bill was passed was laid on the table.

CEMETERY OF THE WHITE'S TABERNACLE.

Mr. JOHNSON of Kentucky. Now, Mr. Speaker, I desire to call up the bill (H. R. 13226) prohibiting the interment of the body of any person in the cemetery known as the Cemetery of the White's Tabernacle No. 39 of the Ancient United Order of Sons and Daughters, Brethren and Sisters of Moses, in the District of Columbia.

The SPEAKER. What is the calendar number?

Mr. JOHNSON of Kentucky. No. 226.

Mr. MANN. House Calendar?

Mr. JOHNSON of Kentucky. Yes; House Calendar, No. 226.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That from and after the date of the passage of this act it shall be unlawful to inter the body of any person in the cemetery known as the Cenemetry of White's Tabernacle No. 39 of the Ancient United Order of Sons and Daughters, Brethren and Sisters of Moses, in the District of Columbia, and situate in the District of Columbia, to wit: Part of a tract called "Chappell's Vacancy," contained within the following metes and bounds, namely: Beginning for the same at the southeast corner of the land conveyed to Frederick Bangerter by deed recorded in Liber No. 785, folio 474, of the land records of the District of Columbia, and running thence north 15¾ degrees east, 20.44 perches; thence south 89 degrees east, 3.9 perches; thence south 15¾ degrees west, 20.44 perches; thence north 89 degrees west, 3.9 perches to the point of beginning; and any person or persons violating the provisions of this act, or aiding or abetting its violation, shall be subject to a fine of not less than $100 nor more than $500 for each offense, to be collected as other fines are collected in the District of Columbia.

SEC. 2. That the board of officers of White's Tabernacle No. 39 of the Ancient United Order of Sons and Daughters, Brethren and Sisters of Moses, in the District of Columbia be, and they are hereby, authorized and empowered, under such regulations as the Commissioners of the District of Columbia may prescribe, to disinter and remove all the bodies now buried in said cemetery lot, and to transfer and reinter the same in some other suitable cemetery or cemeteries selected by the said board of officers of White's Tabernacle No. 39 of the Ancient United Order of Sons and Daughters, Brethren and Sisters of Moses, in the District of Columbia, and at the cost and expense of said order: *Provided*, That each monument, tombstone, or marker marking any grave or graves in said described burial ground shall be transferred to mark the grave or graves in which such body or bodies are to be interred, and shall be there placed in position as soon as can be done without danger of settling.

SEC. 3. That in so far as the same shall be inconsistent with the provisions of this act as to the cemetery lot herein described, sections 675 and 680 of the Code of Laws of the District of Columbia shall be, and the same are hereby, declared inoperative, otherwise said sections 675 and 680 to remain unqualified and in full force and effect.

The SPEAKER. The question is on the engrossment and third reading of the bill.

Mr. MANN. Mr. Speaker, will the gentleman from Kentucky yield for a question?

Mr. JOHNSON of Kentucky. I do.

Mr. MANN. As I understand, one of the purposes of this bill is to permit the disinterment of bodies buried in a cemetery here belonging to an order and reburying them in the cemetery which they have acquired?

Mr. JOHNSON of Kentucky. My information is that this is an unused cemetery that the Thomas J. Fisher Real Estate Co. has bought, and they have paid part of the money, and the remainder of the money is held in escrow until the passage of this bill. The money paid has been used in buying a cemetery that is called for in the agreement.

Mr. MANN. But what I want to call the attention of the gentleman to is that under the terms of the bill, without amendment, they could not inter the bodies in the cemetery in Maryland.

Mr. JOHNSON of Kentucky. I did not catch that.

Mr. MANN. The language on page 3, in line 3, "in the District of Columbia," should be stricken out of the bill.

Mr. JOHNSON of Kentucky. The bill was prepared by the gentleman from New York [Mr. OGLESBY]——

Mr. MANN. But the bill as drawn provides that they may reinter the bodies in a cemetery which they have in the District of Columbia.

Mr. JOHNSON of Kentucky. That ought to be stricken out.

Mr. MANN. The report shows that the cemetery is outside of the District of Columbia.

Mr. JOHNSON of Kentucky. I move to strike out, on page 3, in line 3, the words "in the District of Columbia." That will correct it, will it not?

Mr. MANN. Yes.

The SPEAKER. The Clerk will report the amendment offered by the gentleman from Kentucky.

The Clerk read as follows:

Amend, page 3, by striking out, in line 3, the words "in the District of Columbia."

Mr. STAFFORD. Mr. Speaker, will the gentleman yield?

Mr. JOHNSON of Kentucky. Yes.

Mr. STAFFORD. Do I understand that the ownership of the lots in this cemetery is in the lodge organization, or is it in individuals in fee?

Mr. JOHNSON of Kentucky. I understand it is in the lodge organization, and that the officers of that lodge have been traded with.

Mr. STAFFORD. I am acquainted with the Odd Fellows cemetery in Philadelphia, under the jurisdiction of the Odd Fellows Lodge, but the title to the lots in that cemetery is in the individuals who purchased the lots. Here you are granting full authority to the directors to remove the bodies of the dead, without the consent of the relatives of the deceased.

Mr. MANN. That is something we have nothing to do with anyhow.

Mr. STAFFORD. Perhaps the relatives of the deceased might object to the disinterment being made by the directors of the lodge. Has that subject been considered at all by the committee?

Mr. JOHNSON of Kentucky. I will say to the gentleman from Wisconsin that I have not given this bill much of my personal attention. It was up before the committee and approved, and the gentleman from Arkansas [Mr. CARAWAY] was designated by the committee to ascertain whether or not either the United States Government or the District of Columbia had any title in the property, and he reported that neither had any interest; and he was also directed by the committee to prepare and make the report, which was done by him. My information all around is that the passage of the bill will lead to no trouble.

The SPEAKER. The question is on agreeing to the amendment offered by the gentleman from Kentucky [Mr. JOHNSON].

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, and was accordingly read the third time and passed.

EXECUTORS OF CHARLES B. CHURCH, DECEASED, ET AL.

Mr. JOHNSON of Kentucky. Mr. Speaker, I desire to call up a bill that is on the private calendar (H. R. 13388) for the relief of James T. Petty; Charles W. Church and others, executors of Charles B. Church, deceased; Jesse B. Wilson; and George T. Dearing.

The bill was read, as follows:

Be it enacted, etc., That the Commissioners of the District of Columbia be, and they are hereby, authorized and directed to cause to be paid to James T. Petty, formerly auditor of the District of Columbia; Charles W. Church and others, executors of Charles B. Church, deceased; Jesse B. Wilson; and George T. Dearing, sureties on the bond of said James T. Petty, as such auditor, the sum of $2,824, to reimburse them for that amount paid by them for counsel fees and printing record in the case, Supreme Court of the District of Columbia, at law, No. 46544, District of Columbia, plaintiff, against James T. Petty, Charles W. Church, William A. H. Church, Mary A. Church, and Joseph J. Darlington, executors of Charles B. Church; Jesse B. Wilson, and George T. Dearing, defendants. That in order to carry out the provisions of this act the sum of $2,824 is hereby appropriated, which sum shall be paid wholly out of the revenues of the District of Columbia.

Mr. MANN. Mr. Speaker, I make the point of order that this is a private-claim bill, over which the Committee on the District of Columbia has no jurisdiction; and I call attention to paragraph 4 of Rule XXI, which reads that—

No bill for the payment or adjudication of any private claim against the Government shall be referred, except by unanimous consent, to any other than the following-named committees, viz: To the Committee on Invalid Pensions, to the Committee on Pensions, to the Committee on Claims, to the Committee on War Claims, to the Committee on the Public Lands, and to the Committee on Accounts.

Mr. JOHNSON of Kentucky. Mr. Speaker, this is not a claim against the Government.

Mr. MANN. Oh, yes; it is a claim for reimbursement for the amount paid by the parties named for counsel fees, including record, in the Supreme Court of the District of Columbia.

Mr. JOHNSON of Kentucky. It is payable out of the funds of the District of Columbia.

Mr. MANN. That does not make any difference.

Mr. JOHNSON of Kentucky. Yes. It is a claim against the District of Columbia and not against the Government.

The SPEAKER. The Chair thinks the point of order is well taken.

DRINKING WATER AT AMUSEMENT PARKS.

Mr. JOHNSON of Kentucky. Mr. Speaker, I call up the bill (H. R. 16759) to require owners and lessees of amusement parks to furnish drinking water to patrons free of cost, and so forth.

The bill was read, as follows:

Be it enacted, etc., That all persons, firms, or corporations in the District of Columbia engaged in conducting open-air theaters, baseball parks, or other places of amusement where admission fees are charged by said owners or lessees shall furnish, free of cost, to the patrons of said places an adequate supply of pure, cool, drinking water, with sanitary cups, which shall be placed in sufficient amount to be conveniently accessible to all the patrons as aforesaid.

SEC. 2. That any person, firm, or corporation failing to comply with the provisions of this act shall be punished as for a misdemeanor and fined not less than $25 nor more than $100 for each offense.

With the following committee amendment:

Strike out all after the enacting clause and insert: "That hereafter it shall be unlawful for each and every person, firm, or corporation directly or indirectly operating or conducting or participating in the operation, management, or control of any theater, picture show, ball park, or other place of amusement or entertainment in the District of Columbia, to which place of amusement or entertainment an admission fee is charged, to fail or refuse to furnish free of any charge whatsoever by placing within convenient and accessible reach an adequate supply of pure, cool, drinking water, together with cups from which it may be drunk, to all persons who are patrons of any such place while said patrons are actually in attendance at such theater, picture show, ball park, or other place of amusement or entertainment above described.

"SEC. 2. That any person, firm, or corporation which fails to comply with the provisions of the above section shall be guilty of a misdemeanor; and upon conviction of such failure or refusal shall be fined not less than $25 nor more than $100 for each offense. A failure to so supply each and every patron hereinbefore mentioned shall be a distinct offense. It is hereby made the duty of the Commissioners of the District of Columbia to see that the provisions of this act are enforced."

Mr. MANN. Mr. Speaker, may I ask the gentleman from Kentucky is it intended that this shall apply to a temporary place of amusement, even a circus?

Mr. JOHNSON of Kentucky. I do not know whether it was intended to do so or not; but, in my opinion, it does.

Mr. MANN. It seems to do so. I do not know how a circus on a vacant lot would manage to furnish free drinking water in such quantities as might be required.

Mr. JOHNSON of Kentucky. I think the gentleman is correct about that. I doubt the propriety of requiring that, and I will accept an amendment excepting circuses.

Mr. MANN. I will say to the gentleman that I have no amendment prepared. There might be some entertainment given by school children to which an admission charge was paid.

Mr. JOHNSON of Kentucky. The water would be there, without this bill.

Mr. MANN. I think not.

Mr. JOHNSON of Kentucky. As I understand from the gentleman from Georgia [Mr. HOWARD], who introduced this bill, it was intended principally to cover the situation at the ball park, where people go in large numbers and pay their money, and are kept there all the afternoon without water, and are compelled to buy soft drinks, which create thirst rather than lessen it.

Mr. MANN. As a matter of fact, I have taken the liberty to attend the ball park on various occasions. A ball game usually lasts about two hours, and the man who is so thirsty that he can not go without a drink for two hours but has to get a drink there and discommode everybody by passing by, better stay at home.

Mr. JOHNSON of Kentucky. Any of those who want to stay at home have my consent to do it. It occurs to me that those who are thirsty ought to have an opportunity to get a drink of water on a hot summer afternoon.

Mr. MANN. As a matter of fact, in the theaters they pass the water around.

Mr. JOHNSON of Kentucky. They do, and they ought to do so at the ball park.

Mr. MANN. To pass the water around would not comply with the provisions of the bill.

Mr. JOHNSON of Kentucky. Yes; it would, because that is putting it within the reach of the people. At the theater they pass it around, and that is more convenient than it would be if they had to go to another place and get the water. The bill simply provides that water shall be put within convenient reach and that the theater people furnish it to guests instead of making them go after it, which is more convenient.

Mr. MANN. You say that it must be within convenient reach of the people, and that means all the time or else it does not mean anything.

Mr. STAFFORD. Will the gentleman yield?

Mr. JOHNSON of Kentucky. Yes.

Mr. STAFFORD. What is the intendment of the framers of the measure—that if the owners of the ball park and other places of amusement will furnish an automatic drinking fountain that would be a compliance with the law?

Mr. JOHNSON of Kentucky. I think unquestionably so.

Mr. STAFFORD. But they are not furnished with drinking cups.

Mr. JOHNSON of Kentucky. If they want to hang a cup there and people want to drink out of it, they can do it.

Mr. STAFFORD. Under some jurisdictions they can not have a common drinking cup, but must furnish sanitary paper cups.

Mr. JOHNSON of Kentucky. If there is any law that requires sanitary drinking cups, this measure will cover it. Of course, it would have to be the kind of cup under this bill that was required.

Mr. STAFFORD. This bill was introduced and designed to prevent the selling of soft drinks, such as Coca Cola, and so forth?

Mr. JOHNSON of Kentucky. It was not introduced for such a purpose, but it is intended to give people who do not want to drink that kind of stuff a chance to get a drink of water.

The SPEAKER. The question is on the amendments.

The amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The question was taken; and on a division (demanded by Mr. JOHNSON of Kentucky) there were—ayes 71, noes 15.

So the bill was passed.

On motion of Mr. JOHNSON of Kentucky, a motion to reconsider the vote whereby the bill was passed was laid on the table.

REGULATION OF PLASTERING IN THE DISTRICT OF COLUMBIA.

Mr. JOHNSON of Kentucky. Mr. Speaker, I call up the bill H. R. 7771, to regulate plastering in the District of Columbia.

The Clerk read the bill, as follows:

Be it enacted, etc., That in the District of Columbia all plastering in dwellings, tenements, apartments, hospitals, schools, and other buildings, when on lath, shall be known as three-coat work, namely, scratch coat, brown coat, and finish.

SEC. 2. Key space: That all ceilings, stud partitions, and furred walls in tenements, apartments, hospitals, schools, and other buildings, where plastered with lime on wood lath, shall have not less than three-eighths inch space between the laths. All grounds and laths shall be not less than seven-eighths inch from the stud.

SEC. 3. First coat or scratch coat: That first or scratch coat shall be of first quality, to be scratched thoroughly to make a key for the second coat, and shall be thoroughly dry or set before applying second coat.

SEC. 4. Second coat: That second coat or brown mortar shall be of first quality. All browning must be straight true, with no unevenness or irregularity of surface.

SEC. 5. Finishing: That when white mortar or any other coat it shall be laid on regular and troweled to a smooth surface, showing neither deficiencies nor brush marks.

SEC. 6. Cornices or coves: That all cornices or coves shall be run straight, true, and smooth.

SEC. 7. Patent plasters: That when patent plasters are used, if on wood lath, shall not be less than one-quarter inch key space. First coat shall be thoroughly scratched to make key to retain second coat, shall be set before second coat is applied.

SEC. 8. That it shall be the duty of the inspector of building construction to enforce the provisions of this act. It shall be the duty of the Commissioners of the District of Columbia to enact such ordinances as may be necessary for the enforcement of this act and to prescribe reasonable penalties for noncompliance therewith. Any inspector appointed in pursuance of this act or in pursuance with the provisions of any such ordinances shall be a competent plasterer of at least five years' practical experience.

SEC. 9. That this act shall take effect 90 days after passage.

The following committee amendments were read:

Amend, page 1, line 3, by striking out the word "all" and inserting in lieu thereof the following: "when three-coat work is used."

Amend, page 2, lines 4 and 5, by striking out the words "mortar or any other coat" and inserting in lieu thereof the following: "lime mortar or plaster of Paris is used as a finishing."

Amend, page 2, line 6, by striking out the period at the end of said line and inserting the following: "any other coat shall be laid on regular and brought to an even surface without deficiencies."

Amend, page 2, line 12, by striking out the semicolon and inserting in lieu thereof the following: "and"; and further amend same line by inserting, after the word "be," the words "allowed to."

Amend, page 2, by beginning with the word "Any," in line 19, and striking out all of said line after said word, all of lines 20, 21, and 22.

The SPEAKER. The question is on the committee amendments.

Mr. MANN. Mr. Speaker, I would like to ask the gentleman if we did not pass a bill sometime ago containing these provisions?

Mr. JOHNSON of Kentucky. This bill has been up once or twice previously, but objections were made to it. Committee amendments have been offered which we think will obviate those objections.

Mr. MANN. Were not these provisions included in the bill of the gentleman from Illinois [Mr. BUCHANAN], which we did pass?

Mr. JOHNSON of Kentucky. I think not. If that bill contained these provisions, it escaped me.

The SPEAKER. The question is on the committee amendments.

The committee amendments were agreed to.

Mr. MANN. Mr. Speaker, on page 2, line 19, before the word "shall," I think the word "there" should be inserted, so as to read:

That when patent plasters are used, if on wood lath, there shall not be less than one-quarter inch key space.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

On page 2, line 19, before the word "shall," insert the word "there."

Mr. JOHNSON of Kentucky. That is a good amendment, Mr. Speaker, and I accept it.

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion by Mr. JOHNSON of Kentucky, motion to reconsider the vote whereby the bill was passed was laid on the table.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Tulley, one of its clerks, announced that the Senate had passed without amendment bill of the following title:

H. R. 5195. An act for the relief of the Atlantic Canning Co.

ENROLLED BILL AND JOINT RESOLUTION SIGNED.

Mr. ASHBROOK, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bill and joint resolution of the following titles, when the Speaker signed the same:

H. R. 13815. An act to increase the limit of cost for the construction of a public building at Marlin, Tex.; and

S. J. Res. 218. Joint resolution to provide for the detail of an officer of the Army for duty with the Panama-California Exposition, San Diego, Cal.

TRANSPORTATION OF POLICEMEN IN DISTRICT OF COLUMBIA.

Mr. JOHNSON of Kentucky. Mr. Speaker, I call up the bill H. R. 8847, amending paragraph 81 of the act creating a public utilities commission:

The Clerk read the bill, as follows:

Be it enacted, etc., That paragraph 81 of section 8 of an act entitled "An act making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1913, and for other purposes," approved March 4, 1913, be, and the same hereby is, amended to read as follows:

"*Provided*, That all street railroads in the District of Columbia be, and are hereby, authorized and required to grant free transportation to members of the fire department of the District of Columbia, members of the Metropolitan police department, and special officers of said department, when said members and officers are in uniform."

With the following committee amendments:

Page 2, line 2, strike out the words "special officers" and insert in lieu thereof the words "crossing policemen."

Page 2, line 2, at the end of the line and after the comma, insert the words "and members of the park police force."

Page 2, at the end of the bill, insert the following:

"However, before any of said officers herein mentioned shall receive free transportation as herein provided for he shall file with the Commissioners of the District of Columbia an affidavit to the effect that he has not, since the date of this report (July 11, 1914), and will not thereafter, pay to any person anything for services in the preparation or passage of this bill."

Mr. JOHNSON of Kentucky. Mr. Speaker, the bill ought to be further amended by inserting "police officers known as crossing policemen."

Mr. MANN. As a matter of fact, we covered this in an amendment to the District appropriation bill.

Mr. KAHN. Mr. Speaker, the District appropriation bill simply took care of the regular police force. This takes care of park policemen and crossing policemen as well. These men perform a very important service in the city, and we feel that they ought to be taken care of in this matter as well as the regular police and the regular firemen. The legislation ought to include all policemen and all firemen in the District.

Mr. MANN. I have no objection to your passing a bill three times if you want to do it.

Mr. PAGE of North Carolina. Mr. Speaker, I have no objection to including the other policemen. I will say that my impression is that the language carried in the District appropriation bill now in the Senate is broad enough to include any policeman in the District of Columbia. It uses the words "policemen in uniform," and certainly the park policemen and the crossing policemen wear policemen's uniforms. I can not see that this bill is any broader than the language that is carried in the appropriation bill now under consideration in the Senate, which has already passed the House. It seems to me that it is absolutely unnecessary to pass this bill, that provision having already passed the House, which provision will unquestionably become a law.

Mr. MANN. Mr. Speaker, of course the language in this bill originally was "members of the Metropolitan police force." That would have excluded crossing policemen and also park policemen, but when we say "policemen in uniform"——

Mr. PAGE of North Carolina. The provision in the appropriation bill does not specify Metropolitan policemen, but it merely says "policemen and firemen in uniforms," which would include all of the policemen, both crossing and park policemen.

Mr. KAHN. Mr. Speaker, of course so far as the gentleman's statement is concerned, I am satisfied that he is of the impression that it does include all of the policemen, and it probably does. But these matters are put up to the law officers of the District for construction, and you can never tell what construction they will place on the language. When the utilities bill was passed there was some language in it which they construed as applying to all policemen and firemen, which forbade them riding on the cars.

Mr. PAGE of North Carolina. It was exactly for that reason that the provision was inserted in the appropriation bill. It was because of the construction placed on the language in the act creating the Utilities Commission that we placed that language in the appropriation; and in drafting that provision, our intention was, and I think we made it sufficiently broad

to do so, to include any policeman in the District of Columbia who has a uniform. For that reason, Mr. Speaker, I see no reason for the passage of this bill.

Mr. MANN. Mr. Speaker, I would not have the slightest objection to passing this bill, if we should leave out the last amendment.

Mr. KAHN. Mr. Speaker, I have no objection to letting the bill go over, in view of the statement made by the gentleman from North Carolina [Mr. PAGE].

Mr. JOHNSON of Kentucky. Mr. Speaker, I ask unanimous consent that the bill be left on the calendar so that if the District appropriation bill does not take care of the matter we can take his bill up hereafter.

The SPEAKER. The gentleman from Kentucky asks unanimous consent to withdraw this bill and pass it over without prejudice. Is there objection?

There was no objection.

INTERMARRIAGE OF WHITE AND NEGRO RACES IN THE DISTRICT OF COLUMBIA.

Mr. JOHNSON of Kentucky. Mr. Speaker, I call up the bill (H. R. 1710) to prohibit the intermarriage of persons of the white and negro races within the District of Columbia; to declare such contracts of marriage null and void; to prescribe punishments for violations and attempts to violate its provisions.

The Clerk reported the bill, as follows:

Be it enacted, etc., That from and after the passage of this act the intermarriage of white and negro persons within the District of Columbia shall be prohibited and each and every contract of marriage entered into between a white and negro person within the District of Columbia, shall be absolutely null and void, and for the purposes of this act any person having one-eighth of negro blood shall be deemed to be a negro.

SEC. 2. That each and every white and negro person violating the provisions of section 1 of this act shall, upon conviction, be punished by a fine of not less than $1,000 nor more than $5,000, by imprisonment at hard labor for not less than one nor more than five years, or by both such fine and imprisonment, in the discretion of the trial court.

SEC. 3. That any officer of the District of Columbia, minister of the gospel, or other person who may wilfully and knowingly render air or assistance to any white and negro person in an attempt to violate the provisions of section 1 of this act shall, upon conviction, be punished by a fine of not less than $250 nor more than $1,000, or by imprisonment at hard labor of not less than six months nor more than one year, or both, at the discretion of the trial court.

SEC. 4. That all acts and parts of acts in conflict with the provisions of this act be, and the same are hereby, repealed.

With the following committee amendment:

Page 1, line 7, after the word "Columbia," insert "from and after the passage of this act."

Mr. MANN. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from Illinois makes the point of order that there is no quorum present. Evidently there is not.

Mr. JOHNSON of Kentucky. Mr. Speaker, I move a call of the House.

The motion was agreed to.

The SPEAKER. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

Adamson	Drukker	Kinkaid, Nebr.	Plumley
Ainey	Dunn	Kinkead, N. J.	Porter
Allen	Eagan	Kitchin	Post
Anderson	Edmonds	Knowland, J. R.	Powers
Ashbrook	Elder	Kreider	Price
Austin	Falson	Lazaro	Reed
Avis	Falconer	L'Engle	Roberts, Nev.
Bailey	Fess	Lesher	Rothermel
Baltz	Fordney	Levy	Rupley
Barchfeld	George	Lewis, Pa.	Sabath
Bartlett	Gill	Lindquist	Scully
Barton	Gittins	Loft	Shackleford
Bell, Ga.	Glass	Logue	Sherley
Bowdle	Goldfogle	McClellan	Shreve
Brodbeck	Graham, Pa.	McGillicuddy	Smith, Md.
Bruckner	Gregg	McGuire, Okla.	Smith, N. Y.
Burke, Pa.	Griest	Manahan	Stanley
Cantor	Griffin	Metz	Stephens, Nebr.
Cantrill	Guernsey	Miller	Sutherland
Carew	Hamill	Morin	Taggart
Cary	Harris	Moss, Ind.	Talbott, Md.
Casey	Hart	Moss, W. Va.	Taylor, N. Y.
Chandler, N. Y.	Hayden	Mott	Ten Eyck
Clancy	Helgesen	Neeley, Kans.	Townsend
Claypool	Hinebaugh	Neely, W. Va.	Tuttle
Connolly, Iowa	Hoxworth	O'Brien	Vare
Conry	Igoe	Oglesby	Vollmer
Crosser	Johnson, Utah	O'Hair	Walsh
Dale	Jones	O'Shaunessy	Wilson, Fla.
Dickinson	Kelley, Mich.	Palmer	Wilson, N. Y.
Difenderfer	Kennedy, Iowa	Patten, N. Y.	Witherspoon
Dooling	Kennedy, R. I.	Peters	Woodruff
Doremus	Kettner	Peterson	Woods

The SPEAKER. On this roll call 292 Members, a quorum, responded to their names.

Mr. JOHNSON of Kentucky. Mr. Speaker, I move that further proceedings under the call be dispensed with.

The question was taken, and the motion was agreed to.

The SPEAKER. The Doorkeeper will unlock the doors, and the Clerk will report the bill.

The Clerk read as follows:

A bill (H. R. 1710) to prohibit the intermarriage of persons of the white and negro races within the District of Columbia; to declare such contracts of marriage null and void; to prescribe punishments for violations and attempts to violate its provisions.

Be it enacted, etc., That from and after the passage of this act the intermarriage of white and negro persons within the District of Columbia shall be prohibited and each and every contract of marriage entered into between a white and negro person within the District of Columbia shall be absolutely null and void, and for the purposes of this act any person having one-eighth of negro blood shall be deemed to be a negro.

SEC. 2. That each and every white and negro person violating the provisions of section 1 of this act shall, upon conviction, be punished by a fine of not less than $1,000 nor more than $5,000, by imprisonment at hard labor for not less than one nor more than five years, or by both such fine and imprisonment, in the discretion of the trial court.

SEC. 3. That any officer of the District of Columbia, minister of the gospel, or other person who may willfully and knowingly render air or assistance to any white and negro person in an attempt to violate the provisions of section 1 of this act shall, upon conviction, be punished by a fine of not less than $250 nor more than $1,000, or by imprisonment at hard labor of not less than six months nor more than one year, or both, at the discretion of the trial court.

SEC. 4. That all acts and parts of acts in conflict with the provisions of this act be, and the same are hereby, repealed.

The committee amendment was read, as follows:

Page 1, line 7, after the word "Columbia," insert a comma and the words "from and after the passage of this act."

Mr. JOHNSON of Kentucky. Mr. Speaker, I desire to offer another committee amendment. I find on page 2, line 11, that the printer made an error by using the letter "r" instead of the letter "d," so it reads "air" instead of "aid," and I would move to substitute the letter "d" for the letter "r."

The SPEAKER. Is that an amendment to the amendment?

Mr. JOHNSON of Kentucky. It is not.

The SPEAKER. The vote will be first taken on the committee amendment which has been read.

The question was taken, and the committee amendment was agreed to.

Mr. JOHNSON of Kentucky. Mr. Speaker, there is a typographical error on page 2, line 11. The printer has used the letter "r" instead of the letter "d," making it "air" instead of "aid."

The SPEAKER. Without objection, the amendment will be agreed to.

There was no objection.

The SPEAKER. Has the gentleman from Kentucky another amendment?

Mr. JOHNSON of Kentucky. No. The first committee amendment was agreed to.

The SPEAKER. But did not the gentleman from Kentucky have two amendments to correct the text?

Mr. JOHNSON of Kentucky. No; just the one suggested, Mr. Speaker.

Mr. Speaker, I yield the remainder of my time to the gentleman from Florida [Mr. CLARK].

Mr. TRIBBLE. Mr. Speaker, I have an amendment to offer.

The SPEAKER. The Chair will recognize the gentleman from Georgia at the proper time. The gentleman from Florida [Mr. CLARK] is recognized for 58 minutes.

Mr. CLARK of Florida. Mr. Speaker, it is not my purpose to discuss at any length this bill. It seems to me, Mr. Speaker, that the bill carries upon its face every possible argument in its favor, and I can not conceive how any Member of Congress can possibly object to the enactment of this legislation. It has obtained in a great many of the States, and the fact that it has not obtained in the District of Columbia long before this is a mystery to me. It seems to me, Mr. Speaker, that this is legislation in the interest of both of the races involved. If the negro has a future in the economy of the Universe, he ought to have it as a member of a distinctive race and not as a mongrel. So far as the white race is concerned, I believe the future of the world is dependent upon the preservation of its integrity. I am free to admit and I do admit and I am glad to admit that the negro since the day he was given his freedom has made great progress in this country, and no man and no set of men are any more glad of the fact than am I and those of the section from which I hail; but, Mr. Speaker, the negro ought to desire, and I am sure the best element of his race does desire, that whatever progress they may make in this country, whatever progress they make in the world, may be made by their race as a distinctive race and not as an admixture of all the races. As I said, this legislation is in the interest of both, and ought to be placed upon the statute books, so that these races at the Capital of the country may maintain their own identity

and work out their own future under the laws of the country as best they can. As I said in the beginning, I do not care to enter into any lengthy discussion. I can not see how any Member upon the floor of this House can oppose it, and I shall not at this time take up the further time of the House. I want to say, however, Mr. Speaker, there is upon the statute books of this District a very stringent law for the punishment of bastardy. There is upon the statute books of this District a stringent law punishing the crime of seduction. That and the act which bears the name of the distinguished minority leader ought to protect females of any race against the vicious of their own or any other race. I mention these few thoughts, Mr. Speaker, and now I desire to yield 10 minutes to the gentleman from Illinois [Mr. MADDEN].

The SPEAKER. The gentleman from Illinois [Mr. MADDEN] is recognized for 10 minutes.

Mr. MADDEN. Mr. Speaker, I am opposed to intermarriage of the races. The negroes themselves are opposed to such marriages. But I am opposed to legislation making such marriages a crime. If a white man and a black woman want to marry, it should be a matter for them to decide. I think they would both be foolish to thus ostracize themselves from association with their own people, and that is what they do when they marry. But if they want to ostracize themselves, that is a personal matter between them, and should be.

To make such marriages criminal and void would leave the children of such marriages without the protection which they need and should have. Instead of bettering the moral conditions such a law would make them worse. It would leave many young girls at the mercy of brutes willing to take advantage of their virtue and then desert them to a life of shame. I can not conceive of a condition under which a white man should be allowed to cohabit with a black woman not his wife without being compelled by law to marry her or provide for the care of their children. Why should innocent women of the negro race not have the same protection of the law which is accorded to women of any other race? It will not do to say there is no such condition as that to which I have alluded. Everyone knows better, else how does it happen that we have so many people of mixed blood in the United States.

The negroes are willing to confine their marriages to their own race, indeed they would prefer that, but they have a right to demand that the women of their race shall not be considered the legitimate prey of the men of other races. [Applause.] If marriage between the Negro and Caucasian is so abhorrent as to some it seems to be, why do so many of the Caucasian men insist on taking undue liberties with the defenseless Negro women? Why do they insist on mixing the blood of the races? If the blood of both races can be kept pure by law, all right; but who can assure it? By all means, if we are to have a law against mixed marriages, that law should provide for arrest and prosecution for bastardy, so that it will be possible to expose those who boast of the purity of their blood while they continue clandestinely and illegally to cohabit with those against whom this law is directed.

Let the law of marriage stand as it is, and trust to the pride of race both among the Negroes and Caucasians to contract their marriages with their own people. The purpose of this law is to further degrade the negro, to make him feel the iron hand of tyranny so long practiced against his race.

We should do all we can to combat the spirit of persecution and prejudice which confronts the negroes of this country and to assure to them every right, privilege, and opportunity to which every citizen of the United States is entitled. The negroes ask no favors, no privileges, no special advantages. They ask no indulgence for their shortcomings, or any unusual economic and educational opportunities. They ask only equal opportunity—equality in the courts of the land. We should bestir ourselves to aid the negroes, not embarrass them or shame them. We should make them feel that they are a useful and desirable part of our people. No other people has ever made greater progress under like conditions. They have increased in numbers from 1863 to 1915 from 4,500,000 to 10,000,000. They have advanced from almost total illiteracy since emancipation until to-day 70 per cent can read and write. They have among them musicians, artists, doctors, lawyers, mechanics, artisans, agriculturists, bankers, educators, preachers, merchants, and are engaged in every useful occupation. They have accumulated property valued at $700,000,000—$70 per capita—a marvelous showing, a greater showing, indeed, than has ever been made before anywhere during all civilization. No other emancipated people have ever made so great a progress in so short a time.

We should remember that the negroes constitute one-tenth of our population, that they are a God-loving and law-abiding people who should be encouraged in their efforts to reach a higher moral standard. We should help the negro to help himself.

We should not continue to put the stamp of our disapproval upon him and cast him adrift and discourage him in an effort to reach that moral standard for which we all hope and continue to pray. The enactment of this law will do that, and will be one more step backward, which should never be taken by a Congress representing the people of America. [Applause.]

Mr. CLARK of Florida. Mr. Speaker, how much time have I left?

The SPEAKER. The gentleman has 40 minutes left.

Mr. CLARK of Florida. Mr. Speaker, I yield 15 minutes to the gentleman from Iowa [Mr. PROUTY].

The SPEAKER. The gentleman from Iowa [Mr. PROUTY] is recognized for 15 minutes.

Mr. PROUTY. Mr. Speaker, this is another of those "nostrums" that have been presented by the District Committee to this House which have been receiving the criticism of some Members of this House. A short time ago this House passed an amendment to the appropriation bill to some extent modifying and destroying what is commonly known as the sacred "half-and-half" principle. A few nights after that a meeting of the citizens in Washington was called together for the purpose of renouncing and denouncing the action of this House, and especially attacking the District Committee that is now reporting another one of these bills for the betterment, as I think, of the District of Columbia. I wish to send to the Clerk's desk and have read the part of a newspaper that I have marked as a basis for a few observations which I shall make.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

[Washington Evening Star of January 6, 1915.]

NOSTRUMS TRIED UPON THE DISTRICT—POLITICAL EXPERIMENT STATION OF NATION, SAYS REPRESENTATIVE MOORE—FOE OF ANY CHANGES IN HALF-AND-HALF PLAN.

BREEDING SPOT FOR NOSTRUMS.

"The District is the breeding spot for legislative nostrums that were created in the brains of gentlemen whose ideas do not always conform to the Constitution," declared Representative MOORE. "I am one who for the last three years have sat in Congress in utter amazement. A gentleman comes in from Iowa, after a large experience on the farm, and assumes that everything is wrong in the District of Columbia. A gentleman comes in from Oklahoma and says, 'I'll say things about 'em that will make the folks down home think I am some pumpkins.'

"You will have to be patient, for these gentlemen who have come to govern you are the descendants of our colonial forefathers who have gone away and come back to find that the old home is all wrong."

Mr. PROUTY. Mr. Speaker, I have no doubt that Members of this House will recognize that I am one of the fellows referred to in that remark. [Laughter.] I plead guilty to having taken a somewhat active part in trying to foist upon the District some of these "nostrums." I confess that I have taken quite an active part in helping to reform the tax laws of the District of Columbia. During all that time I have been subject to severe criticism and characterization and cartoons, against which I have never raised my voice.

But now that a charge so grave and so serious is preferred against this House, and myself in particular, by a Member of this House, not in the House, I feel that I can not quite constrain myself to keep still. What is the charge? That this House is dealing in nostrums—dangerous, obnoxious nostrums. I do not question the gentleman's right upon the floor of the House to criticize the Members of the House, but I do kindly suggest to him the impropriety, at least, and lack of courtesy in going down town to a meeting and attacking Members of Congress when they are not present and have no chance to reply. [Applause.] But I shall not discuss that question. I am going to leave that for the gentleman's own meditation and decision.

But he charges me with a very serious offense. He charges me with being "a farmer." [Laughter.] Now, if that accusation came from almost any other Member of this House I would consider it the compliment of my life, but coming from a man who, by his oft expressions on this floor, reveals his conception of the inferiority of that real yeomanry called "farmers" in this House, I can not accept his designation without some little resentment. [Laughter.]

But now what have I done? What has indicated that I was a farmer? I do not look like a farmer. My hands are not calloused. [Laughter.] I would, however, consider myself honored if I did belong to that class; but I am, unfortunately, something like the gentleman who thus attacked me—I have been devoting my life to other subjects and other pursuits.

But what is the charge, stripped of all its foliage, that he has lodged against me? Undoubtedly when he was hunting for a belittling name that he could apply to me he thought over the meanest thing that he could command. [Laughter.] He did not call me a liar or a thief or a fool, or anything of that

kind. He thought those too mild. He said to himself, "I will just brand him as a 'farmer,' a 'Reuben' from the far West." [Laughter.]

Mr. MURDOCK. Getting $1.60 for wheat. [Laughter.]

Mr. PROUTY. Now, Mr. Speaker, I am not going to parade my knowledge of the affairs of the District. The gentleman indicated that we were a lot of Reubens from the West who had strayed away from here and had come back here and thought we could reform things in the District. I have spent three hard years in investigating the affairs of the District of Columbia, and, without any boastfulness, I put my knowledge of the District of Columbia up against that of the distinguished gentleman who was appealing down town for the applause of the people of the District of Columbia. He may have some knowledge that I have not. He has professed knowledge about things here in this District on the floor of the House that I plead my ignorance of. [Laughter.] While I have been ignorant, I have not been quite able to understand whether he knows too much or too little about the District of Columbia. I admit I knew too little.

But now let us get down to concrete facts. What is the basis of this charge?

Mr. MOORE. Mr. Speaker——

The SPEAKER. Does the gentleman from Iowa yield to the gentleman from Pennsylvania?

Mr. PROUTY. With pleasure.

Mr. MOORE. Is the gentleman from Iowa making reference to me? Does he mean to say that I have charged him with any particular offense?

Mr. PROUTY. With being a farmer; yes.

Mr. MOORE. And is the gentleman serious about it?

Mr. PROUTY. I do not consider that is material. I refuse to answer. [Laughter.]

A few of us have been devoting considerable time to trying to right what we believed was a wrong in this District—a system of taxation that makes the people here bear but about one-half the burdens of taxation of the people at home. We have sought by all fair and honorable means to educate this House and these people. I do not know just exactly why a fellow should be accused of being a farmer on account of that. If so, it is a compliment, and I wish that there were some more farmers in this House and fewer bouquet chasers, so far as I am concerned. [Laughter.] The gentleman comes from Philadelphia. I mean the gentleman from Pennsylvania, Mr. MOORE, so that he may not have any doubt as to whom I refer. He comes from a beautiful city, a city that not only since the beginning of this Government, but long before, was struggling to be a great and beautiful city. I have no doubt that the gentleman has pride in that, but does the gentleman know that his people whom he represents here upon the floor of this House pay more than twice the taxes that are paid by the people from whom he was seeking bouquets down there the other night? Does he know that in the District of Columbia a man does not pay any taxes upon his moneys and credits, while up in Philadelphia his people, the people who are trying to make Philadelphia beautiful, are paying taxes upon their moneys and credits? Does he know that in the city of Washington there is no inheritance tax, direct or collateral? Does he know that up in Philadelphia the people whom he represents, and represents ably in some lines, pay an inheritance tax? Does he know that the State of Pennsylvania is contributing $567,000 annually as its pro rata in bearing the burdens that fall upon the people of the District of Columbia, while they are only bearing one-half of the burdens that his own people at home are carrying? Does he know that in the city of Philadelphia, in addition to the taxes the people have to pay in general, every man who owns a lot has to pay for the curbing, the sewering, the sidewalks, and the pavement in front of that lot? Does he know that his people, thus taxed, have to come down here and pour into the treasury of the District of Columbia funds to lift this burden off the poor, downtrodden people in the city of Washington? [Applause.]

I shall not pursue this question further, but I say that the men who have stood here and fought to protect the rights of the people at home, including the people of Philadelphia, have at least a right to be attacked only on the floor of this House by their colleague from Philadelphia. [Applause.]

Mr. CLARK of Florida. Mr. Speaker, how much time have I left?

The SPEAKER. Thirty minutes.

Mr. MOORE. Mr. Speaker, I rise to ask the gentleman from Florida [Mr. CLARK] in charge of this bill to yield to me as much time as he yielded to the gentleman from Iowa.

Mr. CLARK of Florida. Yes; I yield to the gentleman 15 minutes.

The SPEAKER. The gentleman from Iowa used only 10 minutes of his 15.

Mr. PROUTY. I yield the other five to the gentleman from Pennsylvania.

Mr. MOORE. Oh, no; the gentleman need not do that.

Mr. CLARK of Florida. I yield 10 minutes to the gentleman from Pennsylvania. That will be enough, will it not?

Mr. MOORE. Yes; that will be sufficient, I think.

Mr. CLARK of Florida. All right; I yield 10 minutes.

Mr. MOORE. Mr. Speaker, it is fair to the gentleman from Iowa [Mr. PROUTY] to say that a few minutes before 12 o'clock to-day he called me on the telephone and advised me to be present, informing me he had something to say that he desired me to hear. That was the fair and manly and statesmanlike thing to do. He did not want to say something about me when I was not in the House. I wondered what it was that he desired to say. He did not indicate what it was; and yet I suspected that possibly what he had in mind was due to a publication in one or two of the Washington newspapers recently about some remarks made by me at a meeting of what is called the Columbia Heights Citizens' Association.

It will be recalled that the District of Columbia has no representation upon this floor, and that about the only way in which the people of this District can express themselves is through these various citizens' associations.

I went reluctantly to this meeting, because I do not care to indulge too much in this sort of speech making, but I went to oblige some friends, and having gone there I concluded to say something. What I said appears to have been quoted. I did refer to the fact that there are a great many small States of this Union which, through no fault of their own, because the Constitution gives them that right, have a great deal to say in the Congress of the United States respecting the manner in which the larger States and the larger communities shall be governed. I did incidentally refer to the fact that 36 States of the Union can dominate 12 States that have a greater population, nearly all of the wealth, most of the manufactures, and most of the industries of the country. I did refer to a few of the States that have a peculiar power in this Government at this time, States like Nevada and Idaho, for instance, the total population of which does not exceed that of the single congressional district that I represent, which States have four United States Senators and three Members of the House of Representatives to look after them. They have no greater population than the District of Columbia, yet the District of Columbia has no representation upon this floor; and the gentleman from Iowa, who comes from a safe constituency, and gentlemen from other sections of the country, coming from constituencies that are perfectly safe upon questions affecting the District of Columbia, do take advantage of the fine opportunity they have here for original investigation, and they do present legislative nostrums here and compel us to vote upon them, whether we would or no.

Now, as to the gentleman's complaint: I did not make any serious accusation against the gentleman from Iowa. I have great personal respect for him, and I do not consider him a "rube" or a "farmer." [Laughter.] I am a farmer's son myself; I was born and brought up on a farm, but I never made the success the gentleman from Iowa has made of being "a farmer."

There are two sides to this question of "the farmer" and "the rube." Sometimes those of us who come from large cities have been accused of being unfair in our references to the farmers. Yet there are farmers and farmers; some good, some clever. I have always stood for the real and honest farmer. I have voted to protect his rights along with those of my own constituents. But as to "the other side" I send to the Clerk's desk an article from a Philadelphia newspaper published day before yesterday. It is strange it should appear at this time, because it shows that all men who profess to be farmers do not give their customers in the cities a square deal. The price of grain has gone up, and we are paying for it in the cities when we buy wheat and bread; in fact, everything that is manufactured in the great city industries to-day sells for a lower price than heretofore, while everything we buy to feed the city people, who have to come for their meals three times a day, is higher than ever before. I will ask the Clerk to read the article.

The Clerk read as follows:

HOLD UP 288,000 EGGS—SHIPMENT SAID TO BE 2 YEARS OLD CAN NOT BE SOLD HERE.

A shipment of 24,000 dozen eggs, alleged to be more than 2 years old, was held up yesterday by Special Agent Simmers, of the State dairy and food commission, at the Third and Berks Streets freight station of

the Philadelphia & Reading Railway. Mr. Simmers ordered that the eggs should not reach the consumer, and served notice on Nice & Schreiger, Willow and Water Streets, to whom the eggs were consigned, that he would give the firm one week to send the eggs out of the State. Mr. Simmers's action was in compliance with the law passed by the last legislature that eggs in storage more than eight months shall not be sold for public consumption. Mr. Simmers also notified the firm to collect 230 crates of eggs which had been distributed to retailers throughout the city. The 2-year-old eggs were shipped here from Dunlap, Iowa.

[Laughter.]

Mr. PROUTY. Will the gentleman yield?

Mr. MOORE. Certainly.

Mr. PROUTY. Is the gentleman from Pennsylvania now throwing rotten eggs at me? [Laughter.]

Mr. MOORE. It seems so, but the gentleman can interpret the article in his own way. I have had this article read merely to show that the gentleman or some of his constituents certainly know how to make a good, slick bargain; they know how to make us pay sometimes for their egg product of doubtful age that may have been in somebody's cellar or storage house for two years.

Mr. GREEN of Iowa. Will the gentleman yield?

Mr. MOORE. I will.

Mr. GREEN of Iowa. I suggest that the article in question simply shows the credulity—and I was almost going to say the absolute ignorance—of people dwelling in the cities with reference to matters in the country. Dunlap, Iowa, is in my district. It is a small town and never had a storage warehouse. It could not keep that quantity of eggs for two years, and the whole matter is an invention of some ingenious correspondent.

Mr. MOORE. I am glad to see that some one rises to defend this situation. [Laughter.] Apparently this question of rotten eggs does not appeal to any of the gentlemen from Iowa, and I did not think it would. So long as this farmer talk has come from one of the leading lights of Iowa, however, I thought it but fair that a statement should be made in justice to their customers in the city, who have no farmers' automobiles to ride in and who do not have the money to pay for farmers' eggs that are of dubious quality.

Now, Mr. Speaker, evidently the gentleman from Iowa, whom I did not personally attack—and I wish to say that no names were called in the desultory address that I made the other night—the gentleman from Iowa evidently has in mind one or two matters that are just a little unpleasant to him now. He has stood here as sponsor for several bills that have not been working out just as the gentleman from Iowa would have them. I can not mention the name of a representative in another body, because it is contrary to the rules of the House, but I think there is a little soreness over there also, as was revealed in a recent debate, due to the fact that some people are watching the progress of these nostrums brought into the House to be tried out on the District of Columbia, and are complaining that they are not quite as effective as they might have been.

One particular bill which was not introduced by the gentleman from Iowa, who has taken it upon himself to wear the boot that might have fitted other representatives of the State—and I did not refer to him or to anyone in particular in the speech of which he complains—the gentleman from Iowa, who has taken the boot, evidently is speaking for a distinguished member of another body. He seems to think——

The SPEAKER. The gentleman from Pennsylvania must not discuss Members at the other end of the Capitol.

Mr. MOORE. I will put this up to the distinguished gentleman from Iowa, and if he does not "get all the headlines" which he deserves——

Mr. PROUTY. Will the gentleman yield.

Mr. MOORE. Yes.

Mr. PROUTY. To relieve the gentleman from Pennsylvania from any embarrassment I will say that the bill he refers to was introduced by me in the House, and you can lay it all on me.

Mr. MOORE. The gentleman having relieved me of any possible violation of the rules of parliamentary procedure, I will say that I believe the gentleman is not quite satisfied in his own mind that the law for which he stood, but which does not bear his name, is not working out as he hoped it would.

There are several District of Columbia laws to which I might refer and characterize as "nostrums," but this one particular law for which the gentleman stood as sponsor and which he takes over to himself, though it does not bear his name, has had the effect of which I indicated recently, of driving out a certain class of undesirable residents in the District of Columbia and sending them into the respectable residential quarters, where they have been giving respectable people a great deal of trouble.

I do not care to go further with that matter than to say that yesterday, if reports in the paper be true, there was committed in the District of Columbia, or near by, one of the most atrocious murders that has ever occurred here, the murder of two men and the shooting of one of these unfortunate women who had moved from the city to a neighborhood section of the country——

The SPEAKER. The time of the gentleman from Pennsylvania has expired.

Mr. MOORE. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

Mr. CLARK of Florida. Mr. Speaker, I yield five minutes to the gentleman from Texas [Mr. SLAYDEN].

Mr. SLAYDEN. Mr. Speaker, I am glad to hear the gentleman from Illinois say that he opposes intermarriage between negroes and whites, and I am glad to hear from him that the negroes themselves oppose such marriages. I wish I could believe the latter part of his statement. Unfortunately I know it is not true. Some negroes may oppose the hybridization of their race. Many profess to oppose it, but usually in a spirit of defiance or for political purposes. The gentleman from Illinois being a well-read and highly informed man presumably opposes it, because he knows it to be bad for both races. This must be his position, and yet he says there should be no law on the subject, and that it should be left to the blacks and whites themselves to determine whether such marriages shall occur.

Why, Mr. Speaker, we do not even allow the beasts of the field freedom to hybridize in that way, and how infinitely more important it is that the breeding of men should be intelligently controlled? But if he is right and the negroes want to prevent the production of mongrels, why not gratify them by giving them this law?

If the gentleman were as familiar as I am with the real conditions in southern communities, where there are many more negroes with much less political importance than there are in Chicago, he would know that what ought to be regarded as a badge of shame is really looked upon by many negroes as an advantage, and that difference in complexion makes the difference in the social rank, the substratum of negro society being the blacker members of the race.

I want purity of race for the good of both races. The thoroughbred is better than the mongrel in all forms of animal life.

The gentleman is right when he says that the negroes in the United States have advanced astonishingly. I am glad to hear it. I have nothing but kindly feeling for them, and I always insist upon justice for them. They have advanced amazingly, but only in the United States or in certain West Indian Islands where they have lived under analogous conditions. They have prospered when basking in the sunshine of the white man's presence and when their society has been stimulated by the white man's mind.

Have they made a corresponding advance elsewhere? The gentleman may read the answer in the history of Liberia, Haiti, Santo Domingo, and in the centuries-old, undisturbed savagery of nearly all the African Continent.

Mr. CLARK of Florida. Mr. Speaker, I now move the previous question on the bill as amended to final passage.

The SPEAKER. The Chair will ask the gentleman to withhold that motion for a moment. The Chair will state to the gentleman that he promised to recognize the gentleman from Georgia [Mr. TRIBBLE]—and the Chair is not certain but that he should have recognized him at the time—and the gentleman from California [Mr. HAYES], both to offer amendments; and if the gentleman will withhold the motion for a moment, until the Chair can recognize these gentlemen, the Chair will be obliged to him.

Mr. CLARK of Florida. Mr. Speaker, how much time have I left?

The SPEAKER. Twenty minutes.

Mr. CLARK of Florida. Mr. Speaker, I fear I must insist upon my motion for the previous question on the bill as amended to final passage.

Mr. HUMPHREY of Washington. Mr. Speaker, will the gentleman withhold his motion until I can ask him a question about the bill, for information?

Mr. CLARK of Florida. I will withhold the motion for a moment in order that I may answer the gentleman's question.

Mr. HUMPHREY of Washington. Mr. Speaker, I wish to ask the gentleman how many of these marriages there are in the District? What is the extent of this practice?

Mr. CLARK of Florida. Mr. Speaker, I do not know how many there are, but they are very considerable, and there ought not to be any.

Mr. HUMPHREY of Washington. I wanted to know whether the gentleman knew. I am asking for information.

Mr. CLARK of Florida. It is getting worse all of the time.

The SPEAKER. The gentleman from Florida moves the previous question on the bill and amendments to final passage.

Mr. CLARK of Florida. Mr. Speaker, I understand that the committee amendments have been adopted. I now move the previous question on the bill as amended to final passage.

The SPEAKER. The question is on the motion of the gentleman from Florida on ordering the previous question on the bill as amended.

Mr. RAKER. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. RAKER. Mr. Speaker, I would like to state to the gentleman that I have prepared here four amendments which I would like to offer to the bill.

Mr. CLARK of Florida. Mr. Speaker, I shall have to insist on the motion. This bill is intended only to cover one feature of this case.

Mr. RAKER. Mr. Speaker, may I have my proposed amendments printed in the RECORD?

Mr. CLARK of Florida. Mr. Speaker, I demand the regular order.

The SPEAKER. The regular order is the motion of the gentleman from Florida on ordering the previous question.

The question was taken; and on a division (demanded by Mr. MANN) there were—ayes 83, noes 53.

Mr. MANN. Mr. Speaker, I demand the yeas and nays.

The SPEAKER. The gentleman from Illinois demands the yeas and nays.

Mr. DONOVAN. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from Connecticut makes the point of order that there is no quorum present. Evidently there is not. The Doorkeeper will close the doors, the Sergeant at Arms will notify absentees, and the Clerk will call the roll. The question is on ordering the previous question.

The question was taken; and there were—yeas 175, nays 119, answering "present" 1, not voting 129, as follows:

YEAS—175.

Abercrombie	Dixon	Hill	Quin
Adair	Donohoe	Hobson	Ragsdale
Adamson	Doolittle	Holland	Rainey
Aiken	Doremus	Houston	Rauch
Alexander	Doughton	Howard	Rayburn
Ashbrook	Driscoll	Hughes, Ga.	Reilly, Wis.
Aswell	Dupré	Hull	Rouse
Baker	Eagle	Humphreys, Miss.	Rubey
Barkley	Edwards	Jacoway	Rucker
Barnhart	Estopinal	Johnson, Ky.	Russell
Beall, Tex.	Fergusson	Kennedy, Conn.	Seldomridge
Blackmon	Ferris	Kettner	Sherley
Borchers	Fields	Key, Ohio	Sims
Borland	Finley	Kirkpatrick	Sisson
Brockson	Fitzgerald	Konop	Slayden
Brown, N. Y.	FitzHenry	Korbly	Slemp
Brown, W. Va.	Flood, Va.	Lee, Ga.	Small
Brumbaugh	Floyd, Ark.	Lee, Pa.	Smith, Tex.
Buchanan, Ill.	Foster	Lever	Sparkman
Buchanan, Tex.	Fowler	Lewis, Md.	Stedman
Burgess	Francis	Lieb	Stephens, Miss.
Burke, Wis.	French	Linthicum	Stephens, Tex.
Burnett	Gard	Lloyd	Stone
Byrnes, S. C.	Garner	Lobeck	Stout
Byrns, Tenn.	Garrett, Tenn.	McKellar	Stringer
Candler, Miss.	Garrett, Tex.	Maguire, Nebr.	Sumners
Cantrill	Gill	Mahan	Taylor, Ala.
Caraway	Gittins	Mitchell	Taylor, Ark.
Carr	Goodwin, Ark.	Montague	Thomas
Carter	Gordon	Moon	Thompson, Okla.
Church	Goulden	Morgan, La.	Tribble
Clark, Fla.	Graham, Ill.	Morrison	Underhill
Cline	Gray	Moss, Ind.	Underwood
Coady	Gregg	Mulkey	Vaughan
Collier	Gudger	Murray	Vinson
Connelly, Kans.	Hamlin	Oldfield	Walker
Connolly, Iowa	Hardy	O'Shaunessy	Watkins
Crisp	Harris	Padgett	Watson
Cullop	Harrison	Page, N. C.	Weaver
Davenport	Hay	Palmer	Webb
Dent	Hayden	Park	Whaley
Dershem	Heflin	Peterson	Williams
Dickinson	Henry	Post	Wingo
Dies	Hensley	Pou	

NAYS—119.

Anderson	Copley	Gardner	Helvering
Anthony	Cramton	Gerry	Hinds
Barton	Curry	Gillett	Howell
Beakes	Danforth	Gilmore	Hughes, W. Va.
Bell, Cal.	Davis	Good	Hulings
Britten	Deitrick	Gorman	Humphrey, Wash.
Browne, Wis.	Dillon	Green, Iowa	Johnson, Wash.
Browning	Donovan	Greene, Mass.	Kahn
Bryan	Esch	Greene, Vt.	Keating
Bulkley	Fairchild	Hamill	Keister
Burke, S. Dak.	Farr	Hamilton, Mich.	Kelly, Pa.
Butler	Fordney	Hamilton, N. Y.	Kiess, Pa.
Calder	Frear	Hawley	Lafferty
Campbell	Gallagher	Hayes	La Follette
Cooper	Gallivan	Helgesen	Langham
Langley	Neeley, Kans.	Riordan	Stevens, N. H.
Lenroot	Nolan, J. I.	Roberts, Mass.	Sutherland
Lindbergh	Norton	Rogers	Switzer
Lonergan	Paige, Mass.	Sabath	Tavenner
McAndrews	Parker, N. J.	Sherwood	Temple
McGillicuddy	Parker, N. Y.	Sinnott	Thacher
McKenzie	Patton, Pa.	Sloan	Thomson, Ill.
McLaughlin	Phelan	Smith, Idaho	Towner
Madden	Platt	Smith, J. M. C.	Treadway
Mann	Plumley	Smith, Minn.	Volstead
Mapes	Porter	Smith, Saml. W.	Wallin
Miller	Prouty	Stafford	Walters
Moore	Raker	Steenerson	Winslow
Morgan, Okla.	Reed	Stephens, Cal.	Young, N. Dak.
Murdock	Reilly, Conn.	Stevens, Minn.	

ANSWERING "PRESENT"—1.

Kinkaid, Nebr.

NOT VOTING—129.

Ainey	Drukker	Kitchin	Rupley
Allen	Dunn	Knowland, J. R.	Saunders
Austin	Eagan	Kreider	Scott
Avis	Edmonds	Lazaro	Scully
Bailey	Elder	L'Engle	Sells
Baltz	Evans	Lesher	Shackleford
Barchfeld	Faison	Levy	Shreve
Bartholdt	Falconer	Lewis, Pa.	Smith, Md.
Bartlett	Fess	Lindquist	Smith, N. Y.
Bathrick	George	Loft	Stanley
Bell, Ga.	Glass	Logue	Stephens, Nebr.
Booher	Godwin, N. C.	McClellan	Taggart
Bowdle	Goeke	McGuire, Okla.	Talbott, Md.
Brodbeck	Goldfogle	MacDonald	Talcott, N. Y.
Broussard	Graham, Pa.	Maher	Taylor, Colo.
Bruckner	Griest	Manahan	Taylor, N. Y.
Burke, Pa.	Griffin	Martin	Ten Eyck
Callaway	Guernsey	Metz	Townsend
Cantor	Hart	Mondell	Tuttle
Carew	Haugen	Morin	Vare
Carlin	Helm	Moss, W. Va.	Vollmer
Cary	Hinebaugh	Mott	Walsh
Casey	Hoxworth	Neely, W. Va.	Whitacre
Chandler, N. Y.	Igoe	Nelson	White
Clancy	Johnson, S. C.	O'Brien	Wilson, Fla.
Claypool	Johnson, Utah	Oglesby	Wilson, N. Y.
Conry	Jones	O'Hair	Witherspoon
Cox	Kelley, Mich.	Patten, N. Y.	Woodruff
Crosser	Kennedy, Iowa	Peters	Woods
Dale	Kennedy, R. I.	Powers	Young, Tex.
Decker	Kent	Price	
Difenderfer	Kindel	Roberts, Nev.	
Dooling	Kinkead, N. J.	Rothermel	

So the previous question was ordered.

The Clerk announced the following pairs:

Until further notice:

Mr. BELL of Georgia with Mr. GRIEST.

Mr. WILSON of Florida with Mr. ROBERTS of Nevada.

Mr. IGOE with Mr. MOTT.

Mr. BARTLETT with Mr. BARCHFELD.

Mr. BATHRICK with Mr. AINEY.

Mr. BOOHER with Mr. BARTHOLDT.

Mr. BROUSSARD with Mr. DUNN.

Mr. BRUCKNER with Mr. CARY.

Mr. CAREW with Mr. BURKE of Pennsylvania.

Mr. ALLEN with Mr. CHANDLER of New York.

Mr. CALLAWAY with Mr. AUSTIN.

Mr. CARLIN with Mr. AVIS.

Mr. CASEY with Mr. EDMONDS.

Mr. CONRY with Mr. FESS.

Mr. DALE with Mr. GRAHAM of Pennsylvania.

Mr. DECKER with Mr. GUERNSEY.

Mr. DOOLING with Mr. HAUGEN.

Mr. EAGAN with Mr. HINEBAUGH.

Mr. FAISON with Mr. JOHNSON of Utah.

Mr. GLASS with Mr. KELLEY of Michigan.

Mr. GODWIN of North Carolina with Mr. KENNEDY of Rhode Island.

Mr. GOLDFOGLE with Mr. KENNEDY of Iowa.

Mr. GRIFFIN with Mr. KINKAID of Nebraska.

Mr. HART with Mr. J. R. KNOWLAND.

Mr. JOHNSON of South Carolina with Mr. KREIDER.

Mr. JONES with Mr. LEWIS of Pennsylvania.

Mr. KITCHIN with Mr. MARTIN.

Mr. LAZARO with Mr. MCGUIRE of Oklahoma.

Mr. LESHER with Mr. MANAHAN.

Mr. LOFT with Mr. MONDELL.

Mr. MAHER with Mr. MORIN.

Mr. NEELY of West Virginia with Mr. Moss of West Virginia.

Mr. PATTEN of New York with Mr. NELSON.

Mr. PRICE with Mr. PETERS.

Mr. SCULLY with Mr. POWERS.

Mr. SMITH of New York with Mr. LINDQUIST.

Mr. STEPHENS of Nebraska with Mr. SCOTT.

Mr. TAGGART with Mr. SHREVE.

Mr. TALBOTT of Maryland with Mr. VARE.

Mr. TAYLOR of Colorado with Mr. WOODS.

The result of the vote was announced as above recorded.

The SPEAKER. The Doorkeeper will unlock the doors.

LEAVE OF ABSENCE.

The SPEAKER laid before the House the following personal request:

HANOVER, PA., *January 11, 1915.*

Hon. CHAMP CLARK,
Speaker House of Representatives:

I respectfully ask leave of absence for several days on account of illness.

A. R. BRODBECK.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

INTERMARRIAGE OF WHITE AND NEGRO RACES IN THE DISTRICT OF COLUMBIA.

The SPEAKER. The question is on the engrossment and third reading.

Mr. HEFLIN. Mr. Speaker, I ask for the yeas and nays.

The SPEAKER. Not on the third reading?

Mr. HEFLIN. No; not on the third reading.

Mr. RUCKER. Mr. Speaker, I ask for the yeas and nays on this vote.

The SPEAKER. Does the gentleman demand the yeas and nays on the third reading?

Mr. RUCKER. That is what I do; yes, sir.

The SPEAKER. Why, of course there is no doubt about the gentleman's right.

The question was taken, and the yeas and nays were refused.

The bill was ordered to be engrossed and read a third time; was read the third time.

Mr. RAKER. Mr. Speaker——

Mr. MANN. Mr. Speaker, I move to recommit the bill.

Mr. RUCKER. Mr. Speaker——

Mr. RAKER. Mr. Speaker——

The SPEAKER. The gentleman from Missouri.

Mr. RUCKER. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. RUCKER. Is it proper now to demand a reading of the engrossed reading of this bill?

The SPEAKER. The Chair did not understand the gentleman.

Mr. RUCKER. Is this the proper time to demand a reading of the engrossed copy of the bill?

The SPEAKER. It is too late. The gentleman from Illinois [Mr. MANN] moves to recommit this bill. Is the gentleman opposed to it?

Mr. MANN. I am.

Mr. RAKER. Mr. Speaker——

The SPEAKER. The gentleman from California.

Mr. RAKER. Does a motion to recommit with specific instructions have precedence over a motion simply to recommit?

The SPEAKER. The gentleman can amend the motion to recommit.

Mr. UNDERWOOD. Mr. Speaker, I move the previous question on the motion to recommit.

Mr. FOSTER. Mr. Speaker, I move the previous question on the motion to recommit.

Mr. RAKER. I offer to amend the motion to recommit, Mr. Speaker.

The SPEAKER. But two gentlemen moved the previous question on the motion to recommit. The question is on the previous question on the motion of the gentleman from Illinois to recommit.

The question was taken, and the previous question was ordered.

The SPEAKER. The question is on the motion to recommit.

Mr. RUCKER. Mr. Speaker, I demand the yeas and nays on that motion.

The SPEAKER. The gentleman from Missouri demands the yeas and nays on the motion to recommit.

The yeas and nays were ordered.

The SPEAKER. The question is on the motion of the gentleman from Illinois to recommit, and the Clerk will call the roll.

The question was taken; and there were—yeas 90, nays 201, answered "present" 1, not voting 132, as follows:

YEAS—90.

Anderson	Copley	Gillett	Humphrey, Wash.
Barchfeld	Crosser	Gilmore	Johnson, Wash.
Barton	Danforth	Good	Kahn
Bell, Cal.	Davis	Green, Iowa	Kelly, Pa.
Britten	Deitrick	Greene, Mass.	Kiess, Pa.
Browne, Wis.	Donovan	Greene, Vt.	Lafferty
Browning	Esch	Hamilton, Mich.	La Follette
Bulkley	Fairchild	Hamilton, N. Y.	Langham
Burke, S. Dak.	Farr	Hawley	Lenroot
Butler	Fordney	Helgesen	Lindbergh
Calder	French	Howell	McAndrews
Campbell	Gallagher	Hughes, W. Va.	McKenzie
Cobper	Gardner	Hulings	Madden
Mann	Patton, Pa.	Smith, Idaho	Thomson, Ill.
Martin	Platt	Smith, J. M. C.	Towner
Miller	Plumley	Smith, Minn.	Treadway
Mondell	Porter	Stafford	Volstead
Moore	Riordan	Steenerson	Wallin
Nelson	Roberts, Mass.	Stevens, Minn.	Walters
Norton	Rogers	Sutherland	Winslow
Paige, Mass.	Sabath	Switzer	Young, N. Dak.
Parker, N. J.	Sherwood	Temple	
Parker, N. Y.	Sloan	Thacher	

NAYS—201.

Abercrombie	Donohoe	Hughes, Ga.	Reilly, Conn.
Adair	Doolittle	Hull	Reilly, Wis.
Adamson	Doremus	Humphreys, Miss.	Rouse
Aiken	Doughton	Jacoway	Rubey
Alexander	Driscoll	Johnson, Ky.	Russell
Anthony	Dupré	Keating	Seldomridge
Ashbrook	Eagle	Kennedy, Conn.	Sells
Aswell	Edwards	Kettner	Sherley
Baker	Estopinal	Key, Ohio	Sims
Barkley	Fergusson	Kirkpatrick	Sinnott
Barnhart	Ferris	Konop	Sisson
Beakes	Fields	Korbly	Slayden
Beall, Tex.	Finley	Lee, Ga.	Slemp
Blackmon	FitzHenry	Lee, Pa.	Small
Borchers	Flood, Va.	Lever	Smith, Saml. W.
Borland	Floyd, Ark.	Lieb	Smith, Tex.
Bowdle	Foster	Linthicum	Sparkman
Brockson	Francis	Lobeck	Stedman
Brown, N. Y.	Frear	Lonergan	Stephens, Miss.
Brumbaugh	Gallivan	McGillicuddy	Stephens, Tex.
Bryan	Gard	McKellar	Stevens, N. H.
Buchanan, Ill.	Garner	McLaughlin	Stone
Buchanan, Tex.	Garrett, Tenn.	Maguire, Nebr.	Stringer
Burgess	Garrett, Tex.	Mahan	Sumners
Burke, Wis.	Gerry	Mapes	Taggart
Burnett	Gittins	Mitchell	Talcott, N. Y.
Byrnes, S. C.	Godwin, N. C.	Montague	Tavenner
Byrns, Tenn.	Goodwin, Ark.	Moon	Taylor, Ala.
Candler, Miss.	Gordon	Morgan, Okla.	Taylor, Ark.
Cantrill	Gorman	Morrison	Taylor, Colo.
Caraway	Goulden	Moss, Ind.	Thomas
Carlin	Graham, Ill.	Mulkey	Thompson, Okla.
Carr	Gray	Murray	Tribble
Carter	Gregg	Neeley, Kans.	Underhill
Clark, Fla.	Gudger	Nolan, J. I.	Underwood
Cline	Hamlin	Oldfield	Vaughan
Coady	Hardy	O'Shaunessy	Vinson
Collier	Harris	Padgett	Vollmer
Connelly, Kans.	Harrison	Page, N. C.	Walker
Connolly, Iowa	Hay	Palmer	Watkins
Cox	Hayden	Park	Watson
Crisp	Heflin	Peterson	Weaver
Curry	Helm	Phelan	Webb
Davenport	Helvering	Pou	Whaley
Decker	Henry	Prouty	White
Dent	Hensley	Quin	Williams
Dershem	Hill	Ragsdale	Wingo
Dickinson	Hobson	Rainey	Young, Tex.
Dies	Holland	Raker	
Dillon	Houston	Rayburn	
Dixon	Howard	Reed	

ANSWERED "PRESENT"—1.

Kinkaid, Nebr.

NOT VOTING—132.

Ainey	Eagan	Kent	Peters
Allen	Edmonds	Kindel	Post
Austin	Elder	Kinkead, N. J.	Powers
Avis	Evans	Kitchin	Price
Bailey	Faison	Knowland, J. R.	Rauch
Baltz	Falconer	Kreider	Roberts, Nev.
Bartholdt	Fess	Langley	Rothermel
Bartlett	Fitzgerald	Lazaro	Rucker
Bathrick	Fowler	L'Engle	Rupley
Bell, Ga.	George	Lesher	Saunders
Booher	Gill	Levy	Scott
Brodbeck	Glass	Lewis, Md.	Scully
Broussard	Goeke	Lewis, Pa.	Shackleford
Brown, W. Va.	Goldfogle	Lindquist	Shreve
Bruckner	Graham, Pa.	Lloyd	Smith, Md.
Burke, Pa.	Griest	Loft	Smith, N. Y.
Callaway	Griffin	Logue	Stanley
Cantor	Guernsey	McClellan	Stephens, Cal.
Carew	Hamill	McGuire, Okla.	Stephens, Nebr.
Cary	Hart	MacDonald	Stout
Casey	Haugen	Maher	Talbott, Md.
Chandler, N. Y.	Hayes	Manahan	Taylor, N. Y.
Church	Hinds	Metz	Ten Eyck
Clancy	Hinebaugh	Morgan, La.	Townsend
Claypool	Hoxworth	Morin	Tuttle
Conry	Igoe	Moss, W. Va.	Vare
Cramton	Johnson, S. C.	Mott	Walsh
Cullop	Johnson, Utah	Murdock	Whitacre
Dale	Jones	Neely, W. Va.	Wilson, Fla.
Difenderfer	Keister	O'Brien	Wilson, N. Y.
Dooling	Kelley, Mich.	Oglesby	Witherspoon
Drukker	Kennedy, Iowa	O'Hair	Woodruff
Dunn	Kennedy, R. I.	Patten, N. Y.	Woods

So the motion to recommit was rejected.

The Clerk announced the following additional pairs:

Until further notice:

Mr. BARTLETT with Mr. AVIS.

Mr. PATTEN of New York with Mr. GUERNSEY.

Mr. KITCHIN with Mr. HAYES.

Mr. BROWN of West Virginia with Mr. KENNEDY of Iowa.

Mr. EVANS with Mr. SHREVE.

Mr. FITZGERALD with Mr. WOODS.

Mr. LEWIS of Maryland with Mr. CRAMTON.
Mr. LLOYD with Mr. HINDS.
Mr. MORGAN of Louisiana with Mr. KEISTER.
Mr. SHACKLEFORD with Mr. LANGLEY.
Mr. LEVY with Mr. STEPHENS of California.
The result of the vote was announced as above recorded.
The SPEAKER. The question is on the passage of the bill.
Mr. CLARK of Florida rose.
The SPEAKER. For what purpose does the gentleman rise?
Mr. CLARK of Florida. In order to save time, Mr. Speaker, I demand the yeas and nays on the passage of the bill.
The SPEAKER. The gentleman from Florida [Mr. CLARK] demands the yeas and nays.
The yeas and nays were ordered.
The SPEAKER. The Clerk will call the roll. Those in favor of passing this bill will, when their names are called, answer "yea"; those opposed will answer "nay."
The question was taken; and there were—yeas 238, nays 60, not voting 126, as follows:

YEAS—238.

Abercrombie	Donovan	Humphreys, Miss.	Reilly, Wis.
Adair	Dooling	Jacoway	Riordan
Adamson	Doolittle	Johnson, Ky.	Rogers
Aiken	Doremus	Johnson, S. C.	Rouse
Alexander	Doughton	Keating	Rubey
Ashbrook	Driscoll	Kennedy, Conn.	Russell
Aswell	Dupré	Key, Ohio	Seldomridge
Avis	Eagle	Kiess, Pa.	Sells
Bailey	Edwards	Kinkaid, Nebr.	Sherley
Baker	Estopinal	Kirkpatrick	Sims
Barkley	Fergusson	Kitchin	Sinnott
Barnhart	Ferris	Konop	Sisson
Bartlett	Fields	Korbly	Slayden
Barton	Finley	Langley	Slemp
Beakes	FitzHenry	Lee, Ga.	Sloan
Beall, Tex.	Flood, Va.	Lee, Pa.	Small
Bell, Cal.	Floyd, Ark.	Lever	Smith, Idaho
Blackmon	Fordney	Lewis, Md.	Smith, N. Y.
Borchers	Foster	Lieb	Smith, Saml. W.
Borland	Fowler	Lloyd	Smith, Tex.
Bowdle	Francis	Lobeck	Sparkman
Britten	Frear	Lonergan	Stedman
Brockson	French	McAndrews	Stephens, Cal.
Brown, N. Y.	Gallagher	McGillicuddy	Stephens, Miss.
Brumbaugh	Gallivan	McKellar	Stephens, Nebr.
Bryan	Gard	McKenzie	Stephens, Tex.
Buchanan, Ill.	Garner	McLaughlin	Stevens, N. H.
Buchanan, Tex.	Garrett, Tenn.	Maguire, Nebr.	Stone
Burgess	Garrett, Tex.	Mahan	Stout
Burke, Wis.	Godwin, N. C.	Mapes	Stringer
Burnett	Goodwin, Ark.	Martin	Sumners
Byrnes, S. C.	Gordon	Mitchell	Sutherland
Byrns, Tenn.	Gorman	Montague	Taggart
Candler, Miss.	Goulden	Moon	Tavenner
Cantrill	Graham, Ill.	Morgan, Okla.	Taylor, Ala.
Caraway	Gray	Moss, Ind.	Taylor, Ark.
Carlin	Greene, Vt.	Mulkey	Taylor, Colo.
Carr	Gregg	Murray	Thomas
Carter	Gudger	Neeley, Kans.	Thompson, Okla.
Church	Hamlin	Nolan, J. I.	Treadway
Clark, Fla.	Hardy	Oldfield	Tribble
Cline	Harris	O'Shaunessy	Underhill
Coady	Harrison	Padgett	Underwood
Collier	Hay	Page, N. C.	Vaughan
Connelly, Kans.	Hayden	Paige, Mass.	Vinson
Connolly, Iowa	Hayes	Palmer	Vollmer
Cox	Heflin	Park	Walker
Cramton	Helm	Patton, Pa.	Watkins
Crisp	Helvering	Peterson	Watson
Curry	Henry	Phelan	Weaver
Davenport	Hensley	Plumley	Webb
Decker	Hill	Porter	Whaley
Deitrick	Hobson	Pou	White
Dent	Holland	Prouty	Williams
Dershem	Houston	Quin	Wingo
Dickinson	Howard	Ragsdale	Winslow
Dies	Howell	Rainey	Woods
Dillon	Hughes, Ga.	Raker	Young, Tex.
Dixon	Hughes, W. Va.	Rayburn	
Donohoe	Hull	Reed	

NAYS—60.

Anderson	Fairchild	Lafferty	Sherwood
Anthony	Farr	La Follette	Smith, J. M. C.
Barchfeld	Gardner	Langham	Smith, Minn.
Browne, Wis.	Gerry	Lenroot	Stafford
Browning	Gillett	Lindbergh	Steenerson
Bulkley	Gilmore	Madden	Stevens, Minn.
Burke, S. Dak.	Good	Mann	Switzer
Butler	Green, Iowa	Miller	Temple
Campbell	Greene, Mass.	Mondell	Thacher
Cooper	Hamilton, Mich.	Nelson	Thomson, Ill.
Copley	Helgesen	Norton	Towner
Crosser	Hinds	Parker, N. J.	Volstead
Danforth	Hulings	Platt	Wallin
Davis	Johnson, Wash.	Reilly, Conn.	Walters
Esch	Kelly, Pa.	Roberts, Mass.	Young, N. Dak.

NOT VOTING—126.

Ainey	Broussard	Casey	Dunn
Allen	Brown, W. Va.	Chandler, N. Y.	Eagan
Austin	Bruckner	Clancy	Edmonds
Baltz	Burke, Pa.	Claypool	Elder
Bartholdt	Calder	Conry	Evans
Bathrick	Callaway	Cullop	Faison
Bell, Ga.	Cantor	Dale	Falconer
Booher	Carew	Difenderfer	Fess
Brodbeck	Cary	Drukker	Fitzgerald
George	Kelley, Mich.	Metz	Sabath
Gill	Kennedy, Iowa	Moore	Saunders
Gittins	Kennedy, R. I.	Morgan, La.	Scott
Glass	Kent	Morin	Scully
Goeke	Kettner	Morrison	Shackleford
Goldfogle	Kindel	Moss, W. Va.	Shreve
Graham, Pa.	Kinkead, N. J.	Mott	Smith, Md.
Griest	Knowland, J. R.	Murdock	Stanley
Griffin	Kreider	Neely, W. Va.	Talbott, Md.
Guernsey	Lazaro	O'Brien	Talcott, N. Y.
Hamill	L'Engle	Oglesby	Taylor, N. Y.
Hamilton, N. Y.	Lesher	O'Hair	Ten Eyck
Hart	Levy	Parker, N. Y.	Townsend
Haugen	Lewis, Pa.	Patten, N. Y.	Tuttle
Hawley	Lindquist	Peters	Vare
Hinebaugh	Linthicum	Post	Walsh
Hoxworth	Loft	Powers	Whitacre
Humphrey, Wash.	Logue	Price	Wilson, Fla.
Igoe	McClellan	Rauch	Wilson, N. Y.
Johnson, Utah	McGuire, Okla.	Roberts, Nev.	Witherspoon
Jones	MacDonald	Rothermel	Woodruff
Kahn	Maher	Rucker	
Keister	Manahan	Rupley	

So the bill was passed.
The Clerk announced the following additional pairs:
Mr. MORRISON with Mr. HUMPHREY of Washington.
Mr. FITZGERALD with Mr. GUERNSEY.
Mr. ELDER with Mr. CALDER.
Mr. SHACKLEFORD with Mr. HAMILTON of New York.
Mr. L'ENGLE with Mr. KAHN.
Mr. OGLESBY with Mr. HAWLEY.
Mr. ROTHERMEL with Mr. MOORE.
Mr. CALLAWAY. Mr. Speaker, I desire to vote "yea."
The SPEAKER. Was the gentleman in the Hall listening when his name should have been called?
Mr. CALLAWAY. I got in after my name was called.
The SPEAKER. The gentleman does not bring himself within the rule.
The result of the vote was announced as above recorded.
On motion of Mr. CLARK of Florida, a motion to reconsider the last vote was laid on the table.

LEAVE TO EXTEND REMARKS.

Mr. RAKER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on this bill.
The SPEAKER. The gentleman from California asks unanimous consent to extend his remarks in the RECORD on the bill just passed. Is there objection?
Mr. CLARK of Florida. I ask unanimous consent that all Members who spoke on this bill may have leave to revise and extend their remarks.
The SPEAKER. For how long?
Mr. CLARK of Florida. Within five legislative days.
The SPEAKER. The gentleman from Florida [Mr. CLARK] asks unanimous consent that all gentlemen who spoke on this bill have five legislative days in which to extend their remarks. Is there objection?
Mr. MANN. I object.
The SPEAKER. The gentleman from California [Mr. RAKER] asks unanimous consent to extend his remarks in the RECORD. Is there objection?
There was no objection.
Mr. CLARK of Florida. Mr. Speaker, I ask unanimous consent to revise and extend my remarks.
The SPEAKER. The gentleman from Florida asks unanimous consent to revise and extend his remarks on the bill just passed. Is there objection?
There was no objection.

MINORITY VIEWS ON S. 2335.

Mr. GREENE of Massachusetts. Mr. Speaker, I ask unanimous consent to present the views of the minority on the bill (S. 2335) to provide for the register and enrollment of vessels built in foreign countries when such vessels have been wrecked on the coasts of the United States or her possessions or adjacent waters and salved by American citizens and repaired in American shipyards.
The SPEAKER. The gentleman from Massachusetts asks unanimous consent to present the views of the minority on the bill S. 2335. Is there objection?
Mr. JOHNSON of Kentucky. Mr. Speaker, reserving the right to object, will that interfere with my calling up another District bill?
The SPEAKER. Not a bit in the world.
Mr. UNDERWOOD. Mr. Speaker, I desire to ask the gentleman how long a time he desires.
Mr. GREENE of Massachusetts. I should like to have five legislative days.
Mr. ALEXANDER. It is on the wrecking bill.

The SPEAKER. The gentleman asks unanimous consent that he may have five days in which to file a minority report on the bill indicated. Is there objection?

There was no objection.

KING THEOLOGICAL HALL.

Mr. JOHNSON of Kentucky. Mr. Speaker, I desire to call up the bill (S. 5168) for the relief of the King Theological Hall and authorizing the conveyance of real estate to the Howard University and other grantees; and I ask unanimous consent that it may be considered in the House as in Committee of the Whole.

The SPEAKER. The Clerk will report the title of the bill.

The Clerk read the title of the bill.

The SPEAKER. The gentleman from Kentucky asks unanimous consent to consider this bill in the House as in Committee of the Whole. Is there objection?

There was no objection.

The SPEAKER. The Clerk will report the bill.

The bill was read, as follows:

Be it enacted, etc., That the following persons be, and they and their successors as trustees are declared to be, the corporation of the King Theological Hall, established by act of Congress approved January 7, 1891, and the legal trustees thereof, namely: Alfred Harding, Randolph H. McKim, Richard P. Williams, George Williamson Smith, and William C. Rives. In such capacity said trustees, or their successors, are hereby authorized to convey all or any part of the real estate of said corporation, whether now owned or hereafter acquired.

Said trustees at any regular meeting may authorize any two of their number to execute a good and sufficient deed of conveyance of such real estate.

The trustees above named, or their successors, may, if they shall deem it necessary, increase their number from time to time, and determine by by-law the number required to constitute a quorum: *Provided*, That the whole number of trustees shall not exceed 15.

With the following committee amendment:

Page 2, line 3, after the word "meeting," insert the words "or any special meeting called for that purpose."

Mr. JOHNSON of Kentucky. Mr. Speaker, I yield 15 minutes to the gentleman from Missouri [Mr. BORLAND].

The SPEAKER. The gentleman has only five minutes, and he can not yield that time.

Mr. BORLAND. Has not the gentleman an hour under the rule?

The SPEAKER. This bill is being considered in the House as in Committee of the Whole.

Mr. BORLAND. I ask unanimous consent that I may proceed for 15 minutes.

The SPEAKER. The gentleman from Missouri asks unanimous consent to address the House for 15 minutes. Is there objection?

There was no objection.

Mr. BORLAND. Mr. Speaker, at this late day, more than a century and a quarter after the adoption of the Federal Constitution, the question is seriously raised as to the power of the President to fill by appointment vacancies in the subordinate offices of the Government. In the recent cases in Missouri, New York, and New Jersey, the President has appointed during the recess of the Senate persons to fill Federal offices and issued to them commissions extending to the last day of the next succeeding session of the Senate. The power of the President to do this has been questioned and vague threats of impeachment have been made against him. It must occur to the mind of every thinking person that this question can not be a new one arisen for the first time in our constitutional history. In truth it is not a new one. It is thoroughly settled by an unbroken line of precedents and decisions that the President has the constitutional power of doing precisely what he did do. The Constitution provides, section 2, Article II, that the President "Shall nominate, and by and with the advice and consent of the Senate, shall appoint" certain officers of the United States. It is further provided, however, in the same section, that—

The President shall have power to fill up all vacancies that may happen during the recess of the Senate by granting commissions which shall expire at the end of their next session.

This clause of the Constitution must be read and construed in connection with another clause of the same instrument, to wit, section 3, Article II, that the President "Shall take care that the laws be faithfully executed." The constitutional power and duty of the President to see that the laws of the Union are faithfully executed is of equal dignity and constitutional force with the provision that the Senate shall have the right to confirm appointments. In fact it is of greater practical moment than the power of the Senate to confirm. It is absolutely vital to the continued existence of the Federal Government in every public emergency that the President have power to carry on in an orderly and proper manner the regular functions of the Government. This necessarily includes the right to fill subordinate offices with suitable persons. In no other way can the constitutional power of the President to carry on the Government be exercised. It must be presumed conclusively that every minor office created by law is necessary for the discharge of public business and that a continued vacancy in that office is a derangement of the public functions more or less serious according to the exigencies of the case. On the other hand the power of the Senate to confirm was intended only as a constitutional check upon the President against unfit appointments and against any latent danger that the President would seek to govern through a personal machine. It could not have been intended by the framers of the Constitution to vest in the Senate power to keep offices unfilled. Much less could it have been intended to place a personal or political asset in the hands of individual Senators or to give them any vested right in the filling of such offices with men of their own personal selection.

Mr. HUMPHREY of Washington. Will the gentleman yield for a question?

Mr. BORLAND. I am sorry to say I have not the time.

The SPEAKER. The gentleman declines to yield.

Mr. BORLAND. The exact contention now raised is that while the President may have the right by temporary appointment to fill up vacancies which have first occurred during a recess of the Senate he has no right to so fill vacancies which occurred during a session of the Senate and which have for any cause continued until the Senate was in recess. This position is wholly untenable either from a practical or legal standpoint. The question, has the President the power to make a recess appointment to fill a vacancy which existed during a previous session of Congress, has been answered in the affirmative, first by a long line of Executive precedents, commencing with President Monroe and including Presidents Jackson, Tyler, Polk, Pierce, Lincoln, Johnson, Grant, Hayes, Arthur, Harrison, Cleveland, Roosevelt, Taft, and Wilson; second, by a line of decisions of Attorneys General, commencing with that distinguished lawyer, William Wirt, and including Roger B. Taney, Caleb Cushing, William M. Evarts, Charles Devans, Benjamin H. Brewster, William H. H. Miller, Philander C. Knox, William H. Moody, and Henry W. Hoyt; third, by a line of precedents established by the Senate by acquiescing by confirmation of persons appointed during a recess of the Senate where the vacancy occurred during a previous session of the Senate. It is true that individual Members of the Senate have occasionally objected to the power, but the Senate itself has repeatedly acquiesced in it; fourth, by legislation of Congress which attempted to control the right of the President to make such appointments, thus recognizing the fact that he had and had exercised such a power; fifth, by judicial opinion as represented in the decision of Justice Wood, of the Supreme Court of the United States, sitting on the circuit of the northern district of Georgia. (Wood's Rep., vol. 4, pp. 491–496.)

The first opinion of an Attorney General on the subject was rendered by William Wirt to President Monroe on October 22, 1823. (1 Op. A. G., p. 412.) In this opinion it is said:

The President has power to fill during a recess of the Senate by temporary commission a vacancy that occurred by expiration of commission during a previous session of that body; the term in the Constitution "may happen during the recess" being equivalent to "may happen to exist during the recess," without which interpretation it could not be executed in its spirit, reason, and purpose.

The opinion further says:

The substantial purpose of the Constitution was to keep these offices filled, and powers adequate to this purpose were intended to be conveyed. But if the President shall not have the power to fill a vacancy thus circumstanced, the powers are inadequate to the purpose and the substance of the Constitution will be sacrificed to the dublous construction of its letter.

Our great Democratic President Andrew Jackson and his equally great Attorney General Roger B. Taney were of the same opinion. On July 19, 1832, Taney rendered an opinion to President Jackson, in which he said:

It has, I know, been contended that in order to enable the President to make the appointment the vacancy must take place during the recess. In order words, that the office must be full at the time of the adjournment of the Senate and become vacant afterwards. I can not think that this is the true interpretation of the article in question. The Constitution was formed for practical purposes, and a construction that defeats the very object of the grant of power can not be the true one. It was the intention of the Constitution that the offices created by law and necessary to carry on the operations of the Government should always be full, or, at all events, that the vacancy should not be a protracted one. A government can not go on nor accomplish the purposes for which it is established without having the services of proper officers to execute the various duties required by law. To guard against any abuse of the appointing power by the President the approbation of the Senate is required. But the control of the Senate over appointments to such vacancies is effectually preserved by the limited term for which the President is authorized to make them. (2 Op. A. G., 525.)

And Attorney General Williams rendered a similar opinion to President Grant:

The construction put upon the Constitution, giving the President power to "fill up all vacancies that may happen during the recess of the Senate by granting commissions that shall expire at the end of their next session," by former Attorneys General, namely, that it confers upon him full power to fill vacancies in the recess of the Senate, irrespective of the time when such vacancies first occurred, is considered now to be the settled interpretation of that clause with the Department of Justice. (14 Op. A. G., 562.)

I add at this point a somewhat full list of the various opinions of the Attorneys General which are uniform on this question:

President James Monroe: Attorney General William Wirt (1 Op., 412), 1823.

President Andrew Jackson: Attorney General Roger B. Taney (2 Op., 525, 530), 1832.

President John Tyler: Attorney General Hugh S. Legare (3 Op., 637), 1841.

President James K. Polk: Attorney General John Y. Mason (4 Op., 523), 1846.

President Franklin Pierce: Attorney General Caleb Cushing (7 Op., 187), 1855.

President Abraham Lincoln: Attorney General Edward Bates (10 Op., 356), 1862.

President Andrew Johnson: Attorney General Henry Stanberry (12 Op., 32), 1866; Attorney General William M. Evarts (12 Op., 449), 1868; Attorney General William M. Evarts (12 Op., 455), 1868.

President Ulysses S. Grant: Attorney General George H. Williams (14 Op., 562), 1875.

President Rutherford B. Hayes: Attorney General Charles Devens (16 Op., 523), 1880.

President Chester A. Arthur: Attorney General Benjamin H. Brewster (17 Op., 521), 1884; Attorney General Benjamin H. Brewster (18 Op., 29), 1884.

President Benjamin Harrison: Attorney General William H. H. Miller (19 Op., 261), 1889.

President Theodore Roosevelt: Attorney General Philander C. Knox (23 Op., 599), 1901; Attorney General William H. Moody (25 Op., 258), 1904; Acting Attorney General Henry M. Hoyt (26 Op.), 1907.

The power of the President to appoint during recess and the right of an officer to exercise the duties of his office under such appointment have been expressly recognized and sanctioned by legislation of Congress. It is true that this legislation took the form of an attempted restriction upon the constitutional power of the President to appoint, and this must be regarded as the strongest evidence of the legislative determination that the power existed. During the bitter fight between the Senate and President Andrew Johnson over this very question in that era of high feeling following the Civil War Congress passed, in 1867, what was known as the tenure-of-office act. This act was amended in 1869 and brought forward in the Revised Statutes as sections 1767 to 1772. This act undertook to restrict the power of the President to make recess appointments. Section 1768 provided:

And if the Senate during such session shall refuse to advise and consent to an appointment, then * * * the President shall nominate another person as soon as practicable to the same session of the Senate for the office.

The constitutionality of the tenure-of-office act was always seriously questioned. It was held by the best lawyers and statesmen that Congress by legislation had no power to cut down or restrict the constitutional authority of the President. If the power were once conceded in Congress to restrict in any degree the right of the President to see that the laws were faithfully executed and the Government carried on, it would be possible for a hostile Congress, or even for a hostile minority in the Senate, to totally obstruct the necessary functions of the Government. The infamous tenure-of-office act was repealed March 3, 1887 (24 Stat. L., 500). The constitutionality of such legislation was dealt a final blow in the case of Parson *v.* The United States (167 U. S., 327). The last remnant of this species of sand-bag legislation is found in section 1761, providing that no money shall be paid as salary to such appointee until he has been confirmed by the Senate. In other words, Congress has finally recognized that the limit of its power in this regard is the limitation upon appropriations. Since the bitterness growing out of the struggle passed away, it has been the uniform custom of Congress to pay all de facto officers who are discharging the duties of an office during the time which they actually serve by including a special item for that purpose in the appropriation bill. As to postmasters, section 1761 has been expressly repealed by section 31, chapter 180, of the act of March 3, 1879 (20 Stat. L., 362), which provided:

Any person performing the duties of postmaster by authority of the President at any post office where there is a vacancy, for any cause, shall receive for the term for which the duty is performed the same compensation to which he would have been entitled if regularly appointed and confirmed as such postmaster; and all services heretofore rendered in like cases shall be paid for under this provision.

It is interesting to note that during the terms of all of the present Members of the Senate the power of the President to appoint to fill vacancies which had occurred during a previous session of the Senate has been recognized and acquiesced in. The cases include such recent action as the confirmation on December 22, 1914, of John A. Fain as the United States attorney of the western District of Oklahoma, and on January 5, 1915, of Thomas B. Stuart as third judge of the first circuit of the Territory of Hawaii.

The strength of the President's position may be further shown by an examination of the practical effect of an opposite rule. Suppose that the President had no power to fill by appointment a vacancy which first occurred during a session of the Senate, and the person whom he attempted to appoint had no power to discharge the duties of the office until duly confirmed by the Senate, what would be the effect upon the public service of such a condition of affairs? A vacancy might occur in an important office in a distant part of the country so near the close of a session of the Senate as to render it impossible to secure and nominate a suitable person. The office must then remain vacant, to the derangement of public business, until the Senate was again in session, and even then the extreme technicalities of construction would prevent the President from making an appointment. The office might be one vital to the public service, as a United States marshal, a United States attorney, or a collector of internal revenue, a Federal judge, a warden of a Federal penitentiary. If the President was without power in such cases except by the concurrence of the Senate to make appointments, a special session of the Senate would become immediately necessary to fill even a single office. Or suppose a different state of affairs, that the Senate in discharge of the public business is continuously in session from one year's end to another and there is no recess, or a very brief one of a few hours; suppose that the Senate in practical effect delegates to a single Senator the right to say what appointments of the President shall be confirmed in his State and what shall be rejected. Suppose that this single Senator does not recommend a person for the place whom the President regards as suitable and qualified; must the result be that the President must accept the recommendation of a single Senator of a person in whose capacity and suitability he has no confidence under the extreme alternative of allowing the office to remain perpetually unfilled, to the stoppage of all public business? In other words, is the President denied any voice in the suitability of candidates by a species of courtesy under which the Senate would undertake to follow the wishes of a single Senator? In this case what becomes of the constitutional mandate that the President shall see that the laws of the Union be faithfully executed if he be denied the power to appoint officers to carry out that high constitutional duty? It is apparent, therefore, that all arguments drawn from the section of the Constitution giving the Senate the right to confirm appointments are highly technical and savor of legal pettyfoggy. They are totally out of harmony with the spirit and purpose of that great instrument and, as said by our great Attorneys General, utterly inconsistent with practical operation of the Constitution.

At a later time I shall discuss more in detail the danger of permitting a single Senator to name and compel the appointment of persons of his own selection to the offices of United States district attorney, United States judge, and United States marshal when the law permits such Senator to secure employment as the private attorney of persons indicted in the Federal courts for offenses against the United States. [Applause.]

The SPEAKER. The gentleman from Kentucky [Mr. JOHNSON] is recognized for five minutes.

Mr. JOHNSON of Kentucky. Mr. Speaker, the bill under consideration has for its purpose the curing of a defect in a charter, so that a society here, made of colored people, may be given the right to sell some real estate which they own. I apprehend that there is no possible objection to the bill, and unless some one else wishes to speak upon it I ask for a vote.

The SPEAKER. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

The bill as amended was ordered to a third reading, and was accordingly read the third time and passed.

SENATE BILL REFERRED.

Under clause 2 of Rule XXIV Senate bill of the following title was taken from the Speaker's table and referred to its appropriate committee, as indicated below:

S. 2589. An act for the relief of Peter McKay; to the Committee on Claims.

ANNUAL ASSESSMENT OF REAL ESTATE IN THE DISTRICT OF COLUMBIA.

Mr. JOHNSON of Kentucky. Mr. Speaker, I call up the bill (H. R. 19552) providing for annual assessments of real estate in the District of Columbia.

The Clerk read the bill, as follows:

Be it enacted, etc., That hereafter all real estate in the District of Columbia which is subject to taxation shall be annually listed by the assessor for taxable purposes instead of triennially as heretofore, and all laws are hereby repealed to the extent that they are in conflict herewith.

Mr. JOHNSON of Kentucky. Mr. Speaker, I believe the reading of this bill is sufficient explanation of it.

Mr. MANN. Mr. Speaker, I shall vote against this bill. I have never given a great deal of attention to the subject of laws relating to the assessment of taxes on real estate. In my State I believe real estate is assessed once in three or five years.

Mr. THOMSON of Illinois. Once in four years.

Mr. MANN. My colleague says once in four years. There is no substantial change in the valuation of real estate, generally speaking, from one year to another sufficient to justify the expense of making a new assessment every year. There is a large expense in making an assessment on real estate covering the District of Columbia. To make that every year it seems to me an unnecessary expense when, as I assume, if there are betterments on the property they are subject to readjustment every year.

Mr. JOHNSON of Kentucky. Will the gentleman yield?

Mr. MANN. Certainly.

Mr. JOHNSON of Kentucky. I would like to ask the gentleman what the additional expense would be by having annual assessments instead of triennial?

Mr. MANN. I do not know how much difference there would be, but I know the expense of making an assessment at any time is quite a charge.

Mr. JOHNSON of Kentucky. The appropriations are just the same during the years when assessments are not made as they are when assessments are made.

Mr. MANN. I always accept any statement of fact made by the gentleman from Kentucky, but I should question whether that was correct. It is self-evident to anyone that if you make an assessment of real estate covering the District of Columbia, there is considerable expense about it. There is no use in arguing to me that it does not cost anything, because I have had experience enough to know that it does cost considerable. Now, the ordinary piece of property does not vary to any great extent in three years. To make an assessment every year instead of every three years, I think, is a useless expense, and is not a general practice throughout the country.

Mr. JOHNSON of Kentucky. Mr. Speaker, the "organic act," the act of 1878, which is held so sacred, particularly on the other side of the aisle, required annual assessments of real estate, but in 1902 there was a provision in the District of Columbia appropriation bill, put on in the Senate, which did away with annual assessments and provided for triennial assessments in lieu thereof. In addition to that, that bill did away with the taxation of intangible personal property in the District of Columbia. In addition to that, it further outraged the "organic act" by providing that real estate should be assessed at only two-thirds of its value instead of the full value, as provided in the "organic act."

The assessors are employed by the year, regardless of the fact whether they make an assessment on real estate for that year or not. The gentleman from Illinois [Mr. MANN] is mistaken when he says that there is no material advance in real estate in three years. Here, where property in some sections is increasing in value by leaps and bounds, it increases materially every year. If it had not been increasing materially the "organic act" would not have been amended in 1902 in the three respects just mentioned.

Mr. ALEXANDER. Will the gentleman yield?

Mr. JOHNSON of Kentucky. Yes.

Mr. ALEXANDER. Is there any law by which the improvements on real estate may be considered annually?

Mr. JOHNSON of Kentucky. Yes; that may be taken into consideration annually. Every time the "organic act" has been amended it has been done in order to lessen taxes. Washingtonians scream with indignation when it is now proposed to restore the "organic act." But no one ever heard a word of protest from any of them when it was being changed to the detriment of the United States.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. JOHNSON of Kentucky, a motion to reconsider the vote whereby the bill was passed was laid on the table.

RIVERS AND HARBORS BILL.

Mr. SPARKMAN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the rivers and harbors bill.

Mr. DONOVAN. Mr. Speaker, I want to renew the request for unanimous consent that I made earlier in the day, that the 20 minutes allowed me in general debate on the rivers and harbors bill may be used by me when we take up the bill under the five-minute rule.

The SPEAKER. The gentleman from Connecticut asks unanimous consent that when the bill is taken up under the five-minute rule he may use the 20 minutes yielded to him for general debate.

Mr. MANN. Mr. Speaker, I have no objection, but can not the gentleman indicate where his amendment is to be offered in the bill?

Mr. DONOVAN. Yes. It is at the bottom of page 4, an amendment with regard to Connecticut Harbor.

The SPEAKER. Is there objection?

Mr. HUMPHREY of Washington. Reserving the right to object, I have no objection to the gentleman talking 20 minutes when we reach that part of the bill. But I shall object to yielding 10 minutes of my time for that purpose. I will yield him 10 minutes in general debate.

The SPEAKER. But the gentleman asks for 20 minutes when that amendment comes up.

Mr. MANN. This is in lieu of the time he was to have in general debate.

Mr. DONOVAN. Yes.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut? [After a pause.] The Chair hears none. The question is on the motion of the gentleman from Florida to go in the Committee of the Whole House on the state of the Union for the consideration of the river and harbor bill.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union, with Mr. RAINEY in the chair.

The CHAIRMAN. The House is now in the Committee of the Whole House on the state of the Union for the further consideration of the river and harbor bill, of which the Clerk will read the title.

The Clerk read as follows:

A bill (H. R. 20189) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

Mr. SPARKMAN. Mr. Chairman, the bill under consideration carries in cash appropriations $31,638,580 and in authorizations $2,500,000, making in all $34,138,580, or $14,894,438—nearly $15,000,000—less than the aggregate amount of cash estimates furnished by the War Department for this measure. These estimates amount to $49,033,018. In addition to which the War Department recommended $5,722,067 to be inserted for several projects by way of authorization, making in all $54,755,085, or $20,616,505 more than the amounts carried in this bill, both cash and authorization combined.

These estimates cover only work on old projects; that is, original work of improvement on projects heretofore adopted, together with maintenance and contingencies. They do not cover any new projects, nor are there any new projects provided for in this bill.

We were enabled to make these reductions by carefully going over the reports upon each project for which estimates were made, and only allowing in the case of maintenance a sum sufficient for that purpose, and in the case of original work of improvement a sum sufficient to carry on the work efficiently and economically and with a fair degree of progress from the 4th of next March until the 30th of June, 1916, a period of nearly 16 months.

In reviewing these estimates and making the reductions and eliminations shown, because we have eliminated quite a number of items in the list of estimates, we had the assistance of the Army engineers, with whom we consulted quite freely with reference to each and every project, and while it may be and doubtless is true that more money could be judiciously expended on the projects for which we are making appropriations, it is believed that enough has been allowed for the purposes mentioned.

Now, in making these reductions and eliminations and in leaving out new projects, the Committee on Rivers and Harbors have not been unmindful of the great and imperative demands

of our rapidly growing commerce, for the benefit of which both the old and the new projects are designed, but in view of Treasury conditions growing out of the war in Europe we have found it necessary to economize, or at least to be very conservative, in the preparation of this bill and in fixing the amounts to be carried in it. To be sure, economy in public expenditures is something always desirable, but at this time, for the reason just given, is more so perhaps than at any time during the past decade and a half. Hence, the severe pruning to which we have subjected the estimates, and yet we have tried to be fair with all projects. Certainly we have allowed enough for maintenance. That was our purpose in every case. It would be very unwise, indeed, to allow any work already completed, if it is worth anything at all, to deteriorate or to become less efficient.

It would also be an unwise policy that would fail to prosecute work with a fair degree of rapidity upon such uncompleted projects as promise adequate returns. Not only is that advisable on account of the advantages to accrue from the completed project, but it is also desirable in the interest of economy, because in many instances, yes, in the majority of cases, a work can be prosecuted with less waste if it is carried on expeditiously. Hence in the reductions mentioned we have given those matters such consideration as it was possible under the circumstances to give them and have treated each project as generously as conditions would permit.

The amounts allowed will complete quite a number of projects, carry others well along toward completion, and generally reduce the aggregate amount yet remaining to be appropriated. This sum, as is well known to those who have kept up with river and harbor legislation, is considerable, amounting approximately to $250,000,000. These are large figures, but let me say that $160,000,000 of that sum are for the Mississippi River and two of its tributaries—the Ohio and the Missouri Rivers—leaving about $89,000,000 to complete the work on perhaps 250 other projects scattered all over the country from Maine to Alaska—on the Atlantic, on the Gulf, on the Pacific, on the Great Lakes, and in the intervening country wherever navigable waters exist. So it will be seen that if we were to eliminate those three rivers the amount, only $89,000,000, necessary to complete the remaining projects heretofore adopted could be approximately covered by two such bills as that we passed through this House last spring, but which did not become a law, or in one such measure as that of 1907, which amounted to about $87,000,000. These are the facts, and yet the main attacks on this bill will likely be leveled at the projects which go to make up the smaller sum of $89,000,000.

I wish to say further while on this subject, that of these $250,000,000 only about $30,000,000 were placed on the books by bills passed since and including that of 1912, which was the first measure framed by the Committee on Rivers and Harbors as at present organized. The other $220,000,000 have come down to us from legislation anterior to the act of 1912. The bill, for instance, of 1910, adopted 180 projects calling for $263,000,000 to complete. We have the most of those projects with us yet, among them being the three rivers just mentioned—the Mississippi, the Ohio, and the Missouri—requiring, as I said, to complete about $161,000,000. I mention all this mainly for the purpose of showing that the demand for river and harbor improvement is not and has not been on the increase during the period covered by the last three or four bills.

Mr. Chairman, we have been carrying on this work now for about a century. It began about 1815, and down to 1896 we had appropriated for river and harbor work approximately $273,000,000. Since that time we have appropriated and authorized a little above $500,000,000. So by far the larger part of the appropriations and authorizations made by Congress for that class of work have been made and authorized since and including the framing and passage of the bill of 1896.

Now, beginning with the bill of 1896 we entered upon a new policy of river and harbor legislation. Down to that time we had gone on in a slipshod unmethodical way making appropriations from time to time without reference to any general or definite plan. But all this was changed in 1896, for beginning with the bill of that year we practically adopted a new policy of river and harbor development. That policy was to improve all the commerce-bearing streams and harbors of the country to their full navigable capacity as rapidly as Treasury conditions would permit. The bill of that year, the largest up to that time in the history of the country, amounted to about $76,000,000 and was framed in pursuance of that policy. It was passed, too, at a time when we had not yet recovered from the disastrous panic of 1893, and the consequent business depression which followed. Furthermore it was enacted while we were borrowing money for the purpose of replenishing the Treasury. True, President Cleveland vetoed the measure. But so important did those then in charge of legislation regard the great works for which the bill provided that in the face of those business and Treasury conditions they passed the bill over the President's veto by a large vote. Then we had the bill of 1899 which also carried a large sum. Again in 1901 we had a bill which, though passing the House, was talked to death in the Senate. It was also a liberal measure, carrying about $60,000,000 as it passed the House.

Then followed the bills of 1902 and 1905—all liberal measures. But that of 1907 eclipsed them all, for it carried as cash and authorizations upward of $86,000,000, being the largest bill of its kind that ever passed Congress.

Mr. EDWARDS. Will the gentleman yield there?

Mr. SPARKMAN. Certainly.

Mr. EDWARDS. Who was chairman of the River and Harbor Committee at that time—1907?

Mr. SPARKMAN. The Hon. THEODORE BURTON, of Ohio.

Mr. FREAR. Will the gentleman yield for another question?

Mr. SPARKMAN. Yes.

Mr. FREAR. I do not care to interrupt, but in order to make this clear, did not that cover two years at that time?

Mr. SPARKMAN. Oh, yes; it covered two years; but it was about twice the amount of the bill we passed through Congress last year, which was intended to cover one year, and this bill is nearly $10,000,000 less than that of last year and is designed to cover nearly a year and a half.

Mr. GOODWIN of Arkansas. Will the gentleman yield?

Mr. SPARKMAN. Certainly.

Mr. GOODWIN of Arkansas. I believe the gentleman stated the bill carries about $14,000,000 less than recommended by the department?

Mr. SPARKMAN. Less than the cash estimate.

Mr. GOODWIN of Arkansas. How equitably is this distribution made in reference to the various States and the projects that have been already begun?

Mr. SPARKMAN. I will say that we have not considered States in making these appropriations.

Mr. GOODWIN of Arkansas. As to continuing projects?

Mr. SPARKMAN. As I say, we have not considered States in preparing this bill. We have considered only projects.

Mr. GOODWIN of Arkansas. How equitably has the distribution been made in this bill as to continuing projects?

Mr. SPARKMAN. As equitably as we could, in view of all the conditions as we saw them. Some may differ with us as to that, but we think the distributions are judiciously made. Certainly we have tried to do that.

Mr. GOODWIN of Arkansas. Speaking specifically for one State, I believe the engineers recommended $1,146,000 for Arkansas, and the committee recommended in the bill $41,000, or about one-thirtieth of the amount recommended by the department. Does that same ratio obtain throughout the various States which will be the recipients, if this bill becomes a law, of rather large appropriations?

Mr. SPARKMAN. I could not properly answer that question, I will say to the gentleman, without repeating the reply I made a little while ago, that we are not making appropriations for States. We must ignore State lines in providing for the improvement of rivers and harbors. We do this work under a constitutional provision which takes no note of State lines, but ignores them entirely.

Mr. GOODWIN of Arkansas. Taking a specific project, for example, that of the Ouichita, that is an interstate proposition. I believe the engineers have recommended some $771,000, if I recall, whereas the bill carries on its face only $25,000 for that stream, and that is a continuous project, locks and dams having been begun there several years ago. Does that same disproportion of awards obtain throughout the various States or throughout the various projects? Disproportionate as between recommendations and awards?

Mr. SPARKMAN. It could hardly be disproportionate if it obtained throughout, because it would then be proportionate. But I see the gentleman's point, and I will answer frankly. We have tried to appropriate money for projects in proportion to their merits and the necessities of the work. We may not have done that in every case. Possibly we have not, but it was the intention of the committee so to do. I know to what the gentleman refers. He is not referring, I fancy, alone to the Ouichita, but to the Arkansas River as well.

Mr. GOODWIN of Arkansas. I have a great many continuing projects in mind. I might enumerate them here.

Mr. SPARKMAN. I want to say to the gentleman that I hope he will postpone his questions until I have gotten a little

further along with my statement. Then I will try to answer any question he may propound. In any event, I shall certainly be glad to yield to the gentleman.

Mr. Chairman, when interrupted a moment ago I was dealing with the policy we have been pursuing for the past 18 or 19 years, and had gotten as far as the bill of 1907. Now, during the time this legislation was going on and those large and generous appropriations were being made, the sentiment in favor of this new policy was growing in strength and volume. It was voiced by commercial bodies and newspapers all over the country, by campaign orators, by Members here and in the other branch of Congress; and particularly was it proclaimed in the party platforms of the two great parties; the Republicans always pointing with pride to the great record they were making in carrying on this class of work, and the Democrats promising that if they were placed in power they would do likewise, or possibly a little better. All this went on until 1910, when we embarked upon the annual-bill feature. This was done for the purpose of responding to and meeting this great demand for more rapid river and harbor improvement, and with a view to carrying out as rapidly as possible the policy under which the work was being done. That bill, as I stated a moment ago, adopted 180 new projects to cost the Government $263,000,000. Now, the bill of 1911 did not appropriate so much, nor did it adopt many new projects. In fact, it passed the House without any new projects at all; but in the Senate several were added calling for about $4,000,000 to complete. The bill of 1912, the first one prepared by the Committee on Rivers and Harbors as at present organized, adopted only about $37,000,000 of new projects, while that of 1913 contained approximately $13,000,000, making only $50,000,000 of new projects in all since and including the bill of 1912.

So it is easy to see that this work is not growing, but is on the decrease, as in the very nature of things it should and must be. The large amounts carried in recent bills are to take care of projects heretofore adopted, which we must do or else abandon them, a course, I fancy, no one would counsel.

I have called attention to the large amount, approximately $161,000,000, necessary to complete the projects on three rivers—the Mississippi, the Ohio, and the Missouri. This I did not do for the purpose of criticizing the adoption of those projects, for they all provide for work which Congress at the time no doubt thought ought to be done, and which in the main I yet think ought to be carried to completion as rapidly as Treasury conditions will permit. The lower Mississippi, as has often been said, is in a class by itself, and the sentiment of the country is decidedly, from all appearances, in favor of the continuance of that work. The Ohio River carries an enormous tonnage, which will no doubt be largely increased when the present project is completed. In my judgment it is one of the best of river canalization schemes we have undertaken. As was said to me a short time ago by one of the most prominent Government engineers of the country, if the present plan for the improvement of that river is not meritorious, then there is no canalization project heretofore submitted or now in sight that is meritorious.

We know about the Missouri River project, as it has been discussed and the reasons for its adoption considered on this floor several times within recent years. Originally it required about $20,000,000 to complete, but this amount has been considerably reduced by appropriations made in the various bills since and including that of 1910. True, the river in recent years has not been carrying a large amount of commerce as compared with many other streams, but that was all known and considered when the project was adopted, Congress at the time acting with full knowledge of all the facts.

I know there are some who now criticize that, along with many other projects for which the present Congress is in no wise responsible. Last year, when the 1914 bill was before the House and Senate, criticisms of that measure were quite severe, although they dealt mainly with projects which have been on the books for many years. Now, one so inclined can always criticize a river and harbor bill containing, as each has for the past several years, hundreds of items providing for projects scattered all over the country, some large and some small, and with varying degrees of merit. In fact, no such bill has, perhaps, ever escaped criticism, and I would like to say to those who may think they have a monopoly in that particular field of endeavor that if they will read the debates in Congress on each river and harbor bill during the past 75 years their pride and complacency will be greatly weakened if not entirely destroyed. Especially would I call their attention to the debates in the Senate when the conference report on the bill of 1901 was before that body. There they will see language fully as strong and equally as denunciatory of that measure as any that have been used against this or any recent bill. Though an excellent measure, framed with great care by the Rivers and Harbors Committee, presided over by Hon. T. E. BURTON, it was characterized as an iniquitous measure, "a steal," and as having been "framed, constructed, and completed upon the despicable principle of division and silence."

Now, these criticisms, as a rule, have not been leveled at the larger projects, but the smaller ones. Of course, there have been exceptions. I have one such critic in mind now, to whom I said a little while ago that he seemed to play no favorites, criticizing the larger as well as the smaller projects. But generally the larger ones are passed over while the critic exhausts his vocabulary of wit and denunciation on creeks and small rivers, costing in the aggregate relatively a small sum, and with perhaps ten times more commerce than some of the larger streams the appropriations for which go unchallenged.

Mr. Chairman, I do not object to legitimate criticism, but the wide range taken during recent months in denunciation of waterway legislation is manifestly unjust, because all the projects adopted can not be lacking in merit, even assuming that some are thus lacking, which I do not admit, because all for which we have continued to make appropriations are, as I view them, meritorious and clearly within the policy we have been pursuing for the past 20 years. To be sure, some of them are better than others, but each and all of them can be justified under our present policy. Hence, if one is going to criticize he should direct his criticisms against the policy, because he will make but little headway when in the wide range of denunciation, such as was indulged in against the bill of 1914, he criticizes relatively only a few projects. Calling attention to the lack of merit in a project may be all right when we wish to improve the measure by the elimination of such project or to illustrate the nature of the policy under which a bill is framed, but the main attack, if any, in the latter case should be made against the policy itself.

Now, a word with reference to instances where commerce is shown to be on the decline. Much has been said about what is called a dwindling commerce on certain waterways; but let me say that the fact that commerce is declining on a navigable stream or harbor does not necessarily furnish a reason why the further improvement of such a waterway should be abandoned, as there may be causes of a temporary character for such decline, which, ceasing to operate, the commerce will improve, or the falling off may be apparent and not real, for often statistics are not properly gathered. In a communication addressed to me a few weeks ago the Chief of Engineers called attention to that feature as one of the frequent causes of an apparently diminishing commerce.

Now, there never has been any thorough system devised by the Government for the gathering of commercial statistics, although great improvements in that regard have been made in recent years. The engineers must, in the very nature of things, rely largely upon private persons, commercial bodies, or other local institutions for commercial statistics, as they rarely have the time or the facilities for gathering them. These statistics are sometimes more carefully collected in one locality than in another, and in some years with more care in the same locality than in other years, so that the commerce as reported should be taken for a series of years before any effort at generalization can properly be made. A fair illustration of mistakes sometimes made is furnished in the commerce reports for Hillsboro Bay for the year 1913, where it is given at 1,319,283 tons, which shows an apparent falling off in one year of about 33 per cent, where, as a matter of fact, there has been a large increase. The mistake was evidently unintentionally made by the parties in the vicinity who undertook to gather and report the statistics for the engineer in charge, who has his office at Jacksonville. The commerce should have been given at something like seven or eight hundred thousand, probably a million, tons more, as can be easily shown.

Then, again, it appears that the method of reporting tonnage has been changed at many places during the past few years. Up to six or eight years ago it was the custom to report the registered tonnage of vessels navigating many of our waterways instead of the tons of freight carried by such vessels, and as the registered tonnage of such vessels was always greater than the freight tonnage, the change to the present system naturally resulted in an apparent decrease in the amount of freight carried over such waterways.

Right here I would like to insert so much of the letter of the Chief of Engineers, Gen. Kingman, to which I have just referred as bears upon the subject under discussion. Gen. Kingman says:

* * * Since 1907 the collection of commercial statistics has been conducted with greater care, and, in some cases at least, it is personally

known to me that the commercial statistics of 1907 are not properly comparable with those of 1912. For instance, it is known that, in some harbors up to and including 1907, it was the practice, in reporting commercial statistics, to report the net registered tonnage of vessels entering and leaving the harbor. Since then the practice has been changed to reporting the actual tonnage of freight carried instead of the net registered tonnage. This has resulted in an apparent decrease of commerce, while, as a matter of fact, there has been an actual increase. In some cases it is unquestionably true that there has been an actual decline in the commerce of the improvements reported upon, but to arrive at a general conclusion as to the value of river and harbor improvements by a comparison of the statistics of 10 or 15 or 20 years ago with the statistics of to-day is not entirely safe, as different methods of collection of statistics and greater care in collecting them has resulted in very largely eliminating the padding of the statistics, which sometimes occurred, and in showing the actual amount of tonnage carried rather than the net tonnage of vessels using the waterway.

Now, Mr. Chairman, there is no doubt but there has been a marked decline in the commerce on some of our rivers and harbors, mostly, I may say, on the rivers, for the harbors have usually, though not in every case, shown an increase of freight tonnage. But the fact that commerce has declined on a given waterway does not necessarily furnish a reason for stopping the improvement of such waterway, for the decline may be only temporary and the result of causes which may soon be removed, resulting in renewed activity in the use of such river or harbor. But, of course, the quantity and the value of the freight carried are features always to be considered in determining the merits of a proposition to improve a given waterway.

Again I may say that I think the reports of commercial statistics will be better and more reliable in the future than in the past, as the engineers are now paying closer attention to the matter. Indeed, they have been doing this for the past five or six years. The result is that where an increase was shown up to that time a decrease in some instances is now shown, because of the greater care exercised in gathering statistics. Still, the system is not as yet perfect by any means, though the fault where mistakes occur is rarely, if ever, with the engineers.

Mr. CALLAWAY. Mr. Chairman, will the gentleman yield for a question.

Mr. SPARKMAN. Certainly.

Mr. CALLAWAY. I want to ask how this tonnage estimate is made. In studying these figures I have been somewhat puzzled. I want to know if they take the amount of tonnage passing different places, and if it is not a fact that it is duplicated?

Mr. SPARKMAN. Oh, yes; it is duplicated, triplicated, and quadrupled in some cases.

Mr. CALLAWAY. Is it possible to tell how much tonnage there is on a river, from the reports made in these tonnage statistics that we get?

Mr. SPARKMAN. It is very difficult at times, and perhaps in a few instances almost impossible.

Mr. CALLAWAY. I notice that in reference to the Tennessee River the estimate for tonnage on the river is enormous, whereas the tonnage that passes the Muscle Shoals for instance, is practically negligible. I notice the same thing on other rivers. Looking at the Mississippi I find that they have no regular carriage for any distance, but the tonnage on the river seems to be enormous. That is evidently the tonnage taken of boats that pass Memphis, and the same boats that pass Cairo and the same boats that pass other points, duplicated, triplicated, and quadrupled.

Mr. SPARKMAN. That is likely correct in some instances.

Mr. CALLAWAY. I wanted to know if there was any way of estimating it. Have they any possible way of estimating the tonnage carried by the mile; that is, the miles that the tons are carried?

Mr. SPARKMAN. In some places they do so estimate it.

Mr. CALLAWAY. The only proper way to estimate tonnage would be the amount, and then the miles that it is carried.

Mr. SPARKMAN. That is a good way, but not the only way. I think there are many duplications.

Mr. CALLAWAY. Some of the estimates of tonnage is the tonnage that the boat might carry instead of what they actually carry.

Mr. SPARKMAN. That used to be done, but I think it is not the practice now.

Mr. GOODWIN of Arkansas. Will the gentleman yield?

Mr. SPARKMAN. Yes.

Mr. GOODWIN of Arkansas. In replying to my query a while ago, the gentleman stated that the committee had discarded States and made recommendations to conform to the continuing projects. However, a few moments later he spoke of the tonnage being carried on the projects. How uniformly and how equitably, I would like to know, has the committee recommended, or does the bill comport not only as to continuing projects but likewise to the tonnage on these continuing projects?

Mr. SPARKMAN. In framing a rivers and harbors bill we always consider the question of freight tonnage. The question of value also enters into the matter. The first thing, however, I should say, is to consider the matter of tonnage, then the value and nature of the freight carried, together with the probabilities as to future growth.

Mr. GOODWIN of Arkansas. Has that actuated the committee largely in the framing of the bill?

Mr. SPARKMAN. Yes; but we consider other things, such as the development of the surrounding country, and the stimulus it may furnish to productive energy—all those things enter into it.

Mr. GARNER. Will the gentleman yield?

Mr. SPARKMAN. Certainly.

Mr. GARNER. The difficulty that the gentleman says in ascertaining the correct tonnage on the rivers does not apply to harbors, because you can collect the statistics of that tonnage?

Mr. SPARKMAN. Yes; that is quite possible in most cases.

Mr. GARNER. May I ask as to the policy of the committee, whether or not you adopted a policy as to new projects? The gentleman has stated that this bill does not carry any new project.

Mr. SPARKMAN. No new projects.

Mr. GARNER. This is for continuing work already gone into by Congress. Has your committee decided definitely upon a policy of continuing present projects to the exclusion of new projects in the future?

Mr. SPARKMAN. No; we have gone no further than this bill.

Mr. GARNER. This is based on a policy for this session of Congress only?

Mr. SPARKMAN. For this session only.

Mr. FOSTER. Will the gentleman yield?

Mr. SPARKMAN. Yes.

Mr. FOSTER. On that subject can the gentleman inform the committee how many new projects there are and the amount estimated to complete them which have been already reported favorably by the Board of Engineers?

Mr. SPARKMAN. Something in the neighborhood of 100, in round figures.

Mr. FOSTER. To cost how much money?

Mr. SPARKMAN. The new projects favorably reported but not yet adopted call for, to complete, $101,000,000, in round figures.

Mr. FOSTER. In this bill you provide for surveys amounting to something between 100 and 200 items

Mr. SPARKMAN. One hundred and seventy-two.

Mr. FOSTER. So that you have an amount of $100,000,000 reported favorably by the Board of Engineers, but in this bill you provide for the surveys, which amount to 172 projects.

Mr. SPARKMAN. Yes.

Mr. FOSTER. So that if this $100,000,000 was added that would make $350,000,000, the amount that would be paid by the Government for river and harbor improvements if they were all taken on.

Mr. SPARKMAN. If they were all taken on, yes; but I want to say that it is hardly probable that anything like all of them will ever be adopted. Then, again, it is not at all likely that anything near all the surveys ordered in the bill will receive favorable consideration at the hands of the engineers. Of recent years not more than 40 per cent of those ordered have been reported favorably to Congress, and this percentage is likely to diminish rather than increase in the future. The tendency is that way.

Mr. COOPER. Mr. Chairman, there ought to be something said right at that point, because without any explanation the reader of the RECORD might understand that those three hundred and odd million dollars are to be paid in one year. That expenditure would cover possibly a period of from 8 or 10 to 25 years.

Mr. SPARKMAN. That would depend upon the humor of Congress. But at the rate we have been going on the appropriations would about cover that period.

Mr. COOPER. They would not, of course, expend $300,000,000 in one year.

Mr. FOSTER. There has been an effort to make contracts for the whole amount of the improvements. They wanted to establish that sort of policy.

Mr. GARNER. Oh, no.

Mr. FOSTER. That has been talked of, that that was the cheaper way of doing it.

Mr. SPARKMAN. It has been talked of, but it is not likely to be done.

Mr. GOULDEN. Mr. Chairman, the gentleman from Illinois has asked one question which I desired to ask, and the gentleman from Florida has answered it, but I have another that I desire to propound. What number of projects are covered in the present bill, none of them being new?

Mr. SPARKMAN. About 80 projects, for which appropriations are being made to carry on original improvements. There are more than that, however, for which appropriations are being made to cover maintenance.

Mr. GOULDEN. If the gentleman could tell us, I think it would be of interest to know how much is appropriated for continuing projects and how much for maintenance.

Mr. SPARKMAN. The amount is about $4,000,000 for maintenance, while the balance is for work of original improvement.

Mr. GOULDEN. Then the remaining $30,000,000 are practically for projects now under way?

Mr. SPARKMAN. Yes.

Mr. HUMPHREYS of Mississippi. Mr. Chairman, will the gentleman yield?

Mr. SPARKMAN. Yes.

Mr. HUMPHREYS of Mississippi. Just one suggestion in answer to the question of the gentleman from Texas [Mr. GARNER] as to the ease with which tonnage statistics can be gathered at harbors. That is true, but statistics at harbors also represent duplications. In fact, all of the coastwise tonnage of the United States represents duplications.

Mr. GARNER. But where you have a harbor like New York or Galveston there is no possibility of duplication at those points.

Mr. HUMPHREYS of Mississippi. If it is foreign commerce coming into this country it is not duplicated, but if the tonnage originates at one port in this country and enters into another, it is credited to each port.

Mr. GARNER. One of them is export and the other is import.

Mr. HUMPHREYS of Mississippi. Yes; but without the improvement it could not be shipped from one port into another.

Mr. SPARKMAN. The gentleman from Mississippi is dealing with coastwise commerce.

Mr. HUMPHREYS of Mississippi. Yes; entirely.

Mr. GARNER. Mr. Chairman, may I come again to the policy of the committee as being the policy of the House of Representatives. If I understand the gentleman from Florida, he objects, and I think justly so, to the criticism of the committee's work in bringing in a bill containing certain items until Congress itself has changed the policy of Congress as applied to these various items.

Mr. SPARKMAN. That is partly correct; but I wish to add that I was not objecting so seriously to criticism of a single project if it is so lacking in merit as to fall outside the policy under which the bill is framed. If it is within that plan it is the policy that should, I think, be criticized.

Mr. GARNER. If I understand the gentleman, he and his committee are carrying out what they believe to be the sentiment of this House as applied to the various projects contained in the bill. In other words, it is a policy that has been framed and adopted by the House of Representatives and the Senate.

Mr. SPARKMAN. Yes; though not formerly adopted, but a policy we have been pursuing for the past 19 years.

Mr. GARNER. And if it is the desire of the people throughout the United States through their Representatives to change that policy, the River and Harbor Committee, of course, will be very glad to carry out whatever policy their colleagues may determine upon.

Mr. SPARKMAN. Yes.

Mr. HUMPHREYS of Mississippi. We would be forced to, whether we would be glad to do it or not.

Mr. GOODWIN of Arkansas. Mr. Chairman, if two projects are equally meritorious, and one has been cared for and the other has been disregarded, one being cared for almost up to the recommendations of the department, does the gentleman think that the Committee of the Whole should not criticize that discrimination?

Mr. SPARKMAN. Oh, I think we ought to be criticized whenever we do wrong.

Mr. GOODWIN of Arkansas. I am not speaking about the recommendations of the committee, but I understand the gentleman thinks the bill should not be criticized.

Mr. SPARKMAN. Oh, I would not like to be understood as saying that. I simply suggested that we were not making much headway in merely criticizing the adoption of a project clearly within a policy we have been pursuing.

Mr. GOODWIN of Arkansas. But the gentleman confesses that the committee should stand ready to give light.

Mr. SPARKMAN. Oh, always. We are not above criticism. In fact, I think it is a good idea to be criticized at times. I now yield to the gentleman from Pennsylvania [Mr. MOORE].

Mr. MOORE. The gentleman from Florida finds in his experience as chairman of the Committee on Rivers and Harbors, does he not, that new Members of the House sometimes press, and very rightly, for the adoption of projects which are new?

Mr. SPARKMAN. Oh, yes.

Mr. MOORE. Well, the gentleman would not question the right of a Member of Congress to urge the introduction in a river and harbor bill of a project which he thought was worthy?

Mr. SPARKMAN. No; any Member has a perfect right to, and it is his duty if he thinks he should urge the adoption of a project which he may deem meritorious. I hope we may never reach the point where an individual Member is not to be heard in the interest of his constituents on this floor.

Mr. MOORE. Is it not a fact that when the committee adopts the policy of carrying on only existing projects and refuses to consider new ones, that to that extent it does preclude the right of Representatives in Congress to have a hearing with respect to their particular projects?

Mr. SPARKMAN. I would not think that by any means, because any Member will have the right when we reach the consideration of the bill under the five-minute rule to offer amendments to insert any new project he thinks ought to go in. Then it is for the House to determine whether or not it shall be adopted.

Mr. MOORE. The gentleman would not regard that sort of an offer on the part of a Member to do that much for his constituents as an undue criticism of the policy of the committee?

Mr. SPARKMAN. By no means.

Mr. MOORE. Now, may I ask the gentleman this, following up the inquiry made by the gentleman from Texas [Mr. GARNER], why, if the gentleman will state it, does the committee at this particular time adopt a policy of taking on no new projects?

Mr. SPARKMAN. It was done in the interest of economy. We thought that in view of Treasury conditions brought on by the European war, making it necessary to levy additional taxes, it was not right at this time to take on new projects, although some of them are highly meritorious and very urgent.

Mr. MOORE. It is not due, then, to the fact there may be a filibuster somewhere in this House or in another body that would threaten to defeat the bill——

Mr. SPARKMAN. No.

Mr. MOORE (continuing). In other words, this committee in the adoption of this policy of no new projects is acting upon the theory that we have to economize in these expenditures. It is not acting as the result of a fear that the bill may be defeated?

Mr. SPARKMAN. If Treasury conditions had justified, I dare say we would have adopted new projects. Just how many or which ones I could not say at this time, but there are a great many of them, or at least a number of them urgent, and ought to be taken care of as early as conditions will justify.

Mr. MOORE. I hope the gentleman will not take offense at my stating, in passing, that as one Member who has taken considerable interest in river and harbor matters, I believe this question of new projects should originate in the House, and that the House ought to be heard on all of these matters and every individual Member ought to be considered irrespective of any possible threats in any other body.

Mr. SPARKMAN. I think that is correct. I now yield to the gentleman from Connecticut [Mr. REILLY].

Mr. REILLY of Connecticut. The gentleman speaks of a policy that has been in vogue for 19 years. Now, some of us have not been here for 19 years, or will be here for 19 years——

Mr. SPARKMAN. More is the pity.

Mr. REILLY of Connecticut (continuing). Or for a very much longer period, and for the benefit of some of the new Members, would the gentleman explain what that policy is? Would the gentleman briefly state what this 19-year-old policy is?

Mr. SPARKMAN. Well, I said it was a policy, although it has never been promulgated by any legislative or other formal declaration; but the country has understood it and Congress has understood it. It may be defined as the improvement of all commerce-bearing streams and waterways to their full navigable capacity as rapidly as Treasury conditions will permit. That is about as clear as I can state it.

Mr. GOODWIN of Arkansas. Now, will the gentleman yield to me?

Mr. SPARKMAN. Certainly.

Mr. GOODWIN of Arkansas. Did the war or the present state of the Treasury impel the committee to recommend only about 3 per cent of the estimates on certain continuing projects

and about 95 per cent as to other projects, the two classes of projects being apparently equal as to merit?

Mr. SPARKMAN. I will say to the gentleman that Treasury conditions had a good deal to do with any cuts we made; not everything, perhaps, but it was one of the leading factors. It had a great deal to do, for instance, with the cutting off of more than $500,000 recommended for projects inside the State of Florida. It had a good deal to do with the cutting out of the amount recommended for the Kissimmee River, a stream that my friend from Wisconsin [Mr. FREAR] criticized last year; not that the river is not deserving, for it is; but the engineer, when we were preparing the bill, thought the amount recommended was not needed in this bill, and we left it out, just as we left out about $500,000 for other projects in that State.

Mr. GOODWIN of Arkansas. I wanted to know what the war or the State of the Treasury had to do with the apparent discrimination between certain projects on their face equally meritorious, which resulted in giving to one project about 3 per cent of the engineers' estimates and the others about 95 per cent. I did not know how the committee would reconcile these two apparently irreconcilable facts.

Mr. SPARKMAN. We will reach that later in the discussion under the five-minute rule, and then I shall be very glad to explain any apparent neglect on our part.

Mr. REILLY of Connecticut. Just another question, if the gentleman will permit.

Mr. SPARKMAN. Yes.

Mr. REILLY of Connecticut. You referred to the tonnage a short time ago. In figuring upon tonnage do you include logs floating down a stream in 2 or 3 feet of water as well as 20 feet of water? Do you include that?

Mr. SPARKMAN. Oh, yes; we include that, but that is a very low class of commerce, relatively speaking.

Mr. FREAR rose.

Mr. GARNER. You not only consider the tonnage, but the value of it?

Mr. SPARKMAN. Yes; the value of it is taken into account. Now I will yield to the gentleman from Wisconsin [Mr. FREAR], if he desires.

Mr. FREAR. On taking advantage of the kind invitation of the chairman I wish to express myself as having been extremely satisfied with the courtesies extended to me by the committee heretofore. I wish to ask why the Kissimmee River was left out of the bill by the Senate, now that that matter has been brought up, as well as the Altamaha and other rivers. What was the purpose of the Senate in dropping those projects, although they increased the amount by $10,000,000?

Mr. SPARKMAN. I could not with authority answer that question. If it were parliamentary to do it, I could state what I was told was the reason. I fancy, however, it was not because they were lacking in merit.

Mr. FREAR. I was only asking that question as a genuine inquiry, because I have no idea myself but what is shown on the record.

Mr. STAFFORD. Mr. Chairman, will the gentleman yield?

Mr. SPARKMAN. Yes.

Mr. STAFFORD. In August last, as the gentleman from Florida remembers, the Chief of Engineers, in response to a Senate resolution, made a report that showed that there was $18,000,000 available for the support of various projects throughout the country as of date June 30 of last year. I wish to inquire whether there is any document or figures available showing how much money is now available for river and harbor improvements on various projects, including the $20,000,000 emergency appropriation that was voted last year?

Mr. SPARKMAN. I have no figures myself, but I think they could easily be obtained.

Mr. STAFFORD. The gentleman does not mean to say that the committee has acted in the preparation of a river and harbor bill without knowing how much money is available on these various projects?

Mr. SPARKMAN. I will say to the gentleman that we began the preparation of this bill somewhere about the 20th of November last—somewhere about the latter part of November—and we had estimates up to the 1st of November. I do not think those estimates have ever been tabulated or the figures footed up, but we had them before us when dealing with the respective projects. These figures showed how much was on hand for each work on the 1st of November.

Mr. STAFFORD. Can the gentleman inform the committee generally how much that amount was on the 1st of November last? There was $18,000,000 on July 1, and then we added about $20,000,000 more.

Mr. SPARKMAN. There was about $18,000,000 available when the $20,000,000 bill was passed, which, deducting about $2,000,000 for maintenance, left about $18,000,000 for works of improvement. However, that perhaps does not answer the gentleman's question.

Mr. STAFFORD. No. I was seeking to obtain a report similar to that which the Chief of Engineers furnished to Congress in response to the resolution of the Senate, calling upon them to tell what balances remained to the credit of the various projects.

Mr. SPARKMAN. That was about $38,000,000 in all, including the $20,000,000 appropriated in the 1914 bill, but they have expended a good deal since that time. We have only dealt with individual projects in preparing this bill, and I have not figured out the exact amount still available for all the projects, which, by the way, would not be easy for the committee to do.

Mr. STAFFORD. But we did not appropriate that $20,000,000 until late in the fall, and, considering the bad weather that has intervened, a great deal could not have been spent during the winter, although the gentleman has said that a great deal of it was to be expended in the South, where winter conditions do not have to be combated. Will the gentleman at some time, whether under the five-minute debate or otherwise, submit a report on that line for the information of the Members?

Mr. SPARKMAN. I will try to do that. Mr. Chairman, how much time have I remaining?

The CHAIRMAN. The gentleman has six minutes.

Mr. SPARKMAN. I have taken more time than I intended or thought I was taking.

Mr. J. M. C. SMITH. Mr. Chairman, will the gentleman yield for a short question?

Mr. SPARKMAN. Certainly.

Mr. J. M. C. SMITH. I see that a good deal of the appropriation is for maintenance. Will the gentleman explain what is meant by maintenance?

Mr. SPARKMAN. By maintenance is meant the preservation of a work in its completed condition. The term applies primarily to completed projects, though it may and sometimes does embrace partly completed projects. An appropriation for maintenance is to prevent deterioration in work already completed.

From questions propounded to me since I began, as well as statements made in a few of the newspapers, I infer there is a feeling that the Committee on Rivers and Harbors has discriminated against projects in States not represented on the committee in favor of those who are so represented. It is a matter of regret, to me at least, that such insinuations are made, as nothing can be further from the facts, for no new projects have been adopted in this bill, whether located in or out of the States or districts having Members on the committee. So there can certainly be no discrimination there.

As I have said, nothing but old projects are provided for in this measure, and each has been treated alone on its merits. True, the estimates furnished by the War Department have been severely cut, some more than others, and those in some States, taken as a whole, more than those in other States, but in the process of pruning we have not been governed by favoritism in any case. On the contrary, we have been controlled in nearly every case by the advice of the engineers, and in all cases by what appeared to be the urgency and the relative importance of the work. These have been the rules and the only rules by which we have been governed in dealing with the projects everywhere, including those in the State of Florida, in whose borders there are 31 projects and 2 partly within her limits, for which estimates were made amounting in all to $1,499,500, or about 36 per cent. This reduction left for all the Florida projects $975,000, only about $184,000 of which goes into the district I represent here, with its 16 projects and 5,000,000 tons of water-borne commerce. I may add that there is only one State having a larger commerce than Florida where the engineers' estimates were cut more severely, and that State has a Member on the committee.

Now, I have mentioned the State of Florida especially, as it apparently has come in for as great a share of criticism on the alleged ground of favoritism as any other represented on the committee. I may further remark that the estimates for the projects in every State having a representative on the committee were reduced except in the case of one, and that only received $77,500, while there were four of those not so represented whose projects received the entire amounts recommended in the Book of Estimates. But why, Mr. Chairman, pursue this any further? No one with adequate knowledge of the facts would make any such charges or believe them if made.

Mr. Chairman, I have called attention to the fact that the criticisms of recent river and harbor legislation, or attempts at legislation, while taking a range involving the policy followed by Congress in the treatment of our navigable water-

ways, have dealt more with individual projects than the policy under which these projects were adopted. These critics have done this without undertaking to suggest a better plan. Now, Mr. Chairman, no one is justified in destroying a great system of internal improvement like that under which our navigable waterways have been developed without offering a better one to take its place. There is, in my judgment—and I think in the judgment of a majority of the people of the country—much to commend in our present system, which has accomplished a great deal for the people and the commerce of the country. Certainly a policy which has fitted hundreds of harbors on ocean and lake and gulf, and upwards of 26,000 miles of navigable rivers, for the accommodation of modern commerce, that has stimulated the growth of our water-borne commerce until, from small beginnings, it has reached the enormous proportions of more than a billion tons annually, is not altogether bad. So the people have a right to ask of him who would destroy, Give us something better in lieu of that you would abolish. But as yet no plan has been offered, or even suggested, by the critics of river and harbor legislation to take the place of our present system. True, one has been recommended by a distinguished United States Senator which would unite conservation schemes, flood-protection plans, and other reclamation propositions with river and harbor improvement, and would require the appropriation of the large sum of sixty millions annually for 10 years to be turned over to a board, to be spent upon the improvements thus to be combined and made. But nothing definite up to this hour has been suggested by our critics to take the place of the system the logic of their criticism would destroy. Of course I appreciate their difficulties, but these obstacles do not excuse them, for he who would destroy a system of waterway improvement under which three-quarters of the work necessary to place all our harbors and navigable rivers in such condition as will enable them to do the business demanded by modern commerce has been accomplished, a plan which for years has met the approval of the public—I say one who would destroy such a system should give the people a better one in its place. At least something should be suggested for the policy their logic would destroy.

Of course we can curtail our activities even under the present policy, though it may be difficult to draw the line between projects, all more or less worthy, but which come to us with varying degrees of merit. Yet while conditions demand retrenchment, as they now do, we will have to curtail our work. Just how this is to be done or where the line is to be drawn is something we need not discuss now. All these questions can and will be settled in the future as we approach them. In the meantime, if there is any item or items in this bill that ought not to be here, let them be eliminated. That is our privilege and our duty.

Now, Mr. Chairman, I believe in economy both in individual and governmental expenditure, but parsimony is not always economy, whether practiced by persons or by governments, and I do not believe it would be economy to stop work on such of our rivers and harbors as are now under treatment and are worthy of further improvement. Nor would I be in favor of materially curtailing the work on such projects. On the contrary, I think it economy in the very highest degree to complete them as rapidly as possible; and that, I may add, is what the people who are demanding this work understand by the word "economy." They will never criticize us for money necessarily and judiciously expended in giving them better transportation facilities; nor are they going to be frightened or abate their demands on us by the cry from certain quarters of "pork barrel" in connection with our river and harbor legislation, for well they know there is no truth in such claims, and I may add that it is an insult to their intelligence to charge or even suggest that our river and harbor bills are framed upon any such principle.

Now, Mr. Chairman, we have done the best we could with this bill. Admonished at the outset that because of existing revenue conditions we must cut the appropriations wherever possible and to the lowest limit consistent with the absolute necessities of the respective works, our task, confronted as we were with 150 or 200 projects, scattered all over the country, demanding attention, has not been an easy one. But we have done the best we could under the circumstances and have tried to be fair with each and every project. We believe we have presented to the House a clean as well as a conservative measure, and we hope it may meet the approval of this body. [Applause.]

Mr. HUMPHREY of Washington. I yield 20 minutes to the gentleman from Pennsylvania [Mr. MOORE].

Mr. MOORE. Mr. Chairman, the Rivers and Harbors Committee attempts to meet objections of certain economists by limiting appropriations to existing projects and holding back appropriations for other projects that are essential to commerce and the safety of the country. At the present time I do not think this is wise policy. We are now in a position, favored above all nations, to promote our own welfare and to build up and sustain our national resources, and it is bad business to stop work upon our rivers and harbors which contribute so much of our commercial activitity and which add so much to our revenue. It would seem, indeed, as if this were the one time above all others to take advantage of our opportunities and to encourage our people to continuous and profitable employment.

I shall not attempt to analyze the bill that is now before us with that critical eye which looks for the little rivers where a few thousand dollars are to be spent and overlooks the great projects were millions are assured, except to say that it is noticeable, even though most of the objections to the bill come from the States of the interior, that there is no disproportionate diminution of appropriations for the great interior projects. They are cared for as usual, because they enjoy the good fortune to have been begun; that is to say, money has already been expended upon them and they are not "new projects." It is the coast line that suffers the most from "the economy" in the bill; that coast line where the greatest commerce exists and where there would be the greatest national need for improved harbors and waterways in the event of war.

It may be true that losses incurred through last year's filibuster on great projects, like the deepening of the Hudosn and Delaware Rivers, have been partially made up from the lump-sum compromise of $20,000,000, and that the bill now before us provides new appropriations to continue the work. The fact remains that certain improvements demanded for the great revenue-producing port of New York are not taken care of in the bill, the New London harbor project is left out, and the Chesapeake & Delaware Canal proviso is also omitted. With respect to this latter project, that very numerous body of American citizens along the Atlantic seaboard from Maine to Florida, who believe the Government should make free to the public the waterway between the Delaware and Chesapeake Bays, is denied even the year's advantage it would obtain in the institution of court proceedings to ascertain the value of the existing canal property. It is much to be regretted and is surely not in accord with good public policy that the commercial necessities of so large a proportion of our people should be so persistently set aside.

Notwithstanding what the bill does not contain, however, I intend to support it. It provides for many worthy projects, which if delayed or defeated by another filibuster would result in great loss to the Government and to the commercial interests. The defeat of the bill at this time would also leave many of our harbors and streams which do not happen to be "new projects" in a deplorable condition in event they should be needed for military or naval purposes. I shall support the bill also for what some of its critics may assume to be a local reason. The bill carries an appropriation of $1,500,000 for continuing the improvement of the Delaware River and for maintenance, from Allegheny Avenue, Philadelphia, along Pennsylvania, New Jersey, and Delaware to the sea. This project is not solely for the benefit of Philadelphia and Pennsylvania, although they have spent as much upon it as the Federal Government has, but the Government itself is committed to the improvement and maintenance of this stream, and needs it for reasons that are self-evident.

The port of Philadelphia is now second in tonnage on the Atlantic coast. It has always been and always will be a great port. It has acquired this proud position through having a channel 30 feet deep and an approved project to carry it forward to 35 feet. The 35-foot project was authorized in the river and harbor act of June 25, 1910, the estimated cost being $10,020,000, and the report of the Army engineers justified the hope that the work would be completed in six years from that time. I shall not argue with those who think the sum is large, except to say that for many years past the port of Philadelphia, through the Delaware River, has been one of the best revenue producers of the country. If it costs approximately $11,000,000 to improve such a river, it must be credited with annual customs receipts ranging from $17,000,000 to $21,000,000, which receipts for any one year would be equal to all the money the Federal Government has spent upon the Delaware River since Daniel Webster, in his celebrated reply to Hayne, referred to the uncompleted Delaware Breakwater which still stands at the mouth of the bay. And if it be charged that the cost of maintenance amounts to $300,000 per annum—I wish the gentleman from Michigan [Mr. J. M. C. SMITH], in view of his inquiry of the gentleman from Florida, would listen particularly to this—it should also be remembered that railroad tracks

wear out and must be replaced, that macadam roads disintegrate and must be reconstructed, and that rivers fill up and must be kept in order, if they are to continue in the public service.

But apart from business and financial considerations, it is important to the Government as well as to the people that work upon the Delaware River shall be hastened. The recent filibuster cutting out the regular appropriations for 35-foot channel work not only hampered the commercial interests which bring in a great revenue to the Government through the river, but added greatly to the perplexities of the War and Navy Departments with respect to the shipments of coal from the Pennsylvania mines. The War Department has one of its most important arsenals on the Delaware River at Philadelphia, and the Philadelphia Navy Yard is the one great fresh-water station of the Navy Department. It is not disputed that these Government stations have a great advantage over other stations in the matter of skilled labor, fuel supply, adaptability of service, and all-around economy. It is of great importance to the Government that it can send its vessels into fresh water for storage or repair. It is also essential that they shall have easy access to the coal supply. Recent tests of bituminous coal from Pennsylvania have proven its acceptability to the United States Navy, and contracts for delivery at Philadelphia indicate that the Navy can do business at the port of Philadelphia with profit to the Government. But questions of navigation have arisen which threaten to do the port an injustice and place the Government at a considerable loss. I will not now discuss the question of coal for steaming purposes or the proficiency of naval captains or pilots to safely navigate a river, but I do desire to draw attention to the fact that in the matter of certain coal shipments recently made the port of Philadelphia has suffered in the interest of other ports having a channel depth of 35 feet. It is neither just nor prudent that any further economy in appropriations should be practiced upon the Delaware River.

And here I pause for a moment to say that I believe not less than 700,000 tons of coal for use by the Government are now involved, and that at a cheaper cost from Philadelphia than the Government would incur at any other port.

It may be of no concern to the War or Navy Departments that a foreign vessel navigated by a foreign captain, carrying cargo to or from the port of Philadelphia, shall run his "nose" aground in a narrow channel, but it is important to these great departments of the Government that our own vessels shall be able to reach our own navy yards and our own coaling stations without hindrance or delay. Testimony recently given before the Committee on Naval Affairs presents an unusual condition with regard to the matter of coal. In order to circumvent what was believed to be a combination to control the price of coal delivered at Norfolk, the Secretary of the Navy discovered a new source of coal supply in Pennsylvania. It could be delivered cheaper at the port of Philadelphia than elsewhere. One of the great colliers of the Navy came up to Philadelphia and departed with a load of this coal. Now we hear that channel depths are again under discussion in the departments, and that coal that should have been shipped from Philadelphia may be shifted to other ports at an increased expense to the Government. Is the Government to lose its advantage in the price of coal and in the rates of freight because the 35-foot channel of the Delaware has not been completed from Allegheny Avenue to the sea? If this is the penalty for too much economy, what would be the cost should vessels of the Navy have to coal hastily for purposes of war?

Out of the lump appropriation of $20,000,000 evolved from the filibuster, only $1,000,000 was allotted to the Delaware River. It was necessary to take the maintenance cost out of that sum and then use much of it to catch up with the work that had fallen back two months while the filibuster was on. Thus $700,000 or less became available for actual work on the project until a new appropriation is made. It was a costly delay. Further delay would be even more costly. The plans of the Army engineers contemplated appropriations at the rate of approximately $2,000,000 per annum. This would have been sufficient to complete the work in six years. That is what we expected and desired, but the $2,000,000 a year was not forthcoming, and now we are told that at the present rate of appropriations there will be further delay and a greater expenditure than was originally contemplated. It is evident, therefore, that small and intermittent appropriations can have but one result—delay and waste. Against this kind of economy I earnestly protest.

The Delaware River is worth all the Government has spent upon it and much more. There is no other river in the United States that equals it in commerce and tonnage, nor is there another river so extending inland that is of greater concern to the Army and the Navy. [Applause.]

Mr. J. M. C. SMITH. Will the gentleman yield?

Mr. MOORE. Yes.

Mr. J. M. C. SMITH. The gentleman states that the tonnage on the Delaware River exceeds that of any other river.

Mr. MOORE. I mean any other inland river.

Mr. J. M. C. SMITH. Has the gentleman considered the amount and value of the tonnage on the Detroit River?

Mr. MOORE. I do not regard that as an inland river. It is merely a passageway between two great bodies of water where the ships must concentrate. If we went into that, it would be necessary for me to call upon the gentleman to show the value of the tonnage that goes through, which is mainly iron and copper ore or other dead weight, which makes a great tonnage. Placed in contrast with the valuable commercial tonnage of a river like the Delaware the latter would not suffer.

But to continue, Mr. Chairman, and to conclude, doing the best they can with appropriations thus far made, the Army engineers report that but 26 per cent of the work of the new channel of the Delaware has been completed. It is not fair to thus handicap so serviceable a port for a period of years, when competative ports along the coast have already attained a depth of 35 feet. The city and State are doing their part to care for the commerce of the port, and it is not unreasonable to urge the Government to save its own money, facilitate its own business, and increase its own revenues by keeping its own contract to complete the 35-foot channel for its own use. [Applause.]

Mr. Chairman, I have only one word more to say, and that pertains to the broad subject of economy that the River and Harbor Committee proposes to practice in this instance. I do not believe that it is wise policy to practice this kind of economy just now with respect to new projects absolutely essential to the commercial or national welfare. The chairman says it is economy, but should it appear that this great committee has become scared at the announcement that the bill may be defeated by one or two men who threaten to oppose it here or elsewhere, it seems to me that some of us should speak out in protest. The great body of the Members of this House want truly to represent their constituents, and they have the right to speak for those projects that are of interest to the people of their States. I for one do not propose to waive my right to speak for the people of my State.

And as to economy, the chairman tells us that is the reason the new projects are to be cut out—I want to say for the benefit of these economists, some of whom preach peace and vote for all kinds of appropriations for their own localities, that whereas we have in the last 40 years appropriated out of the money of the people over $2,000,000,000 for the maintenance of the Navy and fully $2,000,000,000 for the maintenance of the Army, and more than $4,500,000,000 to pay pensions to the old soldiers—all we have spent on the business-making, revenue-creating, employment-giving, nation-protecting water carriers of the country has been $693,000,000. When placed side by side with the enormous but seemingly insufficient appropriations that have gone into munitions of war, into the construction of defenses and battleships, and the payment of pensions which are so well deserved, the amount that has been grudgingly given to the commerce of the country for the purpose of creating business, developing our natural wealth, and giving employment to labor has been a sorry pittance. [Applause.] Mr. Chairman, I yield back the balance of my time.

Mr. HUMPHREY of Washington. Mr. Chairman, how much time does the gentleman from Pennsylvania yield back?

The CHAIRMAN. Five minutes.

Mr. SPARKMAN. Mr. Chairman, I yield five minutes to the gentleman from New York [Mr. GOULDEN].

Mr. GOULDEN. Mr. Chairman, the bill now under consideration is one that has attracted much attention all over the country. It carries $34,138,558, $14,894,438 less than the Government engineers and the department recommended.

Perhaps some of the criticism leveled against it in the past may have been justified. In my 10 years' service in this House, and as one deeply interested in the improvement of our waterways, having several navigable streams in the district that I have the honor to represent, no graft—commonly styled "pork-barrel" legislation—has been in these river and harbor bills so far as I was able to discover. True, some appropriations, small sums, appeared from time to time for the improvement of certain streams comparatively unknown, but that did not prove them to be unworthy of consideration.

In my experience and observation I have descerned but few items that might be considered objectionable. The amounts thus appropriated were relatively small. Even if objectionable and unnecessary, it does not justify the wholesale criticism made against the bill. In my section the famous East River and

Bronx Kills, the Harlem River, the Hudson River, and the Bronx River projects, among the most important navigable streams in the country with a very large commerce, have been seriously crippled by the failure of last year's bill as it went to the Senate. Not only has it had this bad effect, but it has held up great necessary public improvements of the city of New York. The failure of the measure of 1914 worked a great injustice not alone to the metropolis but elsewhere. No one felt the necessity for economy at that time more than the speaker, but this was not the place to begin. It was too far-reaching, too damaging in its results. It held up the improvement in the Harlem River for which the State of New York has appropriated $1,000.000 for the right of way to improve the channel and the opening of a safe and short passage into Long Island Sound through the Bronx Kills, less than a mile in length, avoiding the dangers of Hell Gate, both vitally necessary to accommodate the commerce of the new Erie Barge Canal.

The East River project with the other two just mentioned and approved by the United States engineers, all of deep interest to the great Northwest and the New England States, as well as to the city and State of New York, were lost—at least retarded—by the action of the other legislative body of the Congress. That, too, in the face of the well-known fact that the leader of the opposition in the Chamber at the other end of the Capitol was thoroughly familiar with the projects named as well as the others at the port of New York, that furnishes one-half of the revenues for the support of the Government.

I want to say, in closing, that in my judgment the bill as it passed the House in 1914 should have become a law. The amount cut out of the measure affected many meritorious and needed improvements, crippling the needs of navigation and the demands of commerce beyond the calculation of those best informed on the subject. Not only this, but in these times of depression it kept many in idleness and their families in want. The harsh criticisms of the press, especially of my own city, has aroused a bitter feeling against the meritorious projects of the port of New York, making it far more difficult to secure the amount so badly needed and to which they are justly entitled.

I hope that this year's bill, as reported by the committee, will pass both Houses and become a law. [Applause.]

Mr. SPARKMAN. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. RAINEY, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 20189, the river and harbor bill, and had come to no resolution thereon.

ADJOURNMENT.

Mr. SPARKMAN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 53 minutes p. m.) the House, in accordance with its previous order, adjourned until to-morrow, Tuesday, January 12, 1915, at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. Letter from the Acting Secretary of the Treasury, transmitting copy of a communication of the Secretary of the Interior submitting supplemental estimates of appropriation for the fiscal year 1916 for continuing the construction of the Blackfeet, Flathead, and Fort Peck irrigation projects, in Montana, and for the second installment on account of the storage water right provided in the Indian appropriation act approved August 1, 1914 (38 Stat., p. 605), for the irrigation of Indian allotments and the Yakima Indian Reservation in the State of Washington (H. Doc. No. 1481); to the Committees on Appropriations and Indian Affairs and ordered to be printed.

2. Letter from the chairman of the Interstate Commerce Commission, transmitting the report of its Chief of the Division of Safety for the fiscal year 1914, calling particular attention to that part of the report relating to investigation of safety devices under the provisions of the urgent deficiencies act, Public, No. 32; and also a typewritten copy of the report of the commission's Chief of the Division of Safety concerning a test of the Gray-Thurber automatic train-control system (H. Doc. No. 1482); to the Committee on Interstate and Foreign Commerce and ordered to be printed with illustrations.

3. Letter from the Acting Secretary of the Treasury, transmitting copy of a communication from the Secretary of the Interior submitting additional matter and specifications in connection with his estimate of appropriation in the sum of $250,000 for the protection of lands and property in the Imperial Valley, Cal. (H. Doc. No. 1476); to the Committee on Appropriations and ordered to be printed.

4. Letter from the Secretary of the Treasury, submitting a statement correcting House Document No. 1228, Sixty-third Congress, third session, relative to number of typewriters purchased, etc., during the first three months of the current fiscal year by the Treasury Department (H. Doc. No. 1483); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. TALCOTT of New York, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (S. 6839) extending the time for completion of the bridge across the Delaware River authorized by an act entitled "An act to authorize the Pennsylvania Railroad Co. and the Pennsylvania & Newark Railroad Co., or their successors, to construct, maintain, and operate a bridge across the Delaware River," approved the 24th day of August, 1912, reported the same with amendment, accompanied by a report (No. 1271), which said bill and report were referred to the House Calendar.

Mr. MONTAGUE, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 20418) to authorize the purchase or construction of six new vessels, with all necessary equipment, for the Coast and Geodetic Survey, and providing for additional surveys by the Coast and Geodetic Survey, reported the same with amendment, accompanied by a report (No. 1272), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. BRYAN, from the Committee on the Merchant Marine and Fisheries, to which was referred the bill (S. 4854) to authorize the establishment of fish-cultural stations on the Columbia River or its tributaries in the State of Oregon or Washington, or both, reported the same with amendment, accompaniel by a report (No. 1273), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. NORTON, from the Committee on Indian Affairs, to which was referred the bill (S. 5255) conferring jurisdiction on the Court of Claims to hear, determine, and render judgment in claims of the Sisseton and Wahpeton Bands of Sioux Indians against the United States, reported the same with amendment, accompanied by a report (No. 1274), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. FERRIS: A bill (H. R. 20777) providing for the fencing of a cemetery of the Apache, Kiowa, and Comanche Indians in Oklahoma; to the Committee on Indian Affairs.

By Mr. GORMAN: A bill (H. R. 20778) to regulate the exportation of foodstuffs, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. TRIBBLE: A bill (H. R. 20779) to prohibit the intermarriage of persons of the white and negro races within the United States of America; to declare such contracts of marriage null and void; to prescribe punishments for violations and attempts to violate its provisions; to the Committee on the Judiciary.

By Mr. GALLIVAN: A bill (H. R. 20780) to amend the postal laws; to the Committee on the Post Office and Post Roads.

By Mr. HOBSON: Joint resolution (H. J. Res. 400) to establish an investigating peace commission; to the Committee on Foreign Affairs.

By Mr. KAHN: Resolution (H. Res. 702) directing the Secretary of War to transmit to the House copies of all documentary information in connection with the rates on deck loads passing through the Panama Canal; to the Committee on Interstate and Foreign Commerce.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BOWDLE: A bill (H. R. 20781) granting an increase of pension to William F. Doran; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20782) granting an increase of pension to Magdalena Kleisler; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20783) granting an increase of pension to Louisa Sebexen; to the Committee on Invalid Pensions.

By Mr. BROWN of New York: A bill (H. R. 20784 granting a pension to Emma J. Crocker; to the Committee on Pensions.

By Mr. DOOLITTLE: A bill (H. R. 20785) granting a pension to Missouri L. Black; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20786) granting an increase of pension to Lucy L. Laymon; to the Committee on Invalid Pensions.

By Mr. DOREMUS: A bill (H. R. 20787) granting a pension to Wilhelmina Taylor; to the Committee on Invalid Pensions.

By Mr. GORMAN: A bill (H. R. 20788) granting a pension to Josephine Burnett; to the Committee on Invalid Pensions.

By Mr. HAMILTON of New York: A bill (H. R. 20789) granting an increase of pension to Thomas Covell; to the Committee on Invalid Pensions.

By Mr. HELM: A bill (H. R. 20790) granting an increase of pension to Lucinda Barnes; to the Committee on Pensions.

By Mr. HELVERING: A bill (H. R. 20791) granting an increase of pension to William Wilson; to the Committee on Invalid Pensions.

By Mr. HENSLEY: A bill (H. R. 20792) granting an increase of pension to Margaret B. Bradley; to the Committee on Invalid Pensions.

By Mr. HULL: A bill (H. R. 20793) granting an increase of pension to Joseph Hurt; to the Committee on Pensions.

By Mr. HUMPHREYS of Mississippi: A bill (H. R. 20794) granting a pension to Howard D. Lowd; to the Committee on Pensions.

Also, a bill (H. R. 20795) granting an increase of pension to William House; to the Committee on Invalid Pensions.

By Mr. KEISTER: A bill (H. R. 20796) granting an increase of pension to George W. Beck; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20797) granting an increase of pension to Nancy Fortney; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20798) granting an increase of pension to Elijah J. Reed; to the Committee on Invalid Pensions.

By Mr. KETTNER: A bill (H. R. 20799) granting an increase of pension to Robert Bigger; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20800) for the relief of Charlotte M. Johnston; to the Committee on Claims.

By Mr. MADDEN: A bill (H. R. 20801) to authorize the Secretary of the Treasury to adjust the accounts of the Chicago, Milwaukee & St. Paul Railway Co. in accordance with the decision of the Court of Claims in case No. 30159; to the Committee on Claims.

Also, a bill (H. R. 20802) to authorize the Secretary of the Treasury to adjust the accounts of the Chicago, Milwaukee & St. Paul Railway Co. for transporting the United States mails in accordance with certain decisions of the Court of Claims; to the Committee on Claims.

By Mr. MARTIN: A bill (H. R. 20803) granting an increase of pension to Alonzo Wagoner; to the Committee on Invalid Pensions.

By Mr. PATTEN of New York: A bill (H. R. 20804) for the relief of William P. Nason; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20805) for the relief of the heirs of the late James L. Watson; to the Committee on Claims.

By Mr. RUPLEY: A bill (H. R. 20806) granting an increase of pension to Mary C. Beam; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20807) granting an increase of pension to Rebecca Reed; to the Committee on Invalid Pensions.

By Mr. RUSSELL: A bill (H. R. 20808) to authorize the Secretary of the Treasury to adjust the accounts of the St. Louis, Iron Mountain & Southern Railway Co.; to the Committee on Claims.

By Mr. SHREVE: A bill (H. R. 20809) granting a pension to Calista M. Irish; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20810) granting a pension to John Salchli; to the Committee on Pensions.

By Mr. SUTHERLAND: A bill (H. R. 20811) granting an increase of pension to Margaret J. Dovener; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20812) granting an increase of pension to Mary C. Smith; to the Committee on Invalid Pensions.

By Mr. UNDERHILL: A bill (H. R. 20813) granting an increase of pension to Sanford B. Dickinson; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Memorial of the Ladies' Auxiliary of the German-American Relief Committee of the District of Columbia, favoring the passage of House joint resolution 377; to the Committee on Foreign Affairs.

Also (by request), petition of the National Association Opposed to Woman Suffrage, protesting against woman suffrage; to the Committee on the Judiciary.

Also (by request), petition of the New York Board of Trade and Transportation, favoring passage of the Root bill (S. 3672); to the Committee on Rivers and Harbors.

By Mr. ASHBROOK: Evidence to accompany H. R. 248, a bill for the relief of Thomas West; to the Committee on Pensions.

By Mr. BAILEY: Petitions of William Bentman and H. E. Strunk, favoring passage of H. R. 5308, to tax mail-order houses; to the Committee on Ways and Means.

By Mr. BROWNE of Wisconsin: Petitions signed by Fr. F. Selle, D. E. Meisner, and other residents of Shawano County; L. C. Sievert, Herman Anklam, jr., and other residents of Weyauwega; Emil F. Polzin, Anton Mauritz, and other residents of Big Falls; Ferd Fischer, L. J. Osterloth, A. Hermann, F. W. Peterman, Herman Spiegel, Oscar Baum, Rev. Martin Mueller, Reinch Dobberfuhl, John W. Runge, William Burmeister, G. Knaak, H. Krueger, and other residents of Shawano County; F. A. Bentz, Alex. J. Stolle, and other residents of Nekoosa, all in the State of Wisconsin, asking that House joint resolution 377, which provides that the President be authorized, in his discretion, to prohibit the export of arms, ammunition, and munitions of war of every kind, be enacted into law; to the Committee on Foreign Affairs.

Also, petition signed by Peter Weber, president of the Marshfield Society of Equity, and John Ulmer, secretary of the Marshfield Society of Equity, expressing the views of the 260 members of that society, asking that the Congress of the United States pass laws that will enable the President to place an embargo on all contraband of war saving foodstuffs; to the Committee on Foreign Affairs.

Also, petition signed by Ernst Schwortz, William H. Schmidt, Frank Lipke, Gust Beilke, T. Fiess, E. E. Hopper, and other residents of Shawano County; F. M. Szebsdat, George Wetteraw, and other residents of Fenwood; Henry Liethen, William Kuehn, and other residents of Marathon County; John Fandrey, Otto Baerenwald, and other residents of Shawano County; J. J. Lohmar, W. R. Sielaff, and other residents of Wausau; Carl Malitz, August Wolf, William Hoffman, Emil Pockat, Carl Dicke, Carl Priem, A. C. Ladwig, Herman Heller, Charles Voigt, E. W. Frailing, J. M. Kempff, T. F. Simon, G. Kunz, C. A. Paul, Dr. Carl E. Stubenvoll, Arthur Mathwig, George Schroeder, G. F. Richards, and other residents of Shawano County, all in the State of Wisconsin, asking that House joint resolution No. 377, which provides that the President be authorized, in his discretion, to prohibit the exportation of arms, ammunition, and munitions of war of every kind, be enacted into law; to the Committee on Foreign Affairs.

By Mr. BUCHANAN of Illinois: Memorial of Illinois State Federation of Labor, protesting against greater Army and Navy; to the Committee on Military Affairs.

By Mr. BURKE of Wisconsin: Petition signed by 417 citizens of the city of Beaver Dam, Wis., asking for the passage at this session of House joint resolution 377, to levy an embargo upon and prevent the exportation from this country to belligerent European countries of arms and munitions of war; to the Committee on Foreign Affairs.

By Mr. DILLON: Memorial of 50 homesteaders of South Dakota, relative to opening of Standing Rock and Cheyenne River Indian Reservations to homesteaders, etc.; to the Committee on the Public Lands.

Also, memorial of Humboldt (S. Dak.) local branch of the German-American Alliance of South Dakota, favoring House joint resolution 377, relative to neutrality of United States; to the Committee on Foreign Affairs.

By Mr. DONOVAN: Petition of citizens of Danbury, Conn., favoring passage of House joint resolution 377; to the Committee on Foreign Affairs.

By Mr. DRUKKER: Petitions of citizens of the State of New Jersey, protesting against exportation of munitions of war by the United States; to the Committee on Foreign Affairs.

By Mr. EAGAN: Petition of sundry citizens of the State of New Jersey, favoring suffrage for women; to the Committee on the Judiciary.

By Mr. HAYES: Petitions of organizations in San Francisco, Cal., favoring Hamill civil-service retirement bill; to the Committee on Reform in the Civil Service.

Also, petition of citizens of California, favoring House bill 20035, to extend the time for making final proof in certain desert-land entries in Fresno and Kings Counties, Cal.; to the Committee on Irrigation of Arid Lands.

Also, petition of Dr. David Starr Jordan, of Stanford University, Cal., favoring selection of San Francisco as meeting place of the next Peace Congress; to the Committee on Foreign Affairs.

Also, petition of Council 1271, Knights of Columbus, of San Luis Obispo, Cal., relative to religious persecution in Mexico; to the Committee on Foreign Affairs.

Also, petition of Los Angeles (Cal.) Chamber of Commerce, favoring House joint resolution 344, for a national marketing commission; to the Committee on Agriculture.

Also, petition of Peace Society of San Jose (Cal.) State Normal School, against increase in Army and Navy; to the Committee on Military Affairs.

Also, petition of citizens of California, against larger appropriations for armament in the United States; to the Committee on Military Affairs.

By Mr. KENNEDY of Rhode Island: Petitions in favor of woman suffrage from Ednah B. Hale, Mrs. Harriet I. Roworth, E. Carol Hodge, M. E. Carpenter, Helen Bowen Janes, of Providence; C. Isabelle Lee, East Providence; Alex. S. Arnold, Woonsocket; Marie T. Cottrell and Mrs. Robert Herrick, of Newport, all in the State of Rhode Island; to the Committee on the Judiciary.

Also, petitions of Joanna Sophia Buffum, Mrs. A. F. Squire, May J. Keating, Hannah E. Bacheller, Rebecca Taylor Bosworth, Harriet F. Riggs, M. Anna Ford, Rachel Wallace Bertram, Elizabeth H. Swinburne, and Henry C. Bacheller, all of Newport, R. I., in favor of woman suffrage; to the Committee on the Judiciary.

By Mr. KETTNER: Memorial of various organizations of the State of California, favoring passage of the Hamill bill (H. R. 5139); to the Committee on Reform in the Civil Service.

By Mr. LANGHAM: Petition of business men of the seventeenth Pennsylvania congressional district, favoring passage of House bill 5308, relative to taxing mail-order houses; to the Committee on Ways and Means.

By Mr. MAPES: Petitions of citizens of Grand Rapids, Mich., asking for the passage of House joint resolution 377; to the Committee on Foreign Affairs.

By Mr. PATTEN of New York: Petitions of sundry citizens of New York, relative to export of arms and ammunition by the United States; to the Committee on Foreign Affairs.

By Mr. RAKER: Petition of citizens of the State of California, favoring passage of House bill 5308, relative to taxing mail-order houses; to the Committee on Ways and Means.

By Mr. REILLY of Connecticut: Memorial of National Association Opposed to Woman Suffrage, relative to right of States to grant suffrage to women; to the Committee on the Judiciary.

By Mr. STEENERSON: Petition of 150 citizens of Detroit, 150 of Thief River Falls, and 75 of Parkers Prairie, all in the State of Minnesota, favoring House joint resolution 377, to prohibit exportation of war matériel; to the Committee on Foreign Affairs.

By Mr. SUTHERLAND: Papers to accompany bill for increase of pension to Mary C. Smith; to the Committee on Invalid Pensions.

By Mr. TAYLOR of Colorado: Petition of citizens of Denver, Colo., favoring House joint resolution 377, prohibiting export of arms; to the Committee on Foreign Affairs.

By Mr. VOLLMER: Petition of American citizens of Cedar Lake, Ind., for the adoption of House joint resolution 377, prohibiting the export of arms, ammunition, and munitions of war; to the Committee on Foreign Affairs.

Also, petition of 750 American citizens of Chicago, Ill., for the adoption of House joint resolution 377, prohibiting the export of arms, ammunition, and munitions of war; to the Committee on Foreign Affairs.

Also, petition of J. C. Dahms and 17 other American citizens of Walnut Grove, Minn., for the adoption of House joint resolution 377, prohibiting the export of arms, ammunition, and munitions of war; to the Committee on Foreign Affairs.

Also, petition of citizens of Clinton, Iowa, favoring embargo on all contrabands of war; to the Committee on Foreign Affairs.

Also, petition of citizens of Cedar Lake, Ind., favoring Senate bill 6688, forbidding export of arms; to the Committee on Foreign Affairs.

SENATE.

TUESDAY, *January 12, 1915.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we seek from Thee grace and strength for this new day. We pray that we may have proper regard for the sacred traditions of our country, the ways of our fathers, the wisdom that comes out of the experiences of the past. Give to us also that spirit of progress which will hear the call of the new day and grace that will fortify us for facing the ever-increasing responsibilities of life. As Thy Spirit has guided the leaders of this great people in the days gone by, so do Thou abide with us still, guiding us on the upward and onward path to ever-increasing prosperity and happiness because of ever-increasing righteousness and holiness among the people. For Christ's sake. Amen.

The Journal of yesterday's proceedings was read and approved.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives by D. K. Hempstead, its enrolling clerk, announced that the House had passed the bill (S. 5168) for the relief of the King Theological Hall and authorizing the conveyance of real estate to the Howard University and other grantees, with an amendment, in which it requested the concurrence of the Senate.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 1710. An act to prohibit the intermarriage of persons of the white and negro races within the District of Columbia; to declare such contracts of marriage null and void; to prescribe punishments for violations and attempts to violate its provisions;

H. R. 7771. An act to regulate plastering in the District of Columbia;

H. R. 13226. An act prohibiting the interment of the body of any person in the cemetery known as the Cemetery of the White's Tabernacle, No. 39, of the Ancient United Order of Sons and Daughters, Brethren and Sisters of Moses, in the District of Columbia;

H. R. 15215. An act to authorize the Commissioners of the District of Columbia to adjust and settle the shortages in certain accounts of said District, and for other purposes;

H. R. 16759. An act to require owners and lessees of amusement parks to furnish drinking water to patrons free of cost, etc.; and

H. R. 19552. An act providing for annual assessments of real estate in the District of Columbia.

ENROLLED BILL AND JOINT RESOLUTION SIGNED.

The message further announced that the Speaker of the House had signed the following enrolled bill and joint resolution, and they were thereupon signed by the Vice President:

H. R. 13815. An act to increase the limit of cost for the construction of a public building at Marlin, Tex.; and

S. J. Res. 218. Joint resolution to provide for the detail of an officer of the Army for duty with the Panama-California Exposition, San Diego, Cal.

PETITIONS AND MEMORIALS.

Mr. ASHURST presented a petition of sundry citizens of Tucson, Ariz., praying for the enactment of legislation to prohibit the exportation of ammunition, etc., which was referred to the Committee on Foreign Relations.

Mr. THOMPSON presented petitions of sundry citizens of Topeka, Sylvan Grove, Haven, Friend, Ellinwood, and Belvue, all in the State of Kansas, praying for the enactment of legislation to prohibit the exportation of ammunition, etc., which were referred to the Committee on Foreign Relations.

Mr. GRONNA. I present a telegram in the nature of a petition from Mrs. Helen C. Bascom, secretary of the Suffrage League of Wimbledon, N. Dak. It is very short, and I ask that it be printed in the RECORD.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

WIMBLEDON, N. DAK., *January 9, 1915.*

Senator GRONNA,
Washington, D. C.:

May this letter convey to you the earnest wish of our women and majority of our Wimbledon voters for the success of the suffrage amendment. We feel sure you will give your vote, and trust you will use your utmost influence for the adoption of this measure.

HELEN G. BASCOM,
Secretary Suffrage League.

Mr. NELSON presented petitions of sundry citizens of Minnesota, praying for the enactment of legislation to prohibit the

exportation of ammunition, etc., which were referred to the Committee on Foreign Relations.

Mr. CRAWFORD presented petitions of sundry citizens of South Dakota, praying for the enactment of legislation to prohibit the exportation of ammunition, etc., which were referred to the Committee on Foreign Relations.

Mr. KERN presented petitions of sundry citizens of Laporte, Monroeville, Fort Wayne, and Goshen, all in the State of Indiana, praying for the enactment of legislation to prohibit the exportation of ammunition, etc., which were referred to the Committee on Foreign Relations.

Mr. O'GORMAN presented a memorial of sundry citizens of New York City, N. Y., remonstrating against the outrages committed in Mexico upon members and institutions of the Catholic Church, which was referred to the Committee on Foreign Relations.

Mr. BURLEIGH presented a petition of 21 citizens of Weeks Mills, Me., praying for national prohibition, which was referred to the Committee on the Judiciary.

Mr. WEEKS presented resolutions adopted by the congregation of the First Baptist Church of Malden, Mass., favoring universal peace, which were referred to the Committee on Foreign Relations.

He also presented resolutions adopted by the Chamber of Commerce of Lawrence, Mass., favoring the adoption of 1-cent letter postage, which were referred to the Committee on Post Offices and Post Roads.

LANDS IN NEW MEXICO.

Mr. MYERS, from the Committee on Public Lands, to which was referred the bill (H. R. 12050) reserving from entry, location, or sale lots 1 and 2, in section 33, township 13 south, range 4 west, New Mexico prime meridian, in Sierra County, N. Mex., and for other purposes, reported it with amendments and submitted a report (No. 902) thereon.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. NELSON:

A bill (S. 7252) granting a pension to Mary Johnson; to the Committee on Pensions.

By Mr. THOMPSON:

A bill (S. 7253) granting a pension to Sarah A. Eddy (with accompanying papers); and

A bill (S. 7254) granting an increase of pension to William R. Minert (with accompanying papers); to the Committee on Pensions.

By Mr. PERKINS:

A bill (S. 7255) to provide a harbor boat for the Revenue-Cutter Service, to replace the *Hartley*, at San Francisco, Cal.; to the Committee on Commerce.

By Mr. GRONNA (for Mr. MCCUMBER):

A bill (S. 7256) granting an increase of pension to Halvor Anderson; to the Committee on Pensions.

By Mr. LODGE:

A bill (S. 7257) granting an increase of pension to Michael Kelley (with accompanying papers); to the Committee on Pensions.

By Mr. SMITH of Maryland:

A bill (S. 7258) granting a pension to Mary Battle; and

A bill (S. 7259) granting an increase of pension to John Wiebel; to the Committee on Pensions.

By Mr. BURLEIGH:

A bill (S. 7260) granting an increase of pension to Allen C. Goodwin; to the Committee on Pensions.

By Mr. POMERENE:

A bill (S. 7261) to amend sections 4421, 4422, 4423, 4424, and 4498 of the Revised Statutes of the United States, and section 12 of the act of May 28, 1908, relating to certificates of inspection of steam vessels; to the Committee on Commerce.

By Mr. JAMES:

A bill (S. 7262) granting a pension to Ulysses S. Baird (with accompanying papers); to the Committee on Pensions.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. SHEPPARD submitted an amendment providing that from and after the 1st day of November, 1916, it shall be unlawful to manufacture, barter, sell, or give away any spirituous, vinous, malt, or other alcoholic liquors of any kind within the District of Columbia, etc., intended to be proposed by him to the District of Columbia appropriation bill (H. R. 19422), which was referred to the Committee on Education and Labor and ordered to be printed.

Mr. BRADY submitted an amendment proposing to appropriate $4,600 for the maintenance of an assay office at Boise, Idaho, etc., intended to be proposed by him to the legislative, etc., appropriation bill (H. R. 19909), which was referred to the Committee on Appropriations and ordered to be printed.

Mr. MYERS submitted an amendment proposing to appropriate $500,000 for continuing the construction of irrigation systems to irrigate the allotted lands of the Indians of the Flathead Reservation in Montana, etc., intended to be proposed by him to the Indian appropriation bill (H. R. 20150), which was referred to the Committee on Indian Affairs and ordered to be printed.

HOUSE BILLS REFERRED.

The following bills were severally read twice by their titles and referred to the Committee on the District of Columbia:

H. R. 1710. An act to prohibit the intermarriage of persons of the white and negro races within the District of Columbia; to declare such contracts of marriage null and void; to prescribe punishments for violations and attempts to violate its provisions;

H. R. 7771. An act to regulate plastering in the District of Columbia;

H. R. 13226. An act prohibiting the interment of the body of any person in the cemetery known as the Cemetery of the White's Tabernacle, No. 39, of the Ancient United Order of Sons and Daughters, Brethren and Sisters of Moses, in the District of Columbia;

H. R. 15215. An act to authorize the Commissioners of the District of Columbia to adjust and settle the shortages in certain accounts of said District, and for other purposes;

H. R. 16759. An act to require owners and lessees of amusement parks to furnish drinking water to patrons free of cost, etc.; and

H. R. 19552. An act providing for annual assessments of real estate in the District of Columbia.

PROHIBITION OF LIQUOR TRAFFIC IN THE DISTRICT OF COLUMBIA.

Mr. SHEPPARD. Mr. President, I wish to call up the motion I made yesterday to suspend the rules.

The VICE PRESIDENT. The Secretary will read the notice.

The SECRETARY. The Senator from Texas [Mr. SHEPPARD] yesterday gave notice that, in accordance with Rule XL of the standing rules of the Senate, he would move to suspend paragraph 3 of Rule XVI for the purpose of moving an amendment to the bill (H. R. 19422) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1916, and for other purposes.

Mr. SMOOT. I should like to ask the Senator from Texas if he expects to refer the proposed amendment of the rules to the Committee on Rules?

Mr. SHEPPARD. I mean to make the motion that it be adopted.

Mr. SMOOT. Without a reference to the committee?

Mr. SHEPPARD. Yes. The rules do not require any reference. I ask that the motion be adopted.

Mr. SMITH of Georgia. Mr. President, I desire to raise the point of order that the rule can not be modified in this way; that the proposed modification ought to be referred to the Committee on Rules and reported from the Committee on Rules.

I wish to say, as to this particular amendment, I should like to see it added to the bill, and, as I understand it, I expect to vote for it; but I do not think the rule contemplated that the rules themselves should be suspended or modified in this informal manner simply by giving notice one day and passing a resolution the next day, without reference to a committee. If so, our rules become at once very lacking in stability and will, it seems to me, be subject to change almost at the whim of the Senate.

I have been here only a little over three years, and during that period I am sure no rule has been suspended in this way.

I make the point of order that the notice should go to the Committee on Rules for report.

Mr. SHEPPARD. If the Chair will permit me, I shall say to the Senator from Georgia that this is the only sure way we have of securing consideration for the prohibition amendment. I am proceeding regularly under a rule that was adopted in order to give the Senate the right to attach legislation that it deemed proper and advisable to bills of this character.

Mr. VARDAMAN. Mr. President——

Mr. SMITH of Georgia. I yielded to the Senator from Texas and I wish to answer him now. I do not find a precedent, though there may be a precedent, for the course he seeks to have adopted.

Mr. OVERMAN. I understand there never has been a rule suspended in the Senate. At least it has not been done since I have been a Member.

Mr. SHEPPARD. I have a precedent before me. On March 2, 1861, a rule was suspended in just this way. A motion to suspend the rules was held in order after proper notice.

The VICE PRESIDENT. The Chair is ready to rule. Under Rule XL the Chair is of the opinion that the Senate has the unqualified power in accordance with this notice to suspend the rule if it chooses to do so. If it does not choose to do so, the proper procedure is to move to refer the notice to the Committee on Rules.

Mr. SMITH of Georgia. Then I move that a reference be had to the Committee on Rules, and I do it because I am opposed to this mode of suspending the rules. I think it is dangerous.

The VICE PRESIDENT. That motion is in order. The question is on the motion of the Senator from Georgia to refer the notice of the proposed amendment of the rule to the Committee on Rules.

Mr. SHEPPARD. On that I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. CRAWFORD (when his name was called). I have a general pair with the senior Senator from Tennessee [Mr. LEA]. I observe that he is absent, and in his absence I withhold my vote.

Mr. FLETCHER (when his name was called). I have a general pair with the Senator from Wyoming [Mr. WARREN]. Not knowing how he would vote on this question, I will withhold my vote.

Mr. GRONNA (when Mr. MCCUMBER's name was called). My colleague [Mr. MCCUMBER] is necessarily absent from the city. He is paired with the Senator from Kentucky [Mr. CAMDEN].

Mr. TOWNSEND (when the name of Mr. SMITH of Michigan was called). I announce the absence of the senior Senator from Michigan [Mr. SMITH], who is paired on all votes with the junior Senator from Missouri [Mr. REED]. This announcement may stand for the day.

Mr. WALSH (when his name was called). I have a general pair with the Senator from Rhode Island [Mr. LIPPITT]. I transfer that pair to the Senator from South Carolina [Mr. SMITH] and vote "nay."

Mr. CLARK of Wyoming (when Mr. WARREN's name was called). I desire to announce the unavoidable absence of my colleague [Mr. WARREN]. I will allow this announcement to stand for the day.

The roll call was concluded.

Mr. CULBERSON (after having voted in the affirmative). I transfer my general pair with the Senator from Delaware [Mr. DU PONT] to the Senator from Tennessee [Mr. SHIELDS] and allow my vote to stand.

Mr. ROOT (after having voted in the affirmative). I voted, but may I ask if the Senator from Colorado [Mr. THOMAS] has voted?

The VICE PRESIDENT. He has not.

Mr. ROOT. Then I withdraw my vote on account of my pair with that Senator.

Mr. SUTHERLAND (after having voted in the affirmative). I inquire whether the Senator from Arkansas [Mr. CLARKE] has voted?

The VICE PRESIDENT. He has not.

Mr. SUTHERLAND. I have a pair with that Senator, and I therefore withdraw my vote.

Mr. MARTINE of New Jersey. I was requested to announce that the Senator from Tennessee [Mr. LEA] is absent, on account of illness, and that he is paired with the Senator from South Dakota [Mr. CRAWFORD].

Mr. REED. I transfer my pair with the Senator from Michigan [Mr. SMITH] to the Senator from New Jersey [Mr. HUGHES] and vote "yea."

Mr. CHILTON. I transfer my pair with the Senator from New Mexico [Mr. FALL] heretofore announced to the Senator from Nevada [Mr. NEWLANDS] and vote "nay."

Mr. OLIVER. I wish to announce that my colleague [Mr. PENROSE] is absent from the Senate on account of illness and is paired with the senior Senator from Mississippi [Mr. WILLIAMS].

Mr. CRAWFORD. I learn that the senior Senator from Tennessee [Mr. LEA], if present, would vote on the same side of this question with myself. So I feel at liberty to vote. I vote "nay."

Mr. ASHURST. I wish to announce the unavoidable absence of my colleague [Mr. SMITH of Arizona] and his pair with the senior Senator from Connecticut [Mr. BRANDEGEE].

Mr. SMITH of Georgia. I wish to announce the unavoidable absence of the junior Senator from South Carolina [Mr. SMITH], who is detained at home on account of sickness.

Mr. GALLINGER. I have been requested to announce the following pairs:

The Senator from Connecticut [Mr. BRANDEGEE] with the Senator from Arizona [Mr. SMITH];

The Senator from New Mexico [Mr. CATRON] with the Senator from Oklahoma [Mr. OWEN]; and

The Senator from Rhode Island [Mr. LIPPITT] with the Senator from Montana [Mr. WALSH].

The result was announced—yeas 37, nays 34, as follows:

YEAS—37.

Bankhead	James	Overman	Smith, Ga.
Bryan	Johnson	Perkins	Smith, Md.
Burton	Kern	Pittman	Smoot
Clark, Wyo.	La Follette	Pomerene	Stephenson
Culberson	Lee, Md.	Ransdell	Stone
Cummins	Lodge	Reed	Thornton
Dillingham	McLean	Robinson	Tillman
Goff	Martine, N. J.	Saulsbury	
Hardwick	Nelson	Shively	
Hitchcock	O'Gorman	Simmons	

NAYS—34.

Ashurst	Crawford	Norris	Thompson
Borah	Gallinger	Oliver	Townsend
Brady	Gore	Page	Vardaman
Bristow	Gronna	Poindexter	Walsh
Burleigh	Hollis	Shafroth	Weeks
Chamberlain	Jones	Sheppard	White
Chilton	Kenyon	Sherman	Works
Clapp	Lane	Sterling	
Colt	Myers	Swanson	

NOT VOTING—25.

Brandegee	Hughes	Owen	Sutherland
Camden	Lea, Tenn.	Penrose	Thomas
Catron	Lewis	Root	Warren
Clarke, Ark.	Lippitt	Shields	Williams
du Pont	McCumber	Smith, Ariz.	
Fall	Martin, Va.	Smith, Mich.	
Fletcher	Newlands	Smith, S. C.	

The VICE PRESIDENT. The notice of the proposed amendment to the rules is referred to the Committee on Rules and will be printed.

IMPORT DUTIES COLLECTED AT VERA CRUZ.

The VICE PRESIDENT. The Chair lays before the Senate a resolution coming over from a preceding day, which will be stated.

The SECRETARY. A resolution (S. Res. 514), submitted by Mr. CUMMINS on the 8th instant, requesting the President to furnish the Senate with certain information relative to money collected by the United States at Vera Cruz during the occupation of that city by the military forces of the United States.

Mr. STONE. Mr. President, I ask that the resolution just stated go over until to-morrow morning on the same condition on which it went over yesterday until to-day, retaining its place without change. To-morrow morning, so far as I am concerned at least, I shall be entirely willing to have the resolution disposed of.

Mr. CUMMINS. Mr. President, I have no objection to the resolution going over until to-morrow; but, in so far as I am concerned, I shall endeavor to get a vote on it to-morrow morning. I understand that is all the Senator from Missouri asks?

Mr. STONE. So far as I am concerned, I shall not ask to have the resolution go over beyond to-morrow. I have so stated.

The VICE PRESIDENT. Without objection, the resolution will go over until to-morrow morning.

NATIONAL SECURITY COMMISSION.

Mr. LODGE. Mr. President, I desire to give notice that on Friday next, immediately after the conclusion of the routine morning business, with the permission of the Senate, I shall address the Senate on the subject of the preparation of the national defense with relation to the joint resolution which I have introduced.

REGULATION OF IMMIGRATION.

The VICE PRESIDENT. Morning business is closed.

Mr. ROBINSON. Mr. President, I move that the Senate proceed to the consideration of the conference report on House bill 6060, being the immigration bill.

Mr. SMITH of Maryland. Mr. President, the unfinished business——

Mr. ROBINSON. I make the point of order that the motion is not subject to debate.

The VICE PRESIDENT. The motion is not subject to debate. The question is, Will the Senate proceed to the consideration of the conference report on the immigration bill?

Mr. REED. A parliamentary inquiry, Mr. President.

The VICE PRESIDENT. The Senator from Missouri will state it.

Mr. REED. What is the regular unfinished business of the Senate?

The VICE PRESIDENT. It is the District of Columbia appropriation bill.

Mr. REED. If the conference report on the bill referred to by the Senator from Arkansas [Mr. ROBINSON] is now taken up, does that not displace the unfinished business?

The VICE PRESIDENT. It does not. The unfinished business comes up at 2 o'clock. The question is, Will the Senate proceed to the consideration of the conference report on the immigration bill?

The motion was agreed to; and the Senate proceeded to the consideration of the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 6060) to regulate the immigration of aliens to and the residence of aliens in the United States.

Mr. REED. I desire to inquire of the Senator who has the report in charge to what print of the bill the conference report refers?

Mr. ROBINSON. My information is that it refers to the official print.

Mr. REED. I have endeavored to locate the various amendments which have been agreed to, disagreed to, or changed. I sent for a copy of the bill showing the amendments printed and numbered, but I am unable by comparing the report of the committee of conference with that print to locate the changes or to ascertain where some of them come in the bill. I am inclined to the opinion that there have been either a number of mistakes made in the printing of the report or else that the report refers to some other print. If the Senator from Arkansas has before him the print of January 4, showing the amendments numbered, I desire to call his attention more in detail to what I have already stated.

Mr. ROBINSON. I will inquire of the Senator from Missouri to what particular amendment he refers?

Mr. REED. I refer to a number of amendments.

Mr. ROBINSON. If the Senator will indicate the amendment to which he refers, I shall endeavor to elucidate the matter.

Mr. REED. Well, I call the Senator's attention to page 1 of the conference report, to the language which is contained in the fourth paragraph from the bottom, which is as follows:

In lines 3 and 4 of the matter inserted by the Senate, strike out "and aliens returning after temporary absence to an unrelinquished United States domicile."

That reference does not harmonize with the copy of the bill printed with the amendments numbered, and there is nothing to indicate that it refers to amendment numbered 23.

Mr. ROBINSON. If the Senator will read the paragraph just preceding and part of the same matter, he will find that it refers to amendment numbered 23 and is part of that amendment.

Mr. REED. Mr. President, I will read the part I am referring to and some of the context:

Amendment numbered 11: That the House recede from its disagreement to the amendment of the Senate numbered 11, and agree to the same with an amendment as follows:

Strike out the matter inserted by the Senate and in lieu thereof insert the following: "practice polygamy or believe in or advocate the practice of polygamy"; and the Senate agree to the same.

Strike out the matter inserted by the Senate and insert in lieu thereof the following: "treaties, conventions, or."

In lines 3 and 4 of the matter inserted by the Senate strike out "and aliens returning after temporary absence to an unrelinquished United States domicile."

Mr. President, I can not tell to what that refers.

Mr. LODGE. Mr. President, the conference report refers to the amendments by number.

Mr. REED. Very well.

Mr. LODGE. When a bill goes into conference, of course, the amendments of the Senate are all numbered.

Mr. REED. Mr. President, I can locate the matter referred to in the first paragraph. Then follows this language:

Strike out the matter——

Mr. LODGE. To which one is the Senator referring?

Mr. REED. I will begin again, if the Senator will permit me, and call his attention to the second paragraph of the matter following the words "Amendment numbered 11":

Strike out the matter inserted by the Senate and in lieu thereof insert the following: "practice polygamy or believe in or advocate the practice of polygamy"; and the Senate agree to the same.

I can locate that; but take what follows:

Strike out the matter inserted by the Senate and insert in lieu thereof the following: "treaties, conventions, or".

Mr. BRYAN. But the Senator omits a whole paragraph. The last quotation is under amendment numbered 17.

Mr. LODGE. Amendment numbered 17 is another amendment.

Mr. REED. I am following the print.

Mr. LODGE. I think not. The language the Senator has read refers to amendment numbered 17.

Mr. REED. There is nothing about amendment numbered 17 in my copy.

Mr. LODGE. If the Senator will allow me——

Mr. ROBINSON. Mr. President, I make the point of order that the Senate is not in order; we are utterly unable to hear what is going on.

The VICE PRESIDENT. The point of order is sustained.

Mr. LODGE. Mr. President——

The VICE PRESIDENT. Does the Senator from Missouri yield to the Senator from Massachusetts?

Mr. REED. Yes; but I wish to say to the Senator now, because I think it may clear this matter up, that I have here a print of the conference report, and my attention has just been called by the Senator from Florida [Mr. BRYAN], who undertook to correct me, to his print, and I find his print is entirely different from mine.

Mr. LODGE. If the Senator will allow me, I think the matter can be explained. The House of Representatives ordered the conference report printed on the 9th of January, 1915. It was found that there were a great many type errors in that print, among others, the omission of amendment numbered 17, so that it looked, according to the print, as if all the amendments to which the Senator has referred came under amendment numbered 11. Owing to those errors in the printing, there was a reprint ordered on January 11, 1915.

Mr. REED. Was that ordered by the Senate?

Mr. LODGE. No; I am referring to the House print.

Mr. REED. The report was expressly ordered printed by the Senate.

Mr. GALLINGER. I rise to a question of order. I am interested in this conference report, but can not understand what is going on on account of the confusion.

The VICE PRESIDENT. The Senator from New Hampshire is in no worse condition than the Chair and the rest of the Senate, but it is impossible for the presiding officer to compel Senators to take their seats.

Mr. REED. Mr. President, when the conference report was reported to the House on yesterday a request was made and granted that it should be printed.

Mr. LODGE. If the Senator will allow me, the conferees agreed on Saturday; the House members asked for a print of the conference report on that day, the 9th, but when the print was made it was found to be erroneous, with some omissions and type errors in it, which the Senator has pointed out in reading from it. Therefore a reprint was ordered on Monday.

Mr. ROBINSON. And the correct print, as I am informed, is on the desk of every Senator.

Mr. LODGE. It is. We have also—I did not know that before—a Senate print, which is on every desk and which is correct, like the second House print. The second House print and the Senate print are correct. The error arose from the Senator having the first House print, which was incorrect.

Mr. REED. I think that probably is an exact statement of the facts. I sent over to the Senate this morning early for the conference report print, and I was furnished with a document purporting to be the conference report. I spent something like an hour and a half in trying to trace out the various amendments, and found it impossible; so, Mr. President, I have had no opportunity to give these amendments a real examination.

Mr. LODGE. The first House print was so confused that nobody could make out what it meant. It left out some of the most important words.

Mr. REED. I think, under the circumstances, the report ought to go over in order to give the Senate a chance to examine it. That was the whole purpose of having it lie over until to-day. I do not know whether other Senators were misled by the erroneous print or the blundering print or whatever we want to call it, but I certainly was misled by it, and I do not know at this moment what the changes are, although I have pursued the matter with all reasonable industry and care. I do not want to have to vote on this conference report without knowing what has been done by the conferees. The report itself is, of course, utterly meaningless for the most part, except as it is compared with the bill; and as the print which I received and which was an official document would not compare with the bill I was completely in the dark, and I am yet.

Now, we are asked to vote upon this conference report as a whole. Until there is an opportunity given to investigate it it ought not to be pressed on the attention of the Senate, and I hope it will be allowed to go over until to-morrow, so that it may be examined.

Mr. ROBINSON. Mr. President, the conference report and the statement were printed and appear in the RECORD this morning. It seems to me that that afforded a reasonable opportunity for Senators who were interested in the subject to familiarize themselves with the effect of the report. I do not think the matter should be further delayed. It is true that the conference report must be voted upon as a whole; but it is also true that the statement, which has been printed and which is short, clearly shows the effect of the conference agreement as to the important amendments in the bill.

I therefore insist that the Senate proceed with the consideration of the conference report.

Mr. REED obtained the floor.

Mr. ROBINSON. If the Senator from Missouri desires, I will submit a brief explanation of the conference report.

Mr. REED. I will yield for that purpose.

Mr. ROBINSON. Mr. President, the Senate included in the bill, among others, two important amendments, namely, the amendment excluding persons of African descent and the so-called Belgian amendment. Prior to the appointment of the conferees the body at the other end of the Capitol considered these two amendments, and by overwhelming votes refused to concur in them. The votes were so overwhelming as to make it clear to the conferees that it would be impossible to reach an agreement retaining these two amendments in the bill, and therefore in the agreement the Senate conferees receded from them.

These are perhaps the most important Senate amendments which were not agreed to in conference.

The important or principal changes in the law as it exists which the conference carries into effect are as follows:

First, the increase of the head tax to $6 on adult aliens and the exemption of all minor aliens from any head tax whatever. The effect of that, in all probability, would not greatly increase or diminish the receipts of the Government from the head tax.

The next important change in existing law which the conference agreement carries into effect by virtue of the amendment adopted relates to amendment No. 24, striking out the House provision prohibiting the exclusion of the wives or minor children of American citizens under any circumstances whatever.

The third substitutes a new section 11, submitted by the Secretary of Labor, to take the place of the House provision relative to examination on board ships engaged in the transportation of aliens. That amendment of the Senate was concurred in; and the discussion in the Senate on the bill disclosed the reasons and the imperative necessity, as I take it, for the adoption of that amendment—the fact that it would be inoperative by reason of the circumstance that the inspectors and medical supervisors could not enter upon the foreign vessels in foreign ports for the purpose of making the inspection referred to.

The fourth important amendment of existing law is that which denies to alien prostitutes the privilege of obtaining United States citizenship through marriage. That amendment was also, as I remember, fully discussed in the Senate, and its purposes and provisions are, I take it, well understood. That is retained in the bill.

The fifth amendment of importance which was agreed to requires transportation companies carrying immigrants from Mexico or Canada to the United States to provide suitable landing places.

The amendment relating to polygamy was modified in the conference so that, as it goes into the bill, it will operate as an exclusion of those who practice polygamy or believe in or advocate the practice of polygamy.

There are a large number of amendments which have been concurred in, and some of them were modified in the conference, relating mainly, and some of them exclusively, to the administrative features of the bill; the necessity of these modifications—I am speaking of them now as a whole—being disclosed by statements and representations made by persons in the department charged with the enforcement of the law.

I think I have spoken briefly of the most material changes in existing law which the conference report, if agreed to, will carry into effect. I do not know that I desire at this time to state anything further concerning the subject.

Mr. REED. What is the number of the Belgian amendment?

Mr. ROBINSON. The Belgian amendment is a part of amendment numbered 24. I will state, in explanation of that fact, that when this amendment was introduced by the Senator from Massachusetts and agreed to by the Senate it probably should have been given a new and separate number, but by an inadvertence on the part of the Public Printer this was not done. It was numbered as a part of amendment 24, and appears in the bill as new matter inserted by the Senate after striking out the House matter, which elimination was numbered amendment 24.

Mr. REED. In what shape is that amendment now left?

Mr. ROBINSON. The entire language under 24 goes out of the bill under the conference agreement.

Mr. REED. I should like to ask the Senator in charge of the bill, if he feels at liberty to state, whether that amendment went out of the bill upon the theory that it was a discrimination between different nations, or whether it went out on the theory that it was not desirable to furnish any relief to the victims of the present European war who might be obliged to seek habitation elsewhere in order either to escape the rigors of the war or to secure a livelihood? On which theory was it stricken out?

Mr. ROBINSON. Mr. President, of course I would not and I can not undertake to express what was in the minds of individual conferees; but one of the controlling considerations, I take it, influencing the conferees in the agreement as to this amendment was the fact that the House of Representatives by an overwhelming vote had declined to concur in the amendment, making it apparently impossible to secure the adoption of the amendment if it should be pursued.

I think I might with propriety say that if the mind of each individual member of the conference had been searched there might have been found some difference as to whether or not the first consideration mentioned by the Senator from Missouri—namely, the question of complaints as to discrimination—was an influential factor in that regard.

Mr. REED. I should like to inquire, as a parliamentary proposition, if a bill passes the House and comes to the Senate, and is there amended, and is sent back to the House, and the House votes upon the Senate amendments, whether the bill does not then automatically come back to the Senate?

Mr. ROBINSON. Does the Senator from Missouri address that inquiry to me, or to the Chair?

Mr. REED. I am addressing it to the Chair.

Mr. ROBINSON. I do not know whether I stated that my understanding is that when the House asked for a conference and the Senate agreed to same the papers are with the Senate.

The VICE PRESIDENT. The Chair is of the opinion that the House having disagreed to the Senate amendments and a conference having been requested the question goes to the conferees.

Mr. ROBINSON. The rule provides, Mr. President, that the House agreeing to the conference shall make the first report, and it follows from that that the Senate has possession of the papers.

Mr. LODGE. Mr. President, we agreed to the conference; but on the matter of the conference the bill comes before the House with the Senate amendments. The House, of course, as a body has a right to deal with all the amendments and agree to them all en bloc; it has a right to disagree to them all en bloc, which is the usual custom on appropriation bills, or it may agree to some and disagree to others.

In this case the House agreed specifically to two or three of the Senate amendments by vote. Of course, the moment they concurred in the Senate amendments that took those amendments out of conference. Where they disagreed it made no difference whether they disagreed to them en bloc or whether they disagreed to one or two specifically and to the rest en bloc, which was what they did. They voted, on certain amendments, to disagree; and they voted on those particular amendments to disagree because that was in the nature of instructions to their conferees, which they had a perfect right, of course, to give. Their instructions to the conferees were, by vote of 275 to 72, not to agree to the amendment excluding from this country persons of African race. By an overwhelming vote, on which there was no division, they voted not to agree to the Belgian amendment. I am not sure that there may not have been one or two others where they took special votes. Then they voted to disagree to all of the remaining amendments en bloc, and there was nothing unusual in the procedure. The fact that one amendment was selected to be disagreed to was merely in the nature of an instruction, which they had a perfect right to give.

Mr. REED. Mr. President, let me ask the Senator from Massachusetts whether or not the House itself adopted any amendments to the bill?

Mr. LODGE. Oh, no; the bill was not amendable. The bill at that stage could not be amended. They adopted no amendments whatever to the bill. They simply exercised their right of concurring or not concurring. Of course, the vote to concur comes first, because the main object is bringing the minds of the two Houses together, and where they moved to concur,

as they did, on the "constitutional psychopathic inferiority," the House agreed to that amendment, and of course where they agreed to an amendment it was out of conference. It was settled. Then they passed on and disagreed to one or two amendments in which they took particular interest, and then disagreed to all the rest en bloc and sent the matter to conference.

I may say that owing to the rule of the House the conferees—as I think they always are, but in this case especially—were most minutely careful that nothing that could possibly be considered new matter should go into the bill or into any amendment. The House rule is very strict. The point of order that there is new matter in a conference report at once sends it back to the conferees without any vote.

Mr. REED. Mr. President, I am obliged to the Senator from Massachusetts. I shall desire to put into the RECORD a few observations of my own, and a few expressions of opinion by others, touching the wisdom of striking out the amendment permitting Belgians to come to the United States regardless of the literacy test. Before I do that, however, and merely in passing, I wish to take exception to the reason assigned for striking out the House language of section 11, which provides that the immigration authorities may place inspectors on board vessels coming to this country, and ascertain in that way the character of the people who are coming and also the kind of treatment they receive from the management of the vessels, together with any other facts that may be of interest.

The reason assigned for striking out the House language and for the submission by the conferees of the Senate substitute is that we have no authority to place our agents upon these vessels. Mr. President, that matter was completely thrashed out in the debate, and the chairman of the committee finally admitted that while the owner of a foreign vessel could exclude from that vessel our agents if he saw fit, at the same time this Government could prohibit the landing of any vessel which refused to conform to our immigration regulations. We have as great a right to place our agents on board vessels to inspect an immigrant who is crossing the ocean as we have to place agents in foreign ports to inspect an immigrant who is about to cross the ocean. We have a greater right, because the vessel in making its voyage is obliged to land in our port, whereas we have no such control over foreign harbors.

It would be much franker and much more commendable if the committee would simply say that we have receded because certain foreign nations, undoubtedly instigated by certain foreign shipowners, have seen fit to protest against the exercise on the part of this Government of a power which it clearly possesses. I wished to say just that much in regard to section 11.

Mr. President, I now challenge attention to the gravity of the action that we are now asked to take with reference to amendment numbered 24, which provides:

> That the provisions of this act relating to the illiteracy test or induced or assisted immigration shall not apply to agricultural immigrants from Belgium who come to the United States during the course of the present European war, or within one year after its termination owing to circumstances or conditions arising from the war, if it is shown to the satisfaction of the Commissioner General of Immigration that said Belgian immigrants come with intent to engage in the work of agriculture in the United States and become American citizens.

During the debate on the bill objection was made to singling out the Belgians, the point urged being that by granting this special favor to Belgium we were discriminating against the people of other countries and running counter to the "most-favored-nation clause" of various treaties. It was determined here in the Senate that such conflict did not exist, and that we could pass this amendment at our pleasure. The Senate did adopt the amendment after full debate. It is now brushed aside in the conference.

Speaking for myself and voicing the sentiments of some others, I would have preferred this amendment to have been broadened so that those who shall come from European countries under similar circumstances—that those who may be driven here by the hardships of war—might also have been included. But there did seem to be a special reason for favoring the Belgians, not a reason found in the legal status, perhaps, but in the actual conditions. These brave, enlightened, patriotic people find their country completely within the iron grip of the armies of a foreign enemy.

The papers of Washington only last night and, I think, this morning state to us that there are some five million people in Belgium absolutely destitute and dependent for sustenance upon the benefactions of the world, and especially of the American Commonwealth. We read that over $15,000,000 in either money or goods has been gathered by charitable hands in this country and sent across the ocean to feed these starving and desperate people. To my mind, as a practical question, it is much better to place these dependents in a position where they can earn their own living and reestablish homes for themselves than it is to continue them as objects of bounty and charity while compelling them to live in a land where the hardships of war have destroyed their means of livelihood.

To my mind, as a matter of plain common sense, it is better to bring these people here, open our doors, make them welcome, than it is to send alms thousands of miles to feed the hungry millions who for a long time must remain nonproductive and dependent. I therefore am inclined to the opinion that the Senate ought to insist upon this amendment. The voice of humanity calls to us; the cry of distress is heard across the sea.

The committee, by this report, has said to the Senate and to the world: "We prefer an African who can read to a Belgian who can not read. We prefer to bring into our country to make a part of its citizenry an African or West Indian negro who can read the mystic 40 words printed upon a card by an immigration official to a Belgian who can trace his ancestry back through the centuries to that heroic band who died in defense of their land when it was invaded by the legions of Rome." You welcome the West Indian or African negro who can read 40 words; you drive from our shores the Belgian woman who can not read, although her husband lies stark upon the field while her children cry for bread. I do not like the parallel. Men of the South can not like the parallel.

Are you so anxious to intensify the race problem? Do you by encouraging an influx of negroes do the members of that race who were born here a great unkindness?

The conference committee have also agreed to strike out the Senate amendment relating to the victims of religious intolerance. As the House passed the bill it provided an exemption from the literacy test for those who come here solely to escape religious persecution. The Senate struck out the word "solely." In brief, the principal reason was that it can scarcely ever be said an immigrant, however much he may have suffered for conscience's sake, comes to our land because of that single cause. That will constitute his principal motive, but there is also the desire, the hope, the glorious dream of prosperity, happiness, and liberty. Such a man does not come from a sole motive. Because he has dared to dream of liberty he must be sent back to his tormentors.

Mr. President, the spirit of this bill, in its narrow selfishness, is that of the man who having directly or through his ancestors escaped from the hardships, cruelties, and tyrannies of other lands, now stands upon this liberty-lighted shore and pushes back into the hopeless night of despotism those who are now seeking to escape.

Will this bill admit a single Jew? Under a strict construction not one of them will be exempted from the literacy test. The Jew within the pale, straining his eager eyes toward this land, has two causes for immigration; one is to escape the intolerable persecution he has suffered on account of his race and religion, the other an infinite longing to stand upon free soil and as a free man to live to make for his family a home where love and peace shall abide. Under this bill that man, if he was denied the opportunity to learn to read, must be excluded, because his motive in coming here is not solely and only for the purpose of escaping religious persecution. Because he loves liberty he must be returned to slavery.

That word "solely" was placed in this bill for the purpose of emasculating the exemptions. Our traditional policy has been to grant sanctuary to all seeking refuge from political or religious persecution. We now propose to absolutely exclude the refugee from political tyranny and to exclude those seeking to escape religious persecution if they come to our shores because they also love our free institutions.

I have been told—I do not claim that what I have learned is binding upon anyone—that the reason to some extent urged—I do not say in the committee of conference—for striking out the clause that prohibited Africans from coming to this country was because if that provision were left in the bill a two-thirds vote could not be obtained to override a veto of the President.

I do not know what the President will do with this bill; I hold no warrant to speak for him. I undertake to say that the President of the United States will approach this great question with that intelligence, patriotism, and breadth of view which has hitherto characterized his public acts, and that his determination will be upon the merits. I think but little of an effort to arrange a bill in advance so that it can accumulate enough votes to force it over a veto which somebody imagines, I presume wholly without any authority or reason, may fall under presidential disapproval. I want to see that amendment put back into the bill.

Since I have referred to the President's position, let me add a quotation from his pen, not that it necessarily foreshadows

the action he may take on this bill, but because the words themselves ought even at this eleventh hour to appeal to some Members of the Senate, especially to those who have been preaching the doctrine that whatever the administration wants it is our duty to grant. More particularly should it arrest the attention of those who have lustily cried "treason" each time certain of us have ventured to differ from the President.

Mr. President, I read a letter written by Mr. Wilson less than 90 days before he was elected President of the United States. It is addressed to Representative SABATH, and was by him, I presume with the consent of its author, placed in the CONGRESSIONAL RECORD of August 23, 1912:

SEAGIRT, N. J., *August 20.*

Hon. ADOLPH J. SABATH,
House of Representatives, Washington, D. C.

DEAR MR. SABATH: It is very gratifying to me that after our conversation on the subject you should have felt so assured of my friendship for our large foreign-born population as to lead you to advise them that my election to the Presidency would be best for them as well as for all other citizens who are looking to rescue this Government from privilege and open wide the doors of opportunity in America alike to the worthy immigrants who come here to find larger liberty and to those who were born in America. The Democratic Party could not without forgetting its very origin advocate an illiberal policy in the matter of immigration. The party may almost be said to have originated in opposition to the alien and sedition laws by which the Federalist Party sought to all but shut the doors against naturalization and at the same time silence the criticism of our people against their Government. America has always been proud to open her gates to everyone who loved liberty and sought opportunity.

Let me read that again:

America has always been proud to open her gates to everyone who loved liberty and sought opportunity.

Let me paraphrase it: America will now grudgingly open her gates to those who are able to pass a certain educational test, and not otherwise. I read on:

And she will never seek another course under the guidance of the Democratic Party.

Mr. President, I am addressing myself to the conscience of the American people, that sooner or later will lift the veil and behold the ugly visage of proscription and race hate that is back of this legislation. I repeat to the country this language:

America has always been proud to open her gates to everyone who loved liberty and sought opportunity, and she will never seek another course under the guidance of the Democratic Party.

That was said before the election to a distinguished Member of Congress, and I think, though I can not say with certainty, that the letter was given publication by the permission of Woodrow Wilson, then our candidate and now the distinguished occupant of the greatest official position of earth. I continue reading:

I am in hearty accord with the ancient faith and practice of the party that has honored me by nominating me for President. There must be regulation of immigration. Criminals must not be admitted. Those who are diseased or defective must be excluded in order to safeguard the physical integrity of our people. Neither can we receive those who are unable to support themselves. And we should see to it that those who come are not unfitted to enter into the life of the country. The necessary limits have been recognized again and again in such legislation. There was a time when through the efforts of steamship companies and of men who wished to bring over those whom they could at once use and impose upon there were brought into the country by the thousands men whom it was demoralizing to receive. But timely legislation stopped that. Sound and honest men and women out of every one of the great European stocks, who come of their own volition and make homes for themselves are welcome amongst us; no one can justly criticize our laws if only those who are sound and honest are admitted. Debased men and men of an unserviceable kind may come out of any race of stock, but America has enriched her genius, has made it various and universal, as she has renewed herself out of all the ancient peoples, from Norway to Italy, and the rich lands of the Mediterranean, who have the literature and history of the world.

Cordially and sincerely, yours,

WOODROW WILSON.

Mr. President, let us stop and analyze this letter. First, the President tells us that the Democratic Party "without forgetting its very origin," can not advocate an illiberal policy in the matter of immigration; second, "that America has always been proud to open her gates to everyone who loved liberty and sought opportunity"—not who can read and write, not who possesses an education, but to "everyone who loves liberty and seeks opportunity," and then he gives this assurance:

And she will never seek another course under the guidance of the Democratic Party.

But now, lest there should be any misunderstanding or mistake, he proceeds, with that clearness which characterizes all of his utterances, to specify exactly the kind of people that should be excluded:

Criminals must not be admitted. Those who are diseased or defective must be excluded in order to safeguard the physical integrity of our people. Neither can we receive those who are unable to support themselves. And we should see to it that those who come are not unfitted to enter into the life of the country.

Those are the specifications. Then, to remove all doubt and strike out every possibility of misunderstanding or mistake as to what he means, he adds this:

The necessary limits have been recognized again and again in such legislation.

Mr. President, if that was not an assurance that we would not go beyond the old limits which he had recited, which were already graven upon our laws, then human language is without meaning and pledges and promises are without binding effect. Every foreign-born son and daughter of America reading that letter understood, and had the right to understand, that our candidate for President was giving assurance to the country, and especially to them, that no bars, save of the kind he so clearly specified, would be placed in the way of their relatives and friends who might thereafter come, as they had come. It was a pledge that the old pathway of the law would continue to be followed.

I have the right to stand here and appeal to Democrats upon this subject. I was in charge of the foreign bureau of the national executive committee having jurisdiction over all the country west of the Ohio River; and, sir, thousands, tens of thousands, hundreds of thousands of those letters were printed and sent to the foreign-born voters of the United States. They were sent by mail; they were distributed through political organizations; they were carried by captains of precincts and into the homes of tens of thousands of these people. This was the appeal we made: "Here is the pledge and promise of a man whose character is so exalted as to make a breach of faith impossible."

Mr. SMOOT. Mr. President——

The PRESIDING OFFICER (Mr. CHILTON in the chair). Does the Senator from Missouri yield to the Senator from Utah?

Mr. REED. I do.

Mr. SMOOT. There are very few Senators present. I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Fletcher	McLean	Smith, Md.
Borah	Goff	Martine, N. J.	Smoot
Brady	Gronna	Norris	Sterling
Bristow	Hardwick	Oliver	Stone
Bryan	Hitchcock	Page	Sutherland
Burton	Hughes	Perkins	Swanson
Camden	James	Poindexter	Thomas
Chamberlain	Johnson	Pomerene	Thompson
Chilton	Jones	Ransdell	Thornton
Clapp	Kenyon	Reed	Tillman
Clark, Wyo.	Kern	Robinson	Townsend
Crawford	La Follette	Saulsbury	Vardaman
Culberson	Lane	Shafroth	White
Dillingham	Lee, Md.	Sheppard	Williams
du Pont	Lodge	Simmons	Works

Mr. SWANSON. I desire to announce that my colleague [Mr. MARTIN] is detained from the Senate on account of death in his family. He is paired with the senior Senator from Minnesota [Mr. NELSON]. I will let this announcement stand for the day.

The PRESIDING OFFICER. Sixty Senators have answered to their names. A quorum is present.

Mr. REED. Mr. President, in connection with that letter written by Mr. Wilson—for he was then Mr. Wilson, now our beloved President—I call attention to another letter.

A SENATOR. How much you love him.

Mr. REED. Oh, I will be found with him, holding up his hands, when very probably some of those who fawn upon him today and who smile and cry out when I use the term "beloved President" are helping to tear him to pieces. I now direct attention to another letter, written on March 13, 1912, to Mr. Piotrowski, a Polish attorney of the city of Chicago, a man of learning, intelligence, patriotism, and a leader of the Polish people who live in this country. Mr. Piotrowski had called attention to certain passages in a history written by Mr. Wilson which seemed to Mr. Piotrowski and others to reflect upon the Polish people and certain other European races. The language employed by Mr. Wilson in his history was at the date of the letter being employed in opposition to Mr. Wilson's candidacy for the nomination. As the representative of these Polish people, Mr. Piotrowski wrote Mr. Wilson, calling attention to the objectionable language. Here is the President's answer. I read from the CONGRESSIONAL RECORD of August 23, 1912. Mr. Sabath inserted the letter in his speech. When I recall how many, many thousands of them we circulated from the national committee headquarters in Chicago among the foreign-born population of the United States, I am a little constrained to believe that Mr. SABATH put this letter in the RECORD as a part of his

speech because it could be thus conveniently and cheaply circulated. I read:

MY DEAR MR. PIOTROWSKI: I remember with pleasure meeting you when I was in Chicago, and esteem it a privilege to reply to your frank and interesting letter of March 11.

My history was written on so condensed a scale that I am only too well aware that passages such as you quote are open to misconstruction, though I think their meaning is plain when they are fairly scrutinized. No one who knows anything of the history of Europe can fail to be familiar with the distinguished history of the Polish people, and any writer who spoke without discrimination of members of that nation as constituting an undesirable element in population would not only be doing a gross injustice, but exhibiting a great ignorance. I did not know all of the facts you so interestingly set forth in your letter, but *I did know in a general way of the honorable and useful careers of the Polish citizens of America and the self-respect and steady achievement of the Polish communities which have been long established in various parts of the country.* In the passage quoted from my history, I was speaking of a particular time when it had become the practice of certain employers on this side of the water to import large numbers of unskilled laborers, under contract, for the purpose of displacing American labor, for which they would have been obliged to pay more. They were drawing, in many cases, upon a class of people who would not have come of their own motion, and who were not truly representative of the finer elements of the countries from which they came. It was, of course, never in my mind to compare the normal immigrant from Europe with the Chinese laborer. Indeed, I had no discrimination in mind, which involved anything more than calling attention to the fact that whatever might be the merits of the question as to the admission of Chinese into this country from the point of view of general public policy, the labor of the Chinese had been intelligent and extremely useful in many fields which they had been permitted to enter.

I know that a just and thoughtful man like yourself will pay no attention to the miscellaneous misinterpretations which have been put upon the passage referred to, and that you will have already interpreted my meaning as I have here endeavored to interpret it.

Your letter has very graciously afforded me an opportunity to make this explanation.

Cordially and sincerely, yours, WOODROW WILSON.

During the reading of the letter, which appears above in full,

The PRESIDING OFFICER. The hour of 2 o'clock having arrived, House bill 19422, the District of Columbia appropriation bill, under the unanimous-consent agreement, is the regular order of business.

Mr. REED. Mr. President, I desire to proceed.

The PRESIDING OFFICER. The Senator can not proceed now except for five minutes under the unanimous-consent agreement.

Mr. REED. The bill is now before the Senate. I am about to discuss the bill.

The PRESIDING OFFICER. The Chair will direct the Secretary to read the unanimous-consent agreement, so that the Senator from Missouri may understand what it is.

Mr. SMITH of Maryland. The Senator from Missouri was no doubt absent yesterday when we agreed to vote at 2 o'clock to-day upon the pending amendment to the appropriation bill.

Mr. REED. Of course under the circumstances I yield the floor.

The PRESIDING OFFICER. Under the agreement debate is limited to five minutes.

Mr. REED. I will be obliged to the Senator from Maryland if he will permit me to finish reading the letter. It will not take over two minutes.

The PRESIDING OFFICER. Will the Senator from Missouri allow the Secretary to read the unanimous-consent agreement?

Mr. REED. Yes.

The PRESIDING OFFICER. The Secretary will read the agreement entered into yesterday.

The Secretary read as follows:

It is agreed by unanimous consent that on to-morrow, Tuesday, January 12, 1915, at not later than 2 o'clock p. m., the Senate will proceed to vote upon any amendment that may then be pending or that may be offered to the reported amendment of the committee on pages 1 and 2 of the bill H. R. 19422, the District of Columbia appropriation bill, and immediately thereafter on the said amendment of the committee, as amended or otherwise: *Provided*, That after the hour of 2 o'clock p. m. no Senator shall speak more than once nor longer than five minutes upon any single amendment.

The PRESIDING OFFICER. There is an amendment pending offered by the Senator from Colorado [Mr. SHAFROTH], which will be read.

Mr. REED. I ask unanimous consent to include in my remarks without reading the balance of the letter.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

DISTRICT OF COLUMBIA APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 19422) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1916, and for other purposes.

The PRESIDING OFFICER. The pending amendment is the amendment offered by the Senator from Colorado [Mr. SHAFROTH]. The amendment will be read.

The SECRETARY. In lieu of the matter proposed to be inserted by the committee, on page 2 of the bill, insert the following——

Mr. SHAFROTH. My amendment does not propose to vitiate anything the committee has done. It is in addition to that, a qualification upon it.

The SECRETARY. At the end of the amendment proposed to be inserted by the committee insert the following——

Mr. SMITH of Maryland. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Senator from Maryland suggests the absence of a quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Gore	Myers	Shively
Borah	Gronna	Norris	Simmons
Brady	Hardwick	Oliver	Smoot
Bristow	Hollis	Page	Sterling
Burton	James	Perkins	Stone
Camden	Johnson	Pomerene	Sutherland
Chamberlain	Jones	Ransdell	Swanson
Chilton	Kenyon	Reed	Thomas
Clapp	La Follette	Robinson	Thompson
Clark, Wyo.	Lane	Root	Thornton
Culberson	Lee, Md.	Saulsbury	Townsend
Dillingham	Lodge	Shafroth	Vardaman
Fletcher	McLean	Sheppard	White
Goff	Martine, N. J.	Sherman	Works

The PRESIDING OFFICER. Fifty-six Senators have answered to their names. A quorum is present.

Mr. SHAFROTH. Mr. President, the vote which is about to be taken I understand is upon the amendment which I offered to the pending bill, and it provides as follows:

That from and after the 30th day of June, 1916, 60 per cent of all moneys appropriated for the expenses of the government of the District of Columbia shall be paid out of the revenues of said District and 40 per cent out of the revenues of the United States.

As we have under the rule five minutes' time to discuss the amendment, I desire to say a few words in relation to it. I believe the discussion has developed an almost unanimous belief, or at least a preponderance of belief, that the half-and-half principle is wrong, owing to the fact that it makes the Government of the United States pay too large a proportion of the expenses of the District of Columbia. I believe it is almost universally acknowledged that to throw the Government back to the old system of raising revenues upon the property of the District and not charging the United States Government anything, but the United States Government seemingly contributing to it by reason of the presence of a great Capital here, with the necessary employees that it brings to the Capital, would not be fair. So I have proposed a measure which is in accordance with the report of a commission which was made about 38 or 39 years ago, namely, that in the District there was 60 per cent of private property and 40 per cent of public property. While the District has grown and the Government has grown, I think the relation between the two is about the same now that it was then.

I believe the proposition of dividing the expenditures by half and half leads to an extravagance upon the part of the District of Columbia that this amendment would in part at least avoid. In other words, while we have a half-and-half division of the expenses, it is natural for the people of the District to say, "Let us have the improvement; it will cost us only 50 cents on the dollar. Let us have that expenditure and let us have this expenditure on anything that comes up." That being the case, I think it leads to extravagance; and I believe that cutting down the Government's share to 40 per cent will have a tendency to make the people hesitate and say, "Well, we do not believe that we had better do it; we would have to pay 60 per cent of this expenditure"; and so it would have a tendency to economy in the District government here.

I believe also that a principle of economy would pervade to such an extent that, by reason of the saving to the District of Columbia, I doubt very much whether the people of the District of Columbia would have to pay any more taxes than they pay now. The fact is that they would not advocate and would not estimate for various improvements and they would avoid such expenditures under this arrangement that I propose.

It seems to me, Mr. President, that this is just and right. I believe it is too high to make the Government pay 50 per cent.

Now, as to the date I have put for the commencement of the operation of this provision of 40 and 60 per cent, you will notice that I have fixed the 30th day of June, 1916. The reason I have done that is this: Various amounts of assessments have been made, and it is estimated that from those assessments already made the District of Columbia will raise $8,000,000 for the year ending June 30, 1916. It is said by the

advocates of the House measure that the surplus which exists by reason of having $8,000,000 at command when the bill calls for only five and a half million dollars, or perhaps $6,000,000, would leave $2,000,000 raised upon the property of the District of Columbia, and they say that money ought to be applied to the part which the United States Government should pay on the half-and-half principle. I do not think that is right; I do not think that is fair to the District; but if we fix the date at the 30th day of June, 1916, then we have the Government of the United States and the District of Columbia on notice that after that time the ratio shall not be half and half but that it shall be 60 and 40 per cent.

It seems to me that in preparing their budget and determining what expenditures they shall make, having in view the proportion the District shall pay and the part the Government shall pay, as a matter of fact they could more nearly determine what the District thinks is most important and what appropriation should be made for the District, and therefore there should be a year's time to consider the question. Then it would solve the question as to whether this surplus money above the appropriations should be used on the part of the Government.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. SUTHERLAND. Mr. President, I desire to make the point of order against the amendment that it proposes general legislation upon an appropriation bill. It seems to me very clearly that it is general legislation. It provides that from and after the 30th day of June, 1916, this division shall be made of 60 and 40 per cent. It is very clearly not a limitation upon this appropriation bill or any item in it. It is a general rule which applies to the entire District for all time to come and does not begin to operate until this appropriation bill has been completely carried into operation. It is therefore opposed to the provisions of Rule XVI, paragraph 3.

The PRESIDING OFFICER. Will the Senator read the rule?

Mr. SUTHERLAND. It provides that—

> No amendment which proposes general legislation shall be received to any general appropriation bill, nor shall any amendment—

And so forth.

Mr. BRISTOW. Let me inquire if this is not simply an amendment of legislation. If the amendment of the Senator from Colorado is out of order, then the amendment of the Senate committee is out of order as legislation.

Mr. SUTHERLAND. No, Mr. President; because the amendment proposed by the committee is a limitation upon the various items of appropriation made by the bill, while this seems to be a change in the general law.

Mr. BRISTOW. In what way is it a limitation?

Mr. SUTHERLAND. The provision of the committee amendment is—

> That one half of the following sums, respectively, is appropriated, out of any money in the Treasury not otherwise appropriated, and the other half out of the revenues of the District of Columbia.

Mr. BRISTOW. In what way is that a limitation?

Mr. SUTHERLAND. It is a limitation upon all the appropriations which are made, the limitation being that one-half shall be paid by the General Government and one-half by the District of Columbia.

Mr. SMOOT. Allow me to suggest to my colleague that the committee amendment is the present law; it does not change the law at all. The House provision changes the law. The Senate committee amendment is simply a reenactment of the present law.

Mr. SHAFROTH. Mr. President, I want to say that the House provision——

The PRESIDING OFFICER. The Senator from Utah has the floor. Does he yield to the Senator from Colorado?

Mr. SUTHERLAND. I yield.

Mr. SHAFROTH. I will state the ground upon which I believe the amendment is relevant. There comes over from the House of Representatives a provision which is a change of an existing law, which is a permanent law. It is a change of that permanent law, and it proposes to change that permanent law by a provision in the House bill. We have unquestionably a right to perfect any provision which comes over from the House. Consequently, in striking out the provision of the House I propose to substitute a permanent measure, and it seems to me it is perfectly relevant in that it is not like a change of existing law when it is either not germane or when it is to some extent new. We are discussing the House plan and we are discussing the principle of a half-and-half division of expenditures relative to the District of Columbia. The House has changed the law from the half-and-half principle, shifting to the District of Columbia a larger proportion, and when I come here——

Mr. NORRIS. Will the Senator permit me to ask him a question?

Mr. SHAFROTH. Certainly.

Mr. NORRIS. I ask the Senator whether his amendment is a substitute for the House provision or for the Senate committee amendment.

Mr. SHAFROTH. I do not see that that is material, because it is on the subject matter.

Mr. NORRIS. I want to know, outside of the parliamentary proposition, when we come to vote on it, if we ever do. If the Senator's proposition is a substitute for the House provision, it is a different proposition as a matter of parliamentary law than though he substituted it for the Senate committee amendment; but, as a matter of fact, there is still another difference that goes to the merit of it. I would vote for it in one case and vote against it in the other.

Mr. SHAFROTH. My amendment comes up in this way: The House provision is stricken out by the committee. It is reported here as stricken out. The Senate committee reports an amendment to that. I want the House measure stricken out, but I do not think that the Senate committee amendment is exactly right. Surely I have a right to amend the Senate committee amendment by adding thereto a certain qualification.

Mr. NORRIS. Certainly the Senator has a right to offer his amendment as a substitute for the Senate committee amendment, or he has a right to offer it as a substitute for the House provision. He can perfect either the amendment of the committee, or he can perfect the text of the bill itself, but we ought to know what the order is.

Mr. JAMES. It would not be in order now, however, as a substitute for the House provision, because the amendment of the Senate committee must be first acted on.

Mr. NORRIS. We can perfect the provision of the bill. That will take precedence over an amendment that is proposed to insert.

Mr. SHAFROTH. The effect of my amendment added to the committee amendment is to make the two a substitute for the House provision, and inasmuch as the House provision deals with the change of law and does, as a matter of fact, change the law——

Mr. NORRIS. If the Senator offers his amendment to be added to the amendment of the Senate Committee on Appropriations, then he has two propositions contained together that are absolutely contradictory.

Mr. SHAFROTH. No; they are not contradictory.

Mr. NORRIS. It can be offered as a substitute, I concede, to the Senate committee's proposition to pay on the half-and-half principle that is standing side by side with another matter in the same bill. It proposes that it shall be put on some other principle that is absolutely inconsistent.

Mr. SHAFROTH. The Senator does not comprehend my amendment. My amendment is in line with the Senate committee amendment until June 30, 1916, and then there is added the change.

Mr. NORRIS. Then the Senator offers his amendment as an addition to the Senate committee amendment?

Mr. SHAFROTH. As a substitute for the House provision. It seems to me, that being the case, of course it is in order. I shall ask that the Senate committee amendment, together with my language added to it, be adopted as a substitute for the House provision.

Mr. SUTHERLAND. Mr. President——

The PRESIDING OFFICER. The Senate will understand the point of order is not debatable, except as the Chair may want to be enlightened.

Mr. SUTHERLAND. I understand that.

The PRESIDING OFFICER. The Chair wants to be enlightened upon the question of order.

Mr. SUTHERLAND. In connection with what the Senator has been saying, I want to suggest to the Senator——

Mr. SHAFROTH. Certainly.

Mr. SUTHERLAND. The point of order which I make is not that the amendment proposed changes existing law, but as it is made it proposes general legislation. The House provision, it is true, proposes to change existing law; but as I read it is not general legislation.

Mr. SHAFROTH. Oh, yes.

Mr. SUTHERLAND. No; because it applies only to the appropriations in this bill.

Mr. SHAFROTH. No; it is the general law. It says it "repeals all laws inconsistent herewith," and that evidently refers to existing law.

Mr. SUTHERLAND. Of course that would be so, but it would repeal such laws only in so far as this appropriation bill is concerned.

Mr. SHAFROTH. Oh, no.

Mr. SUTHERLAND. Because they are only inconsistent during the life of this appropriation bill.

Mr. SHAFROTH. No, Mr. President.

Mr. SUTHERLAND. When this bill has served its purpose, then Congress can deal with the subject anew in another appropriation bill.

Mr. SHAFROTH. This language——

Mr. SUTHERLAND. If the Senator will permit me a moment, if it had specified that this provision of law which adopts the half-and-half principle, referring to it by section or otherwise, is unconditionally repealed, then the Senator would be right. The House provision, however, first of all provides that certain sums shall be appropriated, and then provides for a division of those sums between the United States and the District of Columbia, and then says "all laws in conflict herewith are hereby repealed." It does not repeal the laws for all time or unconditionally, but it only repeals them in so far as they are in conflict with the provisions in this bill; and the repeal only applies in so far as this bill is concerned.

Mr. WORKS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Colorado yield?

Mr. SHAFROTH. I yield.

Mr. SUTHERLAND. I was going to add, if the Senator will permit me, that however it may be construed, of course a point of order such as I am making against the Senator's amendment would not lie in this body to the House provision.

Mr. WORKS. Mr. President, I want to suggest that if this amendment was confined to the appropriation to be made for this year, providing that it should be 40 per cent on the part of the Government and 60 per cent on the part of the District, then it would not be general legislation; but this is an attempt to legislate beyond the time when this appropriation can operate, and is, I think, general legislation.

Mr. SMOOT. Mr. President——

Mr. SHAFROTH. I yield to the Senator from Utah.

Mr. SMOOT. I think the point of order made by my colleague is well taken. We are dealing with an amendment now offered on the floor. The committee to which the bill was referred could make amendments to the House provision. The House, in passing the bill, could have repealed any law they wanted to repeal, and they did it in this provision. The Senate committee had a right as a committee to make an amendment to the House provision, but under Rule XVI an amendment offered on the floor that is general legislation is not permissible. That is the point of order made by my colleague, and I have not a doubt that the amendment offered by the Senator from Colorado is general legislation, as stated so well by the Senator from California [Mr. WORKS].

Mr. SHAFROTH. Mr. President, I want to say that my amendment, added to the Senate committee amendment, constitutes a substitute for the House provision. I say that the House provision is intended for general legislation and its words are in accordance therewith. Let me read it:

> That all moneys appropriated for the expenses of the government of the District of Columbia shall be paid out of the revenues of said District to the extent that they are available, and the balance shall be paid out of money in the Treasury of the United States not otherwise appropriated, but the amount to be paid from the Treasury of the United States shall in no event be as much as one-half of said expenses, and all laws in conflict herewith are hereby repealed.

Anyone who has examined the discussion that occurred in the House will see that the entire discussion was as to the change of the existing law, the half-and-half principle, and that that provision was intended for the purpose of changing the ratio between the Government and the District of Columbia. It says in the first part that the following sums are appropriated, but this is a distinct and separate clause, and does not modify it. It does not say as applied only to this year. It simply is a general clause with relation to it. As a matter of fact, if it should be held that I should have to submit a limit it would be perfectly within the rules of the Senate to strike out the word "one-half," where it relates to the General Government, and insert in the Senate committee amendment "40 per cent," and to strike out "one-half," where it relates to the District of Columbia, and insert "60 per cent." That would apply only to the fiscal year; but I want to avoid that, because I want the District of Columbia to have the full benefit of all the moneys that they will collect under the assessments which they have made. For that reason the amount of $3,000,000 should go to them, but unquestionably, if we were to make the amendment in accordance with that, simply striking out "one-half" and putting in "40 per cent," it would be a limitation upon the amendment proposed by the committee, and consequently would be perfectly germane to it, but I do not think it would be a fair amendment to the District of Columbia, and therefore I propose to have it take effect June 30, 1916.

Mr. SMOOT. The Senator is well within the rule if he will follow the latter course, but the Senator is certainly outside of the rule in offering his amendment as he did.

Mr. SHAFROTH. But it seems to me I have a right to perfect any substitute, and the Senate committee amendment is a substitute. It strikes out all the text and inserts matter in lieu of it, and I have a right to perfect the substitute; and as the House provision changes the existing law and is general legislation, it seems to me both the Senate committee amendment and my amendment to substitute are in order.

Mr. SMOOT. The House has a perfect right to change legislation, because they make up the appropriation bills. They can put anything in the bill they desire.

Mr. SHAFROTH. Certainly; and——

Mr. SMOOT. An amendment could be made by the committee of the Senate, but this is an amendment offered on the floor, and our rules are against accepting such an amendment when it embodies legislation.

Mr. SHAFROTH. Not where you can perfect a substitute. Unquestionably you can perfect the substitute. I propose to amend the substitute itself. This is a qualification upon the substitute.

Mr. THOMAS. A parliamentary inquiry, Mr. President.

The PRESIDING OFFICER. The Senator will state his inquiry.

Mr. THOMAS. How long can a point of order which under the rule is not debatable be debated?

The PRESIDING OFFICER. The Chair will state frankly he does not know. The Chair supposes that he can hear Senators on the question of the point of order. The Chair would be inclined under ordinary circumstances to submit the point of order to the Senate; but inasmuch as we have a unanimous-consent agreement to vote at 2 o'clock, the Chair supposes he might as well decide it. The Chair is of opinion that the point of order is well taken.

Mr. JAMES. Mr. President, I desire to offer an amendment.

The PRESIDING OFFICER. The Senator from Kentucky offers an amendment, which will be stated.

The SECRETARY. On page 2, line 6, it is proposed to strike out the words "one half" and to insert in lieu thereof the word "one-third"; and, in line 8, to strike out the words "other half" and to substitute therefor the words "remaining two-thirds," so that if amended it would read:

> That one-third of the following sums, respectively, is appropriated, out of any money in the Treasury not otherwise appropriated, and the remaining two-thirds out of the revenues of the District of Columbia."

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from Kentucky [Mr. JAMES].

Mr. GALLINGER. Mr. President, this matter has been debated so long that I trust we shall take a direct vote on the amendment proposed by the Senator from Kentucky [Mr. JAMES]. It is perfectly understood; and while I trust that the amendment will be defeated; I have no disposition to debate it.

Mr. JAMES. I ask for the yeas and nays.

Mr. WORKS and Mr. SMITH of Maryland addressed the Chair.

The PRESIDING OFFICER. The Senator from California has the floor, as he first addressed the Chair.

Mr. WORKS. Mr. President, I have listened to a good deal of this discussion upon the question of the half-and-half system of dealing with the financial affairs of the District of Columbia. It is simply a recurrence or a renewal of a discussion that has been going on in Congress ever since I have been here. I think it is about time that we should take some definite steps to settle that question once for all. I do not think it should be settled in an appropriation bill. It seems to me that there should be some general legislation respecting this matter in justice to the people of the District of Columbia.

Whether it is necessary that there should be a commission appointed for the purpose of ascertaining the facts, I am not so sure. It may be that Congress has sufficient facts now before it to enable it to legislate intelligently upon that question, but I am opposed to settling the question in this offhand way on an appropriation bill. For that reason, and not because I indorse the half-and-half system—for I have very grave doubts as to whether it is a fair and just settlement of the finances as between the Government and the District of Columbia—but because this is not the time nor the manner in which that question should be settled I shall vote against the proposed change of the law as it exists to-day.

Mr. SMOOT. Mr. President, we are undertaking to change here the proportion of taxes that are to be paid by the District of Columbia and the Government, forgetting that the law to-day fixes the rate of taxation at 15 mills. If the valuation of property in the District is not sufficient at the rate of 15 mills tax, then the expenses of the District could not be paid under the provisions of this proposed law. I think that this whole question ought to be settled by general legislation, and that at the same time not only the question of the proportion which is to be paid should be settled, but also the rate of taxation which is to be fixed for the District of Columbia. The people in the District have nothing to say about that; Congress has all to say; it is solely in its power. The one question should not be settled on an appropriation bill, leaving the other question entirely unsettled.

Mr. JAMES. Mr. President, the amendment I have offered, as it must clearly appear to every Senator, provides that the Government shall pay one-third of the expenses of the District of Columbia. Under the system of taxation in force now, under the laws passed by Congress, the District of Columbia is raising a sufficient amount of revenue to pay its two-thirds. That system of taxation, which is lower than that in any other city I know of in the whole Republic, and allowing all character of securities to go untaxed, raises this amount of revenue. I think it is a perfectly just amendment; I think it is abundantly fair in every respect to the District of Columbia, and I hope it will be adopted. I ask for the yeas and nays on the amendment.

Mr. GRONNA. Mr. President, I shall vote for the amendment submitted by the Senator from Kentucky [Mr. JAMES]. I believe it will be fair to the people of this District if the Government of the United States pays one-third of all the taxes. It must be evident to every Member of this body and to every Member of the other House that some change will have to be made; it must be evident to every Member here that the rate which has been prescribed by Congress limiting it to one and a half per cent is not satisfactory. There can be no injustice done the District by adopting the amendment proposed by the Senator from Kentucky. It has been admitted that $8,000,000 will be raised by the District under the present system of taxation, and a third more would be practically $3,000,000, or $11,000,000 in all. Suppose that there shall be a small deficiency, what of it? Congress can take care of that in the next District appropriation bill or in the deficiency bill.

I predict that in the near future some changes will be made in the laws relating to taxation in the District of Columbia, and this seems to me to be the only way that we can begin to do it. I shall therefore vote for the amendment.

Mr. BRISTOW. Mr. President, it seems to me that the amendment proposed by the Senator from Kentucky [Mr. JAMES] is equitable and just. I can not agree with my friend from California [Mr. WORKS], who wants a commission or some scheme of that kind devised to consider this matter. A commission was appointed many years ago; it reported in favor, so I am informed, of a division of 60 to 40. That was approximately 40 years ago.

Mr. WORKS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Kansas yield to the Senator from California?

Mr. BRISTOW. I shall do so in just a moment.

The PRESIDING OFFICER. The Senator from Kansas declines to yield.

Mr. BRISTOW. And Congress at the time, instead of following the recommendation of that commission, formulated the present plan of 50 to 50.

As the Senator from California says, this matter has been under debate for years. I remember it has been fully discussed in the newspapers and in the Halls of both branches of Congress. We are all fairly familiar with it. Nobody can deny that the taxes per thousand dollars in the District of Columbia are less than in any city in the United States.

Mr. WORKS. Mr. President——

Mr. BRISTOW. I yield to the Senator from California.

Mr. WORKS. I only wanted to correct a statement of the Senator from Kansas that I have said that I desired the appointment of a commission. I made no such statement as that. I am not at all sure that a commission is necessary in order to determine this matter.

Mr. BRISTOW. Then I misunderstood the Senator. I have been diverted time and again, and I have probably confused that with remarks made by other Senators.

I think we understand the matter well, and it seems to me that if 60 to 40, which was recommended by a commission 35 or 40 years ago, was just at that time, the enormous increase in the value of taxable property in the District since then is such that one-third to two-thirds would be equitable now.

There is no reason why the people of the District of Columbia should be exempted from taxation and the burdens put upon the people of the United States, who are already paying good deal higher taxes than are the people in the District of Columbia. There is not a Senator here who lives in a city of 5,000 inhabitants or more in the United States, who is not paying a heavier tax on every dollar's worth of property he owns in such city than is paid in the District of Columbia. You can not justify such a discrimination against the people of the United States in favor of the people of the District of Columbia, in my opinion. So I am pleased that the Senator from Kentucky has offered this amendment.

I regret that the amendment of the Senator from Colorado [Mr. SHAFROTH] was ruled out of order; it was, in my opinion, an erroneous ruling; but nevertheless this amendment, if adopted and if it becomes the permanent policy of the Government, certainly will be very much more equitable and just than is the present arrangement.

Mr. VARDAMAN obtained the floor.

Mr. THOMAS. Mr. President, I merely wish to say a word.

Mr. VARDAMAN. I yield to the Senator.

Mr. THOMAS. Mr. President, my views upon the pending amendment are in entire accord with those expressed by the junior Senator from California [Mr. WORKS].

Mr. VARDAMAN. Mr. President, my observation is that a commission such as the one proposed to be created to take testimony and report a proper plan of government for the District of Columbia is often more for the purpose of delay than with a view to perfecting a system.

I want at the outset to disclaim any spirit of antagonism to the interests of the people of the District of Columbia. The good people of my own State who have honored me with a place in this great body have no better claim upon me to protect their interests than the citizens of the District of Columbia. I think the suggestion that Congress would do the residents of this favored spot of earth an injustice in the matter of taxation is a reflection upon the patriotism and intelligence of the Members of this body.

Nor do I in any way share the opinion of Senators who have suggested that autonomy, the right of self-government, should be granted to this District. This District belongs to the United States, and its government is a function which the General Government should exercise for many reasons. The one all-sufficient reason is that we have once tried local self-government here, and the utter incompetency of the negroes to perform properly the supreme duties of citizenship, and the ease with which they were controlled by a lot of unscrupulous white politicians made the experiment a dismal failure. No thoughtful patriotic resident of the city of Washington would have that venture repeated.

Nor do I believe that the citizens of the District of Columbia should bear all the expenses of maintaining this city. I believe that the city should be supported in a way and that its affairs might be conducted in a manner which would make it a city worthy of this great Nation, and in which every citizen of the Republic will take a just and pardonable pride.

I am opposed to taxing the people of this city any more than the people of other communities situated as they are are taxed upon their property for every advantage which they enjoy at the hands of the municipality. All that may be lacking to carry out the plan of managing this city as the Capital of the Nation ought to be contributed by the General Government.

I have heard it asserted here, and I think without contradiction, that the taxes paid in this city upon real estate are less than the taxes levied in the great majority of other cities—they are very much less than the taxes paid in the little city in which I live—and that a large part of the invisible, intangible property which ought to bear taxation escapes altogether. If that be true, it is little short of an outrage. It is an injustice to the taxpayers of the entire Nation outside of the District of Columbia, and to permit the system to remain longer in vogue involves a serious neglect of the first duty devolving upon the Members of this body. I will not be a party to such a dereliction.

The suggestion has been made that if you tax property in the District under a rigid and radical law men will leave the community. That means if you make the plutocratic tax dodger do his duty to his Government he will trek. Well, the man who does not want to bear his proportion of the burdens of the Government whose laws he invokes for protection in the enjoyment of his rights and the privileges of citizenship is not a good citizen, and the community is better off when he gets out of it. Such a person is an outlaw of the least desirable type,

notwithstanding the fact he may swim swiftly in the social current.

I am going to vote for the amendment offered by the Senator from Kentucky, because I know it will not work an injustice to the District of Columbia or to its citizens. On the contrary, I think it right and far better than the committee amendment. I prefer, however, the provision of the House bill as it came to us, which requires the expenses of the city to be paid out of the revenues derived from taxation upon the citizens of the city as far as it goes, the balance to be contributed by the General Government, and I sincerely hope that the House provision may be adopted by the Senate and that the amendment offered by the Senate committee may be rejected.

Mr. TOWNSEND. Mr. President, this question has been discussed probably as fully as is required, but it seems to me that it would be a very unwise step to take, with the information we have, to change the method which now prevails of providing for the expenses of the District of Columbia.

It has been stated here, and not denied, that some 20 laws now on the statute books affecting the District of Columbia would be repealed by the pending provision, or at least would be seriously affected by it Has anybody traced that suggestion out to ascertain how far it would lead? Have all the results been ascertained? Certainly no business man would proceed blindly in this way.

It has been stated that there is no danger of any injustice being done the District of Columbia. I do not assume that there is any Member of the Senate who wishes to do an injustice to the District, and yet if it is true, as it seems to be admitted—at least it has not been denied—that 60 per cent of the property in the District is owned by individuals and 40 per cent by the Government, then certainly the half-and-half provision is not unjust when the fact is considered that the 60 per cent have not one word to say about what is done with their property and that the 40 per cent determines what improvements shall be made, and therefore what taxes shall be levied.

The expenses of this city are probably greater than those of any other city of like size in the United States. The improvements here are greater and more extensive. The Government, and it alone, determines those improvements. The city, if it was master of its own affairs and paid all of its expenses, would not go so far as the Federal Government has gone. And yet this is the Capital of the Nation. It should be the very best and most modern city in the world, and the Government, which absolutely controls all, should pay at least that portion of the expenses of this District which the demands of a National Capital require. At any rate it is the part of wisdom to know what we are doing in order that the Senate may not blindly do an injustice in the exercise of its arbitrary power over the District.

We are interested that the money appropriated shall be honestly expended and that the people not only of the District but of the United States, to whom this city belongs, shall get the worth of the taxes which are levied and paid out in the District.

I do not know whether or not we are prepared to pass on this subject as a matter of legislation outside an appropriation bill. I am not sure that, with present information, a wise substantive law could be enacted. The questions involved are complicated and of great importance. A commission working through the summer would, in my judgment, be highly serviceable. Therefore it seems to me that we had better not disturb the present arrangement until we are sure that the thing we propose to substitute for it is better for all parties concerned. I am constrained by these considerations to vote against all propositions to change existing law until after fuller information it shall be found inequable and until a better plan is presented.

Mr. SHAFROTH. Mr. President, I desire to move to amend the amendment by inserting "40 per cent and 60 per cent." I recognize the fact that, in the first instance, the amendment of the Senator from Kentucky is an amendment to the amendment of the committee, the Senator from Kentucky having moved to strike out the words "half-and-half" and insert "one-third and two-thirds," but it is very clear, it seems to me, that Rule XVIII permits me to make the motion to amend the amendment. I will read that rule. It is as follows:

> If the question in debate contains several propositions, any Senator may have the same divided, except a motion to strike out and insert, which shall not be divided; but the rejection of a motion to strike out and insert one proposition shall not prevent a motion to strike out and insert a different proposition; nor shall it prevent a motion simply to strike out; nor shall the rejection of a motion to strike out prevent a motion to strike out and insert. But pending a motion to strike out and insert, the part to be stricken out and the part to be inserted shall each be regarded for the purpose of amendment as a question; and motions to amend the part to be stricken out shall have precedence.

Mr. President, it seems to me, according to that rule, that I have a right to move to insert——

The PRESIDING OFFICER (Mr. WHITE in the chair). The Chair will state that the motion is in order, but the Senator is out of order in discussing the question before there is any point of order made.

Mr. JAMES. I make the point of order that the amendment is in the third degree and out of order. I do not think there is any doubt about it.

Mr. SMITH of Georgia. Mr. President, it seems to me that the Senator from Colorado can not present this motion, and that the rule which he read shows that he can not do so. There is pending a motion to strike out and insert. There is then a motion to amend the portion to be inserted. The rule provides that we can vote down a motion to amend the part to be inserted, and, after voting down the proposition to amend, can present another proposition to amend it. Those of us who think the proposed division on a basis of one-third and two-thirds extreme and who wish to vote with the Senator from Colorado for a division of 40 and 60 per cent can vote against the amendment of the Senator from Kentucky; and after that has been voted down, if it shall be voted down, then the motion of the Senator from Colorado will be in order and can be presented.

Mr. SHAFROTH. Mr. President, then how does the Senator dispose of Rule XVIII, which says expressly, as I understand, that such a motion as I have made can be submitted and entertained? It seems to me that under that rule the amendment I have submitted is in order. I thought the rule was the other way, but when my attention was called to Rule XVIII it seemed to me clearly to fortify the position I have taken. My motion becomes the first motion to be considered, and then if it is overruled the motion of the Senator from Kentucky will be the next question.

Mr. SMOOT. Mr. President, the Senator from Colorado, I think, is well within his rights in offering the amendment which he has offered as an amendment to the amendment; but he is wrong in invoking Rule XVIII, because that rule applies to cases where a substitute has been offered. Where a substitute is offered the right is given to perfect the substitute before offering it for the original proposition, but that does not apply in this instance. However, the motion made by the Senator to amend the amendment offered by the Senator from Kentucky is in order under the rules of the Senate.

Mr. SHAFROTH. That is my motion.

Mr. SMOOT. The criticism I offered was against invoking Rule XVIII to sustain the position the Senator has taken, because, in my opinion, that rule does not sustain it.

Mr. SMITH of Georgia. Mr. President, as I understand, the original amendment is that reported by the committee, which is an amendment offered to the original House text. That is followed by the motion of the Senator from Kentucky to amend the amendment of the committee.

Mr. SMOOT. That is an amendment in the first degree.

Mr. SMITH of Georgia. Then follows the amendment of the Senator from Colorado, which would clearly be in the third degree, and I do not think it would be in order.

Mr. SHAFROTH. That would be true in the absence of Rule XVIII, but under Rule XVIII, as I see it, my amendment becomes in order.

The PRESIDING OFFICER. The Chair is of the opinion that the motion to amend is in order, and therefore overrules the point of order made by the Senator from Kentucky [Mr. JAMES].

Mr. VARDAMAN. As I understand, then, the motion of the Senator from Colorado is a substitute for the amendment offered by the Senator from Kentucky?

The PRESIDING OFFICER. That is its effect.

Mr. VARDAMAN. Then we are voting on the amendment offered by the Senator from Colorado to the amendment offered by the Senator from Kentucky.

The PRESIDING OFFICER. That is correct.

Mr. NORRIS. I ask for the yeas and nays.

Mr. SMITH of Maryland. Mr. President, I hope that neither of the amendments will prevail. I do not know that every Member of the Senate is aware of the fact that there is before the Senate an amendment providing for the creation of a commission to thoroughly investigate this matter and report at the next session of Congress. It does seem to me that in a matter of such great importance no Senator ought to refuse to secure all the information possible upon the subject.

Mr. JONES. Mr. President——

The PRESIDING OFFICER. Does the Senator from Maryland yield to the Senator from Washington?

Mr. SMITH of Maryland. In a few moments I will give way.

Mr. JONES. I merely want to ask if the Senator knows that there will be no point of order interposed against the commission

proposition, because it would be clearly subject to a point of order?

Mr. SMITH of Maryland. I am only stating my objections to the amendments which have been offered to the pending measure. It does seem to me that there should be no objection to our getting all the information possible before we decide upon a question of such great importance to the people of the country and of the District of Columbia. For the life of me, I can not see why anybody should object.

The Senator from Mississippi [Mr. VARDAMAN] just now remarked that he thought that the amendment providing for a commission was offered for the purpose of delay. I want to say to him and to the Senate that I have had something to do with that proposal, and, so far as I am concerned, I want no delay; but I want justice to the National Government and justice to the District of Columbia. I say it is a subject that should be investigated, and all the information possible should be obtained upon it. We should not stand here on the floor and guess at what would be a proper proportion for the Government to pay and what would be a proper proportion for the District of Columbia to pay.

Under the proposed amendment providing for a commission to investigate this subject there would be no needless delay. The fact is that the Senator from Colorado, under the amendment he has offered, postpones any change until June, 1916, whereas under the amendment providing for a commission to investigate the subject the question could be brought before the next session of Congress and then decided, and certainly that will be in advance of the time proposed by the Senator from Colorado.

I do not say that the present system under which the District pays 50 per cent and the Government pays 50 per cent of the expenses of the District government is right. I do not know, and I want to know. Therefore I want an investigation, and I want all the information that can be obtained by a commission. I hope the Senate will take that view of it. Let us get at this matter in a businesslike way and secure all the information that can be obtained. After getting that information we certainly can vote more intelligently than we can at this time, when any action we might take would largely be a matter of guesswork and patchwork.

This amendment, it seems to me, is new legislation. It abolishes the organic law and substitutes for it an arrangement under which a different proportion will be paid by the Government and by the District of Columbia than under the present system. I hope that the amendments will not prevail.

Mr. JONES. Mr. President, I asked the question I did of the Senator from Maryland in perfect good faith, because if the amendment providing for a commission is to be put on the bill I might vote differently upon some of the amendments. I hope that it will be put on the bill. I do not like the idea of disturbing the whole fiscal arrangement on this bill by an amendment that only goes for a year at best. The whole matter will come up again when we have another District of Columbia appropriation bill.

I was very much in favor of the amendment offered by the Senator from Colorado [Mr. SHAFROTH] to have the division of 40 and 60 per cent take effect in 1916, because I felt that prior to that time we probably would have the report of this commission, and the Senate, when they acted upon the matter, if they thought it was not proper to continue that provision, would make whatever change was necessary. I do not feel that I would be justified under the circumstances in voting to change the 50 per cent plan; but in voting that way I should like to have this provision for a commission in the bill, not for the purpose of delaying the matter, but for the purpose of doing justice to the District of Columbia in a proper way, for the purpose of having submitted to the Senate some data and information upon which we can act and make permanent legislation, and not have this contest come up every year upon every appropriation bill.

So I hope no point of order will be made on the proposition for a commission, and that we can provide for that, so that we will be ready, when the next bill comes around, to enact permanent legislation. I think I shall be disposed to vote against the amendment of the Senator from Colorado now, because it would take effect immediately, and it looks as if we are simply trying to grab the $2,000,000 of extra money that will be raised by taxation in the District.

I think there was much merit in the proposition first submitted by the Senator from Colorado, but I do not think there is in the last.

Mr. STERLING. Mr. President, just a word suggested by the statement of the Senator from Washington [Mr. JONES] that he hopes no point of order will be made against the tax-commission amendment.

I think that if any one thing has been demonstrated by this discussion—and I have listened to it with great interest, and I have heard, I think, nearly all of it—it is that there is a necessity for a tax commission to investigate, first, the question as to what proportion of the expenses of the District of Columbia should be paid by the General Government and what proportion by the District itself. Secondly, Mr. President, there should be a commission to investigate other questions to which the tax laws of the District apply, or to which proper tax laws should apply; namely, the basis and the rate of taxation, to which the Senator from Minnesota [Mr. NELSON] alluded yesterday.

Mr. President, in order that Senators may have in mind clearly the proposition with reference to a tax commission, I wish to read the amendment offered by the Senator from New Hampshire [Mr. GALLINGER] yesterday. It provides for the appointment of a joint select committee for these purposes. I read—

> whose duty it shall be to prepare and submit to Congress a statement of the proper proportion of the expenses of the government of the District of Columbia, or any branch thereof, including interest on the funded debt, which shall be borne by said District and the United States, respectively, together with the reasons upon which their conclusions may be based.

Now, I want to call particular attention to the other features of this proposed amendment. It further provides as follows:

> That said committee be further authorized and directed to investigate the tax laws applicable to the District of Columbia, together with all questions relating to the classes and kinds of property taxable thereunder, as well as all questions relating to the basis and rates of taxation of such property, with a view to any necessary change in or revision of said laws; and that said committee shall make report of its findings and recommendations to Congress at the beginning of the next regular session.

Mr. President, it seems to me, in view of the variety of opinions here concerning the proportion that the Government should pay and that the District should pay of the expenses of the District of Columbia, some insisting that the proportion should be 40 and 60 per cent for the Government and District, respectively; others 50 and 50, and others 33⅓ per cent to 66⅔ per cent; considering this variety of opinion, and considering also the further and very important questions relating to the basis of taxation and the rate of taxation, the proper course for this year would be to adhere to the half and half plan, and meanwhile send all these questions to a joint committee or commission. We can not discuss them intelligently here in the limited time we have, nor arrive at any just conclusion in regard to these important questions. The time at which the select committee is required to report is not long, and the $1,800,000 now in the Treasury can be devoted by this Congress, as I understand, to purposes of improvement, the amount to be met now or at some subsequent time by a direct appropriation by the Government of its like sum of $1,800,000. It seems to me that this is the wise course and the sane course to pursue at this particular juncture, rather than to attempt by this bill to change the amount to be paid by the Government and District, respectively.

In this connection, Mr. President, are we ready, for example, to adopt the plan of assessing intangibles or moneys or credits at their full value? It is one of the most difficult problems in all taxation. It is a question to which a joint committee ought to give attention. They are not now taxed. But while I believe in a provision that will require the taxation of moneys and credits, I am not satisfied as to the basis on which they should be taxed, and would like to see the results of a committee's investigation of that subject.

The PRESIDING OFFICER. The question is on the adoption of the amendment of the Senator from Colorado [Mr. SHAFROTH] to the amendment offered by the Senator from Kentucky [Mr. JAMES].

Mr. JAMES and Mr. KENYON called for the yeas and nays, and they were ordered.

The PRESIDING OFFICER. The Secretary will call the roll.

Mr. SMITH of Maryland. I suggest the absence of a quorum.

Mr. JAMES. Let us have the yeas and nays.

Mr. GALLINGER. The vote will develop that.

Mr. OVERMAN. The absence of a quorum being suggested, I think the roll must be called.

The PRESIDING OFFICER. The yeas and nays have been ordered. The Secretary will call the roll.

The Secretary proceeded to call the roll.

During the roll call,

Mr. POINDEXTER. Mr. President, a parliamentary inquiry. The absence of a quorum has been suggested. There seems to be a misunderstanding as to what this roll call is for.

The PRESIDING OFFICER. The Chair does not understand that the absence of a quorum was suggested. The question is on the adoption of the amendment offered by the Senator from Colorado.

Mr. POINDEXTER. The Senator from Maryland [Mr. SMITH] suggested the absence of a quorum.

Mr. JAMES. I make the point of order that the roll call can not be interrupted. The roll call has been ordered by the Chair on the amendment of the Senator from Colorado.

The PRESIDING OFFICER. The Chair thinks the calling of the roll is now in order. The Secretary will proceed with the calling of the roll.

Mr. SMITH of Maryland. I will ask the Chair what is the proposition before the Senate?

The PRESIDING OFFICER. The proposition before the Senate is the amendment of the Senator from Colorado [Mr. SHAFROTH] to the amendment offered by the Senator from Kentucky [Mr. JAMES].

Mr. GALLINGER. Mr. President, is not the call of the roll the matter before the Senate?

The PRESIDING OFFICER. It is.

Mr. GALLINGER. Let it proceed, then.

The PRESIDING OFFICER. The Senator from New Hampshire is correct.

The Secretary resumed the calling of the roll.

Mr. CAMDEN (when his name was called). I have a pair with the senior Senator from North Dakota [Mr. MCCUMBER]. As he is not present, I withhold my vote. I should like to have this announcement stand for the day.

Mr. POINDEXTER. I make the point of order that it is out of order to call the roll for a vote pending the suggestion of the absence of a quorum, which was made by the Senator from Maryland.

Mr. CLARK of Wyoming. Regular order!

The PRESIDING OFFICER. That assumes that a call for a quorum has been made, but the Chair understands that the call for a quorum has not been made.

The Secretary resumed the calling of the roll.

Mr. FLETCHER (when his name was called). I have a general pair with the junior Senator from Wyoming [Mr. WARREN]. As he is not present, I withhold my vote.

Mr. NELSON (when his name was called). I have a pair with the senior Senator from Virginia [Mr. MARTIN], and therefore withhold my vote.

Mr. REED (when his name was called). I am paired with the senior Senator from Michigan [Mr. SMITH], and therefore withhold my vote.

Mr. WILLIAMS (when his name was called). I transfer my pair with the senior Senator from Pennsylvania [Mr. PENROSE] to the junior Senator from Tennessee [Mr. SHIELDS] and vote "nay."

The roll call was concluded.

Mr. SUTHERLAND. I inquire whether the senior Senator from Arkansas [Mr. CLARKE] has voted?

The PRESIDING OFFICER. He has not.

Mr. SUTHERLAND. I have a pair with that Senator, which I transfer to the junior Senator from Wisconsin [Mr. STEPHENSON] and will vote. I vote "nay."

Mr. CHILTON. I transfer my pair with the junior Senator from New Mexico [Mr. FALL] to the senior Senator from Nevada [Mr. NEWLANDS] and vote "nay."

Mr. WALSH. I have a general pair with the senior Senator from Rhode Island [Mr. LIPPITT]. In his absence I refrain from voting.

Mr. GRONNA. I wish to announce that my colleague [Mr. MCCUMBER] is necessarily absent from the city. He is paired with the junior Senator from Kentucky [Mr. CAMDEN]. I wish to state, however, that on this question, if my colleague were present, he would vote "nay."

Mr. GALLINGER. I have been requested to announce the following pairs:

The senior Senator from Connecticut [Mr. BRANDEGEE] with the junior Senator from Arizona [Mr. SMITH];

The senior Senator from Michigan [Mr. SMITH] with the junior Senator from Missouri [Mr. REED]; and

The junior Senator from Maine [Mr. BURLEIGH] with the junior Senator from New Hampshire [Mr. HOLLIS].

The result was announced—yeas 10, nays 57, as follows:

YEAS—10.

Borah	Lane	Smith, Ga.	White
Culberson	Norris	Stone	
Gronna	Shafroth	Tillman	

NAYS—57.

Ashurst	Hardwick	Oliver	Smoot
Bankhead	Hitchcock	Overman	Sterling
Brady	Hughes	Page	Sutherland
Bristow	James	Perkins	Swanson
Bryan	Johnson	Poindexter	Thomas
Burton	Jones	Pomerene	Thompson
Chamberlain	Kenyon	Ransdell	Thornton
Chilton	Kern	Robinson	Townsend
Clark, Wyo.	La Follette	Root	Vardaman
Colt	Lee, Md.	Saulsbury	Weeks
Cummins	Lodge	Sheppard	Williams
Dillingham	McLean	Sherman	Works
du Pont	Martine, N. J.	Shively	
Gallinger	Myers	Simmons	
Goff	O'Gorman	Smith, Md.	

NOT VOTING—29.

Brandegee	Fletcher	Nelson	Smith, Mich.
Burleigh	Gore	Newlands	Smith, S. C.
Camden	Hollis	Owen	Stephenson
Catron	Lea, Tenn.	Penrose	Walsh
Clapp	Lewis	Pittman	Warren
Clarke, Ark.	Lippitt	Reed	
Crawford	McCumber	Shields	
Fall	Martin, Va.	Smith, Ariz.	

So Mr. SHAFROTH's amendment to the amendment of Mr. JAMES was rejected.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Kentucky [Mr. JAMES] to the amendment of the committee.

Mr. JAMES. I ask that the amendment may be stated to the Senate for information.

The PRESIDING OFFICER. The Secretary will state the amendment.

The SECRETARY. The Senator from Kentucky offers to amend as follows:

On page 2, line 6, strike out "one-half" and insert "one-third"; and, on line 8, strike out the words "other half" and insert "remaining two-thirds."

Mr. GALLINGER. On that I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. SMITH of Maryland. Mr. President, I desire to state again that I hope this amendment will not prevail.

Mr. JAMES. I make the point of order that that is the second time the Senator has spoken on this amendment.

Mr. GALLINGER. No; not on this amendment.

Mr. JAMES. Yes; on this amendment.

Mr. SMITH of Maryland. I spoke before on the other amendment.

Mr. JAMES. It was on this amendment, Mr. President. The RECORD will show, if I am not very much mistaken, that the Senator has spoken twice upon it.

The VICE PRESIDENT. The yeas and nays have been ordered. The Secretary will call the roll.

The Secretary proceeded to call the roll.

Mr. CHILTON (when his name was called). Announcing my pair and its transfer as on the former vote, I vote "nay."

Mr. FLETCHER (when his name was called). I make the same announcement as before as to my pair and withhold my vote.

Mr. NELSON (when his name was called). I have a general pair with the senior Senator from Virginia [Mr. MARTIN] and on that account withhold my vote.

Mr. REED (when his name was called). I am paired with the senior Senator from Michigan [Mr. SMITH]. I transfer that pair to the junior Senator from South Carolina [Mr. SMITH] and will vote. I vote "nay."

Mr. SUTHERLAND (when his name was called). I again announce my pair with the senior Senator from Arkansas [Mr. CLARKE], which I transfer to the junior Senator from Wisconsin [Mr. STEPHENSON] and will vote. I vote "nay."

Mr. WALSH (when his name was called). I again announce my pair and my inability to vote on account of the absence of the senior Senator from Rhode Island [Mr. LIPPITT].

Mr. WILLIAMS (when his name was called). Repeating the announcement made upon the last roll call, I desire to be recorded in the negative.

The roll call was concluded.

Mr. CLAPP (after having voted in the negative). Mr. President, in the confusion attending the reading of the amendment I did not observe that it was limited to the present appropriation. I desire to vote "yea."

The result was announced—yeas 19, nays 49, as follows:

YEAS—19.

Ashurst	James	Norris	Shively
Borah	Kenyon	Overman	Tillman
Bristow	Kern	Poindexter	Vardaman
Clapp	La Follette	Shafroth	White
Gronna	Lane	Sheppard	

NAYS—49.

Bankhead	Goff	Page	Stone
Brady	Gore	Perkins	Sutherland
Bryan	Hardwick	Pomerene	Swanson
Burton	Hughes	Ransdell	Thomas
Chamberlain	Johnson	Reed	Thompson
Chilton	Jones	Robinson	Thornton
Clark, Wyo.	Lee, Md.	Root	Townsend
Colt	Lodge	Saulsbury	Weeks
Culberson	McLean	Sherman	Williams
Cummins	Martine, N. J.	Simmons	Works
Dillingham	Myers	Smith, Md.	
du Pont	O'Gorman	Smoot	
Gallinger	Oliver	Sterling	

NOT VOTING—28.

Brandegee	Fletcher	Martin, Va.	Smith, Ariz.
Burleigh	Hitchcock	Nelson	Smith, Ga.
Camden	Hollis	Newlands	Smith, Mich.
Catron	Lea, Tenn.	Owen	Smith, S. C.
Clarke, Ark.	Lewis	Penrose	Stephenson
Crawford	Lippitt	Pittman	Walsh
Fall	McCumber	Shields	Warren

So Mr. JAMES's amendment to the amendment of the committee was rejected.

The VICE PRESIDENT. The question is on the amendment of the committee.

Mr. JAMES. On that I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. VARDAMAN. I ask to have the amendment stated.

The VICE PRESIDENT. The Secretary will state the amendment.

The SECRETARY. The committee proposes to strike out, after the enacting clause, all down to and including line 5 on page 2 and to insert the following words:

That one half of the following sums, respectively, is appropriated out of any money in the Treasury not otherwise appropriated, and the other half out of the revenues of the District of Columbia, in full for the following expenses of the government of the District of Columbia for the fiscal year ending June 30, 1916, namely:

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary proceeded to call the roll.

Mr. FLETCHER (when his name was called). I make the same announcement as to my pair and his absence and withhold my vote.

Mr. HOLLIS (when his name was called). I announce my pair with the junior Senator from Maine [Mr. BURLEIGH]. If I were at liberty to vote, I should vote "nay."

Mr. NELSON (when his name was called). I have a pair with the senior Senator from Virginia [Mr. MARTIN], and on that account withhold my vote.

Mr. SUTHERLAND (when his name was called). Again announcing my pair with the senior Senator from Arkansas [Mr. CLARKE] I make the same transfer as before and vote "yea."

Mr. WALSH (when his name was called). I transfer my pair heretofore announced to the junior Senator from Nevada [Mr. PITTMAN] and will vote. I vote "nay."

Mr. WILLIAMS (when his name was called). Repeating the previous announcement, I vote "yea."

The roll call was concluded.

Mr. CHILTON. Making the same announcement as before as to my pair and its transfer, I vote "yea."

The result was announced—yeas 46, nays 20, as follows:

YEAS—46.

Bankhead	Gore	Oliver	Stone
Brady	Hardwick	Page	Sutherland
Bryan	Hitchcock	Perkins	Swanson
Burton	Hughes	Pomerene	Thomas
Chamberlain	Johnson	Ransdell	Thompson
Chilton	Jones	Root	Tillman
Clark, Wyo.	Lee, Md.	Saulsbury	Townsend
Culberson	Lodge	Sherman	Weeks
Dillingham	McLean	Simmons	Williams
du Pont	Martine, N. J.	Smith, Md.	Works
Gallinger	Myers	Smoot	
Goff	O'Gorman	Sterling	

NAYS—20.

Ashurst	James	Norris	Shively
Bristow	Kenyon	Overman	Smith, Ga.
Clapp	Kern	Poindexter	Vardaman
Cummins	La Follette	Robinson	Walsh
Gronna	Lane	Sheppard	White

NOT VOTING—30.

Borah	Fall	Nelson	Smith, Ariz.
Brandegee	Fletcher	Newlands	Smith, Mich.
Burleigh	Hollis	Owen	Smith, S. C.
Camden	Lea, Tenn.	Penrose	Stephenson
Catron	Lewis	Pittman	Thornton
Clarke, Ark.	Lippitt	Reed	Warren
Colt	McCumber	Shafroth	
Crawford	Martin, Va.	Shields	

So the amendment of the committee was agreed to.

PROHIBITION OF LIQUOR TRAFFIC IN THE DISTRICT OF COLUMBIA.

Mr. OVERMAN. I ask unanimous consent to submit a report from the Committee on Rules.

The VICE PRESIDENT. Is there objection? The Chair hears none.

Mr. OVERMAN. I ask that the Secretary may read the report.

The VICE PRESIDENT. It will be read by the Secretary.

The Secretary read the report (No. 901), as follows:

In accordance with the notice given in writing on January 11 by the junior Senator from Texas [Mr. SHEPPARD] that he would make a motion in accordance with said notice to suspend paragraph 3 of Rule XVI for the purpose of moving a certain amendment to the bill (H. R. 19422) making appropriations for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1916, and for other purposes, said motion having been referred by the Senate to the Committee on Rules, and the committee having considered the same, does hereby make a favorable report and recommend that for the purpose named and the consideration of the amendment proposed by the Senator from Texas and all amendments thereto paragraph 3 of Rule XVI be suspended.

Mr. SHEPPARD. I move the adoption of the report.

Mr. LODGE. I think that had better go over for a day.

Mr. SHEPPARD. I understand unanimous consent has been given for the consideration of the report.

The VICE PRESIDENT. Only for its presentation. There is an objection, and it goes over.

Mr. BRISTOW. Do I understand the ruling of the Chair to be that the report of the Committee on Rules went to the calendar, or that it went over for a day?

Mr. OVERMAN. It does not go to the calendar. I think it goes over for a day, to be taken up to-morrow.

The VICE PRESIDENT. Under what rule does the report from a committee go over for a day?

Mr. OVERMAN. This was a notice submitted by the Senator from Texas [Mr. SHEPPARD], which was referred to the Committee on Rules, and we have reported it favorably.

The VICE PRESIDENT. Yes; but suppose it was? The Chair knows of no rule that a report of a committee goes over for a day. If it is not taken up, under the ruling of the Chair it goes to the calendar. It may be taken up by unanimous consent or upon motion to-day or to-morrow or at any other time.

Mr. SMITH of Georgia. Am I right in understanding that the ruling of the Chair is that upon one objection the report of the committee goes over for one day?

The VICE PRESIDENT. No; the ruling of the Chair is that the report of the Committee on Rules is the same as the report of a committee on a bill or on a resolution, or any other report that comes from a committee. It goes to the calendar upon an objection to unanimous consent for its present consideration, and can be taken up either by unanimous consent or upon motion, as any other matter that is upon the calendar.

Mr. SMITH of Georgia. I move that we proceed to the consideration of the report of the committee.

Mr. LODGE. Mr. President, I rise to a question of order.

The VICE PRESIDENT. The Senator from Massachusetts will state it.

Mr. LODGE (reading):

All reports of committees and motions to discharge a committee from the consideration of the subject, and all subjects from which a committee shall be discharged, shall lie over one day for consideration, unless by unanimous consent the Senate shall otherwise direct.

Rule XXVI, section 2.

Mr. SMITH of Georgia. That rule seems to be clear, Mr. President. I will withdraw my motion and renew it to-morrow morning.

Mr. VARDAMAN. Mr. President, my understanding is that the only way the resolution offered by the Senator from Texas could be considered is by giving the notice he has given, which is that he would ask for a suspension of the rule, and so forth. That was done yesterday. When it came up for consideration in the Senate this morning it was referred to the Committee on Rules. The Committee on Rules has reported it back, and it seems to me the Senator from Texas has a right to insist upon the amendment offered by him at such time as amendments are in order. If the measure goes to the calendar, the bill could be passed or disposed of without this amendment being acted upon at all.

It seems to me the Senator from Texas has a right to insist upon the consideration of the motion at this time. It is offered as an amendment, and he has given notice that he would offer it. He has complied with the rules of the Senate. The Committee on Rules has reported, and reported favorably. I insist that it is the Senator's right to have the matter considered now, and that, too, without regard to the report of the committee. Rule XL is very clear, and to my mind there is no room for doubt or question as to the course which the amendment offered by the Senator from Texas [Mr. SHEPPARD] should take.

The VICE PRESIDENT. There can be no doubt that under the second clause of Rule XXVI, which had escaped the memory

of the Chair, the report of a committee, upon objection can not be considered to-day. It must go over until to-morrow.

Mr. SHEPPARD. I will wait until the Chair concludes his remarks.

The VICE PRESIDENT. That is the conclusion of my remarks for the present.

Mr. SHEPPARD. I give notice that to-morrow morning, immediately after the conclusion of the ordinary morning business, I shall move to take up this motion.

Mr. JONES. I wish to make a parliamentary inquiry, Mr. President.

The VICE PRESIDENT. The Senator from Washington will state it.

Mr. JONES. I wish to ask the Vice President if, when the time comes for the Senator from Texas to propose his amendment, and that is done, it would not be proper to consider this report from the committee making that amendment in order?

The VICE PRESIDENT. The Chair is not inclined to rule ahead of time. He has trouble enough ruling at the time.

DISTRICT OF COLUMBIA APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 19422) making appropriations to provide for the expenses of the Government of the District of Columbia for the fiscal year ending June 30, 1916, and for other purposes.

The reading of the bill was continued.

The next amendment of the Committee on Appropriations was, under the head of "General expenses," on page 6, line 10, after the words "survey officer," to strike out "$1,800" and insert "$2,000"; in the same line, after the word "clerks," to strike out "one $1,000, one $900" and insert "two at $1,000 each"; and in line 13, after the words "in all," to strike out "$47,476" and insert "$47,776," so as to make the clause read:

Auditor's office: Auditor, $4,000; chief clerk, $2,250; bookkeeper, $1,800; accountant, $1,500; clerks—three at $1,600 each, three at $1,400 each, one $1,350, four at $1,200 each, five at $1,000 each, one $936, two at $900 each, two at $720 each; messenger, $600; property survey officer, $2,000; clerks—two at $1,000 each; disbursing officer, $3,000; deputy disbursing officer, $1,600; clerks—one $1,200, two at $1,000 each, one $900; messenger, $600; in all, $47,776.

The amendment was agreed to.

The next amendment was, on page 8, line 4, after "$600," to insert "laborer, to be employed not exceeding six months, during the busy seasons, at $40 per month, $240," and in line 5, after the words "in all," to strike out "$1,500" and insert "$1,740," so as to make the clause read:

Fish wharf and market: Market master and wharfinger, who shall have charge of the landing of vessels, the collection of wharfage and dockage rentals, and the collection of rents for fish houses at the municipal fish wharf and market, $900; assistant market master, who shall also act as laborer, $600; laborer, to be employed not exceeding six months, during the busy seasons, at $40 per month, $240; in all, $1,740.

The amendment was agreed to.

The next amendment was, on page 8, line 7, after the words "superintendent of," to strike out "weights, measures, and markets" and insert "markets, weights, and measures," and in line 9, after "$2,500," to strike out "assistants" and insert "inspectors of weights and measures," so as to make the clause read:

Office of superintendent of markets, weights, and measures: Superintendent, $2,500; inspectors of weights and measures—two at $1,200 each, one $1,000; clerk, $1,200; laborer, $600; in all, $7,700.

The amendment was agreed to.

Mr. NORRIS. Mr. President, a parliamentary inquiry. Has there been a unanimous-consent agreement by which the committee amendments are to be considered first.

The VICE PRESIDENT. There has been. The bill is being read for action upon the committee amendments now.

The amendment was agreed to.

The next amendment was, on page 10, line 10, after the word "one," to strike out "$620" and insert "$720," and in line 11, after the words "in all," to strike out "$26,250" and insert "$26,350," so as to make the clause read:

Municipal artchitect's office: Municipal architect, $3,600; superintendent of construction, $2,000; chief draftsman, $1,700; draftsmen—one $1,400, one $1,300; heating, ventilating, and sanitary engineer, $2,000; superintendent of repairs, $1,800; assistant superintendent of repairs, $1,200; boss carpenter, boss tinner, boss painter, boss plumber, boss steam fitter, five in all, at $1,200 each; boss grader, $1,000; machinist, $1,200; clerks—one $1,050, one $720; copyist, $840; driver, $540; in all, $26,350.

The amendment was agreed to.

The next amendment was, on page 10, line 10, after the words "authorized by law," to strike out "$2,799" and insert "$4,000," so as to make the clause read:

For incidental and all other general necessary expenses authorized by law, $4,000.

The amendment was agreed to.

The next amendment was, on page 10, line 20, after the word "Public Utilities Commission," to strike out "$58,278.96" and insert "$69,479.96," so as to make the clause read:

In all, Public Utilities Commission, $69,479.96.

The amendment was agreed to.

The next amendment was, on page 12, line 2, after the word "supplies," to insert "care or hire of teams," so as to make the clause read:

For services of temporary draftsmen, computers, laborers, additional field party when required, purchase of supplies, care or hire of teams, $5,575, all expenditures hereunder to be made only on the written authority of the commissioners.

The amendment was agreed to.

The next amendment was, on page 13, line 23, after the word "vehicles," to insert "also traveling expenses of librarian incidental to the acquisition of books, by purchase, gift, or exchange, in studying other library systems, at the discretion of the board of library trustees, not to exceed $300," so as to make the clause read:

For maintenance, repairs, fuel, lighting, fitting up buildings, lunchroom equipment, purchase, exchange, and maintenance of bicycles and motor delivery vehicles; also traveling expenses of librarian incidental to the acquisition of books, by purchase, gift, or exchange, in studying other library systems, at the discretion of the board of library trustees, not to exceed $300; and other contingent expenses, $9,000.

The amendment was agreed to.

The reading was continued to line 11, page 15.

Mr. VARDAMAN. Mr. President, I suggest he absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Gronna	O'Gorman	Simmons
Bristow	Hollis	Overman	Smith, Ga.
Bryan	James	Page	Smith, Md.
Burton	Johnson	Poindexter	Smoot
Camden	Jones	Pomerene	Sterling
Chamberlain	Kenyon	Ransdell	Sutherland
Chilton	Kern	Reed	Swanson
Clapp	La Follette	Robinson	Thompson
Clark, Wyo.	Lane	Root	Thornton
Culberson	Lee, Md.	Saulsbury	Vardaman
Dillingham	Lodge	Shafroth	Walsh
Gallinger	Martine, N. J.	Sheppard	White
Goff	Myers	Sherman	Williams
Gore	Nelson	Shively	

The VICE PRESIDENT. Fifty-five Senators have answered to the roll call. There is a quorum present. The Secretary will proceed with the reading of the bill for action on the committee amendments.

The Secretary resumed the reading of the bill at line 11, page 15.

The next amendment of the Committee on Appropriations was, under the head of "Contingent and miscellaneous expenses," on page 16, line 1, after the words "motor vehicles," to strike out "$14,534" and insert "$15,284," so as to read:

In all, for motor vehicles, $15,284. All of said motor vehicles and all other motor vehicles provided for in this act and all horse-drawn carriages and buggies owned by the District of Columbia shall be used only for purposes directly pertaining to the public services of said District, etc.

The amendment was agreed to.

The next amendment was, on page 17, line 14, after the words "water department," to insert "engineer water department, master mechanic water department," and in line 16, after the word "sewers," to insert "assistant superintendent of the street-cleaning division," so as to make the clause read:

Telephones connected with the system of the Chesapeake & Potomac Telephone Co. may be maintained in the residences of the superintendent of the water department, engineer water department, master mechanic water department, superintendent of sewers, assistant superintendent of the street-cleaning division, chief inspector of the street-cleaning division, secretary of the Board of Charities, health officer, chief engineer of the fire department, and superintendent of police, under appropriations contained in this act.

The amendment was agreed to.

The next amendment was, on page 18, line 2, after "$5,000," to strike out "*Provided further*, That the provisions of this paragraph shall not include the appropriations herein made for the fire and police departments," so as to make the clause read:

The commissioners are authorized, in their discretion, to furnish necessary transportation in connection with strictly official business of the District of Columbia by the purchase of car tickets from appropriations contained in this act: *Provided*, That the expenditures herein authorized shall be so apportioned as not to exceed a total of $5,000.

The amendment was agreed to.

Mr. BURTON. There is one question I should like to ask in regard to a paragraph which has just been passed over which was read somewhat hurriedly. On page 18, lines 5 to 9 read:

The several street railway companies in the District of Columbia are authorized and required to transport free of charge all members of the Metropolitan police force and of the District of Columbia fire department when in uniform and in the performance of their duties.

What would that mean with reference to members of the fire department, for instance?

Mr. SMITH of Maryland. We felt that it was just as important that members of the fire department, when wearing uniforms, should be treated in the same manner as policemen. That is the rule in most cities.

Mr. BURTON. I concede that; but what is the test as to their being engaged in the performance of their duties? It is required not only that they should be in uniform but in the performance of their duties. I can hardly understand under what circumstances a member of the fire department, whose work requires the utmost haste, would be riding in a street car in the performance of his duty.

Mr. SMITH of Maryland. This is the language of the House. We did not care to change it. We do not know whether there is any special objection to it or not. It came from the House in this way. We felt that certainly when not in the performance of duty they ought to pay like anybody else. I presume it was the idea that having on his uniform would be evidence that he was in the performance of duty. I do not know that any harm can grow out of it.

Mr. BURTON. However, it raises the question in every case whether a fireman is traveling in the performance of his duties. A conductor might see him in uniform and be authorized to ask the question, "Under what circumstances are you riding on this car? Are you riding to a fire, or what is the occasion of your being here?" I call attention to it only because it seems to me it is not clear.

Mr. SMITH of Maryland. It pertains not only to the fire department but to the police.

Mr. CLAPP. The question does not go to the carrying of policemen or firemen. The point the Senator makes, it strikes me, is a vital one, and it should be made plain in some form. What effect is to be given to the words "in the performance of their duties"? It seems to me when a policeman or a fireman is in his uniform that should be the test, because as a rule they do not wear their uniforms when riding on the street cars unless either going to or returning from their duties.

Mr. SMITH of Maryland. I think no trouble will grow out of it. If he has a uniform on, it is supposed that he is performing his duties.

Mr. CLAPP. That is true, and that is just the point the Senator from Ohio is making. It seems to me the fact that he is in uniform should be conclusive in itself. Now, there are added the words, in addition to the uniform, "and in the performance of his duties."

Mr. SMITH of Maryland. It would be assumed if he was not in uniform that he was not performing any duty.

Mr. CLAPP. Then why not strike out the words "and in the performance of their duties," so there can be no question between a policeman or a fireman and the conductor of a street car; and when a fireman or a policeman was in uniform, that would be conclusive.

Mr. SMITH of Maryland. I do not think it makes any material difference either way.

Mr. SMOOT. It may make this difference, that there may be a fireman who is not in uniform, and if a fire occurred he would immediately go to it.

Mr. CLAPP. Under this language he could not ride free, because he must be both in uniform and in the performance of duty.

Mr. SMOOT. That is just what I called attention to.

Mr. SMITH of Maryland. If you want to remedy it, substitute the word "or" for the word "and."

Mr. CLAPP. That would do it.

Mr. GALLINGER. One other consideration occurs to me. These men have leaves of absence; they are not in the performance of duty during leaves of absence, and I know of no reason why the street car companies should transport them free of charge. Again, if they go to their dinner, they are not in the discharge of duties, and they ought not to be then transported free. I have an impression that the provision is a wise one, that they shall be in the performance of duties. I do not imagine that there will be any technical question raised, because the street car companies say they are willing to transport them free.

Mr. SMOOT. This is the language that has always been in the bill before.

Mr. CLAPP. The word "or" should be inserted in place of "and."

Mr. SMOOT. There is a difficulty about that, I will say to the Senator. If you have the word "or" instead of "and," then any fireman in uniform could ride on the street cars free. If it merely read "in the performance of their duties," it would open the door for every fireman to ride anywhere at any time of the day, upon any occasion, by simply saying that he was in the performance of his duties. That would open the door for a great deal of wrong.

Mr. SMITH of Maryland. That would be a matter for the street car conductors themselves to determine.

Mr. SMOOT. I do not think it ought to be placed upon the street car conductors to decide. I think if it were left in that way it would lead to differences between firemen and street car conductors.

Mr. SMITH of Maryland. What would the Senator suggest?

Mr. SMOOT. I will say to the Senator having the bill in charge it is best to leave it just as the House placed it. I think less harm can come from that than to have "and" changed to "or."

Mr. SMITH of Maryland. I have no objection to leaving it as it is.

The next amendment was, on page 19, line 7, after "1890," to strike out "$2,500" and insert "$3,500," so as to make the clause read:

For advertising notice of taxes in arrears July 1, 1915, as required to be given by act of March 19, 1890, $3,500, to be reimbursed by a charge of 50 cents for each lot or piece of property advertised.

The amendment was agreed to.

The next amendment was, on page 20, after line 9, to insert:

For the further equipment of the office of register of wills with metal file cases for the protection of the wills and records filed therein, $4,500.

Mr. BURTON. I should like to ask a question. Is not the office of the register of wills already provided with metal file cases?

Mr. SMITH of Maryland. This is for an accumulation of papers, I will say to the Senator. They have reported to us they are not properly cared for, and we felt from the report made to us it was important that a provision should be made for their care.

Mr. BURTON. I think there will be no disagreement upon this item, but do I understand that this is a departure, a new method of providing for the care of the records by furnishing metal file cases, or is it an enlargement of the facilities already existing? They now have metal file cases.

Mr. SMITH of Maryland. This is an enlargement of their present facilities so as to take care of the accumulated papers.

Mr. BURTON. While the honorable chairman is on his feet I should like to ask another question arising just a few lines above. There is a provision "for erection of suitable tablets," beginning in line 1 at the top of page 20:

Not exceeding the sum of $500 of the unexpended balances of the appropriations made for this purpose by the acts of June 27, 1906, and subsequent District of Columbia appropriation acts, is continued available for the fiscal year 1916.

Is it possible that appropriations made so long ago as the year 1906 have not been covered back into the Treasury?

Mr. SMITH of Maryland. This is an unexpended balance, as I understand. The bill came from the other House in this way.

Mr. BURTON. But, as I understand, under the law passed in the early seventies any unexpended appropriation goes back into the Treasury.

Mr. SMITH of Maryland. I will say to the Senator from Ohio that this appropriation has been made reavailable from year to year.

Mr. BURTON. Mr. President, I think it rather a peculiar way of making appropriations, to continue an available balance made as long ago as 1906—more than eight years ago—year by year by such a method of appropriation. Under the best method of making appropriations, it seems to me there should be a balance every year, and the bill should say just how much is to be used for the particular purpose. Indeed, I do not recall a reference to a balance remaining from prior appropriations which goes back so far as this. It is a trivial item, only a few hundred dollars, but it does not seem to me the best way in which to make appropriations.

Mr. SMITH of Maryland. That may be true, but this is an unexpended amount that was made available for any object of this character, so far as it might be needed, instead of making a new appropriation.

Mr. BURTON. In the mere matter of bookkeeping I should suppose this method would cause a great deal of complication.

Mr. CLAPP. Does the acting chairman of the committee happen to be able to state offhand what is the total amount that has been carried forward from year to year? I merely ask for information, not that I care to make any point against it.

Mr. SMITH of Maryland. The amount is $500.

Mr. CLAPP. Then this will exhaust that appropriation?

Mr. SMITH of Maryland. As I understand, it will.

The VICE PRESIDENT. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, on page 21, after line 3, to insert:

For constructing market buildings on the site of the present municipal fish wharf and market, including refrigerating and cold-storage plant, which shall be equipped for the accommodation of such retail business as may obtain at that point and shall serve as the wholesale receiving and distributing point for marine and other products to be retailed elsewhere in the District, $200,000.

Mr. CLAPP. Mr. President, I should like to ask the chairman of the committee—this is a matter with which I am not familiar—whether, under existing law, this market will automatically pass into the control of anyone other than the Commissioners of the District of Columbia?

Mr. SMITH of Maryland. I will say to the Senator from Minnesota that this market will be built on Government property. We appropriated last year a sum of money to put the wharf in order. The Government controls it entirely. I will say, further, that it will bring, as revenue to the District of Columbia and to the Government, quite a large percentage of the amount that we ask shall be expended.

Mr. CLAPP. But there is no existing law under which it would automatically pass under the control of anyone else than the Government?

Mr. SMITH of Maryland. No, sir.

The VICE PRESIDENT. The question is on the amendment proposed by the committee.

The amendment was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, under the head of "Improvements and Repairs," on page 21, line 16, after the date "1916," to strike out "$89,400" and insert "$160,400," so as to make the clause read:

Work on streets and avenues: For work on streets and avenues named in Appendix M, Book of Estimates, 1916, $160,400, to be expended in the discretion of the commissioners upon streets and avenues specified in the schedules named in said appendix and in the aggregate for each schedule as stated herein, namely:

Mr. BURTON. Is this amount of $160,400 a general provision for the work on certain streets and are the later schedules, "Georgetown schedule, northwest section schedule," and so forth, a separate provision, or how is that?

Mr. SMITH of Maryland. It is the amount which the commissioners claim is necessary to do the work that they think ought to be done, they contending that the sum of $89,400 is not sufficient for that purpose. They came before our committee and impressed us with the belief that the sum which we report to appropriate was the proper amount which should be given, though I think we cut it down.

Mr. BURTON. Is the appropriation of $160,400 separate from the items of the Georgetown and other schedules?

The VICE PRESIDENT. The Chair will suggest that that is the aggregate.

Mr. GALLINGER. It is the total of them all.

Mr. BURTON. Let me examine it for one minute.

Mr. SMITH of Maryland. If the Senator will notice, those items make up that amount.

Mr. BURTON. Yes; the $160,400 is the aggregate of the items that follow.

Mr. SMITH of Maryland. That is correct.

Mr. BURTON. What kind of work is this? It is not paving, as I understand.

Mr. SMITH of Maryland. It is for opening and grading, as I understand.

Mr. BURTON. Is not a share of the expense of doing this work assessed against abutting property?

Mr. SMITH of Maryland. A part of this work is not paving.

Mr. BURTON. A part of it is grading. Is that assessed against abutting property?

Mr. SMITH of Maryland. It is done under the present law, I will say to the Senator. It does include paving, the owners of abutting property having to bear a part of the expense.

Mr. BURTON. Is the law providing that an abutting owner must pay a part of the expense limited to paving?

Mr. SMITH of Maryland. That is the law. Such owners have to pay one-half.

Mr. BURTON. But in the case of grading they do not?

Mr. SMITH of Maryland. The property owners on each side of the street, respectively, pay one-fourth, and the balance is paid by the Government and by the District of Columbia.

Mr. BURTON. Does this item cover grading or paving, or both?

Mr. SMITH of Maryland. It is for both, as I understand.

Mr. BURTON. So this item includes only the share taken from the general fund as paid for by the Government and the District of Columbia, and additional sums will be provided by the abutting property owners?

Mr. SMITH of Maryland. That is my understanding.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, on page 21, line 21, after the word "Schedule," to strike out "$6,400" and insert "$18,900," so as to make the clause read:

Northwest section schedule: $18,900.

The amendment was agreed to.

The next amendment was, on page 21, line 22, after the word "schedule," to strike out "$18,500" and insert "$34,000," so as to make the clause read:

Southwest section schedule: $34,000.

The amendment was agreed to.

The next amendment was, on page 21, line 23, after the word "schedule," to strike out "$35,000" and insert "$63,000," so as to make the clause read:

Southeast section schedule: $63,000.

The amendment was agreed to.

The next amendment was, on page 21, line 24, after the word "schedule," to strike out "$24,000" and insert "$39,000," so as to make the clause read:

Northeast section schedule: $39,000.

The amendment was agreed to.

The next amendment was, on page 22, line 25, before the word "feet," to strike out "40," and insert "45," so as to make the clause read:

Repave with asphalt the granite block roadway pavement of Tenth Street NW., from Pennsylvania Avenue to the south side of B Street, 45 feet wide, $13,500.

Mr. BURTON. Mr. President, I should like to make an inquiry there also. Is any part of the expense of repaving assessed against abutting property owners as well as the original paving? Cities have diverse regulations in regard to that. In some cities the whole cost of original paving is levied upon the abutting property owners, and afterwards the municipality maintains it. What is the custom here in the District of Columbia?

Mr. SMITH of Maryland. Does the Senator ask what is the amount which abutting property holders have to pay?

Mr. BURTON. We have here provisions for paving, while this last paragraph provides for repaving. Does the same rule regulating the division of the expense between the general fund and the abutting property owners apply with reference to repaving as applies in regard to the original paving?

Mr. SMITH of Maryland. Yes, sir; my understanding is that it does.

Mr. SMITH of Georgia. Can the Senator from Maryland point us to any statute covering the subject?

Mr. GALLINGER. I will say to the Senator from Georgia that the provision will be found in the last District of Columbia appropriation bill, which is a modification of the Borland amendment of the House of Representatives.

The VICE PRESIDENT. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, on page 23, after line 3, to insert:

Repave with asphalt the granite roadway of P Street NW., between Twenty-eighth Street and Wisconsin Avenue, 30 feet wide, $18,000.

Mr. SMITH of Georgia. I should like to ask what proportion the property holders pay of this appropriation? I have sent for the appropriation bill referred to by the Senator from New Hampshire [Mr. GALLINGER], but I have not yet seen it. Can the Senator answer my question?

Mr. GALLINGER. The proportion fixed, I will say to the Senator from Georgia, by the last District of Columbia appropriation bill was one-fourth by the abutting property holders on each side of the street and one-half by the District of Columbia and the Federal Government.

I will say further to the Senator that I am not quite sure as to whether that covered repaving. I have an impression that it did not. I think it simply covered the original construction.

Mr. SMITH of Georgia. I do not know that it ought to cover repaving. That is a very serious question——

Mr. GALLINGER. That was what we thought.

Mr. SMITH of Georgia. For the reason that the property holder does not wear out that pavement. He having once paid his part of the expense for it, it is subsequently a charge on the public.

Mr. GALLINGER. That is precisely the argument which influenced the committee. The pavements were worn out by automobiles and carriages coming from all parts of the District and outside of the District.

Mr. MARTINE of New Jersey. Mr. President, I think that is quite usual. I know of no city where the repaving or repairing of streets is charged against abutting property owners. After a pavement is once constructed, it is certainly a part of the public duty to maintain it.

Mr. GALLINGER. That is true.

The VICE PRESIDENT. The question is on the amendment of the committee.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, on page 24, line 2, after the word "reconstruct," to strike out "provided the Chesapeake & Ohio Canal Co. pays one-half," so as to make the clause read:

Northwest: Canal Road, south side, retaining wall, reconstruct, grade, and improve, $5,000.

Mr. BURTON. Mr. President, what is the reason for that? The House text provides that the Chesapeake & Ohio Canal Co. shall pay one-half. Why should that be stricken out?

Mr. SMITH of Maryland. I will say to the Senator that the Chesapeake & Ohio Canal Co. have turned this property over to the Government, and it is now the property of the Government.

Mr. BURTON. And the Chesapeake & Ohio Canal Co. no longer has any interest in it?

Mr. GALLINGER. No interest at all.

Mr. SMITH of Maryland. None whatever.

Mr. BURTON. Why should it ever have been put in the bill, then?

Mr. SMITH of Maryland. My information, after inquiry, is that the property has been turned over to the Government and that the canal company has no further interest in it.

Mr. SMITH of Georgia. Does not the canal company use it chiefly?

Mr. GALLINGER. They do not use it at all. The canal company, of course, use the towpath on the opposite side of the canal, but this is a public street, and was given to the Government by the canal company.

The VICE PRESIDENT. The question is on agreeing to the amendment reported by the committee.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, on page 25, after line 6, to insert:

Northwest: Connecticut Avenue, Tilden Street to Grant Road, grade and improve, $30,000.

The amendment was agreed to.

The next amendment was, on page 25, after line 8, to insert:

Northwest: Albemarle Street, Connecticut Avenue to Reno Road, grade, $6,000.

The amendment was agreed to.

The next amendment was, on page 25, after line 10, to insert:

Northwest: Kenyon Street, Georgia Avenue to Park Place, grade and improve, $9,400.

The amendment was agreed to.

The next amendment was, on page 25, after line 12, to insert:

Northeast: Benning Road, end of macadam to Central Avenue, grade and improve, $4,200.

The amendment was agreed to.

The next amendment was, on page 24, line 15, after the words "in all," to strike out "$103,300" and insert "$152,900," so as to make the clause read:

In all, $152,900.

The amendment was agreed to.

The next amendment was, on page 27, line 4, after the word "truck," to strike out "$145,000" and insert "$160,000," so as to make the clause read:

Repairs to suburban roads: For current work of repairs to suburban roads and suburban streets, including maintenance of motor vehicles, four motor cycles, and one truck, $160,000.

The amendment was agreed to.

The next amendment was, on page 27, line 5, after the word "repairs," to strike out "$20,000" and insert "$22,000"; and, in line 13, after the word "deposited," to strike out "in the Treasury to the credit of the United States and the District of Columbia in equal parts" and insert "to the credit of the appropriation for the fiscal year in which they are collected," so as to make the clause read:

Bridges: For construction and repairs, $22,000. This appropriation shall be available for repairing when necessary any bridge carrying a public street over the right of way or property of any railway company, and the amounts thus expended shall be collected from such railway company in the manner provided in section 5 of an act providing a permanent form of government for the District of Columbia, approved June 11, 1878, and shall be deposited to the credit of the appropriation for the fiscal year in which they are collected.

The amendment was agreed to.

The next amendment was, under the head of "Sewers," on page 28, line 8, after the word "basins," to strike out "$67,500" and insert "$75,000," so as to make the clause read:

For main and pipe sewers and receiving basins, $75,000.

The amendment was agreed to.

The next amendment was, on page 28, line 10, after the word "sewers," to strike out "$145,100" and insert "$175,000," so as to make the clause read:

For suburban sewers, $175,000.

The amendment was agreed to.

The next amendment was, on page 28, line 13, after the word "sewers," to strike out "$1,000" and insert "$2,500," so as to make the clause read:

For purchase or condemnation of rights of way for construction, maintenance, and repair of public sewers, $2,500, or so much thereof as may be necessary.

The amendment was agreed to.

The next amendment was, on page 28, line 19, after "$50,000," to insert "to continue available until expended," so as to make the clause read:

Anacostia main intercepter: For continuing construction of the Anacostia main intercepter along the Anacostia River between the outfall sewer, sewage-disposal system, at Poplar Point, and Benning, D. C., $50,000, to continue available until expended.

The amendment was agreed to.

The next amendment was, under the head of "Streets," on page 29, line 8, after the word "exceed," to strike out "$25" and insert "$27.50"; and in line 10, after the word "expenses," to strike out "$270,000" and insert "$280,000," so as to make the clause read:

Dust prevention, cleaning, and snow removal: For dust prevention, sweeping, and cleaning streets, avenues, alleys, and suburban streets, under the immediate direction of the commissioners, and for cleaning snow and ice from streets, sidewalks, crosswalks, and gutters, in the discretion of the commissioners, including services and purchase and maintenance of equipment, rent of storage rooms; maintenance and repairs of stables, hire, purchase, and maintenance of horses; hire, purchase, maintenance, and repair of wagons, harness, and other equipment, allowance to inspectors and foremen for maintenance of horses and vehicles or motor vehicles used in the performance of official duties, not to exceed $27.50 per month for each inspector or foreman; purchase, maintenance, and repair of bicycles; and necessary incidental expenses, $280,000, and the commissioners shall so apportion this appropriation as to prevent a deficiency therein.

The amendment was agreed to.

The next amendment was, on page 29, line 20, after the word "expenses," to strike out "$179,945" and insert "$190,160," so as to make the clause read:

Disposal of city refuse: For collection and disposal of garbage and dead animals; miscellaneous refuse and ashes from private residences in the city of Washington and the more densely populated suburbs; collection and disposal of night soil in the District of Columbia: *Provided*, That hereafter night soil may be collected and disposed of by any process satisfactory to the commissioners; payment of necessary inspection, livery of horses, and incidental expenses, $190,160.

The amendment was agreed to.

The next amendment was, on page 30, line 1, after "$45,000," to insert "of which sum not to exceed $5,000 shall be immediately available," so as to make the clause read:

Parking commission: For contingent expenses, including laborers, trimmers, nurserymen, repair men, and teamsters, cart hire, trees, tree boxes, tree stakes, tree straps, tree labels, planting and care of trees on city and suburban streets, care of trees, tree spaces, and miscellaneous items, $45,000, of which sum not to exceed $5,000 shall be immediately available.

The amendment was agreed to.

The next amendment was, on page 30, after line 6, to strike out:

Public scales: All public scales now owned by the District of Columbia shall be sold to the highest bidder or bidders therefor, under sealed proposals which shall be invited by the commissioners, after the value of said scales shall have been appraised and for a sum or sums not less than the appraised value of each or the total appraised value of all of them; any or all of the sealed proposals received hereunder may be rejected and new proposals invited at any time prior to July 1, 1915.

The commissioners are authorized to grant licenses for the location and operation of public scales in the District of Columbia under such regulations as they may prescribe and for such fees as they shall approve, and they may grant permits, revocable on 30 days' notice, for the location of such scales on public spaces under their control.

And in lieu thereof to insert:

Public scales: For replacement and repair of public scales, and all public scales may be used for weighing and verifying the weight of all commodities, $200.

The amendment was agreed to.

The next amendment was, on page 31, after line 23, to insert:

For construction of swimming pool, shower baths and equipment, purchase and installation of toilets, lockers, and screens, including neces-

sary personal services, for Georgetown playground, to be immediately available, $3,750.

The amendment was agreed to.

The next amendment was, on page 32, line 6, after the word "playgrounds," to strike out "$40,665" and insert "$44,415," so as to make the clause read:

In all, for playgrounds, $44,415, which sum shall be paid wholly out of the revenues of the District of Columbia.

The amendment was agreed to.

The next amendment was, on page 32, after line 14, to insert:

For new public convenience station No. 4, to be located aboveground on public space at the intersection of Fifteenth Street and Maryland Avenue and H Street NE., $18,000, or so much thereof as may be necessary.

The amendment was agreed to.

The next amendment was, under the head of "Electrical department," on page 33, line 2, after the word "engineer," to strike out "$2,500" and insert "$2,750"; in line 8, after the word "each," to strike out "four" and insert "five"; and in line 13, after the words "in all," to strike out "$48,475" and insert "$49,265," so as to make the clause read:

Electrical engineer, $2,750; assistant electrical engineer, $2,000; 4 electrical inspectors, at $1,200 each; inspector, $1,000; electrician, $1,200; 2 draftsmen, at $1,000 each; 3 telegraph operators, at $1,000 each; 4 inspectors, at $900 each; expert repairman, $1,200; 3 repairmen, at $900 each; telephone operators—3, at $720 each; 5, at $540 each; 1, $450; electrical inspectors—1, $2,000; 1, $1,800; 1, $1,350; cable splicer, $1,200; assistant cable splicer, $620; clerks—1, $1,400; 1, $1,200; 2, at $1,125 each; 1, $1,050; 1, $750; assistant repairmen—1, $620; 2, at $540 each; laborers—1, $630; 3, at $600 each; 2, at $540 each; storekeeper, $875; in all, $49,265.

The amendment was agreed to.

The next amendment was, on page 34, line 23, after the word "night," to insert "after the hour of 1 o'clock antemeridian," so as to make the clause read:

The commissioners are authorized in their discretion to maintain part of the lamps on any street, avenue, alley, road, or public space, or portion thereof, for a shorter period each night after the hour of 1 o'clock antemeridian than that required by the provisions of the above-mentioned acts, at such reduced rates for said lamps as may be agreed upon by and between said commissioners and the lighting companies maintaining them.

The amendment was agreed to.

The next amendment was, under the head of "Washington Aqueduct," on page 35, line 10, after the word "accessories," to strike out "including Conduit Road," so as to make the clause read:

For operation, including salaries of all necessary employees, maintenance, and repair of Washington Aqueduct and its accessories, McMillan Park Reservoir, Washington Aqueduct Tunnel, the filtration plant, the plant for the preliminary treatment of the water supply, authorized water meters on Federal services, motor trucks, and for each and every purpose connected therewith, including the erection of a new storehouse at the filtration plant, and including maintenance of motor truck, horses, vehicles, and harness, $124,000.

The amendment was agreed to.

The next amendment was, on page 35, after line 18, to insert:

For ordinry repairs, grading, opening ditches, and other maintenance of Conduit Road, $5,000.

The amendment was agreed to.

The next amendment was, on page 36, after line 9, to insert:

For completing the purchase, installation, and maintenance of water meters, to be placed on the water services to the United States buildings, reservations or grounds in the District of Columbia, and for each and every purpose connected therewith, said meters to be purchased, installed, and maintained by and remain under the observation of the officer in charge of the Washington Aqueduct, $23,750.

The amendment was agreed to.

The next amendment was, under the head of "Rock Creek Park," on page 36, line 24, after the words "District of Columbia," to strike out "$18,000" and insert "$20,000," so as to make the clause read:

For care and improvement of Rock Creek Park, and of the Piney Branch Parkway, exclusive of building for superintendent's residence, but including not exceeding $750 repairs to the foreman's quarters necessary for the preservation thereof, to be expended under the direction of the board of control of said park in the manner now provided by law for other expenditures of the District of Columbia, $20,000.

The amendment was agreed to.

Mr. BURTON. Mr. President, I notice a very decided difference in the form of these appropriations. In fact in following this bill it seems to me there are decided incongruities in it.

On page 33, under the head of the "Electrical department," there is an enumeration of each employee, and the salary of each is definitely fixed by law. Turning over to page 35, there is an appropriation of $124,000 for the Washington Aqueduct. That amount includes the salaries of all necessary employees. There is no specification of the salary of any employee, only the provision at the top of page 36 that—

All expenditures from this appropriation shall be reported in detail to Congress.

Next, on page 36, there as an aggregate or lump-sum appropriation for Rock Creek Park, which, I take it, includes salaries of $18,000, changed by the amendment of the committee to $20,000. Now, why should there be this different amendment adopted in the case of the last two from that of the first? It would seem that a far greater degree of care was exercised in regard to the electrical department.

Mr. SMITH of Maryland. Mr. President, I will say to the Senator that they have furnished us an itemized report of what makes up this expense of $20,000. For instance, there is "stone, and freight on same, $1,000; hauling stone, $600; lumber fittings, $150." Then it goes on with various things—"30 laborers, at $1.50 a day; skilled labor, $2.50; 3 skilled laborers, at $2; 2 skilled laborers, at $1.75; blacksmithing, tools, nails, steam pump and drill," and various things, aggregating $20,000.

Mr. BURTON. That is the Rock Creek Park?

Mr. SMITH of Maryland. That is the Rock Creek Park; yes, sir.

Mr. BURTON. Are the salaries of superintendents or the salaries of employees included in that list, or is it merely the salaries of laborers?

Mr. SMITH of Maryland. They are not included. These are the salaries of laborers. Probably it was not properly stated. This amount is made up of the compensation of skilled laborers—per diem employees, not salaried officers.

Mr. BURTON. Are the salaried officers thus paid by the month or year paid by the Government of the United States directly, or are they paid half by the Government and half by the District of Columbia?

Mr. SMITH of Maryland. They are paid half and half.

Mr. BURTON. Where do the salaries of the employees employed by the year, or a longer period than the laborers, appear in this bill? As I understand the Senator from Maryland, only the amounts paid as wages to laborers, who are probably only temporarily employed, are printed in the itemized list furnished to him.

Mr. SMITH of Maryland. The Senator will find that on page 9, under the "Engineer department."

Mr. BURTON. Yes; I see; in line 12.

Mr. SMITH of Maryland. In line 12, "Foreman, Rock Creek Park, $1,200."

Mr. BURTON. And "three subforemen, at $1,050 each." Are those also employed in Rock Creek Park?

Mr. SMITH of Maryland. They are; but this $20,000 is for work that is done by day labor.

Mr. BURTON. I presume that any remarks I may make will have little effect, but it seems to me that it is a very faulty arrangement in an appropriation bill to carry under one item part of the expenses of Rock Creek Park, and then, under another item, as if it were the whole amount, a lump-sum appropriation of $20,000. Also, it does not seem to me that it is the best method to pursue to itemize specifically each salary in one case and to give an aggregate appropriation in another. Is that the outgrowth of custom, the method in which the estimates are made, or what is the explanation of it?

I would suggest that above all things in a list of expenditures of this kind there should be uniformity; and, again, in such a case as the Rock Creek Park that the amount specified, as on page 36, should include all the expenditures for the maintenance of that park, in the same manner as that in which they are specified for the electrical department or for the Washington Aqueduct.

Of course, it would be useless to seek to make a change in the bill, but it does seem to me that there is room for reform in that regard.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, under the head of "Public schools," on page 38, line 9, after the words "normal school," to strike out "$800" and insert "$900," so as to make the clause read:

Special beginning teacher in the normal school, $900.

The amendment was agreed to.

The next amendment was, on page 38, line 11, after the word "teachers," to strike out "$1,397,950" and insert "$1,398,050" so as to make the clause read:

In all for teachers, $1,398,050.

The amendment was agreed to.

The next amendment was, on page 44, line 18, after the word "therewith," to strike out "$25,000" and insert "$30,000," so as to make the clause read:

For purchase and repair of furniture, tools, machinery, material, and books, and apparatus to be used in connection with instruction in manual training, and incidental expenses connected therewith, $30,000.

The amendment was agreed to.

The next amendment was, on page 45, after line 2, to insert:

For complete equipment and furnishing of the Western High School, including necessary repairs to existing equipment, to be immediately available, $50,000.

The amendment was agreed to.

The next amendment was, on page 46, after line 20, to insert:

For the employment of temporary personal services, to be immediately available, $2,000.

The amendment was agreed to.

The next amendment was, on page 46, after line 22, to insert:

Hereafter all pupils whose parents are employed officially or otherwise in the District of Columbia shall be admitted and taught free of charge in the schools of said District.

The amendment was agreed to.

The next amendment was, on page 47, after line 16, to insert:

For an eight-room addition, including an assembly hall, to the Powell School, $66,000.

The amendment was agreed to.

The next amendment was, on page 47, after line 18, to insert:

The Commissioners of the District of Columbia are hereby authorized and directed to close public areas which may lie wholly within the boundaries of any site purchased for the Eastern High School, and the same, when so closed, shall be used as a part of said site.

Mr. BURTON. Mr. President, I should like to know what that means.

Mr. SMITH of Georgia. Mr. President, I desire to make the point of order upon this amendment that it involves general legislation on an appropriation bill. It gives authority to close streets, which the commissioners have not at the present time; and I object to the amendment upon that ground.

The VICE PRESIDENT. Is there a law of the District of Columbia that provides how and in what manner streets, alleys, and uninclosed commons may be vacated? Is there such a law?

Mr. SMITH of Georgia. I understand there is no general authority to the commissioners to close these streets, and the effect of this——

The VICE PRESIDENT. That is not the inquiry of the Chair. The Chair's inquiry is as to whether there is a law of the District of Columbia that provides what steps shall be taken for the purpose of closing streets and alleys.

Mr. SMITH of Maryland. I will say to the Senator from Georgia that I do not think there is any objection to this on the part of anybody. It is in order to perfect the school site.

Mr. SMITH of Georgia. There is objection, and the objection was brought to my attention.

Mr. SMITH of Maryland. I will simply say, then, that no objection was offered to us.

The VICE PRESIDENT. The Chair is making an inquiry, about which the Chair would like to have information from the chairman of the committee or from some one who knows, as to whether there is a law of the District of Columbia which fixes the procedure with reference to the closing of streets and alleys.

Mr. SMITH of Georgia. If there is such a law, then that law would control, and this amendment could not change it.

The VICE PRESIDENT. Exactly. That is why the Chair is making the inquiry before ruling on the point of order.

Mr. SMITH of Georgia. If there is not such a law, this undertakes to create the power.

Mr. VARDAMAN. Mr. President, there was an understanding that this bill will not be finished this evening; and I join with the Senator from Georgia in the request that this matter had better be looked into. Protests against it have been made to me, and I ask the Senator from Maryland if he will not consent that this amendment shall go over until to-morrow?

Mr. GALLINGER. Before it goes over, if the Senator will permit me, there is no law giving authority for the closing of streets and alleys except by special act. As I understand the matter, a site has been selected for the Eastern High School; and there are a couple of little highways, of no consequence at all, that it is desired to have closed. The committee, upon looking into the matter, thought it was proper that they should be closed. I apprehend that the objection that comes to the Senator comes from parties in the eastern part of the city who are contesting the site that has been selected for the school.

Mr. VARDAMAN. I want to say that I do not know the motives behind this request. I am not advised as to the merit of their objection, but I should like to have an opportunity to look into it. I do not know that I will agree with the gentlemen who are protesting against it. I should simply like to have an opportunity to look into the matter.

Mr. GALLINGER. Personally, I concur with the Senator in the request that it go over. If he desires to have that done, I think the amendment ought not to be pressed to-night.

Mr. SMITH of Georgia. The point of order I make upon the amendment, I think, carries it out. I make the point of order I have already stated.

The VICE PRESIDENT. The Chair has been trying to get information, and will rule only upon the information that has been given. The rule is that—

No amendment which proposes general legislation shall be received to any general appropriation bill.

Mr. GALLINGER. This is not general legislation.

Th VICE PRESIDENT. If there were a law of the District of Columbia which provided the method whereby streets, alleys, and uninclosed commons were to be vacated, then the Chair would be clearly of opinion that this is general legislation, being amendatory of that law; but as the statement is made that there is no such law, the Chair rules that this is not general legislation, but simply special legislation with reference to a particular plat of ground.

Mr. GALLINGER. For a special purpose. Beyond question that is a correct ruling; but I think probably the matter had better go over until to-morrow, as requested by the Senator from Mississippi.

Mr. SMITH of Georgia. Mr. President, if there is no law on the subject, then the general law is that they can not close the streets. They have not the power to close them. That becomes the general law of the land. Nobody can close a street belonging to the Government without authority. That is the general law of the land.

Mr. GALLINGER. But we are giving authority in this bill.

The VICE PRESIDENT. The bill gives authority.

Mr. SMITH of Georgia. When it is undertaken in this bill to give the authority, it becomes general legislation, changing a general law.

Mr. GALLINGER. Oh, no; it does not.

The VICE PRESIDENT. The Chair is unable to agree with the proposition that where the amendment deals with a single subject it is general in its character.

Mr. LANE. Mr. President, I wish to call attention to the fact that if you will look at it you will see that this amendment delegates general authority to close streets in any part of the city, without specifying what streets are to be closed. Now, if the commissioners came in here and said they wanted to close certain streets on a fixed site which they had selected, it would be a different matter; but here they are given authority to close streets in any part of the city—the authority which Congress itself possesses and always has held in its own hands. They should be at least asked to submit a statement of the streets they wish closed. This legislation is general in that respect and gives a very large authority, it seems to me, and one that it is undesirable to grant.

The VICE PRESIDENT. As to the advisability of granting it, that is a question for the Senate; and it is also a question for the Senate on an appeal from the decision of the Chair. The Chair is very clear that it is nothing except special legislation in regard to the site for the Eastern High School.

Mr. VARDAMAN. The chairman of the committee has consented that the matter may go over until morning, and then we will have some definite information about what the law is.

The VICE PRESIDENT. It is agreed, then, that the amendment goes over.

Mr. GALLINGER. Before it goes over I ask the attention of the Senator from Mississippi. I want to read two or three answers made by the chairman of the board of education. He says just this:

A street never has been opened, and Eighteenth Street is merely a rough roadway that has been made by wagons going through the squares from East Capitol to B Street.

Senator SMITH of Maryland. Does that have a bearing upon the site of the school?

Mr. BLAIR. The school site selected is four squares, and these two streets intersect those squares.

Senator SMITH of Maryland. Is there any opposition to that on the part of the people down there?

Mr. BLAIR. We have not received the slightest intimation of any opposition.

It is merely a rough roadway through the site that has been selected for this school.

Mr. VARDAMAN. As I said a moment ago, I know nothing about the question at issue, and have not looked into it. A couple of gentlemen came to me and requested that I look into the matter, and for that reason I asked that it might go over. I may not have any objection to it in the morning at all.

The VICE PRESIDENT. The amendment goes over.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, on page 49, after line 2, to insert:

Hereafter any balance remaining after the purchase of sites for buildings which is necessary to clean up, grade, drain, fence in, and place the sites in safe and suitable condition for the purposes intended may be used for such purposes; and in the event of the purchase of property with buildings or other improvements thereon, any funds or amounts remaining or realized after the removal of such structures may be

applied for the purpose of putting the sites in a condition suitable for the uses for which they were purchased.

Mr. SMITH of Georgia. Mr. President, I make the point order that this is legislation of a general character. The law now turns this money back into the Treasury. This changes the use of the money.

Mr. LANE. Further than that, Mr. President, it allows them to convert a fund apparently after removing structures of some sort.

The VICE PRESIDENT. On the statement of the Senator from Georgia, the point of order is sustained.

The next amendment was, under the head of "Metropolitan police," on page 50, line 13, before the word "privates," to strike out "20" and insert "24"; in line 15, after the word "crime," strike out "$4,800" and insert "$5,760"; and on page 51, line 8, after the words "in all," to strike out "$916,300.49" and insert "$917,260.49"; so as to make the clause read:

Major and superintendent, $4,000; assistant superintendent with rank of inspector, $2,500; three inspectors, at $1,800 each; 11 captains, at $1,500 each; chief clerk, who shall also be property clerk, $2,000; clerk and stenographer, $1,500; clerk, who shall be assistant property clerk, $1,200; 3 clerks, at $1,000 each; 4 surgeons of the police and fire departments, at $720 each; additional compensation for 24 privates detailed for special service in the detection and prevention of crime, $5,760, or so much thereof as may be necessary; 13 lieutenants, one of whom shall be harbor master, at $1,320 each; 46 sergeants, one of whom may be detailed for duty in the harbor patrol, at $1,250 each; 490 privates of class 3, at $1,200 each; 124 privates of class 2, at $1,080 each; 26 privates of class 1, at $900 each; amount required to pay salaries of privates of class 2 who will be promoted to class 3 and privates of class 1 who will be promoted to class 2 during the fiscal year 1916, $2,080.49; 6 telephone operators, at $720 each; 14 janitors, at $600 each; messengers—1, $700, 1, $600; inspector, mounted on horse or motor cycle, $240; 55 captains, lieutenants, sergeants, and privates, mounted on horses or motor cycles, at $240 each; 64 lieutenants, sergeants, and privates, mounted on bicycles, at $50 each; 20 drivers, at $840 each; 5 police matrons, at $600 each, to possess police power of arrest; in all, $917,260.49.

The amendment was agreed to.

The next amendment was, on page 52, line 14, after the word "vehicles," to strike out "$5,000" and insert "$6,000," so as to make the clause read:

For maintenance of motor vehicles, $6,000, or so much thereof as may be necessary.

The amendment was agreed to.

The next amendment was, on page 52, after line 16, to insert:

For the reconstruction of cell corridors, and the making, erecting, and placing therein, in the second precinct station house, of eight modern locking devices, $5,000.

The amendment was agreed to.

The next amendment was, on page 52, line 20, after the words "In all," to strike out "$47,600" and insert "$53,600," so as to make the clause read:

In all, $53,600.

The amendment was agreed to.

The next amendment was, under the head of "Fire department," on page 53, line 23, after the words "chief clerk," to strike out "$1,800" and insert "$2,000," so as to read:

Chief engineer, $3,500; deputy chief engineer, $2,500; three battalion chief engineers, at $2,000 each; fire marshal, $2,000; deputy fire marshal, $1,400; 2 inspectors, at $1,080 each; chief clerk, $2,000; clerk, $1,200.

The amendment was agreed to.

The next item was, in the item of appropriation for salaries of employees of the fire department, on page 54, line 9, after "$600," to insert "mechanician, who shall have had not less than five years' experience in the actual building and repair of motor vehicles, $1,400; 2 machinists, at $1,200 each; electrician, $1,200; boilermaker and blacksmith, $1,200; painter, $1,200; clerk, $1,000; machinists' helper, $900; and skilled laborer, $600"; and in line 14, after the words "in all," to strike out "$568,230" and insert "$578,330," so as to read:

Hostler, $600; laborer, $600; mechanician, who shall have had not less than five years' experience in the actual building and repair of motor vehicles, $1,400; 2 machinists, at $1,200 each; electrician, $1,200; boilermaker and blacksmith, $1,200; painter, $1,200; clerk, $1,000; machinist's helper, $900; and skilled laborer, $600; in all, $578,330.

The amendment was agreed to.

The next amendment was, on page 54, after line 14, to insert:

Hereafter no removal from the force of the fire department of the District of Columbia shall be made except on written charges and after an opportunity for defense on the part of the person against whom such charges may be made, but no person so removed shall be reappointed to any position in said fire department.

The amendment was agreed to.

The next amendment was, on page 54, line 25, after the word "appliances," to strike out "$15,000" and insert "$8,000," so as to make the clause read:

For repairs to apparatus and motor vehicles and other motor-driven apparatus, and for new apparatus, new motor vehicles, and new appliances, $8,000.

The amendment was agreed to.

The next amendment was, in the items for the fire department, on page 55, line 4, after the word "forage," to strike out "$32,250" and insert "$35,000," so as to make the clause read:

For forage, $35,000.

The amendment was agreed to.

The next amendment was, on page 55, line 10, after the words "In all," to strike out "$129,050" and insert "$124,800," so as to make the clause read:

In all, $124,800.

The amendment was agreed to.

The next amendment was, on page 55, after line 14, to insert:

For 2 combination chemical and hose wagons, motor driven, $12,000.

The amendment was agreed to.

The next amendment was, on page 55, line 17, after the words "In all," to strike out "$14,200" and insert "$26,200," so as to make the clause read:

In all, $26,200.

The amendment was agreed to.

The reading was continued to page 57, line 13, the last paragraph read being as follows:

For enforcement of the provisions of an act to prevent the spread of contagious diseases in the District of Columbia, approved March 3, 1897, and an act for the prevention of scarlet fever, diphtheria, measles, whooping cough, chicken pox, epidemic cerebrospinal meningitis, and typhoid fever in the District of Columbia, approved February 9, 1907, and an act to provide for registration of all cases of tuberculosis in the District of Columbia, for free examination of sputum in suspected cases, and for preventing the spread of tuberculosis in said District, approved May 13, 1908, under the direction of the health officer of said District, and for the prevention of other communicable diseases, including salaries or compensation for personal services, not exceeding $12,000, when ordered in writing by the commissioners and necessary for the enforcement and execution of said acts, and for the prevention of such other communicable diseases as hereinbefore provided, purchase and maintenance of necessary horses, wagons, and harness, purchase of reference books and medical journals, and maintenance of quarantine station and smallpox hospital, $25,000: *Provided*, That any bacteriologist employed under this appropriation shall not be paid more than $6 per day and may be assigned by the health officer to the bacteriological examination of milk and other dairy products and of the water supplies of dairy farms, and to such other sanitary work as in the judgment of the health officer may promote the public health, whether such examinations be or be not directly related to contagious diseases.

Mr. BURTON. I should like to inquire whether these numerous employees of the health department are any of them selected under the rules of the civil service?

Mr. SMITH of Maryland. It is my impression that they are not.

The next amendment was, under the head of "Health department," on page 57, after line 12, to insert:

The Surgeon General of the United States Public Health Service is hereby given the power to apprehend, detain, and treat all persons suffering from leprosy in the District of Columbia, and he shall, under direction of the Secretary of the Treasury, make such regulations as may be necessary for this purpose.

Mr. BURTON. I should like to ask why this jurisdiction is given to the Surgeon General? Is it not altogether exceptional to select one disease and say that the Surgeon General of the United States Public Health Service shall have jurisdiction over it, when everything else is placed under the health officer?

Mr. SMITH of Maryland. I will say to the Senator it was reported to us that in a case of leprosy here no one has authority to handle it. We felt that authority ought to be lodged in some one to take charge of it.

Mr. BURTON. Why should the Surgeon General have it, rather than the health office?

Mr. SMITH of Maryland. This was the recommendation of the commissioners. They came before us and stated that there are two cases of leprosy here. The commissioners said:

The commissioners had supposed that these two men were subject to certain Federal quarantine regulations, and upon the coming into the District of Early again we invited the attention of the Secretary of the Treasury to the situation and called his attention to some of his own regulations promulgated under Public Health Service laws of the country in reference to his case, in the hope and expectation that he would be taken charge of by the Federal authorities. That has not been done, and I do not know certainly what the view of the Federal authorities is on that subject.

After the matter was brought to our attention we asked the parties who were before us to suggest how it should be managed, and this was the suggestion made and adopted by us. If it does not suit the Senator from Ohio, of course, he may have some better remedy to suggest.

Mr. BURTON. It seems rather a singular provision that an exception should be made in this one case. I would suggest that those who appeared before this committee and advocated this paragraph do not seem to have provided any way for the disposition of these leprosy patients. Is there any hospital to which they are assigned? There was a case here which attracted a great deal of public attention. I take it this disease is not a very frequent one in the District.

Mr. GALLINGER. There was a case of leprosy here that became exceedingly troublesome. The health officer took jurisdiction over that case for a time, and the sufferer was confined in a building on a Government reservation. He afterwards left the District but, I believe, has returned. One other case has developed, I understand, so that there are two cases here now.

I do not know whether this is a wise provision or not, and yet it would seem desirable that there should be some official who would have authority to isolate those cases.

Mr. SMOOT. Is it not true that some of the best attorneys in the city claim that there is no authority to apprehend them or isolate them?

Mr. GALLINGER. I understand that to be the case.

Mr. SMOOT. That is why this provision was put in the bill.

Mr. GALLINGER. Precisely.

Mr. BURTON. Why is it not included under the preceding paragraph on page 56? Is it regarded as not a contagious disease?

Mr. GALLINGER. That is a disputed matter, and it has always been a disputed subject. I think it is agreed that continuous association with a leper may result in others taking the disease. I think that is true of the establishment in Hawaii, where there is a leper colony. It is not, however, an acutely contagious disease; and from what knowledge I have of it, as a rule, it is not contagious.

Mr. SMOOT. The only way the disease can be contracted is by a person coming in contact with a towel used by one having the disease or with clothing worn by him. One may live in a community with a leper all his life and never contract leprosy unless he comes in direct contact with the leper himself or with some article of clothing he has worn or some article which he has handled.

Mr. BURTON. As I understand it, the Surgeon General has some doubt of his right to restrain or to place in seclusion one having this disease. Is the Senator from New Hampshire able to state any reason why such jurisdiction should be given to the Surgeon General?

Mr. GALLINGER. I am not.

Mr. BURTON. And can the Senator also state why no provision seems to be made here for the isolation of the patient?

Mr. GALLINGER. No; I can not give any reason for it. I think I was not at the committee meeting when that was inserted. I think such jurisdiction might more properly be placed in the hands of the health officer of the District of Columbia, and such patients might be confined in a building on a Government reservation over which we have jurisdiction. It may be the provision in the bill is a wiser one. I am not so sure about that.

Mr. BURTON. I should ask for a vote on this amendment, except for the fact that at least a part of it may be desirable legislation; and, as the bill goes to conference, this question can then be settled. It certainly seems to be rather a peculiar provision.

The VICE PRESIDENT. The question is on the amendment.

The amendment was agreed to.

Mr. POMERENE. Mr. President, with the permission of the chairman of the committee, I desire to send to the desk an amendment to the pending bill, which I intend to offer to-morrow; and I ask that it may lie on the table and be printed.

The VICE PRESIDENT. The amendment will be printed and lie on the table.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, on page 57, after line 18, to insert:

For repairs to the smallpox hospital and administration building, $1,000.

The amendment was agreed to.

The next amendment was, on page 57, after line 20, to insert:

For the extension of water mains to provide fire protection for the smallpox hospital, $1,800.

The amendment was agreed to.

The reading of the bill was continued to the end of line 16, on page 58, the last paragraph read being as follows:

Bacteriological laboratory: For maintaining and keeping in good order, and for the purchase of reference books and scientific periodicals, $300.

Mr. SMITH of Maryland. I offer the amendment which I send to the desk.

The VICE PRESIDENT. The amendment proposed by the Senator from Maryland will be stated.

The SECRETARY. On page 58, line 16, after the word "periodicals," it is proposed to strike out the sum "$300" and in lieu thereof to insert "$1,000."

Mr. SMOOT. I should like to ask the Senator from Maryland if he has any information other than what was before the committee on that particular item?

Mr. SMITH of Maryland. I will ask the Secretary to read the letter which has been received by me, and which I send to the the desk.

The VICE PRESIDENT. The Secretary will read as requested.

The Secretary read as follows:

EXECUTIVE OFFICE,
COMMISSIONERS OF THE DISTRICT OF COLUMBIA,
Washington, January 8, 1915.

Hon. JOHN WALTER SMITH,
Chairman Subcommittee on District Appropriation Bill,
United States Senate.

SIR: In the District appropriation bill reported to the Senate on the 5th instant, on page 58, lines 14, 15, and 16, appears the following item:

"Bacteriological laboratory: For maintaining and keeping in good order, and for the purchase of reference books and scientific periodicals, $300."

In the estimates submitted by the commissioners, the cost of maintaining the bacteriological laboratory and keeping it in good order, and of purchasing reference books and scientific periodicals, during the fiscal year 1916 was stated as $1,000. This is the exact amount appropriated for this purpose during the fiscal year 1914.

For the fiscal year 1915—the current fiscal year—only $300 was appropriated for the maintenance of the bacteriological laboratory and the purchase of books and periodicals, but that amount was supplemented by an appropriation of $2,000 for the purchase and installation of new apparatus, and an appropriation of $1,000 for the replacement of apparatus and supplies. However, since no appropriation was asked for the purchase and installation of new apparatus and for the replacement of apparatus and supplies during the fiscal year 1916, and none has been included in the bill as reported, all expenses properly covered by these two captions will during the fiscal year 1916 have to be borne from the appropriation for maintaining the bacteriological laboratory and keeping it in good order, and for the purchase of reference books and scientific periodicals; and for all these purposes the amount stated in the bill as reported to the Senate, $300, is, the health officer states, utterly inadequate.

The commissioners are informed by the health officer that if only $300 be appropriated for this work, the operations of the laboratory will necessarily be seriously curtailed. There will have to be either a general reduction in the amount of work done for the contagious-disease service and for the food-inspection service, or all of the work done for the food-inspection service, with possibly a part of the work done for the contagious-disease service, will have to be omitted; or, with the exception of the examination of sputa from patients possibly tuberculous, which is required by law, all of the work done for the contagious-disease service and a part of the work done in the food-inspection service must be discontinued.

For the reasons stated, it is urged that the amount estimated by the commissioners for maintaining the bacteriological laboratory and keeping it in good order, and for the purchase of reference books and scientific periodicals, namely, $1,000, be appropriated.

Very respectfully,

THE BOARD OF COMMISSIONERS OF THE
DISTRICT OF COLUMBIA,
By O. P. NEWMAN, *President.*

Mr. SHAFROTH. Mr. President, my colleague [Mr. THOMAS] is busy before the Committee on Military Affairs, and he has requested me to ask that the amendment on page 47, beginning in line 19 and going to line 23, and also the amendment on page 49, beginning in line 3 and ending at line 11, go over until to-morrow.

The VICE PRESIDENT. The Chair would state to the Senator from Colorado that one of those amendments was passed over and the other went out on a point of order.

Mr. SHAFROTH. Which amendment went out on a point of order?

Mr. GALLINGER. The amendment on page 49.

Mr. SHAFROTH. Then I have no request to make.

The VICE PRESIDENT. The question is on the amendment proposed by the Senator from Maryland [Mr. SMITH].

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, on page 58, after line 16, to insert:

Chemical laboratory: For the purchase and installation of new apparatus and equipment, $2,080; for the replacement of apparatus and equipment, $755; and for maintaining and keeping in good order, and for the purchase of reference books and scientific periodicals, $500; in all, $3,335.

The amendment was agreed to.

The next amendment was, on page 59, after line 23, to insert:

The examinations, inspection, rules, and regulations concerning the milk supply of the District of Columbia shall be applied alike to each State shipping milk into said District.

Mr. KENYON. Mr. President, I should like to inquire of the Senator in charge of the bill what is the necessity for that provision? Have different rules and regulations been applied to the various States shipping milk to the District of Columbia?

Mr. SMITH of Maryland. I will say to the Senator that there was some complaint brought to the attention of the committee to the effect that there have been discriminations in the inspection of milk coming from different States, and we felt that this amendment would do no harm; I do not know whether it will

do any good; but it certainly can not be objected to, because it merely states that the rules and regulations affecting the examination of milk from the different States shall be applied alike.

Mr. KENYON. I should like to know who has been responsible for the discrimination?

Mr. SMITH of Maryland. I do not know that there have been any discriminations, but there has been complaint that the inspectors have not inspected as rigidly milk from some States as they have milk from other States. At any rate that is the claim.

Mr. KENYON. Do the inspectors who have been guilty of these discriminations still hold their positions?

Mr. SMITH of Maryland. I do not say that they have been guilty; I do not know, but there has been some complaint that such has been the case. I do not know whether such is the case or not; but we felt it would do no harm to put this provision in the bill.

Mr. GALLINGER. Mr. President, I think the complaint which was made was that the inspectors—and the corps of inspectors which the health officer has at his disposal is limited—can not in the nature of things visit dairy herds in Ohio and in New York as frequently as they can visit dairy herds in Maryland and in Virginia. Under existing conditions it seems to be a physical impossibility for them to do so; and yet the health officer, who has devoted a considerable part of his annual report to the discussion of the milk question, insists that the health office is doing everything in its power in this matter; that there is not any real ground for the complaint, and that he thought if an amendment similar to this were adopted it would not make any difference in the administration of the law.

In this connection I desire to say, and it is proper that I should say, for the health officer of the District that no official in any department of our Government is more conscientious, earnest, and active in the enforcement of the law pertaining to the public health than is Dr. Woodward. I know that he has a special interest in the matter of the milk supply; it is something of a hobby with him. He wants the laws now on the statute books improved, and I think there is a bill pending in one or both Houses of Congress with that end in view; but it has not yet become a law.

Mr. SMITH of Maryland. Mr. President, I will say to the Senator, if he will pardon me, that the health officer, however, stated that there was no objection to this amendment.

Mr. GALLINGER. Oh, yes; he said that it could do no harm.

Mr. JAMES. Mr. President, I should like to ask the Senator in charge of the bill if he thinks that the mere declaration in this bill that the milk inspectors hereafter shall not do that which they seem heretofore to have done will avoid discrimination in the inspection of milk supplied to the District of Columbia by the different States? It appears to me that if there is any cause for this statement in the bill, that discrimination shall not be made, it naturally follows that discrimination has been made; and if discrimination has been made, the best way to get at that, it seems to me, is the removal of the men who are responsible for the discrimination rather than to say in a provision of the bill containing no penalty that they ought not to do it any more.

Mr. SMOOT. Mr. President, it seems to me that the amendment merely gives notice to the inspectors that milk which comes from Pennsylvania or from New York or from any other State must be inspected in the same way as milk coming from Maryland or from Virginia; but as it is easier to inspect the herds and the dairies in Virginia and Maryland than it is in more distant States, if the amendment is adopted of course Maryland and Virginia will have the advantage in selling milk to the District of Columbia.

Mr. SMITH of Maryland. I do not see why.

Mr. SMOOT. For the reason, Mr. President, that it is impossible——

Mr. SMITH of Maryland. I will ask the Senator if he does not think if there is a milk inspection that all should be treated alike, and that the same rule should be observed as to the milk supply of one State that is observed as to the milk supply of another?

Mr. SMOOT. I am only saying what the result will be. The result will be that the inspectors will not be able to go to Ohio and to inspect the dairies in that State or those in West Virginia on account of the expense attached; but they will be able to go to Maryland and Virginia and inspect the dairies there and the conditions surrounding them. If they go to Maryland and Virginia and inspect the dairies, then they ought to go to Ohio and to Pennsylvania and to West Virginia; and unless they do so, there will be a discrimination. As I understand, that is why complaint has been made, namely, that the dairies have not been inspected in those States, whereas in Maryland and in Virginia they had been inspected.

Mr. SMITH of Maryland. Be that as it may, it does seem to me that the inspection should be the same as to milk from all the States. Certainly I can not see any good reason why the milk from one State should be subject to an inspection and the milk from another State not be subject to a like inspection.

Mr. SMOOT. I am not complaining of the inspection; I am simply saying what the result will be of this provision in the bill.

Mr. SMITH of Maryland. Of course an advantage may possibly accrue to the nearby States, but there should be no advantage given and no preference given to one State over another in enforcing rules as to the quality of milk to be shipped.

Mr. SMOOT. The result will be that the dairymen of Virginia and of Maryland will make complaint if the inspection is not the same in the case of milk coming from Ohio and from Pennsylvania as in the case of milk coming from the States in which they live. That will be the result of this declaration in the bill.

Mr. LODGE. Mr. President, I should like to ask the Senator whether the regulations require that before milk shall be brought into the District and sold, the dairies from which that milk comes shall be inspected?

Mr. GALLINGER. They do.

Mr. LODGE. Or do they simply require the milk to be inspected when it reaches the District line?

Mr. SMITH of Maryland. I think there is an inspection here also.

Mr. SMOOT. An inspection is not required very often—that is, on any given date or so many times each year—but an inspection is required before the milk can enter the District of Columbia.

Mr. SMITH of Maryland. The object, I think, is to inspect the dairies and the manner in which the cattle are kept in the various States as a safeguard before the milk is shipped. Probably there has been—I do not know whether there has been or not—complaint made that there has been a difference in the inspection. I will say that the health officer does not object to this provision.

Mr. LODGE. Is there an inspection of milk that comes in over the railroads where there has been no inspection of the dairy?

Mr. GALLINGER. Every sample is inspected.

Mr. SMITH of Maryland. Yes.

Mr. LODGE. It is all inspected?

Mr. GALLINGER. It is all inspected.

I want to say in this connection that the health officer has been extremely diligent in his work, as is evidenced by the fact that there were 171 prosecutions in the last year in the District. I understand that charges have been made in some of the New York papers that the milk supply of the District of Columbia is very impure. I do not think there is any justification for that statement. Admitting that the inspectors, who are few in number, can not go to Ohio and to northern New York and inspect diaries as frequently as they do in Virginia and in Maryland, I feel sure that for the most part they are performing their duty very diligently. They can not take a sample of milk from every dairy at the farm and analyze it; that would be impossible; it would take hundreds of men to do that; but every invoice of milk that comes into the District of Columbia is inspected and, if necessary, analyzed.

Mr. POMERENE. Mr. President——

Mr. SMOOT. In addition to what the Senator has said, I wish to say that the inspections are made as often as the appropriation will allow.

Mr. GALLINGER. Certainly.

Mr. SMOOT. We appropriate so much money, and they can not make the inspections any oftener than they do.

Mr. SMITH of Maryland. It seems to me, then, if this inspection is to apply only to certain localities near by, and milk is to be received from other places without inspection, that we had better abolish this inspection, and have it only in the District of Columbia. If one State is to be subject to inspection, and inspectors are to be sent into that State, and they are not to be sent into other States unless the authorities see fit to do so, on account of the distance, then we had better abolish this plan and have some other means of inspecting the milk supply.

Mr. POMERENE. Mr. President, I desire to offer a suggestion. This language is:

The examinations, inspections, rules, and regulations concerning the milk supply of the District of Columbia shall be applied alike to each State shipping milk into said District.

In my own State, for instance, the different boards of health in the various municipalities are very strict in requiring the inspection of the dairies, the testing of milk, and so forth. If the rules adopted by the board of health here require an inspection of all these dairies by local inspectors, of course it is going to work a hardship; but could not this be changed in some way so as to permit the shipping of milk into the District, for instance, from Ohio, provided the dairies and the cows there are inspected and subjected to tests, just as they are for the local markets?

Mr. SMITH of Maryland. That would be all right; but let that apply to the other States, too. The States near by here have their local inspection, State inspection, and very rigid inspection; but I claim that there is no justification for having the inspection in one State more rigid than that in another. Let it be equal. If it is not necessary to have the milk in the State of Ohio or in the State of New York inspected by the Government, then let us abolish the law and cease to inspect it in all the States.

Mr. POMERENE. I am not objecting at all to inspection. I believe in very rigid inspection and testing of milk, and so forth, that comes in for consumption; but I do not feel that it should be a condition precedent to the shipment of milk to this District from other States to have an inspection by your local inspectors.

Mr. WILLIAMS. Mr. President, I should like to suggest to the Senator from Ohio and the Senator from Maryland, both, that if you should require the milk when it comes here to be accompanied by a certificate showing that the dairy from which it came had been inspected by the State authorities, it seems to me that ought to be sufficient.

Mr. POMERENE. There is no objection to that.

Mr. WILLIAMS. But if you are going to make that apply to Ohio, of course it should apply to Virginia and to Maryland or any other State.

Mr. POMERENE. I simply used Ohio as an illustration.

Mr. WILLIAMS. It might be well to amend it so as to require that the milk shall be accompanied by a certificate from the proper State authorities that the dairy whence it came had been inspected.

Mr. SMITH of Maryland. All that this is intended for is that all shall be treated alike.

Mr. WILLIAMS. Yes; that would be a way of treating all alike.

Mr. SMITH of Maryland. If the local inspection is sufficient for the State of Ohio or the State of New York, it ought to be sufficient for the State of Virginia or the State of Maryland.

Mr. WILLIAMS. I think the Senator is right about that. They ought all to be treated alike. This is a way of treating them alike and still preserving the autonomy of each State and paying some due, courteous respect to its authorities.

Mr. POMERENE. There may be one plan of inspection here in the District and another in each of the several States, and they may be equally efficient but different in form.

Mr. WILLIAMS. Very well. Then, if you want to give protection, provide that an inspection of a certain character and kind shall be certified as having taken place, and put the kind of inspection in the bill.

Mr. POMERENE. That would be better.

Mr. BRISTOW. Mr. President, I wish to suggest that I have heard complaints from farmers in the vicinity of Washington that there is uncertainty as to the value of the inspections. I heard a farmer say that one inspector inspected a herd in his vicinity and condemned them as unhealthy within 30 days after they had been inspected by a former inspector, who pronounced them healthy; and then, later, the inspector of another State came along and inspected the same herd, and pronounced them all right. Now, what is the farmer to do? Two inspectors representing one authority differed as to the condition of health of the herd, and another representing another authority differed from them. The farmer is subject to all, because he markets his milk in both States.

Mr. SMITH of Maryland. Then it would look as if they were overinspected.

Mr. BRISTOW. I do not doubt it. I think there ought to be some system by which it could be tested, and then the farmer could know when his herd was all right and when it was not, and not be harrassed by continual inspectors disagreeing as to the healthful condition of his herd.

Mr. SMITH of Maryland. At the same time, the Senator will agree that they ought all to be treated alike, I think.

Mr. BRISTOW. Certainly; but I do think some provision ought to be made to protect the farmer as well as the consumer. I know a farmer who lost more than half of his herd. When he bought the cows they were all certified by an inspector as being in perfectly healthy condition; then another inspector came along and condemned them, and ordered them to be shot. I do think there ought to be some protection against incidents of that kind. The matter is too serious to the man who incurs the loss. It may be treated lightly by those who do not incur any loss, but it is a mighty serious thing to the man who does.

Mr. LODGE. Mr. President, I do not know enough about the regulations of the District of Columbia or what is required here to speak with any authority upon this subject, but I do know that it is a matter of the very utmost importance to try to secure a good milk supply for a great city.

In my State, in the great city of Boston, we have very strict laws, and yet we are exposed to this state of affairs: The railroads bring in milk picked up at the stations through Vermont, New Hampshire, and Maine which never has been inspected in those States, inspection not being required because the milk is going out of the State. It is brought into Massachusetts, and we can not do anything about it, because it would be an interference with interstate commerce. That creates a very real danger in the milk supply.

I think the District of Columbia, which has a large city, Washington, ought to have proper protection in regard to its milk supply. It is of the utmost importance that it should be good to prevent the spread of disease among both children and adults. It is impossible for us to send inspectors all over the States to look after herds everywhere, but certainly there should be some inspection of milk brought into the District over the cars, of which the authorities here may not know the origin at all.

Mr. SMITH of Maryland. It is inspected after it is brought here.

Mr. BRISTOW. But may I inquire of the Senator from Massachusetts if it is not just as important that the farmer who owns the herds should be treated with proper consideration? If we are going to have a good milk supply here, it is necessary that the farmers who produce the milk shall have some certainty as to the character and quality of the inspection; otherwise, it discourages the business.

Mr. LODGE. I think the first thing to be guarded in the matter is the public health—particularly the health of children. I think that is much more important.

Mr. SMITH of Maryland. I will say to the Senators that we are going to get the rules that apply to the District, and to-morrow we will take up this matter in that regard.

Mr. POMERENE. Then this amendment will be passed over until to-morrow?

Mr. SMITH of Maryland. We will pass over this amendment for the present.

EXECUTIVE SESSION.

Mr. STONE. Mr. President, with the consent of the Senator from Maryland, I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 10 minutes spent in executive session the doors were reopened, and (at 6 o'clock p. m.) the Senate adjourned until to-morrow, Wednesday, January 13, 1915, at 12 o'clock meridian.

CONFIRMATIONS.

Executive nominations confirmed by the Senate January 12, 1915.

POSTMASTERS.

ALABAMA.

Adrienne G. Wilson, Russellville.

ARIZONA.

Lawrence S. Williams, Williams.

ARKANSAS.

Lawrence D. Ballew, Des Arc.
Benjamin C. Milhoan, Hartford.

CALIFORNIA.

W. A. Dickey, Chino.
George R. Frampton, Artesia.
S. J. Hindmann, Inglewood.
Harry Hines, Santa Monica.
W. B. King, Atwater.
John Mitchell, Ontario.
C. D. Overshiner, Santa Ana.
Lewis C. Poor, Sherman.
Nathan L. Rannells, La Jolla.
Alfred W. Rozier, Tuolumne.
Leota M. Stewart, Rialto.

COLORADO.

James M. Brown, Mancos.
Walstien N. Haas, Silverton.
Virgil C. Ledford, Craig.

Thomas Mowatt, Ouray.
J. W. C. Shepherd, Meeker.
D. Lee Staley, Telluride.
John Uglow, Olathe.

CONNECTICUT.

George H. Foley, Mystic.
William E. Hanley, Stafford Springs.
Everett I. Pardee, Cheshire.

DELAWARE.

George R. Mears, Georgetown.

GEORGIA.

William T. Adkins, Edison.
Wilbur S. Freeman, Claxton.
T. B. Perry, Camilla.
Fannie Lou Smith, Reidsville.

HAWAII.

Edward B. Friel, Lahaina.

IDAHO.

James Campbell, Hope.
Kenneth G. Phelps, Richfield.

ILLINOIS.

John T. Carroll, Toluca.
Joseph C. Lampert, Lena.
John R. Paskell, Henry.
Glen Petefish, Virginia.

INDIANA.

Frank E. Campbell, Red Key.
Edward E. Cox, Hartford City.
George W. Doyle, Vanburen.
Alfred M. Hiatt, Pennville.
B. F. Houseman, Dunkirk.
John Postma, Milford.
Charles W. Reed, Upland.
Ellis S. Rees, Winamac.
Don C. Ward, Union City.

IOWA.

Thomas J. Capper, Elgin.
Harry H. Cate, Anita.
William Cohrt, Gladbrook.
Patrick H. Donlon, Emmetsburg.
H. E. Eiel, Buffalo Center.
John Hickey, Vail.
Edward J. Kooreman, Alton.
Fank McShane, Springfield.
F. D. Mead, Cresco.
Stanley Miller, Mount Pleasant.
William J Nelson, Grinnell.
Ella C. Nolan, Ruthven.
Jesse A. Winger, Newton.

KANSAS.

Claud Alley, Oxford.
James W. Adams, Lebanon.
Roscoe R. Beam, Anthony.
John T. Brothers, National Military Home.
William F. Grosser, Salina.
George S. Hartley, Arkansas City.
John W. Lapham, Chanute.
George A. Milliman, Oakley.
Edwin F. Moody, Onaga.
Thomas Torgeson, White City.

KENTUCKY.

William H. Atteberry, Munfordville.
Charles Hadden, Jackson.

MAINE.

Alvin E. Dresser, Millbridge.

MICHIGAN.

William A. Atyeo, Belleville.

MISSISSIPPI.

Richard H. Coke, Mendenhall.

MISSOURI.

Frank D. Ball, Holden.
Arthur L. Carter, Fairfax.
Robert L. Hamilton, Salisbury.
A. E. Michie, Webb City.
J. B. Smith, Farmington.
D. F. Willm, Crystal City.
Bennett Wardlow, Lancaster.
Peter J. Weber, Tipton.
M. B. Yates, Pattonsburg.
Will H. Zorn, Westplains.

MONTANA.

J. H. Hines, Valier.
David J. Kane, East Helena.

NEBRASKA.

I. R. Darnell, Benkelman.
Fanny Dworak, Howell.
Claude B. Grace, Trenton.
W. H. Latham, Curtis.

NEW HAMPSHIRE.

Andrew D. Davis, North Conway.
Charles E. Shepard, New London.

NEW JERSEY.

Maude V. Richer, Audubon.

NEW YORK.

Patrick H. Lyons, Kings Park.
Roy J. Paxon, Akron.

NORTH CAROLINA.

R. S. Newton, Southport.
William M. Henry, Brevard.
Walter S. Thomas, Rockingham.

OHIO.

Eugene C. Chapman, Plain City.
Freda M. Milligan, Lowellville.

OREGON.

Cornelius Buchanan, Florence.

SOUTH CAROLINA.

J. Henry Bodie, Leesville.
Clarence D. Cooper, Mayesville.
George W. Dick, Sumter.
Frank George, Lexington.
Alva K. Lorenz, Aiken.

SOUTH DAKOTA.

W. L. Butler, Frankfort.
John L. Davis, Letcher.
William Spencer, Onida.
Lewis E. Whitcher, Highmore.

TEXAS.

Monroe R. Allen, Weimer.
J. L. Crawford, San Benito.
Paul L. Alexander, Lamesa.
Cicero Harper, Moran.
J. Lester Hodges, Junction.
E. A. Shelton, El Paso.
Virgil E. Todd, Gilmer.
A. H. Wolfe, Ladonia.

VERMONT.

James A. Donahue, Essex Junction.
Frederick L. Smith, Brandon.

VIRGINIA.

Frank L. Sublett, Harrisonburg.

WASHINGTON.

John J. Carney, Aberdeen.
J. E. Janosky, Connell.
W. F. Roberts, jr., Elma.
William Rouse, Stanwood.

WEST VIRGINIA.

J. F. Beatty, Mannington.
Charles E. Manley, Fairmont.

WYOMING.

C. E. Nolan, Superior.

HOUSE OF REPRESENTATIVES.

TUESDAY, *January 12, 1915.*

The House met at 11 oclock a. m.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Thou who art the light of the world, the inspiration of all real greatness, the hope of our salvation, fill the hearts, we beseech Thee, of these Thy servants with true patriotism, that they may rise to the dignity of statesmen on every question of moment, on every vital issue that may come before them, that the people of this great Nation whom they represent may be faithfully and efficiently served. In the spirit of Jesus Christ our Lord and Master. Amen.

The Journal of the proceedings of yesterday was read and approved.

WOMAN SUFFRAGE.

Mr. HENRY. Mr. Speaker, I offer the following privileged resolution from the Committee on Rules, which I send to the desk and ask to have read.

The Clerk read as follows:

House resolution 703 (H. Rept. 1276).

Resolved, That immediately upon the adoption of this resolution the House shall proceed to the consideration of H. J. Res. 1. There shall be not exceeding six hours' general debate, to be divided between those favoring and those opposing the resolution. At the conclusion of such general debate the resolution shall be considered for amendment under the five-minute rule. Whereupon the previous question shall be considered as ordered on the resolution to final passage, without any intervening motion, except one motion to recommit: *Provided*, That all Members speaking upon the resolution or amendments offered thereto shall have the privilege of extending their remarks in the RECORD, and all Members shall have the right to print remarks for not exceeding five legislative days: *Provided further*, That all debate shall be confined to the subject matter of the resolution.

Mr. HENRY. Mr. Speaker, I will ask the gentleman from Kansas [Mr. CAMPBELL] about how much time he desires for discussion of the rule?

Mr. CAMPBELL. Mr. Speaker, I have considerable requests for time. Has the gentleman from Texas any suggestion as to time on the rule?

Mr. HENRY. Mr. Speaker, it seems to me an hour ought to be sufficient, 30 minutes on a side.

Mr. CAMPBELL. I have requests for more time than that.

Mr. HENRY. Does not the gentleman think he could get along with 30 minutes on his side? There will be 6 hours of general debate.

Mr. CAMPBELL. I wish the gentleman from Texas would suggest an hour on a side.

Mr. HENRY. Mr. Speaker, I ask unanimous consent that there be two hours of debate on the rule, one hour to be controlled by myself and one hour by the gentleman from Kansas [Mr. CAMPBELL], at the end of which time the previous question shall be considered as ordered on the resolution.

The SPEAKER. The gentleman from Texas asks unanimous consent that debate on the rule be limited to two hours, one half to be controlled by himself and the other half by the gentleman from Kansas [Mr. CAMPBELL], and that at the end of the two hours the previous question shall be considered as ordered on the resolution. Is there objection?

Mr. GARRETT of Tennessee. Mr. Speaker, reserving the right to object, I wish to ask the gentleman from Texas what the rule provides as to debate on the main proposition?

Mr. HENRY. Mr. Speaker, the rule provides for six hours of general debate, and then the Mondell amendment shall be considered under the five-minute rule.

Mr. GARRETT of Tennessee. Were the six hours agreed upon without difficulty in the committee in fixing the resolution as to the amount of time that should properly be allotted for the discussion of this subject?

Mr. HENRY. I think there was considerable difficulty. Some gentleman wanted much longer time than six hours for general debate.

Mr. GARRETT of Tennessee. I suppose there is not really going to be any discussion of the rule itself, is there? It is going to be on the main proposition.

Mr. CAMPBELL. The discussion, of course, will be on the main proposition.

Mr. GARRETT of Tennessee. Mr. Speaker, I object.

Mr. MANN. Mr. Speaker, will the gentleman from Tennessee withhold his objection for a moment?

Mr. GARRETT of Tennessee. I reserve the right to object.

Mr. MANN. Ordering the previous question will probably save time. Otherwise there might be a roll call; and if agreement can be reached to order the previous question, in the end is it not better to give that much time to the debate, where gentlemen desire it?

Mr. GARRETT of Tennessee. Mr. Speaker, if the debate were confined to the rule, I will say frankly to the gentleman from Illinois that I would not object, but I have really grown a trifle weary of rules being brought in here and then discussions upon the main proposition being had instead of upon the rule. I am willing always, and always have been, to have liberal debate upon great propositions like this, when it is to be upon the main proposition, but evasion and debating of the main proposition under the guise of debating the rule does not appeal to me.

Mr. MANN. If the gentleman will yield further, it is a practical proposition. Unless the gentleman from Texas should move the previous question within an hour's time, the gentleman from Kansas [Mr. CAMPBELL], I take it, or somebody else would be entitled to be recognized for an hour, and at the end of the two hours the previous question would still not be ordered.

Mr. GARRETT of Tennessee. Mr. Speaker, the gentleman from Texas could now move the previous question.

Mr. MANN. He can move it any time.

Mr. GARRETT of Tennessee. That would leave 20 minutes of debate on a side on the rule, and that is what I am in favor of.

Mr. HENRY. Mr. Speaker, I make this suggestion, that we agree that the previous question shall be considered as ordered at the end of one hour and a half debate on the rule—45 minutes to be controlled by myself and 45 by the gentleman from Kansas [Mr. CAMPBELL]—and we will really save time by that, if we order the previous question now.

The SPEAKER. The gentleman from Texas [Mr. HENRY] asks unanimous consent that debate on this rule shall not exceed an hour and a half, 45 minutes to be controlled by himself and 45 minutes by the gentleman from Kansas, and that at the end of an hour and a half the previous question shall be considered as ordered. Is there objection?

Mr. GARNER. Mr. Speaker, reserving the right to object, I would like to ask my colleague from Texas a question for the general information of the House. Does the gentleman propose to conclude this matter on this legislative day?

Mr. HENRY. Yes; the intention is to finish it to-night.

Mr. GARNER. In other words, there is to be six hours of general debate and an hour and a half, which would make seven hours and a half of debate, which with the consideration under the five-minute rule would take it at least until 8 o'clock.

Mr. HENRY. I think we can easily finish it by 8 o'clock to-night.

Mr. GARNER. I ask for information both for myself and other Members.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none, and the gentleman from Texas is recognized for 45 minutes.

Mr. HENRY. Mr. Speaker, it seems to me the rule is plain enough. It provides that immediately upon the adoption of this resolution the House shall proceed to consider the Mondell suffrage amendment, and then for general debate not to exceed six hours. After that the resolution shall be considered under the five-minute rule allowing the utmost freedom of amendment and debate. Therefore there is nothing in the terms of the rule that makes it severe or unreasonable, and I take it that the House is ready to meet this question fairly and to vote whether or not we shall grant the women of this country the elective franchise.

Democratic Representatives have already met in caucus during this Congress and decided by a record vote that this is a State question, and the proposition should be remanded to the respective States for solution and settlement. I assume that gentlemen of my party are now ready for a record vote in this House as in the Democratic caucus, and take the same stand they did when they had it up for consideration in our party deliberations. And I assume also that gentlemen on that side of the House are ready to meet this important question, which is a great issue. There has been much agitation and consideration, and I have always taken the position that when any great problem like this has been before the American people and they have considered it that their Representatives should accord to them the privilege of considering it on the floor of this House. As far as I am concerned, after mature consideration I have come to a conclusion and shall have no difficulty in supporting the special rule which brings it before the House and less difficulty in casting my vote against the Mondell amendment and raising my voice against it. Recently, on the 22d day of December, we have before this House the Hobson amendment providing for national prohibition, and I voted and spoke against that amendment. In the course of my remarks I took occasion to say that if there are any two questions that pertain to the jurisdiction of the States they are those in regard to the police powers and the right of suffrage. When this Government was fashioned by the Constitution of 1789 if it had been proposed in any State in this Union that we should take the police powers away from the States or that we should lay the hands of the Federal Government on the rights of citizens to vote according to the constitutions and laws of the various States, there would not have been a single State of the original 13 in their constitutional conventions that would have voted to ratify this amendment.

Indeed many historians think that if the Constitution as originally drawn had been submitted to a popular vote of the people in the thirteen States it would not have been ratified, as was done by the various State conventions, and so narrow was

the margin in several States, even after the first 10 amendments had been tentatively agreed upon, that the Constitution almost failed of ratification. And the first State that raised its voice against the Constitution as drawn was the Commonwealth of Massachusetts, upon the sole and simple ground that the rights of the State, the sovereignty and integrity and powers of the State, had not been sufficiently preserved in the original draft of the Constitution, and Samuel Adams, who sat in the Philadelphia convention and signed the Declaration of Independence, took the position that if those first 10 amendments were not proposed and agreed upon the Constitution should not be ratified. Gov. Hancock agreed with him, and it was Massachusetts that proposed to the other States that these first 10 amendments should be adopted, so that the right and the sovereignty of the people should be preserved inviolate forever. Mr. Speaker, the time has come when the Representatives of the American people should take their bearing and consider whither we are drifting.

Mr. HOBSON. Will the gentleman yield for a question?

Mr. HENRY. I will yield for a short question.

Mr. HOBSON. Do I understand the gentleman from Texas as intimating that it might have been a preferable policy to have referred the ratification of the original Constitution to a popular vote, which would have rejected it?

Mr. HENRY. Oh, no. I think our fathers were wise at that time when they submitted the Constitution to the constitutional conventions in the various States for their action. I am only talking about what the sentiment then was, and was going on to say that until it was proposed that those 10 amendments should be proposed and adopted the Constitution never had a chance to be ratified in any one of the States of the Union, either by a popular vote of all the people or by a constitutional convention. Why, after it had been universally agreed by the people of every State in the Union that those 10 amendments were to become a part of the Constitution, Virginia, by the scant majority of 189 to 179 votes in her convention, ratified the Constitution, and there was not a difference of more than 3 votes in some of the great States that had the question under consideration.

And after Massachusetts proposed these amendments the people were persuaded to ratify the Constitution by the strongest kind of arguments from Alexander Hamilton, James Madison, and John Jay, in their papers published in the Federalist. And as it was the Constitution was barely adopted. I say, and repeat it again, that if anyone had proposed in any of those conventions that the people of any State should surrender their police powers or should give up their right to control suffrage in every State there would not have been a single State to ratify the original Constitution. Therefore I say that it is time for us to take our course and bearings and ascertain whither our course leads us. For my part I have long since concluded that I will not cast my vote for any amendment, no matter in what language it may be written, that will take the right away from the State to control their police powers and to absolutely determine every phase of the suffrage question in every State of the Union. Therefore I shall vote against this amendment when the House comes to a final conclusion and shall raise my voice against it here and elsewhere whenever I am called upon to give utterance to my views.

Mr. Speaker, I reserve the balance of my time.

The SPEAKER. The gentleman from Texas reserves 35 minutes. The gentleman from Kansas [Mr. CAMPBELL] is recognized for 45 minutes.

Mr. CAMPBELL. Mr. Speaker, the rule under consideration makes it in order to vote on the submission of an amendment to the Constitution giving the women of America the privilege of voting.

Unlike the gentleman from Texas, I favor both the rule and the resolution. The question is of very great importance. It touches the life of the Republic at every point among all its millions of inhabitants; for the better, if those who favor it are right; for the worse, if those who oppose it are right. I firmly believe that asking the women of our country to take part in the selection of our officers and in the solution of our political problems will give the Republic a new birth and a new life, for the better in all things.

The question, Mr. Speaker, is, therefore, with due deference to the opinion of the President, of greater moment than the establishment of employment agencies even after two years of Democratic administration. The President and many of his followers insist that granting the right of suffrage to women is one that must be dealt with by the States. He invokes the doctrine of State sovereignty with the same enthusiasm and confidence that others of his party invoked that doctrine in favor of human slavery in other days. The doctrine of State rights would be a better shield to use against woman's suffrage if it were also invoked against Federal authority in preventing the spread of yellow fever and the ravages of the boll weevil in Southern States and the establishment of employment agencies in the industrial centers of the North, where there are to-day so many jobless men.

Why, within the few weeks last passed the gentleman from Texas has made these walls echo with his eloquence in support of a proposition requiring the Federal Government to finance the cotton planters of Texas, taking the place of local Texas banks.

Mr. HENRY. Will the gentleman yield?

Mr. CAMPBELL. For a question.

Mr. HENRY. Is not the gentleman aware of the fact that when the Constitution was written the States expressly delegated to the Federal Government the right to coin money, regulate the value thereof, and supply an adequate amount of currency to the people of the various States?

Mr. CAMPBELL. Oh, yes; but no one has yet assumed that that grant of the Constitution imposed upon the Federal Government the duty of financing an admittedly bankrupt private enterprise in any State of the Union. What is asked here is an amendment to the Federal Constitution giving the right of franchise to half of our adult population, so that it can be exercised under the same constitutional rights as that of coining money or regulating its value as provided for in the original document. The same Constitution provided for its amendment, and here, in an orderly way, we are seeking to amend it on a most important subject.

The laws relative to the franchise and voting should be the same in all our country. Experience and conditions incident to the matter of establishing qualifications for voting argue for the same law for all parts of the country and for 1 law instead of 48 to accomplish the same general purpose. State lines have been yielding to the demands for government from Washington more and more in recent years. The selection and maintenance, therefore, of the Government at Washington, as a matter of right, should be under franchise and election laws enacted in Washington. To say the least, the opportunity should be given to amend the Constitution in this important particular, if the people of the States see fit to make the change. And the President, as the leader of his party, when he charges the opposition with not having a new idea in 30 years, should at least find some buffer for everything new that is proposed besides the doctrine of State sovereignty that surrendered at Appomattox half a century ago.

The question of woman suffrage is of first importance on both sides of the Atlantic and is associated in every mind with political and sociological changes that look to the betterment of mankind. Men have assumed the authority to govern for more than 60 centuries—20 centuries under Christian civilization—and yet men settle questions of difference to-day in Europe and America with the same barbaric force that Cain and Abel resorted to in the settlement of their first dispute.

Under the direction of men the flower of the young manhood, the pride of mothers, and the only hope of a great posterity in Europe, is to-day sacrificed in barbaric war. Young men are slaughtered by ten and hundreds of thousands, and millions are maimed for life. Standing in the dawn of the twentieth century, it all staggers the imagination.

Last April the President of the United States invoked in our own country the war forces of our Nation to settle a difference with the then President of the Republic of Mexico. The contending forces of the two countries met in the battle of Vera Cruz and the sons of 21 American mothers were killed and 155 Mexicans met their death, some of them women and children. And after the burial of the dead nothing was settled. The salute was not fired and the arms and ammunition for the President of Mexico that had Vera Cruz for their destination were landed at another Mexican port. Nothing was settled.

Mr. Speaker, the women who furnish the men to fight the battles should have something to say as to what conditions justify the battles to be fought. [Applause on the floor and in the galleries.]

The SPEAKER. The Chair wishes to admonish the people in the galleries once more. They must not give signs of assent or dissent by way of applause, and if they should continue it the Chair will be obliged to have the galleries cleared. [Applause.]

Mr. CAMPBELL. After all, Mr. Speaker, have we made much progress in some of the really great questions of government? We easily break through the veneer we call civilization and expose the barbarian. May we not hope that in both minor and major matters the participation of the mothers of the Nation in the affairs of the Nation will early result in the betterment of many sociological and political conditions, and in the settle-

ment of international disputes without resorting to the arbitrament of arms, and in the establishment of a really substantial civilization?

Woman has been equal to every duty that has been imposed upon her and to every responsibility she has assumed. The franchise will give her opportunities for good in the Republic, if what we have been taught and what we teach with respect to high standards of voters and voting is true. Women will raise the standard in politics as she has raised and maintained the standard in every relation she sustains in life.

Mr. Speaker, I reserve the remainder of my time.

Mr. BUTLER. Mr. Speaker, before the gentleman takes his seat will he permit me to ask him a question?

The SPEAKER. Does the gentleman from Kansas yield to the gentleman from Pennsylvania?

Mr. CAMPBELL. How much time have I remaining, Mr. Speaker?

The SPEAKER. The gentleman used 12 minutes.

Mr. CAMPBELL. I yield to the gentleman for a question.

Mr. BUTLER. As I understand, the only question before us here is whether or not we are willing to propose this amendment to the legislatures of the different States?

Mr. CAMPBELL. That is the question before the House to-day.

Mr. BUTLER. Are you a member of the Committee on Rules?

Mr. CAMPBELL. Yes.

Mr. BUTLER. Were you not willing that the Committee on Rules should let the House determine this question?

Mr. CAMPBELL. Oh, certainly.

Mr. BUTLER. Then, why not go ahead and submit this question to the States?

Mr. CAMPBELL. I leave that to the gentleman from Texas and those who agree with him to answer. I favored the resolution in committee, and I favor it here.

Mr. ADAIR. Mr. Speaker, will the gentleman yield?

The SPEAKER. Does the gentleman from Kansas yield to the gentleman from Indiana?

Mr. CAMPBELL. Yes.

Mr. ADAIR. I want to ask the gentleman a question. I may say that I intend to vote for this resolution. I want to ask the gentleman from Kansas whether his party has declared for woman suffrage in their last platform or any other platform?

Mr. CAMPBELL. Oh, no. I am assuming the responsibility here. There are some new things in the Republican Party, the President's assertion to the contrary notwithstanding; and he should discover something newer than the doctrine of State sovereignty as a shield against everything new. [Applause.]

Mr. HENRY. Mr. Speaker, I yield 10 minutes to the gentleman from Pennsylvania [Mr. KELLY].

The SPEAKER. The gentleman from Pennsylvania [Mr. KELLY] is recognized for 10 minutes.

Mr. KELLY of Pennsylvania. Mr. Speaker and gentlemen of the House, this proposition is one which was discussed in great detail in the Committee on Rules. As a member of that committee I had the privilege of voting to report it to the House for action. A three-day hearing was held by the committee, and the main thing demonstrated there was that the demand for woman suffrage is not a sectional but a national demand.

Its advocates are found in every State and probably every town in the Union. The South has its organizations devoted to this cause just as the North and East and West. It is not a class movement, and the leader in exclusive society vies with the working girl in enthusiasm and devotion. It is an American movement, and the refined, home-loving women of America make up its vital strength.

They have placed their plea before Congress as the body which represents the entire Nation. This proposed constitutional amendment places the question of woman suffrage squarely where it belongs, in the national field of action. If it is right and expedient that women should vote in Oregon, it is equally right and expedient that they should vote in Pennsylvania. There is no magic power in a State line to make the women in Illinois fit to govern themselves and in Kentucky unfit to govern themselves.

There is no just reason why the question of woman suffrage should be met piecemeal and solved in fractions. America is not a collection of sovereign States; it is a Nation, founded on the sovereignty of its people. The Constitution is the organic law of the Nation, and it provides for its own amendment. The method provided is difficult, so difficult that it requires an almost unanimous public sentiment in order to secure its amendment. Three-fourths of the States must ratify a proposed amendment before it becomes effective, and this makes it possible for a most insignificant minority to prevent a change. One-fortieth of the voters may prevent the adoption of an amendment demanded by thirty-nine fortieths of the voters.

In spite of such handicaps the supporters of woman suffrage are simply asking that Congress refer this amendment to the States for their action. It is a just request and calls upon Congress to perform its duty only, to submit a question which is of vital importance to the States for their decision, whatever that decision may be. With the demand coming from all quarters, with public sentiment fully formed, and the people ready to act upon the question, I maintain that no Representative of the people is justified in voting to refuse to allow the solution by the duly constituted power.

Woman suffrage is a natural evolution in that democracy which has traversed the centuries, gaining new victories with every conflict. The ballot has always been regarded as the symbol of human liberty, and it has been secured by larger groups in every forward movement. In spite of every effort on the part of the few, who have always sought to control government for their own selfish ends, property qualifications, religious tests, and other barriers have been thrown down and universal manhood suffrage is an accomplished fact.

To-day the ballot is denied but one class of American citizens, and that class America's women. The scum and riffraff of the land, the unconvicted thief and thug, the moral leper, take their places at the ballot box as American citizens, while the womanhood of the Nation is pushed aside. Such injustice can not long endure, and no power of reaction can stop the final determination of America that as the ballot is not conditioned on race nor color neither shall it be conditioned on sex.

I believe in woman suffrage, because I believe in democracy. The person who opposes woman suffrage may be a believer in democracy, but he does not believe in putting it into practice. That kind of faith without works is about the deadest thing imaginable.

I believe that the government where the supreme controlling power is vested in the entire citizenship is the best possible form of government. Supreme power in the hands of a few, or a particular class, has never resulted and will never result in the welfare of the many. The rights and interests of individuals and classes can only be safeguarded when they are able to give effective expression of their will. The only way to give an effective expression of will in this country is through the pencil in the booth on the day of election. The ballot is a weapon of defense and a tool for service, and neither the securing of rights nor the performance of duties in the best sense is possible without it. When officials are chosen without the consent of all, then those who had no voice in their selection are subjects, not citizens. Women are citizens, they are part of the people, and they have a right to help elect those who shall represent them and to help make the laws under which they shall live and to which they must render obedience.

Are the rights and interests of women safeguarded to-day where they can not enforce their demand through the ballot? Let us consider the case of the 1,514,000 women who are working in the field; most of them labor south of the Mason and Dixon line. It is a half million more than the number of slaves who worked in the fields when this Nation declared war on slavery.

Four hundred and nine thousand of this number are 16 years of age and under. They are robbed of their childhood and forced to toil inhumanly long hours in heavy drudgery. Nine hundred and fifty thousand are between 16 and 45 years of age; their round of life is barren of hope and happiness and the future holds nothing for them but despair. One hundred and sixty-five thousand are 45 years of age and over; even old age can not escape the burdens which would prove unendurable to the average man.

These are facts given in the census reports and they can not be denied. In spite of the boasted chivalry of opponents of woman suffrage, who declare that they wish to place woman on the pedestal of reverence and worship, here are sweethearts, wives, and mothers torn from the home and chained to the plow. These women form a chain gang of civilization, and their condition should bring the blush of shame to every American.

Do you hear an outcry against this degradation of womanhood from these worshippers of lovely woman, who declare that their sole desire is to protect women from contact with the sordid world? They have time to consider many questions, but not a moment for this problem of the woman in the fields. They forget these helpless, defenseless ones because they can not demand attention and enforce that demand.

It is not necessary to select one class of woman workers to prove the injustice which exists. The whole range of woman's part in industry shows that women do not secure the same share of the wealth they produce as do men. Three-fifths of all women

in industry, according to Prof. Scott Nearing, get less than $8 a week. At a hearing in New York City last week a representative of the Wanamaker stores testified that $9 a week was the least on which a woman worker could be expected to maintain herself decently. The study of minimum wage commissions in many States and cities has shown that a very large proportion of the women workers in American industry receive less than a living wage; that is, a sum sufficient to maintain physical conditions alone at the most efficient standard.

In many cases women work side by side with men, performing the same duties and producing the same output, at half the wages. The ballot in the hands of women will break down this system of unequal pay and nothing else will do it. Hon. Carroll D. Wright, the famous statistician, after long study, makes that assertion directly when he says:

The lack of direct political influence constitutes a powerful reason why women's wages have been kept at a minimum.

A comparison between States where women have direct political influence and States where they do not settles all arguments on this score. For instance, in Massachusetts the average pay of the woman school-teacher is but one-third that of men, while in Wyoming and Utah it is provided that there shall be equal pay for equal work.

I maintain that until women have the right of franchise they can not secure justice for themselves. Until they secure it we must expect conditions such as I have described, together with a situation which permits the payment of a fine of $20 by the owners of a Triangle factory, whose negligence results in a fire which costs the lives of 145 women employees. We must expect to see legislatures appropriating millions of the money of all the people for the protection of cattle and hogs and sheep while the claims of womanhood for a square deal go unheeded.

But I go further and maintain that the Nation needs the vote of its womanhood fully as much as the women need the ballot. This Nation needs intelligent, educated voters, and more girls than boys are being graduated from our high schools and colleges every year. It needs native-born voters, and there are 129 men of foreign birth to every 100 women of foreign birth in the country. It needs law-abiding votes, and women form the minority of all the criminal and vicious classes. It needs voters who will put the rights of humanity above the right to plunder, and woman by her very nature is peculiarly interested in conserving human life and surrounding it with the greatest possible protection.

To-day, as always, the first and greatest item in humanity's bill of rights is the right to live. With America's womanhood prevented from giving an effective expression to her will, how has America dealt with the conditions which menace life and health? The answer comes back in a famous phrase, "Human life is the cheapest commodity in America."

Although the care of the public health is the first duty of statesmen, we have so neglected the whole question that even the statistics necessary to an accurate statement of the situation is lacking. I have searched long and arduously to glean from governmental publications some actual facts regarding vital statistics in this country, but I have searched in vain. If you desire to know the number of farm animals in this country, you can secure the information easily. You can not learn how many American citizens died last year. You can find exactly the extent of tubercular diseases among cattle, but you can not learn the number of Americans suffering from tuberculosis. You can get the figures of the loss of crops due to the boll weevil; you can not get the figures of the loss due to typhoid fever.

To remedy such a situation I have introduced a measure in this Congress which would enable us to at least know the truth, so that we might arrive at a remedy. Needless to say, in the strenuous rush of passing legislation dealing with the things of property, Congress has been unable to consider this legislation dealing with persons.

But through partial reports gathered from various sources we can estimate that each year 1,600,000 sons and daughters of American mothers die. Only one-fourth of these are over 65 years of age, so that 1,200,000 persons under 65 years of age die every year. Of that number, 650,000, or more than half, die before they are five years of age. That is a veritable slaughter of the innocents, for a large proportion of them are uselessly sacrificed for lack of the simplest precautions.

One hundred and fifty thousand die from the preventable plague, tuberculosis; 25,000 deaths are due to the preventable disease, typhoid fever; and 135,000 more die from pneumonia, whose ravages are largely due to neglect.

Besides these, 90,000 Americans are killed every year by industrial accidents and other violence, and 500,000 are seriously injured in the same manner.

A conservative estimate of the facts states that at this moment more than a million and a half Americans are on beds of helplessness and suffering from preventable diseases and accidents, while within the next 12 months American mothers will sacrifice 650,000 of their sons and daughters from preventable causes alone.

Do you suppose such conditions would long obtain in the face of the truth that even the simplest precautions would prevent such a toll of life if the mothers of America could wield their influence through the ballot? Even if it tried, the Nation could not resist a life-saving campaign with the mothers of men in a position to demand and enforce action.

But this is only one phase of the influence of women in the realm of government. No political question is before this Nation to-day but affects the woman, whose task of operating the home and feeding and clothing the children is the most important business of the human race.

Is woman's place the home? Then she must have the vote to protect her home. Every function of Government that affects the cost of condition of living affects woman even more than man. A Payne-Aldrich Schedule K exacts its tribute from the mothers, just as a financial or industrial depression lays its crushing weight upon the home maker and home keeper. Voters and their representatives are dealing to-day with food and clothing and water and gas and electric light. They deal with the liquor question and child labor and a hundred other problems which vitally concern the home and childhood. Without a voice in the selection of representatives and the making of laws women are helpless to protect their place—the home—from the evil forces which are bent upon its destruction.

That women will use their power in such an endeavor is not a theory. It has been shown beyond the shadow of a doubt in the States where they have the right of suffrage. Humane, moral, and educational legislation has been placed on the statute books of these States when the same measures are defeated again and again in the States where the women are barred from participation in government.

The Century Magazine last year published an article showing what the "woman-made" laws in Colorado, where equal suffrage has been in operation since 1893, have sought to accomplish. Following is an excerpt from that article:

1893–1900. A State home for dependent children, three of the five members of the board of control to be women; making the mother joint guardian of the child with the father; raising age of protection for girls to 18 years; a State industrial school for girls, three of the five members of the board of control to be women; a factory inspection law, and the creation of the indeterminate sentence, out of which Tom Tynan's wonderful "honor-and-trust" idea has been evolved. * * *

1900–1910. Juvenile court system; drastic compulsory education law; a child-labor law taking little ones under 14 out of factories, stores, and mines and forbidding the employees of those under 16 in unhealthful or dangerous trades; making father and mother joint heirs of deceased child; providing penalties for failure to support aged or infirm parents; a traveling library commission, consisting of five women, for the purpose of seeing that books reach the most remote mountain camp and prairie hut; making it a criminal offense to contribute to the delinquency of a child; a local option law, and the establishment of a State free employment bureau, with offices in all the principal cities and towns.

In considering the laws enacted subsequent to 1910 mark the new economic and industrial emphasis; creation of a minimum wage commission, with power to act; establishment of $50 as a minimum monthly wage for teachers and doubling the length of the minimum school year; amendments putting teeth in the child-labor law, the factory inspection law and the compulsory education law; a workman's compensation act; a law putting loan sharks out of business; a strong nonsupport law, and a companion statute making nonsupport an extraditable offense.

With regard to the liquor traffic there can be no question that the voting woman is as bitterly opposed to the saloon as she is to the brothel. Kansas, of course, has had State-wide prohibition for years; and Illinois, Oregon, and Arizona, where the woman vote is scarcely a year old, can not be fairly counted either one way or the other. All the other six, however, have local option laws that are drying up the liquor like some huge blotter.

Wyoming is 90 per cent dry. Colorado has 50 "dry" counties out of 62. Only 18 of Utah's 28 counties are "wet," and 16 of these are mining camps. Idaho, 90 per cent dry, passed a search and seizure bill at the last session; also a law compelling an oath from patrons of drug stores. And California's list of "dry" towns has grown from 200-odd to over 600 since suffrage.

Mr. Speaker, the test of woman suffrage in the States where the right has been granted proves that it introduces a saving element into the politics of the present day. It centers attention upon the rights of manhood and womanhood and childhood, and this Nation needs that to-day just as it needed it in the days preceding the Civil War. Of that period Wendell Phillips said:

Your Websters, your Clays, your Calhouns, your Douglases, however able intellectually they may have been, have never dared nor cared to touch the moral element of our national life. Either the shallow and heartless trade of politics had eaten out their own moral being or they feared to enter the unknown land of lofty right and wrong.

Neither of these great names has linked itself and its fame with the great moral issue of the day. They deal with money questions,

with tariffs, with State law, and if by any chance they touched the slave question it was only like hucksters trading in the relics of the saints. I risk nothing when I say that the antislavery discussion was the salt of this Nation. It actually kept it alive and wholesome.

To-day another crisis is at hand. Our attention has been given to the production of wealth, and we have succeeded, until our mills and factories are the largest, our tonnage the greatest, our buildings the highest, our material possessions the richest, of any nation on the globe. We blinded ourselves for years in the delusion that these things meant real greatness and that out of such material an enduring temple of national life could be built.

But we are beginning to see that the rights of the many have been despoiled that a few might add new treasures to their already dangerously large store; that immense factories have too often meant a wilderness of darksome city streets, where poverty-stricken ones are reared in want and suffering, under conditions which can not fail to multiply vice and crime.

To grapple with the foes of the common welfare of this Nation requires every moral force that it possesses. The womanhood of America is needed in this battle. I do not profess to believe that woman suffrage will make a paradise of society in a day. Only its enemies have ever professed to believe that. But I do believe that the right of American women to express their will directly will help to take some of the shame from our splendor, some of the greed and crime from our genius and culture, some of the oppression from our prosperity, some of the party-rot-ism from our patriotism, some of the lawlessness from our legislation, and help to bridge the gulf between the house of have and the house of want. It is little short of a crime to shackle and throttle any force in America which will help to do this at a time when it is so badly needed.

To know whether woman suffrage will mean the injection of such a force into politics and government one need go only to its enemies. Arrayed against it you will find every crooked political influence in this Nation, every profiter from privilege, every seeker of unfair advantage, every exploiter of childhood, every interest that thrives on vice and crime. I do not say that no honest men and women oppose it, but I do say that these sinister interests take the lead in every battle against it, because they know what it means. Because I give them credit for a sure and certain appraisal of every beneficial and inimical movement, I would be for woman suffrage on that ground alone. I love it for its enemies, and their enmity is an unanswerable argument that woman suffrage always and everywhere tends to uplift rather than to degrade and to promote the common good of all rather than to give special privileges to the few.

There are arguments coming from respectable sources against it of course. There always are respectable opponents to every great forward movement, for there are always those who believe that everything new is dangerous and that everything old is sacred. It is said that giving the woman the vote means doubling the vote of her father or husband. If that is a valid objection, then a man's son should not be given the vote, because he generally follows in his father's footsteps. Even this objection, however, implies that the woman who is the head of the house and the property owner should have the vote to protect her own interests.

It is said that giving the suffrage to women includes giving it to ignorant and vicious women. But what about the ignorant and vicious men who vote? When it is admitted that there are countless educated and intellectual women competent to exercise a voice in government, making sex the line of disqualification is unjust and absurd.

It is said that it would be degrading for women to vote. Just why the exercise of the high and sovereign right of citizenship at the ballot box is degrading is not stated. If women are too good for the present-day politics, something is sadly wrong with politics, and the purifying influence of these good women is an immediate need. It is more likely that, instead of women being lowered by contact with politics, politics will be lifted up by contact with women.

It is said that the ballot should not be given to women, because of their inexperience in politics. How did men gain their experience? Simply by demanding a voice in the conduct of Government and making use of their opportunities when secured. That is exactly what women are asking—an opportunity to gain the experience. It can not be gained beforehand any more than one can become an accomplished violinist without using a violin.

It is said that women should not have the ballot because all women do not want it. The real question involved is, Why should those who do not want it prohibit those who do want it? Not all the slaves of the Southland wanted freedom, and some refused to leave the condition of bondage to a master, but that did not affect the principle of human freedom. Some women will not vote; neither do some men. But that does not affect the principle that the duties and privileges of citizenship belong by right to women as well as men.

In fact almost every argument advanced in opposition nullifies itself, or is nullified by other arguments in opposition. Some say that women would forsake their children to vote, while others declare that they would not vote at all. Some say their voting would cause strife in the family, while others maintain that they would always vote as their husbands commanded. Some declare that they would perpetually seek to hold office, while others declare that they would not assume the duties of public position. Some declare that women should be satisfied with the present splendid conditions in politics, while others say that politics is a corrupting and contaminating pool. Some declare that women's position without the vote is much more influential than with it, while others declare that they were created to be subordinates.

Some say that woman suffrage is not a success in the States where it has been tried, while others fight its trial elsewhere on the ground that, once tried, it is never given up.

Some say that woman suffrage does not result in the passage of humanitarian and social welfare legislation, while others declare that it always results in the passage of such "dangerous" legislation as child-labor laws, workmen's compensation, minimum wage, and so forth.

Some say that government is founded on force, and those who can not bear arms should not vote, while others declare that it is woman's sphere to bear the soldiers who bear the arms.

Mr. Speaker, these arguments, advanced in apparent good faith by opponents of woman suffrage, but show the weakness of the cobweb strands vainly expected to fetter real democracy in this Nation. Barriers of State rights, with their twilight zones of confusion and irresponsibility; difficulty in amending the Constitution, which shackles the will of the people; powers of privilege, which dread even-handed justice, however potent and subtle, must in the end bow conquered before the right of the womanhood of America to have a voice in government.

The defeat of this resolution can not permanently prevent its triumph. The history of this Nation shows one thing above all others, and that is that any great question of justice and right is never considered settled finally until it is settled right.

I can not chart the future and indicate the date when woman suffrage will be an accomplished fact. I do know that the day must come when America, founded through the groping in human hearts for democracy, will become the land of justice for men and women alike, the sovereign power placed jointly in their hands, to work out their destinies, unfettered and unbound.

There will be no faltering and no retreat until that day of triumph. For it must come before America fulfills her destiny and realizes the aspirations that have thrilled her patriot hearts to heroic deeds and inspired her patriot minds to noble visions, becoming a nation where the rule of all the people has secured for common manhood its deserved respect, common womanhood its earned rewards, and common childhood its inherent right to life and leisure.

Mr. HENRY. Mr. Speaker, I yield five minutes to the gentleman from Alabama [Mr. HOBSON].

Mr. HOBSON. Mr. Speaker, I desire to express my thanks to the gentleman from Texas [Mr. HENRY] for granting me this time, knowing, as he does, that I am in favor of the resolution as well as the rule, and I shall address myself to the question of the rule in its bearing upon State rights. The gentleman from Texas has invoked the sovereignty of the States, enumerating control of their police power and control of the suffrage. The pending resolution does not impose equal suffrage upon the country, but it does permit the States themselves to decide whether they will impose equal suffrage upon themselves and equally upon the Federal Government. The section reads the same for both:

> The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of sex.

Mr. HENRY. Will the gentleman yield for a question there?

Mr. HOBSON. Certainly.

Mr. HENRY. Have not the States that right now?

Mr. HOBSON. Yes; the States have the right now, each to decide for itself, and they should have the additional right to say whether in all the States and in the whole Nation women shall have the ballot.

Mr. HENRY. Has not every State in the Union the right to confer the elective franchise on women?

Mr. HOBSON. It has.

Mr. HENRY. Then why do you need this amendment?

Mr. HOBSON. We would not need it if all the States were to adopt it, but this is the only way to enable all the States to determine the policy of all the States.

The gentleman points out the difficulty of ratification. The gentleman must recognize that that very difficulty of ratification is a guaranty that the States will not act hastily or unwisely. The gentleman and those similarly minded might not trust a majority of the States, but surely if they really trust the States they should have confidence in the action of three-fourths of all the States.

The gentleman referred to the action of the Democratic caucus. The Democratic caucus pronounced this a question for the States. This resolution would take the question out of national politics and make it a State question pure and simple whether the States wish to ratify or not. The gentleman invoked the question of police power. Police power is the power of self-protection. In it resides the inherent essence of State sovereignty—the right of each State to protect the life, health, liberty, and good morals of its own citizens. To-day great interstate and national agencies are trampling upon those rights. The States have the right to employ the votes of both sexes to strengthen their real police powers.

Reference has been made to the great reform of abolishing war, one of the greatest reforms of the ages, in which woman's influence will be felt almost unanimously on the side of peace.

I desire also to refer to an even more organic reform, that of stopping the debauching of the youth of this land and all lands, the degeneracy of the race, through the liquor traffic. An overwhelming majority of the women will likewise be in favor of that reform. This is the reason why the great national liquor forces always fight woman's suffrage. When that reform is established, then and then only will the sovereign States enjoy the full and free exercise of their real police powers. To-day the rights of citizens are trampled upon. No deference is given to the conditions of morality in many localities in our great cities. The pleadings of the mothers and the wives fall on deaf ears. They are not considered in determining the police policies of these communities.

Mr. SAMUEL W. SMITH. Mr. Speaker, will the gentleman yield?

The SPEAKER. Does the gentleman yield to the gentleman from Michigan?

Mr. HOBSON. Certainly; very briefly.

Mr. SAMUEL W. SMITH. If this resolution becomes a law, will every legislature in every State in the Union have to act upon it?

Mr. HOBSON. No. It will require, however, three-quarters of them to act affirmatively in order to ratify.

The brotherhood of States is the repository of the organic law. The most vital right the States possess and cherish is the power to amend the organic law of the Nation. Congress, in withholding the opportunity to exercise this right, would violate this the most fundamental right of the States. Let no Member invoke State rights, let no Member invoke the police power of the States, when he deprives the brotherhood of States of the opportunity to amend the Constitution and determine themselves the question of equal suffrage. [Applause.]

The SPEAKER. The time of the gentleman from Alabama has expired. The gentleman from Kansas [Mr. CAMPBELL] is recognized.

Mr. CAMPBELL. Mr. Speaker, I yield 15 minutes to the gentleman from Wisconsin [Mr. LENROOT].

Mr. LENROOT. Mr. Speaker, I shall vote to adopt this rule, but if the rule is adopted I shall vote against the amendment to which it relates, and my vote upon this amendment will be governed by the same principles, in large part, that governed my vote upon the prohibition resolution. When that resolution was before the House I stated that "I believed that Congress never should propose an amendment unless, in its judgment, there is a well-settled, deliberately formed public opinion of such extent as to make it probable, at least, that if submitted the amendment will be ratified by the necessary number of States in the very near future. That condition does not exist to-day with reference to this subject, and I think no one will claim that it does exist." The same thing can be said of this resolution. I profoundly believe that every Member of Congress has a responsibility, and a most solemn one, in the proposing of constitutional amendments, and it will not be denied in this case, as it was not denied in the case of the prohibition resolution, that there is not such a deliberately formed public opinion with relation to it as to make it probable, at least, that if submitted it will be adopted in the very near future.

If upon the prohibition resolution I had taken the position that many Members of this House took—that it was merely a referendum—I should feel compelled to vote for this resolution to-day, and I expect that every Member who voted for that resolution upon that ground will vote for this resolution to-day. If I had taken the position, as some Members did, that they were opposed to the prohibition resolution upon the ground of the impossibility of enforcement, that argument would not prevail with reference to this one, because here there can be no question of lack of enforcement; and if my opposition had been placed upon that ground I should have felt compelled to vote for this one to-day. But, Mr. Speaker, to my mind there is a principle that should not be violated in particular cases, and that is, before we are authorized to submit a constitutional amendment it ought to be in response to such a well-settled, well-defined, well-established public opinion as to make it probable that if submitted it will be ratified in the very near future.

Now, Mr. Speaker, why is that necessary? Again referring to my remarks that were made on the prohibition resolution, I said:

> There is no such thing as the rejection of a proposed amendment to the Federal Constitution by the States. If a State ratifies it, the matter is settled, so far as that State is concerned, for all time to come. But if it rejects it, it means nothing more than the postponement of the matter until another legislature is elected. In other words, if the State ratifies the proposed amendment, it has no power thereafter to reconsider its action; but if it refuses to ratify it, any subsequent legislature may again vote upon it. So when an amendment leaves Congress it is never rejected, never dies, but lives on until ratified by the required number of States; and it might easily be that when the last State has ratified it the States first ratifying it may have changed their views and, in fact, be opposed to it. This is why great care should be exercised in proposing constitutional amendments, and only after public opinion is so well settled as to practically insure early ratification should they be submitted by Congress. This is a general principle that should govern all cases. And believing in that principle as I do I can not make an exception in this case.

Mr. Speaker, what is the evidence that public opinion is not so well settled and so well established that we should not submit this at this time? During the past five years woman suffrage has prevailed in seven States. At the last election it was submitted in seven States and defeated in five States. What are we to gather from that action? That there is a well-settled public demand for an amendment to the Federal Constitution in this respect? I ask you, sir, is not such public opinion as has been expressed directly to the contrary?

I am sorry that that condition prevails, because I believe in woman suffrage. I have perhaps made as many speeches for it as any Member of this House not from a woman-suffrage State, but because as I view it public sentiment does not justify me in voting for the amendment, I can not give it my vote.

The gentleman from Pennsylvania [Mr. BUTLER] asked a question of the gentleman from Kansas [Mr. CAMPBELL] as to why the people should not have the opportunity to vote upon this question. Mr. Speaker, the reason that I have suggested is one; but I want to ask the gentleman from Pennsylvania whether he is willing to submit a constitutional amendment upon any question upon which there is an established public sentiment to a certain extent?

Mr. BUTLER. Does the gentleman ask me that question?

Mr. LENROOT. Yes.

Mr. BUTLER. Why, if this was wrong I would say no; but how does the gentleman determine that there is no public sentiment for it?

Mr. LENROOT. If the gentleman was listening to what I just said——

Mr. BUTLER. I was listening, but the gentleman did not convince me.

Mr. LENROOT. I said that in the last election seven States voted on woman suffrage and five States rejected it.

Mr. BUTLER. That may be true—seven adopted it and five rejected it.

Mr. LENROOT. Oh, no; seven voted on it and two adopted it.

Mr. BUTLER. Does not that indicate some public sentiment in favor of it?

Mr. LENROOT. Yes; but now the question I want to ask the gentleman is whether when there is a public sentiment on any particular question he is willing to submit a constitutional amendment upon that question? For instance, is he willing to submit a constitutional amendment on the recall of judicial decisions, the recall of judges, and a multitude of questions concerning which there is a well-defined public sentiment, but not to such an extent as to make it at all probable that it would be adopted?

Mr. HENRY. Will the gentleman yield?

Mr. LENROOT. I decline to yield now. Now, Mr. Speaker, one other matter. My friend from Pennsylvania, Mr. KELLY, a few moments ago stated that he believed in democracy. He

said others here apparently believe in democracy, but are unwilling to put it in practice. Mr. Speaker, I not only believe in democracy, but because I wish to see it in practice is one of the reasons why I shall vote against this amendment, and the gentleman from Pennsylvania when he votes for this amendment will vote against the very principle that he declares his belief in.

Mr. KELLY of Pennsylvania. Will the gentleman yield?

Mr. LENROOT. I can not; I have only two minutes—[continuing] because, Mr. Speaker, the States now when acting upon the subject as a State matter the people themselves at the ballot box vote directly upon it, but if the States ratify this resolution there is never a vote at the ballot box at all; they only act through their representatives. Now I will yield to the gentleman.

Mr. KELLY of Pennsylvania. The gentleman believes in a democracy, which means a rule by the people where only one-half of the people can vote.

Mr. LENROOT. My reply is that we can not have a real democracy until those who are now intrusted with the powers of government shall have their will made known after an opportunity to make it known, and not by representatives only.

Mr. HENRY. Will the gentleman yield?

Mr. LENROOT. I can not yield now.

Mr. KELLEY of Michigan. Will the gentleman yield for a brief question?

Mr. LENROOT. No; I can not. These, Mr. Speaker, to my mind, are fundamental principles. Treated as a State matter, voters themselves decide the question as to whether they shall have woman suffrage or not; treated as a Federal matter, the voters at the polls have no more to say about it than they have concerning any other legislative matter that they do not have a direct vote upon.

Now, Mr. Speaker, as I said a moment ago, I believe in woman suffrage. Many of those who believe in it advance the argument that this amendment should be submitted and acted upon by the legislatures, because the people themselves, the voters themselves now qualified to vote, can not be trusted to act upon this matter as they ought to act. The answer to that, Mr. Speaker, is, they should not be deprived of their right to do so, but the remedy is, instead of spending so much time in attempting to educate the representatives of the people, more time should be expended in educating the people themselves, because, Mr. Speaker, it lies at the very foundation of this Government of ours that no great policy should be adopted changing our government in any respect unless that policy has the approval of those who are intrusted with the final power of government in this Nation, the voters themselves. [Applause.]

I yield back the remainder of my time.

The SPEAKER. The gentleman yields back two minutes.

Mr. HENRY. Mr. Speaker, I would like to ask the gentleman from Pennsylvania [Mr. BUTLER] a question, and I will take a moment of my time to do so.

Mr. BUTLER. I am distinguished.

Mr. HENRY. Speaking of referendums, would the gentleman vote for a referendum on the question of repealing the fourteenth and the fifteenth amendments to the Constitution?

Mr. BUTLER. Mr. Speaker, the gentleman is now asking me a pretty hard question. I have never thought about that, but I have thought about this question, and I am convinced that the gentleman is in the wrong when he refuses the people the right to vote upon such a question as this. I have answered him the best I know how. [Applause.]

Mr. HENRY. Would the gentleman deny the people the right to vote on the question of repealing the fourteenth and fifteenth amendments?

Mr. KELLEY of Michigan. Where is the demand for a referendum upon that question?

Mr. BUTLER. If the gentleman will wait for a day or two I will think it over. [Applause.] Some things I know and some things I do not know. This one I have decided upon.

Mr. HENRY. Life is too short. I can not wait for a day or two.

Mr. BUTLER. The gentleman has waited for a longer time for less.

Mr. HENRY. Mr. Speaker, I yield to the gentleman from Florida [Mr. CLARK].

Mr. CLARK of Florida. Mr. Speaker, as the Democratic caucus of this House has decided that this is a question for the States to deal with and is not within the jurisdiction of the National Legislature, and as I am a member of that caucus and of that party, not having availed myself of the right which I did have to give notice that I should not be bound by caucus action, I shall vote for this rule, and shall vote, if the rule is adopted, against the proposed resolution. I not only shall vote against it for that reason but I shall vote against it for the further and better reason that I am conscientiously opposed to the resolution. I have no words of condemnation for those who think otherwise, because I know that there are many good but misguided people who believe in this measure. It has been stated, I believe by the gentleman from Kansas [Mr. CAMPBELL], that we need the votes of the women of this country to purify our politics and to better governmental conditions.

Mr. Speaker, this Government has existed under the Constitution for about 125 years, and I am one of those who believe that although at some times in our history the ship of state has veered a little from her constitutional course, yet after all it is the best Government under the sun or which has ever existed under the Providence of God. Men have controlled it and men will continue to control it. Others may think as they please, but I do not wish to see the day come when the women of my race in my State shall trail their skirts in the mud and mire of partisan politics. I prefer to look to the American woman as she always has been, occupying her proud estate as the queen of the American home, instead of regarding her as a ward politician in the cities. As the mother, as the wife, as the sister she exercises a broader and deeper and mightier influence than she can ever exercise or hope to on the stump and in the byways of politics in this land. The American mother, the American woman, has my admiration, my respect, and my love——

The SPEAKER. The time of the gentleman from Florida has expired.

Mr. CLARK of Florida. Mr. Speaker, under leave to extend my remarks, I desire to submit a few further thoughts along the line I was pursuing when the gavel of the Speaker gave me notice that my four short minutes were at an end.

Mr. Speaker, I may be considered as out of date and not abreast of these alleged progressive times, but be that as it may, I prefer in these days of fads and new-fangled ideas to cling to the aged philosophy, the ancient principles of patriotism, and the "old-time" religion of our fathers. Mr. Speaker, as strange as it may seem in this day of alleged progressive advancement and progress, I believe in the Bible. I believe in it from Genesis to and including Revelations. I believe in every word of it, as Opie Read says in The Jucklins, "from kiver to kiver." I am not like some of our overeducated citizens who believe in certain portions of the Word of God and brush aside other portions as not worthy of attention. I believe in every word in that Holy Book, and thus believing I can not, here or elsewhere, support the idiosyncrasy of woman suffrage. The Word of God inveighs against woman suffrage, and the plans of the Creator would be, in a measure, subverted by its adoption. We are told in Holy Writ that "God created the heavens and the earth." We are further told that He created light and filled the earth with living things, and that, finally, out of the dust He created man and gave him dominion over the earth and all things. We are further taught in the Good Book that "God caused a deep sleep to fall upon the man, and he slept; and He took one of his ribs, and closed up the flesh instead thereof; and the rib, which Jehovah God had taken from the man, made He a woman, and brought her unto the man." Holy Writ further points out the respective spheres which men and women are to occupy in the world under the Providence of God.

Mr. Speaker, there can be no possible mistake as to the part which woman is to play in the activities of the human race. God has decreed that man is to be the head of the family and woman is to be his "helpmeet," and any attempt to change this order of human affairs is an attempt to change and to overthrow one of the solemn decrees of God Almighty. In every well-regulated Christian family the wife is the "helpmeet" of the husband. She is, and should be, his equal, his copartner, and where genuine love reigns she is exactly this. But, Mr. Speaker, she is not to go out in the world to meet its trials, engage in its struggles, and fight its battles, and I venture to remark, without the slightest fear of successful contradiction, that no instance in American life can be found where any woman ever did this voluntarily who had a husband who was "worth the powder and lead which would be required to kill him." But let us see what God in His Holy Word has said about the sphere of woman. In the First Epistle of Paul to the Corinthians we find the following language:

> As in all the churches of the saints, let the women keep silence in the churches, for it is not permitted unto them to speak; but let them be in subjection, as also saith the law. And if they would learn anything, let them ask their own husbands at home; for it is shameful for a woman to speak in the church.

Ah, Mr. Speaker, if it is shameful for a woman to speak out in public in the service of the Master, what is it in the sight of God for her to stand upon a goods box on the corner and

appeal to the gaping crowd for votes? To give her the ballot is to unsex her and replace the tender, loving, sweet-featured mother of the past with the cold, calculating, harsh-faced, street-corner scold of politics.

Again Paul, in his Epistle to the Ephesians, says:

Wives be in subjection unto your own husbands, as unto the Lord. For the husband is the head of the wife, as Christ also is the head of the church, being Himself the savior of the body. But as the church is subject to Christ, so let the wives also be to their husbands in everything.

Mr. Speaker, nearly, if not quite, all the advocates of woman suffrage I have ever met profess to be Christians with an abiding faith in God's Holy Word. Do they believe that "wives" should be "in subjection" to their husbands? If they believe this, how can they insist upon what they are pleased to call "equal rights" for man and woman? How can they advocate a policy which must inevitably set husband against wife and wife against husband? If the husband and wife will always agree and vote the same way, then why the necessity of this innovation? If they will not always agree, will this not, in the course of time, create such dissension and controversy which will ultimately lead to the divorce court? If this be true, does it not mean, in its final analysis, the disruption of the American home, which is the foundation stone of our glorious Republic? It can but lead to this, and so far as I am concerned I shall never knowingly lend my aid to any movement which will result in the further clogging of the already overloaded dockets of the divorce courts.

Again the great Apostle Paul, in his Epistle to the Colossians, says:

Wives, be in subjection to your husbands, as is fitting in the Lord.

In Paul's First Epistle to Timothy we find this:

Let a woman learn in quietness with all subjection. But I permit not a woman to teach nor to have dominion over a man, but to be in quietness.

There are many other portions of the Scriptures, Mr. Speaker, to this same tenor and effect, but surely I have quoted enough to satisfy any reasonable person that this propaganda for "votes for women" is an attempt to take woman from the sphere in which God intended she should move and place her in direct antagonism to the teachings of the Scriptures. Are we prepared to attempt this change? Are we ready to repudiate the Scriptures and supplant God's place with this scheme of dissatisfied women and office-seeking demagogues? It is urged that the participation of the women in governmental affairs will purify our politics. I deny this, and contend that its chief effect will be to degrade woman. It is contended that the women of the country need the ballot for their own protection. Protection against what? Let a woman in any part of our broad domain be insulted or maltreated in any way and almost instantly a thousand brawny, brave, courageous men will come to her defense. Let a woman seek the courts for relief of any character and woe unto the man who will contest property rights with her before a "jury of his peers." To-day the gentle, sweet American woman has the respect, admiration, and love of the manly men of this Republic, but arm her with the ballot and she not only ceases to be respected and admired, but who would want a "ward heeler" for the mother of his children? God grant, Mr. Speaker, that this change may never come in free, liberty-loving, woman-respecting America. I think I am safe in asserting that a vast majority of American women do not desire the ballot. I know I am absolutely safe in asserting that practically all the women of America who are happily married are opposed to woman suffrage. In opposing this measure, I am speaking for that vast multitude of American wives and mothers who love their husbands and their children and who prefer to reign as queen of the home rather than to grovel in the slums of politics. The politician may ridicule the figure of the "sturdy oak and the clinging vine," but, Mr. Speaker, it represents the sweetest, the tenderest, and the most heavenly of all the relations on earth. I have a supreme contempt for the vigorous, healthy man who permits his wife to go forth in the world to labor for the family support, and I have the most thorough disgust for the married woman who lavishes all her affection on a poodle dog. Mr. Speaker, women who have husbands, children, and happy homes have no time to monkey with politics or to fondle poodle dogs. They occupy the proudest and most influential position in all the world. "The hand that rocks the cradle is the hand that rules the world" is as true to-day as when it was first uttered. Let us, then, leave woman where she is—the loveliest of all creation, queen of the household, and undisputed dictator of the destiny of man.

Mr. CAMPBELL. Mr. Speaker, I yield five minutes to the gentleman from Pennsylvania [Mr. KELLY].

Mr. KELLY of Pennsylvania. Mr. Speaker, I desire to have that extra time, as a number have asked me for time.

The SPEAKER. Does that mean that the gentleman from Pennsylvania has 10 minutes more?

Mr. CAMPBELL. Five minutes.

The SPEAKER. But the gentleman reserved 5 minutes of his 10 minutes.

Mr. CAMPBELL. The gentleman from Texas yielded him 10 minutes and I have yielded him 5 minutes.

The SPEAKER. That gives the gentleman from Pennsylvania 10 minutes more.

Mr. KELLY of Pennsylvania. Mr. Speaker, I yield 5 minutes to the gentleman from Kansas [Mr. MURDOCK]. [Applause.]

Mr. MURDOCK. Mr. Speaker, like the gentleman from Florida [Mr. CLARK], I believe that this is the best Government on earth, and like the gentleman from Florida I do not believe that the women should trail their skirts in the mud and the mire of partisan politics, but I am in favor of cleaning the mud and the mire out of partisan politics, and I think one of the best ways to do that is to bestow the right of suffrage upon the women of the land. [Applause.]

There has been some sentiment here this morning, and some constitutional law, and some politics, underneath the surface—mostly politics. The far-sighted Republicans and Democrats in this body are doing the sensible thing about equal suffrage. They are getting down off the limb, and that speedily. The only party of the three leading organizations which nationally declared in favor of suffrage in 1912 was the Progressive Party. [Applause and laughter.]

Mr. HENRY. Mr. Speaker, will the gentleman yield?

Mr. MURDOCK. No; I will not yield.

The SPEAKER. The gentleman declines to yield.

Mr. MURDOCK. Certainly I do. If we had done nothing more than to put this issue squarely before the Nation we would have done a great service for the country. For it is my belief and I predict that the suffrage movement will become so formidable in the next two years that both of the old parties will follow the lead of the Progressive Party, if tardily, still commendably, and espouse it. Mr. Speaker, this day is historical in that it marks the beginning of the end of the opposition to equal suffrage. For that opposition is left with little heart, and as a matter of fact with no argument, save possibly the argument that the gentleman from Florida presents—the argument of the great, sturdy oak and the tender, clinging vine. [Laughter.]

The trouble with that argument is that the men who use it think of the American home in the terms of the spinning wheel. The spinning wheel has gone, and several social conditions and relations went with it. The American home is no longer a patriarchal institution. It is a partnership. And it is my observation that the partnership has reached that degree of development that often the more tender and clinging the vine the larger the bills are on the first of the month. [Laughter.] I hope the Speaker will not interfere with my applause by calling time on me, as applause is hard to get. [Renewed laughter.] Mr. Speaker, I have watched for years the development of woman suffrage in my own State. I have discovered this interesting feature in all suffrage discussions: The ordinary American statesman will face courageously all of American womankind and refuse her the right and privilege of suffrage, but his courage absolutely fails him when his own wife demands it of him. I have heard men in my own State for years before the adoption of suffrage say that suffrage would merely double the vote and that the women would vote with the men. I have seen the same men by hundreds after the adoption of suffrage go to the polls and vote with the women. [Laughter and applause.]

It is true that in suffrage States husbands and wives do vote together for the most part, and it is a high tribute to the condition of American home life that they do. But it is equally true that the wife has an intellectual partnership with her husband in the matter of public affairs which was not formerly hers. The very nature of this democracy has wrought the change. Our educational system has given the women complete intellectual participation in political discussion. The early public meetings were attended only by men. Women make up at least half of every modern audience. Often the male American is a hurried reader of headlines. Women are universally more leisurely gleaners of current information. And, moreover, the American woman has found in the last half century the formerly alien economic world to be more and more intimately a part of her home problems. Her responsibilities, therefore, have grown with her capacity to care for them. And with these new intellectual activities have come the knowledge of certain traditional discriminations in the law which women resent.

These conditions are the basis and foundation of the demand for suffrage.

I favor this resolution. Its adoption would be good government, good sense, and justice. Every man from a suffrage State present here to-day can testify that suffrage has not harmed the home or changed the relation of woman to her home sphere, just as every man here from a suffrage State can testify that suffrage has lifted the level of the electorate. Woman does not need suffrage so much as suffrage needs woman and the impress of her high, uncompromising, and ennobling instinct and capacity for civic decency.

I hold that this is the next step in the development of the democracy, for the democracy can best be developed through more democracy, the moving up of the individual closer to the processes of his Government—local, State, and National. And the movement can not be complete or efficacious if one-half of the social fabric only is affected. If the traditional male elector of America is to move up closer to his Government, to a near-perfect development of his Nation and the beneficences which are to be secured under that development, the women of America, equal in intellect, in capacity, and in the law, must move up with him.

The SPEAKER. The time of the gentleman has expired.

Mr. KELLY of Pennsylvania. Mr. Speaker, I yield four minutes to the gentleman from Pennsylvania [Mr. HULINGS].

Mr. HULINGS. Mr. Speaker, I believe women are the best part of humanity. In all the virtues that are the most esteemed of mankind I believe women far excel the men. In talking that matter over with my wife the other day I said, "Em, if I were a woman I would not marry the best man who ever lived," and she promptly said she didn't. [Laughter and applause.]

Mr. Speaker, the opponents of this resolution direct their arguments almost wholly against the "expediency" of granting the suffrage to women.

It is as though a debtor should decline to pay a just debt on the ground that the creditor might squander the money.

Even on grounds of expediency the weight of the argument is in her favor, but the real question rises beyond all questions of expediency. It is a question of right. Is woman a free moral agent entitled to a voice in the Government? Is her consent essential to just government?

It was natural that the cave man with the heaviest club should be satisfied with the laws, for he made them all, and that he should parcel out special privileges to favorites of his immediate family; and in the course of time he called himself the lord, he dwelt in a castle of stone, and the people whom he "protected" became his vassals and slaves.

And so the ages passed the stratification of society into classes, with varying degrees of servitude from the king, who claimed to rule by divine right, down through all the spawn of royalty, prince, noble, and aristocrat to commonalty, peasant, and slave, came to be recognized as the natural and proper order of things.

This became the habit of thought with all the inertia of custom and tradition.

But mental slavery is of all forms of servitude the most pernicious and the hardest to eradicate.

Throughout the ages individual, and for brief periods whole peoples, getting an inspiration of liberty have thrown off these shackles of mental slavery; but it remained for our fathers to establish a stable government that recognized the evils of class rule, the rights of the common people, and the dignity of manhood.

They flung into the face of the haughtiest crown of the old world the immortal "Declaration" that all men are created equal, endowed by their Creator with certain inalienable rights, and that to secure these rights governments are instituted, deriving their just powers from the consent of the governed; that whenever any form of government becomes destructive of these ends it is the right of the people to alter or abolish it.

The torch of liberty lighted at Lexington was fed from the hearts of the common people. It has become a great white light, blazing from the mountain tops of civilization; conceived in feebleness, that feebleness has grown to strength, that strength to splendor, until to-day this Nation stands before the gaze of a wondering world, incomparable in power, unsullied in honor, the peerless champion of human liberty—the American Union of States. [Applause.]

What American can contemplate the flag of his country without emotion of pride! What American can contemplate the countries of Europe, enveloped in the gloom and the horrors of war, misery, and famine, without devout thankfulness for the peace and plenty we enjoy!

And yet, proudly declaring that all men are created equal, for three-quarters of a century the foul cancer of human slavery fed upon the vitals of the Nation, requiring the struggles and the bloodshed of civil war to extirpate it.

And yet, while we affirm that all "governments derive their just powers from the consent of the governed," one-half of our "people" are denied a voice in the government.

I am not referring now to the negro vote, which you men of the South, upon one plea or another, suppress, and only pause to say that when you deny him the right to vote you have no right to count him in the population, and your representation in Congress should be cut down proportionately; but I am referring to one-half of our adult population—the women of America.

In Holy Writ we learn that God created man in his own image; in the image of God, male and female created He them.

Now, suppose we take that great declaration and interpolate: God created man and woman and endowed them with inalienable rights; that to secure these rights governments are instituted deriving their just powers from the consent of the governed; that whenever any form of government denies the governed an expression of their consent or dissent, it is the duty of the people to alter or abolish it.

In what particular does such interpolation violate the true meaning and spirit of that great document? What inalienable rights did God endow man with that He denied to woman?

When those grand old worthies declared that the consent of the governed was the essential of just government were they not a bit narrow when they "endowed" themselves with the exclusive right of franchise?

Women are certainly of the "governed," but when have they given their consent? They are certainly "people," and if the "people" have the right to alter any form of government the implication is "plain as a pikestaff" that women have a right to a voice in government.

I trust I have a sincere love for my fellow men, but I thank God that in His goodness all of them do not run to whiskers, whisky, and tobacco. [Laughter.]

In His infinite power He could have made all men male, but He created most of them female, and they have always been the better part.

Oh, but you say their husbands speak for them. Well, perhaps some of them do; but frequently they speak louder for the gin mills and the dives, and often when they so speak they would better keep their mouths shut.

But who speaks for those who have no husbands? About 25 per cent of our adult women either have no husbands or are supporting worthless or drunken husbands. Who speaks for them? Who speaks for those whose husbands are not fit to speak for anybody?

You say, "God commanded woman to be subject to her husband." Well, He did not do any such thing. You say, "Paul said, 'Wives, obey your husbands,'" but Paul knew nothing at all about American politics. [Applause.] What queer pleas are made by special privilege! Because God once appointed a king, kings have ever since claimed divine right. The defenders of African slavery always claimed Biblical authority. Because God once said to Eve, "Thy desire shall be to thy husband," those who insist on the political vassalage of women interpret the saying as all women "shall be subject to their husbands," but even then, aside from the fact that in every true marriage the "twain become one" and there is no element of dominancy or subjection, in any case the argument utterly fails to show that she should be politically subject to other women's husbands.

Men run their fingers through their whiskers and patronizingly talk about "endowing" woman with the franchise as though it is a "privilege" which it is their right to withhold.

The franchise is the essential badge of that freedom to which this Government is professedly dedicated. It is the necessary expression of that "consent" from which Government derives its just powers.

Male suffrage depends fundamentally upon the fact that man was created free and equal and that the consent of the governed is an essential of just government; and female suffrage has absolutely the same foundations. Women of right are entitled thereto since the formation of the Government and a growing sense of the individuality and the dignity of womanhood demands that it be recognized, not as a gift, but as an inalienable right.

Man delights to regard himself as the towering oak with the tendrils of womanhood clinging about his massive trunk. Many a man who declaims in heart-touching accents that the wife is the good angel of his heart and the sweet divinity of his home, whom he must protect from the pollution of politics, feels that

he is exercising a God-given masculine superiority when he doles out a dime to his wife to buy soap for the family washing and then chases off down to Atlantic City to rest(?). [Laughter.]

Congress can not give women the right to vote. That is one of the reserved powers of the States. Congress could not give the negro the right to vote. The Federal Constitution had to be amended. The States ratified the amendment which gave the negro the right to vote. I do not believe with the gentleman from Texas [Mr. EAGLE] that it was a mistake. Considering the prejudices against them, the indignities that are put upon them, and their comparatively recent emergence from a degraded slavery, the race has made remarkable progress; and where he is permitted to vote he averages fairly well; but who will say that the average American white woman is not far better fitted for the ballot than the average negro or the swarms of foreigners that your naturalization courts turn out as voters every year?

Singularly, the Constitution provides that "any person" a native-born citizen of proper age is eligible to be President and any woman securing the requisite number of electoral votes may be President, provided it is agreed that a woman citizen is a "person," which I believe a man's court denies.

Women voted for the reelection of Jefferson and the election of Cleveland as President, and in many of the States have now full or limited franchise.

I have honestly tried to find some convincing reason against woman suffrage. There are many given, and here are some of them.

Perhaps the reason oftenest urged is that woman is afraid of mice and would make a poor soldier, and nobody ought to vote that can not bear arms. Now, two-thirds of the male voters, as soldiers, would not be worth the powder that would blow them up [laughter and applause]; so the ability to bear arms is not a requisite to male suffrage. Why, then, impose it upon women? [Applause.] The soldier is not as necessary to the State as the mother. You might as well deny man the right of suffrage because he is no good as a wet-nurse as to deny woman because she can not bear arms.

They say some women do not want the ballot and therefore none should have it. You hear that her real mission is the bearing and raising of children, and the sanctity of the home will be destroyed. But this takes no account of those who have no home or those who have raised a family or those who are beyond the child-bearing age.

"She is emotional." What an argument. Many male voters are stupid, and vicious besides.

"She would vote for the handsomer man." Now, I understand why some politicians oppose woman's suffrage. [Laughter.]

"Her purity and innocence unfits her." Well, for goodness sake, if any purity can be injected into politics let it be done, for we surely need it.

"They would not vote if they had the ballot." Well, if that is so what would it hurt to recognize their right to vote?

"The bad woman would vote and her respectable sister would play bridge." This is not true. There are ten times as many good women as bad ones. The good ones would preponderate at the polls. We give bad men the ballot. Women, even bad ones, are equally entitled.

"She thinks only in terms of beaux and bonnets, has no business sagacity," and "does not get the deep insight into affairs of state that the average voter does"(?). The "deep insight" of the average voter is nothing to brag of, and the claim of male superiority, even in business sagacity, depends largely on experience, and at best is a good deal of pretense.

A woman left a widow with a family of small children may have been of the clinging-vine variety, but her oak has fallen and left her without support; but somehow, call it business sagacity, tact, or what you will, she will almost invariably keep her brood together and feed, clothe, and raise them into good citizenship, while if a man were left in similar circumstances almost invariably the children will be scattered and the home broken up.

"Manly chivalry would disappear," and "if woman were given the ballot there is great danger that she would abuse the man and set out to grow whiskers herself" (?). In such a case the only safety for a man and his "chivalry" would be to send the women back behind the lattice of the harem.

Bishop Doane, who is a great gun opposed to suffrage, says:

> Woman has no right to vote. Suffrage is a "privilege" granted by the framers of the Constitution to such persons as they deemed best.

I wonder if it ever occurred to the learned bishop that before the Constitution could grant a "privilege" or anything to anybody it first had to be ratified by the voters, and that in a republic the public will—more or less perfectly expressed by exclusive man suffrage—is precedent to all constitutions, and the right of expression of consent inheres in all citizens, irrespective of sex.

The bishop further argues that to multiply the ballot would merely multiply votes of all sorts, good and bad.

In similar strain, Bishop Vincent declares that the "greatest curse of America to-day is the vote of ignorance and superstition, and to force woman down into that bad atmosphere would be an incalculable loss to both man and woman."

The average man who has a wife and home has a stake in the country, and, as a rule, he will be found voting an honest vote, and honest votes are what we need; and if the argument is true that man and wife will usually vote the same way—and I admit it—you will have two honest votes in the ballot box where formerly there was but one, and the preponderance of honest voters will be doubled.

The arguments against woman suffrage are clearly answered by Senator Hoar, one of the profoundest thinkers the country has produced. Said he:

> Shall women leave the cradle and the kitchen to plunge into politics? No. Shall the farmer leave the farm, the artisan the shop, to plunge into politics? No. Women can contribute their share to and exercise their right in government with not more sacrifice of their other duties than is made by their husbands and brothers. The evils of universal suffrage can clearly be shown to be less than the evils of oligarchy or of any privileged classes. History and experience show that that state is best ruled where the largest number of citizens have a share in the government.

Mr. Speaker, this Government has endured for 130 years. Herein is the positive proof that, in spite of all profligacy and vice that may exist, the general average of public sentiment is on the side of decency and morality. If it were not so, the Government would have perished long since.

The American Governments, State and National, are splendid tributes to American manhood. They prove that virtue, morality, and goodness overbalance the evil and vice in the American voter. Assume, if you please, that women are no better than men—and this I deny—there is a preponderance of moral sentiment in American society.

Recognize woman's right to suffrage, and you double the preponderance of righteousness in civic affairs.

You say she is not fit? Take her influence out of society, and the land will fester and rot. Take her out of the church, and the church will crumble and fall. Take her out of your shops and your offices, and business will halt.

Some of you should wake up and see what is going on in the world. We are no longer in the medieval age, when woman was a toy or a slave, a mere dependent upon man's bounty or caprice. As the American man has slowly risen from the vassalage of feudal times so the American woman has risen and demands her inalienable birthright of political freedom.

The differences of sex impose duties and functions upon each which the other can not discharge. They complement each other, but each of them, as free moral agents, has separate and equal rights of life, liberty, and the pursuit of happiness, without guardianship, wardship, or duress of the other.

The SPEAKER. The time of the gentleman has expired.

Mr. KELLY of Pennsylvania. Mr. Speaker, I yield the gentleman one minute additional.

Mr. HULINGS. The spindle, the distaff, and the loom have been sent to the factory. The canning, the preserving, the knitting and sewing, the darning and the washing and the unremitting drudgery that used to make the mother the "slavey" of the family are now largely done in great workshops by machinery.

The high school and the college teach the brother and sister the same lessons, and woman, largely emancipated from domestic slavery, is wonderfully demonstrating in her enlarged opportunities her fitness and capacity to discharge the full duties of citizenship.

Many of the foremost thinkers in the important civic problems that are pressing for solution and that never will be solved without woman's help, and many of the great achievers in literature, art, and the sciences are great splendid women, who by sheer intellectual power honor their sex and bless all humanity. [Applause.]

To deny such women a voice in a Government founded upon the consent of the governed is not only a wooden-headed blunder, but it is a crime against the public welfare. [Applause.]

Mr. HENRY. Mr. Speaker, how much time have I remaining and how much time has the gentleman from Kansas?

The SPEAKER. The gentleman from Kansas has 14 minutes and the gentleman from Texas 11.

Mr. HENRY. I will ask the gentleman from Kansas to use some time.

Mr. CAMPBELL. How much time have I remaining?

The SPEAKER. The gentleman has 14 minutes and the gentleman from Texas 11.

Mr. CAMPBELL. I shall not use any more of my time now, probably only one more speech.

Mr. HENRY. May I ask some one on that side to use a little time?

Mr. KELLY of Pennsylvania. Mr. Speaker, I yield two minutes to the gentleman from Minnesota [Mr. LINDBERGH].

Mr. LINDBERGH. Mr. Speaker, the ladies already have a moral and legal right to vote, and the only reason that they do not vote is because the other half or nearly half of the population is too selfish or has been too selfish to permit them to vote. It makes no difference what public sentiment may be upon this question there is an absolute fundamental right in the women to vote. Not only that, but I believe the politics of this country would be very much improved and purified if they were permitted to vote. [Applause.]

That anyone with the right to vote himself should object to others with like qualifications voting has always seemed a mystery to me. That women have the same right as men to vote no one can deny, except to dodge behind arbitrary, unprincipled laws not based on the Constitution itself, for I believe women have the constitutional right to vote. Women have had the actual right to vote ever since voting began, but have been deprived of the exercise of that right by men selfishly and wrongfully monopolizing its exercise.

It is not a question of how women would vote if they were not deprived of the right. When a man is qualified to vote he is permitted to vote as he pleases, and if he votes in good faith his vote is right, because the law makes him the judge of his own vote. His vote may not be in the best interests of the public welfare, but still he had the right, that no one can deny. But a woman, on the other hand, who has the same qualifications, and in all respects the same except her sex, is denied the exercise. Man simply sets himself up in the voting business, and says, in effect, to women:

> You shall be governed by our votes and our laws. You may own property, do business, in fact, generally speaking, you may do whatever we may, but your property, your marriage relations, your children, and your conduct generally shall be subject to the will and determination of our votes, our laws, and our administration. In all these respects you shall have no word or voice to determine.

That is what men have forced women to accept. There is absolutely no logic, no sense, no explanation to it, except the explanation of force. It accomplishes no good, but retards the world's progress to prevent the women exercising their fundamental rights.

There is some discussion indulged in, as to whether women would exercise their right with equal wisdom toward the public that men do. That may be debated, but can not be settled except in a belief. Their right to vote is not debatable, for anyone with an appreciation of the fundamental principles must know that these apply to both sexes alike. But if we debate the question of whether women would, if permitted, exercise the right wisely, one thing would have to be admitted, to start with, and that is that men have made a dismal failure in running the governmental affairs. The economics of the country have gone wrong, and numberless difficult problems are now presented to be straightened out that would not have occurred under wise government, and these difficulties are due to carelessness and inefficiency.

The high cost of living to the consumers and the small returns to the consumers could not exist at one and the same time in a well-governed country. These conditions can be pointed to to show the failure of men, so in the beginning the women would have the advantage of the argument, because we can point to no governmental errors of theirs. We have not given them an opportunity to err. The women, if permitted to vote, I believe would aid materially in securing better government, but whether that be true or not does not affect their right to vote. That is absolute and fundamental.

I have received from a constituent a letter which seems to reflect light on this subject in a novel form. The letter is as follows:

WOMAN SUFFRAGE.

"Val," said Ole, "out dere in Tamarac dey been talkin' again about de subyect of voman suffrage. Ve hat von set-to about it ven de vas electin' delegets to de county conwention, to send delegets to de district conwention to shoose delegets to de Sheecago conwention to wote for us for President off dese Junited States, in order to proof dat vat Taft set, dat all de people are not fit to gofern deirselfs, iss true, dough vat ve vanted to proof dat for vas more dan I could understant den, ant I can't see it now. But, anyvay, I set den dat if de men dit not know enough to wote for President deirselfs, I vas in favor of callin' in de vimmen ant girls, ant, if den, ve vas not off sufficient intelligence to turn de trick ve might include de 10-jear-old kids, vid plenty more edjication on top off dat.

"But now de new Democrat postmaster has set dat he is opposed to voman suffrage on account off dat all de vimmen don't vant to wote, but I set dat all de Junited States Senators don't vant to wote all de time, neider, aldough dey get pait for doin it, ant, to deprife all off dem from deir inestimable priwileges because some off dem fail to answer to deir names on de roll call vould be a wiolent and dangerous inwasion off our liberties. If some off dose Congressmen feel like dodgin' de qvestion off prohibition, dey might feel much agriefed if not permitted to record deir preference in de matter off an increase in de mileage. Likevise, if de vimmen vas backvard on improfin' de Squampush Creek, dey might come to de front in great numbers ven it came to a matter of safin' de boys ant de home."

"Vy," I set, "dere iss no vay off accountin' for tastes, eider among de vimmen or de men. Dere iss de case off de fader in our State who vas ruined by drink and died in de poorhouse; and dere iss his vife, who supported de schildren by takin' in vashing ant made von off deir sons governor. Now, if Yon A. Yonson vas alife to-day, and it vas up to him to decide vedder or not his moder knew enough to wote, vat do you tink he vouldt say?"

"Val," he say, "some off dose States don't vant voman suffrage, ant it vouldt be a crime to force it on dem." "Val," I say, "some off dese States ditn't vant no Democrat free-trade tariff, neider, but dey got it yust de same, ant dey are firm in de opinion dat if dey can efer get reddy off dis von dey vont nefer vant no more."

Den he set dat it vas time to close up, so dat iss as far as ve got vid dat.

Mr. HENRY. Mr. Speaker, I yield four minutes to the gentleman from Texas [Mr. SUMNERS].

Mr. SUMNERS. Mr. Speaker, there is no difference of opinion here as to the exalted sphere of woman, her wealth of intellect, nor her beauty of soul. Gentlemen have devoted much time to their discussion as though they were matters of debate. Neither these attributes nor the question as to whether the franchise should be given to women is involved, except incidentally in the matter under consideration. The real issue here is, Does Congress believe that the right possessed by the several States of the Union from the beginning of the Government, except for the constitutional provision enfranchising the negro, to determine each for itself the question of suffrage should be taken from them and that an amendment to the Federal Constitution further limiting that power should now be submitted to the country? The control of suffrage is the highest prerogative of government. The loss of that control is the loss of the most vital element of sovereignty. I am unwilling to surrender the right of Texas to exercise this control, and I am unwilling to give my support to this amendment which, if adopted, would wrest that control from her. The people of Texas have the power, they are as fair and chivalrous as any people on the earth, and we will reach the proper conclusion without the aid of either guardian or dictator. The right of the several States to control their internal affairs and the duty to retain in them all of sovereignty which the common good does not require to be delegated to the Federal Government has always been the cardinal principle of the great Democratic Party to which I owe allegiance. But I do not establish my position here upon a party doctrine. The experiments of the peoples of the earth with the various forms of government have demonstrated conclusively that civilization makes its most rapid and its most permanent progress under that system which places the power to govern and the necessity to govern as close to the people as possible.

The government of the States is infinitely closer to the people than is the Federal Government. The States are the people's units of sovereignty. I do not question for one moment the high purpose of those who are supporting this resolution, nor the disinterested devotion of the women who are insisting upon the grant of franchise to their sex. But let them go to the States, where they must finally go, for the ratification of three-fourths of the States before this amendment, if submitted by Congress, could become effective. I want to direct the attention of the House to the fact that it is not proposed here to have Congress perform a merely ministerial act in sending this amendment to the States, though the argument of some gentlemen would indicate that to be their view. It is not proposed to submit this amendment under the provision of the Constitution which provides for submission upon the command of two-thirds of the States, because no such command has been given. It is proposed to have Congress act under this clause of the Constitution:

> Congress, whenever two-thirds of both Houses shall deem it necessary, shall propose amendments to the Constitution.

Not submit merely, but propose, and then only when it is deemed necessary. The converse included in that language is that Congress shall not propose an amendment to the Constitution unless under its judgment and conscience it deems it necessary. The very fact that the submission of a constitutional amendment is an irrevocable act—no power on earth can recall or modify it once it is submitted—would hold Congress under the highest duty, even if the language of the Constitution were different, not to speculate upon future developments but to reserve its action, its power of control, its ability to profit by developments, up to the time when the demand for the amendment among the States would insure its reasonably expeditious ratification.

The SPEAKER. The time of the gentleman has expired.

Mr. KELLY of Pennsylvania. Mr. Speaker, I yield the remainder of my time to the gentleman from Oregon [Mr. LAFFERTY].

Mr. LAFFERTY. Mr. Speaker, I favor the proposed constitutional amendment, because I want all States prohibited from hereafter withholding the right to vote from any American citizen upon the ground that that citizen happens to be a woman. I favor equal suffrage because to me it appears unjust and unnatural that one-half of our population should be disfranchised.

"Oh," some of our opponents say, "we agree with you on the general principle involved, but we believe it is a question for the States and not one for the Federal Government."

Is it possible that any question could be more distinctly Federal than this? Is it possible that any question could go more directly to the source of the public welfare than the right of one-half of its population to vote? If the question of the political freedom of one-half of the population is not one calling for national action, then where will you go to find a question big enough to be called national?

From the earliest times the ruling and aristocratic classes have opposed the extension of the right of suffrage. They have opposed general suffrage because they have realized that the right to vote means the right to reform by peaceful and lawful methods and bodes no good to the greedy, who by unfair and unjust laws are oppressing the poor.

Every grafter in America is opposed to woman suffrage. Every dishonest special-privilege corporation that is now robbing the public under the forms of law is opposed to woman suffrage. The grafter lives in constant terror of the ballot box. Rather than enlarge the right of suffrage by extending it to women, the grafter would prefer to diminish it by disfranchising all the male voters except those who are in on the graft and who would therefore vote to continue it.

The right of general suffrage has been one of slow growth. The men gained that right in America as the result of a brilliant revolution. It has been well said that "Progress takes no steps backward," and wherever the right of suffrage has been once gained it will never be given up. In those States where women have gained the right to vote they will never give it up. When the women of this Nation have been given the right to vote they will never give up that right.

The man who stands in the way of Nation-wide equal suffrage to-day places himself in that class of conservatives who from the earliest periods have stood for the rights of property against the rights of humanity. He places himself with the rich against the poor. He denies to a fellow being, endowed with all the natural rights and intelligence that he possesses, equality before the law. He may try to excuse himself on the ground that this is a local issue, but he will fool no one by such attempt except himself.

The ultrarich of this and all earlier Governments have realized that their right to hold their property depended upon law. In most earlier Governments the law was made by royal decree. In this country law is made by the people direct, through the initiative, or it is made by Representatives and Senators who are elected by the people. In this country the ultrarich have always feared the power of the voters. They have tried to circumscribe that power and hold it in check in every way possible so as to prevent the enactment of law which would interfere with their cherished rights of property. Why do the ultrarich fear the power of the voters? It is because they realize themselves the inherent injustice of the methods by which much of their wealth has been wrung from the poor, and they fear that the poor will use the power of the ballot to correct that injustice.

The ultrarich, feeling that the power of the ballot is a menace to them in the hands of only half the population, very naturally oppose its extension to the other half. That is the secret of the fight against the extension of the right to vote to our mothers, our wives, and our sisters.

They speak of the chivalry of the South, and the lack of any desire on the part of the noble women of that part of our country to vote. There may be a few of the wives of the railroad magnates of the South, wives of the bankers, and wives of other ultrarich men, who do not want women to have the ballot. That is also true in the North. The wives of our high-brow capitalists do not want women to have the ballot. In every city you will find clubs of women organized to fight woman's suffrage. And who belong to those clubs? The wives of men who are enjoying some special privilege, and who imagine that their graft might be endangered by giving the ballot to the intelligent women of America.

But no orator can make me believe that the wives of the poor men, either in the South or the North, are, as a class, opposed to being given the right to vote. They desire the right to vote in order that they may help their husbands in the great and peaceful task of bringing about better and fairer conditions for our common country. If the women of Germany had the right to vote there would be no war in Europe to-day. If the women of Austria had the right to vote, militarism would long since have been banished from that beautiful and naturally peaceful country. If the women of England had the right to vote, John Bull would have even more diplomacy than he has to-day, and he would get into less trouble.

The same men who are to-day opposing the extension of the right of suffrage to our mothers, our wives, and our sisters would take that same right away from our fathers, our brothers, and ourselves if they had the chance, unless we could show such property qualification as would seem to insure that we would vote on the side of property and against humanity.

The question as to which shall be paramount, the rights of property or the rights of humanity, comes up directly upon this resolution to give the right of suffrage to one-half of our adult population. Those who place the rights of property first are opposed to woman's suffrage. Those who place the rights of humanity first are in favor of woman's suffrage.

Those who hold property rights more sacred than human rights are in the minority, but they have nearly all of the property of this and every other land. They must themselves be astonished at the moderation of the male voters of this country. And they must be doubly astonished at the moderation of both the male and female voters in those States of this Union where equal suffrage has been obtained. The few who own nearly all the property realize full well that their right to hold the same and to hand it down by inheritance to the few who shall succeed them depends upon law. They also realize full well that the power to alter or amend existing law, theoretically at least, now rests with the people. The great majority of the people, the voters, being practically without property, those who have nearly all the property must marvel at the moderation of the common herd in the matter of voting for candidates and measures calculated to give greater rights to humanity and fewer rights to property.

For one I am heartily in favor of the institution of private property both in chattels and in land, but I believe that this right of private property should have such limitations thrown around it as will give to every man and every woman a reasonable opportunity by industry and frugality to acquire a competence. Those who now own nearly all the property are opposed to having any limitations put upon their use of the same or upon their right to transmit it intact to the few who shall succeed them on this earth.

I admit that there are two extreme views on this question of property. At one extreme we find the ultrarich claiming every right for property and according none to humanity, and at the other we find the communists claiming every right for humanity and none for property. The latter are not one whit more unreasonable than are the former.

Pierre Joseph Proudhon, a French philosopher of great ability and one of the originators of socialism, said nearly a hundred years ago that slavery is murder and that property is theft. He amplified his rather startling declaration by saying that when you take from a man his will power through slavery and his right of dominion over his own soul you have taken away all that is of value to the man, and that you have consequently murdered him. And he said that when you recognize in one man the right of private property, which recognition bars other persons who happen to be born onto this earth from acquiring any interest in land or chattels because previously assigned to others under this right of property, that you have stolen from the one who is so disinherited that right to which he is entitled by nature, to wit, the right to appropriate to his own use the fruits of his labor. Karl Marx, a German Jew of profound learning and great natural ability, the founder of German socialism, held to practically the same view. The founders of British, French, and German socialism, Robert Owen, Count de Saint-Simon, and Karl Marx, respectively, were all men of great learning, and Owen was a thoroughly successful business man. All of these men lived within the past hundred years. When 19 years of age Saint-Simon volunteered as a soldier to come to America and fight for our independence. He participated in the siege of Yorktown and was present at the surrender of Lord Cornwallis, and received the Order of the Cincinnati for bravery displayed on these occasions.

I believe in the institution of private property, because it affords a reward to industry, honesty, and frugality, and because it enables each family to own its own home and to be independent. I believe in our present inheritance laws which give property upon the death of the owner to his next of kin,

those who naturally have the greatest claim upon his bounty, unless the deceased shall have decreed otherwise during his lifetime.

But while I am a strong believer and a strong defender of the institution of private property and the right of inheritance I favor such limitations upon both as will prevent any man or any set of men from owning a monopoly during their lives with which to oppress the general public or from giving by inheritance to a few such a quantity of property as will virtually disinherit the rest of mankind. For illustration, no one would hardly contend that, if it were possible for one man to acquire title to all the land in the United States, he and his chain of single successors should have the right to own all that land for all the long future. In such a contingency, where is the man who would pronounce unreasonable tax laws calculated to compel the proprietor to let go of all except a reasonable portion of his holdings, or of an inheritance law which would prevent the permanent passing on of such a monopoly?

It must be apparent to all thinking men and women that as between those who are opposed to any interference whatever with what they call the rights of property and those who would abolish such rights altogether there must be a happy medium based upon the composite sense of justice of the public conscience. All who believe in the wisdom of God in putting us here together on this planet will believe that such composite judgment, when permitted to be fairly expressed, will be just. No one who believes in the vital spark of the Declaration of Independence that all men are created free and equal will be afraid of a full, fair, and complete expression of the will of all the people at the ballot box.

Let me recur again to the claim that the aristocratic South is opposed to woman suffrage. It has not been so very long ago, only five short decades, since one of the most eloquent sons of the South, Representative De Jarnette, of Virginia, stood upon this floor where I am now standing and severely criticized the North for having given the right of suffrage to men who were without property and who were merely common laborers. He said that these men were in the majority, and that their having the right of suffrage would be a standing menace to capital and to the institution of private property.

On February 15, 1861, upon this floor, Mr. De Jarnette said:

> Wherever, sir, there is free competition between labor and capital and that labor is armed with the unrestricted right to vote, the labor, being always in the majority, must sooner or later so control the law-making power as to hold capital subject to its will.

And again, on the same occasion:

> Thus society at the North is now pregnant with the seeds of its own destruction. Its only salvation is a stronger government and a restriction of the elective franchise. * * * The standing armies of the Old World are maintained to keep labor from warring on capital; not by controlling the law-making power, for there labor has not the elective franchise, * * * but those armies are maintained to protect capital from mob violence. * * * It is the free suffrage and free labor of the North which now controls the press, the bar, the schools, and the pulpit * * * It is the free labor of the North which has invaded the sanctity of God's altar and compelled its ministers to acknowledge its divinity by dethroning Jehovah and worshiping Beelzebub.

And now listen to this, which shows how closely the Congressman from Virginia linked together the right to hold human beings as slaves and the right to deny laborers any voice in our Government which might interfere with the right of the rich aristocrats to own everything. He said:

> Thus African slavery constitutes the keystone of the arch which supports the only structure which free labor, together with free suffrage, will not and can not destroy. * * *
>
> It is vain, then, for the free labor of the North, by the exercise of its revolutionary power, to attempt further the corruption of the free labor of the South. That labor, Mr. Speaker, has higher aspirations and holier purposes to accomplish; its mission, sir, is to build up, not to destroy, an empire; to obey all the restraints of law and the Constitution, and not to despise the restraints of law and trample in the dust the Constitution; to protect society by carefully guarding the pulpit, not to destroy society by corrupting it. The free labor of the North now seeks the destruction of this beautiful system of government.

Mr. Speaker, I suppose there are very few here to-day who are not glad that the free labor of the North succeeded in its destruction of a system of human slavery which the brilliant Mr. De Jarnette so eloquently defended and called a "beautiful system."

I hope that no one has failed to note the frequency with which Mr. De Jarnette referred with solemn dignity to "the law," "the Constitution," "society," "the pulpit," and "God's altar" in his argument in favor of the rights of property and in favor of extending those rights even to the ownership of human beings. That shows to you the absurd lengths to which the advocates of property rights will go. I say that the men who to-day defend monopoly, who defend private ownership of those public utilities which practically enslave 80 per cent of our population, refer with just as much solemn dignity and with just as much pious hypocrisy to "the law" and to "the Constitution." They care nothing for "the law" or "the Constitution," except in so far as each may be made subservient to their selfish ends.

Mr. Speaker, here is what "the law" of the land had to say about the rights of the master over his slave, which sacred rights were defended by Congressman De Jarnette in the name of the sanctity of "God's altar." In the case of Neal *v.* Farmer (9 Georgia Repts.) the court held that the master had absolute dominion over the slave, and that it was no crime even to kill a slave. The court said:

> In the absence of any statutory limitation on that property he holds it as unqualifiedly as the first proprietor held it, and his title and the extent of his property were sanctioned by the usage of nations which had grown into law. There is no sensible account to be given of property in slaves here but this. What were, then, the rights of the African chief in the slave which he had captured in war? The slave was his to sell or to give or to kill.

And in the case of State *v.* Mann (2 Devereaux's Repts., p. 268) the Supreme Court of North Carolina held that it was no crime for the owner of a woman slave to assault, beat, or wound her. The court said:

> That there may be particular instances of cruelty and barbarity where in conscience the law might properly interfere is most probable. The difficulty is to determine where the court may properly begin. Merely in the abstract it may well be asked, Which power of the master accords with right? The answer will probably sweep away all of them. But we can not look at the master in that light. The truth is that we are forbidden to enter upon a train of general reasoning upon the subject. We can not allow the power of the master to be brought into discussion in the courts of justice. The slave, to remain a slave, must be made sensible that there is no appeal from his master; that his power is in no instance usurped; but is conferred by the laws of man, at least if not by the laws of God.

Mr. Speaker, I cite these cases only to show what diabolical acts of inhumanity were defended upon this floor 50 years ago in the name of "the law" and in the name of "the Constitution." It was the defense of the "rights of property" as against the "rights of humanity."

A great war gave all Americans their political freedom and erased from our history the blot of human slavery at least as a legal institution.

A half century has rolled by, and during that time all male citizens as a class have had the right to vote. Except in a small number of States, women have been denied that great privilege. And how has the country fared?

At the close of the Civil War the wealth of the United States was $25,000,000,000, and that wealth was quite evenly distributed. To-day the wealth of the United States is $120,000,000,000, and 70 per cent of that wealth is owned by 200,000 men. In other words, two-tenths of 1 per cent of our population to-day owns 70 per cent of our wealth.

Do these figures indicate that the right of suffrage has been a detriment to the institution of private property? On the contrary, these figures show conclusively that the male voters have signally failed to properly safeguard the rights of the public against the aggrandizement of capital. Would it be any better if women were given the ballot? I do not know, but there is one thing I do know, and that is that it could not be any worse. And another thing I know is that the special interests that have acquired 70 per cent of the wealth of the United States, leaving the remaining 99,800,000 people practically industrial slaves, are opposed to woman suffrage, and those special interests usually know what is best for them. If it is best for the special interests to keep the ballot from our mothers, our wives, and our sisters, it is to our best interests to enfranchise women at once.

"Oh," they say, "what good will the enfranchisement of women do if the men have so carelessly used the ballot that the special interests have acquired practically all the wealth of the country?" They ask if the enfranchisement of women will not merely result in increasing the total number of votes cast without in any respect changing the result?

I admit that the men have used the ballot to poor advantage, but it has cost the special interests millions of dollars at each election to corrupt and influence the male voters into voting contrary to their interests, and in controlling the press and other influences which have a bearing upon men's votes.

The interests may, through a control of the press and other corrupt means, be able to control elections after women are enfranchised as they have before, but it will be harder for them to do it. There will be more voters to control, and that of itself will make the task of corruptly controlling the electorate more difficult. Besides, it will be harder to reach the mother in the home with corrupt influence than it is to reach the poor laboring man, who in many cases has no home.

I believe in the natural instincts of women for good. I believe it not only their right to vote, but I believe it is their duty to do so. [Applause.]

Mr. CAMPBELL. Mr. Speaker, I yield 10 minutes to the gentleman from Illinois [Mr. MANN]. [Applause.]

Mr. MANN. Mr. Speaker, with pain and tribulation they bring us forth into the world; with love and affection they nurse us when we are young and educate us when we grow older into the guidance of those principles which make for our lives; they teach our children in the public schools; in the main they run our churches; they are in control to a large extent of our civic organizations; they are our counselors when we become older; to them we turn for that advice which is most valuable to us when temptation or trials come before us; and I am quite content to trust their judgment at the polls. [Applause.]

Mr. Speaker, I realize that there are strong and powerful arguments on both sides of the question of woman suffrage, and still stronger arguments on the subject of national suffrage, but the tendency of the world everywhere is toward enlarging the grant of power to those who shall control the destinies of the Nation. The uneducated, the poor, the serfs, the slaves, have been educated to the power of helping in government. We may stem the current for the moment, but civilization's progress develops unerringly the logic of granting suffrage to all who have the capacity to make proper use of it.

No one denies the intellectual power of women to make proper use of suffrage. I believe the time has come in this country where we must safely say to those who are in intimate relation with us all through life: "We ask you to help us in the management of the affairs of this great Nation, in the hope that we may make progress still greater in the future than we have in the past, in the belief that granting responsibility will bring new considerations to the great problems which we have to meet." And I feel that we are warranted in trusting in the good wife's judgment of the other half of humanity in a management of the affairs of our country. [Applause.]

The SPEAKER. The gentleman has yielded back 5 minutes. The gentleman from Kansas [Mr. CAMPBELL] has 10 minutes remaining and the gentleman from Texas 7, and if nobody desires to speak the Chair will put the question.

Mr. HENRY. Does the gentleman from Kansas [Mr. CAMPBELL] desire to use the balance of his time?

Mr. MANN. We will not use the time.

Mr. HENRY. Mr. Speaker, I yield the remainder of my time to the gentleman from Alabama [Mr. UNDERWOOD]. [Applause.]

The SPEAKER. The gentleman from Alabama [Mr. UNDERWOOD] is recognized for seven minutes.

Mr. UNDERWOOD. Mr. Speaker, the question that confronts the House to-day is the gravest question that this body can consider. It is asserted by those who advocate the right of the women of this country to vote that it is a right on their part, and yet this morning I have listened to gentlemen argue on that side of the question who come here from States that deny that right to their own women, or who come from States that but grudgingly have given a part of the franchise to the women of their own States. Do they represent the sentiment of their own people, who have the power to act and who have refused to do so?

Mr. Speaker, I deny that the exercise of the franchise is a universal right. To exercise the franchise in this American Republic is the highest privilege that can be granted. It is no more the right to exercise the franchise than it is a right possessed by man or woman to hold office. And even those States where the women of the State have been given the right of franchise, themselves deny that the franchise is a right and not a privilege. Some of the States represented on the floor of this House that will probably cast their votes in favor of woman suffrage to-day would almost unanimously, so far as the white vote is concerned, men and women alike, deny the right, if you call it a right, to other races, because you believe if you granted what you call a right you might destroy your own civilization. And, therefore, you yourselves recognize that the question of franchise is a high privilege and not a universal right. I do not speak for myself alone. As the floor leader of the majority of this House, on this occasion I have a right to speak for my party. The Democratic Party has not been silent on this question. It has not attempted to say what should be done in California or in New York or in Alabama. It has not said that the women of any State in the Union should not have the right to exercise the high privilege of the franchise, but it has said that under our Constitution, our laws, in view of the history of our Republic, this question must be settled by the individual States and not by the National Government.

There is no question that is more fundamental in the history of the Democratic Party than that each State in this Union shall govern its own franchise. If you left the question of the right to vote to the entire people of the United States, they have not the information about local affairs, they are not surrounded by all the conditions that would lead to a wise, a safe, and a patriotic solution of the question.

At one time in my own State universal manhood suffrage was granted to the people of Alabama, and that portion of my State that suffered the worst from it were the good women and children of the State of Alabama.

This right of suffrage is going to move just as fast as the conditions of the people who seek this privilege warrant them in exercising it. If you try to drive it faster than that, you but court disaster and the wreck and ruin of some portions of this country. [Applause.]

The SPEAKER. The time of the gentleman from Alabama has expired. The question is on agreeing to the resolution.

The question was taken, and the Speaker announced that the ayes seemed to have it.

Mr. BARTLETT. A division, Mr. Speaker.

The SPEAKER. The gentleman from Georgia [Mr. BARTLETT] demands a division. Those in favor of passing this rule will rise and stand until they are counted. [After counting.] Two hundred and nine gentlemen have risen in the affirmative. Those opposed will rise and stand until they are counted. [After counting.] Thirty-seven gentlemen have risen in the negative. On this vote the ayes are 209 and the noes are 37, and the rule is agreed to. The Chair recognizes the gentleman from North Carolina [Mr. WEBB] for one hour.

Mr. MANN. The resolution has to be reported, Mr. Speaker.

The SPEAKER. The Clerk will report the joint resolution.

The Clerk read as follows:

Joint resolution (H. J. Res. 1) proposing an amendment to the Constitution of the United States, extending the right of suffrage to women.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article be proposed to the legislatures of the several States as an amendment to the Constitution of the United States, which, when ratified by three-fourth of said legislatures, shall be valid as part of said Constitution, namely:

"ARTICLE —.—SECTION 1. The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of sex.

"SEC. 2. Congress shall have power, by appropriate legislation, to enforce the provisions of this article."

Mr. CULLOP rose.

The SPEAKER. For what purpose does the gentleman from Indiana rise?

Mr. CULLOP. To make a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. CULLOP. When would be a proper time to offer an amendment to the resolution?

The SPEAKER. When we get through with the six hours' debate.

Mr. CULLOP. Would it be proper to offer it now and have it pending?

The SPEAKER. It would be proper to offer it now for information.

Mr. CULLOP. Then I desire to offer it now. In line 6——

Mr. MANN. Mr. Speaker, it is not proper to offer it now.

The SPEAKER. He is not offering it.

Mr. MANN. He has not the floor.

Mr. CULLOP. I am asking only to have it read.

The SPEAKER. The gentleman from North Carolina [Mr. WEBB] was recognized for one hour, and he has the floor. If he wants to yield to the gentleman from Indiana he has the right to do it.

Mr. DUPRÉ. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. DUPRÉ. May I inquire what was the recommendation of the Committee on the Judiciary on this resolution?

The SPEAKER. It did not make any.

Mr. CULLOP. Mr. Speaker, if the gentleman from North Carolina will yield to me for a moment I will offer the amendment.

Mr. WEBB. I prefer not to yield, Mr. Speaker. I prefer that it shall be done at the end of the debate.

Mr. CULLOP. I ask unanimous consent, Mr. Speaker, that I may offer the amendment now, so as to have it before the House for information.

The SPEAKER. The gentleman from Indiana [Mr. CULLOP]——

Mr. MANN. Mr. Speaker, I do not think that is proper procedure unless the gentleman can get time and give notice of his amendment. He will have an opportunity, when it is reached under the five-minute rule, to offer it.

The SPEAKER. The proper time to offer amendments is at the close of the general debate.

Mr. CAMPBELL. Mr. Speaker, I ask for the regular order.

The SPEAKER. The regular order is the gentleman from North Carolina [Mr. WEBB]. The Chair would answer the parliamentary inquiry of the gentleman from Louisiana [Mr. DUPRÉ] still further, that the Chair understands that the Judiciary Committee made no recommendation whatever. It simply threw this amendment back into the House.

Mr. MANN. That is not a parliamentary inquiry.

Mr. DUPRÉ. The Chair is entirely correct.

Mr. WEBB. That should be discovered by the report of the committee itself, Mr. Speaker.

The SPEAKER. The gentleman from North Carolina is recognized for one hour.

Mr. WEBB. Mr. Speaker, I desire to be notified when I have used five minutes.

The SPEAKER. Very well.

Mr. WEBB. Mr. Speaker, I am opposed to woman suffrage, but I am not opposed to woman. I respect her, admire her, reverence her, because of the sacred position she occupies in all human life and growth. It is because of this respect, admiration, and reverence that I am opposed to woman suffrage.

Nature destined woman to be the home maker, the child rearer, while man is the money maker. The most sacred and potential spot on earth is the fireside shrine. Here the child receives its morals, its religion, its character; and over this shrine the devoted mother presides as the reigning sovereign, the uncrowned queen; but her influence is more powerful, her edicts more important than the acts of all the throned monarchs of earth.

I am unwilling, as a southern man, to force upon her any burden which will distract this loving potentate from her sacred, God-imposed duties.

I am unwilling to force her into the vortex of politics, where her sensitiveness and her modesty will often be offended.

She can not purify politics with the ballot. On the contrary, I fear that politics, if corrupt, might corrupt her also.

When you set the lure of active, political strife before a woman and she is drawn into it, to that extent the home must suffer.

Prof. Durant Drake, of Wesleyan University, writing in the November North American Review, says:

> It would seem (though we must speak tentatively and without dogmatism on this matter until it shall have thoroughly been thrashed out) that society must insist that the normal sphere of woman lies in the making of the home and the bringing up of children—a task so arduous and exacting as to forbid its proper fulfillment side by side with any other vocation.
>
> We must repeat that it is not a question, ultimately, of what women want, but of what they ought to want; not a question of rights, but duties.
>
> The highest good of the community as a whole has precedence over the wishes of any class; the legislation and conventions of the future must be based not upon any plea for liberty, but upon solid considerations of general human welfare.

No country in the world has emancipated woman so rapidly as has the United States, and yet woman suffragists positively refuse to submit the question of women voting to women themselves, but demand that we men shall thrust the ballot into the hands of women, even though they do not ask it.

I venture the statement that were the question of women voting submitted to the women of the United States more than 80 per cent would express themselves against it.

I am opposed to this resolution on another ground—that is, I believe in the absolute right of every State to prescribe the qualifications of its voters, and so long as our dual form of Government remains inviolate, this right must rest within the power of the States as their sovereign prerogative.

There is no analogy from the standpoint of State rights between making the Federal Government a party to the stamping out of the liquor traffic and in making it a party in fixing the qualifications of the voters of the several States.

The SPEAKER. The gentleman has used five minutes.

Mr. WEBB. I will take five minutes more, Mr. Speaker.

Practically every great thinker and authority from the Supreme Court of the United States down has declared that the liquor traffic produces more pauperism, misery, and crime than all other causes combined, and certainly it is not an intrenchment upon the rights of the States for them to enlist the aid of the Federal Government in stamping out a traffic which produces such awful results. On the contrary, no one will declare that any such dire results will flow from the failure on the part of Congress to submit to the States this question, especially when a majority of the women are opposed to having the ballot thrust into their hands.

I believe that 90 per cent of the mothers in this country are not only not in favor of woman suffrage, but are positively against it.

They are willing to trust their husbands and their sons to make the laws while they make the homes.

If woman is to demand and receive equal privileges at the polls, in the workshops, and in every walk of life, then why should man be longer required to support the wife?

Why should he be put in jail for abandonment unless woman be required to suffer equally for such offense?

Why should man be longer required to support the wife any more than the wife should be required to support the husband? If man is required to work the public roads, then why not woman? If men must pay poll taxes, women must do so, too.

I am well aware that extreme suffragists, feminists, Socialists, and I. W. W.'s will say that my ideas on the question of woman suffrage are out of date and antiquated, but I beg to remind all such critics that this Government has grown in power and population as no other country on earth has grown, and for more than 100 years has been known the world over as the land of the brave and the home of the free—and all this marvelous growth has come about and this splendid reputation attained without the aid of woman's ballot.

If I thought woman suffrage was best for my country, or even for womankind, I would gladly support it, but believing sincerely that it would be harmful to both I shall stubbornly oppose it.

Mrs. Horace Brock, honorary president State Federation of Pennsylvania Women, president Pennsylvania Association Opposed to Woman Suffrage, has well said:

> The assumption that man has attained a more dignified or "superior" position in human society than woman is based on the suffrage sophistry that it is better to be a man than a woman—a common claim. Their real quarrel is not with men with women, nor with government, but with the nature that made them women instead of men. Lacking the attributes of the masculine nature which they admire, they seek some measure of identity with men by legislation. This is the fundamental fact at the bottom of the suffrage agitation.

If women are so anxious to vote, why do they not hurry across the continent to Wyoming, the State of my friend MONDELL, the author of this resolution? There they have been voting longer than in any other State in the Union, and there we find not only that no women immigrated in to exercise this precious right of franchise, but the women in proportion to the men have been actually diminishing for the last half century.

No, Mr. Speaker, the truth about this matter is that woman suffragism is more or less a fad, and if in the morning, tomorrow morning, all of these busy advocates of woman suffrage to-day should wake and find themselves actually enfranchised they would be disappointed, surprised, and chagrined. The truth of it is, my friends, these agitating women suffragists want something to agitate about, and after the agitation is over and they have secured their object they would be disappointed because no more agitation would be in order.

The SPEAKER. The gentleman has used five minutes more.

Mr. WEBB. I will take two minutes more.

The SPEAKER. The gentleman is recognized for two minutes more.

Mr. WEBB. They remind me very much of the Irishman who heard that there was a run on the bank in which he had a deposit. He hurried around the corner to his bank and rushed in and said to the cashier, "Mr. Cashier, I want my $3,000, and I want it quick." "All right," said the cashier, "here it is." "Oh, faith, can I get it?" inquired the Irishman. "Yes," said the cashier; "here it is." "Well it is this way," said the Irishman, "if I can get it, I don't want it; but if I can't get it, I want it mighty bad." That is the way with many of the women suffragists. If they can get it, they do not want it; and if they can not get it, they want it very bad.

Mr. Speaker, it is claimed that there are more women in the State of Pennsylvania opposed to woman suffrage than there are women in all the suffrage States in favor it. Everybody knows that this House will not vote to submit this amendment by a two-thirds vote. Everybody knows that the people of the United States are not for it. We are simply frittering away the time of this House in order to give some of these agitators the power to go over the country and attack in public speeches the Members who do not vote according to their bidding. Mr. Speaker, I for one expect to cast my vote to-day to protect woman against herself. [Applause.]

Mr. Speaker, here are extracts from a letter addressed to the President of the United States by the National Association Opposed to Woman Suffrage, Mrs. Arthur M. Dodge, president, dated November 27, 1914, and published in the December number of The Woman's Protest:

"After 65 years of constant agitation and recruiting on the part of suffragists, their national membership, estimated on representation of 53 suffrage associations certified to by their credentials committee at their recent national convention at

Nashville, is under 200,000 for the entire United States, or less than 1 per cent of the 24,555,754 mature women in America. It is also strikingly significant that in the States where women vote, and where it is natural to look for the most women organized to help obtain the franchise for their sisters, if beneficial, only 6,700 members of suffrage associations appear to exist according to the credential report; and none of the four oldest suffrage States—Colorado, Utah, Wyoming, and Idaho—was interested enough to represent itself by delegation at the national suffrage convention.

"Besides, Nevada and Montana have often been called the 'blackest and wettest States in the Union' by the suffragists themselves. In Nevada a direct appeal for the saloon vote was made by an advertisement signed by two officers of their suffrage organization. In Montana the W. C. T. U. was denied a place in a suffrage parade for fear of offending the 'liquor interests.' The defeat of the 'cause' in the other five States, coming as a supplement to the overwhelming defeats of suffrage at the polls in 1913 in Ohio, Wisconsin, and Michigan, is an indication that 'votes for women' are repudiated decisively in the most progressive and populous communities.

"A favorite argument with the suffragists is that 'the women should be consulted' in politics. We ask that the women be consulted on this issue above all others. The suffragists, on the other hand, dare not propose 'letting the women decide,' and their most famous advocates and apologists have specifically declined to approve the will of the majority of women. But we would have every statesman and scholar in America seriously consider the fact that the vote against woman suffrage in the recent election corresponded with the proportion of women available to advise their husbands, fathers, sons, and brothers on the franchise question."

—

"MORE LIGHT ON THE 'LIQUOR INTERESTS' BUGABOO."

[From The Woman's Protest for December, 1914. Editorial.]

"Let us ascertain the truth.

"It is true that suffrage organizations have solicited campaign funds from the liquor interests. The liquor interests have declared, 'Experience has proved that we have nothing to fear from woman suffrage.'

"It is also true that the antisuffrage organization has never either solicited or received one cent of money from any individual or organization connected with the liquor interests.

"The antisuffragists court publicity on this subject. Do the suffragists?"

—

[From the Woman's Protest, December (p. 10).]

"Two successive and prominent speakers rose at the National Suffrage Convention at Nashville to point out that women 'need the ballot because nearly 9,000,000 women are working outside the home.' * * * We simply refer the investigator to the census report of occupations, issued June 20, 1914, in which it is shown only 8,075,772 feminine workers over 10 years of age were employed in all gainful occupations in homes or anywhere else in America at the last census, and furthermore indicates that even this number is perhaps too great, and should be 7,607,672 (p. 27, vol. 4). Of these 4,338,337, or over half, are employed as domestic or in agricultural pursuits, where every woman who makes butter or sells eggs for market is included. If suffragists can not confine their oratory to the actual number of women the census shows to be 'working outside the home'—3,974,957—and can not mention that the census also shows 20,346.961 women engaged inside of the 17,805,845 homes that house the 20,255,555 families, or further, that of the 24,555,754 women in America over 21, 20,518.833 are or have been married, we won't quibble about their honor or fairness; we only show the ridiculous contrast between suffrage statistics and the United States census.

"After a campaign in which house-to-house canvasses were made, scores of workers speaking and organizing in every county of the State, and every possible method of bringing the suffrage arguments to the people strenuously enforced by the suffrage campaigners, the proposal to adopt equal suffrage in Ohio was defeated by the voters of the State at the recent election by a majority of 182,905. This is an increase over the defeating majority registered two years ago on the same subject of 96,000 votes. And it would seem to indicate that if the suffragists attempt a third election, as they are threatening to do again in two years, their measure will go down to defeat then by about 300,000 majority—a rather discouraging sort of progress for the movement, one would think.

"Facts are rarely of much interest to a defeated party; theories are much more interesting. But here are the facts for those who care for them:

"The home-rule measure—the 'wet' or 'liquor measure'—won in Ohio by a poor, frightened 8,300 majority—less than one-twentieth of the antisuffrage majority. Yet suffragists say it was that which did it. Prohibition was defeated by 83,371—considerably less than half of the suffrage-defeating majority. And 179,132 voters voted for prohibition who did not vote for woman suffrage. Two hundred and forty-eight thousand six hundred and fifty-nine voted on the liquor measure who did not care enough about suffrage to vote either way.

"'My wife doesn't believe in woman suffrage.' That was what defeated woman suffrage in Ohio. That was the gentle slogan spoken by hundreds of thousands of men on election morning and the day before, with no idea they were uttering a campaign cry which piled up that majority against politicalizing humanity to the number of 182,905."

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[Clipped from the Woman's Protest for December, 1914.]

"In this State the men voted against extending larger liberality toward the liquor interests; also they voted against extension of woman suffrage to women. They did differently in Montana, where they voted in favor of equal suffrage and for a law legalizing prize fighting. The contrast between the two adjoining States is so clearly marked as to render it both notable and novel. (Vermilion (S. Dak.) Republican.)

"We regret to say that in California, with equal suffrage in full force for the first time, prohibition was defeated by over 150,000 majority. And not only that but, worse still, by way of a clincher, the proposition to prevent any vote on the prohibition question for the next succeeding eight years was also carried. Thus it is evident that universal suffrage and State-wide prohibition do not necessarily trudge along hand in hand. (Exchange.)

NORTH DAKOTA.

"Another interesting fact is that the campaign cry of the suffragists was that we were in league with the liquor and vice interests generally. The figures do not seem to bear this out. Every one of the Red River Valley counties, viz: The row of counties lying along the eastern border of the State—Pembina, Walsh, Grand Forks, Traill, Cass, and Richland—counted as 'dry' counties gave a majority against suffrage, the combined majorities of these counties for us being 3,188.

"It is a curious fact that most of the counties giving a majority for suffrage are not in the 'dry' part of the State, but are in the western part of the Missouri slope.

"The election returns in this State also give additional proof that our women do not want to vote and will not vote.

"A few illustrations will demonstrate this: In Cass County, including Fargo, the home of the 'Votes for Women League,' 4,827 men voted and 196 women. In Stutsman County, the headquarters of the 'W. C. T. U.' and the home of Mrs. Elizabeth Preston Anderson, who campaigned for suffrage for 10 months, 2,580 men voted and 55 women. In Barnes County, where many prominent suffragists reside, 2,365 men voted and 85 women. In Ramsey County, 2,719 men voted and 27 women. In Traill County, 1,784 men voted and 48 women."

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[Clipped from the Woman's Protest, December, 1914 (p. 11).]

MONTANA.

"At this writing the official count has not been made.

"To-day, if suffrage has carried, Montana faces the menace of socialism in a greater degree than it has before. The victory, if it proves to be a victory, is one for the Socialist Party, and this statement is borne out by the returns from Missoula and other socialistic strongholds, where the largest majorities were piled up for the amendment."

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[From the Lesterville Ledger.]

"The voters of South Dakota believe that there is enough of disappointment in politics for men without attaching this additional trouble and worry on the women."

Occupational statistics of importance.

Females over 10 years of age in all occupations in the United States	8,075,772
Agriculture, forestry, and animal industry	1,807,501
Personal and domestic service	2,530,846
Manufacturing and mechanical pursuits	1,820,980
Trade	468,088
Clerical occupations	593,224
Professional service	733,885
Transportation	106,596
Public service (not elsewhere classified)	13,558
Extraction of minerals	1,094

Males in United States, 47,332,277; males in United States 10 years and over, 37,027,558; males in United States 10 years and over in gainful pursuits, 30,091,564—81.3 per cent; 81.3 per cent of males of 10 years and over are wage earners as against 23.4 per cent female wage earners.

United States Census, volume 4, on Population, dealing with occupational statistics:

Females in United States	44,639,989
Females in United States 10 years and over	34,552,712
Females in United States 10 years and over engaged in gainful occupations	8,075,772

"That is, only 23.4 per cent of the females of 10 years and over in this country earn their own living."

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[Clipped from the Woman's Protest, December, 1914 (p. 12).]

"Harriet Stanton Blatch declares that women are the first class to fight their battle entirely alone. She is forgetting that the Socialists, the Progressives, the Mormons, and the Industrial Workers of the World are all staunch allies of the suffragists. Did Mrs. Blatch not take part in the suffrage parade when the Socialists carried a banner saying, 'One million Socialists vote and work for suffrage'? And is she so ungrateful as to forget that the recent suffrage victory in Nevada was entirely due to the Socialists and Mormons?"

THE RIGHTS TO BE FREE FROM DUTIES.

"In the North American Review for November Prof. Durant Drake, of Wesleyan University, discusses 'The ethics of the women's cause.' Prof. Drake is inclined to predict as inevitable certain gains for the cause of 'Votes for Women.'

"Of the rights of women the essayist reminds us that 'the woman movement is largely an expression of willfulness, of impatience of restraint. This can, of course, be idealized, and can awaken splendid and self-sacrificing loyalties; but we must not be misled by these. The fundamental requirements of our human nature and the inexorable conditions of its existence demand many sacrifices of desire. And so, however deeply we may admire and sympathize with the sex that has been so long repressed and patronizingly petted, however much we may long for women to have equally noble opportunities, and to be recognized through and through as men's comrades and equals, we must not assume that either men or women can rightly be freed from restrictions and often irksome duties.

"'Certain fundamental facts can not be ignored. Woman is a child-bearing and, more, a child-rearing animal. There is nothing humiliating in this fact, however bluntly put, any more than in the fact that man is, by necessity, a money-making animal. Of the two vocations the one that nature decrees to women is the nobler, and though attended with more pain, on the whole, the happier. At any rate, it can not without disaster be evaded. Children do not thrive well under institutional care—that is proved; they need the personal care, the patient, loving, skillful, endless care of mothers. If the human race is to continue, women must give the best of their strength to its perpetuation; if it is to develop its potentialities, physical, mental, moral, women must give years from their lives—the best years—for the care and nurture of children; they must give preliminary years to the acquirement of the knowledge and skill that shall fit them for this greatest of vocations. And if this task is decreed by nature for women, men are by a complementary duty bound to work for the support of the women thus engaged, and for the children, who must be allowed, say, 20 years apiece of play and learning time before they become, if men, producers, if women, in their turn, child rearers—so much division of labor is, in normal cases, inevitable."

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[Clipped and copied from the Woman's Protest, December, 1914 (p. 14).]

"In the 'dry-and-suffrage' parade in Columbus, Ohio, the Sunday before election, five little colored girls marched, carrying a banner with the inscription, 'We are the men of to-day.'

"NOTES AND COMMENTS (P. 15).

"Many women, having little else, demand the vote, having persuaded themselves it will give them that 'else' they lack. On the contrary, the majority of the women who have that else realize that the ballot will not add to that which they have, but take from it.

"In the woman's suffrage propaganda there is involved a question far more vital and far-reaching than the mere political stability of the State. There hangs in the balance the very existence and perpetuity of the State and the moral and physical well-being of the people. The greatest evils in this country to-day are not to be found in the unsavory political corruption that occasionally comes to light; they are not to be found in the untoward encroachments of predatory trusts, nor even in the oppressive congestion of the slums. They are to be found rather in the social ideals of those classes of the people upon whom, by reason of their superior culture or affluence, responsibility for the social ideals of the nation chiefly falls, and two of the gravest and most insidious of those evils are the diminution of the family and the startling spread of divorce.

"Well said for Virginia. Virginia has recently gone 'dry,' and women do not vote. California has just had an election and went 'wet,' the women espousing the liquor cause. Another Western State also went 'wet,' the women voting the wet ticket.

"Georgia, North Carolina, Tennessee, and Mississippi are dry States and men voted them dry. Men voted Maine dry.

"For those Woman's Christian Temperance Union women, mostly from the West and North, to come down here and preach woman's suffrage to be a national law, regardless of States, was a piece of political impertinence. Suffrage is dearer to their hearts than prohibition, else they would have eschewed the subject in a southern prohibition State.

"All but this one Virginia woman, by their actions and expression, indorsed the views of Mrs. Carrie Catt, who says: 'If this present Constitution stands in our way, we propose to tear it up and make another.'"

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[From the Woman's Protest, November, 1914.]

THE MENACE OF THE CONTROLLED "WOMAN VOTE" (P. 3).

"The controlled vote is the menace of the densely populated districts. That woman suffrage will add to this vote in overwhelming numbers is an antisuffrage belief. An illustration of it is found in the recent election in California, a suffrage State, which defeated prohibition, November 3.

"We quote from Hearst's (suffrage) San Francisco Examiner of November 4:

"'All the excitement during the day centered around the booths in the Barbary Coast district and those in the uptown tenderloin. McDonough brothers, Frank Daroux, "Red" Kelly, et al., who control the Barbary Coast vote, were working tooth and nail to elect Dominick J. Behan State senator, while Jim Coffroth and Johnny Crowley were working just as hard uptown for Gus Hartman.

"'McDonough brothers had several automobiles busy all day long hauling Barbary Coast dance-hall girls and the inmates of houses on Commercial Street to the different booths, and always the women were supplied with a marked sample ballot.

"'Coffroth and Crowley were not so generous uptown. They let the women walk.

"'The strangest scenes of all possibly were those around the booth opposite the St. Francis Hotel, on Union Square. It was there that all the guests of the St. Francis, the Stewart, and other hotels in that neighborhood voted. There also voted many of the women of the night life, and that the strategical importance of this booth was realized by the two factions was evidenced by the fact that Gus Hartman occupied a soap box on one side of the street in front of this booth, while Frank Daroux sat across the sidewalk from him all day long.

"'From remarks heard around the booths those women voting against prohibition were greatly in the preponderance, and many women voted on that measure alone.'"

"It is thus seen once more why a Pacific coast liquor organization declared: 'After careful investigation of the matter in suffrage States, we find we have nothing to fear from the woman's vote.' Surely these men must know whom to fear and why. Evidently they do not fear the suffragists.

"THE ELECTIONS IN THE WEST (P. 4).

"Out of seven States where the question of woman suffrage came before the electorate, five defeated it overwhelmingly; one State, Nevada, the smallest in population and in the per cent of women, has evidently been carried by the suffragists, while Montana is still in doubt, and only the official count will determine the result. In Nevada the Socialist vote was over 5,000, the Mormon vote more than 1,000, probably 6,500 votes in all out of a total vote of 20,000, or nearly one-third of the entire vote. These votes were, of course, delivered in a block to the suffrage cause.

"One feature of the result is especially gratifying: The suffragists secured no State east of the Rockies; they have captured no territory in which the home wields the influence that it wields generally in the more populous States. Even in Nevada, in the larger towns where homes were most numerous, suffrage was defeated nearly two to one; the exceptions were the mining centers of Goldfield and Tonopah, where the Socialist vote was exceptionally strong. Out in the mining camps, where there were no women, particularly the small and isolated camps, the vote was practically unanimous in favor of suffrage. This is a confirmation of the contention of the antisuffragists that women do not want the ballot. * * *

"Suffrage was most overwhemingly defeated where the most women were consulted."

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"THE PASSING OF AN EPIDEMIC OF EMOTION" (PP. 5–6).

[By Mrs. George P. White, chairman organizing committee Pennsylvania Association Opposed to Woman Suffrage. (November The Woman's Protest.)]

"How many women who live in Western States have seen the sheriff come around with a list of registered voters in order to

collect a posse to capture outlaws? How many women want to get on such a list? How many want to serve on juries or to be called upon by policemen to assist in arresting criminals?

"Yes; there are a few—and they all heartily believe in 'votes for women.' The kind of woman who wants to become a politician and a policeman wants to be everything a man is—except a soldier. But where is she going to draw the line? The line at the polls is an emblem of the firing line. It is the proper place to designate the difference in duties and responsibilities that exist between man and woman.

"And it is the only chance the world has for peace. Militarism, despotism, and socialism have all proved unable to preserve peace in the hands of men who have votes and arms.

"That the logical feminists see the relation between politics and war is shown in Allen L. Benson, the socialist-suffragist's recent contention that 'if a woman votes to send a man to the cannon's mouth she should go with him.' And the suffragists say that 'the women voting to do this would not make a corporal's guard.'"

"If 1,200 men voted for a principle they consider vital, and 600 men and 1,000 women voted against it, how could the majority enforce its opinion? The 1,600 men and women could not meet the 1,200 men in battle and win, and yet if the 1,000 women all voted for the measure the 600 men have to defend would they not logically and morally be bound to join them in the contest? But supposing the 1,000 women do not vote and do not fight, is it not true that they not only escape a useless burden that would not make any difference in the decision but they preserve their own status as noncombatants and nonpartisans? And if they can not preserve peace, they can at least modify war, make the victor kinder to the vanquished, and keep themselves and children out of battles and bloodshed. Why does not Mrs. Pethick Lawrence see further than her fingers, and, by putting the words 'political war' in her sentence, make it represent a recognized and universal truth? Then she would say: 'The moral immunity of all women in civilized nations from the terrible duty of organized murder and political war is too great a boon to the whole world to be placed in jeopardy.' And the antisuffragists would piously add 'by woman suffrage.'

"Is there anything more significant than the fact that the Colorado women—who have voted 21 years—and the English militants—whose warlike campaigns are history—are the only women who have proposed women regiments? Of course Dr. Anna Howard Shaw says she would like to be a policeman. Other feminists would like to be everything, from bootblacks to President, rather than what nature made them, namely, women. A 'policeman' in skirts would have rather a nice time persuading desperate criminals to go to jail, would she not? One of them in Chicago recently threatened to resign unless the captain of the district had her escorted home by a man when she was on duty after dark!"

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"NINETEEN QUESTIONS FOR SUFFRAGISTS TO ANSWER."
[From the Woman's Protest, November, 1914.]

"*Headquarters, Pennsylvania Suffrage Association:*

"In fairness to the public, and in order to extend an accurate knowledge of just what woman suffrage may be expected to do in view of its past record, the Pennsylvania Association Opposed to Woman Suffrage invites your speakers to answer the following questions, and to give a clear explanation of the following facts and figures:

"1. Why is it that, after 65 years of constant agitation, the woman-suffrage cause is opposed by women themselves more vigorously than ever?

"2. Why is woman suffrage the only movement among women that has excited against itself an organized National and State opposition from other women?

"3. As the census report on occupations issued June 20, 1914, shows only 8,075,772 feminine workers over 10 years of age in the United States, why do suffragists claim that '8,000,000 women workers demand the ballot'?

"4. The National American Woman Suffrage Association claimed a membership of 'about 650,000' in June, 1914. The Congressional Union for Woman Suffrage, the National's rival, claimed 4,000 members about the same time. This makes 654,000 suffragists in America, which is less than one-twelfth the 8,000,000 feminine workers, less than one-half the total number of women enfranchised in the nine full-suffrage States (1,998,163, according to the census), and only 2.7 per cent of the women over 21 in America. Why have 97 women out of every 100 rejected woman suffrage for 65 years; and why do less than half the enfranchised women approve their own 'emancipation' and less than one-twelfth the women workers believe in 'votes for women'?

"5. Since the census figures show 4,338,337 of the feminine workers are employed in agricultural pursuits and domestic service—on farms and in homes—and that of the 24,555,754 women over 21 in America, 20,518,833 are or have been married, and are obviously 'making homes' for the 20,255,555 families who live in the 17,805,845 dwellings in the United States, how do you prove that 'woman's work has gone out of the home and into store, factory, and shop'?

"6. Woman suffrage, you claim, will bring better labor conditions. Colorado has had woman suffrage 21 years. Why, then, is Colorado the only State in the Union that has called for Federal aid in suppressing anarchy and riot twice in 10 years—in 1904 and 1914?

"7. Woman suffrage will do away with child labor, you assert. Above-mentioned census report (pp. 73, 442, and 512) show the same percentage of children from 10 to 13 at work in Colorado as in Pennsylvania. But in Colorado the highest number of such children work out as farm laborers, whereas in Pennsylvania the highest number are employed on the home farm. Nearly twice as many children work out on farms in Colorado as are employed by their own parents. In Pennsylvania the situation is so reversed that nearly three times as many children work for their own parents as for others. Does 'votes for women' force more children to leave home and work for others?

"8. Woman suffrage will bring 'economic independence,' you declare. How is economic independence to be secured without social revolution?

"9. If votes will raise wages, as suffrage agitators promise women workers, why do men in the same industries depend on labor unions rather than on votes to get higher pay?

"10. If woman suffrage will help the woman worker, explain the following testimony, after three years of suffrage in California, before the Federal Industrial Relations Commission at Los Angeles, September 10, 1914. Mrs. Katherine P. Edson, member of the California Industrial Welfare Commission, declared:

"'No doubt a large part of our social trouble, such as the children in the street, is due to men working for an inadequate wage and women being forced to go out and work. It seems to me a hopeless situation. My opinion is that there are more women working outside their homes here than there should be. Some large dry goods stores, I understand, are contemplating refusing to employ married women because of the numerous complaints from unmarried women workers.'

"Why does a woman call the condition of labor 'hopeless' where women vote?

"11. Various department stores in Philadelphia allow their employees all day off Saturdays during the summer. Where have women secured Saturday holidays with 'a piece of paper in a ballot box'?

"12. Woman suffrage will rout rum, you allege. Then why has no State ever gone 'dry' with 'votes for women,' although 11 have done so by the moral influence of woman on the votes of men only?

"13. Where were the women voters of Colorado on November 5, 1912, when that State defeated prohibition by a majority of 40,807 votes, 116,774 ballots being cast for the saloons? As there are 213,425 women over 21 in Colorado (p. 118, Census Abstract), it would have taken only 58 per cent of them to make the State 'dry' by a majority of 6,012 without a single male vote to help them. Does this not prove that most of the women who will vote are against the very temperance that all women desire and have secured under male suffrage?

"14. Wyoming got woman suffrage in 1869. It has remained the forty-seventh Commonwealth in the Union to this day, according to the census. If women seek 'emancipation,' why has the colonization of Wyoming been so sadly neglected for 45 years, and why are there only 100 women to every 168 men in that State, which is the second lowest proportionate feminine population in the United States? Why women avoid Wyoming wants explanation.

"15. Suffragists say women should vote because they pay taxes. On this plea the foreign corporation or individual or nonresident who pays taxes should vote. The majority of women are not taxpayers, however, and their addition to the electorate would only increase the number of voters who do not pay taxes. Do suffragists advocate further extension of irresponsibility?

"16. Suffragists are indorsed by all the unstable elements in our population—the Socialists, the Industrial Workers of the World, and the feminists. Do suffragists in turn indorse socialism, sabotage, and communism? If not, why do they accept the support of Socialists and feminists and run standing appeals for such support by officially advertising for it in revolutionary

magazines given over to the defense of convicted rioters and the glorification of masculine and feminine rebellion? (See a copy of the Masses.) Note standing advertisement of National American Woman Suffrage Association.

"17. If women are competent to vote on every question, why not allow them to vote on their own enfranchisement?

"18. In view of the fact that woman suffrage proposes another duty to woman, an unnecessary duty inconsistent with her highest natural duties and functions, and, furthermore, involves great risk and additional expense to the State, we have a right to ask what it can do to improve civic conditions, and where it has done so. If suffragists can not prove 'votes for women' are worth while, how can they show any reason why woman suffrage should not be rejected?

"19. An electorate, like a standing army, is a governmental instrument to carry out the will of the people. Its extension can only be advocated as a necessity or a service to the common good. Where and when have women proved their supreme moral influence as the mothers, wives, daughters, sisters, and teachers of men as 'inferior' to the ballots and bullets that men must sometimes use? What reason can suffragists give for asking women to use the weapons of men in a vain attempt to exercise political power when the wishes of women and the wisdom of the centuries teach us to rely on the moral might that women wield in the church, the school, and the home, where our citizens are made and molded by women?

"Mrs. HORACE BROCK,
"Mrs. J. GARDNER CASSATT,
"*Pennsylvania Association Opposed to Woman Suffrage.*"

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SUFFRAGISTS AGAIN ASSAIL PROMINENT PUBLIC MEN.

[From the Woman's Protest, November, 1914.]

"That suffragists sacrifice courtesy and self-respect to gain notoriety is no new thing. A striking case of such disregard of themselves and their obligations to others was shown by a delegation of suffragists who called recently on Mayor Blankenburg, of Philadelphia.

"We quote an extract from a statement on the subject issued by Mrs. George P. White, printed in the Bulletin on November 7:

"'Mayor Blankenburg is the fourth prominent public official to be insulted by representative suffragists after extending them every possible courtesy. President Taft was hissed by suffragists several years ago after a public address as their guest, the first time in history that a President of the United States had been so insulted. The suffragists refused to shake hands and "turned up their noses," by all reports, at their interview with President Wilson last spring, and, according to his own word, subjected him to an undignified cross-examination and "demanded action." On May 2 Mayor Mitchel, of New York, was insulted and ridiculed and characterized in a speech as "poor boy" at a suffrage meeting, where he was an invited guest, because he would not approve of feminism.

"'And now Mayor Blankenburg, a man whose administration has gained the respect and admiration of every man and woman in Pennsylvania for its high ideals of public service, is attacked in his own reception room by a bevy of suffragists, who level at him the charge of playing party politics and withholding money from the hungry and the unemployed.

"'Mayor Blankenburg calls the attack "offensive and insulting," and says that the suffragists have hurt their cause.'"

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SUFFRAGISTS AND THE LIQUOR INTERESTS.

[From the Woman's Protest, November, 1914.]

"In the October issue of the Woman's Voice, official organ of the Montana Woman's Christian Temperance Union, we find this statement by the president of the association:

"'Our Woman's Christian Temperance Union had no division in the suffrage parade during fair week. Our committee was arranging for floats, banners, etc., according to invitation given, when our chairman was informed that some suffragists thought it better not to have the Woman's Christian Temperance Union in the parade as a body. It is laughable to have the suffragists so considerate of the views of the liquor men that they fear to antagonize them by allowing a temperance banner in their parade. But such is their policy. So the oldest suffrage organization in the State—the Woman's Christian Temperance Union, 1883–1914—which is proud of its white ribbons, was not represented in the parade.'"

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NOTES AND COMMENTS.

[From the Woman's Protest, November, 1914.]

"In Dayton, Ohio, a negro woman saw a friend in the parade. 'What's Mis' Johnson doin' there,' she queried. 'Her man is good to her.'

"At the annual convention of the Vermont State Suffrage Association, at Burlington, E. P. Jose, of Johnson, Progressive leader in the House in 1912, told the Suffragists that they were farther from the ballot to-day than 10 years ago. (Boston Transcript.)

"In the pretty complete rout and havoc of the suffragists in the Western States they have two small victories to celebrate at the big meetings they have planned for the celebration of seven victories in seven States. The National Woman Suffrage Association has worked hard to secure the reelection of Senator SMOOT, the Mormon representative from Utah, and has succeeded. The Mormon Church has always stood for suffrage, and has been in large part responsible for the spread of suffrage in the West. Nevada and Montana have many Mormons among their population. Another victory which the suffragists can celebrate is the big defeat of prohibition in California. (The Woman Citizen.)"

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[From a circular letter addressed to the Members of the Senate and House of Representatives of the United States of America by Mrs. Horace Brock, honorary president State Federation of Pennsylvania Women, president Pennsylvania Association Opposed to Woman Suffrage.]

"Do you believe a policy not yet proved a success in the most favorable environment in our sparsely settled Western States, where the full number of women enfranchised in 11 States is 15,000 fewer than the women over 21 in the single State of Pennsylvania, should be heedlessly undertaken on a national scale in spite of the protest at the polls of such States as Michigan, Wisconsin, Ohio, Missouri, Nebraska, North and South Dakota, and without examination of the results of woman suffrage and without the consent of the majority of women?

HIGH COST OF SUFFRAGE GOVERNMENT.

"Although the stanchest advocates of suffrage admit that 'votes for women' increases taxation and the high cost of government, do you know, gentlemen, that the last census report, issued June 20, 1914 (p. 43), shows that Wyoming, where women have voted 45 years, requires a higher percentage of the population in the public service than any other State in the Union—a higher percentage even than the District of Columbia?

"Also, do you realize that the census shows Nebraska, North and South Dakota, Missouri, and Ohio, all of which States have recently defeated 'votes for women,' require less than one-half the percentage of public servants engaged in Wyoming, Colorado, Idaho, and Utah, where women have voted 45, 21, and 18 years, respectively?

"Moreover, though Colorado has developed perhaps the weakest State government, it has the highest per capita tax in the Union.

"This may seem at first sight to indicate that more opportunities would exist for women to be engaged as public servants where they vote. However, the census report shows the opposite to be the fact.

"These five male-suffrage States, for instance, though they use less than half the percentage of public servants employed in the four old suffrage States—the only suffrage States at the time of the enumeration—engage a higher proportion of women to men in the public service. Thus is another antisuffrage argument borne out by Government statistics showing that entrance into politics decreases the proportion of women who as nonpartisans can command appointments to high public places through merit and social service. With 'votes for women' more jobs are created and demanded—but more men than women get them—because the men can control politics more easily than public opinion; whereas it is recognized that the women without political affiliations are better public servants. In other words, woman suffrage increases not only election expenses and expenses incident to emotional and experimental legislation but the office holding—and yet positively decreases the proportion of women to men in the public service.

IN THE NAME OF DEMOCRACY.

"Suffragists ask you to disregard both experience and numbers to enact this radical legislation affecting over 24,000,000 women on the grounds of 'fundamental democracy.' Gentlemen, we accept that ground without any reservation, and we ask you in the name of democracy founded on the expressed will of the majority, whether the proposed amendment to the Constitution of the United States, desired, at the utmost estimate, by less than one-fifth of our women, is democratic? Is it fundamental democracy, for instance, to make the Legislature of Wyoming, representing but 28,840 women, absolutely 'equal' to the Legislature of New York in deciding the perpetual political status of New York's 2,757,521 women over 21?

WHERE WOMAN'S WORK IS.

"Not only do the census figures prove the reverse, but thoughtful social students must admit that it is false that

'woman's work went out of the home with the weaving and the spinning.' Not only are 45 per cent of the gainfully occupied women employed in the home itself, but it is the normal woman's hope of happiness to possess a home. The woman in industry has no illusions about the so-called 'freedom' of economic independence. The tyrrany of the time clock, the tense, nervous strain of industrial 'speeding,' the monotonous manipulation of machines is the real 'slavery' for women—and 'freedom' is represented not by the vote or further industrial competition but by the fireside, husband, home, children, happiness.

"Women are not 'going out of the home' more and more. Instead, a letter from the Director of the Census states that the ratio of marriage is increasing, and the testimony of heads of industrial establishments is that it is not unusual nowadays to lose a half or a third of their feminine employees by marriage.

"The assumption that man has attained a more dignified or 'superior' position in human society than woman is based on the suffrage sophistry that it is better to be a man than a woman—a common claim.

"Their real quarrel is not with men, with women, nor with Government, but with the nature that made them women instead of men. Lacking the attributes of the masculine nature which they admire, they seek some measure of identity with men by legislation. This is the fundamental fact at the bottom of the suffrage agitation—the fallacy that man's position is superior to woman's. This is the belief shared alike by feminists and suffragists, that men, especially voters, are their superiors; that the relationship between men and women is that of master and servant, tyrant and slave.

"The 'woman in the home' is not a 'slave,' or fewer women in industry would seek the freedom of the fireside. Nor is she a drone, as sometimes alleged. Though the spinning and weaving have indeed left, education and sanitation have increased the duties of home management, just as modern business men, though they have long discarded the quill and the manuscript letter and taken advantage of typewriting, multigraphing, and printing, unknown to their grandfathers, are not less but more busy in the management of larger interests requiring more responsibility.

"So, too, though the home-making woman has been freed from the labors of her grandmother to a certain extent, modern society has required other duties and greater responsibilities, and the complexities of modern civilization demand all the more ability and care in the home training of the child, our greatest social problem. Women can not turn their children over to institutions, as sometimes advocated, and then go out and work for wages alongside their husbands, and they would not if they could. The mothers' pension acts were created exactly to remedy the necessity for such sacrifice of the child's right to a home.

"You will be told that 1,800,000 club women in the United States indorse woman suffrage. The fact that, even if true, this would mean less than 10 per cent of the 20,000,000 women who are neither suffragists nor enfranchised is significantly offset, however, by considering that the Pennsylvania Association Opposed to Woman Suffrage is an affiliated member of the State Federation of Pennsylvania Women and that I am honorary president of the federation and president of the antisuffragists, which would not be, of course, if our club women, as a body, had indorsed 'votes for women.'

ALL THERE IS TO WOMAN SUFFRAGE.

"In a recent article Dr. Shaw, president of the suffragists, says:

"'The reason men are enfranchised is that, as citizens, they have a stake in the Government. The reason women should be enfanchised is because, as citizens, they have a stake in the Government. That is all there is to this question of woman suffrage.'

* * * * * *

"The truth, though, is that both men and women have the same stake in the Government—and that stake is the family and the home. And that their common stake should be adequately represented in Government and society it is necessary that they represent it together, according to their complimental but different characteristics, he defending it on the field of battle and in politics, which is modified warfare; she preserving it as the refuge of pleasure and peace and representing it in places where the ideals and inspirations associated with wife and mother need not be counted to be considered and respected.

"Further, Dr. Shaw contends:

"'If men would divest themselves for one moment of the thought that women are related to them and other men * * * I doubt very much whether any man fundamentally sound and logical * * * could ever again utter a democratic principle without recognizing its application to the womanhood of the Nation.'

"This is faultless logic—with which every antisuffragist will agree—'if men would only divest themselves of the thought that women are related to them' * * * of course they would be suffragists.

"That is the whole trouble with woman suffrage—that after nearly 70 years of ceaseless agitation it has convinced neither the majority of men nor women that they are not relatives! When the feminists convince you, gentlemen, that your wives, daughters, mothers, and sisters are not relatives, but mere 'human beings,' belonging to a 'slave sex,' you have somehow 'subjugated' loving, defending, and protecting in every way you can imagine—you must logically embrace their theory.

"Until then the women who are related to yourselves and to the men by whom you were elected—the women who are proud of their womanhood and their relationship to men; the women who do not seek suffrage and some sort of sex neutrality as mere 'human beings,' unrelated to everything but their own individuality—ask you to vote against the Bristow-Mondell and Shafroth-Palmer amendments to enfranchise women.

SUFFRAGISTS WON'T REPRESENT WOMEN.

"As suffragists do not represent the will of women now, and beg you to ignore the will of women altogether in deciding this vital issue, as suffragists as a class represent the desire of some women to identify themselves as much as possible with man's methods and to use man's tools, neither would they fitly represent the will of women in politics.

"And to enfranchise women would merely start a corrupting force for all heedless women and create a burden on good women. We would all be forced to neglect the woman's work we want to continue, which is so vital to the Nation and the race, and take up man's weapons—chosen by suffragists and placed in our hands against our wills—to keep them from misrepresenting us further in politics. This is what we mean, gentlemen, by the 'burden of the ballot,' which is no mere play on words, but a menace to millions of earnest, thoughtful women, who believe they can serve the State better in their natural sphere than by imitating men.

THE FREEDOM OF THE FRANCHISE.

"If it is positively necessary for a few women to have the 'freedom of the franchise' to be happy, there are 11 States where this 'freedom' is available to every suffragist who considers it worth the carfare to the Mississippi. And these suffrage States are badly in need of women colonists, as with twenty times the area of Pennsylvania they have fewer women—and suffrage States average only 100 women to 146 men, while male suffrage States average 100 women to 106 men (p. 107, Abstract 13th U. S. Census).

"Therefore suffragists really owe it to their sisters in suffrage States and to their own principles to go help them count against 'man-made' laws and male majorities where women vote. Thousands of women have sought the 'freedom' of the great West for different purposes—some to get divorces at Reno or fresh air on Pike's Peak—but we have yet to hear of one solitary suffragist who has made the journey to acquire for herself the 'freedom of the franchise.' Candidly, gentlemen, have you?

"If we must refuse to consider the results of women suffrage and the number of women who want suffrage and force it on the majority through manipulation of constitutional machinery, we are asked to blindly follow the most preposterous proposition any nation was ever required to consider. At a time when the most expert statesmanship and the most experienced men are required to safeguard our national destiny; at a time when our whole people are vividly aware of the grim and terrible relationship between the ballot and the bullet, and considering military measures for the defense of our integrity, you are asked, gentlemen, to plunge our whole adult population into politics that may mean war—not alone war such as waged on the battle fields of Europe, but the sex war the suffragists have threatened; not only a war on the home, which is a sanctuary in military operations, but war in the home."

DISTRICT ASSOCIATION OPPOSED TO WOMAN SUFFRAGE.

"Official records show an immense contrast between the total possible vote in States where women vote and the actual vote. This article compares the record of six 'suffrage' States and six adjoining 'nonsuffrage' States.

"The figures indicate either that the imposition of the vote upon women has caused a host of men to evade the responsibility of the ballot or that very few women vote in the suffrage States.

"In either case the problem is serious and additional proof of the perils of woman suffrage.

"Figures showing the surprising weakness of the total vote of both males and females in the six suffrage States in the presidential election of 1912 and the contrasting high percentage of the total vote in six adjoining nonsuffrage States:

Woman-suffrage States.

California (population 21 years of age or over, exclusive of Japanese and Chinese):		
Males	890,794	
Females	665,450	
Total possible vote	1,556,244	
Actual vote for Presidency		673,527
Colorado:		
Males	269,211	
Females	213,340	
Total possible vote	482,551	
Actual vote		266,871
Wyoming:		
Males	61,519	
Females	28,426	
Total possible vote	89,945	
Actual vote		42,296
Washington:		
Males	428,825	
Females	276,429	
Total possible vote	705,254	
Actual vote		322,799
Idaho:		
Males	108,847	
Females	69,761	
Total possible vote	178,608	
Actual vote for Presidency		104,203
Utah:		
Males	101,902	
Females	85,648	
Total possible vote	187,550	
Actual vote for Presidency		111,894
Total population of men and women 21 years or more of age, exclusive of Japanese and Chinese, in six suffrage States, and therefore the total possible vote in those States		3,200,152
Total vote actually cast in those six States for the Presidency in 1912		1,521,590
The per cent which voted		47½

Nonsuffrage States.

Kansas (then a nonsuffrage State):	
Males 21 years of age or over, exclusive of Japanese and Chinese	508,425
Votes cast	365,442
Nebraska:	
Male votes possible	352,995
Votes cast	249,871
Oregon (then a nonsuffrage State):	
Male votes possible	244,719
Votes cast	137,040
Nevada:	
Male votes possible	38,443
Votes cast	20,744
South Dakota	
Male votes possible	178,054
Votes cast	116,325
Missouri:	
Male votes possible	972,483
Votes cast	698,562
Total men 21 years or over in 6 nonsuffrage States	2,295,119
Total vote in the 6 nonsuffrage States for President	1,587,984
Percentage of possible vote cast in 6 nonsuffrage States	69

"If 69 per cent of the men voted in the woman-suffrage States as they did in the nonwoman-suffrage States, an analysis of the figures shows that only 17.8 per cent of the women voters in the suffrage States actually voted.

"Here are the striking facts: In the six woman-suffrage States only 47½ per cent of the total possible vote was cast. In the six nonsuffrage States near the suffrage States 69 per cent of the total possible vote was cast, showing that woman suffrage, according to these statistics, which have been secured from the secretaries of state of the various States and from the most accurate published figures available, tends to decrease the actual voting strength rather than to increase healthy interest in politics."

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FACTS AS AGAINST SUFFRAGE FANCY.

[By Mrs. J. Alex. Mahon.]

"In her article of Sunday, November 15, Mrs. Ida Husted Harper again accuses the antisuffragists of being in league with the liquor interests, gamblers, etc. Do the late election returns show that that is the case?

"Nevada and Montana voted for woman suffrage, the two wettest States in the Union. In Nevada there never has been voted a 'dry' town or county. The only 'dry' territories in Montana are the Indian reservations which are directly under the United States Government and where no liquor is allowed to be sold.

"North Dakota, that voted against woman suffrage, has State-wide prohibition. According to the Anti-Saloon Year Book for 1914, 68 per cent of the population of South Dakota live under no license laws and 56 per cent in Nebraska.

OMAHA AGAINST SUFFRAGE.

"The Omaha World-Herald, November 7, 1914, in an editorial, says: 'Omaha, the seat of the brewing interest where the wet sentiment predominates, voted against suffrage by only a few hundred majority. Fremont, a wet city, voted strongly for it, and a number of dry counties went against it.' Lincoln, a wet city, voted for suffrage by over 700 majority.

"In Missouri 68 'dry' counties voted against suffrage while only 6 voted for it.

"In Ohio prohibition was defeated by 87,000, while suffrage lost by over 182,000. Speaking of Ohio, Miss Florence E. Allen, in the Woman's Journal of October 24, says: 'Seven hundred thousand women in Ohio want the ballot.' There are in Ohio (according to the census report of 1914) 1,398,341 women of voting age; according to Miss Allen more than half the women in the State want the ballot, and yet the vote was so large against it, and the sentiment seems to have increased largely within the past two years. In 1912 suffrage was defeated by 87,000; in 1914, by over 182,000. The returns show that many of the 'dry' counties voted against suffrage.

"In April Springfield, Ill., voted on prohibition. Four thousand five hundred and seventy-six women voted for the saloons, and 4,301 against them, a majority of 275 women voters in favor of the saloons. In Ingham County, where Lansing, the capital of Michigan, is located, and where men only have the suffrage, saloons were voted out.

"The suffragists have always claimed that the reason why none of the woman suffrage States had been voted 'dry' was because there were so many more men than women in those States. Two years ago Colorado voted 'wet' by about 40,000; this year by 10,000 dry. As the same proportion of men and women still exist, it must have been the men and not the women who caused that State and the other three to join the dry column. The women of Colorado can not claim the credit. The proportion of women to men in Colorado is much greater than in the three other States that voted 'dry.' At any rate, if they voted 'wet' two years ago and 'dry' now, it was not the women's vote that made the State 'dry,' but the general public sentiment which was worked up for prohibition, the same as the sentiment for prohibition in Virginia was worked up, where men alone vote.

WOMEN VOTE FOR SALOONS.

"In Santa Monica, Cal., December 2, 1913, at an election on the liquor question, the saloons won by nearly three votes to one not to sell under restrictions, but it was voted that liquor could be sold all night and on Sundays. Santa Monica had 286 more women than men over 21 years of age in 1910.

"In Pasadena, Cal., a 'dry' city for many years before women had the ballot, the sale of liquor was legalized about one year after women were given the franchise. Pasadena had, in 1910, 2,688 more women than men of voting age.

"In Colorado Springs, Colo., where the sale of liquor was prohibited for many years, women voted a few years ago on the question and liquor selling was legalized. Colorado Springs had 813 more females over 21 years of age than males."

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[Clipped from the Macon Daily Telegraph, dated Wednesday, December, 1914.]

IN COLORED AMERICA.

"In the city of New York exists a National Association for the Advancement of the Colored People of the United States. It was organized in a small way in 1909 and has been steadily growing.

"Prof. W. E. B. Du Bois, formerly of Atlanta, editor of the Crisis, is prominent in this national association. Reading of this association in the Crisis, it is a matter of regret that its method of procedure is not along the lines advocated by Booker Washington. Washington is eager for his race to preserve race identity, finding a great work to build up pride of race, and for the education to be along industrial lines.

"But this national association has for its purpose advancement along political and social lines. Very prominent in the platform is, 'The abolition of all caste distinctions based on race or color.' The association has its colored lawyers 'to secure rights of the colored people, to "win Jim Crow" cases, segregation cases, and disfranchisement cases.'

"In the call for a national conference in 1914 for the political and social uplift of the negro are many prominent white women and white men. This call was signed, first on the list, by Jane Addams, Samuel Bowles (Springfield Republican), Dr. John L. Elliott of New York, William Lloyd Garrison of Boston, William Dean Howells, Florence Kelly, John E. Milholland of New York, Dr. Charles H. Parkhurst of New York, Louis F. Post of Chicago, Oscar Garrison Villard of the New York Evening Post, with many others.

"The conference, in pursuance of this call, was held in New York. It was celebrated by a feast, if I understand the Crisis, and seated at the table are the negro men in large number, each with a white woman by his side as guest, I suppose. It is social equality done to the taste of Du Bois, William Lloyd Garrison, and Oscar Villard. A large array of whites, men and women, mostly women, are looking on approvingly. Under the large photograph of this social scene is the device, 'Social Life in Colored America'—'A Dinner at the Loendi Club, Pittsburgh.'

"Any one wishing to verify this story is referred to the Crisis, August number, 1914. The Crisis also comes out editorially for equal suffrage.

"This question of woman's suffrage will come up very soon to be voted on in Congress. The Crisis of August, setting forth 'Social Life in Colored America,' should interest those southern Congressmen disposed to woman's suffrage and adding 2,000,000 negro women as voters.

"One queer thing about the photograph, negro men and white women intermingling on terms of social equality, is that the negro men have not negro women as partners, but white women, thus repudiating pride of race and refusing to preserve race identity.

"When we place the suffrage of negro women under Government enforcement it will be idle to imagine we can invoke State laws to nullify it. We have been duly warned that it will not be permitted—that the same Federal decree providing nation-wide woman suffrage will revivify the dead letter of the fifteenth amendment, which means that both negro men and negro women will vote en masse under Federal permission and protection. The women suffragists of the North have proclaimed such to be their purpose, and it has been announced on the floor of Congress.

"Now, when the fifteenth amendment has been revitalized and the ballot conferred on 2,000,000 negro women in addition, what will our farmers' wives and daughters have to face? There will be political night meetings of negro men and negro women. These will arouse a spirit of trouble and demoralization. These night meetings will breed discord, and result in that white women's problem that drove farmers to town and reduced us to the tenancy system. Under our white primary system negroes quit politics and the country life became safer. Farmers returned to the farm. Shall we invite the old conditions when the farmer's wife and daughter dared not travel the public highway without escort? When they were, indeed, prisoners within their own homes. Of these things the women's committees that plague Congress know nothing and care less. But Southern Congressmen know, and should protect our women on the farms, without police protection, from the return of those days when the farmer's wife sat in her home with fear and trembling—her vine and fig tree being but the crouching place of the brute ready to pounce upon her and take advantage of her helplessness.

"I make earnest appeal to our club women, now our leisure class, and to the women absorbed with a special 'hobby,' who are aiding the national association, to halt and turn quickly to the rescue of their sisters whose lots are cast on the farms without police protection. In days gone by, when negro night meetings were in full blast, thousands of our farmers' wives died the slow death of nervous prostration. They lived in dread. They knew not the awful hour when the struggle would come. The man, their shield and protection, could not always be near. Those days lasted for 30 years.

"Revive the causes, the night meetings with negro women, newly enfranchised, added, and the peril again to our white women on the farm. Back to town would be the resultant—farms left to negro tenants.

"Our very peace, our social order, depends upon no return of those fearful days to our women. These flippant city girls, singing airily 'Votes for women,' know not the disasters they invite by this reckless movement.

"Oh, the white woman's problem! What is it? Go ask the farmer's wife. She has no police protection. Of recent years she has lived in comparative safety, been able to go out into the sunshine and breathe the bracing air with some degree of freedom. But the success of this woman's movement of the National Suffrage Association, with all that it involves, will deny again the public highway to the farmer's wife, and force her and her daughters again to be prisoners within their own homes."

The SPEAKER. The gentleman reserves his time, and the gentleman from Colorado [Mr. TAYLOR] is recognized for one hour.

Mr. TAYLOR of Colorado. Mr. Speaker, because of the fact that the good women of the United States have no representation on the floor of this House—which they will have in the near future—I on their behalf congratulate this House, and thank the Committee on the Judiciary and the Committee on Rules for bringing in this resolution. I am supremely proud to be a Member of this House at this time, and I feel highly honored by being allowed to open the debate in favor of this resolution, because it is the first time in the history of this Government that this question has been presented for a vote on the floor of the House of Representatives. The consideration of this resolution marks therefore an epoch in the advancement of civilization, and I feel that the cause of good government everywhere is to be congratulated because this House has taken up this question. This is a question of whether we will submit this subject to the people of this country as a national matter. It makes very little difference what our vote may be here to-day. The fact is that this is the beginning of the end of the opposition to woman suffrage throughout this country. I am sorry to see some of the gentlemen on the floor of this House attempting to make political capital or to make this a party or political question. It is not in any sense a political question.

Let me call the attention of my good Republican friends to the fact that during all the many years and years that they had control of this House no resolution of this kind was ever brought up for consideration. The national Republican Party has never indorsed equal suffrage. The judiciary committee of that party has never in 40 years reported to this House a resolution of this kind, so that it comes with ill-grace for either party to point its finger at the other. I have had an equal-suffrage constitutional amendment resolution pending before committees for the past six years, and the good women have been appealing to that committee for nearly 40 years, but no committee ever reported out this resolution.

No matter which side has a majority of the votes to-day, the fact is that the resolution is here, brought in by a Democratic committee, and it is before the American people, and we as their representatives must go on record on this great moral reform.

I am not going to discuss equal suffrage to-day. I have spoken at length on this subject before. As a matter of fact, we Representatives who come from the States where they have equal suffrage know what we are talking about. We talk from knowledge. Every man who will make a speech against this bill to-day comes from a State where they have not tried it, and has never lived 30 days in a State which has equal suffrage, so he will speak from prejudice and misinformation.

Mr. SUMNERS. Mr. Speaker, will the gentleman yield?

Mr. TAYLOR of Colorado. I yield for a brief question only.

Mr. SUMNERS. Do you not believe it was better for the people of Colorado that you determined that question in your own State, rather than wait for the Federal Government to determine it.

Mr. TAYLOR of Colorado. No, sir; I believe the general welfare of the entire Republic is superior to the wish or whim of any State in this Union. We settled that question in this country many years ago.

Mr. GOULDEN. Mr. Speaker, will the gentleman yield for one question?

Mr. TAYLOR of Colorado. Yes.

Mr. GOULDEN. What proportion of the women in the State of Colorado take advantage of the ballot?

Mr. TAYLOR of Colorado. Just as large a proportion of women vote in the State of Colorado as men, and they vote fully as intelligently.

The present world movement for the enfranchisement of women shows that under the influence of advanced civilization the nations of the earth are becoming ready for universal suffrage and the conception of society which it implies. Feminism is a world movement. It is a part of the eternal forward march of the human race toward a genuine democracy. The whole history of the development of civilization is merely the story of broadening the channel of human liberty and opportunity. All over the world woman is doing and thinking more effectively than ever before.

The women of this Nation have little by little been taking more interest in public affairs, been reading more and becoming more intelligent and better posted, and each day is assisting a

little more than the day before in solving the great problems that are to-day affecting the world. To say that she is going to take a backward step is to brand one's self as an imbecile.

I look upon the recognition of women as citizens as being an act of simple justice; and I can not appreciate either the logic, common sense, or honesty of refusing to grant an act of simple justice to women merely because they are women. The present civilization will not much longer permit the physically stronger half of the human race to ignore the plain rights of the physically weaker half. The reasons why women should vote are the same as why men should vote, the same as the reasons for having a republic rather than a monarchy.

The natural right of a woman to vote is just as clear as that of a man and rests upon exactly the same ground. The woman's rights movement is a feminist evolution. Women should vote because they are women. To have a voice in choosing those by whom one is governed is a means of self-protection due to everyone. Democracy is not a matter of sex any more than it is a matter of race. The disfranchisement of women is a brutal usurpation of power, a relic of primitive barbarity when might made right, which has become unworthy of a chivalrous modern manhood.

In future years we will look back and marvel at the supreme effrontery of the male population arrogating to themselves all the wisdom, honesty, and patriotism for so many generations after generations. Posterity will be amazed when it reads the history of the many centuries that women were disfranchised.

The enfranchisement of women is a constructive measure. It is the next logical step in the political evolution of this country. No opportunity should ever in our country be closed to any human being who has the capacity to work therein. It is a disgrace to this country and to this enlightened century to longer disfranchise the patriotic and intelligent womanhood of this Republic. There never was a time in the history of the world when the mass of women was so intelligent, so right living, and public spirited. Anna Shaw, Jane Addams, and Mrs. Harriet Taylor Upton, and thousands of other noble women, who have for nearly a lifetime been working in this splendid fight for womanhood and humanity, are entitled to the encouragement of our commendation and active support. I glory in the fact that they have enough zeal and patriotism to trample under foot the sneers of some of the members of both sexes and to carry on their magnificent work to victory. The world has never enfranchised as patriotic a class of people as the American women are to-day. Patriotism is not confined to the male sex. Let us be big enough, broad-minded enough, humane enough, and honest enough to treat the women of our country as fairly as they are being treated in China. Let us be men enough to give the women a square deal. Let us show to the world that we believe in the Declaration of Independence. Let us evolve our male oligarchy into a twentieth-century democracy.

Ordinarily the light comes from the East, but in the matter of the enfranchisement of the best half of humanity, I am proud to say, the light is coming from the West. Eastward the woman's star of empire takes its way.

There is no more possibility of the right of equal suffrage being taken from the women of any State that has tried it than there is of returning to negro slavery in this country. One is just exactly as likely as the other. The human race is not going backward.

The highest requisites for voting are intelligence and morality, and our women have more of both of these qualities than the men have.

Throughout the civilized world wherever women have been given the right to vote they will continue to vote.

THE WOMAN'S MOTTO IS "ONWARD."

The women of the world will continue to advance. The man or woman who tries to stop them will be justly relegated to oblivion. You politicians had better remember those three statements, because you will have occasion to reflect upon them. This is an age of individual liberty, and the male sex is not humanity, but only half of it.

There will be no backward movement in the fight for equal rights. Not one foot of ground that has been gained will ever be surrendered. And the people who try to make a little temporary notoriety by an attack on the sex are doomed in the end to disappointment, defeat, and ignominious humiliation. The continued disfranchisement of women is a relic of antiquity that belongs to other days. Purblind politicians and people who cling to prejudice in spite of facts as plain as the noonday sun may keep on fighting and misrepresenting the good women of the suffrage States, but they are becoming ludicrous relics of the age of feudalism.

In every civilized country on the globe the women are fighting for their rights. They are gradually winning everywhere. The day is soon coming when they will take the place belonging to them—squarely beside the men in the settlement of all public matters. It is a great moral reform.

There will never be any surrender of any of the rights she has secured. There will be no retreat sounded. Their slogan is "forward, march." And the whole world will rejoice and be benefited when they achieve their ultimate victory.

Just as sure as the night follows the day this enlightened Republic will extend the right of franchise to women in the very near future, for three basic reasons, namely: First, because it is absolutely right; second, because wherever tried it has proved an unqualified success, and third, because it is not only expedient but the industrial, political, and social conditions of this country are rapidly making it imperatively necessary for the preservaton of humanity.

It has been adopted throughout the West; it will be in the North within 6 years; in the East within 10 years; and lastly in the South within 15 years.

And let me say to you, my genial friends from the sunny Southland, whether you like it or not, you will have equal suffrage in your States within the next 10 or 15 years, and your innate gallantry will be such that you will look back and be ashamed of yourselves for having opposed this humane measure for so many years. I believe you will then be ashamed to read the CONGRESSIONAL RECORD of January 12, 1915.

Mr. Speaker, I reserve the balance of my time.

The SPEAKER. The gentleman reserves 53 minutes. The gentleman from Wyoming [Mr. MONDELL] is recognized for one hour.

Mr. MONDELL. Mr. Speaker, as the Representative of the people of the American Commonwealth which was the pioneer in the modern movement for equal suffrage, whose women have been voting for two generations, this occasion is to me one of peculiar interest and satisfaction. Like the shot fired at Lexington, the act of the Wyoming Legislature 45 years ago, amid the snows of a little mountain town on the crest of the continent, has echoed around the world. Since then, and largely as a result of the causes then set in motion, the idea of equal suffrage has spread widely over the earth. In our own land 21 States have granted their women partial suffrage, in 11 States and 1 Territory women now enjoy full suffrage rights, and more States are on the way. In due and logical course of events we are now to pass upon the question of giving the American people an opportunity to determine whether the rule of equal suffrage shall become the law of the Nation.

There is some difference of opinion as to the character of the duty that devolves upon a Member of the House in voting upon the submission of a proposed amendment to the Constitution. One view is that we are not justified in voting to submit an amendment unless and until we are convinced that the amendment proposed, if made part of the organic law, will beyond all question advance the general welfare. Applying that view to the question now before us it becomes our duty to seek and consider the facts and the evidence on which we may safely rely and wisely judge. When facts established by experience are available no wise man will take counsel of his fears and misgivings, follow the promptings of ancient prejudice, or rely upon theory and speculation. In such a case he will, if he act wisely, seek the testimony of those who speak with confidence from knowledge and will enlighten his understanding with the lamp of human experience.

If the unanimous testimony of experience and the convincing logic of successful demonstration is to be our guide, there can be but one opinion as to the benefits to government and society through the granting of the franchise to women. From every American State, from every foreign people that have invited their women to participate in government, through the medium of the ballot, the testimony is all but unanimous, emphatic, and enthusiastic of the benefits and improvements to government and society which have followed and attended this extension of the franchise.

Go where you will in the lands of universal suffrage—among the free and hardy Norsemen; in the pioneer States of this Union; in the advanced and progressive Commonwealth of Australia; and you will find but one opinion, and that enthusiastically favorable. The new and feeble notes of disapproval in any or all of these regions are of lesser volume and consequence than those which voice the opposition to any one among our most cherished and firmly founded institutions. Civilized society under free government has for generations been advancing steadily toward the practical application of the great truth penned by Jefferson, that all governments derive their just

powers from the consent of the governed, by granting participation in government to all citizens who are subject to the tax burdens of government, and who must render obedience to and seek protection under the law. The only limitations in this advancing movement of enfranchisement, save the one of sex, have been directed to the exclusion of convicted criminals, the mentally deranged and incompetent, the grossly ignorant. We now seek to disassociate from these categories of crime and misfortune the daughters, the wives, and the mothers of men.

Not all extensions of the franchise have been granted wholly as a matter of right, but largely in recognition of the principle that the aims of good government are best accomplished through the participation in government of all law-abiding citizens; that no one class is fully competent to govern other classes wisely or justly.

We seek to invite into participation in the duties of government the most virtuous and law-abiding half of mankind. We seek to enfranchise those who, by reason of the nature of their duties and responsibilities, in the care and nurture of innocent and defenseless childhood and youth, have the keenest, liveliest, and most compelling interest in the maintenance of good government.

The stupid and threadbare argument that the exercise of the elective franchise will have an unfavorable effect upon the character of women, expose them to undesirable contact, destroy the finer fiber of the sex, and put in jeopardy their natural charm has been utterly refuted by the experience of every State and nation which has enfranchised its women. If political methods anywhere are brutalizing and contaminating, they ought to be remedied in the interest of all the people; and the most effective remedy is to be found in the enfranchisement of women. [Applause.]

If there are women anywhere so enslaved of drudgery, so engrossed in frivolity that they have neither the time nor the inclination for the brief duty of casting a ballot, enfranchisement will afford a blessed occasional respite for the one and a new and higher occupation and inspiration for the other. If some fortunate women are so happily content under present conditions that they do not desire the ballot, that fact does not constitute an argument against allowing those women to vote who desire so to do. The experience of every suffrage State is that practically all women, when granted the franchise, value and exercise the privilege.

Twenty-four years of political experience, eighteen as the only representative of the people of a suffrage State on the floor of this House, qualifies me, I believe, to speak understandingly of the effects of woman suffrage. We have not solved all the problems of government in Wyoming. We do not claim to have become perfect in legislation or administration, but our experience has at least demonstrated beyond controversy how utterly without foundation are each and all of the stock arguments against the exercise of the elective franchise by women.

We are, and have been, of the frontier, and some of our communities and people have been considered by the hypercritical to be a little rough and ready—almost wild and woolly—but in that 45 years no woman, to my knowledge, has ever been annoyed or insulted or received any but the most courteous treatment in the discharge of her political duties. [Applause.] If there have ever been any family disagreements over politics, they have never reached the public ear. If any woman has neglected her family, Dame Gossip has not reported it. In grace and charm, in devotion to duty, no women on earth excel those of that Commonwealth where for two generations women have voted regularly.

During this period the women of Wyoming have quietly and modestly exercised a constant, helpful, and beneficial influence on legislation and administration. After 45 years of experience there is no division of opinion on this question among us. Our people would as soon think of surrendering their charter of statehood as of depriving their women of the ballot.

We are told in high and influential quarters that this is a question for the States and not for the Nation. That seems to be the favorite pretext just now for the sidetracking of great questions. The Nation has seen fit to prohibit discrimination on account of race, color, or previous condition of servitude. The Nation may with equal or greater propriety prohibit discrimination on account of sex. It has been said that the charter of the black man's rights was shot into the Constitution. Be that as it may, we seek to give the people of the States an opportunity, in a peaceful and orderly way, to write into the Constitution the charter of woman's rights. In so doing we are following constitutional precedent, and, except as a matter of personal opinion or preference, no one is justified in saying that the question is one for individual action in the States rather than for concerted action by the States.

A reasonable uniformity throughout the Nation of qualifications for suffrage is not only desirable but, as affecting large bodies or classes of citizens, it is highly important. Approximately 4,000,000 full-fledged women voters would lose their political rights if they moved from their present abode into other parts of the Union. The number of voters so situated is constantly increasing, and each one of them constitutes a convincing reason for remedying this anomalous condition by constitutional amendment.

No proposition of amendment to the Constitution in half a century has been so long, so earnestly, so widely, and so persistently urged as this. With some temporary setbacks, the suffrage movement has been steadily gaining in campaigns within the States and in winning the support of the thoughtful, intelligent people of all parts of the Nation. The question is nonpartisan, nonpolitical. The movement is widespread and steadily advancing. Its ultimate triumph is as certain as the swing of the tides, as inevitable, if mankind is to advance, as the triumph of truth.

I am not one of those who adhere to the theory that our last doubt as to the wisdom of a proposed amendment must be resolved before we vote to give the American people an opportunity, in a constitutional way, to pass upon it. In my opinion, it is our duty to give the benefit of the doubt to a general, long-continued, earnest, and persistent demand and appeal for an opportunity to test the sentiment of the Nation on a question of large and growing importance.

From whatever angle we view the matter, it is our duty, in my opinion, to vote for the pending resolution. If anyone remains unconvinced by the manifestly satisfactory experience and uniformly favorable testimony of the people of the States and countries where woman suffrage has been tried, such doubts as may remain should be resolved in favor of the very widespread and active public sentiment which favors the submission of this question to the test of adoption fixed by the Constitution. [Applause.]

Mr. HENRY. Mr. Speaker, I yield to the gentleman from Indiana [Mr. CULLOP].

Mr. CULLOP. Mr. Speaker, at the proper time I shall offer the following amendment to the resolution:

Strike out of line 4 the word "legislatures" and insert the word "conventions," and at the end of line 6 and the beginning of line 7 strike out the word "legislatures" and insert the word "conventions."

The purpose of this amendment is that when the people vote, if they are permitted to, on this question at the election, they shall have no other issue presented except this one. It will free the matter of all complications.

I ask to have the amendment pending, so that when we come to the proper time it may be proposed. I shall offer it so that the question when submitted shall be free from all complications and no other question shall be involved, so that the voter can express his sentiments on this proposition alone.

If it is submitted at an election where members of the legislatures are elected, other issues will become involved, and the people will be interested in them and therefore will not have the opportunity to get the fair expression of the people on this subject for that reason. The legislature elected to act on this question will, naturally enough, have other questions before it for action, which more than likely will have influences in the way this question is disposed of, and affect the result.

If this question is submitted to elections in the several States as the question to be settled at such elections as proposed by this amendment, then the naked question is presented for determination and none other, and it will therefore elicit in this manner the real conviction of the voter, and hence be settled by the real expression of the voter uninfluenced by any other question.

Mr. HENRY. Mr. Speaker, I yield 25 minutes to the gentleman from Texas [Mr. DIES].

Mr. DIES. Mr. Speaker, I am opposed to this amendment for a great many reasons, some of which I shall not be able to discuss for want of time.

I am opposed to it because I do not want Montana, Utah, and Colorado to have it in their power to cram woman suffrage down the throats of the people of Texas.

I am opposed to it because it would thrust the ballot into the hands of millions of ignorant negro women of the South and force unsought political burdens upon millions of home makers throughout the land who are at present more profitably employed than in running after politics. I still adhere to the old-fashioned belief that the hand that rocks the cradle wields a better and a stronger influence upon the Nation than the hand that writes the ballot. To my mind training voters is more important than casting votes.

A nation that has good mothers to mold the boys will never want for good men to make the ballots. I wish to speak against

this amendment on behalf of the millions of American mothers who are detained at home on more important business. No doubt some of these absent mothers are busy extracting splinters from the toes of future Congressmen, hearing the lessons of future supreme judges, boxing the ears of future generals, buttering bread for future Senators, or soothing with a lullaby the injured feelings of future Presidents.

We are told by our suffrage-seeking sisters that in dealing with this question we should put chivalry aside. Why, Mr. Speaker, that is unthinkable and impossible. Men without chivalry would be masculine monsters. Such a man would not be fit to be the husband of a ward heeler. If men had put chivalry aside they would have thrown the women overboard when the *Titanic* went down and helped themselves into the lifeboats. But, thank God, they yielded to the noble sentiment of chivalry and went, with manhood unafraid, to the bottom of the ocean. But we are told by these fair advocates of woman suffrage that the ballot would give woman more influence. Impossible, sir; impossible. No good movement was ever able to go forward without the aid of womankind, and no bad movement was ever able to make progress when she threw her influence across its path.

Mr. Speaker, there never was a sterner Roman patrician than Marcius Coriolanus. As a candidate for office he refused to exhibit his scars to the common people because, he said, "They blushed to be remembered." Well, the common people banished this unbending standpatter, and he forthwith went into the camp of the Voscians, and, at the head of an army, brought Rome to her knees. The Romans sent the male relatives of the stiff-necked old sinner to try and soften him up, but he kicked them out of his camp; and then they sent the oldest inhabitants and most renowned citizens, but the result was the same; and then they tried him with the priests and preachers, all to no purpose. Coriolanus was unappeased. His army was at the gates of Rome, and all seemed lost. Just in the nick of time some woman had sense enough to suggest that they send his mother and wife to intercede for Rome, and they did. Well, these women took the irate old Roman off his high horse in short order, for men never get wicked or willful enough to stand out against both mother and wife.

You know, when one of these horrid men get ugly, and his friends can not get him to go home, and the policeman fails to bring him to his senses, why, the unfailing remedy is to call in his real boss, who takes him by the ear and leads him into gentle captivity. [Laughter.]

I am told that the sexes love opposites, and I am afraid that a race of manly women will call forth a race of womanly men. Such a race of women would be too stern for the tender offices of motherhood without being ferocious enough for the camp of the Army, and such a race of men would not be fit to fill the vacancy in either place.

No wise person ever expected a genuine woman to stand her ground when her home was invaded by a mouse, but all the world expects a man to defend his fireside against all such articles as tomahawks, scalping knives, battle axes, and bayonets.

Mr. Speaker, there should be no rivalry between men and women. There is no occasion for it in a healthy state of society. God purposely made them different and for different lines of activity. He gave strength and courage to man and upon woman He bestowed grace and beauty. To man He gave strong reasoning powers and a keen sense of justice; to woman He gave unfailing intuition and kindly sympathies. He fortified man with courage to go into the frontier forest and hew down trees and subdue savage beasts and men; He fitted the woman to preside over the home and sanctify it with motherhood. This same wise Father gave man to the world to write her laws and fight her battles, and by the side of this thundering Mars he placed gentle Venus to bind up his wounds and kiss away his sorrows.

I have no doubt that if women handled the cleaver at the beef stalls we would get cleaner steaks; but what man wants to court the butcher? [Laughter.] No doubt women would make excellent peace officers; but what man wants to marry a policeman? [Laughter.] It may be that the entrance of pure women into dirty politics would have a cleansing effect upon the politics, but I can not believe that it would have that effect upon the women. And in a case of that kind we had better have soiled linen than soiled laundresses.

The leaders of this movement talk about votes for women as if it was a great boon, when as a matter of fact it is a burdensome responsibility. There is a growing tendency upon the part of all classes of voters to refrain from discharging their duty to vote, and this tendency becomes more aggravated with the increase of the number of elections and the new and strange problems the voter is called upon to solve. We will at no distant time be driven to compulsory voting unless our rampant reformers can be induced to leave their nostrums off the ballots of the people. If we force the ballot upon the women of this country when not 20 per cent of them desire to assume the burden, it stands to reason that they will decline to vote unless we follow it up with a law to compel them to vote.

You take the great farming class, Mr. Speaker, who furnish our least corruptible and most patriotic voters. It is growing more and more difficult to induce the farmer to lay aside his work and go to town to cast a ballot as big as a saddle blanket and brim full of problems which Solon, Socrates, Solomon, and Billy Sunday all rolled into one would not have the temerity to tackle. If it is difficult to get the farmer to attend the elections and cast his ballot, how will it be with the farmer's wife, that royal maker of soldiers, statesmen, and citizens? Not one in ten of these noble women would take to politics or exercise suffrage. Indeed, if you write woman suffrage into the Constitution there would be more women vote in the city of New York than in the Southern States combined, unless the 2,000,000 negro women of the South decided to go into politics.

Because some women want the ballot will not justify us in thrusting it upon the vast majority who neither desire nor will avail themselves of the opportunity to vote.

Mr. Speaker, it is no reflection upon the intelligence of the women that they are not as well qualified by nature, by custom, and by preparation for the business of government as men are. No more is it a reflection upon the intelligence of men to say that they are not as well qualified as women for the still more important business of governing the home, training the youth, and mothering mankind. It is no reflection upon the intelligence of the wisest layman voter to say to him that he is better fitted to make laws through representatives than directly. And one of the reasons for that is that the great body of men must devote their energies and talents to their several avocations and have not time to specialize in the business of lawmaking. So it is with woman suffrage. Women are already fully engaged in the world's most important work; men are utterly incompetent to take woman's place in this her natural sphere, and it would be turning back the wheels of progress to foist upon women a new set of minor duties the discharge of which would inevitably lower her standard of efficiency in the vastly more important field in which she is so happily preeminent and so preeminently qualified.

Mr. Speaker, the man and the woman mind are essentially different. This organic difference has been accentuated by centuries of training and practice along different lines. The mind of man rather runs to prosaic reasoning, while the mind of woman is given to poetical idealism. It is inevitable that woman's natural bent of mind should incline her to socialism, and nothing would set socialism up in business as quickly as woman suffrage. The Socialist Party recognizes this, and as a result are almost to a man for woman suffrage. And I can think of nothing worse that could happen to this Republic than a reign of socialism, unless it would be woman's abdication of her crown as the queen of the American home.

But some of our suffragette friends tell us that men have made a failure with this Government, and that therefore women are needed as voters. I deny it. This Republic is not a failure. On the contrary, it is the greatest success in all the time and tide of human things. Perfect, no; but by the test of comparison, and there is no other standard by which to measure it, this representative democracy established by men who won their right to build it upon the field of battle, is the nearest approach to perfection of all governments this old world has ever seen. In no other government of any age was there ever so great a measure of human liberty, and in no other government has woman occupied so exalted a place and exercised so deep an influence as in these United States.

Without the aid of your mothers, women of America, our fathers could never have wrought this wonderful fabric, and without your help we can not hope to maintain it. But we need the same kind of aid your mothers gave to our fathers.

Mr. Speaker, I am not unmindful that it is not given to all women to have homes and husbands and children. Some are compelled to wage the hard battle of life single handed. I know that thousands of women, brave and true, are driven to struggle in the busy marts of trade, in factories, stores, and workshops. Many of them receive pitifully small wages from the hands of pitiless masters. But men have the ballot, and are they better off? Thousands of men are constantly without work, and many stalk empty handed to the bread line. Men, too, are underpaid. Millions of men brave the sea for a pittance and dig deep into

the bowels of the earth shut out from the light of the sun. If voting would cure the evils of poverty or mollify the exactions of the taskmaster, why do not men vote themselves into Utopian bliss. I am persuaded to believe that the lot of man, notwithstanding his monopoly of the ballot, is fully as hard as that of woman. In good truth we can not banish the troubles of the world by statute. If women could draft a bill that would cure the ills that beset them, they could pass it through a legislature of men with lightning speed, quicker, no doubt, than they could pass it through a lawmaking body of their own sex. There is not a Member of this Congress who would not give all that he possesses to be the author of a law that would add to the happiness of womankind. The trouble is that we men do not know how to make the world perfect by law any more than you good women do, and the only reason any of the women think they could do that impossible thing is because they never had a chance to try their hands. That this is the case is amply demonstrated by conditions in those States that have female suffrage. Women are not better protected in Montana than in Nebraska, and in double-suffrage Colorado there are still strikes, bloodshed, and strife, and the soldiers from other States are needed to keep the peace. In good truth, my dear sisters, you can not better serve your Government than by keeping to the tasks nature has fitted you for, and in the discharge of which you have been so splendidly successful. Incidentally, you can also promote the cause of good government by not interfering with your brothers in the discharge of the task which God and immemorial custom seem to have appointed them to.

Mr. Speaker, this is a serious question. Eleven States, I believe, have already adopted State suffrage for women. I know the kind of stuff candidates for President are made of and that political parties are made of. They are just common clay, and sometimes the commonest kind of clay. And I warn the country now that those of us who are opposed to adding this new burden and responsibility to the womanhood of America must be up and doing. Our candidates for President and national platform builders will stampede at the demand of the double-suffrage States unless we raise our voices in protest and give courage to candidates and politicians. Candidates and the builders of platforms are also made of common clay, and, in fact, sometimes a lot of uncommonly bad clay is worked into the construction. Politicians are so keen to give the people all that the people want that sometimes in their fear and excitement they give the people a dose that the people do not want. I believe this woman-suffrage agitation is likely to prove a case in point. It therefore behooves every man and woman who sees danger in this movement to sound the alarm.

In conclusion, Mr. Speaker, I beseech the mothers of this great country to turn a deaf ear to the shouts of the suffragettes. Their song is that of the siren to tempt you from your homes and God-appointed spheres of life. We need you in the home, mothers of America, to train the youth of the land and shed your tender influence over all the world. In your exclusive dominion you have made free government possible, and while you are content to reign there you can make it perpetual. You are not defenseless, as these agitators tell you, for your sons are in the camp and in the Cabinet, behind the guns and in the Congress. Your kindly care has made them strong and brave and true. They are your refuge in the day's mad strife and conflict, and you and your home is to be their refuge when the evening's gentle shadows draw a truce. I have no taunts or gibes for the erring sister who is clamoring for suffrage; I may even admire the masculine vigor with which she howls against her imaginary wrongs. But I love to turn to that other more gentle and, in my opinion, more useful woman described by the Psalmist:

> She looketh well to the ways of her household, and eateth not the bread of idleness. Her children arise up and call her blessed; and her husband also he praiseth her. Many daughters have done virtuously, but thou excellest them all.

God save her from the cavil of the street and keep her for the councils of the home. [Applause.]

Mr. HENRY. Mr. Speaker, I reserve the balance of my time.

The SPEAKER. The gentleman from Wisconsin [Mr. STAFFORD] is recognized for one hour.

Mr. STAFFORD. Mr. Speaker, I have listened attentively to the arguments that have been made by the proponents of this resolution, and up to this time not one argument has been advanced by them for making woman suffrage a national question. Since the establishment of the Government suffrage has always been regarded as a matter of State concern, and well is it that it has been so. The States are the best judges as to the qualifications of electors for the welfare of their institutions. The framers of the Constitution believed it was best to leave the solution of internal matters to the determination of the States. Scan the Constitution from the first article to the end and you will find no limitation whatsoever on the States as to the determination of their internal policies, except in two particulars—that of forbidding the States to establish anything except a republican form of government and that of forbidding them from granting titles of nobility.

In the frontier days of the Western States many of them granted suffrage to domiciled residents who only had declared their intention to become citizens. It was good policy where most of the inhabitants were recent immigrants to grant them the suffrage and thus permit them to express themselves on matters pertaining to the State's welfare, as they were the State's real citizenry. If old, settled New England, who knew not the policy and the polity of the Western States, had the determination as to the qualification of suffrage for the Western States, they, perchance, would have said that full citizenship should be required before a person should be an elector.

Some States have granted limited suffrage to women. For years in Wisconsin we have had limited woman suffrage, permitting them to express their views on matters pertaining to school affairs, and yet we find but a meager fraction of the women exercising this franchise. If the women of Wisconsin decline to avail themselves of this limited suffrage as to school affairs, which certainly must be of deep concern to every woman, what reason is there for the people of Wisconsin believing that with unlimited woman suffrage the franchise would be exercised more generally. If a majority of the women of my State favored woman suffrage and I believed that they would exercise it, I would not withhold the suffrage from them. But I contend that it should be left to the States, each in their own way to determine the extent to which suffrage should be granted to the people of the State, and not force, by national amendment, upon an unwilling electorate the right of suffrage. Yet by this constitutional amendment you would foist upon States, whose men, whose women are opposed to the exercise of the privilege, that which they do not want.

The State government is supreme as to its own management and guidance and should be so continued if our fabric of Government as a Federal Union of self-governing States is to be maintained. Suppose after the trial of universal woman suffrage in a State it would develop that but a very small fraction of women were exercising the ballot and that they were opposed to its exercise. Is it to be contended that the State is without authority to withdraw the suffrage from a class declining to exercise it? It can be easily conceived that the women of one class may only wish to avail themselves of it, and yet that might not be conducive to the best interest of the States to allow the representatives of a class to have a preponderating influence in the affairs of a State, and virtually force women of another class, who do not wish to have suffrage, to the polls in order to have real equal suffrage by all classes.

It is a problem in my State, and it must be a problem in other States of the country, to have the electors exercise the franchise generally at elections, but you are here proposing to withdraw some of the responsibility and divide it with the women.

In Wisconsin we have had woman suffrage submitted to a vote of the people. Only 14 out of 71 counties registered their approval of it. Fifty-seven had clear majorities, many of them twice and a few three times as many against it. A total majority of more than 70,000 against it. There is no objection to Illinois saying that they should have woman suffrage, and if perchance Wisconin or any other State through its men and women are opposed to having woman suffrage, why impose it upon us who believe it is not well for the polity of the State to extend the franchise? Why, if after a trial of woman suffrage it was demonstrated that but one-tenth of the women of the State, and that of a separate class, should exercise it, would you not believe it should be within the rights of the State to withdraw the right of suffrage from this one class of women who perchance would exercise it? Yet if we had national compulsory woman suffrage a State would lose its right to determine its policy and withdraw the franchise from women, even though nine-tenths of the women in the State were opposed to its exercise. Certainly the framers of the Constitution enacted wisely when they left all matters pertaining to the internal policy of the States to the States themselves.

Furthermore, if Congress has the power to determine that women shall have the suffrage, then the corollary follows that the Congress, through constitutional amendment, has the power to withhold suffrage from women. We who are opposing this on the ground that it is a State issue, and a State issue alone, are not seeking to withhold the exercise of the franchise from women in those States where there are a large number of women who are in favor of its exercise; but we say to you gentlemen who favor suffrage not to impose it upon those States where a

great majority of the women are opposed to it. I believe that a majority of the women of my district and the women of my State are opposed to the exercise of woman suffrage, but we have no complaint if the women of Illinois are in favor of its exercise. That is a matter of their own concern. I represent a large constituency, where the rights of suffrage are esteemed as highly as in any other constituency, and yet I believe it is better, after these 125 years of satisfactory rule, to retain the old idea that suffrage should be determined by the States. Until the proponents of this proposition can advance some reason for taking it out of the realm of State affairs and making it the football of national politics, then I say this resolution should be defeated.

The only purpose that can be gained by projecting this matter before the Nation is to make it a partisan question, and suffrage should never be considered as a partisan question. Advance one reason, you advocates of the resolution, why as a Nation we should adopt this policy, advance one reason wherein the States to-day are not complete in the exercise of their powers to determine the qualifications of suffrage, whether of men or whether of women, and I will withdraw from my position. The Constitution in the first article provides:

> And the electors in each State shall have a qualification requisite for electors to the most numerous branch of the State legislature.

We do not quarrel with you because you grant women the right to vote for Representatives in Congress, but we say you should not impose your ideas upon us who take a contrary position.

It is a latter-day principle that States are not content to shape their own internal policies, but wish to enforce their ideas as to internal government upon peoples and institutions who may be opposed and unsuited to their adoption. This is certainly the case as to woman suffrage. If the women and the people of a State want women to have a vote, let that privilege be granted, but preserve to the States which are opposed to woman suffrage the right to determine their own policy. Until the protagonists can show some reason why we should change the fundamental fabric of our Government and depart from its established policy since its foundation of leaving suffrage to the States, we should adhere to the old tried principle of local self-government, of reserving the qualifications of its electorate to manage and control that Government to the respective States. [Applause.]

Mr. Speaker, I reserve the balance of my time.

The SPEAKER. The gentleman reserves 45 minutes. The gentleman from Minnesota [Mr. VOLSTEAD] is recognized for one hour.

Mr. VOLSTEAD. Mr. Speaker, I yield 20 minutes to the gentleman from Kansas [Mr. MURDOCK] and I reserve the balance of my time.

Mr. MURDOCK. Mr. Speaker, I yield four minutes to the gentleman from California [Mr. STEPHENS].

Mr. STEPHENS of California. Mr. Speaker, when in election after election, year after year, in State after State, a million or more voters have by their ballots expressed themselves in favor of equal suffrage, and when the opportunity to amend the Constitution of the United States is sought by so many hundreds of thousands of our people as have petitioned the Congress for this suffrage amendment, I think it is my duty as a Representative in Congress to vote to give the whole people the opportunity of amending the Constitution in the only way permitted them by the Constitution.

Mr. Speaker, I had the honor of battling for woman suffrage in California before its adoption there. I had the pleasure of making a hundred short speeches in its favor in the California campaign of 1910. The amendment was adopted by a majority of about 3,000, and for the past four years woman suffrage and equal suffrage has been on trial in California. To-day it is my firm belief that if placed on the ballot again the men and women of California would give it an overwhelming majority. Yes; I confidently assert, for I believe it unquestionably true, that if woman suffrage could again be submitted to the men alone in California it would carry by a majority many times greater than in 1910. [Applause.]

The men of California who are posted and unprejudiced know that better laws are made; that the welfare of women and children, and men, too, is more carefully looked after; and that the political life of the whole State is cleaner and of a higher standard, because the women vote in California.

Our polling places are no longer to be found in stables, in rooms adjoining and really parts of saloons, or in other objectionable places. They are in schoolhouses, clean business rooms, or in tents specially set up for the purpose on sidewalks throughout the residence section of the cities. The disorderly crowds around voting booths have disappeared, and any woman can now visit political headquarters on election night without hesitation or the fear of insult, as in the days gone by. It is a wondrous change, and all for the better.

Mr. Speaker and gentlemen, do not let anyone make you believe that women in California do not vote in as large number as the men. Competent authority there has stated that at the recent election the percentage of women who voted was larger than the percentage of men. And I am sure we are almost unanimously agreed that the women cast the more intelligent ballot. There were 48 proposed amendments to the State constitution voted on in California at the last election. Generally speaking, the better amendments were adopted, and largely because our women voted. All over the State they gave an unusual and more intelligent study to the changes proposed. Meetings were held afternoons and evenings in halls and schoolhouses and in hundreds of homes. The proposed amendments were always discussed. The audiences were largely women, and the speakers were men and women well posted on either side of the various amendments. When election day came the women knew more than the men about the proposed changes, and they voted their convictions. The result was in most respects satisfactory to our people.

The claim has been made here to-day and is often made elsewhere by those who do not favor equal suffrage that voting by women would lessen the respect men have for womankind. Oh, Mr. Speaker, I am sure there is no man here to-day who loves and respects his wife or mother less because she voted last November. I am loath to believe, and do not believe, there is one Member of this House who really fears any loss of womanliness in his household when women everywhere are permitted to vote. If our own women are not now and are never to be adversely affected by the voting privilege, why should other women be? The women of California are as beautiful, as accomplished, as entertaining as are their sisters in every other State of this Union. They make as winsome sweethearts, as lovable and loving wives and helpmates, and as good and God-fearing, home-loving, and home-making mothers as are to be found in any section of our country or in any part of the world. They are not less attractive as sweethearts, they are not less appreciative as wives, and they have gained rather than lost as home-loving and home-making mothers because of the right and opportunity to vote. [Applause.]

Mr. Speaker, I believe in woman suffrage. I fought for it when I believed it was right and thought it was best, and now that I know it is right and know it is best I shall continue to battle for equal suffrage. [Applause.]

Mr. Speaker, on the last day of December I wrote a score of letters to as many well-posted men and women in California. I asked for opinions concerning woman suffrage. To-day the replies began to arrive, and I am sorry all will not get here before this debate closes. The following are at hand:

SACRAMENTO, CAL., *January 11, 1915.*

Hon. W. D. STEPHENS,
House of Representatives, Washington, D. C.:

Since its adoption in October, 1911, equal suffrage in California has been put to the most thorough and severe test; every conceivable sort of election has been held in the past three years; and women have been called upon to exercise their new privilege and perform their added duty not alone in the usual fashion but in various primaries, including one for presidential preference, in local-option elections, and they have been compelled to pass upon laws and governmental policies presented to the electorate by the initiative and referendum. The women have met the test, and equal suffrage in California has fully justified itself. In 1911, by a very narrow margin, the amendment carried. Were it again to be submitted, the vote in its favor would be overwhelming.

HIRAM W. JOHNSON.

—

LOS ANGELES, CAL., *January 4, 1915.*

Hon. W. D. STEPHENS,
House of Representatives, Washington, D. C.

DEAR MR. STEPHENS: You asked me for my views on the practical working of woman suffrage in California, and in what particular and to what extent I think it a success.

My answer is, that in addition to equal suffrage being a mere act of justice and in no sense a favor, it has justified itself in its practical working far beyond the expectations of conservative minds. Immediately upon suffrage being extended, the women of California began with remarkable industry to acquaint themselves with the duties of full citizenship. Everywhere social circles were formed and women especially fitted and qualified became teachers, instructing the less well informed regarding civic duties and responsibilities.

In less than four years from the adoption of suffrage in California the women have set an example in the use of the franchise that has stimulated a remarkable activity among men to more fully understand the problems of government, and has particularly stimulated an interest in moral and humanitarian problems. I am candid in saying that in my judgment, upon all questions relating to the welfare of the people of the State of California as affected by governmental issues, the average intelligence is just as high among the women as it is among the men.

The women as a rule came to the use of full citizenship almost entirely free from the bias and prejudice of partisan and self-seeking politics, and consequently their interest and energy have been devoted chiefly to develop and carry forward such measures as will promote bet-

ter social conditions. They interest themselves in such questions as pure-food laws, better hours for women, better wages for women, child-labor laws, all questions that relate to the morals of the community.

The women of California are not office seekers. They are home makers. By this I do not mean that they live in seclusion. They organize clubs, social circles, promote schools, hospitals—everything that will contribute to the intelligence and well-being of the community and that will fit women for intelligent administration of home, as well as surrounding the young people in particular with better conditions as they go out from home.

In short, the result of woman suffrage in California has so approved itself that in my opinion, if submitted to a vote again it would carry with overwhelming majority.

Very truly, yours,

A. H. NAFTZGER.

—

LOS ANGELES, CAL., *January 5, 1915.*

Hon. W. D. STEPHENS,
House of Representatives, Washington, D. C.

MY DEAR MR. STEPHENS: I voted for woman suffrage in California. I did so with great reluctance. My hesitation was based on experience had in a State where woman suffrage obtained and upon certain theoretical objections which to me seemed entirely valid. Nevertheless, I believed that as a practical expedient under conditions existing in this State, the giving of women the franchise would be beneficial to the State's highest interests.

In the above expectation I have been in no way disappointed, and the experience of California with the holding of the franchise by women has been such as to completely change my attitude on the subject. I should now, in case the matter were newly presented and I were to have an opportunity to vote upon it, vote favorably to the measure with vastly more confidence than four years ago, when I was inclined to oppose it.

In California women have accepted the franchise as a great responsibility and are meeting its obligations with fidelity and conscientious devotion to duty which, in my judgment, far exceed that shown by men at the present time. First of all, and continuously since suffrage was obtained, women have engaged in a serious study of civic affairs affecting local and State governmental interests. They have met in clubs for this purpose and sat under the instruction of trained teachers, both men and women; have had discussions of their own on countless occasions when matters of public interest were before the people; and, more important than all, they have been willing to bide the arrival of the proper time before they themselves shall be candidates for public office. Recognizing their lack of acquaintance with details of governmental procedure, there has been no scramble for position thus far. I can not learn that there has been any lack of interest in domestic affairs and those which from time immemorial have been counted woman's special prerogative.

What they have done they have found time for by foregoing certain social opportunities and privileges the loss of which has been a benefit to them and to society generally. Women, generally speaking, have voted wisely on all public questions. It has been impossible to stampede their vote in the interest of any hysterical cry. They have shown the same ability to decide a question on its merits and to vote independently as men have displayed. It seems to me that, in California at least, the granting of suffrage to women has been an unqualified success.

With present knowledge as to how women would use the ballot, I am confident that if the question were again submitted to the male voters of the State, as it was four years ago, the result would be practically unanimously favorable to the measure.

Sincerely, yours,

J. F. MILLSPAUGH.

—

LOS ANGELES, CAL., *January 5, 1915.*

Hon. WILLIAM D. STEPHENS,
House of Representatives, Washington, D. C.

DEAR MR. STEPHENS: Woman suffrage in California is a success because it has done justice as between man and woman.

Incidentally our elections are cleaner, political meetings are better attended and more decently conducted, there is a greater spirit of political tolerance, more appeal to reason and less vituperation, more studious investigation of men and measures. Radicalism has gained nothing; in fact, women in their voting are more conservative than men, they have got to be shown. On questions of direct legislation their tendency is to vote "no" or not at all, unless they feel pretty sure of their ground. In the final analysis the enfranchisement of women has made very little difference in the political complexion or alignment in this State. The average woman votes very much as does the average man. It is true that the number of voters has about doubled, but the interest in elections has increased about in proportion.

All of this, however, is mere commentary and aside from the big question involved. Future generations will look back only with amused amazement at a time when one-half of the citizens, simply because through accident of birth they were thrown into one sex, withheld from the opposite sex a voice in the Government which dominated the life, liberty, and property of both.

Until in this Nation we have universal suffrage, the men of the Nation can not have political self-respect.

If the proposition of woman suffrage were again submitted in California after four years of trial, in my opinion, it would carry overwhelmingly instead of by a bare majority as it did before. It has been given a thorough trial. All the scare there was in it has been dissipated. It is here to stay. It is a dead issue. It is a part of the status quo.

Yours, very truly,

MEYER LISSNER.

—

LOS ANGELES, CAL., *January 5, 1915.*

Hon. WILLIAM D. STEPHENS,
House of Representatives, Washington, D. C.

MY DEAR MR. STEPHENS: Answering your favor of December 31, asking for my views in regard to the practical workings of woman suffrage in California, I would say that my attitude on the suffrage question has always differed materially from that of most others. I voted against it because I felt that woman's mission was so sacred and her influence on future manhood so potent that I deprecated any necessity for her to waste her strength on politics.

The ability of women to wisely exercise the franchise I always conceded, and had the women been given the opportunity, and had they expressed themselves as desirous of the right, I would have voted for it; but it has always been my opinion that a free and fair expression given by the women would not have been in favor of it.

From my observation as to the results of granting the franchise to women in California, I have been impressed with the painstaking efforts shown by the women in making the necessary investigation to enable them to vote right. In this I believe they have exercised greater care than the average man.

Had the question of woman suffrage been submitted to the male voters of California at the general election held in November last, I believe it would have carried; but had it been submitted to the vote of all electors, both male and female, I would not feel so sure of the result.

With my very kindest regards and best wishes for a most happy and prosperous New Year, I am,

Sincerely, yours,

STODDARD JESS.

—

LOS ANGELES, CAL., *January 7, 1915.*

Hon. W. D. STEPHENS,
Washington, D. C.

MY DEAR MR. STEPHENS: Woman suffrage in California has been a huge success. If put to a vote now, instead of carrying as it originally did by a majority of 3,000, it would be approved by an enormous vote. Many conservatives who were formerly violent opponents are now its ardent supporters, won over by the wonderful discrimination shown by women in their votes on both candidates and measures.

At least 10 wise and important measures passed in the last legislature would undoubtedly have failed except for the support of the women. Among these might be mentioned the joint guardianship law, bastardy law, age-of-consent law, mother's pension law, eight-hour law for women, the red-light abatement law, and the white-slavery law.

Yours, very truly,

JOHN R. HAYNES.

—

LOS ANGELES, CAL., *January 7, 1915.*

Hon. WILLIAM D. STEPHENS,
House of Representatives, Washington, D. C.

MY DEAR MR. STEPHENS: Woman suffrage is working well. The women are accepting the responsibility. They are voting in large numbers and with a ready discrimination. It looks now as if men are going to accept the responsibility of the franchise more seriously since women also have votes, and there is apparent a better tone in all that relates to political responsibility.

Yours, very truly,

A. J. WALLACE.

—

LOS ANGELES, CAL., *January 6, 1915.*

Hon. WILLIAM D. STEPHENS, M. C.,
Washington, D. C.

MY DEAR MR. STEPHENS: Replying to yours of the 31st ultimo, I am forwarding you herewith a copy of a speech I made at the International Association of Chiefs of Police at Washington, D. C., June, 1913, on the subject of women officers and equal suffrage. I do not know of anything that I could say at this time that would more properly express my views on the question of equal suffrage than is contained in that speech, except to state that California has proven the feasibility of equal suffrage and that criticisms heard of the principles at that time have practically ceased to exist at the present time.

Yours, very truly,

C. E. SEBASTIAN, *Chief of Police.*

—

PARAGRAPHS FROM CHIEF SEBASTIAN'S SPEECH, REFERRED TO IN LETTER ABOVE.

In speaking of the relation which woman suffrage bears to the pursuit of criminals, and to crime in its entangled ramifications, and just how votes for women in California has reduced crime and facilitates methods of apprehending violators of the law, I may surprise you when I present to you a list of the laws passed by our legislature at its recent session, each act affecting women and children. Had it not been for the interest our women voters displayed in these laws, many or all of them would have died in the committees.

There has been a remarkable decrease in the number of crimes of violence in our city since suffrage was granted. Since women have had equal rights with the men at the ballot box they have displayed a deeper interest in questions concerning the social evil, and are keenly alive to the necessity of seeking ways and means to lessen its spread, while endeavoring to ascertain how to eliminate it from the list of moral and public problems.

Women are not, as many men suppose, partisan in politics. They are for a principle, and if they are aligned with any party, and it abandons the principle the women are supporting, they follow the principle, and cut loose from the party. Machine politicians, as a rule, are opposed to suffrage. This is because they can not control or ascertain how the women are going to vote.

One of the terrors of the antisuffragists—the "bad woman"—is no longer a terror. We never have heard of her as a political factor in California. Women seldom appear as office seekers. When they do, though, they are amply qualified, and stand an equal chance of election, as their sisters exercise a very discriminating thoughtfulness in marking their ballots. They do not vote for a woman just because she is a woman.

The following is a list of the laws the woman's organizations in California "mothered" and induced our last legislature to adopt:

The health certificate law, requiring a certificate of freedom from venereal diseases of all men before obtaining marriage licenses.

The minimum wage law, creating a commission to investigate the conditions of industry of women and children, with power to invoke a minimum wage in industries paying less than a living wage.

The red-light abatement and injunction law, placing the responsibility of disorderly houses upon the owners and lessees rather than upon the inmates, and providing for the prohibition of such houses. The referendum may be invoked against this law. More than 40,000 signatures have been attached to referendum petitions in San Francisco.

The joint guardianship law, giving women equal rights over their minor unmarried children.

The juvenile court law, separating dependent from delinquent children.

The extension of the eight-hour law for women to include workers in apartment houses and nurses in training.

The age-of-consent law, raising the age from 16 to 21.

The State Training School for Girls, providing a separate institution for girls, with the most approved correctional methods and thorough vocational training.

The mothers' pension law, granting aid to needy parents in order to keep the children at home rather than have them committed to institutions.

The teachers' pension law, granting pensions of $500 a year to teachers who have been in service 30 years.

The net container law, specifying that packages shall show the amount of net contents.

The weights-and-measures law, providing for a complete standard of weights and measures and regular inspection of dealers.

The Roberts bill, prohibiting the destruction of any foodstuff fit for human consumption.

The State civil-service law, bringing practically all State employees under the merit system.

The creation of State housing and immigration commission to prepare for the coming of immigrants with the opening of the Panama Canal.

In the matter of prison reform all sentences except for murder are made indeterminate; strait-jackets and cold showers are prohibited, and arrangements are made for the payments of wages to State's prison convicts and for assistance to discharged prisoners.

The milk-inspection law, providing for strict regulation of dairies.

The white-slave law, prohibiting traffic in women between counties.

The tuberculosis law, providing for the reporting of all such cases.

Amendment to the liquor laws, prohibiting the sale of liquor between 2 and 6 a. m. This applies principally to San Francisco.

The workman's compensation law, requiring compulsory compensation for injuries and establishing a system of State industrial insurance.

The water-conservation law, establishing a water commission with authority over all water in the State. Conservation is a subject in which the women of California have taken very keen interest.

The psychopathic parole law, providing for the parole of persons mentally abnormal but not dangerously insane under the custody of psychopathic parole officers.

The billboard law, limiting billboards to 10 feet in height and prohibiting spite fences of more than 6 feet in height.

The bastardy law, requiring fathers to help support illegitimate children.

The passage of a law providing for the sexualization of inmates of insane asylums and certain convicts.

The creation of mosquito-control districts.

The requirement of the wife's signature to legalize the assignment of a man's wages.

The amendment to the child-labor law raising the age limit of child workers from 12 to 15.

The Woman's Bulletin, published in Los Angeles, has this to say concerning these laws:

"This record shows in the most concrete form possible why women need the ballot and how they use their power for the conservation of humanity and the preservation of the home."

Mr. MURDOCK. Mr. Speaker, I yield four minutes to the gentleman from California [Mr. BELL].

Mr. BELL of California. Mr. Speaker, as a Representative from the State of California, where the beneficial results of equal suffrage have been so clearly demonstrated in the letters read by my colleague [Mr. STEPHENS], as the author of the resolution I had the honor to introduce in the State Senate of California which paved the way for the womanhood of California to express their opinions at the polls, it is extremely gratifying in the closing hours of my service in this House to have the privilege of expressing by words and vote my hearty approval of the legislation now under consideration, paving the way, as it does, for national equal suffrage.

Mr. Speaker, there are Members of this House in full accord with me on this question who will vote against the pending resolution because of existing local conditions, and, Mr. Speaker, there are Members of this House opposed to equal suffrage who will vote in favor of the pending resolution, also because of existing local conditions.

We have had presented to us to-day the same old shopworn, venerable-with-age arguments, and we have heard voiced on this floor certain prejudices once of lusty strength, but now happily disappearing and being relegated to the discard in the many enlightened, progressive communities, where chivalric men love justice supremely and women truly. [Applause.]

Mr. Speaker, for 14 years prior to the year 1911 in the State of California we had this struggle which is now going on in the Nation, during which time many earnest men and women in my State sought our lawmakers and asked them at each biennial session of the legislature to pass a resolution placing this question of equal suffrage before the voters of my State, and at each biennial session they were met with the arguments that are presented on the floor to-day, namely, that the women did not want the ballot, and if they had it they would not use it. In 1911, by grace of the direct primary law, the voters of my State nominated and elected a legislature responsive to their wishes, a legislature that met at the State capital imbued with the idea that they were sent there to enact into law the people's will; and at that session the constitutional amendment was submitted to the people and later adopted by a substantial majority. That the women of California did want the ballot and that they would and did exercise the right of franchise is shown by the vote cast at the last general election, which was the greatest in the history of the State by more than 200 per cent.

In November last 228,946 more votes were cast for governor than at the elections of 1906 and 1910 combined, and the women who were opposed or thought they were opposed to assuming this responsibility were among the first to register and exercise their newly acquired privilege, and the women not only voted but they used discrimination, intelligence, and rare judgment in doing so. To their votes is accredited the passage of many of the public-welfare measures, notably among which is the red-light injunction and abatement amendment, an effective measure of ridding cities of commercialized vice; the antiprize-fight measure; the blue-sky law, which puts out of business dishonest investment companies; and many others of like nature. The gentleman from Kansas [Mr. CAMPBELL] stated this morning that this is a live question on both sides of the Atlantic. I thoroughly agree with the gentleman. We used to be told that because women did not engage in war they ought not to vote, and yet recently we are officially informed by the press that no lesser personages than the lord mayor of London and a member of Parliament, the right honorable Henry Chaplin, are organizing and approving a woman's volunteer reserve, which, to use the lord mayor's own words, "is to provide a trained and highly efficient body of women whose services can be offered to the State, if required, for signaling, dispatch riding, telegraphing, motoring, and so forth, and to arm them for their own defenses in the last extremity."

Women have the intelligence, the perseverance, and the honesty of purpose to assist in the uplifting of the State. They have a strength that should not be cast aside in the struggle for better things. They are the complement of men, and in the purest sense their coworkers. In this belief I earnestly ask the consideration of the following reasons why the proposed resolution should be adopted. The reasons why women should vote are the same as the reasons why men should vote, the same as the reasons for having a republic rather than a monarchy. To vote is simply to express one's opinion. A ballot is the instrument used. Speaking generally, the only real qualification governing its use is intelligence, for without intelligence one's opinion on any subject is worthless. Equal suffrage would increase the proportion of educated voters.

The high schools of every State in the Union are graduating more girls than boys, often twice or three times as many. Eighty-five per cent of the teachers in the public schools of the United States are women. The teaching of civics is obligatory. Is it fair to expect a woman, without that last sign of civic responsibility, the ballot, to possess such comprehending and practical knowledge of public affairs and machinery as would make her an inspiring teacher of civics for boys who already feel their importance as future voters and officeholders? Is she in a dignified position to do so? How can she teach the great truths of democracy—that it derives its authority from the eternal rights of nature; that a nation includes all its social elements and forces; that a true national representation therefore must include all these; that if one of these forces is neglected the desire of this neglected force to be represented will inevitably lead to the necessity for a radical change; that the very purpose of the existence of the nation is the progressive development, happiness, and activity of all its social elements and forces—how can she teach these truths and explain the nonrepresentation of women to clear-sighted boys and girls? Women are conscientious, and it would create a large reserve vote for civic righteousness. Those elements of the community who are least controlled by the dictates of conscience are always found among the opponents of equal suffrage. She is interested directly in good government; bad laws and the nonenforcement of good laws directly affect her in all of her relations, as homekeeper, wage earner, and man's coworker. Property rights should be represented on the same basis for men and women. It is fair and right that those who must pay taxes should have a voice as to the size of the tax and the way it shall be spent. The inalienable rights of person as they are affected by legislation must be preserved to woman, and no one can fully represent her in framing laws which deal with them. Representative democracy without equal suffrage is impossible, because it is only through this form of government that people who are subject to laws may have a voice in making them. Restriction of the franchise tends to encourage aristocracy, while equal suffrage will encourage democracy. Women all over the United States have accomplished much civic work without the ballot.

Many of the laws and reforms of the present day relative to the welfare of the child, the protection of women and of public health and morals have been inspired and secured by women, but they have had to arrive at this result by getting some one else to do the work for them. That is what an appeal to a city council or a State legislature means to a woman without a vote. She must get some one to adopt her views and do the work for her. Women should have the right to express their opinions on public matters in a straightforward, simple, direct

manner, and they should receive such consideration as every citizen desires. Women can take part in public affairs in a womanly way, and it is because she is a woman that her counsel and opinions are valuable. She is the happiest among women who is blessed with a home and a family. If women vote, it will not destroy the home. It only means a short time, once or twice a year, to go to the polls and deposit a marked piece of paper, and during these few minutes she wields a power that is doing more to protect her home and all other homes than any other possible influence, and she need not neglect her household nor her children in order to do it. Almost any woman has enough time to go to the polls, and enough time to inform herself so she can vote intelligently. It has been said that to enter the political arena woman must give up her home interests. This fear is only imaginary. On the contrary, she will stick closer to her home after having reached the goal of her ambition. Her personality, enlarged by the proofs of her extended activity, will raise the standard of home higher than ever. Having become an individuality herself she will respect the individuality of her husband and children. There will be fewer misunderstood husbands and more understanding wives. The home, far from suffering, will gain by woman's extended sphere of activity. Women in their homes are responsible for the health, cleanliness, and the comfort of their families. Many of the industries which women formerly controlled in their own homes have become matters of city and State administration, so it is not fair to hold women responsible for the cleanliness and healthfulness of food and the prevention of disease unless she has a right to an opinion about these matters, now that they are public questions.

The solution of the problem of cities, which involves insanitary housing, poisonous sewage, infant mortality, impure milk, juvenile crime, prostitution, and drunkenness should have the help of minds which have in the past attempted to care for children, clean homes, to prepare foods, and isolate the family from moral dangers. Economic conditions have forced women to support themselves and others. They have been carried by necessity into all the professions and industries. These relations are constantly affected by restraining or remedial legislation in which women have a right to be heard. Woman suffrage never has failed where it has been granted. No State or nation has ever repealed it when once conferred. Suffrage can not now, when considered in its broad aspect, be called an innovation. In more than half the States in the Union women have the school ballot, and their votes occasionally turn the scales in a school election. It is highly significant that the women who are doing either volunteer or paid social work all over this country are almost unanimous in their belief that they could do their work better if they could vote. The women who are doing valiant work on civic committees and playground commissions, those working for a proper milk supervision, the probation officers, those on the housing commissions, all the noble women who are giving time and consideration to philanthropic work, these women know actual conditions; they come in contact with realities. Jane Addams feels that she could do her work better with the ballot. So does Florence Kelley, Ella Flagg Young, and the other hosts of women who are devoting their lives to the welfare of women and children and the uplift of the race. All the arguments against woman suffrage have been answered by the operation of equal suffrage in New Zealand, Australia, Finland, and the 11 States of our own Nation. Hon. W. P. Reeves, agent general for New Zealand, after commending the good influence of woman suffrage in this country, said:

> And this widens women's lives, brightens their intellects, makes their lives fuller and more useful to the country and none the less charming in the domestic circle.

Charles Edward Russell said:

> I have seen a good many New Zealand households, and they seem exactly as well ordered, as bright, cheerful, and happy as any other households anywhere on this celestial globe.

J. B. Connally, United States consul at Auckland, New Zealand, wrote:

> The late election refutes the charges made by the opponents of female suffrage that women are incapable, owing to their inexperience in political affairs, to exercise the privilege intelligently. They have fully demonstrated their unmistakable capacity in this respect, beyond the possibility of a doubt, by their keen appreciation of the issues involved and the sensible discrimination they have displayed in the selection of candidates.

The Right Hon. Sir Joseph Ward, Premier of New Zealand, said:

> In my opinion, the results of enfranchising the women of New Zealand have been wholly beneficial. The statement that the power to vote renders a woman less attractive or less companionable is utter nonsense. * * * It enlarges their mental horizon and inculcates tolerance. * * * A proposal to establish a sex line in politics would now be laughed at.

I have heard it contended that woman suffrage would bring to the polls a mass of unreasoning voters who would become the prey of unscrupulous politicians. But unscrupulous politicians, however bad, are not fools. They have given a higher estimate of the ability and virtue of women voters than many good men and women. Almost to a man they do not want women to vote. And who ever heard unscrupulous politicians complaining that ignorant or vicious people are allowed to vote? Unscrupulous politicians are more concerned lest women will vote for morality and decency than that they will vote at the bidding of bribers, tricksters, and grafters. Conceding, as we must do, that the ballot is a moral force—that morality has entered our politics—the moral force of women is crippled by the denial of the ballot; and hence that denial retards the advancement of truth and justice. It was only after strenuous efforts that California restored the government of this State to the people. But in these conditions I find a reply to many opponents of woman suffrage who affect to distrust the ability and integrity of women in the exercise of the franchise, and assert that women are sufficiently represented by men and that women can rely upon men to right their wrongs. I think it is notorious that the most persistent objections to woman suffrage have come from that element which has given public-utility corporations power over the people.

Summing up the matter, if there were no question of manhood suffrage or womanhood suffrage, if all citizens of this Republic were confronted with the task of government, and the suffrage had not as yet been conferred on any of them, would there be any hesitancy in awarding the privilege to men and women upon some basis of equal qualification?

The world needs woman's influence in public affairs and women need the influence of a larger world, a larger responsibility, than they have been allowed to feel. Only with men and women developing and progressing side by side can we expect an approximation of that spendid destiny which awaits the arousing of all citizens to the exercise of the privileges and responsibility of cooperation in a government for all the people by all the people.

The SPEAKER. The time of the gentleman has expired.

Mr. STAFFORD. Mr. Chairman, I yield three minutes to the gentleman from Pennsylvania [Mr. MOORE].

The SPEAKER. The Chair will state to the gentleman from Wisconsin that he made a mistake against him of four minutes a while ago. He has used only 9 minutes instead of 15. The gentleman from Pennsylvania [Mr. MOORE] is recognized.

Mr. MOORE. Mr. Speaker, woman suffrage is another of the questions which the younger States of the Union are passing up for acceptance to the older and more populous States. The Legislature of Pennsylvania has partially indicated its purpose to submit this question to a vote of the people of the State. Thus far, apart from the preliminary step taken by the legislature, we have had no real expression from the body of the people of the State upon the subject, and we can not have until further action is taken by the legislature. It is, therefore, impossible at this time to say definitely whether Pennsylvania approves of the wisdom or desirability of woman suffrage. We are not assured that a majority of the women themselves desire it. Some of them oppose it bitterly upon the ground that it will tend to degrade rather than exalt the womanhood of the State. Women who hold this view contend that in America no such social or legal inequalities as are said to prevail in England and other European countries exist. There is also a considerable feeling amongst the women opposed to suffrage that the high place which American women now hold in the esteem of manly men may be prejudicially affected by forcing upon all women, regardless of their domestic relations, the responsibility that would be imposed by the voting power. While I recognize the "right" of mothers, wives, and single women, if they so desire, to inject themselves into the maelstrom of politics, even though the exercise of that "right" may tend to lessen the sacred preference which is already accorded to them by all true Americans, I do not believe I am authorized as a Representative to impose such responsibilities upon them now nor until at least a majority of the people of Pennsylvania have indicated that such a course shall be pursued. I shall therefore vote against the resolution. [Applause.]

Mr. MURDOCK. Mr. Speaker, I yield five minutes to the gentleman from Washington [Mr. BRYAN].

Mr. BRYAN. Mr. Speaker, I first became a friend and advocate of woman suffrage when I was 16 years of age and lived in Louisiana. The citizenry of the State was engaged in a terrific fight with the old octopus known as the Louisiana State Lottery. Many said they were opposed to gambling and vice, but under all the circumstances they were favorable to the State constitutional amendment submitting to the people to

grant a new character to that institution, which was offering a very great sum as consideration therefor.

The women of Louisiana, from one end of the State to the other, organized to save the State from the ignominy of a favorable vote on this proposition. I remember quite well my mother was prominent at my home in the Woman's Anti-Lottery League of Calcasieu Parish. I was one of the boys who volunteered to carry the various posters. In that campaign the glaring outrage against democracy under which one-half of the citizens could have no direct voice in a great moral question became apparent. To the everlasting credit of the male electorate of the State an amendment was rejected, but the lottery was killed only by the act of Congress passed in 1890 forbidding the use of the mails to lotteries.

POSITION ON SUFFRAGE IN WASHINGTON STATE.

It took no deliberation on my part in the State Senate of the State of Washington when the proposition of amending the constitution of that State came up for consideration. I not only voted for the submission, but I worked earnestly, personally and with my newspaper, for its passage, with the result that my county was the banner county in the State, proportioning the vote for the amendment with the population. If woman suffrage was so desirable and just in Louisiana and in Washington, why would it not be desirable everywhere under the Stars and Stripes? It is now the accepted rule in 12 States—counting Illinois—and Alaska.

The suggestion has been made here to-day that woman has only to rely upon the stalwart oak that stands beside her and have faith in the chivalry of men. The record of this country and the record of the world does not sustain that doctrine. Go back a little over 250 years ago and witness the "chivalry" of that age. In that particular time, according to the very best of authorities, cited and compiled by Matilda Gage in "Woman, Church, and State," within a 300-year period, there were 9,000,000 women burned at the stake and otherwise tortured to death by "chivalrous" men for the alleged crime of witchcraft, in order to get rid of women who used some intelligence and who became useless for "chivalrous" men. The "chivalrous" men put them to the torture, they manufactured all kinds of instruments of torture, among them the witches' bridle, which they put upon them and suspended them in cells until they would confess that they were witches. They administered every kind of torture to women in that day, did these "chivalrous" men, because they had absolute power, because they were clothed with absolute authority—the result that always prevails where any particular class or any particular set of men, or women for that matter, are given supreme and absolute authority over others. You say that was in the olden times, away back yonder. But did not the same things occur at Salem? Did not the same kind of procedure prevail there when women were executed by Cotton Mather and his "chivalrous" followers? You say that is ancient. What about the Mann white-slave act and the traffic it was designed to stop? What about men who get up in public places and proclaim for a reservation in every city of this country and for one here in the city of Washington for those who are the victims of that kind of procedure, conditions such as would fasten white slavery on about 300 women in the city of Washington, for instance. You talk about "chivalrous" men, but I tell you right now that there is no such chivalry as will justify one set of people having supreme authority or power over another set.

They tell us that all kinds of awful things are going to happen. The gentleman from North Carolina [Mr. WEBB] wants to save women from themselves. We who come from the suffrage States are here to tell you what we know, not what we think. The gentlemen from California rise here to testify; the gentlemen from Washington are here on this floor to testify. You take their testimony on industrial questions, you take what they tell you about rivers and harbors, you take what they say about other matters that are pending here before Congress as authoritative. Why not consider what they tell you about this particular thing? They come from Montana, Kansas, Oregon, Arizona, Illinois, Nevada, Utah, Idaho, and Colorado. Those Members here on this floor are able to tell you by actual experience. Why, do you tell me that the women of Mississippi and Louisiana are more degraded than the States on their borders because they have granted conditional suffrage to women in the States of Louisiana and Mississippi? Do you tell me that the women of the State of Kansas are more degraded than the women of Missouri because the women of Kansas have the suffrage? Can you suggest to me that the women of Illinois are more degraded than the women of Indiana because the women of Illinois have a larger and broader right to vote than the women of Indiana? Such an argument as that fails at the mere suggestion of it. The proposition of the home is the master argument for equal suffrage, because women are interested in the making of laws which affect the home. You can hardly make a law here that does not affect the home. Anything that affects the price of commodities affects the home. We are living to-day in what the President of the United States calls a progressive age, and the cause of woman suffrage advances as the age progresses. [Applause.]

In further extension of my remarks under the rule I desire to say:

In this great Republic you can not take from a citizen, whether male or female, when he or she crosses a State line, the right to contract, to sue and be sued, to equal right to life, liberty, and the pursuit of happiness, with all that those terms signify. All the thousand and one things guaranteed by the Constitution are coterminous with the Federal jurisdiction. A prohibition against women riding on street cars or being granted these constitutional rights on an equality with men or other citizens of their own sex would violate the Constitution. But the parent right of all, the right to share in the governing of the land, the right to grant or withhold "consent" to be governed this way or that, some of the States are permitted to withhold from one class of citizens.

If the courts of Washington State give a money judgment to a woman of that State for a few dollars, she is guaranteed the right to proceed on that judgment in any other State, within restrictions common to all, and obtain execution against the debtor in any other State to which the debtor may remove or where the debtor may have property. It would be unconstitutional to refuse this right to a woman on the same terms as it is allowed to a man, unless such discrimination be hedged about with some interpretation of the doctrine of husband and wife or parent and child.

You say "consent of the governed" is a foundation stone of this Republic. Yet if a female citizen of the State of Washington moves to the State of New York she suddenly finds that her right to vote on presidential electors and Congressmen and to give or withhold her consent by means of the ballot has been lost. The Government is still democratic, so called, but she, a citizen and a taxpayer, if she be one, loses her right the minute she crossed from one State to another. Why is the right to vote considered so trivial that it can be withdrawn from one-half the citizenship at will? Oh, you can not take it from the blacks; the Constitution protects them. You can not take it from the railroad men, nor the farmers, nor the laborers, nor the males, but the females are not protected by the Constitution. And here to-day we hear all kinds of protests against a Federal amendment protecting women in the Federal Constitution to the extent that the negro race or the various classes are protected in that instrument.

There can be no logical objection to universal suffrage in a democracy. Indeed, a democracy is inconceivable without universal suffrage. To state it is to state a paradox. Exclusive male suffrage involves a male aristocracy which rules one-half the population without their consent. Under those conditions democracy is the wrong term. To quote from Uncle Josh at the circus, "There ain't no such animal."

If such a situation advanced the common good, if the one-half under subjection were unfit for self-government, the situation might be excusable. The want of democracy would find justifiable explanation, but where those held under subjection are the most advanced in morals and education, are the mothers and sisters of the ruling aristocrats, there can be no possible excuse.

Will any gentleman here say that Louisiana and Mississippi have degenerated to a lower plane morally, intellectually, or in any other sense, than their border States because women are allowed partial suffrage in those two States, but are denied it in the surrounding States? Is Arkansas superior to Oklahoma, because the Arkansas electorate has never permitted the mothers, wives, and sisters of the electors to vote on any subject, while Oklahoma has? Is Kansas inferior to Nebraska because in Nebraska the women have only partial suffrage and in Kansas they have equal suffrage with men? Is Illinois lower in the scale than Missouri, or Ohio than Indiana? To ask these questions is to answer them. In all history the more degradation we find heaped upon the women the darker and blacker the period. The Roman matrons were most respected before the Empire began to decay. The Victorian reign gave to women the greatest consideration and furnished a period of English history unsurpassed in grandeur of accomplishment. The Progressive movement in America recognized the noble women who had fought the battles of their sex and of the race in the years that had gone, and brought to light such new leaders as Miss Jane Addams, of Hull House. In the midst of this rennaissance a dozen States declare for suffrage; a Children's Bureau is

established in the Federal Government with a woman at its head; and a dozen more States find a majority in their legislatures to submit equal-suffrage amendments, and here we are to-day in the Congress of the United States discussing a Federal amendment.

The distinction and dignifying characteristic of this period of American history is greater recognition of women. In the midst of this period who care what Solomon thought a thousand years before the Christian era and surrounded as he was by his many wives and numerous white slaves. Solomon lived in a different age and struggled with different problems. Or who is going to revert to that faithful band of early Christians who lived nearly 2,000 years ago, when the world was out of joint, and ask them and their leaders to tell us the economics and the right and wrong of the situation as it is presented to-day? In that day they were subjected to possible personal slavery or extinction every hour. What did they know about equal suffrage in America under a form of Government never dreamed of? The Jews and early Christians were waiting, some of them, for the Roman legions to come and destroy them and their cities. Others were gazing momentarily into Heaven expecting deliverance from their unspeakable woes by the second coming of the One whom we reverently recognize as our Lord. What could they know about the ballot in America, or whether the women of to-day should speak in a church or go with head uncovered or teach or exhort? It is easy enough to quote scripture. The devil demonstrated he was an expert at that. But the real Christian is not to be influenced by isolated paragraphs not designed to provide for us a rule or conduct.

SOME OBJECTIONS TO EQUAL SUFFRAGE.

Those who oppose equal suffrage on its merits contend that women are possessed of certain resources which the ballot would take from them, and that the ballot would impose upon them liabilities which they now escape.

1. They say that woman as the gentler sex has always enjoyed the chivalrous love and protection of man; that if the right of suffrage were granted this splendid asset would be lost and woman would be compelled to assume the task of studying public issues.

2. They say that woman is now the exalted queen of the home, and under suffrage she would be dethroned from this point of advantage and supremacy.

3. They say that now woman is considered a sort of sacred depositary of individual morals and the most exalted ideals, whereas under suffrage she would lose her natural refinement and her gentle manners, she would become masculine—would be unsexed.

CHIVALROUS LOVE OF MAN.

This beautiful chivalry has been an enticing theme for the poet and the songster. Oh, the plumed knight when knighthood was in flower. Lucky and happy the maiden locked in yonder tower, with iron gratings over her window, who was adored by the knight who, in armor clad, sat upon his dashing charger warbling madrigals in impassioned serenade. But how about the thousands upon thousands of plain, ordinary women who needed and whose hearts demanded the ordinary consideration that should be accorded to an individual?

Suppose we turn back the page of history, say, about 250 years. Here is a record of a "chivalrous" proceeding of that day, which I will just jolt out upon you as an illustration of how the thing worked, from official records in Scotland:

	£	s.	d.
For 10 loads of coal to burn the witches	3	06	8
For a tar barrel	0	14	0
For towes	0	06	0
For hurdles to be jumps for them	3	10	0
For making of them	0	08	0
For one to go to Tinmouth for the lord to sit upon the assize as judge	0	06	0
For the executioner for his pains	8	14	0
For his expenses there	0	16	4

About this time the persecution of witches raged in Scotland with great violence. The "witches' bridle," an instrument of unspeakable torture used on the women, is thus described:

Iron collars, or witches' bridles, are still preserved in various parts of Scotland which had been used for such iniquitous purposes. These instruments were so constructed that by means of a loop which passed over the head a piece of iron having four points or prongs was forcibly thrust into the mouth, two of these being directed to the tongue and palate, the others pointing outward to each cheek. This infernal machine was secured by a padlock. At the back of the collar was fixed a ring by which to attach the witch to a staple in the wall of her cell. Thus equipped, and day and night waked and watched by some skillful person appointed by her inquisitors, the unhappy creature, after a few days of such discipline, maddened by the misery of her forlorn and helpless state, would be rendered fit for confessing anything in order to be rid of the dregs of her life. At intervals fresh examinations took place, and they were repeated from time to time until her "contumacy," as it was termed, was subdued. The clergy and Kirk sessions appear to have been the unwearied instruments of "purging the land of witchcraft," and to them, in the first instance, all the complaints and information was made. (Pitcairn, vol. 1, pt. 2, p. 50.)

TO THE TERROR OF ALL ANCIENT FEMALES.

Another instrument of torture for females was known as "the spider." It was an iron machine with curved claws for tearing out a woman's breasts.

Blackstone, in his Commentaries, makes the following comment on the laws:

By statute 33 of Henry VIII, chapter 8, all witchcraft and sorcery was to be felony, without benefit of clergy. This act continued in force till lately, to the terror of all ancient females in the kingdom.

Martin Luther said:

I would have no compassion for a witch. I would burn them all.

John Wesley, in 1768, according to Matilda Gage in Women, Church, and State, page 261, declares the giving up of witchcraft to be in effect giving up the Bible. The author continues:

Such was his low estimate of woman that he regarded his own wife as too sinful to conduct family prayers, although to Susannah, equally with John, is Methodism indebted for its existence.

Under an English statute to "abolish diversities of opinions" no man was permitted to give his widowed mother or orphaned sister a home in his house without permission of the authorities. Under the statute of laborers (5 Eliz., ch. 4) it was enacted that unmarried women between 12 and 40 years old might be appointed by two justices to serve by the year, week, or day for such wages and in such reasonable sort and manners they shall think meet.

Women were the chief sufferers under witchcraft persecution. Men believed in the inherent wickedness of women, that sin had come into the world through Eve. Strong intellect, unusual beauty, or marked deformity or extraordinary sickness in a woman were proof of a league with the devil and of witchcraft. An ordinary average woman, not so pretty as to promote jealousy, was reasonably safe until gray hairs came to indicate the end of her physical vigor and her usefulness to chivalrous men; after that she could well live in torture and dread. Brave indeed was the woman who would stand for bettering the conditions of her sex. The antis of that day relentlessly pursued those who did have the courage of their convictions, proclaiming that only a few were protesting, "the great majority are satisfied."

The clergy—Protestant and Catholic—joined with the Government authorities and with eminent medical authorities in persecuting women as witches. The execution of a wizard very seldom occurred. When it did occur it was generally for alleged complicity with or for aiding some witch. It is stated by eminent authority that during 300 years 9,000,000 victims, nearly every one of them women, were burned, hanged, pressed to death, or otherwise cruelly executed for witchcraft subsequent to the year 1484.

Chivalrous love of man for women. The record is the same, as is always found where one sect is give supreme power over another. Human beings are individuals. The same love of individual freedom found in man is found in woman. We are born of a common mother. How could brothers and sisters fail to have aspirations and ambitions in common?

But it was not alone in England and Europe that these atrocities against women were practiced. Who has not heard of the Rev. Cotton Mather and Salem and Boston executions for witchcraft? Oh, they were chivalrous in those days to women.

The Massachusetts colony caused a law to be enacted ordering women suspected to be stripped naked and carefully examined by a male "witch pricker" to see if there was not a devil's mark upon them. A wart or mole would be found and that fact would be proven at the trial as a conclusive proof of guilt. Pure and noble women of unusual power of intellect were persecuted in those days. Women that stood for bettering women's condition. They had visions, they dreamed dreams.

There were antis in those days as now. They said, "Why agitate to better the condition of women? They do not want these burdens. They are satisfied." Mrs. Anne Hutchinson was persecuted to her death for no other offense than for having views of her own which she dared preach to men. She had an intellect towering far above the men of her day, but the antics gloried in her downfall. They ridiculed her just like they ridiculed Dr. Anna Shaw, Mrs. Antonette Funk, Miss Alice Paul, and others who are devoting themselves to this work to-day.

SIMILAR TREATMENT TO-DAY.

Members may say that is an old closed chapter. I hold that it shows what women have had to contend with, and that fairness in considering her present power and capabilities demand a consideration of these awful chapters of her past his-

tory. And then how it does tear up this "natural-chivalry" argument.

Suppose, however, we open at a more recent page of concurrent history, "White slavery." Why was the Mann white-slave law enacted? Was it only bad women that suffered in supplying victims for the "necessary" lust of man? Was not that wholesale trade, which is still carried on, accompanied by a punishment of woman for the gratification of "chivalrous man" about as gross persecution as the tortures administered to the witches? Big men defend the maintenance of districts and hundreds of women there as white slaves to please chivalrous men. They have landlords who contribute to campaign funds, and it is better to conserve the revenues of their landlords at home than to break up the districts under the Kenyon red-light law and scatter the evil. Read the report of the vice commission of Chicago and study for a while the means used to capture and lure good girls into these traps, and then probably you will revise your views so far as depending on the chivalry of men is concerned.

WOMAN'S STATUS IN THE HOME.

The home argument is the master reason why women should vote. If they are queens in the home they should have a voice in framing rules under which they must exercise their sovereignty. It is very hard to think of a law that does not affect the home. The price of food, the quality of the milk, the rate of rent—all these things affect her directly. Are not the women interested in the enactment of pure-food laws? Under legislative enactments designing ones have put profits above honesty. They have poisoned food to make dividends. They misbranded drugs, patent medicines, and every form of household necessities. Tomato catsup was composed of putrid ingredients. Frozen and desiccated eggs were placed on the market. Black olives were manufactured of decomposed substances. Ice cream was treated with boric acid. Coffee was poisoned with lead chromate. Flour was bleached with nitroperoxide. Olive oil was mixed with cottonseed oil. Flavoring extract was diluted with wood alcohol. Spices were combined with foreign material. Milk, skimmed and watered, was sold at full price. Peas, chicory, and cereals were mixed with the coffee. Flour and shells formed a part of chocolate and cocoa. Cane sirup was diluted with maple sirup. Candy was finished with shellac coating. Habit-forming drugs were sold under pretense of curing disease. Yet women have no interest in legislation.

Women, you say, are queens of the home. They would lose that valuable privilege and honor if they were to vote. Do you suppose a mother is not more interested in pure milk for her baby than in being cajoled with the empty title of "Queen"? If pure milk can only be had by proper sanitation rules and health regulations, does not common sense suggest that those who best understand and most earnestly desire pure milk should have a voice in who makes the rules? The individual who can not understand that ought to go to some governmental authority and surrender his citizenship and admit that he does not understand anything about representative government or the power a group of individuals possess by being a part of a constituency. The suggestion that the ballot would dethrone a "queen" is as silly as it sounds.

But they say women would be unsexed if they had the ballot. They were still women after 9,000,000 and more had been tortured to death as witches. The white-slave traffic prospered all those years until an awakened sentiment compelled the passage of the Mann Act and abatement laws in several States, and the suffrage State of California led in the enforcement of the Mann Act, but the women survived it all. A more ridiculous argument could hardly be suggested. Women brave all the hardships of pioneer life; they survive the horrors of war, panics, hard times, poverty, and all that, but to vote once every year or two would make them masculine. One who does not live in a suffrage State and a suffrage home can not understand how unspeakably senseless the suggestion is. Still men make it sincerely, and the antis talk about it as though they believed in it as sincerely as the antis 250 years ago in Europe and later in Salem believed in the witchcraft persecutions.

Antis; why, when the Chinese women revolted against being decreed soulless and having their feet bound and all the other heathern practices perpetrated against them, there were antis who wanted to stand pat. They said the vast majority of Chinese women were satisfied.

There are 30,000,000 Moslem women in India. About 29,999,000 of these women are "satisfied" and only 1,000 are trying to better things. There are about 1,000 antis or standpatters who deplore the tendencies of the other thousand to inspire new ideas which involve new responsibilities on that vast sleeping "satisfied" multitude living in harems and under subjection and ownership to a degree that blights the intellect and checks all progress.

SUBORDINATION OF ONE SEX TO THE OTHER WRONG IN ITSELF.

John Stuart Mill thus summarizes the whole proposition:

The principle which regulates the existing social relations between the two sexes—the legal subordination of one sex to the other—is wrong in itself, and now one of the chief hindrances to human improvement; and it ought to be replaced by a principle of perfect equality, admitting no power or privilege on the one side nor disability on the other.

AN ECONOMIC QUESTION.

Why is it that the American Federation of Labor is for suffrage? Why are the workers, both North and South, in favor of letting women vote? It is simply because they are compelled by economic conditions to work side by side with the women. Every woman worker in industry takes the place of a man worker. And these men who toil know that women must be taught to appraise rightly their own individual worth and responsibility. I recently visited Jacksonville, Fla., and I found there the State Federation of Labor of Florida for equal suffrage by official resolution. The same story is told in practically every Southern State as well as Northern State. This is a great economic question and demands settlement as such. There is only one ultimate settlement of the proposition. Women are as sure to win the ballot as representative government is to endure.

I was in the State of Texas recently. I talked to college instructors, to public men and women, to laborers and mechanics, and I found a strong sentiment for suffrage. The Houston Chronicle, of Houston, Tex., recently published the following editorial:

THE SUFFRAGE CONVENTION.

The forty-fifth annual woman suffrage convention is now in session at Washington, D. C.

Needless to say, it is the greatest gathering of its kind ever held, and marks the climax to a series of achievements which woman, as a political factor, scarcely would have dared to dream of 45 years ago.

What would motherly Mrs. Washington think, and how would the recalcitrant niece of Andrew Jackson rejoice, to see this great assemblage of women deliberating within the very shadow of the dome of the Nation's Capitol and planning a descent upon Congress with a mile of petitions demanding a constitutional amendment for equal suffrage?

Truly the world is moving forward at a tremendous pace. No wonder that thinkers and philosophers shudder when they behold the rapidity with which movements and reforms shape themselves and come into being.

Within the past 150 years manhood suffrage has become a recognized factor in world politics. Most of the great nations have already adopted it, and those still lagging behind have given up all hope of permanently checking the tide of popular rule and are only seeking to temporize and delay.

Within the past 50 years womanhood suffrage has made itself felt in almost every quarter of the world.

Those who count themselves still young can remember when it was scorned and scoffed at as merely a madcap scheme. To-day it is greeted in a far different tone. Its opponents profess to fear its effect upon the race. First ridicule and then alarm—these are the ever-present weapons of the conservative.

Little by little its opponents grow few in number and less in strength. Little by little the opposition is shriveling up.

Occasionally a Tillman or a Watterson wails forth a warning from the twilight zone, but he is usually an old man who dotes on the past and longs for the times and traditions of his childhood.

In the meantime the woman-suffrage movement grows apace. Already it has accomplished its purpose in 10 States of the Union; already it has become a factor to be reckoned with in the politics of the Nation.

Presently the suffrage leaders will present their reams of signed petitions to Congress. The next national political conventions that meet will be obliged to grapple with the great question thus prominently thrust forward. Condemn it they may, but ignore it they can not.

The sarcasm of Greeley, the warnings of Watterson, and the tirades of TILLMAN die away. The world remembers such women as Elizabeth, Victoria, Lucretia Mott, George Eliot, Frances Willard, Julia Ward Howe, and the example of how they lived and what they accomplished is too much to be overcome by the ridicule of writers and orators.

However opinions may differ as to its effects upon politics or sociology, no one who has given serious thought to the subject can fail to realize that the woman-suffrage movement has come to stay; that it is deeply rooted in the soil of progress and development, and that it will grow and continue to grow until the whole civilized world is made to feel the power of its inherent strength.

At the front door of the statehouse in Richmond, Va., I recently addressed an audience estimated at more than a thousand on the subject, and I found a hearty response in that city. The child-labor problem demands not only the resolutions of women's clubs, but their vote. The Federation of Women's Clubs in this country realizes the fact, and that organization is for equal suffrage.

There is no reasonable argument against equal suffrage. Opposition to it is more or less temperamental or psychological. All of a sudden men see what fools they have been in opposing it, and they are its most ardent supporters ever after. It is not a State-rights matter at all. The southern Members are not opposed to this amendment for that reason at all. The simple truth is they have not become enlightened to the facts of the case. Civilization has marched right on by them in this particular regard. That it is not a political trouble with them

is shown by the fact that the Methodist Church South will not allow women to vote in or become delegates to the church conference, while the Methodist Church North takes the opposite view. Of course, we can hardly expect a people who will not allow women to vote in the church to allow them to vote in the State. The trouble is they have not waked up on this point. But the South, which is so progressive on many other matters, will wake up on this. There are notable exceptions to the rule now.

It is not only a fact that women do not get fair and honest—forget chivalric—treatment in industry when comparing pay and other conditions with the pay and consideration given men, but the same rule prevails in the civil service of the Government and in the Government departments. Recently I compiled some figures on this feature, and Agnes E. Ryan, in the Woman's Journal, of Boston, related and commented on my findings in that journal as follows:

DISCRIMINATION—SPECIAL HANDICAPS TO WHICH WOMEN ARE SUBJECTED IN EARNING A LIVING UNDER THE CIVIL SERVICE BOTH AT THE CAPITAL AND IN THE COUNTRY AT LARGE.

Everybody knows that it is harder for a woman to earn a living than it is for a man. In the first place, fewer positions are open to women, and, in the second place, women usually have to work for smaller pay than do men for the same kind and the same amount of work.

It is generally supposed that where the civil-service rules apply to positions, whether they be in the same departments at Washington or in the country at large, women are not handicapped by the mere fact that they are women and not men. Such seems to be the case, however, although it is not certain whether the handicap comes from being women or merely from being voteless.

The facts and figures have been brought to our attention by Hon. J. W. BRYAN, Representative at large from the State of Washington. They are compiled from figures printed in the CONGRESSIONAL RECORD of February 12. They show the number of men and women who were examined for work in the departments at Washington during the year ending June 30, 1912, and the number of men and women who passed and who were appointed. The second table shows similar figures which apply to the country at large.

IN DEPARTMENTS AT WASHINGTON.

	Examined.	Passed.	Per cent.
Male	7,552	2,557	34
Female	2,615	1,146	44

	Passed.	Appointed.	Per cent.
Male	2,557	560	22
Female	1,146	121	10½

IN DEPARTMENTS OUTSIDE OF WASHINGTON.

	Examined.	Passed.	Per cent.
Male	46,297	26,311	56
Female	4,551	3,425	75

	Passed.	Appointed.	Per cent.
Male	26,311	6,495	24
Female	3,425	782	20

From these figures it will be seen that although about four women to three men passed the examination for work under the civil-service rules in Washington, when it came to getting positions men were appointed in the ratio of more than two to one. In the country at large seven women to five men passed the examination, but in appointing candidates to positions the men were favored in the ratio of 24 per cent to 20 per cent.

Representative BRYAN comes from a State where equal suffrage is in operation. He brought out these figures in a speech in Congress regarding "An act to regulate the hours of employment and safeguard the health of females employed in the District of Columbia." An attempt was being made by Mr. BRYAN and others to establish an eight-hour day or a 48-hour week for women. In this connection he said: "I am certainly in favor of this eight-hour law for women workers. We have it in my State of Washington, and it works well." [An equal suffrage State.]

Regarding employment for women in Government positions, Mr. BRYAN said: "I recently made an investigation of the opportunity for women to gain employment offered by the Government as compared with the opportunity offered to men. I notice the census of 1910 showed that in post offices in cities of 75,000 or more population in the United States there were 1,646 male clerks and 12 female clerks. Such a contrast proves conclusively that opportunity is not equal between the sexes in these offices. To begin with, the examinations are all conducted by men, under rules provided by men. Then it is especially provided that femininity may be held a bar to service in almost every department of governmental activity. Color is not to be a bar, but no female can get a job in the average Government position unless the particular boss in charge wants a woman. Thus any woman who holds such a job does not have to thank the Government for her job, like the man clerk, but generally she is under obligation to some man for waiving the sex bar.

"Salaries of men and women are not equal. Women invariably are paid a lower salary, especially in Government service. The following is an illustration of advertisements issued by the Civil Service Commission in seeking stenographers and others:

"'SEC. 276. Stenographers and typewriters who are competent and willing to accept the usual salaries offered—men $900, women $720—have much greater prospects for appointment than applicants for other clerical positions. The supply of male eligibles willing to accept the usual entrance salary is not equal to the demand. An excellent opportunity is therefore open to competent stenographers and typewriters from States which have not received their full quota of appointments.'

"So we see a discrimination as to amount of salary as well as to sex. Recently, out of 368 examinations, 314 of them were closed to women."

One would have supposed that the very principle of civil service would have forbidden this discrimination against women if they were allowed to take the examinations at all. It seems, however, that in getting a position under the civil service a woman meets a fourfold handicap—she may not take the examinations; she may not pass; she may not be appointed when she does pass; she has to accept a lower salary than does a man for the same position even if she is appointed. Truly the woman's road is a hard one if she works for the Government under civil-service rules. We leave it to our readers to answer whether these or similar handicaps apply to women in earning their living in other walks of life.

And does it not all come of being a woman, which, being interpreted, means being voteless?

AGNES E. RYAN.

The SPEAKER. The time of the gentleman has expired.

Mr. MURDOCK. Mr. Chairman, I yield five minutes to the gentleman from Michigan [Mr. MACDONALD].

Mr. MACDONALD. Mr. Speaker, in the debates during this session of Congress I have listened many times to Members who have had a great deal to say about intellectual integrity. I have listened, during the debate on the prohibition amendment and during this debate on the suffrage amendment, for some signs of that intellectual integrity on the part of those who oppose these resolutions. We are told here time and time again that equal suffrage for women imposes an additional burden upon the women's shoulders. We are told that it violates the sacred precincts of the home. We are told that it destroys that wonderful thing that they call "chivalry," when as a matter of fact those who make those arguments know that they are absolute, unmitigated nonsense. They may use them for consumption on the floor of this House, but in private conversation and in the cloakroom and in their offices they do not use any such kind of buncombe. [Laughter in the galleries.] They frankly admit the facts when they discuss the suffrage amendment to the Constitution; as, for instance, when you ask a Member how his district is on suffrage nine times out of ten he will tell you whether it is wet or dry; and that shows the influences—and the real influences—that are at work on this question of equal suffrage. As a matter of fact, these high-flown dreams of chivalry and protection for woman, as I said before, are absolute nonsense, and the men who make that argument must know that it is nonsense.

The women of the country to-day who are demanding equal suffrage the most are the women who need it the most. They are the women who by reason of our industrial conditions have been forced out into the world and come in contact with intolerable conditions that drive them to come to Congress in the hope of finding some remedy under the law so that they may live, just the same as men are driven to seek some remedy so that their conditions of life may be remedied.

Now, another stock argument that is made here is that this is an unconstitutional way of providing equal suffrage. The Constitution provides that this is exactly the way in which the Constitution may be amended, and it sounds strange to my ears that any Member of Congress should stand up here and say that the National Government is settling anything when the Congress votes to submit this question to the people as provided by the Constitution. The National Government is not, and Congress is not, endeavoring or attempting to settle anything. Congress is doing what they have always admitted they ought to do. They are submitting to the sovereign States of the Union for amendment of the Constitution a provision that an overwhelming mass of citizens have petitioned for. That is the issue. Aside from the merits of the suffrage question, that is the issue that confronts the Member of Congress who casts his vote to-day, whether he is willing to submit a constitutional amendment to be adopted according to the provisions of the Constitution when an overwhelming mass of the citizenship of the country petition for that submission.

Mr. GORDON. Mr. Speaker, will the gentleman yield?

The SPEAKER. Does the gentleman from Michigan yield to the gentleman from Ohio?

Mr. MACDONALD. Yes.

Mr. GORDON. The people of my State rejected woman suffrage by 182,000 last fall. Do you think that they are demanding that we force it upon them by Federal act?

Mr. MACDONALD. They say, also, that the people in my State, Michigan, rejected suffrage by a respectable majority.

As a matter of fact, the liquor interests stole the vote in Michigan. [Applause in the galleries.]

[Here the gavel fell.]

Mr. MACDONALD. I do not know anything about Ohio, but it may be so there.

The SPEAKER. The Chair did not try to stop the gentleman from speaking. He was trying to stop the people in the galleries from applauding. They are here by the courtesy of this House, and they must neither applaud nor show their dissent. If they do, the Chair will clear the galleries.

Mr. SAMUEL W. SMITH. Mr. Speaker, will the gentleman yield?

Mr. MACDONALD. Yes.

Mr. SAMUEL W. SMITH. I understand you say the liquor interests of Michigan stole the vote away from the ladies the last time the matter was submitted?

Mr. MACDONALD. I think I did not say that.

Mr. SAMUEL W. SMITH. It was lost by 96,000 in Michigan. Do I understand you say the liquor interests defeated that proposition the last time it was submitted?

Mr. MACDONALD. If I said that, I made a mistake. I meant when it was submitted in 1912.

Now I would like to say, in answer to the gentleman from Ohio——

The SPEAKER. The time of the gentleman from Michigan has expired.

Mr. MURDOCK. Mr. Speaker, I yield to the gentleman two minutes more.

The SPEAKER. The gentleman from Michigan is recognized for two minutes more.

Mr. MACDONALD. I do not know anything about the conditions in Ohio, but I know that the interests that opposed suffrage are much better satisfied to take their chances in controlling the machinery of elections in the States than they are to have the question submitted for adoption as a national amendment to the Constitution.

Mr. GORDON. Mr. Speaker, will the gentleman yield again?

Mr. MACDONALD. Because they are intrenched in most of the States to a greater or less degree, and in many of the States, as has been demonstrated in Michigan, they are able to stifle the real expression of the people and prevent the honest record being made of the vote.

Mr. GORDON. Mr. Speaker, will the gentleman yield further?

The SPEAKER. Does the gentleman from Michigan yield to the gentleman from Ohio?

Mr. MACDONALD. Yes.

Mr. GORDON. You admit that you do not know anything about the conditions in Ohio. Do you not think it would be safe to trust the people with suffrage there in their own State?

Mr. MACDONALD. I do not know about the conditions in Ohio. If the required number of States in the Union voted to amend the Constitution, I do not know why Ohio should not take the same treatment as is provided for the rest of the States by the Constitution. Ohio could not stipulate when she came into the Union as to how the Constitution should be amended, and it is not for a State to determine how the majority of the States shall rule in regard to the amendment of the Constitution. They say this is a State matter.

Mr. GORDON. That is what I say.

Mr. MACDONALD. Yes; but who shall say that the people of the United States shall not amend their Constitution when they take the way to amend that Constitution which the Constitution itself provides? And what right has Ohio or any other State to say that they will not agree to that?

Now, as I say, Mr. Speaker, an overwhelming mass of citizens of this country have petitioned the American Congress simply to submit, in the way required by the Constitution, this question; and the question you have to answer is, Are you going to say yes or no by your vote?

The SPEAKER. The time of the gentleman from Michigan has expired.

Mr. HENRY. Mr. Speaker, I yield to the gentleman from Alabama [Mr. ABERCROMBIE].

Mr. ABERCROMBIE. Mr. Speaker, while I indorse the proposition that the privilege of voting should be extended to women on equal terms with men, and while I have no doubt that ultimately the women of the United States will be given the ballot, I feel constrained to oppose the adoption of the pending resolution.

As a believer in the principle of local self-government, I have a strong conviction that those functions which can be performed as effectively by the States as by the Federal Government should be left with the States. Subscribing as I do to this doctrine, it is my firm opinion that as far as possible the States, each for itself, should retain the power to prescribe qualifications and administer regulations for the exercise of the voting privilege.

If conditions relative to the character, intelligence, and capacity of individuals, classes, and races were the same, or approximately the same, in all of the States, it would be possible without danger to delegate this power to the Federal Government, but it is a matter of common knowledge that such conditions vary widely, sometimes even within the same State.

It has ever been a contention of the Democratic Party that the regulation of the ballot is and should remain a function of the State governments. At a caucus of the Democratic Members of this Congress the following resolution was adopted by a record vote of more than 2 to 1:

Resolved, That it is the sense of this caucus that the question of suffrage is a State and not a Federal question.

Notwithstanding the widespread publicity given the measure under consideration, I have received but one request to support it, and that came to-day in the form of a telegram signed by five of my constituents. This would seem to indicate that the men and women of Alabama concur in the belief that the regulation of the franchise should remain a State function.. For these and other reasons I can not see my way clear to support the pending proposition, a proposition that has for its object a transfer to the Federal Government of a portion of the heretofore reserved power of the States to fix and regulate qualifications for voting.

However, I believe in the principle of suffrage for women, and great as is my faith in the doctrine of local self-government, if I thought that in the matter of citizenship the women of our country could secure recognition equal with men only through an amendment of the Federal Constitution, I would waive my objections and in the absence of an expression from my constituents support such an amendment. If further consideration of the subject should lead me to that conclusion, I shall not hesitate to follow reason and conscience. [Applause.]

As a friend of the movement looking toward the enfranchisement of women, I shall take advantage of this opportunity to discuss the subject of equal suffrage from the viewpoint of those who believe that the matter should be determined State by State.

NEW MOVEMENTS OPPOSED.

Historic record and personal experience teach us that every new movement has been opposed, and, strange as it may seem, the most strenuous opposition has come frequently from those who in the end have reaped greatest benefits. Ridicule and persecution have been the weapons employed. In many instances the advocates of new ideas have been grossly persecuted, sometimes even unto death.

It should not be surprising, therefore, that the effort to secure the ballot for women has been and still is opposed by people of intelligence, character, and influence—even by women themselves. While such opposition is a cause for regret, there is encouragement in the fact that, although every proposed advance in civilization has been resisted, whatever has been founded in truth and justice has prevailed ultimately. [Applause.]

A WORLD MOVEMENT.

The past century has been characterized by several world-wide movements, notably those looking toward universal democracy and universal education. While these movements have been the natural fruits of the germs of aspiration and growth implanted in the human soul by Almighty God, they have been nurtured and hastened by that other and greater movement, all-comprehensive in scope, which was inaugurated some 2,000 years ago when the angels sang "Peace on earth, good will toward men."

One of the most hopeful results of the spread of education and democracy is that which reveals itself in the gradual emancipation of woman.

In ancient times woman was accorded no rights except the right to bear children, to keep the home, to do the drudgery, to make a living for the family, while the lord of creation, man, devoted himself to idleness or to warfare. At the beginning of the Christian era, even, she was not permitted to take an active part in church affairs, could neither speak nor teach, was commanded to learn in silence and to look shamefaced. Choice in marriage was denied her, and she was little more than a beast of burden—a slave to the husband.

Not until well within the Christian era did woman's condition improve materially. Even under the common law of England and that of America the wife's property became the property of the husband, she was forbidden to make contracts, and her earnings belonged to the husband. Only a century ago most of the trades and professions were closed to woman, the benefits of education were withheld, and in all things she was regarded as man's inferior.

Under the march of civilization these old, barbaric, and oppressive laws and customs are passing away, and in most countries, our own especially, woman may enter practically all of the vocations and avocations; may inherit, own, and dispose of property; may marry or not, as she chooses; may attend church, school, and college on equal terms with man.

TEST OF CITIZENSHIP.

Woman's emancipation has progressed to the extent that she is accorded almost every privilege enjoyed by man. In the United States there remains but one material or fundamental exception, and that relates to the ballot. Except in 12 of the States, she may not vote. Why may she not vote? Because of physical infirmity? No; she performs successfully arduous physical duties. Because of mental weakness? No; she wins highest honors in our schools and colleges. Because of lack of moral character? No; she possesses more than her share of morality. Because of deficiency in patriotism? No; she is heroic and self-sacrificing in time of war. Because of exemption from taxation? No; her property bears the same tax rate as man's. Because of relief from obedience to law? No; for violation of the law her punishment is the same as that of man. Then, why may she not vote? Solely because she is woman.

The right to vote is the most potent, and should be the most highly prized, of civic prerogatives. It is a right that can not be safely exercised when its possessor is steeped in ignorance or wickedness or superstition, for he is then at the mercy of passion or prejudice or designing men. Intelligence and character are the essential qualifications; these are possessed in equal degree by men and women.

Is there any reason why sex should be a greater barrier against voting than against conducting a business, or managing a farm, or working in a factory, or editing a paper, or writing a book, or clerking in a store, or teaching in a school? If there is no sex in taxation, no sex in legal punishment, no sex in business or industry, no sex in education, why have sex in the ballot? Why not make intelligence rather than sex the supreme test of citizenship. [Applause.]

GROWTH OF MOVEMENT.

Either full or limited suffrage has been extended to women in many foreign countries, and the subject is under consideration in every civilized nation. In 11 of our States full suffrage has been granted; partial suffrage has been conferred in about 25; and in all, except those that have acted, equal suffrage is a growing issue.

When it is remembered that only 75 years ago women could not vote anywhere except, to a limited extent, in Sweden and a few other countries of the Old World, the present status of the movement is both remarkable and encouraging. No other fundamental reform of modern times has advanced more rapidly. A movement that progresses so rapidly must be based upon something more than mere sentiment. Upon what is the movement based? I answer: Upon developing reason and conscience; upon the eternal principles of right and justice; upon the civilizing influences of the gospel of love and light and life.

Woman's emancipation, like other civil developments, has been evolutionary. Primitive man had no organized society. In ancient times only a small minority of men voted. The majority were half citizens or slaves. Full citizenship was limited to the few and was difficult to attain. Even in colonial days the voting privilege was exercised only by those men who could qualify as to birth, religion, and property.

WOMEN ARE QUALIFIED.

When the Federal Constitution was adopted the women of America were uneducated. Only a small percentage of them could even read and write. It did not occur to the founders of the Republic that the time would come when every State would maintain at public expense a free-school system open to both boys and girls, when women would be admitted to high schools, colleges, and universities upon equal terms with men, and when women would be as well or better educated than men. That time has come, and our women are qualified for the ballot. No country has ever taken into its electorate a body of new voters so well prepared as are our women.

Women should have the ballot, because they are qualified and many desire it; because they are required to pay taxes and obey the laws; because they suffer from bad government; because they know the needs of women and children; because they would be the better able to serve the public welfare; because about 8,000,000 women are engaged in gainful occupations, and their health, as well as that of future citizens, is endangered frequently by evil working conditions which can be remedied only through legislation; because governments derive their just powers from the consent of the governed.

According to our theory of government the people are the rulers. This should be true in practice as well as theory. All who bear the burdens of government should, so far as they are capacitated, share in its privileges.

We can never have an ideal democracy so long as half of the people who are qualified for suffrage are irresponsible and inadequately protected. [Applause.]

GOOD FOR MEN.

We should have equal suffrage for what it will do for man as well as what it will do for woman. Cooperation upon equal terms in the solution if common problems—in the bearing of general burdens, in the meeting of public dangers—broadens and strengthens and uplifts all who participate.

Wherever men and women work together upon equal terms we find harmony, mutual helpfulness, efficiency. This is true in business, social, and religious life. That it is equally true in political affairs is attested by reliable reports from every State and country in which women vote.

GOOD FOR STATE.

Votes for women would be good for government. Woman's help is needed in the solution of pending problems. Vital issues press upon us. Never in the history of the country have we been confronted with so many perplexing problems, so many threatening dangers.

These problems have developed under man's domination; man has not been able to solve them; man alone can not solve them. The situation calls for all of the intelligence, character, and patriotism of which both sexes are possessed. "In the multitude of counsellors there is safety."

That woman suffrage is good for government is thoroughly established. Mrs. Julia Ward Howe took a census of the ministers and editors of the suffrage States, asking whether the results had been good or bad. The replies of Episcopal ministers were favorable more than 2 to 1; of Baptist ministers, 7 to 1; of Congregational ministers, about 8 to 1; of Methodist ministers, more than 10 to 1; of Presbyterian ministers, more than 11 to 1; and of the editors, more than 8 to 1.

The consensus of opinion among these reputable men is that equal suffrage has proved to be good—good for women, good for men, good for the home, good for politics, good for the State. Similar testimony comes from every foreign country in which women vote. We accept such evidence in other matters, why not in this?

OBJECTIONS ANSWERED.

What are the objections urged against suffrage for women?

If it be claimed that the majority of women do not desire the ballot and would not vote, I answer that right and justice can not be estimated in numbers; that a majority of the men seldom vote; that if any number of qualified women desire the ballot it should not be denied them; that in a democracy all people qualified by intelligence and character should be not only permitted but encouraged to vote.

If it be claimed that good women would not vote, I answer that good women do vote wherever permitted. For more than 20 years they have voted in Colorado, a State alleged by students of government to have the most advanced code of laws in the world for the protection of women and children.

If it be claimed that women who vote must do police duty and go to war, I answer that men unfit for such services vote; that some kinds of police duty could be performed by women; that in time of war taxes and nurses are as necessary as arms and soldiers.

If it be claimed that women who vote must be allowed to hold office, I answer that all men do not hold office, though I concede that most of them would not object; that many offices could be as well or better filled by women; that man's greed for monopoly in officeholding should not be permitted to stand in the way of political and social justice.

If it be claimed that women have enough to do without voting and that voting would interfere with woman's work, I answer that the same could be said of men; that voting requires but little time and could be done on the way to or from the market; that it does not interfere with man's business.

If it be claimed that equal suffrage would double the number of the ignorant, the criminal, and the foreign voters, I answer that more girls than boys attend the schools; that women are as well educated as men; that but one criminal in twenty is a woman; that the number of native-born women is ten times as large as that of foreign-born.

If it be claimed that it would increase the cost of elections, I answer that the voting privilege should not be valued in dollars and cents. It might as well be claimed that the number of male voters should be reduced in order to lower the cost of elections.

If it be claimed that women are represented by men and can make laws by indirect influence, I answer that law enforcement is as important as law enactment and both can be had better

by direct than by indirect influence; that men would not be willing for women to represent them at the polls; that government without the consent of the governed is undemocratic and tyrannical.

If it be claimed that woman's special sphere is the home, I indorse the proposition, and answer that politics has to do directly and vitally with the safety, the efficiency, and the happiness of the home; that many of the functions of the old-time home have been transferred to the market, the bakery, the dairy, the packing house, the laundry, the factory, the water and light plants, the public school, and the various departments of government, all of which are regulated by laws, whose wise enactment and efficient enforcement depend directly upon the exercise of the voting privilege. Without the ballot it is evident that woman is powerless adequately to protect the family and develop the home. She should have every right, privilege, and power necessary to enable her to make the most of her special sphere—the home—that ancient, sacred, and noblest of human institutions. [Applause.]

THOSE WHO OPPOSE.

Who opposes the proposition to extend the ballot to women? Those who oppose it may be divided into these groups:

First. Numerous good and intelligent people who have not investigated the subject. In this group will be found a majority perhaps, of the men and women of the country; but this group is growing smaller day by day, and will ultimately disappear.

Second. A small percentage of those who have investigated the subject, but with preconceived opinion and deep prejudice. Misconception and prejudice do not always yield promptly to reason and conscience. This group, too, will grow smaller as the years go by.

Third. Those who do not believe in democracy; those who place property rights above human rights; those who are beneficiaries of special or illegal privilege.

Fourth. The forces of vice and crime, of ignorance and prejudice, of selfishness and injustice.

COMPLETE EMANCIPATION CERTAIN.

Women are intelligent, conscientious, and independent. If enfranchised, they will vote intelligently, independently, patriotically. The result will be a revolution in many of the untoward conditions and tendencies of the times. Surely our women, in the matter of citizenship, should no longer be classed with infants, imbeciles, lunatics, and criminals.

When one with clear mind and open heart considers the matter seriously he comes naturally and irresistibly to the conclusion that this last of the shackles that bind woman should be broken; that against woman's complete emancipation there remains but one argument—tradition—an argument that has its foundation in the darkness of barbarism. Such an argument can not much longer prevail in this day of education and democracy.

We need equal suffrage for what it will do for women, for what it will do for men, for what it will do for the home, for what it will do for politics, for what it will do for government. If the States refuse or fail to grant it within a reasonable time, the privilege may be conferred through an amendment of the Federal Constitution.

I trust that the day is not far distant when Alabama and each of the other States will provide for the enfranchisement of women who are capable of meeting the qualifications exacted of men. [Applause.]

Mr. TAYLOR of Colorado. Mr. Speaker, I yield to the gentleman from New York [Mr. BROWN] five minutes.

Mr. BROWN of New York. Mr. Speaker, as a layman I hesitate to address myself to any resolution by which it is proposed to amend the Constitution of the United States. Yet I feel constrained to do so, because some Members of this House have coupled an amendment providing for national prohibition with this proposed amendment providing for the extension of suffrage to women. I do not see that the proposed suffrage amendment is in any way similar or bears any relation to the prohibition amendment. On the contrary, in its constitutional aspect, it is very similar to the amendment recently adopted by the States and made a part of the Constitution of the United States providing for the direct election of United States Senators.

Does this suffrage resolution seek to invade the principles of government on which the Constitution of the United States is based and as it was established by our fathers? Out of mere reverence for our institutions, created though they were by men who understood the science of government more than any other group of men then or since, we ought not, as I conceive, to refuse to make a very candid examination of any proposed changes in our Constitution. If this proposed amendment should bring about any fundamental, or even incidental, change in our present form of government, I should be the first to raise my voice against it; but I conceive that this proposed amendment will, on the contrary, tend to adapt the fundamental principles of our Government to the conditions of our twentieth century existence. Breathing in every word of our Constitution is the ultimate desire to accomplish clean, efficient, and faithful public service, and I can imagine no better way of realizing these aspirations, of adapting these fundamental principles to present conditions, than by extending the suffrage to women. We must have the real power and the real responsibility of government remain precisely where the fathers placed it—with the people. Only by making requisite changes can the framework of our Government be maintained in its original integrity.

Political freedom has been variously defined as the right to pursue the highest ends without fear, and as the control of those who make a profession of politics by those who do not. At the present time almost one-half the Nation is disfranchised.

Let us remember that this proposed amendment, if it be passed by Congress, does nothing more than compel one-quarter of the States, in the event that three-quarters of the States ratify it, to admit to suffrage exactly those persons of the female sex who of the male sex by State law are now permitted to vote. Some States have a poll tax, some an educational test, before admitting males to the suffrage. These internal matters would not in any way be interfered with should this amendment be adopted by Congress and ratified by three-quarters of the States.

At the mature age of 31 years, having grown up in an atmosphere of nearly perfect equality between men and women, I find it hard to picture the time when women were classed by men with idiots, imbeciles, or morons; intellectual children. I glance at the record of public high schools in the United States for the year 1913 and find that of 1,134,771 students, 55.77 per cent were girls and only 44.23 per cent were boys. I notice there are 8,000,000 women in the United States to-day engaged in gainful occupations. And yet the most casual survey of the gradual changes in the laws with regard to the tenure of property and the guardianship of children in the civilized countries of the world gives ample proof that women in 1776 were considered as intellectual children. In the times when our Constitution was written the average household was sufficient unto itself for rough food, shelter, light, heat, and clothing. To-day the poorest tenement in the city of New York has plumbing, running water, gas, and a stove. Its milk and food are inspected by a Government official, and its light and water are bought from the Government or companies under its supervision. Whoever has seen the garbage and ashes of a million people undisposed of for even two days by reason of a blizzard or a strike will realize that healthful existence without efficient government is impossible. I believe the time has come when it is absolutely essential that those whose lives exist at the sufferance of a complex civilization should have a direct part in the machinery of government.

I often wonder if the opposition to extending the suffrage to women is not instigated by fear of what women may do to those in charge of the political machinery of this Government, especially in its smaller subdivisions, rather than by reasons of abstract justice. Personally, I have no fear of what the right of women to vote may do to those who are honestly endeavoring to be faithful public servants. This matter has passed beyond the experimental stage in those States and countries in which women now vote. Can it be that the men are afraid that women will usurp their prerogatives? It would seem to me that the 8,000,000 women now engaged in gainful occupations in the United States is a sufficient answer to this objection. In the professions, in the arts, in the sciences, and in the commercial world we men are in admitted competition with the other sex. The only special privileges remaining to us are to drink, to swear, to fight, and to vote. And while it is true that women can not fight for their country in the first line of defenses, they can and do play a part equally as important in caring for the sick and the wounded; and in this occupation, when called for, there is as much work as for the soldier, and no glory at all.

Mr. Speaker, in the remaining part of my remarks I shall follow the thought of the Hon. John Stuart Mill as expressed in a speech delivered in the British Parliament on May 20, 1867. By many persons even to-day Mr. Mill is considered one of the greatest of political economists, and I have no apology to offer for following his thought, but only for such paraphrasing as the lapse of 48 years requires.

He argues that to deny the suffrage to any citizen of a country which has a government such as ours it is necessary to allege either personal unfitness or public danger. Can it be main-

tained that women who manage property, conduct business, pay taxes, are responsible heads of families, teachers, mothers, are incapable of making intelligent decisions at the same polls where now public questions are determined by male citizens? Or is it supposed that if they were allowed to vote they would revolutionize the State, subvert any of our valuable institutions, or that we should have worse laws or in any single respect worse government by reason of their suffrage? No one thinks anything of the kind. If women were accustomed to fight with guns for their rights, how long would the present practice of taxation without representation, an idea repugnant to every citizen and one of the chief causes of the war which has resulted in the political freedom of the United States, have been possible without a revolution?

The chief objections urged against woman suffrage would seem to be that politics is not women's business, and would make them neglect their proper duties; that women do not desire the suffrage, and would rather not have it; that women are sufficiently represented through their male representatives, and have power enough already.

Politics, it is said, is not a woman's business. Now, except for those who make their living out of politics or those who have been elected by the majority of one-half the people to serve all the people, I do not think that politics is a man's business, either. The great majority of male voters have their own business, which engrosses nearly the whole of their time; but I have never heard that the hours occupied in going to the polls every year, even if we throw in the time spent in reading current political literature in the newspapers and elsewhere, has made them neglect their various professions. It is the very principle of constitutional liberty that men can and do come from their offices, their shops, their factories, and their farms and decide how they will be governed and by whom they will be governed.

The occupations of most women are, and are likely to remain, principally domestic; but the idea that these occupations are incompatible with taking an interest in national affairs or in any of the great concerns of humanity is absurd as the fear once sincerely manifested that if those who work for their daily bread should be taught to read there would be no more work done in the world.

Perhaps it is thought that the ordinary occupations of women are more antagonistic than are men's occupations to any comprehension of public affairs. Perhaps it is thought that those who are charged with the moral education of the future generations of men must be unfit to judge of the moral and educational interests of a community. I believe that women in the main are far better fitted at the present time than are the majority of men to legislate wisely with regard to the public health, public schools, and the quasi public buildings or tenements in which poor people in cities must live. I wonder what percentage of the children of the United States receive their first lessons in civic duties and patriotism from women? It is extraordinary to me how much women know about these matters when society has informed them that it does not expect them to concern themselves with public interests. It seems incredible to me that men should prefer to spend their lives in close communion of thought and feeling with wives who are studiously kept inferior in mental thought to themselves and whose earthly interests are forcibly confined within four walls.

We are told that women do not want the suffrage. It is a very hard matter really to discover whether they do or not. Long centuries of habitual, because enforced, neglect of public questions naturally disinclines them publicly to express their wishes on this point. Clearly those who do not want the suffrage will not use it, or if they do they will vote as their male relatives advise them, so that there will be no perceptible change in the expression of opinion as a result of the exercise of the suffrage by such women as these; but I believe the public would gain enormously from those who, whether their numbers be many or few, would experience the stimulus to their faculties and the widening of their sympathies which suffrage seldom fails to exert over any considerable body of persons that is admitted to a share in it.

Finally, it is said that women have power enough already through their male relatives and connections. We now come to that fundamental difference between direct responsibility and indirect responsibility which played so large a part in the adoption of the constitutional amendment providing for the direct election of United States Senators. Women have a tremendous power to-day, but they are responsible to no one. They can agitate anything, they can involve great political parties in their programs of legislation without having any direct responsibility therefor. The creators of these United States suffered greatly to get away from an irresponsible government. Undoubtedly the suffrage would give women more power than they now possess, but it would also make them directly responsible for the use or abuse of that power.

Mr. Speaker, the powers of government are now so varied and so numerous that they must be in large measure delegated to agents and employees. But the people may select their political servants who make and administer their laws, and it is our duty to place this power in constant, direct, immediate touch with all the people—not one-half.

This amendment is not hysteria. It is a determined effort on the part of the American people to make free government what free government in the last analysis is destined to be—popular government. [Applause.]

Mr. Speaker, my vote is "aye."

Mr. MORGAN of Louisiana. Mr. Speaker, if I were a member of the lower house of the Louisiana Legislature, I should unhesitatingly vote for proposed amendments to the constitution of that State similar to the Hobson and Mondell resolutions; that is, if the opportunity offered itself, for I do not believe that one who is intrusted by the people with the duties and obligations of a public position should make the unpardonable mistake of supposing that it is not the will of the people but his own will that is to be considered.

My deepest ambition is to vote for the continued preservation of the integrity of the individual States, and by no process of reasoning can I ever be swerved one jot from this determination.

The Mondell resolution, like the Hobson resolution, involves a question which intrinsically belongs to the States, and in my opinion can be alone wisely and justly determined by each according to the views of its people. Therefore I shall vote against the pending measure.

Mr. Speaker, the training, predilections, temperament, and the needs of the people of one Commonwealth may be utterly at variance with the people of another. I further take it that every liberal man will concede that a particular law may be adaptable to one State and wholly unfit and inapplicable to another. Therefore, I firmly believe that each State should possess the unrestricted power to impose its will, and its will alone, upon its citizenry.

The framers of the Federal Constitution, as we well know, in their wisdom reserved to each of the several States its separate, distinct, and political individuality. Each has the right to express its will and wish and shall do so independent of and uninfluenced and unimpeded by any other State. Under this system we have happily witnessed the phenomenal growth and development of the several States, and our faces are still set toward the future. We, too, have observed that nothing ever occurs to either mar or impair the comity and amity existing between the States, or to interfere with the well-defined relations existing between the States and the Federal Government.

Now, if we have not grown tired of the serenity of the waters upon which we are rapidly navigating to an influence and power unrivaled by any nation in the world, we shall diligently keep separate and apart the Federal and the State governments; the Federal Government employing those powers delegated to it by the Federal Constitution and, on the other hand, the States exercising all the functions and prerogatives of sovereignty without interference by the Federal Government, lest some unpleasantness, more undesirable than a fiscal disturbance, may some day come to pass.

Mr. Speaker, I am opposed, as a matter of principle, to rescinding in the slightest degree the separate sovereignty of the States and shall vote accordingly.

Mr. TAYLOR of Colorado. Mr. Speaker, I yield to the gentleman from Tennessee [Mr. SIMS] five minutes.

Mr. SIMS. Mr. Speaker, the question before this House now is not whether or not we as citizens favor woman suffrage. It is not whether the States will or will not, ought or ought not, to adopt the amendment when submitted. The only question for this House to determine to-day is whether or not that part of the Constitution providing the method for its amendment shall be exercised, shall be put in operation; whether or not the people shall have an opportunity as States to amend the organic law which they as States adopted, and by this method only can alter, amend, or abolish.

I was not in any Democratic caucus that declared this to be a State question. I do not say there was not one; but if there was, I happened to miss it, and therefore did not participate in it, and am not bound by it. I would not have agreed to any such caucus, for I do not think the question of the suffrage to be given by the States or withheld by them is or should be a party question.

Why did the Committee on Rules bring in the rule just adopted, providing for a vote on this resolution, when a majority of the members of that committee were opposed to the adoption of the resolution, and when they believed that less than the required majority would vote for it? The Rules Committee is a creation of this House and has no powers except those delegated to it by the House, and it exercised the only function or power it had, which was to give its creator the right to act for itself, and it accordingly brought in the rule that made this resolution privileged. Now, this House is the Rules Committee when it comes to amending the Constitution, so far as the States are concerned.

The States can not vote on this question unless Congress gives them the opportunity, and we are now sitting as a rules committee to say whether or not the States shall have on this proposed amendment the opportunity to accept or reject it. Believing, as I do, that the States will not at this time by three-fourths majority vote for or adopt this amendment, yet, like the Rules Committee, I shall vote to submit it to the States, who alone can determine for themselves in a constitutional way whether or not this amendment should be adopted. We have no more right to withhold from the States the privilege that is given them by the Constitution than the Rules Committee has to withhold from this House an opportunity to exercise the power vested in the House. The Rules Committee possesses nothing but delegated powers. We, as Members of this House, have nothing but delegated powers. It makes no difference to you how I shall vote in Tennessee should this question be submitted to a vote in that State, and in discharging my duty here it makes no difference to me how Tennessee will vote. I am willing to trust the wisdom of the States in the exercise of their reserved powers. But they say it will increase the negro vote in the South.

Mr. GORDON. Will the gentleman yield?

Mr. SIMS. Not just now. I have only five minutes. The gentleman from Ohio has been yielded to very liberally.

The SPEAKER. The gentleman declines to yield.

Mr. SIMS. I beg to say to my friends from the South that the negro men can not be discriminated against on account of race, color, or previous condition of servitude by reason of a constitutional amendment. But do they vote in proportion to numbers in equal ratio with the white men? If the negro women should vote no more numerously in proportion to numbers than do the negro men there is no danger of negro domination even if this amendment should be adopted.

The right to vote is not natural or inherent. It is political and must be conferred by Government. This amendment only provides that it shall not be withheld on account of sex. Is sex the only all-wise means of determining whether the privilege of the ballot is to be conferred or withheld from citizens of the States?

The SPEAKER. The time of the gentleman from Tennessee has expired.

Mr. TAYLOR of Colorado. Mr. Speaker, I yield to the gentleman from New Hampshire [Mr. STEVENS] five minutes.

Mr. STEVENS of New Hampshire. Mr. Speaker, I represent a State which, while it granted a limited suffrage to woman many years ago, is opposed to granting full suffrage [applause], a State which in the last three sessions of the legislature refused to grant even municipal suffrage to woman, a State which in the last constitutional convention refused to grant full suffrage to woman. Also I am a Democrat, with some regard for the old doctrine of State rights, but I vote for this resolution without hesitation, without doubt, and with a certainty that it is in accord with my principles. I shall vote for it, Mr. Speaker, because I believe not only in the suffrage but I believe in this way or any other way, State action or National, to secure it. [Applause.]

I realize, Mr. Speaker, that the qualifications of voters in this country has been left, with one exception, to the States from the beginning of the Government, and that that action has worked well; but I state that the qualifications of voters for national offices is a national question whenever the Nation sees fit to make it such. When four-fifths of the people of this country decide that in this free land sex shall not be a disqualification in any State in this Union it should and will be the law.

I was sorry to hear the leader of the Democratic Party [Mr. UNDERWOOD] in his speech say that he spoke not only for himself but he spoke for the Democratic Party in opposition to suffrage and national suffrage. I deny him the right to represent me and thousands of other Democratic men in office and out of office on this question. It is not a local question. Qualification, if you mean by that disqualification on account of sex, is not a local question. The gentleman from Alabama said the Members of the House acted without knowledge of local conditions. There are no local conditions in sex. I know this, and everybody knows it, that the average woman in this country possesses about the same brain capacity and moral character as the men, and I know that the women of Alabama are as well qualified and fit as the women of New Hampshire or of any other State.

Now, just a word about the suffrage itself. If elections were merely a fight between certain gangs of men for office, and that seems to be the view that some of my brethren hold, it would be a dirty game, and there would be no reason why women should enter into it. Politics is a dirty game when carried on by dirty men, and not otherwise. [Applause.] But politics is something far different. The activities of the Government, both State and National, are largely devoted to-day to matters of social welfare and domestic questions, many that used to be settled in the home, questions in which women are interested and well informed. We pass laws concerning the raising and health of children. Are women disqualified from voting on such subjects because they are mothers of children? We vote on questions dealing with pure food and pure fabrics; are women disqualified because their "natural sphere" is in the home, cooking and sewing?

Women are in many ways as well qualified as men to vote. For the solution of our great social questions we need all the brains and all the moral devotions our people possess. Women have brains, and of sympathy and Christian charity they have even a larger measure than men.

The SPEAKER. The time of the gentleman from New Hampshire has expired.

Mr. WEBB. Mr. Speaker, I yield five minutes to the gentleman from Texas [Mr. HARDY].

[Mr. HARDY addressed the House. See Appendix.]

Mr. MONDELL. Mr. Speaker, I yield five minutes to the gentleman from Illinois [Mr. MADDEN].

Mr. MADDEN. Mr. Speaker, this is supposed to be a government of the people, by the people, and for the people, but is it?

One-half the people of the Nation are women. In most States they are allowed no participation in the government, though they are citizens of the Nation in every State, but without the right to vote in most of the States.

Why should not the citizens of the United States have equal privileges in every State?

Is there any just reason to believe that citizens, as such, complying with the State laws, should not be granted equal privileges? But it is so, and should remain so no longer.

The people are supposed to make the laws for the people, but half of the people are excluded from that privilege. The laws of the land are enforceable against all alike, women as well as men. The women are neither above nor below the laws, but are subject in every sense to the laws of the land. This being the case, why should they not be permitted to help make the laws?

We are said to live in a land where every citizen is a sovereign, but do we live in such a land? Sovereignty is not merely citizenship. It consists of the right of participation in and direction of the Government. The sovereign is the master. It can not be said that women are sovereign without the right to vote. Why should not women possess equal sovereignty with men?

This is said to be a representative Government. My understanding of a representative government is that representatives are chosen to speak for the people. If that be the case, should they not be chosen by the people, not by half the people, but by all the people?

Women are engaging more and more in industrial pursuits, and there is a continually growing reason why they should participate in regulating the conditions under which they are obliged to work. The participation of women in the public activities of the Nation should tend toward better moral conditions. Their participation should have a refining influence on the politics of the Nation.

If there were no other reason why women should be given the right to vote, this one would be all sufficient.

Women are the peers of men in every social activity. Why should they not be their peers in the making and enforcement of the laws of the land?

Women are taxed on their property just as men are taxed. Should they then not be allowed to speak for themselves and not through others?

We have reached the dawn of a new day. We have arrived at that hour when the women of America are to bid good night to the day that is gone and to welcome the brightness of the new day, where women in every State of the Union are to be a part of the sovereign power of the Nation. [Applause.]

Mr. MONDELL. Mr. Speaker, I yield three minutes to the gentleman from California [Mr. KENT].

Mr. KENT. Mr. Speaker, we can not base our argument for equal suffrage upon inherent rights, for there are none. If there were even such inherent rights as life, liberty, and the pursuit of happiness, we should have no war conscriptions, nor jails, nor mosquitoes on trout streams.

Instead of inherent rights we merely possess social conventions, which, varying with times and places, represent our wisdom and our folly in the attempt to secure social adjustment.

Here and now we are beset with the great ideal of democracy, of equal rights in the control of our destinies, of government of, by, and for the people, and yet as concerns half of our people, half our own breed, blood, color, and culture, we deny our social creed.

Why should men vote? Is it because they vote intelligently? No; not necessarily, but merely because through the process of voting, whether right or wrong, they tend toward self-government and self-education in the school of experience. Clothe the fact of male government in all the attractive balderdash of chivalry, and it means no other thing than the subjection, the possession, the servitude of women by men and to men.

It means inherent disrespect, studied insult, and a denial of democracy. Some of you chivalrous opponents of equal suffrage will deny my statement. But what of your arguments? You will mention the lovely sheltered life. But chivalry has never granted shelter to most women; it has not been adequate to protect the shopgirl or the working woman. Chivalry has never added to their wages nor saved them from physical or moral wreckage. They have had to protect themselves, although deprived of the chief means whereby men in a democracy can protect themselves—the ballot.

But woman is the clinging vine, man the sturdy oak. Man and wife shall be one flesh, and man is it. These outbursts of chivalry incite nausea.

You do not dare to speak such sacrilege when you remember your mother, you would not presume to talk such nonsense to the woman you have married, nor would you tolerate the marriage of your daughter to a man who would deny her equal rights to personality and character.

Why should you regard the women of other families as being so different from your own kin?

Then that grand old dictum about bearing arms; surely that is a splendid thought in this hysterical, idiotic, man-made world filled with fear and rabies. Men bear arms and women bear children, and since the men with the arms have the power to kill the children born of women, therefore they, the murderers, should rule. Pistol toting, as a qualification for suffrage—it takes a more ludicrous chivalry than that which Cervantes laughed out of existence to countenance such reasoning. I do not believe that even the enthusiastic but inaccurate marksman, the gentleman from Alabama, who so valiantly contends for the clinging vine can seriously urge this theory.

No; there is not one single honest argument to be advanced against the sharing of the responsibilities of government, of social adjustment, with our women, except such as is founded on the belief of their inherent inferiority and their proper subservience to our great, good, our sober, intelligent, clean, and righteous male selves.

I am not worried about that particular convention perpetrated by our ancestors and known as the Constitution. This resolution to amend is a method of bringing that document down to date in one most important particular. I have sworn to "uphold the Constitution without any mental reservation whatsoever" because the Speaker asked me to, and the right to amendment is one of the features of that document which peculiarly excites my admiration. Now when opportunity is offered to amend it, so that the best half of the Nation can work efficiently for the welfare of all the Nation, I am glad to be here to be recorded. [Applause.]

Mr. MONDELL. Mr. Speaker, I yield five minutes to the gentleman from Iowa [Mr. TOWNER].

Mr. TOWNER. Mr. Speaker, it almost seems necessary to apologize for pressing the application of fundamental truths to such a question as this. But an argument against suffrage for the women of America can not be made without violating almost every primary principle upon which the Republic is founded.

Our Government rests upon the consent of the governed. "Consent" can not be expressed except by the ballot, and a woman can no more vote by deputy than a man.

A woman is as much entitled to "life, liberty, and the pursuit of happiness" as is a man. There is no means of securing these or of safeguarding them except by the ballot.

She contributes to the intellectual, material, and moral life of the Nation. She bears her part in maintaining the cost of Government. She contributes to its progress in times of peace and to its defense in time of war, yet politically she is classed with immature children and idiots, with the insane, and with criminals.

She is primarily responsible for the education of her children. Is it just that she should have no voice in the management of the schools?

She is interested in the protection of the home, yet she has no part in making the laws which guard it.

She is interested in clean streets, pure food, potable water, and civic righteousness, and yet the village vagabond who believes that germs are myths, cleanliness a fad, and saloons a necessity is honored with the ballot which is denied to her.

If it were contemplated to found a free State based on liberty, justice, and equality, and if the question of qualification for suffrage was under consideration, and if it was stated that a large class of citizens who are taxed for the support of the Government, a class which were responsible under the law for their acts, which were devoted to our institutions, which were capable of any sacrifices for the common weal, which were clean in thought, pure in morals, and reverent in devotion far beyond the standards of men, which were fully as intelligent and generally better educated than men, would it be thought that as an original proposition it would be just and right to refuse the ballot to such a class?

"But she does not want it and will not use it if she attains it," it is claimed.

That she does not want it is answered by the present demand. That she will not use it is answered by the women in the States where they have obtained the right. But if a single woman demands the privilege, what reason shall be made for refusing it to her? And until you take away the ballot from men who do not use it, you have no right to urge that objection against woman's having it.

If a distinction is to be made on account of sex, it might pertinently be inquired why women should not have the ballot instead of men? They are the majority, and majorities should rule in a free country—not brute force. By every argument men would urge to retain the ballot women are justified in urging to obtain it.

The same objections that are now urged against woman's participation in the affairs of the State were but yesterday urged against her education. About the middle of the nineteenth century Mr. Higginson wrote one of his delightful essays, "Ought Women to Learn the Alphabet?" In that he satirically describes the arguments used against woman's education at the beginning of the century. For a hundred years in Boston the public schools admitted boys alone. About the beginning of the century it was discovered that during the summer months the boys' attendance fell off about one-half. It was thought that perhaps it would lessen the waste of maintenance if during these months the girls were admitted. This continued for some 40 years. Finally it was conceded that it was safe for girls to attend the common schools but not the colleges. It is only during these later years that the reluctant concession is made that women are as much entitled to education as men.

Emerson said:

> We think our civilization near its meridian, but we are yet only at the cockcrowing and the morning star.

It was only after centuries of conflict that women were recognized in the church. It took a long time to establish the proposition that women had souls and were morally responsible. It took still longer to reach the conclusion that she was entitled to any voice in determining the policy of the church and in the administration of its affairs.

To-day religion and worship can not be imagined dissociated from woman and her influence. There is not a church in America that could survive for a year without her aid. The highest manifestations of Christianity, that which is best and purest and holiest, is kept alive and nourished by the hearts and souls of women.

The argument most pressed and of most influence against woman suffrage is that she can not vote without neglecting the home. But on what foundation does it stand? Is the home more engrossing than business? If the man can vote without neglecting his business, the woman can vote without neglecting her home. It is absurd to say that an hour's time once every year will invade and disturb the duties of the home.

If it be said that the time will be taken in informing herself in order to vote intelligently, the same answer can be made as before. And would those who urge that objection admit that they would have her unintelligent and uninformed? If the man can spare the time from his business, so can the woman

from her home. But the time need not be taken from the home. The best preparation will be made there. Preparation for an intelligent exercise of the right of suffrage is not confined to attendance on and participation in street parades, torchlight processions, and grand rallies. Preparation is best made in the home, by the fireside, around the family circle, where the evening paper is being read and the current happenings discussed.

It is believed and argued that by taking an interest in public affairs women will lose some of their womanly qualities. In some way activity has become identified with indelicacy. That is still the Turkish idea. A woman must live a secluded life. She must not be seen or heard. She must think of no one but her husband. She must talk to no one but him. She must worship no other god. How far such a conception of woman's place in the world is from the American idea may be determined by a comparison of the harem with the home.

To the believers in this idea any interest outside of kitchen economy and neighborhood gossip is dangerous for women. And they believe that idea creditable to them. "I adore women," they say. "I worship her as a goddess. If she should mingle in the general affairs of life it would be a sacrilege, a desecration, a profanation."

The strange delusion seems to be prevalent still that if once a woman is made animate she must of necessity rush into every sort of extravagance. They believe that if she becomes interested in politics she will become one of the worst type of ward politician. If she claims a part in the affairs of state she will soon join the ranks of the militant suffragettes. If she tries to remove temptations from the pathway of her children she is pictured in their imagination as a Carrie Nation wielding a hatchet.

It is remarkable how this primitive idea still lingers in immature minds. It is a survival of a prehistoric age when men captured their wives in the forests and kept them in their caves by force. The modern cavalier proudly proclaims:

"My idea of woman is that she is a flower, which I would pluck, press to my heart, and cherish thus forever." He would not want the flower to bloom unseen. He would take it. He would at once reduce it to possession, and as long as it bloomed for him alone, as long as it ministered to his pleasure, as long as it gratified his pride, he would cherish it.

It is a beautiful thing to think of woman as a flower, a thing to look upon and admire—and pluck. But it is still more beautiful to think of her as a sentient, loving, human entity, going about doing good.

In this age and in this land of ours we realize to the utmost degree the duties and the obligations of the home; but responsibility for the fulfillment of these obligations is not confined to wives and mothers alone. The husband, the father can not ignore his obligation. In the self-sacrifice that lifts it and brightens it and makes it holy, hers will be the greater part. But it will be his to look to its support, to insure its protection, to maintain it inviolate as a refuge and a fortress.

So in the larger life. His will be the greater sphere of activity. But as he must help to support and protect the home, so must she assist to protect and support the State. Not negatively, not passively, not by proxy, but affirmatively, actively, and individually.

Many are the thoughtful, calm, and noble women who almost wish that suffrage might not come, so great would they consider its responsibilities. But they know that the same obligation rests on them that rests on men to take up bravely the burdens of their times, to meet with patient care and earnest thought the problems that must be solved, to join with all their fellow kind in the high endeavor to do all their duty in the fear of God and for the good of man.

Some one has said that in the theater of life it is only permitted to God and the angels to be lookers on. [Applause.]

Mr. TAYLOR of Colorado. Mr. Speaker, I yield five minutes to the gentleman from Missouri [Mr. BORLAND].

Mr. BORLAND. Mr. Speaker, the world moves. It is now nearly two full generations since the States of this Union have removed from woman the common-law restrictions, and yet we have heard some of the last echoes of that archaic system in this debate. Under the rules of common law coverture lost to a woman her legal identity. She could convey no property, she could make no contracts, she could engage in no business, she could neither sue nor be sued. There was but one person in the law, and that person was the husband. Under the common-law doctrine the married woman passed out of existence and the unmarried woman was either a freak or a social criminal. But the world has moved beyond that; and for two full generations in every State in the Union, with more or less freedom, women have engaged in business; they buy, sell, and convey property; they make contracts; they sue and are sued; they pay taxes; they shoulder their full share of the burden of government. When women must use the courts, when they must make contracts and enforce them, when they are liable for their business engagements and their wrongs, when they must rely upon public officials to spend the taxes which they pay, they have all of the political burdens and they are entitled to all of the political rights. There is no other basis upon which political rights can be given. But gentlemen say that women should be excluded and secluded, and that safeguards should be thrown around them, and that if more laws can be found to safeguard the seclusion of women they would be adopted in certain States in the Union. I commend those gentlemen to the laws of the Mohammedan countries. They may find more laws there for the exclusion of women than now exist in some of the American States. Again, it is said that the women must found their rights and political equality upon force. If that were true and an appeal can be made for political rights only to force, thousands of men must be denied political rights. But fortunately political rights are founded upon reason and upon justice, and not upon an appeal to force.

If an appeal to force is the only true basis of political rights, then political rights would not exist, as they do not exist in most of the countries of the world. It is in enlightened countries of the world where political rights are extended upon the basis of reason and not upon the basis of force that such political rights have grown to the highest usefulness in the world. I intend to support this resolution. I believe that while the States have ample power to-day to confer political rights upon any set of electors they choose, yet I believe that this is a homogeneous Nation, a great Nation; and until you prove to me that the civilization of some of the American States is so far below the civilization of other American States as to make a difference in social conditions necessary I shall vote for the broadest form of equality. I can not believe that State rights must be the determining factor in this question or that the States so differ in their social condition and in civilization that some of the States could not stand social equality that would be beneficial in other States. The American Nation is not so different in its constituent parts. Our States are not little kingdoms that can be defended by separate armies. Not a single State in the Union could fortify or defend itself from its sister States, but it is part of one great nation, and all upon a basis of social equality. [Applause.]

The SPEAKER pro tempore (Mr. FLOYD of Arkansas). The time of the gentleman has expired.

Mr. TAYLOR of Colorado. Mr. Speaker, I yield five minutes to the gentleman from Indiana [Mr. BARNHART].

Mr. BARNHART. Mr. Speaker, I fully realize the radiant light above me and the profound constitutional logic here below; but in the midst of both of these inspirational conditions I want to reserve the right to keep faith with myself and what I believe to be my best judgment. In every political campaign in which I have indulged I have always declared that I was a Democrat, and yet if I were elected I wanted it to be fully understood that I reserved the right to vote for any and all legislation which I believed to be just, helpful, and effective, regardless of the side of the House from which it might come. Therefore, Mr. Speaker, notwithstanding the fact that our constituted party leaders sometimes disagree with me, I am still free and consistent when I take a position in harmony with what I believe to be right. In practically every speech I made in my first campaign I declared in favor of woman suffrage, and my constituents elected me with full knowledge of what I would do if this important question should call for my voice and vote during my official career. And so I am only standing by my out-in-the-open guns when I look you squarely in the face and tell you what I will do.

Mr. Speaker, I am not sure but that the enactment of this proposed amendment would be an invasion of the principle of so-called State rights, but, as a business man and not a lawyer, I have never been stampeded by any outcry against enacting helpful legislation lest it might not fully harmonize with opinions of some statesmen who lived more than a hundred years ago. They knew no more of our condition and needs than we do of the requirements of a hundred years hence. So I am not seriously concerned as to this phase of the question before us, for I have an abiding faith that our courts of justice will forever protect the foundation of our Republic from all danger.

This is a question purely of what is best for the largest possible success and happiness for humankind. If man is the sole author and finisher of wholesome public opinion and helpful public policy, then his exclusive right to vote is unquestioned. But I do not believe he is. Instead, he gets most of

his inspiration to favor good law and good order from the wholesome atmosphere of the home—the family circle—and if womankind possesses finer sensibilities, better morals, and more sacred motives than men, which we gallantly admit they do, why not admit their influence to the betterment of public policies? We are always ready to admit that mother knows best what we ought to do, and yet when it comes to the important work of making laws for our protection and our advancement we refuse the help of those whom we regard our superiors in questions affecting home and church and school.

That woman suffrage will fall short of some expectations that it will cure all government sins of omission and commission I am quite sure; but I know it would inure for peace as against murderous war, for temperance as against intemperance, for honesty as against chicanery, and for home and happiness as against the schemes of the wicked.

Men, your best business partner, your best community booster, and your best home patriot is she who stands unfalteringly by you, through storm and through sunshine, through evil and through good report—the wife, mother, sister, or daughter in your home. And let me beseech you that in all your ambitions you do not ignore the patriotic judgment of her whose loyal heart and willing hands have helped you immeasurably. She is the royal diadem of life inspiration and of life worth living, and I am not afraid that she will be degraded by the right to vote. On the other hand, I am willing to invite her assistance for the eternal betterment of social, political, and financial conditions for which all good men strive, and therefore I will vote "yes." [Applause.]

Mr. TAYLOR of Colorado. Mr. Speaker, I yield five minutes to the gentleman from California [Mr. RAKER].

[Mr. RAKER addressed the House. See Appendix.]

Mr. WEBB. Mr. Speaker, I yield five minutes to the gentleman from Georgia [Mr. BARTLETT].

Mr. BARTLETT. Mr. Speaker, I shall not vote for this amendment. I have a great reverence for the Constitution of the United States. I do not believe that since the eleventh amendment was adopted there have been many occasions in which there should have been amendments to that great instrument. I certainly shall not on this occasion go beyond my conviction of what is right and proper in the granting of franchise even to the best part of God's creation.

The old prophet Isaiah, in referring to what would happen under certain conditions, said:

In that day seven women shall take hold of one man.

And when we shall have granted the right of franchise to the women in those States in which it has not yet been granted, we will see the prophecy verified, where seven women shall seize hold of one poor man. [Laughter.]

Mr. Speaker, I would rather place women where the great English author placed them when he wrote these words. Sir John Ruskin, in his lecture "On Queen's Gardens," said:

We are foolish in speaking of the superiority of one sex to the other, as if they could be compared. Each has what the other has not; each completes the other, and is completed by the other. The man's power is active, progressive, defensive. He is eminently the doer, the creator, the discoverer. His intellect is for speculation and invention; his energy for adventure, for war, for conquest. But the woman's power is for rule; not for battle, not for conquest, not for contest. By her office and her place she is protected from all danger and temptation. The man in his rough work in the open world must encounter all peril and trial; to him, therefore, the failure, the offense, the inevitable error; often he must be wounded or subdued, often misled, and always hardened. But he guards the woman from all this. Within his house, as ruled by her, unless she herself has sought it, need enter no danger, no temptation, no cause of error or offense. This is the true nature of power—it is the place of peace; the shelter not only from all injury, but from all terror, doubt, and division.

I read the words of this great author and repeat them for your consideration.

The great English poet, Tennyson, in his poem of "The Princess," after describing an English mother and an English wife, said:

Happy he
With such a mother; faith in womankind
Beats in his blood, and trust in all things high
Comes easy to him; and tho' he trip and fall,
He shall not blind his soul with clay.

It is to this kind of women that I pay reverence, and it is this kind of women that I would protect by my vote to-day from being soiled with the contest of politics and elections.

Mr. Speaker, there is another reason that actuates me in voting against this amendment: Outside of my lifelong conviction and inspiration from those who wrote the Constitution and those who founded the Democratic Party——

The SPEAKER. The time of the gentleman has expired.

Mr. STAFFORD. Mr. Speaker, does the gentleman wish more time?

Mr. BARTLETT. I would be pleased if you would yield some to me.

Mr. STAFFORD. I yield five minutes more to the gentleman.

Mr. BARTLETT. Thank you.

Mr. Speaker, we had universal suffrage attempted to be enforced on the States of the section from which I come. Disorder, chaos, crime, and nightmare reigned when we enfranchised the black male, and my soul shudders with horror when I reflect that if this amendment is put upon the States of the South by a vote of three-fourths of the States that nightmare is to come again, that horror is to be upon us once more in those States, because in those days we knew and realized and felt that the black female was worse in her antagonism to the white race than the black male. Therefore, speaking for the white women of my State and of my section, I raise my voice here to-day against this resolution and shall cast my vote against the step that may fasten upon us this horror again.

Mr. Speaker, above all, I do not believe we should change the Constitution. I do not believe there is occasion to do so. I believe that if Georgia or Massachusetts, if Kansas or New York, want to permit the women to vote, they have the right to do so, because we know by the Constitution and by the decisions of the courts the United States Congress has no power to grant to the citizens the right to vote. I have the decisions here, quite a number.

I could not better close this statement that I make with reference to the Constitution than by reading here and calling again to the attention of this House the words of that great author upon that great instrument. It will live and preserve our people and our country and our children in years yet unnumbered and yet to come if we are true to ourselves and true to the principles that it teaches. It can only be destroyed by faithlessness of ourselves or of the people. Said Justice Story in concluding his Treatise upon the Constitution:

Let the American youth never forget that they possess a noble inheritance, bought by the toils and sufferings and blood of their ancestors, and capable, if wisely improved and faithfully guarded, of transmitting to their latest posterity all the substantial blessings of life, the peaceful enjoyment of liberty, property, religion, and independence. The structure has been erected by architects of consummate skill and fidelity; its foundations are solid; its compartments are beautiful as well as useful; its arrangements are full of wisdom and order; and its defenses are impregnable from without. It has been reared for immortality, if the work of man may justly aspire to such a title. It may, nevertheless, perish in an hour by the folly or corruption or negligence of its only keepers, the people. Republics are created by the virtue, public spirit, and intelligence of the citizens. They fall when the wise are banished from the public councils, because they dare to be honest; and the profligate are rewarded, because they flatter the people in order to betray them.

I will not forget my duty, flatter the people, even the ladies and women of our country, in order to betray them and destroy the Government. [Applause.]

Mr. Speaker, I yield back the balance of my time.

Mr. WEBB. Mr. Speaker, I yield five minutes to the gentleman from Mississippi [Mr. SISSON].

Mr. SISSON. Mr. Speaker, of course it is utterly impossible to discuss this question within five minutes. I want, however, to give my reason briefly for not supporting this resolution. Suffrage is a privilege conferred by the State upon the citizen who complies with certain rules and regulations for the good of the State. I have an abiding conviction that if this Republic and this Federal system is preserved we must leave to the people of the States the right to determine who shall and who shall not vote, because if you transfer the power to the Federal Government to determine that question and leave to the Federal Government the right to control the machinery of these elections, then, indeed, the States become mere geographical lines and the Federal system destroyed. I maintain that the people of Maine understand their local conditions and take more interest in their local affairs than do the people of Mississippi. I maintain also that the people of my State understand their local affairs better than the people of Maine understand them.

I am unwilling to transfer the authority over the suffrage in my State to the Federal Government. I am unwilling to vest that power in the Federal Government, because I believe that all right-thinking men will tell you that the fifteenth amendment to the Federal Constitution, which was never passed, by the way, in accordance with Article V of the Constitution, was a mistake.

Now, let us ask the advocates of this measure what they would think of the proposition had it been propounded to Congress and the States some 60 or 70 years ago to amend the Constitution so as to provide that no State of this Union should extend the franchise and the right of suffrage to any female in that State or in any of the States? Indeed, you who press this amendment would have thought that was an extremely harsh rule, because the great State of Colorado had seen fit

to confer franchise upon the women of that great State. That does not disturb me in the least, if the people of that State desire them to vote. But if we had said by an amendment to the Constitution years ago that Colorado should be deprived of the right of giving suffrage to the women of that State you would indeed have thought it a hard rule, and I maintain that one-fourth of the States should have the right to reserve to themselves this great right. It is not a question of commerce, it is not a question that involves any of our money rights, but it is a question which involves conferring upon a certain class of citizens the privilege of voting; and I say "privilege of voting," because no man pretends and no court holds that the right to vote is a right known as a civil one, because the baby in the cradle is born with all the natural rights that are conferred upon citizens in this country. The right of suffrage is a right conferred by the State, as I said a moment ago, and as a privilege and not as a right. I am therefore willing for all the States to determine this question for themselves.

What do you gain by the passage of this resolution? Did not Colorado confer the right of women to vote, and can not any State to-morrow, if it desires to do so, confer this right? In many of the States where they do not have woman suffrage, they have, if you please, a referendum of all these questions to the people of those States, and I want the people of each of the States of the United States to determine this question for themselves. It is now right where it belongs, in the States, and no advocate of woman suffrage has any right to complain.

But I am unwilling that you should hurl this matter red-hot into every State in this Union as a Federal question, when it is not a Federal question and could never become a Federal question except for this proposed amendment. My hope and my trust is that in all future time these 48 States may reserve to themselves the right to determine who shall and who shall not vote within their borders. [Applause.]

The SPEAKER. The time of the gentleman from Mississippi has expired. The gentleman from Texas [Mr. HENRY] is recognized for 34 minutes.

Mr. HENRY. Mr. Speaker, this House is to-day considering the most important question, in my judgment, with which we have had to deal during 40 years. Many gentlemen on that side of the House gleefully embrace the opportunity to speak in favor of this amendment on this occasion. Let me remind them that for 16 years the Republicans were in power, and these same women were asking for the right to vote upon this amendment in the House of Representatives, and your party steadfastly refused to let it be considered on this floor.

The Democratic Party has not feared to face the question and to deal with it, as the Republican Party did for years. Your party suppressed much meritorious legislation and many things that should have been considered here, and you went out of power. The Democratic Party is willing to stand the test and cast its votes against the amendment. Without meaning to disparage any Representative, when the time comes that the Democracy can not stand against such amendments as the national prohibition amendment and the Mondell suffrage amendment the mission of our ancient party is ended.

Mr. Speaker, I am opposed to submitting this question to the respective States, for several reasons. In the first place, I am entirely persuaded that a very large majority of American women are utterly opposed to this amendment and are in entire opposition to woman suffrage.

When this question was laid before the Rules Committee in a seven-day hearing the proponents of the amendment politely but firmly declined to allow the American woman to vote upon the proposition.

Much sentiment has been indulged in here to-day which has not been helpful in the solution of this great problem. Men should face this question resolutely, and they should not let sentiment control them nor should they permit political expediency to determine their attitude upon this amendment.

There are many who believe that woman suffrage, where it has been adequately tried, has failed; and for a brief moment I want to read to you the language of a distinguished publicist of England and a great lecturer, who is soon to be heard in the National Capital. I refer to the language of Cecil Chesterton, Esq. Mr. Chesterton states that opposition to woman suffrage is in no sense one of his strongest convictions. His main reason for disliking it is the strong antagonism to it in England by the overwelming mass of women in all but the upper and middle classes. He feels that it is in many ways purely a domestic question upon which he can not see that he has any right as an Englishman to lecture Americans. But there are certain sides of this question that must be carefully kept in mind, and the line that Mr. Chesterton takes in his lecture is as follows:

> I do not know how you Americans will solve this problem, and it is really not my business to tell you how to solve it, but I would impress upon you this point, that the old idea implied in the voting of the head of the household was not that women were inferior to men—which nobody but an idiot believes—but that voting was to be by families, and not by individuals; and in any arrangement you make you ought to see that the idea of the family as the unit of the Nation is not lost.

So, without discussing the merits of the question of woman suffrage, I have come to the conclusion that the women do not universally desire it. And where it has been tested it has not proved a success. One Representative said that if you give the women the right to vote they will destroy the liquor traffic in every State in this Union. Allow me to reply that they have the absolute and unqualified right to vote in California, and yet recently, by a majority of something like 150,000, they failed to establish prohibition in the State of California.

This is not a question of right, as some gentlemen have said. And while I seriously doubt that if this amendment were proposed to the various States it would meet the desires of those who wish it, yet I say that without this amendment being ratified by the various States every State in this Union has the privilege, under the Constitution of the United States and its own constitution, to grant the elective franchise to women if it so desires.

Let us see about this being one of the natural and inherent rights. Let us not be swayed and carried away by sentiment and political expediency. As an American I love my country well enough not to be willing to scout the idea of State rights and the traditions and history of our fathers who fashioned this Government. We are all Americans. But if we make this departure here to-day and lay our hands upon the sacred rights of the States of this Union to settle this question of suffrage for themselves, we shall have taken from the people of the various States every vestige of power they have to control, not only their domestic concerns, but the affairs of this Republic in its entirety. Permit me for a moment to read from a great authority on suffrage and elections, in order that we may determine the exact basis upon which this question should be argued and settled. This is McCreary on Elections. He says:

> It is unnecessary for the purposes of this work to determine whether the sovereignty in this country resides in the people of the United States as a Nation, or in the people as divided into groups by States. It is sufficient to note that, so far as the right to fix the qualifications of voters is concerned, the sovereignty is in the people of the respective States, by virtue of the provisions of the Federal Constitution, subject only to the limitations contained in the fifteenth amendment, that the right of citizens of the United States to vote shall not be abridged on account of race, color, or previous condition of servitude.

So, Mr. Speaker, even when the fifteenth amendment was added to the Constitution, it was not intended to confer the elective franchise, but it was only proposed as a limitation; and if gentlemen *want to confer the elective franchise*, why do they not fix the qualifications of voters in their amendment and submit it to the various States of the Union?

Mr. Speaker, this great author, proceeding along that line, states further:

> The right of suffrage is not a natural right, nor is it an absolute, unqualified, personal right. It is a right derived in this country from constitutions and statutes. It is, as we have seen, regulated by the States, and their power to fix the qualifications of others is limited only by the provisions of the fifteenth amendment to the Constitution, which forbids any distinction on account of race, color, or previous condition of servitude, and by the general power of the Federal Government to regulate its own elections.

Why is it that you wish this amendment proposed and sent to the various States? The States have the power to confer this right upon women whenever they see proper. And I surmise that the fact that the friends of this provision have come to this body and have asked this remedy to-day is because they see and know and feel that their efforts have been futile and will be futile in various States of the Union.

Mr. Speaker, I am not willing that the States of California, Colorado, and Wyoming shall say to the people of Texas how we shall direct our domestic concerns and our affairs in regard to voting and elections. Nor do I have any desire to say to them how they shall deal with those questions when they have them up for consideration.

If you submit this amendment, as I remarked when we had the national prohibition amendment before us, the next request will be for a law to prohibit the States from passing "Jim Crow" laws, separate-coach laws, separate schools, separate churches, and to order and command every locality to suppress its red-light district. The next demand will be to place a Federal ban on the States where the intermarriage of the white and black races is permitted. There is but one safe and wholesome doctrine for us here. Revere the constitutional guaran-

ties of the States and remove not "the ancient landmarks of our fathers."

Ah, Mr. Speaker, we are going too far. I am one of those who believe in the right and ability of the people of the State to govern and control themselves. Notwithstanding I may be regarded as an old-fashioned Democrat, I announce here to-day my devotion to local self-government, State rights, State integrity, and the power of the people to govern themselves, and shall hold steadfastly to that faith.

Why, you may call the roll of Democrats for 100 years and of those who have not believed with the Democrats, and no one until recent years has desired to make this assault upon the doctrine of State rights, if you please to call it that, or the integrity of the various States of the Union.

They say we have the right to amend the Constitution, that this is only a referendum to the people of the States. It is true; we have the right to amend the Constitution, and we have the right to submit the amendment to the people of the various States of this Union.

We have the right when we deem it "necessary" under Article V of the Constitution to propose to the various States certain amendments, and we can propose that the amendment be passed upon by the legislatures of the States or by constitutional conventions. Or if the State shall desire to try the alternative remedy, they can, by vote of two-thirds of the States, come to Congress and ask this body to propose the amendment, and we have the right to propose it to the legislatures or to constitutional conventions.

So the time is not ripe, even if they were wise, in asking that this amendment be proposed to the States. In my representative capacity to-day I am not willing to say and recognize that there is any "necessity" that this amendment shall be proposed.

And, more than that, if it should happen to secure two-thirds, it would not be ratified by three-fourths of the States in 50 years. Yes, you say, you have a right to amend the Constitution, and yet when the Constitution was written and submitted to the convention at Philadelphia a provision was put in it "that no State, without its consent, shall be deprived of its equal suffrage in the Senate"; and yet these gentlemen would contend that, notwithstanding that was the unanimous contract and agreement, three-fourths of the States have the right to destroy that power which was preserved to the States when we entered into the contract. Could they do that, could they say to the sparsely settled State of Wyoming, by such an amendment, it shall have only 1 Senator, while the great State of New York shall have 5, and the greater State of Texas shall have 10, and Montana shall have but 1? Could you strike out by three-quarters of the States ratifying such an amendment that power and deprive the people of the respective States that inviolate right which was written into the Constitution?

So you will see where it leads. And yet in my own mind I have serious doubts whether as a matter of law or policy or wisdom we should ever attack any of these expressly reserved rights of the States without the unanimous consent of each one of them. I feel quite sure that if the substance of the Mondell or Hobson amendment had been proposed in a convention, or in any State convention which was called to ratify the Constitution as handed down from Philadelphia, not a single State in the Union would have acquiesced in the proposition.

Why, Mr. Speaker, as it was the States were slow about ratifying the Constitution. They halted until the voices of old Sam Adams and Gov. Hancock and those earlier patriots of Massachusetts said: We want certain amendments written into this Constitution in order that the powers and rights of the people of the States therein shall be preserved. Finally these amendments were proposed in pursuance of that suggestion, and were sent to the various States to be made a part of the Constitution. Finally the ninth State ratified the Constitution, with the understanding that the amendments were to come later, and so it happened that New Hampshire was the ninth State to act favorably and make the Constitution effective under the terms of the provisions of that instrument.

But the little State of Rhode Island remained out of the Union, notwithstanding these 10 amendments had been proposed and agreed upon until the election had occurred. Washington was elected, Congress had convened, the Cabinet was appointed, the executive offices had been organized, the first revenue act had been passed by this body and approved by Washington, *and still Rhode Island remained out because she did not believe these rights about which we are debating here to-day had been safeguarded in the Constitution.*

Then North Carolina, that great Democratic State, remained out. The governor and council of North Carolina exchanged felicitations and congratulations with President Washington, a separate governmental entity, and said they were not willing to go into the Union until these other rights about which we are debating to-day had been safeguarded by amendments. Finally the amendments were agreed upon and it was certain they would be ratified, and then North Carolina came into the Union.

Then, Mr. Speaker, why do men want to sneer at the question of State rights? Why do they hide behind the War between the States, from 1860 to 1865, and say that the doctrine of State rights was shot to death with cannon in that terrible conflict, when they know that there is more involved in this question than mere State rights? If it were not a constitutional question, if it were not a legal question, there is back of it a doctrine older than the Constitution and older than this Republic, *and that is the right of local self-government, the right of men to govern themselves in every State in this Union.* [Applause.]

Let me read from one of our great constitutional writers, a publicist who has contributed much to the constitutional literature of this country and other countries. His first great work was The Origin and Growth of the English Constitution, and later he has given to this country another great constitutional classic that should be read and studied by everyone who loves our system and form of government. This is a book entitled "The Origin and Growth of the American Constitution," and is written by Mr. Hannis Taylor, who resides in the city of Washington. I desire to quote brief excerpts from this wonderful work on constitutional history:

> In making the second Constitution the States reserved to themselves very jealously the right to regulate suffrage.

That was the Philadelphia Constitution.

> The National House of Representatives is based upon population, but when its Members are to be chosen the electors in each State shall have the qualifications requisite for the electors of the most numerous branch of the State legislature. If a State does not violate the rule of the fifteenth amendment as to race, color, or previous condition of servitude, it may vest the election of the most numerous branch of its legislature in a little oligarchy, qualified, if it so pleases, by very high property or other exacting qualifications. Manhood suffrage in this country rests upon no guaranty that the State may not at any time set it aside.

And so he traced the history of this question and cites the decisions of our courts and reviews the textbooks of law writers, and has stated in the plainest and simplest language the great doctrine that suffrage is a State matter. But he even makes it more luminous than that and shows that the ardent proponents of this measure have the very right now in every State of the Union for which they are contending under the terms of this amendment. He says:

> *Our political system as a whole rests upon the fundamental principle that the right to vote in a State comes from the State, which alone possesses the power to confer the franchise. Only from the fountain of State power can the right to vote for officials, State or Federal, be drawn.*

Who wants to destroy that fountain of State power, and why should it be destroyed? We have determined and settled those questions in the State of Texas to our entire satisfaction. We do not invoke the aid of any other State, nor do we need it, nor do we desire to thrust our notions upon the citizens of other States. He proceeds:

> At the time of the separation the entire electorate of the British Isles—which included, in 1909, 7,615,438 electors—did not exceed 400,000. Every American State was founded on the principle that it alone could confer the right to vote upon the few or the many as its sovereign will deemed best. To-day any American State can so amend its constitution as to provide that no man can vote until he attains his ninetieth year, or that no man can vote unless he is possessed of real property to the value of a million dollars, or it might provide that the right to vote shall be invested in women only.

And who doubts or controverts that proposition of constitutional law? To continue:

> Such a State constitution would not conflict with the National Constitution in any particular whatever. The only limitation imposed by the Constitution upon the sovereign power of the States to regulate the franchise is that contained in the fifteenth amendment, which provides that "The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude."

Mr. Speaker, I propounded this query to my distinguished friend from Pennsylvania [Mr. BUTLER] and asked him whether or not, when he was speaking of referendums, he was willing to submit a referendum to the various States to repeal the fifteenth amendment, which puts this limitation upon the rights of the States, and he said he would have to think about that for several days. After all the bloodshed, after all the fratricidal warfare had gone on and the fifteenth amendment was written into the Constitution and our people had walked through seas of blood, yet, from his standpoint, he would have to think about it for several days before he could determine whether he would be willing to trust the people on a proposition of that

kind. Mr. Speaker, I trust the people, and it is because of that trust in the people of my State that I am opposed to this amendment. I voted for the amendment authorizing the election of Senators by direct vote of the people because this gave the people of Texas the right and power to elect their United States Senators as they do their governor and State officials and their Representatives. [Applause.] Who would now take that right away from the people and bring it back here to the Federal Government? There are more things in this than gentlemen dream of. Marius and Cæsar, while claiming they were establishing a consolidated government at Rome, undermined and destroyed the liberties of the people; and Augustus, under the plea of serving the people, stole their liberties and rights from them. Let us take warning from these solemn lessons of history. Let us go back to the States. Let us retain this power as our fathers intended we should and settle these local and domestic concerns for ourselves. [Applause.]

Mr. Speaker, the gentleman from Kansas [Mr. CAMPBELL] said that I had contended here for depositing "public funds" in Southern States, in order to relieve the distress of the southern people on account of the paralyzed condition of the cotton industry. I did, but let me remind him that when our fathers sat in that convention at Philadelphia they wrote in express language a clause to this effect:

The Congress shall have the power to coin money, regulate the value thereof, and of foreign coin.

They went further than that and said that—

No State shall emit bills of credit; make anything but gold and silver coin a tender in payment of debts.

Here the States surrendered that power more than 125 years ago, because they believed that the Federal Government should be endowed with the function of controlling the monetary affairs of this Republic. They believed this authority was the one to deal with it for the whole people, and in pursuance of that doctrine and that provision of the Constitution I called upon this body and the Senate to deposit "Government money," "United States funds," the "people's money," coined and issued under this expressed delegation of power in the financial agencies, the National and State banks of the South, in order that it might be available to relieve the distress of the southern people. And I asked nothing new. I did no violence to any provision of the Constitution. I was only invoking the right to preserve our people under the Constitution.

And, Mr. Speaker, while I believe that this body made a mistake, yet we of the South will survive, as we survived the disastrous consequences of the Civil War. We will find a way out of these difficulties. I then reminded my brethren of New England how we went to their rescue when a great fire swept over Salem, Mass. We were bounteous with the people's funds, and used them in their behalf. I said to my friends from the North in the course of my remarks, when the great earthquake shook San Francisco and the western half of this country, and a terrible fire swept over it, we from the South came to your rescue and voted the "people's money" and "Government funds" to relieve their distress. We sent succor, medicines, and aid to that people. When the great flood swept along the Ohio Valley and destroyed many a happy and humble home and brought distress to those people we sent this same money, coined under that provision of the Constitution and issued by this Government, to the banks at Dayton, Ohio, and placed it in their vaults in order that it might bring relief, aid, and comfort to your people. We were not beggars. We invoked only our rights. I am not persuaded that we made any mistake; and notwithstanding these discriminations we here to-day, standing under that flag as American citizens, claim the same right of exultation in its emblems and inspiration as our brothers from Massachusetts, Ohio, California, or any other State. May God in His wisdom and the patriotism of Americans preserve this Union and our proud heritage of State supremacy and State integrity as the corner stones of our liberties! [Applause.]

Mr. TAYLOR of Colorado. Mr. Speaker, I yield five minutes to the gentleman from Colorado [Mr. SELDOMRIDGE].

Mr. SELDOMRIDGE. Mr. Speaker, I would be unfaithful to the State and constituency which I represent if I failed to support this measure. I not only give it my approval on account of this sense of obligation, but my personal convictions upon it formed after 20 years of actual observation in the State of Colorado where I have long resided lead me to this conclusion. It is impossible in the brief time allowed me for debate to discuss this question in all its bearings. It is among the few great questions of the day that are uppermost in the public mind. No cause ever enjoyed such devoted and earnest adherents, and they have made their appeal to the conscience and intelligence of the Nation. The amendment speaks for itself. It is as follows:

Joint resolution proposing an amendment to the Constitution of the United States extending the right of suffrage to women.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article be proposed to the legislatures of the several States as an amendment to the Constitution of the United States, which, when ratified by three-fourths of said legislatures, shall be valid as part of said Constitution, namely:

"ARTICLE .—SECTION 1. The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of sex.

"SEC. 2. Congress shall have power, by appropriate legislation, to enforce the provisions of this article."

The amendment raises no question affecting the control of the State over the franchise except the right of the State to disfranchise any citizen on account of sex. It leaves all other qualifications of the voter to be determined by the various States through their constitutional agencies. The State can impose any franchise test it may see fit, but it can not limit the franchise to its male citizens. Both sexes will be obliged to meet all requirements of citizenship imposed by the State, and each State can protect the exercise of the franchise to the fullest extent of its power.

We expect to hear in this discussion that this amendment violates the rights of the States, but there can be no violation of any State right when each State has recognized the right of three-fourths of the States to amend the National Constitution and make such amendment binding upon all the States.

To discuss the merits of the State-rights theory in the light of the experiences and judgment of the past 50 years is in every sense futile and unnecessary. The question was decided through the arbitrament of war, and that clear verdict will never be reversed except through constitutional methods.

We are further impelled to the support of this amendment by reason of the fact that it has behind it a public sentiment that is not confined to any particular section of the country, but is national in its scope and influence. If this measure were supported by only those States which now enjoy equal suffrage, there might be some reason to delay its consideration, but citizens of every State, either by themselves or through organizations, have petitioned Congress to give this amendment favorable consideration. The right of petition is guaranteed to our citizens by our organic law. Congress should recognize this right and give itself to the consideration of measures which have behind them unmistakable public sentiment.

No one questions the constitutionality of the amendment proposed, nor can there be any doubt as to the desire of many thousands of our people representing every section of the country to have it submitted.

I now desire to address myself briefly to some phases of the question which appeal to my judgment. As I see it there are two sources of opposition to equal suffrage. One comes from the selfishness of the male voter who does not desire his prerogative invaded, and the other comes from the privileged group which oppose any further extension of the franchise. We are quite sure that there are interests in this country who would gladly welcome a curtailment of the franchise rather than its extension. The power of this group is being menaced and threatened by every advance in popular government, and to introduce into the electorate another element that would contribute to this advancement would further threaten the power and influence of those who desire to make the Government in some sense subservient to their welfare. There will always be this assertion of supremacy on the part of individuals and groups in our country's affairs. There are those who honestly believe that the functions of government can be best administered by those who have secured for themselves a higher degree of intelligence, who have accumulated control of vast resources of industry and material production, and who from altruistic motives believe that they know what is best for the people. The contests of the future will largely follow the lines of past conflicts. It is quite natural, therefore, that the movement for equal suffrage should meet the opposition of those who desire governmental privilege.

It is a remarkable tribute to the life and vitality of the cause that the successes which it has already achieved have come from forces that might naturally be considered antagonistic. It is an augury of ultimate success that it has won in so many States and that the male voters in those States have surrendered whatever of prerogative they may have enjoyed in the exercise of suffrage in order that this right might be shared with the women of their respective States. The wonder is that there are so few defeats to register considering the character of the oppo-

sition encountered. No cause was ever so handicapped, and its victories justify the righteousness of its appeal.

We may well ask ourselves concerning the causes that have contributed to this success and what justification we have for hopes of continued progress. I believe that the great argument in favor of woman suffrage is that it is fundamentally right and is in accord with the principles of liberty and justice upon which this Government was established. Our Nation came into being in order to demonstrate the power of the individual citizen, and our entire governmental system lives, moves, and has its being in his will and character. The declaration that all men are created equal and have certain inalienable rights was the rallying cry of Revolutionary days. It meant relief from tyranny and oppression and a larger employment of individual powers in the affairs of government.

We have little information given us concerning the duties imposed upon the citizen in the early days of the Republic. The records of that time largely deal with the proceedings of our national legislature, and we have a very comprehensive supply of data concerning the discussions of our public men. It would be interesting to know to what extent the citizen entered into *any* participation of the franchise rights which he enjoyed. There is no question but that he was satisfied to leave the affairs of state to the protection and guidance of the men who had founded the Nation. We have no record of any contests before the people that in any way resemble the popular movements of our day. The fact that the President and Vice President were chosen by Congress would remove from the public mind a chief subject of discussion and controversy. Conditions of travel, the difficulty of communication, the lack of widely circulated newspapers, and the isolation of the various sections of the country contributed to this submergence of individual interest. In less than 100 years a wonderful change has taken place; the steamboat, the locomotive, the telegraph, the daily newspaper, and the growth of population all combine to produce a different type of citizen. He is now fully informed of events transpiring in the Nation and in the world. He is brought into association through the press with the views and opinions of citizens in all parts of the country.

The means of travel are so easy and agreeable that all sections of our country are made accessible and convenient. During the past quarter of a century there has been a great obliteration of sectional characteristics and the character of our population is becoming more complex by reason of constant and regular movements of our people from State to State. Our standards of living are affected by those of our neighbors. The newspaper, the magazine, the public library, and the lecture platform all minister to the information and intelligence of the voter. He has come to feel that he is a direct agent in the matter of Government and that he possesses all necessary power to mold and influence the activities of Government. He is not only jealous of this right, but he is conscious of his power to demand a strict performance of duty on the part of his representative. Such has been the evolution of the voter during the past century. With the abundant privileges he now enjoys would we be justified in asserting that he is any less a citizen, any less qualified to exercise the prerogatives of citizenship now than he was when the Constitution was adopted and the Nation came into being?

One of the stock arguments employed by the opponents of equal suffrage is that based upon the assertion that because women can not discharge all duties laid upon the male citizen she should not be given the ballot. The fathers of the Republic might have justly contended that, owing to certain unfavorable conditions already enumerated, it would be unwise to grant a general franchise to all male citizens and that only those who lived in the largely settled communities and cities should be given the right to vote. They would naturally be kept informed as to the affairs of Government, and having opportunity to hear public matters discussed and debated by men of station and influence they would naturally be in a position to render a more intelligent verdict than citizens not so situated. There are many reasons which could have been urged to justify giving the franchise to a portion of the population and rejecting others. There never was a day in the history of the Nation when the electorate could be said to be individually qualified to act up to the highest measure of citizenship. There is still much to be done through religion, education, and the operation of economic policies to improve the qualifications of the citizen. We are raising the standard constantly and as our national problems increase with our growth and development there is a louder call for a more intelligent and patriotic citizenship.

In the light of these facts, what justice is there in the denial of the franchise to woman? Is her measure of intelligence, her capacity for mental expansion, her patriotic devotion to her country, and her ability to understand the functions of citizenship less narrow and restricted than the male voter of our day? She fearlessly challenges a comparison of her qualifications on these lines. Would there be any lowering of the standards of citizenship in placing the ballot in her hands?

There is great temptation to engage in an extended recital of the achievements of woman in all lines of human endeavor in order to justify her right to the ballot. History provides a rich storehouse of information of woman's part in the governments of the world. From its earliest dawn to the clear day of twentieth-century progress woman has played an active part in controlling the affairs and destinies of nations. Statesmen of all nations have paid homage to her ability and power. Each successive period in the world's history has been marked by her achievements in art and literature. There is not a field of human endeavor in which she has not played her part, yet in our country, which emphasizes as supreme the right of the individual to control the Government, she is prevented from exercising this right merely because she is a woman.

Opponents of equal suffrage do not deny woman a place in the affairs of States and nations. They recognize her value in molding public opinion, in preserving the character and sacredness of the home, in guiding and developing childhood, and in administering philanthropic and humanitarian agencies. They further contend that any enlargement of her field of activity and usefulness would mean the neglect of duties that are paramount and essential. If this statement is founded upon fact, surely in States of our Union which have enjoyed equal suffrage for so many years there would be clear evidence of this fact, but the contrary is true. The women of our equal-suffrage States are more keenly alive to their duties in the matter of home protection, the guardianship of children, and the welfare of society than they were before the ballot was given them. Women feel that the State has committed to them certain peculiar responsibilities in the matter of humanitarian legislation and many of the reforms which have to do with the safeguarding of the home, and the elimination of social evils can be largely traced both directly and indirectly to their influence as voters.

The minds of men naturally work upon lines related to the virile and sterner forms of national activity. They are apt to overlook and give little heed to the demands of society for legislation that will affect the environment and life of the individual. The advocates of equal suffrage fully believe that the direct influence of woman will be exerted through the ballot to extend this field of governmental activity. We are not to lose sight of the fact that woman is just as capable as man to diagnose the ills of the body politic. Her moral faculties are just as strong, if not stronger, and in times of national emergency she could be counted upon to respond with the same devotion to the needs of her country as her male fellow citizen. Opponents of equal suffrage claim that the influence of the female voter in equal-suffrage States has not been evidenced by any marked decrease in crime or any marked improvement in social conditions. Statistics do not bear out this assertion. We know that the greatest advancement in popular government and in the development of humane legislation has been made in equal-suffrage States. It is not fair to expect that the introduction of woman to an active participation in the functions of citizenship would make an immediate or radical change in the character of legislation. It is a singular fact that the equal-suffrage States are largely those among the last to be admitted to the Union. These States have had serious and important problems of local development to solve. They have been working out their own future with limited resources of revenue, and it is worthy of remark that, notwithstanding these new conditions and important problems, the States have attempted to solve problems of a sociological character through the medium of legislation. The fact that the equal-suffrage States have marched steadily forward along all lines of material and social advancement is a proof positive that woman is as fully qualified as man to use and enjoy the right of suffrage. If there has been progress and social uplift in States where equal suffrage prevails to even a moderate extent, considering the brief time that woman has had the ballot, surely we may expect a larger degree of progress and advancement as she becomes more qualified to exercise her right.

We should give the ballot to woman because it will add to rather than detract from her usefulness to society and the Nation. Neither the State nor the Nation has taken any step to relieve her from the pressure of industrial life. We not only expect her to fulfill all the obligations that rest upon her by reason of her sex, but we compel her to endure the strain and stress of mental and physical competition with the other sex in order to support herself and those who are dependent upon her.

If the Nation is not willing to provide for her release from this burden, she should at least be given the franchise in order that she may use it, as far as possible, as a means to alleviate and remove oppressive conditions of toil and environment. The social requirements of our time, the changing standards of living, and the instability of economic conditions are all contributing to the weakening of the home and the breaking up of family life. The social life of our great cities may well give us pause as we think of its effect upon the rising generation, and thoughtful men and women may well concern themselves in considering what type of citizen is to be the product of our present American city population. The vulgarity of wealth, as expressed in so much that is unseemly and unnatural, menaces the character of our citizenship. We have made such remarkable progress in the acquirement of wealth that we are losing out of life the beneficent effect of toil and effort, and there is a loss of what some one has aptly called the true American spirit. In these days when the foundations of other nations are being undermined should we not all the more give ourselves to the work of strengthening anew the basic principles of our national character? To this work we must not only summon the strong and earnest men of the Nation, but the loyal and consecrated women as well. There can be no segregation of effort; it must be mutual and sympathetic. From this unity of thought and purpose there will be such an outflow of influence and energy that our citizenship will be made strong and courageous and the future glory of our Nation assured. [Applause.]

Mr. BAILEY. Mr. Speaker, before most of these fair women who grace the galleries around us to-day were out of pinafores, and while they were yet thinking of their dolls rather than of the boys, I was a believer in and an advocate of equal suffrage.

When yet in my teens my study of government led me to the conviction that man's rights and woman's rights are coequal; that one has no right which the other does not equally have.

Mr. Speaker, rights are not bestowed; they inhere; they exist in the nature of things. They may be denied or held in abeyance but they never cease to exist; and woman has always had the right to vote. She has it now. But thus far the society of which she forms a part has failed generally to recognize this right and to admit its exercise.

It has been said on this floor to-day that suffrage is a privilege. I deny this. I assert that suffrage is an inherent and an indefeasible right. It is the citizen's weapon of defense in a society which has exchanged the rifle for the ballot. And woman has the same inherent right to self-defense that man possesses.

But while I believe and have always believed in woman's equal right to the suffrage, I do not believe nor have I ever believed that recognition of this right should come from the Federal Government. It ought to come from the same source that has accorded recognition to man's right. When my wife shall secure the elective franchise I desire that she shall do so on the same terms that it came to me.

However, Mr. Speaker, this might not be worth quarreling about if it were merely a question of whence the recognition should come. The main point is that the recognition is due. And my prime objection to the proposal now before us is that it is another step away from that idea of local self-government which lies at the base of our free institutions. Not long ago I stood on the floor of this House in protest against another proposal to remove government a little farther away from the people and to concentrate it here in Washington. I hope never to see the day—I hope the day may never come—when we shall have a Little Father in the White House as Russia has had a Little Father in St. Petersburg. Yet all the tendencies are in this direction to-day. There is a steady concentration of power in the hands of the Federal Government. Its activities are being enormously widened; its powers enormously increased; its grip upon the daily life of the people enormously strengthened. For one I am unwilling that this tendency should be still further stimulated by the adoption of the pending proposal.

Mr. Speaker, while I am an advocate of equal suffrage, and while I believe with all my heart that woman's rights are no whit less than those of man, I am still just a bit doubtful whether this issue would ever present itself in a social state where a really normal life were possible. It seems to me that this issue is pressing to-day only because of an economic pressure of which this is a vague expression. Women within the last 30 or 40 years have been forced by this inexorable pressure out of the home into the mill and the factory, away from the fireside into the struggle for employment, out of the realm in which they had reigned as queens into the marts of trade. I can not think that woman has deliberately forsaken her natural sphere. She is in the hard competition which this generation is witnessing not of her own volition; not because she would rather battle for wages than rock the cradle; not because she has changed her instincts and taken on impulses foreign to her sex, but because the natural breadwinner has failed; because she is compelled to enter the struggle in order to live; because the normal life is denied to her, as it is to the young man who would be a suitor for her hand if he, too, were not caught in the vortex which sweeps them apart.

I have not the time, Mr. Speaker, to enter at length into this phase of the question. But we can not intelligently consider the matter of suffrage if we do not take into account the economic factors involved. That suffrage could ever become a really burning issue in a country where equality of opportunity obtained I do not believe. It is only in a society where opportunity has been monopolized and where competition for jobs is so keen and remorseless that wages sink to the point where they afford but a bare subsistence that we find woman clamoring for the ballot. She clamors for it because she really needs it. She needs it in the same way and to the same degree that the man needs it; she needs it for offense and defense; she needs it in the awful struggle into which she finds herself irresistibly drawn; she needs it in fighting back the wolf from the door; she needs it in her effort to beat back the forces forever assaulting her at her toil and at every turn in her narrowed and narrowing life. She may fancy that with it her problem will be solved. But why has not the ballot solved the problem which equally confronts the man? How has it come that the ballot has done so little for the lord of creation who finds himself condemned to involuntary poverty in the very midst of advancing wealth?

Under normal economic conditions—under conditions where self-employment were possible—it seems to me that in the division of labor the man would naturally assume the responsibilities of looking after such outside affairs as the business of government while the woman was devoting herself to the inside affairs of the household. There could be nothing said in derogation of her right to look after outside affairs if she choose. She might cut down trees, plow and plant fields, paint houses, lay brick, run locomotives, drive cattle, mine coal, man furnaces, do anything and everything she pleased to do. That would be her concern, not that of man. But in a normal society would she want to do these things? Would not all her natural instincts and impulses operate to keep her out of the rough and tumble of these unwomanly employments? Would not these instincts and impulses operate to keep her very near the fireside and about the functions which her nature imposes? Can anyone believe that woman deliberately gives up these instincts and impulses because she prefers the desperate struggle involved in the battle for bread?

But all this is neither here nor there in the present discussion, except as it is suggested by the hopes which obviously lie back of the demand of women for the ballot. They would not be clamoring for this recognition if they did not believe that with the ballot they would be able to ameliorate the conditions which press more and more heavily upon them. These conditions are economic. They are not political. They are not social. They are not moral. They are the very same conditions which press more and more heavily upon men. And we do not have to employ magnifying glasses to see that the ballot has not greatly helped man thus far in dealing with those conditions. With the ballot he has achieved religious freedom. With it he has achieved political freedom. But with it he has yet to achieve industrial freedom. And when with the ballot he shall have scored this achievement also, is it at all certain that any necessity will remain for putting the ballot in the hands of his wife and daughter? May he not in this last conquest in the fight for freedom so emancipate his helpmeet that she will no longer feel that she is being cheated of a divine right?

Mr. WEBB. Mr. Speaker, I yield two minutes to the gentleman from Georgia [Mr. HUGHES].

Mr. HUGHES of Georgia. Mr. Speaker, I voted for this rule, and I shall vote against this resolution. I believe that woman's suffrage is a question that should be considered and settled State by State, and I also believe that in any State in which the women of that State desire the ballot it ought to be given to them. I say this, if the women of the State of Georgia should desire the ballot, they should have my vote, but, sirs, there are questions and conditions in certain of the States in this Union that should be given a most careful consideration, not only by this great body but by the women throughout the broad limits of this land. I do not believe one State should force upon another State a law which would be detrimental to the happiness, to the peace, and to the prosperity of that State, but I believe that in the event this resolution were adopted by this House and approved by three-fourths or the

States of this Union it would create a condition of affairs in the Southland that would destroy the happiness, peace, and prosperity of that section.

In any State where the majority of white women desire the ballot, in my opinion, the voters of that State will cast their votes for woman's suffrage. In any and every State where woman is opposed to woman's suffrage, I believe that State will and should refuse to adopt it.

Georgia has not, and should not have, the right, and God grant she may never have the power, to force upon Wyoming a measure which would disrupt her socially, politically, and morally. What Georgia should not inflict upon Wyoming, Wyoming should not inflict upon Georgia. Let Wyoming manage her own internal affairs, which she understands. Give Georgia the same right.

I trust and believe this great, thoughtful, just, and patriotic body will acknowledge this right of the States by refusing to pass this resolution.

In the name of the women I oppose this resolution, and in this declaration I bespeak the voice of the women of Georgia.

The SPEAKER. The time of the gentleman has expired.

Mr. WEBB. Mr. Speaker, I yield 20 minutes to the gentleman from Ohio [Mr. BOWDLE]. [Applause.]

Mr. BOWDLE. Mr. Speaker, I approach this subject with some trepidation and emotion. My lovely, loyal wife, who charitably puts up with much in me, believes in suffrage for women, and a beautiful, devoted sister, living in Canton, Ohio, believes in it. My sister has asked me to content myself with voting my views merely. My wife would not have me oppose the movement, but has made no request of me as to speaking. All this, Mr. Speaker, troubles me. I would gladly say nothing; but I have obligated myself to a large number of ladies, and I can not without stultification retreat. The plight in which I find myself requires that I speak circumspectly—that I weigh my words—for I do not care to wound the feelings of those women with whom my lot has been so happily cast by the Lord's providence and my own good judgment. [Laughter.] I have therefore carefully reduced my argument to notes. My own trepidation is also augmented some by the fact that some years ago, when this question commenced to be discussed, I found myself for a brief period favoring it. Since then I have given it careful consideration.

In the Committee of the Whole House on the state of the Union we consider everything but the state of the Union. I do not mean its state as regards its importations of catgut or whether our gelatin or tallow industries are paying dividends—things usually considered by that committee. I mean the moral condition of the people of the Union. These things are rarely considered by Congress.

That man brave enough to face the facts of our national life knows that all is not—yet—well with the Union. Many things in our social-national life touch with somberness the philosophy of the epoch. Things are not exactly what the fathers promised. Some men are fearful. They see many statesmen lulled or threatened into quietness. Positions are often taken with reference to their vote-getting influence. Fear about second terms often makes legislators forget their duty in the first. The moral outlook in this Nation is engaging the attention of many thoughtful men. And the Democratic Party is expected to correct in a year the work of a half century.

Our whole Nation stands in great need of resolving itself into a committee of the whole house on the state of the Union.

Mr. Speaker, I rise to voice the position of an unnumbered multitude of good women of America relative to the suffrage movement. A multitude of women whose voices are not heard in the streets; who do not seek the rostrum of political debate; who, though life is not exactly what some of them would have, do not defame their husbands and brothers because they have been unable to declare the kingdom of heaven to be at hand; women who are not ashamed of their sex lot, though it disqualifies them from many functions allowed to men. These I represent. [Applause.]

Mr. Speaker, it is claimed that the interest of women in the affairs of state has grown greatly and that they now ponder deeply matters political. I have not believed the claim. But since coming to Washington I have secured some data upon this subject—and Washington is certainly a most intelligent city, quite aside from its congressional population. [Laughter.]

It must be evident that the best evidence of a person's interest in a subject is his reading. I determined accordingly to make a series of observations in the street cars of Washington, at an hour when a goodly number are usually coming down town to work or shop. I selected the Mount Pleasant car, coming in over Connecticut Avenue, a line which at its outer end picks up an intelligent middle class, with a few Congressmen without fortune, and which later picks up the wealthier Senators who live in the expensive apartments bearing signs "Servants and tradesmen to the rear." [Laughter and applause.] This miscellaneous collection of intelligence becomes complete at Connecticut Avenue and R Street [laughter], and there I always took the count. My plan was to then count the number of adults in the car, the number of men, and the number of women, and then to count those who were either reading or carrying newspapers. The results of my observations were surprising. A table follows:

Date.	Men.	Women.	Men reading.	Women reading.
May 20	17	15	12	None.
May 21	19	8	8	None.
May 22	8	6	3	None.
May 23	14	16	8	None.
May 24	19	18	11	1
May 25	16	18	10	None.
May 26	6	14	1	None.
May 27	17	4	2	None.
Total	116	99	55	1

This is a striking score: Fifty-five to one in favor of the old man as a newspaper reader—almost a shut-out. [Laughter.] Of 99 women, 1 was reading. This does not testify to a magnificent interest in the world's affairs.

But I was not content with this. I accordingly determined to test this matter among a more cosmopolitan crowd. I observed a bright Jewish newsboy at Pennsylvania Avenue and Fourteenth Street, where all classes ebb and flow. I asked this boy to bring to my office at the end of the week a report showing the number of papers sold, morning and evening, with the number sold to women of the total sales. The report of this little merchant follows:

Date.	Sold to women.	Sold to men.
May 26	11	366
May 27	9	350
May 28	12	372
May 29	11	301
May 31	13	271
June 2	9	352
June 3	6	332
Total	71	2,344

These papers were sold from 3.30 to 6 o'clock in the evening. The score stands 2,344 to 71, or 33 to 1, in favor of the old man as a reader of the evening paper in a crowd streaming by in which the sexes were pretty evenly divided.

Now, on those same days Isaac sold papers between 6.30 and 9 in the morning, and here is his report:

Sold to women: 6, 8, 6, 7, 11, 10, 11; total, 59.

Sold to men: 67, 72, 71, 76, 71, 68, 71; total, 496.

The score stands 59 to 496, or 9 to 1, in favor of the old man in the matter of newspaper reading in the morning among the men and women of the class which makes no pretensions, does a lot of hard work, and has little to show for it at the end of the year. Let me summarize the conclusions to be drawn from these tables and state the sex ratio of readers in simple terms for ready recollection.

1. As an evening-paper buyer in this capital, women buy 1 paper to 33 bought by men.

2. As a morning-paper buyer, the score stands 9 to 1 in favor of the fellow whose intelligence in managing the State needs feminine aid.

3. As a morning street car newspaper reader, the readers among men are 1 to 2. But among women the ratio of readers in the morning cars is 1 who reads to 99 who do not read.

4. A strong boy could print all the daily papers required by the intelligent ladies of Washington.

It is thus evident that women generally are not interested in politics—for which the saints be forever praised—for I do not like to think of the day when papa's purse will be called upon to contribute to two opposing wigwams. One is a plenty. [Laughter.]

Should it be said that eight days' observation of a sex's reading habits is not enough to justify a conclusion, I simply reply in the language of De Quincey, I think, "One need not drink a flagon of wine to sample a cask," and I think a single day's observation would determine the herbivorous habits of sheep.

Yes, Mr. Speaker, the women of this smart Capital are beautiful; indeed, their beauty is positively disturbing to business,

but they are not interested in affairs of state; they are not interested in politics; and, so far as I can judge, they are getting their information on these subjects from the source commended by Saint Paul, for which I do heartily commend them. [Applause.]

The SPEAKER. The gentleman from Ohio will suspend for a few moments. The Chair has warned the gallery three or four times during the day that they must not show symptoms of applause or dissent. Now, if there is any more disturbance in the galleries, they will be cleared. [Applause.]

Mr. BOWDLE. Yes, Mr. Speaker, the old man in America is going to have an inning. [Laughter and applause.] This is the last effort of that forgotten institution to save his pants. [Laughter and applause.]

Mr. Speaker, a great many men do not comprehend the significance of the antisuffrage movement among women. They can not understand why women who do not want to vote should impede women who do want to vote. Just a word or two of explanation:

Giving the franchise involves a change of status on all who receive it, whether they exercise it or not. The women who do not vote will infallibly experience a change of status. Let us see:

To be an elector implies certain things. Electorship, which is simply the power to determine the nature of the civil state, carries with it, or must sooner or later carry with it, the power of administering all affairs of state, including the administering of justice. It must be clear to the Members of this House that the power to determine the legal nature of the state must imply the power to assume and administer any office in the gift of the State. It would be a disturbing thing to have electors with power to erect institutions which they could not administer.

Necessarily, therefore, this proposed extension of the franchise involves finally a movement which will subject all human rights to feminine decision; and the women of America who are opposing this movement are opposed to this change of their status. Those women have a vested interest in this question. They ask the men of this Nation not to foreclose that interest without a vote from them. The antisuffragists are the Jeffersonian Democrats on this question. And this is precisely what those women will not get if the suffragists have their way.

With banners unfurled bearing the proud device "The emancipation of women," they decline to allow those to vote on the question who, they say, are to be the beneficiaries of the movement. [Applause.]

The fact is the movement is the most undemocratic movement ever commenced in the history of this country.

Mr. Speaker, I was privileged to hear the opening address in what turned out to be Mr. Roosevelt's campaign for a third term. As a member of the constitutional convention of Ohio, sitting at Columbus, I heard it. It was very interesting to hear him take precisely this ground on the suffrage question—that is, he wanted it submitted to women democratically.

But later in Chicago he met Miss Addams—just before the convention—and he saw a great light.

Who knows, maybe we shall live to see a "Mrs." at the other end of Pennsylvania Avenue as President of the United States. Who knows, a "Mr." may hook up and unhook the gowns of the Nation's Chief. [Applause.]

But, Mr. Speaker, one thing I do know: There will be no change while the world lasts to the little phrase "The man behind the gun." [Applause.] Should the Prince of Peace defer His glorious promised advent for a thousand years the intelligence behind the gun will be masculine and the ragged corpse in the ditches of this world's wars will be a masculine corpse. There he is, Mr. Speaker, the masculine man who has carried the ensign of liberty from Thermopylæ to Yorktown, staggering slowly on toward a rational ideal which would lend some meaning to human life and history. [Applause.]

Oh, yes; I know women have played a great and noble part in this world's history; but it is a notable fact that this noble part was played without the ballot and some time before the movement came which last year destroyed $5,000,000 of London property created by men. The women who played that noble part did not have to be watched by the Scotland Yard detective force; they did not leave bombs in St. Pauls; they did not burn the Edinburgh collection of scientific marine instruments, working an irreparable loss to science created by men only, and which marks streets and lanes in the high seas. No, Mr. Speaker, the women whose names grace the page of history admired men and bowed to the scientific and political genius which he has slowly evolved and ever used to make of this planet a place of residence for wholesome life. [Applause.]

I was saying a moment ago that the women who are opposed to suffrage oppose it because of the necessary change of status that will ensue to them. It ought to be apparent to any man that the power to create institutions implies the power to manage them. Now, women do not wish their rights to be passed upon by women. Women uniformly prefer men judges and men jurors. What woman in a criminal case would take a woman jury? They know the leniency of men. What leading suffragette in a breach-of-promise case would ask for a woman jury? Why, men are almost silly in their kindness to women who come before them for justice.

Why, such is that kindness that the records of this country for the past two years will show that women charged with murder in the first degree have gone scot-free in numerous cases in which men have been hanged. So general is this spirit of consideration that the criminal laws are almost suspended in our large cities in cases involving women when any sort of a defense is made.

If there is anything on the bargain counter of justice which women are denied, I should like to have the article pointed out. Speaking from an experience of 22 years at the bar, I would not undertake a civil case against a woman for a man unless the case rested on documentary evidence. [Applause.]

Mr. Speaker, the functions of women are of a character that disqualifies them from acting as jurors or judges. If I were to defend a man on a capital charge and a woman were to offer herself as a juror, there are some very intimate questions that I should insist on putting to her. And that man or woman does not live who would submit his or her personal or property rights to a judge or juror who was with child. Her condition at such a time rendered her peculiarly sacred under Roman law and under our law.

It is this great distinctive function which is at the basis of that consideration which men instinctively show to women in so many ways, even to the point of suspending the criminal laws in their favor.

There are a thousand duties to which you can not summon women who are rearing children. And every vigorous woman, even though unmarried, may be invited into that legal relation which brings those powers into play.

Man's powers in this particular do not summon him from those external duties on which the State is founded. Is he a young man serving the State, his marriage will simply strengthen his relations with his job, for he will need his salary twice as much as formerly, for he must needs support two, and presently three, and shortly four.

If he is a young man, unmarried, serving his employer, his marriage will stimulate his loyalty to that employer, for he needs him twice as much as formerly. The young woman at marriage leaves her employer, and rightly. She has other duties. This fact, by the way, is one of the chief causes of lower wages to women than to men for like work. The man's service is regarded as the more permanent. It is less subject to termination by natural events or the illness that attends women's functions. While I have no sort of sympathy with low wages for anybody, yet this difference in wage is based upon a natural instinct which must be reckoned with. The man starts the family. He brings that together which gives the family its start—the food, the clothing, the shelter—and he represents the necessary sex initiative which sustains the life of the family. He is the positive agent. He must deliberately do. He must desire.

The SPEAKER. The time of the gentleman has expired.

Mr. BOWDLE. The gentleman from Wisconsin [Mr. STAFFORD] has promised to yield me some time.

Mr. STAFFORD. How much time does the gentleman desire?

Mr. BOWDLE. I should like to have 10 minutes.

Mr. STAFFORD. I will yield the gentleman seven minutes. [Cries of "Give it to him!"]

The SPEAKER. The Chair was mistaken. The timekeeper says the gentleman is still entitled to 5 minutes more under the grant. The gentleman is recognized for 10 minutes.

Mr. BOWDLE. Women have a great function. Her functions are not man's functions. Men and women are different. They are different in every atom. Right here is where women set up a grouch. Many women resent the limitations of sex. But why quarrel with God, when he has the final word? I might as well weep because I can not gestate a child.

But, Mr. Speaker, I was saying that we instinctively give more to a young man than to a young woman because we recognize him as the prime mover in the creation of life and the family. Some men object to that word "instinct" as unworthily applied to the human, but no student of the operations of the human mind on this floor will object to it. Falstaff had it right:

Instinct is a great matter.

I observed a suffragette a few evenings ago tipping a waitress, who had served her and a friend a meal, and I saw that she gave her less than half what she had given a waiter the evening before. I quickly—and she thought rudely—called her attention to this fact as an exemplification of instinct working out unconsciously in human conduct. The instinct and its meaning proved quite shocking to her. [Laughter.]

This family idea, this life idea, is far more ruling in matters of conduct than we suppose. Mankind, like all created things, instinctively looks toward life and toward its preservation. We bravely deny any identity with lower animals. We proudly deny this identity though the form of every cell and muscle and nerve and organ identify us with all life. I admit this identity, though I devoutly believe in man's divine mission and destiny. The heroism of the men in sacrificing themselves on the decks of the *Titanic* by placing all the suffragettes in the boats was, indeed, heroism. It was the instinct heroic. But how few will see the same instinct heroically working in a disturbed ant colony, when, getting down on our knees, we see powerful ants, utterly careless of self, straining every nerve and muscle to rescue the eggs and carry them away from some titanic disaster, yet Lubbock and Farel and McCook point this out to us. It is the office of true science to humble us. [Applause.]

This world is not just what each of us would have it. But, Mr. Speaker, blessed is that man who recognizes facts cheerfully. Were I given the remaking of this world, I do not know just what I should do. Ingersoll said he would make it not rain so hard in the sea; but, coming from Ohio, where we have had terrible floods, I should make it not rain so hard on the land. Of course, the suffragists would recommend some changes. One said to me that she would make papa bear the children. And this, Mr. Speaker, only bears out the claim that this movement, like the whole modern feminine movement, is a simple expression of sex resentment. Only the other day some sociological person examined the roster of a certain women's club in a western city, and out of 72 women members, all married and able, not a child had been born within the year.

I would respectfully suggest to the patriotic ladies that when next they meet, instead of denouncing the distinguished Member from New York [Mr. LEVY] because of the condition of the back gate of Monticello, they resolve on an investigation of this race-suicide question; that they give some attention to the feminine clothing question and the millinery question.

These ladies should also examine into the menace to our Nation found in the fact that within 10 years a multitude of American women, with great fortunes gathered by American men, have laid them, to the extent of hundreds of millions, at the feet of foreign lords and dukes, while American workmen stand by and see their strength and genius go abroad to add to the ease of foreign parasites. American men have not done so. American men of wealth have married American women. [Applause.]

Mr. Speaker, our civilization in form favors the family more than is generally supposed. The vote is really by families. Unmarried men vote, of course, but each is the potential creator of a family; each is the potential creator of life. Marriage is the institution out of which we have all come. The State grew out of it. We must sustain it or perish. The most somber sign of modern times—the sign which gives the most concern—is the assault upon the family by increasing divorce. It is proposed that a further assault shall be made upon it by introducing two political heads, by subjecting its purse to the drain of supporting two antagonistic parties. Will the family survive the attacks being made upon it? Well, I think so. Hegelian philosophy, which I accept, makes me think so, but the present strain upon it is immense.

To the State man is primarily responsible. He must serve it, protect it, and die for it. The State holds him primarily responsible for these duties and a thousand others. He pays the rent when he lives with her and the alimony when he does not. He goes to jail when he fails. Is it allowing him any peculiar privilege to manage the institution wherein that responsibility is to be discharged? The dollar is earned in the State, not in the home. Shall he who is charged with the duty of bringing it home have the State managed by the one who receives it? [Applause.]

Mr. Spencer states the case admirably:

> Are the political rights of women the same as those of men? The assumption that they are the same is widely made. Along with that identity of rights above set forth as arising from the human nature common to the two sexes there is supposed to go an identity of rights in respect to the direction of public affairs. At first sight it seems that the two properly go together, but consideration shows that this is not so. Citizenship does not include only the giving of votes, joined now and again with the fulfillment of representative functions. It includes also certain serious responsibilities. But if so, there can not be equality of citizenship unless along with the share of good there goes the share of evil. To call that equality of citizenship under which some have their powers gratis while others pay for their powers by undertaking risks is absurd. Now men, whatever political powers they may in any case possess, are at the same time severally liable to the loss of liberty, to the privation, and occasionally to the death consequent on having to defend the country; and if women, along with the same political powers, have not the same liabilities, their position is not one of equality but one of supremacy. Unless, therefore, women furnish contingents to the Army and Navy such as men furnish, it is manifest that, ethically considered, the question of the equal political rights, so-called, of women can not be entertained until there is reached a condition of permanent peace. Then only will it be possible (whether desirable or not) to make the political positions of men and women the same.

Edmund Burke used to say that every law of the British Empire had for its ultimate object the getting of twelve honest men in the jury box. I think he overstated it; for there is something that precedes even the administration of justice—it is marriage. The ultimate object of every law of every civilized country is to get one man in love with one woman. Unless that is the object the Nation must come to an end. Mr. Speaker, a civilization can not be erected that favors celibacy. If it could, the arrangement would be quite temporary. There might be some justice in giving unmarried women the ballot; but every unmarried woman is ready to marry, and she should sacrifice something—if it be a sacrifice—to that institution which all the world hopes she will finally enter. It is best for the unmarried that our laws should favor the married. The unmarried need no special laws. And the unmarried know this, and hence unmarried suffragettes claim that their special value at the polls and in legislative halls will be to reduce infant mortality. They need not concern themselves. The married will care for the children of this world. Should suffrage become a fact, the old man will parade the floor as usual in his nightshirt. [Applause.]

All history, Mr. Speaker, is nothing but the record of an affair with a woman. Happy is that man whose affair is honorable.

I saw smoke curling up from a cottage chimney in a mountain glen. I followed it and entered the house; it was an affair with a woman. I looked into the dimpled face of a babe; it told of an affair with a woman. I saw a myriad of black-grimed men emerge from the mine's mouth with lamps and dinner pails, and they smiled and went each his way, and I wondered why they worked amid such dangers; but I followed and found it was an affair with a woman. I was in the cab of an express locomotive hurling us through darkness toward the city. I wondered at his willingness to endure the dangers, as block signals and switches and cars shot by, but I saw his face for a moment by the steam-gauge light, and he smiled as we approached the division end; and I knew it was simply an affair with a woman. I was with the inventor in an upper room at night, where he had slaved for years on the turbine principle, and I marveled at his constancy; but he showed me her picture, and, Mr. Speaker, it was an affair with a woman. And the words of Swedenborg came to me, "Though men know it not, love is the life of this world." [Great applause.]

Women; have they a mission? Yes; it is to rule in the world of love and affection—in the home. It is not to rule in the State. They have a function to perform which precludes the latter sort of rule. Man is king of this universe; woman is queen. The queen rules when the king is dead, or becomes a mollycoddle, and the American man is not that yet. [Applause.]

The great need of America to-day is more marriage; but many men are afraid to attempt to support the modern woman; and this suffrage question is making women less attractive to men.

Yes; the need is more marriage. America needs a new baptism of the old-time masculinity, and the baptism should be by immersion. We need the old type of feminine woman.

I know that marriage is by the economic condition unduly postponed or prevented altogether, and I deplore this; but I have never yet heard that the way to treat a disease was to make it worse.

Mr. Speaker, the problems of our Government are immense. Yes, they are immense and at times seem baffling. I would solve them as far as they can be solved by statute. I would not add to them. We have among us as an immense problem, staring at us at every corner, a vast mass of undigested foreign citizens, who, by loose immigration laws, have come here and, by looser naturalization laws, soon become voters. I do not for one moment begrudge them residence here—those who have come—but I do ask the patriotic American men of this Nation whether they desire to increase our national problems by inviting the wives and sisters of these men to the ballot box—and these persons are plentifully supplied in this particular. In

the proper immigrant I believe, but in limited and digestible quantities.

Mr. Speaker, many things are to be changed by feminine suffrage. One of them is the "double standard," so called. Mrs. Pankhurst, lately in this city, assured us that this change is the first thing upon the suffrage program. I should like to have her exhibit to me the statute she would pass on this subject. Its wording would be interesting. But pray—and let us be frank—who is it that treats fallen women most harshly? Is it not woman herself? Her bill would have to be entitled "An act to reform women's views of women." And who is it that treats a delinquent man with the most consideration? Is it not women?

What would Mrs. Pankhurst do with him? Let this famous lady try to put some legislative stigma upon him (say on his forehead), and the first persons to protest would be the young man's mother and sisters.

I deplore the immoralities of this age. I know how the energies of thousands of young men are dissipated. I would to God that every young man knew the true dignity of pure manhood. I would that every young man had written over the lintels of his heart the seventh chapter of Proverbs as my mother bade me write it. But this thing is unreachable by law. Self-restraint is not begotten by statute.

And we all weep too much over prostitutes. Reform for them is easy. Any one of them in any American city, desiring to reform, can wash the paint off, clean up, go to the next town, and get honest housework. Laziness and vanity are largely responsibile for their chosen vocation. We are too lugubrious anyhow over evil people, lazy people, and criminals generally. Our stamina seems to be breaking down in this matter. It would be better were we sadder over the plight of some honest people. My sympathies are with the hard working and honest.

Word has gone forth that nothing unflattering shall be said of women. But if women want to jump into politics they must not be astonished to have their pedestals jarred by an occasional truth. "Hold onto your halo, when you enter politics," is a good motto. Women surely can not burn property and assault and insult State ministers without hearing something about themselves.

Having declared man to be a tyrant, they must not get embarrassed when sternly asked to name the day and date when he became so, for our mothers did not regard him so.

Of course women can no more guarantee the millennium than can men. Every woman in Colorado has had the ballot for 18 years, yet prostitution is as common in Denver as in any other American city. Wonderful things are to occur under suffrage, yet only the other night I read again Judge Lindsey's book, the Beast in the Jungle, and to my surprise the beast was the same old beast of special privilege in Denver, and the jungle was in Denver.

No; we can not have the millennium by law, and women will learn this, as men have been compelled to learn it. If we could, this Nation would long since have been the scene of millennial glory surpassing anything dreamed of by the prophets of Israel, for we certainly have the laws.

We are so far from the millennium that some of our sects look for the second advent as our only hope. The fact is, with all the light we have had, especially in this Nation, we should have developed a multitude of Christs in these centuries. We should not have to be asking the badly treated one to come back. One thing is certain, our civilization is so complex that it is going to take vastly more fidelity to ideals, vastly more virtue and honor, to manage it in the future than in the past. A multitude of Christly characters must be produced to guide this Nation.

I personally have no fear of what suffrage will do if it comes. But I deny its claims. My wife will vote with me or she will not. If she votes with me, her vote is unnecessary. If she intends voting against me, then it is not necessary for either of us to vote. We can hang out a sign "Occupants of this house are paired."

I know quite well that wives will quite uniformly vote with their husbands. Even those receiving alimony will vote with the recreant husband and rally around the pay check.

They say that "man-made" laws are not just to them. When did woman acquire a well-being separate from man's well-being? When did this race become divided? When the well-being of man is cared for the well-being of woman is assured. Give a young man money and his first expenditure is often in the interests of some woman. The first evidence that dad is getting on is usually seen on mamma's back. Help a man and you have helped a woman. As for man-made laws, I will compare Ohio's laws with the laws of any suffrage State on earth and prove their equality in point of progressive justice.

They say that in some States a man is still able to will away even his children and may confiscate his wife's wages. Mr. Speaker, I have had a long experience at the bar, and I have patiently read the legal journals, but I have never heard of an American man asserting such rights, if he ever had them. I know that in all probate and orphans' courts where I have ever practiced the tenderest consideration has ever been shown for the rights of wives, mothers, and widows. And as for wages, the vast mass of American workingmen turn over their pay envelopes to their wives, keeping only enough for a little chewing or smoking tobacco. The nations of the world agree that the finest and most generous man on earth in his treatment of women is the American man, the suffrage leaders to the contrary notwithstanding. They say that the present situation is taxation without representation. The fact is that 99 per cent of the women of wealth received the same either by gift or inheritance from some "tyrannical" dead man, who labored hard to make it. Men create the property wealth of this world, and it is proper that they should.

Mr. Speaker, there is in America to-day a forgotten institution known as the "old man." I know him, you know him. Our mothers knew him and honored him, and he honored them. But he is now forgotten and often derided. Suffragists insult him. I looked upon his frozen features as he conquered the Antarctic Zone, while women burned up five millions of his property at home, made by him with back-breaking labor. I have seen his face in the deadly saffron flames of molten metal, where a mismovement meant death. I have been with him in the bowels of steamers and have seen him wipe the scalding sweat from his face as he fed hellish furnaces. I have been with him working on great engines, in work taxing nerves and strength, where a mistake of a thousandth of an inch meant ruin. I have been with him in the grease and slime of repairs to great engineering apparatus. I have gotten up with him in the frosty darkness of the morning to go to the great shops of the cities, while leisure America slept. I have eaten with him his spare breakfasts. I have been with multitudes of him around the forges of the world at noon dining from buckets, yet always cheerful. I have seen him pinned beneath locomotives, with his flesh frying on his bones and his hand still gripping the throttle, when his last question was as to the passengers and his last message was to a woman. I have gone in imagination 5,000 feet into the sea and visited the *Titanic* wreck and have seen 500 of him, cold in death, still in the shaft alleys, engine and boiler rooms, and each dead at his post; and a thousand more I saw, all men, who had nobly offered their lives that women might live. I have seen multitudes of him in the lagoons and morasses of virgin countries, shaking with malaria, yet pushing forward the frontiers of life that more life might safely live upon this planet.

I have visited the trenches of battle fields populous with his ragged corps, unmurmuringly dying for his country. I have seen him strapped upon the plank of the guillotine and stand upon the scaffold "with head bloody but unbowed" offering his life as a witness to his principles. I have seen him upon the calvaries of this world drinking the vinegar of temporary defeat. I have seen him labor with his philosophies, without hope of gain, that men might be happier here and—

better know their end, and the number of their days, and be led to incline their hearts unto wisdom—

And I have seen him work in music, and laboriously chisel in all arts that he might better teach his fellows the divine destiny of the race. Yes; I have seen all this, and you have seen it, Mr. Speaker, and it has convinced me long since of man's divine origin and destiny. Despite the buffetings of sin, the angel in him has overcome the Jacob in him at Jabbok, and I this day believe the inspired account of his creation, when Jehovah, speaking with an unnumbered multitude of the heavenly host, said, "Let us make man in our own image and likeness."

This, Mr. Speaker, is man "the tyrant." This is the being of whom Miss Shaw said the other day, "All we ask of man is that he stand out of our sunshine." This is the being who is no longer able to represent women, who indeed misrepresents them, though he furnishes the world its meal ticket.

Mr. Speaker, the women of this land who do not want the suffrage are entitled to be heard on this floor and at the ballot box. Their case has seldom been adequately stated. Fear among men, I regret to say, has usually prevented its statement—fear of alienating votes. I have stated their case without fear. My personal regret is that a statement of the case wears the aspect of hostility to women and the suffrage. But

no thoughtful person will say that this is so, for I have taken the position occupied by Mr. Roosevelt, which is that those whose status is to be changed shall themselves vote upon the question democratically. In taking this position I am aware that many antisuffragists do not concur, believing that men alone should settle this question; but in a democracy it should be evident to any man that society could not long withstand even a 25 per cent demand for the ballot. A 10 per cent to-day is quite sufficient to embarrass legislators and arouse their fears.

As to hostility to women, allow me to say that never for a moment have I done other than honor them, and on that great day when "God shall judge the secrets of men" whatever other sins may rise to shame me, and they are many, no wretched Magdalen will rise in the judgment to say that I helped her down; and I can say to my sainted mother, who always honored men, that those principles in this regard which she bound upon my fingers and wrote upon the tables of my heart have been kept. Mr. Speaker, I love masculine men and feminine women—not women of the rostrum, not senatorial ladies who cross their limbs in political wigwams. I love those women whose functions are so beautifully described in Byron's tragedy of Sardanapalus:

> The first of human life is drawn from woman's breast;
> Our first small words are taught us at her knee;
> And our last sighs are too often breathed out in
> A woman's hearing, when others have fled the ignoble
> Task of watching beside him who led them.

Mr. Speaker, I have come in late years to see who is the real statesman in America. He is not always, or even usually, the honorable or right honorable personage in the noisy halls of legislation. He is rather the quiet man, the silent man in the community, whose life, lived agreeably with the ideals of patriotism and religion, serves to create those conditions on which the State and all laws must finally rest. And in this statesmanship true women share and have ever shared. Such women are stateswomen, indeed, far more potent than any ballot box or rostrum lady will ever be. It is this profound stateswomanship that makes certain the claim that—

> The hand that rocks the cradle is the hand that rules the world.

Mr. Speaker, this is representative government. I am happy that it is so. May it ever remain so. I am a United States Congressman, representing the first district of Ohio. That district and that State recently voted down any extension of the suffrage by an immense majority. To represent my district and my State I have taken the only stand that I could take, for I am not wiser than my State or my party. Moreover, I am opposed to any further centralization of power in our Government which would allow Oklahoma and Colorado to overturn the deliberate judgment of Ohio in matters which may well be left to each State and which have heretofore been left, under the Constitution, to each State.

I am a Democrat and I stand for the Democratic settlement of all questions. If the women of this country want the ballot, I want to know it. I stand ready to vote for any law which will allow them to express their will. Until that vote is taken I shall deny that a handful of vocally gifted women represent the women of America.

Show me a law which will exempt women from the disqualifications due to sex, and I will vote for it.

Show me a law which will unfetter men or women in the economic struggle, and I will vote for it.

Show me a law which will hasten self-restraint among men in sex matters, and I will vote for it.

Show me a law which will expedite the millennium, and I will vote for it.

Show me a law which will ease the burdens on the backs of men—burdens which give them hard hands and shiny clothes and stooped shoulders—and I will vote for it.

Show me a law which will ease us of our vanities, our restlessness, our riotous desires, which to-day are taxing our purses and health and causing despairing men to cry out—

> The wine of life is drawn, and naught remains but the lees this vault to boast of—

And I will vote for it.

Mr. Speaker, I may be wrong in all this. If so, I am not obdurate. But I think that I am right. I have spoken frankly and without fear, qualities not wholly undesirable in our political life. [Applause.]

Mr. HENRY. Mr. Speaker, I yield to the gentleman from Kentucky [Mr. JOHNSON].

Mr JOHNSON of Kentucky. Mr. Speaker: The question before this body is: Shall Congress submit to the States the proposed amendment which contemplates giving the right of suffrage to women?

Each State of the Union is represented in Congress by two Senators, who are elected by the State to represent the State in national affairs.

Each State is subdivided into congressional districts, from each of which there is a Member upon this floor, whose first practical duty is to look to the welfare of his own constituents as national legislation may affect them.

There are times when both legislators and the people themselves fall into error as to what is best for the people. Those errors of judgment usually are the result of a lack of mature consideration and serious thought. In these days of wide reading and range of opportunity for information the people are wide-awake as to what they want and when they want it. When they have laid aside all heat and passion and have taken a public question under calm and serious consideration, their solution of it is usually accepted as the correct solution. If it should not be, more deliberate consideration, coupled with the light of further observation in the school of experience, settles the question right; and no question is ever settled until it is settled right.

When the people have taken a proposition under advisement and have reached a conclusion, they are no longer slow to express their views and to make known that conclusion to their Representatives whom they have selected to speak for them.

A Representative in Congress is the servant of those whose commission he bears. Before they have spoken he may advise with them and take counsel of them. When this has been done and they have spoken, he must voice their judgment; or, as Kentucky's illustrious son, "Bill" Thorne, has said, "they will get some one who will."

It is quite clear to me that my constituents are either against the proposition to give the ballot to women or that they have not yet reached a conclusion upon the question.

Recently I spent nearly forty days in the congressional district which I have the honor to represent, and while there only one person asked me to vote for this resolution while a number asked me to vote against it.

Nearly everybody now has postal facilities at the door. Nearly everybody is freely using these facilities in conveying their views upon public questions to those whom they have selected to voice their views.

There are thirteen counties in the district which I represent. I have not received a request from anyone, either man or woman, in Green County asking me to vote for this resolution. Neither have I received any such request from Taylor County, nor from Marion County, nor from Washington County, nor from Nelson County, nor from Bullitt County, nor from Larue County, nor from Hart County, nor from Grayson County, nor from Ohio County. I have received such requests from Hardin, Breckinridge and Meade Counties; but these requests came only from West Point and Stithton, in Hardin County, and only from Muldraugh and Brandenburg, in Meade County, and only from Irvington, in Breckinridge County. There are two hundred and fourteen precincts in the fourth congressional district. The above communications came from only five of these precincts. Only one came from Brandenburg, only one from Irvington, and only one from Stithton.

Twelve of these communications came from West Point, and four of them were written by the same hand, upon the same kind of paper, and were mailed in the same kind of envelope; twenty came from Meade County, nineteen of them from Muldraugh; of the nineteen which came from Muldraugh, seventeen of them were written by the same hand, with the same ink, upon the same kind of paper, and were mailed in exactly the same kind of envelope. Thus, it seems, that these communications were the result of suggestion rather than of individual initiative. In this connection it may not be out of place to say that West Point and Muldraugh are both upon the Illinois Central Railroad, but a few miles apart, and are adjoining precincts, although one is in Hardin County and the other is in Meade County.

From two hundred and nine precincts in the district I have not had a single request to vote for the resolution. All told, I have but thirty-three of these requests; thirty of them came from two adjoining precincts, and twenty-one of them are written by the same hand.

If I have received any such requests other than those just recited, I have misplaced the letters containing them and do not now recall them.

The expense of submitting this question would be enormous. The Legislature in Kentucky sits only sixty days in every two years. It is possible that an extra session of the legislature would have to be called.

When those for whom I am here to speak have indicated to me in significant numbers that they are willing to incur the trouble and expense incident to the submission of this question, then I shall cheerfully respond to that expression and vote for submission. But it seems to me that such expense should not be incurred upon the petition of only thirty-three out of a total population of 225,000.

Here and there throughout the country are those, greater or less in number, who are asking that more than a hundred different propositions to amend the Constitution be submitted to the States. None of these can be granted until the petition comes from at least a significant number of the people.

I do not wish to be understood as saying that a significant number does not exist in many portions of our Northern and Western States for this particular one, but it is patent upon the showing just stated by me that there is not yet sufficient sentiment among my constituents to warrant my imposing this great expense upon them.

As I before said, should that sentiment continue to develop until it has become the will of the people of the fourth congressional district, I shall acquiesce in that will to the extent of casting my vote in Congress for the submission.

In so doing I would be but performing a duty to the people, whose servant I am.

Mr. STAFFORD. Mr. Speaker, I yield three minutes to the gentleman from Nebraska [Mr. SLOAN].

Mr. SLOAN. Mr. Speaker, the woman-suffrage amendment in Nebraska has not been considered as a partisan question. In our constitutional convention it was debated at length, but was rejected, and the constitution from which it was excluded was, in 1875, adopted by the people of the State. In 1882 it was submitted to the people and defeated by a decisive vote, as follows: For suffrage, 25,756; against, 50,693.

Recently Nebraska adopted the initiative and referendum system of submitting questions directly to the people. The friends of woman suffrage appealed to the referendum system during the last year and had the question submitted to the Nebraska electorate. The vote cast on November 3, 1914, was—for, 90,738; against, 100,842; majority against, 10,104. In the fourth congressional district, which I represent, 10 counties out of 11 cast majorities against the proposition. The vote by counties was as follows:

	For.	Against.
Butler	1,085	1,675
Fillmore	1,382	1,609
Gage	2,401	2,519
Hamilton	1,097	1,237
Jefferson	1,250	1,607
Polk	1,025	906
Saline	1,163	1,830
Saunders	1,430	1,985
Seward	1,067	2,129
Thayer	926	1,694
York	1,652	1,859
Total	14,478	19,050

Majority against, 4,572.

While unwarranted obstacles should not be placed in the way of amending our National Constitution, we must recall the fact that the unit for amending the Constitution is the State itself, and where the State itself, through its recognized system of expression, has recently published at the polls its sentiment upon that subject, that should be controlling upon the Representatives of the State. Especially is this true where a Member of Congress representing a district of the State finds the people whom he is elected to represent so emphatically speaking upon the question involved.

If no recent deliverance had been made by the people of the State or my district on the subject, my course would be largely governed by whether or not, in my judgment, a very large percentage of the people of the district and State desired a right to express themselves on the subject; but in this their expression is not a matter of estimate but one of established fact. I feel it would not be my duty to vote to submit the question to the 48 States, which would give 36 States an opportunity to force upon my own State a measure which it has so recently rejected.

Controlled by these considerations, I shall vote against the pending resolution. [Applause.]

Mr. STAFFORD. Mr. Speaker, I yield four minutes to the gentleman from Oklahoma [Mr. CARTER].

Mr. CARTER. Mr. Speaker, it would seem that the inspiring sight of the galleries to-day might operate as an eternal bar to any man raising his voice against anything the ladies might demand. We should all be grateful for the presence of the ladies here to-day, whether they be for suffrage or against suffrage. Individually I am always glad to see the ladies take part in public meetings. I am always glad to see them participate in public affairs. I believe that public meetings are made better by their presence and public affairs are made better by such participation as they indulge in at present. Especially is this true in America, for the American woman is the greatest woman that ever graced the face of the earth. She has not an equal, she has not a peer, in either ancient, medieval, or modern history. Other times and other climes have furnished great women, but they were always of the individual, of the personality, rather than of the class. But we men believe that the American women are all so great, are all so grand, that no particular star is able to stand out and shine to the exclusion of a great many others. They are angels, they are jewels, they are the queens and princesses of our hearts, and we poor benedicts sometimes find them to be the autocrats of our households. I am really such a believer in woman as a class that sometimes I am almost convinced against my better judgment that she should indulge in the pastime of voting. Were it not for shattering an ideal, were it not for dethroning her from that high pedestal upon which we are accustomed to place her, and dragging her down to the level of us beastly men, I believe I might even to-day be willing to vote for universal woman suffrage.

But I am going to leave that to the ladies, and I am going to be perfectly fair about it. If they will take a vote on woman suffrage and they will say by their ballots that they think they ought to have the right to vote, and say it unanimously, then we might consider favorably such resolution as is presented here for nation-wide woman suffrage, but there should be no dissenting voice. [Applause.]

Suppose the citizens of some particular Commonwealth—both men and women—should be overwhelmingly opposed to the extension of suffrage to women? Are we to force an unwilling condition upon them? That is certainly what this resolution means if it is passed and adopted by a sufficient number of the States.

Certainly, I will go a great deal further with relation to the States themselves and say that a majority vote of the good ladies of any State should determine their right to vote in that particular State. The State of Oklahoma has gone on record against woman suffrage by a State-wide vote of nearly two to one, and until the ladies of my home State give some adverse expression I shall certainly consider this action as binding instructions on me.

But aside from the question of woman's rights and desires I can not bring myself to look with favor upon these efforts to have the Federal Government prescribe qualifications for the rights of suffrage in any of the separate States, but had rather leave their settlement to the States themselves. [Applause.]

Mr. STAFFORD. Mr. Speaker, I yield five minutes to the gentleman from Alabama [Mr. MULKEY].

The SPEAKER. The gentleman from Alabama [Mr. MULKEY] is recognized for five minutes.

Mr. STAFFORD. If the gentleman is not in the Chamber, I will withdraw the grant of time.

Mr. MONDELL. Mr. Speaker, I yield five minutes to the gentleman from Michigan [Mr. CRAMTON].

The SPEAKER. The gentleman from Michigan [Mr. CRAMTON] is recognized for five minutes.

Mr. CRAMTON. Mr. Speaker, the resolution which is now pending before this House involves a question of absolute natural right, for such is the right of woman to vote, just as is the right of the man to vote. This is no time nor place for hairsplitting technicalities. There is in this debate much to indicate too many are disposed—like the administration—to permit molehills of technicality to obscure great mountains of principle.

The right to vote is simply the right to share in the directing of the affairs of the Government, which has been formed to promote the general welfare. The right is inherent in every individual, and to withhold the exercise of that right from any individual, except from those unfit to exercise it, as the minor, the insane, the criminal, or the idiot, is an infringement on the natural God-given rights of liberty.

The Declaration of Independence is revered to-day by all Americans and by lovers of liberty everywhere, not because of its recital of the wrongs suffered by the Colonies, nor yet because of the momentous event which it heralded to the world, but because of the principles it enunciates—the basic and fundamental principles of human rights and liberty:

We hold these truths to be self-evident: That all men are created equal; that they are endowed by their Creator with certain inalienable rights; that among these are life, liberty, and the pursuit of happiness;

that to secure these rights governments are instituted among men, deriving their just powers from the consent of the governed.

Following that Declaration came 11 years later the forming of the Constitution for the new Government of the United States, in the preamble of which the purpose of that Government is stated to be "to promote the general welfare and secure the blessings of liberty to ourselves and our posterity."

The world's experience has shown in every page of history that, whatever may be the form of government, the affairs of government are conducted primarily in the interests of those who have control of the Government, and that each Government will be aimed to secure the general welfare just about in proportion as it may be under the general control of its people.

Under individual despotisms the welfare of the despot was his first concern and that of his Government. Herod had the power and he exercised it in his own interest, causing to be put to death thousands of little children in his dominion in order that his own throne might be secure. Under the aristocratic rule of feudalism the many existed but to serve and promote the welfare of the few. Under our own Government, the Government of the people, by the people, and for the people, it has constantly served the general welfare more and more as the individual citizen has more and more come to have a direct and *positive share* in the direction of its affairs.

It is for this reason that the very foundation of the great progressive movement of which we hear so constantly rests upon the right of each individual to participate in his own government. Legislation which will secure to each individual more firmly the exercise of that right or make this exercise more easy and effective is progressive and is paving the way for all legislation for the general welfare.

The new constitution of Michigan, adopted in 1909, declares in section 1 of the declaration of rights:

All political power is inherent in the people. Government is instituted for their equal benefit, security, and protection.

That Declaration was approved by the overwhelming majority given that instrument by the voters of Michigan. No one, either in Michigan or elsewhere in this country, would question the correctness of the principles it enunciates. Had the opponents of this resolution, however, drawn that declaration of rights they must logically have stated, "All political power is inherent in the people who are males." No one would seriously propose or defend a declaration in that form. Those who oppose this resolution must admit that all political power is by nature inherent in the people without regard to sex, but defend their opposition to the exercise of such power by those who may be females on the ground that the general welfare of all would better be served by the exercise of political power by a part of the people and exclusive from such exercise of another part. Such exclusion of a part being the denial of a natural right of the individual ought not to be contemplated or permitted to continue unless it is clearly and positively established that the general welfare is thereby promoted. It has been so established that the general welfare is best promoted by excluding from the exercise of this natural right the minor, the insane, the criminal, and the idiot. These are not permitted to vote because of the immaturity of the mind of the minor, the lack of mind in the idiot, and the perverted mind of the criminal or the insane. Farther than this it has not been deemed for the general welfare to go so far as the male population is concerned. How conservative we have been in restricting this natural right as to men is evident when we think of the men who vote and have their say as to the decision of questions affecting the general welfare, the conditions under which women as well as men shall work and live, the environment which shall surround the children which women bring into the world and rear, the prosperity and happiness of the home which is the peculiar province of the woman, as well as the prosperity and success of the business which is the peculiar province of the man.

When we think of some of the men who have their say as to all of these things which go to make up the general welfare, men who have not enough capacity to provide for themselves, to say nothing of providing for and protecting the interests of a family, men so dominated by habit and appetite that they have lost all power to govern self, and men so ignorant or so shiftless that instead of being able to labor for the general welfare they are, in effect, a burden upon it, we realize how jealously we have been disposed to guard the simple and natural right of the individual man to vote. It is only in the most extreme, well-determined cases that we have dared to deny this right to any male citizen. It is just as clearly a natural right of the woman as of the man, and unless the incapacity of womankind as a class to exercise that natural right appears as clearly as does the incapacity of the idiot, the criminal, or the insane, and more clearly than does the incapacity of the confirmed drunkard, the vagabond, or the half-witted ignoramus, then, in all logic, womankind as a class should not be deprived of the opportunity to exercise this natural right.

And if their incapacity as a class does not so clearly appear as to justify their exclusion as a class, then the individuals of that class, whether they be few or many, who desire to exercise that natural right, and whose individual incapacity has not been demonstrated, should be permitted to exercise it. The burden of proof rests absolutely upon those who would continue to deny to woman the right to vote. It is a burden of proof which can be satisfied not merely by a preponderance of evidence, but by evidence which will satisfy beyond any reasonable doubt, just as has been the case in connection with the voting power of the men. The right of one person to take part in the affairs of government should not and does not depend in any case upon the desire of any other person to exercise that right. The right is not the right of a class, but the right of an individual. Not only our individual acquaintance, but the rapid spread of woman suffrage in this country tells each of us that there is a widespread desire among women to vote.

Does anyone believe that California or Washington would have granted the suffrage to women in the face of united protest against it from the women; and does anyone know of any united demand from the women of Wyoming for the repeal of this proposition in that State? The gentleman from Wyoming [Mr. MONDELL] who has introduced the pending resolution has, since he introduced that resolution, gone again before the electorate of that State as a candidate for reelection to Congress, and that electorate, including the women of his State, has again given to him its indorsement, and thereby has given the most positive approval that the women are not against woman suffrage. But whether the per cent of women desiring the right to vote be 20 per cent or 50 per cent or 90 per cent is quite immaterial. When the exercise of the right is permitted each individual woman must decide for herself whether and how she shall exercise that right, just as each individual man to-day must decide for himself. But the 80 per cent or 50 per cent or 10 per cent of women who do not think that they need or care to vote should not be permitted to deprive of the exercise of their natural right those women who do care to exercise it. And such is the intelligence, moral quality, and patriotism of womankind that the larger the part that woman consents to take in affairs affecting the general welfare the better will be the results secured.

In so far as their interests are identical with men the right of women to participate in the affairs of their Government is identical with that of men. In so far as matters are concerned where their interests differ the right of the woman to be admitted to participate in the decisions of such matters is intensified.

It is the policy of this administration and of many Members on this floor to parade their solicitude for State rights. They show a greater concern for debatable State rights than they do for acknowledged individual rights.

The various States of the Union, the Federal Government itself, and the individual citizens who maintain governments, both of State and Nation, all have their obligations and their rights defined in our Federal Constitution. The same Constitution provides how it may be amended. This provision was agreed to by the States, and the amendment under consideration is exactly in accordance with the agreed method of amendment. It does not propose to interfere in any way with any matters of purely local or State concern. It is the theory of our Government that those matters which involve alike the welfare of the whole country shall be passed upon by the Federal Government, but local matters which may require different treatment in different sections of the country shall be governed locally. The women in one section of this country I do not believe are materially different from their sisters elsewhere, and especially their natural right to share in their government exists in one State as much as in another. It is simply proposed to guarantee to them everywhere the exercise of that natural right, leaving to the individual States the same control over the exercise of the right of franchise by women as they now have as to men.

These gentlemen who are so exercised about State rights in connection with this proposition should read again the first 10 amendments of the Federal Constitution. These were among the 12 proposed by the Congress of 1789, the other 2 proposed by that Congress not being adopted. In the main, those 10 amendments aim to protect and secure individual rights against any possible infringement on the part of the Federal Government.

The right to bear arms; to security against unreasonable searches or seizures; to trial by jury; to security against being placed twice in jeopardy, deprived of life, liberty, or property, except by due process of law, or the taking of private property for public use without just compensation; to have speedy and public trial by an impartial jury; the right of the defendant to confront witnesses against him and to compel the attendance of witnesses in his favor and have counsel, and the right of trial by jury in civil cases, protection against excessive bail, excessive fines, and cruel and unusual punishments—these all invade possible subjects of State legislation and of State concern, but they were placed in the Federal Constitution as amendments as a bulwark for the protection of individual right as against possible tyranny of State or Nation. Not one of these amendments, which came into the Constitution by amendment, treats of any right of the individual more positive, fundamental, or important than is treated by the amendment proposed to-day—that no individual shall be barred from voting by reason merely of sex. Many here will vote against submitting this new bulwark of individual liberty, this new mark of progress, to the States for consideration. They should note that three States—Georgia, Connecticut, and Massachusetts—voted against every one of the amendments I have above referred to, those guaranties of individual right. In much less than another hundred years votes cast to-day in this House against this resolution will appear as reactionary and as lacking in the true principles of individual liberty as now does the negative vote of those three States.

The resolution before us is a simple guaranty of an inalienable individual right and should become a part of the supreme law of this land. There is an undeniable and widespread demand for the submission of this resolution to the several States for ratification or rejection, and even if I did not myself personally approve of woman suffrage I should not feel, as a believer in popular government, that I had any right to vote to prevent a decision of this question by means of the referendum provided in the Constitution. [Applause.]

Mr. STAFFORD. Mr. Speaker, I yield four minutes to the gentleman from Alabama [Mr. MULKEY].

The SPEAKER. The gentleman from Alabama [Mr. MULKEY] is recognized for four minutes.

Mr. MULKEY. Mr. Speaker, the proposed amendment is far-reaching. Its adoption would require the States to admit woman on an equality with men in the exercise of suffrage. The exercise of the franchise is not a right, but only a privilege granted by law.

There is nothing, so far as I am advised, in our Federal Constitution which prohibits the several States from conferring this privilege upon women. In fact, several of them have already done so.

I am not now going to argue against the wisdom of such provisions in our State laws. I have the profoundest respect for those who are insisting upon this right. I know many women who could vote as intelligently, and probably more so, than some men; they are patriotic, and the end they have in view is their country's good.

Many of them know and understand better than I the principles of good government. I believe that on all great moral issues their votes would be in the right direction; and though many of them might be influenced by sentiment, superficial in its nature, yet in the end they would settle down and act with deliberation.

No man goes before me in his regard for woman, her intellect and her patriotism. She is the salt of the earth. I am not among those who believe her extraordinary powers and talents should be limited or circumscribed. I believe in her expansion. I know her influence is for good. If her precepts and examples were followed, we all agree that the world would be better.

All men, almost, entertain this view. But men, at the ballot box and in the halls of legislation, look after her interest.

At one time in the history of our laws she was civily dead. She could not contract or acquire property without certain kinds of consents of her husband. Many kinds of restrictions were thrown around and about her. They have been removed.

In Alabama, and I believe in most of the States, the only limitation placed upon her power now to contract is that she can not become the surety of her husband. This is for her protection. In most of the States he can not convey an absolute title to his property without her voluntary signature to the deed. She can veto a sale. Usually insurance carried by the husband is exempt from the payment of debts and goes to his wife.

Laws are made for her benefit and protection. If she separates from her husband and undertakes to get a divorce, he is required to pay her lawyer's fee and alimony pending a hearing, though the charges may be wholly groundless.

Man has always been considerate of her welfare, at least in legislative matters. If in court the jury are her sympathizers, and often she wins against evidence and justice. In other words, socially, in legislation, and in the courts she is the ward of the manhood of the country. Why then does she want to exercise the right of suffrage? Could she do any better for herself than man does for her?

If she were here daily contending with us, how much more could she expect to accomplish than is already hers? Nothing but a taste of power. The great cry is that woman should be allowed to vote in order to protect themselves. Against what? Do men oppress them? Do we act toward them as though they were not American citizens or entitled to the protection of our laws? On the contrary we show them every consideration, provide for their safety, and protect their interest always and everywhere. If, therefore, they could vote, they could not improve their condition, but might place themselves in a position that men would not be as tolerant and patient and chivalrous toward them as they now are.

But whether they should or should not vote is not a question proper for national constitutional regulation. The States should regulate it. Different conditions may exist in different States, and hence woman suffrage might be acceptable or desirable in one State and not in another. There seems to be a disposition on the part of some to regard the Federal Constitution as a wholly imperfect document and needing amendment every year. Sir, I do not so regard it. We have lived under it for more than a century. It has stood the storms and tempests. Under its wise and beneficent provisions we have grown to be the greatest Nation in the world, and for one I shall be slow to take any chances on radical changes in our organic law. I shall therefore oppose the amendment. [Applause.]

Mr. MONDELL. Mr. Speaker, I yield another minute to the gentleman from Pennsylvania [Mr. FARR].

The SPEAKER. The gentleman from Pennsylvania [Mr. FARR] is recognized for five minutes.

Mr. FARR. Mr. Speaker this Hall has resounded to-day with praise of woman—her great virtue, her great intelligence, her great morality, her great patriotism—but she is not good enough and intelligent enough to vote.

A few women, like a few men, may be influenced by this fulsome praise, but the vast body of womankind in this country are not phazed with that. They ask for simple justice—the right to participate in this Government, their Government, to be real citizens; and well may we concede that privilege, because it will be for our good, for the good of our Government, and for their good.

Some gentlemen are afraid that the women in the congested districts may not have the necessary intelligence and the morality to vote properly there. I want to tell you, my friends, that women in the congested districts are thinking women. They are surrounded by adversity. They know what are the great problems, and they will know how to help in their solution when they get the opportunity to vote.

The gentleman from Ohio [Mr. BOWDLE] presented interesting figures as to the nonnewspaper readers among the women. The women do not have to read in order to know. They do not have to look in order to see. That great intuitive power of theirs is a source of knowledge and wisdom which, embodied in the practical citizenship of the day, will mean great and useful development. Let me contrast with those figures this statement, that in one penitentiary in this country there are 300 inmates, of whom 275 are men and 25 are women. This is true throughout our country.

We say that good citizenship is based on intelligence and morality. The women have both those qualities, and we need to give them the opportunity to use them in the affairs of government. We may rest assured that they will not vote against their home or their children, and, as a rule, for right and justice, to make conditions better and to help those who need help. As for the sturdy oak and clinging vine theory voiced to-day by those opposed to women voting, we know that in times of trouble, adversity, and distress, when real courage and faith and wisdom are necessary, very frequently the sturdy oak is the woman and the clinging vine the man.

In brief, Mr. Speaker, I am for woman suffrage because our country needs the great civic service which the women can render, and because that privilege accorded to the women will result in a practical development which, joined with their blessed intuitive mentality, keen insight into human nature, high morality, and splendid powers of vision, will be of incalculable benefit to them and to civilization. Already we feel the impulses of

woman's greater activities and thought in the practical consideration of great sociological and moral questions, and we are only at the threshold of the tremendous problems that our rapid increase in population, congested communities, and the struggle for survival will evolve. A woman's power for good in her home, her usefulness there, will be greater. Suffrage will be an incentive to greater information as to politics and government, which, after all, are synonymous terms. This increased knowledge will be reflected in her children, and will be an additional stimulus to her husband to do his full duty as an American citizen.

I want a school of politics established in every home, so that the little ones as they grow up will imbibe from their mothers not only patriotism, but intelligence and information as to the duties and responsibilities of citizenship.

I shall vote, Mr. Speaker, to submit this question to the people of the various States for their consideration. It is a duty we owe them. [Applause.]

Mr. MONDELL. Mr. Speaker, I yield five minutes to the gentleman from California [Mr. HAYES].

The SPEAKER. The gentleman from California [Mr. HAYES] is recognized for five minutes.

Mr. HAYES. Mr. Speaker, in the small time allotted to me it will be impossible for me to discuss this subject in any exhaustive or fundamental way, and I shall not undertake to do so. I shall confine myself largely to a few little facts of personal experience.

I come from a State where the women not only are entitled to the elective franchise, but where they qualify and participate in all elections in almost equal numbers as the men. It is often claimed by the opponents of woman suffrage that the women do not want the ballot and would not avail themselves generally of the right to vote if given it. Of the women of California this is absolutely not true. As large a percentage of the eligible women of California are on the great register as of the men, and of the women who are registered a little higher percentage vote than of the men. It is true that many women who opposed the extension of the franchise to their sex announced in the campaign that resulted in giving it to them in California that they did not want it and would not vote if given the opportunity; but so far as my personal observation goes, all these women have registered and voted, and most, if not all of them, would probably vigorously resist any effort to take the franchise from them.

I have heard ever since I was a youth every argument I have heard advanced on this floor to-day against granting the franchise to women; the same old slush about the home being the kingdom of woman and about her being out of place in politics. Now, nobody denies that the home is the particular kingdom of woman; nobody denies that there is the place where she most shines; but, Mr. Speaker, all these various alleged arguments, based on assumed facts, must fall before the actual demonstrations of experience. The experience of the people of California has demonstrated, as I have had an opportunity to observe, that the possession of the franchise does not change the position of woman with reference to the home in any particular.

Last November we elected in California a full complement of State and county officers. There were also on the official ballot 48 propositions embracing constitutional amendments and initiative and referendum legislation provisions. All the candidates and the various provisions submitted were fully and freely discussed by myself and wife, my sons and daughter and daughter-in-law at several family conclaves before the election with a view to arriving at wise conclusions upon the various candidates and the legislative and constitutional questions at issue. We did not all agree, but no inharmony or quarrel resulted. On election day I took my wife, daughter, and daughter-in-law with me to the polls, where we all voted. We were gone from the house probably 30 minutes. In most families in California the same general program as outlined above was doubtless carried out.

To assert that my wife and daughters by the experience to which I have briefly alluded were in any way contaminated, injured, polluted, or rendered less womanly strikes me as ridiculous and as wholly lacking in any foundation of fact. To say that this experience, or any number of similar ones, tends to divorce a woman from her home or home duties is entirely contrary to the fact. To participate in a campaign and election as carried on in California is no more contaminating to a woman than going to church, or shopping, or participating in club meetings, or calling, or engaging in any of the other activities universally conceded to be proper for women to engage in. So far from making our women less womanly, this activity increases their intelligence, broadens their minds, and renders them more charming as women, while at the same time making them more capable as wives and mothers and home makers and more truly companions and helpmeets to their husbands.

In nearly every community in California before the last election there were associations of women who met once a week to become informed upon the various political issues before the voters. Not only were the various candidates invited to appear before these associations and present their claims, but each one of the constitutional amendments and initiative and referendum propositions to be voted on was discussed, for and against, by members of the legislature and others who had made a special study of each particular question; so that I feel safe in saying that the vote of the women of California last November was certainly as intelligent—and I believe often more intelligent—than the vote of the men.

But the principal reason why I am in favor of extending the franchise to women generally in the United States is that we need their help in arriving at a correct solution of our various political, social, and economical problems. Their viewpoint is somewhat different from ours and things appeal to them in some respects in a different way. We need their efforts to supplement ours. I think I can truly say that their influence upon the politics of California and upon all our social problems there has been elevating, without a single exception. I do not expect the millenium as a result of extending the franchise to women, but that the result will be in any respect evil I do not believe. Therefore I shall cast my vote in favor of the pending resolution. [Applause.]

Mr. MONDELL. Mr. Speaker, I yield two minutes to the gentleman from Oregon [Mr. SINNOTT].

Mr. SINNOTT. Mr. Speaker, as a Representative from a State where we have woman suffrage, I am glad to have even the short period of two minutes to testify to the salutary and wholesome effect of woman suffrage in the State of Oregon. Instead of degrading woman, the ballot for woman in Oregon has resulted in purifying the ballot, has resulted in giving us better political and social conditions in that State. The influence of woman in the State of Oregon on the last legislature has given us a widow's pension, so that women with dependent children are protected from poverty and want. It has also given us a minimum wage law for women and for minor children, so that the sweatshop is unknown in the State of Oregon, and will always be unknown, due to the influence of women on our political and social conditions. [Applause.] It has been stated on the floor to-day that the proper criterion for us to judge whether or not we shall submit a constitutional amendment is, Will it be adopted by the people?

The Constitution furnishes no such criterion for our guidance. Article V contemplates the proposal of amendments "whenever two-thirds of both Houses shall deem it necessary." Story, in his great work on the Constitution, interprets this to mean that whenever two-thirds of both Houses think it expedient amendments shall be proposed.

There is found in section 3, Article II, of the Constitution, language analogous to that found in Article V, to the effect that the President shall recommend to Congress "such measures as he shall judge necessary and expedient." Can it be successfully argued that the President should propose to Congress no measure unless confident of its passage. If so, then the President has either grossly misinterpreted the Constitution or has been greatly deceived or disappointed in his expectation of what he terms "teamwork" on the part of his congressional team mates, for they have wholly ignored his recommendations on great measures, for instance, the rural credit bill.

Mr. VOLSTEAD. Mr. Speaker, I yield five minutes to the gentleman from Illinois [Mr. GORMAN].

Mr. GORMAN. Mr. Speaker, this bill brings before the House for consideration the political rights of approximately one-half the population of the United States of the age of 21 years and upward.

I know the bill is going to be beaten. It will be beaten by selfishness, greed, and fear, masked behind the doctrine of State rights.

I have as much respect for the rights of the States as any man here can have, but when that doctrine obtrudes itself across the pathway of human progress it must, like every other obstacle to progress, be brushed aside.

The demand for woman suffrage denotes a healthy and steady growth of the principle of popular government. "Government derives its just powers from the consent of the governed," said Jefferson, and yet for a hundred years after he said it the Government which he helped to found and whose Constitution he helped to draft has denied to one-half its population any voice in the affairs of their Government.

Jefferson also said "All men are created free and equal," but if he took occasion to glance out of the window of his Monti-

cello home after he had penned the famous lines he would in all probability have caught sight of many black men who were his chattels, just as his horses and cattle were his property, and while he preached the doctrine of equality of men he did not practice it with his black slaves.

Jefferson preached a doctrine which was far in advance of his time, but his practices were in line with the spirit of his own day. I yield to no man in admiration for the doctrines proclaimed by Thomas Jefferson. As a scholar, an author, and a statesman I admire him much, but as a prophet I admire him more.

When he said "All men are created free and equal" he was prophesying. He was not stating the fact, because the fact did not then exist and it does not exist to-day.

When he said "Governments derive their just powers from the consent of the governed" he was prophesying. He was not stating the fact, because the fact did not then exist and it does not exist to-day.

Jefferson is frequently appealed to and quoted from in support of the doctrine of State rights. He was a devoted advocate of that doctrine wherever and whenever it was a vehicle of progress; but when it obstructed progress he did not hesitate to brush it aside. He did not hesitate to acquire Louisiana Territory by means which he regarded as in violation of the Constitution, but its acquisition was in line with progress and a forward step in humanity's upward and onward march.

I am not familiar with any expression by Jefferson on the subject of female suffrage, but the fact that he was a warm advocate of unrestricted manhood suffrage at a time when men were struggling to maintain the principle of manhood suffrage against the "divine rights of kings" leads me to believe that he would not be in favor of one-half of his country's population having the special privilege of voting to the exclusion of the other half, if all were equally qualified. But the question before us is not what Jefferson would do if he were here, nor what Jefferson said or thought. We may look to Jefferson for guidance and consult the authors of the Constitution for inspiration, but the duty to act and the responsibility for the action is ours. One-half of our population is asking for the right to participate in the conduct and management of our Government. The question for us to decide is, Will we vote to let them have a voice in the management of their own Government or will we continue to deny them that right? For my part, and as I view the question, there is but one answer. We can not, in justice to ourselves or the women of the United States, deny them the right to vote.

I shall not attempt to answer any of the alleged arguments against woman suffrage, but I will take the liberty to state here some of the reasons which have prompted me to my conclusion.

It is my conviction that all Governments should derive their just powers from the consent of the governed. This is Democratic doctrine. But such a Government will never be a reality here while one half of our population is deprived by the other half from participating in governmental affairs. All admirers of Jefferson should help to bring about the fulfillment of one of his prophecies, by supporting the bill which gives women the right to vote.

The discrimination which we have so long indulged against women in the matter of voting is unfair, undemocratic, un-American, and unnatural. It harks back to that ancient day when the only government was the tribal government, and the leader of the tribe ruled by virtue of his brute strength.

We have advanced from a government by brute force to a government of men, for men, and by men, but when women have the right to vote, Lincoln's dream of a Government "of the people, by the people, and for the people," which means the abolition of sex discrimination, will have been realized.

There may be some force to the claim frequently made that the right of suffrage should be restricted by certain educational tests or, in some instances, by property qualifications, but never on the ground of sex.

The latest census reports show that in 1912 there were 24,555,754 women 21 years of age and upward in the United States. The same report gives the male population 21 years old and upward as 26,999,151. Of the female population there are 5,591,086 engaged in gainful occupations. Among the occupations in which women are engaged, the following may be mentioned: Lawyers, judges, doctors, ministers of the Gospel, authors, inventors, and teachers in schools and colleges.

There are millions of women in the United States who own property and pay taxes. They are all subject to the laws and must pay their proportionate share for the maintenance of the Government; their property is subject to levy and execution; their children may be taken from them by man-made laws and placed in public institutions. When a woman wants to employ help in her home, in her office, in her factory, workshop, or place of business, she may do so just as men may, but when it comes to hiring a public servant, such as a Member of Congress, or Senator, or President of the United States, she is not permitted to have a voice in the selection, but her property is subject to taxation to help maintain the Government and pay the salaries of servants she is not permitted to have a share in hiring.

There are men in this House who are going to vote against this bill who believe, and are sincere in their belief, that women are not capable of intelligent participation in governmental affairs; that to permit her to do so would be degrading and demoralizing to the women of America. And yet there is not one of us who will not admit that he acquired those fundamental precepts which are always the foundation of good citizenship and honorable manhood at his mother's knee.

We can not here and now give the women of the United States the right to vote, but we can express our judgment that she ought to be permitted to do so, and then leave to the States, through their legally elected legislatures, to say whether they approve our act. We ought, in my judgment, so amend our fundamental law as to permit the women of the United States to share with us in the management of the Government of our country. It is their country as well as ours. Her right to vote should come from the highest source from which we are capable of giving it to her. Her right to vote should rest upon a foundation so secure and be so firmly rooted in the fabric of our Government that no State now existing or hereafter to be created can deny her the right to share in the responsibilities as well as the burdens of government.

Her right to vote should be founded upon the Constitution of the United States. [Applause.]

Mr. WEBB. Mr. Speaker, I yield nine minutes to the gentleman from Alabama [Mr. HEFLIN]. [Applause.]

Mr. STAFFORD. Mr. Speaker, in addition to the nine minutes I also yield him four minutes.

Mr. HEFLIN. Mr. Speaker, when I have spoken nine minutes I will ask to be notified, as I desire to reserve the remaining time.

The SPEAKER pro tempore (Mr. UNDERWOOD). Very well.

Mr. HEFLIN. Mr. Speaker, the man who is indifferent as to whether woman votes or not may be lacking in appreciation of woman; he may be lacking in a proper regard for her highest and best interest. And the man who opposes the movement to bring women into active participation in politics may be prompted by his keen appreciation and great love for womankind. Those who care about what we do and feel interest enough in us to tell us what they think is best for us, whether it pleases us or not, are the ones who appreciate us most and love us best.

So, Mr. Speaker, those representatives of the American people who oppose woman suffrage here to-day are doing what they believe is best for the women of the country. This dragging of our women into politics is a radical change in the status of woman as we have known and loved her all these years, and we do not want anything to happen to her that will rob her of a single charm or impose upon her duties and responsibilities that she should never bear. We are told by good women here to-day that three-fourths of the women of America are opposed to woman suffrage; that they do not want the ballot. They do not stop there. They say that voting and looking after governmental affairs is the duty of the man and that woman has her hands full now with the duties and responsibilities that are hers in the sphere where God in his wisdom has placed her. Mr. Speaker, I am not going to discuss here at length the merits of the proposition to confer upon women the privilege of voting, but I do resent the insinuation and suggestion that woman without the ballot is of no force in society, that she can be of no value to her day and generation unless she becomes a voter. The fact is, Mr. Speaker, she has been the greatest factor in the progress of our country and the betterment of our race. Our country has prospered wonderfully, and through all its marvelous growth and development woman has spoken—not from the hustings with a ballot in her hand, but as a womanly woman, through the social side of her gentle nature, from the fireside with her children gathered around her. [Applause.]

> The greatest battle that ever was fought—
> Shall I tell you where and when?
> On the map of the world you will find it not—
> It was fought by the mothers of men.

The good wives and mothers of our country have bestowed upon their husbands and children the blessings and benedictions of a woman's love. A moment ago a gentleman said that "Love should be above lust," and I agree with him. Mr. Speaker, when a man wins the love of a good woman he has

something worth more than gold, and she is love's queen at the fireside, and love is the fulfilling of the law.

Let me read here a toast proposed to Mayor Mitchel, of New York:

Here's to the woman of days gone by,
May we meet her kind above,
The woman for whom a man would die,
The woman who ruled by love—

[Applause.]

Who didn't harangue and who didn't parade,
In whose home it was sweet to dwell;
Who believed in raising children,
And not in raising ———!

[Applause and laughter.]

Mr. Speaker, in the sphere where God in his wisdom has placed her, woman is as necessary to the welfare and vital life of our country as the sun is necessary to the welfare and vital life of the universe. Woman is now the soul and center of every movement looking to our temporal comfort, our moral welfare, and spiritual uplift, and she is the guardian of the dearest heritage of the human race. [Applause.]

If the political arena becomes more attractive to the average woman than the important duties of the home, who will perform those duties? Man can not, and if woman neglects them the State is doomed and the Republic must perish.

Church government and State government derive their strength and glory from family government, and when the wife and mother, sister, and daughter contribute of their goodness and true soul wealth to the male members of the family, bestowing upon them that which gives beauty, strength, and nobility of character, they are rendering the highest and best service that it is possible to render in this world. [Applause.]

Mr. Speaker, I saw morning-glory vines climb over the doorway of a farmer's home in my district. The blossoms of red, white, and blue, representing the colors of Old Glory, were swinging censors of perfume on the morning air. In the doorway stood the good wife, with a baby in her arms, bidding the children good-by as they went away to school, and I said Henry Grady spoke truly when he said:

The strength of the Republic is lodged in the homes of the people.

Here the mother contributes both sons and daughters to the Commonwealth and the country. Her sons support civil government in time of peace and fight for its preservation in time of war. Her daughters keep the fires of maternal love forever burning on the hearthstone. They are the golden links in the endless chain of the Almighty's plan to bless the earth with beings whom God has in His image made. [Applause.] Let me read here what another has said on this subject:

I have yet to see a maid in love, with any prospects of matrimonial success; I have yet to see a woman with a kindly, sympathetic face and low, sweet voice clamoring for female enfranchisement. The woman who can transform an humble cabin into a happy home, gilded with God's own glory, who can rule her husband in her own sweet way, and rear a crop of boy babies fit to wear the crown of American sovereignty, never imagines that the country is going to the bow wows if she does not get the ballot.

Why, Mr. Speaker, woman votes now in the most important election in all the world. When the candidate for matrimony is abroad in the land, she is the most cherished voter in the universe [applause], and how sweet is the running for office then. He is a candidate for the most important office in the world. Quite different then from canvassing amongst multitudes of men with banners and ballots. There the voting males decide his fate, but here the queen of hearts must shape his destiny. The vote is cast and he has been elected to the high and sacred office of husband and crowned with the benedictions of a woman's love. [Applause.] Now, what cares she for politics when she has the politician? What cares she for the direct vote when she is the power behind the ballot? She had rather have the voter than the vote and she had rather train the voter than to vote.

Far from the fret and the fever of politics, she is the queen of hearts in the American home, the idol of man's affection, and the dearest and sweetest personage in the world. She is the strength and inspiration of every good man in the world to-day. God bless the modest, gentle, home-loving women of our country. [Applause.]

THE HAND THAT ROCKS THE CRADLE RULES THE WORLD.

I believe it was Themistocles who said:

Greece rules the world, Athens rules Greece, I rule Athens, and my wife rules me.

[Laughter.]

Representing American homes, Mr. Speaker, women are here to-day from every section of the country begging Members of Congress not to thrust upon women the burdens and responsibilities of politics. Surely these home makers and preservers, these guardians of all that makes life worth living, are entitled to be heard upon a question that so vitally affects the status of woman and may be the future well-being of the American home. No one can deny that a vast majority of the women of the country are opposed to woman suffrage. Then I submit that it is unfair and unjust to the women to force them into the strife and turmoil of politics when they protest against it at every step of the way. [Applause.]

There is no excuse for this effort to violate every principle of State rights to force upon our women through the Federal Government something that they do not want.

This is a question purely and wholly for the State to determine for itself. If we should offer here an amendment saying that no State in the Union shall have woman suffrage, the very people who are here to-day advocating this Federal amendment would say the State of Colorado or the State of Kansas gave us the ballot and Congress has no right to try to take it away, and I would agree with them.

Mr. Speaker, some months ago this very question came up for consideration in the Democratic caucus of the House, and I took the position there that the people of the various States had the right to regulate the elective franchise, free from Federal interference. The caucus by a vote of more than 2 to 1 adopted my resolution, which read:

Resolved, That the question of suffrage is a State and not a Federal question.

The people of my State are capable in every way of taking care of this important question, and the Member from Alabama who votes to deprive our people of their rights to manage their own affairs in this regard, to prevent them from voting directly on the question in the State, is going contrary to the wishes of the people of Alabama, and he ignores the action taken by a two-thirds vote of his Democratic brethren in party caucus.

Mr. Speaker, the good women of Alabama control the men now in everything that is worth while, and if a majority of the white women of my State ever want the ballot they will get it. But these women do not ask and will not ask the Federal Governmen to take away from the dear old State that they love a right which is sacred to the women as well as to the men. There are not many women in Alabama who want to vote. There are some good women there, however, who do, and the ablest advocate of the cause in Alabama told me that she was opposed to the Federal amendment for woman suffrage; that she wanted the ballot, but wanted the men of Alabama to give it to her. I refer to Mrs. Oscar R. Hundley, of Birmingham.

There are 11 Southern States that have a large negro population, and these States have passed through the dark night of sore trial with vicious, ignorant negroes bartering the ballot and voting against the best interests of the white race. But, thank God, by the exercise of the sovereign power of the State we have purified the ballot and removed a danger that threatened our very civilization. Careless and thoughtless indeed is he who will vote now to put into the hands of three-fourths of the States the power to undo all that these Southern States have done in restricting the franchise and bettering their condition. And yet that is precisely what could happen by taking from the State the right to say who shall or shall not vote. Under this plan three-fourths of the States that have no negro problem could force the amendment into the Constitution against the will and over the protest of every Southern State that has a large negro population.

The preservation of our institutions and the perpetuity of the State in all its virile strength and glory depends upon the retention by the State of all its rights and powers. Mr. Speaker, in the Constitutional Convention of the United States the question arose as to the qualification of voters. It was advocated by some that there should be one general standard fixed by the Federal Government, but the wise men of that convention did not believe that the Federal Government ought to have that power. Benjamin Franklin led the opposition to the Federal idea, and he declared that the State, and the State alone, should say who shall or shall not have and exercise the ballot. That doctrine became the fixed policy of the Government, and has been handed down to us. The State, and the State alone, has the right to speak on this question. [Applause.] Let this House refuse to do anything that will cause conflict between the separate and distinct functions of State and Federal Government. Let this House go on record as standing firmly and strongly by the States in the full and free exercise of the sovereign power vouchsafed unto them by the framers of the Constitution and the founders of this Government. [Applause.] Let the State grow and develop within its prescribed constitutional powers and limitations until she reaches that high destiny fashioned for her by the fathers of the Republic. Unhampered and unhindered by perverted

Federal power, bid her Godspeed and onward as she performs her distinct high mission in the household of sovereign States. [Applause.] Some of the States have woman suffrage. Let those who believe in the cause go to the States and ask them to do as the States having it have done, but do not ask us of the South to vote for a Federal amendment on the suffrage question. Do not ask us to surrender to the Federal Government the only weapon that we had in reconstruction times to defend our homes and institutions from the evils of the vicious, ignorant negro vote.

Under this Federal amendment, Mr. Speaker, the States would be denied the right to vote directly on the question and the legislatures would act instead, whereas if the question comes up in the State, the people vote directly on the amendment to the State constitution, and their will in the matter is determined. In the last two years I have heard women here discussing votes for women, some in favor of and some against woman suffrage. I have seen women who work in industrial pursuits opposing woman suffrage, and I have seen others engaged in the same character of work pleading for the ballot. I have feared that drawing women into politics generally would interfere with their duties and desires in more important matters. I have feared that the path of woman suffrage would lead not beside the still waters of domestic tranquillity. [Laughter.]

Mr. Speaker, I heard a story the other day concerning one of the woman-suffrage States. A man and his wife were both summoned to serve on the jury. The man sat in the rear of the court room and seemed somewhat nervous and embarrassed when the clerk called his name. The judge said, "Mr. Jones, have you any reason to give why you should not serve on the jury this week?" He looked mournfully at the judge and said, "Judge, I see my old lady has been chosen to serve on the jury, and by golly I have jest naturally got to go home and look after the babies." [Applause and laughter.] But some tell us that the man's wife would vote with him. Well, if that is true, why should she be burdened with the ballot? If my wife votes with me and my neighbor's wife votes with him and the two houses vote against each other the result is 2 against 2. Now, suppose my wife does not vote and his wife does not vote, but he and I vote against each other, the result is the same. Then why put that burden on woman? But another says, the wife would not vote with her husband. Well, then, in that event, you have a divided house, and the Bible tells us that a house divided against itself can not stand. [Applause.] Let me read here what the women of Virginia who oppose woman suffrage have to say:

The vast majority of women of the State of Virginia do not desire the burden and responsibility of the franchise, believing in the decision of the Supreme Court of the United States that the franchise is a privilege and not a right. They do not wish the franchise, because facts show indisputably that suffrage has done nothing that its advocates claim for it in the States and countries where women have the ballot; because the best legislation affecting women and children is in the States where women do not have the ballot; because women can not have the franchise without going into politics, and the political woman will be a menace to society, to the home, and to the State; because equal franchise will only double existing conditions in the electorate if all women vote, and it will double election expenses; because more can be done for the advancement of the highest interest of the race by the influence of women free and unfettered by political ties and obligations; because it would be a calamity if woman suffrage were carried into law without the real consent and deliberate demand of the majority of the women of this State.

Mr. Speaker, I want to read just here what a good woman in my State says about woman unburdened with the ballot:

The fundamental school of instruction is the home, for therein is the lever to uplift the world; its handle rests in woman's hands, or in her hands to drag it down into godless desolation. The great masterpieces of character which have ennobled the world have been chiseled by God's hand through His ordained medium—the "Mother."—Miss Lida B. Robertson, Mobile, Ala.

And here is a statement of a good woman in Texas:

The fact remains that she has ever been and ever will be the mother of the race. She is the maker, the reproducer in nature's workshop; around her centers the continuity of the race, the unity of the family, the possibility of society. The great fact of motherhood and home remain the most beautiful and wonderful facts of the universe. As the woman, so is the home; and out of the home are the issues of life and death both for nations and individuals.

Mrs. R. B. McSwain, in Texas Christian Advocate:

The family is the very source and fountain head of the State, and woman selects and elects the head of the family. Show me a nation where the love of home and family is the supreme and paramount thing among its women and I'll show you a nation of increasing worth, growing thought, and enlarging hope. A nation strong and mighty in the earth.

Let me read to you what a woman in Colorado says on the subject:

I can see nothing that it has accomplished in its 16 years here that has not been done equally in other States where they have no woman's suffrage. Our political "ring" remains as corrupt as ever, and the addition of women's votes in the down-town districts has been only to double its purchasable vote. I believe that there is a growing feeling that the whole thing has been a mistake, and that it would be a great relief to be relieved of the responsibility.

MRS. CHALONER E. SCHLEY.

COLORADO SPRINGS.

Listen to what another Colorado woman says:

I am sure that I voice the opinion of a large percentage of Colorado women when I make the statement that we should be glad to see the franchise withdrawn.—Mrs. E. B. Field, jr., Denver, Colo., in the Ladies' Home Journal, April, 1911.

Now, here is a statement from a California lady:

I feel I was in a measure instrumental in bringing suffrage in California, and I want to tell you that if I had it to do over again I would work twice as hard against it.

It is the constant agitation of the same few going about the country that keeps the question before the public and leads some to think the desire for it is general.

Suffrage robs women of all that is gentle, tender, and attractive.

On the good, intelligent woman in the home, rearing her children, with a sense of responsibility and duty, depends the welfare of the Nation. The struggle, strife, contention, bitterness, heart burnings, excitement, agitation, disappointment of politics are not for women. A child has a right to have one parent from whom to inherit the finer qualities of being.

MISS ANNIE BOCK.

LOS ANGELES, CAL.

LEXINGTON, MASS.

Hon. J. THOMAS HEFLIN,
Washington, D. C.

DEAR SIR: I note in the Boston Globe of February 10 an account of your address at the Baptist Church, Falls Church, Va., and I wish to thank you, both for myself and the many women in and around Boston, for your words in behalf of us who are contented to remain in the sphere of life where God in His wisdom has placed us.

And we feel that we can safely leave the government of the country to the men of the home.

May there be found in the present Congress many like yourself who will vote and speak for the modest, refined, home-loving women who do not wish suffrage thrust upon them.

I hope to again see accounts of your words in our behalf.

Cordially,

Mr. Speaker, I have feared that woman would lose something of her modesty, gentleness, and charm by active participation in politics, and that man would lose something of his chivalric bearing and courteous treatment toward woman, and that the movement is contrary to divine teaching and violative of nature's plan—to create a condition in which woman, the weaker sex, is compelled to take an equal part with man on equal terms. Would it not relieve man of his proud office as woman's protector and throw him into the struggle of life with her as his rival, create sex antagonism, and destroy sex sentiment? If the movement should change woman from the status of womanly loveliness as we men know her and love her to-day, it would destroy the dearest and best thing in our lives and leave in our hearts an aching void that the world could never fill. [Applause.] It takes the bloom of her modesty, the grace of her gentleness, the touch of her sympathy, and the glory of her love to make man what he ought to be. [Applause.]

Man is the bold, aggressive governing power. Woman is the gentle, conservative, refining power. Man is the mouthpiece in the political world and woman is the mouthpiece in the social world.

The man and the woman, distinctly different and yet harmoniously cooperative, are fulfilling their mission as God ordained it in the eternal fitness of things. Man the housebuilder and woman the home maker and preserver. Man the protector and defender and woman his helpmeet and good angel in all the stress and strain of life. [Applause.]

This Government is carried on by the men of the homes of America. These men, who vote for the best interest of the home and the country, are the brothers, the sons, the husbands, and the fathers of the women of our land. There are wrongs to be righted, great problems to be solved, but the men born of American mothers can be relied upon to solve them.

Mr. Gladstone has said that the American Constitution is the greatest civic production that ever emanated from the brain of man. Faithful to the doctrine of the old Bible and true to the teachings of the new, our fathers founded this Government upon the family as the unit of political power, with the husband as the recognized and responsible head. Under this splendid system we have marvelously progressed, materially, socially, politically, and religiously. Born but a little more than a century ago into the family of nations, we are to-day the most enlightened and best ruled Government on the globe. Why, then, should we abandon this system of government that has brought us peace, prosperity, and happiness unparalleled among the nations of the earth? [Loud applause.]

Mr. HAYDEN. Mr. Speaker, when I was a young man my father gave me a volume of orations by Wendell Phillips. He told me that he had heard Phillips speak more than once, and that he was a man whose heart was true, whose vision was

clear, and whose gifts were great. Among these orations was one delivered at a convention in Worcester, Mass., on October 15, 1851, entitled "Woman's Rights." Phillips described this convention as "the first organized protest against the injustice which has brooded over the character and destiny of one-half of the human race."

This speech was said by George William Curtis—

To have launched that question upon the sea of popular controversy, more than any other single impulse. In the general statement of principle nothing has been added to that discourse; in vivid and effective eloquence of advocacy it has never been surpassed. All the arguments for independence echoed John Adams in the Continental Congress. All the pleas for applying the American principle of representation to the wives and mothers of American citizens echo the eloquence of Wendell Phillips at Worcester.

A few days ago I sent to the Congressional Library for this oration, and was furnished with the small pamphlet which I hold in my hand. It was published by the National American Woman Suffrage Association and contains the famous Worcester address and two other speeches on the same subject delivered in New York City in 1861 and 1866.

On the title-page are these words, written in the eighty-third year of her age, by that great and good woman, the chief heroine of her generation, who has been described as being to the cause of woman's emancipation what Garrison was to that of the slave:

The beautiful face, the fine figure, the matchless orator, the true friend was the author of these—Wendell Phillips. The like of him we shall ne'er see again.

Dated January 1, 1903, and signed Susan B. Anthony. [Applause.]

Let me read from this plea, made over 60 years ago, but every word of which is applicable to-day and will continue so until every woman is given every right, every privilege, and every liberty that any man now enjoys:

"We rest our claim on the great, eternal principle that taxation and representation must be coextensive; that rights and burdens must correspond to each other; and he who undertakes to answer the argument of this convention must first answer the whole course of English and American history for the last hundred and fifty years. No single principle of liberty has been enunciated from the year 1688 until now that does not cover the claim of woman."

* * * * * * *

"It is, therefore, on the ground of natural justice and on the ground again of the highest expediency, and yet it is because woman, as an immortal and intellectual being, has a right to all the means of education. It is on these grounds that we claim for her the civil rights and privileges which man enjoys."

* * * * * * *

"In every great reform the majority have always said to the claimant, no matter what he claimed, 'You are not fit for such a privilege.' * * * The lower classes in France claimed their civil rights—the right to vote and to direct representation in the Government; but the rich and lettered classes, the men of cultivated intellects, cried out, 'You can not be made fit.' The answer was, 'Let us try.' That France is not, as Spain, utterly crushed beneath the weight of a thousand years of misgovernment is the answer to those who doubt the ultimate success of this experiment.

"Woman stands now at the same door. She says, 'You tell me I have no intellect; give me a chance. You tell me I shall only embarrass politics; let me try.' The only reply is the same stale argument that said to the Jews of Europe, 'You are fit only to make money; you are not fit for the ranks of the Army or the halls of Parliament.' How cogent the eloquent appeal of Macauley:

"What right have we to take this question for granted? Throw open the doors of this House of Commons, throw open the ranks of the imperial army, before you deny eloquence to the countrymen of Isaiah or valor to the descendants of the Maccabees."

"It is the same now with us. Throw open the doors of Congress, throw open those courthouses, throw wide open the doors of your colleges, and give to the sisters of the Motts and Somervilles the same opportunities for culture that men have, and let the result prove what their capacity and intellect really are."

* * * * * * *

"Oh, no! You can not read history unless you read it upside down without admitting that women, cramped, fettered, excluded, degraded as she has been, has yet sometimes, with one ray of her instinctive genius, done more to settle great questions than all the cumbrous intellect of the other sex has achieved."

"Responsibility is one instrument—a great instrument—of education, both moral and intellectual. It sharpens the faculties. It unfolds the moral nature. It makes the careless prudent and turns recklessness into sobriety. Look at the young wife suddenly left a widow, with the care of her children's education and entrance into life thrown upon her. How prudent and sagacious she becomes! How fruitful in resources and comprehensive in her views! How much intellect and character she surprises her old friends with! Look at the statesman, bold and reckless, in opposition; how prudent, how thoughtful, how timid he becomes the moment he is in office and feels that a nation's welfare hangs on his decisions. Women can never study those great questions that interest and stir most deeply the human mind until she studies them under the mingled stimulus and check of this responsibility."

* * * * * * *

"And this is the last great protest against the wrong of ages. It is no argument to my mind, therefore, that the old social fabric of the past is against us."

Most of the arguments that we have heard to-day in opposition to equal suffrage are hoary with antiquity. Old and decrepit as they are, these veterans of a losing cause have again been mustered and mobilized, like the last reserves near the close of a long war, to again do duty. They have been answered long ago, most of them by Wendell Phillips, and I shall use his language from these orations to again put them to rout.

The gentleman from Ohio [Mr. BOWDLE] refers with approval to the words of Saint Paul. Let us see what Phillips has to say about this interpretation of the teachings of the great apostle:

"Now, I am orthodox; I believe in the Bible; I reverence Saint Paul; I believe his was the most masterly intellect that God ever gave to the race; I believe he was the connecting link, the bridge, by which the Asiatic and European mind were joined. I believe that Plato ministers at his feet—but after all he was a man, and not God. He was limited and liable to mistake. You can not anchor this western continent to the Jewish footstool of Saint Paul; and after all, that is the difficulty—religious prejudice. It is not the fashion, we shall beat it; it is not the fastidiousness of the exquisite, we shall smother it; it is the religious prejudice, borrowed from a mistaken interpretation of the New Testament. That is the real Gibraltar with which we are to grapple, and my argument with that is simply this, you left it when you founded a republic; you left it when you inaugurated western civilization; we must grow out of one root."

The gentleman from Ohio is also quite confident that when women vote political differences will cause discord in families. Those of us who reside in the equal-suffrage States know that there is no merit in this contention, but let Phillips answer him:

"'Let women vote!' cries one. 'Why, wives and daughters might be Democrats, while their fathers and husbands were Whigs. It would never do. It would produce endless quarrels.'"

And the self-satisfied objector thinks he has settled the question.

"But if the principle be a sound one, why not apply it in a still more important instance? Difference of religion breeds more quarrels than difference in politics. Yet we allow women to choose their own religious creeds, although we thereby run the risk of wives being Episcopalians while their husbands are Methodists, or daughters Catholics while their fathers are Calvinists. Yet who this side of Turkey dare claim that the law should compel women to have no religious creed or adopt that of their male relatives? Practically, this freedom in religion has made no difficulty; and probably equal freedom in politics would make as little."

The gentleman from Texas [Mr. DIES] told us that the man and woman mind are essentially different. Let me read the answer of Wendell Phillips to that argument:

"Suppose woman, though equal, to differ essentially in her intellect from man; is that any ground for disfranchising them? Shall the Fultons say to the Raphaels, 'Because you can not make steam engines, therefore you shall not vote'? Shall the Napoleons or the Washingtons say to the Wordsworths or the Herschels, 'Because you can not lead armies and govern States, therefore you shall have no civil rights'?"

In his address delivered at Cooper Institute, New York City, on May 10, 1861, Phillips discussed this phase of the question in more detail.

"Then, again, men say, 'She is so different from man that God did not mean she should vote.' Is she? Then I do not know how to vote for her. One of two things is true: She is either exactly like man—exactly like him, teetotally like him—and if she is, then a ballot box based upon brains belongs to her as well as to him; or she is different, and then I do not know how to vote for her. If she is like me—so much like me that I know just as well how to vote for her as she knows how

to vote for herself—then, the very basis of the ballot box being capacity, she being the same as I, has the same right to vote; and if she is so different that she has a different range of avocations and powers and capacities, then it is necessary she should go into the legislature and with her own voice say what she wants and write her wishes into statute books, because nobody is able to interpret her. Choose which horn of the dilemma you please, for on the one or the other the question of the right of woman to vote must hang."

The gentleman from Texas has said that God purposely made men and women different and for different lines of activity. Phillips is in entire agreement with him on this fundamental fact, but draws an entirely different conclusion from it:

"I do not think woman is identical with man. I think if she was, marriage would be a very stupid state. God made the races and the sexes the complement one of the other, and not the identical copy. I think the world, and literature itself, would be barren and insipid if it was not for this exquisite variety of capacities and endowments with which God has variegated the human race. I think woman is different from man, and by reason of that very difference she should be in legislative halls and everywhere else in order to protect herself."

The gentleman from North Carolina [Mr. WEBB] insists that we are thrusting the ballot into the hands of women even though they do not ask it, and the gentleman from Texas [Mr. HENRY] is entirely persuaded that a very large majority of American women are utterly opposed to equal suffrage. This is the answer of Wendell Phillips to that argument:

"The age of physical power is gone, and we want to put ballots into the hands of women. We do not wait for women to ask for them. When I argue the temperance question I do not go down to the drunkard and ask, 'Do you want a prohibitory law?' I know what is good for him a great deal better than he does. When I meet an ignorant set of boys in the street I don't say, 'My poor little ignoramuses, would you like to have a system of public schools?' I know a great deal better what is good for them than they do. Our fathers established public schools before dunces asked for them."

The gentleman from North Carolina is likewise firm in the faith that woman's sphere is the home. He would not distract her attention from the fireside shrine, where she presides as the reigning sovereign and the uncrowned queen, by forcing her into the vortex of politics. This is what Wendell Phillips has to say about woman's sphere:

"We do not attempt to settle what shall be the profession, education, or employment of woman. We have not that presumption. What we ask is simply this, what all other classes have asked before, leave it to woman to choose for herself her profession, her education, and her sphere. We deny to any portion of the species the right to prescribe to any other portion its sphere, its education, or its rights. We deny the right of any individual to prescribe to any other individual his amount of education or his rights. The sphere of each man, of each woman, of each individual, is that sphere which he can, with the highest exercise of his power, perfectly fill."

And again, Phillips says:

"Make the case our own. Is there any man here willing to resign his own right to vote and trust his welfare and his earnings entirely to the votes of others? Suppose any class of men should condescendingly offer to settle for us our capacity or our calling—to vote for us, to choose our sphere for us. How ridicuously impertinent we should consider it. Yet few have the good sense to laugh at the consummate impertinence with which every barroom brawler, every third-rate scribbler, undertakes to settle the sphere of the Martineaus and the De Staels. With what gracious condescension little men continue to lecture and preach on 'the female sphere' and 'female duties.'"

* * * * * * *

"But as for woman, her time must be all so entirely filled in taking care of her household, her cares must be so extensive that neither those of soldiers nor sailors nor merchants can be equal to them. She has not a moment to qualify her for politics. Woman can not be spared long enough from the kitchen to put in a vote, though Abbott Lawrence can be spared from the countinghouse, though Gen. Gaines or Scott can be spared from the camp, though the Lorings and the Choates can be spared from the courts. This is the argument: Stephen Girard can not go to Congress; he is too busy; therefore no man ever shall. Because Gen. Scott has gone to Mexico, and can not be President; therefore no man shall be. Because A. B. is a sailor, gone on a whaling voyage, to be absent for three years, and can not vote, therefore no male inhabitant ever shall. Logic—how profound, how conclusive. Yet this is the exact reasoning in the case of woman."

Almost every gentleman who has spoken to-day in opposition to this resolution began his remarks by an eloquent tribute to womankind, praising them as jewels and stars and angels and the queens and princesses of our hearts. They prize them so highly, however, that they can not bear to think of these delicate and charming creatures participating in politics. Wendell Phillips has completely demolished this argument with his unanswerable logic:

"Does our sense of natural justice dictate that the being who is to suffer under the laws shall first personally assent to them; that the being whose industry government is to burden should have a voice in fixing the character and amount of that burden? Then, while woman is admitted to the gallows, the jail, and the tax list, we have no right to debar her from the ballot box. 'But to go there will hurt that delicacy of character which we have always thought peculiarly her grace.' I can not help that. Let Him who created her capable of politics and made it just that she should have a share in them see to it that these rights which He has conferred do not injure the being He created. Is it for any human being to trample on the laws of justice and liberty from an alleged necessity of helping God govern what He has made? I can not help God govern His world by telling lies or doing what my conscience deems unjust. How absurd to deem it necessary that anyone should do so! When Infinite Wisdom established the rules of right and honesty He saw to it that justice should be always the highest expediency."

In closing let me submit to those who doubt the expediency of adopting equal suffrage at this time, who concede the principle but prefer to postpone the event for reasons of policy, these words from one whose courage for righteousness never faltered in a fight for a just cause:

"The broadest and most far-sighted intellect is utterly unable to foresee the ultimate consequence of any great social change. Ask yourself, on all such occasions, if there be any element of right or wrong in the question, any principle of clear natural justice that turns the scale. If so, take part with the perfect and abstract right and trust God to see that it shall prove the expedient." [Applause.]

Mr. VOLSTEAD. Mr. Speaker, I yield five minutes to the gentleman from Colorado [Mr. KEATING].

Mr. KEATING. Mr. Speaker, 21 years ago the State of Colorado gave its women the ballot. For 21 years the women of Colorado have voted at every election, and in that time they have been called upon to make a choice between candidates for every office from President of the United States to the constable of a precinct.

When the question of giving the women the ballot was before us, all the arguments that have been submitted here to-day were thrashed out.

We were told that the women did not want the ballot; but after they received it, we found that they voted in the same proportion as the men.

We were told that there was something mysterious about politics, something mysterious about the art of government which made it impossible for a woman to understand its intricacies; but as soon as the amendment was placed upon the statute books the women organized study clubs all over the State. They took up the study of political problems, and when they went to the ballot box for the first time we found they were fully as well qualified to cast a ballot as were the men.

We were told that if we gave the women the ballot our homes would be destroyed. And yet, my friends, the homes of Colorado are intact to-day. Our women have not become truculent amazons; our churches are still maintained and are full of worshipers; our schools are in operation and are overflowing with rosy-cheeked youngsters. In fact, my friends, none of the dire predictions made by the opponents of woman suffrage has come to pass.

Mr. BURKE of Pennsylvania. Will the gentleman yield?

The SPEAKER. Does the gentleman from Colorado yield to the gentleman from Pennsylvania?

Mr. KEATING. Yes; I will yield.

Mr. BURKE of Pennsylvania. The gentleman comes from a State that has had woman suffrage for 21 years. Is there any advantage that will arise from the adoption of this amendment to the State of Colorado?

Mr. KEATING. The State of Colorado will benefit to the same extent as every other State of this Union. Every State will benefit by the enactment of a measure which grants substantial justice to one-half the adult population of the country. [Applause.]

Colorado is as much interested in this proposition as Pennsylvania, and Pennsylvania is as much interested as Colorado.

Colorado insists that you shall not place one-half of the intellect of the country in a safety deposit box and refuse to permit it to operate on the problems of government. And Colorado insists that this change shall be carried out according to the terms of the Constitution. We hold that the States have entered into a voluntary agreement that the Constitution may be amended under certain conditions. We are not asking for revolution; we are asking for evolution. We are asking that the Constitution be amended as Pennsylvania agreed it should be amended, and as every other State agreed it should be amended and when it is so amended, whether Pennsylvania agrees to that amendment or not, she will have no right to object.

Mr. BURKE of Pennsylvania. Would the gentleman vote to submit an amendment to the various States prohibiting the States from granting the right of franchise to women?

Mr. KEATING. I would not vote for what I believe would be considered by the people of this country as an absolute absurdity, and I would not ask the gentleman from Pennsylvania to do it.

Mr. BURKE of Pennsylvania. No. You concede to Pennsylvania her right to manage her own affairs.

Mr. KEATING. I concede to Pennsylvania her constitutional rights, and her constitutional rights are to determine who shall vote within her borders up to the time that the Constitution of the United States is changed, and not for one minute longer. [Applause.] When we change the Constitution, then Pennsylvania and South Carolina and all the other States will have to come in under the Constitution. [Applause.]

Many silly and some cruelly slanderous stories have been told concerning the operation of woman suffrage in Colorado. A few years ago the men of the State formed a society for the purpose of denying these falsehoods and refuting these slanders. In indicating his sympathy with the work Hon. CHARLES S. THOMAS, now senior Senator from Colorado, said:

> The one offensive feature of equal suffrage has been the flood of blackguardly abuse heaped upon our women by foes of the movement. Scavengers, commissioned to attack and defame, have made pretense of studying our lives, thoughts, laws, and institutions between trains. The supposition that inclusion in the responsibilities of citizenship implies the instant degradation of our wives, mothers, sisters, and daughters can only proceed from mental perversion and degeneracy.

My mother accompanied me to one of my first party caucuses. My wife votes; my sisters vote. Mine is not an exceptional case. On election morning you can stand at any polling place in any precinct in Colorado and see scores of mothers, wives, and daughters accompanying their male relatives to the polling places.

For many years the polling place in my precinct was located in a church. The three election judges and the two clerks were women who lived in the neighborhood; some of them, undoubtedly, members of the church in which they performed their official duties. The voters who gathered there on election morning were friends and neighbors. The proceedings were as orderly as any ever held within that sacred edifice.

I have been told that in some of the Eastern and Southern States polling places are located in the rear rooms of saloons and in other questionable places which no respectable woman would want to enter. Of course we would not tolerate that sort of thing in Colorado.

Mr. Speaker, the right to vote is a natural right, an "unalienable right," in the sense in which that term is used in the Declaration of Independence.

> We hold that it is a self-evident truth that all men are created equal and endowed with certain unalienable rights, among which are life, liberty, and the pursuit of happiness.

Those are the words of the Declaration of Independence.

"Endowed with certain unalienable rights." Endowed by whom? Not by some prince or president or emperor, but by God himself.

Gentlemen argue that there is no such thing as an "unalienable right," and in a sense that is true, for society has the power, if it has the disposition, to deprive us of even those rights specifically mentioned in the Declaration of Independence—the right to life, liberty, and the pursuit of happiness. Yet the fact that society has the power to deprive us of those rights does not prove that it is justified in doing so, and Democrats, particularly, should scrutinize with jealous care any proposal looking to the limitation of man's God-given privileges.

To my mind the right to vote is the most important of all man's natural rights, and without this right all other rights are insecure.

The freeman knows only two weapons with which he may defend his rights. One is the rifle; the other is the ballot. Deprive him of the latter and he will appeal to the former.

The fathers of the Republic had this thought in mind when they declared that "governments derive their just power from the consent of the governed." How can the governed indicate their consent if they are deprived of the ballot?

And does anyone pretend that women are not among those governed?

But the opponents of woman suffrage say society has a right to limit suffrage in defense of the common good. We are willing to concede that the mentally and morally deficient may properly be excluded, and we are willing to concede that there are moral and mental defectives among the women of this country, but how about the great mass of women who are neither mentally nor morally defective? On what ground does society presume to say that these citizens of a Republic shall not have a voice in the government to which they are expected to yield obedience?

Is it because they are not the physical equals of man? Surely we have not reached that point in our national development where the human being with the biggest muscle is accounted the best citizen. Judged by that standard, Jack Johnson would be the first citizen of the Republic. Is it because women do not perform their share of the world's work? If so, turn to your census reports and learn that millions of women are to-day engaged in gainful occupations, working side by side with their fathers, husbands, and brothers.

Is it because women have not a "stake" in the Nation—because they do not own property and pay taxes? Why, some of our richest citizens are women, and four out of five of the men who own their own rooftrees will tell you that the nest egg which they have laid aside for a rainy day was accumulated through the tireless thrift and marvelous self-sacrifice of the women of the house.

Or is it because women are not men's intellectual equals? I can not believe that that is your excuse, for every schoolhouse, every college, and every university in the land gives the lie to the assertion.

If it is conceded that woman does her share of the world's work, contributes her proportion of the taxes with which the machinery of a government is operated, and is the mental equal of man, then in Heaven's name what excuse can be offered for depriving her of the most sacred right of a free citizen in a free country?

More than 60 years ago a great Jewess, who had fled from her native land to escape religious persecution, stated the case much more succinctly and eloquently than I could hope to present it:

> We ask for our rights not as a gift of charity but as an act of justice, for it is in accordance with the principles of republicanism that as woman has to pay taxes to maintain government she has a right to participate in the formation and administration of it; that as she is amenable to the laws of her country she is entitled to a voice in their enactment and to all the protective advantages they can bestow; that as she is as liable as man to all the vicissitudes of life she ought to enjoy the same social rights and privileges. Any difference, therefore, in political, civil, and social rights on account of sex is in direct violation of the principles of justice and humanity, and as such ought to be held up to the contempt and derision of every lover of human freedom.

I do not believe we will win this fight to-day. It is probable that the majority against the proposed amendment will be quite large, but I would remind our friends and our opponents that "to-morrow is also a day."

Equal suffrage is coming to the people of this country as surely as death and taxes. When you opened the door of the schoolhouse to the little girl you set her feet in the path which will lead her to the ballot box in the maturity of her womanhood. It is evolution, not revolution. The ballot needs woman and woman needs the ballot. Equal suffrage will not bring the millennium, but it will make this Government a little more representative of the people who live under it.

My distinguished friend from Texas [Mr. DIES] presents an interesting psychological study. He is what might be described as a "throw back"—a twentieth century man who thinks in the terms of the eighteenth century. The thought concerning woman's sphere which he sought to express here to-day is not new. A great Frenchman once expressed it in this fashion:

> To please, to be useful to us, to make us love and esteem them, to educate us when young, to take care of us when grown up, to advise, to console us, to render our lives easy and agreeable, these are the duties of women at all times and what they should be taught in their infancy.

That paragraph was written by Jean Jacques Rousseau about 150 years ago. That will serve to show the gentleman from Texas just how far he will have to travel in order to catch up with the procession. That sentiment was not taken very seriously even in Rousseau's time. It can only provoke a smile to-day.

The modern thought has been expressed by Max Eastman, and I take the liberty of quoting it:

> It is not expected by the best advocates of this change that women will reform politics or purge society of evil, but it is expected, with

reasoned and already proved certainty, that political knowledge and experience will develop women. Political responsibility, the character it demands and the recognition it receives, will alter the nature and function of women in society to the benefit of themselves and their husbands and their children and their homes. Upon that ground they declare that it is of vital importance to the advance of civilized life, not only to give the ballot to those women who want it but to rouse those women who do not yet know enough to want it to a better appreciation of the great age in which they live.

Mr. Speaker, as I entered the House to-day a most interesting document was placed in my hands. It was a copy of a resolution presented to the constitutional convention of Texas 40 years ago by Judge W. T. G. Weaver, a great orator and a learned jurist, and father of one of our well-loved colleagues. Coming from the pen of a man born and bred in the South, it constitutes an illuminating contribution to the discussion which is engaging our attention. I ask to make the resolution a part of my remarks, as follows:

From page 191, journal of the Texas constitutional convention of 1875. Proceedings of September 22, 1875. Resolution by Judge W. T. G. Weaver:

"*Resolved*, That woman, being by ordinances of nature the mother of all living human beings, that, if we accept Hebrew traditions, the word 'Eve' typically means the mother of all living, and that, as mother, wife, sister, and daughter, she has the first care of our lives, is our nurse in childhood, our mentor in youth, our companion, helper, and consoler in manhood; our comforting, ministering, and sustaining angel in death, even at the birth, trial, death, and resurrection of Jesus, in the beautiful faith of Christianity, constant to him in the midst of monocracy and despotism; and that in history, wherever she has had the power to speak and act for herself, in the great majority of cases she has risen above the masses, like the full moon out of night's bosom, to shine with the light of beauty, virtue, charity, and truth over the moral darkness around her; and that, in this land of republican faith and representative, democratic government, by every recognition of modern, enlightened Christian civilization, she is morally and mentally man's equal; that the same 'inalienable rights' that Jefferson has made household words in every land, where human liberty has found a home or an advocate, are as much woman's as man's; that she is a citizen as much of these United States, by the same natural rights of citizenship, as man; that the elective franchise, being founded on these natural rights of the people, and inasmuch as woman is of the people and must be governed by the laws made by the people and is often a taxpayer, there is no reason, political, human, or divine—Paul to the contrary notwithstanding—why she should not have the same rights at the ballot box that man has.

"*Resolved further*, That the writer hereof believes that the presence of woman at the ballot box, as an American sovereign, connected with the feminal influence of a virtuous woman, as a legal voter, would do more to protect that shrine of the people's rights than all the laws to guard the elective franchise that have heretofore been passed."

Mr. VOLSTEAD. Mr. Speaker, I yield 15 minutes to the gentleman from Colorado [Mr. TAYLOR].

The SPEAKER. The gentleman from Colorado [Mr. TAYLOR] is recognized for 15 minutes.

Mr. TAYLOR of Colorado. Mr. Speaker, I yield 10 minutes of my time to the gentleman from Missouri [Mr. DECKER].

The SPEAKER. The gentleman from Missouri [Mr. DECKER] is recognized for 10 minutes.

[Mr. DECKER addressed the House. See Appendix.]

Mr. TAYLOR of Colorado. Mr. Speaker, I yield 5 minutes to the gentleman from Connecticut [Mr. REILLY].

Mr. REILLY of Connecticut. Mr. Speaker, I come from a State that has not extended suffrage to woman, but I sincerely hope that a new enlightenment will soon place my State among the States that have. [Applause.] I also belong to a party whose platform in the last election in the State I partly represent pledged itself to equal suffrage. I listened to an argument made to-day to the effect that if you gave the suffrage to woman she would not vote. In the largest town in my district in the last election 6,007 votes were not polled. Would you disfranchise all of the men in that district because of those unpolled votes?

Can not woman, who is the superior of man because she is the mother of man, be trusted in the making of laws that govern man? Who knows better what is good for man than the mother who bore him?

Do you men who are opposed to suffrage for women consider your wife, your mother, your sister, or your daughter unfit to determine what is best to do for good of country, State, or city?

As a matter of fact do you not consult the judgment of one or all in matters most important?

Is not the woman whose hand, heart, and head are the directing forces in the family, able to take part in directing Government by her vote?

The priceless jewel of motherhood is her manly son. Can not you trust a mother to make laws to best govern that son?

In times of trial and tribulation the comfort and advice of woman is sought and given to man; as she helps and sustains him, so can she help and sustain the Government by her vote.

There would be no dirty politics were pure, clean women the politicians. The law-abiding, decent man engaged in any business has no need to fear the power of suffrage in the hand of woman.

The rights of the States will never suffer by reason of voting women, but the wrongs of many will be righted.

Good women, like good men, will never be lowered by politics, but politics will be put on a higher level by reason of woman's participation.

The trend of the times is toward equal suffrage. The man who does not realize it does not keep track of what is going on. His eyes or his head is bad.

The near future will see the realization of the effort of to-day. Eventually equal suffrage; why not now? [Applause.]

Mr. TAYLOR of Colorado. Mr. Speaker, I yield three minutes to the gentleman from New Jersey [Mr. BAKER].

Mr. BAKER. Mr. Speaker, it is probably true that few people who think do not believe that the greatest stiffener in self-respect and quickener in diligence for duty is the consciousness that one has the right to provide by law for personal security. It has been said here, or words to that effect, that if women are allowed to vote they will neglect their work. Is that so with men, since they can vote? It is said, further, that if women vote, they will become wrangling politicians and get themselves elected to Congress. [Laughter.] We all know that mere politicians are never elected to anything. There are no politicians here. These are statesmen, all. [Laughter.]

It has been further said that if women vote, chivalry will go out of flower and never bloom again. Put it down, that kind of chivalry is spurious. When women vote they will receive more chivalrous attention than ever, for they will have added to their amiability, beauty, and intelligence the charm of power. This day's work has shown the splendor of the advance of the cause of equal rights. Men differ as to the channel through which it shall come, but there have been few discordant notes to mar the high conceptions that move the membership of the House; indeed, only one exposed the dimensions of his prejudice through the indulgence of his descriptive genius.

The first real thing in constitutions went into effect on April 30, 1789, just 14 years and 11 days after its founders and makers began to cut down the timbers at Lexington, in Massachusetts, April 19, 1775.

It was and is the greatest of civic productions, for while its expression illustrates the primacy, dimensions, and power of its conceptions, its operation has shown its adaptability, utility, and efficiency in the just government of men.

The very word "constitution" was hateful to those who controlled affairs in that and preceding ages.

It meant too much of definiteness and clarity as to the rights and security of the people, and it infringed and exposed the vagaries of irresponsible power, which thrives best where ignorance is dense and general and morals are low.

Since then physical remoteness and slow communication have been overcome by discovery and invention, so that now every part of the Republic is nearer every other part than one part of a single county was to most parts of the same county a century and a quarter ago, although our territorial extent has multiplied many times; and we are homogeneous as well as numerical, regardless of intervening rivers, mountains, plains, and even oceans.

No questionable act of government can now be done that will not be known by everybody, everywhere, practically within the hour.

Publicity in civics is the guardian angel of free institutions.

Despotism can not bear the light, its littleness and meanness shrivel and wither under the gaze of modern intelligence and moral sensibility.

Local self-government is as useful and necessary as the succession of the seasons and the procession of the celestial planets, but

Centralization in the eighteenth century was a most different thing than centralization in the twentieth century; indeed, even austere and conservative men, as well as the mercurial opportunist, now speak with a complacency approaching enthusiasm of the parliament of man, the federation of the world.

The proposed amendment does not contemplate the repression or restriction of the rights and the power of the people; on the contrary it seeks to sensitize and extend them.

Men have been about the sole artificers in the construction and conduct of government, and there is now on exhibition, with Europe as the stage and a horrified world as the audience, the superlative illustration of the bleeding and burning handiwork of men.

Men are slow either to yield or to divide power, but then, in extenuation or mitigation, it must justly be said they are swift to add to that which they have. It has always been that way; the memory of man runneth not to the contrary.

This has held up progress and has stood in the way of the prevalence of equal rights.

Some brave and true men started the evolution of our Government, and they pushed it along and forward and upward with the utmost pains, patience, faith, and courage.

They had no model, but they had clear minds, far sight, and high purpose. They laid it out on lines that would expand and respond to facts and ideas as they should become known. They did not set much store by the Medo-Persian law "that changeth not."

They knew that power must be kept near the hands of the people or it would be abused, and yet that it must be put beyond the reach of temporary popular frenzy.

That is why they said it would need two-thirds of the House and two-thirds of the Senate to formulate and set in motion any change in the Constitution for submission to the States.

They also had abiding confidence that intelligent, sensitive, and honorable men formulating an amendment, upon petition or otherwise, that would vitally affect the rights and the happiness of the people, would see to it that so great an issue should not be made the butt of arbitrary or vacillating official dictum.

They did not intend that the agent always and not the principal should pronounce the owner's ultimate will, for they knew the sacred story of "the hands of Esau, but the voice of Jacob."

A petition implies there is one who needs that which another can give.

Esther, the queen, knew Ahasuerus, the king, could give or take anything within his dominions of one hundred and seven and twenty provinces. She knew also that if her petition were not received with favor her life was forfeit, but she preferred her petition and saved her people.

Daniel was a mighty supplicator, who made his petition three times each day, and he had such wisdom bestowed upon him that he was the profoundest interpreter and wisest counselor of that or any age.

John of England had a poor ear for petitions. He could see no reason for them, nor could he comprehend their importance until the radiance of the daggers of his barons at Runnymede, 700 years ago, come June next, illuminated his sluggish intellect and taught him that there are human rights which even a king can neither dissipate nor deny.

The American colonists complained that the right of petition was denied them and their wrongs were ignored. They published their lamentations in the form of a declaration, denouncing the sovereign and the sovereignty that refused to hear them; then they flung the king and his scepter into the sea, and when they had assuaged their indignation they wrote and put into force a Constitution, in which they embalmed the sacred right of petition, and they made sure and ample provision for the amendment of the Constitution whenever the light of experience should reveal that it ought to be done.

More American citizens than all the people that lived in this land when that Constitution was proclaimed are now asking the Congress to set in motion the process provided in that great instrument to promote their welfare by broadening their constitutional guaranties, and to that end to enlarge the suffrage by amendment of the Federal Constitution.

Shall the Congress, like the king whom they therefore abolished, refuse to hear them?

There is no function in the all-pervading power of Congress that so vividly illustrates its dignity as its dominance of the form and substance of any and all amendments to the Constitution.

The fundamental law of the Republic can not be adjusted to the light of modern evolution if the Congress is not in step with the progress of the age.

The people may see visions and they may dream dreams, but these can not fructify if the Congress sees fit to interpose its interceptive dictum.

But with power goes responsibility, and the abuse of the one or the neglect of the other will invite swift retribution.

There is not one among us who does not know that the strength of the Republic is derived from the intelligence of the people, and that if our institutions are to endure that strength must be cultivated and utilized.

It follows logically that it is eminently due and pertinent that the Congress should inquire whether the average intelligence of our electoral expression would be lowered if women voted;

Whether the refinement of qualification to vote, as it now obtains, would be degraded if our wives and daughters were brought within its purview;

Whether because one person does not care to vote is a good reason why another person should not be allowed to vote;

Whether it raises an inscrutable question of mental atrophy for one to say he or she is indifferent to the right of franchise;

Whether there is a single instance of any in the quick and not of the dead who does not desire to control his or her own property and to have the right to provide by law for the security of life, liberty, and honor; and

Whether, if this is an age of counsel and progress, of facilitation and celerity, and of adjustment and sensitiveness to the rights of others, it is reasonable to express amazement, criticism, or resentment when constitutionally recognized citizens of the Republic ask to be admitted to the right of franchise.

Such a petition is permeated and attended with all the muniments of dignity.

It conveys the express will of the sovereign to those deputed to perform the functions of subordinate legislation, to formulate and facilitate the purpose to have submitted to the States and thereby their electors the question whether the right of franchise shall be enlarged.

The issue is by no means confined to whether the Members of Congress personally favor the extension of the franchise, but whether the States shall be denied or confirmed in their power to say what shall be the constitutional rights of American citizens.

The right of suffrage is as old as the human race. It is the bedrock upon which the sovereignty of the people rests; its denial is the act, the trick, the subterfuge of the usurper, and it is now wholly forbidden only within the pale of despotism.

It was the refusal of a voice in affairs that drove our ancestors into rebellion against the King and that justified them to themselves in the destruction of private property as their only means of audibly expressing their indignation against injustice; and it was that same wrong that thrust monarchy from the land of the setting sun.

What do the women of this country seek? Is it anything more than their fathers wrung from the crown by the bloody assize of war?

Do they ask for pensions, for preferences, for special privileges, or is it only for a fair field and no favor in the struggle for existence?

If it is true that half of the adult people of the United States have no voice in making the laws under which they live nor adjusting the revenues to which they must contribute, how do we account for our slogan of "Equal rights to all, special privileges to none"?

We have always declared in words that glitter and gleam, "Taxation without representation is usurpation," and yet we deny to women a single word in making the rates and levies through which we compel them to pay hundreds of millions in taxes annually.

Our duplicity outshines our consistency, overmasters our delicacy, and obliterates the last vestige of justice.

The smallest discernible object on earth is the man who boasts dominion over his wife's property.

At what jocund time, in what roseate place, and by what sinuous and sinister means did man acquire the right to violate every rubric of the square deal and to play the small despot?

We laud the Declaration of Independence and point with the scintillating glamor of pride to the fervid arraignment of the King "for imposing taxes on us without our consent," and then proceed to perpetrate the same tyranny on those most dear to us. We place a celestial halo upon the brow of the King by comparison.

Was not that world-convulsing document written by the hands and sanctified by the blood of our common forbears?

Where lies the keener intelligence and the major devotion of the human race?

Are these virtues luminously conspicuous and decorative only in the personality of those who now possess and parade the inestimable power of the franchise?

It is a matter of common knowledge, and no less of pride and satisfaction, that the minds and manners of the rising generation are largely formed and trained by women; and this is neither artificial nor abnormal, but on the contrary it is natural, spontaneous, and beneficial, for there is neither light nor the suggestion of betterment that women are not swift to discern, appreciate, and diffuse. And if this is true, why should we seek to deprive the Republic of the intuitive, subtle, intellectual strength of this boundless source of service?

Are the circumscriptions of the political influence of women to be the proof not only of the survival of prejudice but of its most obstructive culmination?

Is prejudice an illuminant; is it an embellishment?

Does custom sanctify imbecility?

Of whom here that has utility—real, fructifying mentality—has it not been asked, "Who is his mother?" not "Who is his father?"

For ages the firmament has been vocal with applause, the pages of history aflame with eulogy of her foresight, her judgment, and her triumphs.

Would we have exemplifications of her world work?

Who, then, had the prescience to consciously know and the courage of conviction to supply the means to lift the veil from this continent?

Was it Ferdinand of Aragon—the King, the man—or was it Isabella of Castile—the Queen, the woman?

Who drove the invader from France, restored her cities, and reestablished her sovereignty? Was it Charles VII—the King, the man—or was it Joan of Arc, the maid of Domremy?

Was it Francis of Lorraine, Emperor consort, her husband, or was it Maria Theresa herself who rescued Austria-Hungary from the clutches of her insatiable military neighbors and saved the realms of the House of Hapsburg?

The instances of the genius of women for affairs of government are numberless as the stars.

In the cabinet, in the field, in art, in science, in literature, in philosophy, who denies the transcendent intellectual power of women?

Aside from the equities, is it wise to debar this limitless influence, this matchless intelligence from participation in the elucidation of the problems of the Republic?

Like the surging roar of the sounding sea comes the ceaseless and swelling demand that we shall gravely consider the relation of this majestic potentiality to the future of our country.

Is the lurid exhibition of discourtesy and hoodlumism on Pennsylvania Avenue a year ago to be the gauge and guerdon of American civilization?

Has it come to such a pass that it is necessary not only that women should have the franchise, but that they should bear arms to protect themselves from those who are now clothed with the royal right to vote?

Election day is a sovereign day, and should be made a day of sacramental dignity and solemnity.

Shall not our own flesh and blood serve with us at this altar of honor and power?

Who ever increased his estate or enhanced his happiness by subjecting either to the animadversions of a courtier?

Who does not know that over-sweet words make bitter lives?

Paens of adulation, compliment, and admiration are delectable, but they are not dependable; they fade like the mists of the morning in times of stress.

Laws made by those who must live under them and sustain them are the only safe refuge in the mutations of human affairs.

We talk of the good red blood in our veins; is the proof of the color of our personal ichor established by our denial of equal rights to others?

Is it just, magnanimous, or honorable to refuse to others that which we demand for ourselves?

Only unreal men titter and sneer at those who have the splendid courage to try to dissipate prejudice, establish justice, and make an end of a hideous wrong.

Are we conscious of the throb of modernity in civilization?

Was the just, the wise, the martyr, Abraham Lincoln mad when he said: "I go for all who bear arms or who pay taxes, to be admitted to the franchise, by no means excluding females"?

The issue is fundamental. Shall it be postponed by the exertion of the procrastinating power of the House, or shall we rend this ragged remnant of the mantle of despotism from our unwilling shoulders?

Shall we, like the King, refuse to hear the petition?

A tumultuous call is clanging from the hills and sobbing from the valleys for equal rights to all.

Mr. TAYLOR of Colorado. Mr. Speaker, I yield to the gentleman from Indiana [Mr. CLINE].

The SPEAKER. How much time?

Mr. CLINE. Just time enough to say that I desire to extend my remarks in the RECORD.

The SPEAKER. The gentleman has that privilege.

Mr. VOLSTEAD. Mr. Speaker, I have listened with a good deal of interest to the various arguments that have been advanced. I desire to touch upon one or two of these arguments. Those who are opposed to this proposition are especially insistent that this will deprive the State of one of its rights. I can not see how that argument has any pertinence. This is a proposition to submit to the States the question of whether they desire to change the fundamental law. The States, through their legislatures, elected for that purpose, are to determine whether they desire this change or not, and it seems to me that we need not concern ourselves on that point. Let the States settle that when this resolution finally comes before the various legislatures. This States rights argument like arguments against a measure upon the ground that it is unconstitutional is made so often against propositions that are not favored that it is somewhat discredited. It is often made for lack of a better argument.

In line with this doctrine of States rights it is claimed that the Constitution never would have been ratified had this proposition been a part of it and that this right of the States to deprive women of a right to vote is so sacred that it must not be departed from. True there was a time when it would have been idle to have submitted such a resolution as this with any hope of its passage. But during the years that have intervened since the formation of our Government many changes have occurred. Woman no longer occupies the same position in society. She is no longer the dependent, helpless, ignorant person of a century ago. She has risen to a position that gives her a right to ask for equal, fair, and just treatment.

It has been urged that woman is not qualified to vote, and a good many things that seem to me flippant have been said against her. I am not going to defend her. She needs no defense at my hands. It is too late to question her qualifications. She has long since demonstrated her qualifications in the States where for years she has voted. No one in this argument has challenged her course where she has exercised the right which she asks you to accord to her. See what is going on to-day in our public schools. It is the girl, and not the boy, that wins the honors. The graduates from our high schools are largely girls. She is everywhere the teacher of the boys who become our voters, and is now engaged in almost every occupation in life in successful competition with men. She has as good an opportunity to become acquainted with public affairs as men and may be relied upon to act as honestly and intelligently. The right to vote would give her a new and enlarged sphere of usefulness, which would help to develop her powers, just as it helps men.

One of the most amusing and to me ridiculous arguments is the contention that if women are given the right to vote they will be dragged into the mire of dirty politics and will neglect their homes and their children. Those who urge this objection appear to think that all women will immediately go on a strike if we pass this resolution; that from then on they will devote their entire time and attention to voting. Bless your soul, why does not the right to vote affect men in this same way? If the loss of a day or a few hours each year spent in voting is such a tremendous loss to society, why should not men forego the privilege of voting? The men who make this argument appear to assume that men as a class are engaged in dirty politics; that the exercise of the franchise has a debasing influence from which women should be shielded. They urge that the right to vote would corrupt, blunt, and destroy all her finer sensibilities. This argument is not new; it was made against admitting women to our colleges so they might be educated side by side with men. Grave and learned professors protested against that innovation. They protested on the same grounds as are now urged against suffrage for women. She would become debased, lose all her finer sensibilities, neglect her home, her children, and her husband. No doubt some of the men who made this argument still believe it to be true. They are standpatters of the old school and can see no good in anything that does not have the stamp of the fathers. But the world will move on, and the day will come when those who to-day sneer at the women who ask a right to vote will wish that some of their speeches might be forgotten. Why should not a woman have the same protection as a man? The ballot is his great weapon of defense. She has property upon which she is taxed; she has business interests as well as he; she has the home, with all its sacred interests to protect. The home and its interests are safer in her hands than in her husband's. Why should we not give her the power to protect it? You will refuse it to her to-day, you have the power, but if it is right that women should vote, as I firmly believe that it is, she will win some day, and when she does the men who have belittled and ridiculed her to-day will find but little satisfaction in the cheap applause which they have coveted.

Mr. STAFFORD. I yield to the gentleman from Missouri [Mr. BARTHOLDT].

The SPEAKER. For how long?

Mr. STAFFORD. Such time as the gentleman wishes to use.

The SPEAKER. The gentleman from Missouri will proceed.

[Mr. Bartholdt addressed the House. See Appendix.]

Mr. TAYLOR of Colorado. I should like to inquire how much time there is left.

The SPEAKER. Fifty-four minutes.

Mr. TAYLOR of Colorado. How is that time divided?

The SPEAKER. The gentleman from North Carolina [Mr. WEBB] has 2 minutes, the gentleman from Colorado [Mr.

TAYLOR] 17 minutes, the gentleman from Wyoming [Mr. MONDELL] 13 minutes, the gentleman from Wisconsin [Mr. STAFFORD] 17 minutes, and the gentleman from Minnesota [Mr. VOLSTEAD] 5 minutes.

Mr. TAYLOR of Colorado. My understanding is that those who favor the resolution have the right to close, and I reserve that right if I have it.

The SPEAKER. The proponents of the measure have the right to close. That is the rule in every parliamentary body in the world.

Mr. TAYLOR of Colorado. Mr. Speaker, the gentlemen favoring the proposition have more time than those in opposition. I suggest that gentlemen in favor of the proposition use some of their time. We shall have only two speeches in opposition.

Mr. STAFFORD. I shall have only two speeches on this side.

Mr. MONDELL. I yield 10 minutes to the gentleman from Ohio [Mr. FESS].

Mr. FESS. Mr. Speaker, fundamental democracy is found in two great State papers and is expressed by a sentence of one great statesman. One of the State papers is the Declaration of Independence, and the reference I have in mind is the purpose of government as there expressed:

> All men are created equal, and governments are instituted among men to secure certain rights, among which are life, liberty, and happiness, and the right to govern must come from the consent of the governed.

That is fundamental, as expressed in our democracy by Thomas Jefferson. The other great State paper, which Mr. Gladstone said was the greatest single instrument ever stricken off by the brain or purpose of man, is the Constitution:

> The establishment of justice, the promotion of the general welfare, and the security of the blessings of liberty.

These are the best statements of fundamental democracy yet expressed in the history of government in the world. One great statesman couched it in a single sentence when he said:

> Government of the people, for the people, by the people.

Taking these fundamental statements, I ask this legislative body whether you believe that the term "people" and the term "men" exclude women in the conception of the writers of those principles. No one certainly would claim that the women have no interest in the establishment of justice and in the promotion of the general welfare or in the security of the blessings of liberty, and nobody certainly would state that a government of the people, for the people, by the people, is for men and not for women.

The question I ask of this body is, Will these principles be better subserved by a government made for the women than it will be by a government made by the women, or by the addition of the influences that they can give with that of men is the making of laws? Why do we admit women to the schools, admit them to the churches, admit them into industrial life, admit them in everything that makes for a better civilization save the law-making agency of the Government? Why is she excluded from this field of influence? She is not excluded from the church, she is in the church and by being in it she does not lessen her own influence, she does not become less womanly, but she does do the church good and the Nation at large. She is in the school and is the most telling instrument in the education of the Nation. She does not harm the school; she benefits the school, and in her work she does not make herself less womanly. We admit her in the industries. Eight millions of them are in the industries. Her influence in the industries has not made her a less useful agent in the betterment of the world, but she has in a sense helped the agency that should make the world better. The evils in the factory system as they exist will be lessened by her exercise of the ballot. She is admitted to the practice of law. She has not reduced the dignity of the profession and has maintained her own dignity. She is admitted into the ministry in certain churches. She has not in this field or in the home lessened her influence. She does not become less womanly and she does elevate the ministry and the particular religious sphere in which she operates. She is admitted in medicine. She has not lost her womanliness by going into medicine. In the art of healing she has not harmed the public that she serves. I ask again, Why shall women be admitted to every profession, to every avenue of achievement, in all of which she has not only maintained her womanliness but has exalted her profession, and be denied the privilege of using the ballot, the only agent she has to put into effective enforcement the principles that she tries to represent in these other various avenues into which she is admitted? The one weapon she needs must have to materialize in law what she stands for in daily life is the ballot. To me it is hard to understand how I can justify myself in demanding the ballot for myself, and at the same time deny it to my wife and declare that my sister must not have it. It is also difficult for me to understand why men will say, "We do not want to extend to her the ballot, because politics is a dirty pool."

If politics is a dirty pool, then for God's sake admit her in order to clean it up. Your statement argues that exclusive manhood suffrage is a failure. Woman's influence is demanded by your confession. That is the purpose for the urgency for her admission into this activity. Fellow Members, I have listened to almost all the speeches made upon this floor to-day. I respect the men who differ from me and give respect to their arguments. There is an argument offered against woman suffrage by way of constitutional amendment that has force, and that I respect, but it is not conclusive. I should have preferred to leave it to the States as a State question, but that is mere preference. With me it is a question—and a much larger question than State or Federal—Will woman as a lawmaker help us to solve the problems which we have not yet solved? Will she help solve the child-labor problem, the sweat-shop problem, the problem of the white-slave traffic? Will she help to better conditions in industry? Will she facilitate and put into effect measures against occupational diseases? Will she guard better the unfortunate of both sexes, calling loudly for her assistance? She to-day is left with the vacant, empty words of recommendation. Add to this the weapon of the ballot and note the effect.

Will woman, sensitive as she is, be an influence for the humanitarian movements that will make politics clean? The mission of woman in politics is to uplift and is holy.

As I said a moment ago, I would have preferred that this matter be left to the States. Suffrage is properly a State question I admit, but that is no reason why when it comes into this Chamber I should vote against this amendment which is to let the States pass upon this one subject. Shall you deny the right to vote to woman simply because she is a woman? The amendment does not confer the franchise on women. The denial must not be because of sex. She can be denied for other reasons. This is but a limitation and does not destroy the State's authority save in case of sex. Some one said to me, "Mr. Fess, your State voted against woman suffrage. How dare you vote for it?" That is true. I was a member of the Ohio constitutional convention in 1912. We submitted the question of equal suffrage to our State and it was voted down.

In November last the question was before our State again, and I am sorry that it lost by 180,000 majority. But hear me, men; that is no reason why I should surrender my judgment upon an issue that is fundamental in American democracy. I will vote for this measure, and when my people feel that I do not represent them, they have their remedy. I take it that I shall be respected if I cast my vote on this issue, as upon other issues, as my judgment dictates. I do not argue that the franchise is a natural right, neither do I urge it as a privilege, but rather as a duty. No woman risks anything when she performs her duty. She is not contaminated with her stronger sex in the church—in that field she is the more efficient of the two—neither is she in the home, where she is influencing the future citizens; nor in the school, where she is molding the thought and life of the future citizen, who is the coming voter. In all the service of the State, in the home, in the church, in the school, in the various professions, she is molding the future voter. But you declare, without giving good reasons, that she can not and must not be intrusted with the ballot, not because she has not brain power (she equals her brother in the field of research; consults the records of the college and university), not because she has not applied intelligence (see her work in all fields), not because she has not sympathy (consult her activities in social and industrial betterment movements), but simply and only because she is a woman, and the ballot will expose her to the loss of the chivalry of her brother. That is the reason given. Will she lose the chivalrous regard in which she is held by man? Not if the man is a gentleman. If he is not, it is too great a price the public pays for his chivalry.

Her participation will be an advantage to the public. The numerous questions with which we have battled unsuccessfully will appeal to womanhood in a deeper sense than to manhood. Were she a power in lawmaking and in enforcing the law there would be less irresponsible utterances about the futility of the Nation doing this or doing that. I need not enumerate. Men say the people do not want to extend the electorate. It is too much extended now. They cite the votes of several States against suffrage. I care not how many men have voted against extending this power to women. Why should I say that any woman should not have that power? The women have not been heard on it. If only one woman claims the right to vote, upon

what grounds do I justify myself standing up declaring she shall not have the right? Who gave it to me? Who denied it to her? Why to me? Why not to her?

I am told she will not use it, and Ohio, where she votes on school boards, is cited as proof. If I were permitted to vote for a constable and no one else my interest would not be great. If woman must be deprived of the ballot because she will not use it, why not the man for the same reason?

In this best example of a successful government where democracy has been an experiment and so many new governmental ideas and ideals have been worked out, we have clung to one undemocratic practice of admitting women to all avenues of influence and achievement save one, and that one is the sole instrument by which she can make effective the influences which she exerts in varied fields she has already entered.

Can she exercise intelligent judgment in the selection of officers? I say she can. In a great many ways women are superior to men in judgment. There are to-day over a million women devoted to study in the various social betterments associations in our land, becoming most effective in the charity work of the country. There are 1,142 women on charitable boards according to the census. There were, in 1910, 615 women on boards of education in England. I am speaking of a foreign country, but if you take the activities in a city like Chicago or New York or Philadelphia and analyze the activities that are making for social betterment in the cities you will find that women are taking a wonderful position.

The ballot is the one determining agency of action. Principles can be taught. Woman in the home, the church, and the school can pass the lessons of right conduct, of sound national character, of standards of citizenship, but is denied the one necessary element to make such teaching effective. I for one will not deny that right to her, and shall vote to forbid any State denying it simply because she is a woman.

You can not throw the charge into my face that I am voting simply because my State is for it or my State is against it. I vote for it because it is right, it is just, it is equity; and if you do not do it now, you but defer the time, for it will be done later on. [Applause.]

Mr. HENRY. Mr. Speaker, at this time I yield a minute to the gentleman from New Jersey [Mr. TUTTLE].

The SPEAKER. The gentleman from New Jersey is recognized for one minute.

Mr. TUTTLE. Mr. Speaker, the people of New Jersey will pass upon the question of equal suffrage at the election next fall. They are more interested in the result of that election than they are in this discussion of a constitutional amendment; but I desire to extend my remarks in the RECORD by inserting an argument, in connection with a letter, from Mrs. John R. Emery, wife of the vice chancellor of the State and president of the Morristown Branch of the New Jersey Association Opposed to Woman Suffrage. It is as follows:

MORRISTOWN, N. J., *January 11, 1915.*

HON. WILLIAM E. TUTTLE, Jr.,
House of Representatives, Washington, D. C.

DEAR SIR: My duty as president of the Morristown Branch of the New Jersey Association Opposed to Woman Suffrage makes it necessary for me to call your attention to this body of women who in your constituency are strongly opposed to the passage of a Federal amendment in favor of equal suffrage.

To save you from unnecessary annoyance we have decided to write one letter—rather than many—as representing faithfully the expression of our views, and I have been deputed to present these views to you on behalf of our association, which now numbers over 700 women, all over 21 years of age.

I am therefore inclosing you a newspaper copy of my remarks before the New Jersey Legislature last January, which were fully indorsed by our association. It is as follows:

"Mr. Chairman and gentlemen of the committee, the Morristown Branch of the New Jersey Association Opposed to Woman Suffrage was organized on July 3, and after a summer of study took up active work on October 9, and in eight weeks we had a membership of 600 women, all over 21 years of age.

"These women represent every type of American woman from the wage earner at $1.50 a day to the highly educated, college-bred woman of modern life and activities. Every class of social life is represented, and married or single we desire to protest as a body against equal suffrage.

"Our members include hundreds of names of so-called 'independent women' in every line of self-supporting occupation, many of them with families dependent upon their efforts and all with intelligent reasons for opposing equal suffrage.

"We are a home-making, home-loving, law-abiding body of women, and whatever our station in life, drawn together to oppose woman suffrage because we believe it threatens our best interests and the best interests of those dependent upon us.

"We know ourselves to be singularly well protected by the existing laws of our country and our State, and that these laws in regard to marriage and divorce, rights of property, personal freedom and personal privilege, child labor, with all educational and industrial laws, are in our own State just, well considered, and effective. Our recent employers' liability act gives the wage earner ample protection in case of accident, and new and protective legislation is under consideration at all times.

"For more than 100 years the American man has labored to give the American woman and child a status in the law and under our Government that has been the admiration of the world, and we wish to hold the honorable position so given us, and consider the constant criticism of the laws of our country and State both unjust and disloyal.

"We could urge upon you many just and real considerations of sentiment and feeling. Our faithful service to the State in the bearing and rearing of children; the care of the old; the intelligent and honest care of the poor, helpless, and unfortunate through church, charitable, and personal activities; and all the self-imposed duties and responsibilities of the home woman, and we do remind you that all this has been constantly done without the vote. But we do not wish to urge any such sentimental considerations upon you, but rather to beg you to consider this question in its practical bearing upon the American life of the future.

"We do not shrink from the responsibilities of political life just because they are responsibilities, for we have carried the responsibilities of life and death as plain home women for years, and are used to great burdens and have taken our full share of the outside duties of citizenship as well, but we do believe that such sustained political effort as equal suffrage should demand of us to be effective, would in time militate against our best service to the State in the direct and unalterable duties of womanhood.

"We antisuffrage women suffer just as much from 'modern unrest' as do the suffrage women. It is in the air and we too feel it, but we believe—and life has so taught us—that much as we may tire of 'the daily round, the common task' and long for larger fields to conquer, it is just this round of duties accepted and this unrest conquered and fused into serenity of spirit, that makes for the permanent quality and value of home and the race, and that such quality and value would both be seriously impaired by our entrance into political life."

I would further call your attention to some important indications of the effect of the woman-suffrage movement which have appeared during the past year.

We claim that the votes of women have not succeeded in bettering or controlling industrial conditions in Colorado nor have they succeeded in California in introducing valuable economic reforms, as the "high cost of living" there has been increased rather than diminished by a higher rate of taxes since the vote for women has existed there.

That also the proud claim that woman would "purify politics" can not be unquestioned as long as the leaders of the Women's Congressional Union continue to threaten the President and other Government officials with political destruction through their power at the next election unless they would pronounce themselves in favor of woman suffrage. Such a "black list" was indeed published during the current year and would seem to prove that politically there is not much difference between the man political boss and his feminine emulator.

In the Newark Sunday Call of this day I read the following sentence apropos of the approaching debate—referring to the activities of the Women's Congressional Union: "The committee this year is an active committee rather than in times past a semihonorary one. It is made up of women who are giving practically their entire time to the task," etc.

This is, indeed, true and would certainly fairly raise the question as to what becomes of any other than political duties under such stress. It must, indeed, be only the exceptional woman who can have the ability, strength, and energy for such duties and still retain her poise as home-maker and home-keeper.

For years our great neurologists have been telling us of the danger to our race through the nervousness of the American woman. Sanitariums and rest cures have been built and filled by hundreds of nervous cases, and yet the American women of to-day are urging upon their sisters the additional nerve burden of men's duties as well as women's.

We consider also that a great blot rests on the woman suffrage movement, in that they have not sufficiently repudiated the doctrines of the feminists who have allied themselves with them, especially in their teachings on marriage and divorce and their complete destruction of the idea of home centralization as a means of power and self-control.

That they have, in the same way, allowed themselves to be used by the Socialist Party for the advancement of their radical doctrines, having countenanced their organization by carrying their banners in their parades on more than one occasion.

We also deplore their reception and entertainment of such agitators as Mrs. Pankhurst, Miss Christabel Pankhurst, and Mrs. Pethick Lawrence, and we think this should certainly make the men and women of America stop to question the state of mind which makes this possible to women of honor and truth. If these are to be their political ideals, is it worth while to introduce them in America?

All these considerations lead us to believe that, politically as well as ethically, the equal suffrage will not benefit either our country, our women, or our race.

And, lastly, we contend that never in the history of politics has any party made such large and varied and overwhelming promises to gain votes as has the National Association for Equal Suffrage and the Woman's Congressional Union, and that it will take them until the millenium to make good their promises; and therefore their futility is apparent; and that until this association can control its own members on these and kindred points, it has not the vital force to entitle it to change our established Constitution by any such disturbing amendment as that proposed, especially at a time in the world's history when we need all the stability and responsibility of our form of government to meet and stay the upheaval of world powers now trembling in the balance.

If ever our country is to prove the superiority of her faith, her Government, and her ideals, now is the appointed time, and it is not for her women, the cradle of her race, to tear down her safeguards, but, rather, it is their duty to conserve and strengthen her in "quietness and confidence."

Very respectfully, yours,

MRS. JOHN R. EMERY,
President of the Morristown Branch of the New Jersey Association Opposed to Woman Suffrage.

JANUARY 10, 1915.

Mr. TAYLOR of Colorado. Mr. Speaker, does the gentleman from Wisconsin want to speak?

Mr. STAFFORD. I may have only one speaker in closing.

Mr. TAYLOR of Colorado. Are you going to give your 17 minutes to one speaker?

Mr. STAFFORD. I may. One of the speakers I had in mind just declined to use the time.

Mr. TAYLOR of Colorado. Then you have only one speaker left?

Mr. STAFFORD. I may have two.

Mr. TAYLOR of Colorado. Mr. Speaker, I yield eight minutes to the gentleman from Alabama [Mr. HOBSON].

Mr. HOBSON. Do I understand, Mr. Speaker, that the gentleman from Minnesota [Mr. VOLSTEAD] is going to yield me five minutes at the conclusion of the eight?

Mr. VOLSTEAD. I yield the balance of my time to the gentleman.

The SPEAKER. Then the gentleman is recognized for 13 minutes.

Mr. HOBSON. Mr. Speaker, in my remarks on the merit of the rule I ventured to refer to the rights of the States and point out what I wish now to review, that the proposed resolution does not interfere with those rights. It does not impose anything upon the States. It simply permits the sisterhood of States to put certain limitations both upon the Federal Government and upon themselves, and three-quarters of the sisterhood of States have an inherent fundamental right to that thing. To deny them this opportunity is to deny them the most vital of all their reserved rights.

Let me remind my colleagues, particularly those from the South, that this prescription of the qualifications of the franchise applies only to the question of sex. It does not inject any new problem into the franchise problems of the States; it does not complicate any existing problem in the franchise problems of the State. It is a complete fallacy to contend that the question of sex, the inhibition of discrimination on account of sex, would involve the race question in politics or any other complication. The sisterhood of States would leave individual States in full control of questions of the franchise, subject only to the provision that whatever the qualifications are that a State may prescribe citizens of the United States and citizens of that State shall not be discriminated against because of sex. I do not maintain that the franchise is itself an inherent right or a natural right, but I do maintain that unjustified discrimination is an inherent wrong.

If on any reasonable qualification requirement the vote were denied women simply as it is denied men I would have nothing to say. What are the legitimate qualifications for the exercise of this, the inherent right of free men? It is not might and brute force; it is not physical strength. Some have said, because women do not carry arms they should not be allowed to vote. I answer, neither do men bear children; why should they be allowed to vote? Is the carrying of arms more vital than the bearing of children?

Show me any function that man renders to society and to the State that is more fundamental than woman's function of bearing and rearing children and creating and maintaining the home. In the last analysis the true line of demarcation for determining the qualifications for the franchise is the character. If any gentleman here will demonstrate to me scientifically that woman has on the average a lower standard of character than man, I will not advocate the submission of this amendment. But there is no gentleman on this floor, however materialistic is his philosophy of life, who would dare to make such an assertion. On the contrary, it is known of all men, it is the uniform experience of criminal jurisprudence, it is on the records of our courts everywhere, that woman on the whole and on the average has a very much higher standard of character than man.

Therefore if either sex should be disqualified from the exercise of the franchise on account of sex it should be the male sex, and not the female. To discriminate against this citizen who has these highest qualifications is indefensible; it is fundamentally wrong.

Next after character comes the qualification of intelligence—educated intelligence. Proofs are overwhelming in the records of our schools—of the graduates from our high schools, of the teachers—showing that women are better educated than men. Women do not get their mental food daily from the headlines of newspapers on crowded cars, as the gentleman from Ohio seems to suspect; but those who sell standard books and edit standard magazines testify that woman is the reading sex of the race instead of man.

By the test of both intelligence—educated intelligence—and of character woman stands with higher qualifications than man. To deny her the right through the ballot to protect herself and her home and all that she holds dear because of her sex is absolutely indefensible. I understand why this has been so in the past. Governments have grown out of the military institutions of the past when making war was the chief function of the state. Naturally physical strength to bear arms—brute force—was usually the determining factor in government, as in war. It is natural, when the institution of suffrage was evolved, that it should have been confined to men. But what justification can be shown for continuing this relic of barbarism into the present and future ages where the destroying principle of war is giving way to the conserving, building principle of peace, where the test for fitness to survive in men and in nations is the capacity and the willingness to cooperate and to serve; when the greatest is to be the servant of all?

If we fail to vote for this resolution, we not only violate the inherent rights of the sisterhood of States, but we violate the inherent rights of man, dictated by the principle of immutable justice.

The SPEAKER. The gentleman has used eight minutes.

Mr. HOBSON. Mr. Speaker, in the five minutes remaining I wish to lay down a fundamental proposition from which there is no escape. The permanent success of free institutions rests, and can rest, on no other foundation than the average standard of character behind the vote. When that average gets low in the multiplication of degenerate votes the use of money—the danger of corruption—becomes increasingly menacing. By the use of money and corruption with degenerate votes tyrants have overthrown the liberties of Rome and of Greece, and unscrupulous monopolies are now menacing the liberties of America in cities, in States, and in this Nation. They help create the growing degenerate vote and then supply the corruption money with which to buy those votes and deliver them to politicians and political parties that will do their bidding and leave the people helpless in their hands. If we should give the vote to woman, we would of necessity raise the average standard of character and intelligence behind the vote and would put this Nation and its institutions upon a surer and more solid foundation. I do not overdraw this fundamental proposition when I say that in large measure the very perpetuity of our free institutions depends upon our taking some such measure as this to raise the average standard of character behind the vote.

Mr. Speaker, several times to-day I have been ashamed of my sex. Can anyone conceive of women saying such things as have been said here to-day apparently with gusto and self-congratulation, things that show an utter materialistic view of life, where the relation of the sexes was regarded as one of lust, not of the spiritual relationship, of true inspiring love. For myself and the majority of my colleagues I wish to repudiate this attitude. Man has an immortal soul. It is this spiritual part of man that gives dignity to human life above the life of the brute. In the differentiation of occupation the women in the homes, in the schools, in the churches, in the charities, and tender ministries of hospitals and philanthropy the women of the race have conserved and developed the spiritual nature of man. The great weakness of politics and government to-day is that they reflect largely, if not exclusively, the motive and activities of men who are engaged chiefly in business. I do not undervalue the importance of business and industry when I say this influence in government should be less exclusive. The great need of our day is to project woman's sphere, woman's activities, and woman's influence into government, so that questions affecting the home, the protection of the children, and the good morals of society would share with business the attention of public servants, the efforts and aims of public policy.

The only real effective way to accomplish this result is to give the ballot to woman. The effect on public servants is magical. Not two years ago, before equal suffrage was established in Illinois, Members of the Illinois delegation in this House were not inclined to give any consideration even to the elemental rights of women, their right to police protection when peaceably parading the streets of Washington being questioned on the floor of this House. To-day the Illinois delegation is so docile it eats salt out of woman's hand.

Mr. Speaker, all government exists to promote the evolution and uplift of the Nation and the race. If women had the ballot, it would broaden her views and activities and make her better equipped to be the companion of her husband. It would make her better equipped in heredity to be the mother of men. At the same time it would project woman's life more and more into the life of her husband, and not only make a better foundation for a true home but develop more the spiritual side of her husband. Our institutions need woman suffrage. The home needs woman suffrage. Woman needs woman suffrage. Man needs woman suffrage. Woman suffrage is now a crying need for the evolution of the race.

I am not a disciple of Swedenborg nor of Darwin, great scientist as he was. I certainly do not share the materialistic, atheistical philosophy of Robert Ingersoll. I know that nature

is not trying to develop a race of physical giants, but a race of noble men, rising higher and ever higher in spiritual attributes. I believe what the Bible says, to be carnally minded is death, but to be spiritually minded is life everlasting.

There is but one real question to ask: Would the giving of the ballot to woman tend to lower her average standard of character? Would it tend to take her from the home and have her no longer the differentiated repository of the spiritual life of the race. The testimony from all Members from suffrage States is directly to the contrary. I have not yet found anyone who has seen the franchise exercised in any equal-suffrage State—I have yet to find one man from a suffrage State, in politics or out, who said it tended to lower the character of woman to have her exercise the ballot.

Mr. Speaker, there are really no substantial objections to this question that are tenable. The passage of this resolution would accord to the sisterhood of States the opportunity to exercise their most fundamental right to change the organic law; it would comply with the Democratic principle of the referendum. Granting the ballot to women would render justice to half, and the weaker half, of our citizenship; it would strengthen the foundation of our free institutions; it would be in accord with and advance the political evolution of the age; it would help to solve the most difficult problems of the day and insure the great reforms now pending in the land; it would strengthen the home, aid in the development of both sexes on higher lines, and would advance the evolution of the race. I would that the friends of this great movement could get the necessary two-thirds majority here to-day. I fear they will not; but I say to these good women and the friends of equal suffrage everywhere, be of good cheer. The forces of nature and of nature's God are with you. Go forward, and in the end the victory will be yours. [Applause.]

The SPEAKER. In announcing what time was left, a few minutes ago, the Chair accidentally left out five minutes belonging to the gentleman from Alabama [Mr. HEFLIN]. The Chair wishes to make the announcement now, so that there will be no mistake about it; and he announces again that the proponents of this proposition have the right to close.

Mr. STAFFORD. A parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. STAFFORD. Have the proponents the right to close in more than one speech?

The SPEAKER. No.

Mr. STAFFORD. I yield 10 minutes to the gentleman from Minnesota [Mr. MILLER].

Mr. MILLER. Mr. Speaker, I find myself to a considerable extent in sympathy with the arguments which have been presented to-day advocating the right of woman to vote. But, Mr. Speaker, I find it impossible for myself to agree that this proposed change should be wrought in the Constitution of the United States. This Government of ours is a government of law. The majesty of the law is supreme in the Nation, in the State, in the town. It is the concrete result of 1,200 years of struggle for free institutions. It is the triumph of liberty, the supreme hour of conquest by man over the elements of tyranny and subjugation.

We have a most remarkable scheme of government. There are two sovereignties. There is the sovereignty of the United States and there is the sovereignty of each of the States. The structure of our Government and the spirit of our institutions require that these two sovereignties, each in its appropriate sphere, shall be supreme. The law under which our Nation is governed springs from the voting population. It is the effectuated will and desire, nationally speaking, of the people of our country. The law under which the States rule their own private and local affairs is the law that comes from the voters of the States. The structure, both Nation wide and State wide, rests upon the voting part of the population. Therefore the franchise is the fundamental fact in our institutional life. He who would place a disturbing hand upon the right to vote respecting those things that touch our national life touches the very heart and soul of the stability of our National Government and the perpetuity of our national free institutions. He who would lay a disturbing hand upon the franchise exercised in State and local matters affects directly the local welfare, the local autonomy, the very spirit of the local, free institutions of the States.

Mr. Speaker, I concede for the purpose of this argument that if it shall be proposed to amend the Constitution so that we shall prescribe who shall have the right to vote for Members of this House, the Members of the Senate, or the President of the United States, we very properly have the power so to act. Furthermore, we have the right so to act. It is a matter of national concern, this right to vote for national officers. One of the essential attributes of sovereignty is self-preservation. It is a right and a duty of sovereignty to perpetuate its existence. Our national sovereignty, our National Government, therefore, has a right to specify who shall vote upon national questions, and especially who shall vote for national officials.

But our control nationally should stop there. The lawmaking power of the Nation is vested in Congress, restricted in its exercise to certain specified classes of legislation. All other classes of legislation rest with the lawmaking power of the State. All State matters, all local municipal matters, including all property taxation, are outside the national power, and preserved completely to the States. The States, under our scheme of dual government, must have the right to determine who shall vote on all local matters. In no other way can the State exercise the duties placed upon it by the scheme of government under which we live. Local self-government is the foundation of free institutions. If you take from the State the power to determine who shall vote in local and State matters, you take from the State an essential element of her sovereignty, you lay a heavy hand upon the foundation of her free institutions, and you subvert the very scheme of government established by the Constitution.

Mr. Speaker, I say that when we attempt to specify by a Nation-wide law who shall have the right to vote in the States for State officers, in the municipalities for municipal officers, for the rates and kinds of taxation in local affairs, and for all purposes in the local subdivisions of the respective States, we are violating the spirit of free institutions and definitely disturbing the structure of our form of government.

Mr. MONDELL. Mr. Speaker——

Mr. MILLER. I can not yield, for I have not the time.

Mr. MONDELL. I wanted to ask the gentleman if he excepted the fifteenth amendment.

Mr. MILLER. What did the gentleman say?

Mr. MONDELL. The gentleman declines to yield, and I think I have no right to force him to.

Mr. MILLER. I think I understood the gentleman to speak of the fifteenth amendment. If I have the time, I shall be glad to address myself to it.

Mr. MONDELL. I simply asked the gentleman if he excepts the fifteenth amendment.

Mr. MILLER. If I have the time, I will address myself to that; but for the present I must continue. The men who framed the Constitution under which we live, under which we have grown strong, under which we claim we have become the greatest people in the world, must have had some elements of wisdom. It was framed by our forefathers. I understand it is not exactly fashionable now to follow the wisdom and pay heed to the advice of our grandfathers. It has been stated in effect by high authority that the wisdom of the present is quite sufficient unto itself. But, Mr. Speaker, I am old-fashioned enough to be glad for the heritage from our fathers. In all ages the present is little more than the accumulation of all the past. That is inevitably so in days of progress.

Therefore I am not ashamed or afraid of the wisdom of our grandsires. I am not ashamed of the wisdom of the framers of the Constitution. They wrote into that document not theoretical considerations, such as John Locke wrote into his proposed government for Utopia. They gathered, as we have heard it said time and again, from the experience of a thousand years of human effort, put it into concrete form, and gave it to the world as a working Constitution for an enlightened and self-governing people.

Now, this question was before them in 1787. In the Constitution they then framed, and under which we have since lived, they said we shall leave to the legislatures of the respective States to determine how and by whom shall be chosen electors of the President of the United States. They said the qualifications of those who shall vote for Members of the National House of Representatives shall be the same qualifications as are required of those who vote for the popular branch of the State legislature. We recognized the wisdom of that two or three years ago when we wrote the same language, almost word for word, in the amendment to the Constitution providing for the popular election of United States Senators.

I find, Mr. Speaker, at least I find it to my satisfaction, that of all the great and distinguished men whose wisdom and whose knowledge illuminated the constitutional convention that probably the man who had the clearest mind, the man who displayed the highest constructive statesmanship, the man who wrote most into the Constitution that we have was James Wilson, of Pennsylvania. He was the champion also of popular government. He was the champion of free institutions, and definitely labored to shape the structure of government to that end.

When there came up the question whether or not the Members of this body, the House of Representatives, should be elected by the legislatures of the respective States or by the people of the United States Mr. Wilson was the great champion of the people.

The SPEAKER. The time of the gentleman has expired.

Mr. STAFFORD. I yield to the gentleman five minutes more.

Mr. MILLER. In the great argument which he presented in behalf of popular election by the people he used this language, as recorded by Madison:

> Mr. Wilson contended strenuously for drawing the most numerous branch of the legislature immediately from the people. He was for raising the Federal pyramid to a considerable altitude, and for that reason wished to give it as broad a basis as possible. No government can long subsist without the confidence of the people. In a republican government this confidence was peculiarly essential.

Those are immortal words, as immortal as the principle of free institutions. Mr. Wilson was the moving spirit of the subcommittee that finally drafted the Constitution. When this paragraph was brought before the convention for consideration the question at once arose as to the qualifications of those who should vote for the Members of the House of Representatives. There were many compromises in the Constitution, because there were many, often radically, divergent views.

But upon this point there is no compromise, because there were no divergent views. The gentlemen from Massachusetts joined hands with the gentlemen from South Carolina, the delegates of all the States united in saying that we should leave to the respective States the absolute power to decide who in those States should be the electors. Note well that these wise fathers of ours were unanimous in the opinion that the States should decide as to the qualifications of voters on all State and local matters, and also the qualifications for voters on national matters, and in the election of national officers, merely specifying that anyone who votes in the State for members of the State legislature shall have a right to vote for a Member of Congress, and only such. When this important paragraph was reached in the convention Mr. Wilson said:

> This part of the report was well considered by the committee. We did not think it could be changed for the better. It was difficult to form any uniform rule of qualifications for all of the States.

Unnecessary innovations, he thought, too, should be avoided. It would be very hard and disagreeable for the same persons at the same time to vote for representatives in the State legislature and to be excluded from a vote for those in the National Legislature.

That language and that wisdom was all-sufficient with the framers of the Constitution.

This proposed amendment, Mr. Speaker, must be designed as a strong arm to force woman suffrage into States that are opposed to it. Its advocates frankly say so. I say that is undemocratic, unrepublican, contrary to the vital spirit of our free institutions. It is easy to ask a short cut when we are impatient of proceeding in a legal and orderly way, but the forces of human progress are the forces of evolution, and under the great guiding hand of Providence they are necessarily, as they ought to be, slow that they may be right.

If I were at this hour a member of a State legislature and it was proposed to submit to my State the right to vote upon this question, I would vote for it because I believe the people of every State ought to have the right to decide whether the franchise shall be extended to women; but, Mr. Speaker, this does not even propose that the people of the States shall have a right to vote upon it. It is a short cut that will cut out and prevent a popular expression of the will of the people. [Applause.]

Such a deep, radical, revolutionary change as this can never be successful or permanent unless adopted by an affirmative vote of the people. This amendment, should it carry, would go to the State legislatures, to be voted upon by these organizations. It would never be submitted to or accepted by the people. I am strongly of the opinion that each State should settle this question for itself; that a campaign should be waged in the State, one in which the women opposed to woman suffrage will be heard on even terms with those who advocate it, and a fair expression of the will of the people ascertained.

Those advocating this short-cut procedure should pause to reflect. Supposing this amendment was proposed by the Congress and ratified by three-fourths of the States. It just happens that on this question those States which surely would not ratify, though only 11 in number, nevertheless contain more than one-half our population. Some of these States doubtless would acquiesce; others would resent it bitterly. Woman suffrage would be extended to one-half, or a large part, of our population by the instrumentality of force. By the use of force resistance to the change would be intensified. You can often lead when it is fatal to try to drive. The use of force to extend the franchise is not the operation of free institutions, but the activity of tyranny, and should never be attempted in a Government like ours.

The gentleman from Wyoming mentioned the fifteenth amendment. An unfortunate suggestion on his part. In all our history the only instance where we have in the least departed from our scheme of government and the rule laid down in the Constitution is when we adopted the fifteenth amendment. Mr. Speaker, the one part of our Constitution and amendments thereto, and the only part, that is an absolute failure and of no force and effect is the fifteenth amendment. It failed and it was certain to fail, because it did not express the mind and sense of the people among whom it was to be enforced. I believe the negro should be allowed to vote, but all the world knows the negro does not vote in the South, though the fifteenth amendment has been adopted for more than 50 years. Our experience there should give us pause here. Law must come from the people; it can not be superimposed upon the people and our free institutions be preserved. Any law to be of value or to long endure must be a concrete expression of the mind and sense of the people. As the voting privilege is the most vital of all State and National matters, so it must conform to the desires of the people among whom it is to be employed. [Applause.]

The SPEAKER. The time of the gentleman from Minnesota has expired.

Mr. TAYLOR of Colorado. Mr. Speaker, I yield to the gentleman from Illinois [Mr. SABATH].

Mr. SABATH. Mr. Speaker, having some time ago expressed myself as in favor of this pending resolution, a question has been propounded to me as to how I can reconcile my action in voting for this resolution with my action in voting against the Hobson prohibition resolution. My answer has been and is that I voted against the Hobson resolution because it tended to deprive the people of personal liberty, a right granted to them by the Constitution of the United States. Contrary to the Hobson resolution, this resolution which we are now considering tends to extend personal and political liberty and give to one-half of the population of the United States a right and a privilege to which, in my opinion, that half of our citizenship is entitled, and which up to the present time has been denied them.

For that reason I shall vote, as I have stated, in favor of this resolution. As a Democrat who believes in progressive legislation, I deem it my duty and my party's duty to stand for progressive legislation. My State has already granted partial suffrage to women, and I shall follow the dictum of the law of my State.

The Democratic Party has been successful in the last two campaigns because the people of the country believe that our party has given them the progressive legislation they demanded. I believe that it would be unwise for us to refuse to continue this policy in the present instance.

Mr. Speaker, when the woman-suffrage bill received a majority of the votes in the house of the Illinois State Legislature the people of Illinois were surprised; when the majority of the votes cast in the senate were in favor of that law, the people were amazed; and when the Democratic governor of the State affixed his signature to the bill, making it a law, giving equal suffrage to the women of Illinois, they were alarmed.

Notwithstanding the fact that from a political point of view a great many Democrats questioned the wisdom of this legislation, in the State of Illinois it is now admitted that the party has not suffered. The fears which were in the hearts of many that the young but energetic Bull Moose Party would be greatly benefited and would receive the votes of the women of Illinois were groundless and did not materialize. The majority of the women demonstrated their appreciation and remained loyal to the Democratic Party which secured for them this privilege in our State. I feel satisfied that the experience of Illinois, and particularly of the city of Chicago, will be that of other States.

Among the arguments originally advanced against the extension of suffrage to women was that the majority of the women did not want the ballot; that they were not asking for suffrage; and that if it were given to them only a few would avail themselves of the privilege. These contentions have been shown to be erroneous, for in the city of Chicago over 200,000 women registered in the first registration and nearly 160,000 voted in the first election. I wish to assure the House that the votes of these women were carefully and judicially cast, and as intelligently as those cast by the male voters.

I am free to admit that I was doubtful of the wisdom of this legislation, but whatever doubt existed in my mind has been wiped out by the two primaries and elections held in our State since women were granted the right of suffrage. In several of the local wards where women were candidates against men for

the position of alderman the women voters cast more votes for the men than for the women candidates. Similarly, in Colorado and other States a large majority of the women, contrary to predictions, voted against prohibition, thus demonstrating their broad and liberal views. I have the utmost confidence, in the light of recent experiences, that they will continue to assist in the election of those men to office who are best fitted and most deserving, and will support and work for legislation which is for the best interests of the masses and the Nation.

Notwithstanding the fact that it is six weeks before the coming primary election to select a mayor for the city of Chicago, the women are now preparing to take an active part in that primary, and the reports I am receiving satisfy me that they are appreciative of him who has aided their cause and who for years has recognized them by appointing them to important positions in the city—the great five-time mayor of Chicago, Carter H. Harrison

I have a letter from him on this subject which is worthy of careful consideration and which I shall read as a part of my remarks:

MAYOR'S OFFICE,
City of Chicago, January 7, 1915.

Hon. A. J. SABATH,
House of Representatives, Washington, D. C.

FRIEND SABATH: I feel that you are well acquainted with my views on the question of granting equal suffrage to women, and sincerely hope that you will aid in whatever way you can to further the cause.

The experiences of our great city have shown clearly that the women are desirous of being given the right of suffrage, and that when it is given them they will ably take advantage of the opportunity.

I will personally appreciate whatever you do, and your vote in favor of this resolution will mean approval of my stand and that of the majority of the thinking people of our city.

With kindest personal regards, I am,

Sincerely, yours, CARTER H. HARRISON.

Mr. Speaker, many a man in public life has questioned his wisdom in appointing women to important positions, but in every instance the women so placed, whether in the office of the superintendent of public schools or as members of the board of education, whether as head of the new department of public welfare or as policewomen, have demonstrated their capacity to perform any public duty assigned to them not only with credit to themselves but with benefit to the community.

I believe that the good and public-spirited women of Chicago will demonstrate to the country at large that they appreciate the recognition which Mayor Harrison has given them by casting their votes for him not only in the primary but also in the election. The old accusation that they can be easily led and misled will be disproved beyond any doubt in our city.

Mr. Speaker, as experience is the best teacher, I have laid these facts before the House and hope that what I have said will demonstrate that woman suffrage is not only just but expedient. In a democracy in which the people are supposed to govern themselves the ballot is the direct method of self-expression. A government which denies expression to one-half of the people can not be termed a democracy.

The claim that suffrage is an integral part of democracy is based on the argument of Jefferson that the whole community governed. Fitness is not a test for suffrage. American democracy is not based upon the assumption that individuals are wise or virtuous, but upon the idea that two heads are better than one; that the whole is greater than any of its parts; that the whole community is wiser than a part of the community.

This is a day of progress. A democracy can not progress unless its people are growing in intelligence and moral force. Why do my colleagues desire to block the path of development of one-half of the citizenship of the United States?

In conclusion I wish to quote Justice David J. Brewer, of the United States Supreme Court:

The real question is a practical one. How does woman suffrage work when tried? In this Nation nine States—Colorado, Utah, Wyoming, Idaho, California, Washington, Kansas, Arizona, and Oregon, and the Terriory of Alaska—have granted full suffrage, and in at least the first six of them it has been in existence long enough for substantial results.

One thing is true of all—there has been no organized effort to repeal the grant. Whatever may be isolated opinions, the general mass of the voters are satisfied. Indeed, few have expressed antagonistic views. If the citizens of these States find nothing objectionable in woman suffrage, a natural conclusion is that no injury has resulted. Especially is this true when the declarations of its friends in its favor are many and strong.

The change in the position of women in the past 50 years must be noticed. Then the only vocations open to her were teaching and sewing. But within the last half century she has entered into active outdoor life and is no longer a necessary home body. Not that home has lost its charms or that it will ever cease to be the place which she most loves and where she reigns supreme, but choice or necessity has driven her into varied pursuits, many of them calling for familiarity with public affairs and executive ability.

Mr. TAYLOR of Colorado. Mr. Speaker, I yield to the gentleman from Montana [Mr. EVANS].

Mr. EVANS. Mr. Speaker, in the time allotted to me, of course it is impossible for me to make an argument upon this question. I am for this resolution, and yet I have very great respect for the opinions of those who believe that the matter should be controlled by the States; but I can not agree with those who have suggested that the good women of this country have not the qualifications to cast the ballot. I recall that years ago my people crossed the plains. Driven by the fates of war, we crossed the plains in a 90-day trip. I was only a child, but I have heard the story so often from my mother's knee about the hardships the women endured at that time that I can not concede to any man the right to say that the women who endured the hardships that they did in this country, that the women who bear the burdens that they do in this country, who have the qualifications to raise the men who are the voters in this country, are not as well qualified as you or I or any other man to cast the ballot in this country. It is my judgment, Mr. Speaker, that the women of this country have a keener sense of morality, a more vital sense of sentimentality. In my judgment they will purify the politics of this country, and they will carry sentiment to the polls more than men; and, sir, every act of men's lives is born of sentiment. No good, pure act is done by man or woman which is not guided by sentiment, and women in most of the States, or some of the States at least, vote in the school matters; they take part in the election of school trustees; they direct the building of schoolhouses. If they can do that, and raise the young, and raise men, then they are qualified to cast a vote upon any question that may arise before the American people. [Applause.]

Suffrage, Mr. Chairman, depends fundamentally upon the fact that the individual members of the human race were created free and equal and that the consent of the governed is the essential requisite in any republican form of government.

Our constitutions are "man made," but before the Constitution of the United States or of any State of the Union became effective it was submitted to the people for ratification. In most instances the question of ratification was left to only half of the people—that is, the male portion of the Union or of the State. In other words, the Constitution itself granted a privilege to a limited portion of the population to exercise the right of franchise. If, with the formation of this Government or the formation of the government of any of the States, this privilege had been granted to the women of the community, I think none would doubt that they had both the legal and a moral right to exercise the right of franchise.

I quite agree that the right to vote is solely a "privilege," and the proponents of this measure are here to-day asking that the privilege conferred upon the male portion of the human race, so far as this country is concerned, exercised since the founding of this Government, shall be extended likewise to the woman.

As I view the matter, the women have a fundamental moral right to vote, but they have not the legal right, and the only reason they have not that legal right is because our Constitution and laws have been made by the other half of the population, and they have been too selfish to permit the enactment into law of the privilege of the franchising of women.

I grant you there is much difference of opinion upon this important and public question and that there is much public sentiment held by men and women who maintain the position that women should not vote. Yet I maintain that the woman has as much absolute fundamental right as a man when it comes to a question of exercising this privilege. Not only that, Mr. Speaker, I indulge the belief that the politics of this country would be very much improved and purified if that half of our population, which we all admit surpass in virtue, in purity of thought and action, and in moral standards, were permitted to vote.

The question of how women would vote should not enter into this discussion nor warp any man's judgment. The whole question is a question of "moral right." When a man is qualified under the law to vote he is permitted to vote as he pleases and we throw around him every possible safeguard to prevent any interference with him in the exercise of that high privilege. His vote is his own, and when he uses it in good faith his vote is right because the law makes him the sole judge on the question. I grant you that his vote may not be cast in the interests of the public welfare or for that individual best qualified or equipped to hold the office for whom he votes, but he still has the right to cast that vote as he pleases. In my judgment, the female portion of our country have essentially the same qualifications as the male and are in all respects the same except in sex, and yet we deny to them the right to exercise

this high privilege. As I suggested, our laws are men-made. We have thus far denied her this privilege, and under the law we have the power to continue to deny it, and we stand here to-day exercising the "privilege" which our forefathers gave to us, that of making the laws and of continuing to make them in such manner and fashion as to deny those equally qualified with ourselves a like privilege with ourselves. We say, in effect, to the women of this country, you shall be governed by the laws we make. You may own, buy, and sell real estate, do business in the commercial world, make contracts, collect wages, enter into marriage relations, raise your children, help pay the taxes, and generally bear your share of the burdens of the Government, be amenable to the laws of the land, but you shall have no voice or vote in the determination of what the laws shall be. Such a situation is simply the doctrine of force. I can see no other explanation, no logical reason for it or sense to it, except as suggested that the men of the country have the power and hesitate to divide that power with the women.

This great movement for woman suffrage convinces me that civilization is advancing and that it can be only a comparatively short time until universal suffrage will be recognized by all the leading nations of the earth. It is simply a part of the continual and eternal march of progress of the human race toward a genuine democracy. The present civilization can not, and will not, much longer permit the physically stronger half of the human race to ignore the plain rights of the weaker half. It has been very well said upon the floor of the House:

> The disfranchisement of woman is a brutal usurpation of power, a relic of primitive barbarity, when might made right, which has become unworthy of chivalrous modern manhood.

It is claimed that many women do not want the ballot and would not vote if the opportunity presented itself. Of course until this privilege is extended and the result determined by experience no man can justifiably say just what proportion of the women of the country desire the ballot or would exercise the right if conferred upon them. But assuming that a considerable portion of the women should not exercise the privilege, I still answer that right and justice can not be estimated in numbers, and if any of the women desire the ballot and are fundamentally entitled to it, then it should not be denied to them. And in our form of government all people qualified by character and intelligence should be permitted to use the privilege.

At the recent election in my State 40,000 registered voters failed to exercise that high privilege. And yet would anyone argue that because of the failure of practically one-third of the qualified electors to take advantage of the privilege that he or they or any portion of the now qualified electors should be deprived of the right of franchise?

It has been suggested that women who vote should be compelled to bear arms or do police duty or render other similar service to the country; but you will admit that many men are accorded the right of franchise who are incapable of bearing arms or do police duty. And when it comes to war, I think you will agree with me that no portion of our people bear a greater burden than do the women. When the fighting men are at the front or in the trenches the women are tending the stock, raising the crops, paying the taxes, rearing and educating the children, furnishing them food, powder, and shell; and yet we deny to them the right to have any voice in saying when war shall be declared.

In my State we are mining copper and coal, and every day thousands of men take their lives in their own hands and go into the bowels of the earth to dig out its treasures. And every year, every month, and almost every day we see some of these men brought to the surface a corpse—the son of some good woman, the brother of some good woman, the husband of some good woman. And yet we deny to any of these women the right to have a voice in the making of the laws that might have protected the lives of these unfortunates.

It has been suggested that equal suffrage would increase the number of electors who are poorly qualified mentally to exercise this right. In answer I wish to say that more girls than boys attend the public schools and, in my judgment, are as well educated as men, and the statistics show that of the criminals of the country only one of every twenty is a woman. And I think that everyone will admit that if the women of the country had a voice in the making of the laws they would take as much interest and exercise as wholesome an interest in the enforcement of the law as does the man. To those who believe that the woman's social sphere is in her home I am in perfect accord, and yet I indulge the belief that the few hours devoted to the casting of the ballot would not deprive the home of the presence of the woman to any material extent. And with the influence and exercise of that ballot the home would be very much better protected. [Applause.]

The 1910 census report shows that over 8,000,000 women in this country are now engaged in gainful pursuits. A large percentage of these women are not only dependent upon themselves but have others dependent upon them. They go out and compete with the world for their daily bread, and it seems incomprehensible that they should not have a voice in the making of the laws and the choosing of the public servants and the expenditure of the public fund.

Some one on this floor has spoken in derision of the emancipated women; and why, I ask, should not all the women of the land be emancipated? No one will deny that they now enjoy many more rights and privileges than they did in the day of our forefathers. Why not make the emancipation complete, and this talk of emancipated women would then disappear in this and all other discussions? Except on the one question—the right of franchise—she has already been emancipated, and that one right is denied to her not because of any physical infirmity, because, as heretofore suggested, she performs many of the arduous physical duties of her brother. Surely it is not because of mental weakness, because in the schools and colleges she competes with and wins equally high honors with her brother. Surely not because of lack of moral character. No one, however much he be opposed to this resolution, would make that suggestion. Every man, I think, within the sound of my voice will admit that she possesses at least an equal share of morality, and many of us freely admit she possesses much more. Surely it can not be because of lack of patriotism. The history of the land is full of evidence of her heroic self-sacrifice, not only in times of war but in times of peace. We do not relieve her from any burdens of taxation; we do not relieve her from burdens for any violation of the law, for her punishment is the same as that of men.

Now, if she possesses the qualifications above stated, why, I ask you in all candor, should she not be accorded the right to vote? And the only answer is that she is a woman; that she differs from us in sex. Is there any reason why sex should be a barrier against voting. It is not a barrier against conducting a business, or managing a farm, or editing a paper, or writing a book, or clerking in a store, or teaching in schools, or practicing medicine, or following the profession of the law, or working in a factory. We do not consider the question of sex when we impose a tax or inflict a legal punishment or build schoolhouses for the education of the young. And if all these things be so, why not make intelligence rather than sex the test of citizenship? Why not make intelligence and morality and civic virtue a standard of excellence in this country? And when you do you must of necessity accord to women at least an equal privilege with the men.

Eleven States of the Union have already granted its women full suffrage. A partial right in this direction has been granted in about 20 of the others. It will be recalled that less than 50 years ago not a State in the Union accorded this privilege to this part of its population. The progress thus shown is nothing short of remarkable and must have some foundation other than that of maudlin sentiment. It is based upon developing reason and conscience, upon the principle of right and justice and an awakening civic righteousness. It is growing and will continue to grow, and the man who stands in the way will sooner or later find himself standing alone.

I realize that there is ever present the temptation to engage in the recital of the achievements of the women in the different lines of endeavor to prove and justify her right to the ballot. Time will not permit me to partake in any such recital. The whole history of our country and of the world will furnish a rich record of information of the part woman has played in the government and the affairs of men. From the very earliest days of our civilization down to this moment she has played an active and often controlling part in both the domestic and governmental affairs of nations. Statesmen have paid homage to her ability and power. Authors, poets, and sculptors have done likewise. Every succeeding period of the world's history has been marked by her achievements and recorded in poetry, art, and literature. There is no field of human endeavor, however humble or exalted, in which she has not played her part and influenced the history of the time. All the world recognizes that she is potential in molding public opinion, instilling the principles of good citizenship into the youth, husbands, and fathers of the land; that in all charitable, philanthropical, and humanitarian works she is always in the lead.

It has been suggested that in the equal suffrage States no improvement is perceptible in its politics or its policies. This may be an accurate statement of facts; but, on the other hand, I challenge any opponent of this resolution to point to a State where

equal suffrage exists and prove that its policies or politics have in any manner retrograded since women were clothed with the right to vote. It may be only a coincidence, but it is my observation that those influences largely inimical to clean politics have been universally found opposed to woman suffrage. Those interests that desire for their own selfish ends to control political conventions and elections—to name the men who shall execute the law—are almost invariably opposed to equal suffrage.

For my part, I am not afraid that politics will be polluted by the participation of women, nor am I afraid that the good women of this country will be polluted by their participation. On the other hand, I am morally certain that the women will preserve their own high standard and that they will have a tendency to raise the standard of our politics and politicians and the men chosen to make and enforce the laws.

As I said in the beginning, I have very great respect for those who maintain that this is a State question, and I would personally prefer that the matter be left to the States, and I maintain that in the submission of this constitutional amendment it is being largely left to the States, because three-fourths of the States themselves must ratify the amendment before it becomes effective. This amendment does not confer the franchise upon the women. It only submits the matter to the several States, that they, in turn, may say whether or not they desire its ratification.

For these reasons I feel myself impelled to vote for the resolution. [Applause.]

Mr. LAZARO. Mr. Speaker, I voted with the majority of the Democrats of this House in caucus against this proposed amendment to the Federal Constitution giving the women the right to vote, and I shall vote against it on the floor of the House here to-day. I do so because I consider this question a State and not a Federal question. The Democratic Party has always stood for the right of the States to control suffrage, and I do not see any good reason why we should be asked to reverse ourselves on this fundamental principle of local government and home rule. I would not under any circumstances vote to take that right away from my State and surrender it to the Federal Government, nor would I want to attempt to dictate to any other State in what manner they shall control their suffrage. If the women of Louisiana want the right to vote, let them appeal to the legislature for an amendment and submit it to the people of Louisiana, and let us not take this privilege away from the women of any other State of this Union.

We have had our experience with the Federal Government before, when the negro man was given the right to vote, and I do not think that my people would want to take chances with a measure of this kind which would reopen the old sore and compel us to assume the burden of eliminating the negro woman's vote.

Mr. TAYLOR of Colorado. Mr. Speaker, I ask the gentlemen on the other side if they will consume some time?

Mr. STAFFORD. Mr. Speaker, how many speeches remain?

Mr. TAYLOR of Colorado. I have only one.

Mr. STAFFORD. Mr. Speaker, I believe I have two minutes remaining.

The SPEAKER. The gentleman from North Carolina [Mr. WEBB] has two minutes, the gentleman from Colorado [Mr. TAYLOR] five minutes, the gentleman from Wyoming [Mr. MONDELL] three minutes, and the gentleman from Wisconsin [Mr. STAFFORD] two minutes.

Mr. STAFFORD. Mr. Speaker, the arguments that have been advanced to-day in favor of this resolution are arguments that should be submitted to the voters and the electors of the States for their consideration in determining the feasibility of adopting woman suffrage in the States. No argument has been advanced to show why this should be a national question. No reason has been advanced here to show wherein the rights of the States having woman suffrage are invaded, but there have been strong arguments advanced why this power should not be exercised nationally. There is a citizenship of the State and a citizenship of the Union. I believe in a Federal Union of self-governing States, and believing so is my reason for opposing this resolution.

I would not dissent from allowing women alone to have exclusive management of the schools, but adopt this amendment and you forbid the States to delegate to women alone the right to run the schools of the country. You prevent the States from determining who shall be qualified electors to vote for medical and health officers or other special officials. Under this amendment you must grant to women and to men alike the same privilege.

No amendment in the history of the country has been submitted for ratification without a strong sentiment throughout the country demanding action. Every amendment that has been proposed has been adopted within two years after its submission—most of them within a year, save the eleventh amendment, which required three years, and yet with only 11 States having adopted universal woman suffrage the proponents come here and say that we should dangle this proposition in the air to be used as a football in national politics, to overcloud other issues, State and National, until perchance three-fourths of the legislatures ratify it. Until the proponents can show that the rights of the States are infringed by withholding this amendment, until they can advance some reason for it being considered nationally, the old idea of State sovereignty, so far as the suffrage is concerned, should remain unimpaired. [Applause.]

Mr. MONDELL. Mr. Speaker, I yield the remainder of my time to the gentleman from Illinois [Mr. MANN].

The SPEAKER. The gentleman from Illinois is recognized for three minutes.

Mr. MANN. Mr. Speaker, if this amendment should become a part of the Constitution of the United States it is in effect self-enforcing, and in that respect different from the prohibition amendment upon which we recently voted. The Committee on Rules, supported by a vote of the House, has thought it wise to submit to this body the pending resolution in order that this body may express itself upon that resolution. The same reasoning ought to cause this body to pass the question on to the States, because submitting it here were an idle ceremony. No vote that we take here settles it as a part of the Constitution, and if there were reason for the Committee on Rules to bring the matter before the House and for the House to take it under consideration, then there is that stronger reason for letting the only bodies which can determine it determine it in the constitutional method.

Nearly every gentleman who has spoken against the resolution has asserted that the women of the country did not desire the voting privilege. Ah, if that be true, there is no danger in submitting the question to a vote in the States. Three-fourths of the States must ratify the amendment before it becomes a part of the Constitution, and it will not be ratified by any State until the men of the State believe that the women of the State want the privilege. [Applause.] Every man knows how one or more women think upon this subject. I have always maintained that when the women wanted the right to vote the men would grant the privilege. It will not be granted unless the women want it. Let us give them a chance. [Applause.]

Mr. VAUGHAN. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman from Texas rise?

Mr. VAUGHAN. To offer an amendment.

The SPEAKER. This is not the proper time.

Mr. WEBB. Mr. Speaker, I yield the remainder of my time to the gentleman from Kentucky [Mr. FIELDS].

Mr. FIELDS. Mr. Speaker, I am opposed to the resolution under consideration and shall vote against it, not because of a lack of confidence in American womanhood on my part, for no man on the floor of this House or elsewhere has a higher regard for the womanhood of this country than I have. I do not agree with statements that have been made here to-day that women are not capable of self-government and that their participation in politics would lower the standard of womanhood. I believe that my wife, my mother, and my sisters are as capable of self-government as I am, and I believe that if they were given the ballot and should exercise it that they would maintain on the political field and in the booth that high standard of womanhood which characterizes their everyday life in their homes and social circles, and that this standard would be maintained by all good women.

But, Mr. Speaker, I do not believe it to be my duty to force that responsibility which necessarily goes with the elective franchise upon them and upon a majority of the women of this country against their will. I was taught when a schoolboy that with every right there is a corresponding duty, which I have found to be true in every respect. If we give to woman the right of the ballot, it will be her duty to exercise that right, and I am of the opinion that the great majority of the mothers of America do not want to spend their time, their thought, and their energy in the exercise of that duty, but that they believe that they have more important duties to perform, the performance of which will be of more comfort to them, more value to the country, and a greater blessing to humanity than their participation in politics; and so long as they entertain that belief they will not vote if given an opportunity to do so.

It is true, of course, that certain classes, or a certain per cent of the women of every State, would vote if permitted to do so. But let us analyze the proposition, and see what class or what per cent of the women are demanding the franchise and would exercise it; and I desire to say here that this analysis shall be made in a spirit of absolute fairness and that my remarks shall be conducted in the same spirit. Let us see, first, who is behind this agitation. Is it a majority of the good women of the country? Every man here knows that it is not. However, in fairness to the proponents of this resolution, and in justice to the truth, I will say that many of those advocating equal suffrage are among the best women of the country, but constitute only a small per cent of that class; a majority, and a very large majority, of the better element of women being opposed to it, who would not vote if given an opportunity. On the other hand, the inferior element of the white women, and a great majority of the colored women, throughout the length and breadth of the land would vote if permitted to do so. Then what condition would arise? Would the standard of the electorate be raised? No; it would be lowered. What would be the result in the great centers of population with the ballot placed in the hands of women, with the large majority of the better element of them failing to exercise it, and the inferior element grasping every opportunity to exercise it?

Ah, Mr. Speaker, that question answers itself. Under conditions of that character the candidate for office who is most popular in the colored wards or the greatest chieftain of the red-light districts would in many instances be the winning candidate. It would mean, in short, the lowering of political standards, the encouraging of corrupt politics, corrupt elections, and corrupt and immoral officials, all of which our country East, West, North, and South is fighting to prevent.

I am not laying this charge at the threshold of genuine American womanhood. But I do lay it at the door of a majority of those who at this time and, in my opinion, for generations to come would be the dominant element of their sex in politics or the exercise of the franchise. I am not casting any reflection upon true womanhood, and trust that I may not be so understood. I give to the good women of my country every credit and every compliment that it is possible for man to give to them. They show great skill and ability in the promotion of education. Some of the greatest educators of the world are women. Many of them are to-day serving in the capacity of State or county superintendent of public instructions with marked ability. Some five or six women are serving and have served as county superintendent of schools in the district which I represent, and their efforts and achievements have not been excelled by men in the same capacity. The campaign against adult illiteracy was launched in my State and my district by a woman, and was conducted by her with such marked success that the legislature of the State created an illiteracy commission, of which she was made president; and the work of that commission under her supervision is to-day attracting nation-wide attention. But these women and others like them thro ghout the land have not performed their noble work and achieved their high ideals by the use of the ballot, but they have done so by their intelligence and the proper exercise of their God-given influence over men, and their ability to lead in woman's natural sphere.

Mr. Speaker, I know that the good women contribute more to the moral uplift of the country than men; I know that they do more toward the purification of society than men; I know that they do more for the upbuilding and maintenance of the church than men; I know that they exert a refining influence over men wherever they come in contact with them; I know that the good mothers of our land have done more for humanity than have all the individual efforts and moral and civic institutions of men combined. Ah, yes, they have played their part in the struggles of State, and have played it without the ballot. They have played their part in the prosecution of war, and have played it without the sword. The mother who bore the statesman and directed his youthful feet in the paths of rectitude played a greater part in the affairs of State than the son who drafted the laws for his and her protection. The mother who bore the son and gave him the strength to go to the battle field, and prayed God, as she sent him forward, to give him courage to fight and to die, if need be, in defense of that which he believed to be right, played a greater part in war than the son who bore the saber. She has played her part in society and State, and has played it well. She has directed her energies in the right course as God has decreed that she should, and has not exerted them in vain. And, Mr. Speaker, if that type of womanhood, if that class of women, should come to the belief that they could better serve humanity with the franchise than they have without it and should ask for the ballot, I would want to be first to say give it to them. Yes, in the name of justice, gratitude, and honesty give it to them without delay. But they have not reached that conclusion. They have not made that request. They still believe that they can better perform that high function of motherhood, which outshines the most glittering gems of statesmanship, by and through the methods employed by them since the birth of humanity, namely, woman's influence and mother's love.

Mr. Speaker, I do not contend that there are no mothers, no true wives, nor no pure women advocating woman suffrage. A charge of that kind would be unkind, ungentlemanly, and untrue. There are good women behind this movement, but they are hopelessly in the minority when compared with the numbers against it who do not want the ballot, and who would not exercise it if they had it; who do not want to assume political responsibilities, because they have greater responsibilities; who have no political ambitions, because they have greater, higher, and nobler ideals. And so long as that great and overwhelming majority of women do not want the ballot, I for one shall not accede to the demands of a small minority; for, as I have previously stated, the right of the ballot carries with it the duty to exercise it; and should I vote to give to woman the ballot, I would then feel it my duty as a citizen to urge upon her the necessity of her exercising it, not only the necessity but her absolute and imperative duty to do so. And being unwilling to force such responsibilities upon womankind, I shall vote against the resolution.

And then, Mr. Speaker, there is still another pronounced objection to the passage of this resolution, the purpose of which is to amend the Constitution of the United States. Article V of the Constitution provides that the Congress, whenever two-thirds of both Houses shall deem it necessary, shall propose amendments to the Constitution, or on application of the legislatures of two-thirds of the several States shall call a convention for proposing amendments, and so forth. This provision is evidence that the framers of the Constitution believed that it should not be amended except when there should be a demand of at least two-thirds of the people for such an amendment. I have seen no evidence that there is such a demand for this proposed amendment. The framers of the Constitution realized that the time would come when human progress or human events would render necessary the enactment of laws forbidden or not warranted by the Constitution, and for that reason provided by this article for its amendment. But that same Constitution left with the several States the right for each to control its own elective franchise, which, sir, in my opinion, was the most sacred and fundamental right delegated to or reserved by the States, for the progress and well-being of each State depends upon the proper use of the elective franchise by the State. The fathers of our Constitution well saw that the States could each handle their elective franchise better than the Federal Government could handle it for them. Hence the franchise was left to the States; and for Congress to interfere with that right would, in my opinion, be a stroke at the most vital fibers of statehood and a breach of good faith on the part of the Federal Government with the States. Under the franchise as reserved by the States, 11 States have granted full suffrage to women, and under it each State could do likewise if the electorate so desired. Then why all this turmoil and effort to amend the Constitution of the United States to give to each State a privilege which it already has?

Ah, Mr. Speaker, we know why. We are told by many women of the States which now have woman suffrage that the ballot was granted to them by the male electorate on the solicitation of the minority and against the will of the majority of the women. But in the other 37 States of the Union men have not been so easily influenced, or coerced, as the case may be, by the minority, but have regarded the wishes of the majority, thereby refusing to grant woman suffrage except in the State of New Jersey, where it was granted and later withdrawn by the consent of the women. Therefore, Mr. Speaker, we see a double motive behind this effort on the part of its proponents. The first one is to attempt to extend woman suffrage to all the States by its adoption by three-fourths of the States through an amendment to the Federal Constitution, and the second is to make it impossible for any State to withdraw the ballot from woman, though its withdrawal might be desired by a majority of both male and female voters, by making it a national instead of a State franchise. Mr. Speaker, these ladies are nobody's fools, if they are few in number. They know what they want, and know how to fix it so they can keep it after they get it, whether anybody else wants them to keep it or not. But they have not learned the best course to pursue to get it or to make it beneficial to humanity after they get it. Their campaign has been in the main an effort to induce the male electorate, either by persuasive or coercive methods, and sometimes by the

employment of both, to extend to them the franchise, without urging upon their own sex the necessity of their exercising the ballot if received. The campaign was started wrong and has been conducted wrong. Let me suggest to those ladies who are pressing this movement to go to their own sex, and especially to that element of their own sex who assume the burdens of real and genuine motherhood and the responsibilities of home-making, and present your arguments to them, at the same time explaining to them that if they receive the ballot they take upon themselves an obligation to exercise it. Expound to them the doctrine of woman's political rights as strongly as you care to, provided you expound with equal force and fairness the doctrine of woman's political responsibilities if given the ballot, and then let them answer for themselves. And if they answer in the affirmative my love for American womanhood and my confidence in American manhood prompts me to believe that the ballot will be given by men as freely as it will be accepted by women in every State of the Union and never withdrawn by a single State if exercised by the better element of women.

Mr. Speaker, in conclusion I wish to say that a majority of both the men and women of Kentucky are opposed to woman suffrage. If they ever change their minds and decide that they want woman suffrage, they can get it within and under the authority of their own State. If they never decide that they want it, it should never be forced upon them by other States, and I for one stand ready to protect them against such invasion. [Applause.]

[Mr. TAYLOR of Colorado addressed the Souse. See Appendix.]

The SPEAKER. The time of the gentleman has expired. All time has expired. The Clerk will read the joint resolution for amendment.

The Clerk read as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article be proposed to the legislatures of the several States as an amendment to the Constitution of the United States, which, when ratified by three-fourths of said legislatures, shall be valid as part of said Constitution, namely:

Mr. CULLOP. Mr. Speaker, I offer the following amendment.

Mr. MONDELL. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MONDELL. Is an amendment in order until the whole section has been read?

Mr. CULLOP. This is a paragraph.

The SPEAKER. It seems to the Chair that this is a separate proposition. It is as broad as it is long, anyway. The gentleman from Indiana will state his amendment.

Mr. CULLOP. In line 4, strike out the words "the legislatures" and insert the word "conventions"; and in line 6 strike out the word "legislatures" and insert the word "conventions."

The SPEAKER. The Clerk will report the amendment.

The Clerk reads as follows:

Amend, in line 4, by striking out the words "the legislatures" and inserting the word "conventions."

In lines 6 and 7, strike out the word "legislatures" and insert the word "conventions."

Mr. CULLOP. Mr. Speaker, the purpose of this amendment is that, if this is submitted to the voters of this country for ratification, it shall not be mixed with any other question, political, moral, or economical.

This is an important proposition. None more important will be submitted to this Congress. It is for the purpose of extending the right of the franchise to more than 18,000,000 voters in this country. If submitted, it ought to be submitted as an individual proposition, so that each voter in this country may go to the ballot box and express his sentiments upon this question without having it involved with other questions. If it be submitted to the legislatures of the States, it will then be mixed with other political questions, so that when the voter is voting for a member of the legislature other questions will complicate the issue and we will not have a fair expression of the people upon this question. But if it be submitted to the conventions of the several States, then each voter when he votes upon this question will not have it mixed with any other question to be determined at that time.

Mr. HOBSON. Mr. Speaker, will the gentleman yield for a question?

Mr. CULLOP. For a brief question only, as I have but five minutes.

Mr. HOBSON. The gentleman must realize that the Congress can not order conventions to be called in the States. I want to ask him if he recognizes the fact that the legislature——

Mr. CULLOP. If the gentleman will allow me to answer his first statement, I will say that he is mistaken upon that proposition. The Constitution provides that when Congress submits this question it shall submit it either to the conventions of the several States or to the legislatures. Both of these ways are provided by Article V of the Constitution for the submission of questions of this kind.

Mr. HOBSON. Does it——

Mr. CULLOP. I should be glad to yield if I had the time, but I have not. So that the gentleman is mistaken as to what the Constitution provides upon this question. The 18,000,000 voters who are to be enfranchised if this amendment be adopted will be able to turn the tide of power in this great Republic. Their strength will be sufficient to control the election of not only the Members of the House but the Chief Executive of the Nation. When this question is submitted it ought to be submitted in such a manner that it will not be mixed with other questions, so that each individual voter will have no other question to pass upon except the question whether this right shall be extended or not.

If gentlemen who are pressing this question really desire a fair expression of the people on it, they should vote for the adoption of this amendment. The vote on it will determine how many of us will vote on the adoption of the resolution. For one I want to see this question when submitted to be free from all complication, so that every voter will have it as the only question to decide at the ballot box. If this method is to be adopted, then many will vote for the submission of this resolution who otherwise will vote against it. I am among that number, and hence my interest in offering this amendment. But if it is to be submitted to the legislatures for ratification, where it can be used for the purpose of enacting or defeating the enactment of other legislation, then I shall not give my support to submit it. We all know how this important proposition would be used if submitted for ratification to the legislatures. It would become a valuable asset for the passage or defeat of other measures pending in the legislature; it would be treated as a common trading stock in the logrolling processes usually employed in their legislative procedures. I for one do not want it prostituted to any such purpose, but I do want to see it submitted free from all entangling alliances with other questions, so that each voter can by his ballot express himself either for or against the proposition.

If this amendment be adopted he can then do so, and if it be adopted I shall vote to submit the proposition to the people to be voted on. This consideration has impelled me to offer it, and I have done so with the hope it will be adopted so the amendment can be submitted for a direct vote of the people. It is a fair proposition, and the friends of this measure should support it. Now, Mr. Speaker, I do not share the views of some of the distinguished gentlemen who have arrayed themselves here against woman suffrage. I do not believe, as they seem to believe, that the women of this country are not qualified for the right of franchise; but, on the contrary, I believe they are qualified for it and would use it to good advantage. I do not believe, as some of them seem to believe, that it would pull them down into the mire of dirty politics; on the contrary, if we have dirty politics, they would cleanse the same and elevate the standard of politics to the high plane they occupy. They would purify the political atmosphere of the country and elevate the standard and bring about better conditions in this country; inaugurate a higher standard of citizenship and a better class of civic conditions. I have faith in their ability, intelligence, and patriotism, so much so that I believe the day they are given the right of franchise will be the dawning of a better day for this Republic. Recently I heard one of the distinguished men of our country make a notable address. During the course of his remarks he stated that not long since he visited a penitentiary located in a large city in one of the States of the Union, and there he found 5 per cent of the prisoners were women and 95 per cent were men; that in the same city he visited one of the leading churches and found of the persons present 95 per cent were women and 5 per cent were men. The conclusion inevitably would follow that if the women have sense enough to keep out of the penitentiary and morality enough to attend church in such proportions they evidently have ability enough to be clothed with right of suffrage and use it to best advantage for the welfare of the country and the elevation of the standard of government. I do not believe anything but good would result from the grant of the right to them. At least the people should have the opportunity to vote on this question unmixed with any other proposition.

Mr. BORLAND. Mr. Speaker, the effect of this amendment will be simply to cripple the submission of the amendment to the Constitution. I know that the Constitution gives Congress

the right to submit a constitutional amendment either to the legislatures of the States or to conventions of the various States, as Congress may determine, one or the other method. But if Congress adopts for the first time in our constitutional history the method of submitting a proposed amendment to conventions, it means, in my judgment, that we are submitting it to two separate votes in every State, for there is no way provided for calling conventions, providing for the time, place, and expense, but by the favorable action of the legislatures of the States.

Therefore, in order to get favorable action in any State it will be necessary for the legislature to act favorably in calling a convention and providing the expense, time, and manner therefor, and then that convention, when called, must act favorably on the amendment itself. So the direct effect of the amendment is to compel the submission of the constitutional amendment to two votes in every State in the Union. That has been the universal judgment of Congress in every amendment that has been submitted, so that no proposed amendment has been submitted to conventions instead of legislatures.

Mr. DENT. Will the gentleman yield?

Mr. BORLAND. Yes.

Mr. DENT. I want to ask the gentleman from Missouri if he is not in favor of a vote on this by the people, and if the Cullop amendment is not the only way that the people can act on the question under the Constitution of the United States?

Mr. BORLAND. No; I will say to the gentleman from Alabama that he and I voted for the sixteenth amendment and the seventeenth amendment and submitted them both to the legislatures and not to the conventions of the States. When we did so we did not admit that we were denying the right of the people to vote on these amendments. We submitted to the people the question whether they should vote for direct election of United States Senators, and we submitted it to the legislatures. We submitted the question whether they would have an income tax to the legislatures, and there was no claim that we were denying the people the right to vote.

Mr. DENT. The gentleman from Missouri has no right to state how I voted upon those amendments. My record speaks for itself. When the gentleman talks about the people passing on a question, why is not the gentleman willing to have the question presented squarely to the people on that proposition?

Mr. BORLAND. I think I am, and I think the effect of the gentleman's amendment is to compel the people to vote twice on the same proposition.

Mr. WEBB. I move that all debate be now closed on this amendment.

Mr. MANN. Does the gentleman move the previous question?

Mr. WEBB. That is the effect of it; yes. Mr. Speaker, I move the previous question on the amendment.

The SPEAKER. The gentleman from North Carolina moves the previous question.

The previous question was ordered.

The SPEAKER. The question is on the Cullop amendment.

The question was taken; and on a division (demanded by Mr. CULLOP) there were 108 ayes and 142 noes.

So the amendment was rejected.

Mr. GARRETT of Tennessee. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. GARRETT of Tennessee. Is it now in order to move to strike out the enacting clause?

The SPEAKER. The Chair thinks it is.

Mr. GARRETT of Tennessee. Mr. Speaker, I move to strike out the enacting clause.

Mr. MANN. Mr. Speaker, I hope the resolution may first be read in full, with the right of amendment to the first paragraph after the resolution is read.

Mr. GARRETT of Tennessee. That is what I object to. We do not want any more amendments offered.

Mr. VAUGHAN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. VAUGHAN. Is it not in order to perfect the resolution first?

The SPEAKER. The motion to strike out the enacting clause is in order.

Mr. MANN. Mr. Speaker, I ask unanimous consent that the remainder of the resolution may be reported, with the right still remaining to amend the first paragraph. That would cover the enacting clause.

Mr. GARRETT of Tennessee. Mr. Speaker, I will be frank with the gentleman from Illinois. I have understood that an amndment would be proposed that would have no chance for passage; that it would be useless to propose and useless to be voted upon. I move to strike out the enacting clause.

Mr. HOBSON. Will the gentleman yield? I understand the gentleman is on the Committee on Rules, and that he was not averse to reporting the special rule. He has expressed a willingness to have the question squarely voted on, and the friends of the resolution would feel that they never had had a square vote on the resolution itself if the enacting clause were stricken out before we reach the resolution.

Mr. GARRETT of Tennessee. Mr. Speaker, in response to the gentleman from Alabama, I will state that I am a member of the Committee on Rules. I was opposed to the reporting out of the resolution from the beginning. I was not present when the resolution was voted out, being detained at my home by personal illness. Had I been here, I should have voted against reporting the resolution out. [Applause.] Mr. Speaker, I move to strike out the enacting clause, and on that I move the previous question.

Mr. HENRY. Mr. Speaker, I will ask the gentleman to withhold that motion.

The SPEAKER. The Chair will read the rule.

A motion to strike out enacting words of a bill—

And, of course, the same thing applies to a joint resolution—

shall have precedence of a motion to amend, and, if carried, shall be considered equivalent to its rejection.

The Chair now recognizes the gentleman from Texas [Mr. HENRY].

Mr. GARRETT of Tennessee. Mr. Speaker, I retain the floor, but I yield to the gentleman from Texas.

The SPEAKER. The gentleman from Tennessee has possession of the floor.

Mr. SIMS. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. SIMS. Is a motion to strike out the enacting clause debatable after the previous question has been ordered?

Mr. MANN. But it has not yet been ordered.

Mr. SIMS Is it debatable anyway?

Mr. MANN. Oh, yes.

The SPEAKER. Of course; like any other amendment.

Mr. HENRY. Mr. Speaker, I realize that the gentleman from Tennessee has the right to make his motion, and I understand his motives, which are worthy; but, for one, I would like to see a clear-cut vote on this proposition. [Applause.] I would like to have a vote yea or nay on the Mondell amendment, and, as far as I am concerned, I am ready to vote "nay," and I hope that nothing will occur here to-day which will give anyone the opportunity to say hereafter that we have evaded this important issue. Our action should not be subject to misconstruction, and, while that rule says that the striking out of the enacting clause is equivalent to a rejection of the amendment, yet I think we ought to walk up fairly and squarely and vote upon the amendment. Therefore I shall vote against striking out the enacting clause, and if we succeed in voting that motion down, then I shall vote against the Mondell resolution, so that there can be no misunderstanding of my attitude.

The SPEAKER. The question is on the motion of the gentleman from Tennessee on ordering the previous question.

Mr. LENROOT rose.

Mr. GARRETT of Tennessee. I yield to the gentleman from Wisconsin.

Mr. MANN. But the gentleman has not the floor to yield. This is under the five-minute rule.

Mr. GARRETT of Tennessee. Mr. Speaker, I am perfectly willing to come to a direct vote on the Mondell resolution, but I am not willing that there should be any further votes on amendments to the proposed amendment to the Constitution. I move to strike out the enacting clause, and on that I demand the previous question.

The SPEAKER. The question is on ordering the previous question.

The question was taken, and the Speaker announced that the ayes seemed to have it.

Mr. MANN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 207, nays 169, not voting 48, as follows:

YEAS—207.

Abercrombie	Beall, Tex.	Burke, Wis.	Carter
Adamson	Blackmon	Burnett	Church
Aiken	Borland	Byrnes, S. C.	Clancy
Ashbrook	Bowdle	Byrns, Tenn.	Clark, Fla.
Aswell	Broussard	Calder	Cline
Bailey	Brown, W. Va.	Callaway	Coady
Baltz	Browne, Wis.	Candler, Miss.	Collier
Barchfeld	Brumbaugh	Cantor	Connolly, Iowa
Barkley	Buchanan, Tex.	Cantrill	Conry
Bartholdt	Bulkley	Caraway	Crisp
Bartlett	Burgess	Carew	Cullop
Beakes	Burke, Pa.	Carlin	Davenport

Decker	Gray	Lewis, Md.	Sherley
Dent	Green, Iowa	Lieb	Sherwood
Dies	Gregg	Linthicum	Sims
Difenderfer	Griffin	Lloyd	Sisson
Dixon	Gudger	Lobeck	Slayden
Donovan	Hamilton, N. Y.	Lonergan	Small
Dooling	Hamlin	McGillicuddy	Smith, N. Y.
Doremus	Hardy	McKellar	Smith, Tex.
Doughton	Harris	Maguire, Nebr.	Sparkman
Driscoll	Harrison	Mahan	Stedman
Dupré	Hart	Metz	Stephens, Miss.
Eagle	Hay	Montague	Stephens, Nebr.
Edwards	Hayden	Moon	Stephens, Tex.
Estopinal	Heflin	Morgan, La.	Stout
Evans	Helm	Morrison	Sumners
Fairchild	Henry	Mulkey	Talbott, Md.
Fergusson	Hobson	Murray	Taylor, Ark.
Ferris	Holland	Oldfield	Thacher
Fields	Houston	O'Shaunessy	Thomas
Finley	Howard	Page, N. C.	Thompson, Okla.
Fitzgerald	Hughes, Ga.	Palmer	Tribble
Flood, Va.	Hull	Park	Tuttle
Floyd, Ark.	Humphreys, Miss.	Parker, N. J.	Underhill
Fordney	Jacoway	Parker, N. Y.	Underwood
Gard	Johnson, Ky.	Patten, N. Y.	Vaughan
Gardner	Johnson, S. C.	Phelan	Vinson
Garner	Kennedy, Conn.	Post	Vollmer
Garrett, Tenn.	Kent	Pou	Walker
Garrett, Tex.	Key, Ohio	Price	Wallin
George	Kindel	Quin	Watkins
Gerry	Kinkead, N. J.	Rauch	Watson
Gill	Kirkpatrick	Rayburn	Weaver
Gittins	Kitchin	Reilly, Conn.	Webb
Glass	Konop	Reilly, Wis.	Whaley
Godwin, N. C.	Korbly	Riordan	Whitacre
Goeke	Lazaro	Rouse	White
Goodwin, Ark.	Lee, Ga.	Rucker	Wingo
Gordon	Lee, Pa.	Russell	Witherspoon
Goulden	Lesher	Sabath	Young, Tex.
Graham, Ill.	Lever	Shackleford	

NAYS—169.

Adair	Esch	Knowland, J. R.	Rogers
Alexander	Farr	Lafferty	Rubey
Anderson	Fess	La Follette	Rupley
Anthony	FitzHenry	Langham	Seldomridge
Austin	Foster	Langley	Sells
Avis	Fowler	Lenroot	Sinnott
Baker	Francis	Lindbergh	Slemp
Barnhart	Frear	Logue	Sloan
Bathrick	French	McAndrews	Smith, Idaho
Bell, Cal.	Gallagher	McGuire, Okla.	Smith, Md.
Booher	Gallivan	McKenzie	Smith, J. M. C.
Borchers	Gillett	McLaughlin	Smith, Saml. W.
Britten	Gilmore	MacDonald	Smith, Minn.
Brockson	Good	Madden	Stafford
Brown, N. Y.	Gorman	Maher	Steenerson
Browning	Graham, Pa.	Mann	Stephens, Cal.
Bryan	Greene, Mass.	Mapes	Stevens, Minn.
Buchanan, Ill.	Greene, Vt.	Martin	Stevens, N. H.
Burke, S. Dak.	Griest	Miller	Stone
Butler	Guernsey	Mitchell	Stringer
Campbell	Hamill	Mondell	Sutherland
Carr	Hamilton, Mich.	Moore	Switzer
Cary	Haugen	Morgan, Okla.	Taggart
Casey	Hawley	Moss, Ind.	Talcott, N. Y.
Chandler, N. Y.	Hayes	Mott	Tavenner
Connelly, Kans.	Helgesen	Murdock	Taylor, Ala.
Cooper	Helvering	Neeley, Kans.	Taylor, Colo.
Copley	Hensley	Neely, W. Va.	Taylor, N. Y.
Cox	Hill	Nelson	Temple
Cramton	Hinds	Nolan, J. I.	Thomson, Ill.
Crosser	Howell	Norton	Towner
Curry	Hughes, W. Va.	O'Hair	Treadway
Danforth	Hulings	Paige, Mass.	Vare
Davis	Humphrey, Wash.	Patton, Pa.	Volstead
Deitrick	Johnson, Wash.	Peterson	Walsh
Dershem	Kahn	Platt	Walters
Dickinson	Keating	Plumley	Williams
Dillon	Keister	Porter	Winslow
Donohoe	Kelley, Mich.	Prouty	Woods
Doolittle	Kelly, Pa.	Rainey	Young, N. Dak.
Drukker	Kettner	Raker	
Eagan	Kiess, Pa.	Reed	
Edmonds	Kinkaid, Nebr.	Roberts, Mass.	

NOT VOTING—48.

Ainey	Goldfogle	Lindquist	Roberts, Nev.
Allen	Hinebaugh	Loft	Rothermel
Barton	Hoxworth	McClellan	Saunders
Bell, Ga.	Igoe	Manahan	Scott
Brodbeck	Johnson, Utah	Morin	Scully
Bruckner	Jones	Moss, W. Va.	Shreve
Claypool	Kennedy, Iowa	O'Brien	Stanley
Dale	Kennedy, R. I.	Oglesby	Ten Eyck
Dunn	Kreider	Padgett	Townsend
Elder	L'Engle	Peters	Wilson, Fla.
Faison	Levy	Powers	Wilson, N. Y.
Falconer	Lewis, Pa.	Ragsdale	Woodruff

So the previous question was ordered.

The Clerk announced the following pairs:

Until further notice:

Mr. TOWNSEND with Mr. SCOTT.

Mr. TEN EYCK with Mr. KENNEDY of Iowa.

Mr. SAUNDERS with Mr. KENNEDY of Rhode Island.

Mr. DALE with Mr. AINEY.

Mr. GOLDFOGLE with Mr. DUNN.

Mr. BELL of Georgia with Mr. PETERS.

Mr. STANLEY with Mr. MOSS of West Virginia.

Mr. OGLESBY with Mr. SELLS.

Mr. WILSON of Florida with Mr. MORIN.

Mr. SCULLY with Mr. SHREVE.

Mr. O'BRIEN with Mr. POWERS.

Mr. PADGETT with Mr. MANAHAN.

Mr. MCCLELLAN with Mr. LINDQUIST.

Mr. LOFT with Mr. KREIDER.

Mr. BRUCKNER with Mr. JOHNSON of Utah.

Mr. RAGSDALE with Mr. BARTON.

Mr. IGOE with Mr. LEWIS of Pennsylvania.

The result of the vote was announced as above recorded.

Mr. HENRY. Mr. Speaker, I desire to submit a request for unanimous consent. I desire to ask unanimous consent that the House vote now on the Mondell amendment, without any further intervening motion or amendment.

Mr. UNDERWOOD. And let the Mondell amendment be read.

Mr. HENRY. Let the Mondell amendment be read and the House proceed to vote on it without further intervening motion or amendment.

The SPEAKER. What goes with the gentleman's motion to strike out the enacting clause?

Mr. HENRY. The gentleman withdraws that.

Mr. MANN. He can not withdraw it except by unanimous consent.

Mr. HENRY. By unanimous consent.

Mr. GARRETT of Tennessee. The gentleman is submitting a request for unanimous consent.

The SPEAKER. The gentleman from Texas asks unanimous consent that the Mondell resolution shall be read and voted on without any intervening motion.

Mr. MANN. I suppose what the gentleman wants to do is to ask unanimous consent to withdraw the pending motion?

Mr. HENRY. Yes.

Mr. MANN. And let the resolution be read to the end as one paragraph, and at the end the previous question be considered as ordered upon the entire resolution?

Mr. HENRY. Yes; that is the effect of it.

Mr. ADAMSON. Without any amendment?

Mr. HENRY. Without any amendment.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. [Applause.] The Clerk will report the Mondell resolution.

The Clerk read as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article be proposed to the legislatures of the several States as an amendment to the Constitution of the United States, which, when ratified by three-fourths of said legislatures, shall be valid as part of said Constitution, namely:

"ARTICLE —.—SECTION 1. The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of sex.

"SEC. 2. Congress shall have power, by appropriate legislation, to enforce the provisions of this article."

The joint resolution was ordered to be engrossed and read a third time; was read the third time.

The SPEAKER. The question is on the passage of the joint resolution.

Mr. TAYLOR of Colorado, Mr. MANN, and Mr. WEBB. Mr. Speaker, I demand the yeas and nays.

The SPEAKER. The gentleman from Colorado, the gentleman from Illinois, and the gentleman from North Carolina all demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 174, nays 204, not voting 46, as follows:

YEAS—174.

Adair	Curry	Gorman	Kent
Alexander	Davenport	Graham, Pa.	Kettner
Anderson	Decker	Green, Iowa	Kiess, Pa.
Anthony	Deitrick	Griest	Kinkaid, Nebr.
Austin	Dershem	Guernsey	Kinkead, N. J.
Avis	Dickinson	Hamill	Kirkpatrick
Baker	Dillon	Hamilton, Mich.	Knowland, J. R.
Barnhart	Doolittle	Hamlin	Lafferty
Bathrick	Drukker	Hart	La Follette
Bell, Cal.	Eagan	Haugen	Langley
Borchers	Edmonds	Hawley	Lindbergh
Borland	Evans	Hayden	Lloyd
Britten	Farr	Hayes	Logue
Brown, N. Y.	Fergusson	Helgesen	McAndrews
Bryan	Ferris	Helvering	McGuire, Okla.
Buchanan, Ill.	Fess	Hensley	McKellar
Butler	FitzHenry	Hill	McKenzie
Campbell	Fordney	Hobson	McLaughlin
Carr	Foster	Howell	MacDonald
Casey	Fowler	Hughes, W. Va.	Madden
Chandler, N. Y.	Francis	Hulings	Maher
Church	Frear	Humphrey, Wash.	Mann
Clancy	French	Johnson, Wash.	Mapes
Cline	Gallagher	Kahn	Martin
Connelly, Kans.	Gallivan	Keating	Metz
Copley	George	Kelster	Mitchell
Cramton	Gilmore	Kelley, Mich.	Mondell
Crosser	Good	Kelly, Pa.	Morgan, Okla.

Moss, Ind.	Rainey	Sinnott	Tavenner
Mott	Raker	Slemp	Taylor, Colo.
Murdock	Reilly, Conn.	Smith, Idaho	Taylor, N. Y.
Neeley, Kans.	Roberts, Mass.	Smith, Md.	Temple
Neely, W. Va.	Rogers	Smith, J. M. C.	Thompson, Okla.
Nelson	Rubey	Smith, Saml. W.	Thomson, Ill.
Nolan, J. I.	Rucker	Smith, Minn.	Towner
Norton	Rupley	Smith, N. Y.	Treadway
O'Hair	Russell	Steenerson	Vare
O'Shaunessy	Sabath	Stephens, Cal.	Volstead
Palmer	Scully	Stevens, N. H.	Walters
Patton, Pa.	Seldomridge	Stone	Williams
Peterson	Sells	Stout	Woods
Phelan	Shackleford	Stringer	Young, N. Dak.
Porter	Sherwood	Sutherland	
Prouty	Sims	Taggart	

NAYS—204.

Abercrombie	Davis	Henry	Price
Adamson	Dent	Hinds	Quin
Aiken	Dies	Holland	Ragsdale
Ashbrook	Difenderfer	Houston	Rauch
Aswell	Dixon	Howard	Rayburn
Bailey	Donohoe	Hughes, Ga.	Reed
Baltz	Donovan	Hull	Reilly, Wis.
Barchfeld	Dooling	Humphreys, Miss.	Riordan
Barkley	Doremus	Jacoway	Rouse
Bartholdt	Doughton	Johnson, Ky.	Sherley
Bartlett	Driscoll	Johnson, S. C.	Sisson
Beakes	Dupré	Kennedy, Conn.	Slayden
Beall, Tex.	Eagle	Key, Ohio	Sloan
Blackmon	Edwards	Kindel	Small
Booher	Esch	Kitchin	Smith, Tex.
Bowdle	Estopinal	Konop	Sparkman
Brockson	Fairchild	Korbly	Stafford
Broussard	Fields	Langham	Stedman
Brown, W. Va.	Finley	Lazaro	Stephens, Miss.
Browne, Wis.	Fitzgerald	Lee, Ga.	Stephens, Nebr.
Browning	Flood, Va.	Lee, Pa.	Stephens, Tex.
Brumbaugh	Floyd, Ark.	Lenroot	Stevens, Minn.
Buchanan, Tex.	Gard	Lesher	Sumners
Bulkley	Gardner	Lever	Switzer
Burgess	Garner	Lewis, Md.	Talbott, Md.
Burke, Pa.	Garrett, Tenn.	Lieb	Talcott, N. Y.
Burke, S. Dak.	Garrett, Tex.	Linthicum	Taylor, Ala.
Burke, Wis.	Gerry	Lobeck	Taylor, Ark.
Burnett	Gill	Lonergan	Thacher
Byrnes, S. C.	Gillett	McGillicuddy	Thomas
Byrns, Tenn.	Gittins	Maguire, Nebr.	Tribble
Calder	Glass	Mahan	Tuttle
Callaway	Godwin, N. C.	Miller	Underhill
Candler, Miss.	Goeke	Montague	Underwood
Cantor	Goodwin, Ark.	Moon	Vaughan
Cantrill	Gordon	Moore	Vinson
Caraway	Goulden	Morgan, La.	Vollmer
Carew	Graham, Ill.	Morrison	Walker
Carlin	Gray	Mulkey	Wallin
Carter	Greene, Mass.	Murray	Walsh
Cary	Greene, Vt.	Oldfield	Watkins
Clark, Fla.	Gregg	Page, N. C.	Watson
Coady	Griffin	Paige, Mass.	Weaver
Collier	Gudger	Park	Webb
Connolly, Iowa	Hamilton, N. Y.	Parker, N. J.	Whaley
Conry	Hardy	Parker, N. Y.	Whitacre
Cooper	Harris	Patten, N. Y.	White
Cox	Harrison	Platt	Wingo
Crisp	Hay	Plumley	Winslow
Cullop	Heflin	Post	Witherspoon
Danforth	Helm	Pou	Young, Tex.

NOT VOTING—46.

Ainey	Goldfogle	Lindquist	Rothermel
Allen	Hinebaugh	Loft	Saunders
Barton	Hoxworth	McClellan	Scott
Bell, Ga.	Igoe	Manahan	Shreve
Brodbeck	Johnson, Utah	Morin	Stanley
Bruckner	Jones	Moss, W. Va.	Ten Eyck
Claypool	Kennedy, Iowa	O'Brien	Townsend
Dale	Kennedy, R. I.	Oglesby	Wilson, Fla.
Dunn	Kreider	Padgett	Wilson, N. Y.
Elder	L'Engle	Peters	Woodruff
Faison	Levy	Powers	
Falconer	Lewis, Pa.	Roberts, Nev.	

So, two-thirds not having voted in favor thereof, the joint resolution was rejected.

The Clerk announced the following additional pairs:

On this vote:

Mr. ROBERTS of Nevada and Mr. Moss of West Virginia (in favor of suffrage amendment) with Mr. KENNEDY of Rhode Island (against).

Mr. HOXWORTH and Mr. JOHNSON of Utah (for Mondell amendment) with Mr. IGOE (against).

Mr. WOODRUFF and Mr. FALCONER (for Mondell amendment) with Mr. WILSON of Florida (against).

Mr. SHREVE and Mr. DUNN (for Mondell amendment) with Mr. SAUNDERS (against).

Mr. PETERS and Mr. LEVY (for suffrage amendment) with Mr. BELL of Georgia (against).

Mr. TOWNSEND and Mr. HINEBAUGH (for Mondell amendment) with Mr. MORIN (against).

The result of the vote was announced as above recorded.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. BARTON, indefinitely, on account of sickness.

To Mr. PADGETT, for one day, on account of illness.

ENROLLED BILL SIGNED.

Mr. ASHBROOK, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bill of the following title; when the Speaker signed the same:

H. R. 5195. An act for the relief of the Atlantic Canning Co.

JOINT RESOLUTION PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. ASHBROOK, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States, for his approval, the following joint resolution:

H. J. Res. 257. Joint resolution authorizing the Commissioner of Patents to exchange printed copies of United States patents with the Dominion of Canada.

ADJOURNMENT.

Mr. UNDERWOOD. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to. Accordingly (at 9 o'clock and 15 minutes p. m.) the House adjourned until Wednesday, January 13, 1915, at 12 o'clock noon.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. TAYLOR of Colorado, from the Committee on the Public Lands, to which was referred the bill (S. 6309) to establish the Rocky Mountain National Park in the State of Colorado, and for other purposes, reported the same with amendment, accompanied by a report (No. 1275), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. CHURCH, from the Committee on the Public Lands, to which was referred the bill (S. 5434) authorizing the Secretary of the Interior to grant permits to the occupants of certain unpatented lands on which oil or gas has been discovered, and authorizing the extraction of oil or gas therefrom, reported the same with amendment, accompanied by a report (No. 1277), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. EDWARDS: A bill (H. R. 20814) to place Candler and Evans Counties, Ga., in the eastern division of the southern district of Georgia; to the Committee on the Judiciary.

By Mr. TOWNER: A bill (H. R. 20815) proposed as a substitute for (H. R. 18666) to authorize the United States, acting through a shipping board, to subscribe to the capital stock of a corporation to be organized under the laws of the United States, or a State thereof, or of the District of Columbia, to purchase, construct, equip, maintain, and operate merchant vessels in the foreign trade of the United States, and for other purposes; to the Committee on the Merchant Marine and Fisheries.

By Mr. TALCOTT of New York (by request): A bill (H. R. 20816) for the prevention of the manufacture, sale, or transportation of such edible alimentary pastes as macaroni, spaghetti, vermicelli, and noodles containing any artificial coloring matter, and for regulating traffic therein, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. STEPHENS of Texas: A bill (H. R. 20817) to amend an act entitled "An act making appropriations for current and contingent expenses of the Indian Department and fulfilling treaty stipulations with various Indian tribes for the fiscal year ending June 30, 1895, and for other purposes"; to the Committee on Indian Affairs.

By Mr. BURKE of Pennsylvania: A bill (H. R. 20818) to authorize the Brunot Island Bridge Co. to construct, maintain, and operate a bridge across the back channel of the Ohio River; to the Committee on Interstate and Foreign Commerce.

By Mr. MITCHELL: A bill (H. R. 20819) to fix the compensation of assistant appraisers of merchandise, and for other purposes; to the Committee on Ways and Means.

By Mr. CARAWAY: A bill (H. R. 20841) to provide for a low rate of interest and long-time loans in aid of agriculture, and for other purposes; to the Committee on Banking and Currency.

By Mr. HENSLEY: Joint resolution (H. J. Res. 401) looking toward an international peace conference at The Hague after the close of the present war in Europe; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BOOHER: A bill (H. R. 20820) granting a pension to Ellen Rohr; to the Committee on Invalid Pensions.

By Mr. DONOVAN: A bill (H. R. 20821) granting an increase of pension to William H. Lockwood; to the Committee on Invalid Pensions.

By Mr. EVANS: A bill (H. R. 20822) for the relief of Homer Rock; to the Committee on Claims.

By Mr. FAIRCHILD: A bill (H. R. 20823) granting a pension to Lorilla M. Cook; to the Committee on Invalid Pensions.

By Mr. FERRIS: A bill (H. R. 20824) granting a pension to William Leishing; to the Committee on Pensions.

By Mr. HOWELL: A bill (H. R. 20825) granting an increase of pension to Matilda C. Boulden; to the Committee on Invalid Pensions.

By Mr. LAFFERTY: A bill (H. R. 20826) granting a pension to Mary M. Fisher; to the Committee on Invalid Pensions.

By Mr. HAMILL: A bill (H. R. 20827) granting a pension to Ada A. Lewis; to the Committee on Invalid Pensions.

By Mr. LINTHICUM: A bill (H. R. 20828) for the relief of James Campbell; to the Committee on Military Affairs.

By Mr. PLATT: A bill (H. R. 20829) granting a pension to Charles Hall; to the Committee on Invalid Pensions.

By Mr. ROUSE: A bill (H. R. 20830) granting an increase of pension to Susan O. Hewitt; to the Committee on Invalid Pensions.

By Mr. SHREVE: A bill (H. R. 20831) for the relief of Frances A. Bliss; to the Committee on War Claims.

By Mr. SLAYDEN: A bill (H. R. 20832) for the relief of D. C. Darroch; to the Committee on Military Affairs.

By Mr. SMITH of Maryland: A bill (H. R. 20833) granting an increase of pension to Columbus Sampson; to the Committee on Invalid Pensions.

By Mr. SUTHERLAND: A bill (H. R. 20834) granting an increase of pension to Andrew Gladwell; to the Committee on Invalid Pensions.

By Mr. TAGGART: A bill (H. R. 20835) granting an increase of pension to George Campbell; to the Committee on Invalid Pensions.

By Mr. TALCOTT of New York: A bill (H. R. 20836) granting an increase of pension to James Swan; to the Committee on Invalid Pensions.

By Mr. TAYLOR of New York: A bill (H. R. 20837) granting a pension to John C. Rowland; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20838) providing for the adjudication of certain claims by the Court of Claims; to the Committee on Claims.

By Mr. WOODRUFF: A bill (H. R. 20839) granting an increase of pension to Linda Elliott; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20840) granting an increase of pension to Francis King; to the Committee on Invalid Pensions.

By Mr. McGUIRE of Oklahoma: A bill (H. R. 20842) granting an increase of pension to Sidney W. Wox; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20843) granting an increase of pension to William H. Caunoy; to the Committee on Invalid Pensions.

By Mr. MORRISON: A bill (H. R. 20844) granting a pension to Margaret C. Pyles; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20845) granting an increase of pension to Martha A. Wescott; to the Committee on Invalid Pensions.

By Mr. MORGAN of Oklahoma: A bill (H. R. 20846) granting a pension to Westley J. Brasier, alias William J. Brasier; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Memorial of sundry citizens of Montgomery County, Mo., favoring passage of House joint resolution 377; to the Committee on Foreign Affairs.

By Mr. BAILEY: Petitions of E. S. Seaman, of Wilmore; and of Bantley & Mine, Portage Supply Co., and E. S. Lindsey, of Portage, all of the State of Pennsylvania, asking for the passage of House bill 5308, a bill providing for the taxation of mail-order houses for local purposes; to the Committee on Ways and Means.

By Mr. BEAKES: Petitions of Eugene J. Helber and 27 citizens of Washtenaw County; John Bork and 37 citizens of Wayne County; H. A. Brauer and 38 citizens of Ann Arbor; Fred T. Kipf and 34 citizens of Monroe; Christian Gensley and 19 citizens of Ann Arbor; F. Thrun and 80 citizens of Ann Arbor; Julian R. Trojanowski, president, and Christian Martin, secretary, of the Stadt-Verband, of Ann Arbor; Carl F. Stark, president, and Fred C. Scholl, secretary, of the Workingman Society of Adrian; Joseph Biskupski, president, and Carl Marx, secretary, of the St. Joseph's Benevolent Society, of Adrian; F. T. Stark, Henry D. Duerr, Carl J. Erhart, and Joseph Ehrlich, Adrian, all of the second congressional district of Michigan, in favor of prohibiting the export of arms, ammunition, and munitions of war from the United States; to the Committee on Foreign Affairs.

By Mr. BUCHANAN of Illinois: Petition of 65 citizens of Chicago, Ill., favoring the passage of House joint resolution 377, to prevent the shipment of munitions of war; to the Committee on Foreign Affairs.

By Mr. BURKE of Wisconsin: Petition of Rev. C. Lescow and 14 other citizens of Woodland, Wis., asking for the passage of Senate bill 6688, or any similar measure, to levy an embargo on all contraband of war, save foodstuffs only; to the Committee on Foreign Affairs.

Also, petition of Mr. W. Stauber and 18 other citizens of the city of Sheboygan, Wis., asking for the passage at this session of House joint resolution 377, to prohibit the exportation of arms, ammunition, etc., from this country to European countries now at war; to the Committee on Foreign Affairs.

Also, petition of August Lau and 14 other citizens of Sheboygan, Wis., asking for the passage of a law to prohibit the sale and exportation of war material from the United States to belligerent European nations; to the Committee on Foreign Affairs.

Also, petitions of Emil Morenzun, of Theresa, and A. F. Nicolaus and 128 other citizens of Fort Atkinson, both in the State of Wisconsin, asking for the passage of Senate bill 6688, or any similar measure, to levy an embargo on all contraband of war, save foodstuffs only; to the Committee on Foreign Affairs.

Also, petitions of Edwin C. Beske and 35 other citizens of Atwater, Dodge County, and A. C. Kukhaefer and 22 other citizens of Thiensville, both in the State of Wisconsin, asking for the passage at this session of House joint resolution 377, to levy an embargo upon and prohibit the exportation of arms, ammunition, etc., to any of the European countries now engaged in war; to the Committee on Foreign Affairs.

Also, petition of Rev. M. H. Pankow and 55 other citizens of Waterloo, Wis., asking for the passage of Senate bill 6688, or any similar measure, to levy an embargo on all contraband of war, save foodstuffs only; to the Committee on Foreign Affairs.

By Mr. DILLON: Petitions of Lane Local Branch of the German-American Alliance of South Dakota, and sundry citizens of South Dakota, favoring the passage of House joint resolution 377; to the Committee on Foreign Affairs.

By Mr. DRISCOLL: Petitions of citizens of the State of New York, relative to violation of the spirit of neutrality by the United States; to the Committee on Foreign Affairs.

By Mr. EAGAN: Petition of Montclair and the New Jersey Associations Opposed to Woman Suffrage, protesting against suffrage for women; to the Committee on the Judiciary.

By Mr. ESCH: Petitions of citizens of the State of Wisconsin, favoring passage of House joint resolution 377, relative to violation of strict neutrality by the United States; to the Committee on Foreign Affairs.

By Mr. FESS: Petition of citizens of Unionville Center, Ohio, favoring passage of House Joint Resolution 377; to the Committee on Foreign Affairs.

By Mr. GARNER: Petition of citizens of Texas, favoring House joint resolution 377, to forbid export of arms; to the Committee on Foreign Affairs.

By Mr. GERRY: Petitions of Rev. A. S. Arnold, Woonsocket; Sarah J. Eddy and Lillian Wheeler, Bristol Ferry; Harriet Taft, Lillian Brown, Elizabeth A. Jennings, Mrs. Harriet J. Bosworth, and Helen Bowen Jones, Providence; Dr. Kate S. Stanton, Hannah C. Bacheller, Henry C. Bacheller, Mrs. A. F. Squire, M. Anna Ford, Mrs. George G. Keating, Elizabeth H. Tromburne, Harriet F. Riggs, Mrs. I. S. Buffum, Rebecca T. Bosworth, Rachel W. Bertram, Mary F. Leavitt, Wayant H. Easter, Mrs. Robert Herrick, Marie F. Cottrell, and Miss Blanche Leavitt, Newport; Miss Elizabeth Jennings, Miss C. Isabelle Lee, and Miss Julia E. Wilock, Newport, all in the State of Rhode Island, urging the passage of legislation providing for equal suffrage; to the Committee on the Judiciary.

By Mr. KENNEDY of Rhode Island: Petitions of Mary F. Leavitt, Blanche Leavitt, Margaret H. Easton, Lillian Wheeler, Kate S. Stanton, M. D., Mrs. James Griswold Wentz, Sarah J. Eddy, all of Newport, R. I., in favor of woman suffrage; to the Committee on the Judiciary.

Also, petition of Elizabeth Jennings, C. Isabelle Lee, and Julia E. Welock, of East Providence, R. I., favoring woman suffrage; to the Committee on the Judiciary.

By Mr. LONERGAN: Resolution of Mrs. Adeline Hall Williams, chairman executive committee of the Cosmopolitan Club, councilor of the national committee on prisons and prison labor, in re bill to regulate interstate commerce in convict-made goods; to the Committee on Interstate and Foreign Commerce.

By Mr. McCLELLAN: Petition of James J. O'Reilly and Thomas Carroll, of Kingston, and Jacob Stotz, of Hunter, N. Y., favoring passage of House joint resolution 377, to prohibit exportation of war material; to the Committee on Foreign Affairs.

Also, telegrams from E. P. Babcock, Mrs. E. P. Babcock, S. B. Hamilton, Mrs. S. B. Hamilton, E. B. Whiting, Mrs. F. E. Boyle, A. B. Hopkins, E. Hopkins, C. H. Whiting, all of Canaan, N. Y.; J. H. Cox, N. Brooks, M. D., Mrs. S. J. Tilden, Louise Highland, Stanley H. Watson, Lena R. Smith, Sydney R. Smith, all of New Lebanon, N. Y., urging passage of suffrage amendment; to the Committee on the Judiciary.

Also, telegrams from Mrs. John W. Gillette, Mrs. Robert Evans, and Alice Seymour, all of Hudson, N. Y., urging vote against suffrage amendment; to the Committee on the Judiciary.

By Mr. MAHAN: Resolutions adopted by the Cosmopolitan Club, of South Manchester, Conn., favoring the passage of the bill to regulate interstate commerce in convict-made goods; to the Committee on Interstate and Foreign Commerce.

Also, petition of sundry citizens of Norwich, Conn., favoring the passage of House joint resolution 377, relative to war material; to the Committee on Foreign Affairs.

By Mr. MANN: Petition of the Electrical Supply Jobbers' Association, favoring 1-cent letter postage; to the Committee on the Post Office and Post Roads.

Also, petition of Calumet Singing Society, of Chicago, Ill., favoring legislation to enable the President to lay an embargo upon all contraband of war, excepting foodstuffs alone, etc.; to the Committee on Foreign Affairs.

Also, petition of Friends of our Native Landscape, favoring creation of Rocky Mountain National Park, Colo.; to the Committee on the Public Lands.

By Mr. MOORE: Petitions of 2,518 citizens of the city of Philadelphia, Pa., protesting against the exportation from the United States of articles of warfare and urging legislative action preventing its continuance; to the Committee on Foreign Affairs.

By Mr. NEELEY of Kansas: Petitions of citizens of Barton and Reno Counties, Kans., favoring House joint resolution 377, to forbid export of arms; to the Committee on Foreign Affairs.

By Mr. J. I. NOLAN: Resolutions of 28 fraternal and other organizations in the city of San Francisco, Cal., comprising a total membership of 34,426 citizens, favoring the passage of House bill 5139, providing for the retirement of superannuated civil-service employees; to the Committee on Reform in the Civil Service.

Also, petitions from sundry citizens of the city of San Francisco, favoring the passage of House joint resolution 377, to prohibit the exportation of munitions of war; to the Committee on Foreign Affairs.

By Mr. NORTON: Petition from B. Greenberg, E. L. Duell, H. Wilensky, D. V. Brennan, M. H. Brennan, V. Gram, and Edw. Richardson, all of Devils Lake, N. Dak.; Ch. Freedman, of Starkweather, and John Henley and others, of Devils Lake, N. Dak., in opposition to the illiteracy clause in the Burnett immigration bill (H. R. 6060); to the Committee on Immigration and Naturalization.

By Mr. PARKER of New York: Papers to accompany House bill 15182, for increase of pension to E. T. Connelly; to the Committee on Invalid Pensions.

Also, petition of Fred McNaughton, W. N. Ells, A. E. Mason, and other citizens of New York, favoring Senate bill 3672, to make certain improvements in Harlem River; to the Committee on Rivers and Harbors.

By Mr. PLATT: Papers to accompany bill granting a pension to Charles Hall; to the Committee on Invalid Pensions.

By Mr RAINEY: Petition of German Roman Catholic Union of Illinois, against sale of munitions of war to nations engaged in war; to the Committee on Foreign Affairs.

Also, petition of St. Joseph Benevolent Society, of Brussels, Ill., favoring religious freedom in Mexico; to the Committee on Foreign Affairs.

Also, petition of Garage Owners' Association of Illinois, favoring the Stevens bills (H. R. 13305); to the Committee on Interstate and Foreign Commerce.

By Mr. RAKER: Petitions of citizens of the State of California, favoring the passage of the Hamill bill (H. R. 539); to the Committee on Reform in the Civil Service.

By Mr. ROUSE: Petition of 279 citizens of the State of Kentucky, favoring the adoption of House resolution 377; to the Committee on Foreign Affairs.

By Mr. SABATH: Petition of Union League of Italian-Americans of the United States, against literacy test in immigration bill; to the Committee on Immigration and Naturalization.

Also, memorial of 126 members of Ambrosius Maennerchor, of Chicago, Ill., favoring strict neutrality by the United States; to the Committee on Foreign Affairs.

By Mr. SCULLY: Memorial of the New Jersey State League of Building and Loan Associations, urging amendment to the war-revenue law exempting building loans; to the Committee on Ways and Means.

Also, petition of Mr. Lloyd, of Matawan, N. J., relative to armaments of war; to the Committee on Foreign Affairs.

By Mr. J. M. C. SMITH: Papers to accompany H. R. 2854, granting pension to Sarah E. Wilson; to the Committee on Invalid Pensions.

Also, petition of David Vogt and two citizens, of Coldwater, Mich., favoring House joint resolution 377; to the Committee on Foreign Affairs.

By Mr. SUTHERLAND: Papers to accompany bill granting pension to Andrew Gladwell; to the Committee on Invalid Pensions.

By Mr. TALCOTT of New York: Petition of Paris Hill Church and Sunday School, for a federation of nations; to the Committee on Foreign Affairs.

Also, petition of citizens of thirty-third congressional district of New York, favoring passage of Senate bill 3672, for improvement of Harlem River; to the Committee on Rivers and Harbors.

By Mr. VOLLMER: Petition of 750 American citizens, for the adoption of House joint resolution 377, prohibiting the export of arms, ammunition, and munitions of war; to the Committee on Foreign Affairs.

By Mr. WHALEY: Petition of citizens of Charleston and Orangeburg, S. C., protesting against violation of spirit of neutrality by the United States; to the Committee on Foreign Affairs.

By Mr. WINSLOW: Petition of citizens of Worcester, Mass., relative to woman suffrage; to the Committee on the Judiciary.

By Mr. WOODRUFF: Petition of citizens of the tenth congressional district of Michigan, favoring passage of House joint resolution 377, relative to munitions of war; to the Committee on Foreign Affairs.

SENATE.

WEDNESDAY, *January 13, 1915.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we come before Thee with fullest and freest self-expression, because Thou art love. We would not cloak nor hide our sins from Thee. We would not deceive ourselves concerning our own weakness. Before Thee we would come laying bare our hearts, lifting them up to the source of light and truth and power, asking Thee to breathe upon us and give us the influence of Thy spirit. All about us error and truth contend together, darkness and light struggle for supremacy; but Thou art the source of truth; Thou art the fountain of life. To Thee we come and pray that our path may be illumined by Thy presence, that we may discern the right from the wrong, and lay ourselves upon Thine altar, that Thou mayest use us for the glory of Thy name and the advancement of all the interests of this great Nation this day. We ask it for Christ's sake. Amen.

The Journal of yesterday's proceedings was read and approved.

PETITIONS AND MEMORIALS.

Mr. TOWNSEND presented petitions of sundry citizens of Michigan, praying for the enactment of legislation to prohibit the exportation of ammunition, etc., which were referred to the Committee on Foreign Relations.

Mr. BURLEIGH presented a petition of sundry citizens of Washburn, Me., praying for national prohibition, which was referred to the Committee on the Judiciary.

Mr. NELSON presented petitions of sundry citizens of Minnesota, praying for the enactment of legislation to prohibit the exportation of ammunition, etc., which were referred to the Committee on Foreign Relations.

Mr. GALLINGER presented a petition of Governor Weare Council, No. 15, Order United American Mechanics, of Seabrook, N. H., praying for the passage of the pending immigration bill, which was ordered to lie on the table.

Mr. BRISTOW presented petitions of sundry citizens of Ellinwood, Palmer, and Gaylord, all in the State of Kansas, praying for the enactment of legislation to prohibit the exportation of ammunition, etc., which were referred to the Committee on Foreign Relations.

Mr. McLEAN presented petitions of sundry citizens of Hartford and Danbury, Conn., praying for the enactment of legislation to prohibit the exportation of ammunition, etc., which were referred to the Committee on Foreign Relations.

He also presented petitions of the Cosmopolitan Club, of South Manchester, and the Central Labor Union of Thompsonville, in the State of Connecticut, praying for the enactment of legislation to regulate commerce in convict-made goods, which were ordered to lie on the table.

He also presented memorials of local branches, Association Opposed to Woman Suffrage, of New Haven, Old Lyme, and Bridgeport, all in the State of Connecticut, remonstrating against the adoption of an amendment to the Constitution to grant the right of suffrage to women, which were ordered to lie on the table.

REPORTS OF COMMITTEES.

Mr. JAMES, from the Committee on Claims, to which was referred the bill (H. R. 4001) for the relief of Daniel J. Ryan, reported it without amendment and submitted a report (No. 903) thereon.

Mr. SMITH of Georgia, from the Committee on the Judiciary, to which was referred the bill (H. R. 17869) providing for the appointment of an additional district judge for the southern district of the State of Georgia, reported it with amendments and submitted a report (No. 908) thereon.

Mr. CRAWFORD, from the Committee on Claims, to which were referred the following bills, reported them each without amendment and submitted reports thereon:

H. R. 57. An act making an appropriation to M. C. Burke for tax liens held by him on property acquired by the United States (Rept. No. 906); and

H. R. 14167. An act for the relief of Emily J. Byrd (Rept. No. 905).

Mr. OWEN, from the Committee on Indian Affairs, to which was referred the bill (H. R. 12780) to provide for the payment of the claim of J. O. Modisette for services performed for the Chickasaw Indians of Oklahoma, reported it without amendment and submitted a report (No. 907) thereon.

Mr. FLETCHER, from the Committee on Printing, to which was referred the bill (H. R. 15902) to amend, revise, and codify the laws relating to the public printing and binding and the distribution of Government publications, reported it with amendments and submitted a report (No. 904) thereon.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. WALSH:

A bill (S. 7263) granting additional rights to settlers on reclamation projects; to the Committee on Public Lands.

By Mr. CHAMBERLAIN:

A bill (S. 7264) changing the designation, fixing the status of and granting an increase in pay to certain clerks employed with the Army at headquarters of departments, divisions, brigades, districts, Army service schools, and posts commanded by general officers, and heretofore known as "headquarters clerks"; to the Committee on Military Affairs.

By Mr. GALLINGER:

A bill (S. 7265) granting an increase of pension to Daniel H. Pettengill (with accompanying papers); to the Committee on Pensions.

By Mr. OLIVER:

A bill (S. 7266) to authorize the Brunot Island Bridge Co. to construct, maintain, and operate a bridge across the back channel of the Ohio River; to the Committee on Commerce.

By Mr. DU PONT:

A bill (S. 7267) to place the name of James P. Barney on the lineal list of first lieutenants of Cavalry of the Army; to the Committee on Military Affairs.

By Mr. NELSON:

A bill (S. 7268) for the relief of the heirs of the late Frank Henry Rogers to the Committee on Claims.

By Mr. SMOOT:

A bill (S. 7269) granting an increase of pension to Richard Hudson (with accompanying papers); to the Committee on Pensions.

By Mr. BURLEIGH:

A bill (S. 7270) granting a pension to Otis I. Trundy; to the Committee on Pensions.

By Mr. TOWNSEND:

A bill (S. 7271) granting a pension to Mary Marvin (with accompanying papers), to the Committee on Pensions.

By Mr. WILLIAMS:

A bill (S. 7272) for the relief of the legal representatives of Gustavus Colhoun, late of Adams County, Miss. (with accompanying papers); to the Committee on Claims.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. JONES submitted an amendment proposing to appropriate $400,000 for the construction of a dam across the Yakima River for the diversion and utilization of water provided for 40 acres of each Indian allotment on the Yakima Reservation, Wash., etc., intended to be proposed by him to the Indian appropriation bill (H. R. 20150), which was referred to the Committee on Indian Affairs and ordered to be printed.

He also submitted an amendment proposing to ratify and confirm as fee-simple patents without restrictions against alienation as of other dates the issuance to patents heretofore issued to certain persons holding lands in the Willamette Meridian, State of Washington, etc., intended to be proposed by him to the Indian appropriation bill (H. R. 20150), which was referred to the Committee on Indian Affairs and ordered to be printed.

Mr. TILLMAN submitted an amendment proposing to appropriate $500 for compiling the Navy Yearbook for the calendar year 1914, intended to be proposed by him to the legislative, etc., appropriation bill (H. R. 19909), which was referred to the Committee on Appropriations and ordered to be printed.

Mr. MYERS submitted an amendment proposing to appropriate $100,000 for continuing the construction of irrigation systems to irrigate the lands of the Indians of the Blackfoot Indian Reservation in Montana, etc., intended to be proposed by him to the Indian appropriation bill (H. R. 20150), which was referred to the Committee on Indian Affairs and ordered to be printed.

EMPLOYMENT OF ADDITIONAL CLERK.

Mr. BANKHEAD submitted the following resolution (S. Res. 519), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Post Offices and Post Roads is hereby authorized to employ an additional clerk for a period of one month at a salary of $75 per month, to be paid out of the contingent fund of the Senate.

SEIZURE OF NEUTRAL VESSELS.

Mr. STONE. Mr. President, I have some matter that I would like to have consent to have inserted in the RECORD for the sake of convenience of reference.

The first is the note of the Secretary of State of December 26 last addressed to the American ambassador at London, to be presented to the British Minister for Foreign Affairs, with respect to the arrest of neutral vessels and interference with American cargoes destined to neutral ports, and also the preliminary reply by the British Minister for Foreign Affairs, of date January 7, 1915. In this connection I ask leave to insert two proclamations made by the British Government revising the list of articles to be treated as contraband of war, the first of these being of date October 29, last, with some action taken thereon by council in order at Buckingham Palace, and also the second proclamation of December 23 last. I ask that these several papers may be inserted in their order.

The VICE PRESIDENT. Without objection, it is so ordered.

The matter referred to is as follows:

[Telegram.]

SECRETARY OF STATE TO THE AMERICAN AMBASSADOR AT LONDON.

DEPARTMENT OF STATE,
Washington, December 26, 1914.

The present condition of American foreign trade resulting from the frequent seizures and detentions of American cargoes destined to neutral European ports has become so serious as to require a candid statement of the views of this Government in order that the British Government may be fully informed as to the attitude of the United States toward the policy which has been pursued by the British authorities during the present war.

You will, therefore, communicate the following to His Majesty's principal secretary of state for foreign affairs, but in doing so you will assure him that it is done in the most friendly spirit and in the belief that frankness will better serve the continuance of cordial relations between the two countries than silence, which may be misconstrued into acquiescence in a course of conduct which this Government can not but consider to be an infringement upon the rights of American citizens.

The Government of the United States has viewed with growing concern the large number of vessels laden with American goods destined to neutral ports in Europe, which have been seized on the high seas, taken into British ports and detained sometimes for weeks by the British authorities. During the early days of the war this Government assumed that the policy adopted by the British Government was due to the unexpected outbreak of hostilities and the necessity of immediate action to prevent contraband from reaching the enemy. For this reason it was not disposed to judge this policy harshly or protest it vigorously, although it was manifestly very injurious to American trade with the

neutral countries of Europe. This Government, relying confidently upon the high regard which Great Britain has so often exhibited in the past for the rights of other nations, confidently awaited amendment of a course of action which denied to neutral commerce the freedom to which it was entitled by the law of nations.

This expectation seemed to be rendered the more assured by the statement of the foreign office early in November that the British Government were satisfied with guaranties offered by the Norwegian, Swedish, and Danish Governments as to nonexportation of contraband goods when consigned to named persons in the territories of those Governments, and that orders had been given to the British fleet and customs authorities to restrict interference with neutral vessels carrying such cargoes so consigned to verification of ship's papers and cargoes.

It is, therefore, a matter of deep regret that, though nearly five months have passed since the war began, the British Government have not materially changed their policy and do not treat less rigorously ships and cargoes passing between neutral ports in the peaceful pursuit of lawful commerce, which belligerents should protect rather than interrupt. The greater freedom from detention and seizure which was confidently expected to result from consigning shipments to definite consignees, rather than "to order," is still awaited.

It is needless to point out to His Majesty's Government, usually the champion of the freedom of the seas and the rights of trade, that peace, not war, is the normal relation between nations and that the commerce between countries which are not belligerents should not be interfered with by those at war unless such interference is manifestly an imperative necessity to protect their national safety, and then only to the extent that it is a necessity. It is with no lack of appreciation of the momentous nature of the present struggle in which Great Britain is engaged, and with no selfish desire to gain undue commercial advantage, that this Government is reluctantly forced to the conclusion that the present policy of His Majesty's Government toward neutral ships and cargoes exceeds the manifest necessity of a belligerent and constitutes restrictions upon the rights of American citizens on the high seas which are not justified by the rules of international law or required under the principle of self-preservation.

The Government of the United States does not intend at this time to discuss the propriety of including certain articles in the lists of absolute and conditional contraband which have been proclaimed by His Majesty. Open to objection as some of these seem to this Government, the chief ground of present complaint is the treatment of cargoes of both classes of articles when bound to neutral ports.

Articles listed as absolute contraband shipped from the United States and consigned to neutral countries have been seized and detained on the ground that the countries to which they were destined have not prohibited the exportation of such articles. Unwarranted as such detentions are, in the opinion of this Government, American exporters are further perplexed by the apparent indecision of the British authorities in applying their own rules to neutral cargoes. For example, a shipment of copper from this country to a specified consignee in Sweden was detained because, as was stated by Great Britain, Sweden had placed no embargo on copper. On the other hand, Italy not only prohibited the export of copper, but, as this Government is informed, put in force a decree that shipments to Italian consignees or "to order" which arrive in ports of Italy can not be exported or transshipped. The only exception Italy makes is of copper which passes through that country in transit to another country. In spite of these decrees, however, the British foreign office has thus far declined to affirm that copper shipments consigned to Italy will not be molested on the high seas. Seizures are so numerous and delays so prolonged that exporters are afraid to send their copper to Italy, steamship lines decline to accept it, and insurers refuse to issue policies upon it. In a word, a legitimate trade is being greatly impaired through uncertainty as to the treatment which it may expect at the hands of the British authorities.

We feel that we are abundantly justified in asking for information as to the manner in which the British Government propose to carry out the policy which they have adopted, in order that we may determine the steps necessary to protect our citizens engaged in foreign trade in their rights and from the serious losses to which they are liable through ignorance of the hazards to which their cargoes are exposed.

In the case of conditional contraband the policy of Great Britain appears to this Government to be equally unjustified by the established rules of international conduct. As evidence of this, attention is directed to the fact that a number of the American cargoes which have been seized consist of foodstuffs and other articles of common use in all countries which are admittedly relative contraband. In spite of the presumption of innocent use because destined to neutral territory, the British authorities made these seizures and detentions without, so far as we are informed, being in possession of facts which warranted a reasonable belief that the shipments had in reality a belligerent destination, as that term is used in international law. Mere suspicion is not evidence, and doubts should be resolved in favor of neutral commerce, not against it. The effect upon trade in these articles between neutral nations resulting from interrupted voyages and detained cargoes is not entirely cured by reimbursement of the owners for the damages which they have suffered after investigation has failed to establish an enemy destination. The injury is to American commerce with neutral countries as a whole through the hazard of the enterprise and the repeated diversion of goods from established markets.

It also appears that cargoes of this character have been seized by the British authorities because of a belief that, though not originally so intended by the shippers, they will ultimately reach the territory of the enemies of Great Britain. Yet this belief is frequently reduced to a mere fear in view of the embargoes which have been decreed by the neutral countries, to which they are destined, on the articles composing the cargoes.

That a consignment "to order" of articles listed as conditional contraband and shipped to a neutral port raises a legal presumption of enemy destination appears to be directly contrary to the doctrines previously held by Great Britain and thus stated by Lord Salisbury during the South African war:

"Foodstuffs, though having a hostile destination, can be considered as contraband of war only if they are for the enemy forces; it is not sufficient that they are capable of being so used; it must be shown that this was in fact their destination at the time of their seizure."

With this statement as to conditional contraband the views of this Government are in entire accord, and upon this historic doctrine, consistently maintained by Great Britain when a belligerent as well as a neutral, American shippers were entitled to rely.

The Government of the United States readily admits the full right of a belligerent to visit and search on the high seas the vessels of American citizens or other neutral vessels carrying American goods and to detain them when there is sufficient evidence to justify a belief that contraband articles are in their cargoes; but His Majesty's Government, judging by their own experience in the past, must realize that this Government can not without protest permit American ships or American cargoes to be taken into British ports and there detained for the purpose of searching generally for evidence of contraband, or upon presumptions created by special municipal enactments which are clearly at variance with international law and practice.

This Government believes and earnestly hopes His Majesty's Government will come to the same belief, that a course of conduct more in conformity with the rules of international usage, which Great Britain has strongly sanctioned for many years, will in the end better serve the interests of belligerents as well as those of neutrals.

Not only is the situation a critical one to the commercial interests of the United States, but many of the great industries of this country are suffering because their products are denied long-established markets in European countries, which, though neutral, are contiguous to the nations at war. Producers and exporters, steamship and insurance companies are pressing, and not without reason, for relief from the menace to trans-Atlantic trade, which is gradually but surely destroying their business and threatening them with financial disaster.

The Government of the United States, still relying upon the deep sense of justice of the British nation, which has been so often manifested in the intercourse between the two countries during so many years of uninterrupted friendship, expresses confidently the hope that His Majesty's Government will realize the obstacles and difficulties which their present policy has placed in the way of commerce between the United States and the neutral countries of Europe and will instruct its officials to refrain from all unnecessary interference with the freedom of trade between nations which are sufferers, though not participants, in the present conflict, and will in their treatment of neutral ships and cargoes conform more closely to those rules governing the maritime relations between belligerents and neutrals, which have received the sanction of the civilized world, and which Great Britain has in other wars so strongly and successfully advocated.

In conclusion it should be impressed upon His Majesty's Government that the present condition of American trade with the neutral European countries is such that, if it does not improve, it may arouse a feeling contrary to that which has so long existed between the American and British peoples. Already it is becoming more and more the subject of public criticism and complaint. There is an increasing belief, doubtless not entirely unjustified, that the present British policy toward American trade is responsible for the depression in certain industries which depend upon European markets. The attention of the British Government is called to this possible result of their present policy to show how widespread the effect is upon the industrial life of the United States and to emphasize the importance of removing the cause of complaint.

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THE BRITISH SECRETARY OF STATE FOR FOREIGN AFFAIRS TO THE AMERICAN AMBASSADOR.

FOREIGN OFFICE, *January 7, 1915.*

YOUR EXCELLENCY: I have the honor to acknowledge receipt of your note of the 28th of December.

It is being carefully examined, and the points raised in it are receiving consideration, as the result of which a reply shall be addressed to your excellency dealing in detail with the issues raised and the points to which the United States Government have drawn attention. This consideration and the preparation of the reply will necessarily require some time, and I therefore desire to send, without further delay, some preliminary observations which will, I trust, help to clear the ground and remove some misconceptions that seem to exist.

Let me say at once that we entirely recognize the most friendly spirit referred to by your excellency, and that we desire to reply in the same spirit and in the belief that, as our excellency states, frankness will best serve the continuance of cordial relations between the two countries.

His Majesty's Government cordially concur in the principle enunciated by the Government of the United States that a belligerent, in dealing with trade between neutrals, should not interfere unless such interference is necessary to protect the belligerent's national safety, and then only to the extent to which this is necessary. We shall endeavor to keep our action within the limits of this principle on the understanding that it admits our right to interfere, when such interference is not with bona fide trade between the United States and another neutral country but with trade in contraband destined for the enemy's country, and we are ready, whenever our action may unintentionally exceed this principle, to make redress.

We think that much misconception exists as to the extent to which we have in practice interfered with trade. Your excellency's note seems to hold His Majesty's Government responsible for the present condition of trade with neutral countries, and it is stated that, through the action of His Majesty's Government, the products of the great industries of the United States have been denied long-established markets in European countries which, though neutral, are contiguous to the seat of war. Such a result is far from being the intention of His Majesty's Government, and they would exceedingly regret that it should be due to their action. I have been unable to obtain complete or conclusive figures showing what the state of trade with these neutral countries has been recently, and I can therefore only ask that some further consideration should be given to the question whether United States trade with these neutral countries has been so seriously affected. The only figures as to the total volume of trade that I have seen are those for the exports from New York for the month of November, 1914, and they are as follows, compared with the month of November, 1913:

Exports from New York for November, 1913, and November, 1914, respectively.

Denmark	$558,000	$7,101,000
Sweden	377,000	2,858,000
Norway	477,000	2,318,000
Italy	2,971,000	4,781,000
Holland	4,389,000	3,960,000

It is true that there may have been a falling off in cotton exports, as to which New York figures would be no guide, but His Majesty's Government have been most careful not to interfere with cotton, and its place on the free list has been scrupulously maintained.

We do not wish to lay too much stress upon incomplete statistics; the figures above are not put forward as conclusive; and we are prepared to examine any further evidence with regard to the state of trade with these neutral countries which may point to a different conclusion or show that it is the action of His Majesty's Government in particular, and not the existence of a state of war and consequent

diminution of purchasing power and shrinkage of trade, which is responsible for adverse effects upon trade with the neutral countries.

That the existence of a state of war on such a scale has had a very adverse effect upon certain great industries, such as cotton, is obvious; but it is submitted that this is due to the general cause of diminished purchasing power of such countries as France, Germany, and the United Kingdom, rather than to interference with trade with neutral countries. In the matter of cotton, it may be recalled that the British Government gave special assistance through the Liverpool Cotton Exchange to the renewal of transactions in the cotton trade of not only the United Kingdom but of many neutral countries.

Your excellency's note refers in particular to the detention of copper. The figures taken from official returns for the export of copper from the United States for Italy for the months during which the war has been in progress up to the end of the first three weeks of December are as follows:

Nineteen thirteen: Fifteen million two hundred and two thousand pounds. Nineteen fourteen: Thirty-six million two hundred and eighty-five thousand pounds. Norway, Sweden, Denmark, and Switzerland are not shown separately for the whole period in the United States returns, but are included in the heading "Other Europe"—that is, Europe other than the United Kingdom, Russia, France, Belgium, Austria, Germany, Holland, and Italy. The corresponding figures under this heading are as follows:

Nineteen thirteen: Seven million two hundred and seventy-one thousand pounds. Nineteen fourteen: Thirty-five million three hundred and forty-seven thousand pounds.

With such figures the presumption is very strong that the bulk of copper consigned to these countries has recently been intended not for their own use, but for that of a belligerent who can not import it direct. It is therefore an imperative necessity for the safety of this country while it is at war that His Majesty's Government should do all in their power to stop such part of the import of copper as is not genuinely destined for neutral countries.

Your excellency does not quote any particular shipment of copper to Sweden which has been detained. There are, however, four consignments to Sweden at the present time of copper and aluminum which, though definitely consigned to Sweden, are, according to positive evidence in the possession of His Majesty's Government, definitely destined for Germany.

I can not believe that with such figures before them and in such cases as those just mentioned the Government of the United States would question the propriety of the action of His Majesty's Government in taking suspected cargoes to a prize court, and we are convinced that it can not be in accord with the wish either of the Government or of the people of the United States to strain the international code in favor of private interests so as to prevent Great Britain from taking such legitimate means for this purpose as are in her power.

With regard to the seizure of foodstuffs to which your excellency refers, His Majesty's Government are prepared to admit that foodstuffs should not be detained and put into a prize court without presumption that they are intended for the armed forces of the enemy or the enemy Government. We believe that this rule has been adhered to in practice hitherto, but if the United States Government have instances to the contrary we are prepared to examine them, and it is our present intention to adhere to the rule, though we can not give an unlimited and unconditional undertaking in view of the departure by those against whom we are fighting from hitherto accepted rules of civilization and humanity and the uncertainty as to the extent to which such rules may be violated by them in future.

From the 4th of August last to the 3d of January the number of steamships proceeding from the United States for Holland, Denmark, Norway, Sweden, and Italy has been 773. Of these there are 45 which have had consignments or cargoes placed in the prize court, while of the ships themselves only 8 have been placed in the prize court, and 1 of these has since been released. It is, however, essential under modern conditions that where there is real ground for suspecting the presence of contraband the vessels should be brought into port for examination. In no other way can the right of search be exercised, and but for this practice it would have to be completely abandoned. Information was received by us that special instructions had been given to ship rubber from the United States under another designation to escape notice, and such cases have occurred in several instances. Only by search in a port can such cases, when suspected, be discovered and proved. The necessity for examination in a port may also be illustrated by a hypothetical instance connected with cotton which has not yet occurred. Cotton is not specifically mentioned in your excellency's note, but I have seen public statements made in the United States that the attitude of His Majesty's Government with regard to cotton has been ambiguous, and thereby responsible for depression in the cotton trade. There has never been any foundation for this allegation. His Majesty's Government have never put cotton on the list of contraband. They have throughout the war kept it on the free list, and on every occasion when questioned on the point they have stated their intention of adhering to this practice. But information has reached us that precisely because we have declared our intention of not interfering with cotton ships carrying cotton will be specially selected to carry concealed contraband, and we have been warned that copper will be concealed in bales of cotton. Whatever suspicions we have entertained we have not so far made these a ground for detaining any ship carrying cotton; but should we have information giving us real reason to believe in the case of a particular ship that the bales of cotton concealed copper or other contraband the only way to prove our case would be to examine and weigh the bales, a process that could be carried out only by bringing the vessel into a port. In such a case, or if examination justified the action of His Majesty's Government, the case shall be brought before a prize court and dealt with in the ordinary way.

That the decisions of British prize courts hitherto have not been unfavorable to neutrals is evidenced by the decision in the *Miramichi* case. This case, which was decided against the Crown, laid down that the American shipper was to be paid even when he had sold a cargo c. i. f., and when the risk of loss after the cargo had been shipped did not apply to him at all.

It has further been represented to His Majesty's Government, though this subject is not dealt with in your excellency's note, that our embargoes on the export of some articles, more especially rubber, have interfered with commercial interests in the United States. It is, of course, difficult for His Majesty's Government to permit the export of rubber from British dominions to the United States at a time when rubber is essential to belligerent countries for carrying on the war, and when a new trade in exporting rubber from the United States in suspiciously large quantities to neutral countries has actually sprung up since the war. It would be impossible to permit the export of rubber from Great Britain unless the right of His Majesty's Government were admitted to submit to a prize court cargoes of rubber exported from the United States which they believed to be destined for an enemy country and reasonable latitude of action for this purpose were conceded. But His Majesty's Government have now provisionally come to an arrangement with the rubber exporters in Great Britain which will permit of licenses being given under proper guarantees for the export of rubber to the United States.

We are confronted with the growing danger that neutral countries contiguous to the enemy will become on a scale hitherto unprecedented a base of supplies for the armed forces of our enemies and for materials for manufacturing armament. The trade figures of imports show how strong this tendency is, but we have no complaint to make of the attitude of the Governments of those countries, which, so far as we are aware, have not departed from proper rules of neutrality. We endeavor in the interest of our own national safety to prevent this danger by intercepting goods really destined for the enemy, without interfering with those which are "bona fide" neutral.

Since the outbreak of the war the Government of the United States have changed their previous practice and have prohibited the publication of manifests till 30 days after the departure of vessels from the United States ports. We had no "locus standi" for complaining of this change, and did not complain. But the effect of it must be to increase the difficulty of ascertaining the presence of contraband, and to render necessary in the interests of our national safety the examination and detention of more ships than would have been the case if the former practice had continued.

Pending a more detailed reply, I would conclude by saying that His Majesty's Government do not desire to contest the general principles of law, on which they understand the note of the United States to be based, and desire to restrict their action solely to interferences with contraband destined for the enemy. His Majesty's Government are prepared, whenever a cargo coming from the United States is detained, to explain the case on which such detention has taken place, and would gladly enter into any arrangement by which mistakes can be avoided and reparation secured promptly when any injury to the neutral owners of a ship or cargo has been improperly caused, for they are most desirous, in the interest both of the United States and of other neutral countries, that British action should not interfere with the normal importation and use by the neutral countries of goods from the United States.

I have the honor to be, with the highest consideration,

Your excellency's most obedient humble servant,

E. GREY.

BY THE KING—A PROCLAMATION REVISING THE LIST OF CONTRABAND OF WAR—GEORGE R. I.

(A proclamation announcing a contraband list the same as the British Government's list has been issued by the French Government.)

Whereas on the 4th day of August, 1914, we did issue our royal proclamation specifying the articles which it was our intention to treat as contraband of war during the war between us and the German Emperor; and

Whereas on the 12th day of August, 1914, we did by our royal proclamation of that date extend our proclamation aforementioned to the war between us and the Emperor of Austria, King of Hungary; and

Whereas on the 21st day of September, 1914, we did by our royal proclamation of that date make certain additions to the list of articles to be treated as contraband of war; and

Whereas it is expedient to consolidate the said lists and to make certain additions thereto: Now, therefore,

We do hereby declare, by and with the advice of our privy council, that the lists of contraband contained in the schedules to our royal proclamations of the 4th day of August and the 21st day of September aforementioned are hereby withdrawn, and that in lieu thereof during the continuance of the war or until we do give further public notice the articles enumerated in Schedule I hereto will be treated as absolute contraband and the articles enumerated in Schedule II hereto will be treated as conditional contraband.

SCHEDULE I.

1. Arms of all kinds, including arms for sporting purposes, and their distinctive component parts.
2. Projectiles, charges, and cartridges of all kinds, and their distinctive component parts.
3. Powder and explosives specially prepared for use in war.
4. Sulphuric acid.
5. Gun mountings, limber boxes, limbers, military wagons, field forges and their distinctive component parts.
6. Range finders and their distinctive component parts.
7. Clothing and equipment of a distinctively military character.
8. Saddle, draft, and pack animals suitable for use in war.
9. All kinds of harness of a distinctively military character.
10. Articles of camp equipment and their distinctive component parts.
11. Armor plates.
12. Hematite iron ore and hematite pig iron.
13. Iron pyrites.
14. Nickel ore and nickel.
15. Ferrochrome and chrome ore.
16. Copper, unwrought.
17. Lead, pig, sheet, or pipe.
18. Aluminum.
19. Ferrosilica.
20. Barbed wire, and implements for fixing and cutting the same.
21. Warships, including boats and their distinctive component parts of such a nature that they can only be used on a vessel of war.
22. Aeroplanes, airships, balloons, and air craft of all kinds, and their component parts, together with accessories and articles recognizable as intended for use in connection with balloons and air craft.
23. Motor vehicles of all kinds and their component parts.
24. Motor tires; rubber.
25. Mineral oils and motor spirit, except lubricating oils.
26. Implements and apparatus designed exclusively for the manufacture of munitions of war, for the manufacture or repair of arms, or war material for use on land and sea.

SCHEDULE II.

1. Foodstuffs.
2. Forage and feedings stuff for animals.
3. Clothing, fabrics for clothing, and boots and shoes suitable for use in war.
4. Gold and silver in coin or bullion; paper money.

5. Vehicles of all kinds, other than motor vehicles, available for use in war, and their component parts.
6. Vessels, craft, and boats of all kinds; floating docks, parts of docks, and their component parts.
7. Railway materials both fixed and rolling stock, and materials for telegraphs, wireless telegraphs, and telephones.
8. Fuels, other than mineral oils; lubricants.
9. Powder and explosives not specially prepared for use in war.
10. Sulphur.
11. Glycerine.
12. Horseshoes and shoeing materials.
13. Harness and saddlery.
14. Hides of all kinds, dry or wet; pigskins, raw or dressed; leather, undressed or dressed, suitable for saddlery, harness, or military boots.
15. Field glasses, telescopes, chronometers, and all kinds of nautical instruments.

Given at our court at Buckingham Palace, this 29th day of October, in the year of our Lord 1914, and in the fifth year of our reign.

God save the King.

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AT THE COURT AT BUCKINGHAM PALACE, THE 29TH DAY OF OCTOBER, 1914. PRESENT, THE KING'S MOST EXCELLENT MAJESTY IN COUNCIL.

(A decree similar to this order in council has been issued by the French Government.)

Whereas by an order in council dated the 20th day of August, 1914, His Majesty was pleased to declare that during the present hostilities the convention known as the Declaration of London should, subject to certain additions and modifications therein specified, be adopted and put in force by His Majesty's Government; and

Whereas the said additions and modifications were rendered necessary by the special conditions of the present war; and

Whereas it is desirable and possible now to reenact the said order in council with amendments in order to minimize, so far as possible, the interference with innocent neutral trade occasioned by the war: Now, therefore,

His Majesty, by and with the advice of his privy council, is pleased to order, and it is hereby ordered, as follows:

1. During the present hostilities the provisions of the convention known as the Declaration of London shall, subject to the exclusion of the lists of contraband and noncontraband, and to the modifications hereinafter set out, be adopted and put in force by His Majesty's Government.

The modifications are as follows:

(i) A neutral vessel, with papers indicating a neutral destination, which, notwithstanding the destination shown on the papers, proceeds to an enemy port, shall be liable to capture and condemnation if she is encountered before the end of her next voyage.

(ii) The destination referred to in article 33 of the said declaration shall (in addition to the presumptions laid down in article 34) be presumed to exist if the goods are consigned to or for an agent of the enemy state.

(iii) Notwithstanding the provisions of article 35 of the said declaration, conditional contraband shall be liable to capture on board a vessel bound for a neutral port if the goods are consigned "to order," or if the ship's papers do not show who is the consignee of the goods or if they show a consignee of the goods in territory belonging to or occupied by the enemy.

(iv) In the cases covered by the preceding paragraph (iii) it shall lie upon the owners of the goods to prove that their destination was innocent.

2. Where it is shown to the satisfaction of one of His Majesty's principal secretaries of state that the enemy Government is drawing supplies for its armed forces from or through a neutral country, he may direct that in respect of ships bound for a port in that country, article 35 of the said declaration shall not apply. Such direction shall be notified in the London Gazette, and shall operate until the same is withdrawn. So long as such direction is in force a vessel which is carrying conditional contraband to a port in that country shall not be immune from capture.

3. The order in council of the 20th August, 1914, directing the adoption and enforcement during the present hostilities of the convention known as the Declaration of London, subject to the additions and modifications therein specified, is hereby repealed.

4. This order may be cited as "the Declaration of London Order in Council, No. 2, 1914."

And the lords commissioners of His Majesty's treasury, the lords commissioners of the Admiralty, and each of His Majesty's principal secretaries of state, the president of the probate, divorce, and admiralty division of the high court of justice, all other judges of His Majesty's prize courts, and all governors, officers, and authorities whom it may concern, are to give the necessary directions herein as to them may respectively appertain.

ALMERIC FITZROY.

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BRITISH AND FRENCH CONTRABAND LIST—BY THE KING—A PROCLAMATION REVISING THE LIST OF ARTICLES TO BE TREATED AS CONTRABAND OF WAR—GEORGE R. I.

(A contraband list the same as the British Government's list has been issued by the French Government.)

Whereas on the 4th day of August, 1914, we did issue our royal proclamation specifying the articles which it was our intention to treat as contraband of war during the war between us and the German Emperor; and

Whereas on the 12th day of August, 1914, we did by our royal proclamation of that date extend our proclamation aforementioned to the war between us and the Emperor of Austria, King of Hungary; and

Whereas on the 21st day of September, 1914, we did by our royal proclamation of that date make certain additions to the list of articles to be treated as contraband of war; and

Whereas on the 29th day of October, 1914, we did by our royal proclamation of that date withdraw the said lists of contraband and substitute therefor the lists contained in the schedules to the said proclamation; and

Whereas it is expedient to make certain alterations in and additions to the said lists: Now, therefore,

We do hereby declare, by and with the advice of our privy council, that the lists of contraband contained in the schedules to our royal proclamation of the 29th day of October aforementioned are hereby withdrawn, and that in lieu thereof during the continuance of the war or until we do give further public notice the articles enumerated in Schedule I hereto will be treated as absolute contraband and the articles enumerated in Schedule II hereto will be treated as conditional contraband.

SCHEDULE I.

1. Arms of all kinds, including arms for sporting purposes, and their distinctive component parts.
2. Projectiles, charges, and cartridges of all kinds and their distinctive component parts.
3. Powder and explosives specially prepared for use in war.
4. Ingredients of explosives, viz, nitric acid, sulphuric acid, glycerine, acetone, calcium acetate, and all other metallic acetates; sulphur, potassium nitrate, the fractions of the distillation products of coal tar between benzol and cresol, inclusive; aniline, methylaniline, dimethylaniline, ammonium perchlorate, sodium perchlorate, sodium chlorate, barium chlorate, ammonium nitrate, cyanamide, potassium chlorate, calcium nitrate, mercury.
5. Resinous products, camphor, and turpentine (oil and spirit).
6. Gun mountings, limber boxes, limbers, military wagons, field forges, and their distinctive component parts.
7. Range finders and their distinctive component parts.
8. Clothing and equipment of a distinctively military character.
9. Saddle, draft, and pack animals suitable for use in war.
10. All kinds of harness of a distinctively military character.
11. Articles of camp equipment and their distinctive component parts.
12. Armor plates.
13. Ferro alloys, including ferrotungsten, ferromolybdenum, ferromanganese, ferrovanadium, ferrochrome.
14. The following metals: Tungsten, molybdenum, vanadium, nickel, selenium, cobalt, hematite pig iron, manganese.
15. The following ores: Wolframite, scheelite, molybdenite, manganese ore, nickel ore, chrome ore, hematite iron ore, zinc ore, lead ore, bauxite.
16. Aluminium, alumina, and salts of aluminium.
17. Antimony, together with the sulphides and oxides of antimony.
18. Copper, unwrought and part wrough, and copper wire.
19. Lead, pig, sheet, or pipe.
20. Barbed wire and implements for fixing and cutting the same.
21. Warships, including boats and their distinctive component parts of such a nature that they can only be used on a vessel of war.
22. Submarine sound signaling apparatus
23. Aeroplanes, airships, ballons, and air craft of all kinds, and their component parts, together with accessories and articles recognizable as intended for use in connection with balloons and air craft.
24. Motor vehicles of all kinds and their component parts.
25. Tires for motor vehicles and for cycles, together with articles or materials especially adapted for use in the manufacture or repair of tires.
26. Rubber, including raw, waste, and reclaimed rubber, and goods made wholly of rubber.
27. Iron pyrites.
28. Mineral oils and motor spirit, except lubricating oils.
29. Implements and apparatus designed exclusively for the manufacture of munitions of war, for the manufacture or repair of arms, or war material for use on land and sea.

SCHEDULE II.

1. Foodstuffs.
2. Forage and feeding stuffs for animals.
3. Clothing, fabrics for clothing, and boots and shoes suitable for use in war.
4. Gold and silver in coin or bullion; paper money.
5. Vehicles of all kinds, other than motor vehicles, available for use in war, and their component parts.
6. Vessels, craft, and boats of all kinds; floating docks, parts of docks, and their component parts.
7. Railway materials, both fixed and rolling stock, and materials for telegraphs, wireless telegraphs, and telephones.
8. Fuel, other than mineral oils. Lubricants.
9. Powder and explosives not specially prepared for use in war.
10. Horseshoes and shoeing materials.
11. Harness and saddlery.
12. Hides of all kinds, dry or wet; pigskins, raw or dressed; leather, undressed or dressed, suitable for saddlery, harness, or military boots.
13. Field glasses, telescopes, chronometers, and all kinds of nautical instruments.

Given at our court at Buckingham Palace this 23d day of December, A. D. 1914, and in the fifth year of our reign.

God save the King.

INDIANS OF NORTH CAROLINA.

Mr. FLETCHER. On January 5, 1915, there was presented to the Senate a letter from the Secretary of the Interior, transmitting a report of the condition and tribal rights of the Indians of Robeson and the adjoining counties of North Carolina, and it was ordered printed. The order did not include the illustrations which accompanied the communication. I ask that the illustrations transmitted by the Secretary of the Interior be printed with the document.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

FOOT-AND-MOUTH DISEASE.

Mr. SHERMAN. I offer a resolution, which I ask may be read and referred to the Committee on Agriculture and Forestry.

The resolution (S. Res. 518) was read and referred to the Committee on Agriculture and Forestry, as follows:

Whereas the foot-and-mouth disease has broken out among certain live stock in certain localities of the United States, resulting in great financial loss to the farmers and stock raisers and hindering the production of cattle and hogs and demoralizing the traffic in the same, lessening the domestic supply of meats and dairy products; and

Whereas extensive slaughter by Federal authorities of the animals affected has been made for which appropriations to indemnify in part the owners of such live stock must be provided by Congress; and

Whereas those who have had experience with stock affected by such disease are of the opinion that the slaughter of such stock is unnecessary wherever it can be quarantined; and

Whereas it is believed by persons competently informed of the character of such disease that it is curable and that not exceeding 3 per cent of the animals affected die, the remainder recovering so as to be fit for food and other purposes: Now, therefore, be it

Resolved, That an investigation of the foot-and-mouth disease be had by the Committee on Agriculture and Forestry, with the view of ascertaining the origin of the disease in the United States and its nature, whether the same is curable, what proportion of the live stock affected recover, whether the slaughter of the same is unnecessary, and that the authorities now engaged in the investigation and slaughter of animals in the various States of the Union be requested to desist from further slaughter and confine their efforts to the cure and quarantine of live stock affected or threatened to be affected; and, because of this emergency existing, that said committee be, and is hereby, instructed to proceed with such investigation forthwith and report the same as speedily as may be practicable.

Mr. SHERMAN. Mr. President, if I may be indulged for a moment, this is a resolution going to the committee asking them to investigate the foot-and-mouth disease. This disease has assumed very large proportions in certain parts of the western country. More than $1,000,000 worth of stock has been slaughtered in the last three or four months in a single State. It has disturbed the ordinary traffic in live stock to a degree that it is practically suspended in a part of certain States that probably contain from five to seven million population. It relates to the care and transportation in some of the largest live-stock markets in the West.

It is a question with me if there is not a prevailing misapprehension in the Department of Agriculture as to the necessity of the slaughter of these animals. They go upon the impression that the only way to prevent the spread of the disease is to immediately kill all the stock and bury it, after having taken the usual precautions which are deemed necessary.

Mr. FLETCHER. Mr. President, we can not hear the Senator on this side.

Mr. SHERMAN. The disease is comparatively new in this country, and very little accurate information seems to have been gathered even by the Department of Agriculture. The information which comes to me upon the subject, Mr. President, is that not more than 3 per cent of the stock affected die; that the rest recover. It loses its value for a time, but ultimately it is recovered to a degree that it can enter into the commerce of the country.

The universal destruction which has been visited upon the western country by the action of the several States acting with the Department of Agriculture will ultimately entail a very large appropriation both on the part of the General Government and the several States affected. Injunction suits are pending and restraining orders have been issued on the application of stock owners enjoining a number of State authorities from the destruction of the cattle.

The Federal Government, acting through its agents, has no authority whatever, unless the stock is in interstate commerce, to go upon the premises of a private owner and destroy the property. There are no appropriations either in the State or Federal Treasury that authorize the payment. This unexpected and total destruction is visiting bankruptcy upon a large number of responsible owners of property. It leaves their notes in the banks and subjects them to unusual hardships; it has destroyed the live-stock industry in many populous areas; and, I have feared, unless restrained within some proper limits by an investigation containing some accurate information of the question, it will lead to still further serious loss and trouble.

The meat products of this country are already short enough without curtailing them by the destruction of cattle, unless that be the only remedy. The object of this resolution is that the Congress shall communicate with the movements of the Department of Agriculture so as possibly to mitigate the slaughter. I would like to know if segregation and quarantine might not take the place of killing in many cases. I believe some authorities favor this in some cases. In several of the Western States they have——

Mr. KENYON. Mr. President——

The VICE PRESIDENT. Does the Senator from Illinois yield to the Senator from Iowa?

Mr. SHERMAN. I do.

Mr. KENYON. I should like to ask the Senator what resolution he refers to?

Mr. SHERMAN. It is a resolution requiring the Committee on Agriculture and Forestry to investigate the foot-and-mouth disease, the destruction of property, the necessity of destroying it or the question of quarantining the cattle rather than destroying them, the extent of the recovery of cattle, alleging in a preamble that not more than 3 per cent of the cattle affected have been found necessary to destroy or that die.

Mr. KENYON. Is the Senator aware that a resolution was introduced along similar lines and referred to the Committee on Agriculture and Forestry, and that a subcommittee was appointed, and that it started in on this investigation?

Mr. SHERMAN. Yes.

Mr. KENYON. I think it would be in point for the Senator to inquire of the chairman of that subcommittee, the Senator from Oklahoma [Mr. GORE], as to why the investigation does not proceed. Some witnesses were summoned before that committee from the State of Ohio; I think about 20. Some question arose as to the payment of the fee of those witnesses. I have been anxious to bring witnesses before that committee from the State of Illinois and from the State of Iowa, but there seems to be some stoppage of this matter because of the question of the fee. I am glad the Senator has brought up the matter, and I wish he would try and discover why the investigation has stopped.

Mr. SHERMAN. That is the purpose of the resolution. While the time is being taken——

Mr. SIMMONS. Mr. President, a parliamentary inquiry. What is before the Senate?

The VICE PRESIDENT. The Senator from Illinois is before the Senate.

Mr. SHERMAN. I am proceeding only by unanimous consent.

Mr. SIMMONS. What subject matter is before the Senate?

The VICE PRESIDENT. The Senator from Illinois is discussing his resolution. If the inquiry is as to whether it is in order, the Chair will state——

Mr. SIMMONS. That is my next inquiry.

The VICE PRESIDENT. Debate is not in order, except by unanimous consent.

Mr. SIMMONS. Then I call for the regular order.

The VICE PRESIDENT. The Chair must hold that debate is not in order.

Mr. SHERMAN. I shall discuss the subject further at a future time.

IMPORT DUTIES COLLECTED AT VERA CRUZ.

The VICE PRESIDENT. The Chair lays before the Senate a resolution coming over from a preceding day, which will be read.

The Secretary read the resolution (S. Res. 514) submitted by Mr. CUMMINS on the 8th instant, as follows:

Resolved, That the President is requested to inform the Senate, if compatible with the public interest, with respect to the following matters, to wit:

First. As to the amount of money collected by the United States at the port of Vera Cruz, Mexico, during the occupation of that city by our military forces as import duties or other taxes or imposts laid under the laws of Mexico.

Second. Whether the duties, imposts, or taxes so collected by the United States had been pledged in any form to secure or insure the payment of obligations issued by any Government, or alleged Government, of the Republic of Mexico or one of the States thereof.

Third. As to the ownership of such obligations at the time the military forces of the United States occupied Vera Cruz, and such ownership at the present time.

Fourth. As to any claims which have been made upon the United States for the payment or transfer of the money so collected, and the names of the persons making such demands.

Fifth. As to the deposit of the money so collected in the Treasury of the United States and the account to which it was deposited.

Sixth. Whether it is the intention of the executive department of the Government to pay out or otherwise dispose of the money so collected without action or authority on the part of Congress.

The VICE PRESIDENT. The question is on agreeing to the resolution.

Mr. STONE. I move that the resolution be referred to the Committee on Foreign Relations.

Mr. CUMMINS. A parliamentary inquiry, Mr. President. That motion, I assume, is debatable?

Mr. STONE. I have no objection to the Senator from Iowa proceeding.

Mr. CUMMINS. I ask if the Senator from Missouri desires to debate the resolution?

Mr. STONE. No; I do not desire to discuss the matter. I simply make the motion for its reference. [A pause.]

Mr. ROBINSON. I desire to inquire who is occupying the floor at this time?

Mr. STONE. I made a motion to refer the resolution, and that motion is pending. The Senator from Iowa [Mr. CUMMINS] rose, stating that he would like to address the Senate on the resolution.

Mr. ROBINSON. Will the Senator from Iowa yield to me to submit a request for unanimous consent which I think will conserve the time and promote the convenience of the Senate?

Mr. CUMMINS. Certainly.

Mr. ROBINSON. Mr. President, I ask unanimous consent that on to-morrow, not later than 2 o'clock p. m., the Senate will proceed to the consideration of the conference report on the immigration bill, and that the Senate will proceed to a vote thereon at not later than 3 o'clock.

Mr. GALLINGER. That request requires a roll call.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Gallinger	Myers	Smith, Md.
Bankhead	Goff	Nelson	Smoot
Brady	Gore	O'Gorman	Sterling
Bristow	Gronna	Oliver	Stone
Bryan	Hardwick	Overman	Sutherland
Burleigh	Hitchcock	Owen	Swanson
Burton	Hollis	Page	Thomas
Camden	Hughes	Perkins	Thornton
Chamberlain	James	Pomerene	Tillman
Chilton	Jones	Ransdell	Townsend
Clapp	Kenyon	Reed	Vardaman
Clark, Wyo.	Kern	Robinson	Walsh
Crawford	La Follette	Saulsbury	Weeks
Culberson	Lea, Tenn.	Shafroth	White
Cummins	Lee, Md.	Sheppard	Williams
Dillingham	Lodge	Sherman	Works
du Pont	McLean	Simmons	
Fletcher	Martine, N. J.	Smith, Ga.	

Mr. SMITH of Georgia. I desire to state that the Senator from South Carolina [Mr. SMITH] is detained at home by sickness in his family.

Mr. CLARK of Wyoming. I desire to announce the unavoidable absence of my colleague [Mr. WARREN]. I will allow this announcement to stand for the day.

Mr. GRONNA. I wish to announce the unavoidable absence of my colleague [Mr. MCCUMBER]. He is paired with the junior Senator from Kentucky [Mr. CAMDEN].

Mr. TOWNSEND. I desire to announce the absence of the senior Senator from Michigan [Mr. SMITH], who is paired on all votes with the junior Senator from Missouri [Mr. REED]. This announcement may stand for the day.

Mr. CHAMBERLAIN. I desire to state that my colleague [Mr. LANE] is temporarily absent on business of the Senate.

The VICE PRESIDENT. Seventy Senators have answered to the roll call. There is a quorum present. The Secretary will state the unanimous-consent agreement which has been proposed by the Senator from Arkansas [Mr. ROBINSON].

The SECRETARY. The Senator from Arkansas [Mr. ROBINSON] asks unanimous consent that on to-morrow, Thursday, January 14, 1915, at not later than 2 o'clock p. m., the Senate will proceed to the consideration of the conference report on the bill (H. R. 6060) to regulate the immigration of aliens to and the residence of aliens in the United States, and that at not later than 3 o'clock p. m. on said day the Senate will proceed to vote, without further debate, upon the question of agreeing to such conference report.

The VICE PRESIDENT. Is there objection?

Mr. TOWNSEND. Mr. President, for the reasons stated by me on the day before yesterday I feel constrained to object.

Mr. CUMMINS. Mr. President, I address myself for just a moment to the motion of the Senator from Missouri [Mr. STONE], which is to refer the resolution which I have offered to the Committee on Foreign Relations. I hope that the resolution will not be so referred.

It is impossible for me to conceive any reason for the consideration of this resolution by the Committee on Foreign Relations. The resolution has nothing whatever to do with our foreign relations; it simply asks for information concerning a sum of money that has been collected by the United States during its occupation of Vera Cruz. The money, I assume, is now in the United States. Why the Senate and the country should not be advised of its amount, why they should not be advised of the claims that are made by those who believe that the customs duties at Vera Cruz were pledged to secure certain obligations, and why the President should be disinclined to tell the Senate whether or not it is his purpose to pay out this money without the action of Congress, I can not understand.

The Senator from Missouri said a few days ago that he intended presently to address the Senate at some length upon the subject of our relations with Mexico. It may be that the information sought to be obtained by this resolution would be of great assistance to the Senator from Missouri in the performance of that very agreeable duty. I think he ought to know when he comes to address the country upon our course toward Mexico what amount we have collected while we have been in occupation of Vera Cruz and what we propose to do with it. I think such information would be very enlightening and very instructive.

Although I do not pretend to have definite and authoritative information with regard to it, I have feared that it was the opinion of the administrative department of the Government that either the President or the Secretary of War had a right to dispose of this money according to their view of its proper and legal ownership. I do not think that the President has any such power. I think the money can be disposed of only on the authority of Congress, and it is of the highest importance in the exercise of our duty that we should know whether this large sum of money is at the personal disposition of the administration or whether it is to be considered as the property of the Nation and shall be disposed of according to the will of Congress.

The Senator from Missouri has given no reason for asking the reference, and in a matter that is so far removed from the ordinary jurisdiction of the Committee on Foreign Relations, I feel constrained to object to it.

The VICE PRESIDENT. The question is on the motion to refer the resolution to the Committee on Foreign Relations.

Mr. CUMMINS. On that I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. STONE. Mr. President, I have no wish or purpose to discuss this resolution at this time. I think the resolution ought to go to the committee. I think it entirely advisable in the circumstances that that disposition be made of it.

There is no recognized government in Mexico at this time; that is, no government recognized by the United States. There are different factions in Mexico, different organizations with different heads, claiming to represent the people of Mexico, and it is but natural that each of these should lay claim to this money; that each should contend that it is entitled to receive the money.

I do not think that this is the proper time to bring questions of that kind before the Senate for discussion. The money is in no danger of being embezzled, misappropriated, or misused. It is not the property of the United States; that is clear; and as to the disposition to be made of it, I repeat that in the present circumstances it is a question we might wisely and well defer and not agitate by discussion at this moment on the floor of the Senate.

The Senator says that this resolution should not go to the Committee on Foreign Relations; that that committee has no jurisdiction over a matter of this kind. Why, Mr. President, the very gist of this inquiry concerns our relations with Mexico in respect to a matter in which the people of Mexico, as a foreign people, are interested, and in respect to which we are to deal as one Government with the Government or the people of Mexico. Therefore, it seems to me, if a reference is to be made the resolution should go to that committee in preference to any other, and I hope that that reference will be made; that the committee may have an opportunity in its sessions to take up the subject, ascertain all the facts, discuss their bearings, and determine, so far as the committee can determine, what course should be pursued and what recommendations should be made to the Senate.

That is about all I think it necessary to say at this time. I present the motion to refer the resolution, and ask that a vote be taken thereon.

Mr. CLARK of Wyoming. Mr. President, I am unable to see in the terms of this resolution anything that should excite the fears of the Senator from Missouri that there is going to be anything improper asked or received, or that this country or Mexico is going to suffer by reason of the passage of this resolution.

The resolution asks the President, if in his opinion it is not incompatible with the public good, to furnish the Senate certain information as to certain facts. I apprehend that if the President is in possession of that information, and thinks it would not be proper to furnish it to the Senate in public under the respectful request of the resolution, he will so state, and no harm can possibly ensue. But, Mr. President, I am not in sympathy with the idea that month after month and year after year the American people shall be kept in absolute ignorance of a thing that so intimately concerns them all.

Less than 10 days ago, for the first time we had from the President of the United States a distinct statement of what the administration's policy in Mexico is, or is to be; that is, to allow them to fight out their quarrels at their own sweet will until one or the other shall be exterminated; and that really we have no business, as a neighboring nation, to interfere in any way with what is going on in that great and distressed Republic.

I was very much struck with a cartoon I saw in one of the newspapers a day or two ago about the "watchful waiting" policy—Uncle Samuel, in full uniform, sitting on the dividing line between Mexico and the United States with a "watchful waiting" motto, while the bullets were whizzing through his hat. But there is nothing of that sort in this resolution. It is well known that the American forces executed the laws of Mexico in the city of Vera Cruz. The Senator said there was no government; that no government had been recognized. We certainly recognized some form of government when we undertook to execute the laws of that government by collecting customs duties. We did that, and the money came back to us with

our troops. The money is here. How much there is of it, we do not know. We are asking the President. The Senator from Iowa [Mr. CUMMINS], in his resolution, is asking what, if any, disposition is intended to be made of the money. If the President thinks it is proper for Congress to know, he will answer. If he thinks it is not compatible with the public interest, he will decline; and with that answer we will have to be satisfied.

I can see no possible danger in any way in passing this resolution; and I think it ought to be passed without reference to the committee.

Mr. LODGE. Mr. President, I desire to say only a single word about this resolution. It refers to money which belongs to Mexico and to the Mexicans, and which we took while we collected the Mexican revenues at the port of Vera Cruz. It is money that belongs to somebody else. No one suggests for a moment that this money is to be embezzled in the hands of our administrative officers; but it seems to me that the country, at least, and Congress have a right to know how much money belonging to other people we have taken and what we propose to do with the money that belongs to other people.

When the Chinese indemnity fund from the Boxer rising was paid to the United States, Congress did not hesitate to make disposition of it, to require full accounts of it, and to ask what had been done with it under the protocol. Of course, if the President thinks it is against the public interest and would do harm to our relations with Mexico, which are so good at the present time, to state how much of their money we have taken, it is open to him under this resolution to refuse to give the information.

It does seem to me that we have a right to know how much Mexican money we brought away with us from Vera Cruz and what it is proposed to do with it. That is all this resolution is. I can not see how in any way it can have any diplomatic effect or in the least injure our relations with Mexico or do any harm in any direction. I therefore shall vote for its present consideration.

Mr. WILLIAMS. Mr. President, the de facto government at Vera Cruz during the American occupation was the American Government, of course. The American Government, not taking full advantage of that situation, chose rather to execute the laws found existing at the port of Vera Cruz, to collect the customs, not for itself, but for the people of Mexico, and to hold that money until it could be surrendered to a government representing the people of Mexico. Such a government does not yet exist. Such a government has not existed for some time. Internationally, at any rate, such a government does not exist, and has not existed, so far as we are concerned, because we have recognized no government in the Republic of Mexico.

Gentlemen can not embarrass the administration, they can not bamboozle the American people, by resolutions of this description. Those of the American people who choose to inquire know exactly how many dollars and cents the American Government collected at the port of Vera Cruz, because it is all recorded and all published. The American people also know that that money will be turned over to whatever government in Mexico shall be finally recognized by the United States Government. The American people also know that for the Government of the United States to turn over that money to anybody until the United States had recognized somebody would be self-stultification, in so far as our Republic is concerned.

Outside of all discussions as to whether we ought to have gone to Vera Cruz or not, outside of all discussions as to the wisdom or folly of what happened there, which is all a part of history and behind us, there can be no doubt that it is the duty of the American Government to hold that money until somebody, in its opinion, representing the Mexican people is there to receive it and to receipt for it. Suppose the United States Government handed it over now to one of the contenders for authority in Mexico, and suppose later somebody else came in and constituted the Government of Mexico. We would have to pay it twice.

What is the object behind this resolution? In saying that I am not saying anything personal. I will change the interrogatory, and instead of asking what is the object behind the resolution or the purpose behind it, I will say, What is the effect of the resolution? because I am not called upon to pass upon gentlemen's motives. It is absolutely certain that there can be no effect accruing from it except the effect, whether intended or not, of trying to impugn the honesty and the intelligence of the American Government at this time, which happens to be a Democratic administration. There is not a Senator on the other side who has the slightest idea that there is anything wrong about this transaction. There is not a Senator on the other side who has the slightest idea that this money is not going to be ultimately turned over to the proper parties.

It reminds me of a little occurrence during the Civil War. Old Isham G. Harris, of Tennessee, afterwards a Member of this body, was war governor of the State of Tennessee. The Federal forces took possession of Nashville. In the treasury of the State of Tennessee was a very large amount of money belonging to the school fund of that State. When old Harris had to vacate the capitol, when the Federal forces threatened it, he took this money and carried it with him and hid it away down in the ground in the mountains of North Carolina. When the war was over that money was not forthcoming. We had a carpetbag government in Tennessee spending all the money they could find, appropriating it to their own uses under all possible pretexts. Old Harris kept the money until a real government in the State of Tennessee came in. Meanwhile he subjected himself to the charge of embezzlement and everything else. Then he went down in North Carolina and dug up the money and brought it back and put it in the treasury, because he said he had finally found an honest government in the State of Tennessee, and he was determined that the children of Tennessee should never be deprived of that money.

This condition is not quite on all fours with that, but it is on all fours to this extent, that there is not a man on the other side of the Chamber who thinks the children of the Mexican Republic are ever going to be cheated out of a dollar of this money. Why should the matter be bandied around on the floor of the Senate in debate? Why should it not be referred to the Foreign Relations Committee, who in their turn shall consult with the President and the Secretary of State and at the proper time make the proper return to the resolution for the consideration of the Senate of the United States?

The late elections, Mr. President, have caused a sort of renaissance of Republican effort. The dear old party was nearly dead. It was on its last legs. It was divided. The Democracy had come into power, not by its own strength, but by the division of its opponents. An administration was in power which was a minority administration, just as Lincoln's was, and just as several other of the most successful administrations in our history were. Then along came the elections, and for I believe the third time only in the history of the American people a party after passing a general tariff bill succeeded in carrying the House of Representatives, though, of course, by a very much diminished majority; but in the meanwhile the enemies of Democracy had clasped hands as far as they were capable of clasping hands. Those of the so-called Progressives who had gone off from the Republican Party to stay, of course, voted with the Democracy, though some few of them voted the Progressive ticket. The next election showed that the Democratic administration had ceased to be a minority administration and had become a majority administration. It was no wonder that their majority was a good deal less than their plurality had been in view of the former division of their enemies. Then the other side of the Chamber begins all at once to make attacks of every description. Even when it comes to the foreign policy of the United States Government, even when it comes to international affairs, no matter what the pretext or what the ground, you have imagined that you are in a position where you can break down the administration.

Mr. President, they can not do it. Woodrow Wilson is going to be nominated by the Democratic Party for the office of President of the United States for the term succeeding his own, and he is going to be elected; and this time he is going to be elected not by a plurality vote, as the head of a minority administration, but by a majority vote, because since he went in the American people have found him not only good enough to take the place of men about whom and whose respective claims they were quarreling but good enough to stand upon his own footing.

A great deal has been said about his Mexican policy. What is the upshot of it all? What is the end and the be-all of it? He has kept the United States out of war in Mexico. There is not a soldier in blue uniform or in khaki carrying the flag of the United States upon the soil of Mexico. The American people, who have no quarrel with the Mexican people, are not killing any Mexican people.

He has been doing "watchful waiting," which for a long time you nursed to your breasts as a phrase of contempt, but which the people of the United States have indorsed. He has absolutely refused to be conjured by the shibboleth of false patriotism and chauvinism. He has stood patiently, borne much, suffered much, actuated by that desire for international peace which ought to actuate all of us, and has made up his mind that American boys, with no quarrel with Mexican boys, shall not be invading Mexico for the purpose of killing them and being killed; that is all.

Oh, I can imagine how we might have had somebody else in the White House who might have sent three or four very stirring messages to Congress, who might have said, "Mexicans have been taking property of American citizens, now and then a stray bullet has killed some one in America, and therefore I will raise the flag, and nobody will dare tear it down; come on boys and charge," and war would have been the end of it all—just slaughtering a lot of half-breeds in Mexico who never did anybody amongst us any harm, except in ignorance; and they themselves did not do it; somebody else did it, using them as mere blind instruments.

If this had been a Republican President instead of a Democratic President, this resolution would not have been introduced by the Senator. I will not say that somebody upon this side, desirous of embarrassing the Republican administration, might not have introduced it. Human nature is about the same, and I find very frequently that in grave international matters people permit domestic politics to interfere. I do not claim that this side is any better than that, but I will undertake to hazard the opinion upon my own part that this resolution would not have been introduced from that side if this had been a Republican administration.

What is the gravamen of it all? First, an inquiry as to the amount of money collected. That the proponent of the resolution could ascertain over the phone from the department. Second, whether the duties imposed and collected had been pledged in any form is also a matter known to everybody. Some of these customs have been pledged for some French debt, but they were not pledged by us—we are the mere stakeholders of the fund. We have to hand the fund over to the proper owner of it first. He is the one to consider the pledges, if there are any just pledges, which rest upon the fund. We can not ascertain who is the proper owner until this Government in its official capacity recognizes somebody or some set of men as the Government of Mexico.

Third. As to the ownership of such obligations at the time the military forces of the United States occupied Vera Cruz, and such ownership at the present time.

I suppose that is to see whether the original owners have any assignee or not.

Fourth. As to any claims which have been made upon the United States for the payment or transfer of the money so collected, and the names of the persons making such demand.

Fifth. As to the deposit of the money so collected in the Treasury of the United States and the account to which it was deposited.

Sixth. Whether it is the intention of the executive department of the Government to pay out or otherwise dispose of the money so collected without action or authority on the part of Congress.

The last request is a request for an "intention," to know a purpose in future, an opinion upon the part of the administration as to what its duty will be; not an inquiry as to a fact at all. It would be in the other House subject to a point of order for that reason.

Mr. President, whatever money this Government has collected at Vera Cruz is going to be held by this Government as a stakeholder until the rightful owner of the money is determined, and then it is going to be paid over by the Government of the United States to the rightful owner, and after that the question as to what shall be done with the money will be a question for the rightful owner and the pledgees of the fund to settle amongst themselves, a matter with which we have nothing to do.

As to whether that money will be paid *out* of the Treasury without an act of Congress or not depends upon the question as to whether it has been placed *in* the Treasury as a part of the general fund. If it has been placed there, the Constitution of the United States determines that question, because no money can be paid out of the Treasury, no matter how it got there, without an act of Congress. If it has not been placed in the Treasury and has been kept segregated as a special Mexican fund, not under the control of the Treasury of the United States, then certainly the administrative officers who have taken it may have the right to pay it over without an act of Congress, provided it be paid over to the real owner at the risk of the Executive paying it. I understand, though I am not sure I am right, that it has been covered into the Treasury. If it has been, then it can not be taken out except by an act of Congress.

Mr. CUMMINS. Mr. President, the remarks of the Senator from Mississippi [Mr. WILLIAMS], whatever other merit they may have, show very clearly that there is no necessity or reason for referring this resolution to the Committee on Foreign Relations. The Senator from Mississippi has attempted to respond to the resolution. If I were willing to accept his view of it instead of the view of the President of the United States, there would be no occasion for further inquiry. However, I would rather have the information from the captain of the team. I do not recognize the members of the team as having the authority which the captain of the team always exercises.

The Senator from Mississippi is quite wrong when he says that there is any purpose in this resolution to embarrass the President of the United States. There is no such purpose. I do not want to embarrass the President of the United States. I would like to do something, if I could do it, to restrict his energy to the field created by the Constitution of the United States. I admit that. I think it would be a great service to the people of this country if the Chief Executive could be confined to his constitutional power and limited to his constitutional influence, and if I can do anything to bring about that result I will do it; but in doing it I will not concede that I am attempting in any wise to embarrass the President in the discharge of his lawful duties.

I am not a member of the team of which the President is the captain. I will not take orders from the President with respect to the manner in which this great game shall be played. I will not strike out because the captain orders me to do it. I will not make a sacrifice hit because it seems wise to the captain of the team that a sacrifice hit shall be made at a particular moment. I do not recognize any captaincy in the field of American politics or American Government. He is master of those powers which the Constitution confers upon the President and you ought to be masters of those powers which the Constitution confers upon the Congress of the United States.

The Senator from Mississippi is right in one respect. I want to know whether the President of the country intends to arrogate to himself the power to dispose of this money without the action of Congress. There need be no concern about that. I do not know, however, how much money has been collected, nor do I believe that such information has ever been given to the public. There has been an estimate published, but not with authority. I do not know what obligations these duties were pledged to secure. I do not know who holds these obligations. I do not know what influence the owners of these obligations have in the affairs of Mexico. I would like to know who they are, so that I might reach my own conclusion with regard to the influences which they may exert in order to secure possession of the money collected by the Army of the United States.

I am not asserting that the Army ought not to have collected the money. When we occupied the port of Vera Cruz—just why we occupied it, just what purpose could be accomplished by occupying it I do not know, but when we did occupy it I assume that it became our duty to see that the law, some law, was enforced among the people of that community. I am not complaining at all that the Army once there enforced the tariff law of the Republic of Mexico, but the Army having collected the money in a very peculiar capacity, the general of the Army having come into possession of the money, I deny that it then became subject to the disposal of the general of the Army or the Secretary of War or the President of the United States. I deny that the President has the right to determine what government of Mexico shall be the beneficiary of the money so collected by our Army. I deny that the President has the right to determine what bondholders or what obligation holders shall come into possession of the money collected by the military forces of the United States; that is for the law-making power. No matter whether the money is in the Treasury of the United States or whether it is in the hands of the general of the Army, the Secretary of War, or the President, I deny that either of these officers of the Government has the right to say where the money shall go.

If I have correctly understood the laws of our country and the spirit of our institutions, and if I am sound in my conclusion that the money must be finally disposed of by the Congress, then Congress has the right to the information sought in the resolution before the Senate. I am not willing to leave a matter of such grave concern in the unsettled and uncertain state in which it now is.

I am not accusing the President of any desire to divert the money to an unlawful purpose. There is no man who has a higher respect for the integrity and the capacity of the President of the United States than myself. I am simply objecting to his assumption that he ought to be supreme in the affairs of the United States. That seems to be his position. It develops in every utterance that ever fell from his lips. He assumes that under the Constitution he is the arbiter in all these things, and I have no doubt that he assumes it with perfect honesty. I have no doubt that he assumes it after the most careful reflection. Knowing these things, I know that he, at least, may believe that he can pay this money to whomsoever he believes

it belongs; and the Senator from Mississippi rather agrees with him.

The Senator from Mississippi seems to be of the opinion that whenever the President shall recognize some government in Mexico, whether that may be to-morrow or a decade hence, that then the President can take this money and turn it over to the government of Mexico which he recognizes. I do not so understand his authority. I grant that it is for him to determine what government of Mexico shall be recognized in a diplomatic way, but I deny that he has a right to take from the Treasury of the United States or from any officer of the United States a sum of money collected as this money was collected and deliver it to the government he thus recognizes. I think Congress has the right to know his intent in that respect; and knowing it, I think Congress has the right to guard against the execution of the intent.

We have come to a pretty pass if the Members of Congress can not be informed with regard to an operation—such an operation as this, at any rate—of the Army; can not be informed what money the Army has collected and who is claiming the money, and what the purpose of the President is with regard to it. If such an inquiry as this is an impertinence, if we can not ask in this mild and respectful way for information of this sort, the sooner we abdicate and do what we can to clothe the President with full and complete authority not only to execute but to make the laws of the United States the better it will be.

I am surprised that this motion was not made when the resolution first came before the Senate. Upon the request of the Senator from Missouri [Mr. STONE], I postponed it from one day to another for now three or four days. While the Senator from Missouri did not attempt to mislead me in any way by any statement from which I might infer what I am about to declare, yet I thought that the Senator from Missouri desired time in order to examine the resolution and see whether in his opinion it should be adopted or not. It now develops that this time was required in order that some other authority might be consulted and the views of other people ascertained with regard to the propriety of giving to the Senate the information suggested in the resolution.

I can not help but feel that that was not quite what might have been expected from the Senator from Missouri, who is conspicuous for his candor and his fairness. I must therefore reach the conclusion that there is something in this subject that the Senator from Missouri did not fully understand when the resolution was originally presented to the Senate; something that makes it desirable that the people shall not receive the information for which I ask.

I repeat, there is nothing in the resolution which affects our relations with the Republic of Mexico; there can be nothing in the information requested that will disturb or change our course toward Mexico; and I am therefore unable to understand why the resolution should be referred to the Committee on Foreign Relations, unless it is thought necessary to inter it in that graveyard of many hopes.

Mr. BORAH. Mr. President, the Senator from Mississippi [Mr. WILLIAMS] in discussing the resolution has advised us that the matter is in the keeping of the Chief Executive, and that there it can safely rest. It has come to be an almost unbroken custom in the Senate of late months that when a Republican offers a resolution of inquiry or takes any initiative in the matter of legislation, the only answer which we upon this side of the Chamber receive is a somewhat fulsome eulogy of President Wilson.

The Senator from Mississippi has also gone farther, and drawing upon his somewhat well-developed trait of prophecy, which we all know to have in the past been exercised with so much certainty, has advised us what will happen in 1916—a rather discouraging outlook to those who had hoped for relief of the country after that time. It would be more discouraging if it were not for the fact that, in reviewing the prophecies of the past, some hope still lies upon the sky of the future.

Mr. President, the remarks of the Senator from Mississippi lead me to some observations for a few moments upon the address which was delivered by the President of the United States at Indianapolis a few nights ago. Had that address been permitted to remain in the forum where it was delivered, it would have been better answered in that forum; but it was inserted and published in the CONGRESSIONAL RECORD. Therefore it seems to me it invites the attention of all self-respecting Members of the Senate and also of all members of the Republican Party.

It is a remarkable address, and its purpose and purport can not be mistaken or misunderstood. It is a virulent attack upon one of the great political parties of the United States by the Chief Magistrate of the Nation, a party in whose traditions millions of his countrymen take great pride and in whose policies and principles they devoutly and patriotically believe. It not only challenges the wisdom of the leaders of that party, but it assails the intelligence and the patriotism of its rank and file.

All this was done, Mr. President, at a time when this country had sore need of united wisdom and patriotism to deal with those matters which have been rendered delicate by reason of foreign conditions; at a time when there ought to be presented upon these matters not a divided country, but a united one.

But, Mr. President, we accept the challenge which has been thrown down by the President. While we shall oppose no legislation which we deem to be wise or just, we shall, notwithstanding his admonitions and his threats, hold ourselves perfectly free to oppose to the utmost of our ability and of our energy those things which we deem to be unwise and unjust. Having arrived at the conclusion that the President prefers to be the leader of a party rather than the Chief Magistrate of the whole people, we shall not need to be reminded of that fact again.

Mr. President, in view of those remarks of the President, I propose to animadvert for a short time upon some of the details of that address. In doing so I shall not dwell very long upon that feature of the address which had to do with the castigation of his own party; I shall, rather, leave that to the independent spirit and to the self-respecting judgment of those to whom it was addressed. It is not my purpose to take up in detail, therefore, that feature of it, but rather to refresh the memory of those who feel that they are either members or not members of the "team."

I recall to your mind the language which the President addressed to his own followers. It is the most significant statement I think that was ever made in regard to a coordinate branch of the Government since the days of Andrew Johnson. I do not mean to say by that that the spirit which actuated it was the same, but you will search the history of our country in vain to find any such imputation upon a great coordinate branch of the Government as is found in the remarks of the President at Indianapolis. It calls for the serious consideration of every man who is a Member of this body. He said:

> If any group of men should dare to break the solidarity of the Democratic team for any purpose or from any motive, theirs will be a most unenviable notoriety and a responsibility which will bring deep bitterness to them.

Not for an evil purpose, not for an unwise purpose, but "for any purpose" or for any reason should any man dare to break the solidarity of the party, his future will be shrouded with "unenviable notoriety."

Mr. President, that is the sole and central principle upon which every corrupt political machine was ever organized or put into existence. If the President had said "if any man shall for unrighteous or for mere patronage purposes or for any indefensible reason assume to break the solidarity of the Democratic Party," he would have been upon safe ground; his position would have been unassailable; but, mind you, the language which fell from the lips of the leader of the Democratic Party at Indianapolis was not different from that which the Indiana boss would have issued to the men in Indianapolis, 80 of whom this morning plead guilty to the crime of corruption; it is not different from the language which would be used by Mr. Murphy, of New York, to his satellitish and slavish adherents to follow the dictates of the captain, regardless of what their volition, their conscience, or their judgment might suggest.

It can not be possible, Mr. President, that the President, upon reflection, would want it understood that men who come here, having taken their oath, and representing a constituency which has sent them here, should be devoid of all volition, of all judgment, and refuse to exercise their conscience and wisdom in passing upon public questions, and yet they are advised that for no reason and for no purpose shall they dare to break the solidarity of this organization.

The President further said:

> If a man will not play in the team, then he does not belong to the team. You see, I have spent a large part of my life in college, and I know what a team means when I see it; and I know what the captain of a team must have if he is going to win. So it is no idle figure with me.

When one reflects upon the position of a captain of a baseball team and the position of the team, the orders which are given by the captain, and ordinarily the language in which they are couched, the manner in which the team must obey, regardless of what their judgment may be, and the way in which they are fined if they do not obey—which I assume may be synonymous with patronage in the public service—the figure of speech used

by the President toward the Democratic Members of the Senate of the United States was, to say the least, not a happy one.

Mr. President, there are others who, by reason of their political association, are better fitted than am I to carry out this figure of speech in all its ramifications to its logical import and to see precisely where it lands them.

The President is impatient with the procedure of this body, and proceeds to advise the country that legislation is being sat upon principally by the Republican members of the Senate. It would be interesting to inquire, Mr. President, who has consumed the time of the Senate since the opening of this session of Congress? Since the deliverance of that remarkable speech at Indianapolis it has been my business to look into the matter somewhat, and I find that for about every two hours which the Democrats have utilized the Republicans have used an hour or three-quarters of an hour. The other evening we had an executive session for two hours and ten minutes, and not a voice was raised upon the Republican side, the entire time being taken by our Democratic friends in saying things about one another they did not desire to say in the open.

That is the rate at which we have been consuming the time, in proportion to the consumption of time by our colleagues upon the other side, since the opening of this session.

Now, Mr. President, do not misunderstand me. I do not for that reason criticize the majority Members. I do not know of a moment's time which has been utilized in vain or ineffectually. I think that the discussion here has generally been beneficial, and I do not complain at all that the Democratic Members, having the burden of legislation, have occupied most of the time. I only call this to the attention of the President in order that "the captain of the team" may get to be more active with reference to the team, and not lay the misfortunes of "the team" upon those who are not members of "the team."

What are the bills, Mr. President, of which the President has complained? The first bill to which he calls our attention is what is known as the power-site bill, or the conservation bill; and I will read, if I may, what he says upon that subject:

> What we are trying to do in the great conservation bill is to carry out for the first time in the history of the United States a system by which the great resources of this country can be used, instead of being set aside so that no man can get at them. I shall watch with a great deal of interest what the self-styled friends of business try to do to those bills.

He also advises us of one other bill, which I shall mention in a few moments.

What is this conservation bill, Mr. President, and where was it at the time the President referred to it? The conservation bill is one of several bills which has for its object and purpose the fastening upon the public-land States of the West a system or policy heretofore unknown to any marked extent to our form of government; that is, a leasing system, a system by which royalties are collected from all the natural resources of the West. You can imagine of what vast importance that bill is to all the public-land States. It may, after full discussion and consideration, be deemed the wisest thing to do; but I do not think so. I am opposed to it now, and I shall be opposed to it until it shall have passed; and I have no doubt that in its workings in after years I shall find that I was right in my opposition to it.

But whether it is right or wrong, that bill was not out of the committee when the President of the United States was assailing Republicans for opposing it. That bill has not yet reached the Senate calendar, and let me tell you that on or about the day when the President was utilizing his typewriter in writing this speech one of the most distinguished Members of this body, a man whose integrity of purpose no one will question, the Senator from Colorado [Mr. SHAFROTH], was appearing before that committee opposing the bill, opposing it because he believed it to be eminently unwise and that it would work great injury to the State which he in part represents and to other States of the Union. He spoke before the committee on the subject as follows:

> I believe that any leasing bill for the public domain or resources thereof is a direct attack on the sovereignty of the States containing the same, because it must result in a perpetual ownership of the property in the United States Government. Inasmuch as taxes can not be imposed upon property owned by the Federal Government, it means, to carry it to its ultimate result, the depriving of the States of their means of existence.
>
> I want to call the attention of the committee to a list contained in an article by Mr. W. V. M. Powelson of the number of acres of land in the various Western States now in the ownership of the Government. In Arizona 92 per cent of the lands within the area of that State are in Government ownership; California, 52.58 per cent; Colorado, 56.67 per cent; Idaho, 83.80 per cent; Montana, 65.80 per cent; Nevada, 87.82 per cent; New Mexico, 62.83 per cent; Oregon, 51 per cent; Utah, 80.18 per cent; Washington, 40 per cent; Wyoming, 68 per cent.

So, Mr. President, here is a bill which, together with its sister bills, have for their purpose withholding from private ownership—because that would be their ultimate effect—from 52 to 82 per cent of the natural resources of the great public-land States of the West. Not only will it withhold them from private ownership and thereby deprive the States of the power and the means to tax them and to build up their private institutions, their schools, their higher educational institutions, their churches, and their courthouses, but they propose, in addition to that, to lay upon all the natural resources of the West a royalty, which every man who has reflected upon the subject knows will be paid by the consumers, who are the people themselves, in the end.

It is not a trivial matter. It is a matter which was said by Senator SHAFROTH, of Colorado, and is believed by many others, to involve the whole future prosperity and growth of those great commonwealths. Is 30 days or 40 days a sufficient length of time to reduce States from States to colonies? Shall the President hasten us exceedingly when the question of the vitality of the future of these States is involved? Will he castigate a party because we have not taken the bill from a committee and passed it? Upon what theory does this great Magistrate of ours suppose that men with conscience and judgment legislate with reference to those whom they represent?

I warn the President now, if I may be permitted to say so, that it is not so easy to dispose of the Western spirit. There may be other communities more willing and pliable; but I venture to say that when the integrity of the great Western Commonwealths is involved it will require something more than rhetoric to drive them from their position.

Let me read, Mr. President, some advice which we received at the hands of the President before he became the "captain." He says:

> I am striving to indicate my belief that our legislative methods may well be reformed in the direction of giving more open publicity to every act, in the direction of setting up some form of responsible leadership on the floor of our legislative halls, so that the people may know who is back of every bill and back of the opposition to it, and so that it may be dealt with in the open Chamber rather than in the committee room. The light must be let in on all processes of lawmaking.
>
> Legislation, as we nowadays conduct it, is not conducted in the open. It is not thrashed out in open debate upon the floors of our assemblies. It is, on the contrary, framed, digested, and concluded in committee rooms. It is in committee rooms that legislation not desired by the interests dies. It is in committee rooms that legislation desired by the interests is framed and brought forth. There is not enough debate of it in open house, in most cases, to disclose the real meaning of the proposals made.

This is a citation from page 125 of a work entitled "The New Freedom."

Mr. President, reflect for a moment. Here is a bill which had not come out of the committee, upon which there had not been an hour's debate, upon which there had been no interchange of views, and yet which involved a matter of supreme concern to at least nine great States of the Union; and we are advised that we must proceed at once, or we will be charged with unnecessarily delaying legislation, or, to use a common phrase, of filibustering.

What is the second bill to which he refers? The second bill is that known as the ship-purchasing bill. I am not qualified to discuss it. I would not undertake to do so at this time if I were qualified; but we all know and we all concede that it is one of tremendous import. It not only involves the question of public ownership of our public utilities, which we are now considering more and more, but it involves the question of that public ownership in a sphere of activity where it would be most difficult of all places to inaugurate it; and it involves, furthermore, possible conflict with foreign nations and the commerce of foreign countries. It is a matter of the utmost concern to the whole people. This bill had been reported from the committee, I think, four or five days at the time of the deliverance of the President at Indianapolis. The debate had hardly yet begun—had been only initiated by a few hours of consideration by very able Senators upon the floor; and yet this is another one of the measures which we are charged with delaying, by reason of the fact that it seems that the President desires it to be passed, in violation of the principle which he laid down in The New Freedom, as it came from the committee room.

We upon this side of the Chamber are not the only ones who look upon this bill with disfavor. I notice that the courageous Senator from Mississippi delivered himself upon this bill about the same day that the President was speaking at Indianapolis, and he said:

> I am opposed to this bill because I believe it is the most indefensible form of subsidy yet proposed.

Mr. WILLIAMS. Mr. President, which Senator from Mississippi was that?

Mr. BORAH. The junior Senator from Mississippi [Mr. VARDAMAN].

It is one of those peculiarly dishonest measures which will "keep the word of promise to the ear and break it to the hope." It is violative of every tradition and platform declaration of the Democratic Party. The scheme, as interpreted by the President, is a mistake in policy, wrong in morals, pernicious in principle, and, therefore, will be disappointing in its ultimate results.

I ask permission, without reading this entire statement, to have it inserted in the RECORD.

The VICE PRESIDENT. Without objection, it will be so ordered.

The statement, entire, is as follows:

In this statement Mr. VARDAMAN says:

"I am opposed to this bill because I believe it is the most indefensible form of subsidy yet proposed. It is one of those peculiarly dishonest measures which will 'keep the word of promise to the ear and break it to the hope.' It is violative of every tradition and platform declaration of the Democratic Party. The scheme, as interpreted by the President, is a mistake in policy, wrong in morals, pernicious in principle, and, therefore, will be disappointing in its ultimate results.

"FINDS NO JUSTIFICATION.

"If the Government ownership and operation of steamboat and railroad lines is to become a permanent policy, there might be some little excuse or justification for this measure; but when we are told by the President that it is only a temporary makeshift—and who will question the authority of the President to speak in this matter?—it leaves it without excuse or justification. In his address to Congress on the 8th of December last the President said: 'It should take action to make it certain that transportation at reasonable rates will be promptly provided, even when the carriage is not at first profitable; and then, when the carriage has become sufficiently profitable to attract and engage private capital, and engage it in abundance, the Government ought to withdraw.'

"It is a peculiar character of mind which reasons to a conclusion and justifies the appropriation and expenditure of funds contributed by all the people to an enterprise of this character, which it is admitted must be a losing and unprofitable investment from the start. Congress has just as much right to donate funds from the Public Treasury to the cotton growers of the South, who, because of the war in Europe, have lost by the depreciation of the product of their farms something like $450,000,000 this year. Congress has just as much authority to subsidize the cane growers of Louisiana, the beet growers of the Northwest, and the manufacturers of the Northeast as it has to appropriate money to buy ships to carry the manufacturers' products to foreign markets at the cost of all the taxpayers. The cotton growers of the South proposed to give the Government unquestioned security for the loan of $250,000,000 of credit in order to save themselves a loss of $500,000,000, but the Congress, headed by the President, turned a deaf ear to their appeal.

"If their demand was without merits or wrong in principle, who will say this measure is right? I am opposed to this bill because it is class legislation, pernicious in its conception, and necessarily unjust in its execution.

"SEES WASTE OF MONEY.

"It will be remembered that the bill provides for ships to engage in the foreign trade exclusively. The cast-iron, rock-ribbed, Government-favored coastwise monopoly is treated as a sacred thing—too sacred to be touched. The Government-owned boats are to be mere pioneers of business missionaries, as it were. Regardless of the expense, they are expected to go to the waste places and work up the business to be turned over later to private individuals, who are to reap the profits of a business which has been built up at the expense of all the people. The whole scheme, to my mind, involves an unwarranted, illegal, and immoral prodigality of money coined by the sweat and blood of the masses of this country and extorted from them by unjust and immoral laws.

"It is a dangerous departure, an innovation upon our time-honored system, violative of the spirit of our Government, and, I fear, the issue will be trouble to the party that proposes it and chagrin for the men who conceive it. I am in favor of an American merchant marine. I shall vote for such measures as may be necessary to put our ships on the dead level of opportunity with the ships of all other countries that come into our ports. If we shall by law, which we have a right to do, improve the standard of living for the sailors, we will at the same time elevate the standard of character and manhood of the men who operate the ships.

"OPPOSES HOTHOUSE ECONOMICS.

"I am opposed to the hothouse methods of economics in governmental matters. I do not think it is fair to take the money from the pocket of the wealth producers of this country and donate it to the owners of ships. Such a policy can not be justified by any other rule than that of the rule of might. It can not be defended upon any other theory than that might is right. The contention that the ships be bought under the terms of this bill will facilitate the transportation of cotton grown in the South to the foreign markets is not the proper spissitude to fool anybody. The suggestion that the Governnent of the United States will send its ships to places where privately owned ships flying the American flag will not go is absurd. As a matter of fact, Government-owned ships will be more careful not to violate the laws of neutrality. They will be more careful to avoid every possible complication with the belligerent powers of Europe than will ships owned by private individuals.

"But there is one thing that would happen, I am quite sure. A lot of unprofitable property in ships that are floating idly in the ports of this country in order to hide from the gunboats of hostile nations would be unloaded upon the Government of the United States at a good profit. And I am sure that after the war is over, and especially after the people of the United States shall have had an opportunity to pass judgment upon this proposed bill, that these same ships will be resold to private owners, and the American people will pocket a loss of $75,000,000 to $100,000,000. No, to my mind, the bill is a legislative evil without a mitigating incident, and, from the depths of my heart, I sincerely hope it may be defeated."

Mr. BORAH. It shows, Mr. President, that upon this bill there is a division of sentiment regardless of party lines, and that many aside from those who entertain that view upon this side of the Chamber entertain the view that it is an unwarranted step and one calculated to bring injury instead of benefit to the American people. Certainly it should have full discussion and most deliberate consideration.

Let me again recur to the advice of the President as to the treatment of this kind of legislation. I read from his work on Constitutional Government, at page 11. In this he says:

We speak now always of "legislatures," of "law-making" assemblies, as very impatient of prolonged debates and sneer at parliamentary bodies which can not get their "business" done. We join with laughing zest in Mr. Carlyle's bitter gibe at "talking shops," at parliaments which spend their days in endless discussion rather than in diligent prosecution of what they came together to "do." And yet to hold such an attitude toward representative assemblies is utterly to forget their history and their first and capital purpose. They were meant to be talking shops. The name "parliament" is no accidental indication of their function. They were meant to be grand parleys with those who were conducting the country's business; parleys concerning laws, concerning administrative acts, concerning policies and plans at home and abroad, in order that nothing which contravened the common understanding should be let pass without comment or stricture, in order that measures should be insisted on which the Nation needed, and measures resisted which the Nation did not need or might take harm from. Their purpose was watchful criticism; talk that should bring to light the whole intention of the Government and apprise those who conducted it of the real feeling and desire of the Nation; and how well they performed that function many an uneasy monarch has testified, alike by word and act.

Mr. President, it will be found as we survey the pages of history—and I am saying this now not by way of invidious criticism of the President himself, but rather in carrying out the statement in his book—that the great parliaments of the world have been the citadel of the people's freedom; that in these open public discussions not only have serpentine crawlers been killed and the interests of great, corrupt forces destroyed, but it will be further found that the great movements of commercial and political justice have had their origin in public discussion in these great parleys which the President so earnestly commends in his work. These questions, sir, which involve not only the largest States but the possible happiness and prosperity of ninety millions of people, can certainly well be given a few hours' debate, even should our Chief Magistrate in his petulancy seem to think that it is too long. I commend him to a reflective moment with his own deliberately expressed opinions and views as found recorded in his books.

Mr. President, the President seems to be of the opinion that the shipping bill will be of great interest to the farmers of the United States. I do not believe the farmers of the United States will be greatly concerned about transportation when their wheat is $1.40 a bushel. There is another thing in which the farmers of the United States are far more vitally interested and about which they are more greatly concerned, and that is that after they get their $1.40 they shall not be compelled to turn around and pay it all out in interest to some exorbitant interest-collecting power. There will be no prosperity worthy of the name, there will be no return to the farm and to the country life in this country until we have put upon the statute books a sufficient and efficient system of rural credits which will enable the farmers of this country to have their credits and their loans and their interest at a rate which they can afford to pay. There is no proposition of more vital concern, not only to the farmer but to the entire business and industrial interests of this country, than to afford the farmers of the country a rural credit banking system which will enable them to do business upon a basis where a man who turns his capital over but once a year can afford to do it.

The shipping bill was made, in practical effect, to take the place of the rural credit bill. Both of these bills were before the committees. The rural credit bill could have been reported out and passed just as easily as the bill in regard to the shipping industry. I will leave it to the intelligent and patriotic farmers of this country to say in which bill they are more directly concerned and in which bill their interests are more vitally wrapped up—a shipping bill or a rural credit system. If we had had that bill before us it could not have been said that we were establishing a new and untried system, because it has been tried in many parts of the civilized world and found most beneficial to the agricultural and farming interests.

Mr. SMITH of Georgia. Mr. President——

The VICE PRESIDENT. Does the Senator from Idaho yield to the Senator from Georgia?

Mr. BORAH. I do.

Mr. SMITH of Georgia. Will the Senator advise the Senate as to whether both of these bills were before the same committee? I was under the impression that they were before different

committees. I am upon neither, and I do not know, so I really ask for information.

Mr. BORAH. I said they were both before committees.

Mr. SMITH of Georgia. I thought the Senator said they were both before the same committee.

Mr. BORAH. If I did, I did not intend to say it. No; I did not say that.

Mr. SMITH of Georgia. I understood the Senator to say that the rural credit bill and the shipping bill were both before the same committee.

Mr. BORAH. I did not say that, or, if I did, it was a lapsus linguæ.

Mr. SMITH of Georgia. They were before different committees?

Mr. BORAH. They were before different committees.

I want to say here, and I say it in the utmost sincerity, that the President called a special session of Congress a year ago, among other purposes, for the purpose of creating and putting into effect what might be known as a new banking system—a system of currency and credits which was designed particularly to aid the banks of the country. It was a bankers' law—so designated and so described by those who defended it here upon the floor. Upon the 4th day of March this Congress will end by virtue of the law. The President of the United States could not do the farmer of this country a greater act of kindness, or benefit him more, than to call a special session for the sole purpose of passing a rural credit law. It will take some time to pass that kind of a law, and weary as we are, and worn as some of us may be, if that session were called for that special purpose it would be the most beneficent act that could be possibly rendered to the agricultural interests of this country. If he desires to aid the farmer, whose benefit from the ship-purchase bill will scarcely ever be realized, the better way to do it is to call a special session on the 5th of March for the sole purpose of working out a system for the farmer as we worked out a year ago for the banker.

Mr. BRISTOW. Mr. President——

The VICE PRESIDENT. Does the Senator from Idaho yield to the Senator from Kansas?

Mr. BORAH. I do.

Mr. BRISTOW. Would not that depend upon the kind of a bill which was worked out? If it should happen to be a bill which was simply an adjunct to the present Federal reserve act, which time is demonstrating to be an utter failure, might it not be a detriment instead of a good?

Mr. BORAH. I am assuming, of course, that we can finally work out a good bill. It is enough to challenge the bills after they are passed, although I grant that the Senator from Kansas has some justification for challenging them before they are passed. But I agree with the Senator that we want no adjunct to the Federal reserve bank act.

In the President's address of December 2, 1913, to the Congress he said:

> I present to you, in addition, the urgent necessity that special provision be made also for facilitating the credits needed by the farmers of the country. The pending currency bill does the farmers a great service.

I rather disagree with the President there. The farmer takes his securities to the same old institution, to the same banking institution. He puts up his credit, but he pays precisely the same rate of interest. There is nothing in the new banking system which in any way reaches the agricultural demands of this country. That, however, was before the currency bill had been put into active operation, and was a prognostication rather than a statement of fact.

> It puts them upon an equal footing with other business men and masters of enterprise, as it should, and upon its passage they will find themselves quit of many of the difficulties which now hamper them in the field of credit. The farmers, of course, ask and should be given no special privilege, such as extending to them the credit of the Government itself. What they need and should obtain is legislation which will make their own abundant and substantial credit resources available as a foundation for joint, concerted local action in their own behalf in getting the capital they must use. It is to this we should now address ourselves.

Then, in his message upon December 8, 1914, he says:

> The great subject of rural credits still remains to be dealt with, and it is a matter of deep regret that the difficulties of the subject have seemed to render it impossible to complete a bill for passage at this session. But it can not be perfected yet, and therefore there are no other constructive measures the necessity for which I will at this time call your attention to.

In my judgment, Mr. President, such a bill as that never could be well perfected in the midst of legislation upon other subjects, and with that suggestion of the President I do not disagree; but I do say that it would be well for him to consider, if he will take suggestions from one who is on the other side of the Chamber, the proposition of calling us in special session for that purpose.

We now come to a very startling and remarkable statement upon the part of the President in that address, to which I invite your attention. He says:

> The * * * Republican party * * * has not had a new idea for 30 years.

I think I had better read that again.

Mr. GALLINGER. Read the paragraph.

The VICE PRESIDENT. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated.

The SECRETARY. A bill (H. R. 19422) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1916, and for other purposes.

Mr. STONE. Mr. President, a parliamentary inquiry. That is the unfinished business which is now laid before the Senate?

The VICE PRESIDENT. The unfinished business is now laid before the Senate.

Mr. STONE. What becomes of this resolution?

The VICE PRESIDENT. It goes to the calendar.

Mr. STONE. Very well. These political harangues can go on at some other time on some other bill.

Mr. BORAH. Mr. President, I will continue the "political harangue," although I shall not descend to that kind of political harangue which so often characterizes the distinguished Senator from Missouri [Mr. STONE].

We all know the Senator is not only an expert in ethics, but also in the proper use of language toward his colleagues. He is a very gifted man in that respect. The President says:

> The trouble with the Republican Party is that it has not had a new idea for 30 years. I am not speaking as a politician; I am speaking as a historian.

In a few moments I shall call attention to the language of the President as a historian, and I shall undertake to show that his language as a historian answers his remarks as a politician.

> I have looked for new ideas in the records, and I have not found any proceeding from the Republican ranks.

It will be observed that not only does he include in his remark those who assume to have been leaders of the Republican Party but in all the countless millions who have made up the rank and file of the Republican Party during the last 30 years there has never originated an idea—the rank and file of the Republican Party which has constituted the majority of the United States for the last 30 years save and except one unfortunate period. During all that time it is the judgment of the Chief Magistrate that no idea ever originated not only among the leaders but among the rank and file.

> They have had leaders from time to time who suggested new ideas, but they never did anything to carry them out. I suppose there was no harm in their talking, provided they could not do anything.
>
> * * * * * * *
>
> The reason I say the Republicans have not had a new idea in 30 years is that they have not known how to do anything except sit on the lid.
>
> * * * * * * *
>
> Some of them are misguided; some of them are blind; most of them are ignorant. I would rather pray for them than abuse them.

It is to be hoped if the President should indulge in that proposition his prayers will not have the same effect upon the country that his policies have had.

Mr. President, 30 years in the language of the good old Virginia dialect is "a right smart while." It is some comfort, however, to know that back of the 30 years there is a period which seems to be reasonably safe. From 1860 to about 1885 there seems to have been a period in which there were some ideas, and therefore it does not come within the stricture of the President. It was during that time that the Union was preserved, that slavery was abolished, that Lincoln lived and wrought, that Sumner exerted his great influence, that Grant preserved the States. The resumption of specie payments, the passage of the national banking act, and all those things which had to do with the preservation of the Union under which we live happened during that time, and that is not only unchallenged by mankind, but what is more fortunate, not challenged by the President himself. What a consolation that he should have left us at least a period of our activities to which we can point as not wholly barren of ideas.

But from 1885 there has not been, says the President, an idea in the Republican Party. Let us see. Eighteen hundred and eighty-five is a good point at which to begin a review of the acts of the Republican Party. I assert without fear of successful contradiction that if you will study the history of political organizations in every free institution under the sun from the days of Pericles until this fell hour you will not find 30 years so crowded with sane, progressive, beneficial legislation as the 30 years following 1885.

Prior to the great Civil War we had a civilization in this country which was entirely different from that civilization which we had to deal with in 1885. Prior to that time every community could live unto itself; the family generally took care of its own interests and had a mill or manufacturing establishment in every locality and every precinct, and so communities were isolated and lived unto themselves and by themselves.

But with the close of the great Civil War a different condition of affairs arose. We had raised and fed more than a million men. We had learned to do things upon a vast scale. The spirit of vastness was upon the American mind, and when the war closed and the soldier left the front and went home to his people he seemed to carry back into the great national civic life the spirit of vastness with which he had been acquainted in the great Civil War. The result of it was that this spirit leaving the military field entered into the industrial field, and we began to do things upon a vast scale. Great corporations and great trusts were organized, great transcontinental railroads were built from sea to sea, and upon a vast scale we began to build up and develop the great natural resources which nature's god had given us. Our imprisoned wealth was to be given its freedom.

In 1885 it became the duty of the Republican Party to deal with conditions which had never before been presented to mortal man, and the fact that we dealt with them wisely, that we dealt with them effectively, is proven by the fact that not a single one of the great statutes will be attacked by this administration, although it is in power in all the departments of the Government.

In 1887 we passed what is known as the interstate commerce act, creating the Interstate Commerce Commission, which had to do with the regulating of rates by the great transportation systems of the country, and from that time until lately it has performed its services to the great benefit of the people of the United States. Not only that, but in view of the trusts which were being formed and the great combinations which were growing up, it became necessary to deal with monopoly, and we passed what is known as the Sherman antitrust law. It was a wise provision of law, because it declared the principle of the Republic to be that of eternal enmity to monopoly.

Then came what is known as the antirebate law, a law having to do with a subject which had the effect of building up of one city and tearing down another; of building up one community and tearing down another; placing power in corporations which practically controlled the entire industries of the country. What is known as the antirebate law was passed.

We pass on down the line dealing with all these different subjects as they arose from time to time. We created a Bureau of Commerce and Labor to investigate conditions of great interest and also to investigate conditions of labor, afterwards passing what is known as the pure-food law, of incalculable service to all the people, the safety-appliance law, the postal-savings law, the parcel-post law, the physical valuation of railroads law, the employer's liability law, the law limiting the hours of service of railroad men, compensation for injuries to Government employees, the child-labor law for the District of Columbia, the Children's Bureau was established, publicity of campaign funds provided for, eight hours a day for Government employees and under Government contracts provided for, a law requiring the railroads to report accidents provided for, the boiler-inspection law, the Bureau of Mines established, the amendment of the Constitution providing for an income tax, the election of Senators by popular vote—and so on ad infinitum, dealing with each particular subject as it arose. Dealing with them sanely, safely, progressively, permanently.

Then finally we passed that bill which has been so often criticized by the opposition, known as the Vreeland-Aldrich Act, dealing with the finances of the country. I call your attention to the fact, my friends, that when the crisis came a few months ago and the European situation brought to us a condition unexpected it was under the Vreeland-Aldrich Act that you proceeded to protect the credit and the business interests of this country. We had months before passed the Federal reserve bank act, but it was not called into activity; it was not put into operation. It was not tested in that crisis, but when the crisis came it was permitted to remain idle while the Vreeland-Aldrich Act was the act under which we proceeded to pass the shoals and pitfalls of those first days of the European crisis. While we did so the Federal reserve bank act lay—huge, cumbersome, bulky, expensive—cast upon the shore of the legislative sea like some antediluvian mastodon, not quite live enough for the menagerie and not quite dead enough for the operating table of the taxidermist, designed apparently for the Federal Treasury, but apparently on its way to the Smithsonian Institution. [Laughter.]

But, Mr. President, the President tells us he was speaking as a historian and not as a politician. In 1893 there was an unfortunate interruption in this 30 years of Republican domination, and it lasted until 1896. One reading the history of Prof. Wilson would come to the conclusion that there were ideas at work about the time that change took place in 1896. I will read you, in order that the Members of the Senate may have the benefit of it for reflection, what the President said upon this subject. Speaking of Cleveland's second term, he said:

> Disorders of the most serious character, alike in business and in politics, had within that brief space their sharp culmination; foreign questions of the most delicate and critical kind unexpectedly arose; society itself seemed upheaved by forces which threatened it with lasting injury.

Again, on page 235 of volume 5 of this very valuable work, he says:

> The business of the country had fallen dull and inactive because of the financial disquietude of the time. A great poverty and depression had come upon the western mining regions and upon the agricultural regions of the West and South. Prices had fallen; crops had failed. Drought swept the western plains clean of their golden harvests. Farmers in the districts most stricken could not so much as buy clothes for their backs, and went clad in the sacks into which they would have put their grain had they had any, their feet wrapped about with pieces of coarse sackcloth for lack of shoes. Men of the poorer sort were idle everywhere and filled with a sort of despair. All the large cities and manufacturing towns teemed with unemployed workingmen who were with the utmost difficulty kept from starvation by the systematic efforts of organized charity. In many cities public works were undertaken upon an extensive scale to give them employment. In the spring of 1894 "armies of the unemployed" began to gather in the western country for the purpose of marching upon Washington, like mendicant hosts, to make known to the Government itself, face to face, the wants of the people. * * * A hundred men began the journey with him, and their ranks had swelled to 350 by the time they entered Washington. They made no disturbance. Most of the towns and villages on their way supplied them with food.

Then he describes their meeting in Washington. Again, at another page, he continues:

> Not until the very year 1897, when the new Republican administration came in, did the crisis seem to be past. The country had at last built its railway and manufacturing systems up, had at last got ready to come out of its debts, command foreign markets with something more than its foodstuffs, and make for itself a place of mastery. The turning point seemed to be marked by a notable transaction which took place the very month Mr. McKinley was inaugurated.

Yes, Mr. President, Samuel Gompers, the great labor leader, who can not be charged with being an intensely Republican partisan, shows in his report at that time that there were in the closing days of that administration 3,000,000 American workingmen hunting for work which they could not find—not hobos, not idlers, but heads of families, men who wanted work and were unable to find it. Mr. Gompers, in a subsequent report, shows that in 18 months after Mr. McKinley was inaugurated President those 3,000,000 men had been taken off the highway and put to work. I do not commit Mr. Gompers as to causes of idleness or the reason for return to work; I am stating what I gather from his own reports.

Mr. President, it might not have been an era of "ideas," but what we did had the effect of feeding the American people and restoring the American business prosperity. In my humble judgment that same task will devolve upon the Republicans in 1917. There are at least three million men in this midwinter asking for work, and the soup house is again dotting the land. The cry in that campaign of 1916 will not be for more ideas, but for bread; not for more rhetoric, but for more soup; and the termination of the campaign will not be doubtful when that issue is once raised before the American people. "Ideas"—many a poor fellow wishes to-night that they were eatables.

Now, I want to say just in concluding upon this part of the subject, first, and I take the date of August 1, 1914, because of the war, for my assertion, and if anyone desires to challenge the assertion I shall submit data, otherwise I shall content myself with a general statement. I assert that upon the first day of August, 1914, the cost of living was never so high in this country as it was at that time. This would have seemed to be a subject of compelling influence with the President in the discussion of the condition of the country on the Indianapolis occasion. Secondly, I assert that the cost of government, the extravagance of government, has never been so great in its history, and especially in the last 30 years, as it was upon the first day of August, 1914. In the midst of profound peace, at a time when we were at peace with everybody, including Mexico, we were compelled to raise $100,000,000 in the way of an emergency tax. Already the Government had exceeded the expenditures of the last year of Republican administration by $117,000,000, and to that we added $100,000,000 more to be taken from the people,

laboring under a stagnation and industrial depression such as had not characterized this country since 1896.

That $117,000,000 and the $100,000,000 did not include the $25,000,000 which we are proposing to pay to Colombia. It did not include the $3,000,000 which we are proposing to pay Nicaragua for another canal route. Just what we want with another canal route I am unable to determine, unless having built one canal and having given it to England we propose to build another and give it to Germany. [Manifestations of applause in the galleries.]

The PRESIDING OFFICER (Mr. ASHURST in the chair). The Senator from Idaho will suspend. Under the rules of the Senate, manifestations of approval or disapproval are not permitted by the occupants of the galleries. The Senator from Idaho will proceed.

Mr. BORAH. That does not include, Mr. President, other items covered by the emergency appropriation bill. Now, when you sum the figures up, we were running at the rate of $217,000,000 in excess of that which you characterized as extravagance in your platform at Baltimore.

Mr. President, there is one other statement in addition to that. Not only has the cost of living never been so high and taxes and extravagance of government so great, but never in the last 30 years, save once, has the foreigner paid so little in the maintaining of government for the right of enjoying the privileges of this home market which the Republicans have built up. The farmer has been placed upon the free list. His taxes are no less; his cost of living is no less; the extravagance of government is no less, yet the foreigner who comes in shares with him the home market, and pays less to assist him in maintaining the Government than he has ever paid in 30 years.

Mr. President, I leave that portion of the discussion and go to another feature of the President's address. To my mind the most remarkable of all the utterances of the President upon that historic occasion is his utterance in which he dealt with the unfortunate situation in Mexico. The Mexican situation calls for the most dispassionate discussion, and if it is possible for us to put aside all partisan feeling and view it wholly from the standpoint of an American citizen, certainly it is our duty to do so. I may not under the provocation measure up to that idea, but it shall be my endeavor to discuss it as I would have discussed it had not the President outlined the policy of his party at Indianapolis. But we must deal with the Mexican question as it is—not as it was or could have been. We must take the status quo and from that get our bearings, if we may, as to what we can do to ameliorate the situation which we find in Mexico.

I will be pardoned, I think, Mr. President, in this discussion for quoting from some remarks which I made in the Senate at the time the Mexican question was up a year ago. I do not do so other than for the purpose of justifying the views which I shall express now, or rather disclosing the integrity of purpose with which I present them.

On the 23d of April, 1914, in discussing this question, I said:

> When, however, the President practically announced that a certain individual could not be a candidate for the Presidency in Mexico, and that we would in effect censor the elections which were to be held in Mexico, he announced a policy the inevitable logic of which was war with Mexico unless that policy was afterwards to be modified. I thought then, and I think now, there is no escape from war unless we furnish the escape ourselves through a change of policy.

That was true. When the President announced that a certain individual could not be President of Mexico, that the election would have to be conducted along certain lines, that certain internal conditions of Mexico would have to be adjusted according to his ideas, it was intervention, and there could be no escape from war with Mexico except through a modification of that policy. It is true that modification came. As was suggested by the Senator from Massachusetts [Mr. LODGE] the other day, we found refuge in the Niagara Falls conference and there modified our position entirely. Further, I said:

> When we undertook to censor the internal conditions of that country and to place ourselves in the position of determining what government consisted of in Mexico, it was necessary as a consequence of that that we must some time go there to carry out that program. The supposition was that with Huerta removed there was some other force or some other power which would take his place and establish law and order in Mexico and establish such a government as the Republic of the United States could afford to acknowledge and recognize.

But no provision was made apparently for the subsequent power which was to control Mexico after the going of Huerta. Our going to Mexico destroyed Huerta. It removed the only semblance of government there was in Mexico. It removed the only semblance of government which other nations had seen fit to recognize. It seemed to me clear at that time that with Huerta removed and the only semblance of government there destroyed, chaos must ultimately reign with the going of Huerta unless we ourselves provided the law and order which should obtain thereafter.

There was no alternative, Mr. President. If we did not set up a government ourselves or maintain some power there, it was clear that Carranza and Villa and the other factionists would soon fall to war among themselves, and that is precisely what followed.

Now, again, I said:

> Mr. President, for myself I do not want to see war. I think when this bill passes it ought to be declared as the policy of the Congress of the United States that the Republic of the United States will withdraw as an interfering power in Mexico, will withdraw as an interfering power in Nicaragua, will withdraw as an interfering power in Honduras, and say to the Republics of Central America, "We will respect the integrity of your Governments, and we will approach your borders only when asked to do so by yourselves, and then only in a most friendly manner. We recognize—

Still reading—

> and will respect the autonomy of your States; we will never come to you except as an older brother.

Mr. President, it was just as clear to my mind as the noonday sun that when we entered Mexico for the purpose of interfering in her internal affairs there was no alternative except that of remaining in Mexico and restoring order or retiring in chagrin and humiliation, leaving chaos and murder and bloodshed to follow in the wake of our entrance into Mexico. It has happened.

It is clear, sir, that when we once went into Mexico and placed our hand upon that "plow" we never could look back. It was clear that if we took that bold step only a Bismarck or some powerful and puissant man should from that hour guide the destiny of this Republic in its relations to Mexico. No backing and filling, no watchful waiting of the warring factions, no watchful consideration of those who have no regard for human life or for woman's honor would restore peace to Mexico.

When we had once crossed the border it required a man with an iron hand and an iron will to say to the Mexican people, "We are here to protect human life, to restore order, and we will not only remove Huerta, but we will insist that all the factions shall bring their fighting to a close."

When we retired, Mr. President, what was the result? What has been the result during the last 18 months? The President now says that we are to let Mexico alone. How unfortunate that that was not the policy from the beginning. I think if he had said in the beginning that we were to let Mexico alone, he would have been in an almost impregnable position. All that needed to have been added to that to make a perfect policy would have been that Mexico should respect the rights of American citizens and of foreigners living in that country. Let them settle their own form of government, let them elect whom they would, let them have a despotism or a republic, according as they lived up to the one or the other, and that we would recognize whatever form of government they established, always adding the proposition that whether it was one form of government or another the rights and the lives of American citizens should be protected thereunder.

I think I can no better state the position of the Members on this side of the Chamber in regard to our foreign relations with Central America than to quote the language of the distinguished Senator from New York [Mr. ROOT] at the time when, as Secretary of State, he visited the South American countries. It states it in a brief paragraph and states all there is to it:

> We wished for no victories except those of peace; for no territory except our own; for no sovereignty except the sovereignty over ourselves. We deemed the independence and equal rights of the smallest and weakest member of the family of nations entitled to as much respect as those of the greatest empire. We neither claim nor desire any rights or privileges or powers that we do not freely concede to every American Republic.

Therefore, Mr. President, at the very threshold of the discussion of the Mexican question, let me state for myself—and I believe I state it for more than one Member upon this side of the Chamber—that our policy is based, first, upon the proposition that we want no territory from Mexico; we desire in no way to interfere with the autonomy of Mexico; we desire to interfere in no way with the governmental integrity of Mexico either territorially or as a governmental proposition. Furthermore, that the same doctrine extends to every Central American country; that it applies to the smallest as well as to the strongest of the Central American countries.

By way of digression, let me call your attention to the fact that while the President said at Indianapolis that he was in favor of all those countries working out their destiny, we have here now pending a treaty with one of the smallest and weakest of the Central American countries, a country unable to defend

itself, which has officers that we put into power by virtue of a vessel of war sailing into its port, a government which exists at this hour by virtue, and by virtue alone, of our marines, who are camped in the capital of that little country. We can not hold the good faith of the Mexican people nor retain the respect of the Central American people or those of the great South American Republics unless to our words we add our deeds and our acts.

To begin with, let it be understood that Mexico is not desired by the American people; let it be understood that we are to withdraw from all interference in the domestic concerns of all the countries in Central America, and that we will respect the integrity and autonomy of the weakest as well as of the strongest; that we will neither browbeat nor insult them because of their weakness, but that we will leave them, should we ever go there to protect our own citizens, with the same integrity of territory which we found in the beginning.

But we did go to Mexico, Mr. President. What did we go for? What were we at Vera Cruz about? What were the results of the expedition? The first result was that we killed 200 Mexicans; the second result was that we lost 19 of our own men. We were at war with Mexico. Had we killed one English subject or one German subject or one subject of France, there would have been no doubt about our being at war with that country. The only reason it did not take on all "the pomp and circumstance of glorious war" was the fact that the country with which we were at war was unable to respond against the powerful enemy who had entered its borders. Not only did we intervene when we declared against Huerta, but we were at war when blood was shed upon the soil of Vera Cruz. That was the first result.

The second result of our going there was the destruction of the only semblance of government which they had in Mexico.

The third thing which we did in connection with it is one which may have far-reaching consequences in the future, and that is, we notified foreign nations that they must keep hands off of Mexico, that they must not build up or give sustenance and support to Huerta or to any form of government. The result of it was that we assumed the responsibility morally, if not legally, for the injuries which flowed from that time on to those foreign powers or to their nationals by reason of the acts or of the conduct of the warring factions of Mexico.

Then we assumed further, Mr. President, at that time to reform the land laws of Mexico. So we did not let Mexico alone.

What is the situation in Mexico to-day? Mr. President, the situation in Mexico to-day is indescribable. We have no conception of it. I doubt if it would be possible to conceive a proper measurement of the condition of affairs in Mexico unless we were there, but we know that it is as bad as it could possibly be in a civilized or semicivilized community. We know that over 250 of our own citizens have from time to time been murdered: we know that countless others have been injured in different ways and have no apparent remedy or redress.

I want to call your attention to the condition as it is described by the newspapers during the last few days. The New York World, under date of December 29, 1914, says:

One hundred and fifty-five "executed" in Mexico City in four days.

On the 9th Thermidor when Robespierre fell from power in the French Revolution and 22 of his associates went with him to the guillotine, and within three days thereafter 82 more followed and were beheaded, that is supposed to be the peak of human atrocity in the history of the human race. It was only to be excelled upon the American Continent and in sight of the American flag, where 155 were executed in four days! The New York World of December 1, 1914, says:

The United States warns public that chaos again exists in Mexico.

The only correction that I would make in that statement would be to eliminate the word "again."

The New York Times of September 9, 1914, says:

Two uprisings now in Mexico. Ex-Huerta officer seizes trains for troops. Zapatistas cut capital's water supply. Report anarchy near by. Travelers reaching Vera Cruz say district outside Mexico City is being laid waste.

The New York Sun of November 9, 1914, says:

Three Americans tortured and shot by Mexicans. El Paso citizens are attacked at Chocolate Pass in Chihuahua and after a short defense they are overpowered. Fight until their ammunition gives out.

The New York World of December 19, 1914, says:

Reign of terror to rival France's feared in Mexico. "Existing order of things will be wiped out," high official of new régime tells the World, "and a new Mexico will rise from the ruins of a rotten age."

The Brooklyn Eagle of December 27, 1914, says:

PEOPLE STARVING IN MEXICO—HANNA, CONSUL GENERAL, SAYS THAT DISTRESS RIVALS THAT IN EUROPE—APPEALS TO RED CROSS—SECRETARY BRYAN SAYS UNITED STATES IS TRYING TO OBTAIN AMNESTY FOR POLITICAL OFFENDERS.

WASHINGTON, *December 26.*

Secretary Bryan said to-day that the United States Government was continuing its efforts with the Gutierrez Government to obtain a general amnesty for political offenders, both in and out of Mexico. He declared the question of recognition of the Gutierrez administration had not been considered, nor the amnesty had not been asked as prerequisite of recognition.

Much interest is being manifested by officials here in the safety of former Gov. Iturbide, who was permitted to leave Mexico City for the United States through the influence of the American Government. Gen. Palafox, a Zapata adherent and member of the Gutierrez cabinet, is quoted as saying that Iturbide would be arrested if caught before he reached the border. Should this occur, it is probable urgent representations in his behalf would be renewed.

The New York World of January 7, 1915, says:

WILSON'S MEXICAN POLICY IS SCORED BY SENATOR LODGE—"I FEAR IT IS TOO LATE NOW," THE SENATOR SAYS, "TO ADOPT ANY POLICY, UNLESS IT BE MILITARY OCCUPATION"—"THAT COUNTRY IS A CHAOS OF FIGHTING FACTIONS"—"ANARCHY IS A POLITE WORD TO APPLY"—AMERICAN FLAG NOT YET SALUTED.

[Special to The World.]

WASHINGTON, *January 6.*

"I fear it is too late now to adopt any policy, unless it be military occupation, which all of us would deplore," declared Senator LODGE in the Senate to-day while attacking President Wilson's course in dealing with Mexico.

"Look at that country to-day. It is a chaos of fighting factions—a prey of banditti. Predatory bands * * *

The New York Sun of December 23, 1914, says:

Sacking of Mexico City described by eyewitness. Resident of capital, in letters to The Sun, says deserting Carranzistas looted homes during reign of terror. Mob held lawless sway till Zapata came.

The New York Sun of September 12, 1914, says:

Carranza is using iron hand in Mexico. Bottles up news and resorts to dictatorial methods of Huerta. Factional strife serious. Villa increases his military strength to have a show.

The New York World of January 3, 1915, says:

Oaxaca revolts under oppression; sides with Villa. Mexican State seizes Carranza's brother, disarms his forces, and offers its militia to the convention.

Mr. President, those extracts give an idea of conditions as they exist in Mexico and as they have continued to exist in Mexico since we entered Vera Cruz.

What is the policy in regard to that situation, Mr. President? Do you suppose—

Says the President at Indianapolis—

Do you suppose that the American people are ever going to count a small amount of material benefit and advantage to people doing business in Mexico against the liberties and the permanent happiness of the Mexican people? Have not European nations taken as long as they wanted and spilt as much blood as they pleased in settling their affairs, and shall we deny that to Mexico because she is weak? No, I say.

When Barère stood up in the midst of the assembly of the French Revolution—a man whom Macaulay says tasted blood and felt no loathing; tasted it again, and liked it well—when he stood up in the midst of the French Assembly, he said, "The revolution of France will float into port upon seas of blood;" he then turned and said, "Those who distrust the course of the revolution will be treated as suspected men."

Mr. President, the Republicans upon this side of the Chamber have remained practically silent for two years. They have done so out of a desire to give the President of the United States the fullest opportunity to work out the destiny of those people if he could. I do not suppose there is a Member upon this side of the Chamber who has not received from different parts of the country during the last two years messages asking whether or not the Republicans had any views upon the terrible conditions in Mexico. The answer almost invariably went back, "We are willing to leave them to the man who is closest to the situation, in order that he may, if possible, work out his policies, in which we do not agree, but believing that there can be no better evidence of good faith upon our part than to let him try to work them out and remain silent; and we have done so."

Now, sir, when a condition of affairs exists in Mexico such as the civilized world has seldom witnessed and Republicans rise to express their views as to what shall be done, the answer which we get from the public rostrum of the country by the Chief Magistrate of the Nation is practically in the language of Barère that the revolution in Mexico shall be permitted to float in upon seas of blood and that the man who questions the course of revolution in Mexico is to be suspected before the American people!

Mr. President, speaking for myself, I am desirous of peace with Mexico; I want no war; and I know we shall never

take any part of the territory of that Republic; but above and beyond that, and more important, to my mind, is the fact that we should at least protect our own citizenship, securing our women against ravishment and our men from murder at the hands of those ferocious men who prey upon our nationals wherever they find them in their territory. There are some things which are dearer to me than peace. I do know this, Mr. President, that no nation ever retains respect among the other nations of the earth or long maintains the consideration of other powers that does not protect its citizens and the honor of its women and prevent them from being ravished and murdered even upon its very doorsteps.

Mr. ROBINSON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Arkansas?

Mr. BORAH. I yield.

Mr. ROBINSON. I should like to ask the Senator from Idaho a question. He has been assailing the course taken by the Chief Executive in regard to affairs in Mexico. I should like the Senator to state to the Senate just what action he would take if charged with executive responsibility toward accomplishing the end which he says he desires.

Mr. BORAH. Mr. President, the Senator has asked a very difficult question in view of the present conditions in Mexico. It would have been, in my judgment, an easy question to answer at the time we first began to deal with this subject, more than a year ago. I do not know whether or not the honorable Senator has honored me with his attention during the entire time that I have been speaking, but I expressed what I thought was the proper course upon the 23d day of April, 1914. I will say, however, to the Senator that it seems to me we might very justly and very effectively exercise our right under international law and treaties at least to protect the lives and honor of our own citizens in Mexico.

Mr. ROBINSON. I should like to ask the Senator another question, with his permission.

The PRESIDING OFFICER. Does the Senator from Idaho yield further to the Senator from Arkansas?

Mr. BORAH. I yield.

Mr. ROBINSON. Of course, the Senator implies in that statement, although he does not directly assert it, that he would take into Mexico a sufficient armed force to accomplish that end.

Mr. BORAH. I have not got through yet.

Mr. ROBINSON. I am awaiting the Senator's further statement.

Mr. BORAH. I am glad the Senator is listening patiently. I said, Mr. President, that we might properly exert our power under international law and treaties to protect the rights of our own people in Mexico. I believe we could do it successfully. I feel sure we could have done so in the beginning.

Mr. ROBINSON. Will the Senator yield to me again for a brief statement and to ask a further question?

The PRESIDING OFFICER. Does the Senator from Idaho yield further to the Senator from Arkansas?

Mr. BORAH. I yield.

Mr. ROBINSON. Mr. President, the Senator says he is desirous of life being protected and property secured—and I do not take it that he implies that the President of the United States does not want that accomplished—if possible without intervention by armed forces; but the question I am directing to the Senator now is, If he were charged with executive responsibility, does he say or does he imply in his statement that it is the duty of the Executive to take the American Army into Mexico and to maintain by force of arms the position which he asserts?

Mr. BORAH. Mr. President, the Senator is very forgetful of the course of my argument. I said that the President had taken the Army into Mexico, and that that was the unfortunate condition which left us in a situation where the grave question now is whether we can ever restore peace without doing so by armed force.

Mr. ROBINSON. Mr. President, just a further inquiry.

The PRESIDING OFFICER. Does the Senator from Idaho yield further to the Senator from Arkansas?

Mr. BORAH. Yes.

Mr. ROBINSON. Of course this is a subject in discussing which no Senator, whatever his ambition or whatever his motive, would be influenced by any political consideration. This is a question which involves patriotic considerations that appeal to every American citizen, and I ask the Senator from Idaho this question: While he is attempting to castigate the highest officer of this Republic for a failure to discharge the responsible duties as to Mexican affairs devolving upon him as President, will he tell us what he would do now if that burden fell upon him?

Mr. BORAH. Now, Mr. President, if the Senator will permit me to go along, if I shall not have covered that subject when I get through, I will feel that the intonations of the Senator's voice are justified.

Mr. ROBINSON. Mr. President, of course if the Senator does not desire to be interrupted I will not further interrupt him, but I do feel that it is proper to ask the question of one to whom these subjects are so clear and who has in his mind the deep conviction that our President is not discharging his duties. I conceive that he should tell us in a very brief way just what action he would take if he were President, or what action he will take when he gets to be President? [Laughter in the galleries.]

The PRESIDING OFFICER. There must be no manifestations of approval or disapproval by the occupants of the galleries.

Mr. BORAH. Mr. President, I was saying when again interrupted by the Senator before I had concluded what I had intended to say in answer to his question—and I do not object to interruptions; every Senator upon this floor knows that I never object to interruptions, but I had not finished the answer which I was undertaking to make to the Senator when I was interrupted again. I have said that, in my judgment, if we should exert such influence as we had under international law and treaties, we could protect the lives of our citizens in Mexico and do so without going to Mexico at all with an army. I believe that could have been done in the first instance; I am not so sure but that it can be done yet, but I believe it possible. I do believe, beyond all question, that if we should have exerted the same influence morally and otherwise against the other factions in Mexico that we have exerted against Huerta we would have restored peace in Mexico; but when we exerted that influence against Huerta and did not exert the same influence against the other warring factions, we left Mexico without any semblance of government, and invited every other aspirant in Mexico to put himself at the head of an army for the purpose of becoming its leader.

Mr. President, I do not pretend to say that that would be at all an efficacious course now, although I do believe that if our influence were properly exerted and Carranza and Villa were given to understand, as Huerta was given to understand, how we feel in regard to them, it would be likely that a better condition of affairs would be brought about.

But I was going to say to the Senator—and in saying this I represent my individual views alone—that, if I were in a position to do so, I would say to the Mexican people in no uncertain sound, "We want you to settle your own internal affairs; we do not want to interfere with your domestic concerns; you shall have the kind of government you like and the kind of ruler you like; we hope that you will work out finally a government such as our own, and we want you to understand that we will never interfere with the domestic concerns of your Government for the purpose of in any way acquiring territory or destroying the autonomy of your Government;" and, secondly, I would say, "You will from this hour respect the rights and the honor of American men and American women in your territory, or the United States will itself attend to the matter." I would build my policy around the protection, and the absolute protection, of our own citizens, and the whole world will respect us and honor us, and Mexico herself, in my judgment, when she finds we are in earnest, not to be trifled with, will respect our demand.

If it were necessary, sir, to again send a vessel of war to Vera Cruz, or 20,000 troops to the border, I would send them with this message: "We are now here not to acquire Mexican territory or to destroy the Mexican Government, but to see that wherever upon the face of God's footstool an American citizen is found, whether the Government be weak or strong, he shall be protected." Do you think that the warring factions of Mexico would not heed such a statement?

A gentleman from Mexico told me—and I have no doubt he told the truth, because he professed to be an eyewitness—that at a time when American citizens were being attacked by a faction in Mexico it appeared there was in the crowd a German citizen, and when it was made known he was told to step aside; and his life was respected and protected, while the American citizens were assaulted and maltreated.

The President himself told us in his message which he read to us, that the citizens of no other nationalities are treated as our citizens are treated in Mexico. He says that he is uninformed as to any such treatment of the citizens of other nationalities as those of ours received. He tells us that in his

message, and why? Sir, because it is known or believed in Mexico that we will not protect the rights of our people and protect the honor of our women. The Mexican people believe that; and there is ample data at hand to show that they believe it, and thus it is that right here at home our citizens are treated as no other nationals are treated.

I was told by another citizen—and this man I know very well; a most respectable and reputable citizen in our part of the country, who witnessed it—that when an attack was being made upon certain American citizens the American flag was hauled down, dragged in the street, and spat upon, and they said to the Americans: "We have murdered your men; we have ravaged your women; we have insulted and spat upon your flag; tell us what we can do to make you Yankees fight, and we will do it."

Mr. President, the mistreatment of American citizens in Mexico is due to the fact that there has passed into the Mexican mind a firm belief that we will not protect our citizens; and I say, whatever criticism shall come to me from those who love peace more than they love honor, that the "flag which will not protect its protectors is a dirty rag that contaminates the air in which it floats." We can not have peace, we can not have honor unless we are prepared to protect our own citizens, and I believe, verily believe, that we may do so and still have no war with Mexico.

Mr. President, I should not have taken the time of the Senate to discuss these questions nor to give any consideration to the views of the President at Indianapolis had it not been for the fact that it seemed to me that it challenged the self-respect and the character of every man who assumed to be a spokesman or even a member of the rank and file of the Republican Party. I have spoken with no personal animosity for the President, and with a profound respect for the high office which he fills, but only and alone that the organization of which I count myself among the humblest of its members may not pass unchallenged this severe and unjust indictment.

DISTRICT OF COLUMBIA APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 19422) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1916, and for other purposes.

The PRESIDING OFFICER. The Secretary will state the next amendment of the committee.

Mr. SHEPPARD. Mr. President, I move the adoption of the motion which comes over from yesterday and which was reported by the Committee on Rules.

The PRESIDING OFFICER. The Secretary will read the report.

The SECRETARY. The Senator from Texas asks the adoption of the following report:

Mr. OVERMAN, from the Committee on Rules, submitted the following report:

In accordance with the notice given in writing on January 11 by the junior Senator from Texas [Mr. SHEPPARD] that he would make a motion, in accordance with said notice, to suspend paragraph 3 of Rule XVI, for the purpose of moving a certain amendment to the bill (H. R. 19422) making appropriations for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1916, and for other purposes, said motion having been referred by the Senate to the Committee on Rules, and the committee, having considered the same, hereby make a favorable report and recommend that, for the purpose named and the consideration of the amendment proposed by the Senator from Texas, and all amendments thereto, paragraph 3 of Rule XVI be suspended.

Mr. SMOOT. Mr. President, may I ask what has become of the unfinished business?

The PRESIDING OFFICER. The unfinished business is now before the Senate. This amendment is to the bill which is the unfinished business.

Mr. SMOOT. What amendment, Mr. President?

Mr. SMITH of Maryland. Mr. President, I understand that the unfinished business is the District of Columbia appropriation bill.

Mr. SMOOT. I asked, before the Senator made that statement, what amendment was pending before the Senate.

The VICE PRESIDENT. The amendment on page 59, the Secretary says.

The SECRETARY. The Senate passed over the amendment at the bottom of page 59.

The VICE PRESIDENT. The Senator from Texas, as the Chair understands, moves to proceed to the consideration of the report of the Committee on Rules. Is that correct—that the Senator from Texas moves to proceed to the consideration of the report of the Committee on Rules?

Mr. SHEPPARD. Yes; for the purpose of presenting my amendment to the unfinished business.

Mr. SMOOT. Mr. President, I wish to learn what the parliamentary situation is. The Senator from Texas made no motion at all, but sent to the desk a certain order, as I remember from reading it, and I desire to know just exactly what position we are in at this time. The chairman of the Committee on Rules reported yesterday upon the suspension of the rules as provided by the resolution of the Senator from Texas, and that report went to the calendar.

The VICE PRESIDENT. It went over.

Mr. GALLINGER. It went over for the day.

Mr. SMOOT. It seems to me that the only way for the Senator from Texas to do is to move to consider that report at this time, to take it up for consideration.

The VICE PRESIDENT. That is what the Chair understood he was moving.

Mr. SHEPPARD. That was my motion.

Mr. SMOOT. I did not hear the Senator make that motion.

The VICE PRESIDENT. The Chair on yesterday, not having remembered section 2 of Rule XXVI, which provides that—

All reports of committees and motions to discharge a committee from the consideration of the subject, and all subjects from which a committee shall be discharged shall lie over one day for consideration, unless by unanimous consent the Senate shall otherwise direct—

Inadvertently, in the first instance, held that the report went to the calendar upon objection. The Chair was led into that error by clause 4 of Rule XIV, which applies simply to bills and joint resolutions and does not apply to a report of the Committee on Rules. The Chair, therefore, is of the opinion that the report of yesterday came over to be handed down to-day during the morning hour, but the morning hour was consumed in the consideration of a previous resolution coming over from a preceding day. Meantime the unfinished business was laid before the Senate; but the Chair has now no doubt that, in accordance with the rules of the Senate, the Senator from Texas has a perfect right to move to proceed to the consideration of the report of the Committee on Rules.

The question before the Senate is therefore, Will the Senate proceed to the consideration of the report of the Committee on Rules?

Mr. JAMES. On that I ask for the yeas and nays.

Mr. HITCHCOCK. Mr. President, what is this question? I desire to have the Chair restate the question.

The VICE PRESIDENT. The present question is, Will the Senate proceed to the consideration of the report of the Committee on Rules?

Mr. JAMES. Mr. President, does the Chair hold that this motion is in order after the hour of 2 o'clock has passed?

The VICE PRESIDENT. The Chair holds that at any time the Senate has a perfect right, upon motion, to take up any matter that is on the calendar.

Mr. SMOOT. The Chair is right.

The VICE PRESIDENT. It can take up anything it sees fit to take up.

Mr. STONE. Is that motion debatable?

The VICE PRESIDENT. Just one moment.

Mr. SHEPPARD. Mr. President, a parliamentary inquiry. Is this motion debatable?

Mr. JAMES. That inquiry has just been made.

The VICE PRESIDENT. In accordance with Rule IX it must be decided without debate.

Mr. HITCHCOCK. Mr. President, a parliamentary inquiry. If the Senate decides to take up the report of the Committee on Rules, will not that decision displace the unfinished business?

The VICE PRESIDENT. There is not any doubt about that.

Mr. SHEPPARD. I wish to add, however, that the consideration of the rule and this amendment will again bring the unfinished business before the Senate and make my amendment in order.

Mr. JAMES. I ask for the regular order.

The VICE PRESIDENT. The motion is not debatable. The yeas and nays have been called for. Is the request seconded?

The yeas and nays were ordered.

The VICE PRESIDENT. The Secretary will call the roll.

Mr. JONES. I suggest the absence of a quorum.

The VICE PRESIDENT. The absence of a quorum being suggested, the Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Chamberlain	Fletcher	Jones
Bankhead	Chilton	Gallinger	Kenyon
Borah	Clapp	Goff	Kern
Brady	Clark, Wyo.	Gore	Lane
Bristow	Crawford	Gronna	Lea, Tenn.
Bryan	Culberson	Hardwick	Lee, Md.
Burleigh	Cummins	Hitchcock	McLean
Burton	Dillingham	Hughes	Martine, N. J.
Camden	du Pont	James	Myers

Nelson	Ransdell	Smith, Ga.	Tillman
Norris	Reed	Smith, Md.	Vardaman
O'Gorman	Robinson	Smoot	Weeks
Oliver	Saulsbury	Stephenson	White
Overman	Shafroth	Sterling	Williams
Page	Sheppard	Swanson	Works
Perkins	Sherman	Thomas	
Pittman	Shively	Thompson	
Pomerene	Simmons	Thornton	

The VICE PRESIDENT. Sixty-nine Senators have answered to the roll call. The Chair desires to withdraw the ruling just made, that this motion is not debatable. Upon an examination of Rule IX the Chair finds that it refers to motions made prior to 2 o'clock and not after 2 o'clock.

Mr. STONE. Mr. President, I have no wish nor intention to debate this matter at any length. I stand for the integrity of our proceedings here in the Senate. During the 12 years I have served in this body this is the first time a motion has been made to suspend the rules. The rules can be suspended by unanimous consent; there is no doubt about that, but it has not been the practice of the Senate to suspend the operation of its rules on motion.

If that practice is to be established in the Senate and become our rule of practice, then we had as well abolish our rules and be done with them, and thereafter conduct our business under general parliamentary law. We have no cloture in the Senate, no previous question. I know there are Senators who believe that we ought to adopt cloture as our practice, following the practice in the House of Representatives. I have never agreed to that, but, on the contrary, have stood and now stand in favor of preserving the right, so long exercised, of debating questions which arise here without any limitation by rule. The limitation upon debate in the Senate should be made otherwise when made at all and not by some arbitrary rule of practice.

Mr. President, here it is proposed to set aside the rules of the Senate, or such of them or such parts of them as are involved in this proceeding. If we can do that and begin that practice, where will it stop? Other bills can be disposed of, and will be, whenever you find a majority in favor of that course of action. The shipping bill now pending here, which is, in a general way, the unfinished business, or was until it was supplanted by this appropriation bill, can, if a majority so decrees, be taken up under a suspension of the rules and a time limit placed upon the consideration of the measure.

When we unsettle the very foundations upon which our methods of procedure rest, then, so far as rules are concerned, they become of practically no value; and a majority can suspend any part of a rule, or any rule, or the entire code of rules to any extent necessary to accomplish speedily a given end.

Senators, if you adopt this report you will set a precedent that will be invoked in future on many bills, and not one of us is wise enough to say to what limit a bare majority may go.

Mr. President, our rules were made years and years ago, and have been the basis upon which the government of our proceedings here has been founded. They were deliberated upon and adopted by the Senate and adhered to for years and years. Now, to meet a supposed exigency, to serve an immediate purpose, to load an appropriation bill with an important item of legislation without its ever having been considered in a committee, without its ever having been considered with that care and thoughtfulness and deliberation which a measure of this importance should have, it is proposed by this revolutionary method to set aside the rules of the Senate and throw that question in that way into this forum.

If this is done, no Senator who votes for it on either side of this Chamber need complain if advantage is taken of the precedent, as it will be, in other legislation, not only during this session of Congress but in future. It is safer and wiser, Mr. President, to adhere to the long-established and well-tried rules and methods of our procedure.

Having made this suggestion, which in itself, it seems to me, ought to settle the fate of this attempt to overthrow our rules, I do not care to go further with the argument. If you gentlemen who favor it are ready, I can get along with it as well as you can.

Mr. VARDAMAN. Mr. President, I think the answer to the Senator's objection is that the rules are the servants of the Senator rather than the Senator being the servant of the rules. There is nothing sacred in a mere rule, and I can not understand the harm in suspending a rule if by so doing the business of the Senate should be facilitated. I apprehend that it is not so much reverence for the antiquity of the rules as it is a desire to avoid meeting the issue which is going to be presented by the suspension of the rules.

So far as I am personally concerned I want the issue met. I want the Senate to vote squarely on the question of whether or not the saloon shall continue its nefarious business in the District of Columbia. The Senate has a right to vote upon it. It is not in violation of any rule. It is in accordance with an ancient and very proper rule. I am willing and ready to meet the issue which will be presented by the resolution offered by the Senator from Texas.

Mr. SHEPPARD. Mr. President, it is bad enough for a Senator to criticize the rule of the majority, but when he criticizes the rule of the majority in the interest of the liquor traffic it becomes a humiliating spectacle, indeed. Jefferson said that the rule of the majority was the vital principle of republics. The Senator from Missouri seems to be shocked because a way has been found for a majority of the Senate to enact its opinion into law.

The universal indictment against the American Senate has been to the effect that the majority here has its hands tied and is unable to do business. There is nothing revolutionary about this proceeding. I have followed strictly one of the rules of this body, Rule XL, which provides that—

> No motion to suspend, modify, or amend any rule, or any part thereof, shall be in order, except on one day's notice in writing, specifying precisely the rule or part proposed to be suspended, modified, or amended, and the purpose thereof.

Mr. President, this is not the first time Rule XL has been invoked. On March 2, 1861, when the Democrats were in control of the Senate, the same question was raised. The right of the Senate was sustained to suspend the rules by a majority vote.

One of the Senators in opposing the motion to suspend the rules used almost the exact language that has been employed by the Senator from Missouri here to-day. Mr. Hale said, after the motion had been read:

> I do not wish to interpose any objection, but I want to maintain the rights of the minority of the Senate. It is the first time, I think, I ever knew a motion made here to suspend the rules.

The Senator from Missouri says he thinks this motion of mine is the first attempt; evidently it is not. Mr. Hale continued:

> I do not know of any provision by which we may suspend the rules. Ordinarily, when we undertake to do anything contrary to the rules of the Senate, it is done by unanimous consent. We have by resolution suspended the joint rules, but the rules of the Senate are imperative; and there is no provision in our rules, as there is in the rules of the House of Representatives, by which they may be suspended.

After a long debate it was decided by a majority of the Senate that the rules might be suspended in this way. The very rules the Senator from Missouri eulogized so enthusiastically have been followed in this case, and strictly followed. The motion was presented in writing, laid over a day, and then by a vote of the Senate it was referred to the Committee on Rules, one of the greatest committees of the Senate, a committee that numbers in its membership some of the most prominent and gifted Members of this body. That committee, by a majority vote, has reported to the Senate that the motion should be adopted, and I have no fear, therefore, Mr. President, of the result.

Before I take my seat I wish to refer to the Senator's statement that this bill has been pending before no committee. A bill for prohibition in the District of Columbia was introduced by the Senator from Kansas [Mr. THOMPSON] December 10, 1914, and the Senator from California [Mr. WORKS] introduced a similar bill June 24, 1914. For months and months a proposition of this kind has been pending before one of the committees of the Senate, and the emergency here to-day might easily have been avoided by the action of the committee on one of these bills.

Mr. HITCHCOCK. Mr. President, the Senator from Texas [Mr. SHEPPARD] cites the precedent of 1861, and I think it is a precedent which should be adopted by the Senate at this time; that is, I think the Senate ought to decide now whether in the future it proposes to have this rule or whether it proposes to abolish it. It certainly is not right for the Senate to have a rule prohibiting legislation upon an appropriation bill binding upon the minority and not binding upon the majority.

The Senate deals with 12 or 14 appropriation bills every year, and it is a rule of the Senate, as it is a rule of the House of Representatives, that legislation shall not be engrafted upon an appropriation bill. When the Senator from Texas stigmatizes the Senate as a body which does not recognize the rule of the majority, he should include the House of Representatives in the same category, because the House of Representatives is more a stickler for the rule that legislation shall not be engrafted upon an appropriation bill than is the Senate.

The Senator knows that this very bill when in the House could not have been amended as he now proposes to amend it in the Senate. We have, as I said, some 12 or 14 appropriation bills that come to the Senate every year. The question is,

Do we propose to do our legislating upon those appropriation bills, or do we propose to keep them clean, clear-cut bills of appropriation? It certainly would not be right to maintain this rule and occasionally vacate it for the purpose of doing the will of a temporary majority, because rules are not only intended for the government of the majority but for the protection of the minority as well.

The very rule that we shall not ingraft legislation upon an appropriation bill is to restrain a majority, because a minority could not do it. Now it is proposed by a mere majority to relieve the majority of the restraints which the rules have put upon it.

I think, Mr. President, that the motion is in order. I think it is perfectly proper to move to suspend the rules, but I think also that the suspension of the rules should be in accordance with parliamentary precedent by a two-thirds vote and only by a two-thirds vote. I shall ask the Chair, and I do ask the Chair now, to pass upon the question or to submit it to the Senate, that a two-thirds majority shall be held necessary to suspend the rule. Now is the time for the Senate to decide whether it is going to enforce its rules or not. If it is not going to enforce this rule prohibiting legislation upon an appropriation bill, it ought to repeal the rule.

Mr. SHEPPARD. I wish to call the attention of the Senator to the fact that in the House this very amendment could have been put on an appropriation bill by a report from the Committee on Rules through the vote of a bare majority.

Mr. HITCHCOCK. It is true that the Committee on Rules in the House has that power, but no Committee on Rules of the Senate has had it or will claim it. That is not the question before the Senate. The question is what the Senate is going to decide now. Is it going to permit legislation on these 14 appropriation bills as they come to the Senate at any time without any limit in accordance with the rule of the temporary majority?

Mr. SHEPPARD. That is not the issue at all.

Mr. HITCHCOCK. I say it is the issue, because if you do it in this case you can not refuse to do it in the other cases.

Mr. SHEPPARD. That is a different proposition.

Mr. HITCHCOCK. You would have to permit the majority to decide at any time whether to legislate upon an appropriation bill. You can not make fish of one and fowl of the other.

Mr. JAMES. In the House of Representatives if a motion is made to suspend the rules it requires a two-thirds vote to adopt it.

Mr. HITCHCOCK. Certainly; that is the rule in the House.

Mr. SHEPPARD. Is there any rule requiring a two-thirds vote to suspend in the Senate?

Mr. JAMES. It is the rule required in the House, and parliamentary law requires it in the Senate.

The VICE PRESIDENT. The Chair is of the opinion that the point of order is prematurely taken. The present question is, Will the Senate proceed to the consideration of the report of the committee? After that question has been determined and the report of the committee is before the Senate the Chair will make some observations on the point of order, but not now. The yeas and nays have been ordered on the motion to adopt the report.

Mr. GALLINGER. Mr. President, before the vote is taken I want to interrogate the Senator from Texas on one point. If the motion which the Senator from Texas has made prevails, I will ask the Senator if it is then his purpose to offer the amendment to the bill?

Mr. SHEPPARD. It is.

Mr. GALLINGER. Immediately?

Mr. SHEPPARD. It is.

Mr. GALLINGER. For that reason I shall vote against the motion made by the Senator from Texas. The Senate by unanimous consent has agreed that the committee amendments shall first be considered. If the Senator intends to withhold his amendment and before the bill is concluded offer his amendment, I will take a different view.

Mr. SHEPPARD. Mr. President, that is a mere matter of procedure. I understood the Senator to ask me if it was my intention to offer the amendment before the reading of the bill had been concluded.

Mr. GALLINGER. No; I meant to ask the Senator if he intended to offer it immediately. The Senator does not so intend?

Mr. SHEPPARD. I shall offer it after the committee amendments have been considered.

Mr. THORNTON. Mr. President, understanding that the pending question is simply whether the Senate shall proceed to the consideration of the report of the Committee on Rules, I wish to say that I shall vote in favor of that motion, because I am willing that the Senate shall consider it. It will not be supposed, however, that because I vote in favor of the measure now, therefore I am in favor of the adoption of the report of the Committee on Rules, to which I am opposed, for reasons which I shall give later.

Mr. SMOOT. Mr. President, I think that the Senator from Texas is very unfortunate indeed in trying to suspend the rules for legislation upon an appropriation bill. I call attention of the Senate to paragraph 3 of Rule XVI, which says:

> 3. No amendment which proposes general legislation shall be received to any general appropriation bill, nor shall any amendment not germane or relevant to the subject matter contained in the bill be received; nor shall any amendment to any item or clause of such bill be received which does not directly relate thereto; and all questions of relevancy of amendments under this rule, when raised, shall be submitted to the Senate and be decided without debate; and any amendment to a general appropriation bill may be laid on the table without prejudice to the bill.

Mr. President, that paragraph of Rule XVI was adopted for the very purpose of facilitating the passage of appropriation bills. If the rules could be suspended by a majority vote of the Senate and legislation allowed upon appropriation bills, a majority within a week or two before the close of a short session of Congress could add any sort of legislation on an appropriation bill or defeat the passage of the appropriation bill.

Mr. VARDAMAN. Mr. President, may I ask the Senator from Utah if it is not a fact that there is hardly a bill brought before the Senate in which legislation, necessary legislation, is not engrafted by the Senate?

Mr. SMOOT. It is always by unanimous consent. An objection by one Senator would eliminate it from the bill. No one is objecting to legislation of that kind.

Mr. VARDAMAN. That is very true.

Mr. SMOOT. But that is not involved in the question pending.

Mr. VARDAMAN. Certainly by unanimous consent there would be no objection, but the mistake the Senator from Texas is making is quite as great if the majority consented as it would be if the whole Senate agreed to it. The moral notion of the act is not affected by the number of Senators who approve or disapprove it.

Mr. SMOOT. No; under the rules there is no question but that by unanimous consent we may put legislation upon appropriation bills.

Mr. VARDAMAN. Is not a Senator permitted under the rules to move to suspend the rules in the form the Senator from Texas has proposed?

Mr. SMOOT. Certainly, and I say that the Senator from Texas is well within his right. He had a perfect right to make the motion he did make, but I say it is unfortunate that it should be on an appropriation bill, because of the fact that it is establishing a bad precedent, and we do not know where it will lead to. It may be done at a time when there will be a greater issue involved than the one at present presented. The result perhaps may be that the appropriation bills in a short session would fail utterly. That could be easily accomplished if this is made the practice of the Senate. If I were interested in legislation that was vital to my State, I would not care how important it may be to me or to my people, I never would undertake under the rules of this body to place it upon an appropriation bill by moving a suspension of the rules of this body.

Mr. VARDAMAN. The Senator would not hesitate to do that if he thought it necessary legislation?

Mr. SMOOT. I simply say that there are other ways not only in the House but in the Senate of reaching that end and reaching it in the regular procedure of the Senate and of the House. As far as I am concerned, if this question came up in any other way I would be willing to vote for it; I would not hesitate a minute to vote for it, but, Mr. President, if I vote for this motion I would be estopped forever afterwards from complaining on the part of any other Senator doing the same thing, no matter whether the object sought was good or bad.

It seems to me that we are establishing a precedent here that is very, very dangerous indeed, and it is for that reason, and that only, that I shall vote against the motion of the Senator from Texas.

Mr. LODGE. Mr. President, I have just come into the Chamber. May I ask what the precise question is now?

The VICE PRESIDENT. The question is, Will the Senate proceed to the consideration of the report of the Committee on Rules?

Mr. LODGE. The question of consideration is raised?

The VICE PRESIDENT. The question of consideration.

Mr. LODGE. Of course if that carries the report will be open for debate?

The VICE PRESIDENT. It will be. The yeas and nays have been called for.

The yeas and nays were ordered.

Mr. THOMAS. Mr. President, I want to take this occasion to say that the method of legislation in operation here—and which is perfectly legal—which enables us to include many subjects in the same measure, without regard to the title of the bill, is fundamentally wrong. I think I am within bounds when I assert that fully 50 per cent of the objectionable legislation of Congress is in the form of riders or amendments that are not germane to the subject matter of the title of the bills to which they are attached. This is a great abuse of legislation. Much obnoxious legislation has been made possible through this agency. I believe that we should limit as far as possible the practice of placing upon bills, and particularly upon appropriation bills, matters which are extraneous or foreign to their subject matter and which should be considered and stand or fall upon their own merits. I recall in 1898, if my memory serves me rightly, an addition to the general appropriation bill relating to homesteads and other filings upon lands embraced within the area of the grant to the Northern Pacific Railroad, simple and apparently harmless, the hidden purpose of which could not well be foreseen or suspected, but under which hundreds of thousands of acres of the best of the public domain were gathered into the ownership of that great corporation, a measure which is yet in force and which, standing upon its merits, never could have received, in my judgment, the approval of Congress.

Now, of course, in referring to that incident as an illustration I do not want to be understood as even indirectly intimating the presence of such an element in the proposed amendment of the Senator from Texas; but without reference to its merits, instead of encouraging we should limit the practice of interjecting into measures before the Senate subjects by way of riders and amendments which are entirely foreign to their purpose and their titles, which ought to be considered fully and stand or fall upon their own merits.

Our procedure is quite analogous to the institution in the courts of an action to collect a promissory note and ending in a decree of divorce.

We can not predict what will be the outcome of any bill under our system after it has been reported from the committee until it gets through the conference and then comes up for final determination. In almost every instance the bill, if it is at all important, is reported back and passes, if at all, with a great many subjects attached to it, of which its author never dreamed, which would not receive the approval of a majority of the Senate if they were considered upon their own merits as distinct subjects of legislation.

I shall vote against the suspension of this rule for the reasons stated.

Mr. O'GORMAN. Mr. President, I believe that the proceeding now contemplated by the motion of the Senator from Texas is destructive of all orderly legislative procedure. If a measure is of importance it should receive in ordinary course the attention of a committee of this body. It is designed by the means now attempted to ask the Senate to vote upon a measure of vital importance without having the information which usually accompanies consideration by a Senate committee.

I say, the plan now contemplated is revolutionary and destructive of parliamentary procedure. A day or two since while considering a supply bill, a proposal ordinarily out of order was made by the attempt to ingraft upon a supply bill legislation of the first importance.

Mr. SHEPPARD. May I ask the Senator a question?

Mr. O'GORMAN. With pleasure.

Mr. SHEPPARD. Why has not the Senator moved to repeal Rule XL if he thinks this procedure is so dangerous? We are proceeding under the rules of the Senate. One rule is just as good as another.

Mr. O'GORMAN. I believe in the wisdom of the Members of this body who adopted Rule XL and all other rules which, tested by experience, have been helpful in bringing about proper and wise legislation. This immediate proposal was sent to the Rules Committee for consideration, and with a notice of perhaps less than one hour that committee was convened and asked to pass upon the propriety of recommending to the Senate the consideration of the amendment advocated by the Senator from Texas. Of that committee, although the report does not disclose the fact, three members opposed the report which had been submitted and is now before the body. The junior Senator from Indiana [Mr. KERN], the senior Senator from Minnesota [Mr. NELSON], and myself registered our opposition to this report, and we reserved the right to continue our opposition to it on the floor of the Senate.

For these reasons, briefly stated, I am opposed to the favorable consideration of the report submitted by the majority of the committee.

Mr. CUMMINS. Mr. President, it seems to me that we are confusing two perfectly distinct propositions. The question now is not whether the rule shall be suspended, but whether the Senate shall consider the motion of the Senator from Texas to suspend the rules.

The Senator from Texas had a right to make the motion under the rules of the Senate. It was the duty of the Senate to consider that motion under the rules of the Senate. It was sought to refer the motion to the Committee on Rules. I voted for that motion because I thought it was the orderly course of procedure. But if I had believed that there would have been any disposition on the part of the Senate to refuse to consider the report of the Committee on Rules, my vote would have been cast against the reference to the Committee on Rules. I think it is a question of high privilege upon the part of the Senator from Texas. If we refuse to take up the report of the Committee on Rules, the Senator from Texas is denied an absolute right which he has under the rules of the Senate, namely, the right of moving to suspend a particular rule upon giving a specified notice.

When we have taken up the report of the Committee on Rules, which does present the merit of the motion made by the Senator from Texas, then the consideration suggested by the Senator from Colorado [Mr. THOMAS] and the Senator from New York [Mr. O'GORMAN] will be pertinent; but it seems to me that we ought not to hesitate a single moment about our vote to take up the report and thus give to the Senator from Texas the unquestioned right, which he has, during the course of the debate upon the District bill, to move to suspend the rule which relates to that consideration.

The VICE PRESIDENT. The question is, Will the Senate proceed to the consideration of the report of the Committee on Rules? The yeas and nays have been ordered. The Secretary will call the roll.

The Secretary proceeded to call the roll.

Mr. CHILTON (when his name was called). I have a general pair with the Senator from New Mexico [Mr. FALL]. In his absence I withhold my vote. If I had the right to vote, I would vote "yea."

Mr. FLETCHER (when his name was called). I have a general pair with the Senator from Wyoming [Mr. WARREN]. Not knowing how he would vote on this question, I withhold my vote.

Mr. NELSON (when his name was called). I have a general pair with the senior Senator from Virginia [Mr. MARTIN] and withhold my vote.

Mr. REED (when his name was called). I transfer my pair with the Senator from Michigan [Mr. SMITH] to the Senator from South Carolina [Mr. SMITH] and vote "nay."

Mr. SAULSBURY (when his name was called). I transfer my pair with the junior Senator from Rhode Island [Mr. COLT] to the senior Senator from Nevada [Mr. NEWLANDS] and vote "nay."

Mr. SUTHERLAND (when his name was called). I inquire whether the Senator from Arkansas [Mr. CLARKE] has voted.

The VICE PRESIDENT. He has not.

Mr. SUTHERLAND. I have a pair with that Senator, and on that account I withhold my vote.

Mr. WILLIAMS (when his name was called). I have a standing pair with the senior Senator from Pennsylvania [Mr. PENROSE]. Being unable to secure a transfer, I withhold my vote. If I were at liberty to vote, I should vote "yea."

The roll call was concluded.

Mr. GRONNA. I desire to announce that my colleague [Mr. MCCUMBER] is unavoidably absent and is paired with the junior Senator from Kentucky [Mr. CAMDEN]. If my colleague were present, he would vote "yea" on this question.

Mr. CAMDEN. I am paired with the senior Senator from North Dakota [Mr. MCCUMBER]. I transfer that pair to the senior Senator from Illinois [Mr. LEWIS], and I vote "nay."

Mr. OWEN. I transfer my pair with the Senator from New Mexico [Mr. CATRON] to the Senator from Virginia [Mr. MARTIN] and vote "yea."

Mr. WALSH. I announce my pair with the Senator from Rhode Island [Mr. LIPPITT], and in his absence I refrain from voting.

Mr. OWEN (after having voted in the affirmative). I find that the Senator from Virginia [Mr. MARTIN] is paired, and therefore I withdraw my vote.

Mr. GALLINGER. I was requested to announce the following pairs:

The Senator from Connecticut [Mr. BRANDEGEE] with the Senator from Arizona [Mr. SMITH];

The Senator from New Mexico [Mr. CATRON] with the Senator from Oklahoma [Mr. OWEN]; and

The Senator from Rhode Island [Mr. LIPPITT] with the Senator from Montana [Mr. WALSH].

The result was announced—yeas 49, nays 23, as follows:

YEAS—49.

Ashurst	Gallinger	Overman	Smith, Md.
Borah	Gore	Page	Sterling
Brady	Gronna	Perkins	Swanson
Bristow	Hollis	Pittman	Thompson
Bryan	Jones	Poindexter	Thornton
Burleigh	Kenyon	Pomerene	Tillman
Chamberlain	La Follette	Ransdell	Townsend
Clapp	Lane	Root	Vardaman
Clark, Wyo.	Lea, Tenn.	Shafroth	White
Crawford	Lee, Md.	Sheppard	Works
Cummins	Lodge	Sherman	
Dillingham	Myers	Simmons	
du Pont	Norris	Smith, Ga.	

NAYS—23.

Bankhead	Hitchcock	Martine, N. J.	Shively
Burton	Hughes	O'Gorman	Smoot
Camden	James	Oliver	Stephenson
Culberson	Johnson	Reed	Thomas
Goff	Kern	Robinson	Weeks
Hardwick	McLean	Saulsbury	

NOT VOTING—24.

Brandegee	Fletcher	Newlands	Smith, S. C.
Catron	Lewis	Owen	Stone
Chilton	Lippitt	Penrose	Sutherland
Clarke, Ark.	McCumber	Shields	Walsh
Colt	Martin, Va.	Smith, Ariz.	Warren
Fall	Nelson	Smith, Mich.	Williams

So Mr. SHEPPARD's motion was agreed to, and the Senate proceeded to the consideration of the report.

Mr. SHEPPARD. I move the adoption of the report, Mr. President.

Mr. HITCHCOCK. Mr. President——

The VICE PRESIDENT. The Senator from Texas moves the adoption of the report of the Committee on Rules. The Senator from Nebraska raises the point of order that a two-thirds majority shall be held necessary to suspend the rules.

The Constitution of the United States provides that "each House may determine the rules of its proceedings." The Senate has assumed the right to be a self-governing body, and under this clause of the Constitution has made its own rules, and has so sedulously guarded its prerogatives that it has even reserved the right to appeal from the decision of the presiding officer; it pays no attention to anything that the presiding officer says or to any opinion he has if it does not happen to coincide with the view of the Senate.

The present presiding officer believes that the Senate has reserved to itself the exclusive right to say what its rules are, how they may be adopted, and how they may be abrogated or temporarily laid aside. The present presiding officer does not believe that it is within the province of the present occupant of the chair to determine whether Rule XL should be strictly construed in accordance with the literal language thereof. or whether the Senate of the United States proposes to construe the same in accordance with well-known parliamentary procedure. The Chair therefore submits to the Senate the determination of the question as to whether or not it requires a two-thirds majority to adopt the report of the Committee on Rules providing for a suspension of a certain rule.

Mr. HITCHCOCK. Mr. President, on that I ask for a yea-and-nay vote.

Mr. SHEPPARD. Mr. President, I merely wish to say that if the Senate should decide that it requires a two-thirds vote to put Rule XL in operation, it would write something into the rule that is not there. It would write language into the rule that does not belong there. Wherever our rules require a two-thirds vote, they specify that fact. For instance, Rule X provides:

> Any subject may, by a vote of two-thirds of the Senators present, be made a special order.

Treaties to be ratified require a two-thirds vote, and it is so specified in the rule relating to them. There is no requirement mentioned in this rule for a two-thirds vote or a three-fourths vote or a unanimous vote. The logical inference, therefore, is that the rule may be put into operation by a majority vote. The rule reads, in part, as follows:

> No motion to suspend, modify, or amend any rule, or any part thereof, shall be in order, except on one day's notice in writing, specifying precisely the rule or part proposed to be suspended, modified, or amended, and the purpose thereof.

When a similar question was before the Senate in 1861 a majority of the Senate suspended the rules. It seems clear to me that the intention of this rule is to give a majority of the Senate an opportunity to assert itself. It gives us an opportunity to answer a very just criticism that has been going the rounds to the effect that the Senate is a body where the will of the majority is stifled, where it rests within the power of a few Senators indefinitely to obstruct its proceedings.

I take it that one of the most solemn issues we have ever faced is involved here, an issue entirely outside the question involved in the amendment which I have introduced. The question is, Shall the Senate to-day vote to construe this rule in such a way that the majority may not exercise its will?

Mr. O'GORMAN. May I ask the Senator from Texas a question?

Mr. SHEPPARD. Certainly.

Mr. O'GORMAN. The Senator from Texas refers to the precedent of 1861, when it was determined that a majority vote was all that was necessary to suspend a rule. I desire to ask the Senator whether at that time the claim was made that it required a two-thirds vote?

Mr. SHEPPARD. That particular question was not raised. The question raised was as to the power of the Senate by a majority vote to suspend the rules. It was so clear that a majority could suspend them that nobody thought of raising the question as to two-thirds.

The VICE PRESIDENT. The Senator from Nebraska [Mr. HITCHCOCK] requests the yeas and nays. Is the request seconded?

Mr. LODGE. Mr. President, the rule which it is proposed to suspend contains no provision as to the majority requisite for its suspension. On the face of it it might be inferred that that meant that it could be done by a vote of a bare majority.

I think in this connection it is well to consider the practice of the Senate and just what this action would mean. It is always a risk to speak from memory, but in the nearly 22 years that I have had the honor to serve in the Senate I have never seen an attempt made to suspend the rules for any purpose, and especially not for the purpose of putting what is known as a rider, general legislation, and out of order under our rules, upon an appropriation bill. Therefore, Mr. President, I think that it is only reasonable to consider what I believe to be the universal practice in parliamentary bodies in regard to changes in the rules.

So far as my knowledge extends, in all parliamentary bodies of which I know anything, a vote larger than a majority is required to suspend the rules. In my own State, in the legislature, it requires a two-thirds vote, and after a certain date in the session on the question of suspending the rule against the introduction of new business it requires a four-fifths vote. In the House of Representatives two-thirds is established by their rules as necessary to suspend the rules, and, if I am not mistaken, that is the rule of the Democratic national convention. That general practice, of course, rests upon a sound basis.

Mr. JAMES. I will state to the Senator from Massachusetts that it is true, as he has stated, that the two-thirds rule, to which he has referred, is the rule of Democratic national conventions. That question was brought to issue in the last national Democratic convention held at Baltimore, when Mr. Bryan proposed his famous Belmont resolution. It was there held, and never denied, that it required a two-thirds vote to suspend the rules.

Mr. SWANSON. If the Senator will permit me, the national Democratic convention adopted the rules of the House of Representatives to govern its procedure; and the rules of the House of Representatives require a two-thirds vote. It was not a declaration that it was general parliamentary law.

Mr. JAMES. Nobody has disputed that. I merely stated what occurred.

Mr. SWANSON. The Senator has stated what occurred, but it occurred because the rules of the House of Representatives had been adopted as the rules of procedure for the national Democratic convention. That is a rule which is specific, and not general parliamentary law.

Mr. LODGE. Mr. President, it matters not how the rule was adopted; it remains the fact that the Democratic national convention adopted the rules of the House of Representatives, and that rule among the others; and the Republican national convention adopted the rules of the House of Representatives, and that rule among the others.

Mr. JAMES. I should like to say to the Senator from Massachusetts that the rules adopted by the Democratic national convention were the rules of the Democratic Congress, which was the first one that had assembled in 20 years.

Mr. LODGE. That is simply an illustration of the general practice to which I have referred; and the ground on which

that general practice rests is the sound ground that if the rules are to be suspended by a majority vote there are no rules. The suspension of the rules must have a greater sanction than an ordinary matter.

Mr. President, in my judgment the question of suspending a rule by a majority of votes is infinitely more important than the question subsequently involved. If we pull down our rules in this way, and particularly if we allow the rules to be suspended for the purpose of permitting Senators to attach general legislation of any sort or kind to appropriation bills, the appropriation bills will find great difficulty in becoming laws even in the longest session we can hold.

I need not enter on the essential viciousness, as it has always been held, of placing general legislation on appropriation bills except in cases of emergency. Here it is proposed to take down the entire protection surrounding appropriation bills and to throw them open to the action of a majority. A decision that the rules can be suspended by a majority would, in my opinion, destroy the force of every rule governing our procedure.

It seems to me that it is within the power of the Senate, as the Chair has so well said, to settle this question for itself, and to settle it now. It is not so much a question of whether by technical argument we can bring a decision by a bare majority within the letter of the rule as it is a question of whether the Senate means to make a radical change in its whole method of conducting legislation. Therefore, Mr. President, I sincerely trust that the Senate will protect itself and protect its rules by requiring a two-thirds vote to suspend the rules on the first occasion, so far as I know, when an effort has been made to suspend them by the vote of a bare majority.

Mr. SWANSON. Mr. President, the question before the Senate is a very important one. It is as to whether or not a majority of the Senate can control its procedure.

Under general parliamentary law the majority has the right to control the deliberations of all legislative bodies, except in so far as that majority may be restricted by specific rules. We have as much right to determine that three-fifths or four-fifths or nine-tenths shall be required to modify or suspend a rule as to determine that it requires two-thirds to suspend a rule.

Mr. JAMES. Mr. President——

The VICE PRESIDENT. Does the Senator from Virginia yield to the Senator from Kentucky?

Mr. SWANSON. I do.

Mr. JAMES. What would the Senator have said if he had been a Member of the Senate back in the days of the force bill if such an amendment as that had been offered as a rider to an appropriation bill?

Mr. SWANSON. That presents entirely another question.

Mr. JAMES. Oh, certainly.

Mr. SWANSON. When the question of consideration comes up the matter can be debated until the 4th of March, under the rules of the Senate, if a Member of that body cares to take the responsibility of such action. If it should be determined that a two-thirds vote is required to modify or change a rule, a week from now or two weeks from now a majority of the Senate may desire to change the rule in order to secure the enactment of some other legislation; but it would be met by the action which some Senators desire to take and could not enact the legislation unless it had the support of a two-thirds vote.

Mr. JAMES. Mr. President, the Senator has dodged my question. The question I asked was, Would he have voted at that time that a majority of the Senate could have tied the force bill onto an appropriation bill necessary to run the affairs of this Government?

Mr. SWANSON. If I had voted as I believe the rules were, I would have voted then as I shall vote now, for I am going to vote according to the rules. I do not think I have a conscience as pliable as the Senator from Kentucky seems to suggest, which would prompt me to vote according to whether I favored or disfavored the particular measure involved.

Mr. JAMES. I would not suggest that a Senator who takes an oath to support the Constitution and the rules of this body has a conscience pliable enough to vote one way on one issue at one time and another way on the same issue at a different time.

Mr. SWANSON. The suggestion of the Senator could have no other interpretation except that upon the force bill I would vote differently on the question of the rules from what I would now.

Mr. JAMES. But still I have not heard the Senator answer the question how he would have voted. If the issue had been raised of tying the force bill onto an appropriation bill necessary to run the affairs of this Government, would he have voted that a majority of this body, which was then Republican, had the right to tie that vicious measure onto that legislation?

Mr. SWANSON. I would have voted as I am going to vote now, that a majority of the Senate has a right to change its rules.

Mr. JAMES. That still does not answer the question. [Laughter.]

Mr. SWANSON. At that time I might have sought delay; I might have been inclined to vote against anything that would defeat the force bill or against anything that might aid the force bill; but the question before us now, as the Senator from Massachusetts has suggested, with nothing of that character involved, with no politics in it, with no sectionalism in it, is whether a majority of the Senate can change its rules. What is the general parliamentary law on the subject?

Mr. VARDAMAN. Mr. President——

Mr. SWANSON. I will yield to the Senator a little later. The general parliamentary law is that a majority has a right to change and fix its rules, except so far as that majority may have bound itself by specific rule designed to take care of the minority. I can not find anywhere that, in the absence of a specific rule or statute, there is anything to control the majority of any legislative body.

In the House of Representatives a two-thirds vote is required to suspend the rules. Why is that? It is not because of general parliamentary law, not because of custom, but by a specific rule of the House itself, which requires a two-thirds majority to suspend its rules and pass a bill.

Mr. GALLINGER. Mr. President——

The VICE PRESIDENT. Does the Senator from Virginia yield?

Mr. SWANSON. I yield first to the Senator from Mississippi, who sought to interrupt me a moment ago.

Mr. VARDAMAN. I was just going to suggest that the measure proposed by the Senator from Texas [Mr. SHEPPARD] is almost as meritorious as the force bill was infamous, and it would be a very severe test of the Senator's loyalty to duty to vote for any measure, however meritorious it might be within itself, which would have promoted the passage of the force bill or to vote against a measure, however bad within itself, which would result in the adoption of the amendment offered by the Senator from Texas.

Mr. SWANSON. Mr. President, I say in accordance with its procedure the Senate has repeatedly modified its rules simply by a majority vote. We have modified rule after rule by a majority vote.

Mr. GALLINGER. Mr. President——

The VICE PRESIDENT. Does the Senator from Virginia yield to the Senator from New Hampshire?

Mr. SWANSON. I yield to the Senator from New Hampshire.

Mr. GALLINGER. Mr. President, the Senator from Virginia probably has not forgotten the fact that a statute written by the senior Senator from South Carolina [Mr. TILLMAN] establishing a vagrancy law in the District of Columbia was attached to the District of Columbia appropriation bill after a point of order had been submitted to the Senate. The Senator probably remembers the fact also that the present statute relating to the sale of liquor in the District of Columbia was by a majority vote put on the District of Columbia appropriation bill after a point of order on it had been submitted to the Senate. I think I am correct in saying that the same procedure took place in reference to the public-utilities law, which is now on the statute books. So that we have, as the Senator says, frequently, by a majority vote practically, set aside the rule which says that there shall not be attached to an appropriation bill an amendment containing general legislation.

Mr. SWANSON. Now, Mr. President, if I may be permitted to proceed, under general parliamentary law—and I have been able to find no authority in opposition to this contention—a majority of any legislative body controls its proceedings, except so far as its own rules may restrict that majority rule.

Mr. HARDWICK. Mr. President, if I may interrupt the Senator, is it not a fact that general parliamentary law and practice in this country, and in England as well, are precisely to the contrary? Does not the legislature of the Senator's own State have a rule that a two-thirds vote is necessary to suspend the rules?

Mr. SWANSON. Yes; but that is under a specific rule requiring a two-thirds vote, showing that general parliamentary law is otherwise. There would be no necessity for a specific rule requiring a two-thirds vote to suspend the rules unless under general parliamentary law the rules could be suspended by a majority vote.

Mr. SHEPPARD. Mr. President, if the Senator will allow me, I wish to remind him that under the practice in the House of Representatives when the Committee on Rules brings in a rule providing that a rider may be attached to an appropriation bill, in effect suspending the rules of that body, it does not require a two-thirds vote to adopt the rule brought in, but only a majority vote. The Post Office appropriation bill, which has recently come over from the House, has 10 or 12 provisions of general law which were added to it by a majority vote on a report from the Committee on Rules.

Mr. SWANSON. Mr. President, I take it that there is no law better established in connection with parliamentary procedure than that the majority rules, except in so far as they are restrained by constitutions, statutes, or specific rules. The rules of the Senate in regard to unanimous-consent agreements were changed by a majority by adopting a new rule requiring that the roll should be called to demonstrate the presence of a quorum when a request was made for unanimous consent to fix the time for a final vote on the passage of a bill or resolution.

Since I have been here the custom of the Senate has been to change or alter the rules of the Senate simply by a majority vote, and I have not been able to find anything in parliamentary law, except where there is a specific rule to that effect, which restrains the right of the majority.

As a general thing, rules are adopted to protect the minority, and it is always specifically indicated when they are designed to nullify or restrict the power of the majority.

I think the Senate would make a serious mistake and would establish a precedent that would bother it in the future, and would be far-reaching in controlling its deliberations, if it should decide that its rules can only be modified or suspended or changed by a two-thirds vote.

Mr. HARDWICK. Mr. President, Rule XL of the Senate provides that any of the rules of the Senate may be suspended after giving one day's notice if a motion therefor receives a majority of the votes in this Chamber. The rule itself, Mr. President, does not say what number of votes are requisite to carry the motion to suspend the rules provided for in the rule referred to.

The Senator from Virginia [Mr. SWANSON] insists that under general parliamentary law, in the absence of a specific provision to the contrary, a majority vote is all that is necessary in order to carry a suspension of the rules. Mr. President, I have some authorities to submit to the Senate that the very reverse of that proposition is true; that in the absence of specific provision in the rules themselves on this subject the common parliamentary law and practice of the country would prevail; and I propose to submit some authorities—some very respectable authorities, I think—who hold that the common and ordinary parliamentary practice in this country is to the effect that ordinarily and generally a motion to suspend the rules in any legislative body must be affirmatively supported by two-thirds of the votes cast on that question before it shall prevail. I quote first from the Manual of General Parliamentary Law, written by Mr. Speaker Reed:

SUSPENSION OF RULES.

Unless the rules themselves provide for their own suspension, they can be suspended by unanimous consent only. It is usual to provide that under certain circumstances and at certain times two-thirds may suspend the rules.

Speaker Reed did not here refer to the rules of the House of Representatives, because the succeeding section of his work, which is a general work on American parliamentary law, refers especially to the suspension of the rules of the House of Representatives. Further, I read from section 57 of Mr. Reed's Manual of General Parliamentary Law as follows:

GENERAL PARLIAMENTARY LAW.

It is usual to say that general parliamentary law is derived from the practice of the British Parliament as modified by the parliamentary customs of this country; but the difference between the system in use here and the English system is so great and so radical that it would perhaps be more accurate to say that American general parliamentary law, while it acknowledges its English origin, rests upon the practice of American assemblies.

If that be sound, I want to appeal to the Senate, and to every Member of it, that each Senator refer to his own knowledge of what the American practice is on this question throughout this Republic. The general practice in all legislative and parliamentary bodies with which I am acquainted or about which I have any information is that a motion to suspend temporarily one or more of the rules of that body requires more than a majority. It requires a two-thirds majority in every case that I know. The practice of the legislatures of the different States, the political conventions of the different parties—in fact, all parliamentary practice with which I am acquainted—is to that effect; and there is sound reason for it.

Mr. SWANSON. Mr. President, if the Senator will permit me, my contention is that anything this body is authorized to do under its rules a majority is authorized to do, unless there is a rule which requires more than a majority. If the Senate is authorized to change its rules, as it is under that rule, then a majority is all that is required to do it, unless there is something in the rule requiring more than a majority.

Mr. HARDWICK. I understand the Senator's contention; but, on the contrary, the contention I present is that while Rule XL itself provides for a suspension of the rules when notice in writing has been given, yet the rule itself is silent as to how much vote is required in order for the motion to suspend to prevail; and in the absence of a specific declaration in the rules themselves, following the general and almost universal American practice, two-thirds is required.

Mr. OVERMAN. Mr. President, does the Senator draw a distinction between changing a rule and suspending a rule?

Mr. HARDWICK. Undoubtedly I draw such a distinction. It was drawn 53 years ago on this floor by a great Senator from a great State. The Senator who drew it then said that while a majority ought to be allowed to change its rules, if they were to be changed permanently—and that was fair enough, because everybody had to live up to it, minority and majority as well—once the rules were established, they ought not to be changed temporarily, on impulse, unless two-thirds of the Members were willing to make that special change.

Mr. OVERMAN. I agree with the Senator that that is a distinction.

Mr. SMOOT. Mr. President——

The VICE PRESIDENT. Does the Senator from Georgia yield to the Senator from Utah?

Mr. HARDWICK. I yield to the Senator from Utah.

Mr. SMOOT. In that connection, I should like to suggest to the Senator from Georgia that if it were otherwise one rule could be suspended to-day, another rule could be suspended to-morrow, and the minority of this body would be perfectly helpless.

Mr. OVERMAN. Of course the majority can change a rule, but the question of suspending a rule for a particular purpose is another thing.

Mr. HARDWICK. That is an entirely separate thing. There is an element of unfairness, Senators, in making a rule that is supposed to apply to us all, and to both sides, that a majority can change or alter at its whim. It is not fair to either side, and it is not fair to any Member on either side, to do any such thing as that.

Let us have our general rules, and, if they are not fair, let a majority vote, of course, alter them. Then we will all know that we must live up to them. But when you want to suspend all those general rules just for a temporary purpose, for one occasion, it ought, in all American fairness to a minority, to take more than a simple majority of the body to do it.

I have other authority, too, on that proposition. I read next from one of the best known writers on parliamentary law, Robert:

It is necessary for every assembly, if discussion is allowed, to have rules to prevent its time being wasted and to enable it to accomplish the object for which the assembly was organized, and yet at times their best interests are subserved by suspending their rules temporarily.

He is stating American general parliamentary law and American general parliamentary practice.

In order to do this some one makes a motion "to suspend the rules that interfere with," etc., stating the object of the suspension. If this motion is carried by a two-thirds vote, then the particular thing for which the rules were suspended can be done.

Why, there is not a Senator within the sound of my voice on either side of this Chamber who will dare controvert the proposition that almost the universal practice throughout this country, in all American parliamentary and legislative bodies, is that no temporary suspension of the rules shall take place except by a two-thirds vote of the body.

Mr. GALLINGER. Mr. President, will the Senator permit me?

Mr. HARDWICK. With pleasure.

Mr. GALLINGER. It is the almost universal practice to have the previous question in parliamentary bodies, but we have not it in the Senate.

Mr. HARDWICK. Ah, but, if the Senator from New Hampshire will permit me, there is nothing in this rule that inhibits the operation of general American parliamentary law. If Rule XL of the Senate had said that this could be done by a majority vote, then the general parliamentary practice and the general parliamentary law of this country would make no difference. Of course we could make a rule providing that it could be carried by a simple majority; but the point is, we have not done it.

Senators, I do not know that I want to prolong this debate. I do not know that I can add to it. It seems to me that it is manifestly unfair, under a general rule like this, to change temporarily, for one purpose, on one occasion, by a simple majority vote, rules that we have said were fair for us all on all occasions. If that can be done in this way, then I venture the prediction, although I am loath to do it, that there is hardly a rule in our Manual that is sacred. There is hardly a rule in it that in any moment of heat and passion can not be altered, amended, or thrown away.

Senators here of old standing and of long and honorable careers on this floor talk about a cloture rule. Why can we not establish that by a majority vote if we can suspend all rules or any part of the rules by a majority vote? What is the protection for the minority if Senators are to be allowed, by a simple majority vote, to suspend a rule that it ought to require a two-thirds vote to suspend on any one particular occasion?

Reference has been made to the special rules in the House of Representatives, and an effort has been made to analogize this proceeding to that proceeding. It is an entirely different, separate, and distinct case. No resolution about this matter, in point of fact, under correct parliamentary law, has ever been referred by this body to the Committee on Rules. The Senator from Texas, following the exact language of Rule XL, merely gave notice that at a certain time, after 24 hours should have elapsed, he proposed to make a motion to offer this amendment as an amendment to the appropriation bill. He did not offer a written resolution at all, but in some way the question was referred to the Committee on Rules, and the Committee on Rules reported it back. This is not a special rule made for this particular case; but even assuming that the committee, of course, has acted strictly within its rights and in accordance with the instructions of the Senate, this is, after all, a mere report on a proposition to act under a general rule of the Senate. It seems to me that it would virtually abrogate every rule we have, or render it possible for a majority to abrogate just for the moment, and for a single purpose, any and every rule the Senate has on its books.

The Senator from Texas also said, if I understood him correctly, that when this question was up in 1861 the question as to whether the Senate could adopt this sort of a proposition by a majority vote, or whether it required more than a majority vote, was not raised by anyone.

Mr. SHEPPARD. No; I said the particular question of two-thirds was not raised. The right of a majority to change it was invoked and was sustained.

Mr. HARDWICK. But if the Senator from Texas will examine the RECORD, as he probably has, he will find that Senator Hale argued one side of this question, insisting then, just as some of us are insisting now, that although a majority might have the right to change a rule permanently, a simple majority ought not to have the right temporarily and whimsically to lay that rule aside when they were unwilling to change it permanently. The Senator to whom I have referred mentioned the fact that the House of Representatives required a two-thirds vote to accomplish that very thing, and he contended then and there that more than a simple majority vote was necessary for the Senate to do that.

Mr. SHEPPARD. And the Senate overruled him.

Mr. HARDWICK. I understand; and not in 53 years has an attempt been made to follow so outrageous a precedent. It is the only precedent on record in the history of the Senate. I challenge the Senator to name any other instance. It is such a bad precedent that for 53 years we have ignored it, and almost everybody had forgotten it. I think it is time now that the Senate should make the true and correct and just precedent on this question.

Mr. SHEPPARD. There was no danger in it if it was not followed for 53 years.

Mr. HARDWICK. The Senator is furnishing the danger now. That is the point.

Mr. SHEPPARD. If 53 years elapse after to-day before it is again invoked, there will not be any particular danger in this.

Mr. HARDWICK. No; and if we fix this right we will not hear of this sort of thing, if the Senator will pardon me, for 53 years more.

Mr. SHEPPARD. Mr. President, I dislike to trespass so much upon the attention of the Senate, but I wish to direct particular attention to the fact that the House of Representatives, in passing on the question discussed by the Senator from Georgia, did not follow the rule he laid down. Section 47 of Rule XI of the House of Representatives says:

All proposed action touching the rules, joint rules, and order of business shall be referred to the Committee on Rules.

There is no provision there as to what vote is required to adopt a report of the Committee on Rules.

Mr. HARDWICK. Mr. President, will the Senator yield to me there?

Mr. SHEPPARD. Yes.

Mr. HARDWICK. Does not the Senator know that a motion can be made there from the floor that is not referred to any committee on certain days, at certain times, to suspend the rules and pass a bill or resolution, and that it takes a two-thirds vote to carry through such a motion? In other words, the general motion to suspend the rules there requires a two-thirds vote to carry it.

Mr. SHEPPARD. Exactly; but I am not referring to that proposition. I am referring now to the point made by the Senator that, under the practice in American parliamentary bodies, where no specified vote was required to change the rules it would take two-thirds to change them. That was his proposition.

Mr. HARDWICK. It is yet.

Mr. SHEPPARD. This question came up in the House of Representatives. There was nothing specific in the rules of the House as to whether a majority vote or a two-thirds vote was necessary to adopt a report of the Committee on Rules suspending the rules of the House of Representatives. I now cite the instance in which this very question was raised in the House of Representatives:

On April 29, 1902, Mr. John Dalzell, of Pennsylvania, from the Committee on Rules, reported a resolution providing a special order for the consideration of the bill "to increase the limit of cost of certain public buildings, to authorize the purchase of sites for public buildings," etc. Mr. Thomas J. Creamer, of New York, made the point of order that the resolution suspended a rule of the House——

Mr. HARDWICK. Mr. President, will the Senator yield?

Mr. SHEPPARD. Will the Senator allow me to conclude?

Mr. HARDWICK. Certainly I will.

Mr. SHEPPARD (reading):

Mr. Thomas J. Creamer, of New York, made the point of order that the resolution suspended a rule of the House, and therefore that it would require a two-thirds vote for its adoption.

Now the Senator from Georgia would have us believe that the House of Representatives ought to have refused to sustain the report of the Committee on Rules by a mere majority vote.

The Speaker said:

"The question has been fought out again and again, and is well settled, that the Committee on Rules can bring in a rule providing for order of business in the House. * * * There have been many decisions that a rule from the Committee on Rules which fixes the order of business with the approval of the House does not require a two-thirds vote."

That has been the unquestioned practice ever since. So the House of Representatives did not follow the practice described by the Senator from Georgia.

Mr. WILLIAMS. Mr. President——

The VICE PRESIDENT. Does the Senator from Texas yield to the Senator from Mississippi?

Mr. SHEPPARD. I do.

Mr. WILLIAMS. Before the Senator takes his seat I should like to state that the Committee on Rules suspended the rules on me five times in one day in order that they might accomplish a particular result.

Mr. SHEPPARD. By a majority vote?

Mr. WILLIAMS. Yes, sir; by a majority vote each time.

Mr. HARDWICK. If the Senator will yield to me for a moment, the Senator has put up a man of straw to knock down that I did not put up myself at all. I said from the beginning that under the practice and under the rules there, by special rule reported from the Committee on Rules, the House of Representatives did change the rules or suspend them by a simple majority vote——

Mr. SHEPPARD. But there was no special rule for a majority vote in the House.

Mr. HARDWICK. But that under the general rules of the House providing for suspension under motion made upon the floor, as the Senator from Texas wants to do here, the rule has been invariably that a two-thirds majority was required.

Mr. SHEPPARD. My motion was referred to the Committee on Rules. We are now discussing the report of the Committee on Rules on my motion. It is not analogous at all to a motion made on the floor of the House to suspend the rules.

Mr. SWANSON. Mr. President, if the Senator from Georgia will permit me, he misstates, as I understand, the rules of the House. When I served in that body the rules provided that on a certain day in the week, or five days before adjournment——

Mr. HARDWICK. That is what I said.

Mr. SWANSON. Under a special rule, a motion should be in order to suspend the rules and pass a bill, which requires a two-thirds vote, by a specific rule of the House.

Mr. HARDWICK. Undoubtedly.

Mr. SWANSON. It never has been contended in that body that the general parliamentary law required anything more than a majority to pass anything that that body was able to pass.

Mr. HARDWICK. If the Senator will pardon me for just a moment, what I contended—and the Senator has not been able to controvert it, and he can not—is that it is the general parliamentary practice all over this Republic, in his State and in mine and in every other State.

Mr. SWANSON. I say it is not the general parliamentary practice. I say it is the practice by a specific rule everywhere it is invoked, not by general parliamentary law. It is the custom of those bodies, and when they want to have that custom they invoke the rule to do it.

Mr. CLARK of Wyoming. Mr. President, one matter has come out in the course of the debate to which, reluctantly, owing to the source from which it comes, I am unable to give my assent.

The Senator from New Hampshire [Mr. GALLINGER] cited various instances where the Senate itself has done the very thing that is sought to be done here. He cited, I think, some matters in connection with this same bill in prior years, where we put on this bill, by this process, amendments in regard to a revenue system for the District of Columbia, and so forth. But there is this distinction: This is a proposition to suspend a rule of the Senate. That question did not come up in the cases cited by the Senator from New Hampshire. In each and every case cited by the Senator from New Hampshire the Senate voted that the provision was not obnoxious to the rule of the Senate, but that it was in order under the rule. So, instead of suspending the rule, the Senate voted that they were enforcing the rule.

Mr. TOWNSEND. Mr. President, to me this raises a very important point. As I understand it now, the proponents of this amendment claim that a Senator can propose to amend or suspend this rule; that a majority can suspend it, and that majority, therefore, can keep the matter from going to the committee, and the majority, therefore, can write it into the statutes. If that is correct, I can see some hope for the volunteer officers' retirement bill. [Laughter.] If I am correct in my position, I shall lose no time in preparing a notice to put that on the next bill which comes before the Senate.

Mr. NORRIS. Why not this one?

Mr. TOWNSEND. I will offer it here, to give the day's notice, though we may not have an opportunity to exercise it. I will offer it.

Mr. OWEN. Mr. President, I call the attention of the Senate to the practice of the Senate itself in regard to the majority making and amending and modifying the rules:

On the 11th day of January, 1884, the Senate of the United States adopted by majority vote the body of rules under which we now act, to become effective January 21, 1884, on a report from the Committee on Rules, William P. Frye, chairman, John Sherman, John J. Ingalls, Isham G. Harris, and George J. Pendleton being the committee.

Recently, by majority vote, the Senate has made various amendments to these rules.

On January 16, 1914, by a majority vote, the rules were amended so as to put under Rule XII a third section, as follows:

> No request by a Senator for unanimous consent for the taking of a final vote on a specified date upon the passage of a bill or joint resolution shall be submitted to the Senate for agreement thereto until, upon a roll call ordered for the purpose by the presiding officer, it shall be disclosed that a quorum of the Senate is present; and when a unanimous consent is thus given the same shall operate as the order of the Senate, but any unanimous consent may be revoked by another unanimous consent granted in the manner prescribed above upon one day's notice.

That was adopted by a majority vote.

On January 14, 1914, by a majority vote, the Senate amended Rule XIV, as follows:

> After section 2 insert:
> "*Provided*, That the first or second reading of each bill may be by title only unless the Senate in any case shall otherwise order."

Again, the Senate, by a majority vote, on January 14, 1914, made the following amendment to Rule XIX:

> Add an additional section, to wit:
> "Whenever confusion arises in the Chamber or the galleries or demonstrations of approval or disapproval are indulged in by the occupants of the galleries, it shall be the duty of the Chair to enforce order on his own initiative and without any point of order being made by a Senator."

That was adopted by a majority vote.

Again, on the 2d day of March, 1914, an amendment was made in the rule fixing the standing committees—Rule XXV—so that the Committee on Naval Affairs should consist of 16 instead of 15 Senators. That was adopted by a majority vote.

On the 12th of April, 1912, another amendment was made to that rule, as follows:

> *Resolved*, That the several standing committees of the Senate having a membership of more than three Senators are hereby respectively authorized to fix, each for itself, the number of its members who shall constitute a quorum thereof for the transaction of such business as may be considered by said committee; but in no case shall a committee, acting under authority of this resolution, fix as a quorum thereof any number less than one-third of its entire membership——

Mr. SHIVELY. Mr. President, will the Senator yield at that point?

Mr. OWEN. If the Senator will permit me to finish this sentence, I shall be glad to yield:

> Nor shall any report be made to the Senate that is not authorized by the concurrence of more than one-half of a majority of such entire membership.

This amendment to the rules was adopted by majority vote. I now yield to the Senator from Indiana.

Mr. SHIVELY. I understand that it is pretty generally admitted here that a majority of the Senate can amend the Senate rules. I refer to a permanent amendment of the rules; not a suspension of the rules. Has the Senator a precedent there where it involves simply a suspension of the rules? I ask because it is very important.

Mr. OWEN. I have not concluded my remarks. If the Senator will permit me——

Mr. SHIVELY. The Senator was quoting precedents, and I just wanted to know how that was.

Mr. OWEN. The Senator is interrupting me while I am quoting one set of precedents, and I am not desirous of being diverted to another question.

Mr. SHIVELY. Very well.

Mr. OWEN. In the case of Rule XXXIV the Senate again, by a majority vote, on March 9, 1914, amended the first section of that rule by adding the following words:

> No smoking shall be permitted at any time on the floor of the Senate or lighted cigars be brought into the Chamber.

That was done by a majority vote of the Senate.

Rule XL simply provides that—

> No motion to suspend, modify, or amend any rule or any part thereof shall be in order except on one day's notice in writing, specifying precisely the rule or part proposed to be suspended, modified, or amended, and the purpose thereof.

It is not denied that the Senator from Texas conformed literally to this rule—that he did give the notice, that it has been printed, that it has been before the Senate the time required by Rule XL. Now the question comes up and the argument is made that there is a vast difference between a permanent amendment of a rule and an amendment in the way of a suspension for the day, leaving the general rule to stand thereafter. The effect of a suspension in an individual instance is merely a temporary amendment of a permanent rule, instantly reestablishing the rule thereafter. There is no material difference in principle between an amendment and a suspension, except that an amendment may be a permanent suspension of a preexisting rule. If we may amend by majority rule, surely we can suspend by majority rule, as the greater power includes the lesser power.

Mr. WILLIAMS. The rule itself uses the word "suspend."

Mr. OWEN. The rule uses the word "suspend" in connection with the other provision for modifying or amending any rule, so that the amendment and suspension are exactly upon the same basis under Rule XL.

It has been the practice of the Senate to govern itself by the majority rule. When it desires to change from that rule, as in a special order, the Senate has adopted a rule providing that it takes two-thirds to fix a special order. It has also provided, in pursuance of the Constitution, that it takes two-thirds to adopt a treaty; but even in that respect the Senate has adopted a rule that in considering a treaty an amendment to the treaty can be adopted by a majority of the Senate, although the treaty itself, under the Constitution, must be adopted by a two-thirds rule.

Mr. President, I think it is a matter of vital consequence to the United States that the Senate of the United States shall be permitted to conduct its affairs by a majority rule. We have in this Chamber a system against which I have long protested, the rule of the majority by the minority, under the endless-debate system. Right now this body is in the throes of an endless-debate proposition being brought up by indirection, so as to avoid the responsibility of a filibuster, when in point of fact we have a filibuster on this floor. The reason why, as chairman of the Committee on Banking and Currency, I have not brought in a rural credit bill is because of the filibuster now being conducted on this floor under the color of great and particular pains being taken with regard to everything which arises or can be made to arise for discussion. It ought not to deceive the

country. It did not deceive my committee; and my committee has not taken action in reporting that bill because we know that the time is going to be consumed by the minority opposing the program of the majority.

When the Republicans come into power in this country I want them to rule the Senate, and I would vote for a majority rule if they were now in control. I think it is of vital interest to this country that the Senate should have majority rule; and I think, moreover, we should have a cloture rule that will make an end to the waste of the time of the Senate and put an end to the control of the majority by the minority through the exercise by the minority of the so-called "unlimited debate," which gives a substantial veto to the minority.

Mr. ROOT. Mr. President, I should be sorry to postpone further the report of the rural-credits bill, but I think I am justified in calling the attention of the Senate to the observations of a great political leader and statesman whom some of our Members are too apt to forget. I will take the liberty of reading to the Senate the first section of Jefferson's Manual. I am going to read it because it seems quite clear that the question which is now to be presented is not a question as to what the rule of the Senate shall be, but it is a question whether the Senate shall be bound by its rule.

We all agree that the rule which prohibits general legislation upon an appropriation bill is a wise and salutary rule. We would none of us be willing to withdraw the protection of that rule from the public business. We intend to continue that rule and to insist upon its application in all matters in which we do not individually wish to violate it, and the question now before the Senate is whether whenever a majority of us wish to violate it it shall be held for naught. Mr. Jefferson says:

> Mr. Onslow, the ablest among the speakers of the House of Commons, used to say it was a maxim he had often heard when he was a young man, from old and experienced members, that nothing tended more to throw power into the hands of administration and those who acted with the majority of the House of Commons than a neglect of or departure from the rules of proceeding; that these forms as instituted by our ancestors operated as a check and control on the actions of the majority, and that they were in many instances a shelter and protection to the minority against the attempts of power.

So far—

Says Mr. Jefferson—

> So far the maxim is certainly true, and is founded in good sense; that as it is always in the power of the majority, by their numbers, to stop any improper measures proposed on the part of their opponents, the only weapons by which the minority can defend themselves against similar attempts from those in power are the forms and rules of proceeding which have been adopted as they were found necessary, from time to time, and are become the law of the House, by a strict adherence to which the weaker party can only be protected from those irregularities and abuses which these forms were intended to check and which the wantonness of power—

Says Mr. Jefferson—

> is but too often apt to suggest to large and successful majorities.
>
> And whether these forms be in all cases the most rational or not is really not of so great importance. It is much more material that there should be a rule to go by, than what that rule is; that there may be a uniformity of proceeding in business not subject to the caprice of the Speaker or captiousness of the Members. It is very material that order, decency, and regularity be preserved in a dignified public body.

Mr. President, it is not because the party to which I belong is in the minority; it is because I know that the swing of the pendulum to and fro will some time or other, sooner or later, bring that party again into a majority. I hope when that time comes it may be preserved from the temptation to the arbitrary and unjust use of power.

The protection of the minority to-day is the protection of the other side to-morrow. The rules which saved my friends upon the other side of the aisle from the enactment of the force bill are invoked to-day for the protection of the minority upon the other side of the aisle. Above the minority and above the majority is the orderly restrained exercise of the power of Government in such a way as to protect all rights and to save men who have the power for the moment from the temptations that accompany power.

Mr. SMITH of Georgia. Mr. President, to say the least, the rule is not clear. It may be that it contemplates a suspension by a majority; it may be that it contemplates a suspension by a two-thirds vote. It is undoubtedly true that the practice in deliberative bodies throughout the United States is to require a two-thirds vote to suspend the rules.

I feel that at least I am at liberty in helping to determine this question to exercise my judgment as to what I think the rule of suspension should be. To permit a bare majority on 24 hours' notice to suspend the rules of the Senate is practically to wipe out the restraint of the rules against the changing wishes of a majority. I believe that many of the rules of the Senate are essential, not alone to the protection of the minority, but to the protection of the majority against sudden impulse; and certainly, as the Senator from Florida [Mr. BRYAN] suggests to me, to the protection of the Treasury from the sudden impulse of the majority. The rule with regard to the limitation of amendments on appropriation bills is essential to the protection of the Treasury.

I expect to vote with the Senator from Texas when the time comes, if I have an opportunity, for prohibition in the District of Columbia, and I shall be glad to vote with him, but, Mr. President, it will not do to permit our intense desire to accomplish a particular piece of legislation to lead us into establishing rules of procedure which, helping a particular piece of legislation that we wish, may bring upon the country much legislation which we oppose.

On yesterday, thinking this subject over, I prepared a notice of an amendment to the rules requiring a two-thirds vote to suspend the rules, but on reflecting I concluded that as the rule stood when the question arose we should determine that a two-thirds vote is necessary to suspend the rules. Therefore I did not give notice of the motion.

I shall vote, Mr. President, to sustain the view that it requires a two-thirds vote to suspend the rules, and I earnestly hope that the Senate will so vote and fix that as the mode of procedure of the Senate.

Mr. VARDAMAN. Mr. President, I shall vote as I think every other Senator will vote—to abide by the laws or the rules of the Senate as they are written. To my mind there is no question but that a majority vote of this body is all that is required for the adoption of the report. If the Senate votes that it requires two-thirds to suspend this rule, in my judgment it will by that vote write a new rule rather than interpret the rule now in existence. To avoid the issue presented, a most extraordinary, revolutionary proceeding is proposed.

Mr. OWEN. Mr. President, I call the attention of the Senator from New York that he did not complete his quotation from Jefferson's Manual. If he will observe on page 134——

Mr. ROOT. I read the entire section.

Mr. OWEN. If the Senator will observe on page 134 of Jefferson's Manual, he will find the following words:

> The voice of the majority decides; for the lex majoris partis is the law of all councils, elections, etc., where not otherwise expressly provided.

The Senator from New York says that the question is not what the rule shall be, but shall we observe it as it is. My answer is that we shall observe the rule as it is, and that is the rule of the majority. I insist on the obvious truth being recognized that the rule is that the majority shall have the right to determine the action of this body under our usual practice and under the general parliamentary rule in Jefferson's Manual; that is, the majority shall rule. Under Rule XL an express method is provided, in an orderly, peaceful, quiet fashion, for an amendment or modification or a suspension of the existing rules. In this case we are peculiarly driven to relying upon the appropriation bill, for the reason that, on account of the many things which pass through the Senate and the House of Representatives, there is very great difficulty of obtaining general legislation. Since Congress acts as the legislature of the District of Columbia, it is not unreasonable to ask that this item of legislation may be placed upon the appropriation bill dealing with this District.

Nor is this question a new and sudden question, moving the Senate by a burst of passion or excitement. The question of prohibition has been debated in this Republic for 100 years. If the Members of this body are ever capable of arriving at a decision on this question, they are able to do so now. They need no further debate as to what attitude they may take with regard to the question.

Mr. ROOT. Mr. President, the Senator from Oklahoma observed that I did not finish my quotation from Jefferson's Manual. I read the entire first section of the Manual under the heading "Importance of adhering to rules."

Mr. OWEN. If the Senator will permit me——

Mr. ROOT. Excuse me until I finish my sentence. I did not read the whole Manual. The Senator from Oklahoma would have thought that I was endeavoring to delay the rural-credits bill if I had done so. He would have charged me with that crime. I did not read the whole Manual, and therefore I did not read the sentence 64 pages further on in the Manual which he has excerpted from its context, and which lays down the new and startling proposition that the voice of the majority decides in an ordinary vote.

Mr. OWEN. The Senator from New York in reading the first section read into the RECORD what he intended as an argument against the majority rule and failed to cite four lines which expressly negative his argument against the majority rule. Jefferson favored the majority rule and not the minority rule, and the excerpt which the Senator from New York read

does not commit Jefferson to hostility to majority rule. It was merely a comment on the wisdom of observing existing rules, as urged by Hatsell in his Precedents on Practice of the British Parliament under King George, in 1785.

Against this ancient suggestion I call attention to the Senate's practice in recent years, which conforms to the common sense of the American people who believe in the majority rule.

The VICE PRESIDENT. The Senator from Nebraska has called for the yeas and nays. Is the request seconded?

The yeas and nays were ordered.

Mr. SHIVELY. What I am about to read has been referred to this afternoon and partially quoted to the Senate. Before this vote is taken I invite particular attention to it. The Senate rules do not prescribe the vote that shall be necessary to suspend a rule of the Senate. The rules of the Senate being silent in this respect, recourse is had to general parliamentary law as the only means of determining the question. I now read from Robert's Rules of Order, at page 188, under the subhead "Suspension of the rules," as follows:

It is necessary for every assembly, if discussion is allowed, to have rules to prevent its time being wasted, and to enable it to accomplish the object for which the assembly was organized; and yet at times their best interests are subserved by suspending their rules temporarily. In order to do this some one makes a motion "to suspend the rules that interfere with," etc., stating the object of the suspension. If this motion is carried by a two-thirds vote, then the particular thing for which the rules were suspended can be done. By "general consent"—that is, if no one objects—the rules relating to the transaction of business can at any time be ignored without the formality of a motion.

It is not my purpose to argue the question. This quotation is from that portion of Robert's Rules of Order devoted exclusively to the rules of general parliamentary procedure. According to this authority it is manifest that, in the absence of an express provision in the Senate rules prescribing otherwise, there are only two ways in which a rule of the Senate can be suspended. One is by a two-thirds vote of the Senate. The other is by unanimous consent.

Mr. WALSH. Mr. President, for the further enlightenment of the Senate I want to call attention to what is said on this subject by Cushing in his compendious work on the Law of Legislative Assemblies. I read from section 794:

But though it is essential to regularity of proceeding that a legislative assembly should possess rules and orders for its government, and that every member should have the right to insist upon their observance, yet a member may waive his right, and the assembly itself, on a proper occasion, may dispense with its own rules. Hence it is an established practice in all our legislative assemblies to do any matter or to take any course of proceeding which is contrary to the rules, provided it is done by general consent; that is, no member interposing an objection. Hence, also, it is an established practice, whether an individual objection is properly interposed or not, for the assembly itself, on a motion and vote to that effect, to dispense with any one or all of its rules on some particular occasion. The assembly may in this way dispense with its unwritten as well as its written rules, and unless otherwise required in the rules themselves the dispensing may take place by the ordinary major vote.

Likewise, I read section 1490 and a part of section 1491:

1490. When a given subject is allowed to be introduced under a suspension of the rules for the purpose, and it is introduced accordingly, such suspension is an authority to do, in the accustomed methods of proceeding, whatever may properly relate to that subject. Thus, if authority is given under a suspension of the rules to introduce a resolution on a particular subject, which is introduced and received accordingly, it may not only be introduced but considered and finished.

1491. This motion, unless it is otherwise provided in the rules themselves, is decided by the ordinary major vote.

I call the attention of the Senate to these provisions because it seems to be acknowledged upon all hands that where the matter is not provided for specifically by the rules, the rule is to be construed in the light of the established parliamentary law.

The VICE PRESIDENT. The yeas and nays have been called for and the demand seconded. The question is, Is the point of order well taken that a two-thirds vote is necessary in order to suspend the rules? The Secretary will call the roll.

The Secretary proceeded to call the roll.

Mr. BRANDEGEE (when his name was called). I have a pair with the Senator from Arizona [Mr. SMITH], but I feel at liberty to vote on this question. I therefore vote. I vote "yea."

Mr. CAMDEN (when his name was called). Again transferring my pair with the senior Senator from North Dakota [Mr. MCCUMBER] to the senior Senator from Illinois [Mr. LEWIS], I desire to vote. I vote "yea."

Mr. FLETCHER (when his name was called). I make the same announcement as to my pair as before, and withhold my vote.

Mr. GRONNA (when Mr. MCCUMBER'S name was called). I desire to announce that my colleague [Mr. MCCUMBER] is necessarily absent from the city. He is paired with the junior Senator from Kentucky [Mr. CAMDEN].

Mr. NELSON (when his name was called). I am paired with the senior Senator from Virginia [Mr. MARTIN] and withhold my vote on that account.

Mr. OWEN (when his name was called). I am paired. Otherwise I should vote "nay."

Mr. REED (when his name was called). I transfer my pair with the Senator from Michigan [Mr. SMITH] to the Senator from South Carolina [Mr. SMITH] and vote "yea."

Mr. SAULSBURY (when his name was called). I transfer my pair as before and vote "yea."

Mr. SUTHERLAND (when his name was called). I have a general pair with the Senator from Arkansas [Mr. CLARKE], who is absent. I transfer that pair to the Senator from Arizona [Mr. SMITH]. I transfer it to that Senator because, evidently from the vote, this is not a political question. I vote "yea."

Mr. WALSH (when his name was called). I transfer my pair with the Senator from Rhode Island [Mr. LIPPITT] to the Senator from Tennessee [Mr. SHIELDS] and vote "nay."

Mr. WILLIAMS (when his name was called). I have a pair with the senior Senator from Pennsylvania [Mr. PENROSE]. In his absence and being unable to secure a transfer, I must withhold my vote. If I were at liberty to vote, I should vote "nay."

The roll call was concluded.

Mr. GALLINGER. I am requested to announce that the Senator from New Mexico [Mr. CATRON], who is necessarily absent, is paired with the Senator from Oklahoma [Mr. OWEN].

Mr. CHILTON. I desire to announce my pair with the Senator from New Mexico [Mr. FALL], and I withhold my vote. If at liberty to vote, I should vote "nay."

The result was announced—yeas 41, nays 34, as follows:

YEAS—41.

Bankhead	Hitchcock	Page	Smith, Ga.
Brandegee	Hughes	Perkins	Smith, Md.
Bryan	James	Pomerene	Smoot
Burton	Kern	Ransdell	Stephenson
Camden	La Follette	Reed	Stone
Clark, Wyo.	Lodge	Robinson	Sutherland
Culberson	McLean	Root	Tillman
Dillingham	Martine, N. J.	Saulsbury	Weeks
du Pont	O'Gorman	Shafroth	
Goff	Oliver	Shively	
Hardwick	Overman	Simmons	

NAYS—34.

Ashurst	Gore	Myers	Thompson
Brady	Gronna	Norris	Thornton
Bristow	Hollis	Pittman	Townsend
Burleigh	Johnson	Poindexter	Vardaman
Chamberlain	Jones	Sheppard	Walsh
Clapp	Kenyon	Sherman	White
Crawford	Lane	Sterling	Works
Cummins	Lea, Tenn.	Swanson	
Gallinger	Lee, Md.	Thomas	

NOT VOTING—21.

Borah	Fletcher	Newlands	Smith, S. C.
Catron	Lewis	Owen	Warren
Chilton	Lippitt	Penrose	Williams
Clarke, Ark.	McCumber	Shields	
Colt	Martin, Va.	Smith, Ariz.	
Fall	Nelson	Smith, Mich.	

The VICE PRESIDENT. The point of order is sustained.

EXECUTIVE SESSION.

Mr. STONE. Mr. President, I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened, and (at 5 o'clock and 35 minutes p. m.) the Senate adjourned until to-morrow, Thursday, January 14, 1915, at 12 o'clock meridian.

CONFIRMATIONS.

Executive nominations confirmed by the Senate January 13, 1915.

RECEIVER OF PUBLIC MONEYS.

Robert J. McGrath to be receiver of public moneys at Lamar, Colo.

REGISTERS OF THE LAND OFFICE.

Alonzo L. Beavers to be register of the land office at Lamar, Colo.

Edward J. Hoefnagels to be register of the land office at Leadville, Colo.

APPOINTMENTS IN THE ARMY.

CHAPLAIN.

Rev. Thomas L. Kelley to be chaplain with the rank of first lieutenant from December 29, 1914.

MEDICAL RESERVE CORPS.

To be first lieutenants with rank from January 5, 1915.

Edward Jenner Barrett.
George Sherman Haswell.
John Marvin Ingersoll.

Otto Juettner.
Cyril Ettrick Lewis.
Arthur Thomas McCormack.
John Rogers.
Robert Lewis Irvine Smith.
John Gurney Stowe.
Charles William Thompson.

POSTMASTERS.

KENTUCKY.

L. C. Adams, Berea.

OHIO.

C. A. Corbin, Ashtabula.

PENNSYLVANIA.

J. R. Brown, Avella.
William A. Kessler, Homestead.
D. H. Sutton, East Butler.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, *January 13, 1915.*

The House met at 12 o'clock noon.

Rev. Dr. Martin A. Meyer, rabbi Temple Emanu-El, San Francisco, Cal., offered the following prayer:

God of the nations, may the spirit of knowledge and of good will, of peace and understanding, rest upon the assembled deputies of our Nation, so that justice may abound in our land, that wisdom and harmony may direct their councils in the spirit of righteousness. Lead these, Thy servants, in the paths of peace. May Thy divine guidance be our portion, so that this people, dedicated to liberty and fraternity, may ever be the stay and guidance of man and humanity, leading to the mountains of love and light. O God, grant strength to the leaders of the people. O Lord, bless our Nation with peace. Amen.

The Journal of the proceedings of yesterday was read and approved.

The SPEAKER. This is Calendar Wednesday.

QUESTION OF PARLIAMENTARY PROCEDURE.

Mr. SAMUEL W. SMITH. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. SAMUEL W. SMITH. When the President of the United States appears before Congress to deliver a message is it a proper form of procedure for a Member or Senator to ask him a question?

The SPEAKER. The Chair investigated that once, and there has been nothing of the sort that has happened in Congress since Thomas Jefferson was sworn in as President the first time, because no President since that time ever read a speech before Congress except President Wilson. But before that it does seem that they interrogated the President—not very frequently, but it was done. The opinion of the present incumbent of the Chair is that the President would have the right to refuse to be interrogated, if he wanted to.

Mr. SAMUEL W. SMITH. I have a further question to ask. Mr. Speaker, I would like to know the proper course to pursue, whether or not a Member or a Senator should address the Speaker first, and ask leave to address the President.

The SPEAKER. No. In the opinion of the Chair, the Speaker has nothing to do with it.

Mr. SAMUEL W. SMITH. The Speaker is of opinion that a Member or Senator should address the President direct?

The SPEAKER. Yes.

Mr. MOORE. If, under the circumstances described by the gentleman from Michigan, a Member should rise in his place while the President is addressing the House and should say, "Mr. Speaker," would that be in order?

The SPEAKER. Well, it might be in order, but it would be exercising wretched taste. [Applause.]

Mr. MOORE. Exactly; but the Speaker would exercise his right of recognition in his own way.

The SPEAKER. I have not studied that phase of it.

Mr. ADAMSON. Mr. Speaker, a parliamentary suggestion.

The SPEAKER. The Chair would be glad to hear it.

Mr. ADAMSON. I think if either of the gentlemen ever attempted it, the same man would never attempt it the second time. [Laughter.]

Mr. MOORE. That may be; but apparently the President does lay himself open to interrogation.

CHANGE OF REFERENCE.

Mr. CARAWAY. Mr. Speaker, I wish to ask unanimous consent to have a change of reference made of the bill (H. R. 11994) granting an increase of pension to C. W. Kerlee from the Committee on Invalid Pensoins to the Committee on Pensions.

The SPEAKER. Is it a pension bill?

Mr. CARAWAY. Yes.

The SPEAKER. And it has gotten to the wrong committee?

Mr. CARAWAY. Yes, sir.

Mr. MANN. That is done through the basket without any further formality.

The SPEAKER. Yes; that is done through the basket.

Mr. CARAWAY. That is, I should reintroduce it?

The SPEAKER. No; it simply requires a change of reference.

LEAVE OF ABSENCE.

Mr. GORDON, by unanimous consent, was granted leave of absence, for three days, on account of public business.

STANDARD BARREL FOR FRUITS, ETC.

Mr. SAUNDERS and Mr. ASHBROOK rose.

The SPEAKER. For what purpose does the gentleman from Virginia rise?

Mr. SAUNDERS. I want to know if we have reached the consideration of the apple-barrel bill. If so, I want to get recognition on it.

The SPEAKER. The Chair has not laid it before the House. This is Calendar Wednesday, and the Clerk will report that bill as unfinished business. Then the Chair will recognize the gentleman.

The Clerk read as follows:

A bill (H. R. 4899) to fix the standard barrel for fruits, vegetables, and other dry commodities.

Mr. ASHBROOK rose.

The SPEAKER. For what purpose does the gentleman from Ohio rise?

Mr. ASHBROOK. Mr. Speaker, one week ago to-day, before the House adjourned, I moved the previous question on the bill H. R. 4899. I wish to renew the motion for the previous question on that bill.

Mr. WINGO. A parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. WINGO. Had we completed the reading of the bill for amendment?

Mr. MANN. The bill had not been read for amendment. It is a House bill. Would it not be wiser to agree upon a time for closing debate instead of trying to push it through?

Mr. SAUNDERS. If I am recognized, Mr. Speaker, the gentleman from Ohio can not get recognition to move the previous question.

The SPEAKER. The Chair did not recognize the gentleman from Virginia.

Mr. SAUNDERS. I understood the Chair recognized me.

The SPEAKER. No; the Chair asked the gentleman for what purpose he rose.

Mr. FOSTER. The gentleman in charge of the bill is entitled to be recognized.

The SPEAKER. There is no trouble about that.

Mr. ASHBROOK. Mr. Speaker, something over three hours' time was used in debate on this bill, and it occurs to me we have had sufficient time in which to debate the bill, and I see no reason why I should not insist upon my motion.

The SPEAKER. The motion for the previous question is not debatable. If the gentleman makes the motion, the Chair will put it.

Mr. ASHBROOK. Mr. Speaker, I would like to inquire, reserving my rights, what suggestion gentlemen have to make as to further debate on this bill. There is another bill that we want to bring up, and I do not want to waste unnecessary time.

Mr. WINGO. Mr. Speaker, will the gentleman yield?

Mr. ASHBROOK. Yes.

Mr. WINGO. The debate the other day was controlled largely by the members of the committee. It is a well-known fact that several amendments that were perfectly pertinent and proper, going to the root of the question, have been prepared and are ready to be offered, and I see no reason why we should attempt to rush through a matter of this kind.

The SPEAKER. The motion for the previous question is not debatable, and if Members do not wish the previous question ordered their remedy is to vote down the motion for the previous question.

Mr. MANN. I ask unanimous consent that at the end of two hours the previous question shall be considered as ordered, the time to be arranged.

Mr. ASHBROOK. Mr. Speaker, it seems to me that three and a half hours of debate ought to be sufficient on this bill. If gentlemen do not want to vote for it, let them vote against it.

The SPEAKER. The gentleman from Illinois [Mr. MANN] asks unanimous consent that at the end of two hours——

Mr. MANN. Would a shorter time be agreeable to the gentleman from Ohio?

Mr. ASHBROOK. I will consent to one hour, Mr. Speaker.

The SPEAKER. Does the gentleman agree to that?

Mr. MANN. As far as I am concerned.

Mr. SAUNDERS. How is that time to be controlled, Mr. Speaker?

The SPEAKER. Unless there is an agreement, the Chair will control the time.

Mr. MANN. The gentleman from Arkansas [Mr. WINGO] wants some time.

Mr. FOSTER. I should like to have a little time.

Mr. ASHBROOK. Mr. Speaker, we have one member of the committee who is opposed to the bill, and I would suggest, therefore, that one half the time be controlled by myself and the other half by the gentleman from Michigan [Mr. CRAMTON], a member of the committee.

Mr. SAUNDERS. Mr. Speaker, I wish to know——

Mr. ASHBROOK. I will say to the gentleman from Virginia that I will yield to him five minutes of my half hour, if that will satisfy him.

Mr. ADAMSON. I should be glad to use as much of five minutes' time as I may need.

The SPEAKER. That is a matter for the gentleman from Ohio [Mr. ASHBROOK] and the gentleman from Michigan [Mr. CRAMTON].

Mr. ADAMSON. That is the price of unanimous consent, though.

Mr. CRAMTON. Any of these gentlemen who are opposed to the bill could have secured time the other day if they had desired it by making their wishes known to me.

The SPEAKER. That is neither here nor there. The gentleman from Ohio [Mr. ASHBROOK] and the gentleman from Illinois [Mr. MANN] ask unanimous consent that this debate run not longer than an hour, and that at the end of that time the previous question shall be considered as ordered.

Mr. ASHBROOK. The previous question on the bill and all amendments.

Mr. ADAMSON. Reserving the right to object, do I get five minutes?

The SPEAKER. Does the gentleman from Ohio give the gentleman from Georgia five minutes?

Mr. ASHBROOK. Cheerfully.

Mr. DILLON. Reserving the right to object, as I am a member of the committee I will ask the chairman of the committee if he will yield to two or three gentlemen to whom I have promised time?

Mr. ASHBROOK. I have agreed to parcel out 10 minutes of my half hour, and I will do the best I can to take care of my colleague on the committee [Mr. DILLON].

Mr. DILLON. I have promised the gentleman from Virginia [Mr. SAUNDERS] five minutes.

Mr. ASHBROOK. I have taken care of the gentleman from Virginia [Mr. SAUNDERS].

Mr. DILLON. And the gentleman from Wisconsin [Mr. BROWNE] and the gentleman from Texas [Mr. SUMNERS]. If the gentleman will take care of them——

Mr. ASHBROOK. I think I can do that.

Mr. MANN. Make it 45 minutes on a side.

Mr. SLAYDEN. The gentleman had better do that.

Mr. ASHBROOK. Then, I will modify the request for unanimous consent that the debate on this bill be limited to 1 hour and 30 minutes, one half of that time to be controlled by the gentleman from Michigan [Mr. CRAMTON] and the other half by myself, and that at the expiration of the 1 hour and 30 minutes the previous question be considered as ordered on the bill and all amendments thereto.

Mr. MANN. The amendments will be disposed of as they are offered, I take it, and the time for voting on the amendments will not come out of the hour and a half.

The SPEAKER. The gentleman from Ohio [Mr. ASHBROOK] asks unanimous consent that debate on this bill be limited to one hour and a half, one half that time to be controlled by himself and the other half by the gentleman from Michigan [Mr. CRAMTON], and that at the end of that time the previous question shall be considered as ordered on the bill and amendments to the final passage.

Mr. ASHBROOK. Do I understand that the one hour and a half is all the debate that there will be on the bill and amendments?

Mr. MANN. If the previous question is ordered at the end of that time.

Mr. ASHBROOK. Do I understand that there will be one hour and a half on the bill and all amendments, and that at the expiration of the hour and a half the previous question shall be considered as ordered?

The SPEAKER. Of course you can not debate a thing after the previous question is ordered.

Mr. ASHBROOK. Very well.

Mr. MANN. But the amendments will be disposed of as they are offered?

The SPEAKER. At the end of the hour and a half the Chair will have the amendments voted on in the order in which they were offered, and the voting on the amendments will not be taken out of the hour and a half.

Mr. ASHBROOK. All right.

The SPEAKER. Is there objection?

Mr. WINGO. Mr. Speaker, reserving the right to object, there were a good many amendments to the bill that ought to be considered. A good many of us are interested in them, and it will be like it was the other day. I spent the whole afternoon on the floor trying to get an opportunity to offer an amendment and was shut out, very properly, by members of the committee having preference, and that is the situation in which we find ourselves this morning under the proposed agreement. The members of the committee, who have already taken a great deal of time, will control the remainder of the time, and it is to be parceled out among those who have already offered amendments and discussed them. I shall object unless there is a bona fide opportunity to consider those amendments.

Mr. CRAMTON. Will the gentleman yield?

Mr. WINGO. Certainly.

Mr. CRAMTON. I will say that I have not in mind at present any intention to occupy any part of the time myself, and I shall do everything I can to take care of gentlemen who are opposed to the bill.

Mr. MANN. How much time will you give the gentleman from Arkansas?

Mr. ASHBROOK. Mr. Speaker, will the Chair put the question?

Mr. GARRETT of Tennessee. Will the gentleman permit a suggestion?

Mr. ASHBROOK. Yes.

Mr. GARRETT of Tennessee. Why does not the gentleman let all the amendments be reported now, at first, and then let there be an hour and a half of debate?

Mr. ASHBROOK. I understand that some gentlemen have not their amendments prepared yet.

Mr. GARRETT of Tennessee. If they are not ready, that would not be a feasible proposition.

Mr. ASHBROOK. Mr. Speaker, do I understand that the gentleman from Arkansas objects?

Mr. MANN. No; he has not objected.

The SPEAKER. Does the gentleman object?

Mr. WINGO. I certainly have not objected.

The SPEAKER. Is there objection?

Mr. SHERLEY. Mr. Speaker, I want to reserve the right to object, and I want to do it to say one thing about the debate which I think ought to be said. If we are to have the practice of distributing time in debate in driblets so that no human being, no matter what his capacity is, can give any information to the House about the subject he discusses, I am very much opposed to the agreement. Yesterday we spent six hours distributing time in a way which made it impossible for anybody to discuss the question with thoroughness or fullness for the information of the House. It makes debate in no way creditable to the House; it is lowering the character of discussion and is a waste of public time. If there can be an arrangement by which the pro and con of a proposition can be discussed adequately instead of parceling time out in two or three minute periods so that a man can break into the RECORD without any possibility or chance of giving information to the House, all right; otherwise I think a protest ought to be made against the distribution of time to everybody when nobody actually can debate.

Mr. BARNHART. According to the gentleman's theory, Members who are rapid talkers would monopolize all the time.

Mr. SHERLEY. By no means; but it is impossible to deal with a question of any magnitude in a speech of two or three minutes. The debate is not for the purpose of exploiting Members or sending speeches to their constituents, but to inform the House upon matters of legislation. We had an instance of it yesterday. It was absurd for any man to discuss a great question like that in five minutes' time. What was the result? We had six hours of debate and nobody paid any attention to most of it. It did not cover either side of the question, and that is what happens in the House right along. I do not take up much

of the time of the House, and have no desire to, but I do desire to see the time that is taken used intelligently in considering questions.

Mr. TOWNER. Will the gentleman yield?

Mr. SHERLEY. Certainly.

Mr. TOWNER. Does not the gentleman think that it is rather a lack of management on the part of gentlemen who control the time?

Mr. SHERLEY. Unquestionably; and it was in order to call the attention of the House to the matter that I made this statement.

Mr. MANN. I was glad to get five minutes yesterday, and I was satisfied with it.

Mr. SHERLEY. Well, the gentleman from Illinois is unusual; he can say more in five minutes than most Members.

The SPEAKER. Is there objection?

Mr. SHERLEY. Who is to control the time?

Mr. ASHBROOK. The acting chairman is to control one half and the gentleman from Michigan [Mr. CRAMTON] the other half. We had three hours and a half debate on this bill last week.

Mr. SHERLEY. I have no particular desire in this instance to object, but I felt what I have said ought to be said touching debate in this House.

The SPEAKER. Is there objection to the request of the gentleman from Ohio? [After a pause.] The Chair hears none, and the gentleman from Ohio is recognized for 45 minutes.

Mr. ASHBROOK. Mr. Speaker, I have a letter from N. & H. O'Donnell Cooperage Co., of Philadelphia, and a telegram from the North American Fruit Exchange, from Cleveland, Ohio, which I ask the Clerk to read in my time.

The Clerk read as follows:

CLEVELAND, OHIO, *January 12, 1915.*

Congressman WILLIAM GORDON,
Congress Hall, Washington, D. C.:

House bill 4899—uniform standard mandatory barrel for all kinds of fruits and produce—is scheduled for vote in House Wednesday, 13th, and is of vital importance to relieve this industry from the chaotic condition caused by having various sizes and forms of barrels and by conflicting State laws hampering interstate traffic. We urge you to work hard to get this bill passed Wednesday.

NORTH AMERICAN FRUIT EXCHANGE.

PHILADELPHIA, PA., *January 11, 1915.*

Hon. WM. A. ASHBROOK,
Committee Coinage, Weights, and Measures, Washington, D. C.

DEAR SIR: We wired you to-day, as follows: "The impression in committee seems to be that mandatory feature of standard barrel bill, No. 4899, is against interest of barrel manufacturers. We, as barrel manufacturers, want mandatory feature; better for us, knowing sizes of stock to secure; also better for customers."

We understand that your committee will take this matter up within a day or two, and we would like you to express our views, as barrel manufacturers. With fixed sizes, manufacturers are safe in securing stock, and customers understand exactly what they are to get, hence we feel that it is best for all concerned that the mandatory feature remain.

Thanking you in advance, we remain,
Yours, very truly,

N. & H. O'DONNELL COOPERAGE CO.,
A. J. TOLAND.

Mr. STAFFORD. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. STAFFORD. Did I understand the Chair to rule that the amendments would be voted on as presented?

The SPEAKER. No; the understanding is that the amendments are to be voted on after we get through with the debate. Ordinarily in the House amendments are voted upon when offered.

Mr. STAFFORD. The reason I ask is that there are three amendments now pending.

Mr. ASHBROOK. The understanding was that the amendments should be voted upon at the conclusion of the debate in the order that they were presented.

The SPEAKER. That is the way the Chair understood it. Ordinarily in the House amendments are voted upon when offered, but this arrangement was made in order to get out of the hole that we seemed to be in. So the Chair will submit the amendments after the close of the one hour and a half debate.

Mr. SPARKMAN. Will the gentleman from Ohio yield?

Mr. ASHBROOK. Certainly.

Mr. SPARKMAN. Under the provisions of this bill as presented, does it include oranges?

Mr. ASHBROOK. No; it has nothing to do with crated fruit; it has only to do with the dimensions of the barrel.

Mr. SPARKMAN. I notice in the last paragraph a proviso that—

Provided, however, That nothing in this act shall apply to barrels used in packing or shipping commodities sold exclusively by weight or numerical count.

Now, inasmuch as you exclude that class of shipments by weight and numerical count, I did not know but that it might be held to include oranges.

Mr. ASHBROOK. It does not.

Mr. CRAMTON. If the gentleman has anyone to yield to, will he yield some of his time now?

Mr. ASHBROOK. Mr. Speaker, I yield five minutes to the gentleman from Wisconsin [Mr. BROWNE].

Mr. BROWNE of Wisconsin. Mr. Speaker, I am in favor of this bill, and I believe it is in the interest of a fair deal both for the producer and the consumer. To-day in the United States we have almost as many standards for the bushel and the barrel as there are States in the Union. The different States are legislating upon this subject, and the result is that unless the United States Government exercises its constitutional right and has the standard barrel fixed, we are going to have at least a dozen or more standards in the United States.

My friends from Michigan object to the standard barrel prescribed in this bill. In Michigan the standard bushel for apples is 48 pounds; in Wisconsin it is 50 pounds. The standard in Michigan for a bushel of onions is 54 pounds; in Wisconsin it is 57 pounds. In Michigan they give 22 pounds of dried apples for a bushel, while in Wisconsin it is 25. In Michigan cranberries are 40 pounds to the bushel, while in Wisconsin 35. Buckwheat in Michigan takes 48 pounds to the bushel, while in Wisconsin 50 pounds to the bushel. In Michigan the standard barrel is a little short of the standard barrel provided for in this bill.

Now the consumer is cheated in buying, for he pays for the smallest amount of pounds to the bushel, while as a rule the producer only gets pay for the bushel containing the largest number of pounds. So that the consumer and the producer both lose by not having a standard, and the only man who is benefited is the middleman or the commission merchant. Some question has been brought up here in regard to the standard cranberry barrel. Some have suggested that the standard cranberry barrel should be the same as the standard apple barrel. Practically only three States in the Union produce cranberries—Massachusetts, New Jersey, and Wisconsin. They produce 98 per cent of the cranberries. They have fixed a standard, and that standard is the standard prescribed by this bill. A standard cranberry barrel should hold 100 pounds—the amount provided in this bill. That has been demonstrated both by the cranberry producers and the dealers in cranberries all over the country to be a correct standard. A larger barrel is not a good thing, for the reason that the fruit is injured in shipping it in larger quantities in a barrel, and the tendency is to reduce the size of the barrel. Wisconsin has had to guard against that. When you buy cranberries in a standard Massachusetts, Wisconsin, or New Jersey cranberry barrel you know that you are getting 100 pounds, while if you buy cranberries for sale in the other States you do not know whether you are getting short weight or not.

Mr. CRAMTON. Mr. Speaker, will the gentleman yield?

Mr. BROWNE of Wisconsin. Yes.

Mr. CRAMTON. As I understand, then, the gentleman is making an appeal here for an industry which he is especially discussing, to have it in effect exempted from the operation of the uniform standard which he is advocating for other industries.

Mr. BROWNE of Wisconsin. Mr. Speaker, I am not doing that at all. In reply to the gentleman I will state that cranberries are a berry, and the largest package in which any berry is sold is a 100-pound cranberry barrel. You can not put them in a larger barrel and ship them profitably.

The SPEAKER pro tempore (Mr. SAUNDERS). The time of the gentleman from Wisconsin has expired.

Mr. BROWNE of Wisconsin. Mr. Speaker, I will ask to have a couple of more minutes, because my time has been taken up with answering questions.

Mr. ASHBROOK. Mr. Speaker, I yield two minutes more to the gentleman.

Mr. BROWNE of Wisconsin. Mr. Speaker, it has been demonstrated by the cranberry producers and the dealers in cranberries that you can not ship or handle cranberries in a package larger than 100 pounds. If you use a larger barrel you injure the fruit. It can not be done, and never has been done, successfully. In the States that produce 98 per cent of the cranberries, cranberries have been shipped and offered for sale in barrels that contain precisely 100 pounds of berries, and that is the largest package that any kind of berries have ever been put up in.

Mr. SLAYDEN. Mr. Speaker, will the gentleman yield?

Mr. BROWNE of Wisconsin. I yield to the gentleman from Texas.

Mr. SLAYDEN. Does not the gentleman think, conceding the right of the cranberry trade to have a package suitable to its particular traffic, that they should at least be forced to abandon the use of the word "barrel"? Let them call it a 100-pound package or anything they please, but we certainly ought not to have a different meaning under different conditions for the same word. Does not the gentleman agree with that suggestion?

Mr. BROWNE of Wisconsin. Mr. Speaker, these berries are put up in a barrel. Other products such as vegetables and fruits have half barrels and quarter barrels and three-quarter barrels. This is a barrel. The dimensions are good and the amount easy to ascertain in determining the price per pound, and it is not a particularly small barrel. It is a barrel that holds 100 pounds of cranberries, or about 20 per cent less than the standard apple barrel.

Mr. SLAYDEN. But we are trying to give a legal significance to the word "barrel" as we do to the word "pound."

Mr. BROWNE of Wisconsin. The term "barrel" is used by the cranberry trade here and the trade abroad. Quite a large number of cranberries are shipped abroad, and they are used to the term "barrel." They have been using it for 30 years, and I do not see any good reason for abandoning the use of it at the present time.

The SPEAKER pro tempore. The time of the gentleman from Wisconsin has again expired.

Mr. CRAMTON. Mr. Speaker, will the gentleman yield to me? I will yield the gentleman two minutes more.

Mr. BROWNE of Wisconsin. Yes.

The SPEAKER pro tempore. The gentleman from Wisconsin is recognized for two minutes more.

Mr. CRAMTON. Mr. Speaker, did I understand the gentleman to say that for some time past 98 per cent of the cranberries have been handled in barrels uniformly containing 100 pounds?

Mr. BROWNE of Wisconsin. Yes.

Mr. CRAMTON. Then, does not the gentleman think that the industry has been getting on a pretty uniform basis without any drastic, mandatory legislation?

Mr. BROWNE of Wisconsin. It has; but there is danger. To-day the States are beginning to legislate upon this subject. Wisconsin started in to legislate upon it, and other States are; and where they do not raise cranberries they do not see why the standard cranberry barrel should differ from the standard apple or sugar barrel, just the same as the committee to-day is considering this bill; they see no reason why you could not put cranberries in a sugar barrel, but the trade has demonstrated that it can not be successfully done; that it would be injurious to the berry; that it would spoil in shipment. This barrel has been used as a standard for 30 years by the cranberry-producing States, and why not have it remain a uniform standard, one that practically all of the producers of cranberries, as well as those engaged in the trade, want?

In regard to the bushel, as I have said, in Michigan a bushel of cranberries contains 40 pounds, while in Wisconsin and other cranberry States it contains 35 pounds. It is the same with the apple barrel. The States that produce an article always want as small a standard as is possible. Michigan is a great apple State. It desires 48 pounds to the bushel, while Wisconsin and other States that do not produce as many apples, but consume many, want 50 pounds to the bushel. The result is that we have this conflict; and if the United States had exercised the jurisdiction which it ought to have exercised in the beginning we would have had one standard of weights and measures, and it would apply to the sale of all kinds of vegetables, berries, and fruits the same as the yardstick applies to measurements of different kinds.

The SPEAKER pro tempore. The time of the gentleman has again expired.

Mr. CRAMTON. Mr. Speaker, I yield five minutes to the gentleman from Georgia [Mr. ADAMSON].

Mr. GARRETT of Tennessee. Mr. Speaker, before the gentleman yields to the gentleman from Georgia, would it be agreeable to him to have me ask him a question?

Mr. CRAMTON. Certainly.

Mr. GARRETT of Tennessee. I notice in the bill that the barrels for everything else except cranberries have a fixed dimension provided for. There is a provision that any barrel of whatever form having a capacity of 7,056 cubic inches shall be a standard barrel, but when it comes to fixing the measurement for cranberry barrels there is no provision as to the cubic inches. It fixes an arbitrary standard; it has to be that and nothing else. There is some latitude left in the case of the other barrel. Why that distinction?

Mr. CRAMTON. I feel that is a question that had better be answered by the gentleman from New Jersey [Mr. TUTTLE], the author of the bill.

Mr. TUTTLE. I will say to the gentleman that provision of the cranberry barrel is written as it is because it is for cranberries only. They are the only small fruit shipped in barrels, and it was demonstrated to the committee that this size barrel is required. Cranberries can not be shipped without injury or damage in barrels larger than this, and this standard is legalized in the three States which raise the cranberries of the country. These dimensions have been established by the usage and custom of some 30 years.

Mr. GARRETT of Tennessee. If you fix arbitrarily the number of cubic inches which shall be in the barrel, what difference would it make as to the shape of the barrel?

Mr. TUTTLE. I will say to the gentleman it is a very difficult matter to fix arbitrarily the cubic inches in a barrel. It is difficult to determine the cubical contents of a barrel, and that is modified by the provision that variations shall be made and tolerations established by rules and regulations of the Director of the Bureau of Standards.

Mr. GARRETT of Tennessee. The gentleman refers to section 3 now?

Mr. TUTTLE. Yes.

Mr. CRAMTON. Mr. Speaker, I yield five minutes to the gentleman from Georgia [Mr. ADAMSON].

Mr. ADAMSON. Mr. Speaker, it is not my custom to interfere with bills from other committees in this House, but with a strict regard for discipline to support them, although sometimes I think they are defective in merit, yielding my own judgment to the judgment of others; but when there is a constitutional question arising I am compelled under my oath to respect that. The only gentleman who mentioned the real question in the bill was the gentleman from Kentucky [Mr. THOMAS], and he was dismissed in a rather cavalier manner with the information that he did not know what he was talking about. The truth is the gentleman understood the Constitution. If there was any defect in his position, it was his failure to classify correctly. Now, I may be making the mistake that he made; if so, I stand to be corrected, of course. Is this a container to transport goods in interstate commerce, and therefore a regulation of commerce, or is it a unit of weight or measure?

If it is a unit of weight or measure the learned arguments made by my distinguished friend from South Dakota and others were entirely unnecessary, for we all knew, and nobody disputes it, that Congress has the unrestricted power to establish units of coinage, weights, and measures, and they are good in any State, county, town, militia district, or anywhere else, without regard to interstate commerce; but if it is a regulation of commerce, then beyond all question it can not be made constitutional by calling it a unit of measurement. Nobody pretends it is a unit of measurement. It is not a unit of weight; nobody pretends it is. It is not a multiple of any unit of weight or measure. It is a vehicle of commerce which is measured by these standard units that are established. If this is true, the gentlemen ought to make their bill constitutional by inserting the qualification that it shall apply to interstate commerce only. If they do not, I will be compelled reluctantly to vote against the bill, because I can not vote for what I am convinced is unconstitutional. I do not believe they can make the Supreme Court or the people believe that this is a unit of measurement or weight. I believe the author of the bill and everybody else recognize that it is a container for commerce and is a regulation for the commerce of the country. The language of the bill shows such to be its character. If that is so, the bill is unconstitutional if it attempts to operate within the boundaries of a State, and therefore if the supporters of the bill want it to be good they had better insert the qualification and limit it to interstate commerce. I yield back the balance of my time.

The SPEAKER pro tempore. The gentleman yields back two minutes.

Mr. ASHBROOK. Mr. Speaker, I yield one minute to the gentleman from Missouri [Mr. RUSSELL].

Mr. RUSSELL. Mr. Speaker, I am trying to persuade myself that I ought to support this bill, and I want to do it if I consistently can; but I represent a very large apple-growing district, one that has taken the premium for apples in two of the largest expositions ever held in the United States. I am a little fearful of the penalty section of this bill, for fear it might get into trouble some innocent farmer who may not be advised of what the law is. Of course, we all understand that every man is presumed to know the law, and yet a great many do not know it, and especially farmers may not be acquainted with it. I understand that a man who is a producer of large quantities

of apples and who ships them by the carload would probably know of this provision; but possibly the small farmer, who produces only a small quantity of apples, might violate this law by carrying his apples to town in a barrel that did not comply with the provisions of this proposed law.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. RUSSELL. Can I get another minute?

Mr. ASHBROOK. I will yield the gentleman one more minute.

Mr. RUSSELL. I have proposed an amendment to this bill by inserting the word "willful" before the word "violation," in line 19, page 2. This would be a protection to the farmer who might violate the law innocently by shipping apples in a barrel that does not comply with the provisions of this bill.

Mr. COOPER. Will the gentleman yield for an interruption?

Mr. RUSSELL. I will.

Mr. COOPER. As I understand, the bill is not going into effect for six months or a year. Does not the gentleman think that his small country farmer could become acquainted with the provisions of this bill within that time?

Mr. RUSSELL. Well, I have known very many intelligent men who did not know what the law was after it has been passed for several years, and I assume that the small country farmer might violate this law innocently without knowing of its provisions. It seems to me it would not hurt the bill to insert the word "willful" in the place mentioned.

The SPEAKER pro tempore. The time of the gentleman has again expired. Will the gentleman from Missouri send his amendment to the desk?

Mr. CRAMTON. I will yield three minutes additional to the gentleman.

Mr. RUSSELL. I would ask the Clerk to report the amendment which I have proposed.

The SPEAKER pro tempore. The Clerk has not the amendment.

Mr. RUSSELL. I sent it to the desk sometime ago. I simply ask to insert the word "willful" before the word "violation," in line 19, page 2. It seems to me this would be some protection to innocent farmers who ship small quantities of apples into town and who might violate the strict provisions of this law. I do not believe it would hurt the purposes of the bill to have this amendment inserted. Mr. Speaker, I do not care to discuss the amendment longer, and I yield back the balance of my time.

The SPEAKER pro tempore. The gentleman yields back the balance of his time.

Mr. HAMILTON of Michigan. May I ask the chairman of the committee a question for information?

Mr. ASHBROOK. In just a moment. I would like to say just a word in answer to the remarks of the gentleman from Missouri [Mr. RUSSELL]. The life of a barrel is very brief at best. This bill would not go into effect until July 1, 1916, if the amendment prevails which I have offered, and I have no doubt that it will. In the opinion of the committee, and I think the gentlemen here will share that opinion, if this bill becomes a law, no other barrel will be made except the standard barrel, and without doubt by the time this bill would go into effect there would be very few barrels in existence except the standard barrel. I have full sympathy with the small farmer, because I am one myself, and I do not want to impose any hardships upon him. I think the ground of the gentleman from Missouri is not well taken for that reason.

Mr. GOULDEN. May I ask the chairman of the committee if they have made any provision in the bill to have the word "Standard" printed or stamped on the barrel?

Mr. ASHBROOK. There is no provision for the word "Standard" being printed or stamped on the barrel. But a barrel will be a barrel. It will be just what this bill provides. It is not necessary to stamp it.

Mr. GOULDEN. If it were stamped "Standard," a farmer of the class that you and the gentleman from Missouri [Mr. RUSSELL] and I belong to would know it was a legal barrel. I have apples to ship, and I want to tell you frankly that I would not have time to go to the country and measure the barrels in order to see whether or not they were standard; therefore I want them marked "Standard" for the protection of my tenants and others.

Mr. ASHBROOK. I will say to the gentleman from New York that the object of this bill is to protect him, so that if he orders a barrel of apples from Ohio or Missouri or wherever he may he will know what he is getting.

Mr. GOULDEN. But I am a seller as well as a buyer of apples.

Mr. ASHBROOK. If you sell a barrel of apples to me, then I will know what I am getting.

Mr. GOULDEN. I would like to have it stamped, so that all would know that they were not violating the law and that the consumers were getting a full measure of value for their money.

Mr. HAMILTON of Michigan. I would like to ask the gentleman upon what precise scientific basis the dimensions of the standard barrel for fruits, vegetables, and other dry commodities are established in this bill?

Mr. ASHBROOK. I will say to the gentleman from Michigan that the cubical contents and the dimensions of the barrel as fixed in this bill were prepared by the Bureau of Standards, and it is the same size barrel as our flour barrel.

Mr. HAMILTON of Michigan. For what reason, particularly—on what scientific basis—did they fix these dimensions?

Mr. ASHBROOK. It is necessary to have some arbitrary lines drawn as to the size and the contents of the barrel.

Mr. HAMILTON of Michigan. Exactly. What relations do these dimensions bear to the lesser units of measure, if any?

Mr. ASHBROOK. And I will say, further, to the gentleman that it follows the recognized shape of a barrel.

Mr. HAMILTON of Michigan. And fixes the size.

Mr. ASHBROOK. The size, I say, is the size of a flour barrel.

Mr. HAMILTON of Michigan. Is this size the size of a flour barrel?

Mr. ASHBROOK. It is the size of a flour barrel, which is the most generally used barrel.

Mr. MANN. How about the sugar barrel?

Mr. TUTTLE. The sugar barrel is 2 inches longer.

Mr. MANN. This would affect the sugar barrel?

Mr. TUTTLE. I think not. This one affects barrels of smaller size, and it does not affect any barrels the contents of which are sold by weight or measure, and sugar is sold by weight.

Mr. HAMILTON of Michigan. This barrel bears no scientific relation to any other measure of contents?

Mr. TUTTLE. I think the nearest approach to any other measure is the 3-bushel measure. This, I will say to the gentleman, is the development of the trade through long years of usage and custom, and this barrel is now accepted by all branches of business where barrels are used. The coopers have testified before our committee that this is the size of over 95 per cent of the barrels which they make. It is the universal flour barrel. It is the barrel which is universally used in the shipment of apples, a business of over $125,000,000 a year. This bill is of great importance to those interests that use barrels in the packing of their fruits and vegetables and various other agricultural products.

Mr. HAMILTON of Michigan. The thing that struck me was that the barrel ought to have some relation to the lesser measures.

Mr. TUTTLE. It seems to have developed as all other measures have. The bushel has ceased, to a large extent, to be a measure of volume. The bushel is to-day defined in weight. The heaped bushel has led to a great deal of confusion, and no one can satisfactorily define it.

Mr. HAMILTON of Michigan. It seems to me it would be an excellent thing if we could have a standard barrel and a standard bushel the whole country over, so that everybody doing business and making contracts could know exactly about what he was contracting.

Mr. TUTTLE. That is the object of this bill, I will say to the gentleman.

Mr. HAMILTON of Michigan. It strikes me it is just a little inconsistent, after all. We fix a standard barrel for certain commodities, and then we make another standard barrel for another separate commodity; and while I can see that there are reasons why you might have a different sort of barrel for cranberries, still, inasmuch as you are calling it a standard barrel, it seems to me that I would call the cranberry receptacle something else, because you can hardly have two standard barrels of different dimensions.

Mr. TUTTLE. I will say to the gentleman that the members of the committee felt as he did when they first approached the question. But they found it necessary to fix a cranberry barrel distinct from the other barrel provided in this bill, because of its difference in shape as well as capacity.

Mr. HAMILTON of Michigan. You would have a sugar barrel, a flour barrel, and a cranberry barrel. You would have no standard barrel.

Mr. TUTTLE. This fixes a standard barrel. The sugar barrel is not used as a unit of measure. I want to say in this connec-

tion, in answer to the gentleman from Georgia [Mr. ADAMSON], that the object of this bill is to fix the unit of measure, and the Bureau of Standards and the Bureau of Commerce agree as to its contents and think it is a constitutional bill and applies to intrastate as well as to interstate trade. It does fix the standard of measure.

Mr. HAMILTON of Michigan. It seems to be one of standard measure.

Mr. TUTTLE. It fixes a standard measure.

Mr. ASHBROOK. Mr. Speaker, I yield four minutes to the gentleman from Texas [Mr. SLAYDEN].

The SPEAKER pro tempore. The gentleman from Texas [Mr. SLAYDEN] is recognized for four minutes.

Mr. SLAYDEN. Mr. Speaker, I find myself quite a little in sympathy with the observations made by my friend from Michigan [Mr. HAMILTON]. The good in this bill lies in the fact that it undertakes to fix a standard. The wickedness is that it is not a part of a general, thoroughly matured, well-thought-out, complete scheme of standard weights and measures, such as I think was in contemplation by the fathers when they wrote the Constitution, and such as we ought to establish. Our system of weights and measures is archaic. It is absurd. It is not comprehensible to many intelligent people.

Now, we ought to have the most scientific, the most exact, and the most perfect system of weights and measures that has been devised. Whether we can ever get it I do not know. I refer to the metric system, a mathematically scientific, exact system. I will say in passing that in my observation the metric system was put into operation in a country which we flatter ourselves is nothing like so advanced in general and scientific knowledge as we are It succeeded there a system of measures even more archaic than ours, a system which extended not merely to measures of volume, for liquids and solids, and lineal measurements, but which also went into the coinage of the country. I refer to Mexico. I do not remember the precise time fixed in the statute for the beginning of the full compulsory legal operation of the system, but I do know that those Indians, untrained, uneducated as they are, children of nature, so to speak, adopted a system without much difficulty at the end of the period fixed in the statute, and that to-day the metric system is in universal use in the Republic of Mexico and is a vastly more satisfactory scheme than that which had been in operation.

I shall support this bill, not because I am enamored of it, but because it does undertake to fix a standard. I hope that the committee, under the direction of our distinguished friend from Ohio [Mr. ASHBROOK], will prepare and bring out a thorough and scientific system of measures. It is preposterous to have, as was just suggested by some one on that side of the House, different sorts of barrels. It is almost as absurd as having different sorts of pounds and ounces. It puts out different standards of measure, and the word "barrel" may mean in some instances a barrel of sugar, in others a barrel of apples, and in others a barrel of cranberries, in varying quantities. It is not right that the country should be afflicted with this ancient, illogical system, and we ought to have—and I conceive it to be the duty of this committee to provide for it—a scientific and exact system. And therefore when I support this bill to-day I do so with some little misgiving, not because it is wrong in itself but because it does not go far enough. [Applause.]

Mr. ASHBROOK. Mr. Speaker, I yield three minutes to the gentleman from North Carolina [Mr. SMALL].

The SPEAKER pro tempore. The gentleman from North Carolina [Mr. SMALL] is recognized for three minutes.

Mr. SMALL. Mr. Speaker, I am in favor of this bill. I live in a section of eastern North Carolina which is a large producer of different varieties of vegetables. We grow very largely Irish potatoes and sweet potatoes, which are shipped by the barrel. That applies also to a number of other kinds of vegetables; and the differences in standard sizes of barrels in the different States are causes of inconvenience. Under this condition growers adopt the maximum size of barrel prevailing in the several States to which shipments are made, the result being that where shipments are made to States having a standard barrel of less size the shipper suffers that loss, which to a large trucker amounts in the course of a season to quite a large sum. This bill is in the interest of growers and in the interest of buyers, because it establishes uniformity and prevents loss, and permits equity in behalf of both classes.

There is only one clause in the bill to which I invite the attention of the committee and to which there may be no valid objection, and that is the clause prescribing that the thickness of the staves shall not be greater than four-tenths of an inch. If that is the maximum which is necessary for all classes of woods, then there could be no objection to it; and if the committee has examined into that question so as to be assured that the maximum is sufficient to meet all classes and different varieties of woods, then it is a wise provision. Otherwise it might produce inconvenience.

Mr. SLAYDEN. But it does not affect the interior.

Mr. SMALL. No. The thickness of the stave does not affect the cubical contents. But there are some woods that can not be worked so well and would therefore require a greater thickness of staves than other woods. I simply call the attention of the committee to that clause.

Mr. Speaker, there is absolutely no criticism, in my opinion, to be based upon the constitutionality of the bill. Congress, under the provision of the Constitution for regulating coinage, weights, and measures, has the right to fix a standard barrel in the United States.

The SPEAKER pro tempore. The time of the gentleman from North Carolina has expired.

Mr. ASHBROOK. Mr. Speaker, how much time have I remaining?

The SPEAKER pro tempore. The gentleman has 16 minutes.

Mr. ASHBROOK. I yield to the gentleman one minute more.

The SPEAKER pro tempore. The gentleman from North Carolina is recognized for one minute more.

Mr. SMALL. And therefore this bill, on its face, is applicable to intrastate commerce and is entirely within the power of Congress.

There is just one more suggestion which I would like to make. I understand that the standard size of barrels fixed in this bill conforms exactly to the present standard in use in flour barrels, so that the farmers may use the empty flour barrel or compare that as standard of measure; and that fact in itself would allay any feeling of uneasiness that might be prompted by the adoption of the standard provided in this bill. I think it is altogether meritorious and in the interest of both the producer and the consumer.

The SPEAKER pro tempore. The time of the gentleman from North Carolina has expired.

Mr. CRAMTON. I yield to the gentleman from Pennsylvania [Mr. BURKE].

Mr. BURKE of Pennsylvania. Mr. Speaker, public services are never so much appreciated as are the accomplishments of men and the things we do for each other in private life. And not infrequently we encounter those who in their never-ending zeal for the general welfare have little time to devote to exploiting themselves to their contemporaries, as a consequence of which much of their accomplishments are often overlooked.

Aside from the few gentlemen whose special committee assignments in the Congress impose upon them the duty of making a detailed study of the affairs of the Capital, few of us realize the peculiarly difficult task the administrative officers of the District of Columbia encounter in the performance of their public duties.

Subject to the scrutiny and the control of a council composed of strangers in many instances and in all cases of gentlemen from distant parts of the Nation, their start is not auspicious. With a constituency without a vote, and they without means of appeal themselves, their position is not one to inspire envy.

I have heard so many harsh and thoughtless criticisms of the District, its people, and its officials, that I have felt tempted many times to break my rule to refrain from speech making in Congress and relate a few of the facts within my personal knowledge in order to promote the spirit of fair play and mete out a small measure of justice to those whose public service has endeared them to all who appreciate efficiency and courage in public officers.

Recent discussions have tended to do much injustice to the District and its people; and as they, because of the nature of our Government, are virtually deprived of a voice in the forum for defense or a more effective weapon with which to protect themselves in the war that is so often waged on them by those armed with the powers of a great Government and the privilege of congressional debate, I feel it a duty and a pleasure to-day to say a few words regarding the administration of the District's affairs during that portion of the last five years in which I believe the most splendid strides in District government improvement during the last quarter of a century were made.

I refer to the administration under Commissioners Cuno H. Rudolph, Gen. John A. Johnston, and Col. W. V. Judson, all capable and distinguished public servants.

As the systematic division of their duties brought the departments of Gen. Johnston and Col. Judson more particularly under my observation, and as the administration of their departments covering public works and public safety is more

than ordinarily interesting to the people in general, I shall confine myself to a review of their service.

I have personal knowledge of the fact that Gen. Johnston was virtually drafted into the position of Commissioner of the District of Columbia by the President of the United States through appeals to his good citizenship, while Col. Judson, as an Army officer, was ordered by the President to perform the duties of commissioner. Neither of these men sought the office. It was indeed a matter of personal regret to both of them that duty called them into their respective positions as Commissioners of the District of Columbia.

It was a difficult time for anyone to serve the District. Many Members of Congress were hostile to the District, thinking that its lawful financial relations with the United States were unfair to the latter. This brought the citizens of the District into conflict with Congress in many directions, and the commissioners, who were, among other things, intermediaries between Congress and the people of the District, stood in the line of fire.

Notwithstanding that the times did not seem propitious, they sought to accomplish many things and they put their whole hearts and souls into their work. Both Gen. Johnston and Col. Judson were graduates of West Point, where they had been taught the duty of service and of sacrifice. They did not flinch when they found themselves like many other honorable and efficient public officials the object of unjust attack. But in their code they found this no excuse for sulking, and they went on doing their duty. They did an extraordinary number of good things. The people of the District of Columbia are greatly their debtors, which most good citizens cheerfully acknowledge.

Congress, charged with the duty of exclusive legislation within the District, is also their debtor, inasmuch as they advised Congress wisely, though sometimes futilely, in District matters, and always faithfully and efficiently executed the will of Congress as set forth in its laws. In fact, the cause of municipal government all over the country is their debtor for what they did to make Washington a model city, whose methods and practices could be followed and have been followed to advantage by other cities.

Congress, because of its absorption in other matters, is usually slow to give the District its fair measure of general legislation along the lines that are being followed by the States.

We have no civil-service law for the District of Columbia. This makes trouble for the commissioners, who try to confine themselves to civil-service practices, for many influential gentlemen have friends or constituents here whom they frequently like to put in District offices.

We have no proper control over certain lines of big business carried on within the District as headquarters, such as the insurance business. This tends to make the District a haven of rest and a base of operations for promoters who impose upon your constituents and mine.

These commissioners of whom I am speaking, showing great courage and high moral sense, struck heavy and effective blows at such practices, and so have saved millions of dollars to investors and prospective investors all over the country. As a consequence of their own fidelity to duty in protecting the public interests, they had to pay out of their own pockets to defend themselves from suits, the very filing of which was but an additional false pretense to assist in wrongful stock-selling campaigns.

They procured the enactment for the District of a public utilities law, by the operation of which, in due time, the gas company, the electric lighting company, and the traction companies will bear fair relation to District consumers, both as to cost and character of service.

When they found that before they assumed office there had been an extension of street lighting into unoccupied territory, performing only the functions of advancing the value of lands to real estate speculators and increasing the profits of the lighting companies, they turned off lights that had uselessly cost the District and the United States many thousands of dollars annually. They compelled a refund of many thousands of dollars from one of the lighting companies because the lights it had been furnishing were of less than the legal standard of illumination. And they procured the enactment of a law by virtue of which about $50,000 per annum was saved to the District and the United States through a fair reduction in the cost of street lighting. With a part of the saving thus effected they vastly improved the street lighting of the city and made Washington more safe and more beautiful at night.

They reformed the street-cleaning department. They found it under inexpert supervision, doing its work with lack of efficiency. They left it under most competent supervision, doing the work with District plant and labor, with vastly increased thoroughness and efficiency, over a greatly extended area of streets, at a considerably reduced unit cost.

They improved the discipline and efficiency of the police department, and inaugurated therein motor patrol transportation with economy and increased police efficiency and emergency service.

They found dark, illy ventilated, antequated, and insanitary cells amounting to dungeons in police precincts, jails, and inaugurated and, but for lack of appropriations always strongly urged, would have completed, the installation of modern, sanitary cage cells with light, ventilation, and cleanliness.

Their revision of traffic regulations and inauguration of rules for vehicular lighting, based upon a study of the best to be found throughout the world, was constructive work of great importance in the interest of public safety.

They inaugurated the motorizing of the fire department, with resultant increased efficiency of service, and insured large annual savings by the establishment of an enlarged and equipped departmental repair shop.

They constantly urged the increasing importance of the department of weights, measures, and markets, and greatly increased its efficient helpfulness to the consumer. They prosecuted a successful campaign for the display of the actual quantity or weight of goods on all sorts of containers, and vigorously prosecuted dishonest dealers. They secured appropriations for the complete repair and modern equipment for the public markets, for the present more than self-sustaining shelters for the farmers' produce market.

They took over the management of the municipal fish wharf upon the expiration of the lease thereof to private parties, according to the custom of many years, at an annual rental in later years of about fourteen hundred dollars, cleaned and cleared the site with the coordinate efforts of the departments of street cleaning, fire, police, and public health, on an estimated yearly earning to the District of $10,000, which has proved conservative. They planned and estimated for a wholesale market on this site for sea food and farm produce that should develop a wide territory of supplies for the District, with cheap water transportation and probable diminished cost of products to the consumer, especially to the thickly settled South Washington population, of moderate means.

They never ceased to urge the importance of the conservation of the public health, and in this respect, as in every other practical respect, coordinated the efforts of all departments of the District government.

They entered the public service finding lack of harmonious departmental coordination, and having first harmonized themselves as to matters of coordinate policy in the public interest brought about a departmental spirit of mutual, coordinate helpfulness that is exemplary in the highest degree.

They found a pressing need for metering the water consumption, which latter was far greater per capita than in other cities, in order to make more remote the day when many millions would be required for an additional water supply. They did not ask Congress for large appropriations to purchase meters, but raised the water rate and cheerfully bore the resulting storm, which was not tempered by the fact that the rate when raised remained lower than elsewhere and covered less than cost. These commissioners were the first to make a move to increase local taxation, for such, in effect, was the raise of the water rate.

They urged Congress to acquire the lands needed for the great Burnham park plan while these lands were still cheap and unoccupied, and at their suggestion Congress provided a general law for a proper assessment of benefits when lands for parks are taken; and they succeeded in getting started one of the three major local park projects and authorizations for Rock Creek Park and Potomac Park. They procured the plan and authorization for the Anacostia Flats improvement and insured the elimination of the insanitary Anacostia Flats, and the creation in place of them of a beautiful park of land and water embracing many hundreds of acres.

Among the greatest District needs is suitable provision for its defectives—mental, moral, and physical.

These commissioners, in season and out of season, urged a start upon a proper municipal hospital building for the housing of the indigent sick, many of whom are now not cared for but neglected, being put off in unsuitable shacks, and the basements thereof upon the banks of the still insanitary Anacostia marshes. This outrage upon humanity they did not succeed in abating while they were in office, but their efforts will bear fruit in the future.

With reference to another class of defectives, the efforts of these commissioners bore fruit more promptly. Upon a spacious

site at Occoquan they established a model institution for the District workhouse prisoners who had formerly been herded up without occupation in dark cells beside the shacks which housed the indigent sick upon the insanitary Anacostia marshes. These prisoners are now raising upon the land of the institution a great portion of the wholesome food they eat, and manufacturing various articles, including brick, for use in the public works and other institutions of the District of Columbia. The institution is approaching, as intended, a self-supporting basis, and instead of turning men out soft and of lessened physical and moral stamina as did the old institution, the present one is releasing men who have been improved by incarceration. One can not measure moral changes, but careful records show gains in physical condition. The average weight of inmates, for example, is increased by several pounds, and such a result is without precedent at similar institutions. The institution at Occoquan is a model now being followed by other communities. And it cost less than any similar institution in the country.

During the administration of these gentlemen the condition of the asphalt street paving was vastly improved.

Higher standards were adopted for school buildings, and the fire risk in old buildings was materially reduced by partial reconstruction. A new Central High School was authorized on their recommendation and they had the plans prepared by Mr. Ittner, of St. Louis, the greatest schoolhouse architect in this country, and purchased for far less than the appropriation.

Improved building regulations were adopted, and a new law was recommended and enacted to govern building operations. This law and these regulations materially reduced fire risk and increased the safety of citizens.

While others were merely talking of the evil condition of Washington alleys, they continued by the enforcement of laws already on the statute books to effect a constant reduction in the number of alley dwellings and improvement in those that remained. At one blow, in condemning Willow Tree Alley, the worst of the slums in Washington, they eliminated 12 per cent of all the alley dwellings and a far larger percentage of all the alley evils.

No branch of the municipal service failed to receive their careful and intelligent attention, nor was there failure anywhere to raise standards of economy and efficiency. When they left office they had indeed created a model municipal government, in so far as they had the power, and they had pointed out and strenuously advocated what was necessary to complete the task.

They presented to Congress the desirability of developing the great water power wasted at Great Falls, to the end that the city lighting and power might be most economically produced, and as a result of their efforts plans for such a development are now before us.

They studied the disposal of city wastes and advocated proper plant and methods, the adoption of which will reduce cost and increase efficiency.

They proved that a municipal asphalt plant would be economical and lead to increase of efficiency.

They studied and made a most complete and admirable report to the Senate District Committee upon the local traction situation.

Their studies and their recommendations will continue to bear fruit in the future, as they have already borne fruit in the past.

And all of this time they had their eyes on the debt of the District of Columbia, showing a firm determination that that debt should be extinguished. This debt may properly be computed by adding together the floating debt owed by the District to the United States and one-half of the bonded debt which latter is owed half by the District and half by the United States. On June 30, 1910, this debt was $8,020,328.98. The debt thus computed is now reduced to but little more than $3,000,000. No little credit for this debt reduction is due these commissioners of whose splendid service to the people of Washington and to the Nation in the care and improvement of its Capital it has been a pleasure to speak to-day.

But when one studies the antecedents and the accomplishments of these men before they answered the President's call, there is little surprise that they stamped their individuality upon their work and left behind them a record of which all can well be proud.

Col. Judson has so frequently been the center of controversy and the subject of deserved compliment that I shall not dwell in detail upon him now.

As for Gen. Johnston, the countless thousands who have known him in civil, in military, in private, and in public life epitomize their one opinion in the expression—a true soldier, a painstaking, industrious, and capable public officer, a stanch friend, and the uncompromising foe of hypocrisy and dishonesty.

But what else could he be, when we recall the atmosphere in which he has spent his years of manhood?

Gen. Johnston graduated at West Point in the class of 1879, and was assigned to the Cavalry arm, in which he served in the West from Texas to the Dakotas, attaining the grade of captain of Cavalry in 1895, major and assistant adjutant general in 1898, lieutenant colonel in 1901, and brigadier general in 1903. His promotions were unsolicited.

He is the first honor graduate of the postgraduate schools at Fort Leavenworth, Kans., and thereafter served in the departments of engineering, art of war, and tactics of the different arms, 1883 to 1885.

He was instructor in the departments of law and history and of tactics at West Point, 1887 to 1891.

He had charge of the organization and supervision of mounted instruction at the general mounted recruiting depot at Jefferson Barracks, Mo., 1893–94.

He was detached to organize the inaugural parades of Presidents Cleveland, 1893; McKinley, 1897 and 1901; Roosevelt, 1905; and Taft, in 1909; and that attending the dedication of Gen. Grant's tomb in New York in 1897, the Louisiana Purchase Exposition at St. Louis in 1903, and others.

He had charge of the organization and muster in and out of all Volunteer forces in the War with Spain, 1898, and for Philippine service, 1898 to 1901, and reorganized and supervised the general recruiting service of the Army, as at present, incident to the Army increase from 25,000 to 100,000 men.

He attended and made the report upon the Kaiser maneuvers of the German Army on the Polish frontier in 1902.

He resigned from the Army as a general officer after nearly 28 years' continuous service.

The following statement appears on his efficiency record:

Gen. Johnston, as Assistant Adjutant General, was in charge of the enlisted division from the beginning of the Spanish-American War to the date of the acceptance of his resignation, and was more than any other officer of the War Department identified with the recruitment of both the Regular Army and of the Volunteers, State and United States. It was on his recommendation that the rules and regulations for muster in and muster out of troops were made, all in all the most intelligent and comprehensive ever devised. It was on his special recommendation that Secretary Root urged upon Congress a national reserve force, and which, in my judgment, should be urged upon the Congress until it is enacted into law.

Gen. Johnston is a master of the details of organization, and in the event of war within the limit of his days for active service I recommend that he be called back with the high rank that his valuable services during the Spanish-American War and his great ability so justly warrant.

H. C. CORBIN,
Major General, Adjutant General, United States Army.

May this beautiful Capital City of my beloved country enjoy the fortune in future years to be guided by men whose vision and whose zeal will reflect as much credit upon our public life as those of whom I have spoken.

Mr. CRAMTON. I yield 15 minutes to the gentleman from Arkansas [Mr. WINGO].

Mr. WINGO. Mr. Speaker, I am in perfect sympathy with the object of this legislation—to fix a standard unit of measure. I am not in sympathy with the proposition to fix a standard container for commerce. But if you do undertake to fix a standard container for commerce, which I do not think you can do except for interstate commerce, you ought to limit it to interstate commerce.

There is a distinction between exercising the constitutional authority and power to fix a unit of measure and fixing the size and the material of a container for commerce. If Congress has the power to say what shall be the thickness of the stave in a barrel—if that be granted to Congress under the authority to fix a unit of measure—then it will be just as reasonable to contend that we could say what should be the character of the wood out of which the staves are to be made. If we have the constitutional authority to fix the thickness of the stave, we have the constitutional authority to fix the width of the stave, and to require only an extra-wide stave, which could not be manufactured out of the small timber in certain parts of the country.

Mr. HAMILTON of Michigan. That is true.

Mr. WINGO. If we have the constitutional authority to fix the thickness of the stave and the width of the stave and the kind of wood from which it may be manufactured, we have the constitutional authority to fix the size of the bunghole.

Mr. HAMILTON of Michigan. And the hoops.

Mr. WINGO. Will any man contend Congress has the authority to fix the size of the bunghole of a barrel? The bunghole is just as important in some cases as the thickness and quality of the stave.

By pursuing such a line of illustrations you can see the distinction that there is between fixing a standard of measure and prescribing a standard container for commerce. I am perfectly willing to fix a unit of measure. I think that is very proper.

Mr. COOPER. Will the gentleman yield for an interruption?

The SPEAKER pro tempore. Does the gentleman yield?

Mr. WINGO. With pleasure.

Mr. COOPER. The gentleman cites the possibility of Congress fixing the size of the bunghole, or doing some other foolish thing, as a reason why this power does not exist. Congress has the power to-day to declare war against every nation in the world. It would be a foolish thing to do, but the fact that it might be exercised in a foolish way is not proof that the power does not exist.

Mr. WINGO. The gentleman did not catch the force of my argument. I was making the contention that if the constitutional authority to fix a unit of measure authorizes Congress to fix the thickness of the stave it could fix the quality of the wood, and even go so far as to fix the size of the bunghole. I used that as an illustration to try to make clear the distinction between a unit of measure and a standard container. There is a distinction, and that distinction is very readily shown in the difference between a barrel as a unit of measure and a barrel as a container. For instance, corn is sometimes sold by the barrel. That does not mean that it goes into an actual container, but the barrel is considered as a standard of measure. There is a clear distinction.

Mr. MANN. This bill endeavors to fix the size of a barrel. How else could you fix the size of a barrel so that the eye could take it in, without fixing the circumference and the thickness of the staves?

Mr. WINGO. I think you could fix it just as you actually now fix the barrel as a unit of measure. I think the only proper way to fix a unit of measure, if it is dry measure, is to say that it shall contain so many cubic inches.

Mr. MANN. You might do it in that way, but you have got to fix something that the eye can take in. Now, the eye can not measure the inside of a barrel that is filled; so that practically, if you want to fix the size of a barrel, you must fix it by the outside. But if you let the staves vary from four-tenths of an inch to 4 inches in thickness, that would not fix the size of the barrel, as far as being a container was concerned.

Mr. WINGO. I think it would. I think it would be fixing the size of the container.

Mr. HAMILTON of Michigan. May I ask the gentleman a question?

Mr. WINGO. I will yield to the gentleman from Michigan.

Mr. HAMILTON of Michigan. I appreciate the force of the gentleman's argument. He has given this matter a good deal of thought, and I want to ask him whether in his judgment it might not be possible to define what should be a standard barrel by cubic contents, and, in addition, to say, as the gentleman from Illinois [Mr. MANN] has suggested, that the barrel shall have staves of a certain length and a head of a certain diameter, and so forth.

Mr. WINGO. The committee itself, in reporting an exception, has shown the difficulty. The only safe thing you can do without having an exception is to fix the unit of measure at so many cubic inches of contents, not describing and fixing a unit container, but measuring the container by a unit of measure. That is the constitutional authority that we have. You meet with a difficulty when you come to cranberries. Now, have you provided for grape barrels? Everybody knows that grapes of a certain kind, from certain districts and for certain markets, are shipped in barrels.

Mr. HAMILTON of Michigan. Here comes along a dealer who can not compute the cubic contents, but he knows that a barrel of a certain size is a standard barrel. He can measure the length of the staves and the diameter of the head, and so on, and in that way he can know whether the barrel is a standard barrel.

Mr. WINGO. The man who has the mathematical knowledge to measure the length of the staves and the bulge of the barrel has the mathematical knowledge necessary to figure out the cubic contents, has he not?

Mr. HAMILTON of Michigan. I doubt it.

Mr. WINGO. There might be such a man; but take the average man, if he has mathematical knowledge enough to measure accurately the length of the staves and the thickness of the staves when they are in the barrel, with the edges beveled, and can measure the bulge of the barrel, he certainly has enough mathematical knowledge to figure the cubical contents. But before I have used all my time I want the amendments reported.

The Clerk read as follows:

Amend, by striking out sections 2 and 3, and strike out all of the enacting clause and insert in lieu thereof the following:

"That a standard barrel, dry measure, for the purpose of interstate commerce, shall be deemed to be a container with the capacity of 7,056 cubic inches."

Strike out the words "any other commodities" wherever such words occur in the bill.

Page 2, line 11, strike out the words "sell, offer, or expose for sale in any State, Territory, or District of Columbia, or to."

Mr. TUTTLE. Will the gentleman yield?

Mr. WINGO. Yes.

Mr. TUTTLE. I was going to remind the gentleman that it is contemplated that other thicknesses of staves may be used in the barrel. When the Sulzer bill was considered fixing the standard barrel for apples it developed that there were different styles of barrels.

Mr. WINGO. I can not yield further. Before I forget it, I want to explain the different amendments. The principal one is to strike out all after the enacting clause and substitute these words, "standard barrel, dry measure, for the purpose of interstate commerce, shall be deemed to be a container of 7,056 cubic inches."

This amendment does not fix the size, shape, bulge of the container, but the cubical contents. The other amendment which I think ought to go in——

Mr. COOPER. Will the gentleman yield?

Mr. WINGO. Yes.

Mr. COOPER. How would the average farmer know that a barrel of peculiar shape did not contain a certain number of inches?

Mr. WINGO. He would not; and my purpose is to strike out all of the bill and just fix the standard unit of measure for a barrel that could be used. If the argument made a moment ago is true—that 95 per cent of the barrels manufactured are of the thickness of staves provided for in this bill—I can not understand the letter of the stave factory which was read this morning. If it is already a standard barrel to practically the extent of 95 per cent of the trade, why are the stave factories in a certain part of the country that manufacture staves of a certain type out of native wood asking for the bill?

Mr. TUTTLE. Because there are States that provide for barrels of less capacity.

Mr. WINGO. The capacity has nothing to do with the thickness of the stave.

Mr. TUTTLE. It has to do with the length.

Mr. WINGO. You can always govern that by the cubic contents, and then you could use a square box or any shaped container the producer desires. There are not a dozen men on the floor that can accurately compute the thickness of the barrel stave with a bevel edge end. If they think so, let them try it.

Now, the other amendment is to strike out that part in section 2, lines 11 and 12, which would make it unlawful to expose for sale goods in a barrel of a different kind. The bill makes it unlawful to ship from one State to another barrels other than the standard barrel. In other words, it is to limit it to interstate commerce.

I was interested in the speech made by the gentleman from South Dakota [Mr. DILLON], who called attention to the different standards by weight of the different States. There is a reason for that. There is a reason for the difference between a barrel of cabbage and a barrel of potatoes. There is a difference between a barrel of potatoes and a barrel of radishes. Radishes are shipped by the barrel in some markets exclusively, and in others they are shipped by crate, and in other markets they are shipped partly by crate and partly by barrel.

Mr. DILLON. Mr. Speaker, I do not think I made such a statement as the gentleman refers to. I referred to the different standards of the same commodities in different States.

Mr. WINGO. I think the gentleman misunderstood me. I said there was a reason for the differences to which he called attention.

Mr. DILLON. Why should onions be sold at the rate of 47 pounds per bushel in Indiana and 57 pounds in Illinois?

Mr. WINGO. If they are practically the same kind of onions, they ought not to be. But there is a difference in weight of a bushel of potatoes grown on the mountain and a bushel grown in the valley.

Mr. DILLON. My remarks were entirely on the same commodities in the different States.

Mr. ASHBROOK. Will the gentleman yield?

Mr. WINGO. Yes.

Mr. ASHBROOK. The gentleman referred to the fact that radishes and cabbage were shipped by freight in barrels.

The CHAIRMAN. The time of the gentleman has expired.

Mr. WINGO. Can I have three minutes more?

Mr. STAFFORD. I yield the gentleman three minutes more.

Mr. WINGO. The danger is in this, that you have different grades, different customs, different markets. You have different weights in some commodities than in others. Potatoes grown in one soil and under one climate are different in weight from those grown in another soil and in another climate. That is the reason why these customs have grown up. The committee has found the danger in fixing an arbitrary container when it makes the exception in favor of the cranberry. Did you make any exception in favor of the grape barrel? You can not ship grapes in the barrel provided here, or at least there is one grape that must be shipped in a small barrel.

Mr. TUTTLE. Grapes are sold by weight—sometimes in barrels and sometimes in crates.

Mr. WINGO. We have a difference of shipment in radishes. It differs in different towns in the same counties and in the same States.

It is interesting to go into the markets of Kansas City and see the different shipments coming in from the same State over different railroads. For instance, here comes a man from Michigan who is a grower of fruit or a grower of vegetables. He opens up a truck farm in the Southwest and he adopts one plan, but here comes another man from New Jersey and he settles in the county, but in another community, and he is the leading grower, and there his ideas of shipment control, and that is the reason we have mixed shipments. It seems to me that you ought to fix a unit of measure and not a unit of container.

Mr. COOPER. Mr. Speaker, will the gentleman yield?

Mr. WINGO. Yes.

Mr. COOPER. Is the gentleman aware of the fact that the proviso on page 3, line 16, meets his contention:

Provided, however, That nothing in this act shall apply to barrels used in packing or shipping commodies sold exclusively by weight or numerical count.

Mr. WINGO. That does not meet it. When you ship radishes by the barrel and grapes by the barrel, it does not meet it.

Mr. COOPER. It does if you sell them by the weight.

Mr. WINGO. That is true; it does when you sell them by weight, but not by barrel. But you have your exceptions and you have your exceptions named in the bill—one for cranberries, one for weight, and one for numerical count. You will find that there should be other exceptions, and there is the error in standardizing the container instead of fixing a standard unit of measure. Of course, I do not blame the stave men in a certain territory for wanting their staves given preference by making them the standard stave, but you ought not to let the unit of measure be controlled by the convenience of the stave makers; you ought not to punish the farmer who wants to bring his product to town in a barrel not made of the prescribed thickness of stave, to a market that is not yet fully developed, by men who do not appreciate the particulars of standardization of their products, and you ought not to penalize them. You ought to fix a general unit of measure to start with, and then later on, if you want to fix a standard for potatoes, do so, or if you want to fix a standard for apples, do so, or a standard for cranberries, but do not with one sweeping drastic provision cover every commodity—fruits, vegetables, or any other dry commodity—as you do by this bill.

The SPEAKER pro tempore (Mr. SLAYDEN). The time of the gentleman from Arkansas has again expired.

Mr. ASHBROOK. Mr. Speaker, I yield four minutes to the gentleman from Iowa [Mr. TOWNER].

Mr. TOWNER. Mr. Speaker, I hope gentlemen will not be misled by statements regarding containers. We are not dealing with containers in interstate commerce. This bill does not purport to do anything regulating interstate commerce. The basis of this bill does not rest to any extent upon the right to regulate commerce. It rests upon this expressed declaration of the Constitution of the United States that Congress shall have the power to fix standards of weights and measures.

Mr. Speaker, what is a barrel? A barrel is defined by the dictionary as a measure of quantity, and the Constitution gives Congress the power to fix a measure, to fix all measures, if it so desires. So all of this talk about the length of staves and the thickness of staves and, as the last gentleman suggested, the size of the bunghole is absolutely immaterial and irrelevant to this discussion. We know that that is but an effort to approximate as nearly as possible that which we recognize in form as a barrel, and that we must do. If we desire to regulate a standard, we must do it; and I call the attention of the gentlemen to the fact that this bill very wisely does not say that a man shall be penalized and fined because the length of staves is not that prescribed, or the width or thickness is not that prescribed. He is only penalized when he sells a barrel having less cubic contents than that prescribed herein. So that variations in these will not make any difference. But everybody desiring to sell by barrel will conform to the barrel, and this in the interest of common honesty between man and man in the United States, between dealers all over the United States. When we buy a barrel of anything, when this bill is passed, men will know what a barrel means. There may be 48 different varieties and sizes of barrels under existing conditions. But if I order from South Carolina a barrel of sweet potatoes, I will know what will be the size of that barrel, and if I order a barrel of apples from Michigan, I will know what will be the size of that barrel. It is only common honesty and justice that is asked by the passage of this bill. Our forefathers, when they were discussing this proposition and giving this power to Congress, recognized the difficulties that had existed in the Colonies because of the great variation; recognized, as was then stated on the floor of the Constitutional Convention, the fact that some of these Colonies had tried to defraud the people by making less and less, as time went by, the measures and weights of the commodities that they sold. So they thought it wise to give this power to Congress, so that it might prevent frauds, and so that it would not be an encouragement to men to deal dishonestly. And that is what this bill now means—only to make it so that when a purchase is made anywhere of a barrel of these kinds of commodities, men will know what they are getting, and it will not be possible for anyone who desires to do so to defraud a purchaser.

The SPEAKER pro tempore. The time of the gentleman from Iowa has expired.

Mr. ASHBROOK. Mr. Speaker, I yield five minutes to the gentleman from Virginia [Mr. SAUNDERS].

Mr. SAUNDERS. Mr. Speaker, there are two or three objections that have been urged to this measure, that I wish to take up in their order. Of course we ought not to pass any measure, even in the exercise of our constitutional functions, that would operate as a hardship upon any established industry, if those hardships may be reasonably excluded in the preparation of the bill. So far as this measure is concerned, I do not think that even in its present form, the hardships that have been suggested exist. This I shall endeavor to demonstrate in the course of what I shall have to say. I happen to have in my district a large stave-making industry, as well as a number of large commercial apple orchards. Hence I would be peculiarly affected by anything in the way of hardship, or handicap, that would affect those industries. First in respect to the stave-making industry. The figures in the bill relating to the size of the barrel—and I wish to call the attention of the House to the fact that these figures are merely suggestive—to the thickness of the stave, to the circumference and the height, may, or may not be adopted by the stave makers. The size and dimensions of the barrel are not imperatively fixed by these figures. The only thing that is absolutely provided is that any barrel squat, or high, large, or small, that contains the prescribed number of cubic inches shall be a standard barrel. All that is contained in the bill relative to the thickness of the stave, the height, and circumference of the barrel is, as I have said, merely suggestive, but the suggestion is a very wholesome one, and should be followed. With respect to the suggested inconvenience to the stave-making industry, I wish to say that the machinery which it uses will enable them with but the slightest adjustment, and without inconvenience, to make staves that will conform to the provisions of this bill. The suggestion with respect to the size of the barrel is a wise one. Barrels of a uniform size will be much more readily handled and packed for shipment, whether by the orchardist on his wagon frames, or the common carrier, than barrels of varying sizes. Hence having reference to transportation on its practical side of facility and economy to all parties concerned, there is every reason why a standard barrel should be established, and why we should get away from the inconveniences that attach to the use of barrels and boxes of varying sizes. Standardization in this respect will be a distinct advantage to everyone connected with the movement of products that are sold by the barrel. There are one or two other things to which I wish to call attention.

The suggestion has been made that a retailer in a city who kept his apples in an apple barrel that was not of the standard size, and sold therefrom to his customers, one, two, or a dozen apples as the case might be, would come in conflict with this law. That suggestion is not well taken. A man selling under circumstances of that sort, would not in anywise be affected by the provisions of this legislation, which relate to a sale by the barrel, and not to a sale of apples from the barrel. Again it was suggested by another gentleman, I think the gentleman from Georgia [Mr. ADAMSON], that this bill is unconstitutional

because it undertakes to affect intrastate commerce. That suggestion has been discussed so fully on the floor, that I will not do more than to suggest that we are not proceeding under the commerce clause of the Constitution, but under an entirely different clause. The attention of the gentleman from Georgia is called to the fact that we are proceeding under the clause relating to standards. Legislation under that head, is not a regulation of commerce though it has a necessary relation to commerce, and it may, and properly does, operate as to dealings within the States. Still it does not impinge upon any of the rights of the States for in this respect the States have conceded the paramount authority to the Federal Government. However in the exercise of our constitutional power in relation to this particular subject matter, we do not propose to do anything in the way of inconvenience to industries operating within the States. As I have said, I have a number of apple growers in my county, and I know that it will be to their interest, to have this measure enacted. There are also many stave makers in my district. I can not say that the passage of this bill will advance their interests, but I know that it will not be to their prejudice. This measure will serve a useful purpose and ought to receive the full support of this House.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. ASHBROOK. Mr. Speaker, I will ask the gentleman from Michigan to use the balance of his time.

Mr. CRAMTON. Mr. Speaker, I yield three minutes to the gentleman from Wisconsin [Mr. STAFFORD].

Mr. STAFFORD. Mr. Speaker, not alone because it is of advantage to the stave maker and the cooper, or even to the retail dealer, but more because of the great protection it will give to the housewife and consumers in general do I favor this bill. There are one or two provisions which, I think, need some consideration, and that is the reason why I take the floor. I gleaned from the explanation of this bill of a week ago that any barrel of the same form having a thicker stave, though it had a cubical content of 7,056 inches, would be permitted under this bill, and yet I find here in line 1, page 2, a provision authorizing one when of a different form. So, if it had the similarity of form, this provision would not permit of a different thickness of stave, so I would suggest to the author of the bill a substitution of the word "measurements" for "form," so as to permit of a barrel of the same outward form as a standard barrel with a thicker stave, though it may have the same content. Next, I want to direct attention to a matter that has not been considered as much as it should be, and that is the last proviso:

Provided, however, That nothing in this act shall apply to barrels used in packing and shipping commodities sold exclusively by weight or numerical count.

Why should you limit it in the case of commodities sold exclusively? Why should not you make the provisions of this act apply when the commodities are shipped or sold by weight and numerical count. Therefore, Mr. Speaker, I offer an amendment, on page 2, line 1, to strike out the first "a" and the word "form" and insert "measurement"; and also an amendment, on page 3, in the last proviso to section 3, to strike out the word "exclusively" and after the word "commodities" insert "when," so that with the first amendment it will read: "*Provided,* That any barrel of different measurements having a capacity of 7,056 cubic inches to be a standard barrel"; and with the second amendment the last proviso will read: "*Provided, however,* That nothing in this act shall apply to barrels used in packing or shipping commodities when sold by weight or numerical count." That will remove some of the objections that have been raised against this bill. I ask to have the amendments reported.

The SPEAKER pro tempore. The Clerk will report the amendments.

The Clerk read as follows:

Page 2, line 1, strike out "a," after the word "of," and insert "any." And strike out the word "form" and insert the word "measurement."

Page 3, line 18, after the word "commodities," insert the word "when," and after the word "sold," in the same line, strike out the word "exclusively."

Mr. STAFFORD. Mr. Speaker, I think the Clerk made a little mistake in the first amendment. I did not substitute "any" for "a." I understood him to report "any different measurement." The words I wish to have are "barrel of different measurement."

Mr. CRAMTON. Mr. Speaker, how much time have I remaining?

The SPEAKER pro tempore (Mr. SAUNDERS). Fifteen minutes.

Mr. CRAMTON. The bill pending, if it were to be in constitutional form, would necessarily have to be confined either to interstate commerce or be in such form as to be only the exercise of our power to fix a standard of measure. This bill meets neither of these requirements. It is so framed as to apply to intrastate commerce as well as to interstate commerce, and it not only attempts to fix certain standards of measurement, but goes further and attempts to regulate commerce otherwise than would be involved in simply a matter of defining a standard. That the purpose of the bill is not primarily to fix a standard, but that it is to regulate commerce, appears from a consideration of its provisions. It is said that what we primarily want to do is to so define a barrel that when a man makes a contract and says "barrel" it will be understood just what he means, no matter what State he may be in. And still there is no provision in the bill for the branding of that barrel in order to indicate that it is a standard barrel, and the amendment that I have pending, providing for the branding of the standard barrel and providing that when a contract is drawn specifying "barrel" it shall be held to be the standard barrel, the committee declines to accept. The purpose of it is not only to fix the standard of measurement, to find out how large the barrel shall be, but it is, rather, to define what shape of barrel shall go through commerce, both interstate and intrastate, and the kind of shape it shall be for the convenience of shippers and jobbers. Now, however desirable that may be, it is an absolute certainty that we can not here regulate those things as to intrastate commerce.

Now, I have been interested in hearing the arguments on this proposition from its advocates. A good deal of attention has been given to it by the gentlemen representing the cranberry districts, and they come here, in the first place, and tell us that the cranberry interests already have a standardized barrel used by 98 per cent of the industry, and still they absolutely must have a mandatory Federal law in order to secure the standard which they already have to the extent of 98 per cent. And then these same gentlemen who are urging that we must have a standard cranberry barrel of one special size refuse to come under the standard proposed for all other commodities—refuse to accept the general standard—are most vociferous in demanding that the standard which they can not use and will not have shall be forced on every other industry. It seems to me it is somewhat of a presumption for one industry to refuse to accept a standard to which it insists that everybody else must conform.

Now, if the purpose of it is to specify what a standard is, specify the standard, then the logical thing to do is to stipulate what that standard is, provide for its marking, and then punish any false statements in such branding, but not to go to the extent of prohibiting the use of a small barrel or making inconvenient the use of a larger barrel by those trades which find it necessary to use a different sized container.

A good deal of difficulty comes from the fact that the word "barrel" has two meanings—one as a standard of measure and the other merely as a container. It has been brought out that the sugar barrel is a larger measure, and therefore, we are told, will not be interfered with. Can not the gentleman understand the confusion which may come if I contract for 100 barrels of sugar and it comes to me in a barrel larger than the standard measure, and the question may arise as to whether the 100 barrels of sugar meant 100 packages put up in the ordinary sugar barrel or 100 times the standard fixed in this bill?

Mr. ASHBROOK. Will the gentleman yield to a question?

Mr. CRAMTON. Very briefly.

Mr. ASHBROOK. How would the gentleman buy the sugar—by the barrel or by the pound?

Mr. CRAMTON. I may buy it by the barrel; and if I do, it is not "exclusively" sold by weight or count.

Mr. ASHBROOK. But if you buy it by the barrel it would be sold by weight.

Mr. CRAMTON. That is the question—whether the word "barrel" meant the standard measure or the container.

Mr. ADAMSON. Will the gentleman yield?

Mr. CRAMTON. Briefly.

Mr. ADAMSON. It is unnecessary to remind the gentleman that under the regulation of commerce he may buy that type of barrel. But I want to ask him if it is not a little remarkable that he fails to comprehend the position of the gentlemen here who contend that if you just call this a bill to establish a standard of measurement you can get by with it, although by its terms it is plainly a regulation of commerce?

Mr. CRAMTON. Some of these gentlemen seem to think the courts will construe it according to what we say it is rather than what it really is.

Mr. MADDEN. Will the gentleman yield to me?

Mr. CRAMTON. Very briefly.

Mr. MADDEN. You are arranging for the standard barrel. Would that prohibit anybody from selling by weight?

Mr. CRAMTON. No; but it does this: It prohibits me from selling in a barrel, even if I sell by weight.

Mr. ASHBROOK. Oh, no.

Mr. CRAMTON. That is the plain language.

Mr. ASHBROOK. In a barrel as a barrel.

Mr. CRAMTON. The bill proposes that it shall be unlawful "to expose for sale a barrel containing fruit or vegetables of less capacity than a standard barrel," even if I expose them for sale by weight.

Mr. ASHBROOK. Go on and read it. It says: "A barrel containing."

Mr. CRAMTON. Certainly; a barrel under standard, although I mark on it that it is under standard and it contains fruit which I propose to sell you by the bushel.

Mr. MADDEN. Suppose I had a lot of oats and corn to sell, and I offered to sell to you oats at 32 pounds to the bushel and corn at 72 pounds to the bushel, and you bought them and I put them in a barrel, after I weighed them, and they do not fill the barrel. Would that make it illegal?

Mr. CRAMTON. Well, I do not know that that question is very material.

Mr. MADDEN. It ought to be. I think it is a very important question.

Mr. ASHBROOK. You sell that corn and oats by the pound and not by the barrel, do you not?

Mr. CRAMTON. I regret I can not yield. My time is limited. I conceive the purpose of the Constitution was to authorize us to define the standard. Now, if this bill will define what the standard barrel is then we have fixed a standard which any man entering into a contract can use and depend upon; and if gentlemen in the potato industry or in the apple industry are so desirous of having this standard fixed, as we are told, there will be nothing to prevent their using, after we have defined it, the barrel which they are demanding shall be defined, even if we do not penalize them for not using the kind of barrel they say they must have and we have defined.

Hence the amendments which I have offered, and which are pending, propose simply in the first section to provide that when a barrel does conform to the standard fixed in this first section the man using that barrel shall be authorized to obtain the benefit of that fact by branding the barrel in a certain way, as "U. S. standard barrel," or as "U. S. standard cranberry barrel." And further, that the contract containing the ordinary barrel, as to any of these commodities, shall be construed to mean this standard barrel.

I have moved to amend section 2, so that we shall not try to punish the use of any particular kind of barrel container, but we will punish the fraud involved in any misbranding of a barrel. And in this connection let me call your attention to the fact that there is a good deal of uncertainty as to what will be the construction under section 2, because in the first section we provide two standard barrels, and in the second section we provide that if anyone sells, and so forth, a barrel containing certain commodities of less capacity than these standard barrels he shall be guilty of violation of this law. That is to say, if I put up a barrel of apples in a barrel smaller than the standard barrel, but not as small as the standard cranberry barrel, or perhaps put the apples in a standard cranberry barrel, there is a question under section 2, as now drawn, whether or not I have violated the law, because my barrel is not smaller than either of the barrels provided in section 1.

My third amendment would be simply to make a little more certain the method of enforcement. If my amendment, especially to section 2, providing only for a penalty for misbranding, carries, we will have a law which will provide a standard which anybody can use and which will govern all contracts, but will not penalize those who ignorantly or through reasons of convenience attempt to use a barrel not in strict conformity with the requirements of the standard. The demands of the trade will in the bulk of cases force the use of the standard barrel, and, just as has been the case of the Sulzer bill, everything will be accomplished that it is desired to accomplish.

Mr. BROWNE of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. CRAMTON. Yes; I yield.

Mr. BROWNE of Wisconsin. Does not the gentleman believe that in view of the fact that the various States are making a standard barrel, and making that mandatory, the Government law, going in and simply making it optional, would have very little effect? And let me ask the gentleman just one other question——

Mr. CRAMTON. I can not yield further, Mr. Speaker.

The SPEAKER pro tempore. The gentleman declines to yield.

Mr. BROWNE of Wisconsin. I have not finished my question.

Mr. CRAMTON. I will yield if the gentleman will be very brief.

Mr. BROWNE of Wisconsin. I will be brief.

Mr. CRAMTON. Very well.

Mr. BROWNE of Wisconsin. The Michigan statute fixes a smaller standard and makes it mandatory.

Mr. CRAMTON. The power of this Congress is to specify what is the standard barrel, and if I in Michigan contract with the gentleman in Wisconsin for 100 barrels of apples, and there is a Federal standard fixed, there can be no question as to what standard will govern the contract.

Mr. Speaker, I reserve the balance of my time.

Mr. MANN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. MANN. Did the gentleman from Michigan offer amendments that are pending?

Mr. CRAMTON. At our last session on this bill I did.

The SPEAKER pro tempore. The Chair understands that he did.

Mr. MANN. I know he has just given notice of it.

Mr. CRAMTON. I actually offered them.

The SPEAKER pro tempore. The Chair so understands.

Mr. TOWNER. Mr. Speaker, will the gentleman yield?

The SPEAKER pro tempore. Does the gentleman from Michigan yield to the gentleman from Iowa?

Mr. CRAMTON. Mr. Speaker, how much time have I?

The SPEAKER pro tempore. The gentleman has three minutes.

Mr. CRAMTON. I want to be sure to have enough time to have the amendments reported.

Mr. MANN. They are pending now if they have been reported once.

Mr. CRAMTON. I understand, then, that the Chair holds that the amendments which I presented a week ago have been offered and are before us?

The SPEAKER pro tempore. The Chair so understands.

Mr. TOWNER. Mr. Speaker, will the gentleman yield to me for the purpose of offering an amendment?

Mr. CRAMTON. Yes.

Mr. TOWNER. Mr. Speaker, I offer as a substitute for section 2 an amendment which I send to the Clerk's desk and ask to have read.

The purpose of this amendment is not to change the substance of the bill at all, but to relieve any person of any anxiety in regard to the language of section 2, which some people interpret, as I think, without justification, as meaning if we sell from a barrel or in a barrel it must be a standard barrel.

The SPEAKER pro tempore. The Clerk will report the amendment offered by the gentleman from Iowa [Mr. TOWNER].

The Clerk read as follows:

Page 2, line 11, strike out section 2 and insert in lieu thereof the following:

"That it shall be unlawful in any State or Territory or the District of Columbia to sell as a barrel or to offer or contract for sale by the barrel any fruit or vegetables in any container so designated as a barrel if said barrel is of a less capacity than the standard barrel as defined in section 1 of this act, and any person guilty of a violation of any of the provisions of this act shall be deemed guilty of a misdemeanor and shall be liable to a fine not to exceed $500, or imprisonment not to exceed six months, or both, at the discretion of the court."

Mr. STAFFORD. Will the gentleman from Iowa yield for a question?

Mr. TOWNER. Certainly.

Mr. STAFFORD. The gentleman does not make any provision for the fractions of a barrel—one-third, one-half, and three-quarters, as provided in the original bill. He only makes provision for the standard barrel.

Mr. TOWNER. That is entirely unnecessary, because if the standard barrel is fixed, then a half barrel must contain one-half that, of course.

Mr. ASHBROOK. I yield to the gentleman from Massachusetts [Mr. THACHER].

Mr. THACHER. Mr. Speaker, I wish to give my hearty and emphatic indorsement to this meritorious bill drawn in the interests of the farmers and fruit growers and consumers alike.

The sixteenth congressional district of Massachusetts, which I have the honor to represent in the Congress, produces one-half of the entire crop of cranberries raised in the United States, and as evidence that the 2,000 cranberry growers of this congressional district strongly favor the passage of the Tuttle standard barrel bill, H. R. 4899, I present the following telegram from Mr. John C. Makepeace, president of the Cape Cod Cranberry Growers' Association:

WAREHAM DEPOT, MASS., *January 11, 1915.*

THOMAS C. THACHER,
House of Representatives, Washington, D. C.:

As the direct representative of 2,000 Cape Cod cranberry growers I urge you to put forth every effort to promote passage of House bill

4899, which provides mandatory national standard cranberry barrel. Rejection of this measure would result in much confusion and greatly hamper distribution of our product.

J. C. MAKEPEACE,
President Cape Cod Cranberry Growers' Association.

Mr. ASHBROOK. I yield two minutes to the gentleman from Wisconsin [Mr. COOPER].

Mr. COOPER. Mr. Speaker, the gentleman from Georgia [Mr. ADAMSON] says that this proposition to fix a standard measure is an attempt to regulate commerce, and he declares it unconstitutional because, as he alleges, it seeks to regulate intrastate commerce. But it is no more an attempt to regulate intrastate commerce than the fixing of a standard dollar is an attempt to regulate such commerce. The Constitution gives to Congress the power—

To coin money, regulate the value thereof, and of foreign coin, and fix the standard of weights and measures.

In each case——

Mr. WINGO. Will the gentleman yield?

Mr. COOPER. I can not now; I have not the time. In each case the power of Congress is without restriction or qualification. Under that clause of the Constitution Congress has the power to provide that a certain standard dollar shall be the standard of value and be the only dollar used in any State; but that clause also gives to Congress identically the same authority to fix a standard of measure. If under that clause Congress can establish a standard dollar, then under the same clause it can establish a standard measure.

If Congress can establish a standard dollar and compel—as it does compel—the use of that dollar in both interstate and intrastate commerce, then Congress can also establish a standard measure and compel the use of that measure in both interstate and intrastate commerce.

Gentlemen object to the law being made mandatory, and they object to the penalty for its violation. But we could not establish a standard dollar unless we could compel its use. Nor can we fix a standard measure unless we compel its use. Neither a dollar nor a measure is "fixed" if its use in commerce is left optional. The law now punishes the using in commerce of anything except the standard dollar as a dollar. How can we effectively fix a standard barrel unless we provide a penalty for using anything except the standard barrel as a barrel? The power to provide such penalty is necessarily implied from the very nature of the case.

Mr. SUMNERS. Will the gentleman yield?

Mr. COOPER. I have not the time. I can not yield.

The SPEAKER pro tempore. The gentleman declines to yield.

Mr. COOPER. The Constitution in a subsequent clause provides—

that Congress shall have the power to make all laws which shall be necessary and proper for carrying into execution the foregoing powers.

This clause was construed in the case of McCollough against Maryland by the Supreme Court of the United States, Chief Justice Marshall for the court declaring, as gentlemen will remember, that under this clause if the end be legitimate and within the scope of the Constitution, then all means which are appropriate, which are plainly adapted to that end, which are *not* prohibited, but are in accord with the letter and spirit of the Constitution, are constitutional. By way of example, as gentlemen will also recall, the court called attention to that provision of the Constitution which gives Congress power "to establish post offices and post roads" and to the fact that from this express grant of power there had been inferred the power to carry the mail, and from this the power to arrest and punish persons who rob the post office.

This reasoning makes it clear that Congress has the power under the Constitution to establish a standard of measure and fix penalty, as provided in the pending bill.

Mr. ASHBROOK. I suggest that the gentleman from Michigan [Mr. CRAMTON] use the remainder of his time.

The SPEAKER. The gentleman has two minutes.

Mr. CRAMTON. I yield that time to the gentleman from Arkansas [Mr. WINGO].

Mr. WINGO. Mr. Speaker, the gentleman from Wisconsin [Mr. COOPER] in answering the argument of the gentleman from Georgia [Mr. ADAMSON] does not get the distinction clearly. It is true that Congress has the authority to fix the measure of the dollar, but Congress does not undertake to say that the dollar shall have rough or smooth edges, that it shall be so thick, or that it shall be round or square, but it fixes the unit of measure, the amount of the metal in grains that should go into it. That is the unit of measure, not the unit of its size or shape.

Mr. ADAMSON. And you do not haul apples in it, either.

Mr. WINGO. No; you do not haul apples in it. There is a clear distinction between fixing a unit of measure and the size, shape, and texture of a container. There is quite a distinction there.

Mr. COOPER. Will the gentleman yield to me 30 seconds?

Mr. WINGO. If I have the 30 seconds, I will yield it to the gentleman from Wisconsin.

Mr. COOPER. Mr. Speaker, the difference which the gentleman points out exists simply because the measure by which we determine the amount or weight of any commodity is in its very nature and purpose different from the piece of gold by which we measure the value of all commodities. But if Congress has the power—and it has—to prescribe not only the number of grains of gold which a standard dollar shall contain, but also to prescribe the form, thickness, and diameter of the standard dollar, then Congress has the power to prescribe not only the number of cubic inches which a standard barrel shall contain, but also to prescribe the form, thickness, and diameter of the standard barrel; and it has the authority further to provide that no one shall in commerce use anything else than the standard dollar and the standard barrel as a dollar or a barrel.

Mr. ASHBROOK. I yield the remainder of my time to the gentleman from South Dakota [Mr. DILLON].

The SPEAKER. The gentleman from South Dakota is recognized for four minutes.

Mr. DILLON. Mr. Speaker, this constitutional argument has been somewhat amusing. I can not agree with the gentleman from Arkansas [Mr. WINGO] or the gentleman from Georgia [Mr. ADAMSON] in reference to the helpless condition in which Congress would thus be placed. For more than 125 years we have had a barrel measure. We have had the liquid barrel and we have the dry barrel. In 1824 England declared what should constitute a barrel measure. Numerous States have declared in mandatory terms what shall constitute a barrel measure. It is not a question of interstate commerce, the power is expressly granted by the Constitution; interstate commerce is a mere incident. Will anybody doubt that Congress has the power to prescribe the form of money which shall be issued, and if the Congress wants to put a hole in the center of it and prescribe the form or size of it, it can do so? Congress can say what kind of metal shall constitute money; it has the power to say what kind of a money stamp shall be placed upon a piece of wood one-sixteenth of an inch in thickness. That is the power that has been granted to Congress, and it is not so helpless that it can not prescribe all the elements that go into the making of these standards. If it were true, as the gentleman from Arkansas [Mr. WINGO] states, the States could take it out of the hands of Congress and make the congressional power absolutely void and of no effect.

Mr. SUMNERS. Will the gentleman yield?

Mr. DILLON. Yes; for a question.

Mr. SUMNERS. I want to direct the gentleman's attention to section 2 of the bill dealing with the intrastate shipments. Does it not occur to the gentleman that the committee has undertaken to standardize the container instead of the unit of measure?

Mr. DILLON. Mr. Chairman, I can not yield further. I want to refer briefly to the cranberry barrel. We had before the committee as many as 25 or 30 dealers. They were unanimous in the opinion that it was necessary to have a special cranberry barrel. The cranberry barrel has straight staves. The reason for that is that they can not use the curved-stave barrels, because in the packing of the cranberries they would heat, and you can not get the proper pressure on them if the barrel has a bulge. When cranberries are packed they are put under a certain pressure, and you can only use that pressure on a barrel with straight staves and not upon the circular or bent stave barrel. That was the reason that the entire trade requested the special barrel. They could not use a curved-stave barrel for packing cranberries. A half dozen States have fixed the weight of a bushel of cranberries. The purpose of the bill is to standardize the barrel. We can not get along with permissive laws. They do not get us anywhere. It is only through mandatory acts of Congress that we will ever have any standard weights and measures in this country. There are 48 States legislating on these questions, and we must pass not permissive laws but mandatory laws.

Mr. CRAMTON. Mr. Speaker, What amendments come first?

The SPEAKER pro tempore (Mr. FLOYD of Arkansas). The committee amendments come first, and the Clerk will report the first committee amendment.

The Clerk read as follows:

Page 2, line 18, strike out the word "subdivision" and insert "subdivisions."

The amendment was agreed to.

The Clerk read as follows:

Page 2, line 18, after the word "the," insert the word "third."

The amendment was agreed to.

The Clerk read as follows:

Page 2, line 18, after the word "half," insert the words "and three-quarters."

The amendment was agreed to.

The Clerk read as follows:

Page 2, line 20, strike out the following language: "liable to a penalty of $1 and costs for each barrel so unlawfully sold or offered for sale, as the case may be, to be recovered at the suit of the United States in any," and insert the following language: "deemed guilty of a misdemeanor and be liable to a fine not to exceed $500, or imprisonment not to exceed six months, in the."

The amendment was agreed to.

The Clerk read as follows:

Page 3, line 1, strike out the following proviso:
"*Provided, however,* That no barrel shall be deemed below standard within the meaning of this act when shipped to any foreign country and constructed according to the specifications or directions of the foreign purchaser if not constructed in conflict with the laws of the foreign country to which the same is intended to be shipped."

The SPEAKER. The question is on the amendment.

The question was taken; and on a division (demanded by Mr. MANN) there were 47 ayes and 13 noes.

Mr. FINLEY. Mr. Speaker, I make the point of order that no quorum is present.

The SPEAKER pro tempore. The gentleman from South Carolina makes the point of order that no quorum is present. Evidently no quorum is present. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll. All those in favor of the amendment will, when their names are called, vote "aye" and those opposed will vote "no."

Mr. FARR. Mr. Speaker, I ask to have the amendment again reported.

The SPEAKER pro tempore. Without objection, the amendment will again be reported.

The Clerk again reported the amendment.

The question was taken; and there were—yeas 94, nays 219, not voting 111, as follows:

YEAS—94.

Abercrombie	Dillon	Heflin	Peterson
Adair	Donovan	Helvering	Porter
Ashbrook	Doughton	Holland	Pou
Baltz	Eagle	Hughes, Ga.	Raker
Beall, Tex.	Esch	Hughes, W. Va.	Reed
Bowdle	Fergusson	Johnson, Ky.	Rucker
Brockson	Ferris	Johnson, Wash.	Seldomridge
Brown, N. Y.	Fess	Jones	Slayden
Brown, W. Va.	FitzHenry	Kennedy, Conn.	Slemp
Browne, Wis.	Flood, Va.	Kindel	Sumners
Browning	Frear	Kirkpatrick	Talbott, Md.
Buchanan, Tex.	Gallivan	Langham	Talcott, N. Y.
Burgess	Gard	Langley	Taylor, Ark.
Burke, Wis.	Garner	Levy	Thacher
Burnett	Gillett	Linthicum	Towner
Caraway	Gilmore	Lonergan	Tuttle
Claypool	Glass	Madden	Underwood
Cline	Godwin, N. C.	Mahan	Vare
Cooper	Goeke	Mitchell	Watkins
Cox	Goulden	Montague	Weaver
Curry	Green, Iowa	Murray	Whaley
Deitrick	Gregg	Neely, W. Va.	White
Dies	Haugen	O'Hair	
Difenderfer	Hay	Padgett	

NAYS—219.

Adamson	Connolly, Iowa	Garrett, Tenn.	Howard
Alexander	Conry	Garrett, Tex.	Howell
Anthony	Copley	Humphrey, Wash.	Hull
Aswell	Cramton	Gill	Humphreys, Miss.
Bailey	Crisp	Gittins	Jacoway
Baker	Crosser	Good	Johnson, S. C.
Barkley	Cullop	Goodwin, Ark.	Keating
Bartholdt	Danforth	Gordon	Kelley, Mich.
Bartlett	Davenport	Gorman	Kelly, Pa.
Beakes	Decker	Graham, Ill.	Kent
Bell, Cal.	Dent	Gray	Kettner
Blackmon	Dershem	Greene, Mass.	Kinkaid, Nebr.
Booher	Dickinson	Griffin	Kinkead, N. J.
Borchers	Dixon	Gudger	Kitchin
Borland	Donohoe	Guernsey	Knowland, J. R.
Britten	Doolittle	Hamill	Konop
Brumbaugh	Doremus	Hamilton, Mich.	Korbly
Bryan	Driscoll	Hamilton, N. Y.	Lafferty
Buchanan, Ill.	Drukker	Hamlin	La Follette
Bulkley	Dupré	Hardy	Lee, Ga.
Burke, S. Dak.	Eagan	Harrison	Lee, Pa.
Byrnes, S. C.	Edwards	Hart	Lenroot
Byrns, Tenn.	Evans	Hawley	Lesher
Callaway	Farr	Hayden	Lever
Cantrill	Fields	Hayes	Lieb
Carlin	Finley	Helgesen	Lindbergh
Cary	Fitzgerald	Helm	Lloyd
Casey	Floyd, Ark.	Henry	Lobeck
Chandler, N. Y.	Fordney	Hensley	Logue
Clark, Fla.	Foster	Hill	McAndrews
Collier	Gallagher	Hinds	McGillicuddy
Connelly, Kans.	Gardner	Houston	McKellar
McKenzie	Park	Sinnott	Temple
McLaughlin	Parker, N. J.	Sloan	Ten Eyck
MacDonald	Parker, N. Y.	Small	Thomas
Maguire, Nebr.	Phelan	Smith, Idaho	Thompson, Okla.
Mann	Platt	Smith, J. M. C.	Treadway
Mapes	Plumley	Smith, Minn.	Tribble
Martin	Quin	Smith, N. Y.	Underhill
Metz	Ragsdale	Smith, Saml. W.	Vaughan
Miller	Rainey	Smith, Tex.	Vinson
Mondell	Rauch	Stafford	Vollmer
Moon	Rayburn	Stedman	Volstead
Moore	Reilly, Wis.	Stephens, Cal.	Walker
Morgan, La.	Rogers	Stephens, Miss.	Wallin
Morgan, Okla.	Rouse	Stephens, Nebr.	Walsh
Morrison	Rubey	Stephens, Tex.	Walters
Moss, Ind.	Rupley	Stevens, Minn.	Watson
Mulkey	Russell	Stone	Webb
Murdock	Sabath	Stringer	Williams
Nelson	Saunders	Sutherland	Wingo
Norton	Shackleford	Switzer	Woods
Oldfield	Sherley	Tavenner	Young, N. Dak.
Page, N. C.	Sherwood	Taylor, Ala.	Young, Tex.
Paige, Mass.	Sims	Taylor, Colo.	

NOT VOTING—111.

Aiken	Dooling	Key, Ohio	Prouty
Ainey	Dunn	Kiess, Pa.	Reilly, Conn.
Allen	Edmonds	Kreider	Riordan
Anderson	Elder	Lazaro	Roberts, Mass.
Austin	Estopinal	L'Engle	Roberts, Nev.
Avis	Fairchild	Lewis, Md.	Rothermel
Barchfeld	Faison	Lewis, Pa.	Scott
Barnhart	Falconer	Lindquist	Scully
Barton	Fowler	Loft	Sells
Bathrick	Francis	McClellan	Shreve
Bell, Ga.	French	McGuire, Okla.	Sisson
Brodbeck	George	Maher	Smith, Md.
Broussard	Gerry	Manahan	Sparkman
Bruckner	Goldfogle	Morin	Stanley
Burke, Pa.	Graham, Pa.	Moss, W. Va.	Steenerson
Butler	Greene, Vt.	Mott	Stevens, N. H.
Calder	Griest	Neeley, Kans.	Stout
Campbell	Harris	Nolan, J. I.	Taggart
Candler, Miss.	Hinebaugh	O'Brien	Taylor, N. Y.
Cantor	Hobson	Oglesby	Thomson, Ill.
Carew	Hoxworth	O'Shaunessy	Townsend
Carr	Hulings	Palmer	Whitacre
Carter	Igoe	Patten, N. Y.	Wilson, Fla.
Church	Johnson, Utah	Patton, Pa.	Wilson, N. Y.
Clancy	Kahn	Peters	Winslow
Coady	Keister	Post	Witherspoon
Dale	Kennedy, Iowa	Powers	Woodruff
Davis	Kennedy, R. I.	Price	

So the amendment was rejected.

The Clerk announced the following pairs:

Until further notice:

Mr. RIORDAN with Mr. SHREVE.

Mr. BRUCKNER with Mr. Moss of West Virginia.

Mr. DALE with Mr. AINEY.

Mr. GOLDFOGLE with Mr. DUNN.

Mr. BELL of Georgia with Mr. PETERS.

Mr. IGOE with Mr. LEWIS of Pennsylvania.

Mr. WILSON of Florida with Mr. ROBERTS of Nevada.

Mr. SCULLY with Mr. KENNEDY of Iowa.

Mr. AIKEN with Mr. BARCHFELD.

Mr. ALLEN with Mr. BARTON.

Mr. BARNHART with Mr. ANDERSON.

Mr. BROUSSARD with Mr. AUSTIN.

Mr. CANDLER of Mississippi with Mr. AVIS.

Mr. CARTER with Mr. BURKE of Pennsylvania.

Mr. COADY with Mr. BUTLER.

Mr. DOOLING with Mr. CAMPBELL.

Mr. ESTOPINAL with Mr. DAVIS.

Mr. FAISON with Mr. EDMONDS.

Mr. KEY of Ohio with Mr. FALCONER.

Mr. LAZARO with Mr. FAIRCHILD.

Mr. LEWIS of Maryland with Mr. FRENCH.

Mr. LOFT with Mr. GREENE of Vermont.

Mr. MAHER with Mr. GRAHAM of Pennsylvania.

Mr. NEELEY of Kansas with Mr. GRIEST.

Mr. O'BRIEN with Mr. HINEBAUGH.

Mr. OGLESBY with Mr. HULINGS.

Mr. O'SHAUNESSY with Mr. JOHNSON of Utah.

Mr. PALMER with Mr. KAHN.

Mr. PATTEN of New York with Mr. KEISTER.

Mr. POST with Mr. KIESS of Pennsylvania.

Mr. PRICE with Mr. KREIDER.

Mr. REILLY of Connecticut with Mr. LINDQUIST.

Mr. ROTHERMEL with Mr. J. I. NOLAN.

Mr. SISSON with Mr. PATTON of Pennsylvania.

Mr. SMITH of Maryland with Mr. PROUTY.

Mr. SPARKMAN with Mr. ROBERTS of Massachusetts.

Mr. STANLEY with Mr. SCOTT.

Mr. STOUT with Mr. SELLS.

Mr. TAGGART with Mr. STEENERSON.

Mr. TOWNSEND with Mr. POWERS.

Mr. TAYLOR of New York with Mr. THOMSON of Illinois.

Mr. BATHRICK with Mr. WINSLOW.
Mr. BRODBECK with Mr. WOODRUFF.
Mr. MCCLELLAN with Mr. MOTT.
Mr. CANTOR with Mr. MORIN.
Mr. CARR with Mr. MANAHAN.
Mr. ELDER with Mr. MCGUIRE of Oklahoma.
The result of the vote was announced as above recorded.
A quorum being present, the doors were opened.
The SPEAKER. The Clerk will report the next amendment.
The Clerk read as follows:

Amendment offered by Mr. ASHBROOK——

Mr. MANN. Mr. Speaker, a parliamentary inquiry.
The SPEAKER. The gentleman will state it.
Mr. MANN. I thought there was another committee amendment offered on the floor.
The SPEAKER. This is the amendment.
The Clerk read as follows:

Page 3, line 20, strike out the word "fifteen" and insert the word "sixteen."

The question was taken, and the amendment was agreed to.
The SPEAKER. The Clerk will report the next amendment.
The Clerk read as follows:

Amendment offered by Mr. CRAMTON——

Mr. CRAMTON. Mr. Speaker——
The SPEAKER. For what purpose does the gentleman from Michigan rise?
Mr. CRAMTON. Mr. Speaker, I rise to ask unanimous consent that the two amendments which I offered to sections 1 and 2 may be both reported at this time and that the second amendment be first voted on.
The SPEAKER. The gentleman from Michigan asks unanimous consent to have both amendments to sections 1 and 2 reported and to vote on the second one first.
Mr. WINGO. Mr. Speaker, a parliamentary inquiry.
The SPEAKER. The gentleman will state it.
Mr. WINGO. Did not the unanimous-consent agreement carry with it that we should vote on these amendments in the order in which they were offered?
Mr. ASHBROOK. It did.
Mr. WINGO. All the amendments.
Mr. CRAMTON. I thought that by unanimous consent that could be changed in this instance in order to save some confusion.
Mr. WINGO. Is the gentleman's amendment next in order?
Mr. ASHBROOK. Mr. Speaker, in view of the confusion that might follow, I shall object.
The SPEAKER. The gentleman from Ohio objects. The Clerk will report the next amendment.
The Clerk read as follows:

First amendment offered by Mr. CRAMTON: Page 2, line 10, after the word "inch." insert the following:
"Barrels complying with the provisions of this section may be branded 'United States Standard Barrel' or 'United States Standard Cranberry Barrel,' as the case may be. In all contracts when goods are sold by the barrel the word 'barrel' shall be construed to mean a barrel of the capacity herein defined."

The question was taken, and the Speaker announced the noes seemed to have it.
Mr. CRAMTON. Mr. Speaker, I make the point of no quorum.
Mr. WINGO. Ask for a division.
Mr. CRAMTON. Mr. Speaker, I ask for a division.
The SPEAKER. The gentleman from Michigan asks for a division.
The House divided; and there were—ayes 39, noes 74.
Mr. CRAMTON. Mr. Speaker, I make the point of order of no quorum present.
The SPEAKER. The Chair will count.
Mr. CRAMTON. Mr. Speaker, pending that, I renew my request for unanimous consent.
Mr. HAY. Mr. Speaker, regular order.
The SPEAKER. Two hundred and seven Members are present—not a quorum.
Mr. ASHBROOK. Tellers, Mr. Speaker.
The SPEAKER. The gentleman demands tellers as to whether there is a quorum here or not.
Mr. MANN. Mr. Speaker, a parliamentary inquiry.
The SPEAKER. The gentleman will state it.
Mr. MANN. The rules provide that the Speaker shall ascertain by actual count whether a quorum is present. I do not know where there is authority for having tellers.
SEVERAL MEMBERS. Regular order!
Mr. ASHBROOK. I simply made it, hoping that a quorum might develop and save a roll call.
Mr. CRAMTON. Mr. Speaker, I demand the regular order.
The SPEAKER. The regular order is the roll call.

Mr. CRISP. Mr. Speaker, I ask unanimous consent that the amendment may be read, so that we may know what we are voting on.
The SPEAKER. Without objection, the amendment will be again reported.
There was no objection.
The amendment was again reported.
Mr. THOMAS. Mr. Speaker——
The SPEAKER. For what purpose does the gentleman rise?
Mr. THOMAS. I rise for a parliamentary inquiry.
The SPEAKER. The gentleman will state it.
Mr. THOMAS. Is it in order now to move to strike out the enacting clause of this bill?
Mr. MANN. Certainly not; we are now voting on an amendment.
The SPEAKER. The business before the House is to vote on this amendment. The Chair thinks as soon as that amendment——
Mr. MANN. Mr. Speaker, the Chair had better not make any decision on that. No new amendment can be offered; a motion to strike out is an amendment, and we have passed the stage of offering an amendment.
The SPEAKER. That is true; the Chair had forgotten the unanimous-consent agreement. The Doorkeeper will lock the doors, the Sergeant at Arms will notify absentees, and the Clerk will call the roll.
The question was taken; and there were—yeas 62, nays 240, answered "present" 1, not voting 121, as follows:

YEAS—62.

Adair	Goulden	Morrison	Smith, Saml. W.
Adamson	Gregg	Moss, Ind.	Steenerson
Bell, Cal.	Griffin	Oldfield	Stephens, Cal.
Blackmon	Gudger	Page, N. C.	Stephens, Tex.
Brockson	Hamlin	Parker, N. J.	Taylor, Ark.
Callaway	Harris	Pou	Taylor, Colo.
Collier	Hay	Quin	Underwood
Cramton	Hayes	Raker	Vaughan
Dixon	Henry	Rayburn	Volstead
Drukker	Jacoway	Reed	Weaver
Ferris	Johnson, Ky.	Rogers	Williams
Finley	Kelley, Mich.	Russell	Wingo
Floyd, Ark.	Mapes	Saunders	Woods
Foster	Metz	Shackleford	Young, N. Dak.
Garrett, Tenn.	Morgan, La.	Sherwood	
Gillett	Morgan, Okla.	Smith, J. M. C.	

NAYS—240.

Abercrombie	Dershem	Hobson	Montague
Alexander	Dickinson	Holland	Moon
Anthony	Dies	Houston	Moore
Ashbrook	Dillon	Howard	Mulkey
Aswell	Donohoe	Howell	Murdock
Bailey	Donovan	Hughes, Ga.	Murray
Baker	Doolittle	Hull	Neely, W. Va.
Baltz	Doremus	Humphrey, Wash.	Nelson
Barkley	Dupré	Humphreys, Miss.	Norton
Barnhart	Eagan	Johnson, Utah	O'Hair
Bartlett	Esch	Johnson, Wash.	O'Shaunessy
Beakes	Evans	Jones	Padgett
Borchers	Farr	Keating	Paige, Mass.
Borland	Fergusson	Kelly, Pa.	Palmer
Britten	Fess	Kennedy, Conn.	Park
Brown, N. Y.	Fields	Kent	Parker, N. Y.
Browne, Wis.	FitzHenry	Kettner	Peterson
Browning	Flood, Va.	Kiess, Pa.	Phelan
Brumbaugh	Fordney	Kinkaid, Nebr.	Plumley
Bryan	Francis	Kinkead, N. J.	Porter
Buchanan, Ill.	Frear	Kirkpatrick	Prouty
Buchanan, Tex.	French	Kitchin	Ragsdale
Bulkley	Gallagher	Knowland, J.R.	Rainey
Burgess	Gallivan	Konop	Reilly, Wis.
Burke, S. Dak.	Gard	Korbly	Roberts, Mass.
Burke, Wis.	Gardner	Lafferty	Rouse
Burnett	Garner	La Follette	Rubey
Butler	Garrett, Tex.	Langham	Rucker
Byrnes, S. C.	Gill	Lazaro	Rupley
Byrns, Tenn.	Gilmore	Lee, Ga.	Sherley
Cantrill	Gittins	Lee, Pa.	Sims
Caraway	Glass	Lenroot	Slayden
Carlin	Godwin, N. C.	Lesher	Slemp
Carter	Good	Lever	Sloan
Cary	Goodwin, Ark.	Levy	Small
Casey	Gordon	Lieb	Smith, Idaho
Church	Graham, Ill.	Lindbergh	Smith, Minn.
Clark, Fla.	Gray	Linthicum	Smith, N. Y.
Claypool	Greene, Mass.	Lloyd	Smith, Tex.
Cline	Greene, Vt.	Lobeck	Stafford
Connelly, Kans.	Griest	Logue	Stedman
Connolly, Iowa	Guernsey	Lonergan	Stephens, Miss.
Conry	Hamill	McAndrews	Stephens, Nebr.
Cooper	Hamilton, Mich.	McGillicuddy	Stevens, Minn.
Copley	Hamilton, N. Y.	McKellar	Stevens, N. H.
Cox	Hardy	McKenzie	Stone
Crisp	Harrison	McLaughlin	Stringer
Crosser	Hart	MacDonald	Sumners
Cullop	Haugen	Madden	Sutherland
Curry	Hayden	Maguire, Nebr.	Switzer
Danforth	Heflin	Mahan	Talbott, Md.
Davenport	Helgesen	Mann	Talcott, N. Y.
Decker	Helm	Martin	Tavenner
Deitrick	Hensley	Miller	Taylor, Ala.
Dent	Hill	Mitchell	Temple

Ten Eyck	Towner	Vare	Watkins
Thacher	Treadway	Vinson	Watson
Thomas	Tribble	Vollmer	Whaley
Thompson, Okla.	Tuttle	Walsh	White
Thomson, Ill.	Underhill	Walters	Young, Tex.

ANSWERED "PRESENT"—1.

Hinds

NOT VOTING—121.

Aiken	Dooling	Kennedy, Iowa	Reilly, Conn.
Ainey	Doughton	Kennedy, R. I.	Riordan
Allen	Driscoll	Key, Ohio	Roberts, Nev.
Anderson	Dunn	Kindel	Rothermel
Austin	Eagle	Kreider	Sabath
Avis	Edmonds	Langley	Scott
Barchfeld	Edwards	L'Engle	Scully
Bartholdt	Elder	Lewis, Md.	Seldomridge
Barton	Estopinal	Lewis, Pa.	Sells
Bathrick	Fairchild	Lindquist	Shreve
Beall, Tex.	Faison	Loft	Sinnott
Bell, Ga.	Falconer	McClellan	Sisson
Booher	Fitzgerald	McGuire, Okla.	Smith, Md.
Bowdle	Fowler	Maher	Sparkman
Brodbeck	George	Manahan	Stanley
Broussard	Gerry	Mondell	Stout
Brown, W. Va.	Goeke	Morin	Taggart
Bruckner	Goldfogle	Moss, W. Va.	Taylor, N. Y.
Burke, Pa.	Gorman	Mott	Townsend
Calder	Graham, Pa.	Neeley, Kans.	Walker
Campbell	Green, Iowa	Nolan, J. I.	Wallin
Candler, Miss.	Hawley	O'Brien	Webb
Cantor	Helvering	Oglesby	Whitacre
Carew	Hinebaugh	Patten, N. Y.	Wilson, Fla.
Carr	Hoxworth	Patton, Pa.	Wilson, N. Y.
Chandler, N. Y.	Hughes, W. Va.	Peters	Winslow
Clancy	Hulings	Platt	Witherspoon
Coady	Igoe	Post	Woodruff
Dale	Johnson, S. C.	Powers	
Davis	Kahn	Price	
Difenderfer	Keister	Rauch	

So the amendment was rejected.

The Clerk announced the following additional pairs:

Until further notice:

Mr. LEWIS of Maryland with Mr. ANDERSON.

Mr. LOFT with Mr. BURKE of Pennsylvania.

Mr. NEELEY of Kansas with Mr. FAIRCHILD.

Mr. POST with Mr. KAHN.

Mr. TAGGART with Mr. WINSLOW.

Mr. SPARKMAN with Mr. CALDER.

Mr. BOOHER with Mr. BARTHOLDT.

Mr. BROWN of West Virginia with Mr. CURRY.

Mr. RAUCH with Mr. GREEN of Iowa.

Mr. SABATH with Mr. HAWLEY.

Mr. SELDOMRIDGE with Mr. HUGHES of West Virginia.

Mr. WALKER with Mr. LANGLEY.

Mr. WEBB with Mr. MONDELL.

Mr. GOEKE with Mr. PLATT.

Mr. GORMAN with Mr. SINNOTT.

Mr. L'ENGLE with Mr. WALLIN.

The result of the vote was announced as above recorded.

The SPEAKER. A quorum is present. The Doorkeeper will unlock the doors.

Mr. FOWLER. Mr. Speaker, I want to vote on this amendment.

The SPEAKER. The gentleman is too late. The vote has been announced.

Mr. FOWLER. I was trying to get recognition before the Speaker announced the vote. I ask unanimous consent that I may vote on this amendment.

The SPEAKER. The gentleman from Illinois [Mr. FOWLER] asks unanimous consent that his name be called and his vote be recorded on the amendment.

Mr. MANN. Mr. Speaker, I have no objection to the gentleman making the statement, but we have always observed——

The SPEAKER. The gentleman asked unanimous consent——

Mr. MANN. To be recorded now after the vote has been announced?

The SPEAKER. Yes; and if the gentleman wants to object——

Mr. MANN. It has never been done.

The SPEAKER. Does the gentleman object?

Mr. MANN. I certainly do.

The SPEAKER. So does the Chair. [Laughter.]

Mr. FOWLER. Mr. Speaker, I want to be recorded as "present."

The SPEAKER. That is the same as voting, exactly. The statement the gentleman is making now shows that he is present.

Mr. FOWLER. All right.

The SPEAKER. The reporter will record that the gentleman asked to vote, but was not permitted to do so.

The Clerk will report the next amendment.

The Clerk read as follows:

Amendment No. 2, offered by Mr. CRAMTON: Page 2, line 19, after the word "barrel," insert the words "branded as above provided."

The SPEAKER. The question is on agreeing to the amendment.

The amendment was rejected.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment No. 3, offered by Mr. CRAMTON: Page 3, line 11, after the word "Commerce," strike out all down to and including the word "measures," in line 16, and insert the following:

"It shall be the duty of each district attorney to whom any local sealer of weights and measures or other officer of a State or Territory appointed to enforce the laws of the said State or Territory, respectively, relating to weights and measures, shall present satisfactory evidence of any violation of this act, to cause appropriate proceedings to be commenced and prosecuted in the proper courts of the United States for the enforcement of the penalty herein provided."

The SPEAKER. The question is on agreeing to the amendment.

The question was taken, and the amendment was rejected.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment offered by Mr. WINGO: Strike out sections 2 and 3.

Mr. WINGO. Mr. Speaker, I ask to withdraw all my amendments except the one which strikes out all after the enacting clause and substitutes other language so as to save time.

The SPEAKER. How many amendments has the gentleman?

Mr. WINGO. There are four or five there.

Mr. STAFFORD. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman from Arkansas [Mr. WINGO] withdraws all his amendments except one, to strike out everything after the enacting clause and substitute new matter.

For what purpose does the gentleman from Wisconsin rise?

Mr. STAFFORD. To submit an inquiry.

The SPEAKER. The gentleman will state it.

Mr. STAFFORD. Should not the amendments offered tending to perfect the text be submitted before the amendment in the nature of a substitute is entertained?

The SPEAKER. The arrangement was to take them as they came to them. That is the unanimous-consent agreement. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. WINGO: Strike out all after the enacting clause and insert in lieu thereof the following:

"That the standard barrel, dry measure, for the purposes of interstate commerce, shall be deemed to be a container of the capacity of 7,056 cubic inches."

The SPEAKER. The question is on agreeing to the amendment.

The question was taken, and the Speaker announced that the noes seemed to have it.

Mr. WINGO. Division, Mr. Speaker.

The House divided; and there were—ayes 37, noes 81.

Mr. WINGO. Mr. Speaker, I think that that is an important amendment, and I make the point of no quorum.

The SPEAKER. The gentleman from Arkansas makes the point of no quorum. The Chair will count. [After counting.] One hundred and ninety-seven Members are present—not a quorum. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll.

Mr. MANN. On the amendment?

The SPEAKER. The vote is on the amendment.

Mr. WINGO. Mr. Speaker, I ask unanimous consent that the amendment be reported again.

The SPEAKER. The gentleman asks unanimous consent to have the amendment again reported. Is there objection? [After a pause.] The Chair hears none, and the Clerk will report it.

The Clerk read as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That a standard barrel, dry measure, for the purposes of interstate commerce, shall be deemed to be a container of the capacity of 7,056 cubic inches."

The SPEAKER. The question is on agreeing to the amendment. When the names are called, those in favor of it will answer "yea"; those opposed will answer "nay."

The question was taken; and there were—yeas 67, nays 226, not voting 131, as follows:

YEAS—67.

Adair	Collier	Flood, Va.	Howard
Bailey	Connelly, Kans.	Floyd, Ark.	Hughes, Ga.
Bartlett	Cox	Foster	Hull
Borchers	Cramton	Fowler	Jacoway
Brockson	Crisp	Garrett, Tenn.	Johnson, Ky.
Burke, Pa.	Crosser	Garrett, Tex.	Johnson, S. C.
Byrnes, S. C.	Cullop	Goodwin, Ark.	Lesher
Byrns, Tenn.	Dershem	Gray	McKellar
Callaway	Dickinson	Hay	Morrison
Caraway	Dixon	Hensley	Oldfield
Carlin	Doughton	Hill	Page, N. C.
Cline	FitzHenry	Houston	Peterson

Quin	Russell	Taylor, Ark.	Volstead
Rauch	Shackleford	Taylor, Colo.	Watson
Rayburn	Sisson	Thomas	Weaver
Rouse	Stephens, Miss.	Thompson, Okla.	Wingo
Rubey	Stephens, Tex.	Vaughan	

NAYS—226.

Abercrombie	Fitzgerald	Kirkpatrick	Ragsdale
Adamson	Fordney	Kitchin	Rainey
Alexander	Frear	Knowland, J. R.	Raker
Anthony	French	Konop	Reilly, Wis.
Ashbrook	Gallagher	Korbly	Roberts, Mass.
Aswell	Gallivan	Lafferty	Rogers
Baker	Gard	La Follette	Rucker
Baltz	Gardner	Langham	Rupley
Barnhart	Garner	Lazaro	Sherley
Bathrick	Gill	Lee, Ga.	Sims
Beakes	Gillett	Lenroot	Slayden
Bell, Cal.	Gilmore	Lever	Slemp
Blackmon	Gittins	Levy	Sloan
Borland	Glass	Lieb	Small
Britten	Godwin, N. C.	Lindbergh	Smith, Idaho
Brown, N. Y.	Good	Lloyd	Smith, J. M. C.
Browne, Wis.	Gordon	Lobeck	Smith, Minn.
Browning	Goulden	Lonergan	Smith, N. Y.
Buchanan, Ill.	Graham, Ill.	McAndrews	Smith, Saml. W.
Buchanan, Tex.	Greene, Mass.	McGillicuddy	Smith, Tex.
Bulkley	Greene, Vt.	McLaughlin	Stafford
Burgess	Gregg	MacDonald	Stedman
Burke, S. Dak.	Griffin	Madden	Steenerson
Burke, Wis.	Gudger	Maguire, Nebr.	Stephens, Cal.
Calder	Guernsey	Mahan	Stephens, Nebr.
Carter	Hamill	Mann	Stevens, Minn.
Cary	Hamilton, Mich.	Mapes	Stevens, N. H.
Church	Hamilton, N. Y.	Martin	Stone
Clark, Fla.	Hamlin	Metz	Stringer
Connolly, Iowa	Hardy	Miller	Sumners
Conry	Harris	Mitchell	Switzer
Cooper	Harrison	Mondell	Taggart
Copley	Hart	Montague	Talbott, Md.
Curry	Haugen	Moon	Talcott, N. Y.
Danforth	Hayden	Moore	Tavenner
Decker	Hayes	Morgan, La.	Temple
Deitrick	Heflin	Morgan, Okla.	Ten Eyck
Dent	Helgesen	Moss, Ind.	Thacher
Dies	Helm	Mulkey	Thomson, Ill.
Difenderfer	Helvering	Murdock	Towner
Dillon	Henry	Murray	Treadway
Donohoe	Hinds	Nelson	Tribble
Donovan	Holland	O'Hair	Tuttle
Doolittle	Howell	O'Shaunessy	Underhill
Doremus	Humphrey, Wash.	Padgett	Underwood
Driscoll	Humphreys, Miss.	Paige, Mass.	Vare
Drukker	Johnson, Utah	Palmer	Vinson
Dupré	Johnson, Wash.	Park	Vollmer
Eagan	Jones	Parker, N. J.	Walsh
Esch	Keister	Parker, N. Y.	Watkins
Evans	Kelly, Pa.	Patton, Pa.	Whaley
Farr	Kennedy, Conn.	Phelan	White
Fergusson	Kent	Platt	Williams
Ferris	Kettner	Plumley	Young, N. Dak.
Fess	Key, Ohio	Porter	Young, Tex.
Fields	Kiess, Pa.	Post	
Finley	Kinkaid, Nebr	Pou	

NOT VOTING—131.

Aiken	Dale	Kennedy, R. I.	Reilly, Conn.
Ainey	Davenport	Kindel	Riordan
Allen	Davis	Kinkead, N. J.	Roberts, Nev.
Anderson	Dooling	Kreider	Rothermel
Austin	Dunn	Langley	Sabath
Avis	Eagle	Lee, Pa.	Saunders
Barchfeld	Edmonds	L'Engle	Scott
Barkley	Edwards	Lewis, Md.	Scully
Bartholdt	Elder	Lewis, Pa.	Seldomridge
Barton	Estopinal	Lindquist	Sells
Beall, Tex.	Fairchild	Linthicum	Sherwood
Bell, Ga.	Faison	Loft	Shreve
Booher	Falconer	Logue	Sinnott
Bowdle	Francis	McClellan	Smith, Md.
Brodbeck	George	McGuire, Okla.	Sparkman
Broussard	Gerry	McKenzie	Stanley
Brown, W. Va.	Goeke	Maher	Stout
Bruckner	Goldfogle	Manahan	Sutherland
Brumbaugh	Gorman	Morin	Taylor, Ala.
Bryan	Graham, Pa.	Moss, W. Va.	Taylor, N. Y.
Burnett	Green, Iowa	Mott	Townsend
Butler	Griest	Neeley, Kans.	Walker
Campbell	Hawley	Neely, W. Va.	Wallin
Candler, Miss.	Hinebaugh	Nolan, J. I.	Walters
Cantor	Hobson	Norton	Webb
Cantrill	Hoxworth	O'Brien	Whitacre
Carew	Hughes, W. Va.	Oglesby	Wilson, Fla.
Carr	Hulings	Patten, N. Y.	Wilson, N. Y.
Casey	Igoe	Peters	Winslow
Chandler, N. Y.	Kahn	Powers	Witherspoon
Clancy	Keating	Price	Woodruff
Claypool	Kelley, Mich.	Prouty	Woods
Coady	Kennedy, Iowa	Reed	

So the amendment was rejected.

The Clerk announced the following additional pairs:

Until further notice:

Mr. BARKLEY with Mr. MCKENZIE.

Mr. BURNETT with Mr. WALLIN.

Mr. SPARKMAN with Mr. BUTLER.

Mr. CANTRILL with Mr. KELLEY of Michigan.

Mr. EDWARDS with Mr. NORTON.

Mr. LINTHICUM with Mr. SUTHERLAND.

Mr. SHERWOOD with Mr. WOODS.

Mr. TAYLOR of Arkansas with Mr. HAWLEY.

Mr. WEBB with Mr. KAHN.

The result of the vote was announced as above recorded.

The SPEAKER. A quorum is present, and the Doorkeeper will open the doors. The Clerk will read the next amendment.

The Clerk read as follows:

Amendment offered by Mr. RUSSELL: Page 2, line 19, after the letter "a" and before the word "violation" insert the word "willful."

The SPEAKER. The question is on agreeing to the amendment.

The question was taken, and the Speaker announced that the noes seemed to have it.

Mr. RUSSELL. Mr. Speaker, I ask for a division.

The SPEAKER. A division is demanded. Those in favor of the amendment will rise and stand until they are counted.

Mr. MANN. Mr. Speaker, I ask that the amendment be again reported.

The SPEAKER. Without objection, the amendment will again be reported.

The amendment was again read.

The SPEAKER. Those in favor of the amendment will rise and stand until they are counted. [After counting.] Fifty-seven gentlemen have risen in the affirmative. Those opposed will rise and stand until they are counted. [After counting.] Forty-six gentlemen have risen in the negative. On this vote the ayes are 57 and the noes are 46, and the amendment is agreed to. The Clerk will report the next one.

The Clerk read as follows:

Amendment by Mr. STAFFORD: Page 2, in line 1, after the word "of," where it first occurs in the line, strike out the "a," and in the same line strike out "form" and insert "measurements."

The SPEAKER. The question is on agreeing to the amendment.

The question was taken, and the amendment was rejected.

The Clerk read as follows:

Amendment by Mr. STAFFORD: Page 3, line 18, after the word "commodities," insert the word "when." And, in the same line, after the word "sold," strike out the word "exclusively."

The SPEAKER. The question is on the amendment.

The question was taken, and the amendment was rejected.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment by Mr. TOWNER——

Mr. TOWNER. Mr. Speaker, I withdraw that amendment.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The question was taken; and on a division (demanded by Mr. ASHBROOK) there were 112 ayes and 38 noes.

So the bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The question was taken, and the Speaker announced that the ayes seemed to have it.

Mr. HOWARD called for a division.

Mr. CRAMTON. Mr. Speaker, I make the point of order that no quorum is present.

The SPEAKER. The Chair will count.

Mr. CRAMTON. Mr. Speaker, I withdraw the point for the present.

The question on the passage of the bill was taken; and on a division (demanded by Mr. HOWARD) there were 122 ayes and 61 noes.

Mr. CRAMTON. Mr. Speaker, I make the point of order that no quorum is present.

Mr. LEE of Georgia. I call for the yeas and nays.

The SPEAKER (after counting). Two hundred and ten Members, or 211 with the Speaker, are present—not a quorum. The Doorkeeper will close the doors, the Sergeant at Arms will notify absentees, and the Clerk will call the roll. Those in favor of passing the bill will answer "aye" and those opposed will answer "no."

The question was taken; and there were—yeas 201, nays 104, answered "present" 2, not voting 117, as follows:

YEAS—201.

Abercrombie	Browning	Copley	Dupré
Alexander	Buchanan, Ill.	Crosser	Eagan
Ashbrook	Bulkley	Curry	Esch
Baker	Burke, Pa.	Danforth	Evans
Baltz	Burke, S. Dak.	Davenport	Farr
Barnhart	Burke, Wis.	Decker	Fergusson
Bathrick	Butler	Deitrick	Ferris
Beakes	Calder	Difenderfer	Fess
Beall, Tex.	Cantrill	Dillon	Fields
Bell, Cal.	Cary	Donohoe	Fitzgerald
Borland	Church	Donovan	Fordney
Britten	Clancy	Doolittle	Francis
Brown, N. Y.	Connolly, Iowa	Doremus	Frear
Brown, W. Va.	Conry	Driscoll	French
Browne, Wis.	Cooper	Drukker	Gallagher

Gallivan	Johnson, Utah	Martin	Slemp
Gard	Johnson, Wash.	Metz	Sloan
Garner	Jones	Mitchell	Small
Gerry	Keating	Mondell	Smith, Idaho
Gill	Keister	Montague	Smith, J. M. C.
Gillett	Kelly, Pa.	Moore	Smith, Minn.
Gilmore	Kennedy, Conn.	Morgan, Okla.	Smith, N. Y.
Gittins	Kent	Moss, Ind.	Smith, Tex.
Glass	Kettner	Mott	Stafford
Goeke	Key, Ohio	Murdock	Stedman
Good	Kiess, Pa.	Murray	Steenerson
Gordon	Kinkaid, Nebr.	Nelson	Stephens, Cal.
Goulden	Knowland, J. R.	Norton	Stephens, Nebr.
Graham, Ill.	Konop	O'Shaunessy	Stevens, Minn.
Greene, Mass.	Korbly	Padgett	Stevens, N. H.
Greene, Vt.	Lafferty	Palmer	Sumners
Gregg	La Follette	Parker, N. J.	Sutherland
Griest	Langley	Parker, N. Y.	Talcott, N. Y.
Griffin	Lazaro	Patton, Pa.	Taylor, Colo.
Hamill	Lenroot	Peterson	Temple
Hamilton, N. Y.	Lever	Phelan	Ten Eyck
Hamlin	Lindbergh	Platt	Thacher
Hardy	Linthicum	Plumley	Thomson, Ill.
Hart	Lloyd	Porter	Towner
Haugen	Lobeck	Prouty	Treadway
Hawley	Lonergan	Raker	Tuttle
Hayden	McAndrews	Reed	Underhill
Hayes	McGillicuddy	Reilly, Wis.	Underwood
Helgesen	McKenzie	Roberts, Mass.	Vare
Helvering	McLaughlin	Rogers	Vollmer
Holland	MacDonald	Russell	Walsh
Howell	Madden	Saunders	White
Hughes, W. Va.	Maguire, Nebr.	Sherley	Woods
Humphrey, Wash.	Mahan	Sims	
Humphreys, Miss.	Mann	Sinnott	
Johnson, Ky.	Mapes	Slayden	

NAYS—104.

Adamson	Dent	Hughes, Ga.	Smith, Saml. W.
Aiken	Dershem	Hull	Sparkman
Aswell	Dickinson	Jacoway	Stephens, Miss.
Bailey	Dixon	Johnson, S. C.	Stephens, Tex.
Barkley	Doughton	Kirkpatrick	Stone
Bartlett	Edwards	Kitchin	Stringer
Blackmon	Finley	Lee, Pa.	Switzer
Borchers	FitzHenry	Lesher	Talbott, Md.
Brockson	Flood, Va.	Lieb	Tavenner
Broussard	Floyd, Ark.	Moon	Taylor, Ark.
Buchanan, Tex.	Foster	Morgan, La.	Thomas
Burgess	Fowler	Morrison	Thompson, Okla.
Byrnes, S. C.	Garrett, Tenn.	O'Hair	Tribble
Byrns, Tenn.	Garrett, Tex.	Oldfield	Vaughan
Callaway	Godwin, N. C.	Page, N. C.	Vinson
Candler, Miss.	Goodwin, Ark.	Park	Volstead
Caraway	Gray	Pou	Walker
Carlin	Hamilton, Mich.	Quin	Watkins
Carter	Harris	Ragsdale	Watson
Cline	Hay	Rainey	Weaver
Collier	Heflin	Rayburn	Webb
Connelly, Kans.	Helm	Rouse	Whaley
Cox	Henry	Rubey	Williams
Cramton	Hensley	Rupley	Wingo
Crisp	Hill	Shackleford	Young, N. Dak.
Cullop	Howard	Sisson	Young, Tex.

ANSWERED "PRESENT"—2.

Adair	McKellar

NOT VOTING—117.

Ainey	Dunn	Kreider	Reilly, Conn.
Allen	Eagle	Langham	Riordan
Anderson	Edmonds	Lee, Ga.	Roberts, Nev.
Anthony	Elder	L'Engle	Rothermel
Austin	Estopinal	Levy	Rucker
Avis	Fairchild	Lewis, Md.	Sabath
Barchfeld	Faison	Lewis, Pa.	Scott
Bartholdt	Falconer	Lindquist	Scully
Barton	Gardner	Loft	Seldomridge
Bell, Ga.	George	Logue	Sells
Booher	Goldfogle	McClellan	Sherwood
Bowdle	Gorman	McGuire, Okla.	Shreve
Brodbeck	Graham, Pa.	Maher	Smith, Md.
Bruckner	Green, Iowa	Manahan	Stanley
Brumbaugh	Gudger	Miller	Stout
Bryan	Guernsey	Morin	Taggart
Burnett	Harrison	Moss, W. Va.	Taylor, Ala.
Campbell	Hinds	Mulkey	Taylor, N. Y.
Cantor	Hinebaugh	Neeley, Kans.	Townsend
Carew	Hobson	Neely, W. Va.	Wallin
Carr	Houston	Nolan, J. I.	Walters
Casey	Hoxworth	O'Brien	Whitacre
Chandler, N. Y.	Hulings	Oglesby	Wilson, Fla.
Clark, Fla.	Igoe	Paige, Mass.	Wilson, N. Y.
Claypool	Kahn	Patten, N. Y.	Winslow
Coady	Kelley, Mich.	Peters	Witherspoon
Dale	Kennedy, Iowa	Post	Woodruff
Davis	Kennedy, R. I.	Powers	
Dies	Kindel	Price	
Dooling	Kinkead, N. J.	Rauch	

So the bill was passed.

The Clerk announced the following additional pair:

On this vote:

Mr. ADAIR with Mr. Moss of West Virginia.

The result of the vote was announced as above recorded.

The SPEAKER. A quorum is present. The Doorkeeper will unlock the doors.

On motion of Mr. ASHBROOK, a motion to reconsider the last vote was laid on the table.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. DAVIS, for an indefinite time, on account of illness.

To Mr. BOOHER, for two days, on account of sickness in his family.

To Mr. GORDON, for thee days, on account of public business.

ADJOURNMENT.

Mr. ASHBROOK. Mr. Speaker, I move that the House do now adjourn.

Mr. MANN. Oh, no; let us stay here a while longer.

The SPEAKER. The gentleman from Ohio moves that the House do now adjourn.

The question being taken, the Speaker announced that the ayes appeared to have it.

Mr. MANN. I ask for the yeas and nays. There are many appropriation bills yet undisposed of. It is not 5 o'clock yet.

The SPEAKER. The gentleman from Illinois demands the yeas and nays. Those in favor of ordering the yeas and nays will rise and stand until they are counted. [After counting.] Thirty-seven Members, not a sufficient number.

Mr. MANN. The other side, Mr. Speaker.

The SPEAKER. The gentleman from Illinois demands the other side. Those opposed to ordering the yeas and nays will rise and stand until they are counted. [After counting.] One hundred and seven opposed to the yeas and nays. More than one-fifth of the Members present having seconded the demand, the yeas and nays are ordered.

The question was taken; and there were—yeas 156, nays 74, not voting 194, as follows:

YEAS—156.

Abercrombie	Difenderfer	Hull	Phelan
Adair	Dixon	Humphreys, Miss.	Quin
Adamson	Donohoe	Jacoway	Ragsdale
Aiken	Doremus	Johnson, Ky.	Rainey
Alexander	Doughton	Johnson, S. C.	Raker
Ashbrook	Driscoll	Keating	Rauch
Aswell	Eagan	Kennedy, Conn.	Rayburn
Bailey	Eagle	Kettner	Reilly, Wis.
Baker	Edwards	Kindel	Rubey
Barkley	Esch	Kirkpatrick	Russell
Barnhart	Fergusson	Kitchin	Saunders
Bartlett	Fields	Knowland, J. R.	Shackleford
Beakes	Finley	Konop	Sims
Blackmon	FitzHenry	Korbly	Sisson
Borchers	Floyd, Ark.	Lazaro	Slayden
Borland	Fowler	Lee, Pa.	Small
Brockson	Francis	Lesher	Smith, N. Y.
Brodbeck	Gallagher	Lieb	Smith, Tex.
Brown, N. Y.	Garner	Lloyd	Stedman
Brumbaugh	Garrett, Tex.	Lonergan	Stephens, Nebr.
Buchanan, Ill.	Gill	McAndrews	Stephens, Tex.
Buchanan, Tex.	Gittins	McKellar	Stone
Bulkley	Godwin, N. C.	Madden	Stringer
Burgess	Goeke	Maguire, Nebr.	Taggart
Burke, S. Dak.	Goodwin, Ark.	Mahan	Talcott, N. Y.
Burke, Wis.	Gordon	Metz	Taylor, Ark.
Byrnes, S. C.	Gray	Mitchell	Taylor, Colo.
Byrns, Tenn.	Griffin	Montague	Ten Eyck
Candler, Miss.	Gudger	Moon	Tribble
Caraway	Hamlin	Morgan, Okla.	Underhill
Cline	Hamilton, Mich.	Moss, Ind.	Underwood
Collier	Hardy	Murray	Vaughan
Conry	Harrison	Neely, W. Va.	Vollmer
Crisp	Hayden	Oldfield	Walker
Davenport	Helm	Padgett	Watkins
Decker	Helvering	Page, N. C.	Watson
Dent	Henry	Park	Weaver
Dershem	Hensley	Parker, N. J.	Williams
Dickinson	Hughes, Ga.	Peterson	Young, Tex.

NAYS—74.

Baltz	Garrett, Tenn.	Lenroot	Smith, Minn.
Britten	Good	Lobeck	Smith, Saml. W.
Browne, Wis.	Goulden	McGillicuddy	Stafford
Browning	Graham, Ill.	McLaughlin	Steenerson
Butler	Greene, Mass.	Mann	Stephens, Cal.
Cary	Greene, Vt.	Mapes	Stephens, Miss.
Cooper	Griest	Martin	Stevens, Minn.
Cox	Haugen	Mondell	Sumners
Cramton	Hawley	Moore	Switzer
Crosser	Hayes	Murdock	Tavenner
Cullop	Helgesen	Nelson	Temple
Curry	Howell	Platt	Thacher
Danforth	Johnson, Utah	Porter	Thompson, Okla.
Dies	Johnson, Wash.	Rogers	Thomson, Ill.
Dillon	Kelly, Pa.	Rupley	Treadway
Donovan	Kent	Sinnott	Wingo
Farr	Kiess, Pa.	Sloan	Young, N. Dak.
Foster	La Follette	Smith, Idaho	
French	Langley	Smith, J. M. C.	

NOT VOTING—194.

Ainey	Barton	Brown, W. Va.	Cantor
Allen	Bathrick	Bruckner	Cantrill
Anderson	Beall, Tex.	Bryan	Carew
Anthony	Bell, Cal.	Burke, Pa.	Carlin
Austin	Bell, Ga.	Burnett	Carr
Avis	Booher	Calder	Carter
Barchfeld	Bowdle	Callaway	Casey
Bartholdt	Broussard	Campbell	Chandler, N. Y.

Church	Gregg	Loft	Rucker
Clancy	Guernsey	Logue	Sabath
Clark, Fla.	Hamill	McClellan	Scott
Claypool	Hamilton, N. Y.	McGuire, Okla.	Scully
Coady	Harris	McKenzie	Seldomridge
Connelly, Kans.	Hart	MacDonald	Sells
Connolly, Iowa	Hay	Maher	Sherley
Copley	Heflin	Manahan	Sherwood
Dale	Hill	Miller	Shreve
Davis	Hinds	Morgan, La.	Slemp
Deitrick	Hinebaugh	Morin	Smith, Md.
Dooling	Hobson	Morrison	Sparkman
Doolittle	Holland	Moss, W. Va.	Stanley
Drukker	Houston	Mott	Stevens, N. H.
Dunn	Howard	Mulkey	Stout
Dupré	Hoxworth	Neeley, Kans.	Sutherland
Edmonds	Hughes, W. Va.	Nolan, J. I.	Talbott, Md.
Elder	Hulings	Norton	Taylor, Ala.
Estopinal	Humphrey, Wash.	O'Brien	Taylor, N. Y.
Evans	Igoe	Oglesby	Thomas
Fairchild	Jones	O'Hair	Towner
Faison	Kahn	O'Shaunessy	Townsend
Falconer	Keister	Paige, Mass.	Tuttle
Ferris	Kelley, Mich.	Palmer	Vare
Fess	Kennedy, Iowa	Parker, N. Y.	Vinson
Fitzgerald	Kennedy, R. I.	Patten, N. Y.	Volstead
Flood, Va.	Key, Ohio	Patton, Pa.	Wallin
Fordney	Kinkaid, Nebr.	Peters	Walsh
Frear	Kinkead, N. J.	Plumley	Walters
Gallivan	Kreider	Post	Webb
Gard	Lafferty	Pou	Whaley
Gardner	Langham	Powers	Whitacre
George	Lee, Ga.	Price	White
Gerry	L'Engle	Prouty	Wilson, Fla.
Gillett	Lever	Reed	Wilson, N. Y.
Gilmore	Levy	Reilly, Conn.	Winslow
Glass	Lewis, Md.	Riordan	Witherspoon
Goldfogle	Lewis, Pa.	Roberts, Mass.	Woodruff
Gorman	Lindbergh	Roberts, Nev.	Woods
Graham, Pa.	Lindquist	Rothermel	
Green, Iowa	Linthicum	Rouse	

So the motion was agreed to.

The Clerk announced the following additional pair:

Until further notice:

Mr. ADAIR with Mr. Moss of West Virginia.

Mr. BELL of California. Mr. Speaker, I desire to be recorded.

The SPEAKER. Was the gentleman in the Hall listening when his name was called?

Mr. BELL of California. I was not.

The SPEAKER. The gentleman does not bring himself within the rule.

The result of the vote was announced as above recorded.

Accordingly (at 5 o'clock and 15 minutes p. m.) the House adjourned until to-morrow, Thursday, January 14, 1915, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. Letter from the Secretary of the Treasury, transmitting a draft of a bill for the relief of the Commissioner of Internal Revenue, in the amount of $2,980, to cover the value of pipeline beer stamps returned by the collector's office, first district of New York, and lost or irregularly destroyed after they had been received in the Internal Revenue Bureau (H. Doc. No. 1485); to the Committee on Claims and ordered to be printed.

2. Letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, submitting data for the new addition of "preliminary examinations, surveys, projects, and appropriations"; to the Committee on Rivers and Harbors.

3. Letter from the Secretary of the Navy, transmitting statement showing in detail what officers or employees of the Navy Department, who were paid out of appropriations contained in the legislative, executive, and judicial appropriation act, performed travel on official business from Washington to points outside of the District of Columbia during the fiscal year ended June 30, 1914 (H. Doc. No. 1486); to the Committee on Expenditures in the Navy Department and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. FLOYD of Arkansas, from the Committee on the Judiciary, to which was referred the bill (H. R. 20688) to place Bartow County, Ga., in the eastern division of the northern district of Georgia, reported the same without amendment, accompanied by a report (No. 1278), which said bill and report were referred to the House Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 11994) granting an increase of pension to C. W. Kerlee; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 19694) granting a pension to Maggie Hall; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 19916) granting a pension to Jennie Armstrong; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 19793) granting an increase of pension to George H. Hendrickson; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 19792) granting an increase of pension to Cornelia A. Shemo; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 17261) granting an increase of pension to W. F. Patten; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 20466) granting a pension to Harry N. Gates; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. MAPES: A bill (H. R. 20847) providing for appeals in bankruptcy matters and repealing sections 24 and 25 of "An act to establish a uniform system of bankruptcy throughout the United States," approved July 1, 1898; to the Committee on the Judiciary.

By Mr. WHITACRE: A bill (H. R. 20848) to amend an act entitled "An act to create a Federal trade commission, to define its powers and duties, and for other purposes," approved September 26, 1914; to the Committee on Ways and Means.

By Mr. GRIFFIN: A bill (H. R. 20849) authorizing a preliminary examination and survey of Sea Gate, Coney Island, N. Y., Ambrose Channel, and connecting waters to Gravesend Bay; to the Committee on Rivers and Harbors.

Bw Mr. AUSTIN: A bill (H. R. 20850) to amend the act approved June 27, 1890, so as to include certain widows and orphans of soldiers who served 90 days or more in the United States Army; to the Committee on Invalid Pensions.

By Mr. WICKERSHAM: A bill (H. R. 20851) to reserve lands to the Territory of Alaska for educational uses, and for other purposes; to the Committee on the Public Lands.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. AINEY: A bill (H. R. 20852) granting a pension to Katharine H. Califf; to the Committee on Invalid Pensions.

By Mr. AVIS: A bill (H. R. 20853) granting a pension to Ed Thomas; to the Committee on Pensions.

By Mr. BARKLEY: A bill (H. R. 20854) granting an increase of pension to George Senters; to the Committee on Invalid Pensions.

By Mr. CLARK of Missouri: A bill (H. R. 20855) granting a pension to George C. Howland; to the Committee on Invalid Pensions.

By Mr. EAGAN: A bill (H. R. 20856) granting an increase of pension to Anna Warner; to the Committee on Invalid Pensions.

By Mr. FERRIS: A bill (H. R. 20857) granting an increase of pension to William M. Hanks; to the Committee on Pensions.

By Mr. GARRETT of Tennessee: A bill (H. R. 20858) granting an increase of pension to Daniel H. Rankin; to the Committee on Invalid Pensions.

By Mr. HAMLIN: A bill (H. R. 20859) granting an increase of pension to Thomas H. Wriston; to the Committee on Invalid Pensions.

By Mr. HUGHES of West Virginia: A bill (H. R. 20860) for the relief of Lida Jones and others; to the Committee on War Claims.

Also, a bill (H. R. 20861) for the relief of James M. Clouston, surviving partner of the firms of J. M. Clouston & Co. and A. C. Marling & Co.; to the Committee on War Claims.

Also, a bill (H. R. 20862) for the relief of the estate of Philip Null, deceased; to the Committee on War Claims.

Also, a bill (H. R. 20863) for the relief of heirs of William Douthit or their duly authorized representative; to the Committee on War Claims.

By Mr. KENNEDY of Connecticut: A bill (H. R. 20864) to remove the charge of desertion from the military record of Wales Porter; to the Committee on Military Affairs.

By Mr. KEY of Ohio: A bill (H. R. 20865) granting an increase of pension to Charles Coppler; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20866) granting an increase of pensions to William Bain; to the Committee on Invalid Pensions.

By Mr. KIRKPATRICK: A bill (H. R. 20867) granting a pension to Lucretia M. Postlewaite; to the Committee on Invalid Pensions.

By Mr. LANGLEY: A bill (H. R. 20868) granting an increase of pension to Realie Damron; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20869) granting an increase of pension to Benjamin H. Kimbler; to the Committee on Pensions.

By Mr. MOSS of West Virginia: A bill (H. R. 20870) granting a pension to Mary L. Walker; to the Committee on Invalid Pensions.

By Mr. MURDOCK: A bill (H. R. 20871) granting a pension to Perley H. Elwell; to the Committee on Invalid Pensions.

By Mr. O'SHAUNESSY: A bill (H. R. 20872) granting an increase of pension to Mary S. Grimwood; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20873) granting an increase of pension to Sophie M. Kinnicutt; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20874) granting an increase of pension to Matilda A. Miller; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20875) granting an increase of pension to William Willis; to the Committee on Invalid Pensions.

By Mr. PARK: A bill (H. R. 20876) for the relief of the estate of E. H. Killam, sr., deceased; to the Committee on War Claims.

By Mr. PARKER of New York: A bill (H. R. 20877) granting a pension to Catherine A. Bailey; to the Committee on Invalid Pensions.

By Mr. ROBERTS of Nevada: A bill (H. R. 20878) granting a pension to Pierce B. Boyer; to the Committee on Pensions.

Also, a bill (H. R. 20879) granting a pension to Charles R. Hodges; to the Committee on Pensions.

By Mr. ROUSE: A bill (H. R. 20880) granting an increase of pension to Louisa Patrick; to the Committee on Invalid Pensions.

By Mr. RUPLEY: A bill (H. R. 20881) granting an increase of pension to Mary A. McElwee; to the Committee on Invalid Pensions.

By Mr. SELLS: A bill (H. R. 20882) granting an increase of pension to John C. Reece; to the Committee on Invalid Pensions.

By Mr. SIMS: A bill (H. R. 20883) for the relief of the legal representatives of J. C. Peebles, deceased; to the Committee on War Claims.

By Mr. STONE: A bill (H. R. 20884) for the relief of Charles A. Cutler; to the Committee on Claims.

By Mr. TAYLOR of New York: A bill (H. R. 20885) for the relief of the heir or heirs of John Howard Payne, deceased, late United States consul at Tunis; to the Committee on Claims.

By Mr. TUTTLE: A bill (H. R. 20886) granting a pension to Eleanor Tanner; to the Committee on Pensions.

By Mr. WALKER: A bill (H. R. 20887) for the relief of the heirs at law of S. S. Barnard; to the Committee on War Claims.

By Mr. POWERS: A bill (H. R. 20888) granting an increase of pension to Jacob G. Robinson; to the Committee on Invalid Pensions.

By Mr. LANGLEY: A bill (H. R. 20889) granting an increase of pension to Riley Howard; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. BAILEY: Petitions of Albert P. Whyland, C. R. Jones, and Joseph Lehmeier, of Spangler, Pa., and M. K. Piper, of Lilly, Pa., for the passage of House bill 5308, a bill providing for the taxation of mail-order houses for local purposes; to the Committee on Ways and Means.

By Mr. DALE: Petition of citizens of Maryland, against export of arms; to the Committee on Foreign Affairs.

By Mr. DILLON: Petition of citizens of Ramona, S. Dak., relative to embargo on arms and contrabands of war; to the Committee on Foreign Affairs.

By Mr. DONOVAN: Petition of citizens of Danbury, Conn., favoring House joint resolution 377, to forbid export of arms; to the Committee on Foreign Affairs.

By Mr. DRUKKER: Petition of citizens of New Jersey, protesting against shipment of war material by the United States; to the Committee on Foreign Affairs.

By Mr. EAGAN: Petition of Lord's Day Alliance, relative to Sunday work in post offices; to the Committee on the Post Office and Post Roads.

Also, memorial of Board of Mutual Conference of the German-American League and the Celtic Union, relative to enforcing neutrality of the United States; to the Committee on Foreign Affairs.

Also, petition of National Liberal Immigration League, relative to suspending collection of a head tax from war refugees; to the Committee on Immigration and Naturalization.

Also, petition of J. R. Lawson, of Denver, Colo., relative to strike situation in Colorado; to the Committee on Mines and Mining.

By Mr. GRAHAM of Pennsylvania: Petitions of Lutheran laymen of Pennsylvania and Maryland citizens committee for the furtherance of American neutrality, relative to placing embargo on shipment of munitions of war by United States; to the Committee on Foreign Affairs.

By Mr. HART: Petition of members of the relief committee, Englewood, N. J., and vicinity, for war sufferers, protesting against export of supplies from the United States; to the Committee on Foreign Affairs.

By Mr. KENNEDY of Rhode Island: Petition of Helen Hunt Eliot, of Providence, and Ellen C. Stewart and Josephine R. Balch, of Newport, R. I., favoring woman suffrage; to the Committee on the Judiciary.

By Mr. KONOP: Petitions of citizens of the ninth congressional district of Wisconsin, favoring passage of House joint resolution 377, relative to shipment of war material by the United States; to the Committee on Foreign Affairs.

By Mr. LONERGAN: Letters of Fred Berg, jr., Michael Richter, John Richter, Fred Berg, and Ernest Richter, all of New Britain, Conn., and K. Ullrich, of Hartford, Conn., in re House joint resolution 377 to forbid export of arms; to the Committee on Foreign Affairs.

By Mr. MAHAN: Petitions of sundry citizens of Morris Conn., and vicinity, favoring the passage of House joint resolution 377; to the Committee on Foreign Affairs.

By Mr. MOORE: Memorial of board of directors of the Union League of Italian-Americans of the United States, protesting against the Burnett-Dillingham immigration bill (H. R. 6060); to the Committee on Immigration and Naturalization.

By Mr. PLATT: Papers to accompany bill for increase in pension of Oliver P. Gillson; to the Committee on Invalid Pensions.

By Mr. SHERLEY: Petition of sundry citizens of Louisville, Ky., protesting against exportation of war material by the United States; to the Committee on Foreign Affairs.

By Mr. SPARKMAN: Petition of citizens of the State of Florida, favoring woman suffrage; to the Committee on the Judiciary.

By Mr. STEPHENS of California: Memorial of citizens of the State of California, favoring the passage of the Hamill bill, H. R. 5139; to the Committee on Reform in the Civil Service.

By Mr. STEVENS of Minnesota: Memorial of Clan Campbell 113, Order of Scottish Clans, St. Paul, Minn., protesting against passage of legislation prohibiting the exportation of munitions of war; to the Committee on Foreign Affairs.

Also, memorial of citizens of St. Paul, Minn., favoring passage of resolution prohibiting exportation of munitions of war; to the Committee on Foreign Affairs.

By Mr. TEMPLE: Papers to accompany bill granting pension to Phila. L. McIlvain; to the Committee on Invalid Pensions.

Also, papers to accompany House bill 20640, granting a pension to Nathaniel Amon; to the Committee on Pensions.

By Mr. TUTTLE: Petitions of First Austria Sick Benefit Association and Pride Lodge 27, of Elizabeth, N. J., protesting against literacy test in the immigration bill; to the Committee on Immigration and Naturalization.

Also, petition of members of the relief committee, Englewood, N. J., and vicinity, relative to upholding spirit of neutrality of United States; to the Committee on Foreign Affairs.

By Mr. VOLLMER: Petition of 1,079 citizens of Chicago, Ill., and 33 citizens of the State of Iowa, favoring passage of House

joint resolution 377, relative to shipment of munitions of war; to the Committee on Foreign Affairs.

By Mr. WALLIN: Petition of sundry citizens of the thirtieth congressional district of New York, favoring embargo on shipment of arms from the United States to warring nations; to the Committee on Foreign Affairs.

Also, petition of sundry citizens of Amsterdam, N. Y., favoring passage of Senate bill 3672, for the improvement of the Harlem River; to the Committee on Rivers and Harbors.

SENATE.

THURSDAY, *January 14, 1915.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we desire to begin the work of this new legislative day with the thought of God in our hearts and minds, remembering as we face the issues of life that at last we face Thy law, Thy purpose, and Thy rule. Thou art the judge of all men. To Thee alone can we look for the permanency of our institutions and for the continuance of our freedom. All the blessings and all the prosperity of our national life have come from the bounty of Thy care and Thy love. Thou hast not dealt with us after our sins. Thou hast not rewarded us according to our transgressions. The measure of Thy gift has been Thine own grace. We pray that Thy grace may still be extended to us and Thy guidance, that we may be blessed as a Nation and fulfill the divine purpose in us as a people. For Christ's sake. Amen.

Mr. SMOOT. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Goff	O'Gorman	Smith, Md.
Brady	Gronna	Oliver	Smoot
Brandegee	Hardwick	Overman	Stephenson
Bryan	Hitchcock	Page	Sterling
Burleigh	Hollis	Perkins	Sutherland
Burton	James	Pittman	Swanson
Camden	Johnson	Ransdell	Thomas
Chamberlain	Jones	Reed	Thompson
Chilton	Kenyon	Robinson	Thornton
Clapp	Kern	Root	Townsend
Clark, Wyo.	La Follette	Shafroth	Vardaman
Crawford	Lane	Sheppard	Walsh
Culberson	Lea, Tenn.	Sherman	White
Cummins	Lee, Md.	Shields	Williams
Dillingham	Martine, N. J.	Shively	Works
Fletcher	Nelson	Simmons	
Gallinger	Norris	Smith, Ga.	

Mr. CLARK of Wyoming. I desire to announce the unavoidable absence of my colleague [Mr. WARREN]. I will allow this announcement to stand for the day.

Mr. CHILTON. I wish to announce the absence of the Senator from New Mexico [Mr. FALL] on account of serious illness in his family. I will let this announcement stand for the day.

The VICE PRESIDENT. Sixty-six Senators have answered to the roll call. There is a quorum present. The Secretary will read the Journal of the proceedings of the preceding session.

The Journal of yesterday's proceedings was read and approved.

SECRETARY M'ADOO'S SPEECH AT CHICAGO.

Mr. JAMES. I ask unanimous consent to have printed in the RECORD the speech delivered by Secretary McAdoo before the commercial club at Chicago, January 9, 1915, on the shipping bill as a means for the creation of an American merchant marine.

The VICE PRESIDENT. The Chair will state for the information of the Senator from Kentucky that he is informed that that speech has already been printed.

Mr. JAMES. I think it was made a public document, but it has not been printed in the RECORD.

Mr. FLETCHER. I think it was made a public document.

Mr. SMOOT. If it has been printed as a public document, then I object to having it printed in the RECORD.

Mr. JAMES. I hope the Senator from Utah will not enter an objection to its being printed in the RECORD. In that way it would be read by many people who will not have an opportunity to secure the public document.

Mr. SMOOT. I have no objection at all, nor did I have any objection to printing it in the RECORD in the first place or printing it as a public document, but I do have an objection to printing it both in the RECORD and as a public document, because that has not been the policy in the past.

Mr. JAMES. That is a very unusual objection.

Mr. SMOOT. Not at all. It is a usual objection.

Mr. JAMES. I do not see what objection the Senator from Utah could have to a speech delivered by the Secretary of the Treasury upon such an important subject being published in the CONGRESSIONAL RECORD.

Mr. SMOOT. I have no objection to having it published in the CONGRESSIONAL RECORD.

Mr. JAMES. Then let the Senator withdraw his objection. I thought the Senator objected.

Mr. SMOOT. But I do have an objection to having it printed in the RECORD and also as a public document.

Mr. JAMES. I did not ask to have it printed as a public document. I do think it should be printed in the CONGRESSIONAL RECORD.

Mr. SMOOT. It does not make any difference whether the Senator asked for it or not, it has been printed as a document.

Mr. JAMES. The Senator knows, of course, that it will be seen by vastly more people if printed in the RECORD than if published as a document and put in the document room.

Mr. SMOOT. I doubt if anybody is interested in having this speech printed in the RECORD. If printed as a document it can be circulated throughout the country. I have always found in the past the best way to get any speech before the people is to have it printed as a public document.

Mr. JAMES. I have heretofore given my consent to the publication of all sorts of speeches in the CONGRESSIONAL RECORD. The other day the Senator from Massachusetts [Mr. LODGE] asked for the publication in the CONGRESSIONAL RECORD of an article written by ex-President Roosevelt, and no objection was interposed. But if the rule that is to be adopted in the Senate is that when the Secretary of the Treasury, one of the highest Cabinet officers, has delivered an address on an important subject, it is to be denied to the people of the United States the opportunity to read it in the RECORD, then, of course, I shall exercise the right I have to object to printing in the RECORD speeches delivered by members of the party of the gentlemen upon the other side.

Mr. SMOOT. I wish to say that if the Senator from Massachusetts had asked that the article referred to be printed as a public document and also in the RECORD, I would have objected at that time. I recognize, of course, that this speech can be read into the RECORD and I would have no objection to that course being taken, but I want to say to the Senator from Kentucky that I am not objecting because he has requested it. This objection has been made hundreds of times upon the floor of the Senate, and it has been the rule not only of the Senate but of the House that any speech or any publication if printed as a public document is not to be printed in the RECORD, and if printed in the RECORD it is not to be printed as a public document; and that is a good rule.

Mr. JAMES. Is that the rule the Senator has applied all along to the utterances of Cabinet officers?

Mr. SMOOT. I think so, Mr. President.

Mr. JAMES. I think the Senator is mistaken. I think we have not only printed as a public document but published in the RECORD many speeches delivered by distinguished Republicans. Of course if the Senator wants to take the position that he is going to object to this particular speech because it was delivered by the Secretary of the Treasury upon this particular subject, he can do so.

Mr. SMOOT. I resent the insinuation of the Senator that I am objecting to this speech going into the RECORD because it was delivered by the Secretary of the Treasury or because it was an address on a particular subject. That is the farthest thing from my mind. I will appeal to all Senators here on the floor if I have not objected to hundreds of such requests. I think it is perfectly proper to make the objection.

Mr. CHILTON. I wish to say that the Senator from Utah has usually objected, but he has sometimes withdrawn his objection. At this session I recall that he made the same objection to the printing of the speech of the President of the United States. I do not know why he did it, but he withdrew that objection, and it was printed in the RECORD and also printed as a public document.

Mr. SMOOT. If it is to be the policy of the Senate——

Mr. SHAFROTH. I should like to call the attention of the Senator from Utah to the fact that the Senator from Kentucky has a perfect right to read the speech into the RECORD.

Mr. SMOOT. I have already stated that.

Mr. JAMES. I understand that, of course, the Senator wants me to take up the time of the Senate. I am perfectly aware of the purpose of the Senator along that line. It does not have to be diagrammed to me.

Mr. President, I move that the speech be printed in the RECORD.

Mr. SMOOT. Before that motion is considered, although I doubt whether under the rule it can be entertained, I want to say that if the Senate of the United States desires to have a policy established now that we shall print speeches or documents or publications of any kind both in the RECORD and as a public document I shall never object at all in the future. But I do not know where it is going to end, nor do I know what expense will be attached to it.

Mr. SHAFROTH. I suggest to the Senator from Utah that he might draw the line and say that he would object to all except speeches of Cabinet officers.

Mr. SMOOT. Will the Senator from Colorado support that position?

Mr. SHAFROTH. I think so. I think a Cabinet officer ought to have a right to have any document that he desires printed in the CONGRESSIONAL RECORD. You might limit the number if you are afraid the CONGRESSIONAL RECORD will be lumbered up with a great many things.

Mr. SMOOT. I am perfectly willing to have them in the RECORD; I have no objection to that at all; but the only objection I have is to have them in the RECORD and then also as a public document.

Mr. REED. Mr. President, if there is going to be given consent to an arrangement made here between these eminent Members of this body as to what is to go into the RECORD I wish to point to a distinction which I think ought to be observed in making that agreement. A Cabinet officer sends an official communication to Congress and is probably entitled to have it printed in the RECORD if we see fit to put it there, but I do not think that everything a Cabinet officer may say at any time or place and every speech he may make necessarily belongs in the RECORD. I am in entire sympathy with the desire of the Senator from Kentucky to put this particular document in the RECORD because it relates to a public bill that is now under consideration here and is undoubtedly an illuminating proposition.

Mr. JAMES. Mr. President, this is not the desire of the Secretary of the Treasury. I have not spoken to him about it. I know nothing of his desire in reference to the matter. It is my own desire.

I think it is a very great speech, and I think it ought to be printed in the RECORD so that Senators may have the opportunity of reading it and so that their constituents also may have the opportunity of reading it. It is a new thing to me that an objection of this character should be interposed to the printing of such a speech in the RECORD, when it relates to legislation now pending. For that reason I made the motion that the speech be printed in the RECORD.

Mr. FLETCHER. Mr. President, I desire to say just a word in this connection. It was on my motion that the speech was ordered to be made a public document. I had the impression that it would perhaps be more largely read in that form than it would be if printed in the CONGRESSIONAL RECORD. The CONGRESSIONAL RECORD has a very large circulation, but as to the number of readers of the CONGRESSIONAL RECORD views may differ. My own experience has been that the RECORD goes to a great many people who throw it into the wastebasket.

I do not favor making any hard-and-fast rule here at this time in reference to the matter. I recognize the position which the Senator from Utah [Mr. SMOOT] takes, and it has been the practice heretofore to raise objections of the kind now urged by him, but there are circumstances which ought to change that situation, and this is one of those peculiar circumstances. Here is an important measure which has been introduced; there has been some discussion of it—not very much as yet because of the interference of other bills, but there will be further discussion—and the Secretary of the Treasury, who has taken much interest in the matter, has delivered an address upon this particular phase of the subject now pending in the Senate. It is a very illuminating and instructive address, and it presents the matter from his viewpoint, which the other side are entitled to know and of which this side ought to have the benefit. This is, in my judgment, an instance where an address of this sort ought to go into the RECORD, not so much for its circulation outside, perhaps, as because of its being thereby made available to each and every Member of the Senate. It is for that reason that I ask the Senator from Utah under these circumstances to waive his objection.

Mr. SMOOT. Mr. President, I may be foolish in trying to protect the Treasury of the United States against the absolute waste of the people's money in the printing of documents of all kinds. I do not say that it would be a waste in this particular case, and I have not the slightest objection to the address being circulated as widely as possible, but I believe there should be a limit to all things, and I have in the past tried to limit the printing in every way and in every form of speeches delivered in any and every part of the United States.

Mr. President, I suppose this matter has led to enough discussion now to more than offset the amount which would be saved if the address were not printed in the RECORD; and upon the request of the chairman of the Committee on Printing, which I should dislike to refuse, I shall withdraw the objection, but I do so with the distinct understanding that I am opposed to any speech delivered anywhere—I do not care where—being printed both in the CONGRESSIONAL RECORD and as a public document at the expense of the Government.

Mr. SMITH of Georgia. Mr. President, I desire to say that the only reason I also do not object is that the subject dealt with in the address is immediately before the Senate; it is one that we are to consider and are considering as the unfinished business of the Senate, and I think to print the address in the RECORD is the best place to put it for the use of the body.

The VICE PRESIDENT. In the absence of objection, the address will be printed in the RECORD.

The address is as follows:

SPEECH DELIVERED BY SECRETARY MCADOO BEFORE THE COMMERCIAL CLUB AT CHICAGO ON THE SHIPPING BILL AS A MEANS FOR THE CREATION OF AN AMERICAN MERCHANT MARINE, ON THE EVENING OF SATURDAY, JANUARY 9, 1915.

"Since 1880 Democratic and Republican national platforms alike have declared from time to time in favor of an American merchant marine. During the whole of this period of 34 years political leaders of all parties and business men of every kind of political faith have recognized the necessity for a merchant marine under the American flag if our commerce is to expand and the American people are to have a fair share of the world's trade.

"The Democratic national platform of 1912 contains the following:

"We believe in fostering, by constitutional regulation of commerce, the growth of a merchant marine which shall develop and strengthen the commercial ties which bind us to our sister Republics of the south, but without imposing additional burdens upon the people and without bounties or subsidies from the Public Treasury.

"A similar declaration is found in the Democratic national platforms of 1880, 1884, 1904, and 1908.

"The Republican national platforms of 1884, 1892, 1896, 1900, 1904, 1908, and 1912 contain declarations in favor of building up an American merchant marine, that of 1912 being as follows:

"We believe that one of the country's most urgent needs is a revived merchant marine. There should be American ships, and plenty of them, to make use of the great American oceanic canal now nearing completion.

"The Progressive Party made no specific declaration in favor of a merchant marine, but did declare strongly in favor of extending our foreign commerce, as shown by the following quotation from its platform of 1912:

"The time has come when the Federal Government should cooperate with manufacturers and producers in extending our foreign commerce. To this end we demand adequate appropriations by Congress and the appointment of diplomatic and consular officers solely with a view to their special fitness and worth, and not in consideration of political expediency.

"It is imperative to the welfare of our people that we enlarge and extend our foreign commerce. We are preeminently fitted to do this because, as a people, we have developed high skill in the art of manufacturing, our business men are strong executives, strong organizers. In every way possible our Federal Government should cooperate in this important matter.

"These unequivocal declarations show conclusively that the creation of an American merchant marine is not a partisan question, but a vital policy of national importance upon which all parties have long been in agreement. Like the currency question, it has been talked about interminably, but unlike the currency question it remains to be solved.

"While both of the leading political parties are culpable for the plight in which our foreign trade now finds itself because of their failure to create, as promised, an American merchant marine, the Republican Party is the more culpable, because it has had complete power to legislate during a large part of the last 20 years when it controlled the executive and legislative branches of the Government and yet did nothing. The Democratic Party now has power to legislate, and it will be equally culpable if it fails to act. It will be even more culpable, if it does nothing, since the emergency created by the European war has emphasized, as nothing else could have done, the supreme folly of subjecting the foreign commerce of this great Nation to the hazards of ocean transportation under the flags of nations now engaged in the most gigantic war of all time. Regardless of these hazards, it is an even greater folly, from an economic point of view, to continue deliberately the policy of trying to build up a great foreign trade by leaving to our rivals the control of the vitally important instrumentalities of ocean transportation. So

long as our competitors own the ships, they make the rates, they control the service, and they determine the routes. With this power it is easy to favor their own commerce and discriminate against ours.

"One of the most significant utterances on this point is contained in the Republican national platform of 1900:

"Our present dependence upon foreign shipping for nine-tenths of our foreign carrying trade is a great loss to the industry of this country. It is also a serious danger to our trade, for its sudden withdrawal in the event of European war would seriously cripple our expanding foreign commerce. The national defense and naval efficiency of this country, moreover, supply a compelling reason for legislation which will enable us to recover our former place among the trade-carrying fleets of the world.

"The man who wrote that had the power of a seer and the vision of a statesman, because what is there advocated is irrefutably sound, and what is there predicted is exactly what has happened—a European war has caused the 'sudden withdrawal' of a large part of the foreign vessels upon which our foreign trade is dependent, and has seriously crippled 'our expanding foreign commerce.'

"It is necessary only to give a few figures to show how conclusively this is true.

"At the outbreak of the European war in August last, the total amount of gross steam tonnage of all the nations of the world was, in round numbers, 45,400,000. Of this approximately one-half is under the British flag. The largest part of the American tonnage is employed in the lake and coastwise trade and is not suitable for over-seas service. We have but 15 vessels of 1,000 net tons and over, regularly engaged in the trans-Atlantic and trans-Pacific trade. They aggregate 164,546 gross tons, and represent about one-third of 1 per cent of the world's gross tonnage. Our total gross steam tonnage, registered for the foreign trade, including everything under and over 1,600 tons, and including all steam vessels admitted to American registry since the war broke out, is only 1,061,676 tons, or little more than 2 per cent of the world's gross tonnage.

"Since the outbreak of the European war reliable estimates show that 5,803,014 gross tons of ocean-going vessels have been withdrawn from commercial use, as shown by the following table:

	Tons.
German and Austrian	3,507,331
British vessels taken under Government charter	1,700,000
British vessels destroyed or seized by Germany	265,000
Vessels lost by mines	330,683
Total	5,803,014

"Prior to the war a large part of our foreign trade was carried in German bottoms, but since they have been withdrawn from the seas we are almost wholly dependent for the transportation of our foreign commerce upon the English flag. This commerce by sea for the 12 months ended June 30, 1914, aggregated the enormous total of $3,785,500,000. So long as England commands the sea our commerce will not be stopped. But who can foretell the eventualities of a great war? It is conceivable that a daring German squadron might get into the Atlantic and play havoc with our commerce in British bottoms. No one can tell how long the war will last, and every day that it continues our foreign trade is subject to its vicissitudes and dangers. Is it fair to our producers, our merchants, and our manufacturers to force such risks upon them? Are we justified in putting the prosperity of our country in needless jeopardy? Aside from this, our trade with some of the belligerent countries is practically destroyed for lack of American ships to carry noncontraband articles to them and to bring back noncontraband articles to us—articles sorely needed in the pursuits of peaceful industry and science. Notably is this true of cotton, which is urgently needed by Germany, Austria, and other countries. But we haven't the American ships. The wants of these countries can not, therefore, be supplied nor can the necessities of our own distressed people in the South be relieved. Neutral flags can not be depended upon for this service. They can not get the necessary war-risk insurance. While Congress has established a War Risk Insurance Bureau in the Treasury Department, we can not, of course, insure ships not under the American flag.

"But this is not all. The withdrawal of the large amount of tonnage—13 per cent of the world's total supply—has created a great scarcity of vessels, with an unprecedented rise in ocean freight rates.

"From every Atlantic and Gulf port there comes the cry of scarcity of ships and exorbitant rates. Let me cite a few conspicuous instances. In July last the rate on grain from New York to English ports was 4 to 5 cents per bushel. In December it was 16 to 17 cents per bushel—an increase of about 300 per cent. To Rotterdam the rate was 6¼ cents per bushel. In December it was 30¾ cents per bushel, an increase of about 400 per cent. The rate on cotton from New York to Liverpool in July last was 20 cents per hundredweight. In December it was 75 cents per hundredweight, an increase of 275 per cent. The rates on cotton to Rotterdam have increased from $1 to $5 per bale, or 400 per cent. In July last the rate on cotton to Bremen was $1 per bale. In December it was $15 per bale, or 3 cents per pound of cotton.

"On all commodities there have been increases in rates of from 50 to 300 per cent, whether destined for English, European, or Mediterranean ports. I will not multiply instances nor weary you with statistics.

"These enormous increases in rates constitute a heavy tax on the American producer. They are reflected in the lessened prices which he has been compelled to take for his product. The increased cost of carrying American produce and commodities to European ports since the war broke out runs into millions.

"This great sum represents a heavy toll that has been exacted by foreign steamship owners from American shippers and producers. It is, in effect, a penalty they are paying for the failure of American politicians to carry out their repeated promises to the American people. Foreign owners may increase their rates overnight arbitrarily—we have no power to prevent it—and we must pay the price or stop our shipments. Already our commerce is being injured and our prosperity is being retarded by the relentless hand of tribute which lies heavily upon it, and which will lie more heavily upon it with each day that passes, because ocean freight rates are still rising.

"Let me read from a few letters from actual shippers in various parts of the country:

"MEMPHIS, TENN., *December 7, 1914.*

"SECRETARY OF THE TREASURY,
"*Washington, D. C.*

"DEAR SIR: I have on my desk several very important inquiries for cotton for Germany, and feel satisfied that at least a million bales of cotton could be sold to Germany and Austria at once, if freight room at a reasonable price could be secured, and, above all, that the 'war risk' would cover the shipments absolutely.

"Now, can not you find a way for the Government to furnish us ships and guaranteeing the delivery of the cotton either at Gothenburg, Rotterdam, or Copenhagen? The importance of this move you can realize in a moment when you think that every bale of cotton that is held over and not spun becomes a weight on the market and reduces the chances of an advance later on that much. You can not grind the mill with the water that has passed, and when a spindle stops operating and the cotton is not being used it becomes a dead-weight on the market, it matters not how much you advance against it.

"Now, what we want is open markets and a chance to ship out cotton. If this can be done, the cotton pool will only be used limitedly. The rate from New Orleans to-day to Gothenburg is $1.50 per hundredweight, and to Rotterdam $2. This is three and four times the regular rate. Suppose a rate of $1 was effected, and with a 'war risk' of not over 50 cents per bale, this would enable you at once to take a million bales of cotton off of the market. Can't you suggest some outlet for these conditions.

"A steamship loaded with 10,000 bales of cotton at $3 per hundredweight, or $15 per bale, realizes, gross, $150,000 for the cargo, when the vessel itself is not worth exceeding $125,000. For such conditions there certainly should be some remedy.

"Yours, very truly,

"JOSEPH NEWBURGER.

"PENSACOLA, FLA., *December 12, 1914.*

"Senator D. U. FLETCHER,
"*Washington, D. C.*

"DEAR SENATOR: We here do not know whether to be amused or disgusted in regard to interviews given out by prominent gentlemen who should know better as to the great number of ships available for carrying freight and the ease in obtaining them.

"If some of the gentlemen who talk this way would come down to this coast and see how our business is hampered by inability to get bottoms and the extraordinary freight rates charged, they might change their minds as to the abundance of vessels available. The fact is that freights are almost at a prohibitive figure, and vessels can hardly be obtained, even at the piratical prices asked.

"Congress will be doing a great service for this coast if they can find some effective means of remedying this serious situation.

"Very truly, yours,

"C. E. DONSON,
"*President Chamber of Commerce.*

"The following is taken from a letter of E. J. Glenny, president of the New Orleans Cotton Exchange, dated December 12, 1914:

"It has been a great problem with the cotton trade this season to obtain tonnage for cotton, the necessity for freight room for grain being greater than heretofore and the amount of tonnage available being smaller. The ship agents are compelled to pay $10 to $10.50 per ton of 2,240 pounds upon the dead-weight capacity of the vessel for cargo, as against $2.50 to $3 before the declaration of war."

"The following is from the Schuler Cooperage Co., of Jacksonville, Fla., under date of December 22, 1914:

"We are shippers of barrel headings from Savannah to Liverpool, and the established ocean rate was from 23 to 25 cents per hundred pounds. The first available space that we were able to obtain after August 1 was the latter part of October, at which time we were advised that the rate had been advanced to 30 cents. At the present the rate is 45 cents, or an advance of about 96 per cent.

"This rate will prevent our making future shipments, hence we will be compelled to forego taking additional orders until after the normal rates are restored.

"The following is from Cornelius Kahlen, exporter, of 349 Broadway, New York, dated December 22, 1914:

"I desire to point out to you that I am an exporter of wrapping paper to European countries. At the present moment I expect to forward about 25 tons of wrapping paper in rolls from New York to Genoa, Italy, destined for Italian consumption. Before the outbreak of the war the ocean-freight rate quoted by the various steamship lines was 25s. plus 5 per cent per ton weight of 2,240 pounds, but immediately after the commencement of the war the rates increased continuously—at times 40s., 50s. and 75s.

"I am now in receipt of a quotation from the Cunard Steamship Co., New York City, with reference to my above-mentioned shipment, and am quoted by this line the rate of 100s. plus 5 per cent per ton weight of 2,240 pounds. This is a fourfold increase over the previous rates before the outbreak of the war, and it makes the sale of the paper almost prohibitive.

"The following is from the United States and Australasia Steamship Co., of New York, dated December 17, 1914:

"In reference to a bill now before the Senate, known as the ship-purchase bill, authorizing the Government to purchase or charter ships to engage in foreign trade and to lease any of these ships to private corporations, we would respectfully ask that you file our application for Government steamers should this bill become a law.

"This is an American company, incorporated under the laws of New Jersey in 1898. We have been obliged to charter foreign steamers to care for exports to Australasia, and at the present time we are not able to charter steamers.

"There are despatched every year between 35 and 40 steamers from the port of New York to Australasia, with a demand for goods from America constantly increasing.

"The following is from a letter of O. G. Hempstead & Son, steamship agents and ship brokers, of Philadelphia, dated September 21, 1914:

"But, on the other hand, the trade with South American ports by this country is almost negligible, being only 6 per cent of our total exports. There are practically no first-class steamers now plying between United States ports and South American ports on either the Atlantic or Pacific sides of South America. True, the Lamport & Holt and Prince Lines have regular sailings from New York to the east coast of South America, but the Prince Line steamers generally return to England. The Lloyd Brazileiro have ceased running their own boats and now maintain infrequent sailings by means of chartered steamers, as do also Messrs. Funch, Edye & Co. The Atlas, Munson, and Luckenbach Lines do not go to South American ports, and the steamers of Messrs. Barber & Co., R. P. Houston & Co., Norton, Lilly & Co., and the American & River Plate Line only maintain occasional sailings to Buenos Aires by means of tramp steamers.

"On the west coast of South America there is a fairly good service maintained by Messrs. W. R. Grace & Co., the Wessel Duval Line, and the New York & South American Line, but I am convinced that with the stability only the United States could give to a regular line and the class of service which could be established and maintained great and permanent benefit could be secured to the merchants and manufacturers of this country.

"A line of steamers capable of plying between Philadelphia or New York at a 14-knot rate would bring Buenos Aires one week nearer to those ports, and if permanent sailing dates were named and maintained, so that deliveries could be accurately anticipated (the most valuable asset of any steamship line), and the steamers were of the type now in vogue between our North Atlantic ports and Liverpool, Hamburg, and Bremen, so that passengers as well as freight could be carried, a great and valuable trade would open to the citizens of this country and those of South America.

"I have quoted these letters almost in full, because they present the actual conditions more vividly than I could portray them in any language of my own.

"So long as this war continues these unfavorable conditions will not only continue, but grow worse unless something is done. Who can say how long the war will last? Who can forecast accurately its effects and results? Is it reasonable, is it safe, is it right, to remain idle any longer or to trust any further in the happening of some benevolent thing, through private agencies, that will secure and protect our foreign trade?

"Not only has the war emphasized the imperative necessity for the quick creation of an American merchant marine, but it has created an exceptional opportunity for the extension of our trade in the open markets of the world. This is notably the case with South America. The commercial and financial relations of our friendly and growing southern neighbors have been seriously affected by the war. They are seeking, necessarily, new accommodations, new adjustments. Where can they find them so readily and advantageously as in our great country? And where will they be more welcome? Commenting on this matter, that able and distinguished diplomat, the ambassador of Argentina, Dr. Naón, said in a recent speech before the Commercial Club of Boston:

"I do not know whether I am telling you anything new when I say that, if we rely on the indications of our statistics, the Argentine Republic constitutes one of the most important markets for the consumption of the manufactured products of the United States. In support of this fact I wish to present to your consideration a résumé of a number of comparative tables contained in an Argentine official publication entitled 'International Argentine Commerce,' which appeared in 1912. This is an official publication of the general bureau of commerce and industries of my country, and is issued under the responsibility of the ministry of agriculture. As a consequence, the figures appearing therein are as exact as it is possible to make them and the most authentic expression of facts. Gentlemen, these figures show that of the total exports from the United States to the South American Continent, 40.3 per cent entered the Argentine Republic. They also show that our country received 41.1 per cent of the total exports from the United Kingdom to said continent, 47.3 per cent of those from Germany, 49.7 per cent of those from Belgium, 50 per cent of those from France, 66.4 per cent of those from Italy, and 80 per cent of the exports from Spain to South America. It may thus be said that the Argentine Republic absorbed alone 60 per cent of the total exports of the world to the South American Continent. Hence I do not believe that I am going too far when I say, in view of these figures, that they reveal with more eloquence than any address could the enormous purchasing power of my country. They also bear out the assertion made on more than one occasion that it constitutes a consumption market worthy of the best efforts of countries producing manufactured products, if those countries are desirous of obtaining now and in the future a certain means of meeting the demands of their commercial expansion.

"One of the most sorrowful consequences of the war for us, aside from the sentiment and affection intensified by the close ties which bind us with the countries at war, has been the almost complete paralysis of European importation, a paralysis which offers to the American market an unsurpassed opportunity for increasing to enormous proportions its commercial field by supplying the needs which the European industry has ceased to provide for.

"Let us see, now, what practical method could be adopted for supplying those needs and increasing the amount of our international commerce.

"There can surely be no better authority in this regard than the official word of the Argentine Government, as cabled some days ago to him who has the honor of addressing you at this moment. In this cablegram my Government says, in brief:

"'Our products are being exported without increased difficulties, but a scarcity of bottoms is foreseen in the near future for the transportation of our products. A very efficient means of overcoming the difficulty would be if vessels were to come from that country with the usual cargoes, namely, unrefined naphtha, woods, iron, machinery and other agricultural implements, petroleum, furniture, lubricating oils, typewriters, machines, etc. These vessels would return with our products, such as refrigerated meats, wool, hides, quebracho, tannin, live stock, etc. American manufacturers could step into the place left by European industries in all branches formerly supplied by them, such as coal, steel rails, galvanized iron, woolen goods, pig and sheet iron, machinery in general, cement, locomotives, railway cars, refined sugar, automobiles, galvanized iron or steel wire, rail joints, sheet zinc, cotton fabrics, printing paper, electric wire and cables, iron pipes of all kinds, manufactures of iron and steel, household articles, woolen clothing, etc. The present moment offers to manufacturers of such articles most advantageous opportunities for openings, taking advantage of the shutting down of the European market. If they want to get it, it is for them to take the initiative by sending at least small cargoes, and especially by adapting themselves to the custom of not demanding payment on delivery, a custom which others have followed with marked success.'

"This, gentlemen, is the official word, inspired, no doubt, by the Argentine spirit—a spirit of good will and sympathy, favoring the increase of our commercial bonds. From these words you may derive the following solutions, in our mind practical: First, enough vessels to meet demands of our commercial interchange; second, cultivation of the market by sending small cargoes and trustworthy agents to place them; third, the organization of our trade on a basis of credit similar to that established by European commerce.

"With respect to the first practical solution, it is not for me to discuss its possibility. I believe, however, that if the case should arise, the Argentine Government would facilitate, in so far as it was concerned, any initiative toward establishing new lines of maritime communication. I am also convinced that American—and, perhaps, also Argentine—capital will be stimulated by their own convenience to invest in the establishment of steamship lines, which will strengthen the ties of all kinds which bind us together, thus imitating the example of the great commercial countries of Europe, which have derived so many benefits from our international commerce. I firmly believe that to assure the stability of our trade both now and in the future we must conduct it in our own American and Argentine vessels.

"The possibilities offered by the purchasing power of Argentine commerce are well worthy of positive efforts—not words, but action; not wishes, but will—in order to be able to benefit fully therefrom. I do not believe I am wrong when I say that the Argentine Republic offers to American manufacturers to-day a consumption market of not less than one hundred millions over and above present exports to our country, and to obtain such a result it would be worth while to expend in action a part of the effort now spent in more or less theoretical methods in thinking of it.

"It may be true as claimed that there is at the moment ample tonnage offering for South America, but it may be stated with equal truth that the depression in South American trade and the disturbance of South American finances and credits by the European war, as outlined in the speech of the Argentine Ambassador from which I have quoted, have so reduced the demand that the supply of vessels may, at this juncture, be temporarily adequate. But this will not last. Revival of South American trade will soon come and our ships will be needed. South America's present supply of vessels is under foreign flags, the sailings are not sufficiently frequent or reliable, the rates of freight are high and exceedingly burdensome to American commerce and put our merchants and manufacturers at a permanent disadvantage with their European rivals.

"To capture our share of these markets and all other competitive world markets our business men must have the assurance of ocean transportation under the American flag, equal in quality, reliability, regularity, and frequency of sailings to that of their European competitors, and at rates for freight that are equal to, if not better than, those enjoyed by their foreign rivals.

"How can we expect our enterprising men to make large capital outlays to produce the particular goods required for the

South American trade or any special trade and to enter upon an active campaign to get their share of the business unless they have the certainty of transportation at reasonable rates for a sufficient length of time to establish the trade upon a firm and profitable basis? We must stand back of them through governmental action if we want them to succeed. We must develop South American and other foreign trade relations through the fundamental of sufficient transportation of the right sort just as we developed the great West in the sixties by building, with governmental aid, the transcontinental railways, thereby adding an empire of territory and wealth to our national resources. I merely repeat a platitudinous axiom when I say that trade follows transportation. American trade in foreign markets will follow transportation under the American flag and thrive as it never did before. The markets of the world are before us, the Orient as well as South America. Enterprise and courage are needed to secure them.

"This is, as I said before, a question of vital national policy. It must not be considered in a narrow and partisan spirit. We must deal with it as statesmen loving our country and wanting its welfare above partisan advantage and selfish interest. We must have highly developed vision and practical imagination to solve these questions.

"We have passed a tariff law which has put us in position to reach out and take our share of the world's markets because we have broken down those barriers which made it difficult in the past for other nations to establish on a large scale reciprocal trade with us. Reciprocity in trade is essential to permanent commercial intercourse, and no enduring trade development can have any other basis. On top of a favoring tariff law we have passed a splendid piece of financial legislation, the Federal reserve act, which gives our bankers for the first time in our history the opportunity to establish branches in foreign countries, to extend American credits, and thereby to promote American commerce.

"The only remaining thing to be done to make our conquest of foreign markets certain is to restore our merchant marine and enable our courageous and enterprising business men to carry our flag in the peaceful pursuits of commerce to every part of the civilized world. When we do that the American people will enter upon a career of solid, unfluctuating, and unexampled prosperity.

"But we must act immediately. We must not waste time in useless talk. The insistent knock of opportunity must not go unheeded. We need the ships as quickly as men and money can provide them. If we could put a substantial number of American ships in the trans-Atlantic service to-day, it would immediately result in reducing the present extortionate rates to a more reasonable basis, as well as provide facilities not now procurable at any price.

"As I said before, there seems to be an absolute unanimity of opinion throughout the country as to the necessity for the prompt creation of an American merchant marine. The only question is as to the method of getting it. Among the various remedies proposed are:

(1) SUBSIDIES.

"The Republican Party has always favored direct ship subsidies, but during all the years it had control of the Government and had the power to legislate it failed to put this policy into force. It either lacked the courage to do so or was unable to command the united support of its own followers in the enactment of such legislation. Whatever the cause, it has utterly failed to do any effective or practical thing for the restoration of our merchant marine.

"The Democratic Party, on the other hand, has uniformly opposed ship subsidies, and since it is now in control of both legislative and executive branches of the Government and is irretrievably committed against such a policy we may as well dismiss as impracticable and impossible the building up of our merchant marine through governmental bounties.

(2) DISCRIMINATING DUTIES IN FAVOR OF GOODS SHIPPED IN AMERICAN BOTTOMS.

"A provision for discriminating duties is contained in the Simmons-Underwood tariff bill, enacted in 1913, but the Attorney General has held that it violates our treaty obligations with various foreign nations. This plan, therefore, must be dismissed as unworkable. Even if our treaties did not stand in the way, and we could enforce such discriminating duties in favor of our ships, it would be easy for other nations to retaliate with similar discriminations and thereby largely negative such a policy. Retaliatory reprisals of this character would only prove hurtful by creating irritation and ill will and prevent the building up of our trade under our own flag.

(3) GUARANTIES BY THE GOVERNMENT OF THE PRINCIPAL AND INTEREST OF BONDS ISSUED BY PRIVATE CORPORATIONS ENGAGED IN SHIPPING.

"This proposal has been urged, but it is not worthy of serious consideration. It would be the worst form of subsidy, to say nothing of the wholly indefensible policy of having the United States Government become the guarantor of the bonds of private corporations engaged in any sort of enterprise. Once we entered upon such a course we should be asked to indorse the bonds of corporations engaged in other than ship enterprises. In time we should have the same kind of scrambling at Washington for governmental favor in the way of indorsements of obligations of private corporations that we had for bounties to favored interests under our old tariff laws. As between this kind of subsidy and the granting of a direct subsidy under a general law applicable to all ships operating under the American flag the latter would be far preferable.

(4) AMENDMENT OF THE NAVIGATION LAWS.

"Much has been said about changing our navigation laws in such manner as to make the field for private capital more attractive. It is said that our navigation laws are so unfavorable and put American shipowners at such a disadvantage that unless they are changed in numerous particulars it will be impossible ever to build up an American merchant marine. Even if our navigation laws could be changed to the extent proposed, there is no assurance that private capital would come forward quickly and provide our business men with the shipping facilities required in the present emergency. It is not, however, practicable to change our navigation laws to the extent which private capital demands, because the principal change relates to the wages of the American sailor. It is stated that the wage standard for American labor makes the cost of operating American ships so much greater than the cost of operating the ships of other nations that it is impossible for the American shipowner to compete with his foreign rivals. This may be overstatement; but whether it is or not, I think it can be said with certainty that public opinion in this country will never permit the passage of any legislation that will reduce the American sailor to the standard of the Asiatic and European sailor. Instead of lowering the standard of the American sailor, it is more likely to be increased. If, therefore, the wage scale of the American sailor is an insuperable obstacle, as alleged, to the investment of private capital in American shipping, we may dismiss as impracticable the enlistment of private capital in the upbuilding of our merchant marine through a change in our navigation laws. There are other features of our navigation laws which, it is said, must also be modified or amended before private capital will enter the field, but it is not necessary to mention them.

"If ship subsidies can not be obtained, if discriminating duties are unavailable, if Government guarantees of the bonds of private corporations can not be granted, if the standard of wages of the American sailor can not be lowered, if private capital can not, for all or any of these reasons, be induced to build up an American merchant marine, what is the remedy?

"The only practicable suggestion that has yet been made is the shipping bill now pending in the Congress of the United States. This measure provides for direct Government action. It means business; it means prompt and effective work; it means the beginning of a merchant marine which will meet the present emergency and give prompt relief to our distressed foreign commerce; it means the upbuilding of a permanent merchant marine under our flag that will establish our commerce securely in the open markets of the world; it means the creation of a naval auxiliary which is absolutely indispensable if our Navy is to be an effective instrument for the national defense.

"The essential features of the shipping bill are the organization of a private shipping corporation with a capital stock of $10,000,000, 51 per cent of which is to be subscribed by the Government, and the remainder is to be offered to public subscription. If the public does not subscribe, the Government will take all of the stock. A shipping board is created, consisting of the Secretary of the Treasury, the Postmaster General, and the Secretary of Commerce. This board is to have the voting power on the Government stock and general supervision over the shipping corporation. The active management of the corporation will, however, be conducted by its board of directors and officers, just as the affairs of the Panama Railroad Co. are conducted by its officers and directors under the general supervision of the War Department. Although the Government owns the entire capital stock of the Panama Railroad Co., that company has, as is well known, long operated successfully a line of steamships between New York and the Canal Zone.

"In addition to the $10,000,000 of capital stock of the proposed shipping corporation, $30,000,000 of Panama Canal bonds, now in the Treasury, may be sold, and the proceeds used for the purchase or construction of ships, which are to be turned over

to the proposed corporation in consideration of a like amount of its 4 per cent bonds, which are to be held by the Treasurer of the United States and sold at the discretion of the Government. The act authorizes the transfer to the new corporation of the ships of the Panama Railroad Co. and any vessels belonging to the War and Naval Establishments suitable for commercial purposes and not required by the Army or Navy in time of peace upon terms to be approved by the President of the United States.

"These are the salient features of the bill. It will be observed that the Government does not engage in the shipping business; it is merely a stockholder, or the only stockholder in a private coroporation engaged in such business. The officers and directors of the corporation will be chosen for their ability and knowledge of the shipping business, and the corporation will be managed like any other well-conducted business enterprise or organization. There is no reason why such a corporation can not be made just as successful as any other privately managed shipping corporation. It is not the purpose to operate the ships of the proposed corporation in competition with American ships where they are providing a sufficient and satisfactory service at reasonable rates to properly take care of and build up American trade.

"The object is to have a fleet of vessels, many of which may be of the improved type of tramp steamer, which can be readily mobilized and thrown into service at any point or upon any routes where there is a special demand for vessels under the American flag; and also to establish certain definite steamship lines or routes to be operated and maintained in such manner and at such reasonable rates as to give our merchants, manufacturers, and business men the assured transportation facilities which are indispensable to the upbuilding of our foreign trade and the extension and expansion of American enterprise.

"The proposed corporation will also have the right to charter ships for its own service or to make charter parties of its own ships to individuals and corporations for their purposes. It will, in fact, provide that mobile and flexible shipping organization without which it will be impossible ever to enlarge our foreign trade upon any permanent and secure basis.

"The act does not require the shipping board to buy the ships of any particular foreign registry. It is needless to say that no unneutral act will be permitted by the shipping board nor will any worthless ships or junk be sold to the Government. Suitable vessels for the purpose will be purchased, if they can be found, and suitable vessels will also be constructed. The purpose is to give our shipyards as many orders as possible, because it is realized that in order to create and maintain a satisfactory merchant marine under our flag our shipyards must be encouraged to provide and maintain the necessary facilities. With such encouragement it is only a question of a short time when our shipyards will be able to build ships in competition with the world. The larger the American merchant marine, the more quickly and certainly will our shipyards be able to establish a shipbuilding business of large and profitable proportions.

"Some timid people have argued that if the Government is interested as a stockholder in a shipping company, and a ship of such company should be seized by a belligerent and brought into a prize court, the sovereignty of the Government would be involved. There is no ground whatever for this view. If the Government operated ships outright, just as it operates the vessels of our Navy, an awkward situation of this character might arise; but where a nation is merely a stockholder, or the sole stockholder, in a private corporation, its sovereignty is not and can not be directly involved if the ships of such a corporation become the subjects of litigation in a prize court concerning any issue which does not involve the Government itself. The Government would stand in relation to such a corporation exactly as any individual stockholder does to a corporation in which he is interested. A suit against the corporation does not necessarily involve the shareholders.

"The only objection seriously urged by the opponents of the bill is that it puts the Government in the shipping business. This has a familiar sound. I remember that when the Federal reserve act was being formulated and while it was on its passage in the Congress, it was strenuously opposed on the ground that it put the Government in the banking business. The currency bill does put the Government in the banking business to some extent, and to the extent that it does the Government ought to be in the banking business.

"Let us see what it does: In the first place, it has compelled the national banks of the country to consolidate a large part of their reserves in 12 different reserve banks for the purpose of enabling these reserve banks to come swiftly to the assistance of each other and to the assistance of their member banks whenever injury threatens and whenever the commerce and industry of the country require. This act has put us in position to throw the weight of the banking power of the country at any time and upon a moment's notice to any weak spot. This is accomplished through the Federal Reserve Board, sitting at Washington. This board also has the power to review and determine the interest rates that may be charged by the Federal reserve banks, and through this power to influence greater uniformity in interest rates throughout the country and the keeping of interest rates within more reasonable limits. The very existence of these powers, to say nothing of their judicious exercise, is a matter of inestimable value to the business interests of the country. There is no man engaged in trade who will not feel, directly or indirectly, its beneficial influence. This has already been conclusively demonstrated, although the act has been in operation but a short time.

"The shipping board will exercise analogously an immensely beneficial influence upon our foreign commerce. Just as the Federal Reserve Board is able to throw the banking power of the country to any weak spot for the purpose of protecting our domestic, financial, and commercial situation, so the shipping board, through the proposed shipping corporation, will be able to move its mobile fleet of steamers to any weak spot that may develop in our ocean transportation system and give relief to our foreign commerce. The shipping board may exercise a determining influence upon the general ocean-freight situation by establishing reasonable rates for the vessels operated by the shipping corporation, with corresponding benefit to the American shipper. One of the weaknesses in the movement of our foreign commerce is our utter inability under existing conditions to prevent arbitrary and excessive freight charges by foreign steamship companies. Through the means I have described we shall have the power to protect ourselves if the shipping bill becomes a law.

"The extension of our foreign commerce by means of a well-established American merchant marine will directly benefit our railroad companies because of the increased traffic which they will haul to and from our seaports. There is no reason why an extremely effective cooperation and coordination of our railroad and steamship facilities can not be brought about if this shipping board is established, just as such cooperation exists between the steamship lines and railroads of foreign countries. Such a development would enormously strengthen the American economic situation and make it all the more certain that our merchants and manufacturers can reach out and take their legitimate share of the world's trade.

"The objection that the shipping bill puts the Government in the shipping business is not tenable. Those who urge it seem to forget that it is the duty of the Government to engage in any activities, even of a business nature, which are demanded in the interest of all the people of the country, when it is impossible to engage private capital in such operations.

"Just after the outbreak of the European war, when our foreign exchanges had been completely deranged, with great hurt to our foreign trade, a conference was held at the Treasury Department in Washington for the purpose of devising methods to protect the American situation. At that conference there were many representative men of the business, financial, and shipping world, such, for instance, as James A. Farrell, president of the United States Steel Corporation; P. A. S. Franklin, vice president of the International Mercantile Marine; Robert Dollar, a prominent shipowner of San Francisco; James J. Hill, of St. Paul; Edwin N. Hurley, of Chicago; John D. Ryan, of New York; E. P. Thomas, president of the United States Steel Products Co., of New York; John H. Fahey, president of the Chamber of Commerce of the United States; Seth Low, president of the Chamber of Commerce of New York; Julius Barnes and H. E. Rycroft, of the Chicago Board of Trade; James G. Andrews, of Minneapolis; F. R. Eaton, of the Washburn-Crosby Co., Minneapolis; and L. E. Moses, of Kansas City, Mo., representing the western and northwestern milling interests; J. P. Morgan, James Speyer, James Brown, and Benjamin Strong, jr., representing New York foreign exchange and banking interests, besides other prominent men whose names I am obliged to omit for lack of time. These gentlemen adopted the following resolution:

"Resolved, That this conference urge the United States Government to establish a bureau of war-risk insurance, to be administered under the direction of a suitable Government department by a board of three or five members, which shall assume the risks of war on American vessels and American cargoes shipped or to be shipped thereon whenever, in the judgment of the board, it shall appear that American vessels or shippers on American vessels are unable in any particular trade to compete on equal terms with the vessels or shippers of other nationalities by reason of the protection offered such other carriers or shippers by arrangements for war indemnity through their Governments, and that such board have power to fix rates of premium, subject to change, to each country or for each class of cargo.

"You will observe that they strongly favored and urged that the United States Government go into the war-risk insurance business. Why? Because private capital would not engage in this business and because it was essential to afford immediately this protection to our foreign commerce if it was not to cease altogether. War-risk insurance is just as essential an element in the shipping business as the hulls of the ships themselves. No shipowner and no shipper will send a ship and cargo to sea without war-risk insurance in time of war and without marine insurance in times of peace or war.

"These representative business men did not hesitate to advocate strongly the Government going into a part of the shipping business, viz, the war-risk insurance business. It was a perfectly reasonable and defensible thing to do. They urged it because private capital would not engage in it, just as it will not engage in an American mercantile marine. The Congress of the United States promptly enacted the desired law, and the Government is in the war-risk insurance business to-day. What it has done for our commerce already can not be estimated in figures alone. It has not only supplied indispensable protection, without which our commerce would not have moved across the seas, but it has also secured to the American shippers reasonable rates and prompt indemnity. It has protected them against extortionate charges. At the same time the business has been conducted in such a way as to protect the Government, through reasonable rates, for the risks assumed. Congress passed the law on September 2, 1914. Up to December 23, 1914, the total amount of war-risk insurance issued was $25,544,106 and the total premiums collected $591,572. No losses of any consequence had been incurred up to that date, and the total cost of operating the bureau up to that time had not exceeded $6,000. Yet 'they say' that the Government can not successfully manage a business undertaking.

"The representative business men whose names I have given made a distinct declaration in favor of—

"First. The Government engaging in the insurance business for the express purpose of enabling American vessels or shippers on American vessels 'to compete on equal terms with the vessels or shippers of other nationalities'; and

"Second. The establishment of a board with power to fix rates of premium, and so forth.

"Now, this is exactly what the shipping bill is intended to do for our merchant marine. As private capital can not be obtained for this great enterprise, and as the need, like that for war-risk insurance, is immediate and imperative, it is proposed—

"First. To have the Government engage in the shipping business for the purpose of enabling American vessels or shippers on American vessels 'to compete on equal terms with the shippers of other nationalities'; and

"Second. To establish a shipping board which will have the power to fix the rates for our shippers on such American vessels, and thereby the more certainly to secure to our shippers that degree of equality and protection in the foreign trade which will enable them to compete successfully with their foreign rivals.

"The war-risk insurance bill was passed on September 2 by the votes of Republicans, Democrats, and Progressives alike. In the Senate there was no roll call, the vote being aye and no. In the House of Representatives Democrats, Republicans, and Progressives voted in favor of the bill, which passed by an overwhelming majority. Here is a striking instance where all political parties and business men of the country, regardless of political faith, deliberately supported the principle of the Government going into the most private kind of private business for the purpose of protecting the commerce of the country. It may be argued that the War Rick Insurance Bureau is to continue only for the period of the war, and that, therefore, it does not establish a precedent. War-risk insurance can not, of course, last longer than the war, because the necessity for it expires with the return of peace, but the necessity for an American merchant marine will continue during times of peace as well as during times of war. The principle, however, of the Government going into private business for the purpose of protecting the commerce of the country is not altered by the fact that a part of the business in which it may engage is of a temporary character. There is ample precedent for the Government going into private business. We have numerous notable instances where broad national policy and the protection of the people of the country made such action on the part of the Government essential.

"Let me refer again to the Panama Railroad Co., which operates a railroad on the Isthmus and a steamship line between New York and Panama. The Government bought the entire stock of the Panama Railroad Co., and has operated with great success a line of steamships between New York and Panama for years. Now that the canal has been completed the railroad across the Isthmus has become of small importance, but the steamship line between New York and Panama is of great value to the country and must be continued. Not only has a regular and reliable steamship service been maintained, but a favorable influence has been exerted on freight rates throughout Central and South America, where the Panama steamship lines and railroad have been a factor.

"The Panama Railroad and steamships have been operated under Government supervision at a profit always. Here is a striking instance of the successful conduct of business under Government control and supervision.

"What has been successfully accomplished by the Panama Steamship Line can be accomplished by the steamship company which the pending bill proposes to create.

"Recently the Government has gone into the railroad business in the Territory of Alaska. The development of the resources of this great Territory has been delayed by the failure of private capital to undertake the essential enterprise of transportation. Congress has recently passed a law authorizing the construction by the Government of a system of railways in Alaska.

"Just as it became necessary in the case of the Pacific railways for the Government to shoulder the burden of the large initial expenditure necessary for their construction, so is it necessary for the Government to provide the means of transportation in Alaska, because private capital will not take the risks and incur the initial losses which must be spread over a number of years, until the development of the country will make the railway lines self-supporting and profitable. This development should be all the more rapid under Government auspices, because the railroad company will be able to make reasonable and favorable rates for the transportation of freight and passengers. The same thing is being done in Alaska that we did in the case of the Pacific railways, except that the Government is not building the Alaskan railways with its own money in the form of subsidies and presenting the system when completed to favored individuals, but is retaining possession of the system in order to operate it under such conditions and upon such terms as will most rapidly develop the Alaskan Territory for the benefit and enrichment of all the people of our country.

"For all these years we have waited for private capital to develop Alaska. Is there anyone who would advocate a continuation of the policy of expectant waiting for private capital and the continued neglect of the great resources of the Alaskan Territory?

"The objection that 'the Government must never go into private business,' even though private capital refuses to engage in such business, when the interests of the people imperatively demand it, is always urged against any progressive step of this character. Are we to be bound by a mere dogma of this sort? Are we to be deterred from doing, through the agencies of Government, what is essential to the welfare of our people when private capital can not be secured? While I believe that the Government should not engage in business where private enterprise can be depended upon for the purpose, I am not afraid of the Government going into business where private capital refuses, and where the business in which the Government is to engage is for the benefit of all the people of the country. I am afraid of the Government going into private business only when it is for the benefit of special interests or to serve the selfish purposes of some particular class.

"For 50 years we have waited for private capital to provide an American merchant marine. For 50 years our foreign trade has languished while we have waited. Shall we wait any longer upon a fatuous hope or lean any longer upon a broken reed?

"If the shipping bill is objected to by our opponents, what practical suggestion or remedy have they to offer? The American people will not be content with academic objections. They do not want a practical plan rejected unless a better substitute is offered. Let the opponents of this bill present such a substitute or let them hold their peace.

"Will the Republicans, Democrats, and Progressives in Congress meet the cry of the American manufacturer, the American business man, and the American banker by immediately passing this measure, which will set our great country upon a new career of world influence? Will they vote now to carry out their long-neglected pledges to the people? Will they emancipate American commerce from dependence upon foreign vessels, and set it safely on the highway of peaceful conquest, under the American flag, of the open markets of the world?"

CREDENTIALS.

Mr. LANE presented the credentials of GEORGE E. CHAMBERLAIN, chosen by the electors of the State of Oregon a Senator from that State for the term beginning March 4, 1915, which were read and referred to the Committee on Privileges and Elections.

PETITIONS AND MEMORIALS.

Mr. HITCHCOCK presented petitions of sundry citizens of Scribner, Atkinson, Pickrell, Elgin, Herman, Stanton, McCook, Hoskins, Hastings, Diller, Hallam, Rising City, Arapahoe, Gothenburg, Staplehurst, Gresham, Lincoln, Blue Hill, Campbell, Fremont, Crowell, St. Helena, Boelus, Firth, and Teton City, all in the State of Nebraska, and of sundry citizens of Chicago, Ill., praying for the enactment of legislation to prohibit the exportation of ammunition, etc., which were referred to the Committee on Foreign Relations.

Mr. OLIVER presented petitions of sundry citizens of Pennsylvania, praying for the enactment of legislation to prohibit the exportation of ammunition, etc., which were referred to the Committee on Foreign Relations.

He also presented a petition of the congregation of the United Presbyterian Church, of Emsworth, Pa., praying for the adoption of the amendment to the Constitution to prohibit polygamy, which was referred to the Committee on the Judiciary.

He also presented a petition of the City Council of Wilkes-Barre, Pa., praying for the enactment of legislation to provide pensions for civil-service employees, which was referred to the Committee on Civil Service and Retrenchment.

He also presented memorials of sundry citizens of Stoneboro, Pa., remonstrating against the enactment of legislation increasing the Army and Navy equipment, which were referred to the Committee on Military Affairs.

Mr. BRANDEGEE presented petitions of sundry citizens of Lisbon, Bethel, Danbury, Rockville, Norwich, New Britain, Baltic, and Taftville, all in the State of Connecticut, praying for the enactment of legislation to prohibit the exportation of ammunition, etc., which were referred to the Committee on Foreign Relations.

He also presented a memorial of the Business Men's Association of Hartford, Conn., remonstrating against the enactment of legislation that will interfere with the exportation of the products of this country to any other country, which was referred to the Committee on Foreign Relations.

He also presented a memorial of the Adath Israel Congregation, of Bridgeport, Conn., remonstrating against the enactment of legislation to further restrict immigration, which was ordered to lie on the table.

He also presented a petition of the Cosmopolitan Club, of South Manchester, Conn., praying for the enactment of legislation to regulate the interstate commerce in convict-made goods, which was referred to the Committee on Interstate Commerce.

He also presented petitions of Framat Lodge, No. 51, International Order of Good Templars, and of sundry citizens of Ansonia, in the State of Connecticut, praying for national prohibition, which were referred to the Committee on the Judiciary.

Mr. McLEAN presented petitions of 66 citizens of Danbury and Bethel, in the State of Connecticut, praying for the enactment of legislation to prohibit the exportation of ammunition, etc., which were referred to the Committee on Military Affairs.

Mr. BURLEIGH presented a petition of sundry citizens of Westbrook, Me., praying for national prohibition, which was referred to the Committee on the Judiciary.

Mr. LIPPITT presented a petition of the Rhode Island Medical Society, praying for the enactment of legislation providing for a mental examination of immigrants by the Public Health Service, especially trained in the diagnosis of insanity and mental defects, which was ordered to lie on the table.

He also presented a memorial of the Ancient Order of Hibernians, Board of Erin, of Providence County, R. I., remonstrating against the treatment accorded Catholic priests and nuns in Mexico, which was referred to the Committee on Foreign Relations.

REPORTS OF COMMITTEES.

Mr. BRADY, from the Committee on Military Affairs, to which was referred the bill (S. 2789) to award the medal of honor to Maj. John O. Skinner, surgeon, United States Army, retired, reported it without amendment and submitted a report (No. 913) thereon.

Mr. JOHNSON, from the Committee on Claims, to which were referred the following bills, reported them each with an amendment and submitted reports thereon:

H. R. 3430. An act for the relief of Lottie Rapp (Rept. No. 914); and

H. R. 9701. An act for the relief of F. W. Theodore Schroeter (Rept. No. 915).

Mr. SWANSON, from the Committee on Public Buildings and Grounds, to which were referred the following bills, reported them each without amendment and submitted reports thereon:

H. R. 12464. An act providing for the expenditure of part of the unexpended balance of the appropriation of $10,000 made by the urgent deficiency bill of October 22, 1913, for the completion of the post-office building at Hanover, Pa. (Rept. No. 911); and

H. R. 15000. An act authorizing the Secretary of the Treasury to disregard section 33 of the public buildings act of March 4, 1913, as to site at Huntingdon, Tenn. (Rept. No. 912).

VANCE PARK, CHARLOTTE, N. C.

Mr. SWANSON. From the Committee on Public Buildings and Grounds I report back favorably without amendment the bill (S. 6403) donating the old iron fence around Vance Park, Charlotte, N. C., to the Mecklenburg Declaration of Independence Chapter, to be placed around Craighead Cemetery, near Sugar Creek Church, in Mecklenburg County; and I submit a report (No. 910) thereon.

Mr. OVERMAN subsequently said: Mr. President, a few moments ago the Senator from Virginia [Mr. SWANSON], from the Committee on Public Buildings and Grounds, reported favorably the bill (S. 6403) donating a fence around Vance Park, in Charlotte, N. C., to the local chapter of the Daughters of the American Revolution. I ask unanimous consent for the present consideration of the bill.

Mr. TOWNSEND. I object.

The VICE PRESIDENT. Objection is made, and the bill will be placed on the calendar.

STATUE OF GEN. GEORGE MEADE.

Mr. SHIVELY. From the Committee on the Library I report back favorably without amendment the joint resolution (H. J. Res. 234) directing the selection of a site for the erection of a statue in Washington, D. C., to the memory of the late Maj. Gen. George Gordon Meade and submit a report (No. 909) thereon. I call the attention of the junior Senator from Pennsylvania to the report.

Mr. OLIVER. I ask unanimous consent for the present consideration of the joint resolution.

The VICE PRESIDENT. Is there objection to the present consideration of the resolution?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution.

The joint resolution was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

HEARINGS BEFORE THE COMMITTEE ON INDIAN AFFAIRS.

Mr. LA FOLLETTE. By direction of the Committee on Indian Affairs and on behalf of the chairman of the committee, who is not now in the Senate, I report a resolution and ask that it be referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

The resolution (S. Res. 521) was read and referred to the Committee to Audit and Control the Contingent Expenses of the Senate, as follows:

Resolved, That the Committee on Indian Affairs, or any subcommittee thereof, be, and the same is hereby, authorized to employ a stenographer from time to time, as may be necessary, to report such hearings as may be had on the pending Indian appropriation bill, such stenographer to be paid at a rate not exceeding $1 per printed page; and that the expense thereof be paid out of the contingent fund of the Senate.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. SHAFROTH:

A bill (S. 7273) granting an increase of pension to Gardner B. Taylor; and

A bill (S. 7274) granting an increase of pension to Ellen A. Pains; to the Committee on Pensions.

By Mr. CHAMBERLAIN:

A bill (S. 7275) to authorize the Secretary of War to furnish transportation to the Organized Militia of the State of Oregon by United States transport to the Panama-Pacific International Exposition; to the Committee on Military Affairs.

By Mr. GALLINGER:

A bill (S. 7276) granting a pension to Olive Lunn (with accompanying papers); to the Committee on Pensions.

By Mr. OVERMAN:

A bill (S. 7277) authorizing the Secretary of War to donate two condemned bronze or brass cannon or fieldpieces and a suitable outfit of cannon balls to the city of Graham, Alamance County, N. C.; to the Committee on Military Affairs.

By Mr. JONES:

A bill (S. 7278) granting an increase of pension to Milton J. Hedges; to the Committee on Pensions.

By Mr. SWANSON:
A bill (S. 7279) granting a pension to James D. Cox;
A bill (S. 7280) granting a pension to James Morrison;
A bill (S. 7281) granting a pension to James B. Russell; and
A bill (S. 7282) granting a pension to William M. Faidley; to the Committee on Pensions.

By Mr. BURLEIGH:
A bill (S. 7283) granting a pension to George T. Moulton; to the Committee on Pensions.

By Mr. HITCHCOCK:
A bill (S. 7284) for the relief of Simon J. Lonergan; to the Committee on Naval Affairs.

By Mr. GORE:
A bill (S. 7285) granting an increase of pension to Charles R. Newton;
A bill (S. 7286) granting a pension to Jesse Watkins; and
A bill (S. 7287) granting a pension to General P. Frederick (with accompanying papers); to the Committee on Pensions.

By Mr. SHIELDS:
A bill (S. 7288) granting a pension to Minta Jones; to the Committee on Pensions.

By Mr. McLEAN:
A bill (S. 7289) granting an increase of pension to Mary E. Stanton (with accompanying papers); to the Committee on Pensions.

By Mr. NELSON:
A bill (S. 7290) granting an increase of pension to Harriett S. Crooks; to the Committee on Pensions.

By Mr. SHERMAN:
A bill (S. 7291) granting an increase of pension to David Youts; and
A bill (S. 7292) granting an increase of pension to Elizabeth Kniffin; to the Committee on Pensions.

By Mr. OWEN:
A bill (S. 7293) for the relief of the Iowa Tribe of Indians; to the Committee on Indian Affairs.

By Mr. STONE:
A bill (S. 7294) granting a pension to Joseph Lieber; and
A bill (S. 7295) granting an increase of pension to William H. McKinley; to the Committee on Pensions.
A bill (S. 7296) for the relief of Walter E. Holden (with accompanying papers); to the Committee on Claims.

AMENDMENTS TO INDIAN APPROPRIATION BILL.

Mr. OWEN submitted an amendment authorizing the Secretary of the Treasury to sell to the bishop of Oklahoma for cemetery purposes certain lands situate in Pittsburg County, Okla., etc., intended to be proposed by him to the Indian appropriation bill (H. R. 20150), which was referred to the Committee on Indian Affairs and ordered to be printed.

Mr. THOMAS submitted an amendment authorizing the Secretary of the Interior and the Commissioner of Indian Affairs to negotiate an agreement with the Confederated Bands of Ute Indians for a final settlement of all the rights, claims, and demands of these Indians against the United States, etc., intended to be proposed by him to the Indian appropriation bill (H. R. 20150), which was referred to the Committee on Indian Affairs and ordered to be printed.

Mr. ASHURST submitted an amendment proposing to appropriate $23,000 for extension of the Ganado irrigation project on the Navajo Indian Reservation in Arizona, etc., intended to be proposed by him to the Indian appropriation bill (H. R. 20150), which was referred to the Committee on Indian Affairs and ordered to be printed.

RIVER AND HARBOR APPROPRIATIONS.

Mr. BRANDEGEE submitted seven amendments intended to be proposed by him to the Indian appropriation bill (H. R. (H. R. 20189), which were referred to the Committee on Commerce and ordered to be printed.

OMNIBUS CLAIMS BILL.

Mr. SHIELDS submitted an amendment intended to be proposed by him to the omnibus claims bill (H. R. 8846), which was referred to the Committee on Claims and ordered to be printed.

THE MERCHANT MARINE.

Mr. SAULSBURY submitted five amendments intended to be proposed by him to the bill (S. 6856) to authorize the United States, acting through a shipping board, to subscribe to the capital stock of a corporation to be organized under the laws of the United States or of a State thereof or of the District of Columbia to purchase, construct, equip, maintain, and operate merchant vessels in the foreign trade of the United States, and for other purposes, which were ordered to lie on the table and be printed.

PROHIBITION IN THE DISTRICT.

Mr. SHEPPARD. I have received two short letters which I ask may be read.

There being no objection the letters were read, as follows:

WASHINGTON, D. C., *January 14, 1915.*

Hon. MORRIS SHEPPARD,
United States Senate.

MY DEAR SENATOR: The East Washington Civic Association at its regular meeting held at Withaft's Hall January 13, 1915, unanimously and emphatically indorsed the Sheppard amendment providing for prohibition of the liquor traffic in the District after November 1, 1916.

The East Washington Civic Association represents a signed constituency of nearly 5,000 residents and property owners in East Washington.

We respectfully and earnestly pray for the adoption and passage of the above legislation as being for the best interest of the people of the District.

Respectfully, yours,

JAMES W. McGUIRE,
Vice President and Secretary pro tempore.

By order of the East Washington Civic Association, with their request that this action be laid before the Senate and entered upon the record.

J. W. M.

—

WASHINGTON, D. C., *January 13, 1915.*

Hon. MORRIS SHEPPARD,
United States Senate, Washington, D. C.

MY DEAR SENATOR: The people living in that section of the District of Columbia known as Petworth are, I am sure, with you almost to a man in your effort to make the District "dry." While our citizen bodies have taken no recent action upon this question, I have had excellent opportunity for learning the sentiment of our people. As vice president of the Petworth Citizens' Association and as president of the Petworth Home and School Association I have large acquaintance and close personal contact with the people.

We enjoy so much living under prohibition, as we are within the Soldiers' Home mile limit, that we would like the entire District to have the benefit of so sane a law.

Surely there is no good reason for Congress in this single instance surrendering its right to exercise "exclusive legislation" in the District, and there are many reasons for not having a referendum vote on this question. We have not the requisite election machinery, and it is hardly possible that such could be perfected for this single vote. This question should not be singled out for popular action.

Thanking you for your work for humanity, I am,

Yours, most respectfully,

JESSE C. SUTER, *911 Webster Street.*

SUPPLY OF ANILINE DYESTUFFS.

Mr. POMERENE. I submit a resolution and ask unanimous consent for its present consideration:

The resolution (S. Res. 520) was read, as follows:

Resolved, That the Secretary of Commerce be, and he is hereby, directed to inform the Senate as fully as possible as to the facts relating to the supply of dyestuffs for American textile and other industries, the sources of such supply, the extent and nature of the supply, the movement of prices, the available materials for the manufacture of such supplies in this country, the possibilities, if any, as to the stoppage of such supply by reason of the existing European war, and any and all such other facts as will bring the existing conditions in the aniline-color industry fully to the knowledge of the Senate.

The VICE PRESIDENT. Is there objection to the present consideration of the resolution?

Mr. TOWNSEND. I object.

The VICE PRESIDENT. Objection being made, the resolution will lie over and be printed.

KING THEOLOGICAL HALL.

The VICE PRESIDENT laid before the Senate the amendment of the House of Representatives to the bill (S. 5168) for the relief of the King Theological Hall, and authorizing the conveyance of real estate to the Howard University and other grantees, which was, on page 2, line 3, after "meeting," to insert: "or any special meeting called for that purpose."

Mr. HOLLIS. I move that the Senate concur in the amendment of the House.

The motion was agreed to.

PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. Latta, executive clerk, announced that the President had approved and signed the following act and joint resolution:

On January 11, 1915:

S. 6454. An act to authorize the Government Exhibit Board for the Panama-Pacific International Exposition to install any part or parts of the Government exhibit at the said exposition in the exhibit palaces of the Panama-Pacific International Exposition Co. or in the Government building at said exposition; and

S. J. Res. 58. Joint resolution authorizing the Secretary of the Navy to present the bell of the late U. S. S. *Princeton* to the borough of Princeton, N. J.

AMENDMENTS TO THE JUDICIAL CODE.

Mr. CHILTON and Mr. ROBINSON addressed the Chair.

The VICE PRESIDENT. The Senator from West Virginia.

Mr. CHILTON. Mr. President, I ask unanimous consent for the consideration of Calendar No. 741, being House bill 19076. I desire to explain that this bill has been passed by the House

and has been fully considered and reported by the Committee on the Judiciary of the Senate. I think it will not take over 5 or 10 minutes to dispose of the measure. I desire to offer certain amendments on behalf of the committee, and unless the bill is passed very soon there will be no opportunity for the Senate amendments to be concurred in by the House.

The bill is designed to relieve the Supreme Court of certain classes of cases and to make some needed amendments in the Judicial Code which it is conceded are necessary. The bill has the approval, I think, of everyone who understands the subject, and I hope that no objection will be made to its present consideration.

The VICE PRESIDENT. Is there any objection?

Mr. JONES. Mr. President, the Senator from Michigan [Mr. TOWNSEND] is temporarily absent from the Chamber. I know that he does not desire matters taken up by unanimous consent——

Mr. CHILTON. The bill will take but a few moments——

Mr. JONES. And I shall have to object.

The VICE PRESIDENT. Objection is made.

Mr. CHILTON. Then, I move, Mr. President, that the Senate proceed to the consideration of House bill 19076, the objection to the contrary notwithstanding.

The VICE PRESIDENT. The question is on the motion of the Senator from West Virginia that the Senate proceed to the consideration of House bill 19076, notwithstanding the objection. [Putting the question.] The "ayes" seem to have it.

Mr. TOWNSEND. I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. JAMES. Mr. President, I should like to ask the Senator from West Virginia what the bill is? We could not hear what he said back here.

Mr. CHILTON. It is a bill to relieve the Supreme Court of a part of its present jurisdiction and to make certain amendments to the Judcial Code to that end.

Mr. GALLINGER. I ask that the bill be read before we vote on the motion to take it up.

Mr. CHILTON. I understand the yeas and nays have been ordered. I could explain the bill briefly if I could get the floor.

The VICE PRESIDENT. The Secretary will read the bill.

The Secretary read the bill (H. R. 19076) to amend an act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911, as follows:

Be it enacted, etc., That the first subdivision of section 116 of an act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911, is hereby amended to read as follows:

"First. The first circuit shall include the districts of Rhode Island, Massachusetts, New Hampshire, Maine, and Porto Rico."

SEC. 2. That sections 128, 238, and 246 of the act aforesaid are hereby amended to read as follows:

"SEC. 128. The circuit courts of appeals shall exercise appellate jurisdiction to review by appeal or writ of error final decisions in the district courts, including the United States district court for Hawaii and the United States district court for Porto Rico, in all cases other than those in which appeals and writs of error may be taken direct to the Supreme Court as provided in section 238, unless otherwise provided by law; and, except as provided in sections 239 and 240, the judgments and decrees of the circuit court of appeals shall be final in all cases in which the jurisdiction is dependent entirely upon the opposite parties to the suit or controversy being aliens and citizens of the United States or citizens of different States; also in all cases arising under the patent laws, under the trade-mark laws, under the copyright laws, under the revenue laws, and under the criminal laws, and in admiralty cases."

"SEC. 238. Appeals and writs of error may be taken from the district courts, including the United States district court for Hawaii and the United States district court for Porto Rico, direct to the Supreme Court in the following cases: In any case in which the jurisdiction of the court is in issue, in which case the question of jurisdiction alone shall be certified to the Supreme Court from the court below for decision; from the final sentences and decrees in prize causes; in any case that involves the construction or application of the Constitution of the United States; in any case in which the constitutionality of any law of the United States or the validity or construction of any treaty made under its authority is drawn in question; and in any case in which the constitution or law of a State is claimed to be in contravention of the Constitution of the United States."

"SEC. 246. Writs of error and appeals from the final judgments and decrees of the Supreme Court of the Territory of Hawaii and of the Supreme Court of Porto Rico may be taken and prosecuted to the Supreme Court of the United States within the same time, in the same manner, under the same regulations, and in the same classes of cases, in which writs of error and appeals from the final judgments and decrees of the highest court of a State in which a decision in the suit could be had, may be taken and prosecuted to the Supreme Court of the United States under the provisions of section 237; and in all other cases, civil or criminal, in the Supreme Court of the Territory of Hawaii or the Supreme Court of Porto Rico, it shall be competent for the Supreme Court of the United States to require by certiorari, upon the petition of any party thereto, that the case be certified to it, after final judgment or decree, for review and determination, with the same power and authority as if taken to that court by appeal or writ of error; but certiorari shall not be allowed in any such case unless the petition therefor is presented to the Supreme Court of the United States within six months from the date of such judgment or decree."

SEC. 3. That section 244 of the act aforesaid is hereby repealed.

SEC. 4. That the judgments and decrees of the circuit courts of appeals in all proceedings and cases arising under the bankruptcy act and in all controversies arising in such proceedings and cases shall be final, save only that it shall be competent for the Supreme Court to require by certiorari, upon the petition of any party thereto, that the proceeding, case, or controversy be certified to it for review and determination, with the same power and authority as if taken to that court by appeal or writ of error; but certiorari shall not be allowed in any such proceeding, case, or controversy unless the petition therefor is presented to the Supreme Court within six months from the date of such judgment or decree.

SEC. 5. That an action or suit by or against a railroad company incorporated and existing under an act of Congress shall not be regarded as a case arising under a law of the United States within the meaning of the statutes regulating the jurisdiction of the courts of the United States, unless there be some sufficient reason for so regarding it independently of the incorporation and existence of the railroad company under an act of Congress.

SEC. 6. That this act shall take effect and be in force on and after the 1st day of April, 1915.

Mr. CHILTON. Mr. President——

The VICE PRESIDENT. The question is, Will the Senate proceed to the consideration of House bill 19076? The yeas and nays have been ordered, and the question is not debatable. The Secretary will call the roll.

The Secretary proceeded to call the roll.

Mr. FLETCHER (when his name was called). I have a pair with the junior Senator from Wyoming [Mr. WARREN]. Not knowing how he would vote if present, I withhold my vote.

Mr. GRONNA (when Mr. MCCUMBER'S name was called). My colleague [Mr. MCCUMBER] is unavoidably absent from the city. He is paired with the junior Senator from Kentucky [Mr. CAMDEN].

Mr. REED (when his name was called). I transfer my pair with the senior Senator from Michigan [Mr. SMITH] to the junior Senator from South Carolina [Mr. SMITH] and will vote. I vote "yea."

Mr. TOWNSEND (when the name of Mr. SMITH of Michigan was called). I desire to announce the absence of the senior Senator from Michigan [Mr. SMITH] and his pair with the junior Senator from Missouri [Mr. REED]. This announcement may stand for the day.

Mr. SMITH of Georgia (when the name of Mr. SMITH of South Carolina was called). I desire again to announce that the junior Senator from South Carolina [Mr. SMITH] is detained from the Senate on account of illness in his family.

Mr. SUTHERLAND (when his name was called). I have a pair with the senior Senator from Arkansas [Mr. CLARKE], who is absent. I transfer that pair to the senior Senator from Kansas [Mr. BRISTOW] and will vote. I vote "yea."

Mr. WILLIAMS (when his name was called). I transfer my pair with the senior Senator from Pennsylvania [Mr. PENROSE] to the senior Senator from Virginia [Mr. MARTIN] and will vote. I vote "yea."

The roll call was concluded.

Mr. CAMDEN. Transferring my pair with the senior Senator from North Dakota [Mr. MCCUMBER] to the senior Senator from Illinois [Mr. LEWIS], I desire to vote. I vote "yea."

Mr. CULBERSON (after having voted in the affirmative). I transfer my general pair with the senior Senator from Delaware [Mr. DU PONT] to the senior Senator from Nevada [Mr. NEWLANDS] and will allow my vote to stand.

Mr. BRANDEGEE (after having voted in the negative). I voted inadvertently. I am paired with the junior Senator from Arizona [Mr. SMITH], and therefore withdraw my vote.

Mr. CHILTON (after having voted in the affirmative). I omitted to state that I am paired with the junior Senator from New Mexico [Mr. FALL]; but on this question I feel at liberty to vote, and therefore will allow my vote in the affirmative to stand.

The result was announced—yeas 61, nays 9, as follows:

YEAS—61.

Ashurst	Gronna	Page	Smith, Md.
Bankhead	Hardwick	Perkins	Smoot
Brady	Hollis	Pittman	Stone
Bryan	Hughes	Poindexter	Sutherland
Burleigh	Johnson	Pomerene	Swanson
Burton	Jones	Ransdell	Thomas
Camden	Kern	Reed	Thompson
Chamberlain	Lea, Tenn.	Robinson	Tillman
Chilton	Lee, Md.	Root	Vardaman
Crawford	Lippitt	Saulsbury	Walsh
Culberson	Lodge	Shafroth	Weeks
Cummins	McLean	Sheppard	Williams
Dillingham	Nelson	Sherman	Works
Gallinger	Norris	Shields	
Goff	O'Gorman	Shively	
Gore	Overman	Smith, Ga.	

NAYS—9.

Clark, Wyo.	Kenyon	Lane	Townsend
Hitchcock	La Follette	Thornton	White
James			

NOT VOTING—26.

Borah	du Pont	Myers	Smith, Mich.
Brandegee	Fall	Newlands	Smith, S. C.
Bristow	Fletcher	Oliver	Stephenson
Catron	Lewis	Owen	Sterling
Clapp	McCumber	Penrose	Warren
Clarke, Ark.	Martin, Va.	Simmons	
Colt	Martine, N. J.	Smith, Ariz.	

So the motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 19076) to amend an act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911.

Mr. CHILTON. Mr. President, I send to the desk three amendments which are proposed by the Committee on the Judiciary, and to show their relevancy and meaning I want to explain to the Senate in just a few words the purposes of the bill.

The first section of the bill puts Porto Rico in the first circuit, so that appeals from the courts of Porto Rico will take the same course as appeals from the courts of the different States. The bill was drafted upon the idea that Porto Rico was on the line of travel of the first circuit, Boston being the place where the circuit court of appeals of the first circuit is held. At present, under the law, practically every case of importance tried in Porto Rico is taken to the Supreme Court of the United States, and it burdens the court very much. We thought it ought to be put in a circuit, so that appeals could be made to the circuit court of appeals for the first circuit, and then cases from Porto Rico could go to the Supreme Court of the United States only by certiorari, as is the case in all of the States.

There are several other amendments. The one to section 128 is intended to correct what was probably a mistake on the part of the lawmakers and to bring trade-mark cases into the same category as cases arising under the patent laws and under the copyright laws. There was at least a dispute as to whether or not they are now in the same category, and the amendment to section 128 makes appeals in trade-mark cases take the same course as those in copyright cases and in cases arising under the patent law.

In section 238 the words "and the United States District Court of Porto Rico" are inserted to conform to the amendment made in the first section.

The next amendment is to remedy the following situation: There is one railroad company in the United States that is incorporated under the laws of the United States, and that railroad company clogs the record of the Supreme Court by taking all of its cases to that court, on the ground that as it is a corporation organized under the laws of the United States there arises a question under the laws of the United States. The language used in section 5 of the bill met with objection, and several of the Senators on the Judiciary Committee proposed that this section should be amended. The amendment was proposed, and while it occurs to me that the language of the House bill and that of the amendment mean the same thing, the amendment was unanimously agreed to by the Judiciary Committee.

Another amendment made by the committee is to require petitions for certiorari to the Supreme Court to be filed in three months instead of six months. They struck out "six months" and inserted "three months."

Those are all of the amendments, except one suggested by the Senator from Minnesota. There was a certain law that he wanted excepted from the provisions of the bill, and it is contained in the amendment which I have sent to the desk.

I will ask the Secretary now to read those amendments, and it will be seen that I have stated them correctly.

The VICE PRESIDENT. The Secretary will state the amendments.

The first amendment was, on page 4, line 20, to strike out "six" and insert "three," so as to read:

But certiorari shall not be allowed in any such proceeding, case, or controversy unless the petition therefor is presented to the Supreme Court within three months from the date of such judgment or decree.

Mr. CLAPP. Mr. President, I have been out of the Chamber. Would the amendment limiting the time in that way apply to Porto Rico?

Mr. CHILTON. It will apply to everything.

Mr. CLAPP. Does the Senator think it is advisable to do that with reference to Porto Rico?

Mr. CHILTON. The Committee on the Judiciary thought so, and unanimously reported that amendment, after considering the whole subject pretty thoroughly. I think that will be ample time. It is very desirable that the time for presenting petitions for certiorari shall be as short as possible. It would seem that everybody could act within three months. A petition could be filed within that time.

Mr. GOFF. Mr. President, I should like to inquire if the amendments have the unanimous assent of the entire Judiciary Committee?

Mr. CHILTON. Yes, sir; it is a unanimous report of the committee.

Mr. GOFF. As to all the sections?

Mr. CHILTON. Yes, sir; all of the amendments.

Mr. JAMES. Mr. President, does this bill deny to the Porto Rican the right to go to the highest court, the Supreme Court?

Mr. CHILTON. It gives to the Porto Rican just the same right that the Senator has in Kentucky. It puts Porto Rico in the first circuit, just as every State in the Union is in some circuit. Anyone in Porto Rico having a controversy will go from the courts of Porto Rico to the circuit court of appeals of the first circuit; and in those cases in which any citizen of that circuit can go to the Supreme Court of the United States, then, upon the same terms and in the same way, a citizen of Porto Rico can go to the Supreme Court of the United States.

Mr. JAMES. So it just makes another court that the Porto Rican has to go to before he gets to the Supreme Court?

Mr. CHILTON. It does; or, rather, it puts Porto Rico in just the same position as a State of the Union in that respect. It puts it in the first circuit.

Mr. JAMES. As I understand, on an issue arising in Porto Rico a citizen there could appeal to the Supreme Court directly?

Mr. CHILTON. Directly; yes. The result is that they bring their cases to the Supreme Court, and they occupy much of the time of that court.

Mr. JAMES. So, instead of that, you now propose to send him up to New York? Is that it?

Mr. CHILTON. We send him to the circuit court of appeals for the first circuit.

Mr. JAMES. Which sits where?

Mr. CHILTON. It sits in Boston.

Mr. JAMES. And then he comes back, by way of Boston, to the Supreme Court?

Mr. CHILTON. Yes; just like the citizen of any one of the States.

Mr. JAMES. I am opposed to it.

Mr. THOMPSON. Mr. President, I should like to ask a question of the Senator from West Virginia. As I understand, Porto Rico is not in any circuit at all now?

Mr. CHILTON. Porto Rico is not in any circuit. Hawaii and Alaska are each in a circuit, and we propose to put Porto Rico in a circuit.

Mr. THOMPSON. This is not attempting to change circuits, or anything of that kind?

Mr. CHILTON. Not at all. It is only annexing Porto Rico to a circuit, so that a citizen of Porto Rico will have the same rights as to an appeal that any other citizen of the United States has.

Mr. THOMPSON. At the present time, as I understand, they have to appeal directly to the Supreme Court of the United States?

Mr. CHILTON. That is right.

The amendment was agreed to.

The next amendment was to strike out section 5 and to insert in lieu thereof:

No court of the United States shall have jurisdiction of any action or suit by or against any railroad company upon the ground that said railroad company was incorporated under an act of Congress.

Mr. CHILTON. As I said before, that is simply changing the language of the section as it passed the House. The Senate committee thought that the language of the amendment is a better way to express the purpose intended.

The amendment was agreed to.

The next amendment was to strike out section 6 and to insert in lieu thereof:

That this act shall not affect cases now pending in the Supreme Court of the United States or cases in which writs of error or appeals have been allowed at the date of its approval. And nothing in this act shall be deemed to repeal, amend, or modify the provisions of an act entitled "An act providing for writs of error in certain instances in criminal cases," approved March 2, 1907.

The amendment was agreed to.

Mr. SUTHERLAND. Mr. President, I do not want to delay the passage of this bill, because I regard it as a very necessary piece of legislation; but I received this morning a letter from a very prominent lawyer in Hawaii—I think the Senator from Wyoming [Mr. CLARK] received a similar letter—in which he stated that some members of the bar there are very much opposed to the provision of the bill which seeks to take from the Supreme Court of the United States the jurisdiction which it now has over appeals and writs of error from the Supreme Court of Hawaii, where the amount involved is $5,000 or more.

I confess that such information as I have upon the subject inclines me to the view that the provision of this proposed law is a wise one. The Supreme Court of the United States ought to be relieved from appeals in that class of cases. But the writer of the letter also stated that a meeting of the bar of Hawaii is in contemplation at which this subject would be taken up. I am reluctant to ask that the bill be delayed until the bar can be heard from, because, as I have already stated, I think it is a very necessary piece of legislation, and if it should be delayed for any length of time it probably could not be passed at this session of Congress.

I am going to offer an amendment to come in at the end of section 2, on page 4, so that the matter may go into conference and there be considered. I have written the amendment somewhat hurriedly, and fearing that the Secretary may not be able to read it I will read it myself. Add at the end of section 2:

Writs of error and appeals from the final judgments and decrees of the Supreme Courts of the Territory of Hawaii and of Porto Rico wherein the amount involved, exclusive of costs, to be ascertained by the oath of either party or of other competent witnesses, exceeds the value of $5,000 may be taken and prosecuted in the circuit courts of appeals.

The circuit courts of appeals are given jurisdiction over the district courts of Hawaii and Porto Rico, and it might be well if they are given the same jurisdiction over the supreme courts of those Territories. At any rate, I offer the amendment, and I hope the Senator in charge of the bill will not object to it and let it go into the bill, and inasmuch as the bill has to go to conference anyway this may be considered in connection with the other matters.

Mr. CHILTON. I should like to have the amendment read again.

The VICE PRESIDENT. The Secretary will read the amendment.

The SECRETARY. It is proposed to add to section 2:

Writs of error and appeals from the final judgments and decrees of the Supreme Courts of the Territory of Hawaii and of Porto Rico wherein the amount involved, exclusive of costs, to be ascertained by the oath of either party or of other competent witnesses, exceeds the value of $5,000 may be taken and prosecuted in the circuit courts of appeals.

Mr. SUTHERLAND. The effect of it is to give the circuit courts of appeals to which Hawaii and Porto Rico are attached the same appellate jurisdiction the bill seeks to give over the district courts.

Mr. CHILTON. Of course, I have no right to accept the amendment, but after the statement of the Senator from Utah, who has given this matter much attention, I urge no objection to its going into the bill. It will probably go to conference and can be considered further. In the meantime the protest of the Bar Association of Hawaii will have been received and the Senator from Utah can speak more definitely upon the subject.

Mr. CLARK of Wyoming. Mr. President, adding to the suggestion of the Senator from Utah, it will be remembered that in the organization of the Territory of Hawaii a different judicial system was provided than had ever been provided for any Territory before that time. At the time that it became a Territory, or at the time that it became subject to the jurisdiction of the United States, they had a well-developed and fully equipped local judiciary system, and it was the purpose to incorporate that in bulk as far as possible into the new Territorial organization in order that there might not be any sudden disturbance of their judicial procedure. Therefore a different method was provided for reaching the Supreme Court of the United States, and it allowed appeals from the Supreme Court of the Territory of Hawaii, composed entirely of a local organization, to the Supreme Court of the United States in cases where the subject matter in controversy was over $5,000.

I had, I suppose, a communication in substance such as that received by the Senator from Utah [Mr. SUTHERLAND], and it had been my purpose, had I been in the Chamber when the Senator from West Virginia first called up this measure, to ask that the bill might go over until to-morrow, perhaps, or the day after, in order that the formal views of the Hawaiian bar might receive consideration. But I realize that that is too late.

Personally I have an exceedingly high opinion of the bar of the Territory of Hawaii. I doubt if any jurisdiction in the United States of equal area and equal or far more population has a bar that would exceed in learning and in ability the bar of the Territory of Hawaii. I would be glad if an opportunity could be had for the views of their bar association to be expressed. I think, however, under the method suggested by the Senator from Utah that this appeal, instead of coming direct to the Supreme Court of the United States, may be allowed to the Circuit Court of Appeals of the Ninth Circuit. Probably the differences and the inconveniences can be equalized, and I hope the amendment will prevail.

The VICE PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from Utah [Mr. SUTHERLAND].

The amendment was agreed to.

Mr. CUMMINS. I ask that section 5 be read.

The VICE PRESIDENT. It will be read.

The Secretary read as follows:

No court of the United States shall have jurisdiction of any action or suit by or against any railroad company upon the ground that said railroad company was incorporated under an act of Congress.

Mr. CHILTON. That amendment was agreed to.

Mr. CUMMINS. My attention was distracted, and for the moment I did not know whether the section had been amended as we had agreed on it or not.

Mr. CHILTON. Yes; that has been agreed upon as a committee amendment.

Mr. CUMMINS. I see it has.

Mr. SAULSBURY. I desire to ask the Senator in charge of the bill why the first circuit was ageed upon as the circuit to which appeals might be taken from the local courts in Porto Rico and whether in determining which circuit appeals should be considered the committee took into consideration either the second circuit or the third circuit at Philadelphia.

I wish to say to the Senator in charge of the bill that a year or more ago I was in quite close communication with a number of lawyers in Porto Rico, and they at that time, I know, desired that their appeals and writs of error should be taken to Philadelphia. I do not know what their position is now, but it seemed to me that possibly that would be much more convenient for them than Boston. Of course the New York circuit would be the most convenient, because of the rapid exchange between New York and Porto Rico, but Philadelphia is within one hour of that port, where all the Porto Rico trade centers, although I think there are some boats running to Philadelphia, whereas Boston would be five hours and would be longer.

I only inquire so that I may know whether any consideration has been given to it.

Mr. CHILTON. I will say to the Senator that that was considered after many suggestions were made. There were two reasons why the first circuit was agreed upon by the committee unanimously. One was that it was thought that Boston, where the court is held, comes within the line of travel as nearly as any place would, and that docket was not crowded with business, and that court would probably take care of the business more expeditiously than any other circuit court of appeals. It was all discussed before the committee, and we came to that conclusion.

Mr. SAULSBURY. May I ask the Senator whether any representation was made by the bar of Porto Rico as to their desire regarding the circuit to which appeals and writs of error might be taken?

Mr. CHILTON. There was none before the committee of the Senate, as I recall.

Mr. SHAFROTH. I will state, if the Senator from West Virginia will allow me, that I received a communication from Judge Hamilton, who is at present judge at San Juan, P. R., and he prefers the Boston district. I also received, being chairman of the Committee on Pacific Islands and Porto Rico, a communication from some other party, saying that they thought it was more desirable that the Porto Rican courts should be in the first circuit than the one at Boston. As to distance, it seems to me to be very immaterial whether it is five hours or one hour or two hours. When people come for the consideration of business before a court it is not a question as to one or two or three hours.

I do not think there is any line of steamers that go to Philadelphia.

Mr. SAULSBURY. I think there is a line of fruit steamers.

Mr. SHAFROTH. That may be, but the passenger traffic goes to New York, and inasmuch as there is no certainty as to the arrival of the same, being sometimes delayed, they could get a hearing at Boston as well as at Philadelphia. The people down there seemed to think that the Boston court was a better court for them.

Mr. ROOT. Mr. President, I think that the disposition made in the bill by the House, and which was anticipated by the Judiciary Committee of the Senate, would facilitate the disposition of business coming from Porto Rico much better than to send it to the second circuit. The second circuit appears to be overburdened, and the effect of sending it there would be probable delay in the disposition of causes that come up. The opportunity to get a swift decision in the first circuit, I think,

is very much better. I think that is a wise disposition, and that was the view of the committee.

While I am on my feet I want to say one word particularly because of something the Senator from Kentucky [Mr. JAMES] said a few minutes ago. The transaction of business in Porto Rico and Hawaii and different outlying possessions has been gradually shaping down to a fixed course of procedure and a common understanding of the relations of the judicial proceedings in those islands to the general administration of justice in the United States. There was a period during which everything was chaotic; there were great misunderstandings and differences of understanding, and it was probably desirable at that time that the Supreme Court of the United States should supervise the settling of the law.

I think that time has passed. I think they are getting down to an ordinary regular course of procedure in the administration of justice, which makes it appropriate to apply to them the same principle with respect of appeals and with respect of the review of decisions which we apply to our own States. Inasmuch as it is quite certain that as we go on we must progressively relieve the Supreme Court, it seems to me that this step which puts Porto Rico on the same basis with Connecticut and Rhode Island and Vermont and the other New England States is timely and is called for.

The enormous growth of this country and the still greater growth of national business as compared with local State business and the great extension of the field over which national authority is asserted are creating an enormous number of new questions and increasing the burden upon the Supreme Court, and as the process of extension goes on that increase of burden will go on. The judges of our Supreme Court now are driven to the very limit of their human power to do their work, and if you drive them too hard, if you impose too great a body of duty upon them, you do not get good work; you do not get the operation of fresh and active minds, and thus we are going to have the great and all-important function for the whole country which is performed by the Supreme Court done in an inferior way. We must follow the increase of Federal business by relieving the Supreme Court from the less important in order that it may be able to do the more important part of its work.

This seems to me a plain and very desirable step in that direction, and no injustice is done to Porto Rico and Hawaii or any other island.

Mr. WALSH. Mr. President, I desire to inquire of the Senator from Utah, who offered the amendment, whether, under the existing law, there is any appeal from the trial courts in Hawaii to a court of review or appeal in the islands?

Mr. SUTHERLAND. Whether there is under existing law?

Mr. WALSH. Yes.

Mr. SUTHERLAND. An appeal lies now from the Supreme Court of the Territory of Hawaii to the Supreme Court of the United States——

Mr. WALSH. I understand.

Mr. SUTHERLAND. Where the amount involved is $5,000 or more.

Mr. WALSH. What is the condition when the amount involved is less than $5,000?

Mr. SUTHERLAND. Then the judgment of the Supreme Court of Hawaii is final. It is exactly the same provision that existed in the Senator's State when it was a Territory, and that existed in my State when it was a Territory.

Mr. WALSH. I understand. The supreme court is a court of appeals.

Mr. SUTHERLAND. Yes; the supreme court is an appellate court.

Mr. WALSH. Then, in the case of a judgment of $5,000 or more, it would be tried in the first place in the lower court in Hawaii; it would then be reviewed by the Supreme Court of Hawaii, and then reviewed again by the court of appeals.

Mr. SUTHERLAND. Yes; where the amount involved is $5,000 or more.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

REGULATION OF IMMIGRATION—CONFERENCE REPORT.

Mr. ROBINSON. I move that the Senate proceed to the consideration of the conference report on the immigration bill, being House bill 6060.

The motion was agreed to; and the Senate resumed the consideration of the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 6060) to regulate the immigration of aliens to and the residence of aliens in the United States.

The VICE PRESIDENT. The question is on agreeing to the conference report.

Mr. REED. Mr. President, on day before yesterday, when this conference report was under discussion, I was engaged in making some remarks upon it when the hour arrived at which, under a unanimous-consent agreement, we were compelled to take up another matter. I could, otherwise, then have concluded what I had to say in a very few moments. I desire now to supplement my remarks very briefly.

I had referred to the immigration of the black or African race to this country during the last few years. I desire to insert in the RECORD as a part of my remarks, without reading, a tabulation showing the amount of that immigration during the last five years.

The VICE PRESIDENT. Without objection, permission to do so is granted.

The table referred to is as follows:

Immigration of black or African for the past five fiscal years.

	Immigrants.			Nonimmigrants.			Total.		
	Arrivals.	Illiterates over 14 years of age.	Percentage of illiteracy of aliens over 14 years of age.	Arrivals.	Illiterates over 14 years of age.	Percentage of illiteracy of aliens over 14 years of age.	Arrivals.	Illiterates over 14 years of age.	Percentage of illiteracy of aliens over 14 years of age.
1910	4,966	838	18.6	2,029	366	18.9	6,995	1,204	18.6
1911	6,721	1,239	20.2	3,084	733	25.0	9,805	1,972	21.8
1912	6,759	1,226	20.0	3,098	625	21.2	9,857	1,851	20.3
1913	6,634	930	13.7	3,100	649	22.2	9,734	1,579	17.5
1914	8,447	1,805	23.3	4,011	1,085	28.2	12,458	2,890	25.0

Mr. REED. I also ask permission to insert in my remarks, without reading, statements of various educators of prominence in the United States, including certain statements of President Wilson, then governor of New Jersey and candidate for President, in criticism of the literacy test.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

The statements referred to are as follows:

PRESIDENT WILSON ON IMMIGRATION—"AMERICA PROUD TO OPEN HER GATES TO EVERYONE WHO LOVED LIBERTY AND SOUGHT OPPORTUNITY."

On Wednesday afternoon, September 4, 1912, a delegation of about 100 journalists and editors of newspapers published in German, French, Italian, Hungarian, Polish, Jewish, Greek, Bohemian, and other languages met Gov. Wilson at the National Arts Club, in Gramercy Park, New York City. Herman Bernstein, the chairman, in his speech introducing Gov. Wilson to the writers, said, in part, as follows:

"You have brought with you your best traditions; you have brought your lofty ideals; you have brought your energy and earnestness; you have brought with you a love for your great literatures and your great cultures; you have brought with you the great past of your nations, and here in the furnace of tolerance and opportunity you are working out your own future together with the great future of the American people * * *."

EXTRACTS FROM GOV. WILSON'S SPEECH.

Gov. Wilson then spoke to the representatives of the press present, as follows:

"Mr. Chairman and ladies and gentlemen, your very cordial and gracious greeting confirms the impression with which I came to this place. It confirms the impression that we are not separated in ideas or in opinions, that I am not the American and you the foreigners. That is exactly the impression which has never been in my mind, and your greeting of me shows me it is not in yours. Because there is a certain sense in which we do America an injustice by classifying ourselves as native born and foreign born. And I have always pleased

myself with the idea that America, in some degree, exists in spirit all over the world and that there are men coming to these shores who have displayed their force in our affairs, who bring to America a more vivid conception of what it means than those of us who were born and bred here ourselves entertain * * *

OPEN SIGNS OF LIBERTY.

"If I go to a country reputed to be a country of equality and of liberty, I must expect to find constant, visible, and open signs of liberty and equality; and therefore I carry to that country a demand which that country must satisfy. But I carry it only on one condition, namely, that I have gone to that country with that idea. I carry it only as I have gone to America because I was really, without knowing it, born an American. I wanted that thing that I thought I could get in America, and therefore I broke the tender connections of old associations, the intimate connections of a birthplace, and went to a far country looking for an ideal. And that is the distinction between voluntary immigration and involuntary and assisted immigration, is it not? And that, it seems to me, furnishes one of the clues to the only basis that we can have when we discuss the limitations that must be put upon immigration.

"If we can hit upon a standard which admits every voluntary immigrant and excludes those who have not come of their own motion, with their own purpose of making a home and career for themselves, but have been induced by steamship companies or others to come in order to pay the passage money, then we will have what we will all agree upon as Americans. * * *

WILSON A DIRECTOR OF A LIBERAL IMMIGRATION SOCIETY.

"Now, strange as it may seem to some gentlemen who have criticized me, the only blunder I have made, the only practical blunder I have made in my interest in a liberal policy with regard to immigration, is that I got into the wrong society to encourage it. So that it was an indiscretion of judgment and not an indiscretion of purpose, for my interest in immigration is to see that the immigrant is properly informed, is properly safeguarded against imposition of every kind, whether by the Government or anybody else, and is directed to the place where he can attain the objects he has come for with the greatest advantage to himself. That, to my mind, is the solution of the immigration question * * *."

—

WILSON'S LETTER TO A WELL-KNOWN ITALIAN-AMERICAN IN CONNECTICUT.

The Democratic Party could not, without forgetting its very origin, advocate an illiberal policy in the matter of immigration. The party may almost be said to have originated in opposition to the alien and sedition laws, by which the Federalist Party sought to all but shut the doors against naturalization and at the same time silence the criticism of our own people against their Government. America has always been proud to open her gates to everyone who loved liberty and sought opportunity, and she will never seek another course under the guidance of the Democratic Party. I am in hearty accord with the ancient faith and practice of the party that has honored me by nominating me for President. * * *

HIS LETTER TO DR. CYRUS ADLER, OF PHILADELPHIA.

I think that this country can afford to use and ought to give opportunity to every man and woman of sound morals, sound mind, and sound body who comes in good faith to spend his or her energies in our life, and I should certainly be inclined, so far as I am concerned, to scrutinize very jealously any restrictions that would limit that principle in practice. * * *

WILSON'S LETTER TO THE "WARHEIT."

I, like the other Democrats, have always held liberal views with regard to immigration. I feel that it would be inconsistent with our historical character as a Nation if we did not offer a very hearty welcome to every honest man and woman who comes to this country to seek a permanent home and a new opportunity. * * *

The attitude of the party and the strength of public opinion in this matter was shown in the most interesting way in the matter of the recent abrogation of our treaty with Russia—the whole country resenting any action on the part of a foreign Government which would discriminate against any American on any ground.

—

CARDINAL GIBBONS OPPOSED TO LITERACY TEST.

I am not in favor of any educational test as applied to immigrants desiring to enter the United States. Such a law, if passed, would, in my opinion, work great harm, for illiteracy is by no means always ignorance. If the immigrant is industrious and thrifty, he will make a useful citizen, whether he be literate or illiterate. The educated schemer is in more ways than one more dangerous than the honest workman, even though he be illiterate.

—

PRESIDENT ELIOT'S VIEWS.

I beg leave to invite your attention to the following statement of the principles which should govern the national legislation on immigration:

(1) Our country needs the labor of every honest and healthy immigrant who has the intelligence and enterprise to come hither.

(2) Existing legislation is sufficient to exclude undesirable immigrants.

(3) Educational tests should not be applied at the moment of entrance to the United States, but at the moment of naturalization.

(4) The proper education test is capacity to read in English or in the native tongue, not the Bible or the Constitution of the United States, but newspaper items in some recent English or native newspaper which the candidate can not have seen.

(5) The attitude of Congress and the laws should be hospitable and not repellant.

The only questions which are appropriate are, Is he healthy, strong, and desirous of earning a good living? Many illiterates have common sense, sound bodies, and good characters. Indeed, it is not clear that education increases much the amount of common sense which nature gave the individual. An educational test is appropriate at the time when the foreigner proposes to become a voting citizen. He ought then to know how to read.

—

LITERACY TEST A FETISH.

I am a believer in a liberal immigration policy.

The reading test is not a fair measure of desirability. It is a fetish that has been very unduly magnified.

My answer to your third question is, of course, no.

Dr. G. STANLEY HALL,
President Clark University, Worcester, Mass.

I do not believe in a literacy test for immigrants. I do believe, however, in the most rigorous tests of physical soundness and mental soundness. No one who is suffering from disease or who is mentally defective should be admitted.

Dr. WILLIAM H. MAXWELL,
City Superintendent of Schools, New York City.

—

I am not opposed to a liberal immigration policy.

I do not believe that a reading test is entirely fair as a measure for determining the desirability of an immigrant.

I do not believe that immigrants fleeing from religious or political persecution should be subjected to a literary test, should such a test be enacted.

It seems to me American experience is proving that the immigration problem is a serious one chiefly for two or three reasons:

First, because we have been receiving a large number of immigrants of a quality made inferior by a selfish system of class exploitation in Europe.

Second, after arriving in America the immigrants are often further exploited in industry and corrupted in politics by unscrupulous Americans.

Third, this has been somewhat due to the lack of a public point of view in the leaders of industry and politics, owing to a somewhat confused and disorganized system of hostile competition in social affairs, now beginning to be corrected.

Dr. C. J. BUSHNELL,
President Pacific University, Forest Grove, Oreg.

—

LITERACY TEST POOREST OF ALL.

The literacy test is the poorest of all. People who flee from religious persecution, no matter how ignorant, are people worth while. The vast horde of degenerates who have been pouring into this country are for the most part able to read and write. They are shrewd and cunning, and they have no place in a civilized country. * * * The honest and industrious and healthy immigrant of good stock, no matter whether he is able to read or write, should be welcomed to our shores.

Dr. EDWIN B. CRAIGHEAD,
President University of Montana, Missoula, Mont.

—

"LITERACY NOT ALWAYS AN ADEQUATE TEST OF QUALITY."

Your favor of the 14th instant is at hand. It has never seemed to me advisable to establish a literacy test for immigrants, because, in my opinion, literacy is not always an adequate test of quality. If we can establish a test which will exclude those who are really undesirable—that is, who are unlikely to make intelligent, industrious, and law-abiding citizens—such test I should approve. I do not believe that the literacy test conforms to that condition.

HARRY PRATT JUDSON, LL. D.,
President University of Chicago, Chicago, Ill.

—

CAN ADMIT IMMIGRANTS WITHOUT EDUCATION BETTER THAN HUNDRED YEARS AGO.

Gladly do I avail myself of the opportunity you have offered me to say a few words on the question of immigration. It seems to me clear that we have always been able to assimilate the immigrants that come to our hospitable shores whenever they came with sound moral principles and the firm desire to better their lot. Read the roster of our great men these days and you will find them children of men that came over here to escape persecution, without, perchance, the knowledge of the alphabet. We want just such men in our day—men of sterling worth, that respect the law of God and the Commonwealth, who stand for the nobler things in life, who will teach their children such lessons. The next generation will see to the reading. Ours is an immense Commonwealth, and the population is so large now that we can admit immigrants without education better than we could a hundred years ago, and yet our country prospered and kept apace of all other nations in civilization and progress.

According to the opinion of all thinkers the Nation's troubles lie more in the absence of moral principles and the want of respect for law and rightly constituted authority than want of education, and many of our best-instructed men are our greatest rascals.

I believe, then—

(1) In the liberal immigration policy.

(2) I hold that the reading test is certainly not a fair measure of the desirability of the admission of an immigrant, though, if all things else were equal, we prefer educated men.

(3) Above all, it seems to me against all the best traditions of our country to refuse shelter to men who flee to our shores to have civil and religious liberty, though they may not be able to read.

I am in thorough sympathy with that magnificent man that rules the Nation to-day, and I can only hope that our Congress will follow his lead in this as in other matters.

EDWARD CUMMINGS, S. J.,
President Spring Hill College, Mobile, Ala.

—

ILLITERACY "A MERE ACCIDENT."

In reply to your questions—

(1) I wish to state definitely that I am in favor of a liberal immigration policy;

(2) That I do not think a reading test to be a fair measure for determining the desirability of an immigrant; and

(3) That it would be a barbarous proceeding to subject persons fleeing from religious and political persecution to a literacy test.

Illiteracy is a mere accident, that may affect a family in one generation but be conspicuously absent from succeeding generations. Thousands of our best people are descended from illiterate ancestors, and as long as the country is only one-fifth really occupied our policy should be the wise policy that has hitherto prevailed.

LYON G. TYLER, LL. D.,
President College of William and Mary, Williamsburg, Va.

—

LITERACY TEST SUPERFICIAL.

If you interpret "liberal immigration" to mean an immigration without any restrictions, I am opposed to it. I think the United States Government may wisely restrict and even prohibit, in cases, immigration.

I do not believe that a reading test is a fair standard by which to determine the desirability of an immigrant. Unquestionably, immigrants who could not measure up to the most rudimentary test of literacy may yet be industrious, honest, and very desirable men.

I do not believe that immigrants such as Russian Jews, who are evidently fleeing from religious and political persecution, should be subjected to the literacy test. However, it does not necessarily follow that they should be subjected to no test whatsoever. In brief, I am convinced that the literacy test is very superficial in any case.

GEORGE LEWIS MACKINTOSH, D. D.,
President Wabash College, Crawfordsville, Ind.

—

CAN NOT RESPECT INTELLIGENCE OF MAN WHO MAKES LITERACY TEST OF FITNESS.

I am not opposed to a liberal immigration policy.

I do not believe that the reading test is a fair measure for the determination of an immigrant's desirability. I can not respect the intelligence of the man who can make literacy the test of fitness, and I am driven to suspect some underlying motive—which he is ashamed to make public—in the statesman who would make this test the law.

If the literacy test should be enacted, I believe in making the exceptions as numerous as possible, and first on the list of exceptions should be placed those who flee to us from religious and political persecutions.

BERNARD J. OTTING, S. J.,
President St. Louis University, St. Louis, Mo.

—

TOTALLY OPPOSED TO BURNETT BILL.

I am totally opposed to Mr. BURNETT'S bill now before Congress for the restriction of immigration by means of a literacy test. There are a number of respects in which we can not be too strict in admitting immigrants, but some of the least desirable persons who come to this country to live are persons who would have a quite abundant entrance so far as any literacy test is concerned.

With reference to the first question, as to whether I am opposed to a liberal immigration policy, I would say that the question is, to my mind, a little vague. I am in favor of a policy which is very strict in requiring physical and moral fitness and a sane attitude toward government as such.

I would answer the second question that you ask in the negative. A reading test is not a fair measure for determining the desirability of an immigrant. There should be, in my judgment, some such test before naturalization.

As to the third question, my position will be plain from what I have already said. Least of all, should well-disposed, industrious, and physically healthy people who are suffering religious and political persecution be hindered from entering our country. We would be very recreant to the spirit and purpose of the forefathers of this Nation should we adopt such a test.

Dr. D. E. JENKINS,
President University of Omaha, Omaha, Nebr.

—

I hasten to say that I am most emphatically a believer in a liberal immigration policy and I do not believe that a reading test should be applied in any case. It is not the proper way of determining who are undesirable immigrants.

Dr. THOMAS MCCLELLAND,
President Knox College, Galesburg, Ill.

—

I do not believe a reading test for determining the desirability of an immigrant is a proper measure, and I do not believe immigrants fleeing from religious and political persecution ought to be subjected to a literary test.

Dr. A. W. HARRIS,
President Northwestern University, Chicago, Ill.

—

I am not opposed to a liberal immigration policy. I believe, however, that such restrictions should be imposed as would prevent persons who are disqualified for life and work in our country, on moral and physical grounds, from entering the United States.

I do not believe that a reading test is a fair one of the desirability of an immigrant. Moreover, it involves complications that I think make a proper application ineffective. Many of the immigrants of comparatively high intelligence are the ones that are the least fitted for the privileges and liberties of our country.

Dr. DAVID R. BOYD,
President University of New Mexico, Albuquerque, N. Mex.

—

"INADEQUATE AND MISLEADING."

I am not in favor of a literacy test for immigrants to this country. It would be inadequate and misleading, often resulting in the exclusion of worthy and desirable additions to our population. There may be other causes than inability to read and write, such as a criminal record or a diseased condition of the body, which might make exclusion appropriate. But I believe that these things should be attacked openly and directly, and that effective means should be devised, if they do not already exist, to keep out really undesirable persons. Illiteracy, while regrettable, is not necessarily an indication of the lack of those fundamental virtues which contribute to the making of a good citizen.

GEORGE S. DAVIS, LL. D.,
President of the Normal College of the City of New York.

RESTRICTION UNAMERICAN.

I am convinced that the effort to restrict immigration by a literacy test is un-American as well as unwise. The training of the will to right conduct is more important for American citizenship than a literary training, and thousands of desirable citizens have received training of the will through religion and the influence of virtuous homes, though the opportunity for even elementary education in the schools has been denied them. Virtue is not dependent on letters, and virtue, not letters, is the right foundation for American citizenship.

JOHN CAVANAUGH, C. S. C.,
President University of Notre Dame, Notre Dame, Ind.

—

HOPES BURNETT BILL WILL NOT PREVAIL.

Your letter inclosing a press sheet on the subject of immigration and making certain inquiries of me as to my position in the matter has come to hand this morning. I am able to reply at once, because for many years I have held a very consistent position upon the matter.

I am greatly in favor of a liberal immigration policy. I regret very much the pressure from different parts of the country to restrict immigration unduly. I believe that if our present laws relating to undesirable immigrants are enforced, they will keep out of the country all whom we ought to exclude. I do not believe that a reading test is a fair measure for determining the desirability of an immigrant. Some of the best immigrants who ever came to America could not read when they landed, but settled down into helpful American lives. I do not believe that a literacy test should be enacted. I am perfectly willing at all times and in all places to declare this view.

Hoping that any bill to this effect will not prevail with Congress, I am,

STEPHEN M. NEWMAN, D. D.,
President Howard University, Washington, D. C.

—

LITERACY TEST NOT A FAIR MEASURE.

In answer to yours of the 14th instant, I will say that I am very strongly in favor of an immigration policy which will exclude a large number of persons who are not now kept out of this country, namely, criminals, the physically and morally unfit. I am aware that the present laws are supposed to exclude such persons, but as a matter of fact, many of them find entrance into the United States under the present laws.

Second, I do not believe that a reading test is a fair measure for determining the desirability of an immigrant. It seems to me that the physical and moral qualifications are far more important.

Third, I believe that immigrants fleeing from religious and political persecutions should not be subjected to a literary test should such test be enacted.

HERBERT L. STETSON, D. D.,
President Kalamazoo College, Kalamazoo, Mich.

—

LIBERAL IMMIGRATION—"HUMANE AND GOOD POLICY."

In reply to your questionnaire on the subject of immigration, I beg to say, first, that I am in favor of a liberal immigration policy, particularly toward that class of immigrants who from their antecedents or through any influence that can be brought to bear upon them, can be disseminated over the country and induced to settle upon land as over against the tendency to gather in cities.

Second, the literacy test is of some value, but it is not a fair measure of the desirability of an immigrant. It should not be the sole test. There are many valuable men and women who could be of service in this country who possibly can not read and write.

I am aware of the variety of opinions on the subject of immigration and grant that we have perhaps too many foreigners of inferior grade in our large cities, but in the country there is a constant need of laborers, both men and women, and that is particularly true through the great central portions of the United States. These people have to give that which we need and they need that which we have to give. It seems to me humane and in the end a good policy to make this exchange.

WINTHROP E. STONE, LL. D.,
President Purdue University, Lafayette, Ind.

—

"MELTING POT" DOES ITS WORK EFFECTIVELY AND ADVANTAGEOUSLY.

I am not opposed to a liberal immigration policy except to the extent of believing that we should ascertain whether our immigrants be honest and healthy. It does not seem to me that a reading test is a fair measure for determining the desirability of an immigrant; nor do I think that such a test, if enacted, should be imposed on immigrants fleeing from religious or political persecution. I used to incline toward a belief in much stricter immigration laws, but upon becoming acquainted with the sons and daughters of possibly objectionable immigrants, I saw that the "melting pot" does its work effectively and advantageously.

JAMES A. B. SCHERER, LL. D.,
President Throop College of Technology, Pasadena, Cal.

Mr. REED. I also desire to place in the RECORD editorials from the St. Louis Republic, of January 9 and January 13, 1915, entitled "Never a worse time" and "The illiterate immigrant."

The VICE PRESIDENT. Without objection, it is so ordered. The editorials referred to are as follows:

NEVER A WORSE TIME.

The manifest unfairness of the immigration bill as it came from the Senate with its amendment exempting Belgian farmers from the literacy test was not overlooked in the House, where the amendment has been rejected; but by eliminating that discrimination the House merely intensifies the cruelty of the bill, which now shuts the door of America in the face of every war-cursed illiterate in Europe, Belgians and all. No matter what their suffering may have been, no matter how unjustly they may have been treated, no matter how useful, how good, or how strong they may be, the bill as it stands says to every European who can not read, "You must stay out." Is that typical of American character or are we represented by the thousands of generous people who are now helping to load ships with food and clothing for the victims of the war without regard to their nationality, their station in life, or the fortune which gave them a schooling or denied it?

Once again the Republic insists that there never was a worse time for the passage of a restrictive immigration law in the history of this country than now. Immigration is at a low ebb and the war will keep it so. If there are any of the oppressed of Europe who can escape from the zone of war to this country, whether they be Belgian or Turk, they ought to be permitted to come. There will be time enough to frame a just immigration law when the distress in Europe is less and conditions in this country favor a clearer vision.

—

THE ILLITERATE IMMIGRANT.

There is a foolish streak somewhere in the wisest man, and the same thing is true of legislative bodies. The present Congress will long be remembered as the most efficient lawmaking body that has sat in Washington in 50 years, but in passing an immigration bill imposing a literacy test it has temporarily mislaid its judgment.

I takes three things to make an immigrant out of a man and send him across the sea to a new land with a strange language. He must have a good deal of courage, or he would never make the venture; a good deal of thrift, or he could never get the money together working at the wages paid in the countries that furnish us immigrants; a good deal of dissatisfaction with his surroundings, or he would stay in them. We only get discontented or ambitious people—how discontented or ambitious we may judge by asking ourselves how much it would take to induce us to emigrate to a land of strange customs and strange language.

Now, the literacy question in connection with immigration reduces itself to this: Does it pay us to shut out the kind of man who immigrates simply because he has not had a chance to learn to read?

Here is a Magyar, born and brought up in a little village in the midst of the great Hungarian plain. He can neither read nor write; three-quarters of the people in his village are in the same case. He has a desire for better things; the boy walks to Budapest and gets a job unloading steamers on the quays of the Danube, under the shadow of the great castle on the rock. He eats the coarsest fare; his feet are bare and his legs, too, up to the short trunks of coarse blue cloth which cover his thighs. Here, on the quay, he hears about America from a man whose brother is in St. Louis. He forms a mighty resolve. He begins to save money, a few heller at a time. It is the work of years; he falls ill with fever, and some of his precious money goes in the weeks of weakness that follow the discharge from the hospital. Finally, however, he steps proudly abroad the ship at Fiume bound for America.

What makes America rich? Our greatest wealth is in the spirits and souls of men. We may put inspectors at Ellis Island who will accurately determine the health and physical force of every immigrant, count his money, and test his knowledge of books. But all this only touches the surface. It takes no account of the invisible riches of faith, hope, purpose—the vision that sees things hidden beneath the horizon, the soul that clings to an ideal in spite of the handicap of ignorance and poverty and lack of opportunity.

In the old days, when children at school "spoke pieces," we used to memorize extracts from the utterances of great Americans who praised this Nation as "a refuge for the oppressed from all nations." It is an old-fashioned conception perhaps, but the Republic is glad to go back to it. Our modern statesmen are willing to have America still the refuge for the oppressed among all nations, provided, however, that the oppression has never proceeded far enough to deprive them of the opportunity to learn to read. If a man has been the victim of oppression, to that extent they will none of him.

The proposition to exclude immigrants who can not read is snobbish and un-American and undemocratic. The bill containing it ought to be vetoed. The sons and grandsons of European illiterates who were such because they never had opportunity to learn are to-day coming from American colleges and universities. One of the things that lured those men on was hope of schooling for their children. The Republic is heartily glad that they, so poor in learning, so rich in self-sacrifice, and the vision of better things, were not excluded from the "land of promise" they labored against such difficulties and discouragements to possess.

Mr. REED. I also desire to insert as a part of my remarks an article from the New York Times of December 12, 1914, the author of the article being Mr. Max J. Kohler.

The VICE PRESIDENT. Without objection, it is so ordered.

The article referred to is as follows:

EFFECTS OF THE WAR ON IMMIGRATION—HISTORY OF OTHER WARS SHOWS THAT INFLUX SHOULD NOT BE ABNORMALLY HEAVY WHEN PEACE COMES.

The theory that after the close of the present war we will at once have an unprecedentedly heavy immigration to the United States has been given wide currency recently, particularly by Congressman BURNETT, chairman of the House Committee on Immigration, in order to secure the passage of the Burnett-Dillingham bill, containing a literacy test and other restrictive provisions, but while at first blush this prediction seems reasonable a closer study of conditions exposes its fallacy.

The argument has had wide publicity to counteract the obvious fact that immigration has now practically ceased, on account of the war, and that, therefore, new and convincing reasons now exist for not enacting the literacy test which had been vetoed by Presidents Cleveland and Taft, and which President Wilson expressed disapproval of during the last presidential campaign. It would seem that Congress might properly wait, even with consideration of this measure, till facts attest the correctness of the theory that immigration will become abnormally heavy. But while, of course, immigration will approximate more closely to normal figures after the war is ended important factors restraining it will continue to be potent. First of all, immigration has for its nucleus the classes of military age now engaged in active military service whose numbers the war is enormously decreasing by death, wounding, and illness. For example, during the fiscal year ending June 30, 1913, less than 6 per cent of the immigrants admitted were over 45 years of age, and it is well known that the alien over that age who does not receive an unfavorable medical certificate calculated to exclude him under our strict medical examinations is rare indeed, even aside from the fact that older people are not generally disposed to migrate to new lands.

A reduction in the number of adult males under 45 coming over enormously reduces also the number of wives and minor children or aged parents or grandparents ordinarily accompanying them or apt to be sent for by them, so that the ranks of potential immigrants are at once enormously reduced.

Next we must consider the fact that the immigrants are not recruited in general from the lowest classes abroad, economically or from the point of view of intelligence, as the Immigration Commission demonstrated. A relatively considerable amount of money is essential to defray the expenses of the journey and to exhibit and use on arrival, and the war has enormously impoverished the ranks of the possible immigrants, making it impossible for them to emigrate. This factor is strongly augmented by the fact that a large majority of immigrants are normally encouraged to come to join relatives and friends already here, who normally look out for them, but who know that economic conditions here now prevent them from holding out such encouragement to prospective arrivals. For example, the panic of 1907 caused a decrease in the number of immigrants from 1,285,349 for the year ending June 30, 1907, to 782,870 for the next year.

Moreover, the wounded and widows and orphans likely to become a public charge are of course excluded by the provisions of the present law, and, despite sympathy for victims of this terrible warfare, the immigration officers err quite regularly against the immigrants by excluding them rather than in their favor by admitting doubtful cases. Further, if the promises supposed to have been made to persons fleeing from religious and political persecution are realized, as, for instance, Russia's alleged promises to the Poles and the Jews, one of the chief incentives to immigration will be removed.

If we examine historical precedents since our Government began to keep statistics of immigration, in 1820, we shall find that they bear out these views. Two European wars since then have been waged which might have appreciably affected our immigration—the Crimean War (1853–1856) and the Franco-Prussian War (1870–1). As to the former, Mr. Stanley C. Johnson, in his able recently published History of Emigration from the United Kingdom to North America, points out that the Crimean War materially reduced British emigration during its course, the figures for 1852, antedating the war, of 255,015 being reduced to 209,154 for the year 1857, following its close, instead of being increased. Our own American figures for the two years in question are to the same effect and exhibit a fall from a total of 371,603 in the year 1852 to 251,306 in 1857, and only 123,126 in 1858. As regards the Franco-Prussian War, the figures for the year 1869 of 352,768 sank in 1871 to 321,350, and were 404,806 459,803, and 313,339 in the following years. It is interesting to observe that Commissioner Howe, of Ellis Island, has correctly gauged such influences in denying the accuracy of a prediction of a large increase after the war. He is reported as supplementing the factors above referred to as follows:

"The lure of America for the immigrants will be less strong, compared with the immediate opportunity to be found at home. * * * When the war is over each country will make heroic efforts to recover lost ground and greater inducements than ever will be offered to keep citizens at home. * * * It is safe to assume * * * that the great countries now engaged in war will bend every energy, once the conflict is over, to give every citizen within their boundaries a job and keep him at it."

While even our sympathy for the suffering ought not to sway us to admit persons properly excludable under the existing law, it would be unspeakably cruel at present to establish unnecessary and ill-advised new restrictions against desirables seeking an asylum here after sufferabroad from this horrible combat. The exemption of religious refugees from the illiteracy test is so badly phrased in the Burnett-Dillingham bill as to be practically worthless, although alien illiteracy is often a direct result of foreign discriminatory educational laws and regulations.

Mr. REED. I desire also to insert a very powerful editorial in opposition to the literacy test which appeared in the St. Louis Post-Dispatch of January 12, 1915.

The VICE PRESIDENT. Without objection, it is so ordered.

The editorial referred to is as follows:

THE LITERACY TEST.

It is gratifying to note that the President affirmed to the delegation of Chicago women who protested against the literacy test in the immigration bill his opposition to that measure.

The opposition stands on solid American ground. The bill is un-American. It is contrary to the fundamental principle of liberty and justice upon which the Republic is founded. It is contrary to the spirit of America.

The bill in detail is full of gross faults. It is difficult of enforcement and would work many hardships upon innocent and worthy immigrants. It would divorce husband from wife and separate parents from children. It proceeds upon the wrong theory in that it makes mere ignorance of letters—the fruit of oppression—the test. The true tests are character and industry. Men without education may be good workmen and good citizens. They may be eager to obtain the educational advantages of which they have been deprived by social or political oppression. They may be eager to have their children enjoy the advantages they lack. Honesty and industry and good intent are the real tests of the fitness of immigrants to gain the chance to enjoy the better conditions and opportunities offered by America as compared with many other countries.

Some of the richest contributions to American resources and achievements have come from uneducated peasants from Europe or their immediate descendants.

The pending bill denies the right of men to freedom of movement in the pursuit of life, liberty, and happiness—of better social, industrial, and political conditions. It will be a sad day for the world when America furls the banner of asylum for the oppressed by making the effect of oppression the bar to liberty.

The measure was conceived in racial prejudice and born of intolerance which are obnoxious to American principles and institutions and which should be eliminated, not nourished by law.

The adoption of the bill by the Senate discredited the sincerity as well as the Americanism of the Senate majority. Is the House also ruled by hypocrisy, intolerance, and prejudice?

Mr. REED. Mr. President, I have taken much of the Senate's time in discussing various phases of the immigration bill. I desire, in conclusion, to say that I am now and always have been in favor of every test being applied which will keep out of this country people who are unfitted for citizenship—unfitted because of any reason, whether it be race or the condition of the immigrant's health or the condition of the immigrant's morals.

I am unalterably opposed and always have been unalterably opposed to the promotion of immigration by those selfish interests which bring to this country under contract hordes of people whose advent here under such contract means the beating down of the standard of American wages. Those contracts are not only unfair to the American laborer, but they are unfair to the immigrant himself, because they are made with the immigrant when he has no opportunity to be advised with reference to the conditions of living or the conditions of labor or the cost of living in this country; he being unadvised and being in ignorance regarding these important matters is called upon to contract with shrewd, keen, and possibly dishonest men who are advised.

There are many other arguments against contract labor; there are many arguments equally strong against the promotion of immigration by steamship and other transportation companies. No one can desire more than do I that all those methods shall absolutely cease; no one is more willing than I to carefully guard our portals against the arrival here of those who are diseased and those who belong to indolent, nonsupporting classes. I am ready to go beyond that and to exclude every race of men who, as a race, are incapable of appreciating

American institutions and of becoming a part of the political, commercial, and social life of this Republic; but I am unwilling to exclude a man or a woman from the right to enter this land simply because, through oppression and tyranny, they have been denied the opportunity to secure an education. That is not the proper test. I have placed in the RECORD the opinion of great educators in opposition to this test, and at their head is the President of the United States, as evidenced by the letter I have read into the RECORD.

In regard to the literacy test and the reason for its having been placed in this bill let there be no possible doubt. The committee give us their reason in their report, and the reason they give is that they have placed the test in the bill not for the purpose of excluding a class of people unfitted for American citizenship but because of a desire to cut down and restrict immigration as an original proposition. I desire, Mr. President, to call attention to this language from the report:

> The bill contains one provision intended directly to restrict immigration, although said provision is also, incidentally and to a certain extent, selective in its operation. The "illiteracy test" has been adopted as the best device so far suggested for reducing immigration where it most needs to be reduced.

Mr. President, I am well aware that this bill will pass, and I do not desire to further detain the Senate. All I can do is to protest against this un-American and unjust policy. It is at war with every tradition of our country; it is at war with every tradition of the Democratic Party. As I have already stated, the Democratic national committee sent out tens of thousands—yes, hundreds of thousands—of copies of the letter of Mr. Wilson, and those letters were placed in the hands of the foreign-born population of the United States by the Democratic national committee in order to give them assurance that this restrictive legislation would not be adopted. I do not claim that the committee had the authority to bind the conscience or control the vote of any Senator; but I do say that when these letters were sent out to the voters and when I, at least, was a party to the sending of them out, so far as I am concerned, I feel myself bound not only so far as my action is concerned, but I feel impelled to call the attention of Democratic Senators to the fact.

Mr. President, I thank the Senate.

The VICE PRESIDENT. The question is on agreeing to the conference report. [Putting the question.] The "ayes" seem to have it——

Mr. REED. Mr. President, in view of the decisive vote before, I will not demand a roll call.

The VICE PRESIDENT. The ayes have it, and the conference report is agreed to.

Mr. ROBINSON. Mr. President, I ask leave to insert in the RECORD a brief statement regarding amendment No. 15, which was eliminated by the conference report and which I did not explain the other day. I will not ask that it be read.

The VICE PRESIDENT. Without objection, it is so ordered.

The statement referred to is as follows:

> As amendment No. 15 was discussed at some length on December 10 and again on December 15 before it was placed in the act by the Senate, and as the vote to adopt it was 45 yeas and 6 nays a brief explanation to the Senate as to why the House conferees thought the Senate should recede thereon and as to why the Senate conferees agreed to so recommend seems to be in order.
>
> It will be recalled that the words "mental or manual" were inserted in the definition of contract laborer in response to a recommendation from the Commissioner General of Immigration and the Secretary of Labor, their object evidently being to make the language of the law perfectly clear and have the new statute fully accomplish the purpose of the existing one. It is understood that the department's difficulty in this regard arose from the handing down over four years ago by the Attorney General of an opinion restricting the operation of the statute to laborers engaged in occupations in which manual elements predominate over mental. The conference committee's recommendation is not due to concurrence in the construction of the law which limits its operation to manual laborers, but is due solely to the belief that the definition of the term "contract laborer" as it stands in the existing law and is repeated in the pending measure is clearly to the contrary effect without the insertion of the words "mental or manual."

CALLING OF THE ROLL.

Mr. VARDAMAN. I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bankhead	Gallinger	Lane	Poindexter
Borah	Goff	Lea, Tenn.	Ransdell
Burton	Gore	Lee, Md.	Robinson
Camden	Gronna	Lippitt	Saulsbury
Clapp	Hitchcock	Lodge	Shafroth
Crawford	Hollis	Martine, N. J.	Sheppard
Culberson	James	Nelson	Sherman
Dillingham	Johnson	Norris	Simmons
du Pont	Jones	Page	Smith, Md.
Fletcher	Kern	Perkins	Smoot
Stephenson	Thompson	Vardaman	Williams
Sterling	Thornton	Walsh	Works
Stone	Tillman	Weeks	
Swanson	Townsend	White	

The VICE PRESIDENT. Fifty-four Senators have answered to the roll call. There is a quorum present.

DISTRICT OF COLUMBIA APPROPRIATIONS.

Mr. SMITH of Maryland. I move that the Senate proceed to the consideration of House bill No. 19422, being the District of Columbia appropriation bill.

The motion was agreed to, and the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 19422) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1916, and for other purposes.

The VICE PRESIDENT. The Secretary will state the pending amendment.

The SECRETARY. The pending amendment is at the bottom of page 59, where the committee proposes to insert——

Mr. SMITH of Maryland. I ask that that amendment may be passed over for the present. The Senator from Ohio [Mr. POMERENE] desires to say something in regard to it, and I observe he is not present in the Chamber at this time.

The VICE PRESIDENT. The amendment will be passed over. The Secretary will state the next amendment.

The next amendment of the Committee on Appropriations was, on page 60, after line 7, to insert:

> For repairing public crematory, $2,000.

Mr. GALLINGER. Mr. President, I will ask the Senator in charge of the bill if the amendment on page 57, lines 13 to 18, inclusive, was passed over?

Mr. SMITH of Maryland. As I understand, it was agreed to.

Mr. GALLINGER. I think, then, it ought to be reconsidered. I find by reference to the statutes that the act to prevent the spread of contagious diseases in the District of Columbia enumerates the contagious diseases, including leprosy, and that that matter is placed by statute entirely in the hands of the health officer of the District of Columbia. It seems to me that if, in the face of that statute, we now place this particular matter in the hands of the United States Public Health Service there will be found to be a conflict of authority.

Mr. SMITH of Maryland. I will say to the Senator that if that is the case we were led astray in the information given us, which was to the effect that there is at present no such authority.

Mr. GALLINGER. We were; but it is included in this statute as one of the contagious diseases, and is entirely within the jurisdiction of the health officer.

Mr. SMITH of Maryland. Then will the Senator make the motion to reconsider?

Mr. GALLINGER. I move to reconsider the vote whereby the amendment was agreed to.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from New Hampshire.

The motion to reconsider was agreed to.

Mr. GALLINGER. Now I ask that the amendment may be disagreed to.

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was rejected.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, under the head of "Courts," on page 62, line 9, after the word "fees," to strike out "$3,000" and insert "$3,250," so as to make the clause read:

> For witness fees, $3,250.

The amendment was agreed to.

The next amendment was, on page 62, line 15, after the words "In all," to strike out "$13,500" and insert "$13,750," so as to make the clause read:

> In all, $13,750.

The amendment was agreed to.

The next amendment was, under the head of "Courts and prisons," on page 64, line 9, after the words "Attorney General," to strike out "$80,000" and insert "$90,000," so as to make the clause read:

> Support of convicts: For support, maintenance, and transportation of convicts transferred from the District of Columbia; for expenses of shipping remains of deceased convicts to their homes in the United States, and for expenses of interment of unclaimed remains of deceased convicts; for expenses incurred in identifying and pursuing escaped convicts and for rewards for their recapture; to be expended under the direction of the Attorney General, $90,000.

The amendment was agreed to.

The next amendment was, under the head of "Charities and corrections," subhead "Reformatories and correctional institutions," in the item of appropriation for the maintenance of the Washington Asylum and Jail, on page 67, line 2, after "$1,200," to insert "operator of X-ray machine, $600; pathologist, $600; anæsthetist, $300," and in line 3, after the words "in all," to strike out "$27,010" and insert "$28,510," so as to read:

Registered pharmacist, who shall act as hospital clerk, $720; gardener, $540; seamstress, and housekeeper, at $300 each; laundryman, $600; assistant laundryman, $365; 3 laundresses, at $360 each; 2 chambermaids, 3 waiters, and 7 ward maids, at $180 each; temporary labor, not to exceed $1,200; operator of X-ray machine, $600; pathologist, $600; anæsthetist, $300; in all $28,510.

Mr. SMOOT. Mr. President, may I ask the Senator having the bill in charge who has attended to the work of the operator of the X-ray machine for the Washington Asylum and Jail in the past?

Mr. CHAMBERLAIN. Mr. President, I can answer that question. I will say to the Senator that they have had no operator of an X-ray machine, nor have they had an X-ray machine. What is done now with the poor, unfortunate people who are taken to the hospital is this: If a man is brought there supposedly with a broken hip or other broken bone, a gunshot wound, or something of the kind, they have to place him in an ambulance and haul him a mile or more to have him examined at the Emergency Hospital, and then take him back to the place from whence he started. The purpose of this amendment is, as the Senator will notice, in line 12, to furnish an X-ray machine for these very purposes and a man to operate it.

Mr. SMITH of Maryland. There has been none in the past; but there is to be an X-ray machine, and therefore they will have to have somebody to operate it.

Mr. SMOOT. I knew there had been none in the past, and I wanted to know where the work had been done.

Mr. SMITH of Maryland. We have appropriated an amount of money to buy one, and, of course, it is necessary to have a man to operate it.

Mr. SMOOT. I will state to the Senator that of course I knew that the bill provided by amendment for the purchase and installation of an X-ray machine, and $1,000 for the purchase and installation of pathological equipment.

Mr. CHAMBERLAIN. With reference to that latter item in regard to a pathologist, I want to say to the Senator the young surgeons out there have given their services for nothing, and in order to have a pathologist, who is a man very much needed, they go down in their own pockets and pay him themselves in addition to furnishing their services free to the Government. I have been out there a number of times and have taken a good deal of interest in it, and I say in all frankness to the Senator those unfortunates out there are not treated as well as cattle in my State. It was with that end in view that these amendments were added to the bill.

The VICE PRESIDENT. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which is the report of the Committee on Rules.

Mr. SMITH of Maryland. I ask unanimous consent that we may proceed with the consideration of this bill.

The VICE PRESIDENT. That is, to temporarily lay aside the unfinished business and proceed with the appropriation bill. Is there objection?

Mr. JONES. With the understanding that that will come up immediately upon the conclusion of the reading of the bill for action upon the committee amendments, I will have no objection.

Mr. SMITH of Maryland. That is the request—that it be temporarily laid aside and we proceed with the consideration of this bill.

Mr. JONES. And there will be no objection to taking it up, as I have suggested?

Mr. SMITH of Maryland. That is the understanding.

The VICE PRESIDENT. The unfinished business is temporarily laid aside by agreement.

Mr. SMOOT. I want the Senator from Oregon to understand that all I inquired about was as to where this work had been done in the past.

Mr. CHAMBERLAIN. At the Emergency Hospital.

Mr. SMOOT. I certainly do not object to the provision for the purchase of an X-ray machine and $1,000 for the purchase and installation of pathological equipment for the Washington Asylum and Jail. I sincerely hope when the bill comes into conference these items will remain in the bill. I understand they were presented to the House, and the House refused to insert them.

The amendment was agreed to.

The next amendment was, on page 67, line 11, after the word "apparatus," to strike out "$2,000" and insert "$5,750, $2,750 of which sum to be used for the purchase and installation of an X-ray machine and $1,000 for the purchase and installation of pathological equipment," so as to make the clause read:

For repairs to buildings, plumbing, painting, lumber, hardware, cement, lime, oil, tools, cars, tracks, steam heating and cooking apparatus, $5,750, $2,750 of which sum to be used for the purchase and installation of an X-ray machine and $1,000 for the purchase and installation of pathological equipment.

The amendment was agreed to.

The next amendment was, on page 67, line 21, after the date "1906," to strike out "$5,000" and insert "$6,000," so as to make the clause read:

Payments to destitute women and children: For payment to beneficiaries named in section 3 of "An act making it a misdemeanor in the District of Columbia to abandon or willfully neglect to provide for the support and maintenance by any person of his wife or his or her minor children in destitute or necessitous circumstances," approved March 23, 1906, $6,000 or so much thereof as may be necessary, to be disbursed by the disbursing officer of the District of Columbia, on itemized vouchers duly audited and approved by the auditor of said District.

The amendment was agreed to.

The next amendment was, on page 68, line 11, after the words "Washington Asylum and Jail," to strike out "$123,510" and insert "$129,760," so as to make the clause read:

In all, Washington Asylum and Jail, $129,760.

The amendment was agreed to.

The next amendment was, in the items for Home for Aged and Infirm, on page 69, after line 5, to insert:

For purchase and installation of two electric generators, $4,875.

The amendment was agreed to.

The next amendment was, on page 69, after line 7, to insert:

For purchase of material and erection of permanent fence, $500.

The amendment was agreed to.

The next amendment was, on page 69, line 10, after the words "Home for Aged and Infirm," to strike out "$45,432" and insert "$50,807," so as to make the clause read:

In all, Home for Aged and Infirm, $50,807.

The amendment was agreed to.

Mr. SMOOT. I desire to revert to page 67, the items in lines 11 to 14. I wish to say to the Senator having the bill in charge that I doubt very much whether the amendment which has been agreed to will carry the appropriation he desires and that we all desire. Beginning in line 9 it reads:

For repairs to buildings, plumbing, painting, lumber, hardware, cement, lime, oil, tools, cars, tracks, steam heating and cooking apparatus, $5,750.

After a direct appropriation for all these items you undertake to provide:

Two thousand seven hundred and fifty dollars of which sum to be used for the purchase and installation of an X-ray machine and $1,000 for the purchase and installation of pathological equipment.

It seems to me the amendment ought to be in a different form; that is, for repairs to building, plumbing, painting, lumber, hardware, cement, lime, oil, tools, cars, tracks, steam heating, and cooking apparatus, $2,000; for the purchase and installation of an X-ray machine, $2,750; for the purchase and installation of pathological equipment, $1,000. I think $2,000 ought to be appropriated for the items specifically enumerated in lines 9, 10, and 11.

Mr. SMITH of Maryland. I have no objection to that change.

Mr. SMOOT. Then, let the amendment in lines 12, 13, and 14 read in this way:

For the purchase and installation of an X-ray machine, $2,750; for the purchase and installation of pathological equipment, $1,000.

Mr. SMITH of Maryland. I have no objection to that. Certainly it does not alter the intention.

Mr. SMOOT. It does not alter the intention; but I think it alters the construction that may be placed upon the amendment as it now reads. I move that the vote by which the amendment on page 67, lines 11 to 14, was agreed to be reconsidered.

The PRESIDING OFFICER (Mr. HITCHCOCK in the chair). Without objection, it is so ordered.

Mr. SMOOT. Now, I ask the Senate to disagree to the amendment striking out $2,000 and inserting $5,750, so that $2,000 will remain as the appropriation in the bill.

The amendment was rejected.

Mr. SMOOT. I move to insert the following item:

For the purchase and installation of an X-ray machine, $2,750.

The amendment was agreed to.

Mr. SMOOT. I move also to insert:

For purchase and installation of pathological equipment, $1,000; in all, $5,750.

The amendment was agreed to.

Mr. BURTON. I understand that would be in line with the objection which the Senator from Utah made, if you aggregate the amount at the end. Each should be a separate item.

Mr. SMOOT. They are specifically provided for and the whole paragraph ends "in all, $5,750."

Mr. BURTON. That is for the Washington Asylum and Jail.

Mr. SMOOT. Yes; it pertains to the Washington Asylum and Jail.

Mr. SMITH of Maryland. I think that the words "in all" are unnecessary. I move to strike out those words.

The PRESIDING OFFICER. Without objection, the amendment will read as suggested, without the words "in all."

The next amendment was, in the items for National Training School for Girls, on page 70, after line 8, to insert:

For repairing roofs, gutters, and spouting, administration building, preparatory building, male dormitory, and stable, $220.

The amendment was agreed to.

The next amendment was, on page 70, after line 11, to insert:

For remodeling fire escapes and approaches thereto, $250.

The amendment was agreed to.

The next amendment was, on page 70, line 14, after the words "National Training School for Girls," to strike out "$25,380" and insert "$25,850," so as to make the clause read:

In all, National Training School for Girls, $25,850.

The amendment was agreed to.

The next amendment was, under the subhead "Medical charities," on page 71, after line 7, to insert:

Toward the construction of a new building for the Central Dispensary and Emergency Hospital, erected on the site purchased and owned by said hospital, $50,000.

Mr. THOMAS. I wish to inquire of the Senator having charge of the bill what emergency, if any, requires the appropriation at this time of $50,000 for the construction of a new building for the Central Dispensary and Emergency Hospital and $500,000 for the establishment of a new or additional hospital as provided at the bottom of page 72.

Mr. SMITH of Maryland. I will say to the Senator this is an emergency hospital, and the other is a somewhat different hospital in a part of the city that is farther off.

Mr. THOMAS. I do not think the Senator understood my inquiry. I want to know what emergency exists at this time for making these large appropriations.

Mr. SMITH of Maryland. I will say to the Senator that there has been a large amount of money raised by certain people of the District of Columbia for this Emergency Hospital, and that there is a large sum of money that is due on it. They feel that it is impossible for them to raise the money that is due, and they have come to the Government to help them in their distress, in order that the hospital may be paid for. It is a matter that appealed to us. We felt that they were doing a good work and that they ought to be encouraged, as they had already raised a large amount of money themselves, and they have outstanding now, if I am not mistaken, about $140,000 indebtedness upon the hospital. I ask the Senator from New Hampshire [Mr. GALLINGER] if that is the amount.

Mr. GALLINGER. It is about $161,000 all told.

Mr. SMITH of Maryland. One hundred and sixty-one thousand dollars. They have raised a very large amount of money, and we felt that we ought to encourage them, and that it was our duty to take care of this Emergency Hospital.

Mr. GALLINGER. There has been invested up to the present time about $257,000 in the hospital, and the hospital is erected. It is not furnished, and this large indebtedness is upon it.

Mr. SMITH of Maryland. They are doing a good work, and we felt that this money could well be appropriated to help them continue to carry on that good work.

Mr. THOMAS. I do not doubt that all hospitals in the District of Columbia are engaged in a good and necessary work. The fact that they are indebted——

Mr. GALLINGER. If the Senator from Colorado will permit me——

Mr. THOMAS. Certainly.

Mr. GALLINGER. I know the Senator wants to understand the situation correctly. This is an old hospital that has been in operation certainly during the entire time I have served in this body. It was located on Fifteenth Street. The hospital has been dispossessed of its property by the United States Government for the purpose of building a Government structure on that site. The Government paid the hospital for the property perhaps a fair amount. They either had to abandon their work or erect a new hospital. They started a propaganda, a 30-day propaganda, here with the intention of raising $300,000. As a matter of fact they raised $120,000 odd in contributions from citizens, and other donations have been made.

They are now at a time when they must of necessity occupy the hospital, the Government having asked them how soon they can vacate the old hospital building. They find themselves without money even to furnish their new hospital; and, in view of the fact that the building is constructed and ready for occupancy, and that it is doing this most excellent work in an emergency way not only for the people of the District of Columbia but for people from the various States who come here and suffer accidents or are taken suddenly ill, we felt that we might well give them this help. That is the story of the hospital.

Mr. THOMAS. Does the Senator think that the conditions are such as that a postponement of this appropriation until some time when the Treasury conditions are better than they are now would not be just as well?

Mr. GALLINGER. I would exceedingly dislike to see that hospital dismantled. A friend of mine was in the old hospital the other day, and he found six patients in one room. They are doing a good work. They have got to vacate those premises. The new hospital is actually constructed, ready for occupancy, and unless they get this help they can not even furnish it.

Mr. THOMAS. That being the case, I shall not oppose the appropriation.

The amendment was agreed to.

The next amendment was, on page 71, line 25, after the words "resident physician," to strike out "$480" and insert "$600"; on page 72, line 8, before the word "each" to strike out "$180" and insert "$240"; and in line 9, after the words "in all," to strike out "$18,120" and insert "$18,360," so as to make the clause read:

Tuberculosis Hospital: Superintendent, $1,800; resident physician, $600; pharmacist, and clerk, superintendent of nurses, and engineer, at $720 each; pathologist, $300; matron, dietician, chief cook, assistant engineer, laundryman, and 7 graduate nurses, at $600 each; assistant cooks—1, $360; 2 at $240 each; assistant engineer, $480; elevator conductor, $300; 3 laundresses, at $240 each; farmer, laborer, night watchman, 3 orderlies, and assistant laundryman, at $360 each; 2 ward maids, at $240 each; 4 servants, at $240 each; in all, $18,360.

The amendment was agreed to.

The next amendment was, on page 72, line 18, after the words "Tuberculosis Hospital," to strike out "$52,120" and insert "$52,360," so as to make the clause read:

In all, Tuberculosis Hospital, $52,360.

The amendment was agreed to.

The next amendment was, on page 72, after line 18, to insert:

Gallinger Hospital: Toward the construction of the Gallinger Hospital, including grading of the site, $150,000, and the limit of cost of the construction of said hospital and accessory buildings is hereby fixed at $500,000: *Provided*, That said hospital shall be constructed with a view to making future additions, as the exigencies may demand.

Mr. THOMAS. Mr. President, may I inquire of the chairman having the bill in charge whether this is a new construction?

Mr. SMITH of Maryland. It is entirely a new construction.

Mr. THOMAS. What exigency now exists for this very large appropriation at this time?

Mr. SMITH of Maryland. I would ask the Senator if he would take the time and the pains to go out to the Municipal Hospital in this city I think that would answer the question. I think there is hardly a city in this country that has such poor accommodations for the poor and afflicted as the city of Washington.

It appears to me to be almost criminal that the poor and the afflicted of the city of Washington should have no better accommodations than are afforded them by the Municipal Hospital we now have. I beg of the Senator to go and look at it, as some of the rest of us have done.

This hospital, I will say to the Senator, is to be erected upon ground which belongs to the Government, a part of which is now occupied by the Tuberculosis Hospital. There are, I think, in the neighborhood of 20 acres. It is a most admirable place for it. It will be separated from the Tuberculosis Hospital by a street which is to go through it.

This is a matter that has been pending for some while, and we have been endeavoring to secure an appropriation for this purpose. I am satisfied there is not a Senator in the Senate who, if he will go and look at the hospital that the Government now has for the purpose of taking care of the poor and afflicted of this city, will not find that it is as inadequate as would be a hospital in any city with a population of 10,000 people in this country. We felt that this hospital is of all things a great necessity, and that it should be started at once.

Mr. THOMAS. Mr. President, I of course accept the representations made by the Senator concerning the undesirable conditions of the municipal hospital in this city. I assume,

however, that those conditions having been the outgrowth of the administration of the affairs of the hospital very largely, and that while they are not as desirable as they might be or as we would have them, the emergency is not sufficiently great to justify at this time this large additional appropriation.

The aggregate of the appropriations this year, as was the case last year, will be used as the measure or standard by which the extravagance or the lack of it of the present administration is to be governed. Indeed, a great many gentlemen in both Houses who favor an expenditure of this kind would be among those criticizing the aggregate result of all of our appropriations.

I do not want to consent to the making of an appropriation of this size and of this character until the revenues of the Government are in a better condition than they are now, unless the condition is so exigent as to make it a matter of absolute necessity.

Mr. SMITH of Maryland. I will say to the Senator if there is anything of absolute necessity in this city it is this hospital. I consider it a crying shame. There are a lot of buildings dotted about in various places with no convenience whatever. The fact is that the people there hardly receive as much attention as do animals in hospitals that are provided for them in various places of that kind. I would only ask the Senator to go and see it. I am satisfied if he would go there and see the buildings, see how inappropriate they are, he would not for one moment oppose this amendment, but would be in favor of it.

Mr. SMOOT. I wish to say to the Senator from Colorado that this question was thoroughly gone into a year ago.

Mr. THOMAS. Yes; I think it was then defeated, but not in this body.

Mr. SMOOT. Not in this body, but there was this provision placed in the act——

Mr. SMITH of Maryland. We appropriated $15,000.

Mr. SMOOT (reading)—

For the preparation of plans and specifications for the erection of hospital buildings, including power house and domestic-service building, for municipal purposes, to be located and erected on the site now owned by the District of Columbia at Fourteenth and Upshur Streets, and hereafter to be known as Gallinger Hospital, $15,000, or so much thereof as may be necessary

A year ago we thought that it would be very unwise to appropriate $500,000 for the full requirement of the erection of the buildings; but we did feel, and so did the House, that there should be an appropriation made of $15,000 for the preparation of plans and specifications for the erection of the buildings hereafter. That was agreed to by both Houses and became a law.

Mr. President, I became interested in this matter after I had visited the present buildings. As I said a year ago, there is not a city in Colorado of 5,000 people that would be content to have a hospital in the class of buildings that we have our hospitals in here in Washington in many cases. If there is anything that is required for the improvement of the condition of the District of Columbia, in my opinion it is the erection of a hospital. In this bill we do not provide for the $500,000. We appropriate $150,000 for the purposes named in the bill.

I know the Senator will not charge me with trying to be extravagant. I have tried to cut the appropriations wherever it was possible, and I have made what protest I could against appropriations that I thought were extravagant; but I do think, for humanity's sake, for the respect of the District, that this item ought to be taken care of in this appropriation bill.

Mr. THOMAS. Mr. President, I would be one of the last Members of this body to dispute the last statement of the Senator from Utah. I think he is one of the Senators here who has striven and is striving for economy. But he is also one of the severest critics of Democratic extravagance. He has undertaken heretofore, with statistics at his command and with which he has familiarized himself, to present a very severe indictment of the present administration, and has contrasted the aggregate of their appropriations for different Government purposes with those of preceding Congresses, the conclusion being, of course, favorable to the former.

Now, here is an appropriation of $500,000, ultimately, more than that needed, because it is provided that it "shall be constructed with a view to making future additions, as the exigencies may demand."

But I want to emphasize the fact that it is a large appropriation—an unusually large, amended appropriation—to a bill made by the committee of the Senate, and that in the total of appropriations made by this Congress we should at least receive credit for this increase of $500,000.

Mr. SMOOT. I want to say to the Senator that I never have made a criticism of small items.

Mr. THOMAS. No; but the Senator from Utah knows better than any other man on this floor that the aggregate of small items is what constitutes the increased expenditures.

Mr. SMOOT. Yes; but, Mr. President, they do not come in in hundred thousand dollar appropriations; they come in million dollar appropriations; and I did not criticize the increased appropriations under the present administration until after they had reached over a hundred million dollars.

Mr. THOMAS. No, Mr. President; these increases, while they sometimes appear in startlingly large amounts, are composed of the aggregate of a great many small amounts. Take this bill, for example. The increases which have been made both in the amounts reported from the House and in added amounts will, in the aggregate, be very considerably in excess of the House bill. So with every other appropriation bill that comes here. It is the multitude of small things added together that makes these enormous increases.

The Senator from Utah this morning objected to the introduction into the RECORD of a speech recently delivered by the Secretary of the Treasury, and made a statement at that time, with which I sympathize, that he was trying, so far as he could—and he has been doing so—to save this unnecessary expenditure of the people's money. He knows, I repeat, better than any other Senator upon this floor how the constant little increases of the expenditures of the Government make a tremendous and formidable showing against those who are responsible for them, when all the appropriations have been made and computed.

Mr. SMOOT. Mr. President, on behalf of the Appropriations Committee, however, I want to say that many appropriation bills come here from the other House to which Members of the House know that amendments will have to be made increasing the amounts in the Senate of the United States; when they know that it is absolutely necessary that such increases must be made to the bills, I do not make any criticism upon this administration more than I do on past administrations as to that policy, because it has been the policy ever since I have been on the Appropriations Committee of this body.

Mr. THOMAS. I think that is true, Mr. President, and it will continue to be true until our system of appropriations is radically changed.

Mr. SMOOT. I am willing for that.

Mr. THOMAS. I want to take this occasion to emphasize the fact that increased expenses of this Government are the natural and unavoidable outgrowth of a machinery whereby the appropriations are made which is not only antiquated but ought to be impossible. Real, genuine economy in public administration must find its genesis in our change of method, and regardless of whether the administration be Democratic or Republican.

Mr. SMOOT. Mr. President, I am quite in sympathy with the statement which the Senator from Colorado has made, but I want to say in this connection that if I were going to economize in the expenses of the Government of the United States there are a thousand other ways in which to economize rather than to do it upon the item under consideration. If I were going to be extravagant with the money of the United States, it would be in just such items as this—to take care of the unfortunate sick who happen to be living in this District, over which we have absolute control.

Mr. THOMAS. Mr. President, the Senator's statement does him credit, and I cheerfully join in the same expression. It is for that reason, very largely in view of what was said here, that I shall make no objection to this appropriation; but, as I said some time ago, I want it understood that, so far as I can do so, I shall call attention to these minor items in the hope that when the general review of this administration comes, as it will come, the responsibility for the expenditure of large amounts of money will be placed upon the shoulders which ought to bear it.

Mr. CHAMBERLAIN. Mr. President, I understand the Senator from Colorado has practically withdrawn his objection.

Mr. THOMAS. I have made no objection.

Mr. CHAMBERLAIN. Well, the Senator has withdrawn at least his criticism of this particular item; but I feel it incumbent upon me to say merely a few words in reference to conditions at the Washington Asylum and Jail. It really ought not to be called the Washington Asylum and Jail, because it is not a jail; and, while it is a converted workhouse, the people who go there are not prisoners; they are simply unfortunate men and women, young and old, white and black, who are too poor to take care of themselves and have no friends who can take care of them.

I have had a good deal to do with eleemosynary institutions in my own State, and the duties which have devolved upon me have made it incumbent upon me to visit such institutions in other States. It has been my pleasure to go out and visit this institution more than once; and I say, in all candor and frankness, that I do not believe that there is an institution of this kind in the United States that is so discreditable to the Government of the United States as is this institution.

As I said a while ago, it is a converted workhouse; it is a place that formerly was used as a sort of reformatory institution and which from time to time has been changed, in name at least, to a hospital. I think it might more properly be called a cold and barren barn where the unfortunate people of Washington are compelled to be detained when they are sick. It would be practically impossible to undertake to repair that institution and to put it in any sort of proper shape whatsoever. In winter it is cold; it is heated from a central plant, but the windows and doors are so open that it is almost impossible to keep it in any sort of comfortable condition. In summer it is absolutely a disgrace to this community. I have been out there in the summer time, Mr. President; I have gone through the different wards and have seen patients there so enfeebled and so weak that they could not raise their hands to keep the flies off. The windows were partly open, the screen doors were neglected, and in some places where there should have been screens on windows and doors there were none at all.

I wish every Senator here could visit not only that institution but others of a kindred kind in the District of Columbia. Then, instead of undertaking to economize at the expense of humanity, Mr. President, they would economize in other directions, where moneys are recklessly expended in the District of Columbia in other departments of the Government.

I am simply adding my testimony from personal experience and from having visited this institution a number of times within the past year and having gone through it with the physician in charge; and I say that it is impossible to properly repair it and that we ought to appropriate money for the construction of a new hospital. Whenever an attempt has been made in the past, while I served on this committee, to undertake to raise money to improve this institution, the same cry of economy has been raised, with the result that they not only have not given them a comfortable house, which decency at least demands, but they do not give them enough to eat in the institution.

One Senator suggested that it was probably due to expensive administration of the institution; but an examination of the report and of the estimates which have been made here will disclose that the Congress of the United States has declined to give this institution enough money to support these people as they ought to be supported.

It would be very much better, Mr. President, to cut out all of these appropriations and buy enough of anesthesia to put them all into a perpetual and permanent sleep than to undertake to keep them as they are now kept there. I insist, in the cause of humanity, that this appropriation for the construction of a new hospital ought to be made without a single voice in the Senate being raised against it.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, under the subhead "Child-caring institutions," on page 73, line 8, after "$1,200," to strike out "one $1,000" and insert "two at $1,000 each," and in line 10, after the words "in all," to strike out "$12,580" and insert "$13,580," so as to make the clause read:

For agent, $1,800; clerk, $1,200; placing and investigating officers—one $1,200, two at $1,000 each, six at $900 each; record clerk, $900; clerk, $720; messenger, $360; in all, $13,580.

The amendment was agreed to.

The next amendment was, on page 73, line 19, after the word "board," to strike out "$55,000" and insert "$65,000," so as to make the clause read:

For board and care of all children committed to the guardianship of said board by the courts of the District, and for temporary care of children pending investigation or while being transferred from place to place, with authority to pay not more than $1,500 to institutions adjudged to be under sectarian control and not more than $300 for burial of children dying while under charge of the board, $65,000.

The amendment was agreed to.

The next amendment was, on page 73, line 21, after the word "guardians," to strike out "$91,080" and insert "$102,080," so as to make the clause read:

In all, board of children's guardians, $102,080.

The amendment was agreed to.

The next amendment was, on page 75, after line 14, to insert:

For new boiler, $2,000.

The amendment was agreed to.

The next amendment was, on page 75, line 16, after the words "Industrial Home School," to strike out "$27,280" and insert "$29,280," so as to make the clause read:

In all, Industrial Home School, $29,280.

The amendment was agreed to.

The next amendment was, under the subhead "Temporary homes," on page 76, after line 15, to insert:

Southern Relief Society: For care and maintenance of indigent and infirm men, women, and children under a contract to be made with the Southern Relief Society for the support of those under its care by the Board of Charities, $10,000.

The amendment was agreed to.

The next amendment was, on page 76, after line 20, to insert:

AID TO THE BLIND.

Aid Association for the Blind: For aid, maintenance, improvement of grounds, and purchase of mechanical equipment for the workshop of the Aid Association for the Blind, located at 3050 R Street NW., $5,000, said sum to be expended under the direction and supervision of the Commissioners of the District of Columbia.

The amendment was agreed to.

The next amendment was, on page 77, after line 2, to insert:

Columbia Polytechnic Institute: For the instruction and employment of the blind of the Columbia Polytechnic Institute who are actual residents of the District of Columbia, for the purchase and repair of a typesetting machine, stitching machine, and purchase and repair of machinery and tools which may be needed to equip a workshop for the blind of said District, $5,000, to be expended under the direction and supervision of the Commissioners of the District of Columbia.

The amendment was agreed to.

The next amendment was, on page 79, after line 17, to strike out:

Reformatory: For construction of roads, grading of sites, and other development work, $15,000, which sum shall be expended under the direction of the commissioners.

And insert:

Reformatory: For the construction and erection of a reformatory, on the site purchased therefor, under the provisions of the District act approved March 3, 1909, and acts amendatory thereto, including construction of roads, grading of sites, and other development work, superintendence, custody, clothing, guarding, care, employment, and support of prisoners; for identifying and pursuing escaped convicts and rewards for their recapture, provisions, subsistence, medicines, and hospital instruments, furniture, and quarters for guards and other employees and inmates; the purchase and maintenance of farm implements and live stock, seeds, and miscellaneous items, tools and equipment; transportation and the means of transportation; the maintenance and operation of means of transportation; fuel, supplies, and personal services, and all other necessary items, to be expended under the direction and in the discretion of the Commissioners of the District of Columbia, $50,000: *Provided*, That whenever any person has been convicted of crime in any court in the District of Columbia and sentenced to imprisonment for more than one year by the court, the imprisonment may be in a penitentiary, or in the Reformatory of the District of Columbia, above referred to; and it shall be sufficient for the court to sentence the defendant to imprisonment in the penitentiary without specifying the particular prison or the reformatory, and the imprisonment shall be in such penitentiary or the reformatory as the Commissioners of the District of Columbia shall from time to time designate: *Provided further*, That the Commissioners of the District of Columbia are hereby vested with jurisdiction over male and female prisoners from the time they are delivered into their custody or into the custody of their authorized superintendent, deputy, or deputies, and until such prisoners are released or discharged under due process of law: *Provided further*, That the Commissioners of the District of Columbia shall have all the power and authority now vested by existing law in the Attorney General to provide for the care, support, custody, transportation, employment, and maintenance of convicts sentenced to imprisonment by any court in the District of Columbia, and that the appropriation for the support of convicts authorized for the fiscal year 1916 shall be expended by the Commissioners of the District of Columbia. The provisions of this paragraph shall take effect on and after July 1, 1915.

Mr. SMITH of Maryland. On behalf of the committee I offer an amendment to the amendment.

The PRESIDING OFFICER. The amendment to the amendment will be stated.

The SECRETARY. In the committee amendment, on page 81, line 12, after the words "District of Columbia," it is proposed to insert:

Provided further, That nothing herein contained shall be construed as applying to the National Training School for Boys or the National Training School for Girls.

The PRESIDING OFFICER. The question is on agreeing to the amendment to the amendment.

Mr. THOMAS. Mr. President, I desire to inquire of the Senator having the bill in charge if this is also an entirely new institution or whether it is designed to take the place of some other institution found insufficient or for other reasons undesirable?

Mr. SMITH of Maryland. Mr. President, I will say to the Senator that this institution has been already started.

Mr. GALLINGER. Mr. President, while the Senator from Maryland is looking up the facts, I will say that this institution, embracing a tract of land of 1,500 acres, I think, in the

State of Virginia, is designed to provide for the convicts sentenced by the courts of the District of Columbia for offenses the nature of which would send them to the penitentiary. Such convicts are now sent to institutions in the several States, where they are supported at the expense of the Government and of the District of Columbia. This provision is designed to provide for an institution to take care of the convicts of the District of Columbia.

Mr. THOMAS. I understand what it is designed for, but I want to ascertain whether it is a new institution?

Mr. GALLINGER. The land has been purchased and they are just commencing the construction of buildings, I will say to the Senator.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Maryland to the amendment of the committee.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, under the head of "Militia of the District of Columbia," on page 82, line 10, after the word "service," to strike out "$25,900" and insert "$30,000," so as to make the clause read:

For expenses of camps, including hire of horses for officers required to be mounted, and such hire not to be deducted from their mounted pay, instruction, practice marches and practice cruises, drills and parades, fuel, light, heat, care, and repair of armories, offices and storehouses, practice ships, boats, machinery and dock, dredging alongside of dock, telephone service, and for general incidental expenses of the service, $30,000.

The amendment was agreed to.

The next amendment was, on page 82, line 22, after the word "matches," to strike out "$1,250" and insert "$2,500," so as to make the clause read:

For expenses of target practice and matches, $2,500.

The amendment was agreed to.

The next amendment was, on page 83, after line 12, to insert:

ANACOSTIA RIVER FLATS.

For continuing the reclamation and development of the Anacostia River and Flats from the Anacostia Bridge northeast to the District line, to be expended for the purposes and under the conditions specified in the item for this improvement contained in the District of Columbia appropriation act for the fiscal year 1915, $100,000, and authority is hereby granted to the Chief of Engineers, United States Army, to enter into a contract or contracts for and on account of said work in an amount not exceeding $100,000, exclusive of the amount herein appropriated.

Mr. BURTON. Mr. President, I should like to ask about this item pertaining to the Anacostia River Flats. I understand a considerable amount of land will be reclaimed, or rather recreated, as a result of this appropriation. In whom will the title to that land vest?

Mr. SMITH of Maryland. Mr. President, this item is for continuing an improvement now under way, I will say to the Senator, and gives to the Chief Engineer the right to enter into further contracts.

Mr. BURTON. The item appropriates a hundred thousand dollars and authorizes contracts for an additional hundred thousand dollars.

Mr. SMITH of Maryland. Yes, sir.

Mr. BURTON. But what is the object of the appropriation? Is it not to narrow the channel of the river or creek and create land; and if so, in whom is the title to that land to be vested? Is it to be vested in the abutting property owners or in the Government?

Mr. SMITH of Maryland. On account of the confusion, I am unable to hear the Senator's question.

Mr. BURTON. Mr. President, this matter was pending before the Committee on Rivers and Harbors some years ago. As I understand, the general plan is to increase the depth of the river and to narrow its channels, and as an immediate result land will be created, which formerly was overflowed.

Mr. SMITH of Maryland. The Senator understands, I presume, that the abutting property owners are to pay proportionately according to the increased valuation of their property.

Mr. BURTON. Are they to pay for the extra land that is created or is title to it to be vested in the Government? I ask this question for the reason that a plan was once suggested which seemed——

Mr. SMITH of Maryland. As I understand, the title to the land will vest in the Government.

Mr. BURTON. I will continue what I was saying: A plan was at one time suggested which seemed to me to give undue advantage to the abutting owners. The Government, under the guise of a river and harbor improvement, was asked to increase the quantity of land, and the amount created would belong to the abutting owners. I should like to ask if the project has been so changed as to avoid that result?

Mr. SMITH of Maryland. I regret that the Senator is so far off that I am not able to catch the entire purport of his remarks.

Mr. GALLINGER. Mr. President, if the Senator from Maryland will permit me, as I understand the matter, whatever advantage the present abutting property owners may derive from this improvement will be assessed against them as benefits; but the land that is made is to belong to the Government, and is intended for park purposes. That is as it has been represented to the committee. Of course, the primary purpose of all this improvement was the protection of health; but there is no question in my mind, from what has been represented to the committee, that the land which will accrue as the result of this improvement will be under the control of the Government for governmental purposes.

Mr. BURTON. Will it be owned by the Government?

Mr. GALLINGER. I should say so, from what has been represented to us.

Mr. LIPPITT. Mr. President, if the Senator will pardon me for a moment, I do not know whether the legal status of the matter would be different in the District of Columbia from what it is in the States; but I know that a very similar project came up in connection with the improvement of the Providence River. A large amount of excavation was proposed to be dumped on adjoining lands, and the opinion of the legal department of the city of Providence and of the State of Rhode Island was that that improvement would belong to the abutting owners, and that there was no way of overcoming that result, except by the purchase by the State prior to making the improvement of the land adjoining the improvement. I do not know what the legal status of such a matter is in the District of Columbia, but I do know that that was very carefully gone into within a very short time in Rhode Island. As suggested by the Senator from Utah [Mr. SMOOT], the abutting owners claimed it under the law of riparian rights.

Mr. GALLINGER. This matter has been very carefully looked into by Mr. Sinclair, a competent attorney of the District, and I am sure that I correctly state his view as it has been represented to the committee. I know that the Government purchased from private owners some land that was under water for the purpose of making this improvement.

Mr. LIPPITT. Perhaps they acquired in that way the riparian ownership.

Mr. GALLINGER. I think very likely they did.

Mr. LIPPITT. I think that is a point that ought to be very thoroughly understood.

Mr. SMITH of Maryland. This appropriation has been delayed in order to get title to this land which, we understand, has been secured.

Mr. BURTON. There is a great variety of laws in different States. The general regulation, or the one in vogue in most of the States, is that the accretion to the land caused by the narrowing of the stream or in other ways accrues to the riparian owner. If that is the case, the Government will be doing this work for the benefit of private owners. Some years ago a plan was suggested, the basis of which was the improvement of the navigation of the Anacostia River and the improvement of the public health; but it was rejected in the House, for the reason that an unfair advantage would have resulted to the owners of adjoining property.

I should like to ask another question here. Why was not this item put in in the House? Why was it put in in the Senate? Was it not considered in the House?

Mr. SMOOT. I will say to the Senator that the same provision, or nearly so, has been in the District of Columbia appropriation bills in the past and the House has failed to agree to it. I do not know whether the House considered it this year or not.

Mr. BURTON. I trust this matter will be carefully considered before it is agreed upon in conference. I think I should object to it except for the fact that it must be agreed upon in conference with the House conferees.

Mr. SMITH of Georgia. Mr. President, it would seem that there is really but one question involved, and that is, Does the Government own the adiacent land, so that this improvement will belong to the Government? If it does not, we ought not to vote for it. Does the Government own the land, so that this improvement would make it the property of the Government?

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, under the head of "Water department," on page 84, line 25, after the word "clerks," to strike out "2, at $1,500 each" and insert "1, $1,800; 1, $1,500"; and on page 85, line 6, after

the words "in all," to strike out "$87,055" and insert "$87,355," so as to make the clause read:

For distribution branch: Superintendent, $3,300; engineer, $2,400; assistant engineers—1, $1,800; 1, $1,600; master mechanic, $2,000; foreman, $1,800; assistant foremen—1, $1,275; 1, $1,200; 1, $1,125; 1, $900; steam engineers—chief, $1,750; 2, at $1,100 each; 3 assistants, at $875 each; chief inspector of valves, $1,600; leveler, $1,200; inspector, $1,200; draftsman, $1,050; clerks—1, $1,800; 1, $1,500; 4 at $1,200 each; stores clerk, $1,500; 1, $1,000; 1, $900; timekeeper, $900; 2 rodmen, at $900 each; 2 chainmen, at $675 each; 4 oilers, at $610 each; 3 firemen, at $875 each; janitor, $900; watchmen—1, $875; 1, $700; 1, $610; drivers—1, $700; 1, $630; 2 messengers, at $600 each; in all, $87,355.

The amendment was agreed to.

Mr. BURTON. Mr. President, I should like to ask a question of the chairman of the committee. Is the waterworks department of this city self-sustaining? In most of the cities the water system is not only self-sustaining, but has a sufficient income to pay interest on the bonds and have a surplus besides. Is that the case here?

Mr. SMITH of Maryland. I understand it is self-sustaining, sir.

Mr. BURTON. Does the Government of the United States pay water taxes?

Mr. SMITH of Maryland. No, sir.

Mr. BURTON. It receives free its supply of water for Government buildings?

Mr. SMITH of Maryland. Yes; free; paid for from the revenues of the waterworks. The Government does not pay anything.

Mr. SMITH of Georgia. Mr. President, when the Senator says the system is self-sustaining, he simply means that it pays the expense of operation.

Mr. BURTON. Yes. My question is, Does it pay a rate of interest on the original cost?

Mr. SMITH of Georgia. I do not understand that the Senator means that it does that. I understand that he simply means that it pays the expenses of operation.

Mr. BURTON. It is not a very profitable plant if it merely pays the expenses of operation. Does it also pay an adequate return, whether you call it interest or income, upon the cost?

Mr. SMITH of Maryland. That I am unable to say. I do not know about that, sir. I do not know what the cost is, and I do not know what percentage is put on for that purpose. I understand that it is self-sustaining, so far as the running of it is concerned.

Mr. BURTON. Of course it is to be expected that the running expenses are provided by the income; but I think if the commission which has been suggested is to be appointed, that would be a very desirable subject for it to consider.

Mr. LANE. I should like to suggest that the chairman of the board of commissioners should make a report to the committee as to what the cost of the plant was, how much interest it pays on its bonds, whether or not it has a sinking fund, and whether or not it pays for the extension of mains.

Mr. BURTON. If the Senator from Oregon will permit me, it is very likely that this system was not built by the issuance of bonds, but by cash appropriations from the revenues of the District of Columbia and the Treasury. It ought, however, to be a very easy matter to compute the cost of the original plant and additions.

Mr. SMOOT. Mr. President, referring to the question of revenues and expenditures for the waterworks department, I will say to the Senator from Ohio that the commissioners' report for the year ending June 30, 1914, contains this statement:

The water revenues from all sources during the year amount to $828,396.69. The expenditures for the year amounted to $794,952.16. The outstanding net liabilities on June 30, 1914, were $32,497.90, leaving a working balance to the department on that date of $946.63. Of the expenditures during the year about 52 per cent were for the extension of the plant—

That is, the expenditures during the year were $794,952.16.

Mr. BURTON. That is, for operating expenses and maintenance?

Mr. SMOOT. No; for extension also.

Of the expenditures during the year about 52 per cent were for the extension of the plant, 27 per cent for operation, and the balance for repairs and replacements.

Water is furnished free to churches, hospitals, orphan asylums, schools, and charitable institutions under authority of law to the extent of 19,348,600 cubic feet. This is based on a per capita allowance of from 60 to 100 gallons per day, depending on the character of the institutions. All water in excess of that allowed is charged for at meter rates. This excess of allowance amounted to 5,419,700 cubic feet during the year.

Mr. BURTON. Does it appear that there are no bonds on which interest is paid?

Mr. SMOOT. No; there are no bonds.

Mr. BURTON. What is the amount expended for extensions?

Mr. SMITH of Georgia. Roughly, $400,000.

Mr. SMOOT. The amount expended for extensions is 52 per cent of $794,952.16, or a little over $400,000.

Mr. BURTON. It seems to me that the amount expended for operation is small for an extensive water plant.

Mr. SMOOT. It is 27 per cent of the receipts from operating expenses.

Mr. BURTON. About $240,000.

Mr. SMOOT. About $225,000.

Mr. BURTON. Is it stated there whether or not water is furnished free to the Government buildings?

Mr. SMOOT. There is nothing said about that in the report in regard to water revenues and expenditures, water consumption and waste, or water mains, nor do I believe it is mentioned in the report. I am quite certain that the Government of the United States pays nothing for its water.

Mr. BURTON. There is a minimum amount furnished to each home without any charge? That system is adopted, is it?

Mr. SMOOT. They are putting in water meters just as fast as possible. I will say to the Senator that during the fiscal year 1914–15 there were installed 8,555 meters, making the total number in service on June 30, 1914, 42,161 meters.

Mr. LIPPITT. Does the Senator mean 1914–15 or 1913–14?

Mr. SMOOT. I was speaking of the appropriation for the fiscal year 1914.

Mr. SMITH of Georgia. Mr. President, I think I can answer the Senator from Ohio. The Government built the conduit originally and turned it over to the District and the city under an agreement that the Government's water should always be supplied free. The extensions are built, I am advised, from the profits of operation. Something over 50 per cent of the receipts are profits, and they go into extensions of water mains.

Mr. SMOOT. I will say that the cost of water in the District of Columbia is very low. (Reading:)

The rate charged for water on metered services during the year was 4 cents per 100 cubic feet. The minimum charge, allowing 7,500 cubic feet, is $4.50 per annum. The average annual rent where meters were installed by the District of Columbia was $5.80.

Mr. SMITH of Georgia. One thing that is cheap here is water, and it is good.

Mr. LANE. Mr. President, I should like to ask the Senator if he knows what plan is pursued in the extension of mains? Does the District undertake to extend mains into newly opened tracts before residences are built in them?

Mr. SMOOT. I do not think they do until they know that the residences will be built. They keep the extension of mains pretty well in advance of the building up of the District.

Mr. LANE. Do they require any guarantee of an income which will be a certain percentage of the cost of extending the mains into new tracts?

Mr. SMOOT. No; it is left entirely to the judgment of the commissioners as to where the mains shall be extended.

Mr. LANE. The reason I ask the question is that in a subdivision of the District known as Cleveland Park there is a large tract of land which has been laid out in streets, and it has water mains, I suppose, all through it, but there are no houses on it. Did the District extend those mains at its own cost?

Mr. SMOOT. Yes; out of the profits of the water system. I will say to the Senator that that has happened in other localities in advance of settlement.

Mr. LANE. That system has been pursued?

Mr. SMOOT. That system has been pursued and is pursued to-day.

Mr. LANE. I know of a city where they require, in the case of unoccupied tracts, that they shall guarantee a certain rate of return before they will extend the mains. Otherwise the municipality or the District is at the expense of opening up tracts of land for speculative purposes, adding value to lots held for speculation without any cost to the man who is speculating in the property.

Mr. SMOOT. Or, in other words, they want some interest upon their investment before they will undertake to expend the money.

Mr. LANE. Yes; something like 5 or 6 per cent. That is not done here?

Mr. SMOOT. No; that is not the policy in this District.

The PRESIDING OFFICER. The Secretary will continue the reading of the bill.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, in section 5, on page 90, line 3, after the word "necessary," to insert "engineering and other," so as to make the section read:

SEC. 5. That the commissioners are authorized to employ in the execution of work the cost of which is payable from the appropriation

account created in the District of Columbia appropriation act for the fiscal year 1905, and known as the "Miscellaneous trust-fund deposits, District of Columbia," all necessary inspectors, overseers, foremen, sewer tappers, skilled laborers, mechanics, laborers, special policemen stationed at street railway crossings, one inspector of gas fitting, two janitors for laboratories of the Washington and Georgetown Gas Light Cos., market master, assistant market master, watchman, horses, carts, and wagons, and to incur all necessary engineering and other expenses incidental to carrying on such work and necessary for the proper execution thereof, such services and expenses to be paid from said appropriation account.

The amendment was agreed to.

The Secretary resumed and concluded the reading of the bill.

Mr. NORRIS. Mr. President, I desire to offer an amendment.

Mr. SMITH of Maryland. I will say to the Senator that we are not yet quite through with the committee amendments. There are some matters that were passed over.

Mr. NORRIS. Are there some committee amendments undisposed of?

The PRESIDING OFFICER. There are a number of amendments passed over, which will now be taken up.

Mr. SMITH of Georgia. Mr. President, there is a committee amendment on page 47 in which I am interested. I must go to the Judiciary Committee in a few minutes, and I should be glad if that amendment could be taken up now.

Mr. SMITH of Maryland. I suggest that that amendment be taken up.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. The following amendment on page 47 was passed over:

After line 18, insert:

"The Commissioners of the District of Columbia are hereby authorized and directed to close public areas which may lie wholly within the boundaries of any site purchased for the Eastern High School, and the same, when so closed, shall be used as a part of said site."

Mr. VARDAMAN. Mr. President, if the Senator from Georgia will yield to me, this amendment was passed over day before yesterday at my request. I have a communication from the president of the East Washington Citizens' Association which I shall read, and I will ask the chairman of the committee to make such corrections as should be made if the statement which I am about to read contains any errors. It impresses me as a straightforward veracious statement of fact:

WASHINGTON, D. C., *January 13, 1915.*

Hon. J. K. VARDAMAN,
United States Senate, Washington, D. C.

DEAR SIR: As president of the East Washington Citizens' Association I have to thank you for this opportunity to place in your hands full data relative to the proposed purchase of ground for the erection of a new Eastern High School at Nineteenth and East Capitol Streets, in close proximity to the United States jail, smallpox hospital, crematorium, and Congressional Cemetery.

On March 13, 1914, this whole matter was discussed in the United States Senate when the $150,000 was appropriated for the purchase of a site for an Eastern High School, and at that time the record will show that the erection of a high school on reservation 13, which belongs to the Government, was opposed by Senator GALLINGER because of the proximity to the smallpox hospital, jail, crematorium, and cemetery.

Our association has been on record for over one year as opposed to the purchase of any ground as a site for an Eastern High School, believing that the District already owns sufficient upon which to build such a building. And if it be the intention of the District authorities to remove the smallpox hospital from reservation 13, as a part of the Gallinger Hospital, when established, there would then remain about 75 acres of land belonging to the Government upon which no objectionable buildings would be located and would make a model site for a high school and stadium.

Our association has protested to the board of commissioners and to the board of education against the selection of this site and against the closing of public highways sought in this connection to be closed, believing that such action would infringe the property rights of our citizens and at the same time affect the right of ownership of the United States in these streets without recompense.

Every association of citizens of southeast Washington has opposed the selection of this site; not one indorsement can be found of record favoring the same. The Board of Commissioners has declined to grant the request of our associations for a public hearing, and as these commissioners, in whose selection our people have no voice, have refused our appeal for such hearing, we are forced to petition and beg for the fairness of Members of the Senate and House of Representatives to aid us in this matter. We accordingly most earnestly request that no autnority be given the commissioners to close the streets referred to in the amendment on page 47 of the appropriation act now before you. If this authority is denied the commissioners, it will in all probability result in the matter of the selection of a site for this Eastern High School being reconsidered, while at the same time the delay would not retard the building of a new high school, there being no appropriation carried by this bill.

Congress has heretofore failed to give authority to the commissioners to close the public streets and highways of the city. A few years ago the commissioners undertook to narrow one of our streets in east Washington, and upon an appeal to the local courts by one of our citizens it was held that the commissioners "are without power to narrow the roads of established streets in the city of Washington" (Walter *v.* Macfarland, 27 App D. C., 182), and the court further held that "although the commissioners may have unlawfully exercised this power without challenge, yet such power will be denied them when duly challenged."

It is respectfully submitted that it would be unwise and unfair to clothe the commissioners with such great authority without giving the citizens an opportunity to be heard on the necessity and advisability of the proposed closing.

Very respectfully, yours,

CHAS. M. EMMONS, M. D.,
President East Washington Citizens' Association.

Mr. President, I have not had an opportunity to visit this locality, and I do not know anything about the facts. As I stated the other evening, the merits or demerits of the proposition are merely a matter of hearsay with me. If the chairman of the committee has any information on the subject, I should like to have him let us have it.

Mr. SMITH of Maryland. I will say to the Senator from Mississippi that the president of the board of education, Mr. Blair, in whom we have great confidence, came before our subcommittee and urged that this street, or so-called street, should be closed. He impressed us with the importance of it; and his statements, which can be found in the report of the hearing, were such that we believed that for the good of the school and the site it was necessary that the street should be closed.

If the Senator will permit me, I have a letter here from the president of the Northeast Washington Citizens' Association which I will have read from the desk. We felt that it was a proper thing to do because those who had looked into it, especially the president of the board of education, Mr. Blair, in whom we had great confidence, recommended that it should be done.

Mr. SMITH of Georgia. Mr. President——

Mr. VARDAMAN. Let the letter be read first.

The PRESIDING OFFICER. The Secretary will read the letter.

The Secretary read as follows:

NORTHEAST WASHINGTON CITIZENS' ASSOCIATION,
Washington, D. C., January 12, 1915.

Hon. J. WALTER SMITH.

MY DEAR SENATOR SMITH: Relative to the committee amendment to the District of Columbia bill providing for closing the streets in the site for the new Eastern High School, which was objected to in the Senate to-day, permit me to say that I know of no opposition whatever to the closing of said streets except from those who are opposed to the site selected by the board of education and the commissioners for said school, and that I have never known a site to be selected for a building in this District that it was not opposed by parties interested in other sites.

I fail to see how anyone would be affected by the closing of said streets, one of which, A Street, has never been opened and can not be used, and Eighteenth Street, while open, is seldom used.

In view of the fact, however, that one of the Senators objected on the ground that the amendment is too general and granted to the commissioners too much authority, I suggest the advisability of revising the amendment so as to provide for the closing of A Street NE. from Seventeenth to Nineteenth Streets, and Eighteenth Street NE. from East Capitol Street to B Street.

Yours, very truly,

EVAN H. TUCKER,
President Northeast Washington Citizens' Association.

Mr. SMITH of Georgia. Will the Senator from Mississippi permit me? I shall have to attend a committee meeting in a few moments.

Mr. VARDAMAN. I yield to the Senator from Georgia.

Mr. SMITH of Georgia. Mr. President, I am opposed to allowing these streets to be closed, in part because I am very much opposed to this purchase. There is too much land continuously being purchased in the District, both by the District and by the Government, for which there is no necessity for a purchase. Instead of using land that we have, instead of using land now available, we continually purchase and purchase, and there is a constant pressure upon Congress to purchase.

I do not in any sense mean to reflect upon the committee, but yet I want to call attention to a couple of facts about this proposed purchase. As is known, when it was the purpose to make this purchase the owners of these four blocks asked for it $232,000. I am advised now——

Mr. THOMAS. That is for one school building.

Mr. SMITH of Georgia. For one school building, four blocks, $232,000. I find by the city papers of day before yesterday that they have come down to $84,000. I find that the property is assessed at $30,000.

I can conceive of no necessity for this large quantity of land for this schoolhouse. There are a number of pieces of land already owned by the District more accessible and better suited for the schoolhouse. These blocks are not on a street car line; they are not as accessible to the people of that section as land already owned by the Government. The present high school, I understand, is upon a piece of land in size equal to 2 acres. If instead of appropriating $150,000 to buy more land we had appropriated $75,000 to put another building on the present lot, that section of the city to-day would be better accommodated for high-school purposes.

Mr. GALLINGER. Does the Senator mean the present lot occupied by the Eastern High School?

Mr. SMITH of Georgia. So I have been advised.

Mr. GALLINGER. Has the Senator looked at it?

Mr. SMITH of Georgia. No; I have not.

Mr. GALLINGER. The Senator will not advocate it if he looks at it.

Mr. SMITH of Georgia. There are a number of other pieces of land already owned by the District fully as good as this piece that it is proposed to purchase, and when the time comes I wish to offer this amendment:

The appropriation of $150,000 for the purchase of a site for the new Eastern High School is hereby withdrawn.

I think one of the pieces now owned by the District should be utilized instead of this perpetual purchasing of more ground by the Government and by the District.

Mr. GALLINGER. Mr. President, I am pretty familiar with the eastern section of the city.

Mr. VARDAMAN. I did not yield the floor. I yielded to the Senator from Georgia. I still hold the floor.

Mr. GALLINGER. I beg the Senator's pardon. I will not interrupt the Senator from Mississippi. I thought he had concluded.

Mr. VARDAMAN. I merely wish to say in this connection, Mr. President, that the imputation the gentleman makes against the motives of Dr. Emmons and others in the letter just read is hardly justified by the facts, because these gentlemen have no land to sell. They protest against this purchase and insist that the city already has plenty of land that is more favorably located; that there is a tract of 75 acres belonging to the Government, a part of which could be used for this purpose. The desire manifested by Dr. Emmons and his associates to save the Government $150,000, the cost of the site for the schoolhouse, ought to commend them to the Senate. I do not think that Mr. Tucker's suggestion that the motives of Dr. Emmons and others are not proper is justified by anything that has come out in this discussion. Indeed, the reverse is true.

I wish to call attention to another fact. This proposed amendment is, in my judgment, legislation upon an appropriation bill. It repeals a general law with reference to closing streets, and unless I hear from the Senator who has charge of the bill some better excuse for closing the streets than has up to this time been given I shall invoke that rule.

Mr. THOMAS. Mr. President——

Mr. GALLINGER. I believe I have the floor.

Mr. THOMAS. I yield to the Senator from New Hampshire.

The PRESIDING OFFICER. The Senator from New Hampshire had previously risen.

Mr. GALLINGER. Mr. President, I did not know when I rose before that the Senator from Mississippi [Mr. VARDAMAN] was entitled to the floor, or I would not have interrupted him.

Mr. VARDAMAN. I want to assure the Senator from New Hampshire that I would have been very glad to yield to him. His uniform courtesy and decorum in debate imposes an obligation upon every Senator upon this floor to be not only courteous and obliging but deferential to the Senator from New Hampshire; but I simply wanted to let it be understood by the Chair that I had not yielded the floor.

Mr. GALLINGER. That is right.

I was about to observe, Mr. President, that I am reasonably familiar with the eastern portion of the District of Columbia, having traveled over it a great many times and with a view of acquainting myself with conditions. There has been an agitation for a good many years for a new Eastern High School. I have been importuned hundreds of times to exert what little influence I might have to secure an appropriation for that purpose. I have examined the present Eastern High School, both the building and the site. It is occupied not only by the Eastern High School but also by another school of a lower grade. The ground is almost entirely occupied; and yet it has been argued, time and time again, that there was room on that site for another high school. It is a mistake, and anyone who will look at it will see that it is a mistake.

Mr. President, personally I traversed that section of the city and I discovered there were four sites that I thought might be used for the purpose, Congress having made an appropriation for the purchase of a site. I recall the site that has been tentatively purchased by the commissioners and I think it is an admirable situation, but perhaps it is not any better than some others that might be obtained.

The controversy which has arisen, to the effect that we have plenty of land in that section of the city upon which to erect a high school can never appeal to me. It is on the eastern branch of the river. We are improving that now, or will have it improved in some years. At the present time it is an unhealthy situation. It is a reservation owned by the Government. On that site we have a jail—a very large jail.

Mr. LANE. I should like to ask the Senator a question.

The PRESIDING OFFICER. Does the Senator from New Hampshire yield to the Senator from Oregon?

Mr. GALLINGER. I yield to my friend from Oregon.

Mr. LANE. That was the same objection the Senator made last year when it was suggested by me that the site might be used for this purpose. I should like to ask him if it is not true that the location now selected is within easy access of the jail, which is a little more than a square distant? I am informed that it is.

Mr. GALLINGER. It is much more than a square distant. I will say to the Senator I do not know the exact distance, but it is considerably removed from that situation.

Mr. NORRIS. Mr. President——

The PRESIDING OFFICER. Does the Senator from New Hampshire yield?

Mr. GALLINGER. Certainly.

Mr. NORRIS. I wish to ask the Senator if this location which was finally determined upon is not, in his judgment, a little too far out? Is it not a little too much to one side of the locality that will patronize the school?

Mr. GALLINGER. Frankly I will say to the Senator that I personally have an impression that a site a little nearer the Capitol would have been a better site. That is my judgment, and yet whether such a site can be obtained or not I do not know.

Mr. NORRIS. I asked the Senator the question because I understood he had been looking over the sites. I will ask him, Are any of the sites that are now owned by the Government better located than the one which was selected?

Mr. GALLINGER. I know of no site owned by the Government except the reservation upon which the jail, the smallpox hospital, the crematory, the laundry building, and various other buildings of that nature are situated. The old Washington Asylum is on that site.

Mr. SMITH of Georgia. I should like to ask the Senator from New Hampshire if the proposed site is not within about a block of the smallpox hospital, certainly not more than that?

Mr. GALLINGER. I think it is a considerably greater distance than that.

Mr. NORRIS. Have the people who are objecting to the present site a suggestion to make as to a location for this school?

Mr. GALLINGER. I do not know. My attention was distracted when the letter the Senator from Mississippi had read was presented to the Senate. I do not know who those parties are.

I know this, Mr. President, from a long and rather sad experience. There never was an attempt made to buy a site in the District of Columbia for any purpose whatsoever that there were not objections to it. That is the rule, and it is the rule without variation. Mr. Tucker, whose letter was read, is president of the association covering that section of the city. We have, I think, 30 of these associations called "citizens' associations," and Mr. Tucker is president of the association that would seem to be most interested in this matter.

Mr. VARDAMAN. If the Senator will yield to me just a moment, I will say to him that the author of this letter is Dr. Charles M. Emmons, president of the East Washington Citizens' Association. I know nothing about Dr. Emmons personally. I had some investigation made, and one of the commissioners answered me that he was a man of good standing and of character.

Mr. GALLINGER. I personally vouch for Dr. Emmons. I know him. He is a citizen of standing and of influence, and his opinions are worthy of very serious consideration. I do not raise the question at all against Dr. Emmons or against the propriety of his expressing his views in reference to this matter.

But, Mr. President, what I rose to say—and I am not very particular about this matter one way or the other—is that I have a great deal of confidence in the board of education, particularly in the chairman of the board. I know that they have given a great deal of attention to this matter; they have reached a conclusion, and I think we ought to hesitate before offhand coming to a contrary conclusion here or taking the word of any citizen of the District that they have made a mistake. Possibly they have. If I had my way in this matter, I would not contend for this amendment. We have authority to close those streets. They are worthless, as I happen to know personally. They are of no account to anybody as they stand to-day, and probably never will be. We have authority to close them beyond a question for this public purpose. If the people in that section of the city who say they want a high school, and who have been importuning the committee and importuning me for 10 years that they should have an appropriation for a high school, can not agree among themselves where the high school

should be located, I would let them go without a high school a while longer. That would be my decision in the matter. So, personally, I would not contend for this amendment. If Senators who have looked into this matter are ready to take the word of others concerning it and think it ought not to be included in the bill, I should be quite willing to let it go out of the bill and let the matter rest another year. I think it would be unfortunate to postpone the construction of that building, and yet they will get along for another year.

Of course, I do not undertake to speak for the committee, and especially not for the chairman of the committee. I speak for myself; and I say frankly that I think those people ought to agree among themselves. They ought not to insist that any individual or little faction should have its own way as against the judgment of the Commissioners of the District of Columbia and the board of education, both of which bodies have agreed upon the site that is named in the bill.

Mr. President, that is all I care to say about it. I shall vote for the amendment if it is put to a vote, but if it goes out of the bill I will not allow myself to mourn over it, because I think the people in that portion of the city who are so insistent upon having a high school ought not to come in here at the last moment and undertake to obstruct and defeat an amendment submitted by the committee upon the recommendation of the commissioners and the board of education.

Mr. JONES. I wish to ask the Senator a question.

Mr. GALLINGER. I am through.

Mr. JONES. I ought to know, I suppose, being a member of the committee, but I will say I do not know. I thought we had already acquired the site for this school.

Mr. GALLINGER. We have appropriated $150,000.

Mr. JONES. But have we acquired the site? Have we bought the site for which the money was appropriated?

Mr. GALLINGER. I think not. I think they have been bargaining for it.

Mr. JONES. I had an impression that we had acquired the site, and that the sole purpose of the amendment was to close up some streets.

Mr. THOMAS. Mr. President, I unsuccessfully opposed the making of this appropriation a year ago from the slight information which I then possessed. I believed that it was unnecessary to expend $150,000 in the purchase of a site for a new schoolhouse. It was represented to me that the Government owned a tract of land amounting, as I now recall, to about 75 acres, a part of which could well be devoted to this purpose. The objection was made with great force by the Senator from New Hampshire [Mr. GALLINGER] that the character of the buildings upon that tract was objectionable to the erection of a schoolhouse in their vicinity. He spoke of the jail, I believe, and smallpox hospital and some other objectionable or undesirable structures, so far as this question is concerned, upon that tract of land. The Senate did not coincide with me and the amendment was allowed to stand.

I had practically forgotten the circumstance until my attention was called to this amendment a day or two ago by Dr. Emmons, the writer of the communication which the Senator from Mississippi [Mr. VARDAMAN] has submitted to the Senate. The proposed site, whether it has been purchased or is to be purchased, comprises a tract of ground laid out in four blocks. I am unable to say what are the dimensions of the blocks, but the purpose of the amendment, although its language is very vague, is to close the streets which divide these blocks so that the territory may consist of one compact whole. Of course, if it is necessary to use a large area of ground for the erection of a high-school building, it follows as a matter of course that the streets or public highways which either have been opened or have been surveyed through the tract should in some manner be vacated.

But, Mr. President, I believe as sincerely as I believed a year ago that if this money has not been actually devoted to the purchase of this tract of ground the appropriation itself should be repealed, for the reasons which were urged by the Senator from New Hampshire against the use of Government land in the neighborhood of this tract were good, and they seemed to be conclusive then and they are equally good and conclusive now. The tract which has been selected is within one block, or within two streets, to be more exact, of the territory which it was then supposed would be sufficient for this purpose. Of course, that does away with the immediate objection—that is to say, there is no direct contact between the proposed educational institution and these other buildings.

But to me it seems incredible, Mr. President, that if because of the existence of these buildings upon 75 acres of ground a school should not be erected there, nevertheless it can be erected in that immediate vicinity, without resulting in the same contamination and exposure which would result from the utilization of a part of the land already owned by the Government. Seventy-five acres, and of course I am speaking by hearsay, is a very considerable tract of territory. These other institutions can very easily be assigned to some remote part or some particular part of this tract, and the remainder of it can be devoted to the erection of this high-school building. It therefore appeals to me now, as it did then, as a sheer waste of money.

I want to take this occasion to say to the people of the District of Columbia that it is precisely such appropriations and the use that is made of them that lies at the bottom of congressional objections to the half-and-half system; for, whether the notion be well or ill founded, it nevertheless does exist, that appropriations made by the Government for the partial support of the District of Columbia are invested in such wise as to accrue to the pecuniary advantage of citizens and property holders within the District. That, of course, involves no reflection whatever upon the committee, but it does justify the feeling that any Government funds which are used indirectly upon such purposes should be withdrawn and the appropriations by which the expenses of the District of Columbia are to be paid should come from the direct taxation of the property holders themselves.

Mr. President, I do not vouch for it, I do not know whether it is true or not, I make no charges, but I am informed that two members of the school board are the owners in trust of the title to a part of the ground that is to be conveyed for the erection of this structure.

Mr. VARDAMAN. Will the Senator yield to me?

Mr. THOMAS. Certainly.

Mr. VARDAMAN. I wish to call the Senator's attention to the statement made in this communication from Dr. Emmons that—

> Every association of citizens of southeast Washington has opposed the selection of this site; not one indorsement can be found of record favoring the same. The Board of Commissioners has declined to grant the request of our associations for a public hearing, and as these commissioners, in whose selection our people have no voice—

They have declined to listen at all to their protest. They have declined to give them an opportunity that this matter might be submitted and the world might know the facts regarding this matter.

Mr. THOMAS. Yes; Mr. President, I was impressed with that recital when the letter was first submitted to the Senate. I was also impressed with the fact, because it is a fact, suggested by the chairman of the committee and by the Senator from New Hampshire that the selection of a site for a public or semipublic building always results in opposition. That is true. It is human nature. It is just as true of the city of Denver as it is of the District of Columbia. It is just as true of any municipality or any community where money is to be expended for public or semipublic purposes that rival interests desire to secure the location of a site for it. But here, unless I am misinformed, the objection to this site does not come from aggregations of individuals owning other sites and seeking to secure investment in those sites; it comes from a body of people whose children are dependent upon this school for their education and who object to its location at this particular place; first, because of the fact that it is largely remote from the center of population of the community, and also because it is too expensive; because it is larger than is necessary, and also because it involves, among other things, the closing of the streets belonging to the people of the United States, and the virtual transfer of the title and possession thereto to the District of Columbia.

Mr. VARDAMAN. If the Senator will pardon me, they also insist that the Government owns land that is better situated and more suitable for the site than the land it is proposed to buy.

Mr. THOMAS. The Senator anticipated what I was going to add as another and, to my mind, the conclusive reason. If it be true, Mr. President, that the title of this property is vested, either in trust or otherwise, in any member of the board of education, that circumstance itself justifies the impression that the transfer itself should be very carefully scrutinized before it shall be approved even indirectly by legislation of this sort.

Now, Mr. President, before I take my seat I want to inquire whether a point of order has heretofore been presented against the consideration of this amendment.

Mr. SMITH of Maryland. My understanding is that it has been.

The PRESIDING OFFICER. The Chair is advised that a point of order had been presented and overruled. It was made by the Senator from Georgia [Mr. SMITH].

Mr. THOMAS. I do not care to say anything more on this subject, Mr. President.

Mr. SMITH of Maryland. I should like, if the Senator from Colorado will permit me, to ask him a question.

Mr. THOMAS. Certainly.

Mr. SMITH of Maryland. Individually I know very little about this site. I have depended and the committee has depended upon the judgment of the board of education. Therefore I have nothing to say in regard to its eligibility except that these matters are placed in the hands of the board of education here. I do not know many of the members of that board. I know some of them. I do know the superintendent of the board, Mr. Blair, and I have a very high regard for him in every particular.

Mr. THOMAS. May I ask if that is Mr. Woodbury Blair?

Mr. SMITH of Maryland. I do not know his first name.

Mr. GALLINGER. Mr. Henry P. Blair.

Mr. SMITH of Maryland. The Senator was just arguing that the Government had a large quantity of land on which a school could be built; and he said that the buildings upon this land could be removed so that a site—I presume that was the idea—could be made eligible for this school.

Mr. THOMAS. Yes; in other words, that the entire tract was not necessary for the structures now upon it.

Mr. SMITH of Maryland. Yes; but upon this site of which the Senator speaks, as I understand, there is a jail, a crematory, a smallpox hospital, and another hospital. So it strikes me that it would cost a great deal more money to remove those buildings than a site would cost elsewhere. It would be a tremendous undertaking to move all those buildings in order to obtain an eligible site. The Senator may be right in the matter; I do not know as to that; but we, of course, have to depend upon somebody. It is not the function of the individual members of the committee to personally know these things. I am willing to confess, so far as I am concerned, that I do not know; and the action which I, as a member of the committee, have taken has been dependent upon the advice and information which I have obtained from the parties who are delegated with the power to act in such matters.

Mr. THOMAS. I have not the slightest doubt, Mr. President, but that is so; but the fact that——

Mr. TOWNSEND. Mr. President, I wish to ask the Senator from Maryland a question if the Senator from Colorado will allow me to do so.

Mr. THOMAS. I yield.

Mr. TOWNSEND. The Senator in charge of the bill has heard the statement which has just been repeated here—that several members of the board of education or of the school commissioners are interested either as trustees or otherwise in this site.

Mr. THOMAS. I should say as to that that they are interested as trustees; that is my information.

Mr. TOWNSEND. Is there any answer to that?

Mr. SMITH of Maryland. If that is the case, I know nothing about it. I have never heard the statement made that such was the case.

Mr. GALLINGER. The answer to that would be that, if that can be shown, there is not a member of the committee who would not repudiate the action of the commissioners and of the board of education. I have never before heard it suggested. The Senator from Colorado says somebody told him that it was so.

Mr. THOMAS. I said that Dr. Emmons told me. I would not make a statement of that sort upon the floor of the Senate without giving the author of the information.

Mr. GALLINGER. This is the first intimation that we have had of it.

Mr. THOMAS. I have no doubt of that, Mr. President.

Mr. SMITH of Maryland. There might be conditions when a matter of that kind might militate against the purchase of property. At the same time, I should think that a man could be a trustee for a property, if he is an honorable and upright man, and yet it would not influence him to do an improper thing in the sale of it or in turning it over to the Government.

Mr. THOMAS. I do not question that either. The fact is not a conclusive one. It is one, however, which always should receive inspection, as it would have done, I am sure, if any member of the committee had been informed of it.

Mr. SMITH of Maryland. I grant that.

Mr. THOMAS. It may be that the information which I have received and which I have deemed it my duty to lay before the Senate will, upon investigation, be found to be erroneous.

Mr. GALLINGER. Will the Senator from Colorado permit me to make a suggestion?

Mr. THOMAS. With pleasure.

Mr. GALLINGER. It is rather remarkable that Dr. Emmons, a gentleman whom I know and whom I respect, should not come to the committee to make a statement of that kind. He did not do so.

Mr. THOMAS. The Senator from New Hampshire has vouched for Dr. Emmons. My acquaintance with him is casual.

Mr. GALLINGER. Now, I will ask the Senator from Colorado if Dr. Emmons or anyone else has told him who these members of the board of education are who have an interest in this property?

Mr. THOMAS. He did not. He did not mention any names.

Mr. LIPPITT. Mr. President——

The VICE PRESIDENT. Does the Senator from Colorado yield to the Senator from Rhode Island?

Mr. THOMAS. I yield to the Senator from Rhode Island.

Mr. LIPPITT. It seems to me that that almost amounts to an anonymous communication. I should think that if a charge were going to be brought up here on the floor of the Senate it at least ought to be definite enough to specify individuals. You can not indict a whole nation; you can not indict a whole board on the ground that some of them have done something wrong. It seems to me there ought to be a little more specificness to that accusation.

Mr. THOMAS. Mr. President, you can not indict a whole nation, but boards have frequently been indicted. I am not indicting this board, nor am I indicting any member of it. I am giving a reason which, if true, can be ascertained, inasmuch as it applies to one or two of a very small circle of men. I conceive that the fact itself may be an entirely innocuous one in so far as this transaction is concerned and that a trustee dealing with his property with others may do so with perfect propriety and along the line of his duty without subjecting himself to criticism.

One word as to the last statement of the Senator in charge of the bill [Mr. SMITH of Maryland]. If it be true, Mr. President, that upon this Government tract of land there is a jail and a smallpox hospital, which it may be expensive to remove, it argues either that they should have been removed long ago or else that they are located in a practically uninhabited part of the city. If there is a community of children in that section needing this institution, then these other institutions should have been removed long ago.

If, on the other hand, there is no considerable population there, when you select a site two blocks beyond that point, it is no place for a schoolhouse, and you might as well go farther into the country. I have yet to be convinced that a tract of land 75 acres in extent belonging to the Government is not sufficient for the purpose for which it is sought to be used and sufficient as well for the erection of this structure.

For my part, I am opposed to the policy under which the Government of the United States purchases private property in this District for any purpose unless it is absolutely necessary—and the burden should be upon those who assert the necessity to prove it—when, as a matter of fact, it is known that the United States is the owner of a large amount of territory within the District.

Why, Mr. President, one of the arguments made in favor of the half-and-half system here, the one which appealed to me, was that the United States owns over 50 per cent of the territory in this District, yet in matters of this kind moneys appropriated by the Government are frequently used for the purpose of purchasing private property.

Mr. JAMES. Mr. President, if the Senator from Colorado will permit me, my information is that the Federal Government does not own more than 5,000 acres of land in the District, and that a great deal of that is owned on the half-and-half principle. For instance, that is the case with the Rock Creek Park. Practically, about 100 acres of the land here is used by the Federal Government for its buildings and its work.

Mr. THOMAS. Whether it be true or not to the extent to which I have stated it—and I am informed that such is the fact—it certainly is true that the Government has plenty of territory upon which to erect its structures.

Mr. JAMES. I do not doubt that in the slightest. I was merely seeking to correct the Senator's statement, as I am informed about the number of acres that the Federal Government really owns in the District. I am in sympathy with the Senator's position.

Mr. NORRIS. Mr. President, it seems to me that the location selected for this high school is an unfortunate one. I believe also that the location of the Government property would be just a little bit more unfortunate. I presume when you refer to the land owned by the Government reference is made to that tract of land upon which the jail, the workhouse, and these other buildings are located. They are in the same vicinity,

being but a block or two away. In either case the location for a high school, it seems to me, is undesirable, for the reason that——

Mr. SMITH of Maryland. Will the Senator from Nebraska permit me to interrupt him there to make a suggestion which will probably facilitate the matter?

Mr. NORRIS. Will the Senator merely let me finish this sentence?

Mr. SMITH of Maryland. Yes.

Mr. NORRIS. This locality is entirely to one side of the district that will furnish the students for the high school. Now I yield to the Senator from Maryland.

Mr. SMITH of Maryland. Before making my statement, I wish to read a letter which has just been sent to me. It is as follows:

I desire to inform you that before selecting the site for the Eastern High School the board of education gave a full hearing to Dr. Emmons and others interested, and heard his argument, as well as others.

Mr. GALLINGER. By whom is that letter signed?

Mr. SMITH of Maryland. It is signed by Mr. Tucker, president of the Northeast Washington Citizens' Association.

I would suggest to the Senator, inasmuch as there have been some statements made about some of the members of the board of education being trustees, that this matter be postponed, and let us make some investigation in regard to it.

Mr. GALLINGER. Let it be passed over.

Mr. SMITH of Maryland. There is not a member of the committee who wants the Government improperly treated in any way. I can hardly think, however, that there is any member of this board, whether he be a trustee or not, who would lend himself to anything wrong. At the same time, as the charge has been made, I think it would be well to lay the matter over until to-morrow and let us make an investigation.

Mr. STONE. Mr. President, as to laying the matter over until to-morrow, I should like to ask the Senator from Maryland——

Mr. SMITH of Maryland. Pardon me a moment. I did not mean to lay the bill over; I meant this one item.

Mr. STONE. If we should pass the bill to-night, what would become of that item?

Mr. SMITH of Maryland. We could not pass the bill if it were allowed to go over.

Mr. STONE. Will my friend from Maryland allow me to make a suggestion with respect to this item?

Mr. NORRIS. Mr. President, I think I have the floor, but I yield to the Senator. I will not object to the Senator making a statement.

Mr. STONE. I beg the Senator's pardon. At the moment I thought the Senator had yielded the floor. I will only occupy a moment, if the Senator will yield to me.

Mr. NORRIS. Certainly.

Mr. STONE. Inasmuch as the question has been raised here about the interest of members of the board of education in property they are advising us to purchase by this appropriation, leaving us in doubt as to whether the action is entirely what it ought to be; and, inasmuch as the Senator from New Hampshire [Mr. GALLINGER], who is as familiar with District affairs, I suppose, as any other Senator here, and whose devotion to the interests of the District is recognized by everybody, thinks that no harm would be done or public interest jeopardized by postponing action on this item until the next appropriation bill—whether the Senator from Maryland concurs in that view of the Senator from New Hampshire I do not know—but, in view of the whole situation, I desire to inquire if it would not be better, all things considered, to let this item go out of the bill?

Mr. GALLINGER. Mr. President, will the Senator from Nebraska permit me to say a word?

Mr. NORRIS. I yield to the Senator.

Mr. GALLINGER. Mr. President, I did express myself as the Senator from Missouri suggests. I am troubled, however, about the accusation which has been made. Mr. Henry P. Blair, chairman of the board of education, is the son of a man who occupied a seat on this floor for 12 years. Mr. Blair is a man of the highest integrity and is so recognized by the bar of the District of Columbia. He has served as assistant corporation counsel, a position which he resigned to continue private practice. He is a man against whom no breath of suspicion has ever been uttered or thought of, and I dislike exceedingly to have this matter dismissed at the present time without being looked into with some care. It is a serious accusation. While Mr. Blair's name——

Mr. THOMAS. Will the Senator allow me to interrupt him?

Mr. GALLINGER. I will yield to the Senator in a moment. While Mr. Blair's name has not been mentioned, he is my friend; he is from my State originally, although he has lived in Washington from early boyhood, coming here with his father when he was a Member of the Senate, and I feel unwilling that anything should go on the records here that might taint his good name; that is all.

Mr. THOMAS. Will the Senator allow me to interrupt him?

Mr. GALLINGER. I yield to the Senator if the Senator from Nebraska does not object.

Mr. THOMAS. I have just been informed by Dr. Emmons that, upon examination of the records, Mr. J. B. Larner was found to be trustee for part of this property for the Washington Loan & Trust Co. That is the extent to which Dr. Emmons now goes concerning the matter.

Mr. GALLINGER. Mr. Larner is counsel for the Washington Loan & Trust Co., and it develops that the Washington Loan & Trust Co. has some interest in this property. That, Mr. President, is pretty gauzy. I think it bears out the point I have in mind.

Mr. THOMAS. Mr. President, of course the Senator does not refer to anything but the last statement.

Mr. GALLINGER. What I meant to say was that it is remote; that it does not apply to any member of the board of education.

Mr. THOMAS. The statement which I first made was made practically as it was given to me, and is now made practically as it was given to me again.

Mr. SMITH of Maryland. I think the Senator said, in the first instance, that two members of the board of education, instead of one, were in some way interested.

Mr. VARDAMAN. Mr. President, we can not hear the colloquy which is going on.

Mr. THOMAS. I say that the statement which was given to the Senate was given practically as it was given to me, and the last statement is the statement which Dr. Emmons has just furnished me. I have made no statement here of my own.

Mr. VARDAMAN. What connection has this man with the board of education?

Mr. THOMAS. I have made no statement here of my own, upon the theory that it was either gauzy or unfounded.

Mr. VARDAMAN. What connection has this gentleman with the matter?

Mr. THOMAS. As I understand, Mr. Larner is one of the trustees.

Mr. NORRIS. Mr. President, as I understand the Senator from Colorado, the matter reduces itself to this: That a member of the school board is attorney for the Washington Loan & Trust Co., and the Washington Loan & Trust Co. has an interest in this property, or part of it.

Mr. THOMAS. That is the substance of the information which I have just given to the Senate.

Mr. NORRIS. Does the Senator have any information as to the nature of the interest which the Washington Loan & Trust Co. has in the matter?

Mr. THOMAS. No; I assume, however, that its interest is in the shape of a deed of trust given to secure a loan.

Mr. NORRIS. That is, a mortgage on the property?

Mr. THOMAS. Yes.

Mr. NORRIS. Unless they were very wild in making the loan, I do not suppoce they are at all interested whether this is to be used as a school ground or whether it is to be used for a farm.

Mr. President, the particular clause which we now have up for consideration ought to become a law if the site to which it relates is to be acquired for the Eastern High School. The particular provision we are discussing gives the Commissioners of the District of Columbia the authority to close the streets that lie within the boundaries of the site. I think, however, the selection of this site would be a serious mistake. I think the site ought to be located more in the center of that part of the district which will supply the students for the new high school.

I should like to say, in reply to some of the suggestions made by the Senator from Colorado, that I believe there ought to be a new Eastern High School. I am somewhat acquainted with the present high school and its locality. I have been on the premises and in the building, and I think no Senator here who will look at it will say that there is room enough there or that it would be advisable to build a new high school on the same site. There is located on the same tract of ground on which the Eastern High School is situated the Wallach School, which in itself is a large building, and there is not sufficient room for playgrounds. Under the conditions as they now exist I believe that a new location and a new school building are absolutely necessary, but the new building ought to be located at some point not away to one side of the population to be served.

This particular location, as I understand, is out on Eighteenth Street, which is half a mile beyond Lincoln Park, that park being located between Eleventh and Thirteenth Streets, so that it is at a point where there are very few buildings inhabited by citizens of the District. The location suggested by several Senators on the tract where the Government owns 75 acres is still farther out. If that site were selected, the pupils would all come from one direction and there would be none coming from the other direction.

I do not believe that the Government owns property in a more central and accessible location that could be used as a site for this school unless it be one of the parks. There is located what would be a splendid site for the Eastern High School just north of Providence Hospital, a beautiful park, but I presume that would be objected to because it would be taking up one of the parks of the city. There may be other parks and triangles which perhaps, by closing portions of some streets and acquiring some adjacent property, would make desirable sites, but——

Mr. GALLINGER. Mr. President, just a word.

Mr. NORRIS. I yield to the Senator.

Mr. GALLINGER. The Senator has not dealt as directly with District matters as it has been my misfortune to do. I want to say to the Senator that if any movement were inaugurated to take 40 feet square from any park in the District of Columbia there would be a rebellion on hand at once.

Mr. NORRIS. Certainly, there would be; there would be a rebellion in the Senate; there is not any doubt about that. I am not advocating that, and I do not want to be understood as advocating it; but I am suggesting this in answer to the argument which has been made that the Government already owns a site, and I am saying that the only sites which would be at all appropriate are those that are now used for public parks.

Mr. GALLINGER. Mr. President, if the Senator will permit me further, the question of acreage property in the District of Columbia has been very seriously considered by some of us. When the movement was inaugurated to establish a reformatory, which was a very much needed institution, we were compelled to go to Virginia to get land. We have no acreage property in the District of Columbia suitable for large buildings.

Mr. NORRIS. I am satisfied that the Senators who are stating that there is property now owned by the Government suitable as a site for the Eastern High School certainly have not made an investigation, or they would be convinced that there is not such a property, unless we go to that portion of the city where the jail and the reformatory are located. While it seems to me that would not be very much worse than the location which has been suggested, if the school——

Mr. JONES. Mr. President——

Mr. NORRIS. I will yield to the Senator in a moment; I merely wish to say something in regard to the closing of the streets.

If the school is to be located on the blocks indicated, then the streets running through the blocks ought to be used, of course, as part of the reservation, and, indeed, there would be no further use for such streets running through those blocks.

An examination of the map of the District of Columbia convinces me that they are very small blocks; they are narrow in one direction, at least; and, although I do not know their dimensions, I do not believe those four small blocks constitute any too great an area for a high school that will meet the needs of the present and of the future. If the site proposed is selected, then, of course, the streets ought to be closed. I now yield to the Senator from Washington.

Mr. JONES. Mr. President, I merely want to ask the Senator if it is not true with reference to his suggestion that it would be better to have the school site located a little nearer the center of the school population or nearer the Capitol, if such a site would not be much more expensive to acquire?

Mr. NORRIS. I have no doubt of that.

Mr. JONES. And that probably had some influence in the selection of the present site?

Mr. NORRIS. I presume that was taken into consideration.

Mr. STERLING. Mr. President, I should like to be informed just a little further in regard to the purchase of the proposed site for the Eastern High School. According to the wording of the amendment, reference is made to "any site purchased." It does not say "any site to be purchased" or "any site which may be purchased," and I think the ordinary import of the language would be that it is a site which has already been purchased. I should like to know, in that connection, what has been done in the way of the purchase of the site, what negotiations have been had, and whether there has been any transfer made of any agreement been entered into to transfer the property to be used for the site?

Mr. SMITH of Maryland. From all I have been able to gather, my impression is that an option has been taken on the property. I doubt whether there has been any transfer of it, and I think there has not been.

Mr. VARDAMAN. Mr. President, it is impossible to hear the Senator.

Mr. SMITH of Maryland. I say that my impression is that they have an option upon the property, but I do not think there has been any transfer of the property.

Mr. VARDAMAN. No harm would be done, then, if the appropriation were repealed.

Mr. SMITH of Maryland. Yes; a great deal of harm would be done if the appropriation were repealed, for that would amount to saying that we did not want a school at all, and we would have to commence all over again. I see no reason why, even if there is objection to this piece of property, the appropriation should be repealed. There is a necessity for this school, and the appropriation was made to provide for it.

Mr. LIPPITT. Mr. President, I have heard it suggested that this property was to be acquired under condemnation proceedings. Can the Senator from Maryland tell us anything about that situation?

Mr. SMITH of Maryland. I am not advised as to that.

Mr. SHAFROTH. Mr. President, the Senator from Nebraska [Mr. NORRIS] made some reference to this site, and said he thought the blocks were rather small. I hold in my hand a plat of that section of the city, which shows the site referred to and also the other sites as to which bids have been submitted. The site which has been recommended consists of four blocks. The scale of this map is 500 feet to 1 inch. According to that this site is about 1,200 feet in length by 1,000 feet in width, constituting four blocks and the intersecting streets.

Mr. NORRIS. Mr. President, will the Senator allow me to interrupt him?

Mr. SHAFROTH. I yield to the Senator.

Mr. NORRIS. If we are to buy property out there for a high school—and the cheapness of that property may have been one of the reasons that induced the recommendation in its favor, for property is cheap there compared with that in other locations which, I think, more desirable for school purposes—we ought to have four blocks. I do not believe that is too much.

Mr. SHAFROTH. I am not complaining of that.

Mr. NORRIS. The trouble with our schools is usually that the playgrounds surrounding them are too small, and if we are going to locate the high school there at all we ought to acquire ground enough so that there may be suitable playgrounds. I repeat that four blocks, I think, is not too much.

Mr. SHAFROTH. I will suggest to the Senator that this same map shows two blocks to the south, on Nineteenth Street, a reservation, being reservation No. 13, which is probably 25,000 feet in length, and extends indefinitely, at least so far as this map shows, to the east, and upon which it is said a jail is located, and I suppose "H" means hospital.

Mr. NORRIS. Yes. Well, that is about a block away, or a block and a half.

Mr. SHAFROTH. This is two blocks farther south, and Massachusetts Avenue runs into it. This is quite a large tract of land, constituting, I understand, about 75 acres. Of course, if this land lies well, there would be ample room for the erection thereon of a public high school, and it is not so very far away, but I do not know the location.

The difficulty I find concerning this matter, Mr. President, is that we do not know enough about it; the committee does not know enough about it to determine whether or not this is the best location. We are taking the judgment of the board. In view of the fact that there are some disputes here with relation to it, and the Government owns 75 acres very close to this site, and we ought not to buy property unless it is important that we should, I think it ought to go over until to-morrow, to let some investigation be made by the committee to determine whether or not this is desirable.

Mr. GALLINGER. Mr. President, will the Senator from Nebraska yield to me?

Mr. NORRIS. Yes.

Mr. GALLINGER. Mr. Blair, the president of the board of education, was before the committee, and this was his statement. I wish Senators would listen to it:

> In regard to the Eastern High School site, after a great deal of argument and after a very bitter fight by one of the citizens' associations, which was made here before this committee and has been strenuously continued before the commissioners and every other body since then, for the selection of the jail site, on reservation 13, for the Eastern High School, the commissioners finally, at our request, asked for bids. Bids were received for four different parcels. They have all been carefully inspected. The sites committee of the board and the superintendent spent half a day out there inspecting the sites and inspecting the ground in the eastern section of the city to see whether there was any

ground available within the appropriation that was better than the sites that were offered; and we finally concluded to recommend and did recommend some time ago to the commissioners—nearly a month ago, now—a definite site. As was to be expected, as soon as a definite site was recommended there was opposition to it, which always happens; but from the statements the commissioners have made to me personally or that have been made to other members of the board, I believe the site selected is going to meet with their favor. They think, as we do, it is the best site of all.

That was the statement of the president of the board of education to the committee a few days ago. The matter is in the hands of the Senator from Maryland.

Mr. SMITH of Maryland. The question, as I understand it, is upon the amendment offered by the committee. The Senate can do what it pleases with it. We thought it was a proper thing to put in the bill, and we put it in. If the Senate thinks proper, it can take it out.

Mr. LANE. Mr. President, last year a site was suggested on the Government reservation. The Senator from New Hampshire objected to it then for the reason, given by him, that it was near a jail, not far removed from a smallpox hospital, and there was no street car service there. I am told from what seems to be a reliable source that about the same conditions prevail in connection with this site. The other was a Government-owned site, and, of course, would cost nothing. This one would cost the Government money if it purchased it, if that has not already been done, and its situation, so far as contiguity to these other institutions is concerned, is not much different. I am also told that there is not only no street car line near it but that certain trash is dumped in the low ground near there and burned during the summer, and that the smoke from such burning waste matter floats over this neighborhood and will be a disadvantage; also that the area is a low piece of ground, which is a breeding place of mosquitoes, and that it is far removed from the residences of the people who desire to send their children to a high school. In other words, that it has very little to commend it, and that if a purchase is going to be made for a high school to accommodate that neighborhood it should be made several blocks nearer the center of the city.

Mr. VARDAMAN. Mr. President, I want to say briefly that I do not see how the Senate can adopt this amendment with the cloud of doubt and suspicion which rests upon it. The chairman of the committee states he has not given the matter very thorough consideration.

Mr. SMITH of Maryland. I did not state that I had not given it thorough consideration. I have given it thorough consideration.

Mr. VARDAMAN. I beg the Senator's pardon. My understanding was that he said that he did not know about this, that he had not considered the question fully. I would not misunderstand the Senator.

Mr. SMITH of Maryland. I say I do not know personally about the site, nor do I consider that I would be as well qualified to judge of the eligibility of the site as those who have already been intrusted with that duty.

Mr. VARDAMAN. Has there been a hearing by the committee on this subject? Have the citizens of that community come before the committee?

Mr. SMITH of Maryland. The money for the site was not appropriated at this session. It was appropriated last session.

Mr. VARDAMAN. Had any evidence been taken by the committee as to the necessity for closing these streets?

Mr. SMITH of Maryland. I do not know, so far as that is concerned.

Mr. VARDAMAN. Has the chairman of the committee, if he will pardon me, any information on that subject?

Mr. SMITH of Maryland. Yes; I stated that the president of the board of education came before us and gave his views in regard to it, and we have them here now, if the Senator from Mississippi would like to see them.

Mr. VARDAMAN. I think the Senator from New Hampshire read it a moment ago; did he not?

Mr. SMITH of Maryland. Then the Senator knows that there has been some hearing.

Mr. VARDAMAN. Oh, I understand that the Senator from Maryland said that he acted upon the advice of the president of the board of education.

Mr. GALLINGER. Mr. President, if the Senator from Mississippi will permit me, this matter was quite as acute a year ago as it is now, and Dr. Emmons did state his objections to several members of the committee, and I think to the subcommittee as a body. I have an impression—in that I may be somewhat wrong, however—that no other citizen of that section of the city appeared and asked for a hearing on the matter itself. Dr. Emmons was very insistent then, as he is now, that this school building shall be placed on reservation 13, owned by the Government.

Mr. VARDAMAN. Mr. President, I have no interest in this matter other than a desire that the best thing may be done for the District of Columbia.

Mr. GALLINGER. I have no doubt of that.

Mr. VARDAMAN. When we consider the statement made by the Senator from Colorado [Mr. THOMAS] as to the interests which have operated and the suggestions that have been made and the influence exerted to bring about the sale of land, while there may not be any foundation, in fact, for the charge or suggestion, I really think the matter ought to be looked into thoroughly. If it is all right, if there is nothing wrong about it, if it is for the best interests of the District of Columbia and the people of that community in which the school is situated, I am in favor of it. I have no knowledge of the subject except that which comes to me from the representative of an association of citizens living there.

I want to say that I would rather act upon the judgment of the men and the women living in the community who are to be benefited by this school than the opinion of one of the commissioners or the president of the board of education. These people are to be served. They are to be taxed to maintain this school, and I think they have a right to be heard. The statement made here by Dr. Emmons, which I have read into the RECORD, has not been contradicted. I think, in the light of all that and the suggestions that common prudence demands, that the matter ought at least to go over until the truth can be discovered regarding it. The Senate owes that much to itself.

The VICE PRESIDENT. The question is on agreeing to the amendment.

Mr. VARDAMAN. I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Hardwick	O'Gorman	Simmons
Bankhead	Hitchcock	Oliver	Smith, Md.
Brady	Hollis	Overman	Smoot
Brandegee	James	Page	Sterling
Bryan	Johnson	Perkins	Stone
Burleigh	Jones	Poindexter	Sutherland
Camden	Kenyon	Pomerene	Swanson
Chamberlain	Kern	Ransdell	Thomas
Chilton	Lane	Robinson	Thompson
Clapp	Lea, Tenn.	Root	Thornton
Clark, Wyo.	Lee, Md.	Saulsbury	Townsend
Culberson	Lippitt	Shafroth	Vardaman
Dillingham	Lodge	Sheppard	Walsh
Fletcher	Martine, N. J.	Sherman	White
Gallinger	Nelson	Shields	Williams
Gronna	Norris	Shively	Works

The VICE PRESIDENT. Sixty-four Senators have answered to the roll call. A quorum is present. The question is on the pending amendment on page 47. [Putting the question.] By the sound the "ayes" seem to have it.

Mr. VARDAMAN and Mr. THOMAS called for the yeas and nays, and they were ordered.

The VICE PRESIDENT. The Secretary will call the roll.

Mr. SMITH of Maryland. Mr. President, a great many Senators do not understand the amendment. Will the Secretary please state it?

The VICE PRESIDENT. The question on which the yeas and nays have been ordered will be stated.

The SECRETARY. On page 47, after line 18, it is proposed to insert:

The Commissioners of the District of Columbia are hereby authorized and directed to close public areas which may lie wholly within the boundaries of any site purchased for the Eastern High School, and the same, when so closed, shall be used as a part of said site.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary proceeded to call the roll.

Mr. CAMDEN (when his name was called). Again transferring my pair, I vote "nay."

Mr. CHILTON (when his name was called). I have a pair with the junior Senator from New Mexico [Mr. FALL]. I transfer that pair to the senior Senator from Nevada [Mr. NEWLANDS] and will vote. I vote "yea."

Mr. REED (when his name was called). I transfer my pair with the senior Senator from Michigan [Mr. SMITH] to the junior Senator from South Carolina [Mr. SMITH] and will vote. I vote "yea."

Mr. SUTHERLAND (when his name was called). I announce my pair with the senior Senator from Arkansas [Mr. CLARKE], which I transfer to the junior Senator from Wisconsin [Mr. STEPHENSON], and will vote. I vote "yea."

Mr. WILLIAMS (when his name was called). I have a pair with the senior Senator from Pennsylvania [Mr. PENROSE], but I am informed by his colleague that if he were present he

would vote the same way that I intend to vote. I therefore feel at liberty to vote, and I vote "yea."

The roll call was concluded.

Mr. BRANDEGEE (after having voted in the affirmative). I am paired with the junior Senator from Arizona [Mr. SMITH]. I transfer that pair to the senior Senator from Pennsylvania [Mr. PENROSE] and will allow my vote to stand.

Mr. DU PONT. I wish to inquire whether the senior Senator from Texas [Mr. CULBERSON] has voted.

The VICE PRESIDENT. He has not.

Mr. DU PONT. I have a general pair with that Senator. I transfer that pair to the junior Senator from West Virginia [Mr. GOFF] and will vote. I vote "yea."

Mr. SAULSBURY. I transfer my pair with the junior Senator from Rhode Island [Mr. COLT] to the junior Senator from Nevada [Mr. PITTMAN] and will vote. I vote "yea."

Mr. MYERS. Has the junior Senator from Connecticut [Mr. MCLEAN] voted?

The VICE PRESIDENT. He has not.

Mr. MYERS. I have a pair with that Senator, and in his absence withhold my vote.

Mr. CLAPP (after having voted in the affirmative). I desire to ask whether the senior Senator from North Carolina [Mr. SIMMONS] has voted?

The VICE PRESIDENT. He has not.

Mr. CLAPP. Then I will withdraw my vote.

The result was announced—yeas 46, nays 20, as follows:

YEAS—46.

Bankhead	Gronna	O'Gorman	Sterling
Brady	Hitchcock	Oliver	Sutherland
Brandegee	Johnson	Page	Swanson
Burleigh	Jones	Perkins	Thompson
Burton	La Follette	Poindexter	Thornton
Chamberlain	Lea, Tenn.	Ransdell	Townsend
Chilton	Lee, Md.	Reed	Walsh
Clark, Wyo.	Lippitt	Root	Weeks
Crawford	Lodge	Saulsbury	Williams
Dillingham	Martine, N. J.	Sherman	Works
du Pont	Nelson	Smith, Md.	
Gallinger	Norris	Smoot	

NAYS—20.

Ashurst	Hughes	Robinson	Stone
Bryan	James	Shafroth	Thomas
Camden	Kenyon	Sheppard	Tillman
Hardwick	Kern	Shively	Vardaman
Hollis	Lane	Smith, Ga.	White

NOT VOTING—30.

Borah	Fall	Myers	Simmons
Bristow	Fletcher	Newlands	Smith, Ariz.
Catron	Goff	Overman	Smith, Mich.
Clapp	Gore	Owen	Smith, S. C.
Clarke, Ark.	Lewis	Penrose	Stephenson
Colt	McCumber	Pittman	Warren
Culberson	McLean	Pomerene	
Cummins	Martin, Va.	Shields	

So the amendment was agreed to.

Mr. GALLINGER. Mr. President, I will ask my colleague, the chairman of the committee, whether the committee amendments have all been acted on?

Mr. SMITH of Maryland. I will say that on page 59 there is an amendment that has not been acted upon.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. The next amendment passed over is, on page 59, where after line 23 it is proposed to insert:

The examinations, inspection, rules, and regulations concerning the milk supply of the District of Columbia shall be applied alike to each State shipping milk into said District.

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

The VICE PRESIDENT. That completes the committee amendments.

Mr. SMITH of Maryland. There are some amendments on the part of the committee that my colleague on the committee wishes to offer.

Mr. GALLINGER. Mr. President——

EVENING SESSION FOR BILLS ON CALENDAR.

Mr. KERN. I desire to ask, first, a unanimous-consent agreement that not later than 6 o'clock the Senate shall take a recess until 8 o'clock this evening when the calendar, under Rule VIII, shall be called for the disposition of unobjected bills.

The VICE PRESIDENT. Is there any objection?

Mr. TOWNSEND. Mr. President, I am very anxious to take up the calendar, but I do not like the modification that it shall be confined to unobjected bills. Therefore I object.

Mr. KERN. I move that not later than 6 o'clock this evening the Senate take a recess until 8 o'clock when it shall proceed to the consideration of unobjected bills on the calendar under Rule VIII.

Mr. TOWNSEND. Mr. President, I am not aware that a motion of that kind is in order, and therefore I make the point of order that it is not in order.

The VICE PRESIDENT. The Chair will inquire of the Senator from Michigan what rule of the Senate it is that prevents this action?

Mr. TOWNSEND. I know of no rule that permits a motion to be made to proceed to the consideration of unobjected bills. There is no doubt about its being proper to make a motion to proceed to the consideration of the calendar, but a motion to proceed to the consideration of unobjected bills on the calendar is, in my judgment, out of order.

Mr. BRANDEGEE. Mr. President, a further point of order in connection with that motion as made is that there is coupled the modification that we shall take a recess until 8 o'clock.

Mr. KERN. The motion is in the usual form and it is very frequently made. It is that at not later than 6 o'clock this evening the Senate will take a recess until 8 o'clock.

Mr. BRANDEGEE. And that then, upon a motion now made, the Senate shall proceed to the consideration of unobjected bills.

Mr. KERN. At which hour the Senate shall proceed to the consideration of unobjected bills on the calendar under Rule VIII.

Mr. BRANDEGEE. I do not think myself that that is in order.

The VICE PRESIDENT. The Chair overrules the point of order, and holds that the motion is in order.

Mr. CLAPP. Mr. President, a parliamentary inquiry. If the motion prevails, would it prevent the Senate, when it convenes at 8 o'clock, from taking up under Rule VIII a bill by a vote of the Senate against an objection?

Mr. GALLINGER. It surely would.

Mr. CLAPP. Then I certainly renew the point of order. I do not believe it is possible for the Senate in this informal manner to bind a majority of the Senate when they meet again.

Mr. BRANDEGEE. If the point of order is overruled, I ask that the motion be divided; that the part fixing the hour at which we shall take a recess be stated separately and the part that then the Senate shall proceed to the consideration of unobjected bills be stated separately. I do not think that both can be included in one motion.

The VICE PRESIDENT. The Chair overrules the point of order, but the Chair sustains the contention of the Senator from Connecticut wherein he asks for a division of the motion. The first question is, therefore, will the Senate at not later than 6 o'clock take a recess until 8 o'clock p. m.?

The motion was agreed to.

The VICE PRESIDENT. The second question is, Will the Senate at 8 o'clock proceed to the consideration of unobjected bills on the calendar under Rule VIII?

Mr. JONES. I understand under that motion if any bill is objected to it will not be considered.

Mr. GALLINGER. That is right.

Mr. JONES. Is that correct?

The VICE PRESIDENT. That is clearly what the motion implies. The question is on agreeing to the motion.

The motion was agreed to.

HEARINGS BEFORE THE COMMITTEE ON INDIAN AFFAIRS.

Mr. WILLIAMS. I desire out of order to make a report from the Committee to Audit and Control the Contingent Expenses of the Senate, and I ask unanimous consent for its immediate consideration. I especially call the attention of the Senator from Wisconsin [Mr. LA FOLLETTE] to it.

The VICE PRESIDENT. Is there objection?

Mr. TOWNSEND. That is a proposition to allow the Committee on Indian Affairs to proceed with hearings. I can not object to it.

The resolution (S. Res. 521) was read, considered by unanimous consent, and agreed to as follows:

Resolved, That the Committee on Indian Affairs, or any subcommittee thereof, be, and the same is hereby, authorized to employ a stenographer from time to time, as may be necessary to report such hearings as may be had on the pending Indian appropriation bill, such stenographer to be paid at a rate not exceeding $1 per printed page; and the expense thereof to be paid out of the contingent fund of the Senate.

DISTRICT OF COLUMBIA APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 19422) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1916, and for other purposes.

Mr. GALLINGER. Mr. President, I would be glad to have the attention of the Senate for a moment. During the debate on the so-called half-and-half principle, I suggested that at the

proper time I would offer an amendment to the bill providing for a joint committee of the two Houses to carefully inquire into and report to Congress on that controverted question.

Mr. President, I am entirely aware of the fact that a point of order will lie against the amendment; but I want to appeal to the Senate not to make a point of order, and let us take up this matter deliberately and carefully and see if we can not adjust it to the satisfaction of all parties. For that reason I offer the following amendment.

The VICE PRESIDENT. The amendment will be read.

The SECRETARY. On page 91, after line 4, insert a new section, to read as follows:

SEC. —. That a joint select committee shall be appointed, consisting of three Senators, to be appointed by the presiding officer of the Senate, and three Members of the House, to be appointed by the Speaker of the House of Representatives, whose duty it shall be to prepare and submit to Congress a statement of the proper proportion of the expenses of the government of the District of Columbia, or any branch thereof, including interest on the funded debt, which shall be borne by said District and the United States, respectively, together with the reasons upon which their conclusions may be based; and that said committee be further authorized and directed to investigate the tax laws applicable to the District of Columbia, together with all questions relating to the classes and kinds of property taxable thereunder, as well as all questions relating to the basis and rates of taxation of such property, with a view to any necessary change in or revision of said laws, and that said committee shall make report of its findings and recommendations to Congress at the beginning of the next regular session. In the discharge of the duty hereby imposed said committee is authorized to employ such assistance as it may deem advisable, at an expense not to exceed the sum of $5,000, and said sum, or so much thereof as may be necessary, is hereby appropriated for that purpose.

Mr. WORKS. Mr. President, reserving the right to make a point of order, I should like to ask the Senator from New Hampshire whether all the information that is recited in this amendment may not easily be obtained by the respective committees on the District of Columbia of the two Houses?

Mr. GALLINGER. I am not qualified to answer that question. I am not a member of the Committee on the District of Columbia, and I do not know whether that committee is disposed to take up this great question or not. Probably the Senator, who is a member of the committee, could answer better than I can.

Mr. WORKS. So far as the Senator from California is concerned, I feel that that committee is perfectly competent to deal with the matter and take it up. I am not in favor of creating unnecessary commissions. We have enough of them already. If the Committees on the District of Columbia can ascertain all these facts, I should think it would be much better done in that way rather than to create a new commission. If I could be assured that it was necessary that such a committee should be appointed, I then would not make the point of order.

Mr. GALLINGER. My thought, I will say to the Senator, was that if both Houses of Congress were represented on the committee, they would be more likely to work out a plan that would be agreeable to both Houses of Congress. That was one; in fact, it was perhaps the predominant feeling I had in mind.

Mr. SHAFROTH. Mr. President, I hope the Senator from California will not make the point of order, because if we consider this amendment we can offer any amendment to the amendment which we may desire. I wish to say that the objection to the proposition which was made, of 40 per cent and 60 per cent, came from people who said we ought to investigate before we determined upon a ratio. It seems to me to be fair, inasmuch as those proportions were defeated, that we should have a commission of some kind, whether it consists of members of the committee or whether it consists of others it is immaterial to me; but it appears to me, in view of the opposition that was made, we ought to have a commission of some kind.

Mr. WORKS. I am not objecting to a proper investigation of this question. I entirely agree with the position of the Senator from New Hampshire that this matter should be properly investigated and this question settled once for all. I said as much when the half-and-half question was under discussion in the Senate. My only doubt about it is whether it is necessary to appoint an independent commission for the purpose, but if the Senate desires to have the matter settled in that way I shall not make the point of order.

Mr. GORE. Mr. President, I gave notice the other day that I would offer a substitute for the pending amendment. I desire now to offer it. I have made some changes in it, which are indicated in the print I send to the desk.

The VICE PRESIDENT. The Senator from Oklahoma offers an amendment to the amendment, which will be read.

The SECRETARY. As a substitute, on page 91, after line 4, insert:

SEC. —. That there is hereby created a commission, which shall consist of nine members, three of whom shall be Members of the Senate and appointed by the President thereof, three of whom shall be Members of the House of Representatives and appointed by the Speaker thereof, and three of whom shall be appointed by the President of the United States. The latter three shall be authorities upon the subjects of taxation and public utilities, and at least one of them shall be a resident of the District of Columbia. It shall be the duty of such commission—

(a) After thorough investigation to report to the Congress, on or before the first Monday in December, 1915, a system of scientific and equitable taxation for the District of Columbia, having due regard for the principles of reciprocal justice as between the people of the District and the General Government.

(b) After an original investigation, or after conference with the Public Utilities Commission of the District, the Interstate Commerce Commission, and other authorities, to report to the Congress on or before the first Monday in December, 1915, as to the original cost of the public utilities in the District of Columbia, the cost of reproduction thereof, and their present value and capitalization, and also as to the cost and advisability of the public ownership of such utilities, taking into account the possibility of developing water power on the Potomac.

SEC. —. That the commission created by the preceding section shall have the power to sit during the sessions or recesses of Congress, to subpœna witnesses and compel their attendance, to administer oaths, to compel the production of books and papers, to employ all needful assistants and to fix their compensation, to keep a record of its proceedings, and to do all other acts and things necessary to the full discharge of the duties prescribed and imposed upon them by the preceding section.

SEC. —. That the members of said commission appointed by the President of the United States shall receive compensation at the rate of $7,500 per year, and the payment of such salaries and all other expenses shall be made upon the presentation of itemized vouchers, approved by the chairman of the commission, and the sum of $30,000, to be paid out of any money in the Treasury not otherwise appropriated, is hereby appropriated to defray the expenses of said commission.

Mr. GALLINGER. Mr. President, a single observation upon the amendment to the amendment. It is a very comprehensive proposition, and it includes matters that are now being attended to. We have a Public Utilities Commission clothed with abundant authority to do all sorts of things, so far as the public utilities of this District are concerned. They are now valuing the property, and they have, I know, one expert to whom they have been paying a hundred dollars a day and several other experts to whom they are paying probably less compensation. I do not think this commission, that really has to do with the relations between the Government and the District of Columbia as to the matter of taxation, ought to be asked to duplicate that work which is now under way.

Again, I think the membership of the commission is larger than necessary, as contemplated by the substitute, calling into the work two men from outside the District of Columbia, making it a commission of nine members with the powers that are given in that amendment. I am pretty sure that it would result in confusion worse confounded and that no result would follow. I hope the substitute may not be agreed to.

Mr. VARDAMAN. Mr. President, I dislike to go contrary to the express desire of my good friend, the distinguished Senator from New Hampshire [Mr. GALLINGER], but I think we have enough commissions, and I see no special good to come from the creation of this one. I therefore shall make the point of order against this amendment that it is legislation on a general appropriation bill.

The VICE PRESIDENT. The Chair will be compelled to sustain the point of order.

Mr. GALLINGER. Does the Senator make a point of order against both propositions?

Mr. VARDAMAN. Yes, sir; the whole proposition.

Mr. GALLINGER. That ends it. I have done my duty so far as that matter is concerned.

I have now another proposed amendment that is doubtless subject to a point of order, and I will say, as I said about the amendment just ruled out, that I trust no Senator will make a point of order against it. There is a balance belonging to the District of Columbia—the amount I can not state definitely. It will be increased largely by the close of the present fiscal year, and I think it ought to be disposed of. Senators on both sides of the Chamber have said to me that they thought some disposition ought to be made of it. If no action is taken, it will remain in the Treasury of the United States to the credit of the District of Columbia without drawing interest or doing anybody any good.

There is a funded debt of $7,000,000, due jointly, or at least jointly owed, by the Government and the District of Columbia. It has seemed to me, and it has seemed to others as well, that whatever surplus funds there are at the present time or that may accrue at the end of the fiscal year ought to be applied to a portion of that debt that is due by the District of Columbia. For that reason I offer this amendment, hoping that it may be agreed to.

The VICE PRESIDENT. The amendment will be read.

The SECRETARY. Add after the numerals in line 13, page 63, the following proviso:

Provided, That any balance of revenues of the District of Columbia remaining to its credit after its share of the appropriations contained in this act has been paid, and after its share of any other appropria-

tions to which it is required to contribute in the fiscal year ending June 30, 1916, has been paid, is hereby appropriated for interest and sinking fund for application on account of the District's one-half of its funded debt under the provisions of the act approved June 20, 1874, and acts amendatory thereto.

Mr. VARDAMAN. I do not like to object, because I have not had an opportunity to investigate it. I should like very much, if the bill is not going to be disposed of this afternoon, that the matter go over until morning.

Mr. SMITH of Maryland. I am very desirous that the bill shall be completed this afternoon. I will say to the Senator there is no difficulty about completing it between now and 6 o'clock.

Mr. VARDAMAN. Has the committee considered it?

Mr. SMITH of Maryland. The committee did consider it, but we felt that, with a great many improvements under way and others that should be made in the District of Columbia, it would be well to wait a while and see whether the money should go to the funded debt or should be used in the city of Washington.

Mr. VARDAMAN. I personally am not ready to vote on the amendment. I do not like to make the point of order against it, because I am not familiar with it. I do not want to defeat a meritorious measure, if it should be a meritorious measure.

Mr. GALLINGER. I suggest that the amendment be passed over for the present.

Mr. JAMES. That need not be done, Mr. President, if the Senator will permit me. I am for the House provision in the bill which applies this sum of $2,000,000 in excess of the one-half to the defrayment of the expenses of the District of Columbia. Therefore I make the point of order against the amendment.

Mr. GALLINGER. Mr. President, I have again done my duty.

Mr. JAMES. I have done mine.

The VICE PRESIDENT. The Chair sustains the point of order.

Mr. GALLINGER. I think the House provision has as much to do with this amendment as some provision in last year's almanac.

Mr. JAMES. That may be true; but if the House provision stays in the bill you will not have $2,000,000 to pay on any debt. That certainly is a little clearer than last year's almanac.

Mr. GALLINGER. But we will have a balance.

Mr. JAMES. We will take care of that when it occurs.

Mr. GALLINGER. I have no doubt you will. You tried to take care of it last year by turning it into the Treasury of the United States.

Mr. SMITH of Maryland. All the committee amendments have been disposed of.

Mr. POMERENE. I send to the desk the following amendment.

The VICE PRESIDENT. The amendment of the Senator from Ohio will be stated.

The SECRETARY. Insert as a new section the following:

That section 1608 j of the act of Congress entitled "An act to establish a code of law for the District of Columbia," approved March 3, 1901, as amended by the act of Congress approved February 23, 1905, be, and the same is hereby, amended to read as follows:

"SEC. 1608 j. That said jury shall assess, as benefits accruing by reason of said opening, extension, widening, or straightening, an amount equal to the amount of damages, as ascertained by them as hereinbefore provided, including $5 per day for the marshal and $5 per day for each juror for the services of each when actually employed, and all other expenses of such proceedings upon each lot or part of lot or parcel of land in the square or block in which said alley or minor street is to be opened, extended, widened, or straightened, and upon each lot, part of lot, or parcel of ground in the squares or blocks confronting the square in which such alley or minor street is to be opened, extended, widened, or straightened which will be benefited by such opening, extension, widening, or straightening, in the proportion that said jury may find said lots, parts of lots, or parcels of land will be benefited: *Provided, however*, That wherever the Commissioners of the District of Columbia, under the foregoing provisions, shall institute proceedings for the widening or extension of any alley so as to convert said alley into a minor street through the square in which said alley is located, such an amount of the total amount of damages as ascertained by the jury, as hereinbefore provided, including $5 per day for the marshal and $5 per day for each juror for the services of each when actually employed, and all other expenses of such proceedings, shall be assessed by the said jury as benefits, and to the extent of such benefits upon each lot or parcel of land in the square or block in which such alley is to be converted into a minor street, and upon any and all other lots, pieces, or parcels of land which the jury may find will be benefited by the said widening or conversion of said alley into such minor streets, as the said jury may find said lots or parts of lots, pieces, or parcels of land will be benefited; and in determining the amount to be assessed against such lots or parts of lots, pieces, or parcels of land the jury shall take into consideration the respective situations and topographical conditions of such lots or parts of lots, pieces, or parcels of land, and the benefits and advantages they may severally receive from the said widening or conversion of such alley into such minor street."

Mr. STONE. Mr. President, this may be meritorious legislation; I am not sufficiently familiar with the subject to have an opinion as to that, at least a very definite opinion. The fact that it is proposed by the Senator from Ohio [Mr. POMERENE] would seem to warrant the belief that it is meritorious, but it is general legislation being proposed to this appropriation bill, and on yesterday——

Mr. POMERENE. Will the Senator, before interposing an objection, permit me to make a brief explanation of the amendment?

Mr. STONE. Certainly.

Mr. POMERENE. I feel that it is of such consequence that the Senator would not interpose an objection merely because it was general legislation. I offer this amendment in connection with what is known as the alley problem in this city. It was only offered by myself after a conference with the Senator from Washington [Mr. JONES].

If Senators will notice the amendment down to the proviso, it is simply the law as it exists in the District to-day. Under section 1608j. it was held by the United States Supreme Court in Two hundred and fifth United States, on page 135, that it was possible, under a given state of facts, that the section itself might be held to be unconstitutional for the reason that under the old section the assessments must be upon the parcels of land in the square or block—

Upon each lot, part of lot, or parcel of ground in the squares or blocks confronting the square in which such alley or minor street is to be opened, extended, widened, or straightened.

With the statute limited, as it is, it is possible that the assessment upon the lot might amount to more than the value of the lot upon which the assessment is made. We propose by the proviso contained in this amendment to authorize the jury to make the assessment upon other lots, pieces, or parcels of land which the jury may find to be benefited.

We are anxious to take up the settlement of this alley question, and we have thought that, if some of the alleys could be widened and opened up, some of this property might be still continued as available for residential purposes. Under the bill which we passed and which was approved by the President on September 25, 1914, it will be unlawful to occupy some of these alleys for residential purposes after July 1, 1918. That will necessitate the making of arrangements for places of habitation for some of the poor people who are now living in the alley districts. If by condemnation proceedings we can open up these alleys to the width required by the act of September 25, 1914, we can assist in the solving of this problem. It is for this reason that we seek to modify the law providing for assessments.

Mr. STONE. Mr. President, I am very reluctant to stand in the way, if I can stand in the way, of what the Senator from Ohio desires, but I feel constrained to make the point of order that this is general legislation on an appropriation bill. Before the Chair may rule upon it, however, and while the question is pending, if the Senator from Ohio will permit me to make the motion, I think that, as it is now half past 5 o'clock and we are to take a recess at 6 o'clock, we had better now go into executive session.

Mr. GALLINGER. I think so, too.

Mr. POMERENE. Mr. President, I have no objection to having this matter go over until the morning. Meanwhile, I trust the Senator from Missouri will change his mind.

Mr. BURTON. Mr. President, will my colleague yield for a question?

Mr. POMERENE. Certainly.

Mr. BURTON. Is it contemplated under this proposed amendment that all the cost of widening or otherwise reforming these alleys shall be assessed against property in the vicinity, the near neighborhood, or does the general fund pay a part of that?

Mr. JONES. Will the Senator from Ohio yield to me?

Mr. POMERENE. I prefer to allow the Senator from Washington to answer the question, because I have not investigated that matter.

Mr. JONES. I will say that this does not propose to take anything out of the general fund, but it provides that the damages shall be assessed for benefits upon all the property that is benefited.

Mr. BURTON. Is it not a very questionable proceeding to take it for granted that property in the neighborhod is benefited to the extent of the cost of the improvement? The usual practice, I may say, in regard to the assessment of benefits is to make the basis the actual addition to the value of the property.

Mr. JONES. No property pays any more than it is supposed to be benefited.

Mr. BURTON. But suppose that the cost be greater than the benefits?

Mr. JONES. The assumption is that the whole benefit will balance the damages. The benefit is not confined to the immediate property. That is one difficulty with the law as it is now;

it requires the assessment of damages as benefits to squares facing the property opened, and the Supreme Court has held that that can not be worked out. In a case in that court it has been held that nothing more than the benefits can be assessed, and as the benefits which were assessed did not offset the damages the assessment was held invalid; but it was suggested in the decision that benefits could be assessed upon property other than that immediately facing the improvement.

Mr. BURTON. Then there would be no limit; they might go a very long distance.

Mr. JONES. Certainly; and they ought to go a very long distance in this case. This is a peculiar situation, and not like opening an ordinary street, and I am satisfied, if the Senator can have an opportunity of investigating it, he will not make any objection to the amendment. I hope that if it goes over, as suggested by the Senator from Missouri, an opportunity will be given us to explain it fully. If such an opportunity is given, I shall be very glad to endeavor to explain the matter.

Mr. BURTON. Upon the presentation of the amendment I should very much question its validity.

Mr. STONE. Mr. President, I move——

Mr. JONES. I hope the Senator will not make the point of order now.

Mr. STONE. I am not making a point of order.

Mr. JONES. Very well.

EXECUTIVE SESSION.

Mr. STONE. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After eight minutes spent in executive session the doors were reopened, and (at 5 o'clock and 40 minutes p. m.) the Senate took a recess until 8 o'clock p. m.

EVENING SESSION.

The Senate reassembled at 8 o'clock p. m. on the expiration of the recess, and was called to order by the Presiding Officer [Mr. ASHURST].

Mr. GALLINGER. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. ASHURST in the chair). The Senator from New Hampshire suggests the absence of a quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Gronna	Owen	Smith, Ga.
Bryan	Jones	Page	Smoot
Chamberlain	Kenyon	Pomerene	Swanson
Clapp	Kern	Robinson	Townsend
Fletcher	Lane	Sheppard	Vardaman
Gallinger	Overman	Simmons	

The PRESIDING OFFICER. Twenty-three Senators have answered to their names. A quorum of the Senate is not present.

Mr. GALLINGER. Let the list of absentees be called, Mr. President.

The PRESIDING OFFICER. The Secretary will call the names of the absentees.

The Secretary called the names of the absent Senators, and Mr. WALSH answered to his name when called.

Mr. CHILTON, Mr. LEA of Tennessee, Mr. HUGHES, Mr. BRADY, and Mr. OLIVER entered the Chamber and answered to their names.

The PRESIDING OFFICER. Twenty-nine Senators have answered to their names. A quorum is not present.

Mr. KERN. I move that the Senate adjourn.

The motion was agreed to; and (at 8 o'clock and 11 minutes p. m.) the Senate adjourned until to-morrow, Friday, January 15, 1915, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate January 14, 1915.

RECEIVERS OF PUBLIC MONEYS.

Frank F. Steele, of Helena, Mont., to be receiver of public moneys at Helena, Mont., vice George O. Freeman, term expired and resigned.

Blair E. Hoar, of Orofino, Idaho, to be receiver of public moneys at Lewiston, Idaho, vice Benjamin C. Barbor, term expired.

REAPPOINTMENT IN THE ARMY.

JUDGE ADVOCATE GENERAL'S DEPARTMENT.

Brig. Gen. Enoch H. Crowder, Judge Advocate General, to be Judge Advocate General with the rank of brigadier general for the period of four years beginning February 15, 1915, with rank from February 15, 1911. His present appointment will expire February 14, 1915.

APPOINTMENTS IN THE ARMY.

GENERAL OFFICER.

Col. William A. Mann, Third Infantry, to be brigadier general from January 20, 1915, vice Brig. Gen. Eli D. Hoyle, to be retired by operation of law on January 19, 1915.

CHAPLAIN.

Rev. Adolf John Schliesser, of Louisiana, to be chaplain with the rank of first lieutenant from January 8, 1915, vice Chaplain George H. Jones, Coast Artillery Corps, retired from active service September 17, 1914.

CONFIRMATIONS.

Executive nominations confirmed by the Senate January 14, 1915.

POSTMASTERS.

VIRGINIA.

H. C. Humphrey, Remington.
Laura Lee Keeler, Middleburg.

HOUSE OF REPRESENTATIVES.

THURSDAY, *January 14, 1915.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Merciful God, the helper of all who truly seek Thee, give us the hearing ear, the believing heart, that the worship of this moment may strengthen and guide our spirits through the changing scenes of this day, that we may conscientiously act our part, leaving the results to Thee who doeth all things well.

Our hearts go out in sympathy to the stricken people of Italy, visited by an earthquake with its destructive and terrifying results. May it bring the world closer together in the bonds of brotherhood and give relief to the stricken people not only in sympathy but in real help in the hour of distress.

Hear us in the name of Him who taught us brotherly love and gave to the world a Father in heaven who loves His children with an everlasting love, and all praise shall be Thine forever. Amen.

The Journal of the proceedings of yesterday was read and approved.

BRITISH NAVAL GUNS.

Mr. HAY. Mr. Speaker, I present a privileged report on a privileged resolution from the Committee on Military Affairs.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

Report on House resolution 698, directing the Secretary of War to send to the House of Representatives certain information.

Mr. HAY. Mr. Speaker, I ask for a vote on the resolution.

Mr. MANN. Let us have it read first.

The SPEAKER. The Clerk will read the resolution.

The Clerk read as follows:

House resolution 698 (H. Rept. 1279).

Resolved, That the Secretary of War is directed, if not incompatible with the public interest, to send to the House of Representatives the following information:

1. Is there any gun mounted in the fortifications of the United States proper larger than 12 inches in diameter? If so, where?
2. Is the range of those 12-inch guns as at present mounted more than 13,000 yards?
3. Are the British dreadnaughts of the *Queen Elizabeth* type being equipped with 15-inch 45-caliber guns?
4. Is the range of those 15-inch guns 21,000 yards; and is it not true that that range exceeds by over 4 miles the range of the best guns mounted in the defense of the United States proper, either on the Atlantic or Pacific coast, and including the Panama Canal.

The SPEAKER. The Clerk will read the report also.

The report was read as follows:

The Committee on Military Affairs, to whom was referred House resolution 698, having considered the same, report thereon with a recommendation that it do pass.

Mr. BUTLER. I suppose the world posesses this information which this resolution asks for, and therefore it is not dangerous to vote for it?

Mr. HAY. Yes; the Secretary of War has furnished to the gentleman from Massachusetts [Mr. GARDNER], who introduced this resolution, the information which this resolution calls for. Mr. Speaker, in connection with the resolution and at the request of the gentleman from Massachusetts, I ask that he be allowed to extend his remarks in the RECORD on the general subject of the national defense.

Mr. FITZGERALD. Mr. Speaker, will the gentleman yield for a question?

Mr. HAY. I will yield for a question.

Mr. FITZGERALD. This resolution calls for information that will probably be brought out in connection with the fortifications bill. The bill has not been prepared and hearings have not been held on it, and since the gentleman from Massachusetts has already been furnished with all of this information from the department is it necessary to put the department again to the trouble of submitting it in this way when the information must necessarily be brought out in the investigation that will be held in reference to fortifications?

Mr. HAY. The gentleman knows that while the information has been furnished to an individual that this is a resolution of the House of Representatives, and it did not seem wise to the Committee on Military Affairs to report a resolution, which is a privileged resolution which can be called up any time after seven days, with the recommendation that it lie on the table. The resolution can not hurt anybody.

Mr. ANTHONY. Mr. Speaker——

The SPEAKER. Does the gentleman from Virginia yield?

Mr. HAY. I yield to the gentleman from Kansas.

Mr. ANTHONY. I would like to ask the gentleman from Virginia if it is not a fact that almost all the information called for in the resolution has already been brought out in hearings held before the committee and from other sources? I understand that.

Mr. HAY. That is true, but that does not prevent the House from passing this resolution.

Mr. SHERLEY. If the gentleman will permit?

Mr. HAY. Certainly.

Mr. SHERLEY. I submit the reason why this resolution should not pass is because the House will not get the information that is desired here in as complete a way as it will through other channels. With the one exception of the third inquiry—

Are the British dreadnaughts of the *Queen Elizabeth* type being equipped with 15-inch 45-caliber guns?—

there is nothing in the resolution that will not only be gone into thoroughly in connection with the fortification hearings but which has not been gone into from year to year, and even the inquiry as to the type of guns mounted on British battleships would be brought out during the hearings with this advantage, that you get not simply the statement of the department but you get it under cross-examination, which enables you to develop all phases of the inquiry.

Mr. HAY. I understand that very well, but because of that fact it does not preclude the House from acquiring the information in this way, and it is simply a matter of policy. I see no purpose in suppressing a resolution of this kind. It seems to me the best policy is to pass the resolution.

Mr. SHERLEY. If the gentleman will permit, nobody desires to suppress the information, but the question of policy as to how to obtain it is a perfectly proper one in considering a resolution.

Mr. HAY. But it does not preclude the gentleman from obtaining fuller information.

Mr. SHERLEY. Of course it does not; but it makes unnecessary the obtaining of this information, because it will be fully covered.

Mr. HAY. It seems to me the part of wisdom to pass this resolution. I can not see any harm that it is going to do. The information, as I have already stated, has been given to the gentleman from Massachusetts [Mr. GARDNER], but he wants the resolution passed.

Mr. BUCHANAN of Illinois. Mr. Speaker, has not all this information been available at all times to anyone who sought it?

Mr. HAY. The Secretary of War will furnish the information to any Member of Congress who asks for it.

Mr. BUCHANAN of Illinois. There is no information that can be obtained through that resolution that is not already available and practically a matter of record.

Mr. GARDNER. Will the gentleman yield?

Mr. HAY. In a moment. I presume the purpose of the gentleman from Massachusetts is to have this information published as a House document?

Mr. GARDNER. No. So far as I know, that information is not to be found in any published document. It is true that the information is contained in a private letter from the Secretary of War, addressed to me in response to some queries, but over and over again in the hearings I have seen statements made to the contrary of the facts indicated in that resolution. Therefore, in order to have it officially before Congress, so that in discussing these questions later on we may have correct premises on which to reason, I introduced this resolution, with the hope that the chairman would secure the information. I agreed not to debate the question, but was willing for the chairman just to put the thing through and get me leave to print. I think that is correct, is it not?

Mr. SHERLEY. Mr. Speaker——

Mr. HAY. I yield to the gentleman from Kentucky.

Mr. SHERLEY. I simply desire to say this, that there is not a single inquiry here that will not be fully developed in the hearings on the fortifications bill, and I submit that it is not the business of this House every time a particular gentleman determines that the conduct of the hearings on a particular bill are not according to his way of thinking to pass a special resolution. Now, I believe a reading of the hearings on the fortifications bill in the past will show in detail matters touching the coast defense that warrant this House in the belief that the statement I make to it now—that these matters will be fully covered in the hearings—is an accurate statement, and there is no need for the present consideration of a resolution of this sort.

The matter does not belong properly to the Committee on Military Affairs, and while I make no issue on that, not having seen heretofore the resolution and having no right at this late date to make it, all the matters contained in it relate to the fortifications of the country and not to the matters within the purview of the Committee on Military Affairs.

Mr. HAY. Mr. Speaker, I have only this to say, that this information, while it is available to some Members of the House, is not available to all.

Mr. SHERLEY. It will be available.

Mr. HAY. Well, it is not available now. I can not see the policy of suppressing resolutions of inquiry which call for facts which can not do any harm to anybody and which will come out, as the gentleman says, anyway.

Mr. SHERLEY. I suggest to the gentleman, if he will permit, that there is the same reason for dealing with this matter that there is with a number of resolutions that the gentleman has not agreed with the gentleman from Massachusetts about as to the advisability of passing. Nobody is trying to suppress any fact. I am very glad the gentleman from Massachusetts and other gentlemen have recently wakened up to the duty incumbent upon them to read hearings and to inquire into existing facts. I do not want to suppress anything, but I see no need of duplicating matters.

Mr. HAY. Mr. Speaker, I am not agreeing with all the views of the gentleman from Massachusetts because as chairman of a committee I report a resolution which, if I did not report, the gentleman would have a right to call up at any time after the resolution has been pending for seven days. I am not agreeing with the gentleman from Massachusetts as to his views with regard to what ought or ought not to be done about this or the other matter. This is simply a routine proposition, and I must confess I am somewhat surprised that gentlemen should take the attitude they have about a thing which, after all, amounts to very little and which can not in any way injure anybody, and which only gives information asked for by a Member of the House.

The SPEAKER. The question is on agreeing to the resolution.

The question was taken, and the resolution was agreed to.

Mr. GARDNER. Mr. Speaker, I ask unanimous consent——

Mr. HAY. I have already done that.

The SPEAKER. The gentleman from Virginia [Mr. HAY], in the temporary absence of the gentleman from Massachusetts [Mr. GARDNER], asked unanimous consent that the latter gentleman have the privilege of extending his remarks in the RECORD for five legislative days. Is there objection?

There was no objection.

REPRINT OF BILL.

Mr. EDWARDS. Mr. Speaker, I ask unanimous consent for a reprint of the bill (H. R. 20814) to place Candler and Evans Counties, Ga., in the eastern division of the southern district of Georgia, for the purpose of correcting a typographical error that occurred in the word "Candler." It is spelled correctly on the back of the bill, but in the bill in some way it has been spelled "Chandler." For that reason I ask for a reprint of the bill in order that the spelling may be corrected.

The SPEAKER. The gentleman from Georgia asks unanimous consent for a reprint of the bill H. R. 20814 to correct the spelling of a name. Is there objection?

There was no objection.

RIVERS AND HARBORS.

Mr. SPARKMAN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the river and harbor appropriation bill (H. R. 20189).

Mr. HUMPHREY of Washington. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. HUMPHREY of Washington. To make a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. HUMPHREY of Washington. The other day a question arose with reference to granting the gentleman from Connecticut [Mr. DONOVAN] 20 minutes in which to speak. He requested that he be permitted to talk when a certain item in the bill was reached. A controversy arose in regard to it, and I desire to submit to the Speaker the question as to whether or not, under the agreement, the gentleman from Florida [Mr. SPARKMAN] and myself are to yield him 10 minutes. I want to read to the Speaker what occurred:

Mr. DONOVAN. Mr. Speaker, I want to renew the request for unanimous consent that I made earlier in the day, that the 20 minutes allowed me in general debate on the rivers and harbors bill may be used by me when we take up the bill under the five-minute rule.

The SPEAKER. The gentleman from Connecticut asks unanimous consent that when the bill is taken up under the five-minute rule he may use the 20 minutes yielded to him for general debate.

Mr. MANN. Mr. Speaker, I have no objection, but can not the gentleman indicate where his amendment is to be offered in the bill?

Mr. DONOVAN. Yes; it is at the bottom of page 4, an amendment with regard to Connecticut Harbor.

The SPEAKER. Is there objection?

Mr. HUMPHREY of Washington. Reserving the right to object, I have no objection to the gentleman talking 20 minutes when we reach that part of the bill; but I shall object to yielding 10 minutes of my time for that purpose. I will yield him 10 minutes in general debate.

The SPEAKER. But the gentleman asks for 20 minutes when that amendment comes up.

Mr. MANN. This is in lieu of the time he was to have in general debate.

Mr. DONOVAN. Yes.

Now, I wish to know from the Speaker whether or not that 20 minutes will be taken from the time that has been allotted for general debate? I am certain that was not my understanding, but I am reading the RECORD, so that the Speaker may see the situation.

Mr. MANN. Mr. Speaker, in order to obviate any question about it, if possible, I ask unanimous consent that the 20 minutes allotted to the gentleman from Connecticut be not taken from the time agreed upon for general debate.

The SPEAKER. The gentleman from Illinois [Mr. MANN] asks unanimous consent that the 20 minutes which were promised to the gentleman from Connecticut shall be had by him, and that they shall not be charged up in the time agreed upon for general debate. Is there objection?

Mr. DONOVAN. Mr. Speaker, reserving the right to object for the moment, that, of course, allows me to have control of the 20 minutes in my own time when I offer an amendment under the five-minute rule?

Mr. MANN. Certainly.

Mr. BORLAND. Mr. Speaker, reserving the right to object, does that give the gentleman from Connecticut the right to parcel out the 20 minutes?

The SPEAKER. If it is considered as a part of the general debate, it gives him the right to parcel it out. If it is not considered a part of the general debate, but debate under the five-minute rule, he can not parcel it out.

Mr. BORLAND. As I understand it, he takes it under the five-minute rule.

The SPEAKER. No. That was not the request of the gentleman from Illinois [Mr. MANN].

Mr. BARTLETT. Mr. Speaker, it occurs to me that good faith would entitle the gentleman from Connecticut to have the 20 minutes to dispose of as he saw fit.

Mr. MANN. Certainly.

The SPEAKER. The gentleman from Illinois [Mr. MANN] asks unanimous consent that the gentleman from Connecticut shall have 20 minutes, to do with as he pleases. Is there objection? It is not to be charged to general debate.

Mr. ANDERSON rose.

The SPEAKER. For what purpose does the gentleman from Minnesota rise?

Mr. ANDERSON. Reserving the right to object, it does not seem to me that the gentleman from Connecticut is entitled to any special privileges in the House.

Mr. MANN. That has already been granted to him. You can not take that away from him.

Mr. STAFFORD. He is going out of Congress, and I think he is entitled to it.

Mr. BARTLETT. Mr. Speaker, an effort is being made to limit the time for general debate, and the gentleman from Connecticut, in order to secure his rights, got this granted to him, and it seems to me that good faith would require us to keep the agreement.

Mr. ANDERSON. I do not dispute that, but I do not think it is wise to parcel out the time in the course of a five-minute debate.

The SPEAKER. The Chair would state the request of the gentleman from Illinois again, so that there will be no question about it: That the gentleman from Connecticut [Mr. DONOVAN] shall have 20 minutes, to dispose of as he chooses, and that it shall not interfere with or be subtracted from the time of the gentleman from Florida [Mr. SPARKMAN] and the time of the gentleman from Washington [Mr. HUMPHREY]. Is there objection?

There was no objection.

The SPEAKER. The gentleman from Florida [Mr. SPARKMAN] moves that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the river and harbor bill. The question is on agreeing to that motion.

The motion was agreed to.

The SPEAKER. The gentleman from Illinois [Mr. RAINEY] will take the chair.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 20189, the river and harbor bill.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 20189, the river and harbor bill, of which the Clerk will report the title.

The Clerk read as follows:

A bill (H. R. 20189) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

Mr. HUMPHREY of Washington. Mr. Chairman, a few days ago the President of the United States, in his Indianapolis speech, proceeded to kick out of the rotten, rusted, and repudiated Democratic platform another plank. I realize that no considerate person ought to mention that mere "scrap of paper" in the presence of a Democrat, and I duly apologize for so doing. The President was especially severe upon those who do not agree with him in regard to his socialistic propositions to construct a merchant marine. He said of those who oppose him on this proposition:

Some of them are blind; some of them misguided; most of them are ignorant.

I will make no comment upon the propriety or the lack of self-poise indicated by those words uttered by the President when criticizing a coordinate and supposedly independent branch of the Government. I do not believe, so far as my memory serves me, that any other President has ever used such language as that in reference to another branch of the Government except Andrew Johnson. But whatever we may think of the propriety of the language, certainly it stills the tongue of those who have been, with such show of virtuous indignation, ever ready to denounce anyone who criticizes the President.

It is somewhat hard to understand, in view of the record of his party and of his own record, why the President takes such offense at any man who does not agree with him in regard to his program for securing a merchant marine. It was the Democratic Party, under the leadership of Jefferson Davis before the war, that enacted legislation that led to the destruction of our merchant marine, and since that time the Democratic Party has opposed every measure that has ever been proposed that would be of benefit toward reconstructing it. For years they advocated free ships. They insisted that that was the only remedy. We enacted a free-ship bill. It has been upon the statute books for several years. Not a single ship has come under the American flag because of it. Then they insisted that the next thing was a discriminating duty downward—the most absurd and preposterous proposition that was ever seriously urged upon the floor of this House. But they were just as insistent upon it as they were upon free ships and as they are to-day in regard to the Government going into the shipping business. We wrote that provision on the statute books. It has amounted absolutely to nothing.

Then came the European war, and they insisted that we must enact a law that would permit foreign-built ships to come under the American flag and let them be manned with foreign officers and foreign sailors. We passed that bill, and practically every ship that has come under the flag as the result of that legislation belongs to the Steel Trust, the Standard Oil Co., and to the United Fruit Co.—the three particular trusts that the Democratic Party for years has been denouncing. It has benefited no one but these trusts. Not a single additional ton of freight has been carried from our ports because of it.

It has been of advantage to those trusts that before the war were not patriotic enough to take American registry because they thought it would cost them more to run under the American flag. This law has benefited these great corporations, but it has not benefited anyone else.

A few years ago this House passed a merchant-marine bill. If it had gone upon the statute books, it would have given us several lines of modern vessels. It would have given us a far greater number of ships than we will be able to purchase with the $30,000,000 appropriation proposed in the legislation urged by the President, and these ships would have given employment to American labor, an investment to American capital. They would have been built in American yards, owned by Americans, and officered and manned by Americans. This bill late in the session went to the Senate. The majority of that body were anxious to pass it, but two Democratic Senators held up all legislation by a filibuster until this proposed shipping legislation was killed. The President evidently forgot this discreditable fact when he was so severely criticizing those who are to-day refusing to let his proposed legislation pass without discussion.

The only law that has been written upon the statute books since Benjamin Harrison left the White House that would have been of benefit to the American merchant marine was the law giving American ships the right to pass through the Panama Canal without the payment of tolls. If the Panama Canal act had remained upon the statute books unchanged, it would have been of great benefit to the American merchant marine. But the President, notwithstanding the promises made in his platform, notwithstanding the promises that he made when he was himself a candidate for President, forced the repeal of that legislation by threats, coercion, and the use of patronage, and compelled a Democratic Congress, against its judgment and against its conviction, to repeal that law. The President in his Indianapolis speech said that no great act had been written upon the statute books of this great Congress unless it represented American opinion. When did the President and the transcontinental railroads and Great Britain become the public opinion of the United States? In a few days we will be called upon to make appropriations in order that we may celebrate the opening of the Panama Canal. It should not be the heroic old *Oregon* that bore her country's flag in glory half way around the globe that should lead that procession; it should be a British battleship, flying a British flag. We have turned the canal over to them, and have constructed it for their benefit. Why should not Great Britain be the one to celebrate? Why should we appropriate any money for the celebration of the opening of that canal? Of what benefit is the canal to the people of the United States? We have had only the privilege of building it for others, who paid nothing toward its construction and have assumed no responsibility toward it.

Mr. Chairman, if it has reached a point in this country where a great party in convention assembled can declare in favor of a great question, then its candidates for office can go out upon the stump and seek votes because it favors that policy, and then that party can shamelessly repudiate its promises and pledges and then live and remain in office, popular government is a failure. What is the Democratic Party platform promise worth hereafter? Who will believe it? Who will believe the promise of a Democratic candidate for President again? And yet in the face of this record the President denounces as ignorant anyone on either side of this aisle who opposes his crude and socialistic policy to build up the American merchant marine.

Mr. Chairman, there are a few other remarks that the President made which I would like to refer to for a moment. He said that there was nothing the matter with business to-day but a state of mind. We are amused by the attitude of our Democratic friends upon this question, even if it does not command our admiration. First, they tell us that there is no business depression, and then they say that it is getting better, and then they add that it is due to the war, and then they declare that it exists only in the mind, and then they end up by saying that it would already have been over if the Republican Party and a few ignorant Democrats had not prevented them from enacting certain legislation.

Now, let us see briefly what is the condition of the country. And I want to refer especially to the proposition that is being so insistently urged that the present condition is due to the war, and that it has been necessary, in order to make up the expenses of the Government, that we enact a direct tax. The loss in our foreign commerce in the first year of Democratic free trade was $517,350,000. These figures I have taken from the Treasury report. They have just been made public. Is this great loss due to the war? Only three months of the war entered into that year. Take the five months immediately before the war in Europe, under the Underwood tariff law, and compare them with the five corresponding months of the preceding year, and we have demonstrated what the effect of near free trade has been upon our commerce.

For the months of April, May, June, July, and August of 1913 we sold foreign nations $218,800,000 more than we bought from them. During the corresponding period of five months under the Underwood law we bought $39,145,496 more than we sold; or, in other words, in these five months of free trade the change in commerce against this country was $259,796,000. Does not that begin to show what is the matter with the country? Over $50,000,000 a month before the European war in the change of trade against us, almost $1,500,000 a day, and yet they want you to think that it is the war that has caused this trouble. Now, let me give you a few more figures to see whether it is the war that has caused the falling off in our revenue. Take the month of October, 1913, as compared with 1914. I want to give you the figures, first, to show how our import trade has increased with the nations that are not at war, and I think it is a fair presumption that the increase would have been the same with the nations now at war if they had continued at peace. Here is the increase of our imports in October, 1914, as compared with October, 1913. With Mexico, 10 per cent. Even that country, that is at war and has practically no semblance of government, increases its sales to us 10 per cent in the month of October under this Democratic free-trade law. Japan, 15 per cent; Italy, 30 per cent; Cuba, 55 per cent; the Netherlands, 60 per cent; Australia, 90 per cent; Argentina, 400 per cent; and England, in the midst of war, increased her sales to us in October 26 per cent. In the month of October, 1914, if my information is correct, the imports into this country were the largest in the history of the Nation, with a single exception. It was larger than in 1913, the first month under the Underwood tariff law, when millions of imports had been held back to take advantage of the low rate in the new law. What has become of the revenue? We are buying the goods. The Treasury is empty. What is the reason? Because we have reduced the tariff. We have let the foreigner into our markets without pay. We have turned over to foreigners the advantage of that duty. The Treasury is empty, the people are paying it out of their own pockets, and no American citizens has bought a single product for a dollar less. [Applause on the Republican side.]

Countries that sold us in October, 1913, $66,000,000 worth of products sold us in October, 1914, $84,000,000 worth.

What a graphic story these figures tell. They demonstrate absolutely that if it had not been for the war foreign cheap-made goods under a Democratic free-trade tariff would have absolutely overwhelmed the country, and poverty and idleness and want would have been far greater than it is to-day. While our imports have increased our revenue has decreased. The falling off of the revenue is not due to lack of imports, but to lack of tariff. The advantage of the tariff is now going to the foreigner, and the American people are paying a direct tax to make up this sum that a Democratic administration has given to our foreign rivals.

Let me give you a few more figures. Let me show you how this law that was to give us the markets of the world has operated and the effect that it has had on American commerce.

Mr. Chairman, I want to read a table showing how we have lost our foreign trade in 11 months ending in November with the different nations and with the world.

Foreign trade of United States for 11 months ending Nov. 30.

	Imports.		Exports.		Total loss to United States.
	1913	1914	1913	1914	
Argentina	$21,006,243	$53,403,255	$50,242,560	$25,606,610	$57,032,962
Brazil	86,769,703	85,700,291	37,773,106	21,843,896	16,997,622
Canada	125,564,774	151,156,432	377,427,988	292,279,225	110,740,421
Cuba	120,541,100	139,903,804	67,356,312	62,071,442	24,647,574
Mexico	72,907,501	80,894,117	44,880,976	30,846,579	22,021,013

Summary of imports and exports for 11 months ending November 30.

	1913	1914	Total loss to United States.
Imports	$1,608,570,909	$1,674,619,456	$448,879,719
Exports	2,250,822,664	1,867,991,492	

Total increase in imports in 1914 over 1913, $66,048,492.

The President said in his Indianapolis speech:

Do you know, gentlemen, that the ocean freight rates have gone up in some instances to ten times their ordinary figure, and that the farmers of the United States—those who raise grain and those who

raise cotton, these things that are absolutely necessary to the world as well as to ourselves—can not get any profit out of the great prices that they are willing to pay for these things on the other side of the sea, because the whole profit is eaten up by the extortionate charges for ocean carriage? In the midst of this the Democrats propose a temporary measure of relief in a shipping bill.

The merchants and the farmers of this country must have ships to carry their goods, and just at the present moment there is no other way of getting them than through the instrumentality that is suggested in the shipping bill; and I hear it said in Washington on all hands that the Republicans in the United States Senate mean to talk enough to make the passage of that bill impossible.

There are some remarkable statements in those two paragraphs. It is true that ocean freight rates have gone up in some instances to ten times their ordinary figure. It is also true that within the last three years, and before the war in Europe, that they had increased, in some instances, more than ten times their ordinary figure. This was brought about by a combination of foreign steamship lines, but there was no great outcry then against this raise in freight rates by the Democratic Party. There was no proposal made then for the Government to go into the shipping business. It is strange that the Democratic Party, that has so long had these things before their eyes, could not see it until now. Every attempt that had heretofore been made to relieve the situation by securing American ships has been met by the Democratic Party with the cry of "subsidy," but now they propose a subsidy scheme far more indefensible than any that has ever been proposed by the Republican Party. The Democrats now propose to buy foreign ships, man them with foreigners, and pay them a subsidy—something that no Republican ever advocated. It is proposed now by the Democratic Party to buy a lot of these old antiquated, secondhand vessels at exorbitant prices, man them with foreigers, and let the Government pay the cost of operation. We know by experience what that will mean. It will lead to extravagance and scandal; and then, as a fitting climax to this absurd socialistic subsidy proposition, the President proposes that if the undertaking ever should prove to be profitable that then it should be abandoned and turned over to private interests.

In the quotations that I have just read the President says that the farmers of the Nation can not get any profit out of the great prices that they are willing to pay on the other side of the sea for farm products. That is rather an amusing statement, in view of the fact that to-day wheat is selling in Chicago at $1.43 a bushel. I imagine that the farmer of the Middle West is much troubled over what becomes of his wheat when he can sell it for that price in Chicago. This wheat is being sold for export. If there are no ships to deliver it, why is it bought? We all know, as a matter of fact, we are sending more wheat to Europe to-day than ever before; that we have sent more since the war than we ever did before in the same length of time.

It is a matter of common knowledge that since the war our exports have greatly increased. These are going to foreign markets, and there must be ships to carry them. It is not a question of securing ships to carry our products to foreign markets. There is a sufficient supply of tonnage. The only question to-day in regard to an American merchant marine is the same question that we have had presented to us for years, and that is whether our trade shall be carried by ourselves or by our foreign competitors. There are to-day in the Atlantic and Gulf ports of this country 105 four, five, and six masted schooners. There are 44 four-masted schooners. There are five square-rigged ships. All these vessels are suitable for the foreign trade. They are especially suited for carrying cotton and grain. They represent a carrying capacity of over 350,000 tons. If there is any lack of tonnage to carry cotton and grain to Europe, as the President says, here is tonnage already available in a far greater amount than can be purchased for the $30,000,000 that he proposes to appropriate for this purpose. The name and location of each of these vessels can be ascertained in the Department of Commerce, and I shall be glad to furnish anyone who is interested the names of these different vessels. Why spend $30,000,000 in purchasing foreign tonnage when we have this great amount of American tonnage suitable for the very trade of which the President speaks? These figures and the figures that I quoted a few moments ago show that there are plenty of ships to carry American commerce. The figures also show that our foreign commerce prior to the war in Europe was decreasing at a remarkable rate.

These figures also show that unless we amend our tariff law we will have little use for ships in the carrying trade after the war in Europe ends. These figures also especially demonstrate that the war in Europe has not been the cause of decreasing revenues and an empty Treasury, for our imports were greater in 1914 than in 1913. The failure to collect sufficient revenue to meet the expenses of government is not due to a decrease of imports, but to a decrease of the tariff.

The figures I have quoted further demonstrate that but for the war in Europe business conditions in this country to-day would be far worse than they are. The war in Europe in some respects has acted as a protective tariff. It has prevented Europe, to some extent at least, from flooding this country with foreign-made goods. It has caused many European countries to make many purchases in this country of manufactured goods that otherwise they would have purchased at home. Practically every idle mill and factory in this country that has recently started operation has done so because of orders received from Europe. This is especially true in the iron trade, of our woolen mills, and of our shoe factories. While every sane man regrets the condition in Europe to-day, yet industrially that war has been of great advantage to the United States.

Mr. DIES. Will the gentleman yield?

Mr. HUMPHREY of Washington. For a question.

Mr. DIES. I would like to ask my friend if he would vote for the reenactment of the Payne-Aldrich tariff bill?

Mr. HUMPHREY of Washington. When I look at the clipping I have here and see that yesterday there were 562,700 men standing in the bread line in New York, and when I remember that there are 4,000,000 men idle to-day and looking for employment, and when I remember that the same conditions existed back in the days of Grover Cleveland, and that that condition lasted until William McKinley was elected [applause on the Republican side], and that within less than 90 days after he went into the White House 2,000,000 idle men had gone to work, I reply that I am ready and willing now to vote for a protective tariff law.

Mr. DIES. But the gentleman does not answer my question. I asked him if he would be willing to vote to reenact the Payne-Aldrich tariff bill.

Mr. HUMPHREY of Washington. As against the present law, a thousand times yes. [Applause on Republican side.]

Mr. DIES. It is not a question of the present law, but whether if the Republicans had the House the gentleman would vote to reenact the Payne-Aldrich tariff law?

Mr. HUMPHREY of Washington. I can not hear what the gentleman says. Mr. Chairman, we enacted the Payne-Aldrich law, and we did it in a way that did not close a single mill or factory in this country. It did not reduce the wages of a single man in this country. It did not leave us with an empty Treasury, and yet all these results have followed every time we have enacted a Democratic tariff law, and the only answer you have to-day is that all our panic and depression and loss of trade is imaginary. Go and tell these hungry men standing in the bread line to-day in every city, and standing there last year before the war, that they are not hungry; tell them that it is their "state of mind" that is troubling them.

Mr. FOWLER. Will the gentleman yield?

Mr. HUMPHREY of Washington. No; I can not.

Mr. HOWARD. Will the gentleman from Washington yield?

Mr. HUMPHREY of Washington. I will not yield. I hope the gentleman will not misunderstand me. I try to be courteous, but I want to make myself plain.

Mr. Chairman, I want to give a few concrete illustrations of the imaginary prosperity that blesses our country, and first I call attention to the case of sugar. When sugar is entirely free we will lose about $53,000,000 annually. We have already lost many millions. There is a deficit in the Treasury of about $65,000,000. Sugar is no cheaper, the Government has lost the revenue. Do you gentlemen prefer free sugar and then pay the tax out of your own pockets to run the Government? What benefit has free sugar been to the American people? The sugar industry has been largely destroyed. Only the Sugar Trust has profited thereby. It has been made a present of unearned millions.

Now, I want to read from the Farmers' Bulletin 645 just issued, a Democratic authority which ought to be good; and I want to show you what effect the Democratic law has had on the farmer.

In 1913 the value of 1 acre of the farmer's crops averaged about 1.2 per cent higher than in 1909, whereas the value of articles bought by farmers had advanced in the same time about 5.7 per cent; consequently, as a result of the greater increase in the price of what the farmer buys than what he sells, the actual purchasing power of 1 acre of the farmer's produce in 1913 was about 4.3 per cent less than in 1909.

That is the way you have benefited the farmer. Now let me show you how you have benefited the cotton farmers of the South. Certainly the cotton planter ought to rise up and call the present administration blessed:

The purchasing power of 1 acre of cotton (excluding the value of seed) in 1913 was 3 per cent less than in 1912, 5 per cent less than in 1909, and 40 per cent more than in 1899. The purchasing power of

1 acre of the 1914 cotton crop is probably about 35 per cent less than that of the 1913 crop.

[Applause on the Republican side.]

Why, you on that side of the isle ought to feel very happy over that showing. Let me read you a few more.

Mr. HOWARD. Will the gentleman yield for a question?

Mr. HUMPHREY of Washington. No; I do not want to yield any more. I want to call attention to the coal industry from another bulletin issued by the department. It is from a Democratic official, and I ask the particular attention of gentlemen on the other side of the House.

I read from United States Geological Survey Press Bulletin, released Sunday, January 3, 1915:

According to Mr. Parker's estimate, which is based upon numerous estimates received from leading coal-mine operators and others familiar with the industry, the total coal production of the United States in 1914 was about 510,000,000 short tons, a decrease of about 60,000,000 tons compared with the record output of 1913. Practically all of this decrease was in the output of the bituminous mines. The production of Pennsylvania anthracite in 1914 was not materially different from that of the preceding year, which was 81,718,680 long tons. In 1914, however, about 1,000,000 tons (principally nut and steam sizes) went into storage, so that the quantity sent to market was about 1,000,000 tons less than in 1913.

The principal decreases in the production of bituminous coal were in the coking districts. It is estimated that in Pennsylvania alone the production of bituminous coal decreased between 20,000,000 and 25,000,000 tons and that the larger part of this decrease was in Fayette and Westmoreland Counties, which constitute the Connellsville and Lower Connellsville coking districts. The weekly reports of coke production published in the Connellsville Courier indicate that the output of coke in the two Connellsville districts was less than that of 1913 by about 6,000,000 tons, or 30 per cent, and as each ton of coke represents about 1½ tons of coal, a decrease of nearly 10,000,000 tons in the coal output is indicated in these districts alone. The proportionate decrease in the other coking districts was even greater and was particularly noticeable in Alabama.

The opinion is generally expressed that the chief effect of the war in Europe upon the coal trade of the United States was to retard or prevent the return to more normal conditions which was about to be accomplished when the war broke out. The first three months of 1914 were of unusual activity, the high rate of production of the preceding year having been carried over into the first quarter of 1914 and the weather in January and February having stimulated the demand to some extent. Then came the slump in the iron trade.

I stood here about a year ago on this floor and called attention to closed iron and steel mills. Then the Democrats denied that there had been any slump in the iron trade. Then for the first time we heard of "psychological" prosperity. But listen to this official bulletin:

Then came the slump in the iron trade, general depression in business, shutdown of coke ovens, and a period of distress throughout the coal-mining regions which has rarely been exceeded. The demand, production, and prices were all at so low an ebb when the war broke out that it is not believed to have had any direct influence on the coal trade.

That sounds like a Republican "calamity howler."

I have another official bulletin here, issued by a Democratic official in regard to the cement industry of this country, and I will read only the head line:

Geological Survey estimate shows nearly 4,000,000 barrels decrease. First decrease in history of cement industry.

For fear that my genial friends on the other side of the aisle will think I have forgotten the shingle industry [laughter] I will read an official communication upon that. This is a consular report dated November 9, 1914:

The shingle mills in the Province—

That is, over in British Columbia—

are running, most of them, full time and up to capacity, practically all of the products being exported to the United States. It is reported that the profits of the shingle mills are small at prices received at present, but are sufficient to enable the operators to keep the mills running.

I want to emphasize the fact that while practically all of the products of British Columbia mills are being exported into the United States and the British Columbia mills are running, ours are closed. No man has bought a shingle for a cent less than he did under the Payne-Aldrich law. You are simply buying them from British Columbia now; you are giving the work and wages to the Chinaman, the Hindu, and the Japanese, instead of to the American laborer. [Applause on the Republican side.] That much money is taken out of the Treasury. You have already taken more than $2,000,000 out of the Treasury and given the benefit of it to British Columbia by free lumber and free shingles, and not a foot of lumber or a single bale of shingles has been bought for a single penny less by any consumer in the United States.

Mr. HOWARD. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman yield?

Mr. HUMPHREY of Washington. Mr. Chairman, I can not yield at this time.

The CHAIRMAN. The gentleman declines to yield.

Mr. HUMPHREY of Washington. I hope the gentleman will not think I am discourteous.

Mr. HOWARD. I think the gentleman is about as courteous as he knows how to be.

Mr. HUMPHREY of Washington. Even if that were true, I would not begin to match my genial friend from Georgia. [Laughter.] When it comes to that, he is a positive genius.

Mr. Chairman, I will come now to a concrete illustration of the working of free trade on the Pacific coast. There was a firm in Portland, Oreg., that was importing into this country logs of Japanese oak and cutting them into veneering. I hold in my hand a newspaper account of the history of that industry. They were employing about 100 men. They paid them $3 per day. The Underwood tariff law reduced the tariff upon hardwoods. The Japanese sawmills now cut that lumber and send it into the Pacific coast. This company has closed its mills in Oregon and has opened a mill over in Japan. They employed three-dollar-a-day American labor here, and they are employing 30-cents-a-day labor over there. They retain the same markets, they are selling to the same customers, and this article adds that each member of that firm is an enthusiastic Democrat.

I want to refer to one more industry in my country, and that is the lime industry. I refer to it as an illustration. The natural conditions of the lime industry in my State and just across in British Columbia are practically the same. It costs an American manufacturer 19 cents duty to sell a barrel of lime in British Columbia; it costs a British Columbia manufacturer 3 cents duty to sell a barrel of lime into this country. The American manufacturer employs all white labor. The British Columbia manufacturer employs all Chinese labor. Immediately after the Underwood tariff law went on the statute books a lime company was started in British Columbia, and they came over to the lime manufacturers in our State, and they did it without any hesitation, and they said, "If you will pay so much a barrel tribute we will keep out of your markets, and if you do not do it we will dump our product whenever we have a surplus into your market and drive you out." Our manufacturers refused to be blackmailed. The British Columbia manufacturers have kept their word. Our lime industry is greatly injured, most of the kilns closed, and unless we get relief within a few months it will be entirely destroyed. Who is benefited by that. Did anybody buy lime for less? It has thrown about 800 men out of employment in one county in my State. The Government has lost the duty. The foreigner alone has been benefited.

These illustrations I have given are typical. They show the working of the present tariff law. They demonstrate what is the matter with business to-day. They show why a war tax is necessary. They show the reason why we have more unemployed to-day than ever before. They show why there were more business failures last year than in any other year in the history of the Nation. They foreshadow a bond issue to meet the expenses of Government or a continuation of the direct taxes. They point to a wider and greater period of business depression than we have yet suffered when the European war ends unless we change our tariff law.

"There is nothing the matter with business except a state of the mind," says the President; the whole trouble is imaginary. An empty Treasury, depleted by Democratic extravagance and incompetency, is not an ugly fact; it is a mere optical delusion. A direct tax paid by the people to raise money to pay the expenses of Government, imposed for the first time in the Nation's history in time of peace by this administration, is not a burden upon the people; it is a perpetual delight. Taking the work and wages from the workingmen of this country and giving them to the foreigner is not an injury to American labor; to think so is mental stupidity that can not encompass the perpetual blessings of free trade. Flooding this Nation with foreign-made goods, the fruits of foreign cheap labor, does not rob the American merchant of his markets or the American laborer of his work; this is but the chimera of hysterical fancy. Silent mills, rusting machinery, smokeless factories, these are not monuments of Democratic incompetency and of the fallacies of free trade; they are but the phenomena of a mental apparition that demonstrates that business has now been made free. [Laughter and applause on the Republican side.] The millions of unemployed to-day are not without work; they only believe they are. The thousands this morning shivering in rags, standing in the various bread lines in the great cities throughout the country waiting to be fed by the grudging hand of charity, are not cold, they are not hungry, they are not suffering; they only think they are. If those who think that they are poor and unfortunate would but have an open mind and would absorb the beauties of the "new freedom" and comprehend the altruistic attitude of this Nation toward all mankind, they would awake as from a distempered dream and find that the soup house was a palace of luxury; that they were feasting instead

of starving; that the riotous god of plenty sat at the head of the table instead of the grinning skeleton of want, that had so long haunted their hungry vision. [Applause on the Republican side.] Those who suffer and are poor should remember that their poverty is not a fact, but a "condition of mind"; that they who are shivering with cold should remember that it is not because they are naked, but because they are mentally deficient. Their hunger is due not to an empty stomach, but to an empty head. [Laughter on the Republican side.]

Let those to-day who are poor and needy, those who are suffering and cast down, those who are to-day tramping the highways and byways of the country looking for work, let them remember that their troubles are imaginary; that their condition is only "a condition of the mind." Let them remember these things and be comforted. Is it not strange, if the condition of the country to-day is "psychological," that the President is so earnestly urging a national employment bureau? Does he propose to give imaginary employment to the imaginary idle? [Laughter and applause on the Republican side.] It is not strange if whenever we have a Democratic administration that all our troubles are imaginary, that then we always have the problem of the unemployed with us.

When we look upon the facts and figures and when we see the conditions as they exist in this country to-day, and when we remember what the conditions were only a few months ago, and when we remember that history is simply repeating itself, and then when we are told by the President that these things are "psychological," and by the Secretary of State that it is due to a political conspiracy to discredit the Democratic Party—as if it could be any worse discredited than it is already—and by the Secretary of Commerce that it is due to inefficiency and lack of cheerfulness [laughter on the Republican side], we can not but answer these men possessing all wisdom in the language of Holy Writ:

Should a wise man utter vain knowledge and fill his belly with the east wind?

[Laughter and applause on the Republican side.]

But the "east wind" mentioned by Job is a substantial diet compared with that prescribed by the President for the idle and the poor, the ragged and the hungry, the starving and the cold of this country. They should fill their stomachs with the nourishing food of imagination. The President has put the whole Nation on the faith cure. They have tried it now for many months. It has worked well. It has completely cured forever the faith of the people in the Democratic Party. [Applause on the Republican side.]

They say that there is a lack of confidence in the country. Is it strange that the people of the country should lose their confidence when the Democratic Party comes into power? Always when that party has been in control depression, panic, and poverty have followed. Are the people to blame for not believing that this is a mere coincidence? Can the people be expected to forget that when the Democratic Party was in power 20 years ago it wrote a free-trade Wilson tariff law upon the statute books then just as it has written a Wilson free-trade law upon the statute books during this administration? Are the people expected to forget that under the former Wilson bill our shops and factories, our mills and mines, began to close, that there were fear and uncertainty everywhere, that the country was filled with tramps and beggars and soup houses, that the balance of trade was against us, that our Treasury became empty, that bonds were issued, and that want and poverty were universal? Can the people be expected to forget that prosperity was not restored until the system of protection was restored?

Remembering these things and seeing exactly the same things happening now in exactly the same way under this Wilson law that happened under the former Wilson law, is it any wonder that the people have no confidence in business conditions? Is experience to be no guide? Shall the past teach us nothing? Are these facts of history and experience to be overcome by simply changing our minds?

Are the American people ready to believe that in imagination alone rests prosperity? We are willing to admit that no other administration has brought to this country so many imaginary blessings and so few real ones as the one we now "psychologically" enjoy and physically endure. [Laughter and applause on the Republican side.]

The learned academic doctors who direct the destiny of this Democratic administration would have you believe that the most unsubstantial things in all this dreamy world of ours are facts.

If imagination could produce prosperity, the White House, the Department of State, and the Department of Commerce are a combination that would deluge the world with "milk and honey" and grape juice. [Laughter and applause on the Republican side.]

Thousands of men in this Nation to-day are facing bankruptcy in spite of every endeavor. Thousands have already failed notwithstanding every human effort and have seen the savings of a life of toil swept away. Thousands of men have been compelled to close their mills and factories. Thousands have been compelled to reduce wages and are running their plants on short time. Millions of workmen have been forced into unwilling idleness and are now looking for work, looking for an opportunity to earn their daily bread, hungry, ragged, and cold. All these are asking for relief, pleading for help. And when they are told by these self-annointed prophets of Democracy, of free trade, and the "new freedom," with such serene certainty, with such display of absolute infallibility, with such show of impatience, with such solemn and sublime self-assurance that all this is but "psychological," that all this is but a "state of mind," but a disordered dream of a depraved mentality, then certainly these expert specialists in diagnosis of distempered delusions, these delightful dreamers and fantastic performers, these mythical producers of imaginary prosperity, these voluptuous visionaries, these men so wondrous self-wise should answer to those in suffering and distress throughout the country to-day the questions propounded by the prophet of old:

What knowest thou that I know not? What understandeth thou which is not in us?

Hast thou heard the secret of God and dost thou restrain wisdom to thyself?

[Applause on the Republican side.]

Mr. BURGESS. Mr. Chairman, I yield 15 minutes to the gentleman from Arkansas [Mr. CARAWAY].

The CHAIRMAN. The gentleman from Arkansas [Mr. CARAWAY] is recognized for 15 minutes.

Mr. CARAWAY. Mr. Chairman and gentlemen of the committee, in the beginning I wish to say that I regret the distinguished chairman of the Committee on Rivers and Harbors has seen fit to withhold the speech he made last Saturday on the bill which is being considered. I do not want to do him any injustice, but as I recall that speech it consists of two parts, the first an apology, and, second, a threat. I may be mistaken in this, but I gathered from the tone of his speech that people who are interested in projects were not likely to forward their interests by criticizing the bill. Also, the gentleman from Pennsylvania [Mr. MOORE]——

Mr. SPARKMAN. Mr. Chairman, I want to correct the gentleman just there. He certainly misunderstood my words and misinterpreted my tone if he thought from anything I said or from any action of mine that I was making or intended to make any threat or apology whatever. Nothing was further from my intention.

Mr. CARAWAY. If the gentleman had put his speech in the RECORD we would have been able to determine that by reading it. That was the impression it made on my mind.

Mr. SPARKMAN. As it may come up again, I wish to state that I have not withheld the speech because I did not want anyone on the floor or elsewhere to read it. It was just simply because I had not had time to prepare some tables I wanted to insert in the RECORD.

Mr. CARAWAY. I hope you will put it in the RECORD just as it was delivered.

Now, the gentleman from Pennsylvania [Mr. MOORE] took 20 minutes to defend the appropriations that went to that State.

That there may be no uncertainty as to my position, I will say now I shall support this bill. I have been and am an advocate of river and harbor improvement. I have the honor to represent a district with more miles of navigable streams than any other in this United States. It has a frontage of 350 miles on the Mississippi River and is traversed by five broad streams, having nearly a thousand miles of navigable waters. The State which I have the honor to represent in part has more miles of navigable rivers than any other State in this Union. One of the most vital questions, therefore, that confronts the people of my district and State is an adequate and just treatment of our waterways. Not alone our commerce but practically all other industries of the State are affected more or less by this issue.

For each member of the committee that drafted this bill I entertain a feeling of kindness and respect. Nevertheless, I think it not only my right but my duty in this instance to call attention to the manner in which this bill has been prepared. By way of explanation it may be said the members of this committee have been confronted by a difficult task. Evidently between the demands of their own people on one side for ample and adequate appropriations for their own streams and on the other a just and laudable desire to economize they have made these

appropriations with too narrow a view. They have hearkened to the clamors of their friends in their own districts and States to the exclusion of the demands—and just demands—of the people residing in States which have no representation on this committee. Possibly the result is inherent in our system of legislation in respect to bills of this kind, wherein the committee not only determines what projects shall receive assistance but makes the appropriations therefor. From whatever the cause, the evil is apparent in this bill. States which are fortunate enough to have representation on the committee have been liberally, yes, more than liberally, treated, while States which are not so fortunate as to have representation on the committee have been denied practically any relief whatever. It is both interesting and instructive to examine the make-up of this committee and the States from which the members come, their length of service, the number of miles of navigable streams or coast lines within their respective States, and the amounts of the appropriations contained in this bill for improvements thereto. Also, it is both interesting and instructive to observe how closely, nay, slavishly, the appropriations herein recommended follow the engineers' estimates in those States from which the members of the committee come and how utterly they are disregarded in most States without representation on this committee.

I know that comparisons are said to be odious, and it is sometimes difficult to differentiate between just criticisms of a measure and carping criticisms of men. In this discussion, therefore, whatever is said with reference to the bill—and in my judgment it is loaded down with favoritism shown to States in which members of the committee reside—shall be criticisms of the measure without criticizing the men, because, as I have said, the fault is possibly more that of the system than of the committee. For the purposes of criticizing, then, the system I wish to compare appropriations contained herein for States with and without representation on the committee in sections where conditions are practically the same.

For this purpose we will begin with the States of Florida and Louisiana. The rivers and harbors bill passed the last session of Congress carried a lump appropriation of $20,000,000, with authority vested in the Secretary of War to apportion this among the various States and the projects therein. Under this allotment Florida received $412,500; Louisiana received $86,000. The engineers' estimates for improvements within the State of Florida for 1916 aggregated $1,374,500. The appropriations therefor carried in the present bill for that State aggregate $1,097,500.

Mr. SPARKMAN. The gentleman has made a slight mistake there. It is slightly over $900,000.

Mr. CARAWAY. The gentleman will pardon me. I hope he will not interrupt me about the figures, because they are carried in the bill.

Mr. SPARKMAN. I just wanted to set the gentleman right.

Mr. CARAWAY. It is in the bill.

Every project in the State of Florida for which an estimate was made, except one, a corresponding appropriation is included in this measure; and two appropriations are included herein for projects for which no estimates seem to have been made by the Engineering Corps at all. Twenty-nine projects are cared for in this bill for the State of Florida, and most of the estimates and the appropriations are for identical amounts. The total appropriation for Florida was practically $1,100,000, while the State of Louisiana, with many more miles of navigable streams and heavier water-borne commerce, received but $130,500; and but few of her projects for which estimates were submitted are cared for in the appropriations herein made. Florida has representation on this committee; Louisiana has not.

Again, contrast the States of Mississippi and Arkansas, which lie side by side, separated only by the Mississippi River, and the contrast is more striking still. Every project in the State of Mississippi for which a recommendation by the engineers was made has a corresponding appropriation in this bill, and all but three in the exact figures recommended by the engineers. For one project in that State it would seem that no recommendation by the engineers was made for 1916, yet an appropriation for $110,000 appears in this bill for that improvement. In all, the State of Mississippi receives under this bill $1,034,500, notwithstanding it had been allotted under the bill passed at the last session of this Congress $865,000. While Arkansas, the State I have the honor in part to represent, with twice the number of miles of navigable streams, broader and more majestic rivers, capable of bearing on their swelling tides many times more commerce than all the streams of the State of Mississippi, has received under this bill a paltry $43,000, and most of that for improvements on rivers extending into other States which have representation on this committee. This in face of the recommendation of the engineers, which carried $1,146,000 for improvements in Arkansas in their estimates. Less than 4 per cent of the amount of estimates of the engineers is included in this bill for Arkansas, while more than 95 per cent of the engineers' estimates is carried in the bill for the improvement of projects in the State of Mississippi. Mississippi has representation upon this committee; Arkansas, unfortunately, has not.

Mr. GARNER. Will the gentleman yield just there?

Mr. CARAWAY. Yes.

Mr. GARNER. One point attracted my attention. The gentleman did not give the figures. How much was given Arkansas under the lump-sum appropriation?

Mr. CARAWAY. Four hundred thousand dollars, as I now recall, and when we came to distribute that, $320,000 of that was given to another State.

Mr. GARNER. That was done under the Secretary of War, and it was supposed that he would make these appropriations upon a merit basis and as the necessity of the case might demand. Whether he did so or not, of course I do not know.

Mr. CARAWAY. It may be so, but the apportionment made for projects in the State, where committeemen live and where there are no committeemen, are what I was talking about.

Mr. HUMPHREYS of Mississippi. Mr. Chairman, the $20,000,000 appropriation bill was an appropriation bill of Congress, and the chairman of the Senate Committee on Commerce, as I understand, is from Arkansas.

Mr. CARAWAY. Yes; I understand it, too. But it did not do us any good.

Lying to the southwest of Arkansas is the great State of Texas, a State practically without navigable streams, entirely so according to a statement made on this floor by a gentleman of that State, not only not navigable, but incapable of being made so; in fact, he facetiously stated:

> These rivers had to be insured against destruction by fire while in the course of improvement from appropriations heretofore made.

Yet Texas, under this bill, receives $2,250,000. Every project for which an estimate was submitted by the engineers, except four, have corresponding appropriations in this bill, and in most cases the amounts estimated for and appropriated for are in the identical figures. This, notwithstanding the fact that out of the $20,000,000 appropriated at the last session of Congress, Texas received an allotment of $1,395,000. Texas has representation on the committee; Arkansas has not. Thus, it is seen that the States of Texas, Mississippi, and Florida, all of which combined have no more miles of navigable rivers than Arkansas, have appropriations provided for in this bill of more than $4,500,000, while Arkansas has $43,000. This, too, in the face of the fact that those States have been alloted from the last lump appropriation more than $3,000,000. And again Arkansas and Louisiana, with practically twice as many miles of navigable rivers as the combined mileage of the three States named, jointly receive less than $200,000, while these three States, with representation on the committee, received more than $4,200,000. I shall examine but one other State in this immediate section.

Take the State of Missouri, which borders Arkansas on the north, with less miles of navigable rivers, has appropriations in this bill aggregating $1,380,000, or more than $1,000,000 in excess of the combined appropriations for the States of Arkansas and Louisiana, though its mileage of navigable streams is less than one-half of those States and its water-borne commerce not half so great. But Missouri has representation upon this committee; Louisiana and Arkansas have none. But lest it may be thought that I am moved somewhat in these strictures by the unjust discrimination against my own State in this bill, I shall examine States situated in other sections and their respective appropriations. I will call attention to the South Atlantic States—Maryland, Virginia, North and South Carolina, Georgia, and Alabama. These are States each of which borders on the Atlantic Ocean, and under normal conditions the volume of their commerce should be measurably the same. Three of these States, to wit, North Carolina, Georgia, and Alabama, each has representation on this committee. Each of the remaining three, Maryland, Virginia, and South Carolina, has not. Maryland, with her broad rivers, extended coast line, and magnificent bay, in this bill receives $45,600. Virginia, with a network of navigable rivers, its historic bay, and its great volume of commerce, receives herein $116,000. South Carolina, with its hundreds of miles of navigable rivers, the great port of Charleston, formerly the most important in the South, receives about $70,000. The aggregating appropriation for these three great States, with their long-extended coast lines, hundreds of miles of commerce-

bearing rivers, and their great volume of commerce, get $231,000. Neither of these States has representation on this committee. Each of the other three South Atlantic States has; and these, combined, receive under this bill more than $3,000,000. North Carolina alone in this bill receives $1,263,000. There are 21 projects for that State appropriated for in this bill, as I said, carrying an aggregate appropriation of $1,263,000. North Carolina receives in this bill more than a million dollars in excess of the appropriations made for improvements in the three great States of Maryland, Virginia, and South Carolina, although their coast lines, navigable streams, and commerce, water-borne, are in excess of that of North Carolina in a ratio of four to one. Each of the other two South Atlantic States has representation on the committee and has received approximately $1,000,000.

Attention has been directed so far to Southern and Southwestern States. I wish now to show that the committee, in taking care of States which have representation on it, has not been sectional. The State of Pennsylvania, with the exception of the Ohio River, which has been treated separately in appropriation bills, is practically without navigable streams.

In passing I wish to say appropriations for the Mississippi and Ohio Rivers are not discussed in these remarks, because the Ohio River is cared for under a continuing project, and the care of the Mississippi has been declared to be a national project by the platforms of both the great parties.

The Democratic platform as to the Mississippi River is as follows:

WATERWAYS.

We renew the declaration in our last platform relating to the conservation of our natural resources and the development of our waterways. The present devastation of the lower Mississippi Valley accentuates the movement for the regulation of river flow by additional bank and levee protection below, and the diversion, storage, and control of the flood waters above, and the utilization for the beneficial purposes in the reclamation of arid and swamp lands and the development of water power instead of permitting the floods to continue, as heretofore, agents of destruction.

We hold that the control of the Mississippi River is a national problem. The preservation of the depth of its water for the purpose of navigation, the building of levees to maintain the integrity of its channel, and the prevention of the overflow of the land and its consequent devastation, resulting in the interruption of interstate commerce, the disorganization of the mail service, and the enormous loss of life and property, impose an obligation which alone can be discharged by the General Government.

To maintain an adequate depth of water the entire year, and thereby encourage water transportation, is a consummation worthy of legislative attention, and presents an issue national in its character. It calls for prompt action on the part of Congress, and the Democratic Party pledges itself to the enactment of legislation leading to that end.

We favor the cooperation of the United States and the respective States in plans for the comprehensive treatment of all waterways with a cooperative plan for channel improvement, with plans for drainage of swamp and overflowed lands, and to this end we favor the appropriation by the Federal Government of sufficient funds to make surveys of such lands, to develop plans for drainage of the same, and to supervise the work of construction.

We favor the adoption of a liberal and comprehensive plan for the development and improvement of our inland waterways with economy and efficiency, so as to permit their navigation by vessels of standard draft.

Therefore neither of these rivers is considered in these conferences.

FOR FLOOD PROTECTION.

The Mississippi River is the Nation's drainage ditch. Its flood waters, gathered from 31 States and the Dominion of Canada, constitute an overpowering force, which breaks the levees and pours its torrents over many million acres of the richest land in the Union, stopping mails, impeding commerce, and causing great loss of life and property. These floods are national in scope, and the disasters they produce seriously affect the general welfare. The States unaided can not cope with this giant problem. Hence we believe the Federal Government should assume a fair proportion of the burden of its control, so as to prevent the disasters from recurring floods.

And while it has a harbor, it has no seacoast, and yet that State under this bill will receive one and three-fourths million dollars.

The CHAIRMAN. The time of the gentleman has expired.

Mr. GOODWIN of Arkansas. Mr. Chairman, I ask unanimous consent that my colleague be given 15 minutes additional time.

The CHAIRMAN. The Chair will state that the gentleman from Florida has charge of the time.

Mr. CARAWAY. Can the gentleman yield me a little more time?

Mr. SPARKMAN. I would like very much to do it, but I will say to the gentleman that I have allotted all my time to others.

Mr. CARAWAY. Has the gentleman on the Republican side any time?

Mr. SWITZER. I have trouble to get time myself.

Mr. GOODWIN of Arkansas. I will say that my colleague has gone into this bill pretty thoroughly and has given thorough analysis to it, and I think his speech will enlighten the House very much, indeed.

The CHAIRMAN. The time of the gentleman from Arkansas has expired.

Mr. CARAWAY. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Arkansas asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. CARAWAY. Mr. Chairman, as I was saying, the State of Pennsylvania under this bill will receive one and three-fourths millions of dollars, and this notwithstanding the fact that it was allotted out of the last appropriation $1,002,500. It has about one-tenth of the navigable waters of the State of Virginia and receives more than ten times the appropriation. But why two Members on the committee, if it should not receive increased appropriations?

The State of New York, with representation on this committee, will receive two and one-half millions of dollars in this bill, and this notwithstanding the fact that it has less coast line and fewer miles of navigable rivers than the sovereign State of Virginia, and this, too, notwithstanding the further fact that she had received an allotment out of the prior bill of $1,568,500. New York has representation on the committee.

Massachusetts has representation on this committee, and, with no greater coast line and about one-tenth the number of miles of waterways of the State of South Carolina, receives about one-half million dollars under this bill. South Carolina receives about one-tenth of that amount. Massachusetts has representation on the committee; South Carolina has not.

That it may not be thought the committee had favored the East at the expense of the West where representation on the committee is concerned, look at the State of California, practically without navigable streams, but with a rather long coast line, it is true, but with only three harbors of any importance, and she receives under this bill an aggregate appropriation of $919,000. Of course, California has representation on the committee.

The State of Washington receives appropriations under this bill of $1,492,500. Washington has not the coast line nor the harbors nor the miles of navigable rivers that has Virginia, yet Washington will receive practically one and one-half millions of dollars—Virginia receives $116,000. Washington has representation on this committee; Virginia has not.

These examples could be multiplied, but the conclusion is already forced upon us that the system under which these appropriations are made is unjust and indefensible. Not only in the appropriations carried in this bill has favoritism been shown to those States with representation on the committee, but from pages 38 to 51, inclusive, of this bill are enumerated numberless creeks, inlets, lakes, and horseponds which have been called to the attention of the Secretary of War, who is authorized and directed to cause preliminary surveys to be made of these waters with a view to ascertaining if in the future they should receive appropriations for their development. In some States, notably North Carolina and New York, every body of water that has not already been improved under former appropriations seems to be included among those which are to receive these preliminary surveys.

In calling attention to these glaring injustices and unjust discriminations against States without representation on the committee I have done so without intention of criticizing any member of the committee or the committee as a whole, but I have done it because I believe it to be the duty of some one to do it. I believe it necessary that the attention of Congress be directed to this condition, that States not represented on this committee in the future may receive a just consideration at its hands. I have done it without any desire to be offensive to the committee or any member thereof. When the bill is read in the Committee of the Whole my colleagues of Arkansas and myself wish to offer some amendments, and to again call attention to the recommendations of the engineers affecting projects within our State. I hope that gentlemen coming from other States, like my own, that have no representation on this committee will look with care into the make-up of the bill, and when it leaves the Committee of the Whole it may carry such recommendations and amendments that there can be then no longer just grounds upon which to found a charge of discrimination. This must be done, and the committee, in my judgment, must heed their protest or the end of river and harbor improvement is in sight.

I am appending hereto some tables and statements which I ask to be incorporated in my remarks.

Project.	Oct. 2, 1914, allotment.	1916 estimate, engineer.	1916 river and harbor bill.
ALABAMA (TAYLOR).			
Chattahoochee River	$65,000	$120,000	$120,000
Choctawhatchee River—Alabama and Florida	20,000	30,000	30,000
Escambia and Conecuh Rivers—Alabama and Florida	5,000	10,000	7,000
Alabama River	50,000	125,000	125,000
Coosa River—Alabama and Georgia	40,000	131,000	131,000
Harbor, Mobile	62,500	131,250	131,250
Mobile Bar	10,000	25,000	25,000
Black Warrior et al.—Alabama and Mississippi	750,000	54,500	54,500
Operation of same	18,000	10,000	10,000
Channel Mobile Bay and Mississippi Sound		10,000	20,000
TEXAS (BURGESS).			
Galveston Harbor	25,000	200,000	200,000
Galveston Channel		100,000	250,000
Galveston Channel to Texas City	25,000	50,000	50,000
Channel, Port Bolivar	15,000	40,000	40,000
Houston Ship Channel	110,000	250,000	250,000
West Galveston Bay-Turtle Bayou et al	25,000	40,000	105,000
Inland waterway, West Galveston	15,000	20,000	
Operating Brazos Canal		30,000	
Mouth Brazos River	20,000	45,000	45,000
Brazos River to Washington	10,000	30,000	210,000
Brazos River to Waco	200,000	700,000	
Channel, Pass Cavallo to Port Lavaca	25,000	45,000	
Port Aransas	470,000	800,000	400,000
Channel, Port Aransas to Corpus Christi	10,000	20,000	10,000
Sea wall, Galveston			
Mouth Sabine and Neches			
Sabine-Neches Canal			
Operating Port Arthur Canal		710,000	500,000
Sabine Pass	240,000		
Trinity River	15,000	15,000	15,000
Trinity River, locks and dams	188,000		
Cypress Bayou	2,000	5,000	2,500
Red River, Arkansas and Texas		40,000	
Sulphur River			
NORTH CAROLINA (SMALL).			
Scuppernong River		5,400	5,400
Shallowbag Bay		3,600	3,600
Fishing Creek	1,000	2,000	2,000
Waterway connecting Swan Water and Deep Bay			
Pamlico and Tar Rivers	18,500	35,800	35,800
Bay River	1,000	3,400	2,400
South River			
Contentnea Creek	2,000	2,500	1,500
Smiths Creek		5,400	2,400
Neuse and Trent	25,000	32,000	32,000
Swift Creek	500		
Inland waterway, Pamlico to Beaufort	3,400	10,000	8,000
Harbor Look Out		600,000	
Harbor, Beaufort	5,000	17,000	17,000
Waterway, Cove Sound to Beaufort		2,000	2,000
Beaufort Inlet	10,000	10,000	5,000
Harbor, Moore Head City		8,800	8,800
New River	16,000	37,300	37,000
Northeast and Black River	10,500	16,500	13,000
Cape Fear River	70,000	271,000	173,000
Do	115,000	205,000	205,000
Shallotte River		3,600	1,800
MISSOURI (BOOHER).			
Missouri River, Kansas City to mouth	850,000	2,200,000	1,200,000
Osage River		15,000	7,500
Operation locks on Osage River			
Gasconade River	15,000	15,000	7,500
	865,000	2,230,000	1,215,000
FLORIDA (SPARKMAN).			
Tampa Bay	6,000	9,000	9,000
St. Petersburg Harbor	1,500	1,500	1,500
Apalachicola Bay	15,000		15,000
St. Andrews Bay	36,000	60,000	30,000
Narrows and Santa Rosa Sound	5,000	5,000	5,000
St. Johns River	210,000	577,000	370,000
Indian River	10,000	10,000	10,000
Coloosahatchee River	2,000	5,000	5,000
Withlacoochee River	10,000	5,000	5,000
Apalachicola River	15,000	25,000	20,000
Channel, Clearwater and Tampa	12,000	3,000	3,000
Channel, Apalachicola River to St. Andrews Bay	65,000	10,000	10,000
Choctawatchee River, Florida and Alabama	20,000	30,000	30,000
Escambia and Conecuh Rivers, Florida and Alabama	5,000	10,000	7,000
Harbor, Fernandina			40,000
Harbor, Miami		150,000	50,000
Harbor, St. Lucie Inlet		200,000	100,000
Harbor, Hillsboro Bay		120,000	120,000
Harbor, Carrabelle Bar		20,000	15,000
Harbor, Pensacola		50,000	50,000
Harbor, Lake Crescent		1,000	1,000
Harbor, Oklawaka		10,000	10,000
Harbor, Orange River		1,000	1,000
Harbor, Manatee River		35,000	35,000
Harbor, Crystal River		3,000	3,000
Anclote River		5,000	5,000
Suwanee River		3,000	3,000

Project.	Oct. 2, 1914, allotment.	1916 estimate, engineer.	1916 river and harbor bill.
FLORIDA (SPARKMAN)—continued.			
Holmes River		$10,000	$5,000
Blackwater River		5,000	5,000
One-fifth appropriation (removing water hyacinths)		(25,000)	5,000
Kissimee River		6,000	
ARKANSAS.			
Lower Red—Arkansas and Louisiana	$30,000	100,000	
Upper Red—Arkansas and Texas	15,000	40,000	
Ouachita—Arkansas and Louisiana	320,000	771,000	25,000
Ouachita—Arkansas		4,000	
Saline		4,000	
Bayou Boeuf et al.—Arkansas and Louisiana		16,000	
Arkansas—Arkansas and Oklahoma	46,000	237,500	
White	10,000	27,500	
Cache	1,750	3,000	3,000
Black and Current—Arkansas and Missouri	17,100	32,000	10,000
St. Francis and L'Augeville	1,000	11,000	3,000
Total	440,850	1,146,000	41,000

Mr. SPARKMAN. Mr. Chairman, will the gentleman from Washington [Mr. HUMPHREY] use some of his time now?

Mr. TREADWAY. Mr. Chairman, the gentleman from Washington is temporarily absent, but he stated to me before he went out that he would yield 25 minutes to myself.

The CHAIRMAN. The gentleman from Massachusetts [Mr. TREADWAY] is recognized for 25 minutes.

Mr. TREADWAY. Mr. Chairman, for the third time within 12 months river and harbor legislation is under consideration. Less than a year ago a protracted debate resulted in the passage through the House of the bill as reported by the committee with, I believe, one amendment not acceptable to the committee. This bill called for an appropriation of $43,289,000. As a member of the committee, I favored by voice and vote the bill as reported. It is unnecessary to rehearse at this time the fate of the bill passed by the House, as these facts are known to every Member of the House and probably to the great majority of the people of the country.

When the substitute bill calling for a lump-sum appropriation was returned it did not meet with the approbation of the chairman of the House committee or his associates. The distinguished chairman, the gentleman from Florida [Mr. SPARKMAN], stated both in the committee and on the floor that the substitute bill was not satisfactory to him, but he considered it the best that could be secured under the circumstances. I quote from the opening of his remarks:

Mr. Speaker, I do not make this motion because I like the provision which the Senate has given us as a substitute for the bill we sent them months ago. On the contrary, I do not hesitate to say I am not at all pleased with it. I make the motion to concur because I am instructed by the Committee on Rivers and Harbors to do so. I also make it because I am convinced it is the only thing to do if we are to have money to prosecute the work on the many great projects for river and harbor improvement now under way or to maintain in efficiency those already completed. If I were actuated by the rule-or-ruin spirit, if I were to say, as others have said—if not in words, in acts—"adopt my views or our navigable waterways will get nothing," I might perhaps take a different view; but I am convinced it is either this amendment or nothing; that we must either take what the Senate, after keeping the bill six months, has deigned to give or else cease work on the most of the projects now under way, at least until after the 4th of March next, a course of action that would result in much damage not alone to uncompleted but to completed works as well.

This proposition was not satisfactory to many Members, and I am glad to say that the majority of Republican Members of the House voted for an amendment offered by the ranking Republican member of the committee, the gentleman from Washington [Mr. HUMPHREY], substituting for the appropriation of $20,000,000 carried in the Senate bill $5,000,000, a sufficient sum for maintenance of projects for the intervening period until the present bill could be framed. The adoption of this amount would have occasioned a saving of $15,000,000 and, I submit, would have in no way been a detriment to the river and harbor work.

To-day we are again considering the merits of river and harbor legislation. Before making such comments as I feel constrained to do upon the present bill, and giving my reasons for expressing views contrary to those of my colleagues on the committee, I desire to say that after an intimate association of nearly two years with the members of this committee I find it very difficult to differ from them, owing to my high regard for them personally. As a new Member of Congress and as lowest ranking man on the committee, I feel I should give all deference possible to their more experienced judgment. The courtesy extended by every member to his colleagues is not alone the

result of their personal feelings, but it also comes from the influence and example of the chairman, the distinguished gentleman from Florida. Whatever trying situations may arise or differences of opinion expressed, his uniform desire to meet in every way the views of his associates and guide them to proper conclusions is continually in evidence. [Applause.] I wish to publicly express my thanks to him for uniform courtesies and consideration extended to me personally.

This pleasant relationship between the members and the friendship of everyone toward the chairman make it doubly hard to express even a slight difference with their conclusions. I understand that for a long time, if ever, no report from the Committee on Rivers and Harbors has failed to receive the unanimous indorsement of the committee members. While I did not wish to appear as a dissenting member, I did ask the chairman to reserve my rights to vote for lower sums than the bill carries on various items that did not seem to me to be necessary for the proper carrying out of the work of the rivers and harbors.

Before the bill finally passes this House I hope to see it amended so that the total amount it carries will be very materially reduced. There are two distinct reasons why such action is necessary: One is that there are undeserving projects in the bill, and the other, financial conditions of the country do not warrant such large appropriations. There are certain items in the bill, although few in number, which tend to discredit the entire bill and permit the press and people of the country to raise the howl which we have heard so loudly during the past year of a "pork barrel." I felt during the discussion of the bill last year that this howl was unjustified and unfair. I am still somewhat of the same view, but nevertheless recognize, after careful study of the bill the House passed last year and after still further consideration of the pending measure, that there are items carried in this one which, from the weight of opposition to them, injure the chances of the passage of the entire bill, however meritorious and fair the remainder of it may be.

I do not intend to take the time of the House to point out these projects in extended detail. There are several of them, and in previous debates they have been extensively called to the attention of both branches of Congress. In justification, however, of my dissent on items in the committee, I will very briefly refer to three items.

Mr. CALLAWAY. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Massachusetts yield to the gentleman from Texas?

Mr. TREADWAY. I will yield to the gentleman for a question. My time is brief.

Mr. CALLAWAY. You say you object to certain items in the bill, but you will not discuss them. How are we to know what the Members' views are on those items when you do not discuss them? The Members are interested in knowing what they are.

Mr. TREADWAY. If the gentleman will do me the honor of listening to me for a few moments, he will hear references made to the specific items I have in mind.

On pages 21 and 22 we find four items relative to Galveston—one for the maintenance of the harbor at Galveston, $200,000; Galveston Channel, Tex., $200,000; Galveston Channel, Tex., continuing improvement and for maintenance, $50,000; and channel from Galveston Harbor to Texas City, $50,000, making in all for that immediate vicinity $500,000.

I have no special fault to find with the item of maintenance, as Galveston is one of the most important ports in the country and a proper depth of channel ought to be maintained; but I do vigorously object to the item beginning on line 11, page 21, and extending through line 5, on page 22, calling for the construction of a sea wall at the expense of $200,000.

Permit me to call attention to the phraseology carried in the bill of last year under the last proviso, which was—

That the structure shall in all respects conform to that heretofore constructed by the county of Galveston.

This is the intention carried by the present bill, namely, to continue a sea wall beyond the point where one has been constructed by the city or county of Galveston at the expense of the Government, and to construct a cement sidewalk in connection therewith.

The only possible excuse that can be offered for such an expenditure under a river and harbor act is that at the end of the wall for which Congress will later be asked to make additional very liberal appropriations there is located a Government fort, which can now be reached in another way without especial inconvenience. No doubt the climate of Galveston is most salubrious and the moonlight nights along the shore conducive to gallantry on the part of the men in the fort toward the pretty lassies of Galveston City. It is extremely kind of Uncle Sam to show a disposition to make it easier for his employees to reach the city; likewise, it is entirely proper that the good people of Galveston should request the Government to improve the outlying section of its city by the construction of a suitable sea wall, sidewalks, and all necessary appurtenances; but I respectfully submit that it is no part of our duties as Congressmen to use a river and harbor bill, carrying appropriations supposed to be solely in the interest of navigation, as a subterfuge for such a proposition.

The fact that a most remarkable tidal wave inundated Galveston in 1900—14 years ago—is perhaps reason for the construction of suitable jetties outside the harbor, and for the construction by the city of Galveston of a sea wall for its own protection, but this is not a sufficient reason for an appropriation from the Government Treasury for the construction of a sea wall evidently intended to protect and develop unoccupied and unimproved flats.

Mr. COLLIER. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Massachusetts yield to the gentleman from Mississippi?

Mr. TREADWAY. Very briefly, because my time is very limited.

Mr. COLLIER. I wish to ask a question for information. What was the theory of the engineers in constructing that wall—to improve the harbor or to protect the city?

Mr. TREADWAY. I have endeavored to describe my understanding of the report. It was to extend the sea wall built by the city by another one to correspond with it to be built by the Government.

I now desire to call your attention to a river proposition in Texas. The item is found on page 23, lines 9 to 14, inclusive, and reads as follows:

Brazos River, Tex.: Continuing improvement from Old Washington to Waco by the construction of locks and dams heretofore authorized and commencing the construction of two additional locks and dams, $200,000; continuing improvement and for maintenance by open-channel work from Velasco to Old Washington, $10,000; in all, $210,000.

The number of the page on which this item is carried in the bill, it seems to me, is significant of the fate that ought to await it at the hands of the House when the bill comes up for amendment. The report submitted with the bill calls attention to the large amount of reduction made by the committee over the recommendation of the engineers in the aggregate amount. The paragraph to which I am referring illustrates this point. This item is carried in the engineer's recommendation at $530,000, from which a reduction was made by the committee of $320,000. Such a recommendation as this by the engineers is very liable to shake the belief of Congress in the value of their estimates and reports. Evidently it is the purpose of the engineers, as shown in this bill, to recommend the highest possible amounts which they can expend or which they think the committee will stand for. In this way, it seems to me, the value of their recommendations is very materially lessened, also the credit which the committee assumes in reducing the estimate of the engineers.

Relative to the expenditure from Velasco to Old Washington, for which the engineers asked for $30,000, permit me to quote from pages 829 and 830 of part 1 of their report:

The high banks erode readily, consequently the navigable channel is unstable, and open-river improvement difficult and expensive. A navigable channel of 4 feet exists only when the river is at a stage of about 4 feet, or possibly four months per year in intermittent periods.

The original project for this improvement was adopted June 3, 1896, and contemplated the removal of snags and overhanging trees and dredging troublesome shoals between Velasco and Richmond only. The sum of $5,000 was expended on this project.

In the river and harbor act of June 13, 1902, the improvement from Richmond to Old Washington was undertaken. In the act of March 3, 1905, this improvement was continued from Velasco to Old Washington. The project on which these appropriations were based (see Report of the Chief of Engineers, 1901, p. 1974) contemplated the improvement of the river by open-channel work between the mouth and Old Washington, at a cost of $225,000.

Amount expended on work of existing project up to June 30, 1914, was $377,566.31.

No advantage has been taken of the improvement above Columbia principally on account of the fact that the characteristics of flow of the river are such that the periods during which the river can be navigated are indefinite as to time and duration.

The operations during the year consisted in the removing of obstructions by snagging and the cutting of trees on banks between Mile 99 and Mile 236 with U. S. snag boat *Waco*. No work was done in the nature of jetty construction or repairs, and the work of that nature that has been done has either been obliterated or is of no further use. Expenditures during the year, $19,661.94.

Over this section of the Brazos River the depth is such that navigation can take place during a 6-foot stage of the river by boats having considerable power. No commerce of any note has developed, nor can any be expected until the Brazos River is improved from its mouth up to Waco, or until the territory about the lower portion is given over more to agriculture than it is now, though the country is getting settled.

The improvement has so far caused no effect on freight rates, and no effect is looked for until the river is improved throughout.

Some freight traffic has been developed during the year between the mouth of the river and Columbia, one boat making regular trips each 10 days, which reports having carried about 1,080 tons of general cargo, valued at about $81,000.

The item for which the engineers asked $500,000, and for which $200,000 is allowed in the bill, is from Old Washington to Waco. The report of the engineers to the committee is as follows:

Amount estimated by the engineers to complete the project is indefinite; total appropriation to December 1, 1914, $1,150,000; remarks, no commerce has yet developed.

I beg to quote from page 831 of the report of the Chief of Engineers upon this project:

The river has ordinarily such a small discharge that open-river navigation is impracticable.

In the river and harbor act of March 3, 1905, an examination of this section was ordered and a provisional appropriation for its improvement was made. As a result of this authorization a report was submitted, which is published in House Document No. 705, Fifty-ninth Congress, first session. This project contemplated securing a navigable depth of 4 feet for four months and 3½ feet for six months of the year by constructing eight locks and dams and 103 miles of open-channel work at a total estimated cost of $2,915,000; these locks to be 170 feet long and 55 feet wide, except Lock No. 8, which is 143 feet long and 55 feet wide, with from 0 to 4½ feet over the lower miter sills at low water.

It seems to me serious complaint can be made against the original adoption of this project which contemplated a navigable depth of 4 feet for four months, 3½ feet for six months, and evidently no depth at all for the other two months. The original estimate of the cost was $2,915,000, which now the engineers increase to an indefinite amount. The original plan called for the construction, in order to secure this shallow depth of water, of eight locks and dams with 103 miles of open-channel work.

Mr. CALLAWAY. Mr. Chairman, will the gentleman yield there?

Mr. TREADWAY. Yes.

Mr. CALLAWAY. How does the gentleman account for the engineers changing their project from two and a quarter million dollars cost now to an indefinite cost, after having been at work on that proposition for 14 years?

Mr. TREADWAY. I would refer the gentleman to the Chief of Engineers for an answer to that question.

Mr. CALLAWAY. Does not the gentleman suppose that that project has been worked at long enough to enable them to know that they never can bring that project to a successful conclusion?

Mr. TREADWAY. Yes; that is my conclusion; at least, it could not be completed at anywhere near the cost originally estimated by the engineers.

Mr. CALLAWAY. Can the gentleman tell why they cut out the Trinity River, which, at least, is on an equality in merit with the Brazos River, and gave the Brazos a lot last year and hardly gave the Trinity anything?

Mr. TREADWAY. As to asking why we differentiated between the two, I do not think it is up to me to offer an explanation along that line.

Mr. CALLAWAY. But the committee undoubtedly has the information that caused them to differentiate between those two projects, has it not?

Mr. TREADWAY. I would prefer that information should come from the gentlemen who are favoring the Brazos appropriation, which I am not.

This I should translate as meaning that an artificial river should be dug at the expense of the Government and prayers be offered that sufficient rain might fall to give a depth of 4 feet when the people were praying hard and 3½ feet when they were less earnest.

Mr. CALLAWAY. Mr. Chairman, will the gentleman yield?

Mr. TREADWAY. After being completely tired out with 10 months of prayer for rain, rest must be taken and the task given up as hopeless to secure any water at all for the vacation period of 2 months.

The CHAIRMAN. Does the gentleman from Massachusetts yield to the gentleman from Texas?

Mr. TREADWAY. Yes.

Mr. CALLAWAY. The gentleman says he will suggest that prayers be offered. Does the gentleman think that prayers will bring rain in that country? [Laughter.]

Mr. TREADWAY. I was translating in my own mind the effect of the description in the report given by the engineers.

Mr. CALLAWAY. I will say to the gentleman that we have been praying for rain in all that western part of Texas for many years, to my knowledge, and we have not gotten any yet. [Laughter.]

Mr. MANN. His prayers probably did not reach the Lord. [Renewed laughter.]

Mr. CALLAWAY. How about the prayers of other people?

Mr. COOPER. Mr. Chairman, if the gentleman will permit, let me remind the gentleman from Texas that, according to the Bible, only "the prayers of the righteous availeth much." [Laughter.]

Mr. TREADWAY. It is natural that the friends of navigation on the Brazos River should argue that, in order to have any return whatever for the million dollars the Government has already spent there, that an indefinite sum, as recommended by the engineers, should be continually asked for. This is different financial training from any my business has taught me. Probably there is no Member of this House who has had business experience at all, or who has made any financial investments, who has not made mistakes and reached a point where a decision must be made whether he will continue to expend good money in order to protect that which he has already wasted in some bad venture. That is the question which we, as Congressmen, are now confronted with relative to the Brazos River.

A grievous error was made when any appropriation was ever passed to commence such excuse for a navigable project as this. Let us manfully acknowledge that error now, regard the money expended as lost, and cease appropriating Government money in the hope of artificially constructing a river over a hundred miles or more in length. This item should never have been in a rivers and harbors bill. I might add, it is a significant fact that the other greatly criticized item, namely, the Trinity River, where there actually is some water, was not given an appropriation in this bill, whereas the Brazos River carries an appropriation of $210,000.

One other specific item I am obliged to refer to is on page 14, line 23—another fatal number—where we find an appropriation of $100,000 for St. Lucie Inlet, Fla. I again ask the indulgence of the House while I quote from the report of the Chief of Engineers, pages 598 and 599:

St. Lucie Inlet is located on the east coast of Florida, about 260 miles south of Jacksonville and about 100 miles north of Miami, Fla. The inlet resulted from an artificial cut, 30 feet wide and 5 feet deep, made by residents in the vicinity in 1892, across a narrow strip of land separating the ocean from the Indian River. The inlet has widened until it is now half a mile in width. A narrow, shifting channel, having an available depth of about 6 feet, meanders through the inlet. Inside the inlet a harbor of considerable area, but of very limited depths—suitable, in fact, only for light-draft yachts—is formed by the St. Lucie and Indian Rivers. There are no well-defined limits to this harbor, and therefore no attempt is made to give its actual area. A draft of 5 feet can be carried into the entrance of the harbor. The tidal range, both on the bar at the entrance and inside the harbor, is about 2 feet.

The project provides for excavating a cut of 18 feet depth and of such width as is possible across the obstructing rock bar at the entrance to the inlet, at an estimated cost of about $300,000, with a view to securing later a channel, protected by jetties, if necessary, 18 feet deep and at least 200 feet wide, from the ocean to Sewalls Point, at an estimated cost of $900,000.

The maximum draft that could be carried through to the inlet on June 30, 1914, was 5 feet. There is no water-borne commerce at this locality at the present time.

With such a description as this report gives, it is fair to assume that when later a channel is actually secured the item of cost of $900,000 can very readily be enlarged also to an indefinite amount, as has been done in the project to which I have just referred.

Fortunately the Government so far has only expended $72.92 on the development of St. Lucie Inlet. Allow me to suggest that it would be money well expended should we, as Members, take up a collection and reimburse the Government for that amount in order that the $100,000 unexpended balance might be returned intact to the Treasury and the $200,000 carried in this bill might be stricken therefrom.

I notice that no reference is made in the Engineer's Report to the winter colony which has been built up by rich northern people near the mouth of St. Lucie River other than to say that the artificial inlet was made by residents in the vicinity, and that light-draft yachts are not an unknown quantity in that section. Would it be entirely improbable that these public-spirited citizens, in order to secure an easy access for their larger yachts, would be very willing to have the Government increase their artificial inlet to a depth of 18 feet? Also would it be critical of the judgment of the Chief of Engineers and his able staff to suggest the possibility that in this case their recommendation was about as shallow as the water of St. Lucie Inlet?

It so happens that I have spent very many pleasant and happy days in the sunshine and beauty of the Indian River, and perhaps know more about the possibility of commerce there than would be advantageous for me to repeat were I to discuss the merits of this and a few other of the east coast of Florida items. Let me further state that no new projects are carried in the present bill. Although adopted by Congress, we ought to consider the St. Lucie Inlet as a new project as the inlet itself is new, and fortunately up to the present time, as

above stated, only $72.92 of the Government's money has been expended there.

These three items represent an expenditure of $510,000, and are to my mind the worst ones in the bill. There are several others which are far from meritorious, but I will leave to other Members specific criticism of them.

As stated before, my second reason for reducing the amount of the bill is the existing financial condition of the country.

We carry in the bill the following items in excess of $1,000,000:

Hudson River, N. Y.	$1,500,000
Delaware River, Philadelphia to the sea	1,500,000
Ohio River	3,184,000
Mississippi River	6,935,000
Missouri River	1,200,000
Columbia River	1,250,000
Total	15,569,000

So far as the immediate importance of caring for the commerce of the country is concerned, there is no question in my mind but that the appropriation for the Hudson River and the Delaware River to Philadelphia are the two of greatest importance, but in order that all projects of this magnitude may be placed upon the same plane I do not intend to suggest a different treatment for these items from the other very large ones in the country. I am thoroughly convinced that the pressing need of the projects enumerated would not be materially injured by reducing these items one-third, making a saving in the appropriation of $5,190,000.

The bill carries the following items of $250,000 and over:

Staten Island Sound	$500,000
Inland waterway from Norfolk to Beaufort	600,000
Harbor at Savannah, Ga	375,000
St. Johns River, Fla	370,000
Southwest Pass, Mississippi River	400,000
Port Aransas, Tex	400,000
Sabine Pass, Tex	500,000
Houston Ship Channel, Tex	250,000
Cumberland River below Nashville, Tenn	445,000
Tennessee River	287,000
Harbor Beach, Mich., harbor of refuge	362,380
St. Marys River, Mich	500,000
Indiana River	300,000
Harbor at Chicago	374,000
Humboldt Harbor and Bay, Cal	375,000
Columbia and lower Willamette River below Portland	600,000
Total	6,638,380

In my judgment these should be arbitrarily reduced by 50 per cent, making an additional saving of $3,319,000. This would make a reduction of the large items in the bill of $9,019,000.

Items of less than $250,000 amount to almost $9,000,000. By an equitable process of reduction in these items another million dollars can readily be taken from the bill, making a total reduction which I would recommend of $10,000,000 from the bill as reported by the committee.

Doubtless I will be asked why last year I advocated a bill carrying $43,000,000 and this year criticize a bill carrying $34,000,000, and suggesting extensive reductions. The answer is a very simple one. The financial conditions of the country have been so seriously affected during the past year that expenditures which would have been proper at that time can in no way be justified now.

Statistics of the loss of Government income through the failure of the Underwood tariff bill; the increase of importations into the country, with corresponding loss of employment to our citizens; the impossibility of thousands of deserving persons to secure employment and the means of support for themselves and families; the false claim that these conditions have been brought about by the foreign war; the extravagant and reckless expenditures of the party to-day in control of Congress and the Government; the unnecessary assessment of an additional tax of $100,000,000 upon the people of the country at a time when they are in the poorest condition to pay such an assessment—all these features have combined to change the condition in a little over a year's time from one of prosperity to one of deep depression.

President Wilson has just described this condition in his Indianapolis speech as a "state of mind." May I be allowed to inquire whether the Democratic governor of Massachusetts considered the conditions as a "state of mind" when in his inaugural address on Thursday last he recommended an immediate emergency appropriation of at least $50,000 to provide work for many of the unemployed in our State, and prevent, to a certain extent, the overcrowding of the public institutions and the hardship thousands of the people are now enduring?

I take it that the method a man would apply to himself—namely, if earning a good livelihood or having a large income he can afford big expenditures and luxuries, whereas if the livelihood or income is diminished, his expenses must be correspondingly curtailed—would apply to Government affairs.

I believe this can profitably be done to-day in acting upon the bill before us. The business conditions of the country are seriously depressed, and however worthy many of the projects in this bill are, I advocate, in view of this condition, cutting the appropriations to the point where work under process will not be seriously handicapped or possible loss for maintenance arise. The principle herein advocated was in part recognized by the unanimous vote of the committee not to adopt in the present bill any new projects, but I would go further in reducing the total of the present bill than my colleagues were disposed to do.

In brief, I advocate voting against such projects as this House find not to be meritorious, notwithstanding the fact that large expenditures have already been made upon many of them; I advocate the reduction by one-third of all projects calling for over $1,000,000; I advocate the reduction by one-half of all projects calling for an appropriation from $250,000 to $1,000,000; and I advocate various reductions amounting to $1,000,000 in the smaller appropriations. In other words, I advocate a reduction of $10,000,000 from the amount the bill carries.

Again, it would seem to me possible to bring about a more equitable adjustment of the appropriations either in accordance with the population or the interests of commerce in the respective States. In spite of the fact that the greatest ports of the country, excepting Galveston, are in the North, in spite of the larger interests of commerce and the great material wealth being centered there, as in the bill of last year, and as in the apportionment by the War Department of the bill which was finally passed, we find the southern section of the country receiving considerably more than one-half the amount carried in the bill. As a matter of reference I will file the allotment to each section:

Amounts appropriated.

NORTH.

California	$944,000
Connecticut	64,500
Delaware	86,000
District of Columbia	95,000
Indiana	300,000
Illinois	534,000
Maine	155,000
Massachusetts	352,000
Michigan	1,249,880
Minnesota, including sum for Mississippi River improvement	240,000
New Jersey	224,000
New York	2,745,175
Ohio	3,568,000
Oregon	2,444,175
Pennsylvania	1,752,200
Rhode Island	76,000
Washington	77,500
Wisconsin	278,300
Total North	15,185,730

SOUTH.

Alabama	345,750
Arkansas	61,000
Florida	988,500
Georgia	838,500
Louisiana	122,000
Maryland	45,600
Mississippi River	6,700,000
Mississippi	882,500
Missouri	1,365,000
North Carolina	556,000
South Carolina	125,500
Tennessee	1,309,000
Texas	2,102,500
Virginia	716,000
West Virginia	25,000
Total South	16,182,850
Total North	15,185,730
South over North	997,120

In what way can this situation be explained other than that the control of this House and the greater portion of its vote is favorable to southern interests? I say this in no spirit of criticism of the Committee on Rivers and Harbors, as it never has been my pleasure to serve with a body of gentlemen less disposed to exercise political power or show a spirit of local favoritism.

It is a source of naturally great disappointment to me that certain projects of interest to the citizens of my State are not within the range of possibility at the present time.

The port of Boston, from the amount of commerce handled therefrom, is entitled to every convenience of shipping and support from the Government for its navigation that can be rightfully granted. The project for a channel depth of 35 feet having now been practically completed, the people of that port

and of the State look for early favorable consideration at the hands of Congress for an increased depth to 40 feet.

Great interest is taken in Middlesex County in the possibility of improving navigation upon the Merrimac River as far as Lowell. A very enthusiastic delegation of Lowell citizens recently appeared before the Committee on Rivers and Harbors and presented their reasons for favoring a suitable appropriation for this undertaking. It is hoped that in the near future a favorable report will be presented by the Board of Engineers, so that this project can be properly brought before Congress for action.

The people in western Massachusetts, whom I have the honor in part to represent, are thoroughly aroused to the needs and benefits of a channel 12 feet in depth on the Connecticut River as far as Holyoke. When the last river and harbor bill was under consideration, it was then expected that before the present time the amendment to the general dam act would have become law. Had this been accomplished, I would have made, and would have had the assistance of the Members from Connecticut and Massachusetts, a strenuous effort to secure a suitable appropriation for this long-delayed and greatly needed improvement.

I took up the question of Connecticut River navigation in considerable detail at the last session, and in hopes that results may be accomplished during the Sixty-fourth Congress I will postpone further comment upon the merits of this project until conditions are such that it can be actively considered by Congress. Massachusetts is back of these three projects, and we all hope the day is not far distant when they will be favorably acted upon.

The improvement of rivers and harbors of this country is a subject of great concern to thousands—yes, millions—of its people. We ought carefully to endeavor to differentiate between projects that will bring suitable return to our citizens and those which may bring criticism and unfavorable comments to those who vote therefor.

The brief opportunity I have had to study legislation of this character leads me to believe that we have gone too far in the adoption of a policy establishing artificial channels over great reaches of country at tremendous expense. We have also been too liberal in endeavoring to secure navigation on shallow and narrow rivers where there is a minimum of population to be benefited with a maximum of expense.

Perhaps no actual line of demarcation can be drawn, but I have tried briefly to point out certain directions in which I feel convinced large savings can be made in the present bill without detriment to the general cause of river and harbor improvement. If the Treasury was not depleted and if business conditions were good, I should favor this bill, with the exception of certain items to which I have referred and a few others of a similar character, but under present conditions in the country it seems to me to be the duty of Members of this House to vote for a material reduction in the aggregate amounts carried in the bill. With certain items eliminated and with a reduction in the total, the criticism that has been aroused against river and harbor legislation in general will be quieted and Members of Congress will be praised for passing a meritorious bill. [Applause.]

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. TREADWAY. I ask unanimous consent, Mr. Chairman, to revise and extend my remarks.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. BUTLER. Mr. Chairman, how does the division of time stand now?

The CHAIRMAN. The gentleman from Florida [Mr. SPARKMAN] has 45 minutes remaining; the gentleman from Washington [Mr. HUMPHREY] has 35 minutes remaining.

Mr. SPARKMAN. Mr. Chairman, I yield five minutes to the gentleman from Ohio [Mr. SWITZER].

Mr. HUMPHREY of Washington. And I yield to the gentleman five minutes.

The CHAIRMAN. The gentleman from Ohio [Mr. SWITZER] is recognized for 10 minutes.

Mr. SWITZER. Mr. Chairman, I can not agree with my colleague on the committee, the Representative from Massachusetts [Mr. TREADWAY], in his recommendation for a cut on all projects that do not lie within the dominion of New England. The scheme that he has mapped out will not touch a single project in the State of Massachusetts, but, of course, it will include the Mississippi River, the Columbia River, the Missouri River, the Ohio River, the Delaware River, and others that carry each more than a million dollars of appropriation by this bill.

But I have not time to pursue that matter further. I rose chiefly to discuss the 14-page contribution—that is, part of a 14-page contribution—to the CONGRESSIONAL RECORD made on the 14th day of last month by the Representative from Wisconsin [Mr. FREAR]. He again voiced his opposition to the improvement of the rivers throughout the country by Government expenditures for the reason that there was shown by statistics to be a declining commerce on the rivers in recent years, and he grounded his objection to further expenditures by the Government on the Ohio River on this same proposition—that there was shown to be a declining commerce upon the Ohio River in recent years; and in order to support this contention he compared the commerce of the stream in the year 1912 with that in the year 1905, quoting the figures of 1912 at 8,618,396 tons for the year and the figures for 1905 at 13,163,656 tons, or showing a decline for the year 1912 below that of 1905 of more than 4,500,000 tons.

This would be significant possibly to those who look only to the present commerce upon these streams when voting for appropriations to improve our rivers, but I have arisen to challenge the accuracy of the figures which the gentleman uses in his comparison.

Upon an examination of the report of the Chief of Engineers on rivers and harbors for the year 1912 I find that the commerce the gentleman refers to for the year 1912 represents only the commerce for nine months of that year, from the 1st of April to the 31st of December. Of course, if the gentleman had taken the commerce for six months or three months and compared it with that of 1905 he would have gotten a still greater decrease in commerce. But this is not all the misinformation that is to be gleaned from this comparison made by the gentleman.

Mr. FREAR. Will the gentleman yield?

Mr. SWITZER. Yes.

Mr. FREAR. Is not this statement the only information given us by the engineer's report on which we are asked to depend?

Mr. SWITZER. I suppose the gentleman got his information as to the amount of commerce for 1912 from the report of the Chief of Engineers of the United States Army for 1913. On page 2537 is the statement that this is the commerce only from April 1 to December 31. What excuse is there for the gentleman to represent that to be the commerce for the whole year? And if he had read on page 2540 of that same report he would have seen the reason given for not reporting the commerce for January, February, and March of that year. The statistics taken on this river up to that time were under the act of 1891, and these had been investigated by the Board of Army Engineers and found to contain many inaccuracies and were entirely misleading, and they adopted a new method for the year 1912, but it was not put into operation until the 1st day of April of that year.

But, as I said a while ago, this is not all the misleading information to be gleaned from that comparison made by the gentleman in his 14-page contribution of last month to the CONGRESSIONAL RECORD.

The gentleman gave figures for 1905 which he represented as being the commerce of that year. In 1906–7 a board of special engineers created under the act of 1905 gave those figures a special investigation as did also the Board of Army Engineers for Rivers and Harbors which reviewed their work, and they found that these figures of 13,163,656 tons for that year contained many duplications, and in their opinion the commerce for that year was only about 9,350,000 tons, and the Chief of Engineers of the United States Army, Brig. Gen. McKenzie, stated that, in his opinion, the commerce was approximately 9,000,000 tons annually at that time.

This information is contained in House Document No. 392, first session Sixtieth Congress, which I have no doubt the gentleman has carefully read, as he certainly would not be asking for a further investigation of a proposition which has already been investigated at great length and fully reported on by the very highest authority, without at least ascertaining in what respect the investigators had failed to report information which would be of additional value to Congress.

Mr. CALLAWAY. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Ohio yield to the gentleman from Texas?

Mr. SWITZER. Not right now. Wait until I get through with these figures and then I will yield to the gentleman.

Now, if the gentleman had compared the full commerce for the year 1912 with the actual commerce for the year 1905 he would probably have found an increase in commerce of over 1,000,000 tons in place of a decrease of 4,500,000, and if he had

taken the year 1913, a tonnage of 9,814,123, and compared the commerce for that year, obtained under this new method, which is as nearly accurate as you can probably obtain, he would have found that there was an increase in 1913 over the actual commerce of 1905 of over 800,000 tons. Now I will yield to the gentleman from Texas if he wishes to interrogate me.

Mr. CALLAWAY. I want to know if the gentleman will not admit that the commerce on all the western rivers has declined immensely since 1880?

Mr. SWITZER. I think I have shown by the highest authority obtainable that the commerce on the Ohio River has increased in recent years over 1,000,000 tons, as compared with the year used by the gentleman from Wisconsin in his comparison. Of course it is impossible to say just what the commerce of the stream was prior to April 1, 1912. The special board of engineers found that the 13,163,636 tons for 1905 probably did not represent more than 9,000,000 tons, and prior to that time the commerce on this stream, taken in this grossly inaccurate way, amounted to only 6,000,000, 7,000,000, or 8,000,000 tons annually. I contend that, compared with the commerce from 1890 up to 1905, there is an increase in recent years of 2,000,000 to 4,000,000 tons a year.

Mr. CALLAWAY. Did not the gentleman hear the chairman of the committee [Mr. SPARKMAN] state here day before yesterday that they still duplicated, triplicated, and quadrupled the tonnage on all these rivers?

Mr. SWITZER. I did not yield to allow the gentleman to criticize the chairman of the committee in my time. I am not responsible for what the chairman stated. I do not suppose the chairman of the committee had in mind the Ohio River at the time he was talking. I do not know that the chairman knows that this new method of compiling the statistics of the tonnage of the Ohio River was put into effect in 1912, for the reason that the method theretofore used led to great inaccuracies and was grossly misleading. I do not know anything about that.

The gentleman, to fortify his untenable position, publishes in his congressional article an excerpt from a letter said to have been written by some one at Madison, Ind., who states that—

> There is no business on the Ohio River to justify the building of the locks and dams.

And speaking as an expert, he says—

> New dams will make no change in shipping or passenger travel. Dredge boats would be sufficient to keep the Ohio River open for all commerce.

We have no assurance that this unknown writer has any more knowledge about the Ohio River than that possessed by the gentleman from Wisconsin.

The expert board of special engineers which was appointed in 1905, and to which I have heretofore referred, were required by the act under which they were created to examine the river from the mouth of Green River, Ky., to Cairo, a distance of 190 miles, "with a view to determining whether an increased depth can be maintained by the use of dredges." They made a careful and thorough investigation of the river, and the sum and substance of their report on this proposition, which can be found on pages 36, 37, 38, and 39 of the House document heretofore referred to, is that the dredging method to maintain a 9 or 6 foot depth in low water is absolutely impracticable, and they feared it would result in draining off the water in the succession of pools made by the bars, thus lowering the low-water slope of the river.

On page 40 of this House document the board of special engineers specifically states:

> It is believed by the board that the probable demands of traffic present and prospective can not be provided for by any other plan of improvement not having locks and dams or having a less number of locks and dams than those proposed by the board.

This view is concurred in by Brig. Gen. McKenzie in his report, to be found in the same document.

Here is the opinion of boards of the highest expert authority upon a dredging proposition that can be found in this or any other country, and yet the gentleman from Wisconsin refuses to rely upon it and asks this intelligent legislative body to accept the opinion of an anonymous writer, so far as the CONGRESSIONAL RECORD discloses.

I submit that the sinuosity of the river and its resultant sand and gravel bars, forming deep pools of water, is the very life of the stream during extreme low-water intervals.

The Madison "expert" would cut a channel through these bars of the river and drain the successive pools to a lower water slope during dry periods and render the river less navigable.

But it is quite likely the Madison gentleman is no expert at all, but simply some man with a grouch, one of the chronic kickers to be found in every community, who opposes every public-spirited movement, or, like the gentleman from Wisconsin, he objects to making a dependable public utility out of a great natural waterway like the Ohio River.

To bolster up the views of his Madison adviser the gentleman prints in his congressional article an excerpt from the comment of some newspaper edited at Memphis, Tenn. It is a shameful waste of Government paper and ink to dignify such ill-considered observations with a place in the CONGRESSIONAL RECORD.

Having full access to all the data, facts, findings, and conclusions resulting from a scientific investigation made by experts of the highest authority at a cost to the Government of thousands of dollars, the gentleman from Wisconsin rejects or ignores a volume of information contained in the 138-page report heretofore referred to, and seeks in its stead the sporadic vaporings of some chronic kicker as a basis on which to predicate his argument for an expensive and useless investigation of a proposition that has been already thoroughly looked into and reported on by the most competent authority and acted on by Congress.

What is there further to investigate in this matter? The reports of the Government engineers show every fact needed to be known about the river—the width, depth, and velocity of its varying currents, the topography of its bed and banks, the nature of the soils and stratums of earth through and over which it flows.

The number, location, and cost of the locks and dams to obtain the permanent channel of 9 feet in low-water periods is known. A large number of these locks and dams have been constructed, and actual demonstration discloses that they perform the work for which they were intended with the mathematical precision anticipated by their designers.

I believe I have shown by the highest authority obtainable that the annual tonnage traffic of the Ohio since April 1, 1912, is substantially larger than the annual tonnage prior to that time. Four to five millions of people are annually transported on this stream.

A recent compilation by the Census Bureau in my possession shows that at the time of the taking of the census for 1910 3,580,717 people resided in the counties bordering on the Ohio, and that about one-half of these lived in the cities on its banks. Among these are the great industrial centers at Pittsburgh, East Liverpool, Steubenville, Wheeling, Parkersburg, Huntington, Ashland, Ironton, Portsmouth, Jeffersonville, Louisville, Madison, Evansville, and Cairo.

Its tributaries tap the immense coal fields of Pennsylvania, West Virginia, Ohio, Kentucky, Tennessee, and Alabama.

The great Pittsburgh and Wheeling iron district and the East Liverpool pottery district lie upon the upper reaches of the stream and at its source. The Allegheny, carrying an annual tonnage of two to four millions, and the Monongahela, carrying a tonnage of ten to fourteen millions, are water feeders at its source.

The tonnage poured into this river from its numerous improved tributaries and the millions and millions of tons of freight initiated annually on the very banks of the stream insure increased traffic when canalized.

The traffic of the Allegheny has trebled and that of the Monongahela has doubled since their canalization by locks and dams; and the improved Monongahela, not over 100 miles in length, last year floated more than 14,000,000 tons. It would seem that the canalized Monongahela is a success as a carrier of freight, and I have no doubt but that the complete canalization of the Ohio will result in an increased river traffic at reduced rates and a reduction of freight rates from Pittsburgh to the Gulf, Panama, and the Pacific coast, which will fully justify the proposed governmental expenditure upon this river.

In response to the crying demand for economy in Government expenditures going up throughout the land, augmented by the prospective continuance of the present unsatisfactory condition of the national revenues for at least several months to come, the Committee on Rivers and Harbors has thought it best to report a bill carrying the lowest appropriation possible under which the work on existing waterway projects can be prosecuted economically and the efficiency of our improved rivers and harbors be maintained during the 15-month period immediately following March 4 next.

No appropriation for any new project has been provided for, and the appropriations for work in progress on existing projects have been cut to the bone.

The report submitted by the chairman of the Committee on Rivers and Harbors shows that the War Department originally estimated that approximately $49,000,000 could be profitably expended on the existing waterway projects during the period for which we are making provision.

It will be further observed from the report that the estimate has been pared down to $34,138,580—a cut of nearly fifteen millions.

This was accomplished only after careful consideration had been given to the report on each specified project submitted by the War Department, and after obtaining from the Government engineers the lowest estimate which would allow the existing improvement work to proceed economically until the first session of the next Congress, when we hope that the condition of the National Treasury will have so much improved that our waterways can receive more liberal treatment at the hands of Congress.

The committee has favorably reported practically the whole of every estimate for maintenance recommended by the Government engineers.

In arriving at the amounts in the items carried by the bill for the various projects the committee took into consideration not only the urgent necessity for the speedy completion of the project, but also the magnitude of the undertaking and its importance in the interests of commerce.

The largest cash item carried in the bill is that of five millions for the lower Mississippi; that portion of the stream extending from the mouth of the Ohio to the passes at the outlet of the river.

This is a project of great magnitude and will require the appropriation by future Congresses of millions of dollars to accomplish the object of the present undertaking.

The improvement work in progress in the lower Mississippi is of vital importance to the people who till the three and one-half million acres of land under cultivation in the Delta, as their very existence and future prosperity depends upon a more adequate protection from a repetition of the terrible devastations wrought by the tremendous river floods of the past. The reclamation and development of the 15,000,000 acres of untillable land in the Delta, because of its swampy condition, due to the unchecked inundations from the river, is also of the utmost importance to the people of this region.

This land, when adequately protected from the floods of the river and properly drained, is unsurpassed for fertility by any other on the globe.

On a large part of it two and three crops can be grown a year. Millions of bushels of corn and potatoes can be produced annually, and it is said that this present untillable part of the Delta is capable of producing 10,000,000 bales of cotton in a single year. This great prospective agricultural development in a district near the very heart of the Nation, readily accessible to the great centers of population of the Central States and the Atlantic seaboard, in many instances connected by both water and rail, is of the utmost importance to the people of this part of the Nation, especially during periods when they are worried by reason of the high cost of living.

The importance of regulating and controlling the flow of the Mississippi River has been recognized time and again during past decades by expressions in the national platforms of the two great political parties. The Mississippi River was specifically referred to in both the Republican and the Democratic national platforms of 1912, and each party was pledged, if successful, to hasten the enactment of legislation for the regulation and control of the flow of the river, not only in the interest of commerce, but for the purpose of protecting the Delta from the repeated great overflows of the past.

The next large item appearing in the bill is that of $2,500,000 cash and a $2,500,000 authorization for the Ohio River. The present project for canalizing the Ohio, adopted by Congress in 1910, is also one of great commercial interest directly to millions of people, as well as of great magnitude in its undertaking. The plan adopted purposes securing a permanent channel not less than 9 feet deep by constructing 53 locks and dams from Pittsburgh to Cairo, a distance of 967 miles, at the cost of about $64,000,000, within 12 years from the time of the adoption of the project in March, 1910. Fifteen of these locks and dams have already been constructed and 18 are in process of construction, leaving 20 as yet untouched, although practically all sites for dams have been procured. The scheme utilized to a considerable extent the benefits derived from the expenditure of something over $16,000,000 upon the stream prior to the adoption of the present project. There has been appropriated for the existing scheme, including the allotment made by the War Department out of the rivers and harbors bill passed in October last, the sum of $18,600,000. It will be observed that the completion of the proposed improvement will require future appropriations to the amount of $46,000,000. As it will require from three to four years to construct any one of the dams remaining untouched, it will be necessary to begin work upon a half dozen of these each year during the next three or four years if the canalization of the stream is to be completed within the 12 years referred to. Necessarily there will have to be large appropriations made for each of the next three or four years. The War Department recommended $6,000,000 as a sum that could be expended profitably on the project during the next 15-months' period, but after a reexamination of their estimate, with a view to make it as low as possible and economically prosecute the work, the Government engineers recommended $5,000,000 to go in the present bill.

The Government engineers originally estimated $6,000,000 for the lower Mississippi, but subsequently reduced it to $5,000,000, which is recommended by your committee to be expended on the lower Mississippi, along with $2,000,000 for the upper courses of the stream.

One million three hundred and fifty thousand dollars is appropriated by the bill for the improvement of the Missouri River, a stream directly important to not only a large number of people residing in the State of Missouri, but also to a considerable number residing in the States of Nebraska, Kansas, Iowa, and South Dakota.

Two million two hundred and fifty-five thousand dollars go to the improvement of the Hudson River and numerous rivers and creeks in the vicinity of the city of New York, which is of the utmost importance to the immense population of that vicinity.

One million five hundred thousand dollars is given the Delaware River, to be used thereon from Allegheny Avenue, Philadelphia, to the sea.

Eight hundred and twenty-two thousand dollars for the Tennessee River, an important interstate stream; and $1,850,000 is given the Columbia River, an important interstate stream on the Pacific coast.

Physiographically grouped, approximately three and three-quarter millions of dollars go to the rivers and harbors on the Pacific slope and coast; three millions to the Great Lakes, their connecting links, and tributary streams; $650,500 to the rivers and harbors of New England; six and one-quarter millions to the rivers and harbors on the remainder of the Atlantic slope and coast, exclusive of the State of Florida; four and a quarter millions to the streams and harbors of the Gulf coast and rivers flowing into the Gulf, excepting the Mississippi system; and to the Mississippi River system sixteen millions.

Two hundred and fifty thousand dollars is designated by the bill for 172 new surveys and incidental expenses, and ten thousand is given the harbor at Kahului, Hawaii, and ten thousand to the harbor of San Juan, P. R.

Mr. HUMPHREY of Washington. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Washington asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. HUMPHREY of Washington. I also ask unanimous consent that the gentleman from Nebraska [Mr. BARTON] be permitted to extend his remarks. He is not able to be present on the floor on account of illness.

The CHAIRMAN. The gentleman from Washington asks unanimous consent that the gentleman from Nebraska [Mr. BARTON] be permitted to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. SPARKMAN. Mr. Chairman, I yield 15 minutes to the gentleman from Florida [Mr. CLARK].

Mr. CLARK of Florida. Mr. Chairman and gentlemen, I desire for just a brief period of time to call attention to the provision in the bill relating to St. Lucie Inlet, which has been quite vigorously attacked by the gentleman from Massachusetts [Mr. TREADWAY], a member of the committee, and which was recently attacked by an article in the New York Herald. I want to call the attention of the committee to that article, under the heading of "Strange items in new pork-barrel bill. For St. Lucie Inlet, Fla., $100,000. The Army Engineers say there is no water-borne commerce in this locality. St. Lucie has a population of 32 persons."

Without meaning to be harsh, that is absolutely untrue and as false as anything that ever emanated from the lips of Ananias. I presume that this extremely wise correspondent, when he said the population was 32 persons, referred to the little hamlet of St. Lucie, established by the late Senator Quay, of Pennsylvania, which is some 30 miles north of St. Lucie Inlet. It has no connection with St. Lucie Inlet on the face of the earth, and is located on the Indian River at least 30 miles above and north of this inlet. That statement by this gentleman is about as correct as any other statement that has been made

by the opponents of this appropriation with reference to this inlet.

Mr. FREAR. Will the gentleman yield?

Mr. CLARK of Florida. For a question.

Mr. FREAR. Did the gentleman hear the remarks by the gentleman from Massachusetts [Mr. TREADWAY], a member of the committee, on that proposition?

Mr. CLARK of Florida. I heard some statements made by the gentleman from Massachusetts. I do not know where he got his information, but if he refers to or attempts to belittle this inlet, his information is just as correct as is the other statement.

It is true that this inlet originally was opened by the citizens of that progressive locality. If gentlemen understand, the Indian River lies along the coast of Florida, and there is a narrow strip of land between the river and the Atlantic Ocean. St. Lucie River and the Indian River come together at what is known as Sewalls Point. Directly in front of Sewalls Point was where this inlet was opened up by the citizens of that vicinity.

Originally there was an inlet known as Gilberts Bar, 3 or 4 miles below, which on account of neglect had filled up, and the citizens of the community opened up this inlet in front of Sewalls Point. I want to call the attention of the committee to what the conditions were at that time, and I read from a report of Capt. Spaulding, the then district officer, in House Document 1312, Sixtieth Congress, second session:

> It is fair to assume that with water transportation afforded direct from St. Lucie Inlet to New York the rate would not exceed the present rate from Havana of 50 cents per box, which would represent an annual saving of $162,000 on the shipments of oranges and pineapples alone upon the basis of the estimate for 1907. It is estimated that 24,000 barrels of fish were shipped to New York in 1907, upon which $192,000 was paid for freight. The incoming freight for the same period is estimated at 39,000 tons, upon which $413,400 was paid for transportation charges. This makes a total of $1,584,900 paid for freight by the section which would be tributary to the commerce of St. Lucie Inlet if the inlet were available for coastwise vessels. The freight charges on first-class goods from New York to Jacksonville is 67 cents and from Jacksonville to Stuart is $1.02 per hundred pounds. It is estimated that such a reduction in freight charges as might reasonably be expected in case shipments could be made direct by water to and from New York would mean a saving of about $514,000 annually to the commercial interests of this section.

This was in 1908. So it was originally opened by the citizens of the community, who paid for it.

Mr. MOORE. Will the gentleman yield?

Mr. CLARK of Florida. For a question.

Mr. MOORE. If the gentleman is familiar with the fact, will he tell the committee how much water area of Indian River and vicinity would be served by this inlet?

Mr. CLARK of Florida. I hardly know. Indian River is at least 160 miles long.

Mr. MOORE. There is no other way of getting to it from the ocean?

Mr. CLARK of Florida. No; not between Jacksonville and Miami.

Mr. MOORE. Then 160 miles at least would be served by this inlet?

Mr. CLARK of Florida. Absolutely; and probably 30 miles more up the St. Lucie.

Mr. TREADWAY. Will the gentleman yield?

Mr. CLARK of Florida. Yes; for a brief question.

Mr. TREADWAY. For the sake of accuracy, would it not be well for the gentleman to state that there is an inlet at Titusville and one at Jupiter? The gentleman said there was none between Jacksonville and Miami.

Mr. CLARK of Florida. I meant there was none which would carry a vessel of any kind that the Army engineers would approve. I introduced the original bill for a survey for the inlet after I came here. We had hearings before the Board of Engineers, and finally, in 1908, I prevailed on the Board of Engineers to send a committee to the vicinity itself, and three members of the Board of Engineers went there. They had hearings; they interviewed the people of that community; and then recommended, as a result of one of the most thorough and painstaking and careful investigations ever made, an appropriation of $1,460,000, and a channel with 18 feet over the bar was recommended by them. They did that for two reasons: Because the hearings showed that to cut this inlet to that depth would result in a saving to the people of that vicinity of at least $600,000 annually in freight, and would result in a large saving of life and property as a harbor of refuge; because from Jacksonville to Key West, a distance of between 500 and 600 miles, there was not a single open point on the coast which could accommodate a vessel drawing as much as 12 feet of water.

Those were the two reasons which actuated the district officer, the division officer, and the Board of Engineers, and the Chief of Engineers, and every one of them agreed in the recommendation that this improvement ought to be made in the interest of navigation and in the interest of the people who live in that vast territory.

I want to call to the gentleman's attention some of the products of that community. He has attempted to belittle it; and the New York Herald, or the correspondent of it, delving into the mire of modern yellow journalism, undertakes to belittle one of the greatest sections of my State. I want to say to him that the Army officers—not the people who live there, but the sworn officers of the Government—recommend this; and I think it comes with ill grace from any Member of this House to stand upon this floor and impugn the integrity of the sworn officers of this Government, who are officers of our Army, and who ought to be and who are the most honorable men in all the land.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SPARKMAN. I yield five minutes more to the gentleman from Florida.

Mr. CLARK of Florida. Mr. Chairman, here is what Capt. Spalding says:

> It is fair to assume that with water transportation afforded direct from St. Lucie Inlet to New York the rate would not exceed the present rate from Habana of 50 cents per box, which would represent an annual saving of $162,000 on the shipments of oranges and pineapples alone upon the basis of the estimate for 1907. It is estimated that 24,000 barrels of fish were shipped to New York in 1907, upon which $192,000 was paid for freight. The incoming freight for the same period is estimated at 39,000 tons, upon which $413,400 was paid for transportation charges. This makes a total of $1,584,900 paid for freight by the section which would be tributary to the commerce of St. Lucie Inlet if the inlet were available for coastwise vessels.

And he goes on to say it would mean a saving of about $514,000 annually to the commercial interests of this section, and yet a community that pays a million and a half of freight is too insignificant, according to the opinion of the gentleman from Massachusetts [Mr. TREADWAY], to warrant the Government in undertaking the improvement.

Mr. Chairman, I want to say that that is a dangerous and a treacherous coast. I want to say that the great vessels which leave New York and go to Cuba and to Galveston and on down the coast go within sight of this inlet. I have stood upon the front veranda of the little hotel at the inlet and I have seen these great steamers go by in plain view, when you could almost distinguish who stood upon the deck of the vessel itself. The Army Engineers, every one of them—the Board of Engineers, the chief, and all of them—have agreed together that this point is the place along all of that coast where a harbor of refuge should be built in order to save human life and property and also to take care of the great commercial interests of the section. There are millions and millions of feet of lumber lying only 15 or 20 miles back of this inlet. There are millions of tons of phosphate which would go out of this inlet to Germany and the other countries of the world, and I have but recently been informed that a cross State railroad has been organized in view of this contemplated improvement, which will open up the phosphate beds of southern Florida and go through this mighty tract of timber, which has never been touched with the ax or any other implement.

Mr. CALLAWAY. Mr. Chairman, will the gentleman yield?

Mr. CLARK of Florida. Yes.

Mr. CALLAWAY. Will an 18-foot channel there accommodate these great ocean liners?

Mr. CLARK of Florida. It will accommodate vessels that are large enough to do the traffic of the port, and it will accommodate nearly all of the vessels that pass there, because the Ward ships and the Clyde ships and all those coastwise steamers can go into any harbor where there is 18 feet of water over the bar. They draw only about 13 to 14 and 15 feet, most of them.

Mr. Chairman, I am amazed that any gentleman should protest against this improvement. All along that whole coast there are inlets sufficient to let the fish pass into the river and out into the ocean, but this is the inlet which the Army Engineers, after examining all of them from Jacksonville to Key West, have finally decided should be improved and could be improved with less money and could be made more effective than all of the rest. I sincerely trust that this provision in the bill will remain. [Applause.]

Mr. HUMPHREY of Washington. Mr. Chairman, I yield 15 minutes to the gentleman from Illinois [Mr. MANN].

Mr. MANN. Mr. Chairman, the other day the President of the United States made a speech at Indianapolis, in which he said:

> The trouble with the Republican Party is that it has not had a new idea for 30 years. I am not speaking as a politician; I am speaking as an historian. I have looked for new ideas in the records, and I have not found any proceeding from the Republican ranks.

Mr. Chairman, the President of the United States prides himself upon having been a writer of history. Think what a chasm he would meet with if he were to endeavor to write the history of the United States down to date! For 30 years during the

busiest period of our country he would find nothing done and no new ideas expressed. Certainly the President will not find during the last 30 years much that the Democratic Party has done or many Democratic ideas which have been advanced which that party has not finally repudiated. Suppose the President were to start to write the history of the United States for the last 30 years. See what he would omit:

The firm establishment of the single gold standard of money [applause on the Republican side]; the burying too deep for resurrection of Bryan's free coinage of silver and the double standard of money [applause on the Republican side]; the setting of Cuba free and the establishing of the independent Cuban Government, but with certain rights retained to the United States necessary for our welfare [applause on the Republican side]; the establishing of a Philippine policy, to the great benefit of the Filipinos and to the great credit of the United States [applause on the Republican side]; the ending of the old Bulwer-Clayton treaty, and the constructing, owning, and operating of the Panama Canal by the United States Government itself by direct labor [applause on the Republican side]; the complete regulation and control of railway rates, railway shipments, and safety appliances by means of full power conferred upon the Interstate Commerce Commission [applause on the Republican side]; the protection of foods and drugs from adulteration and misbrandings by the pure-food law [applause on the Republican side]; the reclamation of arid and waste lands by irrigation; the moral cleaning up through the white-slave law; the tremendous aid given to commerce, to enterprise, to business, and to labor through the creation of the Department of Commerce and Labor and the Bureau of Standards, Mines, and so forth [applause on the Republican side]; the development of the Department of Agriculture until it has become one of the mightiest forces for good in the country; the creation of the Bureau of Corporations, which caused and developed into the new Federal Trade Commission; the policy that America should have final power in and control of the North Pacific Ocean and the acquirement of the Hawaiian Islands and other strategic points [applause on the Republican side]; the postal savings bank and, in reality, the parcel post; the Aldrich Monetary Commission, which prepared and proposed all that is good in the Federal reserve bank law; the Federal Trade Commission was first proposed nationally in the last Republican platform and is the direct outgrowth of the Bureau of Corporations, which I had the honor to first suggest [applause on the Republican side]; the quarantine laws and Public Health Service, which are our guaranty against disastrous prolonged epidemics; the overthrow by Speaker Reed, a Republican House, and the courts of the theory of constructive absence from the legislative body, a theory which was defended by the Democratic Party to the last final ditch, and which had done more to hinder progress and paralyze legislation than anything else [applause on the Republican side]; the peace treaties; the advance of the peace ideas; the actual building of a great Navy and the organization of the Army into an efficient and effective preparation for conflict; the conservation of natural resources [applause on the Republican side]; the reservation from selfish exploitation of the water powers, forests, mineral products, great scenic effects, and so forth [applause on the Republican side]; the creation of new national forests in the East; all of these would be missed by the President as an historian if he were writing a history of the last 30 years. He can find no new ideas and nothing done, but I would like some day for some gentleman on the other side of the aisle to rise and tell what the Democratic Party has done within the last 30 years, and what it has proposed which it has not repudiated. [Applause on the Republican side.] The President would miss, too, the creation of a tariff board with a view to remove tariff questions of detail out of politics into the sphere of common business sense as far as it is possible. There are many other things to which I might call attention, but will not now take the time for that purpose. Having reached the point of a tariff board, I quote from the President's speech at Indianapolis on this subject, with the heading, "For scientific handling of tariff":

That kind of science I do not care to know anything about, except enough to stop it. But if by scientific treatment of the tariff they mean adjustment to the actual trade conditions of America and the world, then I am with them; and I want to call their attention, for though they voted for it they apparently have not noticed it, to the fact that the bill which creates the new trade commission does that very thing. We were at pains to see that it was put in there. That commission is authorized and empowered to inquire into and report to Congress not only upon all the conditions of trade in this country, but upon the conditions of trade, the cost of manufacture, the cost of transportation—all the things that enter into the question of the tariff—in foreign countries as well as in the United States, and into all those questions of foreign combinations which affect international trade between Europe and the United States. It has the full powers which will guide Congress in the scientific treatment of questions of international trade. Being by profession a schoolmaster, I am glad to point that out to the class of uninstructed Republicans, though I have not always taught in the primary grade.

In fact, the President claims that he sneaked something into a law that was not understood by Congress. [Laughter and applause on the Republican side.] In this House when a gentleman rises and says that he sneaked something into a law as a joker without the other side suspecting it, he would lose cast as an honorable legislator and man. [Applause on the Republican side.] And it is because of this fact that I rise to defend the President in the accusation which he brought against himself. [Applause on the Republican side.] I regret that the President does not have that fine sense of legislative honor which would have prevented him from making such a claim for himself. [Applause on the Repulican side.] The law creating the Department of Commerce and Labor included in it a provision including a Bureau of Manufactures:

It shall be the province and duty of said bureau, under the direction of the Secretary, to foster, promote, and develop the various manufacturing industries of the United States, and markets for the same at home and abroad, domestic and foreign, by gathering, compiling, publishing, and supplying all available and useful information containing such industries and such markets.

Unfortunately, a Democratic House abolished this bureau, so that when the trade commission bill came before the Congress some of us thought it might be desirable to incorporate into the new bill some of the authority which had been granted formerly in the Bureau of Corporations abolished by a Democratic House. The Bureau of Corporations was created in a bill creating a Department of Commerce and Labor. That bureau was given this authority:

The said commissioner shall have power and authority to make diligent investigation into the organization, conduct, and management of the business of any corporation. It shall also be the province and duty of said bureau, under the direction of the Secretary of Commerce and Labor, to gather, compile, publish, and supply useful information concerning corporations doing business within the limits of the United States as shall engage in interstate commerce or in commerce between the United States and any foreign country.

Mr. FITZGERALD. Will the gentleman yield?

Mr. MANN. I will.

Mr. FITZGERALD. Before the gentleman passes from the Bureau of Manufactures, will not the gentleman state that the powers conferred on the Bureau of Labor and the Bureau of Manufactures were conferred on the Bureau of Domestic and Foreign Commerce, which had very extensive powers to make investigations, which the gentleman says were abolished when the Bureau of Manufactures was abolished?

Mr. MANN. Evidently the President does not so think, or he would not have called attention to the fact that he had the power to make investigations of these various conditions through the new bureau in the Department of Commerce, though I suspect the President did not know we had abolished the Bureau of Manufactures or created a new one.

Mr. GOODWIN of Arkansas. Will the gentleman yield?

Mr. MANN. No.

Mr. FITZGERALD. What I had in mind was that the gentleman stated that a Democratic Congress had abolished the Bureau of Manufactures, that had certain powers, and I thought it proper the record show that those and more extensive powers along similar lines were vested in the Bureau of Domestic and Foreign Commerce which a Democratic Congress had created.

Mr. MANN. What the gentleman means is for the CONGRESSIONAL RECORD to show he makes the statement—which, however, is not correct. [Laughter and applause on the Republican side.] There could be no broader powers conferred than were conferred by the Congress in creating the Bureau of Manufactures.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HUMPHREY of Washington. How much more time does the gentleman wish?

Mr. MANN. I would like to be yielded 10 minutes more.

Mr. HUMPHREY of Washington. I yield 10 minutes to the gentleman.

Mr. MANN. Mr. Chairman, when the Federal Trade Commission bill was before the House, Mr. STEVENS of Minnesota, the ranking Republican member of the Committee on Interstate and Foreign Commerce, which had reported the bill, said:

The Interstate Trade Commission—

It was then called the "Interstate Trade Commission"—

will have plenary power to investigate under the acts now existing as to the Bureau of Corporations. It can obtain any sort of information it may find necessary under that section.

Referring to the section of the act creating the Department of Commerce and Labor which provided for the Bureau of Corporations and which contained the broadest power possible, Mr. STEVENS again said that the exporters asked to have this power extended as to all corporations doing business with for-

eign countries. The bill itself as introduced into the House, in section 3, contained this language:

That upon the organization of the commission and the election of its chairman all the existing powers, authority, and duties of the Bureau of Corporations and of the Commissioner of Corporations conferred upon them by the act entitled "An act to establish the Department of Commerce and Labor," approved February 14, 1903, and all amendments thereto, and also those conferred upon them by resolutions of the United States Senate passed on March 1, 1913, on May 27, 1913, and on June 18, 1913, shall be vested in the commission.

This section would give to the Federal Trade Commission under the bill as introduced the broadest powers which could be conferred by any legislative body. But as the Senate passed the bill they left that provision out and inserted as section 3 of the Senate bill this provision:

The commission shall have power, among others—
(a) To investigate from time to time, and as often as the commission may deem advisable, the organization, business, financial condition, conduct, practices, and management of any corporation engaged in commerce relating to or in any way affecting the commerce in which such corporation under inquiry is engaged.

The Senate provision left out the broad power which had been included in the House bill to gather and compile useful information concerning all these corporations.

And when the bill went to conference, after consultation with the Republican leader on the floor of the House, Mr. STEVENS, the Republican member of the conference committee, insisted upon including this language in the conference report, and it was put in, and under that the President now claims in part the power of a tariff commission. [Applause on the Republican side.] Put one over on us?

The Senate provision also contained this language:

The commission is hereby directed to investigate, as expeditiously as may be, trade conditions in foreign countries where associations, combinations, or practices of buyers, dealers, or traders may injuriously affect the export trade of the United States, and to report to Congress thereon from time to time.

This Senate provision, it will be noted, provided for only one investigation to be made, as expeditiously as possible, of trade conditions affecting the export trade of the United States, not the import trade, and not permitting investigations to be made from time to time. But the conferees inserted "To investigate from time to time trade conditions in and with foreign countries," the "with foreign countries" being inserted in conference and "other conditions" being inserted in conference, and the words "export trade" being stricken out and the words "foreign trade" being inserted, meaning both export and import trade, and tariff relates to import trade. And it added "shall report to Congress with such recommendations as it deems advisable." And these changes under which the President claims he has the power of a tariff commission were inserted on the motion of the gentleman from Minnesota [Mr. STEVENS], the Republican member of the conference committee. [Applause on the Republican side.] Put one over on us? We did not know what was being done? But, after all, we did it. [Applause on the Republican side.]

The distinguished gentleman from Maryland, one of the able and distinguished judges of the bench of this city, Judge Covington, was one of the conferees of the House in this conference. From the beginning of the consideration of the Trade Commission bill until the conference report had been adopted he and Mr. STEVENS, the Republican member, frequently consulted with me in regard to this bill, which, as we understood, was to be treated as a nonpartisan proposition. Judge Covington, if he were asked—though I have not asked him—will say that these provisions which the President says he has sneaked into a bill which the Republicans voted for without knowing it were put into the bill after consultation with the Republican floor leader by the gentleman from Minnesota [Mr. STEVENS]. [Applause on the Republican side.] Now, what I want to know is whether the President, having the power which he thought he had obtained by sneak, will exercise it? Will you give him the money to make a tariff investigation as to facts, and will he do it? [Applause on the Republican side.]

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The gentleman yields back two minutes.

Mr. HUMPHREY of Washington. Mr. Chairman, how much time have I remaining?

The CHAIRMAN. The gentleman has seven minutes remaining.

Mr. SPARKMAN. Mr. Chairman, I yield two minutes to the gentleman from Arkansas [Mr. GOODWIN].

Mr. GOODWIN of Arkansas. Mr. Chairman, I undertook to interrupt the gentleman from Illinois [Mr. MANN], the minority leader, in the course of his remarks a few moments ago, but in his wisdom he saw proper, owing, no doubt, to his limited time, not to yield. But I want to remind him, inasmuch as he has recounted many of the achievements accomplished by his party during the last 30 years, that he doubtless overlooked in his haste and in his zeal that which to him and his party stands uppermost in all this great program of constructive legislation for the past quarter of a century. A famous Republican Senator at the other end of the Capitol [Mr. LA FOLLETTE], loyal to his party, standing as one of the foremost legislative figures in all the country, with many years of distinguished service here and in his native State, proclaimed from his place on the floor of the Senate that when a certain Republican President—Mr. Roosevelt—a gentleman of some standing at one time in the Republican Party—yea, even sublimated standing—entered the White House, he found 149 trusts, as I recall, as the especial creatures of Republican legislation, capitalized to the extent of about $3,000,000,000, but that after seven and one-half years of loyal service to his party and its backers, carrying out the behests of syndicated interests, he left to himself and his party a monument higher than all the other achievements and accomplishments combined—over 1,000 trusts, capitalized at $32,000,000,000, or about one-fourth of the total wealth of the United States, and a great percentage of that water, besides!

So I submit that the gentleman from Illinois [Mr. MANN], in his zeal, in his haste, failed to call attention to this glorious performance, and certainly this should not be overlooked in making an appraisal of the great constructive record of his party.

The President, Mr. Chairman, in his great speech at Indianapolis, spoke not so much as the President of the United States as he would in sending to the Congress a state paper, but it was an utterance of Woodrow Wilson; and that speech, sir, so full of truth and historical statement, has given much discomfiture, not so much to the great rank and file of the Republican Party, by no means responsible for its record, as to its foremost leaders, chargeable with the perfidy of its legislative history. There has been given to them no rest since that deliverance, and there will be none in the months to come. [Applause on the Democratic side.]

The CHAIRMAN. The time of the gentleman from Arkansas has expired.

Mr. HUMPHREY of Washington. Mr. Chairman, I yield the balance of my time to the gentleman from Oregon [Mr. SINNOTT].

The CHAIRMAN. The gentleman from Oregon is recognized for seven minutes.

Mr. SINNOTT. Mr. Chairman, yesterday afternoon at a quarter to 5 was enacted in this House a scene, a little parliamentary tragedy, as it were, and not so little when the consequences are known.

While the rules of the House forbade any funeral sermon yesterday at the obsequies, it is perhaps in order to-day to say something at an inquest over the remains.

Yesterday was Calendar Wednesday. The Committee on Coinage, Weights, and Measures, of which the gentleman from Ohio [Mr. ASHBROOK] is chairman, had the call of the day. Yesterday was the second Calendar Wednesday of this session occupied by this committee. The rules of the House provide that one committee can not occupy but two days, except for unfinished business.

At a quarter to 5 yesterday the apple-barrel bill, for the benefit of the trade in the East and South, was passed. The next bill on the calendar was H. R. 11178, the apple-box bill, for the benefit of the West. Instead of calling up this bill and thus making it the unfinished business, entitling it to consideration for the balance of the day and on next Wednesday, the gentleman from Ohio [Mr. ASHBROOK], the chairman of the committee, surrendered his committee's right to Calendar Wednesday, deserted the apple-box bill, and moved to adjourn. All he had to do to secure the promised consideration of the apple-box bill on yesterday and next Wednesday was to say, "I call up H. R. 11178." This would have insured consideration of the bill until the bill should be disposed of. Instead of doing this he chloroformed further consideration of the bill by the parliamentary legerdemain of moving to adjourn.

Immediately after the passage of the apple-barrel bill the CONGRESSIONAL RECORD of yesterday shows the following proceedings:

Mr. ASHBROOK. Mr. Speaker, I move that the House do now adjourn.
Mr. MANN. Oh, no; let us stay here a while longer.
The SPEAKER. The gentleman from Ohio moves that the House do now adjourn.
The question being taken, the Speaker announced that the ayes appeared to have it.
Mr. MANN. I ask for the yeas and nays. There are many appropriation bills yet undisposed of. It is not 5 o'clock yet.

The yeas and nays were taken, and the House adjourned, by a vote of 155 yeas to 75 nays, at 5.15 o'clock.

Thus was the standard apple box killed and interred in the parliamentary cemetery, alongside of the rural-credit bill. This was done without any consideration of the bill, without giving any information to the House of what was taking place,

without the consoling words of its friends either at its deathbed or grave; for a motion to adjourn, the method of its asphyxiation, admits of no debate.

Not a drum was heard, not a funeral note,
As his corse to the rampart we hurried.

The passage of this bill was particularly desired by those interested in the apple industry in the West and Northwest. It has received practically the unanimous approval of all branches of the apple trade and industry which uses the box instead of the barrel; it has been approved by representatives of fruit growers, fruit jobbers, horticultural societies, boards of trade, granges, commission merchants, apple shippers, and exporters from all parts of the United States, but more especially from such bodies in the western half of the United States. The defeat of this bill may be another example of the "team work" we lately hear extolled so much, for sitting near Chairman ASHBROOK was Majority Leader UNDERWOOD, instigating the motion to adjourn. Mr. UNDERWOOD plumes himself before his constituents in senatorial campaigns with free cotton ties and cotton bagging. He doubtless saw no campaign habiliments or material for Alabama in the apple box.

This bill was largely drafted by Charles E. Whisler, of Medford, Oreg. It was introduced by the gentleman from California, Judge RAKER, who, together with my colleague, Mr. HAWLEY, was indefatigable in urging its consideration and passage by this House. Its suppression will be a great disappointment to my constituents, who feel that the bill was at least entitled to the consideration of this House.

Mr. Chairman, I represent the famous Hood River apple section of Oregon. It is the Oregon apple which has made famous in European countries our export apple trade, and it is the Hood River apple which has made famous the Oregon apple.

Mr. Chairman, had the Hood River apple grown in the Garden of Eden man might not have fallen, for one bite, one taste of its lusciousness, would have made Eve forget all about the forbidden fruit, and caused her to cease longing for that proscribed article of diet. [Applause.]

The interest of Hood River County alone in this bill may be seen when I tell you that last year there were shipped from this one Oregon county 1,500 cars of apples. Over 1,000,000 boxes were used in the trade in this county alone.

Mr. Chairman, I desire to protest most vigorously against the sidetracking of this bill yesterday.

They that have done this deed are honorable.
What private griefs they have, alas, I know not
That made them do it; they are wise and honorable
And will, no doubt, with reasons answer you.

I have just one word to say by way of admonition, and not by way of threat. It is this: That the apple-barrel bill which we western Members helped to pass in the House yesterday has not yet passed the Senate. [Applause.]

Let me add, Mr. Chairman, that the apple-barrel bill, which we western and northwestern Members helped to pass on this floor by helping to maintain a quorum, has not yet passed the Senate.

Mr. ASHBROOK. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. The gentleman has consumed five minutes.

Mr. SPARKMAN. Mr. Chairman, I yield the balance of my time to the gentleman from Mississippi [Mr. HUMPHREYS].

Mr. ASHBROOK. Mr. Chairman, will the gentleman yield to me a few minutes in which to make a reply to the gentleman from Oregon?

Mr. SPARKMAN. I yield to the gentleman from Ohio [Mr. ASHBROOK] two minutes, Mr. Chairman.

The CHAIRMAN. The gentleman from Ohio is recognized for two minutes.

Mr. ASHBROOK. Mr. Chairman, I wish to say, in reply to the charges made by the gentleman who has just taken his seat [Mr. SINNOTT], that as the chairman of the Committee on Coinage, Weights, and Measures I attempted to reach an agreement with the gentleman from South Dakota [Mr. DILLON], a Republican member of the committee, as to the time for the debate on the apple-box bill. Mr. DILLON, my colleague on that committee, was very bitterly opposed to the bill and proposed to fight it. I say this without any reflection upon the gentleman from South Dakota. He is conscientious in his opposition, I may say, upon the ground that the bill is permissive and not mandatory.

As gentlemen in this House know, three hours and a half were used in debate upon the standard apple-barrel bill on Calendar Wednesday of last week. It was my desire to move the previous question on that bill yesterday when the House met. If that had been done, it was my intention to call up the apple-box bill. But gentlemen insisted that more time be given upon the barrel bill, and you know the result. Five roll calls followed, and there was a filibuster all afternoon.

Now, gentlemen, there are but five or six more Calendar Wednesdays during this session, and, in my judgment, it was an imposition upon the other committees of this House to devote three Calendar Wednesdays to two bills of this character. It was not done for the purpose of stifling the apple-box bill. I made an honest effort to reach an agreement to take up the bill last night, but could not do it, and I did not think it wise to call up that bill and devote another full day to it. Therefore I made the motion to adjourn, with the concurrence of the majority leader, Mr. UNDERWOOD.

Mr. HUMPHREY of Washington. Mr. Chairman, I yield two minutes to the gentleman from Illinois [Mr. MANN].

The CHAIRMAN. The gentleman from Illinois [Mr. MANN] is recognized for two minutes.

Mr. MANN. Mr. Chairman, the statement made by my distinguished friend from Ohio [Mr. ASHBROOK] will hardly bear analysis. At a quarter to 5 he moved to adjourn the House. He could have called up the apple-box bill and at any time moved the previous question upon it. It was a House Calendar bill. He had it within his control to move the previous question at any time and pass the bill yesterday if he had wanted to, although there was no reason why the bill could not have gone over, if necessary, until another Calendar Wednesday. He still had the power at any time to close debate and shut off amendments.

Mr. ASHBROOK. Mr. Chairman, will the gentleman yield?

Mr. MANN. Certainly.

Mr. ASHBROOK. The gentleman is well aware of the fact that I was very solicitous to move the previous question on the standard-barrel bill yesterday, and it was largely through the gentleman's solicitation that I refrained.

Mr. MANN. Give me time to answer it. I know what the proposition is. The gentleman yesterday proposed to move the previous question upon the apple bill after he and the friends of the bill had discussed it, without giving the opponents of the bill time to discuss it. I was a friend of the apple-barrel bill and wanted to see it passed, and I could see, and I think anybody with half an eye could see, that the previous question under the circumstances would not have carried. It was in the interest of saving time yesterday that I suggested that we agree upon time and at the end of that time suggest the moving of the previous question. The gentleman would have been hoisted out of his saddle if he had moved the previous question yesterday and had had a vote upon it when he suggested it. I was on his side. The whole subject had been discussed in the discussion of the apple-barrel bill, and the House would have voted on the apple-box bill if the gentleman had called it up and moved the previous question on it.

Mr. SPARKMAN. Mr. Chairman, I yield the remainder of my time to the gentleman from Mississippi [Mr. HUMPHREYS].

Mr. ASHBROOK. Will the gentleman from Mississippi yield me half a minute?

Mr. HUMPHREYS of Mississippi. Yes.

Mr. ASHBROOK. I want to state further, in reply to the charges of the gentleman from Illinois [Mr. MANN], that I had a conference with the author of the bill, Judge RAKER, of California, and proposed to him that I would call up the bill and have a short debate upon it if he would consent that I should then move the previous question, and the gentleman from California objected to that, fearing that it would defeat his bill, for which he has worked so hard. The gentleman from Illinois knows quite well that I came across to his desk, and he heard the conversation between myself and my good friend from South Dakota [Mr. DILLON], and that I made an honest effort to get that bill up without consuming another Calendar Wednesday, which undoubtedly would have followed if I had called the bill up at that time.

Mr. MANN. Mr. Chairman, will the gentleman yield there?

Mr. ASHBROOK. Yes.

Mr. MANN. Do I understand the gentleman to say that it was Judge RAKER that prevented the bill coming up?

Mr. ASHBROOK. Judge RAKER objected to my calling the bill up if I moved the previous question to close debate before it had been properly discussed in the House.

Mr. MANN. Some day I will ask that Judge RAKER be given an hour in which to address the House on this subject. [Laughter.]

The CHAIRMAN. The gentleman from Mississippi [Mr. HUMPHREYS] is recognized for 15 minutes.

Mr. HUMPHREYS of Mississippi. Mr. Chairman, about an hour ago the gentleman from Arkansas [Mr. CARAWAY] criticized the Committee on Rivers and Harbors, as a whole, and myself in particular, for what he thought was an unfairness to the State of Arkansas. He was in the Chamber a moment ago and when I began speaking I thought he was here. What he said naturally grieved me very much. Arkansas is my neigh-

bor, and my good neighbor. I would be greatly distressed if the people there were under the impression that I had in any way been unfair to them in not cooperating in making the proper appropriations for the maintenance and preservation of river and harbor work in that State.

The gentleman from Arkansas [Mr. CARAWAY] and myself are both particularly interested in one common purpose, and that is to secure appropriations for the prevention of floods on the Mississippi River. He represents the great St. Francis Basin and I represent the Yazoo Basin, and we have both worked side by side to further the interests of that great project, and he has himself rendered most valuable aid in that behalf. I would dislike particularly to have my trotting mate kick out of the traces.

Mr. BARTLETT. You believe in team work.

Mr. HUMPHREYS of Mississippi. I thank the gentleman from Georgia for the suggestion. I believe in team work.

Mr. HOWARD. But you want to be the captain?

Mr. HUMPHREYS of Mississippi. Now, not to make an invidious comparison—because I realize that comparisons are both odorous and odious—but simply to show to the gentleman that his State has not been neglected in these matters I wish to call his attention to a few figures.

In the bill which is now before the House the projects in the State of Mississippi do not get, as he thought, $1,000,000. The fact is they get, according to the figures furnished me by the Clerk, $452,000. The streams which are provided for in the State of Mississippi last year floated a tonnage of 3,300,000 tons, in round figures. The streams in the State of Arkansas, not simply those provided for but all of them, floated last year 955,000 tons, or a little less than 1,000,000 tons.

Mr. CARAWAY. Will the gentleman yield?

Mr. HUMPHREYS of Mississippi. Yes.

Mr. CARAWAY. Does the gentleman realize that for the streams in the State of Mississippi there have been large appropriations for several years, and therefore they are more open to commerce than the streams in the State which I have the honor in part to represent?

Mr. HUMPHREYS of Mississippi. I will answer that by saying that heretofore the appropriations for streams in Arkansas have been $7,995,000, and in Mississippi $4,174,000, or just a little more than 50 per cent of what has gone to the State of Arkansas.

Mr. CARAWAY. The gentleman does not intend to say that there has been actually appropriated and expended on the rivers in Arkansas $7,000,000?

Mr. HUMPHREYS of Mississippi. Yes; and I mean to say that there has been actually appropriated and expendel on the rivers in Arkansas up to date $7,995,011, and in the State of Mississippi $4,174,668, or just a little more than 50 per cent of what has been spend in Arkansas.

Mr. CARAWAY. Is the gentleman including in the figures for Arkansas the Mississippi River?

Mr. HUMPHREYS of Mississippi. No; nor am I including them in Mississippi. Of course the State of Arkansas has received its proportion along that 300-mile front, along the St. Francis Basin. It has received its full proportion of the funds appropriated for flood protection on the Mississippi River, and so has the State of Mississippi, but it has received relatively no more than the State of Arkansas. So that we see that whereas Arkansas has received practically twice as much heretofore as the State of Mississippi there has been developed there a tonnage of less than 1,000,000 tons, and that of a value of only $4 a ton, whereas in Mississippi we have developed more than 3,250,000 tons of a value of $10 a ton.

Now, as I said before, I do not mean to say that the State of Arkansas is not entitled to the appropriations asked for.

Mr. CALLAWAY. Will the gentleman yield?

The CHAIRMAN. Does the gentleman from Mississippi yield to the gentleman from Texas?

Mr. HUMPHREYS of Mississippi. Not right now, because the gentleman does not live in Arkansas and this is none of his quarrel.

Mr. CALLAWAY. I want to ask the gentleman about the tonnage on the Mississippi River as well as the other.

Mr. HUMPHREYS of Mississippi. The Mississippi River is not in this controversy. The care of the Mississippi River belongs to the gentleman from Arkansas [Mr. CARAWAY] and myself both.

Now, let us turn to the Ouachita River, which is in Louisiana and Arkansas both. We have provided so far three locks and dams for that river, which flows in Arkansas and in Louisiana, more in Louisiana than in Arkansas, and we have given Arkansas two of the locks that have been completed and to Louisiana only one. So in this bill we thought that in fairness to the Government, as we did not have the money to give all we would like to give, we would give what money we did appropriate to build another lock in Louisiana, so that Louisiana would have two as well as Arkansas. It was not with any intention of being unfair to the State of Arkansas, and I hope my friend will acquit me at least of any such intention, because I succeeded a Member from Arkansas [Mr. McCulloch] on the committee, and I have always endeavored to the best of my ability to represent fairly the interests of those streams in Arkansas which, in my judgment, deserved Federal aid.

Mr. CARAWAY. Will the gentleman yield just a minute?

Mr. HUMPHREYS of Mississippi. Yes.

Mr. CARAWAY. I do not want the gentleman from Mississippi to get the impression that I am criticizing him. I especially disclaimed any intention of doing it, and I want to say again that there is no intention to criticize him, nor to criticize either the committee as a whole or any individual member of it; but I wish to ask the gentleman if I understood him correctly a minute ago to say that this bill carried for the projects in Mississippi only $400,000?

Mr. HUMPHREYS of Mississippi. Only $452,000, I understand.

Mr. CARAWAY. I refer the gentleman to pages 19 and 20——

Mr. HUMPHREYS of Mississippi. No; the gentleman would credit the State of Mississippi with the appropriation for the improvement of the mouth of the Mississippi River, which is not in the State of Mississippi, but is in Louisiana. It is no more for the benefit of Mississippi than for the benefit of Arkansas. It is not in the State of Mississippi, but in Louisiana.

Now, I want to make a few remarks which ought to be unnecessary, just to repeat what has been said here time and again as to river and harbor appropriations. We can not measure the value of appropriations unless we have some standard of value by which to measure them. Take the Panama Canal. It is estimated by the experts that that canal will float a tonnage of 10,500,000 tons annually, foreign and domestic. It was estimated that there would go through the canal American tonnage of 1,250,000 tons. The question whether or not that tonnage should pay toll or be free was the cause of considerable discussion in this House and throughout the country. The transcontinental railroads combined carry from coast to coast 3,000,000 tons annually. Keep those figures in your minds.

All the railroads combined carry 3,000,000 tons from coast to coast. The Panama Canal is estimated to float ten and one-half million tons, a million and a quarter being American tonnage. The rivers appropriated for in this bill, not counting the rivers connecting the Great Lakes, floated last year 204,000,000 tons, and all of it American tonnage.

Think of that. The Panama Canal, one million and a quarter of American tonnage, and the rivers appropriated for in this bill last year floated 204,000,000 tons. These are figures that are difficult to get before the public, for the reason that I never saw a newspaper that would publish them. It is entirely uninteresting. If I should get up here and denounce the members of the committee as grafters and say it was a pork-barrel bill and that we were robbing the Treasury and plundering the Government, I have no doubt I could get headlines to-morrow morning.

Of course that includes duplicates. A ton of freight floating down the Monongahela River and down the Ohio River and into the Mississippi River is credited three times, because all three rivers carry it, just as a ton of freight carried from here to St. Louis would be estimated in the tonnage of every railroad that handled the freight.

Mr. STAFFORD. Will the gentleman yield?

Mr. HUMPHREYS of Mississippi. Yes.

Mr. STAFFORD. Should not the tonnage be estimated in ton-miles rather than in gross tonnage?

Mr. HUMPHREYS of Mississippi. It is estimated also in ton-miles. It was first estimated as gross tons. You have to get one before you can get the other. You would have to get the number of tons and the mileage before you could get the cost of the ton-mile.

Mr. STAFFORD. But all of these freights are estimated by ton-miles and not by gross tonnage.

Mr. HUMPHREYS of Mississippi. You can not get one without having the other.

Mr. STAFFORD. In using it for comparison we use the ton-mile.

Mr. HUMPHREYS of Mississippi. That depends upon the comparison.

Mr. SPARKMAN. They give it both ways—the gross tonnage and the ton-mile.

Mr. MANN. Will the gentleman yield?

Mr. HUMPHREYS of Mississippi. Yes.

Mr. MANN. Where does the gentleman get his figures as to the American tonnage going through the Panama Canal, and where does he get his figures in relation to the tonnage from coast to coast?

Mr. HUMPHREYS of Mississippi. I get them out of the hearings by Prof. Emory Johnson.

Mr. MANN. That shows how easily a man may be mistaken. The first three months of the operation of the Panama Canal a million tons went through, and nearly all was American tonnage. Of course, that statement in regard to the tonnage from coast to coast is not correct.

Mr. HUMPHREYS of Mississippi. I get my statistics from Prof. Emory Johnson, who was selected by President Taft as an expert for the purpose of reporting to Congress. But assuming that there is a million tons a month going through the Panama Canal, that would make 12,000,000 tons during the year. The tonnage floating on the rivers appropriated for in this bill last year was 204,000,000 tons. So it matters but very little whether the gentleman from Illinois is correct or Prof. Emory Johnson.

The total tonnage on the rivers connected with the Great Lakes and the harbors and all the rivers provided for in this bill is approximately 1,000,000,000 tons. That being true, Mr. Chairman, it does occur to me that the criticisms of the bill as a whole—any wholesale criticism of the policy—the denunciation which has been indulged in must appear to be ill-timed. Criticisms directed to a particular item, of course, are always in order and, in my opinion, are helpful. I think it is a good thing to have somebody about who is going to criticize you unmercifully. Rather than have no criticism at all, it is better to have some one criticize even unfairly. I further believe that any item that can not be justified ought to be stricken from the bill.

I take great satisfaction in the fact, and I repeat it with pride, that up to date—and I have served 12 years in this House—of all the assaults made on the bill in either Chamber nobody has ever criticized one of the items in the State of Mississippi. The first criticism I ever saw directed to an item in the State of Mississippi is that which was made by a newspaper correspondent the other day in one of the New York papers.

To show how unfair that was, he took the Pascagoula and Dog River, Miss., project, which is in fact really a harbor, but which floated last year more than a million tons, and he mentioned the appropriation, and then devoted all his criticism to Dog River. Dog River is a short stream emptying into Pascagoula River. It serves really to demark the limitations of the harbor project more than anything else.

Another criticism is of the Engineer Corps. The criticism directed against the Board of Engineers is unfair. The board was created when Senator BURTON was chairman of the Rivers and Harbors Committee, and, I think, wisely created, and this additional burden was put upon them. They were not only to report on the engineering features as to whether the project could be carried out and how much it would cost, but they were required to give their opinion as to whether or not it was a worthy one.

The CHAIRMAN. The time of the gentleman has expired; all time has expired, and the Clerk will read.

The Clerk read as follows:

Be it enacted, etc., That the following sums of money be, and are hereby, appropriated, to be paid out of any money in the Treasury not otherwise appropriated, to be immediately available, and to be expended under the direction of the Secretary of War and the supervision of the Chief of Engineers, for the construction, completion, repair, and preservation of the public works hereinafter named:

Mr. HUMPHREYS of Mississippi. Mr. Chairman, I move to strike out the last word. I just want to continue what I was about to say when interrupted with the taking up of the bill for amendment under the five-minute rule. The Board of Engineers in the performance of their duties have, since their creation, acted on a great many projects. The general effect of that has been to prevent the adoption of many projects that perhaps would otherwise have been adopted but for the board. That is the general tendency, and, in fact, that was the purpose of its creation, because when a project comes before the Committee on Rivers and Harbors with an unfavorable report it is practically impossible to get it inserted in the bill, and so far as I recollect it is impossible to get it inserted in the bill in the House of Representatives through the Committee on Rivers and Harbors. During the last 10 years the Board of Engineers has turned down and made unfavorable report upon two projects out of every three that have been presented to them, and I will insert in the RECORD at this point a tabulated statement showing the figures for each year from the year 1902 to the year 1913, inclusive; and that ratio obtained in nearly every year with one exception, that exception being the bill for 1907. In that bill there were 200 surveys authorized, and the Board of Engineers reported favorably upon 108 of them. I make this statement to show that the Board of Engineers, far from being under the dominance of Congressmen, and far from being an instrumentality by which the process may be facilitated of getting projects provided for that otherwise could not be, has acted entirely in the opposite direction, and the result has been positively the other way. The table to which I refer is as follows:

Authority for investigation.	Number of investigations ordered.	Number reported on to June 30, 1914.	Number favorable.	Number unfavorable.	Per cent of favorable reports.
Act of—					*Per cent.*
June 13, 1902	170	170	52	118	30.6
Mar. 3, 1905	176	176	74	102	42.0
Mar. 2, 1907	200	200	108	92	54.0
Mar. 3, 1909	274	274	120	154	43.8
June 25, 1910	187	184	63	121	34.2
Feb. 27, 1911	90	85	28	57	32.9
July 25, 1912	226	192	64	128	33.3
Mar. 4, 1913	122	76	26	50	34.2

Mr. TREADWAY. Mr. Chairman, will the gentleman yield?

Mr. HUMPHREYS of Mississippi. Yes.

Mr. TREADWAY. I would like to ask the gentleman from Mississippi whether or not he advocats in any way to accept the recommendations of the board when they have reported sometimes favorably upon propositions? I criticized several items in the bill on which they reported favorably.

Mr. HUMPHREYS of Mississippi. Oh, yes. We have always done that. The committee has never made it a rule to accept everything that the Board of Engineers reports favorably upon. There have been many projects reported on favorably that are now in the committee room that have never been taken up by the committee and inserted in the bill. The process simply gives a man his day in court in respect to his project, puts it on the docket, but it does not mean that he will get a favorable verdict from the committee and has never meant that. Every member of the committee no doubt has voted against some projects that were incorporated in the bill, but so far as I am concerned, after having labored with the committee for many months, knowing they were just as earnest and honest as I was and just as sincere and patriotic in their endeavors to arrive at the right conclusion in respect to a bill containing three or four hundred items, because there were a few of them, a half dozen, that I thought could just as well wait or probably ought not to be taken up, I have never for that reason opposed the bill, but I have been willing to yield my judgment and support the bill as a whole.

Mr. GOULDEN. Mr. Chairman, will the gentleman yield?

Mr. HUMPHREYS of Mississippi. Yes.

Mr. GOULDEN. Mr. Chairman, I want to ask the gentleman if in his long experience on that committee it has ever appropriated money for any improvement not recommended by the Board of Engineers?

Mr. HUMPHREYS of Mississippi. Mr. Chairman, I will say to the gentleman that in my opinion—I may be mistaken, for one or two may have slipped by without my knowing it—I do not believe the Committee on Rivers and Harbors has ever reported favorably an item that has not had the approval of the Board of Engineers. They have sometimes added them on at the other end of the Capitol and the conferees have yielded, and in that way they have gotten into the bill.

Mr. GOULDEN. That has been my understanding of the action of the committee.

Mr. FREAR. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

At the end of line 9, page 1, insert:

"*Provided*, That before the payment of any moneys for projects hereinafter specifically mentioned a board consisting of the Secretary of Agriculture, Secretary of Labor, and Secretary of Commerce, to be known as the national board of waterways, shall by written report to the Secretary of the Treasury approve the public necessity for any expenditure on each individual project, and that such expenditure is to serve a public use in aid of navigation: *Provided further*, That said board may make or cause to be made independent examinations of the character of any and all projects and may call upon the Army Engineers or employ the service of such other experts as may be necessary in determining the surrounding conditions, general character, and public use which such project is intended to serve."

Mr. MANN. Mr. Chairman, on that I reserve the point of order.

Mr. FREAR. Mr. Chairman, a similar amendment to this was offered last year. It may be that the amendment will not have much consideration, possibly no more than did the criticisms of the bill last year. Nor do I contend that this amend-

ment is complete in its character, as would be desirable if we were to submit these propositions to some high-class board, as is proposed; but I have offered an amendment to work to, and it is with that purpose it is introduced. There are Members of this House and many people outside of this House and outside of Congress who have not the sublime confidence in the judgment of the Army engineers, of these officers who are simply appointees and subordinates, that is possessed by members of the committee. From reports that have been published by them from the approvals that have been given by the engineers to various projects, I believe some of those criticisms are warranted and that the creation of a board such as this proposes would give additional protection to the Government against wasteful expenditures. Our rivers and harbors ought to be improved, no one will question that, and improved as fast as the necessities of the Government require, but appropriations have more than doubled during the past 10 years and the attempted justification is largely based upon opinions and approvals of Army engineers urging that various projects ought to be enacted into law.

The chairman of the committee the other day presented a matter which is interesting in this connection when he said that $250,000,000 yet remain to be appropriated on projects that had been approved and on which work has been begun. In addition to that obligation $100,000,000 more, in round numbers, has been approved for new projects that have not yet been begun. Accepting his own statement, and I am satisfied he is right—and let me say in passing I am satisfied any statement he makes is right, in his judgment—but 172 surveys are asked for in this bill, almost an unprecedented number in times like these. Approximately 40 per cent will be accepted, and, judging from the average, they will amount to $70,000,000 if the average is preserved. That will make an indebtedness of $420,000,000 which we will be facing when these surveys have been passed providing the various projects approved by the Army engineers are once begun. Believing it is a very large future expenditure of public moneys and rapidly growing in future obligations, I have offered this amendment in the belief that it affords another bulwark against assaults that are being made on the Treasury, assaults by people who may conscientiously believe their projects are right but which may not be of public benefit, if we are going to pursue the ordinary rules of reasoning.

Mr. MANN. Mr. Chairman, I withdraw the point of order.

The question was taken, and the amendment was rejected.

Mr. FREAR. Mr. Chairman, I have another amendment which I desire to offer.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 1, at the end of line 9, insert:

"*Provided*, That if the President shall, upon investigation, ascertain and determine that any project or projects hereinafter provided for are not of material value to the public he may, in his discretion, withhold such specific appropriation until further action by Congress."

Mr. HUMPHREY of Washington. Mr. Chairman, I reserve a point of order against the amendment.

Mr. FREAR. Mr. Chairman, I am prepared to say that I will accept the judgment of the President whether he be of my party or any other party, with the assistance which he has at his command, to determine the value of any project contained in this bill. He is placed to-day in the position of having to veto an entire rivers and harbors bill of $34,000,000 that we have here, and which may be added to in another body. If he is able to ascertain that some of these projects are not of material benefit to the public, provided this amendment or one of similar tenor is placed in the bill, it enables him to determine what should be expended for waterways at this particular time, for on him and his administration rests the responsibility. And, let me say, after what we have heard here to-day of extravagant expenditures by this Government necessitating a war-tax, it is wise for us to call a halt. Ten years ago these bills averaged about $20,000,000. Now, in these days of economy, we have raised the amount to $34,000,000, and that does not count the amount contained in the sundry civil bill. It does not require any further argument to present the point, and I do not intend to take any unnecessary time, now or hereafter, except to suggest the point of every amendment. It requires no further time to explain what this means beyond the statement that we voluntarily give to the President a supervision of items, with power to withhold payment until Congress shall again act, and for that reason, Mr. Chairman, I have offered this amendment.

Mr. HUMPHREY of Washington. Mr. Chairman, I make the point of order it is new legislation and changes existing law; that is clear.

The CHAIRMAN. The Chair sustains the point of order.

Mr. FREAR. Mr. Chairman, I have another amendment, and this is the last amendment I have on this paragraph.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 1, at end of line 9, insert:

"*Provided*, That one-half of each separate appropriation hereinafter specifically named shall be available whenever there shall be contributed by any State, county, city, or locality or localities an amount equal to one-half of such appropriation, which amount so raised shall be placed to the order of the Secretary of War and shall be expended by him pursuant to the report of the United States engineers on such project: *Provided further*, That the remaining half of each appropriation hereinafter provided shall be retained in the Treasury, subject to the order of the Secretary of War, and to be used by him whenever needed in the completion of the project for which such appropriation is made."

Mr. HUMPHREY of Washington. Mr. Chairman, I make the point of order against the amendment.

Mr. FREAR. Mr. Chairman, these amendments were offered before, no point of order being made against them, and I was not aware that any point of this character would be sustained. However, the point has been withheld, and I will for the present briefly explain what the effect of this amendment would be in my judgment. Under the present system, as we all know, when the people in a district have what they believe is a commendable project, no matter how it may be instigated, they bring it to Congress and press the Rivers and Harbors Committee from that time on until their project is included in the bill. That is for the survey. Then, after the survey has been made and the project approved, an effort is made to force it into the bill. We have the spectacle to-day of Members on the floor showing that their particular district is not receiving a fair share of appropriations. No question of comparative importance of commerce or the necessities are presented, but after the project has been once improved it becomes a matter——

Mr. SWITZER. Will the gentleman yield?

Mr. FREAR. In a moment. It becomes a matter for the committee to determine. Now, in foreign countries, as many of you know—and I will not discuss it at any length, except to say that contributions are required in many countries for such amounts as the legislative body desires to fix. In some countries—notably in England—it is practically owned and controlled by the local municipality. No Government work is performed nor are contributions made by the Government ordinarily. In other countries the rule of contribution is invoked.

If you provide that the locality itself shall contribute one-half of the appropriation asked for, you will remove one-half of the items that are in this bill. It is the right way of compelling those who are expecting to get special advantage from a project to pay for the benefit. It is the same principle pursued when the Government insists upon contributions in exchange for highway appropriations, namely, that contribution shall be made locally. As long as we have insisted on it in California, in Texas, in the State of Washington, and in other States, I do not see why it is not proper to have it imposed in all cases. In the case of the Cumberland River it was stricken out because the engineers were advised they had no right to demand one-half contribution for a $4,500,000 project.

Think of the Mussel Shoals project that is before us in this bill here to-day, without any contribution. A project that is largely for a water-power company, as will be shown when we reach that item, I hope, by other Members, if not by myself, and this Government is asked to put $18,700,000 in the project.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HUMPHREYS of Mississippi. Mr. Chairman, I move to strike out the last word. The gentleman states the Mussel Shoals proposition in this bill is without any provision for local contribution. What authority has he for that?

Mr. FREAR. The statement that appears in the bill itself.

Mr. HUMPHREYS of Mississippi. What is that?

Mr. FREAR. The statement appears, and if the gentleman will permit me to make an explanation——

Mr. HUMPHREYS of Mississippi. Certainly.

Mr. FREAR. The bill provides for $150,000. After repeated surveys have been made by the Army engineers they have given tentative contracts on the published bids and submitted to the Rivers and Harbors Committee a proposition for an $18,700,000 appropriation. Now, $150,000 is proposed here, and an endeavor is made to hedge it in, with no legal obligation on the part of the Government. There can be no question that it is the first step in the adoption of that project.

Mr. HUMPHREYS of Mississippi. The gentleman understands that is the survey for a great project.

Mr. FREAR. I understand that thoroughly.

Mr. HUMPHREYS of Mississippi. The statement, then, that there is to be no local contribution is apt to be, without the gentleman so intending it, perhaps misleading. We are making no

appropriation here for the Muscle Shoals. There is a great project contemplated there, a water-power project with navigation incidental or navigation with water-power incidental, according to the point of view with which you look at it, but at any rate it would probably cost $18,000,000 or $20,000,000. That is a great project. The gentleman is perhaps aware that local interests do propose tentatively to make very large contributions toward that. This is simply a survey looking into the matter, so that we can have a report, and then Congress can be called upon to act intelligently in view of the report. Whether it will be a local contribution, or whether the Government will do it all or none of it, is a matter we will have to ascertain later on. But there is no appropriation in here directly for that work. It is simply for survey.

Mr. FREAR. Mr. Chairman, I rise to speak on the other side of the amendment just for a moment to answer the gentleman briefly in regard to this project. I realize that in the framing of the bill an apparent effort has been made to prevent an appropriation at this time, but if there is a new project in this bill, one that is unjustified and indefensible, it is the $150,000 item for Muscle Shoals, on the Tennessee, which has been recommended by the Army engineers. They have made their surveys, they have made their statement, and the only purpose for which they ask this $150,000, as I now recall it, is for additional borings to determine what the additional expense is to be. But of that, $8,700,000——

Mr. TAYLOR of Alabama. Will the gentleman permit?

Mr. FREAR. Yes.

Mr. TAYLOR of Alabama. You are entirely—and I say it with great respect and perfect kindness——

Mr. FREAR. Will the gentleman please answer in his own time?

Mr. TAYLOR of Alabama. I will when the question in reference to that subject comes up.

Mr. SPARKMAN. And I am going to ask that all this discussion be deferred until that time.

Mr. FREAR. Mr. Chairman, I want to answer briefly the remark of the gentleman from Mississippi [Mr. HUMPHREYS]. The project is for $18,700,000. Of that, $8,700,000 is for navigation at Muscle Shoals to meet the necessities of 6,000 tons of commerce, and in addition to that there is $1,750,000 for easements for that waterway. These facts are contained in the engineers' report, which is indorsed, generally speaking, by members of the committee, as I understand it.

Mr. HUMPHREYS of Mississippi. How do you get that understanding?

Mr. FREAR. From the request of the committee, contained in the document itself, that these engineers go ahead. What would be the object otherwise of asking for $150,000 for a survey for this private water-power company? What would be the justification?

Mr. HUMPHREYS of Mississippi. Why would we ask for surveys if we are already in favor of it? The gentleman certainly does not speak for me.

Mr. FREAR. I speak only for what the report says. I do not know the gentleman's personal views.

Mr. CALLAWAY. Will the gentleman yield?

Mr. FREAR. Certainly.

Mr. CALLAWAY. I do not understand why they provide $150,000 here to get a survey, when you say the estimate has already been made that it would cost $18,700,000.

Mr. FREAR. I would refer the gentleman to the report, that contains 80 pages.

Mr. CALLAWAY. How do the engineers make the report or estimate of what it will cost without having made a survey? And if they had made a survey, and had made a report of 70 or 80 pages, why do they want $150,000 with which to make the survey?

Mr. SPARKMAN. I would like to say, in that connection, it is true the engineers have gone over that matter quite thoroughly, but not as thoroughly as they desire to go over it, and they have presented tentatively a project to cost in the neighborhood of $18,000,000, a greater part of which—in fact all, eventually—is to be borne by private parties who want to take hold of it for the purpose of developing water power. But in their report the engineers suggest a detailed examination for the purpose of determining more definitely plans for the work to be undertaken; and it is for the purpose of furnishing that information that this provision, at the request and recommendation of the engineers, is placed in the bill.

Mr. BORLAND. Mr. Chairman, I think the gentleman from Wisconsin [Mr. FREAR] has rather vague ideas of the purpose and function of local contributions. There are a great many cases in which local contribution is possible without involving any danger of excess appropriations. There are cases where the local authorities are about to do some work, as I understand they are on the Thames River, in Connecticut, and at other places, where the Federal Government, for purposes of navigation, can do its work at the same time, and the amount raised by the local authorities and by the Federal Government can be expended upon a joint engineering project.

But that is not, in strictness, local cooperation. Each is simply doing the portion that it ought to do. What the Federal Government ought to do, and what it undertakes to do, is to improve rivers and harbors for purposes of navigation. That is its exclusive function, and it is not bound, and in my judgment it ought not to be bound, to match the money that happens to be raised locally. I can very readily see how the danger might be that localities, under the impulse of a real estate boom, or in rivalry with other cities, or for other reasons, might raise the amount locally and insist on some general right under the gentleman's idea that the Federal Government should come to their aid with another sum to improve some river or inlet that had no navigation possibilities at all but had much real estate possibilities. The gentleman has never realized that danger.

Mr. FREAR. Mr. Chairman, will the gentleman yield for a question?

Mr. BORLAND. In a moment. When it comes to real cases for the improvement of navigation, in which the Government and the country at large are interested—and those are the only kind that we ought to discuss here on this floor—the Government ought to assume the initiative and compel the completion of the work, whether the local authorities cooperate with it or not. It is a question of the needs of navigation at that point. And I want to say to the gentleman that whatever may be the case with respect to certain harbors where the local authorities may do a certain amount of work jointly with the Government authorities, if the improvement of inland rivers is ever accomplished, it can never be by local contributions, because the localities along the river that can and will contribute are not the particular localities where the work needs to be done to improve and to maintain the channel.

Now, it is possible that there might be an imaginable case where a river of some length and some volume could be improved by local cooperation; but I undertake to say that local offers of cooperation would come from every motive on earth except the motive of increasing navigation. I think the gentleman is radically wrong in his ideas of local cooperation.

Before the gentleman came to Congress we had a provision, added in another body to a rivers and harbors bill, creating a board to investigate the subject of local cooperation, and the unanimous report of that board was that local cooperation would do more harm in most cases than it would do good. It was only in isolated cases, where there was some work for the local authorities to do and some for the Federal authorities to do, that the work could be done jointly. I would think that it was in such cases simply that local cooperation could be expected.

Mr. FREAR. Mr. Chairman, will the gentleman yield there?

Mr. BORLAND. Yes.

Mr. FREAR. Does the gentleman think it is right to compel the gentleman from Washington [Mr. HUMPHREY] or the people of his district to make a contribution of one-half? Does the gentleman believe it is right on the Sacramento River to compel the people there to contribute one-half? Does the gentleman think it right down in Texas to require that the people pay one-half and more, and yet allow the gentleman from Kansas City to get the benefit of a $20,000,000 project on the Missouri River without expense?

The CHAIRMAN. The time of the gentleman from Missouri has expired.

Mr. FREAR. And does the gentleman believe that principle is not a better safeguard—although no principle, of course, is a perfect safeguard—in the administration of these matters?

Mr. BORLAND. I ask unanimous consent to proceed for two minutes more.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. BORLAND. I understand that the offers that the gentleman speaks of are offers from local authorities. I have no quarrel with the local authorities who offer a proposition of that kind, even in the case of work that the Government would undertake without the cooperation of local authorities. However, I do not believe that the Government ought to undertake a dollar's worth of work with local cooperation that it would not undertake without it. Such offer gives them no claim. But I have no quarrel with them for putting up their share if they want to.

The only dollar of Federal money ever expended in Kansas City for the improvement of the river was under a plan of local cooperation. It was this way: We had taxed our people $600,000 for flood protection. The Federal Government had appropriated $105,000 to maintain the channel, and we combined the $600,000 derived from the taxing power with the $106,000 supplied by the Government and made a joint engineering proposition. That is what we did. Never a dollar has been expended of Federal money inside the limits of Kansas City except that $105,000, but the money that is expended on the Missouri River is expended outside of Kansas City. For what purpose? To see that navigation is carried on in the river. Now, if we were to distribute that money down the stream on the 400 miles between Kansas City and St. Louis at places where the people would be willing locally to contribute and to cooperate, we would never get navigation. I can assure the gentleman of that. If he comes out there I will take him down the river and show him why it is true. For that reason we can not compel Clay County or Ray County or Carroll County to contribute, and yet that may be the very place where the river needs improvement most.

Mr. HUMPHREY of Washington. I just want to say, as a member of the committee who has been most insistent on local contributions, that to compel it in all cases would be as bad as not to have it at all, and therefore I make the point of order.

The CHAIRMAN. Without objection, the pro forma amendment will be considered as withdrawn.

Mr. STAFFORD. I should like to inquire on what ground the gentleman makes his point of order?

Mr. HUMPHREY of Washington. On the ground that it is new legislation.

Mr. STAFFORD. As the Chair knows, that rule does not apply to a river and harbor bill.

Mr. HUMPHREY of Washington. If the gentleman wants to argue it, I will withdraw it.

Mr. STAFFORD. On a former amendment the Chair ruled, hastily, I think, and without due consideration, that the amendment was not in order. Now, it is a firmly established precedent——

Mr. HUMPHREY of Washington. In order to save time I will withdraw the point of order and ask for a vote.

Mr. HARRISON. I make the point of order because it is a change of existing law.

Mr. HUMPHREY of Washington. I want to save time and have a vote on it.

Mr. HARRISON. I make the point of order for the reason that the law now gives Congress the right to make appropriations for river and harbor improvements. The amendment proposed is not only a limitation upon these appropriations, but it gives authority to the Secretary of War to say how much money shall be appropriated for river and harbor work. Congress has never had the idea that that duty should be conferred on the Secretary of War, and there is no present authority of law for any such provision.

Mr. STAFFORD. Mr. Chairman, if there is anything firmly established in the precedents of this House, it is that a river and harbor appropriation bill is not one of the general appropriation bills to which Rule XXI applies. If any citation of precedents is needed, I direct the attention of the Chair to Volume IV of Hinds' Precedents, paragraphs 3893 to 3903, in which, on every occasion when the point has been presented, great parliamentarians, like former Speaker Carlisle, of Kentucky, and former Senator Hopkins, of Illinois, presiding, have held invariably that the only question for consideration on an amendment to a river and harbor appropriation bill is whether it is germane. The point of order made by the gentleman from Mississippi [Mr. HARRISON] is that it is new legislation. May I direct the attention of the Chairman to the citation found in paragraph 3897 of the Precedents, as follows:

The river and harbor bill not being one of the general appropriation bills, the rule relating to legislation on such bills does not apply to it.

On February 7, 1907, the river and harbor appropriation bill was under consideration in Committee of the Whole on the state of the Union, when Mr. J. Warren Keifer, of Ohio, offered an amendment providing legislation to establish a board of inspection for river and harbor work.

Mr. DAVID E. FINLEY, of South Carolina, made the point of order that the amendment proposed legislation.

The Chairman said:

But the gentleman must recollect that the river and harbor bill is not a general appropriation bill within the meaning of clause 2, Rule XXI. Legislation is proper on a river and harbor bill, and the Chair overrules the point of order.

The Chairman who made that ruling was one of the best parliamentarians that ever occupied the chair, former Representative Frank D. Currier, of New Hampshire.

Again, in section 3899, is a very exhaustive opinion delivered by former Speaker Carlisle, and in paragraph 3900 the same distinguished parliamentarian referred to the entire history of this proposition and held the same.

The CHAIRMAN. The Chair is ready to rule. The Chair overrules the point of order. The question is on the amendment.

Mr. THOMSON of Illinois. May the amendment be reported again?

The CHAIRMAN. If there be no objection, the Clerk will again report the amendment.

The Clerk read as follows:

Page 1, at the end of line 9, insert:

"*Provided*, That one-half of each separate appropriation hereinafter specifically named shall be available whenever there shall be contributed by any State, county, city, or locality or localities, an amount equal to one-half of each appropriation, which amount so raised shall be placed to the order of the Secretary of War and shall be expended by him pursuant to the report of the United States engineers on such project: *Provided further*, That the remaining half of each appropriation hereinafter provided shall be retained in the Treasury, subject to the order of the Secretary of War, and to be used by him whenever needed in the completion of the project for which such appropriation is made."

The CHAIRMAN. The question is on the amendment.

The amendment was rejected.

Mr. FREAR. Mr. Chairman, under the ruling of the Chair I desire to reoffer, without discussion, the second amendment, which provided that the President of the United States should have the right to disregard any item if he choose and to strike it from the bill before approving it. I would like to have that read.

The CHAIRMAN. If there be no objection, the Clerk will report the amendment again.

Mr. STAFFORD. That can only be offered by unanimous consent. It has already been passed upon by the Chair and ruled out. No appeal was taken, and the time for taking an appeal has passed.

The CHAIRMAN. The Chair thinks the gentleman is right about that.

Mr. BUTLER. I understand this is not a proposition to amend the Constitution of the United States. [Laughter.]

The CHAIRMAN. The gentleman asks unanimous consent that the amendment be offered again.

Mr. FREAR. In view of the expression of the House, I do not think it would be wise, Mr. Chairman.

The CHAIRMAN. The gentleman withdraws his request. The Clerk will proceed with the reading of the bill.

The Clerk read as follows:

Harbor at Portland, Me.: Completing improvement, $105,000.

Mr. FREAR. Mr. Chairman, I desire to offer an amendment to this paragraph.

The CHAIRMAN. The gentleman from Wisconsin offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 2, after line 2, insert the following:

"*Provided*, That no expenditure for any project shall be made until the Secretary of the Treasury shall be advised by the Board of Army Engineers that suitable public wharves and terminals have been provided by local interests, sufficient in character to afford ample accommodations for all traffic upon said waterways, and that such public wharves and terminals, subject to general supervision and care of the local authorities, will be kept open at all reasonable hours for the free use of any and all persons desiring to use the same."

Mr. FREAR. Mr. Chairman, so as to remove any apprehension I desire to say that I do not intend to offer amendments unless they have some specific relation to what we have before us. The discussion in both Houses recently has developed the fact that some of our harbors are controlled largely by railroad terminals—that is, that the railroad companies have a controlling interest in those terminals—and where that occurs it would seem that we should protect the Government, so far as the general use is concerned, by passing some such amendment as this.

To show that it is not entirely improper in the case at hand I wish to call attention to some things that have been said by the Commissioner of Commerce about the harbor in Portland. Portland asks for $105,000 in this bill. There was available on October 14, $207,602, and appropriations made have reached $1,877,727 for this harbor. The Commissioner of Commerce, in volume 3, page 47, of this report, makes this statement about Portland Harbor, and I offer this because it was said when discussing the last bill that I was not making comments and criticisms on rivers and harbors located in Northern States. I have endeavored to play no favorites, but tried to be fair, and, whether criticisms have been deserved or not, that has

been my purpose. The Commissioner of Commerce has this to say:

About one-half of the commercial water front of Portland is owned by railroads. No portion of it is owned by the State. That portion not owned by railroads is in the hands of individuals and private corporations. None of the wharves are either public or open.

That is the statement which is the last I have any information of in reference to this harbor. Without a public wharf and understanding that this money is for the benefit of railroad terminals, I urge, Mr. Chairman, that public wharves be established before another dollar is appropriated.

Mr. CALLAWAY. Will the gentleman yield?

Mr. FREAR. Yes.

Mr. CALLAWAY. Is it not a fact that the River and Harbor Committee, making appropriations for all new projects, require that a condition shall be made for the appropriation that terminals and wharves be owned by the public for public use?

Mr. FREAR. I regret to say that I am unable to say what the practice of the committee is, although I know that in some cases they do insist on that.

Mr. CALLAWAY. Is it not a fact that the only place where they appropriate money without the public wharf is in old places like Portland, Me., where private interests got hold of it before they began the profligate waste of the public money? Now, does not the gentleman think that they ought to administer the same requirements at Portland, Me., in their expenditure for that harbor that they do where they are going to expend money on a new project?

Mr. FREAR. I can say only that it is a just condition to impose upon any harbor and any people.

Mr. SPARKMAN. Mr. Chairman, I will say in response to the gentleman from Wisconsin and the gentleman from Texas, that every member of the committee, and, I take it, the entire House, is in complete sympathy with all efforts to relieve the people, wherever improvements are being made, from all private monopolies in the matter of terminals. But this can not all be done in a day. We have the subject under consideration now and have had for some time. A few years ago, I think, in the bill of 1912, we inserted a provision calling for an investigation and a report on the subject of terminals, whether private or public, and requiring suggestions as to remedies. This investigation was had, and quite a comprehensive report was made.

The Rivers and Harbors Committee in the preparation of its bills is trying to meet the situation as it arises without laying down as yet any hard and fast rule. As I said, we can not do it in one day or in one bill; it would be manifestly unwise to undertake it. If Congress should establish a hard and fast rule, and say that no appropriation should be made at any place until ample terminal facilities are acquired by the public, or some one in the interest of the public, it would, in many instances, work a hardship besides a discrimination.

The harbor at Portland, Me., is an important one. I have been there and looked it over. There are, I believe, two important railroads running in there. True, they own, I believe, a great deal of the land on the water front, but I am advised that the people are alive to the situation, and propose to correct the evil, in so far as it may be an evil, and in a little while it will no doubt be done. The same thing is being done by the people all over the country, and I think I risk nothing in saying that in a few years there will not be a Government improved harbor in the country where there will not be ample terminal facilities owned by the public or some one in the interest of the public.

Mr. GOOD. Will the gentleman yield?

Mr. SPARKMAN. Yes.

Mr. GOOD. What has been the amount of appropriation for Government work at this harbor?

Mr. SPARKMAN. One million eight hundred thousand dollars to date.

Mr. HINDS. Mr. Chairman, in reply to what has been said by the gentleman from Wisconsin and the gentleman from Texas, I want to say that the people of Portland are alive to the situation and the matter of cooperating with the National Government in helping out the needs of the harbor. It was an issue in the last municipal election. Undoubtedly in the near future the city of Portland will be ready to help out any wise and well-considered means of improvements required in that great harbor.

Mr. SPARKMAN. Mr. Chairman, I do not think there is any doubt about the correctness of what the gentleman from Maine says—that the people are alive to the situation and that they are going to meet it. Mr. Chairman, I ask unanimous consent that all debate on this paragraph be closed in five minutes.

Mr. FREAR. To that, Mr. Chairman, I shall object, because I want to make a motion to strike out, and I would like three minutes to discuss the motion.

Mr. SPARKMAN. Then, Mr. Chairman, I will make my request 10 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. CALLAWAY. Mr. Chairman, we have heard the statement of the gentleman from Wisconsin and the fact that all the terminal facilities are owned by individuals or railroads in Portland, Me., where the Government has appropriated already more than a million of dollars to improve that harbor. It is said by the proponents of this bill that every dollar that is put into the harbor in the way of Government improvement necessarily increases the value of private property and that of the railroads. He says this is a bad state of affairs and they have been trying to correct it. He says they all recognize that it ought to be corrected, and they are working toward it. I suggest, Mr. Chairman, that the most rapid way to work toward that end is to adopt the amendment offered by the gentleman from Wisconsin prohibiting any appropriation going to any harbor in the United States until provision is made to serve the public by public ownership of terminal facilities, so that every dollar that goes in does not increase the hold of some private concern that has a monopoly on the facilities of that place. Here are $105,000 proposed to go to the harbor at Portland. I do not know anything at all about what the terminal facilities there are, but certainly it will increase the value of that private property just in proportion as it increases the facilities there for commerce and attracts commerce to that place. But we stand here and let the United States Treasury and its money be used to increase the value of private property at Portland, Me., when individuals already have a monopoly of the terminals. Let the people complete it. We will come to the rescue of the people of Portland and give them such appropriations of the public funds as it is proper they should have after Portland has provided public terminals that all agree are best. I insist that this amendment ought to be passed. It is admitted by the membership of this committee that the terminals ought to be public and not monopolized by private interest.

Mr. SPARKMAN. Oh, we do not admit that. I say it ought not to be in the bill.

Mr. CALLAWAY. It is admitted by the membership of the committee not that this amendment ought to be in at this particular point but that the things that we are trying to reach by this amendment ought to be done, and can you do it better than in this way? If you can do it better in any other way than this and more quickly, then let us do it; and if not, let us do it in this way.

Mr. STAFFORD. Mr. Chairman, I ask unanimous consent that the amendment be again reported.

There was no objection, and the Clerk again reported the amendment offered by the gentleman from Wisconsin.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin.

The question was taken, and the amendment was rejected.

Mr. FREAR. Mr. Chairman, I move to strike out lines 1 and 2 on page 2, referring to the harbor at Portland, Me.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 2, lines 1 and 2, strike out both lines, which read as follows: "Harbor at Portland, Me.: Completing improvements, $105,000."

Mr. FREAR. Mr. Chairman, I realize that the House has the right to determine for itself what action it shall take as to two respective harbors standing side by side, in one of which there are requirements that local improvements be had and in the other of which it says that the railroad can have complete control and that no public wharves need be built. I further realize that in all of the years that we have been spending $1,877,000 in this harbor not one wharf has been opened to the public, and it has been for private interests unless some one wants to pay wharf charges. This brings up the whole question of what the Government is doing with money when it appropriates for such purpose, and what justification there is for appropriations for private interests, and surely it is for that, according to the report of the Commissioner of Commerce. If that be so, with $105,000 in the bill and $207,602 part of the allotment on hand since last October, I do not think in these times of depression and war tax that for a purpose of that kind it is wise for us to expend $105,000. Therefore I move to strike out the paragraph.

Mr. SMALL. Mr. Chairman, I do not think this amendment and the remarks of the gentleman from Wisconsin ought to pass without some reference to Portland Harbor, Me. This sum of $105,000 is for the completion of a project which was adopted in 1912, which provides for enlarging deep-water anchorage opposite the eastern end of the city, for excavating rock and other

materials so as to give a channel 14 feet deep at mean low tide. The entire project was to cost $460,000, and this appropriation is to complete it.

This is one of the most important harbors in the country. It had a tonnage in 1913 of 3,339,538 tons, with a valuation of $128,506,579, and the number of passengers carried during the same year was 1,480,422. This appropriation completes a very important project for that harbor. There is absolutely nothing in the statement that the appropriation will be used for the benefit of private interests. While it is true there ought to be public terminals there, as there will be in every harbor of the country, if the intentions of the River and Harbor Committee shall be ultimately realized, still the commerce there is carried on by the public, and it is for the benefit of the public.

Mr. MOORE. Mr. Chairman, will the gentleman yield before he takes his seat?

Mr. SMALL. Certainly.

Mr. STAFFORD. Is not time limited on this matter?

Mr. MOORE. I think the gentleman has some time remaining.

The CHAIRMAN. The gentleman has yet a minute.

Mr. MOORE. This money is not to be expended on terminals or wharf improvements, as I understand it.

Mr. SMALL. Not at all.

Mr. MOORE. It is to be expended solely for the improvement of the harbor in the interest of navigation.

Mr. SMALL. Yes. And in completion of a project adopted two years ago.

The CHAIRMAN. The time of the gentleman from North Carolina has expired.

Mr. CALLAWAY. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. All time has expired.

Mr. CALLAWAY. Mr. Chairman, I move to strike out the last word.

Mr. HUMPHREY of Washington. Mr. Chairman, I have no desire to keep the gentleman from talking, but time on this amendment and the paragraph were limited.

The CHAIRMAN. As the Chair understands, the time on this paragraph and all amendments thereto has now expired. The question is on agreeing to the amendment offered by the gentleman from Wisconsin.

The question was taken, and the amendment was rejected.

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. JOHNSON of Kentucky having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. Tulley, one of its clerks, announced that the Senate had passed without amendment joint resolution of the following title:

H. J. Res. 234. Joint resolution directing the selection of a site for the erection of a statue in Washington, D. C., to the memory of the late Maj. Gen. George Gordon Meade.

The message also announced that the Senate had agreed to the amendments of the House of Representatives to the bill (S. 5168) for the relief of the King Theological Hall and authorizing the conveyance of real estate to the Howard University and other grantees.

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 6060) to regulate the immigration of aliens to and the residence of aliens in the United States.

RIVER AND HARBOR APPROPRIATION BILL.

The committee resumed its session.

The Clerk read as follows:

Harbor of refuge at Point Judith, R. I.: For maintenance, $75,000.

Mr. FREAR. Mr. Chairman, I move to amend by striking out lines 4 and 5, page 4.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 4, strike out all of lines 4 and 5, which read as follows: "Harbor of refuge at Point Judith, R. I.: For maintenance, $75,000."

Mr. FREAR. Mr. Chairman, I desire to call attention to several items in the bill for which comparatively large appropriations are to be made for the results to be attained and to state conditions surrounding them, leaving it for the committee to pass upon without any unnecessary discussion. I call attention to the condition at Point Judith, where appropriations so far have reached $2,515,541. The harbor of refuge has, or did have, to its credit an unexpended balance of $153,590 on July 1, 1914. From the report the low-water covered area has been considerably reduced by shoaling in the western part, as the engineers report and also the result of the improvements have been to create a harbor of refuge with a depth from 16.5 to 31 feet, fairly suitable for sailing vessels and steamers, although the holding ground is poor, not well suited for tows of barges on account of the narrow entrance and the lack of room for maneuvering vessels in it, and the fact that the central part of the area is obstructed by a dangerous reef. Further, it is stated in the engineers' report that it is not known that freight rates have been affected. I note right in that connection that the entrance to Point Judith Pond has been abandoned after the Government spent considerable money at that point, and in view of the fact that they have spent over $2,500,000 at this other point with questionable results apparently as shown by the engineers' report, and had $113,000 on hand for use at the time of the last report, I say, in these times of depression I would suggest it is well to avoid any unnecessary payments, and so I move to strike out the item of $75,000.

Mr. MOORE. Mr. Chairman, this item is for continuing work at Point Judith, and it ought to be said in fairness to those who have asked for its consideration in this bill that perhaps the greatest commerce along the New England coast passes this point. All Sound steamers pass this way. All business coming south from Boston or going north from New York pass Point Judith. It has been estimated there is as much as 50,000,000 tons of commerce a year going by the point. It is one of the dangerous points along the coast, where shelter is sometimes badly needed, and it does not seem to be the kind of item to strike out of the bill. It stands for much in the way of saving life and property.

Mr. SPARKMAN. Mr. Chairman, just a moment. I desire to say that on the 1st day of November last there were $49,000 on hand available for work there. They will have used that $49,000 very soon, or perhaps they have by this time. This $75,000 is for the purpose of repairing damages done to the breakwater by the storm of March 1 and 2 of last year, and it is claimed that it will all be needed for that purpose. The work should not be permitted to deteriorate, and wherever damage has been done to a breakwater it should be, of course, repaired. This appropriation is recommended for that purpose. I hope the provision will not be stricken out.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin.

The question was taken, and the amendment was rejected.

The Clerk read as follows:

Providence River and Harbor, R. I.: That the second proviso in the paragraph of the river and harbor act approved March 4, 1913, providing for the improvement of Providence River and Harbor, R. I., be modified in accordance with recommendation in the report in Rivers and Harbors Committee Document No. 9, Sixty-third Congress, second session, to read as follows: "*Provided further*, That no work in the harbor proper north of Fields Point shall be done until the Secretary of War is satisfied that the State and the city have completed their proposed expenditures in the combined Providence and Pawtucket Harbors up to at least $2,000,000 for public terminals or other permanent public harbor improvements, or shall have given to the Secretary of War assurance satisfactory to him that the expenditure of the $2,000,000 aforesaid will be completed within a time satisfactory to him and not later than three years from the passage of this amendment."

Mr. FREAR. Mr. Chairman, I desire to offer an amendment at that point.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 4, at the end of line 22, insert the following: "Nor shall any moneys heretofore appropriated be expended on this contract until further authority to use the same is granted by Congress."

Mr. FREAR. Mr. Chairman, I realize there are improvements that have been approved by the Secretary of War at Providence Harbor covering, I think, a mile and three-quarters, or something of that kind; but there is a very large harbor at that point extending down a number of miles. We have already expended at this point $2,766,353. There was available on June 30 $695,772, to which this amendment would attach, subject to any balance now at hand. The present project is 30 feet for a length of 27 miles. The Commissioner of Corporations said about this item that the number of wharves at Providence belonging to private parties include railroad and other corporations. The city owns a small wharf below the Pond Street Bridge, which is run for a lumber wharf; and it also has a small wharf just above Sassafras Point, which is used by the various city departments. There are no open piers in Providence, and the New Haven Railroad owns the main wharf. Now I understand there has been a change, and that the city of Providence intends to give better terminal facilities than have been afforded in the past; but there is a long distance in this harbor where expenditures can be made at this time without awaiting for the fulfillment of conditions. Apart from that, I think, in view of the fact there is no immediate necessity shown for this, that when only 7 per cent of the work now has been completed, according to the engineers' report, and it has had no effect on freight rates, as shown by the

engineers' report on page 120, we may postpone this improvement until conditions are fulfilled.

It might be well, therefore, to withhold this amount of money on hand, which reaches far more than half a million dollars.

Mr. MOORE. Will the gentleman yield?

Mr. FREAR. Yes.

Mr. MOORE. Considering the gentleman's own proposition for a division of the expenses of dredging rivers and harbors, does he not think he imposes an unnecessary hardship on a community that is willing to give $2,000,000?

Mr. FREAR. I am glad the gentleman brings up that question, because that presents a point that does not seem to be made clear. We are saying here that when we give a harbor to a city that all the city has to do is to provide a wharf. Why, they should contribute toward dredging the harbor, as Philadelphia is doing, or, in my judgment, they should bear part of the expense when improvements are being made so largely for the interests of that locality.

Mr. MOORE. I will say that the city and State have contributed as much to the improvement of that river as the Government has, in one form and another.

Mr. FREAR. Boston has done the same, and so have other places.

Mr. MOORE. The gentleman must know that that would be impossible on a river like the Mississippi River, that traverses many States, or on the Missouri River.

Mr. FREAR. You ask here for construction of wharves and nothing for contribution.

Mr. MOORE. A very large business was contemplated at this port by reason of certain railroads coming into the city of Providence, and there is no reason why the people should not be prepared for that business.

Mr. FREAR. Undoubtedly so. The New Haven Railroad controlled all the terminals there.

Mr. O'SHAUNESSY. Will the gentleman yield?

Mr. FREAR. I will.

Mr. O'SHAUNESSY. The amount appropriated by the State of Rhode Island and the city of Providence is $2,410,755, and I will say to the gentleman——

Mr. FREAR. I would ask the gentleman to take his own time, because I want to make the point clear, Mr. Chairman, that it is a contribution to the harbor itself, not to the wharves, that I believe should be imposed.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin.

The question was taken, and the amendment was rejected.

The Clerk read as follows:

Pawcatuck River, R. I.: For maintenance, $1,000.

Mr. O'SHAUNESSY. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. At this point, under the unanimous-consent agreement in the House, the gentleman from Connecticut [Mr. DONOVAN] is recognized for 20 minutes.

Mr. O'SHAUNESSY. Mr. Chairman, I move to strike out the last word. I just want two minutes.

Mr. DONOVAN. Not in my time.

Mr. O'SHAUNESSY. No.

Mr. MOORE. I ask unanimous consent that the gentleman from Rhode Island [Mr. O'SHAUNESSY] have five minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. O'SHAUNESSY. Mr. Chairman, I want to say to the gentleman from Wisconsin that if the harbor facilities in Providence Harbor and largely throughout New England have been monopolized by the New Haven Railroad, it has been due to the alliance of the New Haven Railroad largely with the Republican Party and the control of the legislatures of New England by the New York, New Haven & Hartford Railroad Co. The reports are full of the exposures of the insidious methods of the New Haven Railroad, and it is only a short while ago that we were treated to an exposition of the wrecking of that railroad by the directors and those having in charge that great property, so that those who were in receipt of an income are to-day in receipt of nothing.

I had the honor of introducing a resolution in this House to bring about a special investigation of the conditions up there, and I will say that my purpose to a very large extent was to show the rotten condition of affairs between politicians, Republican, if you please, and the notoriously rotten railroad. [Applause on the Democratic side.] I must not be considered in any sense of criticizing the present management of the New Haven Co. They are doing their best to manage the property as a railroad, and have no dreams of infinite expansion.

Mr. DONOVAN. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Connecticut offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 4, after line 24, insert the following:

"Harbor at Bridgeport, Conn.: For completing improvement in accordance with the report submitted in House Document No. 898, Sixty-third Congress, second session, $111,300.

"Unexpended balance of appropriations heretofore made for improvement of the harbor at Bridgeport, Conn., is hereby made available for continuing improvement of said harbor in accordance with the report submitted in said House Document No. 898, Sixty-third Congress, second session."

The CHAIRMAN. The gentleman from Connecticut [Mr. DONOVAN] is recognized for 20 minutes.

Mr. DONOVAN. Mr. Chairman, I wish in a way to notice the pitiful condition the district which I represent is in. It should have a man of some ability and a man of some influence to present its case to this body, because there is not a State in the Union, in my opinion, that has been so mutilated by action in Congress as the little State that I am from and try to represent, in part, on this floor.

You collect from our people, Mr. Chairman, annually $4,000,000, and upward. And in mentioning that amount I have in my mind a line or two from the nursery rhymes of long ago:

Who used to share in what was mine,
Or take it all, did he incline,
'Cause I was eight and he was nine?
My brother.

And that is the condition of the State of Connecticut. It is eight and the sister States are nine, and under forms of law they have collected that toll and spent it, and spent it as they deemed best, Connecticut not being considered. We have received some of it in a way, Mr. Chairman. Out of the little over $4,175,000 collected at our gate we received in 1913 $380,000. We received in 1912 $215,000, and in 1910 $504,000. I am going to show you, Mr. Chairman, what two other States about the same in population and the same in wealth, or practically the same, the great State of Washington and the great State of Oregon, receive. Together they amount to about one and a half as compared with Connecticut. Just think of this! This report is furnished to me by the chief of the Treasury Department, covering a period of the three years mentioned. They received for the fiscal year 1913 $7,095,000. Poor little Connecticut received $380,000. For the fiscal year 1912 these two Northwestern States received $2,855,000. That was the first year of the Democratic control of the lower House in 16 years. Poor Connecticut had tossed into her lap $215,000. In 1911 Washington and Oregon received $4,656,000. But they did give Connecticut that year $504,000, but giving those two States more than nine times as much as Connecticut for that year.

Now, Mr. Chairman, Washington and Oregon received out of the Government in 1913 $2,000,000 more than both of those States paid into the Treasury by customs and internal-revenue receipts, over $2,032,756 more than the total payments by the States of Washington and Oregon in that year.

Now, I ask in all fairness who is going to pay toward the civil and miscellaneous list? It does not amount to so much. It is only $170,000,000. It was kind of our associates in Congress to take that from other States and not a dollar from Washington or Oregon. Who is going to pay toward the cost of running the military, maintaining the upkeep, and so forth, of the Army, which is $160,000,000? Not Washington or Oregon. Who is going to pay toward the support of the Indians that our friends from Washington and Oregon are so considerate about and so exercised over? Are they? Not a dollar. Over twenty million goes to them out of the other States. Who is going to pay for the soldiers' pensions of over $170,000,000? Not a dollar from those two States. They left it to such weaklings as Connecticut, and for 20 years—20 years, I repeat, Mr. Chairman—Connecticut has been strangled and literally garroted financially by act of Congress. There are men who put on a mask and a dark hat and in the night season chase a citizen up a dark alley and strip him of his possessions. It is somewhat doubtful which act is the worst. [Laughter.]

Let us see. Florida and Texas were thoughtful at that time. They were very kind to themselves. Let us see what they have done for themselves. They were represented on the same committee all those three years, you know, gentlemen. Why, in 1913 those two States—I learned from figures furnished by the Treasury Department, by the chief assistant—Florida and Texas, were like two brothers in love where the Treasury is concerned [laughter]; they received $7,671,000. In 1912 Florida and Texas became a little delicate, and received only $1,585,000. In 1911 they received $5,125,490.

Now let me say, gentlemen, that when you appropriated to Texas and Florida in 1913 that sum of $7,671,000, at the end of the fiscal year there was an unexpended balance on hand

to the credit of those States of $2,266,000. I repeat, when that appropriation of $7,671,000 was made in 1913 they had on hand from the preceding year $2,266,000.

But Florida and Texas are not as capable, not as competent, in handling public money as the great States of Washington and Oregon, because they can not spend it with the same method. For instance, in the year 1911 Washington and Oregon had a balance of $2,498,000, and for the fiscal year 1912 they would not allow themselves so much; they had only $1,450,000 unexpended. But notwithstanding they—Washington and Oregon—were clever in spending the money and getting rid of it, ready for another appropriation, in 1913 they had $4,973,000 on hand.

They were getting money faster than they could spend it.

Now, I will submit in all fairness to my associate, to my friend from Mississippi [Mr. HUMPHREYS], that when he got on the floor, if he wanted to be fair, he should have stated that in dividing the gathered shekels Connecticut was bled and bled. He did not do it. I stated a moment ago that Washington and Oregon in that year—1913—had exceeded their total receipts by over $2,000,000. It is $2,032,756. But Texas and Florida, a little bit modest, would not ask for appropriations to exceed their payments. They allowed $682,339 to remain in the Treasury toward paying the military expenses, the expenses for pensions, Indians, and the civil and miscellaneous lists. They did leave a little over half a million dollars, and they should be given credit for that. [Laughter.]

Mr. BRYAN. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Connecticut yield to the gentleman from Washington?

Mr. DONOVAN. With pleasure.

Mr. BRYAN. Does the gentleman mean to indicate that Washington and Oregon are getting too much or Connecticut too little? Which is the complaint?

Mr. DONOVAN. I would say to the gentleman from Washington, who is one of the most capable Members here, that if he has any doubt in his own mind as to the reasons and the whys and wherefores——

Mr. BRYAN. Now, if Washington is getting too much, would you consider that a compliment to the Washington delegation? Or does the gentleman think not getting enough would be a compliment? How do you account for it?

Mr. DONOVAN. It is on the line that "He was 9 and I was 8"—brute strength. [Laughter.]

Mr. HUMPHREYS of Mississippi. Mr. Chairman, will the gentleman yield for a moment?

Mr. DONOVAN. I would be pleased to.

Mr. HUMPHREYS of Mississippi. I did not hear the gentleman's criticism of my statement just now. I understand the gentleman referred to me. I did not hear what he said.

Mr. DONOVAN. I would state, Mr. Chairman, that I said that when the gentleman had the floor he called attention to the condition of Arkansas and Mississippi in the race for Treasury receipts, and the race was about equal, with Mississippi a little ahead. But the gentleman forgot to state that Connecticut was left at the tail of the line. [Laughter.]

Mr. HUMPHREYS of Mississippi. To start with, Connecticut is at the head of both those States—Mississippi and Arkansas.

Mr. DONOVAN. Mr. Chairman, I am giving the figures that are furnished and submitted by the Secretary of the Treasury. I will withdraw my amendment if the gentleman's statement is borne out. I have the figures here. The gentleman can take them at his leisure, and if the Treasury figures are in the condition he states I will withdraw my amendment and allow my little State to suffer.

Mr. HUMPHREY of Washington rose.

The CHAIRMAN. Does the gentleman from Connecticut yield to the gentleman from Washington?

Mr. DONOVAN. I refuse to yield to the gentleman from Washington. [Laughter.]

Mr. HUMPHREY of Washington. Thank you; I have not asked you to yield.

Mr. DONOVAN. Well, I thank you. [Laughter.]

Mr. Chairman, to return to the concrete proposition as to why the amendment is offered, it is this: Bridgeport has physically two harbors, two entrances, with three or four little tributaries; and Bridgeport, as you know, is a manufacturing city. Our poor people, our workers, our citizens—in fact, all our inhabitants—have to depend upon manufacturing for a means of living. We are good in that, because the wares that we manufacture are better made and more cheaply sold than those made or sold anywhere else, and they give the public results that they do not get anywhere else. [Applause.] If it were not so we could not have a market. But we are at a great disadvantage. We are far from the base of supplies. We have to come into competition with like manufacturers all over the United States. We have there in that little place, of over 100,000 inhabitants, more workers than any other place in our State. I have the figures here which I will put in the RECORD. There are 25,775 workers, and the value of their products is $65,608,806, according to the 1909 census.

Mr. HUMPHREYS of Mississippi. Mr. Chairman——

The CHAIRMAN. Does the gentleman from Connecticut yield to the gentleman from Mississippi?

Mr. DONOVAN. No; I have not the time.

Mr. HUMPHREYS of Mississippi. I want to give the figures that the gentleman called for.

Mr. DONOVAN. Let us have them. I have only 20 minutes. I am not a member of the committee. Your committee parceled out the time entirely to yourselves. I am only a will-'o-the-wisp here, and you ought not to take the time from me.

Mr. HUMPHREYS of Mississippi. The gentleman has 20 minutes, and I had only 16.

Mr. DONOVAN. But you people have been filling your pockets out of the Treasury down in Mississippi for 16 years, and are still trying to get more appropriations.

Mr. HUMPHREYS of Mississippi. The report of the Chief of Engineers is that the appropriations for the State of Mississippi about which the gentleman complains have been $4,174,608, and for the State of Connecticut $6,068,809.

Mr. DONOVAN. I hope the gentleman's figures are correct, for his own sake; for if they are not I am afraid he and I in our future home will occupy adjoining apartments when we get there. [Laughter.]

Mr. SAUNDERS. Connecticut is 50 years older than Mississippi.

Mr. DONOVAN. Now, coming back to the concrete situation, the figures which I stated are absolutely true, for they come from the War Department. The date of the letter is December 29, and the signature is that of John C. Scofield, assistant and chief clerk. This letter says:

WAR DEPARTMENT,
Washington, December 29, 1913.

Hon. JEREMIAH DONOVAN, M. C.,
House of Representatives, Washington, D. C.

SIR: In compliance with your request of several days ago for information as to the appropriations available for the improvement of rivers and harbors in the States of Florida and Texas, there is herewith transmitted a statement showing the balances of appropriations available on June 30, 1909, for the improvement of rivers and harbors in the States named, the amounts appropriated and expended during the fiscal years 1910 to 1913, inclusive, and the balances remaining available on June 30, 1913.

Trusting the statement conveys the information desired, I am,
Yours, very respectfully,

JOHN C. SCOFIELD,
Assistant and Chief Clerk.

I am not talking through my hat like that gentleman is.

Now back to the concrete situation. Our little place has to depend upon manufacturing. It is necessary that we should have all the advantages possible in order to carry on our business. We can not depend upon the sun and the soil to work for us 24 hours a day, 7 days a week, 30 days in the month, but we must get a living for our people with the hammer and the forge and manual labor and the sweat of the brow. Now, one of our harbors has only one little channel 100 feet wide. We want it widened to 200 feet, because in stormy weather boats can not pass, and in trying to do so they get up on the banks. The Board of Army Engineers recommend this. It is a continuation of the 1899 project. The district engineer recommends it. It is the project of 1899 with the modifications of 1907 and 1909. Another appropriation for lowering a portion of the channel amounts to about $3,100, and another improvement of the channel amounts to $19,800. Taking off some of the corners and straightening the crookedness of another part of the channel amounts to $28,000. Widening the turn at the breakwater amounts to $58,000. The total amount is $173,000, but we have about $60,000 left, so it requires an appropriation of only $113,000.

Now, Mr. Chairman, you collect from us in Connecticut over $4,000,000 annually. It is our money, raised by our hands and our brains. Now, in all decency will you not allow us that improvement that these unbiased, unprejudiced engineers have recommended? The Senate committee recommended it and so reported. Are you going to allow appropriations that take up the total receipts of some States and deny a portion of the receipts of other States to them for a harbor appropriation that is sorely needed? It can not be done very well in a private way. The private owner abutting on that river may have 50 feet. He may have 75 feet, but if his neighbor does not do his share the money is wasted. From this little city of Bridge-

port itself the Government collects annually about half a million dollars.

My friend from Washington [Mr. HUMPHREY] was not satisfied with getting $7,095,000 for Washington and her sister State, and almost the last act of the last administration, passed and signed and completed the performance, after giving these two States $7,095,000 for harbors, was to add $750,000 for public buildings.

The CHAIRMAN. The time of the gentleman has expired.

Mr. CRISP. Mr. Chairman, I ask unanimous consent that the gentleman's time be extended 10 minutes.

The CHAIRMAN. The gentleman from Georgia asks unanimous consent that the time of the gentleman from Connecticut be extended 10 minutes. Is there objection?

Mr. HUMPHREY of Washington. Under the circumstances, Mr. Chairman, I object.

Mr. STAFFORD. Mr. Chairman, has not the gentleman from Connecticut the right to proceed by moving to strike out the last word?

Mr. DONOVAN. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman will proceed.

Mr. DONOVAN. Mr. Chairman, the gentleman from Washington, whose State, as I have just said, received three-quarters of a million on the last day of the last year of the last administration for public buildings—Mr. Chairman, there is not in my district to-day a public building with a roof on, except one. There are two in the process of cellar digging; but my distinguished friend from Washington, the ranking member of the minority on Rivers and Harbors, has in his State public buildings costing three-quarters of a million dollars. What is going to satisfy that crew? How much greed are they going to show, and is Congress to support, and then kick the little State of Connecticut, as it were, out of doors? Ah, Mr. Chairman, the child that gave the dog the bit of food and the dog that bit that hand is just as cruel and just as unfeeling as this committee is when they toss into the wastebasket the appropriations for the little State of Connecticut, which has been so generous and given up to its country and to the Federal Government for the last 20 years, receiving nothing in return.

I appeal to you, gentlemen, for justice. Let that little Arcadian village, that busy-bee place in Connecticut, have at least what you would give for removing the snags and hyacinth grass from the rivers that are lacking in commerce, let alone water. [Laughter.] I thank you, gentlemen. [Applause.]

Mr. SPARKMAN. Mr. Chairman, I have not examined this project very thoroughly, and can not at this time say whether it is a good or a bad one, but it is a new project, and unless we intend to open the door for new projects we can not afford to vote in the amendment offered by the gentleman from Connecticut. The House understands the situation and knows that we have not taken on any new projects in this bill. The House also understands why we have not done so. The matter was discussed fully and considered in the full committee, and it was determined that no new projects should be included in the bill as presented, no matter how meritorious they might be. There are more than a hundred new projects, the most of them meritorious, that ought to be taken care of whenever a bill is framed with new projects. If we were to let in this project there would be no place to draw the line, and we should consider them all, a thing manifestly impossible now. We can not do all this work at once. We will, I hope, have another bill next winter, when new projects, along with this one, may be considered. I hope the amendment will not prevail.

Mr. DONOVAN. Mr. Chairman, I want to quote the engineer against the chairman, who calls it a new project. The engineer says:

> For the reasons stated, I believe that the further modification and revision of the project as described in this report is now justifiable.

Mr. SPARKMAN. That language does not change the status of the matter at all. It is a new project; that is, one not heretofore adopted. It is in the same condition as a hundred other similar projects that have been left out, not because, perhaps, of any lack of merit, but because we thought the bill at this time could not stand new projects. The project may have merit. I have not examined it carefully. It came in too late for the bill of 1914. I believe it was included in the Senate amendments, but the bill was finally defeated, and it went out with all other new projects.

The CHAIRMAN. Without objection, the pro forma amendment is withdrawn, and the question is on the amendment offered by the gentleman from Connecticut [Mr. DONOVAN].

The question was taken; and on a division (demanded by Mr. DONOVAN) there were—ayes 50, noes 53.

Mr. DONOVAN. I demand tellers, Mr. Chairman.

Mr. SPARKMAN. Mr. Chairman, I move that the committee do now rise.

The question was taken; and on a division (demanded by Mr. DONOVAN and others) there were—ayes 67, noes 48.

So the committee determined to rise.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. RAINEY, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 20189, the river and harbor bill, and had come to no resolution thereon.

ENROLLED BILL SIGNED.

Mr. ASHBROOK, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bill of the following title, when the Speaker signed the same:

S. 5168. An act for the relief of the King Theological Hall and authorizing the conveyance of real estate to the Howard University and other grantees.

ENROLLED BILL PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. ASHBROOK, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States for his approval the following bill:

H. R. 13815. An act to increase the limit of cost for the construction of a public building at Marlin, Tex.

HOUR OF MEETING TO-MORROW.

Mr. SPARKMAN. Mr. Speaker, I ask unanimous consent that when the House adjourns to-day it adjourn to meet to-morrow at 11 o'clock.

The SPEAKER. The gentleman from Florida asks unanimous consent that when the House adjourns to-day it adjourn to meet to-morrow at 11 o'clock a. m. Is there objection?

Mr. REILLY of Connecticut and Mr. DONOVAN objected.

ADJOURNMENT.

Mr. SPARKMAN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 20 minutes p. m.) the House adjourned until to-morrow, Friday, January 15, 1915, at 12 o'clock noon.

EXECUTIVE COMMUNICATION.

Under clause 2 of Rule XXIV, a letter from the Secretary of the Treasury, transmitting copy of a communication of the Secretary of War submitting a supplemental estimate of appropriation in the sum of $722,683, required by the Panama Canal for continuing the construction on the Panama Canal Zone of barracks, quarters, storehouses, etc., necessary for the mobile army and Coast Artillery troops to be stationed there (H. Doc. No. 1487), was taken from the Speaker's table, referred to the Committee on Appropriations, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. LENROOT, from the Committee on the Public Lands, to which was referred the bill (H. R. 20851) to reserve lands to the Territory of Alaska for educational uses, and for other purposes, reported the same without amendment, accompanied by a report (No. 1280), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. HARDY, from the Committee on the Merchant Marine and Fisheries, to which was referred the bill (H. R. 20282) to provide for the appointment of 11 supervising inspectors, Steamboat-Inspection Service, in lieu of 10, reported the same without amendment, accompanied by a report (No. 1281), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

He also, from the same committee, to which was referred the bill (H. R. 20281) to provide for the appointment of certain assistant inspectors, Steamboat-Inspection Service, at ports where they are actually performing duty, but to which they are at present detailed, reported the same without amendment, accompanied by a report (No. 1282), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Invalid Pensions was discharged from the consideration of the bill (H. R. 5823) granting an increase of pension to Benjamin W. Clark, and the same was referred to the Committee on Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. MURRAY: A bill (H. R. 20890) for the relief of the Iowa Tribe of Indians; to the Committee on Indian Affairs.

By Mr. WALKER: A bill (H. R. 20891) to place Bacon County, Ga., in the southwestern division of the southern district of Georgia; to the Committee on the Judiciary.

By Mr. KENNEDY of Rhode Island: A bill (H. R. 20892) to amend paragraph 2 of an act entitled "An act to amend paragraph 2 of section 3264, Revised Statutes of the United States, as amended by section 5 of the act of March 1, 1879, and act of June 22, 1910"; to the Committee on Ways and Means.

By Mr. KONOP: A bill (H. R. 20893) authorizing the Secretary of War to donate to the city of Appleton, in the county of Outagamie and State of Wisconsin, two bronze or brass cannon or fieldpieces, with their carriages; to the Committee on Military Affairs.

By Mr. AIKEN: A bill (H. R. 20894) to provide for the appointment of a district judge, district attorney, and marshal for the western district of South Carolina, and for other purposes; to the Committee on the Judiciary.

By Mr. J. I. NOLAN: A bill (H. R. 20895) to provide for the admission into soldiers' and sailors' homes of persons who have served in the Army or in the Navy of the United States; to the Committee on Military Affairs.

By Mr. KIESS of Pennsylvania: A bill (H. R. 20896) authorizing the Secretary of War to donate one condemned cannon to the city of Williamsport, Pa.; to the Committee on Military Affairs.

By Mr. PALMER: A bill (H. R. 20897) to protect certain animals in Alaska; to the Committee on Ways and Means.

By Mr. THACHER: A bill (H. R. 20898) to authorize the establishment of a life-saving station on the north side of Nantucket Island, Mass., between Eel Point and the breakwater at the entrance to Nantucket Harbor; to the Committee on Interstate and Foreign Commerce.

By Mr. ADAMSON: A bill (H. R. 20899) providing that the Panama Canal rules shall govern in measurement of vessels for imposing tolls, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. PAGE of North Carolina: A bill (H. R. 20900) to permit connecting or intersecting street railways of the District of Columbia to be operated under joint management, and for other purposes; to the Committee on the District of Columbia.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. AINEY: A bill (H. R. 20901) granting an increase of pension to Calvin C. Halsey; to the Committee on Invalid Pensions.

By Mr. BARNHART: A bill (H. R. 20902) granting an increase of pension to Hiram W. Shroyer; to the Committee on Invalid Pensions.

By Mr. BORCHERS: A bill (H. R. 20903) granting a pension to Rebecca Scott; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20904) granting a pension to Mary O. Smith; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20905) granting an increase of pension to Sarah A. Judson; to the Committee on Invalid Pensions.

By Mr. BURKE of Wisconsin: A bill (H. R. 20906) granting an increase of pension to Elizabeth Smith; to the Committee on Invalid Pensions.

By Mr. BURNETT: A bill (H. R. 20907) granting an increase of pension to Eron B. Wallace; to the Committee on Pensions.

Also, a bill (H. R. 20908) granting an increase of pension to Mary F. Wilkinson; to the Committee on Pensions.

By Mr. CLARK of Florida: A bill (H. R. 20909) granting an increase of pension to Etta Adair Anderson; to the Committee on Pensions.

By Mr. COADY: A bill (H. R. 20910) for the relief of Ann E. H. Boyle, administratrix of James Hooper, deceased; to the Committee on Claims.

By Mr. COLLIER: A bill (H. R. 20911) for the relief of the estate of John P. Gee; to the Committee on War Claims.

By Mr. CONNELLY of Kansas: A bill (H. R. 20912) granting an increase of pension to George W. Taylor; to the Committee on Invalid Pensions.

By Mr. DIXON: A bill (H. R. 20913) granting an increase of pension to James B. Kitts; to the Committee on Invalid Pensions.

By Mr. ESCH: A bill (H. R. 20914) granting an increase of pension to Robert L. Ferguson; to the Committee on Invalid Pensions.

By Mr. FAIRCHILD: A bill (H. R. 20915) granting an increase of pension to William Holdredge; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20916) granting an increase of pension to Martha W. P. Smith; to the Committee on Invalid Pensions.

By Mr. GRAHAM of Illinois: A bill (H. R. 20917) for the relief of Elijah F. Hocker; to the Committee on Military Affairs.

By Mr. JOHNSON of Washington: A bill (H. R. 20918) granting a pension to Patrick Boland; to the Committee on Pensions.

By Mr. KIESS of Pennsylvania: A bill (H. R. 20919) granting a pension to Edward H. Dalton; to the Committee on Pensions.

By Mr. KIRKPATRICK: A bill (H. R. 20920) granting an increase of pension to Mary L. Rous; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20921) granting an increase of pension to William J. Sexton; to the Committee on Invalid Pensions.

By Mr. MORGAN of Louisiana: A bill (H. R. 20922) for the relief of estate of Sophia Brown and heirs of Jacob Bezar, deceased; to the Committee on War Claims.

By Mr. POST: A bill (H. R. 20923) to confer jurisdiction upon the Court of Claims to try and determine the validity of any claims of George C. Jenkins, late second lieutenant, First Regiment Alabama Volunteer Cavalry, may have against the Government for services rendered in the military service of the United States during the War of the Rebellion; to the Committee on War Claims.

By Mr. RUPLEY: A bill (H. R. 20924) granting a pension to Edward H. Richards; to the Committee on Pensions.

By Mr. RUSSELL: A bill (H. R. 20925) granting an increase of pension to Samuel Graham; to the Committee on Invalid Pensions.

By Mr. SCULLY: A bill (H. R. 20926) granting an increase of pension to Francis T. Powell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20927) granting an increase of pension to John Wilson; to the Committee on Invalid Pensions.

By Mr. SWITZER: A bill (H. R. 20928) granting a pension to John A. Hiser; to the Committee on Invalid Pensions.

By Mr. TAVENNER: A bill (H. R. 20929) granting a pension to Susan A. Wilsey; to the Committee on Invalid Pensions.

By Mr. THACHER: A bill (H. R. 20930) granting an increase of pension to Charles W. Burkett; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Petition of Washington Lodge, No. 15, Benevolent and Protective Order of Elks of the United States of America, protesting against the Sheppard amendment to the District of Columbia appropriation bill; to the Committee on the District of Columbia.

Also (by request), memorial of Amalgamated Clothing Workers of America, opposing the literacy test for immigrants; to the Committee on Immigration and Naturalization.

By Mr. BAILEY: Petition of John Lloyd & Sons, Jeff Evans, Schettig Bros., Carl Rivinius, and Barker Bros., all of Ebensburg, Pa., for the passage of House bill 5308, a bill providing for the taxation of mail-order houses for local purposes; to the Committee on Ways and Means.

By Mr. BURKE of South Dakota: Petitions of sundry citizens of Akaska, Bowdle, Elkton, Groton, Herreid, Mound City, South Shore, Tripp, and Willow Lake, all in the State of South Dakota, in favor of House joint resolution 377; to the Committee on Foreign Affairs.

By Mr. BURKE of Wisconsin: Resolutions adopted by St. Peter's Society of West Bend, Wis., composed of 110 members, asking for the passage of legislation to prohibit the sale and exportation of arms and ammunition from this country to European countries now engaged in war; to the Committee on Foreign Affairs.

Also, petition of Emanuel Pfaff and 95 other citizens, of Thereas, Wis., asking for the passage of House joint resolution 377 at this session, to prohibit the exportation of arms and ammunition from this country to belligerent countries; to the Committee on Foreign Affairs.

Also, petition of Ernst Eichmann and 38 other citizens, of the city of Sheboygan, Wis., asking for the passage at this session of House joint resolution 377, to prohibit the exportation of arms, ammunition, etc., to any of the European countries now engaged in war; to the Committee on Foreign Affairs.

Also, petitions of Charles Braunschweig, Richard W. Minning, and 56 other citizens, of the town of Lebanon, Dodge County,

Wis.; Rev. August Kirchner, Prof. W. E. Reim, and 18 of the principal business men of the village of Hustisford, Wis., asking for the passage of S. 6688, or any similar measure to levy an embargo on all contraband of war save foodstuffs only; to the Committee on Foreign Affairs.

Also, petition of Judge J. E. Uselding, Hon. Albert W. Grady, and 56 other citizens of the city of Port Washington, Wis., asking for the passage at this session of House joint resolution 377, to levy an embargo upon and prohibit the exportation from this country to European countries now at war of all arms, munitions of war, etc.; to the Committee on Foreign Affairs.

Also, petition of Rev. William Weber and 76 other citizens, of Allenton, Wis., asking for the passage at this session of S. 6688, or any similar measure to prohibit the exportation of all munitions and contraband of war to belligerent countries save foodstuffs; to the Committee on Foreign Affairs.

Also, petition of Rev. Rud. F. W. Pietz and 55 other citizens, of Lomira, Wis., asking for the passage of Senate bill 6688, or any similar measure, to levy an embargo on all contraband of war save foodstuffs only; to the Committee on Foreign Affairs.

By Mr. COADY: Memorial of St. Paul's Fifth Reformed Church, of Baltimore, Md., favoring strict neutrality by United States; to the Committee on Foreign Affairs.

By Mr. COPLEY: Memorial of Krieger Verein, of Elmhurst, and citizens of Dundee, Ill., favoring passage of House joint resolution 377, relative to munitions of war from American ports; to the Committee on Foreign Affairs.

By Mr. DALE: Memorial of the Pennsylvania Arbitration and Peace Society, German Roman Catholic Central Verein, of Brooklyn, N. Y., favoring maintaining strict neutrality of United States; to the Committee on Foreign Affairs.

By Mr. DILLON: Petition of citizens of South Dakota, favoring House joint resolution 377, to forbid export of arms; to the Committee on Foreign Affairs.

By Mr. DONOVAN: Petition of citizens of Danbury, Conn., favoring House joint resolution 377, to forbid export of arms; to the Committee on Foreign Affairs.

By Mr. DOOLITTLE: Petition of 31 citizens of Belvue and Paxico, Kans., favoring passage of House joint resolution 377; to the Committee on Foreign Affairs.

Also, petition of 10 Civil War veterans, asking for the repeal of the act of March 3, 1879, interpreting the act of January 25, 1879, relating to arrears of pensions; to the Committee on Pensions.

By Mr. DRUKKER: Petition of Christ Evangelical Church, Paterson, N. J., relative to violation of the spirit of neutrality by the United States; to the Committee on Foreign Affairs.

By Mr. EAGAN: Petition of citizens of Hoboken, N. J., relative to violation of the spirit of neutrality by the United States; to the Committee on Foreign Affairs.

By Mr. ESCH: Petition signed by Louis W. Silberschmidt and 138 other citizens of La Crosse, Wis., urging support of a resolution prohibiting the exportation of munitions of war; to the Committee on Foreign Affairs.

Also, petition signed by Oscar Kramer and 64 other citizens of La Crosse, Wis., urging support of a resolution prohibiting the exportation of munitions of war; to the Committee on Foreign Affairs.

Also, petition signed by F. P. Popp and 105 other residents of Ableman, Wis., urging the passage of the resolution prohibiting the exportation of munitions of war from the United States; to the Committee on Foreign Affairs.

Also, petition signed by Frank Gudenschwager and 29 other residents of Lime Ridge, Wis., urging the passage of a resolution prohibiting the exportation of munitions of war from the United States; to the Committee on Foreign Affairs.

Also, petition signed by Rev. J. T. Gamm and 260 other citizens of La Crosse, Wis., urging support of a resolution prohibiting the exportation of munitions of war; to the Committee on Foreign Affairs.

By Mr. FOSTER: Petitions of sundry citizens and organizations of the State of Illinois, favoring passage of House joint resolution 377, relative to exportation of war material; to the Committee on Foreign Affairs.

Also, petitions of business men of the State of Illinois, favoring passage of House bill 5308, relative to taxing mail-order houses; to the Committee on Ways and Means.

By Mr. GORMAN: Petition of Charles Margraff and other citizens of Chicago, Ill., favoring House joint resolution 377, to forbid export of arms; to the Committee on Foreign Affairs.

By Mr. HAMLIN: Papers to accompany House bill 20859, a bill to increase pension of Thomas H. Wriston; to the Committee on Invalid Pensions.

By Mr. JOHNSON of Utah: Petition of 530 business firms of the State of Utah, favoring passage of House bill 5308, relative to taxing mail-order houses; to the Committee on Ways and Means.

By Mr. KENNEDY of Iowa: Petition of business men of Mount Pleasant, West Burlington, Montrose, and New London, Iowa, favoring passage of House bill 5308, relative to taxing mail-order houses; to the Committee on Ways and Means.

Also, petition of citizens of West Point and Donnellson, Iowa, favoring passage of House joint resolution 377; to the Committee on Foreign Affairs.

By Mr. MAHAN: Petition of sundry citizens of Norwich, Conn., favoring passage of House joint resolution 377, to prohibit exportation of munitions of war; to the Committee on Foreign Affairs.

By Mr. POST: Petition of various citizens of New Holland and Williamsport, Ohio, favoring passage of House bill 5308, relative to taxing mail-order houses; to the Committee on Ways and Means.

By Mr. SCULLY: Petition of Ralph H. Sirchert, of Passaic, N. J., relative to neutrality of the United States; to the Committee on Foreign Affairs.

By Mr. VARE: Petition of 300 members of the German Presbyterian Church of Peace, relative to violation of the spirit of neutrality in the United States; to the Committee on Foreign Affairs.

By Mr. VOLLMER: Petitions of 750 citizens of Illinois; St. Joseph Society, of St. Louis, Mo.; Roman Catholic Mutual Protective Society, of Muscatine, Iowa; and German Evangelical Protestant Church of Pittsburgh, Pa., favoring passage of House joint resolution 377, prohibiting exportation of war material; to the Committee on Foreign Affairs.

SENATE.

FRIDAY, *January 15, 1915.*

Right Rev. Julius W. Atwood, D. D., bishop of Arizona, offered the following prayer:

Direct, O Lord, the Members of this Senate with Thy most gracious favor and further them with Thy continual help, that in all their works begun, continued, and ended in Thee they may do Thy holy will and realize the truth of all Thy Son's life and teaching, that in serving the State and the Nation they also serve their Father and their God. Listen to us as we join in the words Thy dear Son taught us to pray: Our Father, who art in heaven. Hallowed be Thy name. Thy kingdom come. Thy will be done on earth as it is in heaven. Give us this day our daily bread, and forgive our trespasses as we forgive those who trespass against us; and lead us not into temptation, but deliver us from evil. For Thine is the kingdom, and the power, and the glory. Forever and ever. Amen.

The Journal of yesterday's proceedings was read and approved.

DEVELOPMENT OF WATER POWER.

Mr. MYERS. Mr. President, I ask the indulgence of the Senate for a few minutes in order that I may correct a misstatement that has gone into the RECORD.

It has just come to my knowledge that on the day before yesterday in the Senate, during my unavoidable absence from the Chamber, the Senator from Idaho [Mr. BORAH] made an incorrect statement about the status of House bill 16673, the water-power bill. Of course, I know the Senator from Idaho would not knowingly make a misstatement about any matter, material or immaterial, but, nevertheless, he was mistaken in the statement which he made.

He stated that at that time the bill was still in the Committee on Public Lands and had not been reported out. That was not correct. The bill was reported favorably with amendments on Monday of this week, and is now on the Senate calendar and was when the Senator from Idaho was speaking. The committee took final action on the bill about the middle of last week. It took several days to prepare and write the report, and the bill was reported on Monday last.

Of course, I know it had not long been reported—only a few days—when the Senator from Idaho inadvertently made that statement, but I do not want the statement that the bill is still in the hands of the committee and not reported out to go into the RECORD without being corrected.

Mr. JONES. Will the Senator permit me?

Mr. MYERS. Certainly.

Mr. JONES. I have not looked at the RECORD, but my recollection of the remarks of the Senator from Idaho is that he stated the bill had not been reported at the time the President made his speech at Indianapolis.

Mr. MYERS. And also at the time he was speaking.

Mr. JONES. I do not think so, Mr. President.

Mr. MYERS. Of course, I do not want to attribute to the Senator from Idaho anything he did not say, but the RECORD reports him as saying what I have indicated; and I want to make it plain that the bill was reported out on Monday of this week.

Mr. JONES. Of course, the Senator does not pretend to state that the report had been made when the President made his speech at Indianapolis.

Mr. MYERS. I do not. I mean just what I have said, and I am stating the facts correctly. The power bill is now out of committee and on the calendar and has been all of this week. At the same time the Senator from Idaho made some criticism, I have learned, of the bill and of the President for his approval of it and stated that some western Senators were opposed to the measure. I will not contend about those things at this time nor enter into any controversy about them; it is not necessary. There will be a proper time for that. It is true that some western Senators, both Democrats and Republicans, are opposed to the bill, but it is sufficient to say at this time that the bill was ordered favorably reported by a large majority of the Public Lands Committee, there being both Democrats and Republicans on the committee supporting the motion; and it has a number of warm supporters among western Senators, both Democrats and Republicans.

When the bill may come before the Senate for consideration and final disposition it will be earnestly supported and championed, and its merits will be well presented to the Senate by a number of Senators, both Democrats and Republicans. It will be well cared for. As to the fact that the President gives it his support, those of us who are in favor of the bill consider it as one of the evidences of its merits that it has the hearty approval of both the President and the Secretary of the Interior. I have no apprehension about the final disposition of the bill. The only thing about which I am solicitous is to get it before the Senate for its consideration and final disposition, and when that shall be done I am satisfied as to what the result will be. The measure possesses much merit and has strong support, both in and out of Congress.

CHESAPEAKE & POTOMAC TELEPHONE CO. (H. DOC. NO. 1489).

The VICE PRESIDENT laid before the Senate the annual report of the Chesapeake & Potomac Telephone Co. for the year ended December 31, 1914, which was referred to the Committee on the District of Columbia and ordered to be printed.

GEORGETOWN BARGE, DOCK, ELEVATOR & RAILWAY CO. (H. DOC. NO. 1490).

The VICE PRESIDENT laid before the Senate the annual report of the Georgetown Barge, Dock, Elevator & Railway Co. for the year ended December 31, 1914, which was referred to the Committee on the District of Columbia and ordered to be printed.

CREDENTIALS.

The VICE PRESIDENT laid before the Senate the credentials of LEE S. OVERMAN, chosen by the electors of the State of North Carolina a Senator from that State for the term beginning March 4, 1915, which were read and referred to the Committee on Privileges and Elections.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 6060) to regulate the immigration of aliens to and the residence of aliens in the United States.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the Vice President:

S. 5168. An act for the relief of the King Theological Hall, and authorizing the conveyance of real estate to the Howard University and other grantees; and

H. R. 5195. An act for the relief of the Atlantic Canning Co.

PETITIONS AND MEMORIALS.

Mr. SHEPPARD. I present a petition, which I ask to have read.

The VICE PRESIDENT. Is there objection?

Mr. TOWNSEND. I did not understand the request.

The VICE PRESIDENT. The Senator from Texas asks for the reading of a petition. Is there objection. The Chair hears none, and the Secretary will read it.

The petition was read, as follows:

The Woman's Christian Temperance Union of the District of Columbia, representing 1,200 women, assembled this January 14, 1915, in a day of prayer for the furtherance of prohibition in our loved land, most earnestly petition both Houses of Congress to grant us prohibition for the District of Columbia and national constitutional prohibition for our loved Nation.

Mrs. EMMA SANFORD SHELTON,
President.
Mrs. E. S. HENRY,
Corresponding Secretary.
Mrs. B. A. LINEBACK,
Recording Secretary.
Mrs. THEO. T. MOORE,
Treasurer.
Mrs. MARGARET DYE ELLIS,
Legislative Superintendent for National Woman's Christian Temperance Union.

Mr. MARTINE of New Jersey. I present a number of telegrams I have received protesting against prohibition in the District of Columbia. I will state that these are only a few of over 200 that I have received. I simply present them that they may be recorded.

The telegrams were received and ordered to be printed in the RECORD, as follows:

HOBOKEN, N. J., *January 13, 1915.*

Senator JAMES E. MARTINE,
Washington, D. C.:

Please do your utmost to prevent the passage of the bill before the Senate to make the District of Columbia dry.

WILLIAM BRANDES.

—

PLAINFIELD, N. J., *January 13, 1915.*

Senator JAMES E. MARTINE,
Washington, D. C.:

I am opposed to making District of Columbia dry and ask you kindly to vote against measure.

FARMERS' HOTEL,
JOSEPH BLIMM, *Proprietor.*

—

PLAINFIELD, N. J., *January 13, 1915.*

Senator JAMES E. MARTINE,
Washington, D. C.:

Urgently request you please vote against making District of Columbia dry.

HILAIRE C. BLATZ.

—

HOBOKEN, N. J., *January 13, 1915.*

Senator JAMES E. MARTINE,
Washington, D. C.:

Please do your utmost to prevent the passage of the bill before the Senate to make the District of Columbia dry.

Mr. BUGEVICH.

—

HOBOKEN, N. J., *January 13, 1915.*

Senator JAMES F MARTINE,
Washington, D. C.:

Please do your utmost to prevent the passage of the bill before the Senate to make the District of Columbia dry.

R. NAEGELIS SONS.

—

HOBOKEN, N. J., *January 13, 1915.*

Senator JAMES F. MARTINE,
Washington, D. C.:

Please do your utmost to prevent the passage of the bill before the Senate to make the District of Columbia dry.

KAHN BROS.

—

HOBOKEN, N. J., *January 13, 1915.*

Senator JAMES F. MARTINE,
Washington, D. C.:

Please do your utmost to prevent the passage of the bill before the Senate to make the District of Columbia dry.

GUSTAV ETTLING.

—

PLAINFIELD, N. J., *January 13, 1915.*

Senator JAMES F. MARTINE,
Washington, D. C.:

Please vote against making District of Columbia dry. Very unreasonable, unjust.

QUEEN CITY HOTEL,
By PETER FLOERSCHE, *Proprietor.*

Mr. GALLINGER presented a petition of the Central Labor Union of Manchester, N. H., praying for the enactment of legislation to regulate interstate shipment of convict-made goods, which was ordered to lie on the table.

Mr. NELSON presented memorials of sundry citizens of Minnesota, remonstrating against the enactment of legislation to prohibit the exportation of ammunition, etc., which were referred to the Committee on Foreign Relations.

Mr. BURLEIGH presented a petition of the Excelsior No Surrender Royal Orange Lodge, of Lewiston, Me., praying for the enactment of legislation to further restrict immigration, which was ordered to lie on the table.

Mr. BRISTOW presented petitions of sundry citizens of Sylvan Grove and Andale, in the State of Kansas, praying for the enactment of legislation to prohibit the exportation of ammunition, etc., which were referred to the Committee on Foreign Relations.

He also presented a memorial of sundry citizens of Frankfort, Kans., remonstrating against the exclusion of anti-Catholic

publications from the mail, which was referred to the Committee on Post Offices and Post Roads.

He also presented a petition of sundry citizens of Washington, Kans., praying for the adoption of an amendment to the Constitution to prohibit polygamy, which was referred to the Committee on the Judiciary.

Mr. WEEKS presented a memorial of the Humane Society of Lowell, Mass., remonstrating against the sale of American horses to any foreign country for the purposes of war, which was referred to the Committee on Foreign Relations.

Mr. TOWNSEND presented petitions of sundry citizens of Saginaw, Detroit, Benton Harbor, Lansing, Unionville, and Montague, all in the State of Michigan, praying for the enactment of legislation to prohibit the exportation of ammunition, etc., which were referred to the Committee on Foreign Relations.

SHIPMENTS OF HORSES FOR EUROPEAN WAR.

Mr. MARTINE of New Jersey. Mr. President, if it is proper at this time, I desire to present a letter from one of my constituents touching upon a subject that has appealed to me very much since the war in Europe, and it seems to me that it is one that should appeal to every human being—the horrible destruction of horses that are required in artillery and for various uses in the war. The article goes on to say, and I echo it with a great deal of gusto, that while we have prohibited the sale of submarines, we have placed no embargo on these poor brutes which are being bought by thousands in our land and shipped to Europe, where the greater part of them are helpless and crippled, writhing in pain and agony on the battle field. I ask that the letter may be printed in the RECORD.

The VICE PRESIDENT. Is there objection? The Chair hears none.

The letter referred to is as follows:

WOODBURY, N. J., *January 4, 1915.*

To the Hon. J. E. MARTINE,
Senate Chamber, Washington, D. C.:

Shall American horses be shipped for slaughter on European battle fields?

The United States Government has prevented the sale to European belligerents of American submarines, but permits the sale of American horses, thereby laying itself open to the charge of violation of our spirit of honest neutrality.

It is said that over 50,000 American horses have already been purchased for this purpose. The great majority of these will die from wounds, exhaustion, shell fire, starvation, injuries, and ill treatment.

In permitting this traffic, which means so much excessive cruelty to our horses, are we true to any principle of humanity? Are we fair as neutrals?

If we are to violate our duty as neutrals, we might better send arms and ammunition rather than ship these living sacrifices to the god of war.

As one strongly interested in humanitarian work among horses, I protest against this inhuman traffic and beg that you will use your influence that action shall be taken which shall stop these foreign shipment of horses until the war is at an end.

Very respectfully, yours, SEBYL T. JONES.

Mr. GALLINGER. In this connection I will state that my attention has been called to a statement to the effect that the horses we are shipping from this country to the European nations survive, on the average, only a few days—two or three weeks at the longest—after they have been impressed into service. Does the Senator know anything about that?

Mr. MARTINE of New Jersey. I can only say that I think, mayhap, it is in common with the experience we had in our own war. I remember the agents bought a great many poor, miserable cripples and palmed them off on the Government. I have no doubt that is true; but still the fact is true that superb specimens of that brute creation are bought and carried over and lined up in battle and shot down, maimed and crippled, and that they die writhing in pain and agony. God knows my heart goes out for them.

Mr. GALLINGER. So does mine.

SERVICE ON THE GREAT LAKES.

Mr. TOWNSEND. I present a concurrent resolution adopted by the Legislature of the State of Michigan in reference to the so-called seamen's bill. I ask that it be read.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the Secretary will read the concurrent resolution.

The concurrent resolution was read and ordered to lie on the table, as follows:

Concurrent resolution adopted by the Michigan State Legislature.

Whereas there is pending before Congress Senate bill No. 136, intended, through drastic regulations, to protect passengers upon boats plying on the ocean and the Great Lakes which if enacted would virtually put out of business all passenger-boat lines operating upon the said Great Lakes; and

Whereas the passenger season on the Great Lakes is only for three months in midsummer, and steamers are passing and repassing each other at very short intervals, so that assistance is always near at hand in the case of any accident, the risk of casualties being reduced to a minimum, and is entirely different from the dangers on the ocean; and

Whereas millions of passengers have been carried and no loss of life has occurred on any of the passenger boats plying on said lakes during the last 10 years; and

Whereas whatever loss of life has occurred in that time on these lakes has been upon freight carriers which operate late in the season, and the bulk of such loss occurring during that part of the season and at a time when passenger and excursion boats are laid up for the winter; and

Whereas many millions of dollars are invested in said passenger and excursion boats, built under Government regulations, inspection, and supervision, which under the proposed bill would become almost a total loss and many thousands of persons be thrown out of employment; and

Whereas if under these conditions Congress should insist on enacting the proposed legislation, we feel that the excursion and passenger steamers of the Great Lakes should be exempted from the provisions of the bill: Now, therefore, be it

Resolved by the house of representatives (the senate concurring), That the Legislature of the State of Michigan respectfully asks the Congress of the United States to refuse to enact the proposed measure enumerated above as applied to the Great Lakes and for the reasons contained in the preamble hereof; and be it further

Resolved, That a copy of these resolutions be transmitted by the clerk of the house of representatives to each of the Senators and Representatives from this State in the Congress of the United States, and they are hereby respectfully requested to oppose by all honorable means the enactment of this proposed legislation.

Mr. LA FOLLETTE. Mr. President, in connection with the resolution submitted by the Senator from Michigan [Mr. TOWNSEND] regarding excursion boats in the Lake service I wish to have printed in the RECORD and will ask to have read from the desk an extract from a report made by the board of education of Chicago, which instituted an investigation regarding this excursion service.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the Secretary will read as requested.

The Secretary read as follows:

REPORT OF THE CHICAGO SCHOOL CENSUS OF 1914 AND ANNUAL REPORT OF THE SUPERINTENDENT OF COMPULSORY EDUCATION.

[Pages 31 and 33.]

LAKE BOAT EXCURSION DANGERS.

In June and July the department, at the suggestion of Dean Walter T. Sumner, of the school management committee, approved by the superintendent of schools, conducted an investigation of conditions on the lake excursion boats, so extensively patronized by school children during the summer months. Investigators covered these boats for the purpose of making known to parents and the public the conditions found.

It was ascertained that during the summer of 1914 many of these excursion boats were merely floating saloons and that the rule prohibiting sale of liquor to minors was not enforced. The discipline on most of the boats was lax; unescorted young girls were subject to indignities; immoral women and licentious men patronized the boats, and moral conditions were bad, and anyone with "the price" could rent a stateroom. The Government is now following up the investigation. Slot machines, paddle and wheel games gave children their first lesson in gambling; bars were opened before the 3-mile limit was reached; minors were found drunk; men took indecent liberties with women; and rowdyism was rampant on "big days," especially the Fourth of July. While the majority of passengers conduct themselves properly, there is a vicious and degenerate minority, including a clique of young men who infest the boats, looking upon unescorted young girls as "legitimate prey."

It was found that the boats only carried lifeboats and life rafts to save the lives of 30 per cent of their passengers, and this means that a boat licensed to a capacity of 2,000 to 3,000 passengers during the excursion period—May 15 to October 15—would be able to provide lifeboats and life rafts for less than one-third on board if the boat was crowded to its capacity. These boats are crowded to the rail on holidays and week-end trips. Life preservers are plentiful, but life preservers are not adequate protection for small children. The crews are small, and unless there is amended national legislation to compel excursion boats to increase their lifeboat equipment personal safety on an overcrowded Lake Michigan excursion boat is a risk in which humanity must depend upon fate as to whether it would be numbered among the "one-third saved" or the two-thirds that would be dependent upon life preservers. Among the latter would doubtless be many children with only a circle of cork around them to float their frightened souls to rescue.

It was found that the majority of excursion boats encouraged the gambling spirit among children and that money was accepted from a 6-year-old child to play the paddle game. In this investigation of the conditions on the excursion boats our officers found that the *Christopher Columbus* maintained the best discipline on board among its passengers. No slot machines nor gambling devices of any kind were found on board; six boat patrolmen maintained order, and the moral conditions during the period named were the best of any boat under surveillance. The *City of South Haven* maintains several patrolmen, but, unfortunately, permits games of chance that are patronized by school children. Parents should not permit their children to go on any excursion boat unescorted.

I recommend that the lake excursions of the vacation schools be abandoned until every boat is better equipped with adequate lifesaving facilities. The bars on these boats should either be better regulated or eliminated.

Every public place, including amusement parks and theaters, as well as bathing beaches, should be strongly policed by special officers, as well as regular police officers, to make "safety first" apply to the moral protection of women and children. Juvenile delinquency is not a sequel of school life, but a sequel of the life of the school child outside of school hours, and the court records will corroborate this statement.

WILLIAM A. WALLACE.

Mr. MYERS, from the Committee on Military Affairs, to which was referred the bill (H. R. 12229) for the relief of William A. Wallace, reported it with an amendment and submitted a report (No. 916) thereon.

EMPLOYMENT OF ADDITIONAL CLERK.

Mr. WILLIAMS. From the Committee to Audit and Control the Contingent Expenses of the Senate, I report back favorably, without amendment, Senate resolution 519, authorizing the Committee on Post Offices and Post Roads to employ an additional clerk.

The VICE PRESIDENT. The resolution will be placed on the Table Calendar.

BILLS AND JOINT RESOLUTIONS INTRODUCED.

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. JOHNSON:

A bill (S. 7297) to regulate the admission into the United States of agricultural products raised on Daigle Island, in the St. John River; to the Committee on Agriculture and Forestry.

A bill (S. 7298) granting an increase of pension to Arvilla B. Hammond; to the Committee on Pensions.

By Mr. BRADY:

A bill (S. 7299) granting a pension to John A. Smith (with accompanying papers); to the Committee on Pensions.

By Mr. OLIVER:

A bill (S. 7300) granting an increase of pension to David J. Braughler (with accompanying papers); to the Committee on Pensions.

By Mr. GALLINGER:

A bill (S. 7301) granting an increase of pension to James F. Hobbs (with accompanying papers); to the Committee on Pensions.

By Mr. SHERMAN:

A bill (S. 7302) providing for the celebration of the semicentennial anniversary of the act of emancipation, and for other purposes; to the Committee on Industrial Expositions.

By Mr. POMERENE:

A bill (S. 7303) to amend section 20 of an act to regulate commerce, to prevent overissues of securities by carriers, and for other purposes; to the Committee on Interstate Commerce.

By Mr. REED:

A bill (S. 7304) to correct the military record of J. W. Metler (with accompanying papers); to the Committee on Military Affairs.

A bill (S. 7305) to authorize the Secretary of the Treasury to pay the claim of Mary Clerkin (with accompanying papers); to the Committee on Claims.

A bill (S. 7306) granting a pension to Laura E. Eby (with accompanying papers);

A bill (S. 7307) granting a pension to Sarah E. Davis (with accompanying papers);

A bill (S. 7308) granting a pension to Mable V. Rake (with accompanying papers);

A bill (S. 7309) granting a pension to John B. Lucas (with accompanying papers); and

A bill (S. 7310) granting a pension to Ethel M. Kurfiss (with accompanying papers); to the Committee on Pensions.

By Mr. BRISTOW:

A bill (S. 7311) granting an increase of pension to Ewander V. Turner (with accompanying papers); to the Committee on Pensions.

By Mr. CLAPP:

A bill (S. 7312) granting an increase of pension to Mary E. Clark; and

A bill (S. 7313) granting an increase of pension to James Gorman; to the Committee on Pensions.

By Mr. CRAWFORD:

A bill (S. 7314) granting an increase of pension to William A. N. Clare (with accompanying papers); to the Committee on Pensions.

By Mr. THOMPSON:

A bill (S. 7315) granting an increase of pension to Elizabeth M. Norton (with accompanying papers); to the Committee on Pensions.

By Mr. BANKHEAD:

A bill (S. 7316) providing exemption in certain cases from internal-revenue taxation; to the Committee on Finance.

By Mr. JAMES:

A bill (S. 7317) granting an increase of pension to Georgia Nelson (with accompanying papers); to the Committee on Pensions.

By Mr. OWEN:

A bill (S. 7318) to authorize the issuance of search warrants where probable cause appears for believing that intoxicating liquors are contained in certain places in violation of law and prohibiting the introduction of liquors into States having prohibitory laws, and for other purposes; to the Committee on the Judiciary.

By Mr. STERLING:

A joint resolution (S. J. Res. 226) providing for the appointment of a joint select committee to investigate and report as to the proper proportion of the expenses of the government of the District of Columbia which shall be borne by said District and the United States, respectively, and as to the necessity of any change or revision in the tax laws applicable to said District; to the Committee on the District of Columbia.

By Mr. OWEN:

A joint resolution (S. J. Res. 227) proposing an amendment to the Constitution of the United States; to the Committee on the Judiciary.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. ASHURST submitted an amendment proposing to appropriate $10,000 for the support and civilization of Seminole Indians of Florida, etc., intended to be proposed by him to the Indian appropriation bill (H. R. 20150), which was referred to the Committee on Indian Affairs and ordered to be printed.

Mr. GALLINGER submitted an amendment proposing to appropriate $1,000 to pay Hon. William P. Jackson for expenses incurred by him in the proceedings involving the validity of his credentials and his right to a seat in the United States Senate, intended to be proposed by him to the general deficiency appropriation bill, which was ordered to be printed, and, with the accompanying papers, referred to the Committee on Appropriations.

Mr. OWEN submitted an amendment proposing to appropriate $25,000 for the establishment of a legislative reference division in the Library of Congress, etc., intended to be proposed by him to the legislative, etc., appropriation bill (H. R. 19909), which was referred to the Committee on Appropriations and ordered to be printed.

DAMS OVER NAVIGABLE WATERS.

Mr. BANKHEAD submitted an amendment intended to be proposed by him to the bill (H. R. 16053) to amend an act entitled "An act to regulate the construction of dams across navigable waters," approved June 21, 1906, as amended by the act approved June 23, 1910, which was ordered to lie on the table and be printed.

RAILROADS AND RAILROAD SECURITIES.

Mr. OLIVER. I have here a pamphlet entitled "The Problem of the Railroads and Railroad Securities of the United States is the People's Problem." I think it worthy of being published as a public document, but suggest that the application be referred to the Committee on Printing.

The VICE PRESIDENT. The pamphlet will be referred to the Committee on Printing with the motion of the Senator from Pennsylvania.

SUPPLY OF ANILINE DYESTUFFS.

The VICE PRESIDENT. The Chair lays before the Senate a resolution coming over from a preceding day, which will be read.

The Secretary read Senate resolution 520, submitted yesterday by Mr. POMERENE, as follows:

Resolved, That the Secretary of Commerce be, and he is hereby, directed to inform the Senate as fully as possible as to the facts relating to the supply of dyestuffs for American textile and other industries, the sources of such supply, the extent and nature of the supply, the movement of prices, the available materials for the manufacture of such supplies in this country, the possibilities, if any, as to the stoppage of such supply by reason of the existing European war, and any and all such other facts as will bring the existing conditions in the aniline color industry fully to the knowledge of the Senate.

Mr. POMERENE. At the suggestion of another Senator, I ask that the resolution may lie over without prejudice until to-morrow.

The VICE PRESIDENT. Is there objection? The Chair hears none.

NATIONAL SECURITY COMMISSION.

Mr. LODGE. Mr. President, I ask that the joint resolution I introduced on the 7th of December last may be laid before the Senate.

The VICE PRESIDENT. The Chair lays before the Senate the joint resolution referred to by the Senator from Massachusetts, which will be read.

The Secretary read the joint resolution (S. J. Res. 202) providing for a national security commission, as follows:

Resolved, etc., That a commission is hereby created, to be called the National Security Commission, consisting of three Senators, to be appointed by the President of the Senate, and three Members of the House of Representatives, to be appointed by the Speaker of the House of Representatives, and three persons to be appointed by the President of the United States. Said commission shall make full investigation,

by subcommittee or otherwise, into the question of the preparedness of the United States for war, defensive or offensive. Said commission shall report to the Congress its findings and shall make such recommendations as in its judgment may seem proper.

For the purpose of said investigation said commission is authorized to send for persons and papers, to make all necessary travel, either in the United States or any foreign country, and to administer oaths. Such sums of money as may be necessary to carry out the purposes of this resolution are hereby appropriated, out of any money in the Treasury not otherwise appropriated: *Provided*, That not more than one Senator and one Member of the House of Representatives appointed on said commission shall be a member either of the Committee on Military Affairs or of the Committee on Naval Affairs of their respective bodies.

Mr. LODGE. Mr. President, some time since my eye was caught by a letter published in a New York newspaper in regard to this resolution which I have ventured to lay before the Senate. The writer appeared to be one of those persons who feel a deep anxiety for the maintenance of the military force known as the police, who protect their lives and property, but who regard with indifference, if not hostility, the Army and Navy, which are designed to protect the country. The writer's argument is not of importance, but he alluded to the resolution which I have introduced, and one objection to it was that its author was a party man. I think the writer evidently belongs to that class of our citizens who make noises and utter cries like an independent, but who always vote steadily and constantly against the party which they profess to support. It is true that I am a party man. I think it is well to be a party man, and I have for a long time consoled myself when objections to me are made such as the one I have quoted by thinking of what was said many years go by one of the greatest men in history, and who was at the same time one of the best and wisest. On July 16, 1852, Abraham Lincoln said:

A free people in times of peace and quiet, when pressed by no common danger, naturally divide into parties. At such times the man who is of neither party is not, can not be, of any consequence. Mr. Clay, therefore, was of a party.

Following this opinion expressed by Abraham Lincoln, I have been, as I have just said, a party man. But it does not follow, because I am a party man, that I treat all subjects which come before the country or before Congress from a party standpoint. There are many measures presented to the Senate which are in no sense party questions and upon which, as we all know, Senators vote without reference to their party affiliations. There are also certain great questions into which, in most cases certainly, party considerations are not allowed to enter, and with me the national defense is one, and always has been one, of those questions. Nothing was further from my thoughts or my desires than to make the subject involved in my resolution a party question or seek to gain from it party advantage.

The resolution itself shows, indeed, on its face that no partisan advantage is sought, for it provides that three members of the commission shall be appointed by the Speaker of the House, three by the Vice President, and three by the President of the United States. With such an appointing power, can it be imagined by anyone that I am trying to create a partisan commission which would work in the interest of the Republican Party and against the Democratic Party? If I were I should not seek to have the members of the commission appointed in just that way. For all that has been well and wisely done for our national defense no party as such can take the whole credit, and for what has been left undone no party as such is to blame. Nor is the blame for our deficiencies to be placed upon any administration. Administrations of both parties have as a rule sought, sometimes tepidly and sometimes vigorously, to do what was best for the Army and Navy, and Secretaries of War and Secretaries of the Navy, with scarcely an exception, have labored, some of course with much more ability and efficiency than others, to do all that was best for the forces committed to their charge. The deficiencies in our means of national defense, embodied in the Army and Navy, are almost wholly due to Congress. The responsibility for our military and naval service has been divided among half a dozen committees of the House and Senate. There has never been any comprehensive plan adopted for dealing with our national defenses as a whole or even for dealing with our Army and Navy as separate and complete entities. The result, of course, is a total lack of unity of plan, and Congress has never been willing to follow the advice of the military and naval boards, who were alone competent to set forth comprehensive, intelligent, and far-reaching systems, or to establish what we most need—a council of national defense in which both the executive and legislative branches should be represented. Congress has scattered the appropriations for the two services through half a dozen appropriation bills. It has failed entirely to unite our naval and semi-naval services under one head, so that we have three or four little navies in addition to the large Navy. Congress has sacrificed expenditure for national defense to expenditures fraught with local popularity, often needless, rarely imperative. It has turned a deaf ear to the recommendation of one Secretary after another, both in the War and Navy Departments, that we should cease wasting money on useless navy yards and stations and stop scattering our soldiers among widely separated posts at points where there was no need of troops. The appropriations have been haphazard, with the result that, although there are many excellent features in the two services, both the Army and Navy are unbalanced—that is, they are strong at one point and weak at another—and one branch or several branches in each of the two services are not properly proportioned to the other branches. It seemed to me that it was extremely important that we should have an inquiry by a commission representing both branches of Congress as well as the Executive, which should be able to examine into the entire question and report upon the entire subject.

I observe that Capt. Winterhalter, before the House committee on December 14, made the following statement:

I do not know what the people want. Put the question to the people and let them decide it.

That is precisely what I desire. I wish the people to have the condition of our national defenses clearly and honestly presented to them, and then decide what they wish to have done. But in order that the people of the United States may understand what the conditions are upon which they are asked to decide they must have those conditions laid before them in a comprehensible manner. It is idle to suppose that a correct public opinion can be formed from the information contained in the examination of Army and Navy officers before half a dozen committees. It is utterly impossible for the average man to examine those hundreds of pages of questions and answers and deduce therefrom a clear idea of what is needed and of what he himself as an American citizen desires. An immense mass of information on the subject of the national defense has been printed in the newspapers, but, as a rule, each article relates to some particular point or to some special branch of one of the two services, and there is no unity or coherence in the result. If the people are to pass intelligently upon this question—and I am sure that they feel a very deep interest in it—they should have the facts presented to them in a clear and condensed form and as the result of an examination conducted by men in whose ability, honesty, and good judgment they have entire confidence. They would then know what the condition was, and they would read it all in comparatively few pages. This is what I should like to see done, and I desire now to give more fully the grounds and reasons for my earnest hope that Congress will take the necessary steps to present to the people of the country all the facts in regard to our national defense in such a manner as to enable the country to reach a decision, a decision which I am sure the people of the United States are more than willing to make when they have once been informed upon the subject.

In the last annual report of the Secretary of War the Secretary makes a statement upon the general question of national defense which seems to me as remarkable for the courage with which facts are faced as it is for the clearness, the strength, and the power with which those facts are stated. I make no apology to the Senate for asking their attention while I read to them the passages to which I refer:

It would be premature to attempt now to draw the ultimate lessons from the war in Europe. It is an imperative duty, however, to heed so much of what it brings home to us as is incontrovertible and not to be changed by any event, leaving for later and more detailed and comprehensive consideration what its later developments and final conclusions may indicate.

For orderly treatment certain preliminary considerations may be usefully adverted to. It is, of course, not necessary to dwell on the blessings of peace and the horrors of war. Everyone desires peace, just as everyone desires health, contentment, affection, sufficient means for comfortable existence, and other similarly beneficent things. But peace and the other states of being just mentioned are not always or even often solely within one's own control. Those who are thoughtful and have courage face the facts of life, take lessons from experience, and strive by wise conduct to attain the desirable things, and by prevision and precaution to protect and defend them when obtained. It may truthfully be said that eternal vigilance is the price which must be paid in order to obtain the desirable things of life and to defend them.

In collective affairs the interests of the group are confided to the Government, and it thereupon is charged with the duty to preserve and defend these things. The Government must exercise for the Nation the precautionary, defensive, and preservative measures necessary to that end. All governments must therefore have force—physical force—i. e., military force, for these purposes. The question for each nation when this matter is under consideration is, How much force should it have and of what should that force consist?

In the early history of our Nation there was a natural, almost inevitable, abhorrence of military force, because it connoted military despotism. Most, if not all, of the early settlers in this country came from nations where a few powerful persons tyrannically imposed their will upon the people by means of military power. The consequence was that the oppressed who fled to this country necessarily connected military force with despotism and had a dread thereof. Of course all

this has long since passed into history. No reasonable person in this country to-day has the slightest shadow of fear of military despotism nor of any interference whatever by military force in the conduct of civil affairs. The military and the civil are just as completely and permanently separated in this country as the church and the state are; the subjection of the military to the civil is settled and unchangeable. The only reason for adverting to the obsolete condition is to anticipate the action of those who will cite from the works of the founders of the Republic excerpts showing a dread of military ascendancy in our Government. Undoubtedly at the time such sentiments were expressed there was a very real dread. At the present time such expressions are entirely inapplicable and do not furnish even a presentable pretext for opposing proper military preparation.

It also seems proper, in passing, to refer to the frame of mind of those who use the word "militarism" as the embodiment of the doctrine of brute force and loosely apply it to any organized preparation of military force, and therefore deprecate any adequate military preparation because it is a step in the direction of the contemned "militarism." It is perfectly apparent to anyone who approaches the matter with an unprejudiced mind that what constitutes undesirable militarism as distinguished from a necessary, proper, and adequate preparation of the military resources of the Nation depends upon the position in which each nation finds itself, and varies with every nation and with different conditions in each nation at different times. Every nation must have adequate force to protect itself from domestic insurrections, to enforce its laws, and to repel invasions; that is, every nation that has similar characteristics to those of a self-respecting man. (The Constitution obliges the United States to protect each State against invasion.) If it prepares and maintains more military force than is necessary for the purposes just named, then it is subject to the conviction, in the public opinion of the world, of having embraced "militarism," unless it intends aggression for a cause which the public opinion of the world conceives to be a righteous one. To the extent, however, that it confines its military preparedness to the purposes first mentioned there is neither warrant nor justification in characterizing such action as "militarism." Those who would thus characterize it do so because they have reached the conclusion that a nation to-day can properly dispense with a prepared military force, and therefore they apply the word to any preparation or organization of the military resources of the nation. Not being able to conceive how a reasonable, prudent, patriotic man can reach such a conclusion, I can not conceive any arguments or statements that would alter such a state of mind. It disregards all known facts, flies in the face of all experience, and must rest upon faith in that which has not yet been made manifest.

Equally useless, in my view, is the discussion frequently indulged in as to whether military preparation tends or does not tend to avoid war. I term such discussion "useless" because, so far as we are concerned, whatever conclusion might be reached thereon would not affect our duty. Since it is not in mind to suggest any military preparation of the Nation's resources beyond that absolutely essential under existing conditions, the question of whether more extensive preparation for the purpose of avoiding war would have that effect or not is futile. Unless this Nation has reached the conclusion that it has no need for the preparation of its military resources for the purposes I have above enumerated, then we must earnestly address ourselves to the question of such proper preparation. I have reached no such conclusion, and in fact am of the firm conviction that no reasonable, prudent man who faces facts could reach such a conclusion. Unless and until the Congress of the United States, representing the people of the country, places on record the conclusion of the people to the contrary, my duty is, I think, entirely clear; and that duty is to set forth the facts and the necessities growing out of the facts, and suggestions as to the ways and means of fulfilling such necessities.

Whatever the future may hold in the way of agreements between nations, followed by actual disarmament thereof, of international courts of arbitration, and other greatly to be desired measures to lessen or prevent conflict between nation and nation, we all know that at present these conditions are not existing. We can and will eagerly adapt ourselves to each beneficent development along these lines; but to merely enfeeble ourselves in the meantime would, in my view, be unthinkable folly. By neglecting and refusing to provide ourselves with the necessary means of self-protection and self-defense we could not hasten or in any way favorably influence the ultimate results we desire in these respects.

What, then, does this Nation need in the way of military preparedness? Of course I am not attempting to lay down a counsel of perfection—that is, an extensive scheme which is ideal in its completeness. Such a scheme might well be considered and studied and adopted after long study. But to await the result of such a course would be to continue the undesirable situation in which we have so long been. In my view it is much better to do those things which lie nearest at hand and can be done than to remain as we are, without moving along proper lines until a more comprehensive and perfect scheme can be agreed upon. Nothing done along the lines I am about to suggest will interfere with the carrying out of a more comprehensive and maturely developed plan, but, on the contrary, will fit into it exactly.

To the statement which I have just read and to the arguments contained therein as to the general proposition of provisions for national self-defense, it would be well-nigh impossible to make any substantial additions. But it can not be too often reiterated that the Constitution itself contemplates the maintenance of an Army, and in the clause relating to the militia speaks of the enforcement of the laws, domestic insurrections, and foreign invasion as the purposes for which the forces of the United States should be established and if the necessity arises should be employed. That we ought to have an adequate national defense well prepared in time of peace to meet the exigencies of war was clearly contemplated by the framers of the Constitution. It is true that more than 125 years have elapsed since that great instrument was adopted, but it is not apparent, despite the advances which have been made in the direction of arbitrating international disputes, that the danger of war has been materially lessened since 1787. On the contrary we are at this moment in the presence of a war which in its extent and in the death, destruction, and suffering that it is causing goes far beyond anything which the framers of the Constitution could have imagined. Our organic law therefore directs us to make provision for national defense, and the only question is whether under existing conditions that defense is at present adequate.

I propose briefly to enumerate certain points where the plain facts, comprehensible by everyone, or the evidence of those most competent to judge prove that our means of self-defense are either woefully inadequate or wholly lacking. Before doing so I wish to call attention to the expenditure caused in times of peace by the wars in which we have been engaged and contrast it with the expenditure of the Government in preparing in time of peace a proper national defense so that we might be reasonably ready when war comes, if come it must.

In the report of the Secretary of the Navy for 1910 there is a table which seems to me of interest in this connection. It shows the relation of our average naval expenditure, by decades, to the average valuation of the property of the country, also by decades, from 1800 to 1910. This table has many points of interest. It shows that the percentage of naval expenditure to the value of the property of the country is largest in the decade from 1810 to 1820, reaching in that period .0026 per cent. The lowest was in the decade from 1880 to 1890, when the percentage of naval expenditure was .0003 per cent. In the decade from 1900 to 1910 it was .0009 per cent, the lowest that we have had since 1800 except in the decades from 1850 to 1860, 1870 to 1880, 1880 to 1890, and 1890 to 1900. After the War of 1812 the percentage of naval expenditures to the wealth of the country ranged from .0026 per cent to .0015 per cent, dropping to .0009 per cent in the decade from 1850 to 1860. After the Civil War it declined to the lowest point ever reached, and is now, as I have said, less than it has been in all but four decades of our history. Surely .0009 per cent is not a large amount to pay merely as an insurance. The Navy, in the nature of things, is our principle defense, and to compel $110,000,000,000 of property to pay .0009 per cent toward its own protection does not seem an unreasonable or excessive burden.

Years.	Average valuation computed.	Average naval expenditure.	Percentage.
1801–1810	$1,321,245,000	$1,636,732	0.00123
1811–1820	1,732,470,000	4,675,502	.00269
1821–1830	2,335,930,000	3,295,086	.00141
1831–1840	3,301,915,000	5,041,751	.00152
1841–1850	5,637,199,000	7,237,696	.00129
1851–1860	12,198,889,800	11,996,977	.00098
1861–1870	23,718,414,100	46,848,730	.00197
1871–1880	36,983,933,100	19,658,796	.00053
1881–1890	54,959,300,050	16,867,629	.00030
1890–1900	81,131,690,950	38,635,164	.00047
1900–1910	110,000,000,000	100,678,000	.00091
General average			.00120

Since the foundation of the Government we have paid in pensions to soldiers, sailors, and marines, their widows, minor children, and dependent relatives, on account of services in the several wars in which we have been engaged, including cost of maintenance, $4,857,895,843.73. The total expenditure for the Navy from 1794 to 1914 was $3,071,179,958.99. Deducting, as we should in order to get the expenditure in time of peace, the expenditure on the Navy during our years of war—10 in all—we find that the Navy in time of peace has cost the Government $2,663,294,530.50. The total disbursements for the War Department from the foundation of the Government are $7,484,348,144.26. Deducting the disbursements for the 10 years of war, which were $3,058,759,659.96, and the disbursements for rivers and harbors, which were $753,448,939.30, we find that the total disbursements for the War Department in time of peace were $3,672,139,544.50. The total disbursements for the two services in time of peace from the foundation of the Government were $6,335,434,075, which is only $1,477,538,231.27 more than the amount expended in pensions.

It is also interesting to make a comparison of the expenditures from 1866 to the present time, because the pension disbursements have been largely made since the Civil War. The river and harbor appropriations, amounting to $687,203,329.31, must be deducted from the military disbursements for that period. I have been unable to get the figures from 1866 to 1875, so that for those nine years the river and harbor disbursements are included, although they ought not to be, in the table of the War Department expenditures. Made up in this way the figures stand from 1866 to 1914, inclusive: Army, after deducting the appropriations for rivers and harbors from 1875 to 1914 and leaving in those made between 1866 and 1874, inclusive, $3,296,448,378.47; and the Navy, $2,345,306,671.82; a total for the two services of $5,641,755,050.29. The appropriations for pensions for the same period, from 1866 to 1914, inclusive, including those for maintenance, amount to $4,761,450,-

399.50. It will be observed, therefore, that our expenditures for past wars come within $900,000,000 of equaling the expenditures for both the Army and Navy during the same period. Having spent so much money for past wars certainly it is not too much to ask that we make proper appropriations for future wars in which the country may unhappily be engaged, and to take care of the men who may be called upon to defend their country in wars of the future, as well and generously as we have taken care of the men who have fought the wars of past times.

I now come to the condition of our defenses at the present moment, and I will begin with the Army. On June 30, 1914, the Regular Army of the United States consisted of 4,701 officers and 87,781 men; 758 officers and 17,901 men belong to the Coast Artillery and are therefore stationary in coast defenses; 1,008 officers and 18,434 men belong to the staff, technical, and non-combatant branches of the Army, including recruits and men engaged in recruiting. This leaves a mobile Army composed of 2,935 officers and 51,446 men. Of those 9,572 are in the Philippine Islands, 8,195 in Hawaii, 2,179 in the Canal Zone, 849 in China, 862 in Alaska, 707 in Porto Rico, troops en route and officers at other foreign stations, 1,449. This left a mobile Army force in continental United States on June 30, 1914, of 1,495 officers and 29,405 men.

The Secretary of War states that in the very near future it will be necessary to take from the United States and put in the Philippine Islands 13 companies of Coast Artillery, comprising 1,950 men; in the Hawaiian Islands, 6,380 men; and in the Canal Zone, 4,774 men; and the Secretary adds that he does not think the Canal Zone force will be sufficient even when this addition is made. So long as we hold the Philippine Islands we must have a force there adequate for their defense. The Hawaiian Islands are one of our most important outposts and we need and must maintain there a considerable force. We can not therefore look for any addition to the mobile force in the continental United States from either of these sources; on the contrary, it is probable that further drafts on our Army will be necessary in both places. The Panama Canal Zone is more important to us for our national defense than anything else. At the present moment it is miserably and most inadequately protected. It is not enough to have fortifications to guard the ends of the canal. We must maintain there a force sufficient to protect the canal, so far as it is humanly possible, throughout its entire length. The canal is a delicate piece of mechanism. Explosives rightly placed would block it in a moment. There would be—there is at all times—great danger that the agents or spies of a hostile nation might make their way to some point on the borders of the canal and in a moment render it useless for weeks and perhaps for months. This is a danger to be guarded against most vigilantly, and although the Secretary proposes to raise the protecting force there to practically 7,000 men, he frankly states that such a force will not be sufficient. Porto Rico and Alaska must of course have forces sufficient for their protection. For these obvious reasons we can not hope to reduce the numbers in our detachments employed in necessary and, in the case of the Canal Zone, vital service outside the continental United States, and thus with the additions to these outlying posts, which must be made very shortly, we are left in the continental United States with 12,610 Coast Artillery troops and 24,602 men composing our entire mobile force, which, as the Secretary points out, is not much more than twice the size of the police force of the city of New York. Surely it is not necessary to do more than repeat these figures to show the utter inadequacy of our Regular Army for the absolutely necessary duties which must be performed in time of peace and the painful insufficiency of our mobile forces for any effective defense if we were to be attacked by a powerful enemy. Can there be any doubt in the mind of any reasonable man that the regular forces of the United States ought to be increased to at least the very moderate extent of 25,000 additional men, as recommended by the Secretary of War?

I pass now from the Regular Army, in which we are so clearly deficient, to our provision for supplying waste and losses which occur in any army when war begins. What means have we of filling the gaps which war would make? The reserves which we have of soldiers who have served in the Army, and who under the terms of their enlistment are liable to be called back to the colors, amount to 16 men. In other words, we have no reserves with which rapidly to enlarge the Army of the United States if we were to be attacked. We have no reserves with which to fill the waste of war in our little mobile Army. We should be forced to rely on volunteers for that purpose, and to give volunteers even the rudest kind of training in order to make them fit to be placed in the line would consume months. Even if we get the volunteers we have no officers ready to take commands. Even now we are short of officers, and the Secretary points out that the instruction of the Organized Militia suffers woefully from the lack of officers available for that service. Is it not clear and beyond dispute that we should make some provision for reserves who can be called to the colors, composed of men already trained who have their equipment, who are prepared, and who can take their place in the line as soon as they are mobilized? Is it not equally clear that we should increase the number of our officers so that we may have enough officers in case of war to take command in these reserves? Officers can not be improvised; they must be trained and educated. But we are making no effort and doing nothing toward increasing our supply of officers, although we have the best Military Academy in the world ready to give instruction to any number of officers that we may need.

The other branch of our national defense is the militia. The fundamental difficulty in regard to the militia resides in our form of government. They are State forces, under 46 different heads, and to bring them into the service and put them under command of the United States is no easy matter. We can not depend upon them to take the place of proper reserves, who by law have been trained in the Regular Army or under regular officers, and who by the terms of their enlistment or of their volunteer service can be mobilized and called to the colors on short notice. Yet the militia is of undoubted value, and should have all the encouragement that Congress can give it. It is a good training school both for officers and men. If the militia is brought to a high state of efficiency we could undoubtedly draw from it officers and men who could at once be incorporated with the forces of the United States as volunteers.

But what are the numbers of this militia force? On June 30, 1914, it numbered 8,323 officers and 119,087 men. They are required under the acts of Congress, and in order to obtain the official financial aid authorized by Congress to attend 24 drills in a year and give 5 days annually in the field. The Secretary of War says it is inconceivable that even if all the National Guard were summoned in the event of war that all would respond, and the statistics of the drills and maneuvers and of the rifle range throw some light on the possibilities of the militia when the call to arms arrives. If you will examine the report of the Chief of Staff and those of his predecessor, you will find that over 24,000 members of the militia did not even appear for inspection last year, over 33,000 did not appear at the annual encampment, and 44,000, or 40 per cent of all the militiamen, did not even appear on the rifle range. It also appears that 60 per cent of the men in the militia who were armed with a rifle did not know how to use it properly, for 60 per cent were unable to qualify last year as second-class marksmen. Forty-four thousand, as I have just said, did not appear on the rifle range. Only about two-thirds of the militia, 67,000 in round numbers, have availed themselves of the opportunity of rifle practice, and of these 66,974 officers and men only 42,599 qualified as second-class marksmen or better. It therefore follows that of all the officers and men of the Organized Militia who participated in rifle practice only 38.3 per cent have reached that stage of proficiency which marks them as suitable for battle purposes. (See p. 257, Report of the Chief of Militia Affairs, and pp. 6 and 7 of Report of Chief of Staff.) The total absenteeism from inspection was 639 officers and 23,467 men. From the camps of instruction there was a total absenteeism of 1,428 officers and 31,855 enlisted men (pp. 6 and 7, Chief of Staff).

From the above figures it will be seen that only 81.7 per cent of the officers and men of the Organized Militia attended the annual inspections; that only 73.87 per cent of the officers and men attended the camps of instruction; that the number of men who had any practice with the rifle during 1913 was 52.56 per cent; and that only 33.43 per cent qualified as second-class marksmen or better. The regulations require that units of the organized Militia shall have at least 24 drills of one hour each per annum. In a majority of the States these requirements were fully met as regards the organizations, yet in a majority of organizations there were a number of enlisted men who failed to attend 24 times for drill and instruction during the calendar year 1913. The total number so failing to attend during 1913 was 37,874 men out of a total of 119,087. The Chief of Staff also states that there is no indication of the number of practice marches held by the units of the Organized Militia, but that it is believed to be a safe conclusion that not a single unit at its maximum strength marched a distance of 10 miles fully equipped and armed.

The militia is deficient, according to the Chief of Staff (p. 7), in the following units to make it a properly balanced and efficient field force:

Fifty-four troops of Cavalry.

Seventy-nine batteries of Field Artillery.

Fourteen companies of Engineers.
Thirty-four ambulance companies.
Twelve field hospitals.

The militia can be made a most valuable force for the defense of the country. A proportion of the militia is now available, but it is not all available; and when we look at these figures can we not see that it is inadequate, both in numbers and training, for a great and sudden exigency? Is there not room for some wise legislation in this respect?

But suppose that we have our volunteers and our militia trained; how well can we equip them? The Secretary of War says that we have enough small arms and small-arms ammunition and equipment, figured roughly, for the 500,000 men that would have to be called into the field in any large emergency. Just what does that mean? I understand we have 196,000,000 rounds of ammunition for small arms, which would be enough to equip a mobile army of about 450,000. It makes no provision for reserves of ammunition. It is, I believe, only one-third of what the estimates of the general board, made before the European war came, required for a really sufficient supply. Now, consider what Gen. Wotherspoon recommends in his report since the European war. In the first place, he thinks we ought to have 800,000 men instead of 500,000, including the militia, and here is what he says in his report as to ammunition (p. 12):

No attempt will be made to enter into particulars as to the character of supplies that it will be necessary to accumulate and store for the use of such forces as are contemplated in the above scheme; that is, a regular mobile army, including its reserves of 500,000 men, and a force of 300,000 mobile Organized Militia troops, including its reserves. One illustration will be sufficient, and that will be taken from the munitions most necessary in war, as rifles and field artillery. The proper proportion of rifles in a force of this character, including the Cavalry, which is armed with the rifle, would be 642,541. The minimum accumulated supply of rifle ammunition, based on 1,000 rounds per rifle, should be 646,000,000 rounds.

The Secretary of War also says that we have nothing like sufficient artillery and artillery ammunition. As for the deficiency in artillery, it is only necessary to examine the report of the Chief of the Division of Militia Affairs to learn how deficient the militia is in field artillery. (See p. 229.) It there appears that there is only 1 among the 12 divisional districts—the sixth or New York district—which has adequate artillery protection. The Coast Artillery Militia is 11,000 men short of the number required to man one-half the gun defenses in the continental limits of the United States. If raised to war strength, the existing organizations would still be 5,000 men short of their complement for this service. (See p. 277, Chief of Militia Affairs.)

There are but 550 horses available for the use in drill and instruction of the militia cavalry, which aggregates 4,940 officers and enlisted men. The deficiency in horses for the Field Artillery is even greater than that of the Cavalry. There are no animals for the signal or sanitary troops. In regard to wagon transportation, the militia, as now organized, is deficient 1,934 wagons, and should the militia be assembled into divisions and separate brigades the deficit would be 5,836 wagons. There are no draft animals available.

I have made no statement in regard to the militia which is not taken from the official reports of the Chief of Staff or of the Chief of the Division of Militia Affairs; and it seems to me that no intelligent man can read those figures and consider those facts without realizing what we have to rely on if the militia as a force is suddenly called out to defend the country against invasion. Is it not apparent that we need the legislation recommended by the department in regard to the militia?

Putting the number of infantrymen now in the Regular Army and Organized Militia at approximately 138,000, there are in the regular service and the militia 98 batteries of 4 guns each—the regular number—making 2.84 guns per thousand infantrymen. It is considered, however, that in proportioning the number of guns for an army the Cavalry should be included, and on this basis, since there are 19,800 cavalrymen in the regular service and the militia, the guns are in the ratio of 2.48 per thousand Infantry and Cavalry. I understand that in the French Army the number of guns per thousand Infantry and Cavalry is 6½, and in the German Army 7 per thousand. This gives an idea of how very unbalanced our Army is at present and how deficient it is in field artillery. It should be said, however, that in addition to the guns in the hands of the troops there are now manufactured and in reserve 242 guns, making 634 in all available. These include the various calibers which make up light and heavy field artillery. There are appropriated for and under manufacture 226 additional guns, making 860 as the total number on hand or under manufacture, a ratio of 5.44 guns per thousand for Infantry and Cavalry actually in the service. But the department's scheme for the supply of material for the Army contemplates a mobile force of 450,000 men in the United States, organized into six field armies, in addition to the Coast Artillery and the garrisons of the outlying possessions. Artillery takes longer to manufacture than the other arms and equipment, and the scheme is intended to provide for seven field armies in the United States, in addition to that required for the troops in the outlying possessions, at a ratio of about 3.16 guns per thousand Infantry and Cavalry, with a total of 1,292 guns, or 323 batteries; so that even on a basis of a little over 3 guns per thousand we are still short, counting those on hand or under manufacture, 432 guns, or 108 batteries. In other words, we are short of batteries; we need more men, more horses, and more equipment for our field artillery, which is now so lamentably deficient.

Let us now consider what the Chief of Staff in his last report said (p. 12), in view of what has taken place in Europe:

The proper proportion of field and heavy guns of the mobile type, and exclusive of the gigantic engines of war of more recent introduction, drawn by tractors, no types of which have as yet been developed in this country, would be 2,834. The ammunition for this type of guns, based upon a supply of 5,000 rounds per light field gun, with a corresponding proportion for the heavier field guns, a conservative estimate, if we regard the examples of the great military nations, would be 11,790,850 rounds. It is sufficient to point out that at the present time we have on hand and being manufactured 698,374 United States rifles (model 1903) and 241,000,000 rounds of ammunition for these rifles, 852 field guns and 580,098 rounds of ammunition for these guns. The number of guns per thousand men used in the calculation as to the total number required in the above estimate as to force is five, that number being considerably below the average in European armies. It should also be remembered that large numbers of guns and large masses of ammunition are, in an active war, liable to capture and destruction, and that to start into field operations with the expectation that the proportions given will be maintained without large sources of manufacture would be fallacious. As the factories and works in this country which can produce munitions of war of the above character are exceedingly limited, it is evident that a full supply of this type of matériel must be stored and ready for use before war is undertaken.

As to the guns in our fortifications for harbor defense it would appear from all the available testimony that the guns we now have are of shorter range than those carried by foreign warships of latest design. The Chief of Coast Artillery says in his last report (p. 7):

The question of the size and power of the guns required for the defense of Cape Henry has been brought up. In view of the fact that foreign warships of the latest design are to carry guns larger than 14 inches in caliber and of the highest ballistic power, and in view of the fact that if the defenses at Cape Henry were subjected to a naval attack it would be possible for a naval enemy to bring many battleships carrying 8 to 12 large-caliber guns per ship and to concentrate their fire on the Cape Henry fortifications, and in view also of the fact that coast fortifications are not restricted by reason of weight or space in mounting and using effectively the largest caliber of guns and guns of the highest power, the Chief of Coast Artillery has recommended that the type gun for the Cape Henry fortifications be a 16-inch, 50-caliber gun; otherwise these fortifications may be subjected not only to a very much greater volume of fire than can be delivered by them, but also have the disadvantage of replying to that fire with guns of inferior power, both by reason of the diameter of the bore of the gun and by reason of its shorter length, it being understood that for any given diameter of bore the power of the gun is a direct function of its length.

When Gen. Wood gave his testimony—I think a year ago—he based his calculation of ammunition on the capacity of one gun to fire 200 rounds. We have an official report that in one engagement a French gun fired 600 rounds. So Gen. Wood's estimate was certainly not excessive.

If guns of a larger caliber are needed at Cape Henry, as seems to be demonstrated by the Chief of Coast Artillery, it can be seen that this would apply to every harbor fortification in the country, and that we are deficient in guns of sufficiently large caliber to meet the latest and largest ships in foreign navies.

In machine guns we are better prepared. We have 1,000 automatic machine rifles, and 1,361 are estimated as required for the Army. Of the 361 still needed, 60 were covered by the estimates for the pending Army bill, but the war in Europe seems to indicate that we should increase our estimate of the number of machine guns ultimately needed.

We have practically no motor trucks for transport. We have no armored motor cars mounted with machine guns. The difficulty appears to be, according to the War Department, that no satisfactory motor truck has yet been developed in the United States. It is quite true that Canada has bought a number of motor trucks made in the United States, and apparently thinks them entirely sufficient for use in the field; but we are waiting, as it would seem, until we can get a perfect truck, and only experiment with them. It would seem that it would be better to have motor transportation and armored motor cars provided for with the best truck available than to go without any motor transportation and any armored motor cars at all until a perfect truck has been developed. The main fact remains that we have neither.

As to mines for harbor defense, we apparently have a sufficient number—about 5,000—but we are short of cable, and mines without the necessary cable are practically useless. The trouble

here has been in insufficient appropriations. We also need for our coast defense an enlarged boat service for various purposes, but particularly we require mine planters which go along the coast visiting coast defenses annually as itinerant schools for mine instruction and local mine-defense boats necessary for planting the mines provided for each harbor. It is well that we have the mines, but if we have not the cable to connect them or the boats to plant them when necessity arrives they would not be very formidable or very protective.

I now come to the Navy, and I print as part of my speech a table of sea strength prepared by the Office of Naval Intelligence and dated July 1, 1914, and the warship tonnage of the principal naval powers from the same office under the same date:

Sea strength.

In order to answer the frequent inquiries of societies and persons throughout the country interested in the maintenance of the Navy and its relative strength and importance in comparison with foreign navies, the following information has been compiled:

VESSELS BUILT.

	Battleships, dreadnaught type.[1]	Battleships.[2]	Battle cruisers.[3]	Armored cruisers.	Cruisers.[4]	Destroyers.	Torpedo boats.	Submarines.	Coast-defense vessels.[5]
England	20	40	[6]9	34	[6]74	[6]167	49	[6]75	0
Germany	13	20	4	9	41	130	0	27	2
United States	8	22	0	11	14	51	13	30	4
France	4	18	0	20	9	84	135	64	1
Japan	2	13	2	13	13	50	27	13	2
Russia	0	7	0	6	9	91	14	30	2
Italy	3	8	0	9	6	32	68	19	0
Austria-Hungary	3	6	0	2	5	18	39	6	6

[1] Battleships having a main battery of all big guns (11 inches or more in caliber).
[2] Battleships of (about) 10,000 tons or more displacement, and having more than one caliber in the main battery.
[3] Armored cruisers having guns of largest caliber in main battery and capable of taking their place in line of battle with the battleships. They have an increase of speed at the expense of carrying fewer guns in main battery, and a decrease in armor protection.
[4] Includes all unarmored cruising vessels above 1,500 tons displacement.
[5] Includes smaller battleships and monitors. No more vessels of this class are being proposed or built by the great powers.
[6] Includes vessels of colonies.

VESSELS BUILDING OR AUTHORIZED.

	Battleships, dreadnaught type.	Battle cruisers.	Cruisers.	Destroyers.	Torpedo boats.	Submarines.
England [1]	16	1	[2]17	[2]21	0	22
Germany [3]	7	4	5	24	0	18
United States	4	0	0	11	0	19
France	8	0	0	3	0	22
Japan [4]	4	2	0	2	0	2
Russia [5]	7	4	8	44	0	19
Italy	7	0	2	15	2	8
Austria-Hungary	4	0	5	1	24	6

[1] England has no continuing shipbuilding policy, but usually lays down each year 4 or 5 armored ships with a proportional number of smaller vessels.
[2] Includes vessels of colonies.
[3] Germany has a continuing shipbuilding program, governed by a fleet law authorized by the Reichstag. For 1913 there are authorized 1 battleship, 1 battle cruiser, 2 cruisers, 12 destroyers. Eventual strength to consist of 41 battleships, 20 armored cruisers, 40 cruisers, 144 destroyers, 72 submarines.
[4] $78,837,569 authorized to be expended from 1911 to 1917 for the construction of war vessels.
[5] Russian shipbuilding program provides for the completion by 1918 of 4 battle cruisers, 8 small cruisers, 36 destroyers, and 18 submarines.

The following vessels are not included in the tables: Ships over 20 years old from date of launch, unless they have been reconstructed and rearmed within 5 years; torpedo craft over 15 years old; transports, colliers, repair ships, converted merchant vessels, or any other auxiliaries; vessels of less than 1,500 tons, except torpedo craft; torpedo craft of less than 50 tons.

NOTE.—Vessels undergoing trials are considered as completed.

ACTIVE PERSONNEL.

Rank.	England.	Germany.	United States.	France.	Japan.	Russia.	Italy.	Austria-Hungary.
Admirals of the Fleet	3	2	[1]1	.....	2	.....	.....	.....
Admirals	12	6	.....	.....	6	12	1	1
Vice admirals	22	12	.....	15	19	20	10	2
Rear admirals	58	22	[2]25	30	38	21	19	15
Captains and commanders	702	154	212	360	270	346	137	80
Other line officers	2,508	2,220	1,680	1,419	1,965	1,378	753	558
Midshipmen at sea	639	448	.....	77	119	.....	73	175
Engineer officers	837	577	.....	505	811	538	326	164
Medical officers	593	340	336	[3]390	[4]364	286	[3]259	84
Pay officers	750	276	231	211	388	.....	228	[5]224
Naval constructors	122	162	75	187	[6]135	519	107	[7]141
Chaplains	117	30	24	.....	.....	85	.....	11
Warrant officers	2,740	3,183	867	[8]147	1,569	.....	1,340	387
Enlisted men	119,597	65,797	52,566	60,505	50,050	49,258	36,660	[9]17,689
Marine officers	465	[10]177	341	.....	.....	.....	.....	.....
Enlisted men (marines)	[11]21,414	[10]5,791	9,915	.....	.....	.....	.....	.....
Total	150,609	79,197	66,273	63,846	55,736	52,463	39,913	19,531

[1] The Admiral of the Navy.
[2] The United States now has, temporarily, as extra numbers, due to promotion for war service, and to officers restricted by law to engineering duty only on shore only 6 flag officers, 20 captains, 9 commanders, 6 lieutenant commanders, and 1 lieutenant.
[3] Includes pharmacists.
[4] Includes pharmaceutical officers.
[5] Includes 21 officers of the Judge Advocate's Corps.
[6] Includes 50 ordnance and 10 hydrographic engineers.
[7] Includes 4 hydrographic engineers.
[8] Includes adjutants principaux; does not include premier maitres and maitres.
[9] Includes 4,000 recruits for 42 days.
[10] Marine infantry and seaman artillery.
[11] Includes 3,130 men of the coast guard.

NOTE.—In the table published December 1, 1913, the number of captains and commanders given was 356 and other line officers 1,881. This apparent discrepancy was due to the inclusion of 213 korvetten kapitane (lieutenant commanders) with the captains and commanders. In the above table the korvetten kapitane (226) are included with the other line officers. Under Italy the number of vice admirals given was 18; this was a typographical error and should have been 8.

Warship tonnage of the principal naval powers.

NUMBER AND DISPLACEMENT OF WARSHIPS, BUILT AND BUILDING, OF 1,500 OR MORE TONS, AND OF TORPEDO CRAFT OF MORE THAN 50 TONS.

Type of vessel.	Great Britain.[1]				Germany.				United States.[2]				France.			
	Built.		Building.		Built.		Building.		Built.		Building.		Built.		Building.	
	Number.	Tons.	Number.	Tons (estimated).	Number.	Tons.	Number.	Tons (estimated).	Number.	Tons.	Number.	Tons (estimated).	Number.	Tons.	Number.	Tons (estimated).
Battleships (dreadnaught type)[3]	20	423,350	16	421,750	13	285,770	7	187,164	8	189,650	4	117,800	4	92,368	8	193,656
Battleships (predreadnaught)[4]	40	589,385	.....	.....	20	242,800	.....	.....	22	309,282	.....	.....	18	262,675	.....	.....
Coast-defense vessels[5]	.....	.....	.....	.....	2	8,168	.....	.....	4	12,900	.....	.....	1	8,800	.....	.....
Battle cruisers[6]	9	187,800	1	28,500	4	88,749	4	112,000	.....	.....	.....	.....	.....	.....	.....	.....
Armored cruisers	34	406,800	.....	.....	9	94,245	.....	.....	11	149,295	.....	.....	20	201,724	.....	.....
Cruisers[7]	74	382,815	17	67,000	41	150,747	5	26,900	14	66,410	.....	.....	9	46,095	.....	.....
Torpedo-boat destroyers	167	125,850	21	21,770	130	67,094	24	14,400	51	35,068	11	11,956	84	35,812	3	2,653
Torpedo boats	49	11,488	.....	.....	.....	.....	.....	.....	13	2,528	.....	.....	135	13,426	.....	.....
Submarines	75	30,362	22	17,236	27	14,140	18	14,400	30	.....	[8] 19	.....	64	27,940	22	14,766
Total tons built and total tons building	.....	2,157,850	.....	556,256	.....	951,713	.....	354,864	.....	765,133	.....	129,756	.....	688,840	.....	211,075
Total tons built and building.	2,714,106				1,306,577				894,889				899,915			

Type of vessel.	Japan.				Russia.				Italy.				Austria-Hungary.			
	Built.		Building.		Built.		Building.		Built.		Building.		Built.		Building.	
	Number.	Tons.	Number.	Tons (estimated).	Number.	Tons (estimated).	Number.	Tons (estimated).	Number.	Tons (estimated).	Number.	Tons (estimated).	Number.	Tons (estimated).	Number.	Tons (estimated).
Battleships (dreadnaught type)[3]	2	41,600	4	122,400	.....	.....	7	159,409	3	62,644	7	187,150	3	60,030	4	93,510
Battleships (predreadnaught)[4]	13	191,380	.....	.....	7	98,750	.....	.....	8	96,100	.....	.....	6	74,613	.....	.....
Coast-defense vessels[5]	2	9,086	.....	.....	2	10,380	.....	.....	.....	.....	.....	.....	6	41,700	.....	.....
Battle cruisers[6]	2	55,000	2	55,000	.....	.....	4	128,000	.....	.....	.....	.....	.....	.....	.....	.....
Armored cruisers	13	138,483	.....	.....	6	63,500	.....	.....	9	74,020	.....	.....	2	13,380	.....	.....
Cruisers[7]	13	57,915	.....	.....	9	52,845	8	53,600	6	18,830	2	4,888	5	13,815	5	21,216
Torpedo-boat destroyers	50	20,487	2	1,676	91	36,748	44	53,664	36	16,807	15	14,203	18	9,450	.....	.....
Torpedo boats	27	3,017	.....	.....	14	2,132	.....	.....	68	11,584	2	272	39	6,852	24	5,886
Submarines	13	2,672	2	1,200	30	6,506	19	13,284	19	5,475	8	5,842	6	1,686	6	5,370
Total tons built and total tons building	.....	519,640	.....	180,276	.....	270,861	.....	407,957	.....	285,460	.....	212,355	.....	221,526	.....	125,982
Total tons built and building	699,916				678,818				497,815				347,508			

[1] Colonial vessels included.
[2] Does not include Idaho and Mississippi, recently sold, or ships of current program for which contracts have not been awarded.
[3] Battleships having a main battery of all big guns (11 inches or more in caliber).
[4] Battleships of (about) 10,000 or more tons displacement, whose main batteries are of more than one caliber.
[5] Includes smaller battleships and monitors.
[6] Armored cruisers having guns of largest caliber in main battery and capable of taking their place in line of battle with the battleships. They have an increase of speed at the expense of carrying fewer guns in main battery and a decrease in armor protection.
[7] All unarmored warships of more than 1,500 tons are classed as cruisers. Scouts are considered as cruisers in which battery and protection have been sacrificed to secure extreme speed. The word "protected" has been omitted because all cruisers except the smallest and oldest now have protective decks.
[8] Includes 3 submarines authorized in 1913; contract for fourth not yet awarded.

The following vessels are not included in the tables: Ships over 20 years old from date of launch, unless they have been reconstructed and rearmed within 5 years; torpedo craft over 15 years old; those not actually begun or ordered, although authorized; transports, colliers, repair ships, torpedo depot ships, or other auxiliaries; vessels of less than 1,500 tons, except torpedo craft; torpedo craft of less than 50 tons.

NOTE.—Vessels undergoing trials are considered as completed.

RELATIVE ORDER OF WARSHIP TONNAGE.

Present order (tonnage completed).		As would be the case if vessels now building were completed.	
Nation.	Tonnage.	Nation.	Tonnage.
Great Britain	2,157,850	Great Britain	2,714,106
Germany	951,713	Germany	1,306,577
United States	765,133	France	899,915
France	688,840	United States	894,889
Japan	519,640	Japan	699,916
Italy	285,460	Russia	678,818
Russia	270,861	Italy	497,815
Austria-Hungary	221,526	Austria	347,503

I shall not enter upon any minute examination of the figures given in these tables, for anyone who will take the trouble to look at them can easily make the comparisons himself. It will be seen that the United States has 8 dreadnaughts and 22 battleships, some of the latter of old types which have been reconstructed and rearmed. Of the highest type battleship, the dreadnaught, we have only 8. We ought to have at least 48 dreadnaughts and battleships instead of 30 if we would properly defend our coast. The actual situation of the fleet as it relates to battleships at the present time is as follows:

(a) Effective battleships completed and ready for service, less than 20 years old from completion (since the sale of the *Mississippi* and *Idaho*)	30
(b) Battleships under construction	4
(c) Battleships authorized in 1914	2
(d) To replace *Mississippi* and *Idaho*	1
Total	37

This shows that we are now deficient 10 battleships, built, building, and authorized, from the number contemplated in the 1903 program of the General Board of the Navy. In consider-

ing these figures, however, it is well to remember that they include old ships and ships out of commission. It is true that every navy includes in its figures old ships not up to the latest modern requirement. Out of our 30 completed battleships, however, as well as I can make out from the information available, there are 12 which would require months of work to get them in order, because they have been laid up owing to the fact that we have not had the men and the crews to put on board of them; that is, we really have out of the 30 ships given in the table only 18 that are first-rate modern ships. You will see from these tables that the United States has four dreadnaughts building or authorized and no battle cruisers. We need more destroyers, but our most obvious weakness is in submarines. These tables show that we have 30 submarines built and 19 building or authorized; but these figures are misleading, and I wish to call your attention to the testimony of Commander Stirling before the House committee. From this testimony it appears, as nearly as I can make out, that we actually have 38 submarines built, 11 building, and 8 authorized, making in all 57. How many of those are good for anything, I do not know. I have studied the testimony, but it is very confusing. Let me, however, read what Commander Stirling said in regard to the mobilization of the Atlantic submarine flotilla (pp. 866–867) and that will give the Senate an idea of our submarine fleet.

Commander STIRLING. The commander in chief ordered a mobilization of the Atlantic submarine flotilla at Hampton Roads on the 1st of November of all available vessels. He left it to me to say what vessels I would bring down there. He did not consider the 5 at Colon. That reduced the submarine flotilla to 12.

Two of the 12 had but recently been turned over by the contractors. Their officers and men were new, and the boats had not been given their torpedoes; they had not left the navy yard. So I excluded them. That left 10, and 2 of them had been ordered by the Navy Department to have necessary alterations made on them at the contractor's yard at Groton.

If the contractors had been ready to do the work, and if the department had held those boats up and sent them to Hampton Roads, they were perfectly able to go there and would have been efficient, but it would have cost the Government a good deal of money by holding up the contractors. That left 8.

Of the 8, one of them had, after a submerged run, developed salt water in the battery. It was sent to the navy yard, and they were reconstructing the battery tank, and at the time of the mobilization the alterations had not been completed; and that left 7.

The *G*–4 had only been in operation a few weeks, and had only joined the flotilla a couple of weeks before that—about 10 days before the order came—and I considered that her best duty would be to train herself in submerged running, and that the best locality to do that was where she could base on some vessel that could look out for her crews more or less, and so I gave her the *McDonough*, an old destroyer, and based her on New London, and she went out two or three times a day and got in good shape. That left only 6.

Mr. ROBERTS. The *G*–4 was the Lorenti boat?

Commander STIRLING. The *G*–4 was the Lorenti boat.

Mr. ROBERTS. You say her batteries are too weak for underwater running?

Commander STIRLING. No; but batteries are defective. That left 6. Two of those were the *G* boats, under alteration and in reserve. So that left only 4.

So I took the four submarines from Newport to the mobilization, and one tender, the *Tonopah*. When we left Newport the condition of the submarines was this: There were two boats in good shape in every way. There were two other boats with negligible battery capacity. They could submerge for 10 or 15 minutes only. Their batteries were dead. They were 4 years old.

Mr. ROBERTS. They were old batteries?

Commander STIRLING. Yes. So when we got down there the admiral wanted to know what we could do. I told him we had then only one submarine that I thought could efficiently take part in the maneuvers at sea off the coast. One that had been in good condition when we left broke a crank shaft on the way down and burned out a motor bearing, requiring about three days' repair at the navy yard, or by tender, if we had one to do the work. In the latter case the work would probably have been done in less time.

Mr. ROBERTS. You had a tender?

Commander STIRLING. But she did not have the facilities.

Mr. ROBERTS. She had no facilities for such repairs?

Commander STIRLING. She had no facilities for such repairs. One boat had a half battery and could have submerged for probably three hours at slow speed, and was able, in every way, with a trained crew, to take part in short maneuvers. That was reported to the commander in chief, and the commander in chief reported that to our Navy Department.

Mr. ROBERTS. Then the heading of the article is somewhat misleading when it says only 1 out of 17 will dive.

Commander STIRLING. That is misleading, because it seems to imply that the 17 were all to be in service and only 1 was able to dive, while, as a matter of fact, all but 4 were undergoing alterations and necessary repairs or were stationed at Colon. The 5 stationed at Colon were all ready.

The CHAIRMAN. Those were all right, subject to this periodical repair work and the accidental repairs you mentioned?

Commander STIRLING. Yes, sir. The *K* boats. As I said, in time of emergency I would not have hesitated to have said that, while they had not demonstrated their ability to do what is required of them, but this is war, and we will go ahead, even with crews that have not been completely trained. Even under those circumstances we would have gone out against an enemy with the four *K* boats.

The CHAIRMAN. They were new boats and had just been delivered, and they had not had any training?

Commander STIRLING. Yes, sir; that is partly correct. They were perfectly excusable in every way, as far as the Navy is concerned. The engines are not yet satisfactory.

Mr. HOBSON. Captain, after your experience with flotillas and submarine boats, what types would you recommend for us to adopt this year and during the coming year when making appropriations for this purpose? About what size boat would you recommend?

Commander STIRLING. I understand the General Board has gone into that question very exhaustively and has recommended two types, the sea-going submarine and the coast submarine. When I was there the other day a number of the junior officers questioned me in regard to that matter and asked me what I considered was the minimum size for the coast-defense type from my experience in the flotilla—and I want to say my experience in the flotilla has not been very long. I take my experience from the officers there. Everything we do in the flotilla, every decision we make, is the consensus of opinion of all the commanding officers we can get together. We lay the questions before them and get the views from them, and from these views we make up the consensus of opinion, and the consensus of opinion of the Atlantic submarine flotilla is that the smallest submarine that should be built should not be smaller than about 500 tons submerged displacement.

It may also be added that the torpedoes we now have are all lightly built, and that our submarines are not only deficient in torpedoes but in size. Germany, England, and France have 800 and 1,000 ton submarines (p. 843), and we know what work they have done. The truth is we are sadly deficient in submarines; we have scarcely any really effective ones, none large enough for present conditions, and the figures that are given in the tables are, on their face, entirely misleading as to the actual value of our submarine fleet.

Our worst deficiency, however, even worse than in the case of submarines, is in scout cruisers. In the table which I have given the number of cruisers is put at 14, but that includes vessels of different types; and, as a matter of fact, I believe we have only three scout cruisers, as against 74 in England, 41 in Germany, and 13 in Japan. The scout cruisers which we have were authorized in 1904, and I wish to call attention to the statement of the General Board on this point:

In the struggle to build up the purely distinctive fighting ships of the Navy—battleships, destroyers, and submarines—the cruising and scouting element of the fleet has been neglected in recent years, and no cruisers or scouts have been provided for since 1904, when the *Montana*, *North Carolina*, *Birmingham*, *Chester*, and *Salem* were authorized. This leaves the fleet peculiarly lacking in this element so necessary for information in a naval campaign, and of such great value in clearing the sea of torpedo and mining craft, in opening and protecting routes of trade for our own commerce, and in closing and prohibiting such routes to the commerce of the enemy. The General Board believes that this branch of the fleet has been too long neglected and recommends that the construction of this important and necessary type be resumed. For the 1916 program it is recommended that four scout cruisers be provided.

We have three scout cruisers, therefore, to protect and give warning of the approach of a hostile fleet for 6,000 miles of coast on the Atlantic and Pacific. If they were all concentrated on the Atlantic coast, they would have to cover 1,000 miles a day to patrol the coast, and they are slow ships. They ought to be of the highest possible speed—30 to 31 knots per hour.

In sea strength, both in vessels built and building or authorized, we occupy third place among the nations; but when we come to tonnage, which is the great test, you will observe by the tables which I print that we have dropped to fourth place among the world navies, counting the vessels now building. We have not only dropped to fourth place in tonnage, but we have come dangerously near to Japan, which occupies fifth place.

Now, I ask attention to the active personnel of the Navy, taken from the same authority—the Office of Naval Intelligence—on July 1, 1914. According to this table we have 66,273 officers and men comprising the active personnel of the Navy. But this again is somewhat misleading, as to our naval efficiency as connected with the personnel. On this point the testimony of Mr. Roosevelt, Assistant Secretary of the Navy, merits attention. It appears from his evidence that we are 18,000 men short of the number of men that we ought to have in time of peace as a preparation for war, and we shall be 4,000 more short if we count those necessary to man the vessels coming into commission in 1915 and 1916. These facts are also stated in the testimony of Admiral Badger before the House committee (p. 482). This shortage of men not only shows that our fleet is unprepared for war and for a sudden exigency of national defense but it also brings with it the deterioration of the ships laid up and out of commission, because we have not the men to put on board of them. Surely it is not necessary to dwell further upon such a condition as this.

I wish now to say a word about a new element in warfare which concerns both services and which has proved, in the war in Europe, to be of very great importance, if not as a military instrument, as a valuable means of obtaining information, both for armies and fleets. I refer, of course, to what are generally called air craft, or, more specifically, aeroplanes and hydroplanes. I do not think any argument is necessary to demonstrate the importance of the aeroplane in war. I merely wish to call attention to the condition of our two services in that respect. In the Army we have at this moment 13 aeroplanes and no Zeppelins or dirigible airships. We have no armored aeroplanes and no guns suitable for aeroplanes. In view of what we have all learned from the war in Europe, it seems to me

that this is a deplorable condition, no matter to what cause it is due. In the Navy we have 12 aeroplanes and no Zeppelins or dirigible airships, according to the report of the General Board. The money appropriated for this branch of the service in the Navy, I am informed, has not been expended, and it is stated that the delay has been owing to the failure of the American manufacturers to furnish aeroplanes, to the differences of the experts as to the best type, and to the fact that we are waiting to get some aeroplanes from abroad in order to test them. These are, no doubt, correct explanations, but they are no defense of the conditions. No matter what the reasons may be for our lack of aeroplanes in both services, the deficiency ought to be supplied. If the manufacturers can not make them, then we should make them ourselves. In the country where the Langley formula, upon which all aeroplanes are built, was first established, in the country where the heavier-than-air machine was first perfected and successfully flown, it seems to me idle to suppose that we can not build good aeroplanes. It is quite possible that the nations now fighting in Europe have not got the best conceivable type of aeroplanes, but they have large numbers of them, which are formidable, and effective, and which seem to answer every purpose. And if they have them we can have them. Congress has not been illiberal in making appropriations in this direction, and ought to continue to do so. It ought also to give to both Secretaries authority to enlist mechanicians or drivers, who can go up with the officers in charge and run the machinery. Men fit for this work can be had if you pay them enough. You can not get them for the pay of a sailor or a soldier, and the Secretaries of War and Navy ought to be given authority to employ such men at a rate of pay which is sufficient to get the best, leaving the rate to the discretion of the two Secretaries. We ought also to make it plain that what Congress and the people want is a sufficient number of aeroplanes to serve and protect their Army and Navy. An army and navy without aeroplanes, as we practically are to-day, would be helpless, indeed, in the face of an enemy provided with them. In this connection let me quote what is said on this point by the General Board of the Navy:

24. The General Board in its indorsement No. 449 of August 30, 1913, and accompanying memorandum brought to the attention of the department the dangerous situation of the country in the lack of air craft and air men in both the naval and military services. A résumé was given in that indorsement with the accompanying memorandum of conditions in the leading countries abroad at that date, showing the preparations being made for air warfare and the use of air craft by both armies and navies, and contrasting their activity with our own inactivity. Certain recommendations were made in the same indorsement looking to the beginning of the establishment of a proper air service for the Navy.

25. The total result of that effort was the appointment of a board on aeronautics October 9, 1913. That board made further recommendations, among them the establishment of an aeronautics school and station at Pensacola and the purchase of 50 aeroplanes, 1 fleet dirigible, and 2 small dirigibles for training. At the present time, more than a year later, the total number of air craft of any kind owned by the Navy consists of 12 aeroplanes, not more than 2 of which are of the same type, and all reported to have too little speed and carrying capacity for service work.

26. In view of the advance that has been made in aeronautics during the past year, and the demonstration now being made of the vital importance of a proper air service to both land and sea warfare, our present situation can be described as nothing less than deplorable. As now developed air craft are the eyes of both armies and navies, and it is difficult to place any limit to their offensive possibilities.

27. In our present condition of unpreparedness, in contact with any foe possessing a proper air service, our scouting would be blind. We would be without the means of detecting the presence of submarines or mine fields or of attempting direct attack on the enemy from the air, while our own movements would be an open book to him. The General Board can not too strongly urge that the department's most serious thought be given to this matter, and that immediate steps be taken to remedy it, and recommends that Congress be asked for an appropriation of at least $5,000,000, to be made available immediately, for the purpose of establishing an efficient air service.

I will now take from the testimony of Capt. Bristol before the House committee, page 299, a statement which shows the equipment of other nations in respect to dirigibles and aeroplanes:

Capt. BRISTOL. At the beginning of this war our best information gave, approximately, France 22 dirigibles and 1,400 aeroplanes; Russia, 18 dirigibles and 800 aeroplanes; Great Britain, 9 dirigibles and 400 aeroplanes; Belgium, 2 dirigibles and 100 aeroplanes; Servia, 60 aeroplanes; Germany, 40 dirigibles and 1,000 aeroplanes; Austria, 8 dirigibles and 400 aeroplanes; and the United States, 23 aeroplanes.

It seems to me that this is a melancholy showing, and to be met with the answer that we have not yet been able to decide on the best possible type of aeroplane or of armored aeroplane is deplorable. The aeroplanes of Europe have been good enough to do very effective service, and surely it is better to have machines that can do something than to have no machines at all. According to the testimony of Secretary Daniels, page 711, we have a total of 77 men in the aeronautic service of the Navy. What a splendid and effective force this would be if we were attacked by a foreign fleet!

Thus I have shown, as it seems to me, in the statements just made that our national defense is not only imperfect and unbalanced but that it has grave and in some instances fatal deficiencies. I have made no allegations drawn merely from my personal beliefs. I have simply stated facts as given by official authority, and I think that those facts tell their own story. My only purpose has been to show by the facts the deficiencies in our means of national defense. I have no intention of attempting to set forth in detail the proper remedies to be applied. That must be the work of experts and of the men who devote their attention to the subject. To obtain the proper remedies we ought to have, as I have already said, a commission, or, better still, a permanent council of national defense in which the legislative and executive branches of the Government should both be represented. We should also have a general staff both in the Army and the Navy who can furnish the council of national defense and Congress with the expert knowledge necessary to reach right conclusions. Generally speaking, it is clear to my mind that the Regular Army, whether large or small, should be properly balanced and proportioned as well as thoroughly equipped. Our Army to-day is neither properly balanced, properly proportioned, nor properly equipped. No matter how small the military machine may be, and I am far from desiring a large one, it should be as nearly as possible a perfect machine. Ours is not. It is also clear that we have no reserves to draw upon for the support of the Regular Army in case of war. These reserves should be created. No one would think of suggesting either conscription or compulsory service for this purpose, but the end can be obtained without either. The volunteer camps where the men are now paying all their own expenses prove to my mind that, if the Government should pay reserve volunteers for their month's service and give them their equipment and their transportation, there would be no difficulty in obtaining them. I believe that the scheme so ably elaborated by my colleague in this direction would be entirely successful. I do not believe that virility, patriotism, and courage are so dead in the United States or so narcotized by commercialism and the talk of professional peace advocates that we could not get 500,000 young men, or five times that number, under proper conditions to make themselves fit and ready to come to the defense of the country whenever the country was attacked. What I have said of the Regular Army is true of the militia. It is unbalanced, it is insufficiently equipped, it requires the careful and liberal attention of Congress.

What I have just said of the Army is also true of the Navy. It is strong in certain directions and very weak in others. In some important particulars it has little or no equipment. It should be made as perfect and as well balanced as possible. To secure these results in both services we must have unity of action. We can not succeed in doing so if we do not establish some means of dealing with the great subject of defense as a whole. When that is done the rest will follow.

I learned in college when studying political economy that Adam Smith thought that defense was more important than opulence, that the first duty of a sovereign was the protection of the country against invasion, and that "an industrious nation and, upon that account, a wealthy nation, is, of all others, the most likely to be attacked." (Wealth of Nations, Book V, ch. 1.) These teachings, at least, I have never forgotten.

I know well that all this will cost money, but I am old-fashioned enough to believe thoroughly in the doctrine in which I was brought up as a boy, the doctrine declared by Charles Cotesworth Pinckney when we were a poor and struggling Nation, that we have "millions for defense, but not one cent for tribute." I want an adequate national defense, and, speaking broadly, I care little what it costs if we can obtain it. Were it possible in the present state of human nature in the United States we could obtain this adequate national defense without additional expenditure. Cut off our needless Army posts, cut off our needless navy yards and stations. Lay aside for a few years appropriations for public buildings and river and harbor improvements where they are not needed by the public at large. Drop off all the expenditures which are designed for spots where votes are lying thickest, and you will have money enough to provide for a sufficient Army and an adequate Navy without adding to the burden of taxation. This is perhaps a counsel of perfection. I have put it forward simply to show that if Congress has the vigor of character necessary for such self-denying ordinances it can provide for our national defense out of existing revenue. But whether it does this or not, the national defense ought to be provided for, no matter what the cost. I believe this is the wish of the American people to-day, and that the intensity of their desire will increase as they become familiar with existing conditions. The American people, in my opinion, understand well that a sufficient national defense does not imply

war, but is an assurance against war. They are not misled by the parrot cry that preparedness brings war. All through history there have been nations or States which have armed themselves for conquest, and their preparedness meant war because war was the object; but to say that the mere fact of readiness to defend one's self means war is absurd. It would be as reasonable to say that the Civil War in the United States came because both sides were unprepared as to assert that war comes because a nation is ready to defend itself against aggression. There is no thought of conquest in the hearts of the American people. We wish for nothing but peace at home and abroad. Every reflecting man must favor a general reduction of armaments, but there is no such incitement to war possible as for a rich and prosperous nation, whether great or small, to disarm alone and remain unarmed in the midst of an armed world. We do not want war with any nation or any people, and the way to avoid war is not to invite it. Unarmed, unready, undefended, we offer a standing invitation to aggression and attack, and the idea, still popular or used for purposes of oratory by some people, that we can meet all dangers by springing to arms when the moment comes, is a dream so wild that it would be grotesque if it were not tragic. In these days of rapid movement and swift communication what possible defense could be offered to a military machine, organized to the highest point of efficiency, by an untrained people springing to arms which they have not got? The ocean barrier which defended us in 1776 and 1812 no longer exists. Steam and electricity have destroyed it. What we should aim at is to make it plain to all the world that we seek no conquest, that we desire only peace, and that to preserve our own peace we have a defense so strong that no nation in the world could hope for aught but loss and disaster in attacking us.

Mr. THOMAS. Mr. President, unfortunately I was not present to listen to the entire address of the Senator from Massachusetts, and he may have stated what I desire to ask him, and that is, whether he has included in his remarks a statement showing the relation which our appropriations for military and naval purposes bear to similar appropriations by the great powers of the world.

Mr. LODGE. No; I have made no comparison between our appropriations and those of other powers, but I have compared our appropriations for defense in case of the Navy with the total property of the country.

Mr. THOMAS. Yes; I heard that, but it was the other matter to which I referred.

Mr. LODGE. No; I have made no comparison with the appropriations of other nations.

I ask that the resolution may be referred to the Committee on Military Affairs.

The VICE PRESIDENT. That action will be taken.

DISTRICT OF COLUMBIA APPROPRIATIONS.

Mr. SMITH of Maryland. I move that the Senate proceed to the consideration of the bill H. R. 19422, being the District of Columbia appropriation bill.

The motion was agreed to, and the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 19422) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1916, and for other purposes.

Mr. GALLINGER. Mr. President, in view of the discussion had on yesterday concerning the site of the Eastern High School I have two letters which I think it is but proper should be placed in the RECORD. They are brief, and if the Senator in charge of the bill will permit me the privilege I will read the letters myself.

Mr. SMITH of Maryland. I offer no objection.

Mr. GALLINGER. The first letter is from Henry P. Blair, president of the board of education. Mr. Blair writes:

WASHINGTON, D. C., *January 15, 1915.*

Hon. J. H. GALLINGER,
United States Senate, Washington, D. C.

MY DEAR SENATOR GALLINGER: In reading yesterday's debate in the Senate regarding the Eastern High School site two questions are suggested which I wish entirely clear for your information, particularly in view of the patient consideration which this proposition has received during the many years of agitation before the purchase was authorized.

The location selected is the nearest to present and prospective center of school population available. The sites committee, superintendent, and myself, being all the male members of the board, spent an entire half day in personal inspection of the four sites formally submitted to the commissioners, as well as land possible to be purchased within the limits of the appropriation of adequate area for this school site. A hearing two hours in length was given, at which Dr. Emmons, Capt. Potter, and Mr. S. W. Curriden strongly urged the jail site, one of the gentlemen named even urging that the erection of the school should be immediately started on ground available on the jail site between the buildings heretofore used for the male and female workhouses before the latter were removed. The sites committee gave careful and long consideration to the final choice, and the site selected was by unanimous vote when deliberations were concluded.

A more desirable location would have been to the north and west of the present site, but no sufficient unimproved area was to be found, and the value of the improved areas was far beyond the sum appropriated, if sufficient land was to be had for the proper present and prospective needs of the school. All the protests have come from organizations located in the southeastern part of the city, who either do not know or are unwilling to recognize the gradual movement of the school center of population in east Washington toward the north. With the reclamation of the Anacostia River and growth of the city the bulk of territorial area to be served will in the future lie northerly and easterly from the site selected.

It is only just to add that no member of the board owns a foot of ground within the area of the site selected, and that Mr. Larner personally was inclined at first toward another site, but yielded his judgment in the matter to the views of the majority of the committee and united in the unanimous selection. It is possible that he is a trustee under some deed of trust securing money loaned on property within the area of the squares selected, although I have not had time to have the records examined. If the fact be so, it would give no substantial interest to him in the selection of the site, as all loans by our trust companies are carefully margined at 60 per cent or less of the market value of the property used as security. It would not represent in the usual course of business any personal investment, and does not in this instance, as Mr. Larner has informed me, nor has he any personal interest in any property in the eastern section of the city.

Your personal kindness to me is deeply appreciated, as well as the genuine sympathetic interest which Senator SMITH has shown in this important project.

Sincerely, yours,

HENRY P. BLAIR.

Mr. SMITH of Maryland. I understand Mr. Blair is the president of the board of education.

Mr. GALLINGER. He is the president of the board of education.

A moment ago a letter from Mr. Larner was handed to me at my desk. It reads as follows:

WASHINGTON, D. C., *January 15, 1915.*

Hon. J. H. GALLINGER,
United States Senate, Washington, D. C.

MY DEAR SENATOR GALLINGER: Mr. Henry P. Blair has called my attention to certain statements which were made on the floor of the Senate in reference to the property selected by the board of education and the District Commissioners as a site for the new Eastern High School. He has also called my attention to a statement which was made, which is in effect that I was either interested personally or as trustee in certain lots located within the boundaries of the squares selected for this building.

My purpose in writing you is to say that I have no personal interest in any property located within the lines of this site or any personal interest whatever in any properties located in that immediate section of the city. I wish also to say that I have no knowledge of any property within the boundaries aforesaid being in my name as trustee of any character.

When the matter was first mentioned to me I thought it was possible that I might be a trustee under a deed of trust to secure a loan to the Washington Loan & Trust Co., for which company I am counsel and for which I have frequently acted under deeds of trust to secure loans. In order to verify this matter I have caused the real estate officer of the Washington Loan & Trust Co. to investigate the books of the company, that he might find if that institution had any money loaned upon properties embraced within the proposed site. I am just now informed that the Washington Loan & Trust Co. has at this time no loans upon any property within those squares.

The statement, therefore, that I am interested as a trustee for the Washington Loan & Trust Co. or that the trust company has loans upon lots in these blocks appears to be untrue.

Very truly, yours,

JOHN B. LARNER.

Mr. President, this illustrates how easy it is for a rumor to be started or for an accusation to be made which appears in our debates in the Senate, but which has no foundation in fact.

Mr. NORRIS. Mr. President, is there any amendment pending? I have an amendment which I wish to offer.

The VICE PRESIDENT. There is an amendment pending, on which the Chair does not know whether the Senator from Missouri [Mr. STONE] is going to withdraw his point of order or not.

Mr. VARDAMAN. I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Fletcher	Martine, N. J.	Sherman
Brady	Gallinger	Norris	Simmons
Brandegee	Hardwick	O'Gorman	Smoot
Bryan	Hollis	Oliver	Sterling
Burleigh	Hughes	Overman	Stone
Burton	James	Owen	Thomas
Camden	Johnson	Page	Thornton
Chamberlain	Jones	Perkins	Tillman
Chilton	Kenyon	Pittman	Townsend
Clarke, Ark.	Kern	Poindexter	Vardaman
Colt	La Follette	Pomerene	White
Culberson	Lane	Reed	Williams
Cummins	Lea, Tenn.	Saulsbury	
Dillingham	Lee, Md.	Shafroth	
du Pont	Lippitt	Sheppard	

The VICE PRESIDENT. Fifty-seven Senators have answered to the roll call. There is a quorum present.

Mr. STONE. Mr. President, I have just come into the Senate Chamber. I am informed that the matter immediately pending is the point of order I made, just on the eve of adjournment

yesterday, against the amendment proposed by the Senator from Ohio. Is that correct?

The VICE PRESIDENT. It is.

Mr. STONE. Mr. President, I will say that I personally have no objection to the amendment itself, and I will withdraw my point of order, if I may, and will not object to the amendment being voted upon with the understanding, and I state it in that form, that it is done by unanimous consent.

The VICE PRESIDENT. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated.

The SECRETARY. The motion of Mr. SHEPPARD to agree to the report of the Committee on Rules as made by Mr. OVERMAN, January 12, 1915, to suspend paragraph 3, of Rule XVI.

The VICE PRESIDENT. The question is on agreeing to the report of the committee.

Mr. SHEPPARD. I wish to discuss this motion, if in order now.

Mr. NORRIS. I should like to inquire of the Senator from Texas if he is willing to lay it aside temporarily until we dispose of the other amendments? I have one to offer, and, as far as I know, that is the only amendment yet to be offered.

Mr. SHEPPARD. I am entirely willing to lay it aside for the remaining amendments to be considered.

Mr. LANE. I have one amendment to offer.

Mr. SHEPPARD. If the Senator will ask unanimous consent, I shall not object to laying aside the motion temporarily.

Mr. POMERENE. As the amendment pending is the one introduced by myself——

Mr. JAMES. Mr. President, I object to laying aside the motion. We might just as well decide it now.

The VICE PRESIDENT. The question, then, is on agreeing to the report of the committee.

Mr. LEE of Maryland. Mr. President, I wish to make an inquiry. I notice the report of the committee refers to the consideration of the amendment proposed by the Senator from Texas and all amendments thereto. I make the inquiry as to whether the report as phrased would permit amendments in case the Senate should agree to the consideration thereof under the report of the committee?

The VICE PRESIDENT. There can be no doubt about the state of the record. The Senator from Texas gave notice, and had it referred subsequently to the Committee on Rules, of a motion to suspend the rule of the Senate which provides that no amendment proposing general legislation shall be presented to an appropriation bill. That is not the exact language but the substance of it. The Committee on Rules reported favorably that the rule should be temporarily laid aside for the purpose of enabling the Senator from Texas to present an amendment involving general legislation to an appropriation bill. A point of order was then raised as to whether the rule could be set aside by a majority or whether it took two-thirds of the Senate to temporarily suspend it. The Chair referred that point of order to the Senate. The Senate decided that it takes a two-thirds vote to suspend the rules.

There is nothing before the Senate except to vote upon the question as to whether the rule will be suspended. If carried by a two-thirds vote, the rule is suspended. Thereupon the Senator from Texas can present his amendment, and that amendment, like all other amendments, is subject to further amendment at the instance of any Senator.

Mr. LEE of Maryland. It is clearly understood that the amendment of the Senator from Texas, if coming before the Senate, would be subject to amendment.

The VICE PRESIDENT. The Chair has tried to so state.

Mr. LEE of Maryland. I wish to have it clearly understood that in the event I should vote to support the committee's report and to bring the amendment of the Senator from Texas before the Senate, I would do so with the expectation of being able to sustain or support other amendments, including among them a referendum to the people of the community to be affected.

Mr. SHEPPARD. Mr. President, I wish to submit a few remarks on this subject. I shall not detain the Senate very long.

Nearly 13 years ago Congress prohibited the sale of intoxicating liquors in this Capitol Building. Its action met with universal applause, and to-day there is no suggestion from any quarter for a return to the old practice. The extension of that prohibition to the capital city and the capital district would meet with equal applause, and after so proper, so logical, and so humanitarian a step shall have been taken not a whisper will arise for its reversal.

The District of Columbia is peculiarly the property of the Nation. It is the ambition of all American citizens to make Washington the model city of the world. How shameful it must appear to them that within their Capital City, a city that should be the head and front of all that is pure and decent and ennobling, there are 300 saloons, or 1 to about every 233 adult males. A convivial individual a few years ago on leaving the Capitol met a tourist near the Capitol steps. The tourist accosted him and said, "Mister, how far is it from the Capitol to the White House?" "Stranger," replied the individual questioned, "it is 17 blocks and 26 saloons."

It is said that the Nation has no right to impose prohibition on the District of Columbia. What peculiar virtue does the liquor traffic possess that its abolition must be made the subject of a referendum when every other question is within the absolute control of Congress? The people of this Republic pay for the expense of maintaining the District of Columbia, of educating the children, of paving the streets, of supporting the courts, the hospitals, the jails. Besides, they have a patriotic interest in making it the Nation's pride.

Internal conditions here are not local in the sense that they are local in any self-governing Commonwealth in the Union. The Federal District was created for the especial purpose of Federal control, and the people who live here came to the District with that understanding; they live here to-day with that understanding.

The idea of a referendum was a mere second thought, and a poor second thought at that. It did not occur to its proponents when I introduced the motion to suspend the rules last Monday. They thought it would never see the light of day. It did not occur to them to propose a referendum when the next day my motion was referred to the Committee on Rules. They thought it would be consigned there to the senatorial potter's field. But when the Committee on Rules reported the motion out with a haste that violated the senatorial speed limit it then suddenly occurred to these gentlemen who are opposed to the motion that the citizens of the District of Columbia are possessed of some rights. It was only when they were brought face to face with the fact that the liquor traffic was threatened with extermination in the District of Columbia that they became so aroused along the line of self-government in the District. They then engineered a movement by which the Senate determined that my motion would require a two-thirds vote—a direct and inexcusable violation, in my opinion, of the plain import of the rule I had invoked. These gentlemen are loudly protesting their loyalty to the idea of a referendum, yet not one of them is in favor of referring the Nation-wide prohibition amendment to the States of this Union for decision, despite the fact that the States are the constitutional tribunal with exclusive authority for this purpose.

When it is in the interest of the liquor traffic to have a referendum they want a referendum. When it is not in the interest of the liquor traffic to have a referendum they do not want it. They are against a referendum for the Nation-wide amendment, although the Nation-wide amendment in itself invokes one of the highest rights the States of this Union possess, namely, the right to mold the character of the Federal Constitution.

Mr. President, the traffic in alcoholic liquor is a trade in the most seductive and powerful poison that men to their sorrow have ever known. Louis Pasteur, one of the foremost of all scientists, a man who achieved an everlasting reputation through his investigations into the character of ferments, has this to say:

> Another equally exceptional characteristic of yeast and fermentation in general consists in the small proportion which the yeast that forms bears to the sugar that decomposes. In all other known beings the weight of nutritive matter assimilated corresponds with the weight of food used up, any difference that may exist being comparatively small. The life of yeast is entirely different. For a certain weight of yeast formed we may have ten times, twenty times, a hundred times as much sugar, or even more, decomposed, as we shall experimentally prove by and by; that is to say, that whilst the proportion varies in a precise manner, according to conditions which we shall have occasion to specify, it is also greatly out of proportion to the weight of the yeast. We repeat, the life of no other being under its normal physiological conditions can show anything similar. The alcoholic ferments, therefore, present themselves to us as plants which possess at least two singular properties: They can live without air—that is, without oxygen—and they can cause decomposition to an amount which, though variable, yet, as estimated by weight of product formed, is out of all proportion to the weight of their own substance.

Thus, Mr. President, this substance, this organism, is the only one that in return for nutriment produces decomposition and that in return for the means of life gives death. As its origin is in one of the most intense rotting processes known to organic life, so it rots everything with which it comes in contact. Its chief mission is to wreck and to damn. It enslaves body, mind, and soul. Its hold is so pitiless and so complete that few of its victims ever escape.

The loss to society, economic and moral, from the ravages of this drug is such that the only effective measures are preventive ones. The hereditary alcoholic taint transmitted from even moderate drinkers to children still unborn, condemning many of them to deformity, to lunacy, to epilepsy, to blindness, to disease, to the fatal appetities of their fathers, to children who are thus deprived of the right of normal birth, forms an additional reason for the extermination of the traffic.

Already the drink bill of the Nation is reaching a yearly total of $2,500,000,000, more than half the cost to the United States of the entire Civil War. The Republic can not endure with this cancer in its vitals.

Chauncey M. Depew, the eloquent and able octogenarian, a man who at the age of 80 retains his brilliant intellectual powers, delivered a speech within the last few months at Ossining, N. Y., celebrating the one hundredth anniversary of the founding of that place. He was giving reminiscences of his early days, and he had this to say incidentally:

When I first ran for the lower house of our New York Legislature 52 years ago, I was told that unless I secured the support of one of your most active citizens, an eccentric and successful man, I could not be elected. I addressed a meeting in the public square, and afterwards this gentleman insisted upon adjourning to the American House for refreshments. At that time temperance was unknown. It was an insult to refuse a drink. Most of the public men whom I met in the legislature died from alcoholism.

This was an incidental but vivid revelation of the havoc this poison has been wreaking. Men say that their personal liberty will be interfered with by the prohibition of intoxicating liquors. I tell you that your personal liberty is subject to the right of society to abolish a traffic which is the chief source of poverty and of crime. The good of the thousands this traffic transforms into murderers, thieves, lunatics, paupers, beasts, is superior to your right to walk into a saloon, lean upon a mahogany bar, and solemnly discuss your personal liberty.

You say you can not legislate morality into men. That is true; but it is also true that you can legislate certain concrete temptations out of the pathway of humanity. The removal of saloons will put intoxicating liquor beyond the reach of millions, to their lasting redemption and the redemption of society.

You talk about the right to drink alcoholic poison. The railroad companies do not recognize such a right. An employee who is known to drink or to frequent a saloon will be immediately dismissed. Great steel plants deny such a right. In many of them employees are warned against drink and dismissed if they are found to drink. The surety companies, in ascertaining the standing of those for whom they are asked to be responsible, always make the inquiry, Is he addicted to drink?

In fact, Mr. President, the whole world is going dry. The business world is going dry in so far as the requisites for employment are concerned. Certainly prohibition would be a logical step for our Government to adopt as to our Capital City, where the business of the Nation is principally transacted.

Preventive measures are now the order of the day. Society is beginning to see the folly of maintaining hospitals and jails and penitentiaries on the one hand and tolerating a traffic that fills them on the other.

We are beginning to see that we must go to the source of evils if we would avoid wrestling forever with their sinister results.

This amendment is merely a step in the sanitation of the Capital City. The saloon must follow the disreputable alley.

Mr. President, Gladstone said that the evils of drunkenness outweighed the evils of war, pestilence, and famine put together.

Lincoln said that after the destruction of slavery the next great problem would be the destruction of the liquor traffic, and he said he would hail that day the happiest of history when there should be neither slave nor drunkard in the world.

The man who to-day votes against the abolition of the liquor traffic in the Capital City is not voting as Abraham Lincoln would vote. In fact, he will repudiate Lincoln's memory.

Russia has already abolished the sale of vodka through its vast dominions, and the results are most gratifying. They are reflected already in the increased happiness, health, and prosperity of its people.

The Senate will put itself in touch with the highest and noblest sentiment of the age by the adoption of this amendment. It will make this Capital what it should be—a model and a light for all the world. The American people have a right to say that the liquor traffic shall not exist within their Capital. It is an insult to the Nation and a reproach to the flag. The Senate will win the approval of the Republic and of the most enlightened sentiment of the globe when it expels this curse from the Federal District.

Senators, if the mothers of this Republic could vote to-day, they would vote to expel the liquor traffic from the Capital of the Nation. If the mothers of the District could vote to-day, they would vote to drive this evil from the Capital City. Will you listen to their prayers?

The bravest battle that ever was fought,
Shall I tell you where and when?
On the maps of the world you'll find it not;
'Twas fought by the mothers of men.

Nay, not with cannon or battle shot,
With sword or nobler pen;
Nay, not with eloquent words or thought,
From mouths of wonderful men.

But deep in a walled-up woman's heart—
Of woman that would not yield,
But bravely, silently bore her part—
Lo! there was the battle field.

No marshaling troop, no bivouac song,
No banners to gleam and wave;
But oh! these battles, they last so long,
From babyhood to the grave.

Yet faithful still as a bridge of stars,
She fights in her walled-up town—
Fights on and in the endless wars,
Then silent, unseen—goes down.

Oh, ye with banners and battle shot,
And soldiers to shout and praise,
I tell you the kingliest victories fought
Were fought in these silent ways.

Oh, spotless woman in a world of shame!
With a splendid and silent scorn,
Go back to God as white as you came,
The kingliest warrior born.

All that we ask now is that you permit us to vote upon this great question. Every rule of the Senate has been strictly followed. The requisite motion has been made, and under your construction it now requires a two-thirds vote to determine whether the Senate may in connection with the pending bill vote to purge the National Capital of one of the most infamous businesses that ever disgraced the world. What will your answer be?

Mr. THORNTON. Mr. President, when this question arose in the Senate I said that while I would vote to take up for consideration the report of the Committee on Rules, I would vote against the adoption of the report for reasons I would give later.

I am opposed to the adoption of the report of the committee because I think that paragraph 3 of Rule XVI of the standing rules of the Senate is a most excellent rule to conserve the proper consideration of bills of that nature pending in the Senate, its object, expressed in general terms, being to prevent the injection of foreign matter into the bill being considered.

If I had been a member of the committee, I would have felt compelled to vote against the temporary abrogation of the rule, because I think it very bad policy to suspend it in order to assist in the passage of any measure, however meritorious it might be considered by some or even by a majority of the Senate, because if done in one instance it could and should be done in others, while I think it should never be done in any case, but the rule be preserved inviolate for the general good of legislative procedure and of legislation itself, believing that all measures should be presented through the regular and proper methods of procedure and decided on their own merits.

For these reasons, and for these only, I shall vote against the adoption of the report; but my vote on this question is not necessarily an index to my vote on the amendment itself if the Senate adopts the report of the Committee on Rules.

PROHIBITION.

Mr. VARDAMAN. Mr. President, since I have been a Member of this body I can not recall at this moment a measure which has been considered by it that I regard of as much moment to the American people as this. It involves the happiness and prosperity of the living and the well-being both of body and soul of posterity. It is a question of the highest privilege to humanity. As to the anxiety expressed by Senators on the question of suspending a rule or changing a rule—the importance of holding the rules inviolate, I confess that I am unable to understand and appreciate just what they mean, or to apprehend what harm is to grow out of this proposed suspension of the rule.

The rules of the Senate are the instruments of the Senate. It was never intended that the Senate should be the creature of, or subordinate to its rules. Whenever it becomes necessary in order to facilitate the business of Congress a mere rule should not stand in the way, if in the judgment of a majority of the body the thing under consideration should be done. I repeat, this rule worship is a form of fetishism that I can not

comprehend. Now, I would not approve or raise my voice in support of a measure that would take away from any American citizen a right vouchsafed to him or her by the Constitution.

I believe in liberty of action. I believe a man should be permitted to follow out, in the performance of the functions of citizenship and the private affairs of life, the processes of his own mind, and after he shall have reached a conclusion I believe it is his duty to express that conclusion, or if not, to live by it, at any rate. Nor would I permit one in the performance of his duty as a citizen to trench in any way upon the rights of somebody else.

There is nothing of that character in the proposition which the Senate is called upon this afternoon to consider. The question is whether or not the saloon is to be permitted in the District of Columbia, whether or not it is best for the people. It would not be out of place to consider also in this connection the effect of such an act in creating public sentiment throughout the Nation and the world.

Now, let us consider the observation and experiences of other nations as well as our own people with reference to this evil. The public mind is alert and the public conscience is aroused to the dangers to society involved in this damnable traffic. That it is an evil no well-ordered mind will deny. I read from an article in the Technical World Magazine for January, 1915. Senators, it is well worth your while to weigh the facts set out in this paper.

At a blow the autocrat of all the Russias, Czar Nicholas, has liberated 150,000,000 people. He has done for his people what the free-born American citizens have been unable to do for themselves. It is a new freedom that has come to Russia—a kind of freedom that the world has never before seen; the Czar's edict has liberated his subjects from the oppression of alcohol.

As by magic, drunkenness has vanished from the Empire and the $1,000,000,000 annually spent for intoxicating drinks will be diverted to other purposes. It has been a comparatively easy thing for Russia to do this, because the manufacture of strong liquors is a Government monopoly. For many years our National Government has been assailed by the friends of prohibition for its attitude on the liquor question. They have, first of all, demanded that the Government cease levying revenue on intoxicating liquors; and, secondly, that the manufacture and sale of such liquors be stopped within the boundaries of the United States; but little progress seems to have been made in this direction.

If America becomes liquor-free in the next generation, as some industrial leaders predict, it will probably be because of the drastic action of our industries, which can not stand by and see large possible profits swallowed up by alcoholism.

Of course we all know that railroads have long maintained strict rules in regard to drinking among employees, but do we know that within the last few years practically every great industry in the country has established similar rules?

Drinking will now spell prompt dismissal for you if you are an employee of the Hershey Chocolate Co., International Harvester Co., Sherwin-Williams Co., Sheffield Car Works, United States Steel Corporation, Western Electric Co., Pullman Co., Edison Co., Western Union, Interborough Co., Standard Oil Co., or any one of a thousand other American firms of the first rank.

Sears, Roebuck & Co. forbid employees entering a saloon at any hour of the day within a mile of their plant in any direction.

Dalzell Bros. Co. declare that "as the State insurance rate is affected by the number of accidents, we are determined not to place ourselves liable to an increased rate," and they accordingly rule that promotions shall go to total abstainers only.

Thick and fast during the present year industries have been lining up in the efficiency campaign against the common enemy, "booze."

On March 27, 1914, a sweeping order was issued by the United States Steel Mills, covering the entire Mahoning Valley, to the effect that hereafter all promotions would be made only from the ranks of those who do not indulge in the use of intoxicating drinks.

Last spring a local-option election was held in the "dry town" of Three Rivers, Mich. The big industry of the town is the Sheffield Car Works. The management of these works issued a circular letter to the many thousand workmen advising them that if they signed wet petitions they would by that act be placing themselves in opposition to the interests of the company.

Yes, and only a few months ago the great steel works at Homestead, Pa., employing 12,000 men, decreed that not only would drinking be prohibited during working hours, but that even the slightest intemperance while off duty would be cause for immediate discharge.

Recently the Philadelphia Quartz Co. conducted a pledge campaign among its employees. The men were offered a 10 per cent increase if they would pledge themselves not to use liquor nor to frequent places where it was sold or used. Practically all of the men made the promise.

This magazine could be crammed to the covers with similar instances of the strong front industry has assumed against alcohol during the last two years.

The sentiment of the executives of industry is pretty well summed up in the pointed statement of Andrew Carnegie:

"There is no use wasting time on any young man who drinks liquor, no matter how exceptional his talents."

And note this: C. L. Close, manager of the famous Bureau of Safety of the United States Steel Corporation, a man who knows the social side of industry as few men do, declares his opinion that in 10 years, through the combined effort of American industries, the manufacture and sale of liquors will be at an end in the United States.

What does it all mean? Have our industrial leaders been caught up in the swirl of religious revival? Has a moral renaissance begun to climb up through the hearts of our captains of industry?

Not a bit of it! They are as disinterestedly interested in the almighty dollar as they ever were, but their eyes have been opened. They see dollars, thousands, millions of them, slipping away, and they are going to stop the leak or know the reason why.

And here is the leak—exposed unmistakably by the laboratory experiments of Dr. Emil Kraepelin, of the University of Munich.

With the ergograph, a little instrument for measuring the weight-lifting strength of workers, Dr. Kraepelin found that on days when the alcoholic equivalent of a good glass of Bordeaux was taken, the amount of work done by the subjects was decreased by from 7 to 9 per cent.

A number of accountants were given daily, in divided doses, the equivalent of three and a half cups of claret. After two weeks of this steady, moderate alcoholic allowance, their average ability to add one-figure columns had decreased 15.3 per cent.

Four typesetters, each drinking daily three-quarters of a tumbler of Greek wine (18 per cent alcohol), lost an average of 9.6 per cent in efficiency by the end of one week.

In coordination tests, where the subject was required to snap down a telegraphic switch at the unexpected flash of a light or sound of a gong, the rapidity of the coordinating responses was decreased by liquor from 6 to 8.3 per cent.

Tests by other scientists tell the same story.

Prof. Durig, an expert mountain climber, found that on days when he took two glasses of beer his instruments showed that he expended 15 per cent more energy than on the days when he did not drink, and that it took him 21.7 per cent longer to reach the top of a mountain.

In many industries employees do but a single small piece of work, repeating the same motions, using the same muscles, over and over all day long. Tests of Swedish marksmanship illustrated the effects of alcohol upon endurance in such repetition work. Upon the alcoholic days the soldiers averaged only 3 hits out of 30 shots, while on their abstinent days they averaged 23 to 26 hits out of 30. It is significant that they thought they were shooting better after they drank!

Lord Kitchener pleaded with the friends of the British recruits as they started for the front not to "treat" them to liquor. With the declaration of hostilities, Czar Nicholas issued his now famous ukase, which ended, once and for all, the manufacture and sale of alcoholic liquor by the Russian Government. Writes Prof. Thomas C. Hall, of the Union Theological Seminary, who was appointed Roosevelt professor at the University of Berlin for the year 1915–16: "With the first proclamation of war all drinking in the German Army was ordered stopped at once." Assuredly, the war lords have discovered that an efficient army is a sober one.

If an office worker takes only so much as one glass of beer daily, he decreases his efficiency 7 per cent, according to experiments of Bergman, Kraepelin, Mayer, and Kinz.

The drinking man can not stand heat or cold as well, remember as well, smell as well, see or hear as well as the nondrinking man. Such is the finding of experiments performed by Prof. Kraepelin, Prof. Frolich, Dr. Ridge, of England, and Prof. Vogt, of the University of Christiania.

So much for the verdict of the laboratory. Now, what has been the actual experience of industries? Have they noticed any practical, workaday difference in the efficiency of alcoholic and nonalcoholic workmen?

Here is one instance. The manager of a copper mine at Knockmahom, Germany, was convinced that his output would increase if his men quit drinking. He induced 1,000 of them to take the pledge. He was delighted to find, after two years, that their productive efficiency had increased nearly $25,000 annually.

Coming nearer home: President Wilborn, of the Colorado Fuel & Iron Co., makes this striking statement in regard to the closing of saloons in the Colorado mining districts:

"With the advent of the Federal troops all saloons in the coal-mining districts were closed, and as a result the efficiency of the workmen has greatly improved, the average production of coal per man increasing about 10 per cent.

"The production at this company's mines in the southern district of Colorado for the first 18 days of April averaged 5.85 tons per day for each miner at work. That was before the Federal troops closed the saloons. For the first 18 days of June, with all saloons closed, each man produced 6.52 tons, which meant an average increase in wages of more than 11 per cent per man.

"This has confirmed the view long held by us, that if saloons and drinking could be eliminated from the coal districts not only the miners but the companies would be greatly benefited.

"What I have said applies specifically to the Colorado Fuel & Iron Co., but I think in a general way it is true of the coal-mining industry in the State."

Spoiled work is no small part of the loss which drink lays upon industry. A workman in one of the Coatesville steel mills declares that when the saloons were open it was not unusual for 20 to 40 tons of steel to be spoiled in the rolling following pay days. Thus the earnings of every tonnage man in the mill were reduced because of the half-drunken condition of some of the men. "But, with the closing of the saloons," he adds, "that's all history now."

There is evidence that a shorter working day, permitting workers to stop before the physical limit of fatigue has been reached, results in a falling off of the desire to indulge in intoxicants.

Boyd Fisher, vice president of a club of Detroit executives, says:

"A good many Detroit employers are wise enough to see that in a large number of cases excessive drinking is a direct result of too long hours at monotonous work. Wherever they have shortened the working hours they have minimized drinking and secured a compensating increase in output."

The Burroughs Adding Machine Co. is a case in point. This firm shortened the working day from nine and one-half hours to eight hours. A noticeable decrease in drinking followed, and a slight increase in the output per man.

A thorn in the side of industry has been the proverbially meager output of Monday. Industrialists are now discovering that if there is no drinking on Saturday and Sunday there is no falling off of output on Monday.

"Blue Monday in the industries of Kokomo is a thing of the past," says J. E. Frederick, of the Kokomo Steel & Iron Co. Kokomo, Ind., is a city without saloons. "On Monday our factories are able to secure the same output as on any other day of the week. This was not the case when saloons were running."

"Monday has stepped up with the other days of the week," say a manufacturer in Buckhannon, W. Va.

"Manufacturers have no off days now in Kansas" says the Thomas Page Milling Co., of North Topeka. "The men are just as fresh at the beginning of the week as at the close."

So it goes. From 50 different angles industry is to-day looking critically and cynically at the results of alcohol.

Do you wonder, then, that most of the money for the campaign which made West Virginia dry was contributed by labor-employing industries in the State? West Virginia abounds in coal, lumber, oil, and

gas industries. These were, almost to a unit, active workers for State-wide prohibition.

Judge J. C. McWhorter, who had charge of the campaign, says: "While I was helping to raise funds for our constitutional prohibition campaign a brewer from another State who had no liquor business in West Virginia, but who had thousands of dollars invested in certain other industries in the State, sent me his check for $250 to help make West Virginia dry, because he knew what liquor was doing to his men and his business."

What the industries within the Nation have learned the Nation itself is learning. Abstinence is becoming the enforced rule of national engineering projects. The way Col. Gorgas obtained increased efficiency by reducing alcoholism among his canal builders is interesting in this connection.

He writes, in a paper published in the Journal of the American Medical Association, June 13:

"On the Isthmus we had our laboring force located on the line of the canal, about 50 miles in extent. In this distance we had about 20 towns. At first we allowed as many liquor establishments as chose to pay the high license—$1,200 per year. As time went on we gradually abolished saloons in town after town until last year liquor selling was finally abolished in all the zone.

"The two Panama towns of Colon and Panama, at the northern and southern ends of the canal, are not under the jurisdiction of the commission so far as regards liquor selling. There is no restriction on an employee going to these towns and getting liquor when he wishes and bringing it into the zone to his own home. The only prohibition is that it must not be sold in the zone; but to get liquor he has to make a longer or shorter railroad trip and go to considerable effort. Our experience has shown that there are a considerable number of men who do not care enough for liquor to make the effort, and therefore do without.

"The efficiency of our working force has increased so much that generally the men in charge of the laborers in the different districts have asked to have their districts included within the prohibition area."

Another big national business, known as the American Navy, has also learned the alcoholism-efficiency lesson. On July 1, 1914, the order went into effect prohibiting the introduction of intoxicating beverages into the ships of the Navy, the naval stations, and all points under the jurisdiction of the Navy.

It is not commonly known that one of the chief considerations which startled Secretary of the Navy Josephus Daniels into this action was the fact, revealed by the medical inspector of the United States Navy, that there were nearly ten times as many admissions to the hospital for alcoholism in the American Navy as in the British Navy, and nearly fifty times as many in the Germany Navy! If alcohol was sending so many men to the hospital, it was undoubtedly rendering inefficient a still larger number of men who did not get as far as the hospital. Alcohol, in the name of efficiency, was banned.

Four years ago, long before this action was considered, Germany's far-seeing Kaiser, in a great speech to his naval cadets, urged them to form total-abstinence societies as the British had done.

"Naval service demands a height of effort which it is hardly possible to surpass," said the Kaiser. "It is necessary that you be able to endure continued heavy strain without exhaustion, in order to be fresh for emergencies.

"In the next great war nerve power will decide the victory. Victory will lie with the nation that uses the smallest amount of alcohol."

The verdicts of the laboratory, of industry, and of the Nation against alcohol are the same. Because it is a breeder of inefficiency, it must go. And in America, at least, the prospect is that it will be driven out by hard-hearted, firm-fisted industry. The great god industry cares not a rap for the moral or social phases of the drink question, although the big men who are his directing forces may be industrially greatly concerned. Alcohol might trample on the garments of morality and social relations until doomsday and it would not worry industry as such; but when alcohol begins to tease and harass the great god's pet mascot—efficiency—that is quite another matter. Drastic measures must be taken.

Already the American Foundrymen's Association has appointed a well-financed committee to campaign in every State for legislation to push back the saloon from the doorways of industrial plants. That will not satisfy industry. At the end of five years, probably, every great business will have united its forces against alcohol; and who knows but that at the end of 10 years the prediction of C. L. Close will have been realized and industry will have banished the manufacture and sale of liquor from the United States?

Apparently it does not matter very much whether we want this to happen or not. If industry wants it, it will come to pass. The best thing we can do is to hope that, when that added six billion saved by efficiency is divided, we may come in for a share.

Who will undertake to answer the eloquent arguments which the facts that I have just read present in behalf of prohibition? Who is bold and brazen enough to appear as apologist for the liquor traffic? Who will have the effrontery to stand up in the light of eternal truth and in defiance of the moral sentiment of the world defend this infinite iniquity? If the great captains of industry have discovered that even the moderate use of intoxicating liquors is so harmful, so hurtful to the brain and the body of the individual, by what process of reasoning can the officers of the Government and representatives of the people—the lawmaking body of this Republic—justify the continuance of the traffic in this deadly drug? Will Democratic Senators be justified in voting to perpetuate the traffic in order that it might win votes for the Democratic Party? Has the Democratic Party fallen so low or gotten in such desperate straits that it must depend upon the influence of the saloon to keep it in power? God of nations, save us from the humiliation of such a thought. Mr. President, no political party depending upon that influence for supremacy can be of service to the Nation very long.

The stream can not rise above its source. If the source be impure, that same impurity will characterize the entire course of the stream. I love the Democratic Party, its history, and traditions. I believe the underlying principles upon which it rests are indispensible to the fulfillment of the purposes of the founders of this Government and the permanency of our institutions; but rather than have the Democratic Party depend upon the influence of the saloon for victory I would prefer to see it pass to honorable and harmless oblivion.

But some gentlemen have announced the strange doctrine that the Government is under a moral obligation not to prohibit traffic in intoxicating liquors because it would affect vested pecuniary interests. The brewers, the distillers, and the wine makers, they maintain, have enormous sums of money invested, for which they have a right to demand of the Government protection. That is an old argument. That is the doctrine of Cain—a doctrine so conclusively and completely condemned by the lessons taught by the Nazarene—in such shameful violation of the spirit of the Golden Rule, that it has no place in the economy of this Republic.

To the malign influence of such a theory are traceable the overthrow of republics, the dissolution of empires, and the absolute obliteration of civilizations. Mr. President, the love of money is the root of all evil, and it is a root which grows deep and permeates the soil of human nature. It has been the case in all the ages of the world, however, and among all the peoples of the earth. Some few men of the present are great enough to resist its sordid and debauching influences, but there are very few. Too often the dollar is the standard of excellency and the accumulation of money the measure of success. Conditions at the beginning of the twentieth century—the hopes and aspirations of men—are to a certain extent the same that they were in other days and among other peoples at some period in their history.

Human nature does not change. It is the same to-day that it was when the peripatetic philosopher taught his hungry-eared pupils beneath the classic shades of ancient Greece. It is the same to-day that it was when Confucius startled a world with his benign philosophy. It has not changed a particle since the Pharaohs ruled in Egypt. The only difference is environment and opportunity. Scan carefully the pages of the histories of ancient Greece and Rome and you will find a prototype or precedent for almost any and every thing that appears in our modern civilization.

At this moment there comes to me in all of its vividness the picture painted by Oliver Goldsmith:

> But, scarce observed, the knowing and the bold
> Fall in the general massacre of gold;
> Wide-wasting pest; that rages unconfined;
> And crowds with crimes the records of mankind;
> For gold his sword the hireling ruffian draws,
> For gold the hireling judge distorts the laws;
> Wealth heaped on wealth nor truth nor safety buys,
> The dangers gather as the treasures rise.

Gold has become the god and commerce the religion, I am sorry to say, with a large class of the people of this Republic. I have often thought of the effect of accumulated wealth upon the characters and natures of men, and I have also observed its effect upon the earth in which the gold is found. Some years ago I visited the rich gold fields of Cripple Creek, Colo., and after ascending the rugged, barren, rocky mountains and going down into the dark, rock-ribbed pit, where men suffer and sacrifice, toil, and die in search of the precious metal, I thought of the effect of hoarded gold upon the human soul. There was not a beautiful flower to be seen in all the landscape, no waving grass, no luxuriant vegetation, no umbrageous trees that spread their giant arms and afford the weary traveler the refreshing shade, no soft and gentle zephyrs to cool the fevered cheek of the wayfarer or waft the perfume of the rose which delight the heart of man. There was nothing but rocks—barren, cold, conscienceless rocks. Down into the dark recess, in the cruel grasp of this granite, the precious metal lay. It requires the most desperate work and painful search to find it, and when it is found the use of dynamite and other powerful explosives is employed to release it from the relentless, avaricious grasp of the gray flint. And after it is gotten out it must be ground, burned, and melted before it is fit for the use of man. And so is its influences upon him who gives his life for its accumulation. Years of toil, sacrifice, and self-abnegation are devoted to its acquisition, and when acquired in great quantities it usually leaves the heart barren of the fragrance of love, the aroma of friendship, and devoid altogether of the true spirit of altruism. There are no cooling shades of charity in the garden of the heart—there is none of the fragrance of affection where the weak and helpless may go for succor and rest. Cold, conscienceless, selfish, stingy, bereft of all the nobler virtues which glorify the life of one "who loves his fellow man," a heart as hard as the rock in which the gold is found and as remorseless as the granite which grasps it with the grip of death away down in the bowels of the earth.

Mr. President, the end of all government should be the benefit of humanity—for the uplift of mankind, and every law which is devoid of that spirit and purpose is a reproach to the men who breathe into it the breath of life. The saloon is indefensible. It is a social cancer, an economic blight. Somebody has truthfully and forcefully said of the saloon bar. It is—

A bar to heaven, a door to hell—
Whoever named it named it well!
A bar to manliness and wealth,
A door to want and broken health.
A bar to honor, pride, and fame,
A door to sin and grief and shame;
A bar to hope, a bar to prayer,
A door to darkness and despair.
A bar to honored, useful life,
A door to brawling, senseless strife;
A bar to all that's true and brave,
A door to every drunkard's grave.
A bar to joy that home imparts,
A door to tears and aching hearts;
A bar to heaven, a door to hell—
Whoever named it, named it well!

Mr. President, if I were called upon at this moment to name the one thing that has wrought the most harm in the world, blighted more lives, frustrated more ambitions, caused more scalding tears to fall from the eyes of woman than all the other agencies of evil combined, I should say the intemperate use of intoxicating liquors. Whisky taken immoderately is hurtful physically, financially, mentally, and morally. As an evil it is without a mitigating incident. It is the one deadly drug in which the jewels of the heart's best love are dissolved and poured into the mouths of men to madden the brain and destroy the soul.

I have observed its ravages. I have seen the destruction of character; I have seen the happy home, musical with the laughter of children, warm with the atmosphere of love and contentment, changed to a place of sorrow and shame. I once had a young friend who was almost as great a genius as Byron or Prentiss. I knew him in the morning of life; the pulses of youthful spring bounded in his veins; hope sprang eternal in his breast. Life to him was a glorious prospect. He lived in a world of promise. At an unguarded moment he entered the saloon, drawn there by the siren song of temptation. The first drop of the seductive drug that passed his lips fired the latent appetite, which probably was the uncoveted legacy from indiscreet ancestors. He went back again, and again, and again until the love for the accursed stuff had become a gnawing disease against which his imperious will was absolutely helpless. I saw the sparkle in his youthful, manly, intellectual eye turned to the stupid, leaden gaze of the inebriate. I saw the sun of hope and happiness go behind the cloud of dissipation and death ere it reached the meridian; and I said the cause that wrought this man's downfall society ought to remove. Anything that encourages excessive drinking and leads to this unhappy end is an enemy to society and ought to be exterminated. I maintain that the most valuable thing beneath the stars is a human being, and I know that the highest end of government is the development and improvement of man. If the man be improved the government will share of his improvement and the moral sentiment will write the laws of the land.

I have heard a thousand arguments in favor of closing the saloons, but I have never heard a decent suggestion in favor of keeping them open. The influence of the saloon is pernicious in politics. The soul-quenched, brain-soaked, body-distorted habitues of these dens of iniquity, with eyes like frostbitten plums and noses like frozen tomatoes, with the story of a life of crime and dissipation written in those mysterious hieroglyphics upon their besotted faces—these men are easy victims of the ward rounder and political bribe giver. They hold the love of drink and lawless power above the interests of their country. Oh, it is hurtful to the church; it destroys the happy home; it fills the jails with criminals, the asylums with lunatics, and the world with idiots and paupers. Verily it is a Circean vortex, from whose voluptuous whirl come human swine to scatter seeds of sin and death, from which shall surely spring the tares of biting sorrow.

Mr. President, a glorious opportunity is presented to the Senate and House of Representatives to drive this evil from the Capital City of the Nation, to make it a city set upon a hill, the cynosure of all eyes that look for righteousness in government—a glorious example for the emulation of the municipalities of this Republic. Washington should be the model city government of America; its parks and statuary should be so splendid in all their arrangements as to meet the approval of the most esthetic taste; its streets and architecture should conform to the most substantial and enduring type; its laws should be justice applied in its purest and best form. In a word, Mr. President, it should be a city in all of its appointments which would body forth the highest thought and best purposes in government. The opportunity is at hand for this Congress to achieve this great work—to honor itself—and after it shall be done let us not forget that we shall have rendered a service to humanity, which, after all, is the most acceptable service to God.

I agree with the Senator from Texas [Mr. SHEPPARD] that it is only a question of a short time when this Republic shall be rid of this greatest of social evils. You may defeat this resolution to-day; you may defeat this measure next year; but just as surely as right shall triumph over wrong, when the good judgment and patriotic sentiment of the American people shall be crystallized into law there will be no saloons in the District of Columbia. It takes time to work out all great reforms. Error intrenched always fights stubbornly against the onward march of truth. Indeed—

The paths of truth in every age have led men to
Gethsemane—to mocking and a cross
Its sacred light hath rent the veil behind
Which error long has been concealed; and though
The priests of wrong have raged and sought to bind
With thongs the souls of men, right on the tides
Of truth have swept; nor mobs, nor hate, nor yet
The Cross can stay the morning of its triumph.

Mr. President, I shall count myself fortunate, though in the minority, to have taken an humble part in this great effort to serve humanity, for I realize that the real greatness of the Republic does not consist—

In hewn stone nor in well-fashioned beams,
Not in the noblest of the builder's dreams,
But in courageous men of purpose great—
There is the fortress, there is the living state.

The consuming desire of my soul is that I may be able to do something to buttress the "fortress" and strengthen the "living state." I shall be satisfied if, when the last settlement comes, that my name may be recorded among those who "loved and served their fellow man."

Mr. MARTINE of New Jersey. Mr. President, I think my friend from Texas [Mr. SHEPPARD] was rather unfortunate when he quoted Chauncey Depew. I think he said that Mr. Depew had stated that the prominent men with whom he had associated for the past 50 years in legislative halls had filled drunkards' graves, or words to that effect.

Mr. SHEPPARD. Not all of them.

Mr. MARTINE of New Jersey. Well, how many of them?

Mr. SHEPPARD. Only those he had met in the legislature at that time.

Mr. MARTINE of New Jersey. Oh, well, then, it was the legislature, and that is not on my side of the House. I will say that that was an extravagant statement, which I do not believe can be borne out by the facts. I have met very many in the halls of legislation on both sides of the political question, none of whom were given to the use of alcohol; and I have, as God is my judge, yet to know one of them who when he died filled a drunkard's grave.

The Senator quoted something from Lincoln, and doubtless his quotation was correct as to what Lincoln may have said on the question of the unbridled use of liquor; but there was another thing the Senator might have quoted which Lincoln said. During the civil strife, when the cry was "On to Richmond," Lincoln was being beset on all sides with the suggestion, "Change this general and supplant him with another." Finally one humanitarian came to him and said, "Mr. Lincoln, you will never succeed until you change Grant. You must change Grant." "Why?" asked Lincoln. "Why, Grant drinks." What was Lincoln's response? The Senator did not quote that. Lincoln said, "Tell me the brand of liquor Grant uses, as I want to send it to some of the other generals who are in our Army." [Laughter.]

Mr. President, what Senators have said is all very well and all very nice, but you from Texas and you from Mississippi do not love humanity with a deeper love than do I. It is all very well to ring the changes on the particular species of fanaticism that has obsessed your lives.

Mr. SHEPPARD. Mr. President, may I ask the Senator a question?

The PRESIDING OFFICER (Mr. HOLLIS in the chair). Does the Senator from New Jersey yield to the Senator from Texas?

Mr. MARTINE of New Jersey. Oh, well, wait until I get through. [Laughter.]

The PRESIDING OFFICER. The Senator from New Jersey declines to yield at this time.

Mr. MARTINE of New Jersey. Mr. President, notwithstanding all that has been said to us here to-day, this is a pretty good world, if we know how to take it. That is your trouble. It has wagged along for several thousand years blessing most of us far beyond our deserts. [Laughter.] Conditions here

suit me pretty well as they are at present. This is a beautiful world, and this is a beautiful and well-governed city, as I see it. The people who make up this city are to me of a most pleasing and intellectual character, and I do not think it is well at this time to try to make this world or this city over.

Mr. President, it is a remarkable fact that all the grains and all the fruits given by the great God of creation to His creatures that are most nutritious and desirable are richest in alcohol. I need only cite wheat, rye, corn, oats, rice, and, in the realm of fruits, the grape, the peach, and the apple. This was not an accident, but with a purpose deeper than our finite minds can fathom or discover.

Under present conditions this city has advanced in every way—in beauty, in morals, in education, and in charity—until it is even held up to the world as a model city.

Mr. President, primarily I oppose prohibition because it is un-American and undemocratic, and has for its purpose the interference with the rights of the citizen and the destruction of private property without thought of recompense. I am opposed to prohibition because wherever it has been tried it has proved a failure. I say in the State of South Carolina it is an absolute failure; I say in Georgia it is a failure; I say in cities innumerable it is a failure.

In this connection I might cite my own city. Years ago, when an effort to secure prohibition was made there, and no licenses were granted, the result was, as the police records will show, that there were more arrests for drunkenness during the year of the so-called prohibition reign than in any other year. Literally, uncanny holes and lockers were established in various parts of the town, to the general detriment of the community.

The advocates of these measures are going to reform the world by suffrage and prohibition. I have here a little clipping from the New York Tribune, headed "Suffrage and Prohibition," signed by a woman whose name is Elizabeth T. Holmes, who asserts that suffrage will not correct the drink habit nor will prohibition correct it, but insists that women attend to their own matters, to their own homes and households, and that by so doing they will do more to advance the well-being of their sex and of the human race than in any other way. I ask to insert at this point the clipping to which I have referred.

The PRESIDING OFFICER. In the absence of objection, permission is granted.

The clipping referred to is as follows:

SUFFRAGE AND PROHIBITION—A NEW JERSEY WOMAN CONTENT TO DO WITHOUT EITHER.

UNION HILL, N. J., *July 18, 1914.*

To the Editor of the Tribune.

SIR: The sentiments expressed by Mary E. Cobb in her letter are just such as one might expect from a narrow-minded woman who thinks that the best and only way to get real temperance is by voting prohibition.

Indeed, most of the women who are shouting for the ballot actually imagine that their vote will in some unexplained way bring about wonderful and even miraculous reforms and improvements in society, in politics, and in business—perhaps.

What woman's suffrage would bring about would be 57 different kinds of fake or sham reforms, including the farce of prohibition, which is the greatest of all.

As a resident for many years in New Jersey, the State which Mary E. Cobb compares unfavorably with Maine, I do not want the ballot, nor do I want the brand or kind of prohibition I have seen in Maine and elsewhere.

ELIZABETH T. HOLMES.

Mr. MARTINE of New Jersey. "Break up the saloon," is the cry. Well, Mr. President, if there was not a demand for the saloon it would not exist for a single day. Lack of bread and butter, an empty stomach, a harrassed mind, 10 hours of toil in a noisome atmosphere in shop and mill, sewer or ditch, are the feeders of your saloon.

Mr. President, I was called on the telephone at my home last night at 10 o'clock, the party at the other end of the wire telling me that we must abolish the saloon. He said the city was aflame with the sentiment for the abolition of the saloon, and requested me to meet him at the Metropolitan Club, where we might talk about it over a glass. [Laughter.] Innocently I asked him where the Metropolitan Club was; and I asked him, too, if it was a perfectly proper place for an old gentleman to go. [Laughter.] He answered me, "Oh, yes; very quiet and highly respectable," with a peculiar emphasis on the words "highly respectable." Think of it, Mr. President! Here was a man wanting to rid the community of the saloon, but inviting and enticing an old man to a highly respectable resort called a club, with a gilded bar. God save me from such hypocrisy.

I cite again, as I have before, the words of that sweet angel of temperance who has gone to her reward, Frances E. Willard, whose sweet and sympathetic voice pleaded that we first make it easier for mankind to get bread and butter, and then, mayhap, our teachings might fall in more fertile soil. To my mind this is the solution of the whole question: Give mankind happy homes, let them be well clad, well sheltered, and well fed, and the problem of the drink question will disappear as dew before the rising sun.

Mr. President, I feel that conditions throughout our country prove something. Let me take two States, one "wet" and the other "dry"—one the State of Kansas, a prohibition State, and the other Nebraska, two States which are very much alike in conditions and in population. As to the conditions in those two States I quote the following from the New York Sun:

"DRY" AND "WET"—SOME FIGURES OF PAUPERISM AND INSANITY IN TWO STATES.

To the Editor of the Sun.

SIR: Mr. William H. Anderson in his letter to the Sun, published July 20, says:

"The Federal census report shows that the prohibition States over the country not only have less pauperism and less insanity but less crime on the average, in proportion to population, than the 'wet' States."

Kansas is the model "dry" State, and Nebraska, her nearest neighbor, with like natural conditions, is "wet."

The Federal census report on insane and feeble-minded in institutions, 1910 (Bulletin 119), gives these figures for Kansas and Nebraska: Insane in hospitals January 1, 1910: Kansas, 2,912; Nebraska, 1,990; admitted in 1910, Kansas, 905; Nebraska, 411; insane with alcoholic psychosis, admitted in 1910, Kansas, 70; Nebraska, 20; feeble-minded in institutions January 1, 1910, Kansas, 420; Nebraska, 446; admitted in 1910, Kansas, 86; Nebraska, 23.

Bulletin 121 of the Bureau of Census, Prisoners and Juvenile Delinquents, 1910, gives these figures as enumerated January 1, 1910: Kansas, 1,971; Nebraska, 789; prisoners, Kansas, 1,537; Nebraska, 656; juvenile delinquents, Kansas, 434; Nebraska, 133; prisoners committed for grave homicide, Kansas, 100; Nebraska, 44; for major assault, Kansas, 77; Nebraska, 40; for minor assault, Kansas, 28; Nebraska, 4; for robbery, Kansas, 89; Nebraska, 29; for burglary, Kansas, 275; Nebraska, 130; for larceny, Kansas, 619; Nebraska, 163; for fraud, Kansas, 22; Nebraska, 10; for forgery, Kansas, 93; Nebraska, 41; for rape, Kansas, 86; Nebraska, 37; for drunkenness and disorderly conduct, Kansas, 29; Nebraska, 52; for violating liquor law, Kansas, 72; Nebraska, 2. Bulletin No. 120, Paupers in Almshouses, 1910, gives these figures: Paupers enumerated in almshouses on January 1, 1910: Kansas, 735; Nebraska, 551. B.

WASHINGTON, D. C., *July 23.*

Mr. President, I regret sincerely to find myself arrayed against the Senators who are supporting this measure. They are my friends, and I have the greatest regard and respect for the motives and the high ideals they proclaim; but, Mr. President, while feeling thus, I ask from them and from my countrymen the same generous and charitable consideration. I yield to none in my desire for temperance and sobriety; I will not knowingly support a measure that I feel will bring degradation to a single mortal; I yield to none in my love for my fellows; and I only ask that when the great God may carry me hence it may be said of me, "He loved his fellow man." But, Senators, your path is a mistaken one; your guideposts point you the wrong way. Circumstances alone make drunkards.

There are two elements that press upon me on this question and urge upon me their respective views. One claims that the distillers and the whisky dealers have no rights which Congress is bound to respect; the other says that they produce over a third of the internal revenue, and hence we must not touch their business. Neither of these arguments has any weight whatever with me. I shall vote upon grounds of right and justice and for that which I believe will advance the general well-being and prosperity of my country. I can not agree with the narrow thoughts which have been advanced by the other side.

We have, Mr. President, in the United States about 3,000,000 people who class themselves as Christian Scientists. They practice and preach that the use of drugs is not necessary to cure human ills; that drugs are a curse. Let these people—and I say this with all respect to this great element of our society—be able to gather votes enough and they would endeavor to prevent by legislation the use of drugs in this country. Then, too, comes the vegetarian, declaring that the use of meat is unclean and generally deleterious to health and that mankind should live upon vegetables. With votes enough this school might ask, with as much reason, that this body legislate against the use and transportation of meat throughout the country.

Senators, I appeal to you not to be carried away by this sectional clamor and narrow view. This great Government was not established on one idea, nor can it be maintained on a one-idea policy. A widely different policy has extended our territorial possessions until we reach from sea to sea and from the Gulf to Niagara's mighty cataract, that is sending up ceaseless anthems to the Most High over a happy and prosperous people. Through a broader and more liberal policy America has written on the pages of history a story at which the world marvels. Mr. President, with this unparalleled story before us of our

glorious and magnificent progress I ask why should we enter at this time this devious, dubious, and dangerous path?

On God Almighty's footstool there is no more intelligent or God-fearing people than those who make up the population of this favored land and of this splendid city. This great result has come about without the enactment of this or of other similar drastic laws. I urge you, my friends, in the interest and well-being of humanity, in the interest and well-being of the progress of our land, and to advance the glories of this city, the Capital of the Nation, that these narrow thoughts be brushed aside and find no place in the future.

Mr. BRISTOW. Mr. President, the Senator from New Jersey [Mr. MARTINE] has taken the occasion of this debate to undertake to make comparisons between the State which I in part represent and a neighboring State, very much to the detriment, in his opinion, of the character and intelligence of the people of Kansas. I do not in any way reflect upon the people of Nebraska. They are a good people, and their State is a great State and worthy of the high position it holds in the Federal Union. It is not stated, however, in the clipping from which the Senator from New Jersey has quoted that Kansas has a population something like half a million more than Nebraska; and the data which is submitted indicates, if it indicates anything, that the people of Kansas have made ample provision to care in every way for the unfortunates who may need their care.

So far as prohibition is concerned, Kansas has tested its merits, and you can not find within the boundaries of a limited area on the face of God's globe a better people, a people more intelligent, people who practice morality to a greater degree, a people of more energy, or a people amongst whom there is so little crime. You may travel through that State from one end to the other, and you will find county after county with not a single person in the county jail or living on the county poor farm. Nothing has contributed to her prosperity and to her moral and material welfare so much as her prohibitory law. She stands to-day a model Commonwealth for mankind to pattern after. If the State of New Jersey would pattern after her and suppress vice and crime and its causes, the State of New Jersey would improve her social condition.

Mr. MARTINE of New Jersey. Mr. President——

The PRESIDING OFFICER. Does the Senator from Kansas yield to the Senator from New Jersey?

Mr. BRISTOW. I do.

Mr. MARTINE of New Jersey. I should like to say right there that the Senator should realize, first, one fact. Geographically New Jersey is situated between the great Empire State of New York, with a great port open to the world, on one side, and the State of Pennsylvania on the other. We have New York City and we have Philadelphia, both great ports, great cities, whose population runs into the millions, so that naturally we might reap some of the evils that come from great cities. [Laughter.] But I say that, in proportion to her population, there is no Commonwealth in this land that can show a better result or a better file of statistics than the humble little Commonwealth of New Jersey.

Mr. O'GORMAN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Kansas yield to the Senator from New York?

Mr. BRISTOW. I do.

The PRESIDING OFFICER. The Chair will remind Senators that it is against the rules of the Senate to refer offensively to any State in the Union.

Mr. GALLINGER. And, Mr. President, I will call the attention of the Chair to the fact that three different times on yesterday the Presiding Officer notified the galleries that they were violating the rules because they smiled at some observations here.

The PRESIDING OFFICER. The galleries will please preserve order.

Mr. O'GORMAN. I desire to express my surprise that the Senator from New Jersey, in the situation provoked by the Senator from Kansas, should find it necessary to resort to the plea of confession and avoidance.

Mr. MARTINE of New Jersey. Oh, the Senator misunderstood me.

Mr. O'GORMAN. I know that the Senator from New Jersey had no intention of transferring to the city of New York or the city of Philadelphia the responsibility for any possible abuses that may exist in the State of New Jersey. Living as close to it as I do, I should be prepared to say that there was absolutely no foundation for the criticism of my friend from Kansas regarding the great Commonwealth of New Jersey, and it would have afforded me much pleasure if the distinguished Senator from New Jersey had placed his answer upon the same ground. [Laughter.]

Mr. MARTINE of New Jersey. I only desire to say that God knows, Mr. President, that I have no desire or thought of bringing disrepute upon the State of New York. I first drank from my mother's bosom the milk of justice and liberty in the city of New York. It is my birthplace, and I think a good deal of it. I did not say just what the evils were. It may have been the preponderance of genius from New York that sometimes overlaps and comes over there and makes a good many laws about which there is some criticism.

As to Pennsylvania—I see there is one Senator from Pennsylvania here—I was about to say that in the absence of the Senators from that State I hesitate to make criticisms. Nothing but the little, narrow Delaware River divides us, and we sniff their breezes, get some of the benefits of their intellect, and reap much of the benefit of their culture, both in liquid and in solid form, so I have understood.

Mr. BRISTOW. Mr. President, I desire to say that I did not intend to cast any reflections upon the State of New Jersey. I think it is unfortunate that the genial and distinguished Senator, who is one of her representatives on this floor, should feel it his duty to rise and defend the brothels and the saloons in the District of Columbia.

If there is anything on the face of God's earth that ought to be banished from civilized society, it is the drinking saloon. It is an evil influence in every community where it lurks. It debases the morals, it deadens the intellect, it poisons the very character of society. It is to be regretted that any State should have a Senator who would stand upon the floor of the United States Senate and defend such a hideous institution as the open saloon, with its offensive signs, which every citizen who visits the National Capital sees plastered upon the windows of the buildings as he passes.

I am glad to say that I live in a State where men and women have been born and have grown to manhood and womanhood and have never seen a saloon. It is a disgrace to the Nation that when they come to visit its Capital these sources of moral pestilence to society should be open, and thereby invite them to enter and corrupt their morals and debase their natures.

I hope to see the time when the saloon will be abolished, not only from the National Capital, but from the earth. Not a single Senator can stand on this floor and mention one good thing, one influence that is elevating or beneficial to mankind, that comes from the open saloon—not one.

Mr. MARTINE of New Jersey. Why emphasize the word "open"? Why does the Senator say "the open saloon"?

Mr. BRISTOW. I will say any kind of a saloon, or indulgence in intoxicating liquor in any form. I do not care whether it comes from a saloon or from some hidden source. Yet on this floor, where no Senator will stand and state a single good thing that can come from the saloon, we probably will have at least a third of this body who will vote to perpetuate saloons in the National Capital.

I regret that this resolution comes before the Senate as it does, requiring a two-thirds vote to put legislation of this character upon an appropriation bill, when I have sat here for almost six years and have seen legislation ingrafted on every appropriation bill that has ever passed this body. There is not a Senator in the Chamber this afternoon but who knows that legislation is ingrafted on every appropriation bill, and this bill is full of it; but when it comes to striking at the greatest evil in civilized society, then it is barred from being placed in the bill by a majority vote, as other legislation, and a two-thirds vote is required.

It was not my purpose to indulge in this debate, because I felt that, at least for the present, the proposition offered by the Senator from Texas, which is noble in its character and an honor to him, was beaten day before yesterday, and that, so far as this immediate motion was concerned, the fight was lost; but when the State which I in part have represented in this body for almost six years was brought into this debate in disparagement because she has driven the saloon from her borders, and driven it effectually and permanently, I could not sit silent.

Kansas is the enemy of the saloon. Why, the people of that State would no more harbor saloons in their midst again than they would take to their breasts vipers and rattlesnakes. The sentiment, after years of enforcement of our prohibitory law, is so overwhelmingly in its favor that no man representing any political organization of any consequence would dare to advocate its return. Kansas stands to-day in the high moral character of its people, in the conservative, intelligent, progressive character of its legislation, in the honesty of its administration

of public affairs, without a superior among the organized governments of mankind.

Mr. HITCHCOCK. Mr. President, inasmuch as the Senator from New Jersey and the Senator from Kansas have involved the reputation of the State of Nebraska in this debate, I desire to state exactly what the statistical abstract of the Government of the United States shows in several important particulars.

Mr. BRISTOW. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from Kansas?

Mr. HITCHCOCK. I yield.

Mr. BRISTOW. May I suggest to the Senator from Nebraska that I never in any way reflected in the slightest degree upon his State in the remarks I made. I spoke in high praise of its character and its citizenship.

Mr. HITCHCOCK. I did not intend to imply that anything said by the Senator from Kansas reflected upon my State; but I desire to show that the statement made by the Senator from New Jersey is in a large measure justified by the statistical reports of the United States.

The Senator from Kansas, in reply to the Senator from New Jersey, stated that the difference in the figures quoted by the Senator from New Jersey favorable to Nebraska was due to the fact that Kansas was a larger State and had 500,000 more population than the State of Nebraska. He was accurate as to the fact that Kansas has more population than the State of Nebraska, but he is obviously greatly in error when he questions the correctness of the figures favorable to Nebraska. Let us take the percentage applying to each State; and I can demonstrate that fact to him in a few moments by a number of figures.

Take the matter of paupers enumerated in almshouses in Nebraska and compare it with Kansas. There were in the State of Kansas in 1890 41.6 paupers for every 100,000 of population. In Nebraska there were 27.5 paupers for every 100,000 of population.

Take the matter of persons confined in penal institutions. The total number in Kansas is 1,746; in Nebraska, 519.

Mr. BRISTOW. May I ask the Senator what year he is quoting from?

Mr. HITCHCOCK. That last was for the year 1904. I will also give the later years.

I will repeat. In 1904 there were in the State of Kansas 117 persons confined in penal institutions for every 100,000 of population, but in the State of Nebraska in that same year there were only 48 persons and a fraction per 100,000 of population confined in penal institutions.

In the year 1910 the number of persons confined in penal institutions in Nebraska was 55 for each 100,000 of population, but in Kansas it was 91.

Take the matter of insane persons, referred to by the Senator from New Jersey.

Mr. SHAFROTH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from Colorado?

Mr. HITCHCOCK. I do.

Mr. SHAFROTH. Before the Senator leaves that matter, I should like to ask him whether the number of criminals does not depend a great deal upon other matters? If a census were taken to-day, South Carolina would not have a single inmate of the penitentiary. [Laughter.]

Mr. HITCHCOCK. I will say to the Senator from Colorado that there is only one Blease, as has been stated, and his jurisdiction extends neither to the State of Kansas nor to the State of Nebraska.

Take the matter of insane persons, referred to by the Senator from New Jersey. In 1910 there were 172 persons for every 100,000 population in Kansas in insane asylums. In Nebraska there were only 166. I leave off the fractions.

In the matter of illiterates, the illiterates of voting age in Kansas in the year 1910 numbered 14,716; in Nebraska only 8,545. The percentage in Kansas was 2.9 per cent; in Nebraska it was only 2.4 per cent.

I have quoted these statistics, which I have gathered hastily while the Senator from Kansas was on his feet, for the purpose of indicating that the Senator from New Jersey was correct when he stated that the high-license, strict-regulation State of Nebraska stands above the prohibition State of Kansas in net results. I am not reflecting upon the State of Kansas, and I doubt whether the Senator from New Jersey reflected upon the State of Kansas, because Kansas stands preeminent among prohibition States as being the State in which the best results have been attained among all prohibitory efforts; but I reaffirm that the Senator from New Jersey was right and was warranted when he referred to statistics as evidence that high license and regulation, as proven by the statistics of the United States, produce the best net results in the matter of illiteracy, insanity, and inmates of penal institutions.

Mr. BRISTOW. Mr. President, so far as the Senator's statistics are concerned in regard to the inmates of penal institutions, they simply demonstrate that in Kansas we send our criminals to jail, while in Nebraska they do not. [Laughter.] So far as the insane are concerned, they demonstrate that we take care of our insane people, by providing places to care for them properly, much better in Kansas than they do in Nebraska.

Mr. HITCHCOCK. I hardly think the Senator from Kansas intends to reflect upon the State of Nebraska. I have certainly paid the highest encomium I could to Kansas as a State where prohibition has attained the highest degree of efficiency among prohibition experiments. But even taking that highest degree of efficiency, and comparing it with the highest and best results under regulation, I think I am justified in quoting the statistics of the United States to show that Nebraska shows the best results; and even if the Senator's theory is correct about the penal institutions and the insane institutions of Kansas, he could not possibly answer the matter of illiteracy.

Mr. BRISTOW. So far as illiteracy is concerned, there is little difference; and what there is is due to some conditions relating to foreign immigration into the mining regions of our State, which has made illiteracy there somewhat higher than in Nebraska.

Mr. SHEPPARD. Mr. President——

The PRESIDING OFFICER. Does the Senator from Kansas yield to the Senator from Texas?

Mr. BRISTOW. I do.

Mr. SHEPPARD. May I ask the Senator from Kansas if it is not a fact that more than half of Nebraska is dry, that more than half of it is under prohibitory law?

Mr. BRISTOW. Yes; a very large part of Nebraska is dry.

Mr. SHEPPARD. More than half of Nebraska is dry. What the Senator from Nebraska has read is a great tribute to prohibition in Nebraska.

Mr. BRISTOW. A great part of Nebraska is dry, and it would be a better thing for the State if it were all dry—very much better, indeed.

Mr. HITCHCOCK. I do not like to have any statements made about the State of Nebraska that are not correct. I think it is entirely inaccurate to say that. Nebraska voted upon prohibition, and beat it overwhelmingly, just as the State of Texas voted upon prohibition and beat it recently. In Nebraska each community settles for itself what it wants. Each community, when it elects its local officers, decides whether it wants to permit the use of liquor or does not. We have self-rule and home government in that particular.

Mr. SHEPPARD. Mr. President, will the Senator yield to me further?

Mr. BRISTOW. I yield.

Mr. SHEPPARD. Five-sixths of the territory of Texas is dry, much the larger proportion, and over half of Nebraska is dry. I want to ask the Senator from Kansas, further, if one of the largest Federal penitentiaries in the United States is not located in Kansas? They send the inmates there from all the whisky States of the Nation. [Laughter.]

Mr. BRISTOW. One of the two Federal penitentiaries that are maintained by the National Government is located at Leavenworth, Kans.; and in addition to that the Kansas penitentiary for many years, until very recently, took care of the convicts in the State of Oklahoma. The State of Oklahoma paid Kansas so much for taking care of her prisoners of that character, and they were confined in the Kansas penitentiary. But I simply say that so far as these statistics are concerned, if they relate simply to the administration of the criminal laws of the States of Nebraska and Kansas, they show that Kansas prosecutes and confines more carefully in prisons the criminal part of her population than does her sister State upon the north.

In this I make no reflection upon the State of Nebraska, because I have quoted no statistics of any kind. I am simply answering allegations that have been made by the Senator from New Jersey, and supported by the Senator from Nebraska, in regard to my own State.

Mr. VARDAMAN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Kansas yield to the Senator from Mississippi?

Mr. BRISTOW. I do.

Mr. VARDAMAN. I suggest to the Senator from Kansas that if the people of Nebraska are more law abiding with the saloon than the people of Kansas are without the saloon, it is a great tribute to the moral qualities of the people of Nebraska, because the Senator from Nebraska knows, and every other Senator in this Chamber knows, that there never was a moral

thought, there never was an idea that worked for the uplifting and betterment of mankind that emanated from a saloon. As an evidence of that fact, all the great business enterprises of this country, as I stated a moment ago, are using every influence within their power to place their employees beyond the influence of the saloon; and I challenge any Senator on this floor to suggest a single good thought, idea, or deed that ever originated in one of those dens of iniquity.

Mr. BRISTOW. Mr. President, I do not care to consume the time of the Senate——

Mr. SHAFROTH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Kansas yield to the Senator from Colorado?

Mr. BRISTOW. I do.

Mr. SHAFROTH. I should like to suggest that the number of persons that may be confined in prison is dependent greatly upon the policy of the State as to the prisoner. For instance, in the State of Colorado we have a parole system by which prisoners can earn their liberty, and by giving perfect conduct and by working in the open air on roads and farms a sentence of 10 years can be commuted by their own acts to 4 years and 3 months. That, of course, would have a tendency to decrease the number of persons in the prisons and penitentiary; and the same rule has been applied also to those confined in jails. I do not know what the policy of the State of Kansas may be, or the policy of the State of Nebraska; but evidently one must have a more liberal rule in regard to letting prisoners out than the other.

Mr. BRISTOW. I desire to say that Kansas has a number of penal institutions of a corrective character for men and women. We take the women, the girls, and the boys that are incorrigible and put them in these institutions for the purpose of developing in them the higher ideals of life. Then I desire to say to the Senator from Nebraska and the Senator from New Jersey that a very large percentage of the inmates of the jails and the penitentiary of Kansas are there for violating the prohibitory law. Why, there is county after county where there is not anybody in jail except some fellow who has been selling whisky in an illicit way. In Kansas we send to jail the man who sells whisky to poison the morals and the life and the character of his fellow men, and if they violate the statute habitually we send them to the penitentiary to do penal service for their crimes, and a large percentage of the inmates of these institutions have been sent there for violating this law.

Senators, I want to say that the saloon, the sale of intoxicating liquors, is an evil influence in society from which nothing but vice, woe, suffering, and corruption, and for a Senator to state that the presence of a large number of such institutions in his State contributes to the moral uplift of her people is a mistake. You might as well sow seeds of corruption of any other kind in the minds of the youth and then say that it is for his good. You might as well bring any other kind of vice or harbor of the vicious into a community and say it is for its benefit. That is contrary to every principle of moral ethics; it can not be defended.

The State or the community that banishes these dens of vice and iniquity does honor to itself, and the influence which results from such action is for the good of the people of those communities. Such statements are true and axiomatic and can not be denied by any sophistry or argument or presentation of statistics that do not prove what it is hoped that they may prove.

Mr. LANE. I should like to say that I think, respecting the States of Nebraska and Kansas, the Senators from those States have become confused in relation to the statistics. As a matter of fact, in Leavenworth, Kans., a prison for Federal prisoners is located, and the inmates of that institution, I presume, are taken into account in making up these statistical tables. A number of citizens of Nebraska are temporarily residing at this time in the penal institution in Kansas, and that is added to the population. Some citizens of our State of Oregon are included, for I have been interested in getting some of them released from there. It may be that that makes a difference.

Mr. CRAWFORD obtained the floor.

Mr. KENYON. Will the Senator from South Dakota yield for just a moment?

Mr. CRAWFORD. I yield to the Senator.

Mr. KENYON. Inasmuch as so much has been said about Nebraska, I should like to have read from the desk an editorial written by the leading citizen of Nebraska—perhaps in this presence I should say the third leading citizen—on this subject, Mr. Bryan.

The PRESIDING OFFICER. Without objection, the Secretary will read as requested.

The Secretary read as follows:

THE ALCOHOLIC MILLSTONE.

The Democrats of the Nation have an issue to face, and they may as well prepare for it. The liquor interests are at bay; they are on the defensive. They realize that they have but a few more years in which to fatten upon the woes of their victims, but they are fighting desperately and are willing to hold any party between them and the fire. The Democratic Party can not afford to shield the brewery, the distillery, and the saloon from the rising wrath of a determined people. Democracy is the Nation's hope on political and economic questions; let it not, by taking sides with the liquor interests, repel those who put moral issues first. The young men of the country are Democratic by nature, but they will not submit their claims to political preferment to those who conspire against the home and everything good; neither will they find pothouse politicians congenial party associates. The President has set a high standard in intelligence and morals, and the party can not afford to lower the colors to gain a temporary advantage. Those whose support depends upon subservience to the liquor interests disgrace the party while they are with it and then leave it if it refuses to obey them. They are a millstone about the party's neck. The Democratic Party is the party of the future; it has a chance to enter the promised land; why allow the liquor interests to lead it away into the wilderness? Get ready for the fight.

W. J. BRYAN.

Mr. CRAWFORD. Mr. President, I understand that in one sense the discussion of this report is idle, because of the fact that, as construed by the Senate, it will require a two-thirds vote of this body to suspend the rule so that the amendment offered by the Senator from Texas may be considered. But while that is true, Mr. President, there lies back of the immediate question, back of the amendment offered by the Senator from Texas, a question which has a deep hold upon the American people, and in regard to which I do not believe it is any waste of time to exchange views here upon this floor upon this occasion.

It may be said, of course, that every matter considered by the Senate or by the Congress of the United States is a matter of great interest and of great importance, weighty business; but, Mr. President, when this particular question and its various associated questions come up in any form we at once observe a manifestation of interest that does not attend the deliberation of other matters, and the reason for it is that the interest is profound, is widespread, and reaches into the innermost recesses of the human heart.

I am going out of the Senate in a few weeks. I am going out with a good deal of satisfaction to myself and perhaps a good deal of satisfaction to others. I do not expect to engage in public life nor partisan politics, but to go back to my little home, into my country law office, and resume the practice of the law in the neighborhood where I have lived for a great many years. So for once I feel that what I say can not in the slightest degree be influenced by a desire either to play to these galleries or to shape a course that may win in a selfish way some advantage in the forum of politics. I do not desire to discuss the matter in any dogmatic way or in any spirit of fanaticism; but no question could possibly have come before the Senate of the United States while I have had the honor to be a Member of it that could impress me as being of greater importance to this country in all its future than this question.

I may say right in the start that if this particular question could get before the Senate it would be a proposition for the Congress of the United States to legislate for the people of the District without their being heard in it; but the people of the District would be heard in it just the same as they are heard in regard to legislation of every other character that relates to the District, just the same as they would be heard in any matter of taxation which would take money out of their pockets, just in the same way that they would be heard in relation to any police regulation of any other matter that should be imposed upon them by the Congress of the United States. This Congress is their legislative counsel, their city council, their legislative body, and it has in the very nature of things the same power to enact prohibitive legislation of this character that the legislature of any State has. So I do not believe there is anything affecting a fundamental right that is involved in this claim that we would be legislating in regard to the interests of the people of this District without their having a voice in it. It is the District of Columbia and not the city of Washington. It is under the direct control and supervision and subject to the direct legislative power of the Congress of the United States.

But we hear over and over again that the prohibition of the liquor traffic carried on in these saloons in the District of Columbia and elsewhere is a matter in which people have some sort of constitutional personal right that can not be touched by legislation; that it is a matter of individual habit; and that every man and every woman ought to be built up with a character so strong, with a will so invincible, that they can as individuals protect themselves against these dangers that are everywhere incident to the use of intoxicating liquors.

Oh, my fellow Senators, you have seen here and there during the years of your life admirable brilliant men, endowed with great power, both of mind and of will, and yet you have seen them as little children in the hands of a habit that holds them in its control as a galley slave. What is the use to talk about the individual being able in the strength of his character and his will to control himself when everywhere along the way we see the victims of that class?

Mr. President, when I went to my home just after Congress adjourned at the last session I discovered a situation there that chilled the blood in my veins. I found that the open saloons in the village in which I lived were in a combination and had a sort of net for the boys in the high school. One of them, a nonresident brewer, owned a saloon and employed irresponsible bartenders, and when a cry came up against one he disappeared and another was put in his place. These bartenders were playing the game with the little boys in our high school, having understandings with them that if they came at a certain time down the back alley and to the back door of the saloon they could get not only beer but whisky and carry it off out on the ground back of where they played baseball. Some of those little boys were found drunk more than once.

They went further than that. They had their little club, their little association, where they practically took a solemn vow that they would not expose each other, that they would protect each other if any charge was made about their drinking, and even in their little parties with their sweethearts from the high school some of them were found too drunk to go home with the young girls they had brought there.

Look here, my fellow Senators, your sons under such conditions as these become the victims of a habit. There is where it comes close to home. Your son, whom you expect to bear your name and go into your office and practice the profession you now follow when you are gone, at a time when you have absolute confidence that he is pure, sweet, innocent, and knows nothing about a thing of this kind is forming a habit in these saloons in the plastic years of his life that is reaching down and getting hold of him from which there is no escape.

Suppose it is your boy, all your hope in the world. What do you care for yourself as compared with your boy, your two boys, your three boys? I have three of them. If a thing of this kind should happen to those boys, what would I care, what would their mother care, for life? My boy is not any more to me than any other parent's boy is to him.

So much is said about these mothers that it becomes a sort of cant and falls on listless ears; but the mothers who are at home watching these little children say their prayers before they get into bed at night, who see them taking their first limping little barefooted step out of the front door and afterwards into the school, and watch them grow and develop—what must be their anguish when they discover that just outside the dooryard and beyond the street are these spider webs laid to poison those little lives?

I ask, what in the world do we receive revenues from these institutions for or permit them, so far as we have any power in the matter, to exist for? Say, what good are they? Why is it that we say, even where we license them, "You have got to close up at 9 o'clock at night; you are not allowed to sell liquor to minors; you are not allowed to sell it to habitual drunkards; you are not allowed to keep gambling apparatus inside"? We do not say it to the grocer or any other concern anywhere. Why do we say it to the saloon? Because we admit that it is bad, wholly, entirely, irredeemably bad.

We can not rebuild humanity. That is true. We can not pass laws that make men over again. We can not put a statute on the books that will make a bad man a good man or that will make a particular druukard a sober man. I admit all that. But we can outlaw the saloons.

How many clerks with small salaries in all these departments, that perhaps have families and have rents to pay, who have children to clothe and have duties to their children and the families to perform, are being led into these pitfalls along the streets here, when they go home from their daily work, and are leaving money there and practically by doing so stealing it away from their children? We are taking part of the money those poor men are paying in there, and of which they are depriving their children and their wives. We are taking part of it in the Treasury to pay the expenses of this Government. Let us look that thing squarely in the face. Is that right? What business have we to be doing such a thing as that?

I will tell you, my dear old brother from New Jersey, what is the matter. The reason why we do not come out and be perfectly fearless about this matter and go at it single hearted to destroy this evil is that we are really sort of fond of this thing. We may take only one drink of whisky occasionally, but we are fond of it just the same. We may not get it out of the saloon, we may get it in the club, but we rather like it, and we are allowing that partiality for it to influence us. You will find when you get right down to the root of the matter that that is where the reason is found for all this sluggish indifference to it. It is in some way or another, financially or personally, they are in it in sympathy or as a business proposition.

I tell you it is a serious thing. I know they say in Maine it has been tried so many years, and we have never got it clear out of there yet. That is true.

I was in Iowa just out of law school when they voted for State-wide constitutional prohibition. It went into the courts and it was defeated. Then in the State in which I live and into which I went as a young lawyer we voted State-wide prohibition into our constitution. We tried it for 10 years. We had a few counties in the State that were so solidly composed of men from foreign lands, who believed that it was just as proper and just as much their right and privilege to drink beer as it was to drink coffee, that it was not enforced there, and that put it into discredit, and after 10 years it was voted out of the constitution and we enacted a local-option law. Each county coming in under the local option has increased the number until in a substantial way we are rapidly becoming State-wide prohibition again; and now that the men of foreign birth, who stuck to their customs and habits so strongly, are passing away, their sons and daughters, who have been educated in the public schools, who have got inspiration from our churches, who have been taught these prohibitory doctrines, are now becoming prohibitionists, and I expect in no distant day to see the State which I in part represent become again a State-wide prohibition State.

Now, what right have the breweries and the distilleries in different cities and States in this Union to ask us to allow them to prey upon the growing boys and girls of this country in order to put money into their pockets? Oh, let us look at this thing as it is. I went into one of those big hotels down in Chicago one night about 1 o'clock in the morning when there was a great convention held there, and to see the red liquor that not only men but women were pouring down in almost unlimited quantities was a fright.

You can go into some of these cities and find a poor mother with a little child at her breast lying in her filth on the floor drunk. Then do you talk to me about the distillation that you get out of grain and corn and rice as something that the Lord made for the benefit of mankind? You had better say that we ought to permit the use of opium because the Lord made the poppy, and let people take it without limit. No! No!

I simply take the opportunity to say that in the few years I have left, when I vote on this question, wherever it comes, whether at the polling booth in my little town or here or elsewhere, I am going to vote in the direction that means that ultimately, so far as the law can do so, this business is going to be outlawed. I am going to vote that way here and now.

Mr. STONE obtained the floor.

Mr. BRISTOW. Will the Senator yield to me for a moment before he begins his address?

Mr. STONE. I yield to the Senator.

Mr. BRISTOW. I should like to have read by the Secretary a statement from Hon. John S. Dawson, the retiring attorney general of Kansas, who on last Monday retired as attorney general and was sworn in as a member of the supreme court of our State. Since Kansas has been referred to quite extensively, I should like to have that statement of Mr. Dawson's read.

The PRESIDING OFFICER. The Secretary will read as requested.

The Secretary read as follows:

RESULTS OF PROHIBITION IN KANSAS.

[By Hon. John S. Dawson, attorney general.]

In 30 years Kansas has forged ahead from an insignificant place in national affairs to one of front rank. Almost a third of the entire population is enrolled in public or private schools. We have $16,000,000 worth of school buildings and public endowment funds of $10,000,000 more. Illiteracy has been reduced to less than 2 per cent, and that trifling amount is almost entirely among the foreign element in our mining regions of the southeast.

With 105 counties in the State, 87 of them have no insane, 54 have no feeble-minded, 96 have no inebriates, and the few we do have come from the cities which defied the law to the very last. Thirty-eight county poor farms have no inmates. Only one pauper to every three thousand population. In July, 1911, 53 county jails were empty; 65 counties had no prisoners serving sentence. Some counties have not called a jury to try a criminal case in 10 years, and a grand jury is so uncommon that half of our people wouldn't know what it is. In my home county in western Kansas there has never been but one grand jury in its history and that was 25 years ago.

In 1880, when prohibition was adopted, Kansas was an exceedingly poor State. In 30 years it has become the richest State in the Union per capita. The assessed valuation of property for taxation is sufficient

to give every man, woman, and child in the State $1,700. The average wealth in the Nation is only $1,200.

Prior to 1880 the death rate in Michigan and Wisconsin, Iowa and Kansas, was practically the same, viz, 17 to the thousand. After 30 years of prohibition in Kansas our death rate has dropped to 7½, while that of the other States has slightly increased. Is it not fair to say that 30 years of prohibition had something to do with this?

In 1880 the bank-savings deposits were $30,000,000; to-day they are $200,000,000.

Prohibition has taken politics out of the saloons and has driven the saloon out of politics.

Mr. STONE. Mr. President, I would not detain the Senate, anxious as I am to expedite business, except that I am unwilling that a vote should be taken on the question pending without saying a word in protest against the attitude taken by most, if not all, the Senators who have spoken in favor of the adoption of the committee report.

Mr. President, if I should judge men by their intemperate utterances, I might imagine that some of those who have indulged in such ferocity of expression to-day had taken something even into their mouths which had stolen away their brains Alcohol is not the only thing that steals away a man's intellect. Narrowness of mental vision, intolerance, bigotry—things of that kind embedded in the hearts and minds of men—often makes them think they are superior to their fellows, better at heart and infallible in judgment, when, in fact, these characteristics merely impair a man's capacity to think clearly, to speak temperately, or to conduct himself in a spirit of fairness and justice to others.

Mr. President, this debate has proceeded upon a false assumption. The Senator from Texas [Mr. SHEPPARD], the Senator from Kansas [Mr. BRISTOW], and others assume to arraign those of us who are opposed to prohibition as being the advocates and friends of the saloon. They would have the country believe that we stand for the saloon; that we are its friends and champions. I do not think that that is a very creditable statement for any Senator to make. It is not creditable to his sense or his veracity. I can only say that the man who is capable of making that charge, especially in the circumstances of this environment, must be a very narrow sort of human creature—narrow in the scope and possibilities of his intellect and both narrow and absurd in the assumption of superior virtue, morality, and good citizenship.

Mr. President, I do not believe in prohibition as a national policy or as an arbitrary State-wide policy. I would vote against Nation-wide prohibition, as I did speak and vote against an amendment to our State constitution establishing State-wide prohibition. That constitutional amendment was before the people of Missouri three or four years ago, and the proposition was defeated by a vote approximately of 250,000. Following my convictions, I voted against it, but I did not impugn the motives or integrity of those who voted for it. If a majority of my fellow citizens had been of the opinion that it was a policy that should be adopted by the State, and if it had been written into our constitution, no man would have more earnestly insisted upon its enforcement than I.

I think a State has a right, under the Constitution, to determine all police questions of that kind for itself, and if the people of my State should at any time take a different view from that I entertain I would accept their judgment and thenceforth stand with them for the enactment of such laws as might be needful to carry out that policy and stand with them for the enforcement of the law. I would not, however, seek to force that policy by Federal enactment upon another State.

In my State I took the position that the exclusion of licensed places for the sale of intoxicating liquors should be determined by local option in each community acting for itself. That is the present policy of the State, and I think it is the wiser one. More than half the counties of the State have adopted what we call "local option," and saloons are not permitted. As a rule, I think the law in those counties is well enforced, due to the fact that in those counties the law is supported by public opinion. I have not thought that one county should force its views and policies upon the people of another county where an entirely different public opinion prevails. If the shoe should be put upon the other foot, I would undoubtedly oppose any effort that might be attempted by those we call the "wets" to establish a policy that would make it possible to maintain saloons in counties where the people are opposed to them. I would have each community settle that question for itself, and especially would I let each State settle it for itself. States are supposed to be sovereign over matters which purely and solely affect their internal concerns, and I think that the States severally should remain sovereign over all police questions of this character. Moreover, I stand for a measure—a large measure—of individual liberty. Individual liberty is an old principle which always appeals to me.

The Senator from Mississippi [Mr. VARDAMAN] spoke about what the Czar had done in Russia. He put a new jewel in the crown of the Czar because he had with one sweep of his pen driven the demon, as he called it, from the Empire. Mr. President, I do not adopt the Czar of Russia as my model or my example. To be sure, he could of his own motion and by his own decree forbid the manufacture, sale, or use of intoxicants, or perhaps of anything, within the limits of his vast Empire. So he might by his decree determine what his subjects—his subjects, I say—might not eat, or what they might or might not wear, or what professions they might or might not be permitted to engage in. That sort of thing is done in Russia. So, also, may the Czar of all the Russias decree what men may not think, controlling not only the habits of men, but the minds of men, and make it a crime to think. Thousands have been chained like brutes and whipped from their homes into the chill and lonely confinement of Siberian solitudes because of the things they dared to think. Let these subjects have thoughts that reached out toward liberty—individual or collective human liberty; let it be known that they aspired to something better than this autocrat was willing they should have, and it has never been long until, like slaves, they have been driven at night from the toil of quarries to the most cheerless of dungeons. I hate intolerance in any form, no matter how or where or when it appears. No, Mr. President, the Czar of the Russias affords no inspiration to me.

I am sorry to find Senators so inconsiderate, narrow, intolerant, and bigoted as to charge motives upon and against their colleagues on this floor that are discreditable to them solely because they do not agree with them. I am unable to understand that temperament or mental construction.

Mr. President, I am not the advocate, champion, or friend of the saloon; but I do believe with all my might that better results from every point of view, whether of sobriety or good order or good morals, are attained through a strict regulatory system than through absolute prohibition, unless the attempt at prohibition is sanctioned and supported by a decided public sentiment.

I know thousands of good men and women do not agree to this view; I know there are in my State, as in yours, thousands among the best of our people who are so intense in their opposition to the liquor traffic that they have persuaded themselves into the belief that the only effective remedy is to destroy the saloon; and not only the saloon, but to destroy even the manufacture and sale in any form of all kinds of alcoholic beverages. I do not criticize, much less assail, these good people. God only knows they may be right; I do not know that they are wrong, but I do not think they are right. The best thought I have leads me to a view wholly at variance with theirs. There are among them, as I have said, many men and women who go so deeply into the struggle and become so intense in their feelings that they grow to be absolutely intolerant of other men and women who do not think as they do. They seem to regard it as impossible that anybody could have an honest opinion on this subject contrary to theirs, and they are too quick to believe that whoever differs from them is influenced by some foul motive—not only a mistaken view, but a foul motive. There are so many intent upon attributing bad motives or purposes to men and women who do not agree with them. I wish that were not so. Happily it is not true of thousands, but it is true of many; and it is true of some not far away who ought to know better. I have no tolerance for intolerance, no patience with this spirit of illiberality.

Mr. President, a word more and I am done. If the people want prohibition, let them have it. If they want it, I want them to have it; and where you find a community where there is a dominant sentiment favorable to prohibition you will have a community where it would be in every way good for the people to have prohibition, and in such a community there will rarely be any trouble about enforcing a prohibitory statute. As to this particular measure, applying only to the District of Columbia, I do not believe that prohibition would promote sobriety, good order, or good morals in this District.

Mr. SHEPPARD. Mr. President——

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Texas?

Mr. STONE. That is my opinion. I suppose, possibly, the Senator from Texas rises to say that I am now speaking for the saloons in Washington; but I am not. He is laboring under a grave misapprehension.

Mr. SHEPPARD. No; but the practical effect of the Senator's speech is for the saloons. That, however, was not what I rose to say. I want to know if the Senator was in favor of abolishing the sale of liquor in the Capitol Building?

Mr. STONE. Yes; and it has been long since abolished.

Mr. SHEPPARD. Have you no confidence in the ability of Senators and Representatives to drink or not to drink without the interference of prohibitory law? What becomes of your argument against the merit of prohibition?

Mr. STONE. Mr. President, as between the Capitol and the city there is no parallel. And now, when I say that, I see some of my prohibition friends smile; but men "may smile and smile" and—well, I will not finish the quotation; it would not be proper—but a man may smile and smile and still be mistaken. [Laughter.] A mere grin upon a face, however well shaven, placid or even classic in contour, does not help the intellect to right conclusions. A supercilious sneer is not a convincing proof of good judgment.

Mr. President, the Senator says that the effect of my argument is to favor saloons. Not so. Saloons may remain, indeed, if the argument should be effective. I think undoubtedly they would remain, although, speaking out of my heart, I wish there were none in the world. I wish there were no intoxicants on earth and that none were used by men as beverages. But it is not what I wish; the question is what I should do to get the best result out of conditions as they are.

No, I do not speak for the saloons. I believe, absolutely believe, that if my argument should have weight and my advice be followed it would result in far better conditions in the District than could, in the circumstances, be hoped for under prohibition.

This Capitol is the Capitol of the Nation. It is the building where the lawmaking power assembles——

Mr. WILLIAMS. They do not allow even photographs to be sold in the Capitol.

Mr. KERN. The Capitol building is not a hotel.

Mr. STONE. The Capitol is not a hotel. It is the National Capitol, and no traffic of any kind should be permitted under its roof, except it be absolutely essential to the convenient transaction of business by the Senate and House of Representatives. We need restaurants in the Senate and in the House, but that is to facilitate the business of Congress by aiding in economizing the time of Senators and Representatives. But we do not need a saloon in the Capitol, and there is none. We do not want whisky dispensed publicly here in this building, and it will not be done; but there are reasons for that outside of and beyond the reasons that influenced my judgment when I come to deal with the government of a great city like this—a city of perhaps 350,000 people—to which thousands are ever coming from all over the country and all over the world. I believe that better results will be attained here without this proposed law than with it. I have that opinion, and it does not become any Senator to assail my motives. I might speak in more resentful terms of that sort of thing if I cared enough about it, but such observations do not ordinarily flow from a source that I consider of sufficient importance to weigh heavily upon my heart. I am satisfied to protest against it and pass it by. Now, Mr. President, I am through——

Mr. SUTHERLAND. Mr. President——

Mr. STONE. What I rose for especially was to enter my protest against this question being decided upon the pleadings made by the friends of the measure. The issue they present is a false one. I shall not vote against this amendment because I am the friend of the saloon, but I shall vote against it because I believe the welfare of the people of this city will be better promoted by a well-regulated license system than by what would be, as I think, a vain attempt to prevent the sale and use of intoxicants altogether.

Mr. SUTHERLAND. Mr. President, before the Senator takes his seat I should like to ask him a question.

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Utah?

Mr. STONE. I do.

Mr. SUTHERLAND. The Senator from Missouri has not discussed the question which, to my mind, is perhaps of most importance in this matter, and that is as to what the attitude of the people of the District themselves may be with reference to it.

The Senator has in his own State a local-option law, as we have in the State which I in part represent. The value of that law, as it occurs to me, is that no community undertakes to put prohibition into operation until a majority of the community are in favor of it; and whenever a majority of a particular community are in favor of the enforcement of the law, and so declares, they can make it measurably successful. The extent of the success will depend upon the strength of the sentiment in favor of the law; but the weakness of the State-wide idea is that it undertakes to put prohibition into operation in communities where the majority are against prohibition just the same as it does in communities where the majority are in favor of it; and the enforcement of a law of this kind, more than any other sort of law, depends upon the sentiment of the community where the law is to be enforced.

I desire to ask the Senator from Missouri whether he has any idea as to what the sentiment of the people of this District is upon that subject, and to ask him, if it should turn out that 65 or 70 or 75 per cent of the intelligent people of this District or of this city are against prohibition, what he thinks as to the possibility of enforcing the law.

Mr. STONE. Mr. President, I do not know what the sentiment of the people living in Washington is. I have no means of knowing. I saw in the press that the Chamber of Commerce had a meeting the other day at which it adopted a resolution against this proposed measure. That is the leading commercial body of this city. It represents the industrial and commercial activities of the community. That is the only expression I have seen beyond expressions I have read in the newspapers.

Mr. MARTINE of New Jersey. Mr. President, will the Senator permit a slight interruption just at this point?

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from New Jersey?

Mr. STONE. Yes.

Mr. MARTINE of New Jersey. I have here a resolution of the Chamber of Commerce of Washington, D. C., which, if I may be permitted, I will read:

We, the Chamber of Commerce of the District of Columbia, in annual meeting assembled, protest against prohibition of the licensed sale of liquors in the District of Columbia, comprehended in the Sheppard amendment to the District appropriation act now pending in the Senate. We submit that under any circumstances such drastic organic legislation should have full and separate consideration in Congress. We protest against legislation for the District of Columbia, in which the people of the District have no voice, being considered in riders to appropriation acts. We respectfully petition the Senate of the United States to reject the Sheppard amendment.

Mr. STONE. What is that?

Mr. MARTINE of New Jersey. This is a resolution passed by the Chamber of Commerce of Washington, D. C., on January 12, 1915.

Mr. STONE. I have read it.

Mr. MARTINE of New Jersey. Asking the pardon of the Senator further, here is a statement addressed to the Congress of the United States signed "Respectfully, the Washington Mercantile Association"; and while on my feet I respectfully ask permission that this may be added to the few remarks I made some time ago.

The PRESIDING OFFICER. Without objection, that course will be taken.

The matter referred to is as follows:

To the Congress of the United States:

GENTLEMEN: Committees of Congress have received protests against attempts to enact more drastic liquor laws for the District of Columbia from the following:

The Personal Liberty League of the District of Columbia, with a petition of residents and taxpayers numbering about 50,000.

The German-American Building Association of this District, with $1,000,000 capital and 3,000 members, all of these taxpayers in the District of Columbia, protesting against any change in the existing law.

The Chamber of Commerce of Washington, D. C.

The United German Societies of the District of Columbia.

The Hotel Men's Association of the District of Columbia.

Various fraternal and beneficial organizations of the District of Columbia.

The outing clubs of the District of Columbia.

The Washington Sick Relief Association.

The German Orphan Asylum Association of the District of Columbia.

Arminius Lodge, No. 25, Free and Accepted Masons, of the District of Columbia.

The Columbia Ice Co.

Veterans of the Eighth Battalion of the District of Columbia.

William Tell Lodge, No. 5, Independent Order Knights of Pythias, of the District of Columbia.

The Concordia Circle of the District of Columbia.

The Bakers' Benevolent Association of the District of Columbia.

German Beneficial Union of the District of Columbia.

Norwegian Society of the District of Columbia.

Petitions from lawyers, doctors, druggists, cigar dealers, clothiers, furniture dealers, liverymen, second-hand dealers, real estate firms, German-American societies, and letters from men and women residing and paying taxes in the District, including ministers of the gospel.

On two different occasions in the last six years petitions bearing more than 50,000 signatures of adults in the District of Columbia were presented to the District Committee of the United States Senate, asking that they not be weighed down with prohibition.

The Central Labor Union of the District of Columbia passed this resolution:

"Whereas the Central Labor Union of the District of Columbia since 1908 has recorded itself against prohibition and other measures before the Congress of the United States affecting the present excise laws; and

"Whereas we believe that the proper enforcement of the present laws covering the liquor traffic are sufficient and satisfactory to our needs and requirements: Therefore be it

"*Resolved*, That our legislative committee be instructed to appear before the subcommittee of the Senate Committee on the District of Columbia for the purpose of informing the said committee that organized labor is opposed to the contemplated changes of the present law."

And the official executive heads of the District of Columbia, after a careful examination of the matter, made an unfavorable report on the 27th of March last. The commissioners in this report stated they were of the opinion that if an election were to be held in the District, the majority would vote against any restriction of the number of barrooms to a maximum less than the number now in existence. Statistics show, they pointed out, that, while the population of the District has increased more than 60,000 in the past 13 years, there has been no increase in the number of saloons. The Jones-Works bill would limit the number of saloons in Washington to 300. At present there are 498 retail drinking establishments in the Capital and 123 wholesale liquor houses. In lieu of the Jones-Works bill the commissioners recommended a measure limiting the number of saloons to the number now in existence and providing for an increase in the retail license from $800 to $1,000, and in the wholesale license from $400 to $500, now $1,500 for retail and $800 for wholesale.

The annual report for the past 10 years of the excise board shows that less than 1 per cent of the licensed liquor dealers of the District of Columbia have violated the excise law.

On February 21, at the Willard Hotel, on the occasion of the dinner to the President of the United States by the citizens of Washington, D. C., President Taft said, among other things:

"My friends in Washington, it is 23 years since I came to this city; during that entire period my interest has been active, etc.

"I have been here for the last nine years continuously. I believe I have been in a position to know, etc.

"I do not know any better policed city than the city of Washington. I do not know any city in which there has been less vice and in which the Sunday laws and the liquor laws are better observed than they are here.

"Of course, there is not a city in the world where, if a man has got a nose for something nasty, he can not find it. What I mean by this is that Washington is as moral as any city in the world."

We believe, you who have lived here any length of time, agree with the President of the United States in his statement about conditions here in the Nation's Capital, and we sincerely trust you will not only carefully consider what has been said by these high authorities, but to also bear in mind there has been no demand by the people who live here the year round for any change in the present excise law.

This editorial appeared in the Washington Times of January 11, 1915:

"A DRY WASHINGTON.

"Whether Washington is to be a dry town is likely to depend on whether somebody makes a point of order in the United States Senate. After that it may depend on whether somebody else insists that the Senate itself vote on the point of order, rather than allow a presiding officer to rule on it.

"Does Washington want prohibition? That is quite immaterial. Nobody seems to have thought seriously of asking the question.

"It is merely a question whether Members of Congress want Washington to have prohibition.

"Not even a question whether Members of Congress want prohibition for their own homes. Just a question whether it would be better politics for them to favor or oppose it for a people who are not their constituents.

"Here is a question on which the rule everywhere is to let the people decide for themselves. One State votes for it, another against it. But Washington, alone of American communities, may get it without even a suggestion of effort to determine how the affected community feels.

"There could be no better illustration of the unrepresentative character of the government that is imposed on this town.

"Whether Washington shall or shall not have such a revolutionary change should be a question for the people of Washington, and nobody else, to decide. But the last people who will get a chance to decide—under present conditions of the local government—are the ones who must live here.

"If Washington wants to go dry, it should have the privilege. But it should not have that policy imposed on it by Congress without a chance for local opinion to be heard."

Respectfully,

THE WASHINGTON MERCANTILE ASSOCIATION.

Mr. JONES. Mr. President——

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Washington?

Mr. JONES. I want to refer for just a moment to the first resolution read.

Mr. STONE. I wanted to go on somewhat further, but I yield to the Senator from Washington.

Mr. JONES. I simply want to refer to the resolution read by the Senator from New Jersey and to say that, according to the newspaper reports, that resolution was presented and urged by Mr. Harvey. Mr. Harvey is the representative of the saloons of the country and is now running a saloon in the city of Washington under a license issued contrary to law.

Mr. MARTINE of New Jersey. I have no knowledge in regard to that. The Senator is better acquainted as to that than I am.

Mr. STONE. Mr. President, I know nothing about who prepared the resolution or anything about its origin. I read the resolution in one of the Washington papers, and it was said to have been passed by the chamber of commerce. I do not know what the sentiment of the people is. I have some vague idea with respect to that, but not sufficient definite knowledge or information upon which to base an opinion.

Mr. President, as to whether there should be a reference of this question by election to the people of the District I am not certain, and therefore I express no opinion upon it at this time. I suppose Congress has the absolute power to pass such a law as this. We come here from all over the Union, from every State. We are in and out; we come and go; many of us are sent here for a few months only and then we are gone for good. We know little about the District as a rule, little of its real conditions or its needs. Let us brush the people aside. Let us say that they have not any rights that we are bound to respect. Then what? As I see it, speaking as one of their legislators—though I live more than a thousand miles from here—but speaking in my capacity as a legislator, it is my deliberate opinion that the best interests of the people living here and of the thousands who come every year for a day or a week would be better protected and cared for and that the general welfare would be better promoted by the system we now have than by the one the Senator from Texas and his confrères are proposing.

That will be my reason for voting as I shall vote on this matter. I do not like to have some other reason or motive ascribed to me or ascribed to other Senators who are going to vote against this proposed amendment. I voted against prohibition in my State, and took all the hazard of that vote, if hazard there was. I might have dodged, Mr. President; but I did not. I might have resorted to some means of staying out of the fight; but I did not. My convictions upon the subject were deliberately formed, and I felt that I ought to take my part in the responsibility of determining what the policy of that great Commonwealth should be with respect to a question of so much importance. So I feel here to-day, and so I shall act upon this question.

Mr. SMITH of Georgia. Mr. President, while I was out of the Chamber the Senator from New Jersey [Mr. MARTINE] referred to the effect of prohibition in Georgia. I have a copy of the language which he used and I will read it:

I am opposed to prohibition because wherever it has been tried it has proved a failure. I say in the State of South Carolina it is an absolute failure; I say in Georgia it is a failure.

I do not claim that the prohibition law in Georgia is never violated. Few laws are found upon the statute books which are not sometimes violated. There are in Georgia 150 counties. Out of that number certain in 145 counties the law is vigorously enforced. Probably this is true of 147 of the counties. I believe the law has been a blessing to the people of the State. I believe the overwhelming majority of the people of the State favor its retention. It was passed by the legislature during the summer of 1907, more than seven and a half years ago. There has been no serious effort to repeal it. It was made a State issue two years ago last summer by a candidate for governor—an excellent man, a man who had been upon the bench, a popular man. There were three candidates running. Two of them favored the retention of State-wide prohibition. One championed a return to local option. He ran a poor third.

I do not desire to speak upon this subject, and I should not have risen except for the fact that I think it is due to the earnest advocates of prohibition in my own State that I should say this much in reply to the statement of the Senator from New Jersey.

Mr. WORKS obtained the floor.

Mr. MARTINE of New Jersey. Mr. President, in justification——

The VICE PRESIDENT. The Senator from California has the floor. Does the Senator from California yield to the Senator from New Jersey?

Mr. MARTINE of New Jersey. I beg the Senator's pardon. I will not interrupt him.

Mr. WORKS. Mr. President, the immediate matter before the Senate is the question of the suspension of the rules; but back of it is a great moral question, and one that the Congress of the United States will be called upon to determine sooner or later, and in my judgment it will be very soon.

The saloon, or the liquor traffic, has found no champion or defender up to this time in this debate on the floor of the Senate. The Senator from Missouri [Mr. STONE], while opposing prohibition, objects to being classed as the friend or the champion of the saloon. It is acknowledged to be a great evil—so great an evil that the Supreme Court of the United States has determined that it may not only be regulated by law, but may be completely destroyed, notwithstanding the fact that it may indirectly amount to confiscation of the property of those who are dealing in the traffic.

The question presented here, aside from that of the suspension of the rules, is a very simple one. Are we going to continue to license and indorse and legalize the traffic in intoxicating liquors, or are we going to destroy it?

The trouble about it is that too many of the people of this country, and particularly the business men, attempt to make it a matter of dollars and cents; but it rises far above that, Mr. President. It is a question that goes to the morals, to the character, and the integrity of the people of the United States.

It is hardly necessary in this presence to undertake to point out the evils of the traffic in intoxicating liquors. There is not a man on the floor of the Senate who does not know and recognize the fact, and admit it. The only question is whether there is some better way of dealing with this question than the absolute prohibition of the traffic.

It is said that prohibition does not prohibit. It is said by some of the business men that it hurts business. On the part of others, it is said that it is an interference with personal liberty. These are matters of small consequence as compared with the great evil itself and the consequences and results from the sale and use of intoxicating liquors.

Let us apply it, as we are expected to do by our votes on this occasion, if this amendment should be adopted, to the District of Columbia. Does any Senator mean to say that the power of this great Nation, which has complete jurisdiction over these 10 miles square of territory, can not control the liquor traffic and enforce a law prohibiting it if we shall enact it? Who shall say that it is better for this country, even if it were an admitted fact that business is benefited by this traffic that it should be improved at the expense of the morals and standing and integrity of the people of this country, and that the claim that it hurts business should be a valid objection to the enactment of legislation of this kind? But no thinking man who has knowledge of the facts and conditions will maintain for a moment that prohibition does hurt business.

In my own State there are prosperous and growing cities, the most prosperous in the State, that are prohibition cities. Take the great city of Pasadena, one of the most prosperous and growing cities in this whole country. It is a prohibition city. So is the city of Long Beach, on the coast, in Los Angeles County. It has grown in a few years to a population of something like 40,000 people. It has not hindered its growth, it has not interfered with business, but it has made the city grow and prosper beyond any other near-by city along the coast.

I do not question the motives of Senators or anybody else who oppose prohibition. It is a matter that has been one of controversy and debate for years. I wish, however, to call to the attention of the Senate the fact that the sentiment in favor of prohibition in this country has grown by leaps and bounds. It has become almost a revolution. If this matter were submitted to the people of the District of Columbia, and all of the people who are interested in that question, including the women, were allowed to vote, in my judgment there would be no question as to the result. Prohibition would be voted, I am certain, by the people of this District; and, so far as I am individually concerned, I should be very glad to see the whole matter submitted to the people of the District of Columbia to determine this great question that so vitally affects their interests. That may be impracticable. All of the machinery of the election and the casting and counting of the votes would have to be provided by law in order to allow any expression of opinion on this question. If it were practicable, I for one would be perfectly willing to allow the whole question to be submitted to the people themselves.

I know it is unnecessary to cite instances or cases of the fearful effects of the sale and use of intoxicating liquors; but I should like to call the attention of the Senate to just one case that has come within my knowledge, and is typical of a great many others that have happened as a result of the traffic.

I knew a lawyer in my native State of Indiana. He was a great lawyer, a man of ability, a bright, intelligent, successful lawyer, a popular man. He had as many friends, perhaps, as any man in the community. In the beginning it used to make him brighter, more brilliant, to take a little intoxicating liquor; but it was not very long until the habit had fastened itself upon him, and I lived to see him walking the streets unkempt, ragged, and almost idiotic. His friends contributed in small amounts to keep him from want. He finally found a little place to live in a poor, dingy room in the upper story of a small building in the little town where he lived, with a flight of stairs on the outside. He reached the point where, in a drunken condition, he fell down the stairway and was killed. It was a sad end to a promising and useful life that was completely wrecked by strong drink.

What amount of money, what amount of successful business, can compensate for results like that? And his is not a single case, by any means. There are thousands of cases of that sort happening all over this country to-day as a result of this traffic.

I appeal to the Senate to allow this question to come to a vote, in order that Senators may express their views upon it and, if a majority of the Senate are in favor of legislation of this kind, that they may have the opportunity to pass this amendment. It can be defeated, not by a vote upon its merits, not by a majority vote, but by the enforcement of this rule by a vote of one-third of the Senators. That, I think, would be a misfortune. It would be simply delaying a vote that must come sooner or later on this measure. I think, for the good of the District of Columbia, for the good of this whole Nation, resulting from the example that will be given by us to-day, it would be well for us in this instance to suspend the rule and allow the Senate to express its views upon the merits of this question.

Mr. OWEN. Mr. President, I do not feel willing to be silent when a question of this national importance is before the Senate, and for that reason I pray the indulgence of the Senate for a few moments to express my opinion in regard to it.

I favor prohibition, Nation-wide, State-wide, and local option, in order of preference, and certainly within the District of Columbia I wish the liquor traffic expelled. In my own State, for three-quarters of a century, under a two-thirds vote of the Senate, prohibition has been imposed by treaties with the various Five Civilized Tribes of Indians. When the State of Oklahoma was established in 1907 the people of the State made it a State-wide issue, discussed it thoroughly from end to end of the State, and decided that it was better for the people of Oklahoma to have prohibition. It resulted in some destruction of property. It resulted in some serious loss to men who had built up breweries and liquor business under the laws in western Oklahoma, and those who had established such business were compelled to give up the traffic. It was prophesied that Oklahoma City, our capital, would be greatly injured by prohibition; that the places that were occupied by saloons would not be easily occupied by other business. The contrary proved to be the fact. Immediately that prohibition went into effect these places were all occupied by legitimate business. It has had a good effect in our State, in our cities, and in our country districts, and the State on various occasions has tested its own opinion and has refused to go back to the previous system.

I am opposed to the liquor traffic generally, not only because of the evil effects of alcohol on the human organism, on the physical strength and powers of a man, but because of its evil effect upon his brain power, its evil effect upon his moral character. When a man becomes addicted to alcohol, when its poison penetrates his blood, it is a progressive poison under the law governing toxins. It is useless to say a man can quit if he wants to. The trouble is he can not want to. He becomes a victim of the habit.

I am opposed to the liquor traffic because I have observed that they do not hesitate to establish groggeries of the lowest character, with attendant houses of vice. They become centers of nefarious political activity. They group every evil element in a city and use those evil elements to promote their wicked and sinister influence in the government of the cities and throughout the States. They do not hesitate to undertake to control membership in the United States Senate. Evidence has been put before the Committee on Privileges and Elections of this body within the last week offering to show the expenditure of hundred of thousands of dollars in the last election by these evil elements with a view to controlling the membership of this body.

I think the time has come when we should no longer encourage or permit a traffic which has distinguished itself as centers of vice, as centers of political corruption, a traffic which has shown itself so defiant of the law and of honest public opinion.

When you say that you can not enforce the prohibition law you mean to say that these evil elements are so defiant of the law, are so persistent in their defiance of the law, that even the sovereign power of the Government of the United States is unable to deal with it. When it comes to an issue of that character I am in favor of grappling with the force that defies the law and defies public opinion and determine where the sovereignty is, whether with God's people or with the commercialized agents of Satan.

There is another aspect. Many great properties have been built up under the sanction of the law. We have tremendous breweries in many of our great cities, with property valued at millions and millions of dollars, and naturally these men and men who are engaged in the wholesale liquor traffic are concerned not only in conserving the business which they have built up under the sanction and permission of law, but they are also ready to commercialize this traffic and enlarge their own private holdings by sending liquor into prohibition territory. They have done this over and over again, to such a degree that in my own State it has become a very great evil in some of the cities, particularly in the city of Tulsa, where recently two of

the deputy marshals sent by order of the Government to search the premises of a notorious bootlegger were deliberately shot down and murdered. So strong was this liquor interest in that city that it was impossible to convict that man, and the United States district attorney withdrew from the case because, he alleged, it was being conducted as a farce. The evil influence of this traffic permeates, penetrates, and poisons government and even the fountain of justice.

I think the time has come when the people of the United States should consider the absolute destruction of the liquor traffic, and in doing so to deal with it in a spirit of temperance and of moderation. I should be perfectly willing to agree to compensate those men for the property which would be destroyed. I think it is better to adjust it upon such lines than to have the struggle proceed in so fierce a fashion and continued so long by those who are fearful of this great loss of property. Paying for the breweries, paying for the liquor interest and buying it out, would be better for the Republic, just as it would have been better for this Nation if the people of the Nation had agreed to settle black slavery by paying the price of the slaves and freeing them on that basis. Civil War was too high a price to pay, and the war which society wages on the liquor traffic, and the cost to society in the administration of justice, in punishing the crimes and misdemeanors due to the liquor traffic is greater than would be the cost of buying out the liquor business bodily.

I asked only a few moments of the time of the Senate. I do not wish to discuss this matter at any length. Every Senator here knows this question on one side and on the other side by heart. It is as old as the hills. The arguments can be marshaled on either side with perfect facility by any Senator on this floor. As for myself, I am in favor of prohibition, State wide, Nation wide, and certainly for the District in which the capital of this Nation is located, in order that we may give a testimonial to the people of the United States as to the attitude of the Senate and the House of Representatives on this question.

Mr. WILLIAMS. Mr. President, I suppose the world will be a thousand years older and human nature will have to be changed very much before men ever discuss any great public question concerning which they have a great deal of feeling without, consciously or unconsciously, going to great extremes and, consciously or unconsciously, being guilty of falsehoods. Both extremes of this question illustrate that fact.

Not long ago I picked up the utterance of a very distinguished prohibitionist, and he mentioned the fact that a certain number of people in America went to their graves each year from the liquor habit. It struck me as an enormous number of people, and I thought maybe I had better look into it, and I found out that alcohol, by his account, had sent to their graves in America about 100,000 more people than had in that year died in all America. That is an illustration of the extremes to which men go on one side.

A further illustration of it is that men picture to you a condition under prohibitory laws as if the millenium were coming if you merely got rid of alcoholic stimulants. Asia Minor has been rid of alcoholic stimulants since a little while after a thousand years after Christ. Since Mohammed and his followers, with the sword in one hand and the Koran—prohibiting the use of alcoholic stimulants, even light wine—in the other. Asia Minor has set no great example for the world's imitation. Of course a man would be just as great an extremist to cite that as a reason why prohibition could not do good somewhere else as he would be to make the assertion that prohibition might bring some sort of a millenium.

Mr. President, this philosophic fact is true, that a man who is not a drunkard merely because he can not procure something wherewith to be drunk is precisely as much a drunkard as if he were lying in the gutter drunk. A man who shoots at me with the intent of murdering me and fails to accomplish his purpose because his pistol is not loaded or the hammer fails to fall is, in the eyes of God, just as much a murderer as if he killed me. Vice and virtue are inward, not outward, things. God judges by the nature of the soul.

But that does not conclude the question. That is an extreme utterance, too.

Because it is also true that there are very many people in the world who have no desire nor intent nor inner inclination to become drunkards and who have no desire nor intent to commit murder and who yet might be led into one or the other by a temptation extreme or irresistible for them. So much for the extremes upon one side of this question. Moreover, man can not see the inner intent, and must judge by the outward overt act.

Christianity did not teach prohibition. Mohammedanism did; and thus far the Christian nations of the world are not behind the Mohammedans either in civilization or in intellectual ability or industrial progress. That is not, however, because the one permitted the use of liquor and the other did not, and the man who argues either side of that proposition is necessarily also an extremist.

Now, upon the other side; if a man should rise in his place here and say that one State is the superior of another, and has fewer illiterates and fewer convicts and fewer insane than another, because the first State attempts to stop the sale of liquor and the latter does not, he is equally guilty of an extreme utterance.

I did not intend to say anything upon this question. I expected to let my vote on the resolution and amendment proposed to it speak for me. I must, however, now say something because of the fact that I have ascertained that I can not procure a transfer of my pair, and therefore there will be no other way than by speech for me satisfactorily to carry my opinion to my constituents.

In the first place, I shall vote for this motion of the Senator from Texas to suspend the rules and to pass his resolution. In the second place, I shall vote to refer the question to the people of the District of Columbia. If the motion to refer it, the referendum, is defeated, I shall still vote for the motion to suspend and to close the saloons in the District of Columbia.

Now, I want to give in a very few words my reasons for it.

In the first place, Mr. President, regardless of my individual views upon this great subject, this is a representative government, and no man has a right, except in very exceptional cases, to stand upon this floor or upon the floor of the other House and knowingly misrepresent his constituents, or if he does it he ought to lay down his office and give it back to them who gave it to him and ask a fresh vote of confidence. There are just a few exceptions to that rule. A man's constituents have no right to call upon him to violate the Constitution of the United States, because that is to violate his oath. His constituents have no right to call upon him to do that which in his opinion is immoral or unethical, because there they would call upon him to violate his duty to God. His constituents have no right to call upon him to do that which shall endanger international peace, because that is to violate the first law of the Prince of Peace.

With those three exceptions, this is a representative and not a misrepresentative Government. If I had no opinion upon this question different from that of my constituents, I should not hold my seat here in the name of the State of Mississippi and misrepresent her; and Mississippi has indicated her will upon this subject beyond all peradventure of a doubt; not once, but several times.

Independently of that, I would vote for it, anyhow. Years ago I opposed prohibition in my own State, believing that it would do no good. But, Mr. President, it has done good, especially among the negroes. I do not indorse the principle that you have a right to make other people do good by law, but the argument that prohibition does no good can hold no longer, at least in my State. In large towns where people are opposed to it it is not enforced. In country precincts it is enforced. There are acres after acres of the soil of Mississippi to-day where no man could get a drink for love or money unless he got it at the house of some friend, at his sideboard or table.

Now, I am as great an advocate of the independent development and self-evolution of the individual man as there is on this floor, or perhaps in the world. I do not believe that God permitted sin and suffering in this world for no reason at all, and I believe that his reason was that men might develop their muscles in the face of moral difficulty and obstruction and temptation, just as they develop their physical muscles in the face of physical difficulty and obstructions.

But, Mr. President, there are some exceptions to the rule of leaving men subject to temptation in order that they may grow strong. Every one of us admits the exception when we do not permit either poison or opiates to be sold ad libitum.

If I had my own way—and I have not and I never expect to have it—both extremes would equally decry me and put me down on every side. I would absolutely forbid the sale and the manufacture of distilled liquors because they are a poison, while permitting the free sale, subject only to ordinary taxes, of pure wines and pure malt liquors.

Mr. President, I love a toddy almost as well as Daniel Webster or Henry Clay ever did. I love one as well as George Washington or John Marshall ever did. I love a glass of wine as much as Shakespeare or Goethe ever did. But we must reason about everything with common sense. It never did me any

permanent good nor any material good of any inherently valuable sort, and never did anybody else any, except to make him feel a little bit better for a little while. There is nobody who will dispute that.

I take issue with men who think that because you like to have a drink yourself now and then, therefore you are a hypocrite if you do not want it sold to the public. Even if a man were dead certain that it never would hurt him—and speaking for myself I do not very well see how he could be dead certain of that—he might be dead certain that it never had, but I do not see how he could be dead certain that it never would, but if he were dead certain of both propositions he might still remember there were people in the world weaker than he. He might remember St. Paul's saying, "Wherefore, if meat make my brother to offend, I will eat no flesh while the world standeth, lest I make my brother to offend." I would not be willing to go to the extent of pledging myself not to eat meat, but I would be willing to pledge myself not to try to help somebody to sell meat to the brother to whom it would do hurt.

I agree with the Senator from New Jersey [Mr. MARTINE] about one thing. I do not like this idea of emphasizing the word "open" in connection with saloons. Let us not be hypocrites. Let us not be humbugs. If it is wrong to sell whisky, it is worse to sell it secretly than openly, and it is wrong to buy it, and if it is wrong to sell it and to buy it both, it is wrong, because it is hurtful to drink it. If I had my way, in so far as distilled liquors are concerned, being certainly not helpful to anybody in the long run nor for any great time in the short run even, except under very exceptional circumstances, I would forbid their sale and manufacture, but I would permit pure beer and pure wine to be sold as freely as bread. As Thomas Jefferson said years and years ago, "If you substitute them for whisky and for other distilled liquors you would have no drunkenness."

When I say pure beer, I mean the product of hops and malt with nothing else in it except pure water, and when I say pure wine I mean the fermented juice of the grape with nothing else in it except a little sugar to correct the overacidity of the grape, or something to correct an oversweet grape, since some southern grapes are too sweet otherwise to make wine. I would so define both in the statute. You might as well shoot peas at the rock of Gibraltar, however, as to bring into this great controversy a midway opinion like that. Both sides would agree only upon one thing, and that would be to carry me out and crucify me. And yet it was Christ's opinion that good wine might be made and given to one's fellows.

I merely mention my opinion, because it might be a curiosity to most of you to find somebody who stands midway between the two extremes.

Mr. President, I think now and then, however, that men in their desire to do good by law are dishonest. Some time ago one of the States of this Union—overnight you might say—passed a prohibition law forbidding the sale and manufacture of malt or vinous or distilled liquors within its boundary. Men in that State had hundreds of thousands of dollars invested in breweries and distilleries. Men in that State had just finished paying the State for their annual license, which was permission to sell for the next succeeeding 12 months, and that State, which shall be nameless here, did not compensate the men for putting their distilleries and breweries on the junk pile; it did not even return to the men from whom they had collected the year's license the day before the law was passed the money which they had paid.

The highest form of morality can not afford to steal, and it ought not to steal; it ought not to take money under false pretenses. If it does not take it under false pretenses, if it takes it under a legitimate pretense, if by its own action it does away with the consideration for which the money was given, then it ought to restore it. In the mother country, at any rate, it has always been an axiom that compensation must be made to direct sufferers by a change of legislation.

Mr. President, I am willing to vote for this proposition outside of the fact that Mississippi wants me to vote for it, because I have come to the conclusion—and I have come to it after much standing upon the other side; I am one of the few men in Mississippi who ever did oppose prohibition who could be elected constable—but I have come to the conclusion that in some respects I was wrong about it, because it has done some good. It has not been a panacea; it has not brought about the millenium; it has not abolished drunkenness; it has not decreased crime to any marked extent; it has not, of course, kept lunatics out of the lunatic asylum; it has not done any sort of impossible thing that only extremists expected from it; but it has done a good deal of good; and I know that while liquor may do men of temperate temperaments some harm and does do men of intemperate temperaments a great deal of harm, it never did me or anybody else in the long run any good worth contending for. It requires very little self-sacrifice to do without it. So I do not see how anybody can be hurt by doing his best to do without it, and I do see how some people can be helped.

I do not believe it is hurtful to me personally, as a rule; I think, upon the contrary, it is a very good thing for me now and then; but I do think that a man ought not to measure the world's corn in his half bushel; and when you look at it the world over, no frank human being, I do not care what his opinions are, can contend for one moment that the good that it does in the world is to be held in the slightest comparison with the evil which it does. I am perfectly willing to see the experiment tried, if it can be, and tried on me and all others. It never has been really and efficaciously tried on any nation of the white European race.

I know that perhaps this may be said upon the other side, and it may perhaps be true; I do not know why it is, but it happens to be true that almost in proportion as races upon this globe consume alcohol they stand near the head in culture, industry, and civilization, but I think it is a great deal for the same reason that the North American Indians were physically a great, strong people; it was because all of them that were not physically strong died before they reached the age of 21. So that when our Scotch brethren go up against their Scotch whisky for generation after generation and sip it at their breakfast and dinners, as we do wine, and yet when you find a Scotchman, anywhere from the Arctic Circle to the mouth of the Ganges, he is found at the head of whatever enterprise there happens to be where he happens to be; when your German has impressed himself upon the entire world, and your Dutchman, too, both consuming a great deal of alcohol; when your Frenchman, less intemperate than either, has not impressed himself quite so much; when your Spaniard, who is a very abstemious man, almost a totally abstemious man; and your Italian, who is very temperate, have not taken the stand that these others—Scotch, and English, and Irish, and North German—have taken; and when across in the prohibition country which Mohammed made totally prohibition by a decree of the Koran, they, too, have not stepped to the very front in civilization, notwithstanding the fact that they do not consume alcohol at all, I do not think it is because of the consumption of alcohol that one is high and the other is not so high; but I think it may possibly be due to the fact that if the natural law of evolution and development were left to work out the survival of the fit and the extinction of the unfit alcohol would help to work it, especially the extinction of the unfit. Alcohol does from generation to generation destroy the nervously and stomachically weak, and in that way has perhaps had something to do with placing these races, or, rather, the surviving individuals of them, at the place they are.

That, however, is a scientific sort of argument that is very un-Christian in its character and can not very well afford to be adopted as a basis for legislation by an enlightened legislative body in an enlightened country. All that argument, I say, I am acquainted with, because I have read it from scientists of every description. It is especially science after the German manner.

The same school of scientists, by the way, have contended that you ought not to be trying to save lunatics, because if you cure them they may go out and marry other lunatics, or even without it may be encouraged to multiply lunatics in the next generation or men and women with a tendency toward lunacy. They contend that you had just better let them die off like the brutes in the field.

Mr. President, I want to tell you, though, why I am in favor of referring this matter to the people of the District of Columbia. I want to give you a little illustration from my own recollection. The State of Tennessee adopted a prohibition law without submitting it to the people. The cities of Memphis, Knoxville, and Nashville did not want it. The consequence was that the city of Memphis deliberately elected a ticket to rule that city, every man of whom had to pledge himself beforehand not to enforce the law.

Memphis is my native town, and I used to go there very frequently, until my brother and I sold what property we had there. I went up there once after prohibition went into effect. Prior to that time the saloons were closed upon Sunday, at any rate, in Memphis. I happened to be there on a Sunday morning, owing to the delay between trains, when I was going to Pine Bluff, Ark. When I went out I saw something that I had never before seen in all my life—men upon the sidewalk on Sunday asking you to come in to buy a drink. Selling it upon Sunday was no greater crime than selling it upon any other day. The saloon doors were wide open; and these men were out

there just as you see people in front of certain little country town clothing stores calling people in and saying, "Do you not want to come in and buy some clothing?"

From that experience and from a great deal of other knowledge of that description, I have arrived at the conclusion that you can not enforce a law of this sort except in a community where a majority of the people themselves want the law, so as to impress upon the minority the fact that the law must be observed. Otherwise the majority is not going to respect the law, and you will not decrease drunkenness, but you will only increase lying and perjury and concealment and deadfalls and the bad habit of ignoring and defying law. It is otherwise where a majority, especially a large majority, want the law.

Take my own county in Mississippi, for example. In my county the prohibition law is almost perfectly enforced. At one time there were a few people in the chief town—not a very large town—of the county who wanted to defy the law, but after a little time, under the administration of officers elected to enforce the law, they stopped violating it. Mississippi has no very large cities.

Of course we have the power and we have the right, the legal right, to enact this amendment into law without any referendum to the people of the District of Columbia, who are to be affected by it. Senators ask, and ask very pertinently, why it is that law after law is passed here without any referendum, and yet when it comes to this question a referendum is sought. The answer is, because such a law as is now proposed depends peculiarly, if not altogether, for its efficacy and for its enforcement upon the public opinion of the people who are affected by it. That is the answer and that is sufficient. In other cases, especially in the case of criminal laws, directed against recognized crimes—crimes per se—the consensus of mankind is with you, public opinion is with you and itself stands behind the enforcement of the law; but if you have a majority of the people who think that you put a law upon them that they do not want, and which prohibits something in their opinion not in and of itself criminal, then they not only will not add their voice to its enforcement, but they will affirmatively use their influence in favor of its nonenforcement. So that I warn you now that if you want this law to be of any efficacy it must be after the people of the District of Columbia vote for it.

I am aware that there are some from my own section of the country who will say that that would bring the negro vote into it. That could be very easily cured. All you would have to do would be to provide that those who vote upon the question shall be those who can read and write, those who have never been convicted of a felony or of a misdemeanor involving moral turpitude, and those who have paid the District of Columbia such taxes as have been assessed against them. In that way you will have a white majority and there will not be any race question involved.

Mr. President, I expected to say nothing, because I intended my vote to indicate my position, and there were reasons, to be perfectly frank about it, why I should say nothing. I had been an antiprohibitionist in my own State 20 years ago, and no politician or man in public life likes to be accused of inconsistency, no matter when or how he changes his opinion. That is one reason; and the next reason is, frankly, because I like a glass of wine myself now and then and I like a toddy now and then. I do not think the fact that I do has anything to do with what my vote should be upon this question, especially when I know that neither the one nor the other has ever done me any particular good, though neither has ever done me any particular harm or ever interfered with the performance of a private or a public duty.

Mr. PITTMAN. Mr. President, this question involves a duty not only to our constituents in our respective States but a peculiar duty to our constituents in this District. I regret that this question must come before the Senate in this form. I have been taught by older Senators here that it is necessary to protect appropriation bills against amendments containing general legislation. I have tried time and time again to add such amendments to appropriation bills, and have had those amendments ruled out on points of order, and, I think, properly so. Every one of us must stand for the appropriation bills. The supply and appropriation bills are essential to the running of the Government, and if we permit general legislation to be tacked upon such bills we may be placed in a position where we must either neglect the Government or be compelled to vote for a measure which we oppose. If we pass a supply appropriation bill with general legislation upon it, we may incorporate in the bill a principle which is obnoxious to the Chief Magistrate of this country, as has been the case on former occasions, and compel his veto because of that objectionable principle. However, the Rules Committee, who are particularly charged with the responsibility of looking after the rules of this body, if any such rules exist, have seen fit to recommend to Senators that they adopt this motion and suspend the rules of the Senate. I have great respect for that committee. They evidently consider that this proposition is of such vital importance that it warrants the setting aside of one of the most important rules of this body.

I am urged again to vote for the motion, because, so far as I have ascertained from my limited experience here, the only rules that are enforced in this body, or that exist, so far as I know, are rules to obstruct legislation rather than to facilitate it. I have occasionally, on asking the advice of some learned Senators who have been here a great many years, been referred to a rule which might enable me to secure the enactment of an item of legislation, but that rule had no sooner been discovered than there were twenty other rules called into existence which would cancel that rule.

I may vote against the proposed amendment, but I intend to vote for the pending motion because it appears to be the only means by which a fair test vote of the sentiment of this body can be obtained. I think the Senator from Texas [Mr. SHEPPARD] is entitled to a vote on this question. I would prefer that the vote be had separately, but that seems impossible.

I voted that a majority, and not two-thirds, should determine the question of the suspension of the rules. The Senate has determined that it requires a two-thirds vote, but no matter what vote it requires, I think the Senator from Texas is entitled to have a vote on the main issue, and that is whether the proposed amendment shall become a part of the appropriation bill. It is a question which must be determined sooner or later by this body, and there is no use of dodging the issue. The issue will have to be met sooner or later on the question of whether or not we favor national prohibition. If I favored national prohibition, I would favor prohibition in the District, without consideration of the views or wishes of its residents.

I believe it the duty of a Senator, as the Senator from Mississippi [Mr. WILLIAMS] has stated, to try to represent the wishes of his constituents where such action does not conflict with the Senator's moral obligation. I want to say that in my State this question has never been an issue; it has never even attracted the attention of the people of the State. I do not know what their views are on the subject. I know that in this body and throughout this country there are good people who differ as to the proper way to restrain and govern the liquor traffic. I do not know who is right; I have not given much study to the question; and I am not prepared to set up my opinion against either the opinion of the Senator from Missouri or the opinion of the Senator from Texas. I know, however, that I believe in local self-government throughout. I am sure that all of the people of my State believe in local self-government. I believe the question involved here is one which should be submitted to each State, to each county, and to each community. It is one of the peculiar questions affecting civic life which is always submitted to the community. It is a common and accepted practice to so submit it.

The distinguished Senator from South Dakota [Mr. CRAWFORD] said that we are the legislature of the District, the board of aldermen of the District, and that the legislature of a State has a right to pass a prohibition bill; but let me state the distinction. A legislature is elected by the people; a city council is elected by the vote of the people of the municipality, and their election depends upon the sentiment of the people of that community. We are the lawmakers for the District; we are its legislature and its city council, and yet they had nothing to do with our election. They have no way of impressing upon us their sentiments or their ideas. I believe, nevertheless, that they should be considered in such matters of legislation. I am not prepared to say that they should be allowed to vote, but I do say that they should have the right of every American citizen who is affected by legislation, and that is the right of petition, the right to express their opinions.

We can not say because the National Government is situated in the city of Washington that the National Government owns the city of Washington. Why, there are thousands of people that we have invited here, that we have brought here, that we have induced to buy property here, to live in this town; and is it possible that we shall say that they shall not even have the right to petition us as to what laws shall govern them; that they shall have no voice in this peculiar legislation; that they have no interest in the affairs or the legislation affecting them? It seems to me that would be intolerable. It seems to to me that it is unjust and unreasonable; that it is an arbitrary use of power.

Following those principles of self-government, which I believe in throughout, I will vote to suspend the rules, and I will vote for any prohibition amendment to this bill which will go into effect after the same has been properly approved in the District.

Mr. MARTINE of New Jersey. Mr. President, I hold in my hand the annual report of the Commissioner of Internal Revenue for the fiscal year ending June 30, 1914; and, on page 29, I read these words, among various other matters:

As the various States vote "dry" the operation of the bootlegger grows larger.

Then, on page 128, in an abstract of the seizures of illicit distilleries, I find that the State of Georgia heads the list with 867 seizures—a dry State.

As for my little reference to Georgia and to South Carolina, I hesitate somewhat, and would not say anything further except for the fact that the distinguished Senator from Georgia took me somewhat to task. I was a guest at Atlanta, Ga., that splendid, metropolitan, thriving city that kindled the very blood in me. I said that in Georgia the prohibition law was violated. I do not say what I heard, but, if Georgia has a prohibition law, then I say what I know—that in the city of Atlanta it is daily violated.

How? There is a cigar shop entrance with a swinging door. "What do you sell behind?" "Step in and see." Schlitz, or any other beer you want. "What is the difference between the Atlanta Schlitz," I asked, "and any other?" I never drink beer, but I was curious to know. I asked, "What is the difference between the Georgia Schlitz and the Schlitz of New York, New Jersey, or St. Louis, which prides herself upon it?" The man held up a bottle, and to all appearances to me it was the genuine Schlitz. [Laughter in the galleries.]

The VICE PRESIDENT. The Chair has the second time admonished the galleries to obey the rules of the Senate. Another violation will result in the clearing of the galleries.

Mr. MARTINE of New Jersey. Then, Mr. President, I did refer to South Carolina, that splendid valiant State I have heard about since I was a boy, and under the hospitable roof of many of those loyal, grand South Carolinians have I had the delights of life. I wandered through the delightful, historic city of Charleston. I had a desire to go out on the bay. I had heard of the beauties of the Battery, and all that. I walked out there and saw the glories of Charleston Bay. I walked on the Battery. I saw, far distant, Fort Sumter, Fort Moultrie, Castle Pickney, and all those places that I had heard so much about. I then wandered up that historic street, passing many of those beautiful homes, until I came to a superb-looking, typical, hospitable, southern hotel, with columns that would fairly rival those in front of our Treasury. It was delightful to contemplate. A swinging door bade me in. I walked in. I saw many delightful gentlemen and many superb ladies. Unfortunately, time would not permit me to tarry long. I was due back here in Washington to perform my duties. I went on a sad official mission. We had a party of several temperance Senators. I said to a gentleman at the threshold of the door: "Would it be possible to buy whisky here?" "No, sir; we are a prohibition State. The only way you can get it is at the dispensary." "What is the dispensary? Is it a medical institution?" "Oh, no," said he; "look right across yonder," and there I saw a 16-foot pine board marked "Dispensary No. 1."

I did not go in, but I stepped from the desk a little way, when a good Samaritan, a splendid type of a southerner, said, "My dear sir, do you see that beautiful palm garden there?" Ah, it brought me right back to the Pan American. "Yes," said I. Said he: "Just walk in there." I walked in there, and to the right was a door, being very much used, labeled "Commercial Club." I looked in, and, as God is my judge, there is no such sumptuously fitted, velvet-upholstered saloon in the city of Washington or elsewhere. [Laughter.] I went in there and they were doing a land-office business. Three bartenders were busy. I said: "How is this? I thought this was a prohibition State." He said: "It is a prohibition State. It is against the law to sell whisky. Nobody pretends to sell it, yet many do it." Said I: "How do you manage it?" "How do we manage it? We go on and sell, and once a month we are lugged up and we pay $50. We pay $600 a year for our license, and we have been doing that for years."

So that is my justification for drawing in Georgia, that superb, grand, empire State, and for bringing in glorious, historic South Carolina. [Laughter.]

Mr. SMITH of Georgia. Mr. President, the Senator from New Jersey presents two statements to sustain his charge that prohibition in Georgia is a failure.

He refers to the report of the Commissioner of Internal Revenue to show that there have been a number of arrests made for illicit distilling in the State. Lest that statement should carry a false impression to Senators I wish to say that it is true that in the mountains of Georgia—and we have 20 counties almost entirely mountainous—there always has been a certain amount of illicit stilling carried on upon a very small scale. A mountain farmer will take a little still over near a spring and still a few bushels of corn. The actual output of the 800 persons who were arrested would not equal the amount of liquor that had been sold in the past by a single barroom of the more than 100 located in each of a number of the cities of the State. If all those barrooms have been suppressed by prohibition, it can not be claimed that because a few gallons of green corn whisky were made in the mountains prohibition is a failure.

But the Senator from New Jersey gives another reason why he says it has been a failure. He offers himself as a witness, and testifies that during his visit to Atlanta he found a place where, back of a door, not he but somebody else might have obtained a bottle of beer.

Why, if there is still a place in Atlanta where so royal a guest and so enterprising a citizen as the Senator from New Jersey might find a single stand in which to discover a bottle of "splits"—I do not know exactly what that means; I suppose it is some kind of beer——

Mr. MARTINE of New Jersey. "Schlitz."

Mr. SMITH of Georgia. I accept the correction. I do not know whether it is "splits," in consequence of what it does, or "Schlitz," in consequence of its name. But if the Senator from New Jersey found one such place in the city of Atlanta, still I say that his charge that prohibition in the State is a failure is not sustained.

Mr. MARTINE of New Jersey. I took the general view that the State was Atlanta and that Atlanta was the State. I took the magnificent statesmen that emanated from there, and I knew the splendid hotels that have been built there.

The Senator says I took a bottle of Schlitz. No; I did not taste a bottle of Schlitz, for, as I said, I never drink beer; but I will say, Mr. President, with all the graciousness of my heart, that I would not belittle the magnificent hospitality of the Senator from Georgia nor the hospitality of that splendid State, with its splendid men and its glorious and lovely women. You did not try to tempt me with Schlitz, but you offered me something better. [Laughter.]

Mr. SMITH of Georgia. The Senator does not mean by that that I offered it to him; he means the city of Atlanta. I have no doubt, Mr. President, that when so distinguished a guest as the Senator from New Jersey reached our city of 200,000 inhabitants some citizen would offer him something with which to quench his thirst if the citizen thought the Senator from New Jersey desired it. But still, even if that be true, it is no argument to establish the claim that prohibition has been a failure. It has closed the barrooms; it has stopped the sale of liquor; it has stopped the jug trade out of the city of Atlanta and most of the other cities of Georgia. I am here to say, from watching its results carefully, that the year after it was put into effect it lessened the waste of physical energy, it increased the funds in the hands of those of limited means, it added to the receipts of the department stores and the stores that sold food, it bettered the condition of many a humble home in that city—and with that result I protest it is not a failure.

EXECUTIVE SESSION.

Mr. THOMAS. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 10 minutes spent in executive session the doors were reopened.

RECESS.

Mr. KERN. I move that the Senate take a recess until to-morrow at 11 o'clock a. m.

The motion was agreed to; and (at 6 o'clock and 3 minutes p. m., Friday, January 15, 1915) the Senate took a recess until to-morrow, Saturday, January 16, 1915, at 11 o'clock a. m.

CONFIRMATIONS.

Executive nominations confirmed by the Senate January 15, 1915.

ASSOCIATE JUSTICE OF THE SUPREME COURT OF THE DISTRICT OF COLUMBIA.

Frederick L. Siddons to be associate justice of the Supreme Court of the District of Columbia.

POSTMASTERS.

IOWA.

Herman Toering, Orange City.

MASSACHUSETTS.

George P. Sheldon, Hopedale.

PENNSYLVANIA.

Blythe J. Davison, Canton.
Milton M. Dougherty, Mechanicsburg.
Helen G. Flanigan, Mill Hall.
Arthur McKean, Beaver Falls.
C. W. Sausser, Bellwood.

HOUSE OF REPRESENTATIVES.

FRIDAY, *January 15, 1915.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Keep us, O God our Father, in touch with Thee throughout the remaining hours of this day, that we enter not into temptation, but keep close to duty's call, that at its close we may lie down to sweet repose, cradled in the arms of Omnipotence and in the profound faith that neither death nor life, nor angels, nor principalities, nor powers, nor things present, nor things to come, nor height nor depth, nor any other creature shall be able to separate us from the love of God, which is in Christ Jesus, our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

EULOGIES ON THE LATE REPRESENTATIVE MARTIN, OF NEW JERSEY.

Mr. HOWARD. Mr. Speaker, I ask unanimous consent for the present consideration of the order which I send to the Clerk's desk.

The Clerk read as follows:

Ordered, That Sunday, February 14, 1915, be set apart for addresses on the life, character, and public services of the Hon. LEWIS J. MARTIN, late a Representative from the State of New Jersey.

The SPEAKER. Is there objection to the present consideration of the order which the Clerk has just read? [After a pause.] The Chair hears none. The question is on agreeing to the order.

The order was agreed to.

RELATIONS OF DISTRICT OF COLUMBIA TO FEDERAL GOVERNMENT (H. DOC. NO. 1488).

Mr. PAGE of North Carolina. Mr. Speaker, I ask unanimous consent to have printed as a House document an article prepared by Mr. John A. Johnson, an attorney in the District of Columbia, on the relation of the District of Columbia to the Federal Government. It is a matter that is being very much discussed in the Congress, and in which we were all interested, and I think this article will throw some light on the subject.

The SPEAKER. The gentleman from North Carolina asks unanimous consent to print as a public document an article prepared by Mr. Johnson on the relation of the District of Columbia to the Federal Government. Is there objection?

Mr. MADDEN. Mr. Speaker, reserving the right to object, does this express the opinion of Mr. Johnson or is it an historical record?

Mr. PAGE of North Carolina. It is more an historical record than an opinion of anyone.

Mr. MADDEN. I have no objection if it is an historical record, but if it is simply the opinion of Mr. Johnson I would object to it.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none, and it is so ordered.

LEAVE OF ABSENCE.

By unanimous consent leave of absence was granted to Mr. GREEN of Iowa, indefinitely, on account of sickness.

IMMIGRATION.

Mr. BURNETT. Mr. Speaker, I call up the conference report on the bill (H. R. 6060) to regulate the immigration of aliens to and the residence of aliens in the United States, and I ask unanimous consent that the statement of the conferees be read in lieu of the report.

The SPEAKER. The gentleman from Alabama calls up the conference report and asks unanimous consent that the statement of the conferees be read in lieu of the report. Is there objection?

There was no objection.

The conference report is as follows:

CONFERENCE REPORT (NO. 1270).

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 6060) "An act to regulate the immigration of aliens to and the residence of aliens in the United States," having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 15, 18, 20, 22, 25, 26, 38, 58, 62, 74, and 95.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 4, 5, 6, 7, 8, 12, 13, 14, 16, 19, 21, 27, 29, 30, 32, 33, 37, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 51, 52, 53, 55, 56, 59, 60, 63, 64, 65, 66, 67, 69, 70, 71, 72, 73, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 88, 89, 90, 91, 92, 93, 94, and agree to the same.

Amendment numbered 11: That the House recede from its disagreement to the amendment of the Senate numbered 11, and agree to the same with an amendment as follows: Strike out the matter inserted by the Senate and in lieu thereof insert the following: "practice polygamy or believe in or advocate the practice of polygamy"; and the Senate agree to the same.

Amendment numbered 17: That the House recede from its disagreement to the amendment of the Senate numbered 17, and agree to the same with an amendment as follows: Strike out the matter inserted by the Senate and insert in lieu thereof the following: "treaties, conventions or"; and the Senate agree to the same.

Amendment numbered 23: That the House recede from its disagreement to the amendment of the Senate numbered 23, and agree to the same with an amendment as follows: In lines 3 and 4 of the matter inserted by the Senate strike out "and aliens returning after temporary absence to an unrelinquished United States domicile"; and the Senate agree to the same.

Amendment numbered 24: That the House recede from its disagreement to the amendment of the Senate numbered 24, and agree to the same with an amendment as follows: Strike out the matter inserted by the Senate and insert a period after the word "guests," on page 11, line 21; and the Senate agree to the same.

Amendment numbered 28: That the House recede from its disagreement to the amendment of the Senate numbered 28, and agree to the same with an amendment as follows: In line 1 of the amendment strike out "and" and insert "or"; and the Senate agree to the same.

Amendment numbered 31: That the House recede from its disagreement to the amendment of the Senate numbered 31, and agree to the same with an amendment as follows: Strike out the matter inserted by the Senate and in lieu thereof insert a period; and on page 13, line 18, strike out "for" and insert "For"; and the Senate agree to the same.

Amendment numbered 34: That the House recede from its disagreement to the amendment of the Senate numbered 34, and agree to the same with an amendment as follows: Page 14, line 18, after "commissions," insert "to an alien coming into the United States"; and the Senate agree to the same.

Amendment numbered 35: That the House recede from its disagreement to the amendment of the Senate numbered 35, and agree to the same with an amendment as follows: Page 14, line 19, after "alien," insert "coming into the United States"; and the Senate agree to the same.

Amendment numbered 36: That the House recede from its disagreement to the amendment of the Senate numbered 36, and agree to the same with an amendment as follows: In lieu of the language inserted by the Senate insert the following: "or otherwise"; and the Senate agree to the same.

Amendment numbered 50: That the House recede from its disagreement to the amendment of the Senate numbered 50, and agree to the same with an amendment as follows: After the word "thereto," in the last line of the amendment, insert the following: "and the provisions of this section shall be excepted from that portion of section 38 of this act which provides that this act shall not be construed to repeal, alter, or amend section 6, chapter 453, third session Fifty-eighth Congress, approved February 6, 1905, or the act approved August 2, 1882, entitled 'An act to regulate the carriage of passengers by sea,' and amendments thereto"; and the Senate agree to the same.

Amendment numbered 54: That the House recede from its disagreement to the amendment of the Senate numbered 54, and agree to the same with an amendment as follows: After "officers," in line 3 of the amendment, insert: "at the discretion of the Secretary of Labor and under such regulations as he may prescribe"; and the Senate agree to the same.

Amendment numbered 57: That the House recede from its disagreement to the amendment of the Senate numbered 57, and agree to the same with an amendment as follows: After "inspectors," in line 3 of the amendment, insert: "at the discretion of the Secretary of Labor and under such regulations as he may prescribe"; and the Senate agree to the same.

Amendment numbered 61: That the House recede from its disagreement to the amendment of the Senate numbered 61, and agree to the same with an amendment as follows: Strike out the matter inserted by the Senate and insert in lieu thereof the following: "any alien who at the time of entry was a member of one or more of the classes excluded by law; any alien who shall have entered or who shall be found in the United States in violation of this act, or in violation of any other law of the United States, the methods and measure of proof and the destination of deportation to be those specified in the law violated"; and the Senate agree to the same.

Amendment numbered 68: That the House recede from its disagreement to the amendment of the Senate numbered 68, and agree to the same with an amendment as follows: Strike out the matter inserted by the Senate and insert in lieu thereof "or who enters without inspection"; and the Senate agree to the same.

Amendment numbered 87: That the House recede from its disagreement to the amendment of the Senate numbered 87, and agree to the same with an amendment as follows:

Strike out the matter inserted by the Senate and insert in lieu thereof the following: "by the master"; and the Senate agree to the same.

JOHN L. BURNETT,
AUGUSTUS P. GARDNER,
Managers on the part of the House.

E. D. SMITH,
JOE T. ROBINSON,
H. C. LODGE,
Managers on the part of the Senate.

The Clerk read the statement as follows:

STATEMENT.

The managers on the part of the House on the disagreeing votes of the two Houses on the amendments of the Senate to the House bill (H. R. 6060) regulating the immigration of aliens submit the following detailed statement in explanation of the effect agreed upon and recommended in the conference report.

The principal changes in existing law proposed by the Senate to which the managers on the part of the House agree are as follows:

First. The amendment which increases the head tax on adult aliens to $6, coupled with the entire exemption from head tax of minor children accompanying a parent.

Second. So much of the Senate amendment No. 24 as strikes out the House provision prohibiting the exclusion of the wife or minor children of American citizens.

Third. The amendment which substitutes a new section 11 submitted by the Secretary of Labor to take the place of the House provision relative to surgical examinations on board ships engaged in the transportation of aliens.

Fourth. The amendment which denies to alien prostitutes the privilege of obtaining United States citizenship through marriage.

Fifth. The amendment which requires transportation companies carrying immigrants from Mexico or Canada to the United States to provide suitable landing places.

The principal amendments proposed by the Senate from which the managers on the part of the Senate recede are as follows:

First. The amendment excluding persons of the African race.

Second. The amendment striking the word "solely" from the House provision which extends exemption from the illiteracy test to refugees from religious persecution.

Third. So much of Senate amendment No. 24 as exempts certain Belgians from the illiteracy test and certain other provisions of the law.

The principal amendments proposed by the Senate to which the managers on the part of the House agree with amendments are as follows:

First. Senate amendment No. 11: The managers on the part of the House agree to so much of this amendment as strikes out of the polygamy clause the words objected to which require an alien to admit his belief in the practice of polygamy as a condition precedent to his exclusion on account of that belief. The managers on the part of the Senate agree to an amendment to Senate amendment No. 11, proposed by the House managers, the effect of which is as follows: A change in the words inserted by the Senate so as to exclude an alien who believes in the practice of polygamy, whether he admits it or not, in contradistinction to his exclusion on account of an abstract article in his creed.

Second. To the amendments of the Senate which provide a double inspection and a double medical examination for immigrants, the managers on the part of the House agree with amendments giving the Secretary of Labor discretion in the matter. To these amendments the managers on the part of the Senate agree.

JOHN L. BURNETT,
AUGUSTUS P. GARDNER,
Managers on the part of the House.

Mr. BURNETT. Mr. Speaker, there has been exhaustive debate on the controverted propositions in this bill so often that I presume the House is ready to vote upon the question. Therefore I move the adoption of the report, and on that I move the previous question.

Mr. STAFFORD. Mr. Speaker, will the gentleman withhold his motion for the previous question for a couple of minutes?

Mr. BURNETT. I will.

Mr. STAFFORD. Mr. Speaker, I merely wish to point out to the House a couple of amendments which have been agreed to by the conferees, which shows the restrictive policy that actuates the conferees in submitting this bill. One of the amendments proposed by the Senate is amendment No. 7, which struck out the exemption of the payment of the head tax of $6 by aliens who have in accordance with law declared their intention to become citizens of the United States on their return to this country from a sojourn abroad. I can not understand the policy of anyone doing that, unless he believes in the policy of America for Americans alone, of placing a head tax of $6 on those future American citizens who have been domiciled here and who have already declared their intentions to become citizens of this country and who temporarily depart for a visit abroad. The Senate conferees struck out that exemption and the House conferees have agreed to the Senate amendment.

Further, as showing the restrictive character of those offering this bill, I direct the attention of the House to the Senate amendment No. 23, which reads as follows:

Provided further, That aliens who have declared their intention to become citizens and aliens returning after temporary absence to an unrelinquished United States domicile may be admitted in the discretion of the Secretary of Labor, and under such conditions as he may prescribe.

That amendment provides for the admission of aliens who have declared their intention to become citizens of the United States, returning after temporary absence, in the discretion of the Secretary of Labor. They have restricted that provision so that only those aliens who have declared their intention to become citizens of the United States can be admitted, who are admitted within the discretion of the Secretary of Labor. It has been called to my attention that in the administration of the present immigration law aliens who have lived here as long as 10 years, and who have gone abroad for a brief span of three months, on their return to this country, without any objection as to their physical qualifications, have been absolutely forbidden to land, when they have lived here and intend to make this their home for all time. I can not see how anyone can declare that to be the proper American spirit which should prompt an American Congress in the treatment of those who have not relinquished their American domicile upon their return here after a temporary absence.

The SPEAKER. The time of the gentleman from Wisconsin has expired.

Mr. MANN. Mr. Speaker, will the gentleman from Alabama yield?

Mr. BURNETT. I yield to the gentleman.

Mr. MANN. It will only take a moment. Upon what theory do the conferees leave out the right of a citizen to bring in his wife or minor children? That is amendment numbered 24.

Mr. BURNETT. I did not catch the gentleman's question.

Mr. MANN. It is in reference to amendment numbered 24. Upon what theory do the conferees leave out of the bill the provision which authorizes a citizen to have his wife or minor children brought into the country?

Mr. BURNETT. Mr. Speaker, in reply to the question of the gentleman, the Department of Labor makes this objection to that:

The present practice of the department is to regard wives as admissible. It is suggested that, in view of the very large number of mentally defective children encountered in administering the immigration law, the exception here proposed will have very far-reaching effects—will result in introducing into the country strains of mental deficiency, both extensive and serious.

In addition to the suggestion they make, the bill says "that nothing in this act shall exclude the wife or minor children of a citizen of the United States." Now, if those words were left there, an alien might come here and, after remaining for five years, file his declaration and bring in his son, an anarchist, 20 years 11 months and 29 days old. Many of the very worst of that class of people are the younger ones. Be-

sides, the prostitute daughters of an American citizen who had become naturalized, who had never come here, if that language were left there, could come in, and for that reason and for the reason suggested by the Department of Labor, that many of these people come here infected with the very worst kind of contagious diseases, and because they were children of an American citizen, would have to be admitted in violation of all these other wise provisions in the law.

Mr. MANN. One more question in the same connection. An American citizen, a person who comes here and takes out naturalization papers and becomes an American citizen, is it or not considered that his wife thereby becomes an American citizen and is entitled to entry regardless of the act?

Mr. BURNETT. The decisions of the courts are at variance in regard to that question. We have taken care of those who are afflicted further on by language which allows those who have declared their intention to become naturalized citizens to have those children come in and have hospital treatment, and I think, upon the whole, that the bill takes care of that class of citizens in every respect.

Mr. BATHRICK. Will the gentleman yield for a question?

Mr. BURNETT. I will.

Mr. BATHRICK. I desire to cite one case and ask how this bill will operate in that particular. Here is a citizen of the United States who has a minor child. This child has no relative or friends whatever except in the United States. Does the gentleman think this bill would operate to exclude that minor child and leave her upon the hands of strangers in the cold world in Europe when her parents were in the United States and were American citizens?

Mr. BURNETT. Not at all, Mr. Speaker. The law provides further on that these people can be brought in to be treated. These are matters that are left in the discretion of the Secretary of Labor, in regard to the admission of even those under 16 years of age; and if they are children of these people, they can be admitted under the discretion of the Secretary of Labor, as the bill now provides.

Mr. GARDNER. Will the gentleman yield to me for a moment?

Mr. BURNETT. Yes.

Mr. BATHRICK. I would like to have an answer to the question from the gentleman from Massachusetts.

The SPEAKER. To whom does the gentleman yield?

Mr. BURNETT. I yield to the gentleman from Massachusetts [Mr. GARDNER].

Mr. GARDNER. There is a distinction between the wife of a naturalized alien who married him prior to his naturalization and the wife of a naturalized alien who married him since his naturalization. If the wife married him prior to his naturalization and he comes out here and becomes naturalized, then it is a question whether he may send for his wife that he has left behind pending his naturalization and bring her in here notwithstanding that she may not be admissible under the immigration law. Court decisions vary, but the department regards such wives as admissible. Wives who marry naturalized citizens are, of course, admissible, and continue so under the proposed law unless they are of dissolute character. Now, if the gentleman would have it otherwise he would find himself faced by this situation: That a man might come here into the United States and after a residence of five years become naturalized and then send for his prostitute wife or prostitute minor daughter and bring them into the United States. I am sure that the gentleman from Ohio would not advocate anything like that.

Mr. BATHRICK. Now, the gentleman from Massachusetts knows that I have been a consistent and persistent advocate of this measure——

Mr. GARDNER. Absolutely.

Mr. BATHRICK. And a friend of this legislation.

Mr. GARDNER. I did not mean to put it that way. I endeavored to make clear to the House exactly the distinction between one who has attained citizenship by naturalization and one who has citizenship because born to it.

Mr. BATHRICK. I want to state one specific case a little more thoroughly. There is in the hospital at the port of New York at the present time a girl 11 years of age, the daughter of a citizen of the United States, who has been a citizen for over seven years and a very honorable citizen, too. That daughter was brought to this hospital and is being treated. She has no relative in Europe, she has no place to go, none to whom she can turn except her parents in the United States. I want to ask the gentleman if leaving out this clause, which I was glad to see in this bill, would preclude the admission of that daughter?

Mr. GARDNER. Provided she was born before her father's naturalization. She would not be admissible unless she were physically and morally qualified.

Mr. BATHRICK. Suppose she was born after her father's naturalization?

Mr. GARDNER. Assuming that she is physically qualified to come in.

Mr. BATHRICK. I am going to state another fact. I have investigated this case thoroughly respecting the discretion of the Secretary of Labor. One Secretary of Labor decided that that child being the offspring of a citizen of the United States was a citizen of the United States and entitled to entry if she was conceived in the United States.

Mr. GARDNER. Yes.

Mr. BATHRICK. Now, another Secretary of Labor decided that she would not be a citizen of the United States unless she was born in the United States. That illustrates the conflict of opinion and the difference of the exercise of the discretion of these Secretaries of Labor on these very important matters. Now, this was so drawn that these children who had no one to depend on except their citizen parents in the United States could come into this country, and I think they should come in, but, as it appears to be now, a parent who is loyal to the ideals of American citizenship will be prevented from bringing children into the United States.

Mr. GARDNER. Only if those children were born before naturalization. And if you have it otherwise, the Secretary of Labor tells us that it will result in introducing into the country strains of mental deficiency, both extensive and serious. I do not know about the gentleman's particular case. I should want to look into the evidence myself.

Mr. BATHRICK. I cite this case myself——

Mr. GARDNER. To quote the letter of the Secretary of Labor addressed to the chairman of the Senate Committee on Immigration February 21, 1914:

> The circuit court of appeals and the Supreme Court have held that the minor children of a naturalized citizen born prior to the parents' naturalization are aliens within the meaning of the immigration law. (U. S. ex rel. Di Bienzo *v.* Rodgers, 185 Fed., 334; Zartarian *v.* Billings, 204 U. S., 170.)

Clearly they ought to be aliens. Now, let us see what the practical situation is. If a man has become a naturalized citizen that means he has been five years in this country. If he is trying to bring in his children, it means that they have managed to get along without him, for five years at least, on the other side. There is no such hardship as the gentleman describes in making them continue to get along without him until such time as they are cured of all dangerous diseases.

Mr. BATHRICK. In this instance this child was cared for by her grandparents, and when they died she was thrown upon the world.

Mr. GARDNER. You have got to have those hardships if you want to keep away from this country aliens with mental deficiency strains. Like a great many other laws, the immigration statutes often are the occasion of great hardships, but they prevent even greater hardships. One resident of my district was obliged to pay his daughter's expenses in Liverpool for over a year trying to get her cured of trachoma. These cases are arising all the time. All these restrictions are put in to safeguard American children, and it is a matter of regret if sometimes they run counter to the merciful inclinations which we feel toward foreign children. Nevertheless these restrictions must be maintained.

Mr. BURNETT. Mr. Speaker——

Mr. REILLY of Connecticut. Will the gentleman yield for a question?

Mr. BURNETT. Yes.

Mr. REILLY of Connecticut. Will the gentleman please inform the House the reason for striking out the words "and aliens returning after temporary absence to an unrelinquished United States domicile"?

Mr. BURNETT. Yes. We allow those who have filed their first papers to come. But we believe it would not be right to allow those who come and perhaps go into some industry and build a little shack, and get a frying pan or two, and then want to go away and then come back, any such privileges of evading the provisions of the law. The gentleman from Wisconsin [Mr. STAFFORD] referred to that, and he thought it would be a hardship on the man who had stayed here for 5 or 10 years and had not declared his intention of becoming a citizen and who had then returned to Europe not to be permitted to come back. But, Mr. Speaker, as has been said by the gentleman from Massachusetts [Mr. GARDNER], we ought to be trying to take care of our own, and certainly that man who has been here for 5 or 10 years and has never declared his intention even, has never filed his first papers, which he could file the very

day he arrived here, ought not to have any more privileges than any ordinary alien.

Mr. STAFFORD. Even the man who has declared his intention to become a citizen, after his sojourn abroad, has no right to come in here. Under this provision it will be in the discretion of the Secretary of Labor to exclude him. The man who has expressed his intention to become a future citizen, and who goes abroad for a couple of months, when he comes back has no right to land here. The Secretary of Labor on his ipse dixit can say he has no right.

Mr. BURNETT. It leaves it with the Secretary of Labor.

Mr. STAFFORD. The gentleman also opposed such a liberal provision as exempting him from the literacy test when the bill was before the House.

Mr. BURNETT. Yes.

Mr. GALLAGHER. I want the chairman of the committee, if possible, to explain why section 11 or amendment 50 was struck from the bill.

Mr. BURNETT. Mr. Speaker, I want to answer the question of the gentleman. I think that section 11 as the House passed it was a wise provision. It provided for matrons and surgeons on the ship bringing immigrants. It raised a perfect storm among the other nationalities. They said it would bring about confusion and division of authority on their own ships, and that we ought not to be permitted to put these people on their ships. Now we have provided for them, I think, by the addition at the end of that section of a provision to the effect that when those ships reach our port they may be detained until this very kind of an inspection and all other inspections can be made. That reaches the trouble, it seems to me, by allowing the inspection before the ships are ever permitted to land, and at the same time does not bring about that conflict of authority with other nationalities.

Mr. GALLAGHER. Will the gentleman yield me a minute?

Mr. MOORE. Mr. Speaker——

The SPEAKER. Does the gentleman from Alabama yield to the gentleman from Pennsylvania?

Mr. BURNETT. For a question?

Mr. MOORE. Yes; for a question.

Mr. BURNETT. Yes.

Mr. MOORE. I notice there has been a change in amendment 17 in reference to treaties, conventions, and agreements.

Mr. BURNETT. No. 17—it was merely by inserting——

Mr. MOORE. The words "conventions or" seem to have been inserted.

Mr. BURNETT. Yes; "treaties, conventions, or agreements"; and it was merely for the purpose of covering cases that "conventions" only could reach that that word was put in—"treaties, conventions, or agreements."

Mr. MOORE. That was to conform to the phraseology later on?

Mr. BURNETT. Yes.

Mr. MOORE. Will the gentleman explain, before he moves the previous question, whether the insertion of these treaty and convention paragraphs means that the treaties had with other nations—"treaties, conventions, and agreements"—with respect to passports are to be observed, so far as the rights of the foreign nations are concerned?

Mr. BURNETT. Yes; that is correct.

Mr. MOORE. That is to say, if any question like that of the Jewish question coming up from Russia should be raised, there would have to be a respect for the treaty or agreement had with that nation, and notice of abrogation would have to be given in the usual way?

Mr. BURNETT. Yes; I suppose so.

Mr. MOORE. Would that apply to any agreement had with respect to the Chinese and Japanese?

Mr. BURNETT. I think "treaties, conventions, and agreements" would apply to what the gentleman understands is a gentlemen's agreement as to Japanese.

Mr. MOORE. Yes. There is a gentlemen's agreement there, though I understand there is a dispute as to its binding qualities.

Mr. GALLAGHER rose.

Mr. BURNETT. Mr. Speaker, I give notice that I will yield to the gentleman from Illinois [Mr. GALLAGHER] one minute before I ask for a vote on the previous question, and will yield five minutes to my colleague on the committee, Judge GOLDFOGLE, and at the end of that time I shall move the previous question.

The SPEAKER. The gentleman from Illinois [Mr. GALLAGHER] is recognized for one minute.

Mr. GALLAGHER. Mr. Speaker, I asked a question of the chairman of the committee with reference to section 11. Personally I am opposed to all legislation of this character, because I believe it to be undemocratic and unfair. But if there was any one feature of this bill that ought to have received the most careful consideration it is that which provides for the medical inspection of these immigrants. The very fact that this section was stricken out shows the powerful influence exerted in the premises by the combined agencies of the shipping trust. That section was objected to by the shipping trust, and everybody knows that the shipping trust has been more directly responsible for the objectionable conditions prevailing in matters of immigration than any other particular influence. The greatest complaints at all of the different ports relate to the time allotted to medical inspection, which is woefully insufficient. And if there is any one thing that should be most carefully safeguarded it is the medical inspection of those people.

Poor but refined immigrants from Poland, Italy, and other parts of Europe, through the inefficient system of inspection that now obtains in the administration of the immigration laws of the country, have been subjected to great annoyance and irritation on their arrival here. All this could be effectively avoided if section 11 of this bill were permitted to become law. No better people, no more useful citizens can be found anywhere in these United States than the Italians and Poles who have cast their lot in the great city of Chicago and contributed so much that is good and meritorious to its civic virtue and industrial enterprise.

I can not fathom the animus back of legislation of this character when I realize what great good has been done to my city in particular and the country, as a whole, by the industry, frugality, and thrift of the sturdy sons of patriotic Poland and cultured Italy. Wherever industry requires the touchstone of labor, the brain, the brawn, and the genius of the Poles and Italians are there to enhance our wealth and conserve our progress. In view of these indisputable facts this legislation—unjustly discriminative in its logical effects—is a formidable menace to the welfare of our country and a distinct handicap to her financial, commercial, and industrial progress.

Mr. GOLDFOGLE. Mr. Speaker, I do not desire to prolong the discussion on this report or to discuss in detail—for that could not be done in the few minutes allotted to me—the points in difference between the two Houses; but I desire particularly to emphasize again the views so often expressed on this floor in opposition to the literacy test.

It has been well remarked that the test neither determined the fitness nor the character of the alien. It is a test that is un-American and undemocratic. It has been condemned in veto messages by two Presidents of the United States. An attempt was made in the last House to have the President's veto overruled, and that effort failed. Now it is again proposed that this literacy test be injected into the immigration bill.

The fact is that the conferees on the part of the House are not unanimous on this proposition. Two of the conferees, known to favor the literacy test, have, it is true, agreed with the Senate conferees. One of the conferees on the part of the House, who has always been a very earnest and consistent opponent of the literacy test, of course has disagreed with the conferees. The entire metropolitan press of New York and, generally speaking, the press of the larger cities, have condemned the literacy test. These cities from which this condemnation so largely comes abound with immigrants and those who have been of the immigrant classes and who have come from every part of the habitable world. The people of these cities have not been apprehensive of the imaginary dangers that have been mooted and have not shared the fears that the advocates of the measure have expressed on the floor of this House about the influx of immigration. They have rather found that immigration has been in many ways helpful to the land and served to promote the general upbuilding and welfare and contributed to the prosperity of our country.

The hand of toil is still required to further develop the resources of our land. I do not wish to repeat, but desire only in a word to refer to what I so often said during debates here on the immigration question, that the American boy is fast leaving the farm and is allured to the cities, and there is consequent necessity, especially in these times when crops are getting less and cost of living is ever on the increase, to bring to the agricultural districts those who are willing to work on the farm and till and cultivate the soil. We still require those who must help to dig the mines, tunnel the mountains, lay tracks, build railroads, and do the hundred and one things that enter into manual labor. If the immigrant coming from abroad, hopefully looking forward to making his way decently upward and onward in our communities and to assimilate with us in our American life, is healthy in mind and body, is law-abiding, is free from those

objections which under existing law would make him excludable, what reason, except for arbitrary restriction, can be offered to his admission to this country, where he can, through the multitude of our agencies which go to the Americanization of the foreigner and through the manifold educational opportunities we afford almost everywhere, though he come here illiterate, in time qualify himself for worthy citizenship, as have the thousands and thousands of others in the past whose situation has been similar.

I know, Mr. Speaker, that it is useless here to continue the discussion. I realize that argument which will demonstrate by facts and figures the absurdity and injustice of the literacy test will at this time be unavailing. The vote of the House heretofore taken on the Burnett bill foreshadows the result to be expected on the present motion of the gentleman from Alabama [Mr. BURNETT] to concur in the conference report. But I would not let this opportunity to voice my objections pass, even in the few minutes now yielded to me, without in the line of the course I have heretofore steadily pursued to again emphasize my views and enter my protest against this unfair literacy test. [Applause.]

The SPEAKER. The time of the gentleman from New York has expired. The question is on agreeing to——

Mr. BURNETT. One moment, Mr. Speaker. I withhold my motion for just one minute, in which to read the statement of the Secretary of Labor.

The gentleman from Illinois [Mr. GALLAGHER] stated that the Shipping Trusts are the ones that were interested in striking out section 11. The Secretary of Labor states:

> I am inclined to believe that, as the plan there contemplated would be somewhat in the nature of an experiment, it might be well to defer consideration thereof, at least for the present. I am led to this opinion by reason of the fact that if it should be advisable (later) to resort to it, it will possibly be better to inaugurate it by cooperation, for which purposes authority exists in the exercise of the general powers of this department.

Mr. DUPRÉ. Will the gentleman state what he is reading from?

Mr. BURNETT. The report of the Secretary of Labor.

Mr. GALLIVAN. Mr. Speaker, may I ask when that report was made?

Mr. GARDNER. That was in 1914.

Mr. BURNETT. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the conference report.

Mr. GALLIVAN. On that I ask for the yeas and nays.

Mr. GOLDFOGLE. Mr. Speaker, I ask for the yeas and nays.

The SPEAKER. The gentleman from Massachusetts [Mr. GALLIVAN] and the gentleman from New York [Mr. GOLDFOGLE] both demand the yeas and nays.

Mr. MOORE. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MOORE. I was not in at the time the report was made, and I should like to know whether a vote for the conference report will also include a vote for the literacy-test provision?

The SPEAKER. It includes everything that is in the conference report. The Chair does not know what is in it. The question is on ordering the yeas and nays.

The yeas and nays were ordered, 46 Members seconding the demand and 69 rising in opposition.

The question was taken; and there were—yeas 227, nays 94, not voting 103, as follows:

YEAS—227.

Abercrombie	Byrnes, S. C.	Doolittle	Hamilton, Mich.
Adair	Byrns, Tenn.	Doughton	Hamilton, N. Y.
Adamson	Callaway	Edwards	Hamlin
Aiken	Campbell	Evans	Harris
Alexander	Candler, Miss.	Farr	Harrison
Anderson	Cantrill	Ferris	Hart
Anthony	Caraway	Fess	Haugen
Ashbrook	Carlin	Fields	Hawley
Aswell	Carter	Finley	Hay
Austin	Church	Floyd, Ark.	Hayden
Baltz	Clark, Fla.	Foster	Hayes
Barkley	Claypool	Fowler	Heflin
Bathrick	Cline	Francis	Helgesen
Beakes	Collier	Frear	Helm
Beall, Tex.	Connelly, Kans.	French	Helvering
Bell, Cal.	Cox	Gardner	Henry
Blackmon	Crisp	Garrett, Tenn.	Hensley
Borchers	Cullop	Garrett, Tex.	Hill
Bowdle	Curry	Gillett	Hinds
Brockson	Danforth	Glass	Holland
Brown, W. Va.	Decker	Godwin, N. C.	Houston
Browning	Dent	Goeke	Howard
Bryan	Dershem	Good	Hughes, Ga.
Buchanan, Ill.	Dickinson	Goodwin, Ark.	Hughes, W. Va.
Burke, S. Dak.	Dies	Gray	Hull
Burnett	Dillon	Greene, Vt.	Humphrey, Wash.
Butler	Dixon	Gregg	Humphreys, Miss.
Jacoway	McLaughlin	Reed	Switzer
Johnson, Ky.	MacDonald	Rouse	Talbott, Md.
Johnson, S. C.	Maguire, Nebr.	Rubey	Tavenner
Johnson, Wash.	Mapes	Rucker	Taylor, Ala.
Jones	Martin	Rupley	Taylor, Ark.
Kelley, Mich.	Montague	Russell	Taylor, Colo.
Kelly, Pa.	Moon	Saunders	Temple
Kent	Morgan, Okla.	Seldomridge	Thomas
Kettner	Moss, Ind.	Sells	Thompson, Okla.
Key, Ohio	Mott	Shackleford	Thomson, Ill.
Kiess, Pa.	Murray	Shreve	Tribble
Kindel	Neeley, Kans.	Sims	Underhill
Kinkaid, Nebr.	Neely, W. Va.	Sinnott	Underwood
Kirkpatrick	Nolan, J. I.	Sisson	Vaughan
Kitchin	Padgett	Slayden	Vinson
Knowland, J. R.	Page, N. C.	Slemp	Volstead
Lafferty	Palmer	Small	Walker
La Follette	Park	Smith, Idaho	Walters
Langham	Parker, N. Y.	Smith, J. M. C.	Watkins
Lee, Ga.	Patton, Pa.	Smith, Saml. W.	Watson
Lenroot	Platt	Smith, Tex.	Weaver
Lesher	Porter	Sparkman	Webb
Lever	Pou	Stedman	Whaley
Lewis, Md.	Price	Stephens, Cal.	White
Lindbergh	Quin	Stephens, Miss.	Williams
Linthicum	Ragsdale	Stephens, Nebr.	Wingo
Lloyd	Rainey	Stephens, Tex.	Witherspoon
McGuire, Okla.	Raker	Stout	Young, N. Dak.
McKellar	Rauch	Sumners	Young, Tex.
McKenzie	Rayburn	Sutherland	

NAYS—94.

Bailey	Donohoe	Keating	Phelan
Barnhart	Donovan	Kennedy, Conn.	Reilly, Conn.
Bartholdt	Driscoll	Konop	Reilly, Wis.
Bartlett	Drukker	Korbly	Roberts, Mass.
Borland	Dupré	Lazaro	Rogers
Britten	Eagan	Lee, Pa.	Sherley
Brown, N. Y.	Esch	Levy	Sherwood
Browne, Wis.	Fergusson	Lieb	Sloan
Buchanan, Tex.	Fitzgerald	Lobeck	Smith, N. Y.
Bulkley	Fordney	Logue	Stafford
Burgess	Gallagher	Lonergan	Steenerson
Burke, Wis.	Gallivan	McAndrews	Stevens, Minn.
Calder	Garner	McGillicuddy	Stone
Cantor	Gerry	Madden	Talcott, N. Y.
Cary	Gill	Mahan	Thacher
Casey	Gilmore	Mann	Towner
Clancy	Gittins	Miller	Treadway
Coady	Goldfogle	Mitchell	Tuttle
Conry	Gorman	Moore	Vollmer
Cooper	Goulden	Morgan, La.	Wallin
Copley	Graham, Ill.	Mulkey	Whitacre
Cramton	Greene, Mass.	Norton	Woods
Crosser	Hardy	Parker, N. J.	
Deitrick	Johnson, Utah	Peterson	

NOT VOTING—103.

Ainey	Elder	Kennedy, R. I.	Plumley
Allen	Estopinal	Kinkead, N. J.	Post
Avis	Fairchild	Kreider	Powers
Baker	Faison	Langley	Prouty
Barchfeld	Falconer	L'Engle	Riordan
Barton	FitzHenry	Lewis, Pa.	Roberts, Nev.
Bell, Ga.	Flood, Va.	Lindquist	Rothermel
Booher	Gard	Loft	Sabath
Brodbeck	George	McClellan	Scott
Broussard	Gordon	Maher	Scully
Bruckner	Graham, Pa.	Manahan	Smith, Md.
Brumbaugh	Green, Iowa	Metz	Smith, Minn.
Burke, Pa.	Griest	Mondell	Stanley
Carew	Griffin	Morin	Stevens, N. H.
Carr	Gudger	Morrison	Stringer
Chandler, N. Y.	Guernsey	Moss, W. Va.	Taggart
Connolly, Iowa	Hamill	Murdock	Taylor, N. Y.
Dale	Hinebaugh	Nelson	Ten Eyck
Davenport	Hobson	O'Brien	Townsend
Davis	Howell	Oglesby	Vare
Difenderfer	Hoxworth	O'Hair	Walsh
Dooling	Hulings	Oldfield	Wilson, Fla.
Doremus	Igoe	O'Shaunessy	Wilson, N. Y.
Dunn	Kahn	Paige, Mass.	Winslow
Eagle	Keister	Patten, N. Y.	Woodruff
Edmonds	Kennedy, Iowa	Peters	

So the conference report was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. LANGLEY (for) with Mr. SABATH (against).

Mr. KEISTER (for) with Mr. WINSLOW (against).

Mr. DUNN (for) with Mr. GORDON (against).

Mr. Moss of West Virginia (for) with Mr. MORIN (against).

Mr. GUERNSEY (for) with Mr. PAIGE of Massachusetts (against).

Mr. GRIEST (for) with Mr. LOFT (against).

Mr. BELL of Georgia (for) with Mr. SCULLY (against).

Mr. BARTON (for) with Mr. METZ (against).

Mr. POWERS (for) with Mr. PATTEN of New York (against).

Mr. FAISON (for) with Mr. KENNEDY of Rhode Island (against).

Mr. AVIS (for) with Mr. EDMONDS (against).

Mr. WILSON of Florida (for) with Mr. RIORDAN (against).

Mr. MONDELL (for) with Mr. HOWELL (against).

Mr. FLOOD of Virginia (for) with Mr. FAIRCHILD (against).

Until further notice:

Mr. ROBERTS of Nevada with Mr. ESTOPINAL.

Mr. DALE with Mr. AINEY.

Mr. CARR with Mr. LEWIS of Pennsylvania.
Mr. ALLEN with Mr. BURKE of Pennsylvania.
Mr. BOOHER with Mr. DAVIS.
Mr. CAREW with Mr. FALCONER.
Mr. DAVENPORT with Mr. HINEBAUGH.
Mr. EAGLE with Mr. GRAHAM of Pennsylvania.
Mr. FLOOD of Virginia with Mr. KAHN.
Mr. GARD with Mr. HULINGS.
Mr. HAMILL with Mr. KENNEDY of Iowa.
Mr. IGOE with Mr. KREIDER.
Mr. MAHER with Mr. NELSON.
Mr. MORRISON with Mr. MANAHAN.
Mr. TAGGART with Mr. SCOTT.
Mr. WILSON of New York with Mr. PETERS.
Mr. TAYLOR of New York with Mr. VARE.
Mr. STANLEY with Mr. WOODRUFF.
Mr. DOOLING with Mr. GREEN of Iowa.

The result of the vote was then announced as above recorded.

On motion of Mr. BURNETT, a motion to reconsider the vote whereby the conference report was agreed to was laid on the table.

EXTENSION OF REMARKS IN THE RECORD.

Mr. SAUNDERS. Mr. Speaker, in the Sunday Magazine of the Evening Star there is an article by the gentleman from Virginia [Mr. HAY], chairman of the Committee on Military Affairs, relating to the military preparedness in this country, a very valuable and interesting article by reason of the information it contains, and I ask unanimous consent that it be printed in the RECORD.

The SPEAKER. The gentleman from Virginia asks unanimous consent to print in the RECORD an article by his colleague [Mr. HAY] relating to the military preparedness of the United States. Is there objection? [After a pause.] The Chair hears none.

Mr. GARDNER. Reserving the right to object, Mr. Speaker, I should like to couple with that a request that an article by myself be printed in the RECORD.

Mr. SLAYDEN. Mr. Speaker, I do not suppose that anybody would object to the request of the gentleman from Massachusetts, but is it not too late?

The SPEAKER. If the rule was strictly construed, yes; but if all the rules of the House were strictly construed, we would have a riot here in a week. [Laughter.]

Mr. SAUNDERS. Mr. Speaker, I have no desire to object to the request of the gentleman from Massachusetts.

The SPEAKER. The gentleman from Virginia [Mr. SAUNDERS] asks unanimous consent to extend his remarks in the RECORD by printing an article by the gentleman from Virginia [Mr. HAY], and the gentleman from Massachusetts [Mr. GARDNER] requests unanimous consent to print an article on the same subject by himself in the RECORD.

Mr. GARNER. Mr. Speaker, let us have those two requests put separately.

The SPEAKER. The gentleman from Virginia [Mr. SAUNDERS] asks unanimous consent to extend his remarks in the RECORD. Is there objection. [After a pause.] The Chair hears none. The gentleman from Massachusetts [Mr. GARDNER] asks unanimous consent to extend his remark in the RECORD. Is there objection? [After a pause.] The Chair hears none.

Mr. BURNETT. Mr. Speaker, I ask unanimous consent to print 10,000 copies of the immigration bill, with the law as it now stands and the law as it will be as amended, in parallel columns. There is a great demand for it and they are soon exhausted.

The SPEAKER. The gentleman from Alabama asks unanimous consent to have printed 10,000 copies of the immigration bill just passed and the old law, printed in parallel columns. Is there objection?

Mr. MANN. Reserving the right to object, does the gentleman from Alabama know how much it will cost?

Mr. BURNETT. No; I have no idea.

Mr. MANN. I think the gentleman had better first find out. I do not think anyone will object.

Mr. BURNETT. Mr. Speaker, I will withdraw the request.

Mr. HARDY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing a speech made recently by the gentleman from Missouri, Judge ALEXANDER, on the ship-purchase bill.

The SPEAKER. The gentleman from Texas asks unanimous consent to extend his remarks in the RECORD by printing a speech by Judge ALEXANDER on the ship-purchase bill. Is there objection?

Mr. MANN. I think you ought to have also a speech made by the gentleman from Virginia [Mr. SAUNDERS] on the other side.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. HENRY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing a letter from former Senator McLaurin, of South Carolina, on the warehouse system in that State and in regard to the cotton situation in the South.

The SPEAKER. The gentleman from Texas asks unanimous consent to extend his remarks in the RECORD by printing a letter from ex-Senator McLaurin, of South Carolina, on the warehouse system and the cotton situation in the South. Is there objection?

There was no objection.

Mr. GARNER. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. GARNER. Are all of these extensions of remarks to go in at the end of the RECORD and not in the proceedings of to-day?

The SPEAKER. They should all go in at the end of the RECORD.

Mr. GARNER. I think the Speaker should give instructions to that effect, so that the RECORD will not be made so cumbersome.

The SPEAKER. In the first place, the Speaker has no control over that matter, but he has requested the Public Printer two or three times to print these extensions of remarks at the end of the RECORD.

Mr. SLAYDEN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by inserting an address made by the gentleman from Virginia [Mr. SAUNDERS] on the same question which was discussed by the gentleman from Missouri, Judge ALEXANDER—the ship-purchase bill.

The SPEAKER. The gentleman from Texas asks unanimous consent to extend his remarks in the RECORD by printing a speech made by the gentleman from Virginia, Judge SAUNDERS, on the other side of the ship-purchase bill. Is there objection?

There was no objection.

Mr. CRAMTON. Mr. Speaker, I ask unanimous consent to have read at the desk certain resolutions by the Legislature of the State of Michigan.

The SPEAKER. The gentleman from Michigan asks unanimous consent to have read at the Clerk's desk certain resolutions passed by the Michigan Legislature. Is there objection?

Mr. MANN. Reserving the right to object, I do not think we ought to begin that practice. The gentleman can ask leave to extend his remarks and print them in the RECORD.

Mr. CRAMTON. The subject matter of these resolutions, I think, is one in which the people of Michigan are especially interested, affecting the State in a peculiar way. The resolutions present certain facts which I believe should have the consideration of this House. The gentlemen on the other side have expressed a desire that all these matters go under extension of remarks at the back of the RECORD, where no one will ever see them. I do not like to have these resolutions printed in that way, for I want them read here in the House.

Mr. MANN. In the course of the year the legislatures of the various States probably pass a thousand resolutions telling Congress what it should do, which is not within the province of the legislature, and I am opposed to the practice of wasting time reading the resolutions, and I object.

Mr. RAKER. Mr. Speaker, looking at the RECORD of yesterday, page 1585, I find some comment there upon the bill H. R. 11178, the apple-box bill, and certain proceedings taken by me or in which I am alleged to have participated.

The SPEAKER. The gentleman will have to get the permission of the House.

Mr. RAKER. I want to make the statement and then ask permission.

Mr. MANN. I said yesterday that the gentleman from California would need an hour; why not give it to him?

The SPEAKER. Is there objection to the gentleman from California [Mr. RAKER] having one minute? [After a pause.] The Chair hears none.

Mr. RAKER. Mr. Speaker, I will ask time later to be heard on this matter, but I want to say now, in justice to myself, that I was absent from the House yesterday on account of sickness in our family, in which I was compelled to send my wife home.

As to the suggestion as to why the bill H. R. 11178 was not taken up, I will take up that matter later. I want to say that

the bill will eventually receive proper consideration and will be considered by the House this session.

Mr. MANN. I notice that the gentleman from Ohio changed his remarks yesterday in order to take care of the gentleman from California.

Mr. SMALL. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing a speech of the gentleman from Pennsylvania [Mr. MOORE], delivered at the National Rivers and Harbors Congress.

The SPEAKER. The gentleman from North Carolina asks unanimous consent to extend his remarks in the RECORD by printing a speech by the gentleman from Pennsylvania [Mr. MOORE] upon the subject of rivers and harbors. Is there objection?

There was no objection.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Tulley, one of its clerks, announced that the Senate had passed with amendments bill of the following title, in which the concurrence of the House of Representatives was requested:

H. R. 19076. An act to amend an act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911.

The message also announced that the President had, on January 11, 1915, approved and signed bills and a joint resolution of the following titles:

S. 2824. An act to amend an act entitled "An act to provide for the adjudication and payment of claims arising from Indian depredations," approved March 3, 1891;

S. 2651. An act providing for the purchase and disposal of certain lands containing the minerals kaolin, kaolinite, fuller's earth, china clay, and ball clay in Tripp County, formerly a part of the Rosebud Indian Reservation, in South Dakota;

S. 6106. An act validating locations of deposits of phosphate rock heretofore made in good faith under the placer-mining laws of the United States;

S. 7107. An act to authorize the construction of a bridge across the Ohio River at Metropolis, Ill.;

S. 6454. An act to authorize the Government Exhibit Board for the Panama-Pacific International Exposition to install any part or parts of the Government exhibit at the said exposition in the exhibit palaces of the Panama-Pacific International Exposition Co. or in the Government building at said exposition; and

S. J. Res. 58. Joint resolution authorizing the Secretary of the Navy to present the bell of the late United States steamship *Princeton* to the borough of Princeton, N. J.

RIVER AND HARBOR APPROPRIATION BILL.

Mr. SPARKMAN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 20189, the river and harbor appropriation bill.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the river and harbor appropriation bill, with Mr. RAINEY in the chair.

The Clerk reported the title of the bill.

The CHAIRMAN. Without objection, the Clerk will again report the pending amendment.

There was no objection, and the Clerk read as follows:

Page 4, after line 24, insert the following:

"Harbor at Bridgeport, Conn.: For completing improvement in accordance with the report submitted in House Document No. 898, Sixty-third Congress, second session, $111,300.

"Unexpended balance of appropriations heretofore made for improvement of the harbor at Bridgeport, Conn., is hereby made available for continuing improvement of said harbor in accordance with the report submitted in said House Document No. 898, Sixty-third Congress, second session."

The CHAIRMAN. The question is on the demand of the gentleman from Connecticut for tellers.

Tellers were ordered, and the Chair appointed Mr. DONOVAN and Mr. SPARKMAN to act as tellers.

The committee again divided; and the tellers reported—ayes 56, noes 73.

So the amendment was rejected.

The Clerk read as follows:

Thames River, Conn.: For maintenance, $14,500.

Mr. MAHAN. Mr. Speaker, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

At the end of line 5, on page 5, add the following:

"For improving the harbor at New London, Conn., in accordance with the report submitted in House Document No. 613, Sixty-third Congress, second session, and subject to the conditions set forth in said document, $170,000."

Mr. MAHAN. Mr. Chairman, the amendment to the bill which I have just offered is taken verbatim from the rivers and harbors bill which passed this House during the last session of Congress.

Nearly four years ago the Legislature of the State of Connecticut passed a bill concerning steamship terminals at New London. That measure appropriated the sum of $1,000,000 and authorized the commissioners of rivers and harbors of that State to use the same in the construction of a dock or pier for the purpose of expediting the interchange of railroad and water traffic. The commissioners were given power, on behalf of the State, to acquire, by purchase, condemnation, or otherwise, land necessary for the construction of said pier; in section 5 of this act authority is given the rivers and harbors commissioners of Connecticut "to enter into agreements with authorized representatives of the Federal Government relative to sharing in or apportionment" between said Federal Government and the State of Connecticut of the cost of constructing said canals, basins, channels, or other facilities hereby authorized.

This act was approved July 25, 1911.

On December 14, 1911, the Hon. Edwin W. Higgins, a Member of this House from Connecticut, introduced the following bill, which was referred to the Committee on Rivers and Harbors:

A bill authorizing and directing the Secretary of War to make a survey of New London Harbor, Conn., and its approaches.

Be it enacted, etc., That the Secretary of War is hereby authorized and directed to cause examinations and surveys to provide a uniform depth in the harbor at New London, Conn., of 45 feet, and make such surveys, examinations, investigations, and reports as will insure the full cooperation of the United States with the State of Connecticut in the improvement of the New London (Conn.) Harbor and its approaches.

This bill became a law, and, in pursuance thereof, the matter of improving the harbor of New London was referred to Maj. G. B. Pillsbury, Corps of Engineers, United States Army, and I read from his report:

From: The district engineer officer.
To: The Chief of Engineers, United States Army (through the division engineer).
Subject: Report of survey of New London Harbor, Conn.

First. In compliance with the provisions of the rivers and harbors act of July 25, 1912, and with departmental letter of December 12, 1912, I submit the following report on the survey of New London Harbor, Conn., with a view to securing increased depth of channel and for report upon the question of cooperation on the part of the State of Connecticut in the improvement of said harbor and its approaches.

Second. The survey was made during the past summer. It embraced a complete hydrographic survey of the harbor and a topographical survey of the shores. The nature of the bottom, along the line of the proposed channel, was investigated by forcing down by hand a suitably supported pipe. A map of the harbor, in three sheets, is submitted with this report.

Third. The improvement of New London Harbor now desired is an entrance channel of size sufficient to accommodate ocean-going steamships; the natural depth available, 26 feet at mean low water, not being sufficient for vessels of that class. The harbor is, in many respects, admirably adapted to development as an ocean port. It is approached by deep water over a route that does not offer any grave dangers to navigation; its waters are sheltered, and it is rarely, if ever, closed by ice. The small tidal range is advantageous from the standpoint of terminal construction and operation. The harbor bottom is of soft material and the cost of securing an entrance channel of sufficient dimensions for the present purposes and of enlarging it to meet future needs will be very small in comparison with that necessary for the development of other harbors of the United States. The railroad connections with tributary territory are ample. Its disadvantages lie in its limited area of natural deep water and in the topography of its shores. While the hills bordering the harbor are of no great elevation, the amount of lowlands easily and cheaply adaptable for commercial and manufacturing enterprises is somewhat limited.

Fourth. The present commerce of the harbor is practically entirely coastwise. It amounted to 907,990 short tons, valued at $107,688,345.90, during the calendar year 1912. The proposed improvement will not appreciably benefit the greater part of this commerce, as the existing depths are ample for vessels engaged therein. A small portion of the amount, amounting to certainly not over 15 per cent, but probably less, is received in New York Harbor from over-sea ports and thence shipped to New London for consumption and railroad distribution. It is possible that this portion might be shipped direct to New London were the harbor an ocean port.

Fifth. The commerce to be benefited by the proposed improvement is, except for the small amount just mentioned, entirely prospective. Its volume will depend upon a number of factors, among which the activity of the mercantile interests who may identify themselves with the port is, perhaps, the most important. The attached letter from the rivers, harbors, and bridges commission of the State sets forth the view of those interested in the commercial possibilities of the harbor.

Sixth. In anticipation of such commerce the State of Connecticut has purchased lands, prepared the designs, and is about to enter into the first contract for the construction of a pier and terminal in the harbor at the location shown on the accompanying map. The pier is to be of most modern construction, is to be 1,000 feet long, and the slips alongside will be excavated to 35 feet at mean low water. It is to be provided with cargo-handling facilities, and there are to be constructed in conjunction therewith terminal railroad yards and warehouses. The appropriation made by the State for the purpose is $1,000,000, and it appears likely that the actual cost will approach that figure. The expenditure of this large sum by the State for this purpose was not without opposition, and during the past session of the legis-

lature a somewhat vigorously supported, but unsuccessful, proposal was made to withdraw the appropriation.

* * * * * * *

Tenth. The cooperation proposed by the State of Connecticut in the improvement of the harbor and its approaches, as set forth in the attached letter, to which reference has previously been made, consists in the construction of the pier and terminal and in the dredging necessary to connect this pier with the channel. It appears that the State authorities have never contemplated any contribution toward the cost of improving the main channel of the harbor as a part of this cooperation. * * *

Eleventh. While the commerce which is expected to follow the proposed improvement can not be forecast with certainty, yet it is highly improbable that such a large and well-appointed terminal as that which the State proposed to provide will go unused, and a considerable commerce may be expected to follow the improvement. In view of the natural advantages of the harbor and the relatively small cost of improvement, I am of the opinion that New London Harbor is worthy of improvement by the General Government to the extent of providing a channel 33 feet deep at mean low water from the natural deep water in the upper harbor to Long Island Sound, at a cost of $330,000 for original construction and an amount estimated at $2,000 per annum for maintenance. The work should be prosecuted at such a rate as to secure its completion in two years. If the project is adopted by Congress, the amount of $170,000 should be provided as an initial appropriation and a continuing contract authorized to include the remaining amount of $160,000.

Twelfth. In compliance with the provisions of the act, I further report that the cooperation by the State of Connecticut in the improvement of New London Harbor and its approaches should consist in the construction of a pier and terminal, of the character proposed by the rivers, harbors, and bridges commission of the State, and in the excavation of the channel to connect this pier with the main channel, and I recommend that the entering into contracts covering the essential portions of this work by the proper agencies of the State of Connecticut should be a condition precedent to the expenditure of the funds that may be appropriated by Congress for the excavation of the main channel.

G. B. PILLSBURY,
Major, Corps of Engineers.

This report, known as Document No. 613, was referred to the Committee on Rivers and Harbors; was favorably reported by that committee, as follows:

Improving harbor at New London, Conn., in accordance with the report submitted in House Document No. 613, Sixty-third Congress, second session, and subject to the conditions set forth in said document, $170,000.

Now, I submit, we have here an implied obligation between the State of Connecticut and the United States Government, in which the State of Connecticut invites cooperation with the United States Government with a view to improving the channel and the harbor of New London. We have the bill introduced by the Hon. Mr. Higgins, which became a law; we have a favorable report by the Army Engineers, representatives of the United States Government; and a favorable report from last year's Rivers and Harbors Committee and favorable action by this House during the last session accepting the report; and the favorable report to the Senate of the United States by the Senate Committee on Commerce, and failed to pass the Senate only by reason of the substitution of an amendment striking out all of the items contained in the original bill and appropriating the sum of $20,000,000, to be expended under the direction of the Secretary of War and the supervision of the Chief of Engineers.

I submit, Mr. Chairman, that the State of Connecticut has done its part and has fulfilled each and every one of its obligations. It has met with the conditions prescribed in the Army Engineer's report.

After this act passed this House the contract was let by the rivers, harbors, and bridges commissioners of Connecticut for the excavation of a channel from the pier to the proposed main channel, and to-day the State is obligated in more than three-quarters of a million dollars.

As the case now stands, the State of Connecticut, relying upon the favorable report of the Army engineers, the approval of the Secretary of War, the favorable report of the Rivers and Harbors Committee of this House, and the favorable action by this House during the last session, has gone forward in good faith and expended more than three-quarters of a million dollars in the purchase of real estate, awarding contracts for the construction of the new pier, and the excavation of the new channel, and by the middle of the coming summer the State of Connecticut will have expended in the neighborhood of $1,000,000.

This is not only for the benefit of the State of Connecticut, but for the direct benefit of the United States, for the reason that 2 miles above the end of this proposed new channel the United States Government owns nearly 1,000 acres of land, with a mile of water front, which was presented by the State of Connecticut and accepted by the Government for use as a naval station, with ample depth of water to float the largest ships of our Navy. The Government has spent hundreds of thousands of dollars in improving its property, erecting thereon many substantial buildings, a large wharf, and a coaling station for the ships of war. The deepening of this channel will enable the largest ships of our Navy to sail up the harbor of New London to the naval station, where, should trouble ever come, our ships of war could retire for repairs and coaling.

The harbor of New London, which has a fine, clear entrance from the ocean, is accessible at all times and all seasons, and from it vessels can proceed to sea and be clear of land within a few hours. The entrance to New London Harbor, across Long Island Sound, is protected on both sides of the channel by fortifications of such strength that it might justly be called the Gibraltar of America. These fortifications guard the opening of the eastern end of Long Island Sound, the importance of which may be seen from the fact that it is one of the two approaches to the city and harbor of New York and Brooklyn, as well as protection to many large cities in Connecticut on the shores of Long Island Sound.

More than 50 years ago the harbor of New London was recommended for the site of a great naval station by a committee appointed by Secretary of the Navy Gideon Welles, under authority of a joint resolution adopted by Congress August 12, 1862, as possessing greater advantages for a naval station than any other site mentioned in the resolution.

In view of all these facts, Mr. Chairman, I submit that it would be but the part of wisdom for this Government at this time to make this appropriation, which would enable us to make use of these natural advantages for a harbor of refuge and the possible use as a naval station as a site for the construction and repair of naval ships and the manufacture of munitions of war.

Mr. GOULDEN. Mr. Chairman, will the gentleman yield?

Mr. MAHAN. Yes.

Mr. GOULDEN. What is the length of the river from the Sound in?

Mr. MAHAN. Our river is navigable from New London for 14 miles. The harbor for which this appropriation is sought is known as the harbor of New London and is 3 miles long and a mile wide, and it is known and always has been known as one of the finest natural harbors on the Atlantic coast.

Mr. GOULDEN. I believe the gentleman claims that this is not a new project, but has been appropriated for in a previous bill?

Mr. MAHAN. Last Congress.

Mr. MADDEN. What is the present depth of water?

Mr. MAHAN. The harbor has an average depth of 24 feet.

Mr. MADDEN. And the proposed depth is 33 feet?

Mr. MAHAN. Yes; and for this reason——

Mr. MADDEN. Just one moment. How much of the million dollars has the State of Connecticut expended?

Mr. MAHAN. The State of Connecticut has already contracted for more than three-quarters of a million, and before this year is over the contract will be completed at the expense of practically $1,000,000.

Mr. MADDEN. And you are only asking in this bill what was, as a matter of fact, appropriated last year?

Mr. MAHAN. That is all, $170,000, which was appropriated by this committee last year, which passed this House and went to the Senate and received a favorable report from the Senate committee.

Mr. LOGUE. Are we to understand that the State of Connecticut either has expended, or is expending, a million dollars for which this appropriation is necessary to cooperate?

Mr. MAHAN. Yes; more than that. The report of the engineers made it a condition precedent that before Congress appropriated any money the State of Connecticut should go forward and award the contracts.

Mr. LOGUE. And the State of Connecticut has started to do her share?

Mr. MAHAN. Yes. The State has purchased over $100,000 worth of land and let the contract for a pier that will cost between six and seven hundred thousand dollars, and the lower structure alone will cost more than half a million.

The CHAIRMAN. The time of the gentleman from Connecticut has expired.

Mr. LONERGAN. Mr. Chairman, I ask unanimous consent that my colleague be permitted to proceed until he finishes his remarks.

Mr. SPARKMAN. Mr. Chairman, I should have to object to that.

Mr. MADDEN. Make it five minutes.

Mr. MAHAN. Mr. Chairman, I have not taken up much of the time of this House since I have been here, and I hope you will give me sufficient time.

Mr. MADDEN. Mr. Chairman, I ask unanimous consent that the gentleman may be allowed to speak for 10 minutes.

Mr. LONERGAN. With the permission of the Chair and the House, I desire to modify my request and ask to make it 10 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Connecticut that his colleague be permitted to proceed for 10 minutes? [After a pause.] The Chair hears none.

Mr. COX. How does the State of Connecticut get the money, by private contribution or taxes?

Mr. MAHAN. The State of Connecticut makes appropriations, and it has borrowed the money.

Mr. COX. Sold bonds?

Mr. MAHAN. Sold bonds, and is paying nearly 4 per cent interest on the money.

Mr. COX. State bonds?

Mr. MAHAN. State bonds. The State will practically have no return on its investment for the next three years. Contracts were awarded because of the express condition contained in the report of the engineers, making it a condition precedent that the State should first award contracts for pier before favorable action of Congress.

Mr. MADDEN. What is the tonnage at New London?

Mr. MAHAN. Nearly a million of tons a year. The commerce now is local, but what we are bidding for is foreign commerce. The present value of the tonnage is nearly $125,000,000 annually.

Mr. J. I. NOLAN. Will the gentleman yield?

Mr. MAHAN. I will.

Mr. J. I. NOLAN. Were the contracts approved by the Board of Army Engineers prior to the appropriation of this money by the State of Connecticut?

Mr. MAHAN. Oh, yes, sir; not until the report of the Committee on Rivers and Harbors was the contract awarded to dredge the channel, and the dredging of the channel was conditioned on the report of the engineers, which made it our duty to do so. The report of the engineers found that the cooperation between the State of Connecticut and the United States should consist in the State of Connecticut building a pier and excavating a channel from the pier to the proposed new channel.

Mr. J. I. NOLAN. Then we are to understand that prior to the appropriation of this money by the State of Connecticut this project was approved by the Board of Army Engineers?

Mr. MAHAN. It was approved by the Board of Army Engineers.

Mr. MOORE. Was it not actually reported in the last river and harbor bill?

Mr. MAHAN. Yes; it was.

Mr. MOORE. The Committee on Rivers and Harbors approved it?

Mr. MAHAN. And it passed this House without opposition.

Mr. MOORE. Now, will the gentleman indicate what kind of commerce enters the port of New London; it is a large coal port, is it not?

Mr. MAHAN. It is, and at New London the commerce——

Mr. MOORE. It is at the upper end of Long Island?

Mr. MAHAN. It is at the upper end of Long Island. It has a large and diversified commerce. We are shipping hundreds of thousands of tons of sugar that come into the harbor of New London from the harbor of New York, sugar coming in large ships to New York and there placed upon a lighter and put upon the boats owned by the Central Vermont Railroad and the Grand Trunk and taken to New London, where it is reshipped to Chicago and points North and West.

Mr. MOORE. Is any railroad interested in this improvement?

Mr. MAHAN. No. On the contrary, to show the attitude of the railroads, we asked the two railways to have the engineers of the respective railways meet with the commissioners of Connecticut at New London and help them select the best site for the location for this pier, so that the railroads might connect their tracks with the tracks on the proposed new pier, and the reply of one corporation was that there was no land in New London suitable for connecting the two railroads. It is a State-owned pier, which will be operated by the State, and not a dollar or penny will any railroad anywhere have an interest in it. We have provided at large expense that this will be connected with the tracks of the New York, New Haven & Hartford Railroad and the Grand Trunk Railroad. That is absolutely necessary to make this project a success, as we believe it will be.

Mr. MOORE. Has the Grand Trunk come in yet?

Mr. MAHAN. It is there. It owns a pier not far away from New London. I want to say in connection with this—and it is one of the evils and curse of most cities along our coast—that the city of New London lies on the west bank of the Thames River. From where the river narrows, at Winthrops Point below the fort nearly three-quarters of a mile, is the business portion of the town, and a greater part of that land is owned by the Central Vermont Railroad and the New York, New Haven & Hartford Railroad, and they have got docks lying idle and rotting down that they have no use for, which they will not use themselves and will not permit anyone else to use. Now, as to the economy part of it. New London has always been a dividend payer and breadwinner for this Government.

From the beginning of the Government until 1871 no record was made of the amounts collected at each customhouse, but I have here the report of the Bureau of Foreign and Domestic Commerce as to the customs collected in Connecticut. I will not take time, gentlemen, to read it, but I want to call your attention to the fact that the first 10 years since 1871 the amount of money collected in the customhouse at the port of New London averaged over $60,000 a year; and the State of Connecticut is paying into the United States Treasury from moneys collected at the ports of Connecticut $1,000,000 a year. I want to say further that during all this time, since the organization of this Government, there has been but $157,000 expended for maintenance of this harbor. So I submit to you, gentlemen, that this is not a question for the committee to idly or quickly decide. We will not entertain new projects. It is an obligation of honor on the part of the Government of the United States to keep its part of the agreement. The State of Connecticut asks for the cooperation of the Government. A bill was introduced practically assuring the Government's full cooperation. In the report of the engineers they make reference to cooperation between the State of Connecticut and the Federal Government, and they find it is for Connecticut to build a pier and dig the channel and ask the Government to appropriate this money. I submit to you that the State of Connecticut has gone forward, relying on the good faith of the Army engineers, upon the report of this Congress, and not until then was the contract let. Now, then, this act passed the House last year, and I submit to you that there is no other proposition like it before Congress. While there may be other meritorious amendments that will be proposed, there is nothing just like this, in which the State of Connecticut invites cooperation of the Government. This Government, through its Army engineers, its proper officials, practically agrees, and did agree, to cooperate with us.

Mr. BURGESS. I would like to ask the gentleman a question. The gentleman says it was included in the last bill. Does he mean the bill that went over to the Senate and failed?

Mr MAHAN. I mean the bill in the last Congress, that passed this House and went to the Senate.

Mr. BURGESS. And failed?

Mr. MAHAN. Went to the Senate and received the favorable report of the Senate Committee on Commerce, but failed.

Mr. BURGESS. I am sorry it failed, but it comes up as a new project now.

Mr. MAHAN. It is a question for this House as to whether we are not in honor bound to observe our agreement between a sovereign State and this Congress.

Mr. BURGESS. There is no agreement entered into to put it in the bill.

Mr. MAHAN. I submit that this amendment ought to be put in the bill by the Members of this House, assuming that you gentlemen are doing the best you can for the Treasury of the country.

Mr. BURGESS. There have been about $20,000,000 of new projects gone out just as this has. I am very friendly with you——

Mr. MAHAN. So am I with you, and I dislike to differ with you, but I feel bound to do so.

Mr. LENROOT. Will the gentleman yield?

Mr. MAHAN. Yes.

Mr. LENROOT. The gentleman secured my sympathy the other day upon the statement from him that Congress had pledged its cooperation with the State of Connecticut on this proposition. Does the gentleman make that statement?

Mr. MAHAN. Yes, sir.

Mr. LENROOT. The gentleman handed me the bill referred to, but I find that in the act passed there is no such cooperation pledged nor is it mentioned.

Mr. MAHAN. If I said "pledged," that is a pretty strong word. I——

Mr. LENROOT. It merely calls for a report upon the question of cooperation.

Mr. MAHAN. Yes, sir. It calls for a report. That report is embodied, so far as this report is concerned, in the report of the Army engineers.

The CHAIRMAN. The time of the gentleman from Connecticut [Mr. MAHAN] has expired.

Mr. MADDEN. Mr. Chairman, after listening to what the gentleman from Connecticut has said, I feel as if the House should act favorably upon this project. Here we have a harbor of 24 feet of present depth, 600 feet wide, with a commerce valued at $125,000,000 annually. The proposition is to increase the present depth to 33 feet. The survey has been made by order of the Congress. The engineers have made a favorable report. The Committee on Rivers and Harbors have acted favorably upon the engineers' report. The House has acted favorably upon the report of the committee The State of Connecticut has pledged its faith to the expenditure of a million dollars, with an understanding that the Government of the United States would cooperate whenever they had so pledged. Contracts have been let as a result of that pledge of faith. The work is now in progress. The question is whether——

Mr. CALLAWAY. Mr. Chairman——

Mr. MADDEN. I refuse to yield at present. The question is whether the State of Connecticut ought to be allowed to proceed with the expenditure of this $1,000,000 for the improvement of one of the great harbors of America and to allow the expenditure of that million dollars to go to waste, when by the action of this House and of the Senate $170,000 in this bill and $160,000 in some succeeding bill will enable the city of New London and the State of Connecticut to establish a harbor that will accommodate foreign commerce, increase the opportunities for the transportation of the world's goods at lower rates, and enable the city of New London to employ men who otherwise might be idle, and whether, as a matter of fact, we are not in honor bound to do the thing that has been reported in favor of, as the result of which the State of Connecticut has gone forward and expended this $1,000,000.

Now, I submit that the State of Connecticut must have felt justified in contracting such a large expenditure of money; that it must have felt it had some reason to hope and believe the Government of the United States was to cooperate with that State in the development of this harbor. New London is at a point on the Atlantic coast where shipping can be readily done. The harbor proposed to be improved, in my judgment, is one of the needs of navigation. And, aside from all that, I can not help but believe that, after the State has pledged its faith and contracted its obligations, we who represent the other States of the Union can do no less than to encourage the State of Connecticut in the development of this port which ships from every other port throughout the world may enter. It seems to me there is nothing more to be said about it. They have made a case, and that case seems to be in favor of the appropriation of the money by the Government of the United States through the adoption of the amendment offered by the gentleman from Connecticut [Mr. MAHAN].

Mr. SAUNDERS. Mr. Chairman, I have no navigable rivers in my district, and therefore have never had occasion to go before the Rivers and Harbors Committee. Hence I have not suffered any disappointments at its hands, and am in a position to dispassionately consider any amendment to this bill on its merits.

I have looked into the facts connected with this amendment offered by the gentleman from Connecticut.

This proposition almost, if not entirely, reaches the point of being a moral obligation on the part of this Government to take up at this time its part of this particular work. A joint resolution was adopted some years ago by which the Secretary of War was directed to make such investigations, inquiries, and surveys as would enable the United States Government to come into full cooperation with the State of Connecticut with respect to the improvement of this particular harbor. Not only were these investigations to be made pursuant to this resolution, but they have been actually completed. The Board of Engineers that investigated this proposition have given it their support in the most unqualified terms. It is pointed out in the report of the board, a report which I hold in my hand, that a most enormous traffic annually pours in and out of this port.

Mr. KELLEY of Michigan. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Virginia yield to the gentleman from Michigan?

Mr. SAUNDERS. Certainly.

Mr. KELLEY of Michigan. Is it not true also that this port of New London is a transcontinental port?

Mr. SAUNDERS. The gentleman may be right on that point. I am not particularly advised in that respect however. But the fact is not disputed that this is a port at which an enormous aggregate of traffic is done.

The State of Connecticut acting on the intimation that on certain conditions the Federal Government would cooperate with it, went ahead with its part of the understanding, and has expended a very large sum on the improvements of this harbor. The amount asked from the United States Government for this project in comparison with the amounts that have been recommended by the committee in favor of other and far less deserving projects, is almost negligible. Compared with the amount expended by the State of Connecticut, and having in mind the volume of traffic justifying this expenditure not only present, but prospective, I am justified in saying that there will be no more meritorious amendment offered to this bill than the one under consideration.

The only argument that I have heard against this amendment is the suggestion that the committee has decided not to take up any new projects. Really, in essence and in substance, this is not a new project, having in mind the work done, and the money already expended by the State of Connecticut. But that is merely a dictum of the committee, which enables many projects included in the bill to be taken care of, while other and far more meritorious projects are excluded from consideration, projects that have not a tithe of the merits of the pending proposition. It touches the dignity and the authority of this House, when it is asked to disregard a proposition that is presented on its merits merely because that committee has adopted a rule of convenience in its own deliberations. If we can not exercise the superior authority that attaches to this body, but must act merely on the report of a committee—which is merely the instrument, or hand of this House—then why this farce of continuing further under circumstances of apparent deliberation? Why not at once rise, and report the bill to the House just as it has been brought before this House by the committee, and thus end this discussion? Why waste our breath in the farcical effort of pretending to consider propositions on their merits, when in reality we are doing nothing of the sort?

Mr. Chairman, the figures in this connection emphasize and support in the very strongest way all that I have said. Permit me to bring these figures to the attention of the committee. Mind you, they are not capable of contradiction, because they are contained in the report of Col. W. M. Black of the Corps of Engineers, and senior member of the board. This report was made in 1913. In that report he says:

> 2. The present commerce of the harbor is practically all coastwise and amounts to about 900,000 tons, having a value of about $107,000,000. It consists principally of steamboat freight, coal, and lumber. Some foreign commerce is carried on, it being reported that 3 foreign vessels entered and 15 cleared from the port, and 2 American vessels entered from and 4 cleared for foreign ports.
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> 3. The district officer states that the harbor is in many respects admirably adapted for development as an ocean port. It is approached by easily navigated deep water, is in a sheltered position, has a small tidal range, which is advantageous from a standpoint of terminal construction and operation, is rarely, if ever, closed by ice, and is used extensively as a harbor of refuge. The improvement now desired is an entrance channel of sufficient size to accommodate ocean-going steamships. The natural depth of 26 feet now available is not deemed sufficient for vessels of that class.
>
> 4. It is stated that in anticipation of a foreign commerce the State of Connecticut has purchased lands and is about to enter upon the construction of a commodious and modern pier 1,000 feet long, with suitable connections, and to excavate to a depth of 35 feet at mean low water slips alongside and connecting with the main channel, this work to be done under a State appropriation of $1,000,000. The furnishing of this modern terminal and its connection with the main entrance channel is the cooperation offered by the State in the development of this port. The district officer states that the commerce will be carried in vessels not exceeding 30 feet in draft, and for their accommodation he proposes a channel depth of 33 feet at mean low water and a width of 600 feet. The estimated cost of securing such a channel is $330,000 and $2,000 annually for maintenance.

The CHAIRMAN. The time of the gentleman from Virginia has expired.

Mr. REILLY of Connecticut. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Connecticut [Mr. REILLY] moves to strike out the last word.

Mr. REILLY of Connecticut. Mr. Chairman, if any confirmation is needed of what has been said by my colleague [Mr. MAHAN] and by the gentleman from Virginia [Mr. SAUNDERS], I wish to read very briefly what Maj. Pillsbury, Corps of Engineers, has to say on this project and concerning the commerce of that harbor. I read:

> While the commerce which is expected to follow the proposed improvement can not be forecast with certainty, yet it is highly improbable that such a large and well-appointed terminal as that which the State proposes to provide will go unused, and a considerable commerce may be expected to follow the improvement. In view of the natural advantages of the harbor and the relatively small cost of improvement, I am of the opinion that New London Harbor is worthy of improvement by the General Government to the extent of providing a channel 33 feet deep at mean low water from the natural deep water in the upper harbor to Long Island Sound, at a cost of $330,000 for original construction and an amount estimated at $2,000 per annum for maintenance. The work should be prosecuted at such rate as to secure its completion in two years. If the project is adopted by Congress, the amount of $170,000 should be provided as an initial appropriation and

a continuing contract authorized to include the remaining amount of $160,000.

In compliance with the provisions of the act, I further report that the cooperation by the State of Connecticut in the improvement of New London Harbor and its approaches should consist in the construction of a pier and terminal of the character proposed by the rivers, harbors, and bridges commission of the State, and in the excavation of the channel to connect this pier with the main channel; and I recommend that the entering into contracts covering the essential portions of this work by the proper agencies of the State of Connecticut should be a condition precedent to the expenditure of the funds that may be appropriated by Congress for the excavation of the main channel.

Those contracts have been entered into by the State of Connecticut to the extent of three-quarters of a million dollars, and by next year the entire amount of the appropriation by the State—$1,000,000—will be expended and those piers and docks built; and the result will be, unless you make the appropriation to the extent asked in this amendment, the State will have provided these magnificent piers and terminals, and you can not get to them, because the United States Government has failed to keep at least its implied agreement with the State of Connecticut.

The CHAIRMAN. The time of the gentleman from Connecticut has expired.

Mr. SPARKMAN. Mr. Chairman, I ask unanimous consent to proceed for 10 minutes.

The CHAIRMAN. The gentleman from Florida [Mr. SPARKMAN] asks unanimous consent to proceed for 10 minutes. Is there objection?

There was no objection.

Mr. SPARKMAN. Mr. Chairman, this is essentially a new project. It is not a new project because of the dictum of the Committee on Rivers and Harbors, but it is such a project as has been uniformly considered and treated by Congress as a new project. So that, in dealing with this, do not get the impression that you are not dealing with a new project, because you are.

I am not going to say anything about the merits of this proposition. We passed upon it last winter, when we were dealing with new projects. When we were preparing the bill of 1914 this matter was presented to us. We went over it and regarded it then as a good project, as one that should receive the favorable consideration of our committee and of the Congress. We passed the 1914 bill with this in it, subject to the conditions imposed.

When we came to prepare this bill we were confronted with the question as to whether we would take on any new projects at all. We considered the question very thoroughly, from every angle, from every standpoint. Perhaps I violate no confidence when I say that before beginning the preparation of the bill we consulted with the President of the United States about the policy to be pursued; and while he was emphatic in his statement that we should allow a sufficient amount of money to maintain projects, that we should take no chances on that, he cautioned us to be very careful in the matter of prosecuting work on old projects, and asked us, because of Treasury conditions, to allow only enough money to carry on those projects economically and with a fair degree of dispatch until another bill could be framed. So far as new projects were concerned, he advised against taking them on at this time.

I further talked with gentlemen on both sides of this House as to what should be done. Other members of the committee did the same thing, and the result of this discussion and deliberation was that we decided to have no new projects in this bill. I do not mind saying that if we were taking on new projects this is one that I would favor. At first we thought it would be advisable to make some exceptions, but when we came to draw the line it was difficult to do so. Where could we draw the line? Other projects would come up for consideration. I know of several others that I think just as urgent as this; in fact, I am sure that they are just as urgent as this particular project. If this were to be taken on, those ought to be taken on also. In fact, along with this project that we adopted in the 1914 bill we adopted 75 other new projects, quite a number of them being adopted subject to conditions of local contribution of one kind or another.

This is a very commendable work these people are undertaking to do there. But let me call the attention of the Committee of the Whole to this fact, that up to this present moment the House is under no moral or other kind of obligation to the people there to respond to their proposition. We had provided for a survey and invited suggestions as to what cooperation should be furnished by the people there, but that does not commit Congress to any action. We are standing here to-day in a condition where we may or may not proceed with it, as Congress sees proper.

Mr. CONRY. Does not the gentleman think that under all the circumstances of this case there is an implied obligation on the part of the Government to make this improvement?

Mr. SPARKMAN. I am not sure but I could answer that either way and tell the truth. It depends altogether on the way a man looks at it, whether he thinks it is an obligation or not. I know the people out in California claim, with reference to the Sacramento River, that we are under obligation to them to take on a project in this bill that would call for over $5,000,000, and so far as local cooperation is concerned that is on all fours with this. Perhaps it presents a stronger case, because this proposition which we are now discussing is not to aid the Government in doing the work the Government is called upon to do but is to furnish terminal facilities, a very commendable thing to be sure. The Government ought to respond liberally to cases of this kind whenever it can.

Mr. REILLY of Connecticut. Just a question, Mr. Chairman.

Mr. SPARKMAN. Certainly.

Mr. REILLY of Connecticut. The gentleman spoke about a question that he could answer either way. If an authorized agent of the Government, charged with certain work, should recommend that before the Government does this particular work the State of Connecticut shall do a certain thing, and the State of Connecticut goes ahead and does that thing, is there not an implied obligation on the part of the National Government?

Mr. SPARKMAN. No; I do not go that far with this particular project, though it is commendable in them to undertake that. They have anticipated the action of Congress. They assumed that Congress would act favorably, and I think they were justified in that assumption, for whenever we reach new projects I, for one, shall favor this particular project. But as I said a moment ago, Mr. Chairman, this is not to assist the Government in the work. The intention is to furnish terminal facilities for public use.

Mr. MAHAN. Will the gentleman yield for a question?

Mr. SPARKMAN. Yes.

Mr. MAHAN. Does the gentleman think that he is justified in asking Members of this House to vote against this project and to uphold the committee in the determination that no new project shall be considered this year, and for that reason not to include this project, when this matter received the favorable report of your committee and passed this House at its last session, and received the favorable report of the committee of the Senate, and upon the failure of this Congress to act the State of Connecticut will lose the interest on a million dollars for three years?

Mr. SPARKMAN. I do not think the gentleman's premises are correct.

Mr. MAHAN. They are absolutely accurate, and the gentleman knows they are.

Mr. SPARKMAN. I do not consider them so.

Mr. MAHAN. Then the gentleman has not examined the facts.

Mr. SPARKMAN. I do not believe the failure to adopt this project is going to keep the State of Connecticut from doing whatever work it can do there, and I do not think the failure of Congress to adopt the project at this time, provided we do adopt it in the next bill and have a bill at the next session of Congress, is going to delay the State of Connecticut one minute.

Mr. SMITH of New York. I want to ask the gentleman whether it is a fact that there are no new projects in this measure?

Mr. SPARKMAN. No new projects in the bill up to date, and I call the attention of the committee to what will confront us if we open the door. As I said a minute ago, I at first thought it was advisable to make some few exceptions, but on talking with the members of the committee to that end they did not know where to draw the line. Nobody could say. We had 76 new projects in the other bill. If we take up this project, every Member who had a new project in the bill of last year will come back on us and say, "If you put in this one, put in ours."

Now, Mr. Chairman, I do not want anyone here to suppose that the Committee on Rivers and Harbors is disposed to regard a bill prepared by them as a sacred one that can not be amended, for of course it can be if this House wants to do it; but I wish to call attention to this one thing, that if you open the door here perhaps it ought to be opened in some other cases, just how many I would not undertake to say now.

I have three or four or five in my mind, so have others, no doubt, and there is no predicting where the matter would end.

Mr. J. M. C. SMITH. Will the gentleman yield?

Mr. SPARKMAN. Yes.

Mr. J. M. C. SMITH. The gentleman thinks there is merit in this proposition, but thinks it ought not to be taken on at the present time. Why not?

Mr. SPARKMAN. Because we are not adopting new projects, as we do not think Treasury conditions will justify us in taking on new work. We have $250,000,000 of old work on our hands now, and I believe the amount we are appropriating is as much as we can afford now.

Mr. J. M. C. SMITH. The gentleman thinks it might be taken on at the next session?

Mr. SPARKMAN. Yes; if we have new projects, this will probably be one of them.

Mr. J. M. C. SMITH. What assurance has the gentleman that the condition of the Treasury will be any better then than now?

Mr. SPARKMAN. I have no assurance as to that, but I should hope the Treasury situation would be better. I believe it will.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SPARKMAN. I ask unanimous consent for 5 minutes more.

The CHAIRMAN. The gentleman from Florida asks that his time be extended five minutes. Is there objection?

There was no objection.

Mr. SPARKMAN. Mr. Chairman, I do not know whether it is pertinent to this inquiry, because I believe the gentleman from Connecticut did not attack the Committee on Rivers and Harbors, as was done yesterday by one or two others, on the ground of alleged favoritism by the Committee on Rivers and Harbors to its own members, but I do want to say that while it is not a pleasant thing to talk about, especially not so to me, I nevertheless wish to notice these charges briefly.

I wish to say that if there is such discrimination, then you have not the kind of a committee you ought to have, and you should reorganize it and have another one appointed at once, for this great committee should be composed of men not capable of such action or practices. If the men on the committee are not honest and honorable enough to conduct the affairs with which they are charged without discrimination and favoritism, then they are in the wrong place and others should be placed in their stead.

But let me say to you there was no favoritism anywhere, certainly not with reference to the new projects, because every project is placed on the same footing, for none have been adopted, and if you want to consider States, every State was placed on the same basis so far as new projects were concerned.

Mr. GOODWIN of Arkansas. Will the gentleman yield?

Mr. SPARKMAN. Let me finish first. There has been no new project taken on for Florida, Alabama, Texas, or any other State, whether represented on the committee or not. Therefore there can not have been any discrimination along that line.

Mr. MAHAN. Will the gentleman kindly state what the appropriations in this bill are for Florida?

Mr. SPARKMAN. I am coming to that, though it has nothing to do with new projects. Take the State of Connecticut. I am now replying to the gentleman from Connecticut [Mr. DONOVAN] more particularly. There are seven new projects pending in Connecticut. The State of Florida had 12. Therefore, while we left off 7 for the State of Connecticut, we left off 12 for the State of Florida. There were 2 new projects for Maine, 3 for Massachusetts, and all those were left out. There were 9 from New York, and all those were left out. There were 8 from New Jersey, and all those were left out. Eight from Maryland, 2 for Alabama, 5 for Louisiana, and 6 for Texas. So, I say, there has been no discriminations along that line.

Now, so far as old projects are concerned, how did the committee act with reference to those? We acted upon the recommendations of the engineers in the main.

There were recommended for the State of Florida appropriations for old projects of a little over $1,400,000. Over $500,000 of that were eliminated by the committee at my suggestion, and there has been, I believe, no criticism of my action in that regard, though one Member did on the floor yesterday criticize the improvement at St. Lucie Inlet. But we kept off over one-third of the estimates furnished by the War Department for work in the State of Florida. For the district I represent, which has a commerce of approximately 5,000,000 tons, there are $187,000 recommended in this bill. There are $926,000 in all, and my district out of that gets only $187,000. Certainly I did not discriminate in my own favor.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. SPARKMAN. Mr. Chairman, I ask for three minutes more.

The CHAIRMAN. The gentleman asks that his time be extended three minutes. Is there objection?

There was no objection.

Mr. SPARKMAN. The reduction in the State of Florida was 36 per cent. That in Maine was 18 per cent. For Massachusetts there was no reduction, because while there was a reduction in one place there was an increase in another, the latter being more than an offset to the former.

In Texas the reduction was 36 per cent, the same as Florida, although there was no intention to make them just the same. Now, the gentleman from Connecticut on the floor yesterday took up Texas and Florida, and said: "See what you have done in Texas and Florida; they have got so many million dollars." That is no argument and no fair illustration. He could have made the same argument by taking up the States of Ohio and Florida. He could have said the Little Orange River in Florida gets $1,000 while Ohio gets $5,000,000, and thus show that the gentleman from Ohio [Mr. SWITZER] and myself, who were on the committee, received $5,001,000. That is a more striking illustration than the one he used. But there is nothing in such an argument. We are dealing with projects, not with States. We have not discriminated in favor of members of the committee. Now I will yield to the gentleman from Arkansas.

Mr. GOODWIN of Arkansas. The gentleman said there was no new project in the bill, but only old projects to be cared for. I would like to know how much the appropriations are for old projects for certain States represented by members on the committee as compared to the old projects in other States not represented on the committee.

Mr. SPARKMAN. I have the list here that I started to read, but it would take up too much time.

Mr. GOODWIN of Arkansas. Mr. Chairman, I call to mind my own State, and I have in mind others. Take the Ouachita River. There is the case of the Ouachita River, which the engineers recommended, $706,000. That is an old and continuing project, 15 years old, and it receives by this bill $25,000. Then there is the Red River on which the engineers recommended a scheme of $6,000,000.

Mr. SPARKMAN. And I want to say to the gentleman that that is a project that will need very careful consideration before it is adopted.

Mr. GOODWIN of Arkansas. The gentleman has fortified himself behind the Board of Engineers on old and continuing projects, but it seems from rather a cursory observation of the bill on its face that it happens that most of these old and continuing projects are cared for in those States that are represented on the committee.

Mr. SPARKMAN. Mr. Chairman, I deny that. We have only followed the estimates of the War Department.

The CHAIRMAN. The time of the gentleman from Florida has expired.

Mr. DONOVAN. Mr. Chairman, I move to strike out the last word. I want to get some information. I do not understand the definition of "new projects." I want to ask the chairman of the committee or some man on the committee the meaning of that phrase. I find here, in looking at the RECORD, of yesterday, that a member of the committee stated that for a project in Florida the bill recommends an appropriation of $100,000, and there had been expended only seventy-odd dollars on that. I presume the chairman of the committee will call that an old project, continuing an improvement.

Mr. SPARKMAN. That is an old project——

Mr. DONOVAN. I am not ready to have the question answered yet. Let me continue.

Mr. SPARKMAN. I thought the gentleman was asking a question.

Mr. DONOVAN. Mr. Chairman, I would be pleased to have the gentleman answer the question when I am through with it. One hundred thousand dollars for a place with practically not a dollar expended upon it. That is termed an old improvement. A member of the committee, I believe, stated yesterday that some seventy-odd dollars has been expended upon this. I notice further in looking through the bill some thirty-odd projects in the same State, all called continuing an improvement—a peculiar terminology, a new school of grammar—continuing improvements. The report of the district engineer, the report of the Board of Engineers, in language of their own, stated in the Connecticut proposition that it was a modification of three different years, but that is a new project under the committee's dictionary, while in Florida it is a continuing improvement; and it strikes me that the average boy in school will say that a modification of a report of 1909, 1907, and 1910 is an old

project, continuing an improvement, or continuing a work, and where there has not been a dollar spent on a hundred-thousand-dollar project, as asked for, it is somewhat doubtful if any disinterested person could be found who would say that it was an old improvement. It is a bit of legerdemain in English that I can not appreciate. But I notice there is a lot of fertility, just the same, in the committee's action when you find in Florida thirty-odd propositions, totaling nearly a million dollars. Ah, Mr. Chairman, a gentleman from the Orient, sometimes known as a "Chink," would look with envy upon the blandishments of the committee and wish that he was a resident of Florida or a member of the Committee on Rivers and Harbors.

Mr. SPARKMAN. Mr. Chairman, just one moment. That is a project adopted some two years ago, and has not been modified in any manner or form since its adoption. The money appropriated for it was tied up there, because they said they did not have money enough to go on with the work, but that if additional funds should be authorized or furnished the work would proceed. That is therefore the justification for the appropriation in the bill for St. Lucie Inlet.

Mr. KETTNER. Mr. Chairman, I move to strike out the last two words. It might be well for this committee to understand that the Board of Army Engineers has indorsed and recommended 133 new projects in which we are all more or less interested, and which would amount to more than $100,000,000. I can state personally that five members of the Committee on Rivers and Harbors had new projects that they wanted adopted, but the committee turned them down. If the committee sees fit to adopt new projects, I think it should treat all of the Members alike and adopt the 133 new projects and add another $100,000,000 to the bill in place of the $34,000,000 that the committee has reported to this House. The Rivers and Harbors Committee has given its time and study to this bill and in every way has cut down so as to bring it within reason and within the present condition of our finances.

Mr. BURGESS. Mr. Chairman, I am the friend of all river and harbor improvements, but the condition of the Treasury and the country forces me to take the position that this is no time to take on any new projects. There were six in my State that went out under that rule. They were included in the bill last year, as was this project, but the bill failed in the Senate. There were 76 new projects taken on in the bill last year which went out of this bill for this reason. The engineers, in making the estimates for old work, recommended $49,000,000. We realized, and every man must realize, that no such bill of that kind could pass at this time. So, after six weeks of earnest work on this matter, cutting everywhere, as the chairman has stated, cutting 36 per cent off the recommendations for Texas alone, we succeeded in reporting this bill to the House carrying $34,000,000.

Mr. DUPRÉ. Mr. Chairman, will the gentleman yield?

Mr. BURGESS. Yes.

Mr. DUPRÉ. May I ask the gentleman if it is a fact that no project which was considered new in the bill last year, although it was incorporated in that bill, has been carried in this bill?

Mr. BURGESS. No project at all.

Mr. DUPRÉ. In the view of the committee, what is a new project? I ask this in all sincerity, because I am having trouble at home upon the subject.

Mr. BURGESS. Work that has never been adopted in the law before.

That is as plain as can be. There is no occasion for any misunderstanding about it.

Mr. CONRY. Will the gentleman yield?

Mr. BURGESS. Certainly.

Mr. CONRY. The gentleman says that a new project is one that has never been adopted, I believe.

Mr. BURGESS. Yes.

Mr. CONRY. Now is it not true that the gentleman from Connecticut has reference to a project that had been approved in the House bill?

Mr. BURGESS. No; only by the House.

Mr. CONRY. The gentleman means not by the Senate?

Mr. BURGESS. I mean it never became a law. In order to be an old project it must be approved by the House and Senate and be signed by the President.

Mr. CONRY. The gentleman did not make himself clear in the first statement.

Mr. BURGESS. Then I will make myself clear now. Now, of course, the House can do as it pleases, and I reckon it will. It has the power to do so. It has the power to take on any new project, defeat the bill, or anything else that it chooses. I am only one instrument, 1 Member of 435, but I will tell you I am getting very tired of being skinned by Members who do not know "straight up" on this floor. I have been on this River and Harbor Committee for 12 years. I have worked faithfully and tried my best to do the best for the rivers and harbors of the country, but I am tired of all this ceaseless rattletrap nonsense.

Mr. GOODWIN of Arkansas. Will the gentleman yield?

Mr. BURGESS. Yes.

Mr. GOODWIN of Arkansas. I think the membership of this House want the right thing done, and if we are in the wrong we want to be put right as to any erroneous conclusions we may have drawn; but in looking over the estimates made by the Board of Engineers and the appropriations carried in this bill, it strikes one upon first blush, as we generally say, that there has been some discrimination, and that idea pervades the House. Whether it is true or not, I think this debate should disclose it; but in looking over the bill the estimates made by the engineers and the amounts carried in the bill in States represented by gentlemen on this committee seem to correspond largely all along the line, whereas in those States not represented on the committee few projects are cared for in the bill.

Mr. BURGESS. Oh, I beg the gentleman's pardon; he is greatly mistaken about that.

Mr. GOODWIN of Arkansas. If I could take the time to do it, I could call them off here one after the other.

Mr. BURGESS. Well, I hope the gentleman will ask his question.

Mr. GOODWIN of Arkansas. I will say this: In the State of Texas——

The CHAIRMAN. The time of the gentleman has expired.

Mr. BURGESS. Mr. Chairman, I will ask for five minutes more.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas? [After a pause.] The Chair hears none.

Mr. GOODWIN of Arkansas. In the State of Texas the engineers estimated $100,000 for Galveston Channel and the bill carries $250,000. Now, I would like to have some one explain why the committee gave two and one-half times as much as the engineers estimated?

Mr. BURGESS. They did not; the gentleman is greatly mistaken about that.

Mr. GOODWIN of Arkansas. I do not think I am mistaken in the figures.

Mr. BURGESS. I know the gentleman is.

Mr. GOODWIN of Arkansas. What are the proper estimates for the item carried in the bill at Galveston Channel?

Mr. BURGESS. There was recommended $200,000——

Mr. GOODWIN of Arkansas. Galveston Channel? The estimate for Galveston Channel for 1916 was $100,000.

Mr. BURGESS. We have not got to Galveston yet, and we will discuss that when we get to it. We are discussing the proposition of New London, Conn., and I do not want the gentleman to get off from that. The question for the committee to determine is whether new projects go in this bill or not. That was the question raised by my friend DONOVAN; that is the question raised by my friend MAHAN; and that is the question to be settled by the committee—whether new projects go on the bill. Everybody ought to understand what a new project is, although it seems some do not, but if this new project goes on, why, it opens up the floodgates, because that will be discrimination. That is what we want to try to avoid. If we adopt this project the others, just as meritorious as this, will want to go on. Then what are you going to do?

Mr. GOULDEN. Will the gentleman yield?

Mr. BURGESS. I will.

Mr. GOULDEN. I want to ask if it is the custom of the committee to appropriate for maintenance of new projects. The gentleman calls this a new project, and yet the committee is appropriating $14,500 for maintenance.

Mr. BURGESS. That is the maintenance for an old project.

Mr. GOULDEN. An old project, I thank the gentleman.

Mr. LEVY. Will the gentleman yield?

Mr. BURGESS. Yes.

Mr. LEVY. The gentleman says this is a new project, and yet at the same time the House passed it once before.

Mr. BURGESS. That is true, but the House only passed on it and the bill failed; it did not become a law, so we are back just where we were before.

Mr. LEVY. Well, I do not call it a new project.

Mr. BURGESS. The gentleman can call it what he chooses, but it is a new project. [Laughter.]

Mr. JACOWAY. Will the gentleman yield?

Mr. BURGESS. Certainly.

Mr. JACOWAY. I will ask the gentleman if he thinks all old projects that have been approved by the Board of Engineers of the War Department should in some way be taken care of? What is the gentleman's opinion on that?

Mr. BURGESS. My opinion is that they ought to be taken care of the best we can, and we have tried to do that in this bill.

Mr. JACOWAY. If any in this bill have been left out, I will ask the gentleman to state to the committee the compelling cause as to why they were omitted from the bill?

Mr. BURGESS. Because we thought there was money enough to take care of them.

Mr. JACOWAY. From what source, might I add?

Mr. BURGESS. From funds on hand——

Mr. JACOWAY. That is all.

Mr. BURGESS. And available.

Mr. BALTZ. Will the gentleman yield?

Mr. BURGESS. Certainly.

Mr. BALTZ. I notice the Committee on Rivers and Harbors oppose any amendment which is offered on this floor. The committee wants the bill to pass as it came from the committee. Now, has the committee any assurance from the Senate that the bill will pass in its original form?

Mr. BURGESS. I am glad the gentleman asked that. We have not, but we hope that it will; but if the committee puts amendments on, amendment after amendment, I think you will defeat all river and harbor legislation.

Mr. MOORE. Will the gentleman yield?

Mr. BURGESS. Yes.

Mr. MOORE. Does not the gentleman think it is rather an indication of weakness on the part of the House to stand by a policy of economy like that merely because of danger of defeat in the Senate?

Mr. BURGESS. Well, no; I think that is prudent. We have to consider the way legislation is carried on. We must, if we are sensible men, do that. No bill can become a law unless it passes the House, passes the Senate, and has the signature of the President. That may be the difficulty with our system of legislation, but that is the fact, and everybody ought to recognize it.

Mr. MOORE. I agree with the gentleman that the committee ought to be supported and upheld in the recommendations it has made so far as possible, but it does appear to me that a fixed policy of no new projects is a dangerous thing, and that the committee may not always be able to maintain it, because it invites a condition in the Committee of the Whole that the committee does not want.

Mr. BURGESS. That is true; but a delicate situation comes up in regard to that matter. If we are going to take on a new project, then how will we keep from another new project, and another one, and another new one, and so on, endlessly? So, the only way is to adopt a straight rule against all individuals and all projects.

Mr. MOORE. In the case of the project we are now considering the Senate acted favorably, we are informed.

Mr. BURGESS. Yes, sir.

Mr. MOORE. So this might be distinguished from the general run of cases?

Mr. BURGESS. It might be, but could not be. It is a new project just as much as any of the others. There were 24 projects in the last bill that had conditions. There were 74 new projects. All of those have gone out, every one of them, without discussion of the merits. Nobody is opposed to the New London proposition at all. We reported it unanimously the last time. It will get the money if there is another river and harbor bill, and the contribution made by the State of Connecticut can go ahead just the same. There is no cooperation except in a general way, because that was for terminals, and all that, independent of an appropriation for dredging out the channel which they will get next year if there is an appropriation bill. And now it is better——

The CHAIRMAN. The time of the gentleman has expired.

Mr. MOORE. Does the gentleman want more time?

Mr. BURGESS. Yes.

Mr. MOORE. Mr. Chairman, I ask unanimous consent that the gentleman's time be extended for five minutes.

The CHAIRMAN. The gentleman from Pennsylvania asks that the time of the gentleman from Texas may be extended for five minutes. Is there objection?

There was no objection.

Mr. MOORE. Will the gentleman from Texas yield for a further question now?

Mr. BURGESS. Yes.

Mr. MOORE. The point I was trying to make was not in opposition to the committee.

Mr. BURGESS. I understand that.

Mr. MOORE. I will not join in any attempt to overthrow the work of the committee or saddle down its work so that the bill will be defeated. I do not believe in undertaking now to stampede the committee; but the committee, having taken its position, has invited the opposition of those who were unable to get their new projects recognized, and therefore some such discussion as this was to be expected. My point is that when we are considering the element of time in the completion of a contract, for instance, like the proposition at New London, whether the committee, yielding to the House, might not make such an exception without in any way prejudicing its stand for the bill as reported. It does not mean a stampede. It means the treatment of an individual case from the floor of the House by way of suggestion to the committee.

Mr. BURGESS. There were 24 projects in the last bill that did not become law, but that were similar to this. If we break down this bill, you will know the result. It is not that I oppose New London. It is not that I oppose Mr. DONOVAN and Mr. MAHAN. I have not two better friends in the House than they are. It hurts me to oppose them, and I feel as kindly to them and their districts and their States as anybody in this House; but I insist that we ought to think of what we are doing.

Mr. GOODWIN of Arkansas. Will the gentleman yield for a moment?

Mr. BURGESS. Yes.

Mr. GOODWIN of Arkansas. The gentleman and other members of the committee have had a great deal to say about new projects. Is it not a fact that a new project could remain a new project indefinitely until it was provided for by the committee?

Mr. BURGESS. Of course.

Mr. GOODWIN of Arkansas. Following that up, I will say that I have in mind a great many projects that were recommended strongly a good many years ago by the Board of Engineers that have not yet been inaugurated or provided for by appropriations hailing from the gentleman's committee.

Mr. BURGESS. That is true. If a man serves 8 or 10 years on a committee, he will see what difficulty he is in, and he would get restless against all the kinds of criticism that are being offered on this floor. It makes me sorry that I am in Congress, sorry that I am on any committee. I get disgusted, when a man tries to do his best and serve his country faithfully, when I come here and get abused and called a "grafter," and all that kind of thing. I tell you it is wrong. This bill is as fair a bill as ever came from any committee, and was drawn with the greatest care.

Mr. DONOVAN. Mr. Chairman, will the gentleman permit?

Mr. BURGESS. Yes; a question.

Mr. DONOVAN. A question.

Mr. BURGESS. Well, ask it.

Mr. DONOVAN. Would he call it an old project if it had been passed by Congress, had become an act, further amended the next year in another continuing act, and a third time passed Congress, continuing the improvement, which would make three acts of Congress? Would that be an old or new work?

Mr. BURGESS. It looks to me like it would be three years' old.

Mr. DONOVAN. The Bridgeport act was enacted by Congress in 1899, and was further continued by an act of 1909, and further in 1910.

Mr. BURGESS. No.

Mr. DONOVAN. And if there was such a thing as an old act, that was one. As I understand——

Mr. BURGESS. You are entirely mistaken.

Mr. DONOVAN. Oh, I see.

Mr. BURGESS. That has been threshed over. We want to go on with the bill.

Mr. DONOVAN. I see.

(Cries of "Vote!" "Vote!")

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. HUMPHREY of Washington rose.

The CHAIRMAN. The gentleman from Washington is recognized.

Mr. HUMPHREY of Washington. Mr. Chairman, this project that is before the House for consideration is a meritorious one. There is no doubt about that. It is probably one of the most meritorious new propositions that has come before the committee. But it is not any more so than several others throughout the country.

But it is not a question of merit in this case. It is a question of what you are going to do under present circumstances when you have no money, or have not sufficient money, to take on new projects. You have to draw the line in this bill somewhere.

Here is the situation which the Committee on Rivers and Harbors meets: We find that, due to certain conditions—we will not discuss why, but due to certain conditions—we have not the money to carry on the present river and harbor projects and take on new ones. We all know we are to-day paying a direct tax; $100,000,000 of direct taxes is being levied on the people to pay the expenses of Government. We had to take into consideration that fact.

What did the committee do under the circumstances? We said, "The thing to do is to take care of the Government property, to keep it from deteriorating, to keep the Government from losing money, and to take on no other new projects."

Mr. MOORE. Mr. Chairman, will the gentleman yield for a question?

The CHAIRMAN. Does the gentleman from Washington yield to the gentleman from Pennsylvania?

Mr. HUMPHREY of Washington. Not now. We said, "The thing to do is to take on no new projects." We could not refuse to appropriate very well to maintain Government property and let millions of dollars worth of property be destroyed, or places where contracts were already let, where the work was already being done. We could not refuse to appropriate for it without tying up those plants and without bringing millions of dollars of loss to the country, so that the committee, not on the basis of merit, had to draw the line somewhere. We said, "We will take on no new projects. The Government has no property in new projects that is being lost, no contracts have been let, and no material assembled, and no men are there for the purpose of carrying on this work."

It is not a question of merit, although this is a meritorious proposition. We will take it on when we can reach it. But when you go to work and pick out one project and say that this project must receive the special favor of Congress, it would be inconsistent. Why, there is a gentleman on the Committee on Rivers and Harbors, Mr. KETTNER, of California, whose constituents are interested in a project already under way on the Sacramento River. In California they are offering to pay $3 for every dollar that the Government will pay on that project. It is a project of great merit. We said, "No; you must wait," although they have $35,000,000 worth of commerce on that river and carried last year 212,000 passengers. There is a project of great merit in my own State, at Willapa Harbor, that has two-thirds of the tonnage of New London, but I did not ask that the work there should be begun, although it was being urged by my people. I said, "You must draw the line somewhere. We have not the money."

Do you want to defeat the entire bill and load it up so that it all goes out? Do you not think the committee does right in keeping the Government's property intact and caring for work already under construction?

I can point out in Oregon a new project calling for only $1,800 expenditure upon a small creek that has $102,000,000 worth of commerce upon it, and they are asking for only $1,800, and the city of Portland is appropriating half a million dollars each year for the commerce that goes on it. If you are talking about merit, I call your attention to that. Half a million dollars is appropriated by the local authorities each year, and $102,000,000 worth of commerce is carried on that stream.

That is in my own jurisdiction, so far as representation on the committee is concerned. It is not a question of merit. Let us treat everybody alike in this House. If there is any member of the committee who is receiving undue favor in this bill, I will vote to take it away if you point it out. We ought not to do it. The men on the committee, if they favor themselves, are unfit to serve upon that committee, and unfit to be Members of this House. [Applause.]

This is not a "pork barrel," gentlemen. But if you are going to come here on the floor of the House and pick out certain projects and stand up here and say the appropriations must be made for the States, not for merit, and that we must favor this project because it is in a State where the Representative has not received anything, that would be putting it on a "pork-barrel" basis. It is not a question of States. It is a question of the necessity of commerce; and I ask this committee to vote down that amendment for that reason, in order that we may appropriate only sufficient amount of money to take care of the projects where the work is already in progress. Let us treat everybody alike. Every man ought to be willing to this. [Applause.]

Mr. EDWARDS. Mr. Chairman, I would like to be heard a few minutes. I am sure when gentlemen charge that there has been discrimination in this bill they do so under a misapprehension. I am sure no gentleman wants to be unfair to his colleagues.

The question under consideration at this time is the New London (Conn.) project, and the district in which it is located is ably represented by my good friend, Mr. MAHAN. We have made no discrimination thus far in favor of any member of the committee or any Member of the House as to new projects, and no gentleman can rise in his place and point out a single new project in this bill.

Now, because we have a kindly feeling for our good friend, Mr. MAHAN, are we going to say to the country that because Mr. MAHAN, who is popular with the membership of this House, has a new project that he wants put on, a discrimination will be made in favor of him and his district?

Why, my friends, in the State of Georgia there are four new projects. My friend from Texas [Mr. BURGESS] defined what a new project is. A new project is one that has not heretofore been approved by law.

The committee had to draw a line somewhere. The proposition came up as to whether any new projects would be put on. I for one favored new projects, but we knew that in the interest of economy this bill had to be held down, so we did not appropriate for any new projects.

Now, if you put on this new project, because of Mr. MAHAN'S influence in the House, what answer have I to give to the people of Savannah, the great city that I come from, a city with a commerce of 3,154,087 tons, valued at $360,536,275 a year? They have a new project for a turning basin. I would have been delighted to see it go on, but we could not get it because they were putting on no new projects. Yet gentlemen come in here and offer their amendments on the floor of the House for new projects, and charge the committee with discriminating against them. Why, gentlemen, it has not been in the mind of any member of the committee to discriminate against anybody. The gentleman from Connecticut [Mr. MAHAN] has no better friend on the floor of the House than I am to him; but what answer can I give to the people of my district and the people of Georgia when they say to me, "The gentleman from Connecticut [Mr. MAHAN] was able to rise on the floor of the House, and although not a member of the Rivers and Harbors Committee to put an amendment on the bill for a new project, while you, a member of the committee, were not able to get a new project that we so much desired"?

Mr. RUSSELL. Will the gentleman yield?

Mr. EDWARDS. I yield to my friend from Missouri.

Mr. RUSSELL. Can the gentleman inform us what is the amount of new projects that have been proposed and favorably recommended?

Mr. EDWARDS. There are 134 of them, approximating, I understand, something like $150,000,000, favorably passed upon by the engineers.

Mr. RUSSELL. And there are new projects that have been shut out by the committee which, if put on, would increase it about $150,000,000?

Mr. EDWARDS. Approximately it would increase it about $150,000,000 if all of them were put on.

Mr. RUSSELL. And the committee thinks that the bill, as now reported to the House, containing old projects, is just as much as the condition of the Treasury will permit?

Mr. EDWARDS. Absolutely, and in trying to frame the bill on an equitable basis we have treated every project upon its merits. We have not observed State lines, but we have taken up the report of the engineers and appropriated for the various projects of the country as their necessities seemed to urge and upon the merits of each project itself.

Mr. RUPLEY. Mr. Chairman, will the gentleman yield?

Mr. EDWARDS. With pleasure.

Mr. RUPLEY. What is the difference between a project in which the Government has invested its money, which project is not completed, and a project in which a State has invested its money upon recommendation of engineers of the Government in compliance with a resolution of Congress? Why is not the project in which the State has its money invested, upon those inducements, in the same category as a project in which the Government has its money invested?

Mr. EDWARDS. The New London (Conn.) project has never been approved by Congress. It has never been approved by law. It is a new project, and you can not get away from it. If you want to break down this bill, load it with these new projects and fix it so that it will never become a law; just open the gate and put them on. I should really like to see the project of the gentleman from Connecticut [Mr. MAHAN] passed, and I should like to see every other new project that is worthy put

on the bill if that were possible, but it is not possible if we really hope for the passage of the bill.

Mr. DUPRÉ. Will the gentleman yield?

Mr. EDWARDS. With pleasure.

Mr. DUPRÉ. I want to ask the gentleman, in whom I have the utmost confidence——

Mr. EDWARDS. Which is reciprocated most heartily.

Mr. DUPRÉ. If he will give me the assurance that no project for which no appropriation has heretofore been made is provided for in this bill?

Mr. EDWARDS. I understand; there is no new project in this bill.

Mr. DUPRÉ. No project for which no previous appropriation has been made by Congress?

Mr. EDWARDS. There is no project in this bill that has not heretofore been adopted by Congress.

Mr. DUPRÉ. How about the question I asked, whether there is any project for which no appropriation has heretofore been made by Congress?

Mr. EDWARDS. I think it is true that there is no such project in the bill.

Mr. DUPRÉ. I am not hostile to the committee. I am trying to ascertain what the facts are.

The CHAIRMAN. The time of the gentleman from Georgia has expired.

Mr. EDWARDS. I ask unanimous consent to proceed for five minutes.

The CHAIRMAN. The gentleman from Georgia asks unanimous consent to proceed for five minutes. Is there objection?

There was no objection.

Mr. EDWARDS. The gentleman from Louisiana is friendly to river and harbor improvements.

Mr. DUPRÉ. I should think so, living, as I do, behind the Mississippi River.

Mr. GALLIVAN. I want to ask the gentleman whether or not the committee has ever considered discontinuing some of the unmeritorious projects which have been started, and whether it would not be advisable, instead of stopping all new projects, to shut off for awhile the flow of money which is going to certain projects which have been universally condemned as having no merit behind them?

Mr. HUMPHREYS of Mississippi. Which one?

A MEMBER. Name one.

Mr. EDWARDS. I will say to the gentleman that we have not only considered that, but we have cut off some that did not meet the approval of the committee because of an apparent lack of merit to warrant appropriations.

Mr. DUPRÉ. I wish to say that it is just such statements as that made by my friend from Massachusetts [Mr. GALLIVAN] which throw discredit on river and harbor legislation. When he denounces certain projects as unmeritorious he ought to designate which ones they are, and not becloud the whole issue in that manner. [Applause.]

Mr. GOODWIN of Arkansas. Will the gentleman yield?

Mr. EDWARDS. Yes.

Mr. GOODWIN of Arkansas. On the subject of there being no new project in the bill I do not question the correctness of the gentleman's statement, but my research has led me to a different conclusion. In the State of Mississippi, Pascagoula Harbor, as I see it, is a new project, and there is an appropriation of $110,000 for it. Now, if that is an old project and a continuing project, I would like information upon that.

Mr. EDWARDS. It is an old project.

Mr. HUMPHREYS of Mississippi. That project was adopted in bills heretofore passed.

Mr. GOODWIN of Arkansas. What appropriations have been made for it?

Mr. HUMPHREYS of Mississippi. The project was adopted originally for $387,000, on condition that the local communities contribute a certain amount, approximately $100,000.

Mr. GOODWIN of Arkansas. Have these conditions been met and complied with?

Mr. HUMPHREYS of Mississippi. They have.

Mr. GOODWIN of Arkansas. I have not been able to run that down. When was that done?

Mr. HUMPHREYS of Mississippi. The bill of 1912 or 1913, I forget which, made the appropriation.

Mr. GOODWIN of Arkansas. I will now ask the gentleman from Georgia about the Delaware River, where it says there was no estimate, but $1,500,000 was appropriated.

Mr. EDWARDS. That is an old project.

Mr. GALLIVAN. Mr. Chairman, the gentleman stated that the committee had discontinued some nonmeritorious projects. I am going to ask him to name one of them.

Mr. EDWARDS. I will not say they were not meritorious projects, but we have failed to appropriate for a few since I have been on the committee because we did not see merit in them. I can not designate them without reference to the records of the committee.

Mr. Chairman, while I am on my feet, I ask permission to print as a part of my remarks a letter written by Mr. Thomas Purse, secretary of the Board of Trade of Savannah, Ga., to the editor of Pearson's Magazine. That magazine stated there was no commerce on the Savannah River, except once in a while a log was floated down. Now, as a matter of fact, there has been a commerce of $75,000,000 over that stream, as appears from Mr. Purse's letter.

The CHAIRMAN. Is there objection to the request of the gentleman from Georgia?

There was no objection.

The following is the article referred to:

SAVANNAH, GA., *October 31, 1914.*

EDITOR PEARSON MAGAZINE,
New York, N. Y.

DEAR SIR: In your November (1914) issue appears an article entitled "The pigs and the pork," written by Mr. Judson C. Welliver, and in which the author criticizes severely appropriations made by the United States Congress for improvement of our rivers and harbors. Expenditures for the improvement of the Savannah River are referred to in the following language:

"Uncle Sam has expended $773,527 on improvement of the Savannah River, according to the engineering authorities. As a result, an insignificant commerce, most of it in floating logs, is carried on this river. It looks like another of the wastes or near wastes of the system."

A part of this statement is misleading, and the remainder is entirely erroneous.

The expenditures on the entire Savannah River, both below and above the city of Savannah, have amounted to a great deal more than $773,527. The "insignificant commerce" which is "carried on this river" is indicated by the fact that in 1912 the exports from Savannah exceeded in value those of any other port of the United States on the Atlantic coast, excepting New York alone.

What the writer no doubt had in mind was that portion of the Savannah River north of the city of Savannah, more specifically the waterway between Savannah and Augusta. The language used by him, however, carries to the mind of the casual reader the idea that he was referring to the expenditures on the Savannah River from the ocean as far up as river navigation goes, and that his reference to "an insignificant commerce, most of which is floating logs," embraced all of the commerce passing down the Savannah River to the sea.

The United States engineers' reports show that the total expenditures to June 30, 1913, on the Savannah River between Savannah and Augusta, both for improvements and for maintenance, amounted to $773,528.04. Since the author of the article in question manifestly obtained from the engineers' reports the figures used by him in his article, it is difficult to understand why he failed to secure from authoritative sources of a similar nature his figures as to the commerce carried on the Savannah River.

According to the engineer's report, the Savannah River above Savannah is navigable to Augusta, a distance of 202 miles. Previous to its improvement there were numerous shoals in the river with less than 3 feet at normal low water. Other obstructions consisted of overhanging trees, snags, and sunken logs. The original project, submitted September 22, 1880, provided for securing a channel of 5 feet in depth and 80 feet in width by means of removing snags, trees, sand bars, and protection of banks, at a cost of $93,480.09. The amount expended upon the work under the project of 1890 to June 30, 1913, was $680,046.95 (of which $148,426.14 was for maintenance), which, added to the amount previously expended, gives a total expenditure on this work of $773,527.04. In other words, for an expenditure of $680,047 from 1890 to 1913, the amount of commerce that has been handled on the Savannah River by boats between Savannah and Augusta, Ga., has amounted to approximately 2,000,000 tons, of an approximate valuation of $75,000,000. Cotton alone was valued at about $8,000,000.

The effect of the improvements upon freight rates has been a reduction of from 30 per cent to 50 per cent, according to the nature of the commodities.

The part of Mr. Welliver's article reading, "As a result, an insignificant commerce, most of it in floating logs, is carried on this river," certainly is not based on facts, because, if he will take time to investigate, he will find that the value of the timber rafted down the river averages only $300,000 annually. Take, as an illustration, the year 1910. In this year less cotton moved on the river steamers than for any year during the past 24; the value of diversified freight, excluding cotton, amounted to $4,814,200, whilst the timber rafted for the same period amounted to $250,000. To be more explicit, during the past 24 years the value of commerce between Savannah and Augusta was as follows: Cotton, $8,000,000; diversified freight, $67,000,000; total, $75,000,000; whilst the value of timber rafted for the same period was approximately $7,200,000.

The foregoing facts are most convincing of the fallacy of such a statement that most of the commerce handled on the Savannah River between Savannah and Augusta is floating logs. To further illustrate the benefits that have accrued by the deepening of the Savannah River between Savannah and Augusta, there is now in course of construction two steel barges 150 feet long, 30 feet beam, with a capacity of 400 tons each, at a cost of $40,000 apiece; and it is contemplated in the near future that two more barges will be built to handle the increasing commerce that has developed, due to the increased depth of water. The barges in question will be self-propelling and are of the most modern design, operated by twin screws, with producer-gas engines, and will operate between Savannah and Augusta on a regular weekly schedule, with a speed of 7 miles per hour against the current.

As to the criticism directed generally upon the river and harbor improvements, we may state that the Federal Government has expended on the improvements of the Savannah River and Harbor from Savannah to the ocean within the past 10 years an aggregate sum of $3,358,263, during which time foreign exports handled at Savannah have increased from $53,770,382 to $90,738,842, or 69 per cent. At the time of the commencement of this expenditure in 1904 the customs duties collected by the Federal Government at the customhouse at Savannah amounted

to $54,725.44. The amount collected for the past fiscal year ended June 30, 1914, amounted to $141,358.88, which represents an increase of 158 per cent. The customs duties collected for the past 10 years amount to $835,595.99, which represents a direct return to the Government on the capital invested, to say nothing of the indirect benefits to the population and industries of most of the southeastern States, whose commercial interests are served through the improved facilities offered at this port. Coastwise commerce has likewise shown a most remarkable increase during the past 10 years, due to construction of larger vessels by the steamship interests making this port their terminal, brought about by the greater depth of water, thereby enabling vessels of deeper draft to proceed to the docks and depart at any state of the tide. For information it might be stated that for the fiscal year ended June 30, 1914, the coastwise commerce handled through the port of Savannah was approximately $280,000,000 in value.

In view of the fact that such a misleading statement was published in your issue of November, it is hoped that this article will receive the same courteous treatment.

Yours, respectfully,

THOMAS PURSE,
Secretary Savannah Board of Trade.

Mr. CALLAWAY. Will the gentleman yield?

Mr. EDWARDS. Yes.

Mr. CALLAWAY. The gentleman said a while ago that the committee was taking on no new projects, and if they did take on new projects they would have to treat all alike, and it would amount to $150,000,000.

Mr. EDWARDS. That would be with the House, of course. They would hardly put on that much. I take it that if the House opened up the new projects they would consider all the new projects on their merits, and if meritorious, the House would take some of them on.

Mr. CALLAWAY. The gentleman said it would amount to $150,000,000. That means projects recommended by the engineers, and after the most scientific investigation. Now, some of us here are opposed to wasteful river and harbor appropriations, and have been for two or three years. What I want to know is if we may expect that the committee will next year take on these projects and bring in a $150,000,000 bill?

Mr. EDWARDS. Well, Mr. Chairman, I do not speak for the committee, but for myself. No project would go into the bill unless it showed merit, and if it is meritorious it ought to be improved in its turn. If it is not meritorious, it will not get into the bill.

Mr. CALLAWAY. The gentleman said if we took the meritorious projects it would amount to $150,000,000. He said the committee did not consider them on account of the condition of the Treasury. I want to know if we people who are opposed to these wasteful and worthless river and harbor appropriations may expect that next year, when they take on new projects, the bill will carry $150,000,000?

Mr. EDWARDS. Oh, no; the committee will, no doubt, put in the most urgent and the most meritorious of the new projects.

Mr. SAUNDERS. Will the gentleman yield?

Mr. EDWARDS. Yes.

Mr. SAUNDERS. Is not the effect of the gentleman's answer to the question of the gentleman from Texas that the committee will exercise judgment and weed out of the new projects those that are the most meritorious?

Mr. EDWARDS. Yes; not only in the committee, but it ought to be done also on the floor of the House. The meritorious ones ought to be selected.

Mr. SAUNDERS. That means that you will accept the more urgent of the new projects. Now, why can not the House do exactly the same thing—accept those that are the most meritorious and vote out those that are not?

Mr. EDWARDS. The committee, of course, is but the instrument of the House; but after we have passed fairly upon these projects there is no reason why we should be charged with favoritism——

Mr. SAUNDERS. I am making no such charge.

Mr. MANN. Mr. Chairman, this Congress has been in session about five weeks. If we exclude the time taken for holidays, call it four weeks. During that time we have passed in the House four appropriation bills—the District of Columbia, the Post Office, the legislative, and the Indian appropriation bills. Last Saturday we commenced the consideration of the river and harbor bill. It is now Friday of the next week and we have read 4 pages of the bill out of 55, and have read, I believe, five or six lines to-day in addition to the amendment which has been offered. It is now 10 minutes past 3 o'clock. Congress will come to a final end at noon on the 4th of March next. Between now and then, unless we are to have a special session of Congress, there remain to be considered the Army appropriation bill, the Agricultural, the Navy, sundry civil, pension, the Military Academy, Diplomatic and Consular, and the general deficiency bills. We have passed four bills in four weeks, and we have nine bills to pass in less than seven weeks and have them become a law. I merely want to suggest that if we are going to spend three or four hours on an amendment, or if this House is going to endeavor to make up a river and harbor bill in the Committee of the Whole, we may as well take all the time we want, because we will be here all next summer. [Cries of "Vote!" "Vote!"]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Connecticut.

Mr. REILLY of Connecticut. Mr. Chairman, can we have the amendment again reported?

The Clerk again read the amendment.

The question was taken; and on a division (demanded by Mr. REILLY of Connecticut) there were 44 ayes and 61 noes.

So the amendment was rejected.

The Clerk read as follows:

Connecticut River, Conn.: Completing improvement and for maintenance below Hartford, $30,000.

Mr. FREAR. Mr. Chairman, I offer the following amendment to strike out lines 6 and 7.

The Clerk read as follows:

Page 5, strike out all of lines 6 and 7.

Mr. FREAR. Mr. Chairman, before addressing myself to the particular amendment, which I intend to do in a moment, I wish to suggest that the remarks just made by the gentleman from Illinois [Mr. MANN] in reference to the bill before us are very pertinent, and that we all agree with them, but we have a bill before us aggregating $34,000,000, covering 250 items, and it is not right to fail to give such a bill fair consideration. This bill has been sidetracked, as he well says, for other bills. An apple-barrel bill took two days of this House, and there was not a question about it except as to the merit of the measurement, and I voted for it. For weeks we have been spending the time of the House over a printing bill, by which it was hoped to save the Government $750,000 a year. But here is a bill carrying $34,000,000, with 250 items, and will you slide it through to-day or to-morrow? I agree that it is not a proper thing to take up so much time about an amendment, and I voted against the particular amendment, not that it may not have merit, but I believe, with the committee, that this is no place to build up a river and harbor bill. It strikes at the very methods of construction of this kind of legislation.

Speaking to this last amendment that was struck out, the condition there is just like the condition in the harbor of New London, of which I am now speaking. All of the wharf facilities have been owned by the railroads. We have expended $159,000 for that harbor, 23 feet in depth it is to-day. There is no foreign shipping. Read the reports which I have here. That report shows that the steamboats carry most of the traffic outside of the coal, and who owns the steamboats? The New Haven Railroad. These improvements are largely for its benefit, as it is at Hartford. Just the same situation occurred with Portland, Me., yesterday. Read the report of the commissioner of commerce. In practically every case I have questioned thus far the harbor facilities have been controlled by this system of railroads, and they have not only controlled the terminals, but they have controlled the shipping as well. That is the condition that confronts us at New London and Hartford, and that is the reason I move to strike out, because it is a large appropriation, comparatively, $30,000. The balance available July last was $70,988. Past appropriations for this project reach $873,170.

The report of the Commissioner of Commerce in this case shows that of the Hartford frontage, 18 per cent, or 1,280 feet, are owned by the New Haven road, and about the same is owned by the gas company, the Hartford Electric Light Co., and two private estates. The balance is owned by the city for park purposes. There are no piers, unless they have been constructed since this report. The New Haven Railroad owns the greatest part of the frontage on the opposite bank. What is true of that is true of the other two cases that I have cited. I do not care to present to the House at this time all these various cases, but I wish to give you one or two so that you will know that this type of harbor is for railroad terminals and railroad shipping, and this Government has continually made appropriations for such projects in the past. I believe all such propositions ought to be stricken out.

One word further. I realize that it is a disagreeable duty to raise any question in regard to these projects. I do not know in whose district they are located, and I am perfectly innocent of any personal feeling about it. I simply wish to call the attention of the House to conditions shown by Government reports. Let me say that we passed through this House a $43,000,000 bill last year, which went over to the other side and was loaded down to the extent of $53,000,000. That bill was killed. You would not give much time for discussion and

you laughed at discussion here. You laughed at those who raised points against it, but we were and are sincere. Simply as a question of procedure, is it not well to give some time to these different items? Defend them if you choose. All that we care to do is to quote the Engineer's report, as a rule, and show what the conditions are, and give to the House and to the country the benefit of the information thus gained. Make the appropriations if you believe them to be right; but I assure you this bill, as I view it in some particulars, is not much of an improvement over the one of last year, which was defeated.

Mr. LONERGAN. Mr. Chairman, does the gentleman know how many stopping points there are between the Sound and the city of Hartford, where the steamers stop?

Mr. FREAR. I do not, but I know the steamboats conducting the business are or were practically all owned by the New Haven Railroad, according to the statement of the Commissioner of Commerce.

The navigation company which owns the stock was controlled by the New Haven Railroad Co. at the time the commissioner made his report. I have all of the statistics here.

Mr. LONERGAN. Mr. Chairman, between Hartford and Long Island Sound, a distance of 52 miles, there are 14 points along the river at which the regular steamers of the Hartford & New York Transportation Co. usually stop. They are the Hartford, Glastonbury, South Glastonbury, Middletown, Middle Haddam, Rock Landing, East Haddam or Goodspeed Landing, Hadlyme, Deep River, Broadway Landing, Elys Wharf, Essex, Lyme, and Saybrook Point. In addition to these points, there are a number of others where stops are occasionally made.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Wisconsin.

The question was taken, and the amendment was rejected.

The Clerk read as follows:

Hudson River, N. Y.: Continuing improvement, $1,500,000.

Mr. FREAR. Mr. Chairman, I move to strike out the last word. I would hesitate to move to strike out an appropriation of that size without much study, irrespective of the fact that it may have no weight with this House; but I wish to acquaint the House with some facts that may be known to the committee, but which I do not believe are known generally. Here is an appropriation of a million and a half dollars to carry on a channel of the Hudson River to meet the canal that is being constructed in the State of New York at a cost of something like $150,000,000. The question was submitted recently to a vote of the people of the State of New York, and they decided to build that canal. I know that there are many very able men in the State of New York who doubt very much whether there will be proportionate good results from that, but few people will question the advisability of causing the Hudson River to connect with that canal at the same depth of 12 feet in order to make the canal effective. But there are in this bill new surveys to be had. A committee that is going to economize proposes a 27-foot channel, as I now remember, for this additional distance, to cost presumably from ten to twenty million dollars. A 30-foot project is proposed up the Hudson, and this particular appropriation under which this item of $1,500,000 is named was started at $5,000,000, and the engineers within four years increased the estimates 50 per cent. To be accurate and give the actual figures, I find it was $5,186,064, and inside of four years the estimate was increased to $7,530,000. This is a large river and it has a large traffic, presumably more will come from the canal; but I call the attention of the House and the committee to the fact that in these new surveys which you are putting in you have some tremendously large items. If you want to economize, why put them in at this time?

Mr. CALLAWAY. Will the gentleman yield?

Mr. FREAR (continuing). In a moment. In relation to the statement of the chairman that we are gradually going to remove the waterway obligations to which we are being committed, why, it is increasing very fast, and all you have to do is to study the road you are traveling to see you are traveling fast into deeper debt, and the obligations are becoming greater constantly.

Mr. COOPER. Will the gentleman permit an interruption?

Mr. FREAR. Certainly.

Mr. COOPER. Just one question. As I understood the gentleman, he stated that New York bonded itself to the extent of $110,000,000 for the deepening——

Mr. FREAR. Increased it $150,000,000 to complete.

Mr. COOPER. Well, $150,000,000 to deepen the Erie Canal. This proposition is for the United States Government to connect up that magnificent canal with the Hudson River, and so have a means of getting freight from Buffalo and the Great Lakes right straight on down to the ocean?

Mr. FREAR. Yes.

Mr. COOPER. Now, is not that a very wise thing for the Government of the United States to do?

Mr. FREAR. Has the gentleman finished his question? If the gentleman had been listening to what I said, he would have known I said it was; but the surveys ordered will in all probability require twenty or thirty million dollars, and which have no relation to this 12-foot canal. I now yield to the gentleman from Texas [Mr. CALLAWAY].

Mr. CALLAWAY. I understand that this $150,000,000 is to deepen the Hudson River up to the mouth of the canal?

Mr. FREAR. Yes.

Mr. CALLAWAY. That is $150,000,000. Now, what is the estimate on the $5,000,000 project to complete that?

Mr. FREAR. Seven million dollars. It was originally $5,000,000, and the engineers, those gentlemen on whom we depend so strongly, jumped it 50 per cent in four years.

Mr. CALLAWAY. Now, they want to make that Erie Canal a 12-foot canal. How many years will it take them to get that canal deepened to a 12-foot canal? Have they ever made any estimate of that at all?

Mr. FREAR. I can not answer the question.

Mr. CALLAWAY. Why do this work prior to the time they have made a success of digging that canal, if they ever do?

Mr. FREAR. I could not answer the gentleman.

Mr. CALLAWAY. One further question I wanted to ask. I did not get the other project of which the gentleman spoke.

Mr. FREAR. A 27-foot depth is proposed for the Hudson River up to, as I remember, Watervliet.

Mr. CALLAWAY. To the mouth of the canal?

Mr. FREAR. Practically to the mouth of the canal.

Mr. CALLAWAY. A depth of 27 feet when the canal has only a depth of 12 feet?

Mr. FREAR. I am suggesting that in reference to the survey.

Mr. PARKER of New York. I wanted to answer the question of the gentleman, but I will do it in my own time.

Mr. MOORE. Will the gentleman yield to me?

Mr. FREAR. Yes.

Mr. MOORE. The gentleman finds fault with the proposition to have a survey at this time?

Mr. FREAR. That, practically, is in response to the chairman's statement that we are going to get out from under debt, whereas we are getting in deeper constantly and rapidly.

Mr. MOORE. I do not understand the gentleman to find fault with the work already done on the Hudson to connect that up with the canal?

Mr. FREAR. No; but just one word in reference to that. I talked with one man recently in the city of New York at the board of trade, in the presence of very responsible men, and he said to me substantially that he carried most of the freight on the Hudson River to-day on his boats. That is Mr. Kuykendahl. He further said there was sufficient depth for all purposes, and that the proposal to deepen the Hudson, as has been suggested, to this depth of 27 feet was, in his judgment, of no value.

Mr. MOORE. I want to ask the gentleman this: Why is this not a proper time to ask for a survey to obtain the information upon which the Board of Engineers and the Committee on Rivers and Harbors can act?

Mr. FREAR. In the judgment of the gentleman from Philadelphia, who favors all these appropriations, that would be his judgment, but with me it is different.

Mr. MOORE. If I were going to investigate the condition of the Hudson from Troy to Albany, I assure the gentleman I would not go to the steamship companies of New York to obtain my information. I would go along the Hudson River where the people are engaged in industries, who seek an outlet for their freight to the sea.

The CHAIRMAN. The time of the gentleman has expired.

Mr. FREAR. Mr. Chairman, as most of my time has been used in questions by others, I would ask for two minutes more.

The CHAIRMAN. Is there objection to the request of the gentleman from Wisconsin? [After a pause.] The Chair hears none.

Mr. FREAR. I have agreed with the gentleman that, so far as the canal is concerned, the 12-foot improvement is right. So far as digging for the purposes of carrying great vessels through it, I think it is wrong to do so at this time. And it is for this reason: In almost every European country, take it in the case of Hamburg and in the case of Bremen, all these cities there have their lighters come up for 60 miles. I know that in the case of Philadelphia they have dredged a 35-foot channel way up to the city. Possibly we have been justified in it. It has been a question, though, whether or not that is of great benefit

to the public at large. It benefits some people, it is true. But here is a proposition to run 150 miles, I believe, and that is the case of the survey that is proposed, and it seems to me that we ought——

Mr. MOORE. I wanted the gentleman to take it from the viewpoint of Troy, Albany, and the great West, and the traffic that would come through the canal, rather than from the viewpoint of Hamburg. That is the gentleman's trouble.

Mr. FREAR. I understand. Troy has had these opportunities for all these years. The railroads have driven the Erie Canal out of the business of carrying, practically reducing the proportion from half of the traffic down to 2 per cent.

Mr. MOORE. Let them work again. That is the very point, namely, to get competition.

Mr. FREAR. If they work this project and not take the money out of the Treasury and work Uncle Sam, I have no objection.

Mr. COOPER. Will the gentleman permit an interruption?

Mr. FREAR. Yes; if I have the time.

Mr. COOPER. Would the gentleman convey the impression that the completing of the Erie Canal did nothing for the people of the country? Does not the gentleman know that it brought the price of carrying a bushel of wheat down from about 20 or 26 cents to 2 or 3 cents?

Mr. FREAR. The gentleman makes an argument. I will say, yes; that it helped to do it. But when the railroads were built they put the canal out of operation. And the belief of the people there to-day, many of them, and people of good judgment, is that the same condition will result when $150,000,000 is placed in the canal.

Mr. PARKER of New York. Mr. Chairman, I wish to answer first the gentleman from Texas [Mr. CALLAWAY], who apparently is laboring under the impression that the barge canal is "to be" constructed. I wish to state that the question was submitted to a referendum, and it was voted by the people to bond the State for $101,000,000; and then we submitted a second referendum that bonded the State for over $30,000,000 for terminals. Now, of this work approximately 60 per cent has been completed.

Mr. CALLAWAY. You mean that 60 per cent of the making of that 12-foot channel from Buffalo to Albany has been completed?

Mr. PARKER of New York. I do; yes. I make that statement. Sixty per cent of the work has been completed for the barge canal. But still you must bear in mind that that takes in the Champlain Canal, too. That canal is about completed. But about 60 per cent of the entire work has been completed.

Mr. CALLAWAY. If they completed 60 per cent for $101,000,000, why do you——

Mr. PARKER of New York. They will do it with the $101,000,000; the $101,000,000 was to complete the canal. The $30,000,000 was for terminals at various places along the canal and along the Hudson River.

Now, to take up the question of the appropriation of $1,500,000. You ask if this was to be extended to $5,000,000. It is a completion, practically, of the $5,000,000 which the United States Government must spend to make effective the expenditure of $140,000,000 of our money.

Mr. CALLAWAY. How much has been expended there already by the Government?

Mr. PARKER of New York. I am unable to answer that question, but will answer the gentleman in this way, that it is nothing in comparison with what we ourselves have spent, not for the benefit of the people of the State of New York alone but for the benefit of the people of the West, who wished to send their produce through the canal which we built and which we paid for.

Mr. CALLAWAY. How much more, after this $1,500,000, will be required to make the original estimate complete?

Mr. PARKER of New York. If I am not misinformed, this $1,500,000 will practically complete what is called the Troy Dam, which must be put in to keep a uniform depth of water over the bars between Troy and Albany, and the channel will be deepened to a 12-foot channel down over the whole of the river.

Mr. CALLAWAY. Now, the thing I was most interested about was this survey provision on page 41——

Mr. PARKER of New York. I am going to take the survey up when I get through with the canal. I will take that up when I finish with the barge canal project.

Mr. CALLAWAY. I am simply asking these questions for information.

Mr. PARKER of New York. If you will ask me the questions when I come to the subject, I will answer them with a great deal of pleasure, because I think I shall be able to do so. I am addressing myself now to the question under discussion. I am perfectly willing to debate the million-and-a-half proposition with you.

Mr. CALLAWAY. I am not debating. I am trying to find out.

Mr. PARKER of New York. This million and five hundred thousand dollars that we are asking is to make effective what is costing the State of New York about $140,000,000. I do not say that we are doing it entirely in an altruistic manner, for we are not. We are doing it for the benefit of the commercial supremacy of New York City. We do not say that we are doing it all for you gentlemen in the West. Nevertheless, you will derive the benefits. You can not help it. On account of the Erie Canal you have had cheaper freight rates. If you should to-day fill up this canal which we are digging, your rates on all commodities that are grown in the West would immediately go up, and you know it. And we are willing to spend our money to get those rates down. Why question an appropriation of $1,500,000 to the State of New York?

Now, about the survey. I wish to state that the survey is to ascertain this fact.

You know, of course, that one of the things that interfere with the efficiency of the barge canal is the tremendous dockage charges.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. PARKER of New York. I ask unanimous consent, Mr. Chairman, that I may proceed for two minutes more.

The CHAIRMAN. Is there objection to the gentleman's request?

Mr. HUMPHREY of Washington. We are ready to vote now, I will say to the gentleman, and vote it in.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. PARKER of New York. I wish to state that your dockage charges increase your freight rates to a tremendous extent. Now, the dockage in Troy and Albany are very much lower. This survey is for the purpose of ascertaining if the Hudson River can be deepened to a 27-foot channel at a reasonable expense, and therefore get the corresponding reduction in freight rates.

Mr. HUMPHREY of Washington. Mr. Chairman, this is one of the largest items in the bill, and one of the most meritorious.

I just wanted to call attention to this fact that a few moments ago, when we were voting on the proposition of inserting new projects in the bill, which would undoubtedly have led to its defeat, on the Democratic side there were a number of gentlemen from the State of New York voting against the committee. Now I notice that there are only two gentlemen on the Democratic side of the aisle from the State of New York present when we are about to vote on this provision, of such importance to that State. I did not see how the New York delegation stood on the Republican side, but I now see only two.

Mr. MANN. If you had stayed on this side, where you belong, you would know how many there were on this side.

Mr. HUMPHREY of Washington. What was the gentleman's remark?

Mr. MANN. I say if the gentleman had stayed on this side, where he belonged, he would know how many there were. I regret to part with you. [Laughter.]

Mr. HUMPHREY of Washington. On this occasion I disagree with my distinguished leader. I do not think that there is any politics in this bill. [Applause.] The gentleman is mistaken about that.

As I was about to say, only two Members of the New York delegation are present—my friend BROWN of New York and Mr. DRISCOLL, a distinguished member of the committee; both voted with the committee. But here is one of the largest items in the bill, and those gentlemen who were here a while ago and were so anxious to overthrow the committee and lead to the defeat of the bill are not here now to advocate their own item. [Laughter and applause.]

That is the kind of treatment we receive from certain of these distinguished gentlemen. They are very anxious that the committee shall take care of their projects, but they are not around to look after them themselves, but when there is an occasion to overthrow the committee you find them all here.

Mr. MOORE. Mr. Chairman, I move to strike out the last word.

Mr. SPARKMAN. Mr. Chairman, before the gentleman begins let me ask unanimous consent that all debate on this paragraph and amendments thereto close in five minutes.

The CHAIRMAN. The gentleman from Florida [Mr. SPARKMAN] asks unanimous consent that the debate on the pending

paragraph and all amendments thereto close in five minutes. Is there objection?

There was no objection.

Mr. MOORE. Mr. Chairman, I call the attention of the gentleman from Washington [Mr. HUMPHREY], who has just criticized the New York Members for not being here to support this particular item in the bill, that Mr. PARKER of New York has just spoken in defense of this item, and Mr. CALDER and Mr. MOTT and a number of other gentlemen from New York are here, including Mr. PLATT, Judge DANFORTH, and——

Mr. HUMPHREY of Washington. I did not attempt to take away any credit from the gentleman. I saw the gentleman. I was speaking of gentlemen from New York on the Democratic side.

Mr. MOORE. There are more gentlemen here interested in this legislation than there are interested in the projects affecting the State of Washington. In fact, they have to be here, because the gentleman from the State of Washington alone is very well qualified to look after Washington matters. But he is now on the Democratic side, where he ought not to be, in view of the violent speech he made yesterday criticizing the President of the United States. [Laughter.] I call attention to the fact that Col. GOULDEN, of the twenty-third New York district, is present.

Mr. GOULDEN. Mr. Chairman, if the gentleman will pardon me. I stepped out for a few moments and have missed a part of this interesting discussion.

Mr. MOORE. Yes. I will say of the gentleman from New York that I know of no more faithful or zealous Member on that side of the House. He did not leave the Chamber until after the Harlem River item was safely passed. [Laughter.] After he had seen that item go safely by, he retired for a brief moment, of course, to answer the call of a constituent. [Laughter.]

Mr. GOULDEN. If the gentleman will pardon an observation in regard to the gentleman from Washington [Mr. HUMPHREY], whom I know and like very well, I desire to apply this to him in explanation of his being on the Democratic side, that—

While the lamp holds out to burn
The vilest sinner may return.

We welcome him to this side of the House. [Laughter.]

Mr. DIES. Mr. Chairman, referring to the gentleman from Washington [Mr. HUMPHREY], let me remark that the reason why we accept the gentleman's presence so complacently to-day is that we took his speech yesterday as a joke. [Laughter.]

Mr. MOORE. I understand you are satisfied with him to-day, although yesterday you were not quite so fond. [Laughter.]

Mr. Chairman, the gentleman from Wisconsin [Mr. FREAR] has raised an interesting question with regard to channel depths. He objects to the introduction at this time of an item authorizing a survey for a deeper channel for the Hudson River. If ever there was a time when a survey should be asked for a deeper depth, it is at this time, because if the request were not made now a year's delay would result. The survey is the first step. The gentleman knows that a survey does not bind the committee or bind the House or bind the Engineers to the project, but is simply a request for data which the Engineers and the committee and the House must have before they can consider a project.

Now, with respect to the Hudson River, if they have not yet got a depth of 12 feet up to Albany and Troy, which they are trying to get through this appropriation, and they feel a necessity for a greater depth by reason of their great population and commerce, this is the time to ask for a survey for that increased depth. It is simply a matter of information, and does not involve a cent of expense except the cost of making the investigation.

As to the project itself, which the gentleman has criticized mildly, although he approves of the connection between the Great Lakes and the river and the ports of the Atlantic coast, it has come to my personal knowledge that within the last few months a vessel carrying passengers from Albany to Troy struck bottom three times on the way because there was only a 9-foot or less depth in the channel between the two great cities—cities with a great industrial output at the very center of communication between the Great Lakes on the west and the Atlantic Ocean on the east. And I wish to say—and I say it with some degree of shame, and it ought to shame the Government of the United States—that one of the small torpedo boats of the Government, upon which for a time was the Secretary of the Navy, went aground in front of Albany because there was not sufficient water for such a vessel of the Government to pass. Now, in the event of it ever being necessary—which it could not be now under our treaty relations—for the Government to pass one of its smallest craft, either to carry supplies or munitions of war from the Atlantic Ocean to the Great Lakes, if this channel condition prevailed, it could not get through to take advantage of the more than $150,000,000 that the State of New York itself has already spent in providing a passageway from the West to the Atlantic Ocean in order to hold down the railroad rates and afford the very competition which the gentleman from Wisconsin [Mr. FREAR] has not yet appreciated is the crux and the essence of the waterways agitation. [Applause.]

The CHAIRMAN. The time of the gentleman has expired. All time has expired. If there be no objection, the pro forma amendments will be considered as withdrawn, and the Clerk will read.

The Clerk read as follows:

Staten Island Sound, N. Y. and N. J.: Continuing improvement, $500,000; for maintenance of improvement of Arthur Kill and the waters connecting Raritan Bay with New York Harbor, including channel north of Shooters Island, $5,000; in all, $505,000.

Mr. DRISCOLL. Mr. Chairman, I move to strike out the last word. It is seldom that I take up any time to make a speech before this body. I desire to say that I am to blame for the absence of the Members from the State of New York, as referred to by the gentleman from the State of Washington. They remained here for about 3 hours and 40 minutes, as they generally do, always attending to the business of the House. At my suggestion they went down to lunch, and I am to blame for their absence. As a member of the Committee on Rivers and Harbors from the State of New York, I thought I had the right to advise my colleagues to go down to the restaurant.

Mr. HUMPHREY of Washington. Is the gentleman responsible for the way they voted on the amendment awhile ago?

Mr. DRISCOLL. I am not. I did my best to get my colleagues from the State of New York to vote with the committee, as I do not believe that the work of a committee is of much account in the House of Representatives if, after bringing in a report of procedure, the other Members of the House can not take the word and advice of the committee, especially in respect to new projcets.

I do not claim that everything submitted by the committee to the House is in just exactly the form in which it ought to go to the country, but I do believe in a case like this, where men have been on the committee for 12, 14, 16, or 20 years, their judgment, after working on the bill for six weeks, is entitled to great credit and consideration.

This project for the improvement of the Hudson River, after the State of New York donated about $150,000,000 for the Erie Canal improvement, should, in my judgment, receive the favorable vote of every Member of the House of Representatives. Only $3,000,000 or thereabouts has been spent up to the present time by the United States Government on the Hudson River project. As the gentleman on the other side of the House stated, it will reduce freight rates. There is no question about that. Every man in this country knows that the river competition will reduce freight rates, and when a further depth is given to this improvement freight rates are bound to go down much lower than they are at the present time, because we will have competition with the railroads, and that must and will reduce freight rates.

Mr. CALLAWAY. Will the gentleman yield?

Mr. DRISCOLL. Yes.

Mr. CALLAWAY. What does the gentleman think we are going to do about the freight rates, when the Interstate Commerce Commission is allowing the railroads a 5 per cent raise and the gentleman is asking us to spend millions of dollars to push the rates down?

Mr. DRISCOLL. I say that in competition with the water rates the rail freight rates must go down in that locality; and naturally, if they go down in that locality, it will be of great benefit to all parts of the country.

Mr. CALLAWAY. Is it not a fact that if the rates go down in that locality, and the statement of the Interstate Commerce Commission is correct, that the railroads must have a higher rate generally in order to live, the railroads will have to raise their rates at interior points in order that the railroad companies can meet their losses at places where they have water competition?

Mr. DRISCOLL. In certain localities and under certain conditions I think the gentleman is right, but as a general proposition I think the gentleman is in error. I believe the reduction of freight rates that will be made by the completion of the Erie Canal will be of great benefit to the entire country.

Mr. CALLAWAY. If water competition cuts the rates down along the canals and rivers, the railroads must raise their freight rates at interior points to meet that deficit, as the In-

terstate Commerce Commission has just held in allowing a raise of 5 per cent. The people at interior points who are called upon to make these contributions will make their freight rates greater?

Mr. DRISCOLL. No; because the railroad goes to so many places which can not be reached by water. I am glad to see the New York Members returning from lunch.

The CHAIRMAN. If there be no objection, the pro forma amendment will be considered as withdrawn and the Clerk will read.

The Clerk read as follows:

Raritan Bay, N. J.: For maintenance, $20,000.

Mr. PLATT. Mr. Chairman, I move to strike out the last word. I want to say with regard to this Hudson River item, over which there has been so much discussion, that I do not wholly agree with my colleague about the barge canal in New York State. I think the State of New York has been altogether too free in spending its money for the benefit of the rest of the country. I do not believe it ought to have built the barge canal with its own money, without any contribution from the United States Government. With regard to the Troy dam, the State of New York wanted to build it, and offered to build it, but the United States Government would not let the State of New York build it. That is why this item of $1,500,000 is in the bill. The United States Government held it up last year, and it looks as though the whole barge canal might be held up by the failure to complete the Troy dam, which the United States Government would not let the State of New York build.

Mr. CALLAWAY. Do you mean that the United States Government would not let the State of New York contribute the money necessary to do that work, but insisted on doing the work itself in these hard times?

Mr. PLATT. I mean that the War Department would not allow the State of New York to build it, on the ground that it was in a navigable river, although the present dam was built by the State.

The CHAIRMAN. If there be no objection, the pro forma amendment will be considered as withdrawn and the Clerk will read.

The Clerk read as follows:

Newark Bay and Passaic River, N. J.: Continuing improvement, $150,000.

Mr. FREAR. Mr. Speaker, I move to strike out lines 16 and 17.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 8, strike out all of lines 16 and 17.

Mr. FREAR. Mr. Chairman, I do this because of reasons based on the report of the engineer. We have expended upon the bay and river something like $2,192,350. In October last there was on hand $253.217. We are asked in this item to appropriate $150,000 more. This is for a 20-foot project, and here is the engineer's report:

This improvement is necessary to the great industrial interests and has reduced freight rates, and its continuance is necessary to the successful carrying on of the business of this locality.

The point to which I wish to call attention particularly is that this improvement is necessary to the great industrial interests along the wharves. If that be true, if that be the function of government to look after special improvements, for special private interests as distinguished from the general public, then the case of Matawan Bay, which I criticized last year, ought to have been allowed, although the Senate struck it out. It was for the benefit of one fertilizing factory; and in the case of the Northeast River, for the benefit of three fertilizing factories. It is for the great industrial interests, and not for the people at large. There is no showing that it is necessary for commerce for the people of Newark, or that it will reduce their charges one cent, or that it will benefit anyone except the great industrial interests there located.

There is one phase of this question that occurs to me in this case. The Commissioner of Commerce, from whom I have quoted, showing the character of the surroundings of these harbors where they are owned by railroads, as I have shown, in this case presents an interesting state of facts. His report, volume 3, page 102, shows that the New Jersey Dock & Implement Co., incorporated in 1905, acquired the Hackensack Meadow Co., which owns 33.095 acres near Newark, and so forth.

This piece of land is at the junction of the two rivers directly opposite the city of Newark. This property is being benefited by the dredging of this channel. There is no contribution, and it seems if there could be any case requiring contribution from the riparian owner and from great industrial interests, it seems proper to ask for it in this case.

Mr. MOORE. Will the gentleman yield?

Mr. FREAR. Yes.

Mr. MOORE. I want to ask the gentleman if he is familiar with the industrial condition around Paterson, N. J., on the Passaic River?

Mr. FREAR. Only slightly.

Mr. MOORE. The gentleman bases his amendment on the fact that it would benefit large interests?

Mr. FREAR. For the benefit of large industrial interests states the engineer.

Mr. MOORE. That is rather a harsh term around here just now, but the large interests referred to, I wish to inform the gentleman, is the great industrial center that takes in large quantities of raw material, fabricate them, and turn them out to the public in the form of the finished products, which go all over the United States. I call the gentleman's attention to the further interesting fact that where Paterson, with its great industrial interests, or, to use the phrase of the gentleman, "with large industrial interests," is taking on raw material from all centers of the country and sending out the finished product, that at times the mills are positively hampered in their work because it takes so long to transport the raw material to the mills 10 miles away, and if the river is open, then relief along that way would be obtained.

Mr. FREAR. Then they ought to make a contribution, and there would be no objection to it.

Mr. PARKER of New Jersey. Mr. Chairman, I happen to be from the city of Newark. It is a city of 350,000 people. It has in it more different sorts of factories than any other town of the same size in the whole United States. When it was included in my district it had the largest production, both in amount and variety, of articles of any town in a single district. It is made up chiefly of people working in the various factories. I had the honor to introduce an amendment years ago for the survey of the Passaic River for a greater depth. It was then about 9 or 10 feet deep, and we are now to have 20 feet up to the city, because it has been found that the commerce, foreign and domestic, has increased by leaps and bounds. Instead of bringing simply limestone and cement blocks to Newark, as we used to do, and coal or grain, we now bring ores from Mexico and goods from all over the world. We have to bring the ships of great draft into the bay, and they now have to lighter to the wharves in the city of Newark. We have from 35,000 to 50,000 people working in the mills. It is for the benefit of the people there that they should have that commercial connection by water. It is for the reduction of freights on goods that come there. It is to enable the town to thrive and the country to thrive, because the country thrives when we have cheap materials going to the city of Newark and cheaper manufactures sent from that city.

I have only one other thing to say in respect to this, and that is with reference to that meadows improvement company. I did not know that there was an improvement company. I did know that years ago, when we had to lighter the mud out to sea upon our dredges it cost us some 40 cents a cubic yard, and I know that we made a remonstrance—and I was active in that—against granting any dredging contract at any such price; and it was finally discovered that the dredgers could buy salt meadow, which was worth in the market a very small amount, and that by pumping the mud on those salt meadows they were able to do the dredging for the United States Government at a small fraction of the original cost, so that we are really able to make our improvements in an economic way. I do not object to the fact that the men who do the dredging buy land in order that they may do the dredging work in the river at a cheaper cost to the Government. I believe that is good business. They might have put that mud on anyone else's land or on their own land, as they thought to their advantage. There is plenty of other land that they could put it on.

Something was suggested about local contributions to such work. The city of Newark has recently appropriated something over a million dollars in buying lands to establish at its own expense and dig a deep ship canal from the bay up to the city. Newark has expended quite an amount of this appropriation, and that fact has been brought forward in recent hearings before the Committee on Rivers and Harbors. I understand that that committee was of the opinion that it was a most unusual thing—the energy and the earnestness with which the people of Newark had done their own share in trying to help the work of the United States Government and to encourage the commerce, which really redounds to the benefit of the United States. I believe that is all.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn, and the question is on the amendment offered by the gentleman from Wisconsin.

The question was taken, and the amendment was rejected.

The Clerk read as follows:

Monongahela River, Pa.: Completing the reconstruction of Lock and Dam No. 6, $211,200.

Mr. FREAR. Mr. Chairman, I move to strike out lines 14 and 15.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 9, strike out all of lines 14 and 15.

[Cries of "Vote!"]

Mr. FREAR. Mr. Chairman, I feel sure that there are Members of the House who are interested in this proposition. Here is a two hundred thousand dollar appropriation. We passed a New York appropriation. In fact, I did not move to strike out anything in New York.

Mr. GOULDEN. For which I thank the gentleman.

Mr. FREAR. And I did not do so because I thought most of those projects are justified. But in the case of the Monongahela River, I think I ought to present the statistics in order that we might know some of the facts, if time permits. There is a large traffic on that river, and I appreciate that fact. It is largely in the hands, as I understand, of one company, the Monongahela Coal & Coke Co., a company that also largely controls the coal output.

Mr. BARCHFELD. Mr. Chairman, the gentleman——

Mr. FREAR. In just one moment. This company owns, or did own and control, as I understand, some time ago some 60 different boats. It handles practically all of the coal that goes down that river and the coal that goes down the Ohio River. That brings me to the point of the traffic on the Ohio River about which I was criticized yesterday by the gentleman who sits at my left, the gentleman from Ohio [Mr. SWITZER]. He called attention of the House to the fact that in 1912 the engineer's report only showed 9 months of traffic, whereas in 1913 it showed 12 months, and he endeavored to draw a conclusion that from that I had misstated—I believe he thought unconsciously—the facts. Let us see, because it is very important to know if we understand the condition on the Ohio River. Is it alone those who live on the Ohio? Here are the statistics. In the engineer's report of 1913, page 981, in nine months the commerce was 8,618,369 tons. On page 1052 of the 1914 report in 1913 it appears that it was 9,814,123 tons, about a million tons increase. But the average in each case at the same rate makes a loss of 14 per cent. But let us go further. Take the statistics we can find on the Ohio Rver at the Ohio River and the Louisville & Portland Canal, and we find that the loss has been about 30 per cent in 10 years, counting open river and the canal, which includes coal, that makes up nine-tenths of the commerce. Take the Ohio River at the mouth—at Cairo. The only reports of the engineers that I have found show that 1,250,000 tons went out of there and down the river in 1907.

Mr. CALLAWAY. Mr. Chairman, will the gentleman yield?

Mr. FREAR. Just one moment. Before I pass from that, the claim that 8,000,000 tons goes down the Ohio is farcical when we learn that at the Portland Canal it is only a million tons, or a little over, that comes out of the river at Cairo. When it reaches New Orleans it is less than 900,000 tons, according to the same engineer's report. Apparently the continuous trip has been counted, as the chairman so well said, by adding together at different points, or quadrupling, as he said, the traffic. In that way the engineers have, as they say, duplicated commerce reports, but even if that be true, here is the engineer's statement itself that shows the comparative loss.

Mr. BARCHFELD. Mr. Chairman, I move to strike out the last word. I want to ask the gentleman from Wisconsin [Mr. FREAR] regarding this appropriation for $211,000 for the Monongahela River. He said that the commerce on that river is absolutely in the hands of one company——

Mr. FREAR. I said, largely.

Mr. BARCHFELD (continuing). The Monongahela Coal Co.

Mr. HUGHES of West Virginia. What is the difference if it is?

Mr. BARCHFELD. Why, it would be a crime, according to the gentleman's idea, if the commerce of that river were in the control of one company. I do not belong to that class of economists who criticize and are ready to crucify people because they are doing something for the people for the benefit of mankind. This stream, the Monongahela River, canalized from Pittsburgh to Morgantown, W. Va., a distance of 115 miles, has 17 locks and dams and is a living example of what canalization can do for streams. That small stream carried last year 15,000,000 tons of commerce, not the property of one concern, but the property of two dozen concerns doing business at Pittsburgh. That is why Pittsburgh is the hub of industry of the United States and the largest manufacturing and industrial city in the world. Pittsburgh needs the improvement of this Lock No. 6 on the Monongahela to get her ready for a greater and a broader prosperity that confronts that great city. I want to inform the gentleman who comes from Wisconsin that in my community we know what cheap transportation means along water routes. We have the cheapest water transportation on this planet in the Pittsburgh district. To-day we are bringing coal from the mine to the furnace, a distance of 50 to 60 miles, at the ridiculous freight rate of 5 cents a ton, only made possible because this stream is navigable 10½ months in the year. [Applause.]

When this stream is closed by ice and we have our spring and fall freshets six weeks is taken away from that city in the advantage obtained by water transportation. Then we are compelled to go to the railroads to bring the coal from the mines to the furnaces in order that our men may have an opportunity to labor in the mills, which we do not consider a crime. Then we are compelled to pay 62 cents for every ton of coal that comes from the mine to the furnace. [Applause.] My colleague from Wisconsin should live in that city, which does things. My own county mines one-fourth of all the bituminous coal mined in the United States. We are taking out in western Pennsylvania 30,000,000 tons annually. We produce one-half of the coke of the United States in that community. We are the greatest manufacturing center on earth, and it is water transportation that has made Pittsburgh great, and as an evidence to our competitors in the future greatness of that great industrial city we are ready and anxious and willing by our own funds, raised by our own people, to construct the Lake Erie & Ohio River Ship Canal, at a cost of $60,000,000, to make it possible for Pittsburgh to maintain the mighty prestige that she holds at this hour in order to bring the ore from the mines in Minnesota and Michigan, and also in the gentleman's own State of Wisconsin, to the great, big manufacturing center located at the headwaters of the Ohio at the junction of the Allegheny and the Monongahela, and we in turn transport our coal, making it possible for the people in that section to weather the storms of winter; we, in order to maintain our mighty prestige, are ready to build that canal so that we can reduce the freight rates from the Lakes to the manufacturing plant and in turn give those people cheap fuel.

I will inform the gentleman what this expenditure of $211,200 means. It is a little over one-third of the actual cost of the locks, it is for modernizing these locks according to modern ideas, and we propose to send through these locks steel barges 200 feet long, 20 feet wide, and having a draft of 9 feet, each vessel carrying 1,000 tons of coal. We propose to be in a position to deliver that coal from the mine to the people of New Orleans—in spite of the prediction that there are less than 900,000 tons that pass Cairo to New Orleans—we propose to carry that coal from western Pennsylvania down to New Orleans, a distance of 2,167 miles, for the ridiculous figure of 60 cents a ton. [Applause.] To-day we have a cheaper rate from Pittsburgh to New Orleans by rail than they have from Birmingham, Ala., to New Orleans by rail, only made possible because the great and mighty Ohio, La Belle Rivière, the beautiful river, named by the French over a century ago, is a competitor with the railroad. We in western Pennsylvania believe in the improvement of our streams. We believe in cheap transportation by water, and I want to say to my friend that when the Panama Canal is completed—and our Government is spending millions of dollars in order to be in a position to furnish coal to the fleets of the world—we expect to furnish the coal from the Pittsburgh district that will carry the commerce from the Occident to the Orient and from one end of this planet to the other through the Panama Canal. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. HUGHES of West Virginia. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I want to apologize to the committee for taking up their time at this time in order to answer any argument that the gentleman from Wisconsin [Mr. FREAR] might make against this river and harbor bill. I think the argument that he makes is not on the merits of this bill at all, but simply to give him some notoriety in the papers, which seems to be fascinating to him, because the newspapers have taken it up and in that way have given him, as he thinks, a great boost as a great Member of Congress. And I want to say that the argument that he used——

Mr. FREAR. Mr. Chairman, I will call the gentleman to order only for the purpose that I may be privileged to answer him. He is not talking about the matter under consideration. I have not indulged in any personalities, and I would ask unanimous consent for five minutes in order that I might answer the gentleman.

The CHAIRMAN. The gentleman from West Virginia has the floor now.

Mr. SWITZER. Mr. Chairman, if the gentleman is going to get permission, I would like to have at least three minutes to answer what the gentleman from Wisconsin said——

Mr. FREAR. I have not been attacking the gentleman.

Mr. MANN. Mr. Chairman, I ask for the regular order.

The CHAIRMAN. The gentleman from West Virginia will proceed.

Mr. HUGHES of West Virginia. If the statement was true that freight on the Ohio River has been reduced in late years, it is easy to account for that. There are now several months in the year that freight can not be carried by water on account of the low stage of the river. When this river is improved, then suitable boats will be provided and the volume of traffic will greatly increase, because freight can be carried for 25 per cent of what it now costs.

The shippers patronize the railroads now, because they can use them every day in the year. When this improvement is finished the advantages will be shown as clearly as the statements made by the gentleman from Pennsylvania [Mr. BARCHFELD].

Mr. Chairman, I will yield to the gentleman from Wisconsin.

Mr. FREAR. Mr. Chairman, I am not entitled to the floor, and I have been held very strictly to the text by the Chairman. I wish to say this, that the gentleman's charge that I appealed to the newspapers may be true. [Applause.] I realize this, Mr. Chairman, that no man on this floor can raise his voice so as to be heard outside. It must come from the press, and the press of this land is the agent that killed the last river and harbor bill by exposing the conditions contained in that bill and calling attention to the fight in the Senate, where the bill was finally defeated. We were only too glad to ask for the aid of that agency. When the bill went to the Senate men who knew more about these facts than I do, by far, took the same projects, exposed the worthlessness of many of them, and on the strength of their action, aided materially by the press, the bill was defeated. True, we ought to get light fixed upon the bill, but it was not for personal reasons. The gentleman imputes that. That, of course, is his privilege. But without the aid of the press, I believe that bill of $53,000,000 could not have been defeated. As it was due to that help, you have the results before you. A bill was placed in this House; not a single amendment could be added, not a single item could be struck out, nor can they be struck out to-day from this bill, no matter what facts are presented. A committee of 21 members holds this House in its hands, and it always will under the present system.

Mr. MURRAY. That is socialistic talk.

Mr. FREAR. I do not know what the gentleman speaks of. Oklahoma has had its socialists. They have been known throughout the country, some of them amiable and some of them estimable men. I felt that when a personal attack is made—I do not know whether the gentleman meant it so or not—I should reply to it, but I do not wish to resent it in a personal way. I want you to know that we did appeal in every fair way to the journals of the country for their aid, and it was given in no uncertain way.

Mr. CALLAWAY. It is a very rare thing that any Member of Congress ever tries to get into the newspapers, is it not?

Mr. FREAR. I thank the House for the courtesy of listening.

Mr. SWITZER. Mr. Chairman——

Mr. FREAR. I yield the balance of my time to the gentleman from Ohio [Mr. SWITZER].

The CHAIRMAN. The gentleman has no time to yield.

Mr. CALLAWAY. Following up the rates on the Ohio River, you put some figures in the RECORD showing that the rates had been increased on the Ohio River since 1906?

The CHAIRMAN. The time of the gentleman has expired.

Mr. FREAR. Just allow me to ask this single question. [Cries of "Regular order!"].

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. SWITZER. Mr. Chairman, I move to strike out the last word. I have not been given a minute to-day.

The CHAIRMAN. The gentleman from Ohio is recognized.

Mr. SPARKMAN. Mr. Chairman, I ask unanimous consent that all debate on this paragraph end in five minutes.

The CHAIRMAN. The gentleman from Florida asks unanimous consent that all debate on this paragraph end in five minutes. Is there objection? [After a pause.] The Chair hears none. The gentleman from Ohio [Mr. SWITZER] will proceed.

Mr. SWITZER. Mr. Chairman, the gentleman from Wisconsin, laboring under an exaggerated ego, believes that he and the newspapers of this country killed the river and harbor bill in the last session of Congress. I can not see it in that way. When the last river and harbor bill was passed by the House, in the month of March, 1914, I was up in Michigan helping to investigate the copper strike; but at that time, if I recollect rightly, we had over $100,000,000 in the Treasury, plenty of money on hand, and, while I had my misgivings about it, we were assured by the gentlemen who were proponents of the Underwood tariff bill, that had become a law, that this condition would continue; and the Rivers and Harbors Committee, acting under conditions that then existed, took on the projects that went out at this session, for instance, like the Connecticut projects and others. Things went on, and I have no doubt that the bill would have been passed by the Senate, but on the 4th day of last September the President of the United States appeared here in person and notified us that there was a decline in our customs receipts and that we would soon be confronted by a serious condition in our national revenues; and from that moment the rivers and harbors bill was killed as dead as a doornail, but not by the gentleman from Wisconsin [Mr. FREAR].

Does the gentleman from Wisconsin undertake to make me believe that the great newspapers of this country influenced the Senator from my State in fighting the rivers and harbors bill? Does he intend to lead this House to believe that it was the newspapers of this country that influenced the Senate in killing the rivers and harbors bill that we had passed through this House and for which they finally substituted a lump-sum appropriation? Does he for a moment think that it was his work or the work of the newspapers? Why, it was nothing more than the great falling off in our revenues and the filibuster carried on in the Senate. And the gentlemen, the leaders of the majority in this Congress, seeing there had to be retrenchments somewhere, and all the appropriation bills having been passed, and the rivers and harbors bill being the only appropriation bill remaining, they visited their entire retrenchment on the rivers and harbors bill.

Now, the gentleman says that I have been erroneous in quoting the figures representing the annual tonnage of the Ohio River. I thought I made it clear yesterday when I spoke of the tonnage on the Ohio River and stated that prior to April 1, 1912, the statistics are unreliable, and that the engineering bodies in investigating those figures for 1905, when the statistics showed that there was a tonnage of 13,000,000 tons, found that there was only a 9,000,000-ton traffic, and they said that the traffic up to that time was 9,000,000 tons annually. The same method was pursued up to April 1, 1912. Since that time, under the improved method of taking the statistics of the commerce on the Ohio, the tonnage has run more than 9,000,000 tons a year. It has run to 10,000,000, and I am satisfied in the year 1912 it was at least 12,000,000 tons.

The gentleman says that this tonnage that comes out of the Monongahela and Allegheny Rivers and down the Ohio, this nine or ten million tonnage, does not go entirely down the river. Why, is the tonnage of any harbor or bay or any stream computed or estimated by counting only the tons that traverse the entire length of the river or that go across the length of the bay? Why, no. Have we not the right to compute every ton in making the estimates on the Ohio River—every ton that floats on the river, whether it goes 10 miles or a hundred miles or a thousand miles? It seems the gentleman's criticism is folly and his position is untenable. [Applause.]

The CHAIRMAN. The time of the gentleman from Ohio has expired. All time has expired.

Mr. DONOVAN. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. DONOVAN. Does the Chair understand that the debate under the five-minute rule must be confined to the subject matter?

The CHAIRMAN. Yes.

Mr. DONOVAN. And there can be only two talks—one for and one against? Is that correct, Mr. Chairman?

The CHAIRMAN. That is right as to each amendment.

Mr. DONOVAN. Then I want to give notice, Mr. Chairman, that I am going to object hereafter, and shall ask that the rule be carried out.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Wisconsin [Mr. FREAR].

The question was taken, and the amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Ice harbor at Marcushook, Pa.: For maintenance, $1,000.

Mr. MOORE. Mr. Chairman, we have just passed the Delaware River item. A question of navigation has arisen with respect to the upper Delaware River. It affects the shipment of

coal and the ability of the Navy colliers to use the river. I have already spoken on this question, but there is some additional information and correspondence which I should like to extend in the RECORD. I ask unanimous consent to do so.

The CHAIRMAN. The gentleman from Pennsylvania [Mr. MOORE] asks unanimous consent to extend his remarks in the RECORD on the subject named. Is there objection?

There was no objection.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Broadkill River, Del.: For maintenance, $5,000.

Mr. MOORE. Mr. Chairman, I offer an amendment, which I send to the Clerk's desk.

The CHAIRMAN. The gentleman from Pennsylvania [Mr. MOORE] offers an amendment, which the Clerk will read.

The Clerk read as follows:

Mr. MOORE offers the following amendment: Page 10, between lines 7 and 8, insert a new paragraph, as follows:

"Improving inland waterways from the Delaware River to Chesapeake Bay, Delaware and Maryland, by the purchase of the existing Chesapeake & Delaware Canal and appurtenant property, in accordance with the project recommended by the Chief of Engineers in paragraph 3 of his report dated August 9, 1913, and published in House document 196, Sixty-third Congress, first session, $2,250,000; and the Secretary of War is hereby authorized to purchase said canal and appurtenant property at a cost not to exceed the amount herein appropriated for such purpose."

Mr. MOORE. Mr. Chairman, this is the Delaware & Chesapeake Canal project, which was discussed on the floor of the House very fully last year. It was included in the last river and harbor appropriation bill. It went to the Senate and met the fate of other provisions which went out as a result of the filibuster. It seems to me it is proper to offer it again at this time. I do not expect to discuss it at length now, but I shall ask for a vote upon it, and pending that I ask unanimous consent to extend my remarks in the RECORD.

Mr. DUPRÉ. Will the gentleman yield for a question?

Mr. MOORE. Yes.

Mr. DUPRÉ. May I ask whether this section of the inland waterways canal has ever been previously provided for by Congress?

Mr. MOORE. It has been the subject of two or three favorable reports by the United States Army engineers.

Mr. DUPRÉ. I am asking the gentleman whether there was a provision for this section of the inland waterways system in the House bill of last year? I want to get it straight in my own mind.

Mr. MOORE. Yes; it was provided for in the House bill at another figure, which was raised in the Senate. I have taken the Senate figures in the amendment which I offer now.

Mr. DUPRÉ. Is it a part of the general proposed system from Boston to the Rio Grande?

Mr. MOORE. Yes, so far as the Atlantic coastal part of it is concerned; but it stands on its own bottom, because it happens to be what most of us on the Atlantic coast regard as the most important link in the chain, not only for commercial purposes but also for the purposes of national defense.

Mr. DUPRÉ. From the standpoint of Congress and the War Department, is not each project in this chain of inland waterways a proposition which stands on its own bottom?

Mr. MOORE. Yes; and each one can be legislated on as a separate provision.

Mr. DUPRÉ. And that has been done in the past.

Mr. MOORE. Yes; and very properly so, because no advocate of this Atlantic waterways chain contemplates for a moment appropriations covering the entire project at any one time. The only sensible way to proceed with work of this kind is to proceed link by link, and that is the manner in which it is being done. I am glad the gentleman put that proposition up to me, because it enables me to say that very many Members who discuss this project, and who have the idea that it is going to deplete the Treasury, simply do not understand the method of procedure. It is not unreasonable.

Mr. DUPRÉ. The reason why I ask the gentleman the question is because he and I and other Members are being denounced by certain gentlemen from the southern section of this country for not regarding each link in this canal as one part of a grand whole which Congress ought to provide for all at once.

Mr. MOORE. I shall use whatever time remains to me to take up the thought expressed by the gentleman from Louisiana. What we need in this country more than anything else, and what the Rivers and Harbors Committee needs, in my judgment, more than anything else, is a comprehensive plan of development, and that is what we lack. There is no general system for developing the waterways of this country. We are told by gentlemen who presume to be scientific on this waterway question that we ought to have a comprehensive and scientific plan. When we propose such a thing, when we show how nature itself has pointed the way for the connecting up of the waterways, so that there may be one continuous procession, to be acquired at reasonable expense, then they say to us, "It is too big to contemplate." If in a time like this these gentlemen will simply bear in mind what is actually going on in Europe, where every country engaged in war is utilizing every waterway it has, and every waterway is completed and improved to perfection and indispensable for the purposes of commerce and the transportation of supplies and the movement of vessels, they will understand what some of us are driving at in trying to get some comprehensive plan worked into the river and harbor appropriation bill.

Mr. CALLAWAY. Will the gentleman yield?

Mr. MOORE. Yes; because I think the gentleman from Texas is one of those gentlemen who do not yet comprehend the system.

Mr. CALLAWAY. My comprehension of the inland waterway system is that it is to run from the mouth of the Rio Grande to Boston; that that is the comprehensive scheme when it is ultimately completed.

Mr. MOORE. I am only speaking for the system along the Atlantic coast; the gentleman has not got that yet. But if the gentleman were to ask me whether in the course of time, in view of the increasing population, in view of the development of commerce, it should extend along the Gulf, up the Mississippi, to the Great Lakes, I should say yes; but that, of course, would be too expensive to undertake now or at once. Any man in Congress or out would be a fool to think we could at this time appropriate enough money for such a great scheme as that. But if you have a populous section, great business, and opportunity for greater development, then it would also be foolish to say that we should not apply a portion of our money to the improvement of such a waterway factor, providing for the national defense and developing the commerce.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. DONOHOE. Mr. Chairman, I ask unanimous consent that the time of the gentleman from Pennsylvania be extended five minutes.

The CHAIRMAN. The gentleman from Pennsylvania [Mr. DONOHOE] asks that the time of his colleague be extended five minutes. Is there objection?

There was no objection.

Mr. SPARKMAN. Mr. Chairman, I ask unanimous consent that all debate on this amendment end in five minutes.

The CHAIRMAN. The gentleman from Florida asks unanimous consent that all debate on the amendment close in five minutes. Is there objection?

There was no objection.

Mr. CALLAWAY. Is it not a fact that there is now a waterway from the Rio Grande, by the Gulf of Mexico, to Boston?

Mr. MOORE. Yes; on the Gulf and the Atlantic Ocean.

Mr. CALLAWAY. And you are going to dig a canal to furnish an inland way?

Mr. MOORE. Certainly, because it is absolutely necessary for the protection of life and property and the promotion of commerce.

Mr. CALLAWAY. Is not that a good deal like the old lady that cut a big hole in the door for the big cats and a little hole for the little cats?

Mr. MOORE. There have been some gentlemen, in times past, that have built harbors of refuge in the sand, and the ocean has swept in and closed them up. That may be likened to Mrs. Partington sweeping back the waves with her broom. The gentleman from Texas wants to get away from the high-tops of Texas and come along the seaboard and see the waste and destruction of property. There is a lumber-laden vessel from the South lying now on the shoals of Barnegat that need not have been there if we had had this inland waterway. Now, I want to thank my friend and colleague from Pennsylvania [Mr. DONOHOE] for asking for an extension of time for me, because this may be the last time in this House that I shall have an opportunity in the discussion of this matter to pay him tribute for his courtesy and the good work that he has done on the river and harbor committee.

Mr. DUPRÉ. Will the gentleman yield?

Mr. MOORE. I will.

Mr. DUPRÉ. Does not the gentleman from Pennsylvania know that there is an inland waterway canal system in the State of Texas?

Mr. MOORE. I do.

Mr. DUPRÉ. And that there is a great demand that it shall be extended?

Mr. MOORE. I do; and I know that there are some streams that might be cut through and an interchange of commerce made, but the gentleman from Texas does not yet understand it.

Mr. DUPRÉ. Does the gentleman understand that this system will never develop its largest possibilities until the canal is cut through the State of Louisiana to the Mississippi River and the city of New Orleans?

Mr. MOORE. That may be. Louisiana ought to be taken care of, because Louisiana has suffered at the hands of its friends more than any other State in the Union, and if it had not been for the courage and ability of her Representatives here I do not know but that she would have been sunk in the bottom of the sea. Now, the gentleman from Texas [Mr. CALLAWAY] is one of the men that I like to talk to, and if he wants to know about the splendid waterway that we have outside on the ocean, I will tell him again what I have stated here several times. During the period between 1900 and 1910 we lost $40,000,000 in property by taking this open course. We lost 2,200 lives by taking this open course. We had 5,700 disasters in ships by taking this open course, and I think in order to save much of that life and property it would have paid to spend the $40,000,000 lost in 10 years in opening an inside waterway where trade and commerce might have floated easily and safely, and where human lives might not have been subjected to so great a risk. I will tell the gentleman another thing about this 13-mile canal that I am talking about now. During the Civil War——

Mr. CALLAWAY. Oh, let me ask the gentleman a question about the matter that we have just gone over.

Mr. MOORE. Oh, that is too far back.

Mr. CALLAWAY. Do not talk interminably. Heavens and earth——

Mr. MOORE. Do not go back so far. During the Civil War that I am talking about [laughter] this little canal was the means practically of saving the Union.

Mr. CALLAWAY. Well, thank Heaven that the Union is saved, but let it go at that.

Mr. MOORE. If it is saved, let us spend a little more money on it.

Mr. CALLAWAY. Is the gentleman arguing to anybody in this country that any ships are going to go through that inland waterway?

Mr. MOORE. Why, yes. Has the gentleman been up to Cape Cod lately, or is he so devoted to the sand hills in his own country that he will not go? If he will go there, he will find a private enterprise has opened up a canal 8 miles long, and that his own Secretary of the Navy, who is a peace-loving man, has been sending torpedo boats and torpedo-boat destroyers through that canal, and is raising his hands on high and saying, "Thank God for the private enterprise that put this cut through this sand bar, so that we do not have to send these boats out to sea and have them injured or any lives lost." Why, do you know several years ago I tried to get the department to send a few of these boats through the canal that I am speaking of now—the Chesapeake & Delaware Canal—and they wrote back that they could not do it because there was not sufficient depth of water? Then they sent them outside from the Philadelphia Navy Yard down to the gentleman's own section of the country, and they went ashore outside of Cape Hatteras, and the property of the Government was damaged and the lives of men were endangered. Some day, even down yonder in Texas, away back in the hills, up in the country the gentleman so ably represents, he may discover that in order to protect the life of the Nation it would have been wise to spend some of the income that comes through our own ports to provide these very means of communication. This little canal and others like it were the means during the Civil War of protecting the whole coast line, and just now we would do well to prepare ourselves to protect it again. [Applause.]

Mr. MANN. Mr. Chairman, I have been very greatly interested at different times reading the reports of the engineers in reference to the proposed inland waterway from Boston to the coast and along the coast to Texas. It seems to me, however, that the gentlemen who are proposing the scheme do not go quite far enough. I live in a city which is on the western edge of the Great Lakes system. We have water communication from there to the Atlantic Ocean. It would be a great saving in freight rates, and it would be a great saving in lives now lost on the railroads because of wrecks if we were to build a canal from Chicago to San Francisco over the Rocky Mountains [laughter], and it is quite possible to do this, because there are places in the mountains where there is a sufficient and ample supply of water to operate the canal. We could reduce freight rates across the continent probably 50 per cent, and we could save all of the wrecks that now occur upon the railroads, destroying life, and could carry the freight and passengers safely and economically by this waterway across the continent. I hope that the gentlemen who wish to deplete the Treasury for an inland waterway along the Atlantic Ocean, where they now have cheap freight rates and easy water connection, will join with us so that we will make a proper loot of the Treasury. [Applause and laughter.]

Mr. MOORE. Mr. Chairman, a parliamentary inquiry. May I at this point move to strike out the last word, or is all time exhausted?

The CHAIRMAN. All time has expired under the agreement. The question is on the amendment offered by the gentleman from Pennsylvania.

The question was taken, and the amendment was rejected.

Mr. MOORE. Mr. Chairman, I offer the following amendment, which I send to the Clerk's desk.

The Clerk read as follows:

Mr. MOORE offers the following amendment: Page 10, between lines 7 and 8, insert new paragraphs as follows:

"Improving inland waterway from Delaware River to Chesapeake Bay, Delaware and Maryland, by the purchase of the existing Chesapeake & Delaware Canal and appurtenant property, in accordance with the project recommended by the Chief of Engineers in paragraph 3 of his report dated August 9, 1913, as published in House Document No. 196, Sixty-third Congress, first session, $2,250,000. And the Secretary of War be, and hereby is, authorized and directed to purchase, at a cost not to exceed $2,250,000, the said canal and its appurtenances. And the said sum, or so much thereof as may be necessary, is hereby appropriated, out of any moneys in the Treasury not otherwise appropriated, for consummating said purchase, the same to be paid on the warrant of the Secretary of War upon full and absolute conveyance to the United States of the said canal and its appurtenances.

"In the event of the inability of the Secretary of War to make voluntary purchase of said canal and its appurtenances for said sum of $2,250,000, or any less sum fixed by him, then the Secretary of War is hereby authorized and directed to institute and carry to completion proceedings for the condemnation of said canal and its appurtenances. Such condemnation proceedings shall be instituted and conducted in, and jurisdiction of said proceedings is hereby given to, the District Court of the United States for the District of Delaware.

"The sum of $5,000, or so much thereof as may be necessary, is hereby appropriated, out of any moneys in the Treasury not otherwise appropriated, to pay the necessary costs of said condemnation proceedings; and upon final award or judgment therein the Secretary of War is hereby authorized and directed to draw his warrant on the Treasury for the amount of said judgment and costs, and said amount for the payment thereof is hereby appropriated out of any moneys in the Treasury not otherwise appropriated. When said canal and appurtenances shall have been acquired by the United States, whether by purchase or condemnation, the Secretary of War shall take charge thereof and operate, manage, and control the same, under such rules and regulations as he shall from time to time prescribe, with a view to its ultimate improvement and operation as recommended by the Chief of Engineers.

"The proceedings for condemnation aforesaid shall be substantially as follows:

"The Secretary of War, in the name of the United States, may apply to the district judge of the United States for the district of Delaware, first giving the president of the Chesapeake & Delaware Canal Co. at least five days' notice, in writing, of the intended application, and the said district judge shall appoint five judicious and impartial persons to view the premises and assess the damages which the owner or owners will sustain by reason of the taking thereof. The said persons shall be sworn or affirmed before some judge, justice of the peace, or notary public, before entering on the premises, faithfully and impartially to perform the duties assigned them. They shall give 10 days' notice, in writing, to the president of the corporation owning the premises of the time of their meeting to view the premises; and the said commissioners shall certify their finding and award to both parties, but if either party is dissatisfied with the damages so assessed, such party may, on application to the clerk of the District Court of the United States for the District of Delaware, within 30 days after such assessment, sue out a writ of ad quod damnum, requiring the United States marshall for said district, in the usual form, to inquire of 12 impartial men of his district of the damages as aforesaid, and their report shall be final; the said commissioners shall assess the least actual cast value of the canal and its appurtenances, and the United States, upon paying the damages so assessed, shall become entitled to have, hold, use, and enjoy the canal and its appurtenances forever. And in case the owner of said canal and appurtenances shall be incapable of receiving, or unwilling, or neglect to receive said damages, or call upon the United States for the same, the United States may deposit the amount of said damages to the credit of such owner in the Farmers' Bank of the State of Delaware, at Wilmington, Del., subject to its order, whereupon the United States shall be entitled to have, hold, use, and enjoy the said canal and appurtenances forever. The expenses of the assessment by the said commissioners of the damages aforesaid and all costs incurred in the execution of the writ of ad quod damnum shall be paid by the United States."

Mr. MANN. On that I reserve the point of order.

Mr. MOORE. Mr. Chairman, my main purpose in introducing this amendment is to follow up the other, so as to obtain the advantage of at least that time which will elapse between now and the passage of another river and harbor appropriation bill. This is one of the things we have to prepare for in advance, and I am hoping and expecting, as I think all of the friends of this project are, that ultimately the River and Harbor Committee, in view of other approved projects with which this links up, will accept it. The adoption of the amendment would place the project in that position where proper court proceedings could be

had with a view of ascertaining the value of the property to be taken.

Mr. MADDEN. Will the gentleman allow me to ask him a question?

Mr. MOORE. Yes.

Mr. MADDEN. How many miles of this canal are there that are proposed to be bought under this resolution?

Mr. MOORE. Thirteen miles.

Mr. MADDEN. How wide is it?

Mr. MOORE. Twenty-four feet at the locks.

Mr. MADDEN. How deep is it?

Mr. MOORE. Ten feet.

Mr. MADDEN. What kind of traffic can go on a canal 20 feet wide?

Mr. MOORE. About a million tons of commerce go through the canal every year which pays tolls substantially equivalent to railroad rates. There is an advantage in shipping bulk by boat and having it move more expeditiously than it would if it were shipped by rail. I explained briefly, in answer to the questions of the gentleman from Texas a little while ago, some of the advantages of this canal, and under leave to print, which I understand has been granted, I shall explain it more fully later on; but in passing I desire to say that in the distribution of our favors in this House—referring to the gentleman from Texas and others; yes, and to the gentleman from Washington [Mr. HUMPHREY], who was upon the Democratic side and out of place a little while ago—that I believe we should not forget to pay our respects even to our party leaders. Now, there is no man in the House who has a higher personal regard for the leaders of the House——

Mr. MADDEN. Will the gentleman yield for a question?

Mr. MOORE. I was speaking of leaders and am glad to place the gentleman in that category. [Laughter.]

Mr. MADDEN. I am asking the gentleman if he will yield for a question.

Mr. MOORE. I yield to the gentleman as one of the leaders of the House. [Laughter.]

Mr. MADDEN. I do not care in what capacity the gentleman yields, but I want to know why the present owners of this canal want to sell it.

Mr. MOORE. They have expressed no desire to sell it. The great difficulty from beginning to end has been to get any information or proposition from them. The canal is a paying canal, and they do not want to get rid of it. There has been no movement of any kind in the interest of the company to sell the canal, none whatever, so far as I know. I am glad the gentleman puts the question so pointedly, because it can be answered with directness.

As I said, in the distribution of our favors in this House we ought not to omit our friends. I am an admirer of the chairman of the Committee on Rivers and Harbors, and there are reasons why I like all the members of that committee. Some of them oppose projects that I believe worthy, and we fight that out; but I am amazed that my own leader, the gentleman from Illinois, whom I respect as much as I do any man in this House, should rise and oppose a suggestion so wholly meritorious. Now, the gentleman from Illinois [Mr. MANN] suggests inferentially what the gentleman from Texas suggested, that this coastal project is a great big expensive and possibly a chimerical scheme, which ought not to be pressed while we have the broad bosom of the Atlantic on which to come and go. I think I can understand why the gentleman from Illinois takes that ground. He comes from out yonder in the Middle West, and his heart is loyal to his surroundings. He believes that all things tend toward the West, and that ultimately the Pacific coast will be the scene of all our activities.

Well, there are those of us along the Atlantic seaboard who started there and whose forefathers started there before us. From the beginning of the country we have contributed to the western trend. We are willing to admit that most good things went out of the East before they passed to the West. Some of them lodged in Chicago, and there some of them remained. But the gentleman from Illinois has his eye to the westward. I do not accuse him of doing that which is being done in another Chamber, where some of our friends are at play in a presidential game, but I do believe that the gentleman from Illinois, much as I admire and readily as I follow him, would make the mistake of his life if in any platform of his he should put a plank that would provide for a transcontinental canal from Chicago across the Rocky Mountains to the Pacific Ocean. [Laughter and applause.] It would be a dream, and as a vote producer would not succeed. Admiring the gentleman from Chicago as I do, I hope he, too, will come down from the interior and join hands with the people along the coast line where the great population is, where the great industries are, and where the constant trend of commerce arising in the East must flow on to the West.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MANN. Mr. Chairman, I am somewhat surprised that the gentleman from Philadelphia thought I was opposing his proposition a while ago. I was endeavoring to make a speech on behalf of it by offering a trade.

Of course the gentleman from Philadelphia, who never was in the country west of Washington, knows nothing about the West. In an official capacity I have been required to come East, so I know both parts of the country. The gentleman from Philadelphia, of course, believes that all the great works and the great men come from along the Atlantic Ocean; and that may be true. And yet those of us who come from the far West, who have constantly paid the taxes which have been spent along the Atlantic Ocean, believe that when we construct a new Atlantic Ocean just inside the shore line we ought to join with it a really valuable canal, which would be of some real benefit, so as to connect Chicago with the Pacific Ocean, it now being connected with the Atlantic Ocean. I hope the gentleman will join with us in this great undertaking, of equal merit with his.

Mr. MOORE. I would on the basis of appropriations already granted, if the gentleman would.

Mr. LA FOLLETTE. The gentleman from Pennsylvania [Mr. MOORE] has suggested that the population is along this coast. I would like to make the observation that the center of population is about 75 miles from the home of the gentleman from Illinois [Mr. MANN].

Mr. MANN. The gentleman from Philadelphia will never understand that.

Mr. MOORE. Will the gentleman yield?

Mr. MANN. I will.

Mr. MOORE. I will say to the gentleman that I have been West, as far west as the Pacific coast. The latest census statistics justify the statement that fully one-third of the population of the country is still east of the Appalachian chain, and that is more than 30,000,000 people. Notwithstanding the trend of waterways appropriations is west, we are doing business in our congested area on one-quarter of the railroad mileage of this country. And while we have two or three railroads to come and go on in the city of Philadelphia and only one system in a city like Boston, the gentleman from Chicago, very largely at the expense of the investor in the East, has 15 or 20 trunk lines running to and from his city.

Mr. MANN. That is the reason we have the trunk lines. That is where the business is. If we had not the business we would not have the railroads.

I make the point of order against the amendment, Mr. Chairman. The Committee on Rivers and Harbors has conferred upon it the jurisdiction in reference to the improvement of rivers and harbors. That is paragraph 8 of Rule XI. The matters are referred to the Committee on Rivers and Harbors, as follows:

To the improvements of rivers and harbors—to the Committee on Rivers and Harbors.

Paragraph 56 of Rule XI:

The following-named committees shall have leave to report at any time on the matters herein stated, viz: * * * The Committee on Rivers and Harbors, bills for the improvement of rivers and harbors.

There is a committee of this House which has jurisdiction of canals, and that is not the Committee on Rivers and Harbors. It has been held by chairmen in the past that the Committee on Rivers and Harbors did not have jurisdiction of bills providing for the construction of canals, and under the rule giving the committee privilege, this bill being a privileged bill, it would not be in order, even if they had jurisdiction over the subject matter, to offer an amendment in reference to the construction or the purchase of canals, because the only privilege they have is in regard to the improvement of rivers and harbors. The gentleman's amendment shows that his proposition relates neither to a river nor a harbor.

The CHAIRMAN. The Chair will hear the gentleman from Pennsylvania [Mr. MOORE] on the point of order.

Mr. MOORE. I am going to yield to the gentleman from Florida [Mr. SPARKMAN]. It is a very important point of order. He is chairman of the committee and has made a study of it.

The CHAIRMAN. The gentleman from Florida is recognized.

Mr. SPARKMAN. Mr. Chairman, I can not agree that the point of order made by the gentleman from Illinois is well taken. In fact, similar questions have been passed upon by the various chairmen who have presided over the Committee of the Whole when the various river and harbor bills have been before us in days gone by. I concede that wherever a canal is

being constructed, a canal pure and simple, the River and Harbor Committee has no jurisdiction of the work, but wherever the purpose of a canal is to connect waters through which boats may go from navigable waters, a river or a harbor, for instance, into other navigable waters, whether a river or a harbor, the River and Harbor Committee has jurisdiction of the proposed improvement.

The CHAIRMAN. Has the gentleman any authority on that subject?

Mr. SPARKMAN. I did not anticipate this question would arise to-day, and have no authorities at hand. However, some years ago—I think it was when the bill of 1905 was before the House; it may have been the one of 1902—a similar question was raised here, and I am under the impression that the gentleman from Illinois at that time agreed to the proposition I am now laying down, although I would not say positively, but I am under the impression he did. I know I took part in the discussion at the time. It was this kind of a question: A survey, I believe, was proposed for the purpose of constructing a canal from the waters of St. George Sound across the intervening piece of land out into the Gulf of Mexico.

The point of order was then raised upon it by the gentleman from Ohio [Mr. Keifer] who was trying to get a similar proposition before the House for surveys in that State.

Mr. MANN. Where a point of order had been sustained against his proposition, which was on all fours with this.

Mr. SPARKMAN. No; the point of order at that time was overruled.

Mr. MANN. Oh, no.

Mr. SPARKMAN. And the provision for the survey was permitted to remain in the bill, notwithstanding the fact that a similar point of order was made against it. It was nothing but a provision for a survey, as I recall.

Mr. MOORE. Will the gentleman yield?

Mr. SPARKMAN. Certainly.

Mr. MOORE. Was not one of the points made at that time that the canalization was taken over for the purpose of continuing a waterway, as in this instance?

Mr. SPARKMAN. It was for the purpose of continuing a natural waterway, but in a sense it was a canal.

Mr. MOORE. Here were two bodies of water, both improved, and the proposition was that they should be connected by another body of water, which happened to be in the form of a canal.

Mr. MANN. Mr. Chairman, I am afraid my recollection is a little better than that of my friend from Florida [Mr. SPARKMAN]. On the occasion to which he refers Gen. Keifer, of Ohio, either had in the river and harbor bill or offered as an amendment, I do not remember which, a proposition for a canal in Ohio from one point to another, a proposition exactly like this. I made the point of order that the committee had no jurisdiction, and the Chair sustained the point of order. Subsequently in the bill there was a provision with reference to the improvement that the gentleman from Florida [Mr. SPARKMAN] speaks of, and Gen. Keifer made a point of order on that. It was a question of fact, of course, and on the statement of the chairman of the committee that it was not a canal, but was an improvement of an existing waterway, which had been constructed under the authority to improve rivers and harbors, the Chair overruled that point of order. I helped to sustain the Chair in that attitude, it being a question of fact; but that Chairman held, in the ruling on Gen. Keifer's proposition, that the Committee on Rivers and Harbors did not have jurisdiction over canals.

Mr. MOORE. Mr. Chairman, I do not want to prolong the discussion as to the point of order. There was some discussion of it in the committee last year. But I call the attention of the Chair to the fact that canals have been taken over, as, for instance, the Hennepin Canal. As to whether points of order were raised with respect to them I do not know.

I also call the attention of the Chair to the fact that in this instance there are two bodies of water, both subject to improvement and being improved by the Government, and that this proposition is to take over an existing waterway to connect these two existing bodies of water, the connecting link being at the present time an artificial waterway called a canal.

The taking over of the canal would simply mean the continuation of the work on either side of it. It would mean that that which has already been provided for on both sides of the existing stream would be connected up. That is a physical condition which I assume the Chair ought to consider before he decides a question of this importance.

I wish again to say to the Chair that I think if a little time be given it could easily be shown to the Chair that several existing canals have already been taken over and that no objection has been raised. I think the chairman of the Committee on Rivers and Harbors will bear me out in the statement that there have been several instances of this kind, and that if there should be an unfavorable ruling on this point it would very seriously affect many other improvements throughout the country which are now in contemplation, and some of which are actually under way.

Mr. SMALL. Mr. Chairman, may I have the attention of the Chair?

The CHAIRMAN. Yes.

Mr. SMALL. May I suggest to the Chair, with the consent of the gentleman from Illinois [Mr. MANN], that he reserve his decision on the point of order until our session to-morrow? That would enable us to proceed, and perhaps it would be more agreeable to the Chair.

Mr. STAFFORD. In that connection, would not the same proposition come up when a point of order is made to the next paragraph, providing for the condemnation of a railroad bridge?

Mr. SMALL. I think not. That is work already in progress. That has heretofore been adopted. It is not a new project.

Mr. SPARKMAN. Mr. Chairman, I will say that if the position of the gentleman from Illinois obtains, the Rivers and Harbors Committee could recommend no work that would connect one navigable waterway with another. All work of that class would have to go to the Committee on Railways and Canals. We could not deal with waterways at all unless they were navigable waters throughout.

The CHAIRMAN. The Chair will state that he will be perfectly willing to reserve his decision until to-morrow. There are ample decisions on the question. It is only a determination of the question whether this canal is in fact a canal. If it is, the Chair thinks, under the decisions which he has before him, that the point of order should be sustained.

Mr. SPARKMAN. If the Chair will pardon me, I do not think that alone settles the question. Where a canal is for the purpose of connecting one body of navigable water with another body of navigable water with a view to having free intercourse between the two bodies of water, so that water craft, for instance, starting in one can run the artificial waterway to another, I think the Committee on Rivers and Harbors has jurisdiction——

Mr. MOORE. Which connecting body of water is itself navigable.

Mr. MANN. It is not a difficult proposition. We have a Committee on Railways and Canals. A while ago some one referred to the project of joining the Great Lakes with the Ohio River at Pittsburgh. The proposition has been before this House at various times authorizing the construction of a canal from Lake Erie to Pittsburgh, and that is work that the Committee on Rivers and Harbors never had any jurisdiction over. It has gone to the Committee on Railways and Canals.

Mr. SPARKMAN. Mr. Chairman, I beg the gentleman's pardon. The only proposition of that kind that I know about went to the Committee on Rivers and Harbors, where it was investigated.

Mr. MANN. The gentleman is badly deficient in knowledge, then, because we have had here several bills reported from the Committee on Railways and Canals. We reported one once or twice from the Committee on Railways and Canals while my friend from Florida was probably thinking about some improvement in Florida.

Mr. SPARKMAN. I know that the Committee on Railways and Canals has jurisdiction of some of those propositions, but I do know that the most of them have come before the Committee on Rivers and Harbors, and that committee has passed upon them.

The CHAIRMAN. The Chair realizes that the question is an important one, and he will reserve his decision until to-morrow, by unanimous consent, if there is no objection.

Mr. MANN. I have no objection. There is not any question but that the Chair will have to decide it.

The CHAIRMAN. The Chair will state that after reserving his decision until to-morrow he will probably decide against it.

Mr. MANN. We have had this question up before at least five Chairmen, and they have always decided one way.

Mr. MOORE. Mr. Chairman, do I understand that the Chair reserves his decision until to-morrow?

The CHAIRMAN. Yes; and the gentleman from Pennsylvania and others can submit what authorities they please.

Mr. MOORE. I ask unanimous consent, then, to withdraw the amendment for the present.

The CHAIRMAN. The gentleman from Pennsylvania [Mr. MOORE] asks unanimous consent to withdraw his amendment to this section. Is there objection?

There was no objection.

Mr. DONOHOE. Mr. Chairman, I desire to acknowledge the graceful tribute paid me by my colleague, Mr. MOORE, as to my humble services on this committee. I am sorry that it comes rather late to be of use to me. [Laughter.] I am inclined to believe that it springs from sympathy because of my "lame" condition. I am sure, however, that it is well intended and I appreciate it as such. I want to say at this time a word or two as to what has been done since I have been on the committee for certain projects to which my friend and colleague, Mr. MOORE, has devoted his splendid talents as a Member of this House.

We have frequently heard the statement made that sectionalism and favoritism play a part in the making up of these bills. Therefore, I deem it well to give the House some figures relating to the Delaware River, in which my colleague, Mr. MOORE, and I are so deeply interested.

No one in this House who knows the facts will question the advisability of the Government making generous appropriations for the maintenance and improvement of that great river. The commerce on the Delaware River amounted to over 26,000,000 tons, with a value of $1,229,000,000, last year Surely so important an avenue of commerce as that should not be neglected, especially when we consider the large amount of revenue which the Government collects at the port of Philadelphia.

Our present project calls for a 35-foot channel from Philadelphia to the sea, and we in Philadelphia and Pennsylvania and neighboring States hope that liberal appropriations will be made by this committee in future to make certain the completion of that project within the next five years. Since my friend and colleague Mr. MOORE came to Congress there have been appropriated for the improvement of the Delaware River the following sums:

In 1906, $1,000,000; in 1907, $895,000; in 1908, $375,000; in 1909, $515,000; in 1910, $800,000; and the following sums since I was elected, in 1910——

Mr. MOORE. Will my colleague say, as a matter of history, that the 35-foot project was adopted in 1910?

Mr. DONOHOE. Yes. But in 1911, after the adoption of the project, there was appropriated by this House for the improvement of the Delaware only $800,000.

Now, note what appropriations have been made during the last four years for this river, although it is a northern waterway, and although we have occasionally heard the charge of sectionalism offered:

In 1912 there was appropriated for the Delaware $1,750,000; in 1913, $2,000,000; in 1914, $1,000,000 in cash and $1,000,000 in authorization, the latter having been lost in the Senate; this year we carry $1,500,000. In the six years that my colleague was fighting for the improvement of the Delaware River, before my time, the average amount appropriated was $731,000 per year. In the four years that we have been here the average amount has been over $1,800,000, or, in other words, under this Democratic House the Delaware River, this great northern project, the worthiness of which no one has questioned, has received more than twice as much per annum as it received in former years.

Mr. MANN. And the Treasury is empty as a consequence. [Laughter on the Republican side.]

Mr. DONOHOE. The gentleman will not say that that is the cause of the emptiness.

Mr. MANN. That is one of the causes to empty it.

Mr. DONOHOE. It helps to do it, of course.

Mr. MANN. There are other causes that prevent its filling up. [Laughter on the Republican side.]

Mr. DONOHOE. I understand the gentleman is in favor of removing bars everywhere; why not those in the Delaware River?

Mr. DONOVAN. Mr. Chairman, what is the question before the House?

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired, and there is nothing before the House.

Mr. DONOHOE. Mr. Chairman, I would like one minute more.

Mr. DONOVAN. I would like to ask the gentleman from Pennsylvania a question. Did I understand the gentleman to say that the Delaware River had received more money than ever before on account of his membership on the Rivers and Harbors Committee?

Mr. DONOHOE. Not at all. On the contrary, it is because this Government and this Congress have at last recognized the worthiness of the project to a greater extent than ever before.

Mr. MOORE. Mr. Chairman, I did pay tribute in a few brief lines to my colleague from Pennsylvania [Mr. DONOHOE].

Mr. SPARKMAN. Mr. Chairman, I would like to inquire how much time the gentleman from Pennsylvania wants?

Mr. MOORE. Five minutes.

Mr. SPARKMAN. I ask unanimous consent that at the end of five minutes all debate be closed.

Mr. MOORE. Mr. Chairman, in a few brief words a while ago I did pay a compliment to my friend and colleague——

Mr. DONOVAN. Mr. Chairman, I think I had better make the point of order of no quorum, if we are going to do no business but sit here and listen to hot air.

Mr. MANN. We got used to that this morning, when the gentleman was talking. [Laughter.]

Mr. DONOHOE. I trust the gentleman will not make that point, in view of the patience we displayed this morning.

Mr. MOORE. Mr. Chairman, as I stated, in a few brief words a while ago I did pay a compliment to my friend and colleague from Pennsylvania [Mr. DONOHOE], and I did that because during the last four years there have been times when it has been said by busybodies outside that he and I did not thoroughly agree on rivers and harbors matters. He came into this House rather unexpectedly four years ago, and he duly appreciated the compliment. On his arrival he was placed above the heads of all others on the very important Committee on Rivers and Harbors. That was a great tribute to his genius and ability. Prior to that time, however, some of us had been working for the Delaware River earnestly, and had been striving for a 35-foot channel. The effort was successful, and the project was written into the law shortly before my friend appeared upon the scene. But, nevertheless, I undertook, to the best of my ability, to aid him in his new position as a member of the Rivers and Harbors Committee. The work which had been mapped out under a Republican administration, partly at my instance, was to secure for the Delaware River an appropriation, in accordance with the project report, of $2,000,000 per year.

The gentleman doubtless did the best he could to secure the $2,000,000 per year, but coming into a great body like this and meeting distinguished men from all over the country, who had kindred projects, some of them coming from the Pacific coast and some of them from the shores of the Great Lakes, he found that other influences tended to operate against his ability and genius. There were times when the $2,000,000 were cut down to $1,000,000 and then to $700,000, so that when the cost of maintenance of the river was taken out, there was very little left for original work. The result of that has been that, strive as he did and earnest as he was to carry on the work that the Republican administration had mapped out for him, the appropriation under the Democratic régime fell short of the schedule, and last week the Navy Department decided it would not send up the Delaware River any of its 19,000-ton colliers to bring away coal from Philadelphia, which it could do at a cost of 20 cents per ton less than from any other point.

Mr. Chairman, I would not have my colleague go away with a bad taste in his mouth, nor would I feel true to myself if I permitted him to go without saying these kind words, but nevertheless he followed so well as he could the program that was mapped out for him by a wise and provident Republican administration.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

The Clerk read as follows:

Inland waterway between Rehoboth Bay and Delaware Bay, Del.: The Secretary of War is hereby authorized to condemn a right of way through the tracks of the Delaware, Maryland & Virginia Railroad Co. where the line of said waterway intersects said railroad tracks, the basis of condemnation to be the building, maintenance, and operation of a proper drawbridge by the United States, or the payment by the United States to the railroad company of such sum of money as may be awarded in the condemnation proceedings, as full compensation for such right of way, including actual cost of constructing such bridge and the capitalized cost of its maintenance and operation, whichever method may, in the judgment of the Secretary of War, be deemed most advantageous and economical to the United States.

Mr. MANN. Mr. Chairman, on that I make the point of order, or I will reserve it, if anyone desires to talk to the matter.

Mr. BROCKSON. Mr. Chairman, I desire to be heard on the point of order. This improvement is entirely different from the Chesapeake & Delaware Canal project, in that this waterway connects the waters of the Rehoboth Bay and Delaware Bay, a distance of about 12 miles, and through much of that distance it simply connects up other streams. True it is that a part of the way it will be necessary to make excavations through the highland. On page 368 of the report of the Chief of Engineers, United States Army, 1914, part 1, we find a description of this improvement under the title "location," which is as follows:

LOCATION.

This canal, situated in the southeasterly part of Sussex County, extends from Rehoboth Bay northward through the highland west of the town of Rehoboth Beach to Gordon Lake; thence through the

marshes back of Cape Henlopen to Lewes River. It follows the latter and Broadkill River, emptying into Delaware Bay about 5 miles above Cape Henlopen. The length is about 12 miles.

That shows that we would have the waters of the Gordon Lake and the Broadkill River and the other part of the way through the marshes and through some highlands. This is a project that was adopted several years ago. In the act of July 25, 1912, an appropriation of $50,000 was made, and in the act of March 4, 1913, $41,725, for carrying on this improvement. During the year last passed this work has been actually going on and is going on now. Dredging is being done. It is a project adopted by this Congress, appropriated for, and the work of excavation nearly done. This provision provides for extending this waterway under the tracks of the railway company.

Mr. MANN. Will the gentleman yield for a question?

Mr. BROCKSON. Certainly.

Mr. MANN. While I am satisfied that the item is clearly subject to a point of order, I have no desire to make a point of order on a thing that ought to go through. I really had another matter in my mind on this paragraph. What is the object of this paragraph beyond what it says? What is the necessity of extending this waterway across the line of this railroad?

Mr. BROCKSON. Part of it lies on one side of the railroad and part on the other side.

Mr. MANN. Is it constructed up to the railroad?

Mr. BROCKSON. On one side it is constructed all the way up to the railroad.

Mr. MANN. And how near on the other side?

Mr. BROCKSON. I do not know the exact distance, but very near.

Mr. MANN. Under authority of United States law?

Mr. BROCKSON. Oh, yes.

Mr. MANN. Well, under what sort of a plan has the Government been proceeding——

Mr. BROCKSON. Under acts of Congress.

Mr. MANN (continuing). To build a canal up to one insurmountable object on one side and then jump over that obstacle and go ahead with the canal on the other side. Were the vessels supposed to be leaping vessels to go over this?

Mr. BROCKSON. No. Back in 1896 there was a provision of law, an act providing for the condemnation of the right of way through the land of the railroad company. There was a condemnation proceeding had and an award of something over $37,000, but my recollection is the money was not provided for the award. That was in 1896.

Mr. MANN. Now, this provision is that the Government shall maintain and operate a drawbridge, as I understand.

Mr. BROCKSON. That is correct.

Mr. MANN. I think there is no other place in the United States where the Government does that. Is that a cheaper proposition than to pay for crossing the right of way?

Mr. BROCKSON. Well, I am not informed about that. Just why they determined upon that plan I am not informed.

Mr. MANN. As I understand the gentleman, the Government did condemn, but we never paid the money?

Mr. BROCKSON. Yes. That was long ago. Now, it is estimated that the award is not sufficient to pay for the damages.

Mr. MANN. Well, this provides that they shall go across, as I understand, and build and maintain a bridge. Oh, I think it ought to have further consideration before we undertake to maintain a railroad bridge at the expense of the Government. If it is subject to a point of order, I make a point of order, Mr. Chairman, that this item has nothing to do with the improvement of rivers and harbors. It is an authorization for the Government to build and operate a railroad drawbridge for the benefit of a railroad company.

Mr. SPARKMAN. Mr. Chairman, I will say to the gentleman there is a great deal more than that. It has everything to do with the improvement of a harbor. This is a waterway that has been under the jurisdiction of the Rivers and Harbors Committee for many years, and many appropriations recommended for it by that committee have been made by Congress. In some places perhaps you go through land, but the canal, I believe, has been dug—that is, where any canal is necessary. The improvement goes through navigable waters at one place, cutting through shoal water at another, through land at still another, and so on to the end. Now, there happens to be a railroad there under which or over which we have to condemn a right of way. The purpose of this provision is to condemn that right of way; and I can not agree to the proposition that every time in the improvement of a waterway where we happen to strike a piece of land, even the cut off of a corner, or run through a piece of land to cut off a bend in a river, that we have to turn such work over to the Committee on Railways and Canals and confine ourselves alone to the channel of the river. Why, we did the same kind of work in the Calumet River in the gentleman's own district years ago, and the same point of order could have been raised against that work that the gentleman is making here to-day.

Mr. MANN. If the gentleman will permit me, the gentleman is not correct at all. I know more about the Calumet River than anybody else here. If such a thing was ever done or proposed to be done——

Mr. SPARKMAN. It is quite likely that the gentleman knows more about the Calumet River than I do, but I think I am not far from the fact.

Mr. MANN. Now, Mr. Chairman, if a bill had been introduced for that purpose it would have been referred to the Committee on Interstate and Foreign Commerce.

The Committee on Rivers and Harbors has jurisdiction of the improvement of rivers, but when it comes to authorizing the construction of a railway bridge across a river, and a bill is introduced for that purpose, the Committee on Rivers and Harbors does not have jurisdiction of it. It goes to the Committee on Interstate and Foreign Commerce, although the construction of such a bridge might dam up a river. That has nothing to do with the improvement of rivers and harbors, and neither has this. Here is a proposition to authorize the Government to make a trade with the railway company under which the Government shall build, maintain, and operate a proper drawbridge to be used by the railroad company, to be maintained and operated by the Government. And that is a matter that, if it was introduced in a separate bill, would go to the Committee on Interstate and Foreign Commerce, and not to the Committee on Rivers and Harbors.

Mr. BROCKSON. Will the gentleman from Illinois [Mr. MANN] yield just there?

Mr. MANN. Certainly.

Mr. BROCKSON. In line 21 it says that the basis of condemnation is to be the building, maintenance, and operation of a proper drawbridge by the United States or the payment by the United States to the railroad company of such sum of money as may be awarded in a condemnation proceeding. It leaves it optional with the United States to decide.

Mr. MANN. I do not know whom it leaves it optional with. It is subject to a point of order if one of the provisions is subject to a point of order.

Mr. SMALL. Mr. Chairman, what is this waterway? It consists of a series of natural waterways and partly artificial waterways. On page 368 of the Chief of Engineers' Report I read this language:

Location.—This canal, situated in the southeasterly part of Sussex County, extends from Rehoboth Bay, northward through the highland west of the town of Rehoboth Beach, to Gordon Lake; thence through the marshes back of Cape Henlopen to Lewes River. It follows the latter and Broadkill River, emptying into Delaware Bay about 5 miles above Cape Henlopen. The length is about 12 miles.

So that this waterway connecting Rehoboth Bay and Delaware Bay consists in the improvement of natural waterways in part and in part of artificial construction. Therefore, Mr. Chairman, this is not a canal in the sense in which the gentleman makes his point of order challenging the jurisdiction of this committee. It is a waterway partly natural and partly artificial, and, in addition to that, it has been heretofore adopted and is a recognized public work of the United States. It is too late at this time to lodge a point of order against the item in the bill. I submit, further, this view, Mr. Chairman. In the construction of this improvement, this waterway connecting Rehoboth Bay and Delaware Bay, it intersected the track of this railroad. Some arrangement had to be made for condemning the right of way owned by the railroad and through which the canal at that particular point was to be excavated. This item provides that there shall be condemnation proceedings and the amount awarded shall be ascertained by two alternative methods. By one method the railway is to be paid an amount representing the capitalization of the cost and maintenance of the bridge, to be maintained by the railroad itself, and the other alternative representing the value of the right of way to the railroad company, the bridge to be constructed and maintained by the United States. So that this is a mere incident in the construction or improvement in this waterway connecting Rehoboth Bay and Delaware Bay; and in order for its completion, intersecting this railroad track as it does, it is necessary—the title not having been acquired voluntarily—to authorize this condemnation proceeding. This item does authorize it, and the basis of damages is to be ascertained in this alternative method. So that for all these reasons, Mr. Chairman, I suggest, if the gentleman should insist on his point of order, that it is not subject to a point of order;

that the canal is merely incidental; that the waterway as a whole and the condemnation of this right of way is even less incidental to it; and Congress, having acquired jurisdiction heretofore, will maintain it.

Mr. STAFFORD. If the Chair will indulge me for a moment, I do not think that anyone can deny the fact that this appropriation is for a canal, for I direct the Chairman to the report of the Chief of Engineers on this project, page 368, where he says that it is for "a canal 6 feet deep, 50 feet wide, through the marshes and Lewes River, and 40 feet wide where it passes through deep cutting, including also the construction of two bridges."

The bare question is submitted to the Chairman for a decision whether the Committee on Rivers and Harbors has jurisdiction over canals, and if there is anything well settled it is the fact that that committee has not jurisdiction. I direct the Chairman's attention to a citation found in paragraph 4220 of Hinds' Precedents, that was referred to by the gentleman from Illinois [Mr. MANN], relating to the construction of a canal on the Miami River, where the Chairman held that the Committee on Rivers and Harbors did not have authority to consider such a project. This is more objectionable than that, in this, that it provides for the construction and operation of a railroad bridge in the building of this canal. Certainly the Committee on Rivers and Harbors has not jurisdiction for the construction of a railroad bridge. That would go to the Committee on Interstate and Foreign Commerce or the Committee on Canals, if it is pertinent to a canal. I think the Chair should sustain the point of order.

The CHAIRMAN. The Chair is ready to rule. The point of order is made against the paragraph by the gentleman from Illinois [Mr. MANN]. It appears that this is a waterway, heretofore authorized and for which appropriations have been made, connecting Rehoboth Bay and Delaware Bay, and that in its progress for some 15 or 16 miles it crosses certain navigable waterways and connects two navigable bodies of water.

In the judgment of the Chair that does not take away from it the character of being a canal. If the question as to this waterway were presented now for the first time, the Chair would hold that an appropriation for the purpose of building this canal or acquiring this canal was not proper in a river and harbor bill. There is abundance of authority on that question, and therefore would in that event hold this particular appropriation to be improper in this bill. But this particular waterway has been appropriated for heretofore in river and harbor bills, and the Government has been expending the money so appropriated in developing it. The point that this is a canal comes now too late. The fact that heretofore the Committee on Rivers and Harbors has included in its bill appropriations for this particular project, building a waterway or canal connecting these two bays, and incidentally connecting other navigable waterways with the sea and with each other, and that said items have been approved by the Committee of the Whole without protest and the bills containing them have been enacted into law, estops the House in Committee of the Whole from excluding now this appropriation from this bill for that reason.

But it is further insisted that this particular paragraph provides for condemnation proceedings, the basis of the condemnation proceedings to be the building, maintenance, and operation of a proper drawbridge by the United States or the payment by the United States to the railroad company of such sum of money as may be awarded in the condemnation proceedings, and in that event the proposition would resolve itself into an operation of that drawbridge in connection with this proposed excavation by the railroad company. The Chair thinks the matter of building bridges across any sort of a waterway is a matter that does not come within the jurisdiction of this committee. The fact that the particular waterway over which a bridge is to be built and maintained is not yet constructed does not help the matter any and does not give this committee jurisdiction, in the opinion of the Chair, of the building of this drawbridge or any other kind of a bridge at this place, and the Chair thinks the point of order is well taken. The point of order is sustained.

Mr. BROCKSON. Mr. Chairman, the point of order is made and sustained on the part that provides for a bridge?

The CHAIRMAN. The point of order is made to the whole paragraph and sustained as to the whole paragraph.

Mr. BROCKSON. I desire, Mr. Chairman, to offer an amendment.

The CHAIRMAN. The gentleman from Delaware offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. BROCKSON: Page 10, line 9, after the word "Delaware," insert the following: "Continuing improvements, $60,000: *Provided*, That "——

The CHAIRMAN. The gentleman from Delaware should understand that whole paragraph is out.

Mr. BROCKSON. I desire to offer the language just stricken out except that part referring to the bridge, and then offer an additional amendment to that, if I may have the time in which to prepare the amendment.

The CHAIRMAN. The Chair does not understand what the amendment is.

Mr. BROCKSON. Mr. Chairman, I ask unanimous consent that the paragraph be passed over.

Mr. MANN. I am not willing that we should do that. We would be lost if we do that. What does the gentleman want to do?

The CHAIRMAN. What is the request of the gentleman?

Mr. BROCKSON. I sent up a modified amendment, Mr. Chairman.

The CHAIRMAN. The Clerk will report it.

The Clerk read as follows:

Page 10, after line 7, insert the following:

"Inland waterway between Rehoboth Bay and Delaware Bay, Del.: The Secretary of War is hereby authorized to condemn a right of way through the tracks of the Delaware, Maryland & Virginia Railroad Co. where the line of said waterway intersects said railroad tracks, the basis of condemnation to be the payment by the United States to the railroad company of such sum of money as may be awarded in the condemnation proceedings as full compensation for such right of way, including actual cost of constructing such bridge and the capitalized cost of its maintenance and operation, whichever method may, in the judgment of the Secretary of War, be most advantageous and economical to the United States."

Mr. MANN. Mr. Chairman, I make a point of order against that. Evidently the gentleman did not get his amendment in the shape he wanted it.

Mr. BROCKSON. The amendment is this:

Improving inland waterway between Rehoboth Bay and Delaware Bay, Del.: For continuing improvement, $130,000: *Provided*, That the Secretary of War is hereby authorized to condemn a right of way through the tracks of the Delaware, Maryland & Virginia Railroad Co. where the line of said waterway intersects said railroad tracks, the basis of condemnation to be the payment by the United States to the railroad company of such sum of money—

And so forth.

Mr. MANN. I will consent to its going over, if the gentleman will not call it up when I am out of the Chamber.

Mr. BROCKSON. I will not do that.

The CHAIRMAN. The gentleman from Delaware asks unanimous consent that he may return to this item for the purpose of offering an amendment. Is there objection?

There was no objection.

The Clerk read as follows:

Corsica River, Md.: Completing improvement, $4,800.

Mr. TALBOTT of Maryland. Mr. Chairman, I desire to offer the following amendment, and I request unanimous consent that my colleague and myself have 10 minutes to discuss this amendment, because it is very important to the city of Baltimore.

The CHAIRMAN. The Clerk will first report the amendment.

The Clerk read as follows:

Page 11, after the figures "$4,800," line 4, insert the following:

"Improving Curtis Bay Channel, Baltimore Harbor, Md., in accordance with the report submitted in House Document No. 7, Sixty-third Congress, first session, $61,850."

The CHAIRMAN. The gentleman from Maryland asks unanimous consent that he and his colleague may have between them 10 minutes on this amendment.

Mr. SPARKMAN. And I ask unanimous consent that I may have five minutes to close.

The CHAIRMAN. And the gentleman from Florida asks five minutes to close debate, and that at the end of that time that the debate be considered as closed.

Mr. LINTHICUM. I shall object to that, Mr. Chairman, because I might want a few more minutes.

Mr. SPARKMAN. Then, Mr. Chairman, I ask unanimous consent to close debate on the paragraph and amendments thereto in 17 minutes.

The CHAIRMAN. The gentleman from Maryland asks unanimous consent that he and his colleague have 10 minutes, and the gentleman from Florida that he have 7 minutes, and at the end of that time all debate on the paragraph and amendments thereto close. Is there objection?

Mr. MOORE. Reserving the right to object, I would like to ask the gentleman from Florida whether he intends to continue the session this evening?

Mr. SPARKMAN. Yes; I have in mind to continue for an hour or two longer, perhaps until 9 or 10 o'clock.

Mr. MOORE. I have no objection to that, but there are several Members here who wanted to be informed.

Mr. MADDEN. Mr. Chairman, reserving the right to object, this is a very important matter to be considered, and I think it would be quite well to have more Members present during the consideration of it. I therefore suggest the absence of a quorum.

The CHAIRMAN. The gentleman from Illinois makes the point that no quorum is present. The Chair will count. [After counting.] Seventy-nine Members present, not a quorum. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

Adamson	Falconer	Kreider	Rothermel
Ainey	Fergusson	Langham	Rouse
Alexander	Finley	Langley	Rucker
Allen	Fordney	Lazaro	Rupley
Anthony	Francis	Lee, Pa.	Russell
Austin	French	L'Engle	Sabath
Avis	Gard	Lewis, Md.	Scott
Bailey	Gardner	Lewis, Pa.	Scully
Baker	Garner	Lindbergh	Seldomridge
Barchfeld	Garrett, Tex.	Lindquist	Sells
Bartholdt	George	Lloyd	Sherley
Barton	Gerry	Lobeck	Shreve
Bell, Cal.	Gill	Loft	Sims
Bell, Ga.	Gillett	Logue	Sisson
Booher	Gittins	McClellan	Smith, Idaho
Borland	Glass	McGillicuddy	Smith, Md.
Bowdle	Goldfogle	McGuire, Okla.	Smith, Minn.
Britten	Good	McKenzie	Smith, Saml. W.
Brodbeck	Gordon	Maher	Smith, Tex.
Broussard	Graham, Pa.	Manahan	Stanley
Brown, W. Va.	Gray	Metz	Stedman
Browne, Wis.	Green, Iowa	Miller	Steenerson
Bruckner	Greene, Mass.	Mondell	Stephens, Nebr.
Brumbaugh	Griest	Morgan, La.	Stephens, Tex.
Buchanan, Ill.	Griffin	Morin	Stevens, Minn.
Bulkley	Gudger	Morrison	Stevens, N. H.
Burke, Pa.	Guernsey	Moss, Ind.	Stout
Butler	Hamill	Moss, W. Va.	Sumners
Campbell	Hamilton, N. Y.	Mott	Taggart
Cantrill	Hardy	Murdock	Talcott, N. Y.
Caraway	Harris	Neely, W. Va.	Tavenner
Carew	Hart	Nelson	Taylor, Colo.
Carr	Hay	Nolan, J. I.	Taylor, N. Y.
Chandler, N. Y.	Helgesen	Norton	Temple
Church	Hinebaugh	O'Brien	Thomson, Ill.
Claypool	Houston	Oglesby	Towner
Collier	Howard	O'Hair	Townsend
Copley	Howell	Oldfield	Tuttle
Cox	Hoxworth	O'Shaunessy	Underhill
Cramton	Hughes, Ga.	Padgett	Vare
Dale	Hulings	Page, N. C.	Volstead
Danforth	Igoe	Paige, Mass.	Wallin
Davis	Johnson, Ky.	Parker, N. Y.	Walsh
Deitrick	Johnson, S. C.	Patten, N. Y.	Walters
Difenderfer	Johnson, Utah	Patton, Pa.	Weaver
Dillon	Jones	Peters	Webb
Donohoe	Kahn	Peterson	Whaley
Dooling	Keister	Plumley	Whitacre
Doughton	Kelly, Pa.	Post	White
Drukker	Kennedy, Iowa	Pou	Wilson, Fla.
Dunn	Kennedy, R. I.	Powers	Wilson, N. Y.
Dupré	Kent	Prouty	Wingo
Elder	Key, Ohio	Rayburn	Winslow
Estopinal	Kindel	Reed	Woodruff
Evans	Kinkead, N. J.	Riordan	Young, N. Dak.
Fairchild	Kirkpatrick	Roberts, Mass.	Young, Tex.
Faison	Korbly	Roberts, Nev.	

During the calling of a portion of the roll Mr. McANDREWS occupied the chair.

The committee rose; and the Speaker having resumed the chair, Mr. RAINEY, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee having under consideration the river and harbor appropriation bill (H. R. 20189), finding itself without a quorum, he caused the roll to be called, when 197 Members answered to their names, and he presented the names of the absentees for printing in the Journal and RECORD.

The SPEAKER. A quorum is present. The committee will resume its sitting.

The CHAIRMAN. The gentleman from Maryland asked unanimous consent that he and his colleague——

Mr. STAFFORD. Mr. Chairman, I believe a proposition for unanimous consent is pending.

The CHAIRMAN. Yes; the Chair is about to state it. The gentleman from Maryland asks unanimous consent that he and his colleague have 12 minutes in which to discuss the amendment offered by him, and the gentleman from Florida [Mr. SPARKMAN] asks unanimous consent that in addition to that time he be allowed 5 minutes, and that at the conclusion of 17 minutes all debate on this paragraph and amendments thereto be at an end. Is there objection?

There was no objection.

Mr. TALBOTT of Maryland. Mr. Chairman, I am not physically able to discuss this matter. We are not antagonizing this bill. We believe that this item would not cause any antagonism. It stands by itself. It is an item recommended by the engineers at $123,000, and last year the Committee on Rivers and Harbors appropriated $61,000. It remained in the bill in the House and went to the Senate, and the Senate adopted the recommendation of the engineers and appropriated the total amount.

Now, there was a very bitter discussion on the Senate side about various items in the bill, but there never was a single word antagonizing this appropriation. What makes this appropriation particularly desirable is the fact that the Navy Department wants this channel deepened and widened so that the Baltimore & Ohio Railroad Co. can enlarge its piers and bring to that point the coal which is best adapted for the use of the Navy.

The president of the Baltimore & Ohio Railroad Co. told me personally that as soon as this provision becomes a law the company is prepared to go to work to build its piers. The Navy Department can get its coal somewhat more cheaply and conveniently. It is handy to Chesapeake Bay, and for the reason stated the Navy Department is interested. It is a proposition of dual importance. It is important not only to our great city but to the Navy itself, and for that reason I offer the amendment. I desire to say that if the Committee on Rivers and Harbors had inserted the item and stated in the report why they did it, there would not have been a single word of criticism of the item on the floor of this House.

I yield the remainder of my time to my colleagues, Mr. COADY and Mr. LINTHICUM.

The CHAIRMAN. The gentleman has seven minutes remaining.

Mr. COADY. Mr. Chairman, this item was contained in the rivers and harbors bill that passed the House last year, but which failed of passage in the Senate; the only reason why it was not included in the draft of this measure was because of the determination of the committee to keep the total appropriation within a certain limit, so that in eliminating it the committee was not actuated by any opposition to it. In point of fact, the necessity of improving Curtis Bay Channel has been determined by both the Rivers and Harbors Committee and the House.

The pressing importance and wisdom of this proposed work is unquestioned. It would greatly aid navigation on this river and benefit the commerce that flows along its course. This channel has now a depth of only 30 feet. It is proposed to increase this to 35 feet, the same depth as the Patapsco River Channel that leads to Baltimore Harbor.

The appropriation provided for in this amendment is for the purpose of getting this increased depth, and is sufficient to do this. This work is recommended by Col. Beach, United States engineer, stationed at Baltimore, and his recommendation is concurred in by the Chief of Engineers of the Army.

In addition to this, Mr. Franklin D. Roosevelt, Assistant Secretary of the Navy, has recommended it, and has pointed out its supreme advantages as a coaling place for our war vessels. It is ideally located and fitted for such a purpose. Many of our colliers have loaded coal there, but were compelled to come away each time with only a part of a cargo, because of the shallowness of this channel.

The Baltimore & Ohio Railroad Co. has now a large coal pier on this river, from which can be loaded on vessels over 3,000,000 tons of coal a year.

There are many large manufacturing establishments on this bay, and an enormous tonnage is carried there annually.

Baltimore city has spent a great deal of money on its water approaches. It has more than matched every dollar the Government has spent there, and only last fall a large loan to further improve and deepen its harbor was authorized by our people. This money will be spent by us irrespective of the attitude of this Congress, and very soon the work will be undertaken.

Col. Beach, of the Army, said some time ago, in a report submitted to his chief, that this contemplated improvement is a matter of more than local importance, and affects the whole country in its influence upon the supply of coal for the Navy. It will help commerce and will prove of material benefit and advantage to our Navy.

Mr. LINTHICUM. Mr. Chairman, I am deeply interested in the amendment offered by my colleague [Mr. TALBOTT] for the deepening of the channel at Curtis Bay, which reads as follows:

On page 11, after the figures "$4,800," in line 4, insert "improving Curtis Bay Channel, Baltimore Harbor, Md., in accordance with the report submitted in House Document No. 7, Sixty-third Congress, first session, $61,850."

Curtis Bay is an estuary of the Patapsco River, about 3½ miles from the corporate limits of Baltimore city, and is adjacent to the harbor of Baltimore. I know this locality perhaps

as well as anyone could know it, having been born and raised within 3 miles thereof. Curtis Bay is especially well adapted for harbor facilities. It is surrounded on three sides by high hills, ranging perhaps from 150 to 175 feet, so that during the worst storms the waters are seldom troubled in the bay. It has practically what might be considered deep water throughout this locality, and remains deep because there are no particularly large streams flowing into it, hence, whatever channel is constructed will remain without very much expense.

The channel to Curtis Bay was dredged by the Government to the depth of 30 feet with a width of 250 feet, except near the terminals, where it has a width of some 700 feet. This channel connects with the 35-foot channel leading to the harbor of Baltimore, and the distance from this main channel of 35 feet to the Curtis Bay piers is about 2 miles. It is therefore proposed by my colleague [Mr. TALBOTT of Maryland] to deepen these 2 miles of channel leading from the main channel to a corresponding depth of 35 feet.

The city of Baltimore has expended several millions of dollars in dredging and in the construction of docks and piers. She is now about to expend another large sum in deepening her harbors from the main channel to these docks and piers. Baltimore and Maryland are not asking the Government to do anything except cooperate with them in giving Baltimore a depth of water sufficient for the tremendous trade which plies to and from foreign ports.

NO DESIRE TO CRITICIZE BILL.

It is not my desire to critcize the bill before us, because I feel that the Committee on Rivers and Harbors have spent a great deal of time and labor upon this bill, and are doing what they feel is best with the money at hand, but we must realize that the State of Maryland, out of this great appropriation of $34,000,000 included in this bill, is receiving only about $45,600 for maintenance and completion of certain work. We are asking for $61,850 to pay for one-half of the expense of the construction of Curtis Bay Channel, this being enough to carry us until the next river and harbor bill is enacted.

RECEIPTS FROM BALTIMORE.

I realize, of course, that seaboard cities are the gateways to the country at large, and the information I give as to the collections of the Government from the city of Baltimore are based upon that theory. The customs receipts at Baltimore, which includes Curtis Bay, for 1914, amounted to within a fraction of $4,000,000 and the internal revenue paid in to the Government from our city aggregated about $7,600,000, making a total income to the Government from these two sources of nearly $12,000,000.

TONNAGE OF THE PORT.

The amount of tonnage reported for 1911, when the survey for the deepening of this channel was made, was approximately 2,300,000 tons, having a value of about $12,000,000. The commercial statistics by water, both imports and exports, for 1911 are more accurately given in the following table:

2,047,382 tons of coal, at $3 per ton	$6,142,146
25,000 tons of fertilizer, at $20 per ton	500,000
35,000 tons of fertilizer, at $25 per ton	875,000
70,000 tons of fertilizer, at $17.50 per ton	1,225,000
100,000 tons of naval fuel oil, at $20 per ton	2,000,000
80,000 tons of chemicals, at $14 per ton	1,120,000
	11,862,146

LARGE SUMS EXPENDED TO EQUIP FOR CAPACITY.

The Baltimore & Ohio Railroad has expended since 1910, $60,000,000 for increased facilities and additional tracks to bring coal to this port, and even this year, in spite of the hard times, that railroad expended $6,000,000 in constructing what is known as the Magnolia cut-off, in order to give further facilities and easy movement of trains to the port of Baltimore and Curtis Bay. The north and west banks of Curtis Bay are occupied by large manufacturing concerns, and the amount of business transacted there is very large, as I have said. The greatest business, however, is that of the shipment of coal. The present coal piers at Curtis Bay have a tried capacity of about 275,000 tons of coal—6,000 cars a month—approximately 3,300,000 tons a year, and the Baltimore & Ohio Railroad, which owns the big coal pier, has signified its intention, as soon as this channel is deepened, of building another, which will double the capacity.

NEEDED AS A NAVAL BASE.

The Navy Department is anxious to load coal at this point, but is practically prevented from doing so because their colliers carry 19,000 tons of coal and draw 30 feet of water. As this channel is only 30 feet deep, it is impossible to load the colliers to their full capacity, and it is both difficult and expensive to finish the loading in the channel leading to Baltimore, which is 35 feet deep.

A letter from Hon. Franklin D. Roosevelt, Acting Secretary of the Navy, says:

NAVY DEPARTMENT,
Washington, January 11, 1915.

The CHAIRMAN COMMITTEE ON RIVERS AND HARBORS,
House of Representatives, Washington, D. C.

MY DEAR MR. CHAIRMAN: I have the honor to urge the favorable consideration by your committee in connection with bill for the improvement of the rivers and harbors of the country of an item of $123,700 for deepening to 35 feet at mean low water the channel to Curtis Bay, Baltimore Harbor.

The Navy has had contracts for some years for the loading of coal at Curtis Bay, and the fact that this coal comes from one of our largest suppliers and is of the highest grade makes the Curtis Bay Harbor an asset of great military value to the naval service. This supply might easily become invaluable in time of war or of coal famine, due to strikes elsewhere, and it is respectfully urged that the item mentioned in the bill for the improvement of the rivers and harbors of the country, which makes this supply available to the Navy's largest colliers, be favorably acted upon.

There is at present a 30-foot channel into the railroad piers, but this will not accommodate the latest type colliers, as the *Neptune* grounded in the channel in 1912. This dredging would be of great value not only to the Navy but also to the commerce of the city of Baltimore and the State of Maryland.

Sincerely, yours,

FRANKLIN D. ROOSEVELT,
Acting Secretary of the Navy.

In addition to this, Mr. Rooosevelt has told me that it is dangerous to load coal at Philadelphia to the full capacity of the colliers, as they are likely to be grounded in the Delaware River. It will cost many hundreds of thousands of dollars to dredge the Delaware River for these big colliers, and require considerable time, whereas for $123,700 this Curtis Bay Channel can be deepened to 35 feet, which will accommodate the largest of them without any difficulty.

On March 20, 1912, Hon. Beekman Winthrop, Acting Secretary of the Navy, expressed the same views as Mr. Roosevelt as to the necessity of deepening this channel to 35 feet in order to equip it for loading coal for naval purposes. With the exception of Norfolk, there is no harbor along the whole Atlantic seaboard so important to the Government as a source of fuel supply.

Now, what is the use of talking about building a greater navy, when you will not spend $123,700 to construct a deeper channel to Curtis Bay to coal that Navy?

The United States Government at the present time is practically confined to Norfolk and Newport News for its coal supply, but if you will deepen the channel to Curtis Bay then you will have a strong competitor for this immense trade. Not only will you have a competitor for the trade, but you also have more coal fields and different grades of coal to draw upon. It may be necessary in time or war to have more than one harbor in which to secure coal for naval vessels, but until you deepen Curtis Bay you are confined to Norfolk and Newport News. if you would load the colliers to their full capacity.

The Government requires and purchases for its naval vessels on the Atlantic side about 700,000 tons of coal each year. The freight rate for the coal fields reached by the Baltimore & Ohio Railroad leading to Curtis Bay is $1.35 per ton. The lowest rate which can be had to the Norfolk and Newport News Harbors from their nearest coal fields is $1.40 per ton. If we take these lowest rates from the nearest coal fields, we have a difference of 5 cents per ton, and on 700,000 tons of coal it amounts to $35,000. If you add to that what could be saved by competition, I venture to assert that the total amount of $123,700, which it will require to complete the Curtis Bay channel, would be saved in each and every year. And this I say, in addition to the facts as I have alleged, the Government will be in touch with more coal fields and more railroads to haul it in times of necessity.

Certainly Maryland, which is only receiving in this bill $45,600, is entitled to this consideration, and I can not see why the committee should not be able to trust this House sufficiently to amend and put in an appropriation for such an imperative project as the one before us. Why should a proposition in which the Government itself is interested and which costs such a small sum of money be deprived of attention merely because the committee says that it does not want any amendments to this bill?

Mr. BURGESS. Mr. Chairman, I hate to oppose the amendment of the gentleman from Maryland [Mr. TALBOTT], for I love him very dearly, and I hate to oppose the gentleman from Maryland [Mr. LINTHICUM] who is, I hope, to be the new governor of Maryland. [Applause.]

But I must do it. This is a new project; it has never been appropriated for before. It is true it was in the last bill, but the last bill failed in the Senate. This is on a par with New London; it is on a par with Bridgeport; it is on a par with 24 other projects in the bill. It is on a par with all new projects. Now, the House can do as it pleases, but I submit that we have come before the House with a conservative bill and it is a salutary rule that we adopted in the committee unanimously,

not to take on any new projects, and it would be very unfortunate to break it down in the Committee of the Whole House on the state of the Union. I am not opposed to this project any more than I was to the New London one, but the condition of the Treasury is such that in the real interest of river and harbor improvements I am compelled to object to any new item going into the bill.

Mr. LINTHICUM. Will the gentleman yield for a question?

Mr. BURGESS. Certainly.

Mr. LINTHICUM. Does the gentleman realize that the difference in the freight which the Government would save by deepening this channel to Curtis Bay than to get coal at Norfolk would save more than this channel would cost in the course of a year? The difference in freight is about a dollar a ton.

Mr. BURGESS. That is the naval part of it. Yes; but that does not appeal much to me, although I think, perhaps, that is a matter to be considered when we take on any new projects, but it is idle to discuss the merits of any of these propositions. There were 74 new propositions, and they are coming on. Now, what will we do? There is no objection to these, gentlemen; I am sorry I have to take this position, but the gentleman from Maryland wants his improvement, Mr. MAHAN wants his, Mr. DONOVAN wants his, and here you go; and the only rule that could be adopted after much thought, after much discussion, was the one which we have come in and built this bill upon—that no new projects will be considered, no matter what their merits are.

The CHAIRMAN. The time of the gentleman has expired.

Mr. LINTHICUM. Mr. Chairman, I ask unanimous consent for leave to revise and extend my remarks in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Maryland? [After a pause.] The Chair hears none.

Mr. COADY. Mr. Chairman, I desire to make a similar request.

The CHAIRMAN. Is there objection to the request of the gentleman from Maryland? [After a pause.] The Chair hears none. The question is on the amendment offered by the gentleman from Maryland.

The question was taken, and the Chairman announced that the noes seemed to have it.

Mr. LINTHICUM. Mr. Chairman, I ask for a division.

The committee divided; and there were—ayes 20, noes 36.

So the amendment was rejected.

The Clerk read as follows:

Anacostia River, D. C.: Continuing improvement, $75,000.

Mr. HOLLAND. Mr. Chairman, I desire to offer the following amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

After line 8, page 11, insert the following:

"Norfolk Harbor at Norfolk, Va.: The unexpended balances of appropriations heretofore made for improvement of channels to Norfolk and Newport News, Va., are hereby made available for the widening of the channels and for the maintenance thereof, in accordance with the report submitted in House Document 605, Sixty-third Congress, second session."

Mr. HOLLAND. Mr. Chairman, I ask unanimous consent that I may be allowed to proceed for 15 minutes. I have consumed very little of the time of the House, and I hope there will be no objection.

The CHAIRMAN. The gentleman from Virginia asks unanimous consent to proceed for 15 minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. HOLLAND. Mr. Chairman, I shall not antagonize the committee. I shall support the bill. I am in favor of river and harbor improvements. And yet I feel that I should be neglectful of my duty to my constituents if I should fail to offer and ask for the adoption of this amendment.

When the rivers and harbors bill passed this House at the last session of Congress it carried, in addition to these balances, an initial appropriation of $270,000 for the improvement of the channels to the ports of Norfolk-Portsmouth and Newport News. The project for this improvement was recommended by the resident district engineer, by the Board of Army Engineers, and adopted by the House. It was one of the few items not criticized by a single Member of the House or of the Senate while the bill was under consideration. It is an improvement which is absolutely necessary in order to properly accommodate the steadily increasing commerce of these channels and can not be criticized.

The last bill was defeated in the Senate and a bill carrying a lump appropriation, to be expended on existing projects, was substituted therefor. This lump appropriation bill was severely criticized by the members of the House Committee on Rivers and Harbors, and partly for the reason that it confined all expenditures to existing projects. I very much regret that the committee has seen fit in the preparation of its bill for this year to follow the same policy which last year it condemned. It has, without good excuse, confined all expenditures to existing projects and has absolutely disregarded the present as well as the prospective demands of commerce on other streams.

The fact that a project is a new one, no matter how meritorious and no matter to what extent its adoption may be in the interest of commerce, seems to have been sufficient to condemn it. And yet there are a number of these projects fully as worthy of improvement, on which expenditures can as wisely be made, and which expenditures will bring fully as good, and in many cases much better, results than many of the old ones.

I am willing to admit that a work once started, if the project is meritorious, ought to go on without material interruption to completion. But, in my opinion, it is quite as important that the efficiency of finished projects should be maintained and that new work should be undertaken whenever it can be clearly shown that steadily increasing commerce can not be accommodated and must suffer unless such work is done. I also admit that this is no time for the unnecessary expenditure of public money, and partly for that reason I am not asking for any new appropriation for the improvement of the channels leading to the ports of Hampton Roads. I am not asking for the appropriation recommended last year. My amendment simply provides that the unexpended balances of appropriations heretofore made for the improvement of these channels, and which have been saved by the economical way in which improvements heretofore authorized have been made, shall be made available for the work which has been recommended by the engineers. It does not increase the appropriations carried by this bill a single dollar. Is it right to neglect for a period of five years or more—the time it will probably take to complete the old projects—an improvement which means so much to the growing commerce of these great ports?

There has already been expended in the improvement of these channels a little over $3,000,000. This is a much smaller sum than has been expended on the other great harbors on the Atlantic seaboard, and this will be true even after the expenditure recommended in the new project is made. And yet the present water-borne commerce of these channels is larger than the combined water tonnage of Wilmington, Charleston, Savannah, Mobile, Fernandina, and Jacksonville, on the South Atlantic seaboard, and is probably as large as that of any port on the North Atlantic seaboard, with the single exception of New York. And yet the appropriations carried in this bill for the maintenance of some of these ports are larger than the appropriations carried for all streams in Virginia. Have the expenditures already made brought beneficial results? The commerce of these channels in 1888 amounted to less than 2,000,000 tons. With a speech made by the distinguished chairman of this committee on Tuesday, September 29, 1914, he filed a statement showing that the tonnage of these channels amounted to 28,307,501 tons and the value of their commerce to $1,600,000,000. It is confidently believed that the tonnage of these channels now exceeds 30,000,000 tons.

My distinguished friend from Pennsylvania [Mr. DONOHOE] said only a few minutes ago that any channel having a tonnage exceeding one and a quarter billion dollars in value ought not to be neglected. He is a member of the committee, and I agree with him. Why should these channels be neglected when others just like them are being taken care of?

This is 10 tons of commerce—last year's traffic—for every dollar expended in the improvement of these channels. How many of the channels provided for in this bill can show such results? Many of them show a commerce of less than 1 ton for every dollar expended, and most of them show a commerce of from 1 to 3 tons for every dollar expended for their improvement, and on many of them a larger amount has already been expended than on the channels to the ports of Hampton Roads.

What are the prospective demands of the commerce of these channels? The tonnage of these channels has shown for the past two years an annual increase of approximately 3,000,000 tons, more than the combined commerce of a large number of the old projects deemed of sufficient importance to be included in this bill. It is a false policy not to make any provision for a steadily and rapidly increasing commerce. It is a false economy to hinder and retard its growth. The country is not opposed to wise but to wasteful expenditures of public funds.

But I do not wish to be misunderstood. I am not opposed to the improvement of our smaller waterways. I believe that any stream which, if improved, will bring results commensurate with the expenditures required for its improvement should be provided for. All these streams are useful arteries of trade, and, when improved and used, furnish a competition which

almost invariably results in a reduction of freight rates on the products of farm, factory, and mine. Expenditures made on smaller streams have added to the commerce of the ports of Hampton Roads and have been of material benefit to my section. But the great harbors of the country must not be neglected so long as the increasing business of these harbors imperatively demands still further improvement. In the improvement of such great harbors the people of the entire country are interested and benefited. Norfolk is a great distributing center. The volume of the daily carload tonnage to, from, and through the port of Norfolk-Portsmouth, according to figures recently compiled by the Chamber of Commerce of Norfolk, approximates in excess of 4,000 carloads daily, or more than 1,500,000 carloads annually. These figures show that, with the exception of New York, Chicago, and St. Louis, and probably one or two other cities, the city of Norfolk is the largest distributing center in the United States. And the development of the trade with the Pacific coast by way of the Panama Canal, which has been already inaugurated, will make Norfolk a still greater distributing center.

The width of the channel, for the widening of which this project provides, is now only 400 feet. There is not another port on the entire Atlantic seaboard, in which the same water tonnage is handled, which has as narrow a channel for the accommodation of deep-water commerce and which has not been provided for in this or some other bill. If greater width was needed for the accommodation of the commerce of these ports—and Congress has declared that greater width was necessary—then for the same reasons greater width is needed for the Norfolk channel. If the Government wisely expended its money for the widening of these other channels, then, at least, for the same reasons it would be equally as wise to expend money in widening the channels leading to the ports of Hampton Roads. We ask for the same treatment which has been accorded to the other great ports. We ask for no more than this, and we are certainly entitled to no less.

During the fiscal year ended June 30, 1914, there was a total of 466 ships to enter Hampton Roads from foreign ports, bringing imports valued at more than $6,000,000. During the same period a total of 1,756 vessels cleared from these same ports with cargoes for foreign ports valued at more than $25,000,000. During the same year a still larger number of steamships and vessels engaged in the coastwise trade handled a great part of the 1,500,000 carloads of freight which annually pass to, from, and through the ports of Norfolk-Portsmouth and Newport News. The total number of steamers and vessels, American and foreign, which entered and cleared through the customhouse at Norfolk during the past year was 5,456. This does not include the still larger number of steamers and vessels which are not required to register at the customhouse and which use these channels. It can readily be seen that such a great volume of commerce makes these exceedingly busy channels. Frequently as many as four and five vessels can be seen abreast in the Norfolk channel, and collisions are often barely avoided. The width of the channel is not sufficient for the present needs of its commerce nor for the safety of the vessels which use it. How can we accommodate a commerce which is steadily increasing at the rate of 3,000,000 tons per year without additional improvements?

It must also be borne in mind that the channel to Norfolk-Portsmouth is daily traversed by naval vessels, including the largest battleships and colliers, going to and returning from the Norfolk Navy Yard. Battleships, colliers, and ocean-going steamships are often seen abreast in the deeper channel and sometimes so obstruct it as to interfere with coastwise commerce.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HOLLAND. Mr. Chairman, I ask permission to proceed for three minutes.

The CHAIRMAN. The gentleman from Virginia asks permission to proceed for three minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. HOLLAND. These battleships, colliers, and ocean-going steamships usually have a draft of more than 30 feet, and for their accommodation a channel 35 feet deep and 400 feet wide—and which is also used by other vessels—is clearly insufficient. It is true vessels of lighter draft ought to be required to navigate along the shallower sides of the channel, reserving the deeper channel for deep-draft vessels, but it would be impossible to enforce a regulation of this kind. A width of 600 feet, proposed in the new project, is barely sufficient to meet the present demands. Why place this channel at such a disadvantage and refuse to make these funds available for its improvement?

I know that the sensible thing to do when our revenues are decreased is to cut out unnecessary expenditures. But I also know that our decreased revenues are amply sufficient to meet the actual needs of commerce, and that the country will approve a bill which carries for this purpose no extravagant or wasteful expenditure. If necessary, you could meet the actual demands by reducing appropriations for old projects and by using the sums saved in this way on new improvements. The country will not commend us for economy solely because we confine our expenditures to old projects and without reference to the present or prospective demands of commerce. The country will not applaud our good judgment when it ascertains that we have neglected great harbors and have at the same time made provision for projects which can promise no large returns. There are old projects provided for in this bill on which larger sums have been expended than on the channels to the ports of Hampton Roads, and whose commerce will not exceed 1 ton for every dollar expended in their improvement. If this is a wise expenditure of public money, then surely it would be fully as wise to make some provision for the improvement of channels which show 10 tons of commerce for every dollar expended on them, and whose annual increase in tonnage is larger than the prospective commerce of these other streams. A practical business man usually places his money where he can safely hope to secure the largest returns, and, if the profits are satisfactory, he never feels that he has made an unwise investment. And if our expenditures in the interest of commerce bring results commensurate with the cost of the work, the people will not complain that their money has not been wisely and economically expended. But they will condemn us if we expend it on projects, new or old, which promise no good returns.

I hope that this amendment will be adopted. I know that its adoption will be in the interest of economy and in the interest of commerce. My constituents know that they are entitled to this improvement, and your constituents can not criticize you if you assist me in making available for use funds which have already been appropriated therefor.

Gentlemen, accord to us the same treatment that you have already accorded to other harbors on the Atlantic coast. We ask for no more; we are entitled to no less. [Applause.]

Mr. SPARKMAN. Mr. Chairman, I have nothing to say whatever as to the merits of this proposition. It is, I dare say, a good project. Indeed, our action in the last bill, the bill of 1914, in adopting it, showed what the committee at that time thought of it. I have not since had any reason whatever to change my views as to its merits. It is on all fours with several other new projects that we have not adopted and will not adopt if the action of this House to-day is to be taken as a criterion. It is similar to the Curtis Bay project, but possibly—although I do not wish to draw any invidious distinction between the two—possibly not as urgent as Curtis Bay, because that called for an increase of depth, while this project calls only for an additional width of a channel now being utilized. Then, too, it is a new project. If we were taking on new projects, I have no hesitancy in saying that I think this one would be adopted by us. At least, it would meet with my approval, as it did last year when we were preparing the 1914 bill. But unless we conclude to take on new projects, this should fall with other projects we have been considering to-day. I hope the amendment will not be adopted.

Mr. SAUNDERS. Mr. Chairman, I want to say just a word in support of my colleague's proposition. The strength of his proposition consists of the fact that he is not asking for anything to be done that calls for the expenditure of any additional money.

Mr. SPARKMAN. I would like to say right there, if the gentleman will pardon me just a moment, that while that is true, it takes money that otherwise would not be expended for that purpose. It is money that is in the Treasury.

Mr. SAUNDERS. It is lying there idle.

Mr. SPARKMAN. Like any money in the Treasury not having been appropriated. One word more right there. This is a project that calls for the expenditure of about $1,100,000. The amount on hand is $130,000, so that we would still have to appropriate about $1,000,000.

Mr. HOLLAND. Will the chairman permit an interruption?

Mr. SPARKMAN. Certainly.

Mr. HOLLAND. Is it not true that a great many other harbors, in which practically no greater tonnage is now being handled, are receiving under this bill something like a million and five hundred thousand dollars?

Mr. SPARKMAN. I hope the gentleman will do me the credit to say that we are not discriminating and have not intended to discriminate against him in any way, because we showed that fact last spring when the other bill was being prepared. We then passed favorably upon his project.

Mr. SAUNDERS. Mr. Chairman, I wish to say in behalf of this amendment, that the merits of the same have been fully presented by my colleague. The amount of tonnage and commerce at Norfolk, and the development that would follow from this improvement, have been presented by him in such a cogent way, that I can add nothing to it. The difference between this proposition, and the other propositions heretofore rejected is that there is a little unexpended balance in this case which has been left over as the result of other appropriations for work in that vicinity. My colleague simply asks that this little trifling sum—because it is a trifling sum in comparison with the merits of his proposition—may be appropriated and allowed to be expended in the development of the improvement in which he is interested. I think this committee could grant this request on the part of the gentleman from Virginia [Mr. HOLLAND] without impinging in any wise upon the rule laid down by the committee, and which has prevailed up to the present time. This is one project of a singularly meritorious character that may be easily differentiated on the facts from the others that have been rejected. It asks for but little expenditure at this time. It seems to me that the committee may very well maintain its consistency, and at the same time vote in favor of the proposition.

Mr. MAHAN. Mr. Chairman, the chairman of the committee made the statement that one of the reasons why he would oppose this meritorious project was on account of the money it would take from the Treasury. Now, he is to be commended for taking that position, perhaps. But I think I can suggest a way to this committee that will relieve them of the embarrassment in that way and yet give this money to this most meritorious project. You have in your bill a project of $100,000 for St. Lucie Inlet. Is that right, Mr. Chairman?

Mr. SPARKMAN. That is right.

Mr. MAHAN. That project, Mr. Chairman, in the report of the resident engineer is turned down. In his report the engineer says there is no merit in it, and no commerce, and ought not to be approved. The recommendation of the district engineer was approved by the division engineer. That comes from the resident engineer, if I am not mistaken. From a conference held here in Washington it was thought best, from evidence received later on, to have another investigation, and that other investigation produced the necessary proof to bring this about. As I understand it, that is one of the projects that can well wait. There never has been a dollar used on that. Some two years ago $100,000 was appropriated, but the bids received to do the work as advertised by the engineers were not satisfactory, and the only amount of that money expended was $72.92 for advertisements. That being so, you have clearly $100,000 for that item, which, in my judgment, can not be justified, and the money ought not to be expended, and if you defeat that appropriation you can easily give the money to the deserving project at Norfolk. That is only one of the many similar items that are contained in your bill and ought to be rejected.

Mr. SMALL. Mr. Chairman, while loath to occupy the time of the committee, I think perhaps it is appropriate that I should say just a word regarding this amendment.

I live in a district in eastern North Carolina contiguous to the Virginia line, and Norfolk is our chief commercial port, so that substantially our people are as much interested in it, and I as their Representative feel as much interested in the great port of Norfolk as if I lived in that progressive city; so that if inclination were necessary in order to induce one to support this amendment I have that inclination as strongly as anyone could possibly have it.

Now, these are the facts, Mr. Chairman: No one questions that this is a new project, and in that respect it is similar to the other new projects which have been sought to be added to this bill. But gentlemen have tried to differentiate this particular amendment as a new project from other new projects, because they say if we adopt this amendment and thereby adopt the project you will not take any money out of the Treasury, but divert money which is unexpended from another project which has been completed and make it available for this project. Now, as to that money which was appropriated and not expended for another completed project, as the chairman said, it is in the Treasury.

Mr. HOLLAND. Mr. Chairman, will the gentleman permit an interruption?

Mr. SMALL. Certainly.

Mr. HOLLAND. Will you name any other port on the Atlantic seaboard in which the same amount of tonnage is handled for which appropriations larger than the appropriations made for Norfolk have already not been made by your committee?

Mr. SMALL. Answering the question of my friend from Virginia [Mr. HOLLAND], that simply affects the merits of this proposition, and I am purposely avoiding any discussion of the merits. I will be frank enough——

Mr. HOLLAND. Mr. Chairman, will the gentleman permit another question?

Mr. SMALL. Yes.

Mr. HOLLAND. Do you not feel that the very same treatment ought to be accorded to the port of Norfolk that is accorded to these other ports for which you have voted appropriations?

Mr. SPARKMAN. It will be treated the same when we get to it. There is no doubt of that.

Mr. SMALL. I am trying to be frank and admit the merits of this proposition. As the chairman said, after full consideration this proposition was included in the 1914 bill, which did not pass the Senate, and which did not become a law, so that I am purposely avoiding any discussion of the merits, and for the purpose of entire frankness I admit it.

Mr. HOLLAND. Then, it is a fact that this particular item has been rejected without reference to the demands of present or prospective commerce, and simply because it is a new project?

Mr. SMALL. It was not included in the bill for the same reason that the harbor of New London was not included in the bill.

Mr. HOLLAND. Will my friend permit another question?

Mr. SMALL. Yes; but make it as brief as you can.

Mr. HOLLAND. Then, as a matter of fact, the committee, in the preparation of this bill, did not consider the present or future needs of commerce, but rejected projects for the sole reason that they are new?

Mr. SMALL. The project in this amendment, regardless of its merits, stands on a parity with the other 79 new projects which were in the 1914 bill, which did not become a law. They are not included in this bill for reasons of economy, as so fully explained in this discussion, and the only question presented to the Committee of the Whole is whether you will single out this project and adopt this amendment and leave out the other seventy-odd new projects, some of which perhaps were not altogether as meritorious as this, some of which did not involve as large a volume of commerce as this, and yet all of them having received favorable reports, and, in the opinion of the committee, sufficiently worthy to be recognized by an appropriation and to become adopted projects.

Mr. HOLLAND. Mr. Chairman, will the gentleman permit me one further question?

Mr. SMALL. Yes.

Mr. HOLLAND. Is there a single other new project involving as great a volume of commerce as is involved in this particular project asking for as small an appropriation?

Mr. SMALL. While not undertaking to say that there is no other new project where the same amount of commerce exists as exists at the port of Norfolk, I do not recall the tonnage of all the ports sufficiently well to differentiate it so favorably in that respect. Yet I do say generally that there are other projects against which no criticism can be leveled; and if this is adopted, then they should be adopted. My friend is mistaken in his attitude that this project has such greater merit than other projects, as evidenced by the report of the Chief of Engineers. The report of the engineers, without taking the time to read it, shows that in the last paragraph the Chief of Engineers, simply, as in other projects, declares that it is advisable, and ought to be provided for by Congress.

Now, Mr. Chairman, as I say, no reason has been given why this new project should be differentiated from other projects.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SMALL. I ask unanimous consent for two minutes more.

The CHAIRMAN. The gentleman from North Carolina asks unanimous consent for two minutes more. Is there objection?

There was no objection.

Mr. SMALL. The money sought to be appropriated here has been covered into the Treasury, and will remain there unless it is taken out by reason of this amendment. It is the same as if $130,000 were appropriated directly out of the Treasury; and substantially the contention which has been so insistently set forth by the two gentlemen from Virginia has no foundation in fact as a matter of differentiation.

Mr. Chairman, one intimation here has been repeated more than once which ought to have no further expression in this House. My good friend, the gentleman from Connecticut [Mr. MAHAN], said something about St. Lucie Inlet, Fla. Let that item take care of itself when the time comes. We will discuss it then. But if it was intended by that reference to St. Lucie Inlet that the committee should draw any inference against the distinguished chairman of this committee [Mr. SPARKMAN] of

any unfairness to other projects, or injustice to other sections, or undue discrimination in favor of any project, simply because it is located in the State of Florida, as one member of the committee, who thinks he knows whereof he speaks, I repel that insinuation and inference, and in that attitude I believe I have the approbation not only of the committee unanimously but, as I hope and believe, of the entire membership of this House. [Applause.]

The CHAIRMAN. The question is on the amendment of the gentleman from Virginia.

The amendment was rejected.

The Clerk read as follows:

James River, Va.: Continuing improvement and for maintenance, $100,000.

Mr. FREAR. Mr. Chairman, I move to strike out lines 13 and 14.

The CHAIRMAN. The gentleman from Wisconsin offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 11, strike out all of lines 13 and 14.

Mr. FREAR. Mr. Chairman, I have made a conscientious effort to find out what projects in the North were objectionable, and I have pointed out those that seemed to me, because of harbor facilities and matters of that kind, most open to criticism. I have done it, as I said, sincerely, and it is simply with that same purpose that I take up this project, to point out briefly what the engineers' report shows.

There is available, or was at the date of the last report, the sum of $14,357. On this project there had been expended up to June 30, $2,419,370. The appropriation calls for $100,000. It is a project that was begun July 5, 1884, for a 22-foot channel from Hampton Roads up to the city of Richmond at an estimated cost of $5,374. After a period of a little over 30 years we have completed 45 per cent of the project, and during all of the time in recent years the traffic has been stationary. There is a present depth of 18 feet. There is nothing in the engineers' report, so far as I can ascertain, which shows the immediate necessity for carrying on this project, which has been dragging along now for 30 years and is only 45 per cent completed. At a time when we are trying to save all the money we can in a large bill of this kind, I urge the importance of allowing this project to go over at least for the present, and for that reason I move to strike out the item.

The CHAIRMAN. The question is on the motion of the gentleman from Wisconsin to strike out lines 13 and 14 on page 11.

The motion was rejected.

The Clerk read as follows:

Inland waterway from Norfolk, Va., to Beaufort Inlet, N. C.: Continuing improvement, $600,000.

Mr. FREAR. Mr. Chairman, I move to strike out lines 15 and 16.

The CHAIRMAN. The gentleman from Wisconsin offers an amendment which the Clerk will report.

The Clerk read as follows:

Page 11, strike out all of lines 15 and 16.

Mr. FREAR. This is an inland waterway from Norfolk to Beaufort, and it calls in the bill for $600,000. It is a $5,400,000 project, and on July 1, 1914, there was available the sum of $820,115. With that large amount on hand, three-quarters of a million dollars at that time, this bill calls for $600,000 more. This canal has very little traffic, as I am prepared to show if necessary. The traffic in 1903 was 203,812 tons. In 1912 it amounted to 90,337 tons. I want to read for a moment from the Engineer's report, page 461. This is the last report coming to the House, and it says:

Between Albemarle Sound and the Neuse River the present adopted route follows, successively, the Alligator River, a proposed land cut to Rose Bay, Rose Bay, and Pamlico Sound, but under authority granted by the act of March 4, 1913, surveys are now in progress to determine the relative advisability of adhering to this route or taking another. There is at present through the section a natural water route by way of Croatan Sound, having a navigable depth of 9 feet.

Mr. GOODWIN of Arkansas. Has the board made any estimate and recommendation of what this whole thing will cost?

Mr. FREAR. Five million four hundred thousand dollars, and $820,000 was on hand at the last report, and a survey is to be had to determine where the money for the project shall be expended.

Mr. SPARKMAN. On the 1st of November, I will say to the gentleman, there were only $79,000 on hand.

Mr. FREAR. If that be true, it shows that on this project, which in 1912 shipped only 90,000 tons of freight, we have been able to spend over $700,000. I want to call attention to one more item which includes the building of three bridges by the Government at a cost of $80,000. The engineers wanted a million dollars, but I am frank to say that the committee tried to stave off a part of it and gave them only $600,000.

Mr. CALLAWAY. Will the gentleman yield?

Mr. FREAR. Yes.

Mr. CALLAWAY. I want to get at the facts here. As I understand, there were $800,000 that have not been expended.

Mr. FREAR. That was the balance on hand July 1, 1914.

Mr. CALLAWAY. How much money has been expended in all?

Mr. FREAR. The expenditures up to June 30 were $576,300.

Mr. SPARKMAN. To that should be added the difference between $77,000 and $820,000.

Mr. FREAR. Yes; over $700,000 was expended within four months.

Mr. SPARKMAN. From the 30th of June to the 30th of November.

Mr. CALLAWAY. What was it expended for, the purchase of a canal?

Mr. SPARKMAN. No; for actual work.

Mr. DONOVAN. Mr. Chairman, will the gentleman state how the committee determines that it is necessary to have $600,000 mentioned in line 16?

Mr. FREAR. The engineers, according to the report, asked for $1,000,000.

Mr. DONOVAN. So it is based on something that they got from the engineers?

Mr. FREAR. I can not state to the gentleman what the committee's action was based on.

Mr. CALLAWAY. I want to ask the gentleman another question. I understand the report changes the original proposition, and that they are going to cut across a territory and run in a different way from what has been heretofore approved by the engineers.

Mr. FREAR. So far as the engineers' report is concerned, they are going to make surveys to determine where it is going.

Mr. CALLAWAY. They have had a little canal operating there with a little gasoline boat carrying about as much as a box car.

Mr. FREAR. I do not know the quantity, but believe it is small.

Mr. DONOVAN. Will the gentleman permit an inquiry?

Mr. FREAR. Certainly.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. CALLAWAY. Mr. Chairman, I move to strike out the last word. A year or two ago, before there had been a dollar expended on the intercoastal waterway from Boston to the Rio Grande, I tried to get this thing stricken out. The proposition then was to appropriate $500,000 to buy a section of this canal to begin the work. Since that time there has been expended, according to the chairman, about $1,320,000. Now, we have yet to expend the balance of $5,400,000 on that project.

Mr. SPARKMAN. $5,400,000.

Mr. CALLAWAY. Well, $5,400,000. After studying this proposition of an intercoastal canal—this House heard the gentleman from Illinois to-day on this economic proposition, which he says is meritorious; no, not as meritorious as it would be to dig a canal from Chicago across the Rocky Mountains to the Pacific Ocean, and I quite agree with him—we are called upon to go on and spend more money on this canal, which is a segment, according to the surveyor's original plan, of this inland waterway.

The question is with us whether or not we are going to continue this intercoastal waterway by appropriating the amount set apart for this section at this time, $600,000. Looking at the engineer's report and the amount of commerce carried in that territory, and with my knowledge of ordinary everyday business, and with what I have of everyday common horse sense, Mr. Chairman, if it was put up to me, I would not, if I had the money, give $600,000 for the Beaufort Inlet to Norfolk Canal, completed. What will go upon it? It will carry a few little lumber craft, oil boats, and the pleasure boats of those people from up North who go down South to winter, who have little boats which they can not risk out in the ocean. That is what it is for. It is not to carry freight. It can not be worth anything to this country as a whole as a commercial highway. The cheapest freight, and the only real cheap freight we have, is an open waterway we have out 3 or 4 miles off to the east of this canal from Beaufort Inlet to Norfolk, Va., in the Atlantic Ocean. It runs around to the Gulf of Mexico, and the cheap water rate we have on the southern coast of Texas is the Gulf. The freight there is carried in big boats that carry from 2,000 tons upward, with the propeller in the waist, and that run straight across big, open water.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. CALLAWAY. Mr. Chairman, I ask unanimous consent for three minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. SPARKMAN. Mr. Chairman, I ask unanimous consent that all debate on this amendment and the paragraph close in eight minutes.

Mr. SMALL. Mr. Chairman, reserving the right to object, I would like to have five minutes of that time.

The CHAIRMAN. The gentleman from Florida asks unanimous consent that all debate on this proposition close in eight minutes, the gentleman from Texas to have three minutes and the gentleman from North Carolina to have five minutes. Is there objection?

Mr. DONOVAN. That is on the amendment?

The CHAIRMAN. On this paragraph and all amendments thereto.

Mr. DONOVAN. Mr. Chairman, I shall have to object, because I want to get some information before I vote on this proposition, and I am entitled to that.

The CHAIRMAN. The gentleman from Connecticut objects.

Mr. CALLAWAY. Mr. Chairman, I would be glad to give the gentleman what information I can.

Mr. DONOVAN. No; the gentleman from Texas ought to be allowed to continue what he wishes to say upon this matter.

Mr. CALLAWAY. Mr. Chairman, wherever a legitimate project is proposed and it is shown that it is a good investment, the kind of investment that a private individual with the whole field before him would go into if he was paying his own money out upon it, I would go into it, and not otherwise.

Digging a canal to parallel the Atlantic Ocean, to give a waterway to people who are on the coast, giving a waterway from Beaufort Inlet to Norfolk, Va., when they have the open Atlantic Ocean running from Norfolk to Beaufort Inlet, S. C., is foolishness; it is time to stop. They want it to run just inside the shore, and for what? To accommodate the great ocean-going traffic? Oh, no; it is to be a 12-foot channel. What could it accommodate? Real traffic going along that shore which the gentleman from Pennsylvania [Mr. MOORE] says is driven in on the coast and wrecked? Oh, no. No ocean-going steamer could ever go into the canal. Last year, after we had appropriated $1,300,000 for that thing, I made an investigation to find out what kind of traffic was running from Beaufort Inlet to Norfolk, Va., and I found there were two little gasoline boats drawing 3 feet of water running, each one of them carrying about as much as a box car, making the trip once a week each. [Laughter.]

I made investigation to find facts about small boats running on inland waters, and I found that the river traffic and canal traffic throughout the United States had been declining since 1881 to 1906, and was still declining——

The CHAIRMAN. The time of the gentleman has expired.

Mr. CALLAWAY. Give me one more minute.

The CHAIRMAN. The gentleman from Texas asks unanimous consent to proceed for one minute. Is there objection? [After a pause.] The Chair hears none.

Mr. CALLAWAY. It was still declining, and that it had declined about 50 per cent from 1881 until 1906, and from 1906 until 1912 it was continuing to decline at about the same rate, showing conclusively that river and canal traffic could not compete with the railroads. But, oh; they talk about reducing freight rates. Trying to reduce freight rates when the Interstate Commerce Commission is raising freight rates is incongruous. The railroads say they can not live at the rates they now have, and we are pouring out on little inconsequential streams and impossible harbors millions and millions of dollars trying to lower freight rates, when the Interstate Commerce Commission, after going into the matter thoroughly, are raising freight rates in order that the railroads may live. Foolishness! Foolishness! Foolishness! What for? I am going to read into this RECORD before I quit the "what for." The fellows have shown it here in this discussion. What is the complaint made here, "that you do not give me enough. You are treating Dick better than you treat me. He was 9 and I was 8." That is the whole complaint against any feature of this bill.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. CALLAWAY. Give me a minute more, and then I will quit.

The CHAIRMAN. The gentleman asks for one minute additional. Is there objection?

Mr. MANN. Mr. Chairman, reserving the right to object, unless we reach an agreement as to the time to be consumed on the paragraph, I shall object.

Mr. SMALL. Mr. Chairman, in deference to the suggestion of the gentleman, I ask unanimous consent that debate on this paragraph close in six minutes, the gentleman from Texas to have one minute and I to have five minutes.

The CHAIRMAN. The gentleman from North Carolina asks unanimous consent that debate on this paragraph and all amendments thereto close in six minutes, the gentleman from Texas to have one minute and the gentleman from North Carolina five.

Mr. CALLAWAY. Make it eight minutes and I will quit.

The CHAIRMAN. The Chair can not make it anything. The Chair is simply stating the request.

Mr. CALLAWAY. I ask unanimous consent that it may be eight minutes, and five of those minutes be given to the gentleman from North Carolina and that I may have three.

Mr. SMALL. Mr. Chairman, I yield to the suggestion in reference to eight minutes—that three shall be given to the gentleman from Texas and five minutes to myself.

The CHAIRMAN. The gentleman from North Carolina asks unanimous consent that debate on this paragraph and all amendments thereto close in eight minutes, three to go to the gentleman from Texas and five to the gentleman from North Carolina. Is there objection?

Mr. DONOVAN. Mr. Chairman, the proposition of the gentleman from North Carolina was on the amendment. I have no objection to closing the debate on the amendment in eight minutes, but I want to get some information in regard to this $600,000 appropriation, and I can not get it from the gentleman from Texas and the gentleman from North Carolina. I want an opportunity to ask the gentleman from Wisconsin [Mr. FREAR]. Now, if they want to have this debate closed on the amendment, I have no objection; but if on the paragraph and all amendments thereto, I am going to object.

Mr. SMALL. How much time does the gentleman from Connecticut wish?

Mr. MANN. How much time does the gentleman want?

Mr. DONOVAN. Did the gentleman address his remarks to me?

Mr. MANN. How much time does the gentleman want?

Mr. DONOVAN. Five minutes, Mr. Chairman.

Mr. MANN. Make it 13 minutes.

Mr. SMALL. Mr. Chairman, I ask unanimous consent that all debate on this paragraph and all amendments thereto close in 13 minutes, 3 minutes to go to the gentleman from Texas, 5 minutes to the gentleman from Connecticut, and 5 minutes to myself.

The CHAIRMAN. The gentleman from North Carolina asks unanimous consent that debate on this paragraph and all amendments thereto close in 13 minutes, the gentleman from Texas to have 3 minutes, the gentleman from Connecticut to have 5 minutes, and the gentleman from North Carolina to have 5 minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. CALLAWAY. Mr. Chairman, the whole trend of this argument that has been going on since this bill came up was, as I said, "You did not give me my share; you took too much and did not give me enough." Now, let us see if that is the way Members of this House work on this river and harbor appropriation bill according to the sentiment of the country and according to this River and Harbor Congress that worked so diligently in this matter. Let us see. Capt. Ellison—and this river and harbor committee know Capt. Ellison—the secretary and treasurer of the River and Harbor Congress, said:

> It is not his fault as I see it, but our fault, and I use the word "our" in a nation-wide sense. We send him here to legislate for the Nation theoretically, but actually to get all he can for us; and if he does not get our share, and then some, we do our best to replace him with some other man, who takes better care of our particular congressional district.

That is what Capt. Ellison says. Is not that what you are doing? Oh, yes; that is what you are doing. Did you hear the gentleman from Georgia [Mr. EDWARDS] say, "How can I go back to my constituency if they put in this new project of the gentleman from Connecticut and I do not get a new project, and explain to them that I have done my duty in getting everything I could?"

Get everything you can get. That is the whole theory of this river and harbor bill and the way it is made up. I do not complain of these men. They are human. I have yet to go to any place and see a body of men that are not human. These organizations behind them are working at them to get all they can. The dredging organizations are working at them. The River

and Harbor Congress is working at them. How? Here is a report from an official of a dredging organization. Let us see what he says in reference to what should be done:

These entertainments do not entail any serious expense upon the association, but they do create the greatest possible prestige for our business in the estimation of those whose favor it is to our advantage to gain. Influential public men and men of business affairs having to do with transportation companies and steamship lines ARE ENTERTAINED by us on these occasions with the greatest possible benefit to our business—municipal officers, heads of departments, Members of Congress and of legislatures—and their favor and interest is legitimately gained and has been found to be of the greatest value when circumstances required it. THE EXPENSE OF OUR ENTERTAINMENT IS WISELY EXPENDED AND BRINGS AN ADEQUATE RETURN FOR EVERY DOLLAR SO SPENT.

The CHAIRMAN. The time of the gentleman has expired.

Mr. CALLAWAY. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Texas asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. DONOVAN. Mr. Chairman, if I can have the attention of the gentleman from Wisconsin [Mr. FREAR], I would say that I notice here an appropriation of $600,000 for a waterway from Norfolk, Va., to Beaufort Inlet, N. C., in the language: "Continuing improvement." Could the gentleman, with his research, state how they determine that amount at $600,000? How do they arrive at it?

Mr. FREAR. I presume the committee could give a more intelligent answer than I can, but I will venture this statement, gathered from the reports I have gone over quite fully and carefully. They are very large reports, and I have tried to get what information I could simply for this purpose. Five million four hundred thousand dollars have first been approved in that project, and then they make appropriations. They make recommendations to the committee. They have put in over $500,000 already besides the $800,000 they had on hand. The engineers now ask for $1,000,000. The committee, in taking it up, has in its wisdom decided that $600,000 is all they will put in the project this year.

Mr. DONOVAN. Let me see. The Board of Engineers has at some time authorized or recommended this appropriation, and they have done it in sections, so to speak—different amounts for different years. Is this the first year, or have there been several years before this?

Mr. FREAR. There have been other appropriations before, because $500,000 have been expended before.

Mr. DONOVAN. Does the gentleman know when, or not?

Mr. FREAR. No; I have not followed that out. The act was passed in 1912. The project was to cost $5,400,000. An expenditure of $576,305 had occurred up to June 30, 1914. So it was within two years that that money was expended.

Mr. DONOVAN. Do the engineers make a report every year, or, at least, when there is a new appropriation recommended by the Rivers and Harbors Committee?

Mr. FREAR. I understand they do, and request the amount that they can use either for maintenance or for the continuance of the project or improvement. Of course, I am not on the committee.

Mr. DONOVAN. Was there a report from the Board of Engineers this year for that $600,000?

Mr. SPARKMAN. The estimate by the War Department for *this year, to* last until June 30 of next year, was $1,000,000; but, when we undertook the task of cutting all the items, and particularly the larger items, we came to the conclusion that while they might spend, and could spend judiciously, no doubt, $1,000,000 during the period mentioned, they could get along on $600,000; and hence we allowed that amount.

Mr. DONOVAN. Now, the gentleman will say there was an appropriation made for this same work in some other year—a year ago, or two years ago, or whenever it was.

Mr. SPARKMAN. Two appropriations have been made before this.

Mr. DONOVAN. Exactly. Well, then, it is continuing that same work, is it not?

Mr. SPARKMAN. It is a continuation of that same work.

Mr. DONOVAN. Still, it is a new work—work that has never been done before?

Mr. SPARKMAN. It is an old project.

Mr. DONOVAN. Like the Bridgeport project, that was adopted in 1889, modified again in 1906, and modified again in 1910.

Mr. SPARKMAN. This has not been modified, though.

Mr. CALLAWAY. They are fixing to modify it, though, by fixing another cut-off.

Mr. SPARKMAN. They are not arranging for anything of that kind now.

Mr. DONOVAN. Now, what is bothering me, Mr. Chairman, is to distinguish the difference between a new project and an old project. I understand from the gentleman from North Carolina [Mr. SMALL] if there has been an appropriation made and afterwards it needs a deeper digging or greater widening of the channel it is an old project. Now, there is a conflict here amongst these experts. The chairman seems to think that it is not an old project to ask an appropriation, but calls it a new project.

Mr. SPARKMAN. What new project?

Mr. DONOVAN. The gentleman from North Carolina claims when there has an appropriation been made for rivers and harbors that later should require deepening or widening that that would be an old project.

Mr. SPARKMAN. That would be a new project.

The CHAIRMAN. The gentleman's time has expired. The gentleman from North Carolina [Mr. SMALL] is recognized for five minutes.

Mr. SMALL. Mr. Chairman, I do not think it necessary to take up the time of the committee, but in view of some statements that have been made I will ask the attention of the committee briefly.

If there is one project in this bill which has been thrashed over in every detail more carefully than any other, which has been at times the subject of criticism and approbation more than any other, it is this waterway from Norfolk, Va., to Beaufort Inlet, N. C. It is, I think, a fair statement to make that the facts upon which it is based have commended this project favorably to every citizen, either in or out of Congress, who is in favor of river and harbor improvements and who sincerely desires to determine the merits of the project. I will make just this brief statement——

Mr. DONOVAN. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from North Carolina yield to the gentleman from Connecticut?

Mr. SMALL. I can not yield now, I regret to say. I have only five minutes.

The CHAIRMAN. The gentleman declines to yield.

Mr. SMALL. This waterway is about 185 miles long, from Norfolk to Beaufort. It intersects the inland sounds and waters of North Carolina, with three excavations through solid land, amounting altogether to not exceeding 12 miles, all of which have been excavated. It lies inside of Cape Hatteras and Cape Lookout, the two most dangerous points on the Atlantic seaboard. It forms an outlet for the water-borne commerce of eastern North Carolina, having navigable rivers aggregating a total length of more than 1,300 miles and having navigable sounds with an area of 2,500 square miles and affords the only outlet of all that thrifty section, with a population of nearly a million, one of the richest agricultural sections of the South, to the outside world.

These statements in the main constitute the bases of its merits. It is a practicable proposition from an engineering standpoint. There have been three distinct surveys by three different boards of engineers, and every one of them has made an unequivocally favorable report upon it.

As to the commerce, in order to illustrate the inaccuracy—unintentional, of course—of the gentleman from Texas [Mr. CALLAWAY] about one gasoline boat, there passed through the upper end of this waterway in 1913, that end between Norfolk and Albemarle Sound, in all 8,465 vessels.

Mr. CALLAWAY. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from North Carolina yield to the gentleman from Texas?

Mr. SMALL. No; I can not be interrupted. I commend to the gentleman to listen to me. It would be better for him. I can not be interrupted.

The CHAIRMAN. The gentleman declines to yield.

Mr. SMALL. Eight thousand four hundred and sixty-five vessels. There was a tonnage also for the same year of 652,524 tons, of a total valuation of $9,224,621. This commerce passed through this waterway in spite of the fact that it has deteriorated and was being maintained and in some sections under construction at the time, impairing the use of the waterway to an appreciable extent.

Taking it altogether, Mr. Chairman, based upon the proposition that it avoids our most dangerous coastwise navigation; that it affords an outlet to these numerous navigable rivers and navigable sounds in eastern North Carolina and is the only outlet for its water-borne commerce; considering the commerce which has already been attracted to it and which in the opinion of unbiased observers, the United States Engineers, will largely be increased when completed, in the opinion of unbiased men everywhere it is not subject to criticism, but is worthy of commendation as a waterway of conspicuous merit.

The CHAIRMAN. The time of the gentleman from North Carolina has expired. The question is on agreeing to the amendment offered by the gentleman from Wisconsin.

Mr. CALLAWAY. Mr. Chairman, I ask that the amendment be reported again.

The CHAIRMAN. Without objection, the amendment will be again reported.

The amendment was again read.

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the Chairman announced that the noes seemed to have it.

Mr. CALLAWAY. I ask for a division, Mr. Chairman.

The CHAIRMAN. A division is demanded.

The committee divided; and there were—ayes 15, noes 49.

So the amendment was rejected.

The CHAIRMAN. The Clerk will read.

Mr. BROCKSON. Mr. Chairman, I ask unanimous consent to return to page 10, line 8, for the purpose of offering an amendment.

The CHAIRMAN. The gentleman asks unanimous consent to return to the portion of the bill which was passed over. He has that right.

Mr. MANN. It was passed over by unanimous consent. He has the right to return to it.

The CHAIRMAN. He has the right to return to it under the unanimous consent, and the gentleman is recognized.

Mr. BROCKSON. I offer the amendment which I send to the Clerk's desk.

The CHAIRMAN. The gentleman from Delaware offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. BROCKSON: Page 10, between lines 7 and 22, insert the following:

"Inland waterway between Rehoboth Bay and Delaware Bay, Del., continuing improvement, $130,000: *Provided*, That the Secretary of War is hereby authorized to condemn a right of way through the tracks of the Delaware, Maryland & Virginia Railroad Co. where the line of said waterway intersects said railroad tracks, and any funds appropriated for improving said waterway are hereby made available for paying the award that may be made in said proceeding."

Mr. BROCKSON. Mr. Chairman, as appears by the pending bill, the committee included a provision for condemning a right of way through the tracks of the Delaware, Maryland & Virginia Railroad Co., but the bill carries no appropriation for that purpose. This project of the inland waterway between Delaware Bay and Rehoboth Bay is not a new project. It was adopted several years ago, and appropriations have been made at different times for the improvement of that waterway. During last year a considerable sum of money was expended in improving it. The work is still being done. It is only a question as to whether or not this bill shall carry an appropriation for continuing the work. I shall not take up time to discuss the merits of the project, because it has already been adjudged to be meritorious by the action of this House. At the last session of Congress the committee approved this project and included in the bill that passed the House $60,000 for continuing the work. When the bill was reported from the Senate committee to the Senate it carried an item of $109,000 for the continuation of the work on this waterway.

The Engineer's report for 1914, now before us, on page 369, contains the following recommendation:

Fund required. Amount that can be profitably expended in the fiscal year 1916 for improvement and for maintenance, $130,000.

For that reason I have offered the amendment to appropriate the $130,000.

The committee may call attention to the fact that there is a sum of money in hand, something over $40,000. All the money in hand would probably not be enough to pay for the right of way through the property of the railroad company. It will be very expensive to the Government to have this work discontinued, because the machinery is all there and the work is now in progress. It should be continued. I submit that the provision for condemnation should be accompanied with an adequate sum of money to pay for the right of way when condemned. Therefore I submit that the amendment should be adopted.

Mr. SPARKMAN. Mr. Chairman, if the amendment only embraced the idea of condemnation proceedings, we would have no objection whatever to it; but it undertakes to appropriate $130,000, a thing which the committee, after thorough consideration of the matter, decided not to do. It was the purpose of the committee not to appropriate any money at all in this bill for this project. As has been said, there are about $140,000 on hand, and, pending these condemnation proceedings, it was thought by the committee and by the engineers that the money on hand would be sufficient and that the payment of the award under the condemnation proceedings could await another appropriation at another session of Congress.

We had before us Maj. Johnson, who has charge of that particular work. He spoke at some length before the committee, or some members of the committee, and without reading his entire remarks he said:

We are going to save about $50,000 to $75,000 on the estimate. If nothing was allowed—

Meaning in this bill—

not much damage would be done. It will take some time to go to the courts and get the right of way across the railroad. That is the next thing which should be done.

So, with the opinion of the engineer before us, that no harm would be done if we made no appropriation, that it was unnecessary at this time to appropriate the money to meet the award to be made by the jury impaneled for the purpose of condemning the land, we concluded not to insert any provision for an appropriation in this bill, and for that reason I hope this amendment will not prevail.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Delaware [Mr. BROCKSON].

The question was taken, and the amendment was rejected.

Mr. BROCKSON. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 10, between lines 7 and 22, insert the following: "Inland waterway between Rehoboth Bay and Delaware Bay, Del., continuing improvements, $60,000: *Provided*, That the Secretary of War is hereby authorized to condemn a right of way through the tracks of the Delaware, Maryland, & Virginia Railroad Co. where the line of said waterway intersects said railroad tracks, and any funds appropriated for improving said waterway are hereby made available for paying the award that may be made in said proceedings."

Mr. MANN. Mr. Chairman, a parliamentary inquiry. How many amendments can the gentleman from Delaware offer at this point?

The CHAIRMAN. The Chair understands that the agreement was that we should recur to this point in the bill, to enable the gentleman from Delaware to offer an amendment.

Mr. MANN. He has offered one; can he keep it up all night?

Mr. BROCKSON. I have only one more.

The CHAIRMAN. The Chair thinks the gentleman is in order.

Mr. BROCKSON. Mr. Chairman, I submit that this amendment should be adopted; otherwise we impeach the judgment of the engineers and the committee of the House of the last session of Congress, and Congress itself. Before the last session the engineers recommended $60,000 and deemed it necessary to carry on this work, and to pay the award under the condemnation proceedings. This money is not all to pay for condemning the property of the railroad company. The committee believed in this item and incorporated it in the bill at the last session. The House believed in it and passed it in the bill. Therefore, I hope the amendment will be adopted.

One other thing I wish to say. Of course, I understand, that these bills are not made up by States or according to the location of Members, or anything of that sort. I also understand there is a desire at this time to economize. In that I heartily concur, but I do contend that the economy should be equitably distributed. The bill passed by the House at the last session for the projects within the State of Delaware carried $186,200. Now the pending bill carries $91,000, a reduction of more than one-half. If that sort of reduction would be practiced throughout the United States, we would have a bill here about one-half the size of the pending bill.

The CHAIRMAN. The question is on the amendment of the gentleman from Delaware [Mr. BROCKSON].

The question was taken, and the amendment was rejected.

Mr. BROCKSON. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 10, between lines 7 and 22, insert the following:

"Inland waterway, between Rehobeth Bay and Delaware Bay, Del.: Continuing improvement. The Secretary of War is hereby authorized to condemn a right of way through the tracks of the Delaware, Maryland & Virginia Railroad Co. where the line of said waterway intersects said railroad tracks."

Mr. BROCKSON. This amendment provides simply for the condemnation of right of way through the tracks.

Mr. SPARKMAN. I have no objection to that.

The CHAIRMAN. The question is on the amendment.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

Harbor at Beaufort, N. C.: For maintenance, $17,000.

Mr CALLAWAY. Mr. Speaker, I move to strike out the paragraph.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 11, strike out all of lines 19 and 20.

Mr. CALLAWAY. Looking at page 1943 and pages following in the Engineer's report for 1914, on page 1945 I find a map of this Beaufort inland waterway from Norfolk, Va., to Beaufort Inlet, N. C., and of this canal. Down in the right-hand corner, at the bottom of this map, I see "Improving inland waterway from Norfolk, Va., to Beaufort Inlet, N. C." Right under that I see a dotted line marked "Route adopted by Congress," which is clearly marked on the map. Still below I see a line dotted in another way with smaller dots, "Proposed change in route under examination." The route adopted by Congress runs through Pamlico Sound into the Neuse River. The proposed change in the route under examination runs some miles farther inland. It runs from the point of Alligator Bay to Bellehaven, and from Bellehaven, across the mouth of Pamlico River, inland again across into the Neuse River. I want to know from this committee whether this route was originally surveyed by these engineers who never make any mistake, who scientifically investigate every proposition from the standpoint of feasibility and economy? We have already approved this project and appropriated over thirteen hundred thousand dollars, and now they propose a change in route.

Mr. SMALL. We have appropriated fourteen hundred thousand dollars.

Mr. CALLAWAY. Worse still! I ask the gentleman now, after we have adopted the route and expended fourteen hundred thousand dollars upon it, if it is not a fact, according to this engineer's report, the engineers have a proposed change in the route, and that, so far as that part of it that is changed is concerned, it would almost double the expenses? Is not that true?

Mr. SMALL. The gentleman is not discussing his proposed amendment, Mr. Chairman, and that is a matter that we have already passed upon, but I will be very glad to answer the question of the gentleman. In the river and harbor act of 1913 there was authorized a reexamination of the southern end of this waterway, with a view of determining whether there should be any change in the route in order to avoid a part of the route across Pamlico Sound, which is quite exposed. The engineers have reported on that. What their report is I do not know, because it has not yet been printed. I hope that answers the question of the gentleman.

Mr. CALLAWAY. Mr. Chairman, in this Committee of the Whole we have voted to appropriate $600,000, carrying out this original proposition which we adopted, which, according to the statement of the gentleman from North Carolina [Mr. SMALL], and according to the showing of the engineers, is proposed to be changed just about the time we get the thing completed. They have already opened it for commerce, and the gentleman says, in answer to my statement, that an immense amount of commerce has been going on in that section of the country. He did not meet the question.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. CALLAWAY. Mr. Chairman, I ask unanimous consent to proceed for two minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. CALLAWAY. Mr. Chairman, he did not answer the statement that I made. It was this: If it was not a fact that that canal from Beaufort Inlet to Norfolk, Va., only had two gasoline boats on it running full length? What would you think of a railroad in this country that never had a single through line of cars running from end to end? It would be a great traffic line, would it not? What would you think about the great transcontinental railroads if there was not a single through train? If when you shipped from Chicago to San Francisco, you would have to reship every 30 miles, would not that be a great transportation line? That is the situation on this canal, which he says is a great line of commerce 185 miles long, and then goes on to show the freight that is on it. The statement that I made was that there were two little gasoline boats running once a week each from Beaufort Inlet to Norfolk, Va., and that was all the through traffic upon it. A great line of commerce!

Mr. SMALL. Mr. Chairman, does the gentleman ask me the question and want an answer?

Mr. CALLAWAY. No; I told you that. [Laughter.] You disputed it.

Mr. SMALL. No; I say that the gentleman is misinformed.

Mr. CALLAWAY. And I will tell you what you would not do for the enlightenment of this committee. You would not tell them the number of the through boat lines that are on it, and the names of the companies that run them, and you never have, because that information shows that if we want to travel as passengers we would have to reship a dozen times. How many times would we have to lay over and how many times would we have to recheck our trunks with a dozen different companies to get 40 miles on one of these propositions? Nobody travels on them, of course.

The CHAIRMAN. The time of the gentleman from Texas has again expired.

Mr. SLOAN. Mr. Chairman, I move to strike out the last word for the purpose of asking two or three questions.

The CHAIRMAN. The amendment of the gentleman from Texas is still pending.

Mr. SPARKMAN. Mr. Chairman, I ask unanimous consent that all debate on this amendment and the paragraph end in five minutes, two minutes to be consumed by the gentleman from Texas and three minutes by the gentleman from North Carolina [Mr. SMALL].

Mr. MADDEN. Mr. Chairman, reserving the right to object, I understood the gentleman from Nebraska [Mr. SLOAN] had the floor.

Mr. SPARKMAN. I understood the gentleman rose to ask a question.

Mr. SLOAN. I do want to ask a question. However, I will move to strike out the last two words.

Mr. MADDEN. I object, unless the gentleman from Nebraska can have three minutes in addition to the time suggested.

Mr. SPARKMAN. I have no objection; I thought he simply got up to ask a question.

The CHAIRMAN. What is the proposition which the gentleman from Florida makes?

Mr. SPARKMAN. That debate on this paragraph end in five minutes, three minutes to be used by the gentleman from Nebraska and two by the gentleman from North Carolina [Mr. SMALL].

The CHAIRMAN. The gentleman from Florida asks unanimous consent that debate on this paragraph and all amendments thereto close in five minutes—three minutes to be consumed by the gentleman from Nebraska and two by the gentleman from North Carolina [Mr. SMALL]. Is there objection? [After a pause.] The Chair hears none.

Mr. SLOAN. Mr. Chairman, I expected the gentleman from North Carolina [Mr. SMALL] in his closing discussion on the canal would have yielded to some of us who desired to ask some questions, but he refused on account of the lack of time. I want to suggest these practical questions to him. If we are putting $600,000 into this canal, and this harbor is at the end of the canal I understand, who is to control that canal? If the United States is to control it, is it to be free for United States shipping? Is it to be free for the shipping of the world? And if, in the course of a change of administration or any repudiation of some platform, can the control of that canal, which is the second important canal that the United States has constructed in point of expense and in magnitude, under any circumstances be transferred in whole or in part to any other power? The American people are interested, to some extent at least, in knowing if it invests a number of millions of dollars in this second great canal—first, that the United States shall, under all circumstances, control it absolutely; that it shall be free to American shipping; and that we should charge for foreign shipping if we see fit. Those were the questions I desired to submit.

Mr. MADDEN. Will the gentleman allow me to ask him a question?

Mr. SLOAN. Certainly.

Mr. MADDEN. Does the gentleman assume that this canal is of sufficient consequence to admit of any foreign shipping? [Laughter.]

Mr. SLOAN. I do not know; it is not constructed yet.

Mr. SMALL. Mr. Chairman, the amendment pending affects Beaufort Harbor, and the discussion has been upon the waterway from Norfolk, Va., to Beaufort Inlet, N. C., which had already been passed upon. If only occurs to me to say this, Mr. Chairman. I of course assume that the gentleman from Texas thought he was stating facts and the true conditions regarding this waterway, but as a matter of fact he has been misinformed. The statement I made in my remarks just a few moments ago about the number of vessels passing through this waterway for 1913, the last fiscal year in which we have data, is correct, and the amount of tonnage and the valuation of that tonnage is correct, as reported by the Chief of Engineers.

Mr. MADDEN. Will the gentleman yield for a question?

Mr. SMALL. Certainly.

Mr. MADDEN. Is the gentleman endeavoring to answer the question propounded by the gentleman from Nebraska?

Mr. SMALL. I am coming to that now.

Mr. MADDEN. The gentleman's time will be up before he reaches it. [Laughter.]

Mr. SMALL. I will advert to the inquiry of the gentleman from Nebraska. This waterway, Mr. Chairman, is exclusively the property of the United States and under its exclusive jurisdiction, and it is free to the commerce of the United States, and I presume of all nations, provided it be carried in our vessels. It is to have a maximum depth of 12 feet, which draft I do not think will attract any foreign shipping, but it will be a very important factor in the development of our domestic commerce. I hope that answers the inquiry of the gentleman from Nebraska [Mr. SLOAN].

The CHAIRMAN. Without objection, the gentleman from Nebraska withdraws the pro forma amendment and the question——

Mr. SLOAN. I withdraw the pro forma amendment but not the questions.

The CHAIRMAN. The gentleman withdraws the pro forma amendment; and the question is on the amendment offered by the gentleman from Texas.

The question was taken and the amendment was rejected.

The Clerk read as follows:

Beaufort Inlet, N. C.: For maintenance, $5,000.

Mr. DONOVAN. Mr. Chairman, I move to strike out the last word. I would like to ask the gentleman from North Carolina [Mr. SMALL] where this particular inlet is? Beaufort is opposite Morehead City. You have passed an appropriation for the harbor. Now, where is Beaufort Inlet?

Mr. SMALL. I am surprised that the gentleman, who has displayed such familiarity with the coast line of New England, should feel impelled to ask a question about so important an inlet as Beaufort, on the coast of North Carolina. It lies just south of Cape Lookout, about midway the State.

Mr. DONOVAN. That is good. Now the gentleman will acknowledge that Morehead City is opposite Beaufort, will he not?

Mr. SMALL. Yes; on the opposite side of the harbor or bay.

Mr. DONOVAN. Exactly. And Beaufort Inlet is the water running south from there. That is what you call the inlet, is it?

Mr. SMALL. Yes; running from the harbor into the ocean.

Mr. DONOVAN. Can there be two harbors there?

Mr. SMALL. Yes.

Mr. DONOVAN. Beaufort is on one side of the harbor and Morehead City on the other?

Mr. SMALL. As a matter of fact, they are separated by shoals.

Mr. DONOVAN. And that is what you are appropriating money for, that shoal water?

Mr. SMALL. You ask why there could be two harbors on one body of water. One harbor is in front of one place and one in front of the other, but they are separated by shoal water.

Mr. DONOVAN. Is not Beaufort on the ocean side?

Mr. SMALL. No; neither one is on the ocean side. They are both on the inside of the inlet. Beaufort lies east of Morehead City.

Mr. DONOVAN. Let me finish the question. Morehead City is on the mainland?

Mr. SMALL. And so is Beaufort. Separated by a bay and Newport River.

Mr. DONOVAN. Well, then, I do not know it when I see it.

Mr. SMALL. May I extend an invitation to the gentleman to go down with me and inspect it?

Mr. DONOVAN. I own property down there, I will say to the gentleman. I am the owner of property there, and I have been there and I know about the commerce on that river. The gentleman from Texas [Mr. CALLAWAY] has stated the truth. In order to go up that waterway I had to get on a little mail boat. The mail would not carry as many passengers as there are men in this section here. That was the kind of transportation I had with which to go to Davis.

The gentleman is acquainted with where Davis is located down there. It is the finest place in this country for raising fish, oysters, and crabs. The water is clear and pure; there is no sewage, there is no manufacturing, and nothing to soil the water. And the shore running from the strip of land and the ocean proper to this so-called sound—the gentleman from North Carolina called it shoals—why the grass runs off from it into shallow water two or three hundred feet, and makes a great feeding place for ducks. They come there in the spring of the year. A few men from the North, who have a little more money than anything else, go down there for recreation and shoot the ducks, and that is the principal business, except to stop in the hotel on the way to the feeding ground in Beaufort city.

Mr. BURGESS. How many ducks did you kill?

Mr. DONOVAN. I have them yet to kill.

I am surprised to think, Mr. Chairman, that the gentleman from North Carolina [Mr. SMALL] did not answer the gentleman from Texas about the commerce and about the boats that run from one end of the waterway to the other. He could not answer, because they were not there and have not been there.

Mr. Chairman, I withdraw my pro forma amendment.

The CHAIRMAN. The gentleman from Connecticut withdraws his pro forma amendment.

Mr. CALLAWAY. Mr. Chairman, I move to strike out the paragraph.

The CHAIRMAN. The gentleman from Texas offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 11, strike out lines 21 and 22.

Mr. CALLAWAY. Mr. Chairman, I made a statement which the gentleman from North Carolina has been saying he wanted to correct me about. I ask him, for heaven's sake, to tell this House the names of the boats that make regular trips from Beaufort Inlet to Norfolk, Va., and give the names of the companies or men that own them, so we can find out whether or not the statement is correct. And he has not named them. He will not name them. He is in exactly the same position that this committee has been ever since I began fighting this river and harbor bill three years ago. Instead of giving you any information that is of worth they never give you any understanding of the commerce and traffic that goes over the river and who it is that wants to use it; they do what they can to conceal the facts and then get raw, raw, raw when anybody criticizes them.

Mr. MADDEN. Does the gentleman mean to insinuate that there is no commerce on this great waterway?

Mr. CALLAWAY. I told you that there were two gasoline boats last year, drawing 3 feet of water, that would carry about as much as a box car, that made a weekly trip through that canal from Beaufort to Norfolk, Va.

Mr. MADDEN. Do you say they made tri-weekly trips? Try to go up one week and try to get back the next?

Mr. CALLAWAY. And so it is with inland transportation on waterways all over this country.

Everybody that has ever given this subject any study at all knows that transportation is playing out on the rivers and playing out on the canals. It can not compete with the railroads. Yet these men here are throwing millions of dollars of the people's money into these projects year after year. Instead of getting an increase of commerce on these rivers they get what the gentleman from Wisconsin [Mr. FREAR] shows they were getting on the Ohio, Mississippi, and every other river in this country—a continual decrease in the transportation from year to year, as the rail transportation through that country increases 10 and 20 and 50 and 100 per cent a year.

Why do not they come up to the rack and tell the truth about these conditions and meet them as they are instead of beating about the bush on questions like this and trying to mislead the committee as to the statements I made about the traffic that goes from one end of that canal to the other? I told the truth about it. I tell the truth every time I hit. I have not an interest on earth, none in the world, in that thing over there, save to see that justice is done. I have no interest in any water-carrying concern, nor in any line of commerce in the way of rivers in any section of this country. There are no navigable rivers in my district, notwithstanding the Trinity and Brazos both run through it. [Laughter.]

What I want is an honest expenditure of the money that is put into the Federal Treasury, because I know how it goes in there. I know something about what it takes to earn an honest dollar when a man has to bend to it his energy and his brawn and brain. Before I came to Congress I earned all the dollars I got. [Laughter.] Since I have come up here I have doubted very much if I earned anything. [Renewed laughter.] But if I can succeed in the course of my service here in helping to kill this river and harbor waste, I shall have done something to earn my salary; and if I stay here, I hope to get the scalp of this thing by the help of other men.

I am determined on it; and if I had just known enough about the rules when I first came here to have known that the point of order of the gentleman from Illinois would go to the canals paralleling the ocean, I would have decapitated all of them in the beginning, because I came in about the time they got to appropriating the money to build the canals running along next the ocean, so that you might have water transportation from Boston around to the Rio Grande River. [Applause.]

The CHAIRMAN. The time of the gentleman from Texas has expired. The question is on agreeing to the amendment offered by the gentleman from Texas.

The question was taken, and the chairman announced that the "noes" seemed to have it.

Mr. CALLAWAY. I ask for a division, Mr. Chairman.

The CHAIRMAN. A division is asked for.

The committee divided; and there were—ayes 29, noes 61.

So the amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Pamlico and Tar Rivers, N. C.: Completing improvement up to Greenville and for maintenance of improvement above Washington, $35,800.

Mr. FREAR. Mr. Chairman, I move to strike out lines 5, 6, and 7 on page 12.

The CHAIRMAN. The gentleman from Wisconsin [Mr. FREAR] offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 12, strike out lines 5, 6, and 7.

Mr. FREAR. Mr. Chairman, this covers continuing the improvement, and the character of the improvement is such that I believe it ought to be known by the House. We have appropriated already $322,863 for this river. It is the same river, having a different name in two different States. In October, 1914, $19,038 was on hand. The present project is for a channel 200 feet wide and 10 feet deep, and it is 77 per cent completed.

To show the difficulties under which they are laboring down on this river, the Engineer's report on page 475 states that owing to a greater number of logs and snags being encountered than was anticipated, the estimated cost of the project was increased in 1913 by $15,000 and again in 1914 by $23,500, making the total revised estimate of the cost, $132,550.

Here is the kind of work that was done upon that river last year. By the way, it is navigable from three to six months in the year, during freshets. I call the attention of my friend who has charge of the Trinity River [Mr. CALLAWAY] to the fact that here is a stream that for three months of the year, during freshets, has navigation of some kind. Gentlemen, I pay my respects and my apologies to the Kissimmee River for whatever was said against it in times past for failure to have navigation. I think that had four months of water.

The engineers in 1913 pulled 5 snags, 510 stumps, 6 logs, 16 sawlogs, 1 scow, and 1 old house out of the river. [Laughter.] That is the statement in the engineer's report. The question that comes to us now is to know what was the line of demarkation between the land and the water in this particular river, especially as regards the location of the house.

The commerce is 90 per cent timber. That is downstream. Upstream it is 50 per cent timber. That is the character of the project for which $35,800 is asked, which is 77 per cent completed. In view of the facts, and in view of the condition of the Treasury at the present time, and the objectionable features of the war tax under which we are living, Mr. Chairman, I move to strike out that part of page 12 which refers to this project.

Mr. SLOAN. Strike out the war tax.

Mr. FREAR. I will take that as an amendment. [Laughter.]

The CHAIRMAN. The question is on the amendment of the gentleman from Wisconsin [Mr. FREAR.]

The amendment was rejected.

The Clerk read as follows:

Smiths Creek, N. C.: For maintenance, $2,400.

Mr. GOODWIN of Arkansas. Mr. Chairman, I move to strike out "$2,400," in line 11, and insert "$2,000."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 12, line 11, strike out "$2,400" and insert in lieu thereof "$2,000."

Mr. GOODWIN of Arkansas. Mr. Chairman, I think we are getting down to about what is right. For a great many years I have contended that the rights of one man in this country are as paramount as the rights of all men. Here we have an appropriation for Smiths Creek. Is that great stream owned by the Government of the United States? Certainly not. Its name does not indicate it. Is it owned or controlled by the State of North Carolina? No. By the county in which it runs, when it does run? No. By any firm or corporation? I should think not. It is the sole property, sir, of Smith—and Bill Smith at that, I apprehend. [Laughter.]

Sir, I understand that this creek rises in the northeastern part of Smith's plantation and in a leisurely fashion winds its way from time to time almost 5¼ miles in length—I think I have the proper data upon its length—and that it finds its mouth, sir, in the southwestern portion of Bill's plantation. As I understand, he holds the absolute title in fee simple, an indefeasible title; a title, sir, that can not be alienated from him, deeded to him, his heirs and assigns, forever, with all the corporeal and incorporeal hereditaments, as well as other appurtenances thereunto belonging. [Laughter.] And I submit that, inasmuch as this Congress, from time to time, has been making lavish appropriations upon great streams like the Mississippi—I will not say the Ouachita or the Red or some other streams in Arkansas, because, unfortunately, those have been overlooked—we do know that the Ohio, the Tennessee, and many great national streams have been the recipients of the bounty of this Congress, as well as other Congresses in the past, then, sir, why should not Bill Smith have his creek improved at Government expense when he owns the title thereto? Now, Mr. Chairman, this great project, I suppose, is used by Bill and his family exclusively, except when the people from 2 or 3 miles around gather to disport themselves on holiday occasions and on the Fourth of July, when the neighbors come from around there to hold their regatta races. I submit that inasmuch as Congress has been liberal in making appropriations in the past, twenty-four hundred dollars is an extreme amount, and therefore I move to amend by reducing it to $2,000.

Mr. SMALL. Mr. Chairman, I hope the gentleman from Nebraska [Mr. SLOAN] heard what the gentleman from Arkansas said in regard to Smith's having an inalienable and indefeasible right to this creek. As to the amount of the appropriation, the amount originally recommended by the Chief of Engineers was $5,400, which was reduced by the committee to $2,400, the lowest amount which can be used for its maintenance.

Mr. ASWELL. Will the gentleman tell us where Smith Creek is located?

Mr. SMALL. It is located in North Carolina, and is the harbor of Oriental, and has a fairly good commerce. It is a project meriting the appropriation which has been made in this bill.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Arkansas [Mr. GOODWIN].

The question was taken; and on a division (demanded by Mr. CALLAWAY) there were 24 ayes and 60 noes.

So the amendment was rejected.

The Clerk read as follows:

Waterway from Pamlico Sound to Beaufort Inlet, N. C.: For maintenance, $8,000.

Mr. DONOVAN. Mr. Chairman, I move to strike out the paragraph.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 12, strike out lines 14 and 15.

Mr. DONOVAN. Mr. Chairman, I move to strike out the last word. I would like to ask the gentleman from North Carolina a question. In order to reach Beaufort Inlet from Pamlico Sound do you not have to go by the way of Core Sound?

Mr. SMALL. Formerly you did, but since the waterway has been opened up this is the best available route; in fact, the only one now used from Pamlico Sound to Beaufort Inlet. It has been improved since the gentleman was there.

Mr. DONOVAN. You have, in the next line, an item connecting Core Sound and Beaufort Harbor.

Mr. SMALL. Yes; that is to go by way of Taylors Cut or Taylors Creek, and was adopted by Congress on condition that the locality should contribute $10,000.

Mr. DONOVAN. Mr. Chairman, I withdraw my amendment.

The Clerk read as follows:

New River and waterways to Beaufort, N. C.: Continuing improvement and for maintenance of New River and of inland waterways between Beaufort Harbor and New River and between New River and Swansboro, $37,300.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 12, strike out all of lines 19, 20, 21, and 22.

Mr. FREAR. Mr. Chairman, I ask the attention of the gentleman from Arkansas, who discussed Smiths Creek a few minutes ago. This is a project on which $221,000 has been expended. Seventy-one thousand and fifty-six dollars is still available, and $37,300 is asked for for improvements and for maintenance. I wish to read one particular paragraph here, not only for the benefit of the gentleman from Arkansas [Mr. GOODWIN], but other lawyers on the floor, and to get their professional opinion as to the rights of the Government, and I might say, parenthetically, also the opinion of the gentleman from Nebraska. I read from page 500 of the Engineer's Report in reference to this project:

Until June 13, 1906, no work, except a survey made in April and May, 1901, had ever been done on this waterway, for the reason that an act of the General Assembly of North Carolina, ratified February 13, 1889, had incorporated the Wrightsville & Onslow Navigation Co.

with the exclusive right to navigate said waterway, as set forth in House Executive Document No. 26, Fifty-second Congress, first session (p. 1147 of the Annual Report of the Chief of Engineers for 1892).

Here is the question:

On February 6, 1905, however, a paper was obtained from the two survivors of the four parties named in the charter of said Wrightsville & Onslow Navigation Co., in which paper it was declared that the privileges and franchises granted in said charter had never been exercised and that said privileges and franchises had "to all intents and purposes been surrendered and abandoned."

I wish to ask if a quitclaim deed by these two gentlemen to the Government is good. We started in to make the appropriations prior to the execution of the quitclaim deed by the two remaining members of the corporation. This was for a commerce for the year 1913, which amounted to 8,987 short tons.

I am reading from page 501 of the report—

at an approximate value of $164,696.90, a decrease in one year of 8,485 tons below that of last year.

In other words, a decrease of practically 50 per cent in the commerce at this point, and for that reason, and with what we have before us—oh, here is one other item that may be interesting. There is a half page of commercial items in connection with this particular project, which is found on page 1996, with a grand total of 42,687 tons of traffic. One item of timber reaches 39,865 tons, leaving 2,822 tons for the remaining items which could be floated in very shallow water, ordinarily speaking. That is all I care to offer at this time, because I am not offering any argument.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin.

The question was taken, and the amendment was rejected.

The Clerk read as follows:

Northeast, Black, and Cape Fear Rivers, N. C.: For maintenance of improvement of Northeast and Black Rivers and of Cape Fear River above Wilmington, N. C., $13,000.

Mr. FREAR. Mr. Chairman, I move to strike out the paragraph.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 12, strike out all of lines 23, 24, 25, and 26.

Mr. FREAR. Mr. Chairman, I desire to call the attention of the committee to the fact that through the active aid of the engineers through the past year we have been enabled to maintain the depth in this river which was gained one year ago, because the Engineer's report reads identical with that of a year ago, and here is what they have accomplished with the money that has been expended on this river. The past appropriations are $39,943. Here is the statement:

From Crooms Bridge to Kornegays Bridge, the head of navigation, the river is so shallow that navigation is practicable only when the water is up. This is liable to occur at any time, but during the summer low stages usually prevail.

[Laughter.]

I have not yet given you that part in which the engineers are entitled to great credit, however, for maintaining the average depth. In the very next paragraph of the report I find the following:

The minimum low-water depth to Bannermans Bridge is 6 feet; to Crooms Bridge, 3 feet; to Hallsville, 0.5 foot; to Kornegays Bridge (the head of navigation), 0.1 foot.

[Laughter.]

Mr. CALLAWAY. Mr. Chairman, what kind of boats do they use on that one-tenth of a foot?

Mr. STAFFORD. Stone boats. [Laughter.]

Mr. MADDEN. Do I understand any navigation occurs on this part of the river where the water is only one-tenth of a foot deep?

Mr. FREAR. Mr. Chairman, I believe an expression used by the gentleman from Illinois last year is very proper at this time. At that time he said that the people living down there in that neighborhood should get out insurance on that particular stream.

Mr. SLOAN. Mr. Chairman, will the gentleman yield?

Mr. FREAR. Yes.

Mr. SLOAN. I know the gentleman is familiar with these rivers in North Carolina.

Mr. FREAR. I lived there once for a short time.

Mr. SLOAN. The gentleman is a Tarheel, I understand.

Mr. FREAR. Oh, no; I was only there for a few months.

Mr. SLOAN. I would like to ask the gentleman whether or not he has found any other locations in North Carolina where any other rivers could be located by the Government for the purpose of excavation? [Laughter.]

Mr. FREAR. That is a fair question, and I say that it is difficult in view of the fact that 20 of these North Carolina projects are in this bill, while 26 of the projects appeared in the bill of last year from that one State alone. Mr. Chairman, I wish now to refer briefly to the character of commerce upon that creek.

Mr. CALLAWAY. Mr. Chairman, I especially want to know what character of commerce goes over that section which is one-tenth of a foot deep.

Mr. FREAR. I give it up. The report says that the commerce is handled on a few boats that make some attempts at regular trips. The amount for the three years is $16,500, and the commerce was 123,177 tons, of which number made up 71,545 tons, and also fertilizer—there is a fertilizing factory there near the mouth, it will be remembered, for we had an appropriation last year—41,927 tons. That fertilizing project is hauled 2 miles.

Mr. MADDEN. Does it cost $13,000 to fertilize this ditch?

Mr. FREAR. Yes; apparently.

Mr. DIES. Does the gentleman from Wisconsin think that $13,000 a year is an excessive amount for the maintenance of a stream that carries 123,000 tons of freight?

Mr. FREAR. I am explaining to the gentleman from Texas the character of this commerce.

Mr. SPARKMAN. Will the gentleman yield?

Mr. FREAR. Surely.

Mr. SPARKMAN. There are three of these rivers—the Northeast, the Black, and the Cape Fear Rivers—and the combined tonnage is 318,932 tons, for which this $13,000 is allowed.

Mr. DIES. Mr. Chairman, I insist upon an answer to my question.

The CHAIRMAN. The time of the gentleman has expired.

Mr. FREAR. May I have five minutes more? [Cries of "Vote!"] I ask unanimous consent for five minutes more to answer the gentleman's question.

Mr. MANN. Mr. Chairman, reserving the right to object, can we close debate at the end of that five minutes?

Mr. SMALL. I would like to have three minutes.

Mr. MADDEN. The gentleman has the votes; why does he desire time?

Mr. DIES. I will withdraw the question, if that will expedite the matter.

Mr. FREAR. I would be very glad to answer the gentleman.

Mr. DIES. I will be glad to withdraw the question if it will save any time at all.

Mr. SMALL. Mr. Chairman, I ask unanimous consent that all debate on this paragraph and all amendments thereto close in seven minutes, five minutes to be yielded to the gentleman from Wisconsin [Mr. FREAR]——

Mr. FREAR. Three minutes will be sufficient.

Mr. SMALL. Three minutes to the gentleman from Wisconsin and two to myself.

Mr. MADDEN. I do not see what the gentleman from North Carolina wants with any minutes; he seems to have the votes and that is just as good as minutes.

Mr. SMALL. I merely want to make an explanation.

Mr. FOSTER. Mr. Chairman, I ask for the regular order.

Mr. SMALL. Mr. Chairman, I ask unanimous consent that the gentleman from Wisconsin may have three minutes and that I have two minutes.

The CHAIRMAN. The gentleman from North Carolina asks unanimous consent that all debate on this paragraph and amendments thereto be closed in five minutes, of which time the gentleman from Wisconsin is to have three minutes and the gentleman from North Carolina two minutes. Is there objection?

Mr. REILLY of Connecticut. Mr. Chairman, I object.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin.

The question was taken and the amendment was rejected.

The Clerk read as follows:

Cape Fear River above Wilmington, N. C.: Continuing improvement, with a view to securing a navigable depth of 8 feet up to Fayetteville, $173,000.

Mr. FREAR. Mr. Chairman, I move to strike out the first three lines of page 13.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

On page 13, strike out lines 1, 2, and 3.

Mr. FREAR. Mr. Chairman, this is a project on which there has been spent by the Government up to date $346,160, on the Cape Fear River, above. There was available on October 14, after the allotment was made from the $20,000,000 of the last bill, $139,561. This is a proposition calling for $615,000, as far as I have the figures here, but the expenditures, June 30, 1914, on all projects on this river have amounted to $5,805,790. The

increase from the estimates of $615,000 to $1,031,000 was made by the engineers in four years after they discovered it was impossible to construct the project on the original estimate. The engineers' report further says, on page 511, "The improvement has had no effect on freight rates so far." Reading from page 508, of the engineers' report, "the commerce of 1913 was 154,000 short tons, a decrease in the commerce below last year of 53,384 tons. The river navigation is too unreliable at present to affect freight rates." The commerce amounted to 154,797 tons. Of that timber and floatable stuff amounted to 77,173 tons; fertilizer, 49,553 tons. The gentleman from Texas a few moments ago inquired whether or not I believe that was a condition that ought to be considered. I certainly do. Timber ordinarily is hauled on barges and in many cases is rafted in these streams and there is no particular depth required, provided it is sufficient to float the logs as we float them in all other parts of the country, but the engineers put that in as a part of the tonnage. When it comes to hauling fertilizer material they have here a 4-mile haul indicating the importance of the project which is continued for many miles, but it is not necessary for the benefit of the fertilizer factory which only requires the 4 miles.

That leaves a balance in this particular case of 28,000 tons and a loss of 20 per cent during the year. That is all I care to offer.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin [Mr. FREAR].

The question was taken, and the amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Cape Fear River at and below Wilmington, N. C.: Completing improvement and for maintenance, $205,000.

Mr. FREAR. Mr. Chairman, I move to strike out the paragraph.

The CHAIRMAN. The gentleman from Wisconsin offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 13, strike out lines 4, 5, and 6.

Mr. FREAR. Mr. Chairman, this is an appropriation of which the total amount spent on the river, as I stated before, has been $5,805,790, and available on this particular project October 14, $187,610. We are now asked to contribute by this bill $205,000 more. Of the commerce in 1912 there was a loss, between 1912 and 1913, in the traffic of 28 per cent. It was a large commerce, reaching over a million tons in 1912 and 773,000 tons in 1910. Reading from page 513, it says:

The river and harbor act of February 27, 1911, made an appropriation of $100,000 for continuing the improvement to such depth in excess of 20 feet as appropriations made for the work will permit, and provided also that not exceeding $1,000 thereof might be used for clearing to a depth of 10 feet the channel or cut between the main channel of the river and the Carolina Beach Pier. This latter work was completed in May, 1911, which resulted in a channel 10 feet deep, 80 feet wide, and about 700 feet long.

The river and harbor act of July 25, 1912, modified the project so as to secure an available channel depth of 26 feet at mean low water and width of 30 feet, increased at entrance and curves in the river and widening to 400 feet across the bar, at an estimated cost of $572,940, with $80,000 annually for maintenance, in accordance with report printed in House Document No. 287, Sixty-second Congress, second session.

Now, Mr. Chairman, in view of the very large amount of money that has been spent, nearly $6,000,000, and that in October, 1914, $187,000 was on hand, I believe it would be economical for us at this particular time to strike out the $205,000 item.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin.

The question was taken and the amendment was rejected.

The Clerk read as follows:

Shallotte River, N. C.: For maintenance, $1,800.

Mr. GOODWIN of Arkansas. Mr. Chairman, I desire to offer an amendment.

The CHAIRMAN. The gentleman from Arkansas offers an amendment which the Clerk will report.

The Clerk read as follows:

Amend by inserting after line 8, page 13, the following:
"For the improvement of the French Broad and Swannanoa Rivers, N. C., $2,000 each."

Mr. GOODWIN of Arkansas. Mr. Chairman, with the passing of this item we leave the State of North Carolina, where we have sojourned so pleasantly for the past few hours; thence we go to the great Palmetto State of South Carolina. But I can not afford to leave the State of my good father, where he first saw the light of day, the old tar-heel State, without coming to the rescue of two streams that have been overlooked, not only by the gentleman who represents the committee from that State, but likewise by the entire committee itself.

Mr. Chairman, I think I have an eye for the attractive, for the majestic. I am not very poetic, but, sir, with my limited acquaintance, I know of no two streams so very attractive as the French Broad and the beautiful Swannanoa. Sir, should these streams be improved, as they should be, from pit to dome, from Alpha to Omega, from top to bottom, from center to circumference, from stem to stern, I dare say, sir, that a great and untold amount of commerce would flow from the topmost mountains of the great Blue Ridge Range gradually down into the sea.

Sir, if these rivers should be improved and the great and untold products in the Blue Ridge Mountains should be gathered, I can see now in my mind's eye many thousands and tens of thousands of pickaninnies gathered up from all over the Mississippi Valley and brought there in double-decked cars; see them detrain with glistening eye, with rubbering necks, with teeth a-grinning, with stomachs distending, and navels protruding, to gather the plentitude of wealth that grows spontaneously and indigenously on the tops of the Blue Ridge Mountains. [Laughter.]

What, sir, are some of these great inexhaustible products? I have just had occasion to look up the census returns, and these are the principal ones, namely, the pomegranate, the chinkapin, the hazelnut, the possum grape, the touch-me-not, the squirrel's bark, the owl's hoot, and the wolf's howl; and last, but not least, sir, in great commercial quantities can be found the panacea to heal the ills with which all mankind is afflicted. Shall I call the name? It is owl grease. [Laughter.] I am told, sir, that owl grease is almost as plentiful as radium. And I am reliably informed by my good friend, Dr. FOSTER, that the total of all the radium in the world does not exceed two ounces and a half, as far as the estimates have gone. [Laughter.] But, sir, of owl's grease, I am reliably informed, there is almost half that much, and most of it can be found in the Blue Ridge Mountains, whence rise the Swannanoa and the French Broad Rivers.

Sir, if the gentleman representing that State upon this committee had been less practical and more poetic, he would have arisen in his place upon the floor and said: "Mr. Chairman, we have unintentionally overlooked two of the greatest and most important streams in my State, the French Broad and the Swannanoa." And then, sir, he would have dropped into poetry like this:

Swannanoa, nymph of beauty, I would woo thee with my rhyme.

And, instanter, every man on the floor of this House would have risen, each vying with the other, Mr. Chairman, to move to amend the amendment by giving each river not $2,000, but $500,000, that these majestic rivers might be improved, sir, from beginning to end and that the inexhaustible resources of the mountain tops might be gathered and at once be made available for the world's commerce. [Laughter and applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. GOODWIN of Arkansas. Mr. Chairman, I move to strike out the last word. Those products, sir, immeasurable in quantity——

The CHAIRMAN. The gentleman can not continue without receiving an allotment of time.

Mr. SLOAN. Mr. Chairman, I ask unanimous consent that the gentleman may have three minutes more.

Mr. MANN. Mr. Chairman, I ask unanimous consent that the gentleman be allowed to extend his remarks in the RECORD.

The CHAIRMAN. The gentleman from Nebraska asks unanimous consent that the gentleman from Arkansas [Mr. GOODWIN] have three minutes more. Is there objection?

Mr. MANN. I object.

The CHAIRMAN. The gentleman from Illinois objects.

Mr. FREAR. Mr. Chairman, I desire to offer an amendment to strike out.

Mr. GOODWIN of Arkansas. Mr. Chairman, I move to strike out the last word.

Mr. DUPRÉ. Mr. Chairman, I desire to speak in opposition to the amendment.

The CHAIRMAN. The gentleman can make that motion, but he can not have five more minutes. The gentleman from Arkansas withdraws his pro forma amendment.

Mr. DUPRÉ. I desire, Mr. Chairman, to speak in opposition to the amendment, which I understood was not pro forma. It was very substantial.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Arkansas.

Mr. DUPRÉ. Mr. Chairman, I desire to speak in opposition to the amendment.

The CHAIRMAN. The gentleman from Louisiana [Mr. DUPRÉ] is recognized.

Mr. DUPRÉ. Mr. Chairman, I hate to say a few words which may come as an anticlimax to the very entertaining digression to which we have just listened. It so happens I know something about the Land of the Sky in North Carolina, and that I am familiar with the region traversed by the French Broad and the Swannanoa Rivers. I hate to take away from the gentleman from Arkansas [Mr. GOODWIN] claim for originality of the suggestions that he has made, but it must be done.

My family have a summer home at a place called Skyland, N. C., within a short distance of Asheville and a few miles from both the French Broad and the Swannanoa. One summer, some years ago, a congressional campaign was on, and a meeting was held at Skyland, and long before I ever dreamed that I would be honored with membership in this body I attended that meeting and heard a gentleman who was elected to Congress—though he is not a member of the present Congress—and who was a candidate at that time, tell his constituents that if they sent him to Washington he would see to it that both the French Broad and the Swannanoa were made navigable. [Laughter.]

Mr. GOODWIN of Arkansas. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Louisiana yield to the gentleman from Arkansas?

Mr. DUPRÉ. I do.

Mr. GOODWIN of Arkansas. Does not the gentleman think that if those two rivers were made navigable, these products, immeasurable as they are in quantity, indifferent in quality, and absolutely as valueless commercially as the activities of the members of this committee in procuring huge appropriations for their districts and States become invaluable for their own political longevity? [Laughter.]

Mr. DUPRÉ. I can not answer that question, Mr. Chairman; but I would say that it seems to me that the gentleman overlooked the possibilities of transporting a very important product of North Carolina, namely, "moonshine." [Applause and laughter.]

The CHAIRMAN. The time of the gentleman from Louisiana has expired.

The question is on agreeing to the amendment offered by the gentleman from Arkansas.

The question was taken, and the amendment was rejected.

Mr. FREAR. Mr. Chairman, what was the last provision that the Clerk read? I think the last was the item before Winyah Bay.

The CHAIRMAN. Yes; that was the last.

Mr. FREAR. I move, Mr. Chairman, to strike out lines 9 and 10.

The CHAIRMAN. The Clerk will report the paragraph..

The Clerk read as follows:

Winyah Bay, S. C.: For maintenance, $50,000.

Mr. FREAR. I move to strike out the paragraph.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Wisconsin.

The Clerk read as follows:

Amend, page 13, by striking out lines 9 and 10.

Mr. FREAR. Mr. Chairman, I offer this with some regret, and I do it in order to "play no favorites," to use a current expression. The gentleman from North Carolina [Mr. SMALL], a member of the committee, has kindly and considerately taken all the criticisms, which of course are not to be lodged against him. We pass from that and we approach another State and another gentleman who is equally agreeable; and it is a matter of regret if he thinks this is a matter for him to defend. I believe the committee is properly in a position to defend the item.

I merely wish to read what the engineers' report shows. It shows that Winyah Bay has already had $2,980,664, including the jetty, according to the report I have, and there was available on June 30 last, or on October 14 last, $82,715 for this project. The only point to which I wish to call attention particularly is the engineer's statement that the precise percentage of reduction of rate does not appear to be susceptible of determination. That meets in a way the claim that these improvements are used for the purpose and having the effect of reducing freight rates.

There is quite an appreciable commerce at this point. It reached, in 1913, 211,000 tons, of which 177,000, or nearly three-fourths, was timber and crossties. But the point which interests me more particularly—and I think should interest the committee in finding out what we have received from this large appropriation—is the fact that in 1912 the commerce was 309,673 tons, and that there has been a loss during the year of over 30 per cent in the commerce. The 13 miles have cost us $200,000 a mile on an average; and while this may be a project which has merit in it, I believe we ought to save money wherever we can do so. For that reason I have made the motion.

The CHAIRMAN. The question is on the amendment of the gentleman from Wisconsin.

The amendment was rejected.

The Clerk read as follows:

Flint River, Ga.: Continuing improvement and for maintenance, $50,000.

Mr. FREAR. Mr. Chairman, I move to strike out lines 1 and 2 of page 14.

The CHAIRMAN. The gentleman from Wisconsin offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 14, strike out lines 1 and 2.

Mr. FREAR. Mr. Chairman, the Government has appropriated for this project $381,500, according to the engineer's report. The amount available in October, 1914, after the allotment was $18,037.

The report states that between Albany and Montezuma, 77 miles, the ruling depth is 2½ feet, much obstructed, although repeatedly cleaned of snags. The commerce is 33,594 tons, and the average haul 35 miles. I call attention particularly to the average haul, because we are improving this stream 105 miles. The average haul is one-third of the distance. That includes 6,234 tons of timber. The project is 92 per cent completed. We have been 34 years upon that project, and the engineer states in his report that the effect on freight rates can not be determined.

In view of the comparatively small commerce upon this stream, and in view of the fact that there is a reasonable amount of money on hand with which to meet any pressing emergency, I believe that it is inadvisable at this time to appropriate $50,000 additional, and for that reason I move to strike it out.

The CHAIRMAN. The question is on the amendment of the gentleman from Wisconsin [Mr. FREAR].

The amendment was rejected.

The Clerk read as follows:

Coosa River, Ga. and Ala.: Continuing improvement and for maintenance between Rome, Ga., and Dam No. 4, Ala., $75,000; completing construction of the lock in Dam No. 4 and completing construction of Dam No. 5, in the State of Alabama, $56,000; in all, $131,000.

Mr. FREAR. Mr. Chairman, I move to strike out the entire paragraph.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 14, strike out lines 14 to 19, inclusive.

Mr. FREAR. Mr. Chairman, I believe that this is one of the most inexcusable items in the bill, so far as my investigation has gone. The Government has appropriated thus far $1,982,583 upon the Coosa River. In October, 1914, there was on hand for further use $170,058. This appropriation calls for $131,000.

At this point I want to read a letter in reference to the Coosa River, which, by the way, is a project that has been running for 38 years, since 1876. At the present rate of progress in the construction of it it will take between 100 and 200 years to complete it. Here is a letter that I have received from Montgomery, Ala., in which the gentleman says:

I noticed in a Birmingham paper several days ago where you had opposed the appropriation of the Muscle Shoals project of the Alabama Power Co., and that you intended to fight this to the end. I appreciated reading this very much and to know that there was at least one in Congress that would help us out down here.

The Alabama Power Co. built a dam on the Coosa River up in Chilton County of this State, and they were going to give everybody cheap electricity and they claimed it would do great things for the surrounding country. Well, it did great things all right; they made hundreds of people leave their homes, and caused great numbers to die with chills and malarial fever. They have ruined the country for 2 or 3 miles.

I will leave out the next paragraph.

The Alabama Power Co. is now furnishing Birmingham with electricity from this dam on Coosa River, and the rates are the same in Birmingham as they have always been. This Alabama Power Co. and their branch companies are trying their best to get a monopoly on the water power of this State and every other State that they can. This Alabama Power Co. has numbers of attorneys and men employed all over this State, and they are the ones that write the beautiful pieces in the papers about the great things this development of Muscle Shoals will do for Alabama.

I can get a petition, signed by thousands of men in Alabama, condemning this project, and these some of the best business men of the State. There have been filed in the courts of Chilton County some two hundred cases for damages on account of sickness caused from this dam on the Coosa River, and there are something more than 200 filed in Shelby County and about 200 in Coosa County, and some in Talladega County. These are the four counties which border on this pond of polluted water. Practically every man in these four counties of this

State will sign petitions condemning the power companies' monopoly on the death devices they have caused.

I do not care to read the rest of this letter. It is signed by J. B. Benson.

The engineer's report shows that the commerce on this stream last year was 46,339 tons, or a loss of 6,000 tons during the year. Of this commerce stone, sand, and gravel amounted to 20,876 tons, or 46 per cent. That was presumably used in the construction work, although I have no information on that except the suggestion that comes to me.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin.

The question was taken, and the amendment was rejected.

The Clerk read as follows:

Harbor at Fernandina, Fla.: For maintenance, including the entrance channel through Cumberland Sound, Georgia and Florida, $40,000.

Mr. HUMPHREY of Washington. Mr. Chairman, I move to strike out the last word, and I would like to have the attention of the gentleman from Wisconsin [Mr. FREAR] for a moment. I wish to call the attention of the gentleman and the committee to the fact that we have been in session since 12 o'clock noon, and that during that time we have read less than 10 pages of the bill. The gentleman from Wisconsin [Mr. FREAR], and I am not criticizing him but saying it in good faith, in the paragraph that he has just read stated that it was one of the worst projects in the bill. He debated it and presented his views, and the result was that no one took that view of it. Now, in view of that fact and the condition of business, I would like to ask the gentleman if he will not, on most of the projects, if he wants to make a record, take leave to extend his remarks, and let us, in the next 20 minutes which remain, have a little reading of the bill. I think we have been courteous to him and he has been courteous to the House, but it is perfectly evident that it does no good, and is simply killing time. I ask that because I know the other Members of the committee feel the same way I do.

Mr. FREAR. Mr. Chairman, I appreciate what the gentleman from Washington has said, and I desire to say this: I have made an investigation of the bill honestly, and with an effort to arrive at the facts. The last project, which I stated was one of the worst, was discussed at the other end of the Capitol and the facts shown so strongly that it seemed to me that it called for the statement I made.

Mr. HUMPHREY of Washington. That is the reason I made the statement. The gentleman said that this was one of the worst items in his view of the bill and he saw the result of the vote on it. Therefore I thought it would be a good opportunity to appeal to him not to consume time on all the paragraphs if this was a typical case. I made the appeal in view of the fact that we have consumed an entire day with reading but little of the bill.

Mr. FREAR. I desire to say that I have passed over a number of projects that were typical of others. At the last hearing of the bill, after we had finished the debate, the gentleman from Mississippi [Mr. HUMPHREYS], who is an extremely courteous gentleman and was very kind throughout the discussion, called attention to the fact that I had only criticized several streams. Now, I am prepared to leave it to the country to judge of the facts in regard to the various projects. I want to say that I have not taken five minutes in each case.

Mr. HUMPHREY of Washington. I merely suggested that if the gentleman wanted to make a record, and no one wants to prevent him from doing it, that he should not debate a good many items, but extend his remarks in the RECORD.

Mr. FREAR. I am doing pretty nearly that, for I do not average more than two or three minutes on an item.

The CHAIRMAN. The time of the gentleman from Washington has expired.

Mr. HUMPHREY of Washington. I withdraw the pro forma amendment.

The Clerk read as follows:

St. Lucie Inlet, Fla.: Continuing improvement, $100,000.

Mr. TREADWAY. Mr. Chairman, I move to strike out the paragraph.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 14, strike out lines 23 and 24.

Mr. TREADWAY. Mr. Chairman, yesterday during the general debate I took occasion to criticize the item which has just been read, and in answering me the gentleman from Florida [Mr. CLARK] mixed me up in some way with a newspaper story, and either the newspaper writer or I, and probably both, in his opinion, were worthy of membership in the Ananias Club. His remarks appear on page 1583 of the RECORD. That is not a particularly honorable post, Mr. Chairman, to hold, and I prefer not to be rated in that class. He said in reference to me, "I do not know where he got his information, but if he refers to the item to belittle that inlet his information is as correct as the other statements," referring to the newspaper story.

I want to inform the gentleman from Florida that the information I supplied to the House in relation to St. Lucie Inlet was taken from the report of the engineer verbatim, which appears on page 1578 of my remarks and also on pages 598 and 599 of the engineer's report.

I do not want any better condemnation of the St. Lucie Inlet project, so dear to the heart of the gentleman from Florida [Mr. CLARK], than the words of the engineer, and I refer him, and I refer the members of the committee, to the report of the engineers, on pages 598 and 599, for a description of the St. Lucie Inlet.

Mr. MADDEN. Read it.

Mr. TREADWAY. I have only five minutes. I will refer to it again, perhaps. Further than that, Mr. Chairman, the gentleman sees fit to quote from a report made in House Document No. 1312, Sixtieth Congress, second session, telling about all the freight that would be handled out of the St. Lucie Inlet when the Government expends anywhere from $900,000 to an indefinite amount upon the improvement of that artificial inlet. The gentleman took particular pains not to refer to a more recent report than that, both from the engineers, from the Chief of the War Department, and the various officials connected with this project. What he was advocating was the report from the engineers that has never been adopted by Congress, because it says so in so many words in the document No. 675, Sixty-second Congress, second session, and I read from that report:

None of the projects nor estimates above reported have so far been adopted by Congress.

Mr. CLARK of Florida. Mr. Chairman, will the gentleman yield?

Mr. TREADWAY. Mr. Chairman, I can not yield. I am an Annanias Club man and I do not want to yield.

Mr. CLARK of Florida. I want to get the page.

Mr. TREADWAY. Page 2 of the War Department, office of the Chief of Engineers, and I quote the sentence, and I will read it again for the benefit of the gentleman:

None of the projects nor estimates above reported have so far been adopted by Congress.

And it was about these reports that the gentleman from Florida, who wanted to know where I got my information, was reading for the benefit of the House, when he said that I was a candidate for the Annanias Club. Let me read a little more from that same report. Here is what Gen. Bixby, the Chief of Engineers of the United States Army, says:

In view of the possibility of securing a cut of 18 feet across the bar at much reduced cost by a suitable dredging plant, using explosives only where actually necessary—

And I do not know why they were afraid of explosives, unless they were afraid of finding some water there—

and of the possibilities that such cut, even if of reduced width, may produce decided changes in the adjoining channels——

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. TREADWAY. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. TREADWAY. Mr. Chairman, to continue—

it is considered worth while to experiment on this bar to the extent of about $300,000.

Mr. Chairman, I for one am not prepared to vote the money of the Government for experiments on an artificially made channel in a district of the gentleman from Florida, who so earnestly advocated this proposition yesterday. Let me read a few more extracts, because he wanted to know where I got my information. I told him where I got my information that was in the RECORD yesterday, and I am telling him where I am now getting this information. Here is a statement from Col. Russell:

In the opinion of the board the project contemplated, if carried out, would be but a makeshift, and would at once be found inadequate to meet the needs of navigation—

And so forth.

Then, again, the officer stationed at Jacksonville has some extremely interesting statements to make. He says:

Most of the east coast of Florida labors under the same difficulties as to transportation as the country in the vicinity of St. Lucie Inlet. Adequate harbors are desired at a number of other points. If such improvements would relieve the situation, the commerce to be benefited would warrant their undertaking, but it is reasonably certain that that would not afford relief, because, in order to carry this produce by water, frequent and regular calls by ships would be necessary, as the

produce is perishable and can not be allowed to accumulate, but must be shipped promptly after it is gathered, and seagoing ships would not be warranted in stopping for the small amount of freight that would thus be offered.

He winds up by saying:

I am therefore of the opinion that St. Lucie Inlet is not worthy of improvement.

Very respectfully,

J. T. SLATTERY,
Captain of the Corps of Engineers, Stationed at Jacksonville.

I desire particularly, Mr. Chairman, to call the attention of the committee to the fact that this item for which we are now, in a condition of a depleted Treasury in this country, asked to appropriate $100,000 was not carried in the bill passed by the House in 1914—the last year's bill. It was carried in the bill approved March 4, 1913, and read as follows:

Improving St. Lucie Inlet, Fla., in accordance with the smaller project—

Note that word, please—

the smaller project recommended by the Chief of Engineers—

In the report to which I have referred—

$100,000.

In other words, all that is before this House is the recommendation of the Chief of Engineers that we should appropriate $300,000 to experiment in St. Lucie Inlet and see what can come of it, in order that later they can then go to work and spend anywhere from $900,000 to an indefinite sum.

Mr. FREAR. How much has been spent on it?

Mr. TREADWAY. Seventy-two dollars so far has been spent. I maintain that it is time to call a halt on St. Lucie Inlet, and I further submit that this is a good time to begin, right now. I realize this House to-night is in a condition that it desires to continue the reading of this bill, but I called your attention to an item that, in my opinion, is of sufficient weight, even if it does not involve a whole lot of money, comparatively speaking—$100,000—as against millions going into this bill—not a great deal of money, but it involves a principle which I for one feel we must condemn here and now.

Mr. CLARK of Florida. Mr. Chairman, I want to say just a word or two. The gentleman reads from Document No. 675, which was the document upon which the committee acted when they adopted this report. The gentleman is unfair, because he reads from the report of Gen. Bixby, who was at that time Chief of Engineers, on page 2 of this report this language:

None of the projects or estimates above reported have been so far adopted by Congress.

And there he stopped. Why did not the gentleman go on, and show the final summing up of Gen. Bixby, who, after considering everything, all the reports, all the facts, everything in connection with it, his final summing up was this, and I call attention to it:

I have therefore, in carrying out the instructions of Congress—

And so forth.

Then he goes on with the summing up, all of which I will not take time to read, but he speaks of the different reports and different recommendations, and then he says:

But that an immediate expenditure of about $300,000 in excavating a cut of 18 feet center depth across the obstructing rock and the ocean bar is now advisable as a preliminary step to securing later the full project channel of 18 feet depth, over at least 200 feet width, from the ocean to Sewalls Point, as described in House Document No. 1312, Sixtieth Congress, second session.

And that is what he recommended.

Mr. TREADWAY. At the cost of what? Finish it.

Mr. CLARK of Florida. "At a cost possibly much less than the original estimate of $1,460,000."

Mr. TREADWAY. Yes.

Mr. CLARK of Florida. Yes, sir.

Mr. TREADWAY. Is it worth it?

Mr. CLARK of Florida. It is worth it if human life is worth anything, if property is worth anything, if the relief of hundreds of thousands of people against oppressive freight rates and monopoly of railroad rates is worth anything; yes, it is worth it; it is worth more than that. [Applause.] I did not charge the gentleman with being a member of the Ananias club, but I do say this, that any gentleman upon this floor who stating only a portion of the facts withholds the sum total of it all is not treating the House fairly, to say the least of it. I state, Mr. Chairman, that every engineer—Capt. Slattery opposed the 12-foot project. For what reason? If the gentleman will read the report he will find out, because in the opinion of Capt. Slattery 12 feet would not answer the purposes of the harbor. He insisted that there should be a greater project, an 18-foot project over that bar, and I assert without fear of successful contradiction that every engineer, the Board of Engineers, after making a visit to the premises, the Chief of Engineers, every one of them has said that the harbor ought to be built at that place, and that the inlet was worthy of improvement.

Not only does commerce present and prospective justify it, but the additional reason, a harbor of refuge, was sufficient for them to recommend it. Here is a coast, and a treacherous coast, of about 600 miles, and not a single opening along all that stretch in which a vessel drawing 10 to 12 feet of water can go out of a storm. And yet the gentleman from Massachusetts opposes it because sometime in the dim, distant past he has fished on Indian River and tasted Indian River oranges. The Indian River is a shallow stream. The St. Lucie River is a deep and bold stream, penetrating some of the best lands of the whole State.

Mr. Chairman, I shall not take any more time of the committee. This is a project that is deserving.

The CHAIRMAN. The question is on the amendment of the gentleman from Massachusetts [Mr. TREADWAY].

The question was taken and the Chair announced that the noes seemed to have it.

Mr. TREADWAY. Division, Mr. Chairman.

The Committee divided.

Mr. MADDEN. Mr. Chairman, I make the point of no quorum.

The CHAIRMAN. The gentleman from Illinois makes the point of no quorum. The Chair will count.

Mr. MADDEN. Mr. Chairman, I am willing to withdraw the point of no quorum until the decision on this question is made, and then I will make it.

The CHAIRMAN. The gentleman from Illinois withdraws the point of no quorum.

Mr. NORTON. Mr. Chairman, it seems to me on this important item we should have a quorum.

Mr. MANN. There is a quorum here.

Mr. NORTON. Well, I make the point.

The CHAIRMAN. On this vote the ayes are 16, the noes 55, and the amendment is rejected.

Mr. MADDEN. Then I make the point of no quorum.

The CHAIRMAN. The gentleman from Illinois makes the point of no quorum. The Chair will count. [After counting.] One hundred and twenty-five gentlemen are present, a quorum.

The Clerk will read.

The Clerk read as follows:

Harbor at Miami (Biscayne Bay), Fla.: Continuing improvement, $50,000: *Provided*, That no work shall be done by the United States on said project until the Secretary of War is satisfied that suitable terminal facilities will be provided as contemplated by paragraph 8 of the report of the Board of Engineers for Rivers and Harbors, as set forth on page 15 of House Document No. 554, Sixty-second Congress, second session: *Provided further*, That nothing in this act shall be construed as relieving the said Florida East Coast Railway Co. from the obligation of complying with the terms of its contract heretofore entered into with the United States.

Mr. TREADWAY. Mr. Chairman, I move to strike out the paragraph.

The CHAIRMAN. The gentleman from Massachusetts offers an amendment, which the Clerk will report.

The Clerk read as follows:

Pages 14 and 15: Strike out the entire paragraph beginning with line 25, on page 14.

Mr. TREADWAY. Mr. Chairman, I will not take more than just a moment of the time of the committee to call attention to the fact that there never has been any harbor in Miami—Biscayne Bay—Fla., and there probably never will be. The arrangement to provide harbor facilities at Miami was the result of an effort of the Florida East Coast Railway, that tried to secure a sufficient depth from Miami to reach the ocean and run a line of steamers over to Habana. I had the pleasure of lying in Miami Harbor for two or three days waiting for a shallow-draft boat to be able to go over the bar, and in all probability there is not any more depth of water there now than there was then. Further than that, this demand on the part of the Florida East Coast Railway for navigable opportunity in Miami has entirely disappeared, from the fact that the railroad has now been extended down to Key West, and there is a short railway running out over the keys to Key West and a short boat line from Key West to Habana. Consequently Miami is now a resort solely, a delightful place to visit at this time of year; but that is all there is of it, aside from the fact that it is getting a little additional notoriety now, in that our honored Secretary of State has a winter home there. There is not a very large amount of free grape juice that I know of floating around over the waters of Miami Bay, but I have no doubt it would float just as big a vessel as will the water there. So the need for the project that we are contemplating here has gone by. We are simply throwing $50,000 into the district of the genial gentleman from Florida [Mr. CLARK], who has so ably defended the St. Lucie Inlet.

Mr. CLARK of Florida. Mr. Chairman, there is a regular line of steamers running into Miami now. There are other vessels that run in there, too. The commerce of the port is 123,000 tons, I believe, and of $3,000,000 in value. The Government is under a contract with the East Coast Railroad Co. to do certain work, and the East Coast Railroad Co. is to do certain other work. That company has not done the work, and now it is a question of whether Congress is to relieve the East Coast Railway Co. from doing it and leave those people without proper harbor facilities or not. Miami is a city of about 20,000 people, one of the most progressive, wideawake cities in this country, and I want to call attention just a moment to the report of the Chief of Engineers, which says:

The city of Miami decided, at an election held on May 12, 1914, to issue bonds to the amount of $185,000 for the purpose of acquiring suitable terminal facilities to comply with the requirements of the act of Congress approved July 25, 1912.

Does the gentleman desire Congress to break faith with the people of Miami who in good faith are meeting the congressional requirement as to terminals, or does he desire to save the railroad from its contract to expend approximately one-half million dollars in improving this harbor? To strike out this item would accomplish both these things.

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Tampa Bay, Fla.: For maintenance, $9,000.

Mr. FREAR. Mr. Speaker, I move to strike out the last word; and this time, following the suggestion of the gentleman from Washington [Mr. HUMPHREY], I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Wisconsin [Mr. FREAR] asks unanimous consent to extend his remarks in the RECORD. Is there objection?

Mr. CALLAWAY. I object.

The CHAIRMAN. The gentleman from Texas [Mr. CALLAWAY] objects.

Mr. CALLAWAY. Mr. Chairman, I want to ask the gentleman a question.

Mr. FREAR. I want to discuss this project.

Mr. CALLAWAY. Does the gentleman want to ask unanimous consent to extend his remarks in the RECORD instead of uttering them now?

Mr. FREAR. I wanted to extend the remarks that I am going to make on the floor and on the bill generally.

Mr. CALLAWAY. If the gentleman extends his remarks in the RECORD they will go in the back of the RECORD, apart from the bill we are considering. I believe differently from what the committee thinks. I want the country to know about this by seeing the RECORD, and by seeing the discussion right along with it. But I will withdraw my objection, Mr. Chairman.

The CHAIRMAN. The gentleman from Texas withdraws his objection.

Mr. NORTON. Mr. Chairman, I think the gentleman from Wisconsin should be given ample time in which to make any statement he desires. He has certainly not taken up as much of the time of the House as has the gentleman from Washington [Mr. HUMPHREY], and the gentleman from Wisconsin should not be bluffed or browbeaten out of any time he desires.

Mr. FREAR. Mr. Chairman, I do not take that view.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. FREAR. Mr. Chairman, I have endeavored to be as expeditious and as fair as I could to-night. I have sat here for over 10 hours continuously, it is now nearly 10.30, in an effort to give to the committee what information I have been able to get out of these engineers' reports. Members of the committee have told me heretofore that there are many things that have been inserted in bills that they were unaware of. For days we have been discussing other bills and propositions here, some of which are of no material importance to the people of this country.

As I said awhile ago, we discussed for weeks a printing bill, in an effort to save $750,000 to the people of the country—and that is presumably a good thing—and when we got on this bill yesterday, for the first time, a great part of the time in general debate was taken up with politics by gentlemen who now insist that we sit here over 10 hours consecutively. With $34,000,000 at stake and 250 items, they say we shall sit here 10 hours and over. We have been right here, and we will stay. On objection I am not to have the usual courtesy of extending my remarks in the RECORD. I do not believe——

Mr. DRISCOLL. No one objected.

Mr. STAFFORD. The gentleman from North Dakota [Mr. NORTON] objected.

Mr. DRISCOLL. Oh, no.

Mr. NORTON. Mr. Chairman, I have no objection to the gentleman extending his remarks on items on which he made statements.

Mr. FREAR. There are some things I really want passed, without taking up the committee's time.

Mr. NORTON. I did not object to the gentleman extending his remarks.

Mr. FREAR. Then I misunderstood the gentleman. I renew my request, Mr. Chairman, to extend my remarks on the various items in the bill.

The CHAIRMAN. The gentleman from Wisconsin [Mr. FREAR] asks unanimous consent to extend his remarks on various items in the bill. Is there objection.

There was no objection.

Mr. FREAR. Now, Mr. Chairman, I withdraw my pro forma amendment, striking out the last word.

The CHAIRMAN. The pro forma amendment is withdrawn. The Clerk will read:

The Clerk read as follows:

Hillsboro Bay, Fla.: Continuing improvement and for maintenance, $120,000.

Mr. FREAR. Mr. Chairman, I wish to strike out this paragraph, covering lines 14 and 15 on page 15, for Hillsboro Bay, Fla.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Wisconsin.

The Clerk read as follows:

Page 15, strike out lines 14 and 15.

The CHAIRMAN. The question is on the motion of the gentleman from Wisconsin.

Mr. FREAR. Mr. Chairman, I have withdrawn my pro forma motion, originally made, which was to strike out the last word. Now I wish to strike out the last paragraph read, and I desire to discuss it.

The CHAIRMAN. The gentleman from Wisconsin is recognized.

Mr. FREAR. Mr. Chairman, I was not aware until a day or two ago that this item related to the chairman of the committee [Mr. SPARKMAN]. I will say that it is quite a harbor, but I wish to present some facts in connection with it that may be of interest to the committee, in view of the large appropriation that is called for, namely, $120,000.

The total appropriations that have been made for Hillsboro Bay amount to $2,089,944. There was available July 1, 1914, $494,406, almost half a million dollars. In the bill before us is a proposal to increase by $120,000 the amount that shall be used.

This is an arm of Tampa Bay, 9 miles long. The project began in 1880, at 8 feet. In 1899 it was increased to 12 feet. In 1905 it was increased to 20 feet. In 1910 it was increased to 24 feet. In 1915 it may be still further increased, because it is not unlike other projects. They all begin in the same way. Every river that we have starts in the same way. Every harbor we have is in the same position. They start in a small way, at a small depth, and every foot added to depth later on increases geometrically in cost, because of the difficulty in digging at a great depth.

This project is subject to conditions. The city is obliged to construct a public wharf. I want to refer to one more thing, briefly, that the chairman of the committee discussed when this matter was under general debate. He said, "In order to show the uncertainty of engineers' reports on commerce, that in a case like this they failed to get the actual amount of commerce." I do not question the statement.

The engineer's report of the commerce for the year 1913 showed an apparent decrease of 33.4 per cent from 1912. There is quite a large commerce at that point. But while it is true, Mr. Chairman, that the engineer may have failed to get the full amount of commerce in 1913, it is probably equally true that he failed to get the full commerce in 1912 and in 1911. He has only limited means at hand, but from the investigation the engineer made—and surely the figures are favorable; we would not question the engineer's report in that particular—there has been a loss in one year of 33 per cent in traffic in this harbor. Last July there was available nearly half a million dollars, in round numbers. It occurs to me that if we want to save money in this bill it is wise to strike out this item for the present and try to get along without the additional $120,000.

I realize that it is very hard to get favorable action on a proposition to strike out anything in this bill. As the gentleman from Illinois well said last year—and I was rather surprised

at it, but I have discovered the truth—no item that is put in this bill by the committee will be stricken out, and no item that is out can be put in. Consequently the committee are supreme in matters of this kind. But I assure you, gentlemen, it is a very dangerous position to occupy, to have to decide upon all these projects. It is a very difficult duty to perform.

Mr. DONOVAN. Mr. Chairman, did I understand the gentleman to say that there had been $3,000,000 spent on this proposition?

Mr. FREAR. Two million and eighty-nine thousand dollars.

Mr. DONOVAN. At a place where the commerce is diminishing all the while at the rate of 33 per cent a year?

Mr. FREAR. Last year's report, of a 33 per cent loss, is the only one I have. There is still a large commerce there.

Mr. DONOVAN. When it was at its maximum what was the amount of the commerce?

Mr. FREAR. I have not the figures on that. It amounted last year to over a million tons, or more than that. In any event, it is quite a large commerce.

Mr. SPARKMAN. Over 2,000,000 tons.

Mr. HUMPHREYS of Mississippi. There was $37,000,000 worth of commerce last year.

The CHAIRMAN. The question is on the amendment of the gentleman from Wisconsin.

The amendment was rejected.

The Clerk read as follows:

Apalachicola Bay, Fla.: Continuing improvement and for maintenance, including Link Channel and West Pass, $15,000.

Mr. STAFFORD. I move to strike out the last word, for the purpose of inquiring how much longer the gentleman from Florida intends to run. It is now 20 minutes after 10 o'clock, and there is no quorum present.

Mr. SPARKMAN. If we can, I would like to finish the Florida items.

Mr. STAFFORD. At what time will the gentleman be willing to move that the committee rise? I am told by my colleague from Wisconsin [Mr. FREAR] that there are 30 Florida items. I think he is speaking in hyperbole, but I suppose there are quite a number.

Mr. SPARKMAN. I should like to go on until we get through with them, or until 11 o'clock, if I can.

Mr. MADDEN. I make the point of no quorum present, Mr. Chairman.

The CHAIRMAN. The gentleman from Illinois makes the point of no quorum. The Chair will count. [After counting.] One hundred Members present, a quorum.

Mr. MADDEN. Mr. Chairman, I move that the committee do now rise.

The CHAIRMAN. The gentleman from Illinois moves that the committee do now rise.

The question was taken; and on a division (demanded by Mr. MADDEN) there were 8 ayes and 72 noes.

Mr. MADDEN. Mr. Chairman, I make the point that no quorum is present. The announcement discloses that a quorum is not present.

The CHAIRMAN. The Chair just counted the House, and there were 101 Members present.

Mr. MADDEN. Does the Chair declare, in the face of the announcement that he has just made, that there is a quorum present?

The CHAIRMAN. The Chair will state that 8 voted aye and 72 voted no, and the Chair saw a great man Members that did not vote at all. The Chair just counted, and there were 101 Members present.

Mr. MADDEN. I appeal from the decision of the Chair. I submit that it is not the province of the Chair, no matter who, to say that there is a quorum present when he has just announced a vote which discloses that there is not a quorum present.

The CHAIRMAN. The Chair will count the committee again.

Mr. DIES. I make the point of order that the point made by the gentleman from Illinois is dilatory.

The CHAIRMAN. The Chair will overrule the point of order and count the committee again. [After counting.] One hundred and three Members present.

Mr. MADDEN. I ask for tellers.

Mr. FOSTER. I make the point of order that that is not in order.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

St. Andrews Bay, Fla.: For maintenance, $30,000.

Mr. FREAR. Mr. Chairman, I move to strike out line 21—the paragraph.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 15, line 21, strike out all of the line.

Mr. FREAR. Mr. Chairman, we have appropriated $239,560 for this project. There was on hand October, 1914, $36,000, and $30,000 is proposed in this bill. The engineer recommended $60,000. The engineers' report says the completion of the project will serve to test the commercial value of the harbor. I call the attention of the gentleman from Massachusetts [Mr. TREADWAY] to the language of the engineers' report that the completion of the project will serve to test the commercial value of the harbor.

The commerce on this stream, which apparently is intended for a sawmill, amounts to 116,622 tons. Timber is 102,557 tons, leaving 14,065 tons, which was presumably the material taken to the sawmill for the benefit of those taking it, and the haul was 11 miles.

The commerce in 1912 was $76,562, showing an increase; but after deducting the timber it practically amounted to the same amount, $12,844.

Mr. BRYAN. Was that timber brought down in logs or on a steamer?

Mr. FREAR. Logs and timber. My memorandum does not show which, but the point in question is covered by this statement that the haul is only 11 miles. It is a short haul. The project is for deepening the channel. We spent $239,560. I appreciate that there is not much chance to get this stricken out. It may do no good, but let me say that I believe it is a duty I owe to the House to place before the committee such projects as these and to move to strike them out, leaving the responsibility with you.

Mr. DIES. Mr. Chairman, I want to take a moment. I am as fond of a sincere and earnest discussion of these matters as any gentleman on this floor, but when the gentleman rises in his place, as he did a moment ago, and opposes an item contained in lines 14 and 15 for $120,000 for continuing and improving the maintenance of a harbor which he says carries over $2,000,000 of commerce——

Mr. FREAR. But there is a half a million dollars ready to be used.

Mr. DIES. Mr. Chairman, I am surprised at the gentleman. Sixty-seven and six tenths per cent of all of the appropriations made by this Congress go to purposes of war, past and present, and if we are to spend almost a billion dollars for pensions and war preparations, does not the gentleman think that we will need some ports to carry commerce to enable the people of this Republic to pay the tremendous pensions and build the warships and support an army in this country? [Applause.] I am tired of this and of those who want to pare the river and harbor bill, that carries appropriations for the commerce of the country and the maintaining of the taxes and of the people that pay the taxes of this country. I do not doubt, Mr. Chairman, that the gentleman can pick some flaws in the bill. There never was a bill introduced in Congress that you could not criticize; but I do lay down the proposition, and I go to the length of my sincerity upon the proposition, that $120,000 for continuing improvement and for the maintenance of a project that carries 2,000,000 tons of commerce is a captious objection, and we ought to stay here until midnight or the wee small hours of the morning to see that no such captious objections shall interfere with the progress of this bill. [Applause.]

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Wisconsin.

The question was taken; and on a division (demanded by Mr. MADDEN) there were—ayes 5, noes 83.

Mr. MADDEN. Mr. Chairman, I make the point of order that there is no quorum present.

Mr. PARKER of New York. Mr. Chairman, I ask the Chair to call for those present and not voting. I was one of them.

The CHAIRMAN. The Chair will count. [After counting.] Eighty-nine gentlemen present—not a quorum. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

Abercrombie	Bartlett	Bruckner	Chandler, N. Y.
Adair	Barton	Brumbaugh	Clancy
Ainey	Bathrick	Buchanan, Ill.	Claypool
Alexander	Beall, Tex.	Bulkley	Cline
Allen	Bell, Ga.	Burke, Pa.	Coady
Anderson	Blackmon	Burke, S. Dak.	Connolly, Iowa
Anthony	Booher	Butler	Copley
Austin	Borland	Calder	Cox
Avis	Bowdle	Campbell	Cramton
Bailey	Britten	Cantrill	Dale
Baker	Brodbeck	Caraway	Danforth
Barchfeld	Broussard	Carew	Davenport
Barkley	Brown, N. Y.	Carlin	Davis
Barnhart	Brown, W. Va.	Carr	Deitrick
Bartholdt	Browne, Wis.	Cary	Dent

Dickinson	Hayden	Metz	Slayden
Difenderfer	Hayes	Mitchell	Slemp
Dillon	Helgesen	Mondell	Smith, Md.
Donohoe	Hensley	Montague	Smith, Minn.
Dooling	Hinebaugh	Morgan, La.	Smith, Saml. W.
Doolittle	Hobson	Morin	Smith, N. Y.
Doremus	Holland	Morrison	Smith, Tex.
Doughton	Houston	Moss, W. Va.	Stanley
Drukker	Howard	Mott	Stedman
Dunn	Howell	Murdock	Steenerson
Elder	Hoxworth	Neeley, Kans.	Stephens, Nebr.
Esch	Hughes, W. Va.	Neely, W. Va.	Stephens, Tex.
Estopinal	Hulings	Nelson	Stevens, Minn.
Evans	Igoe	Nolan, J. I.	Stevens, N. H.
Fairchild	Johnson, S. C.	O'Brien	Stringer
Faison	Johnson, Utah	Oglesby	Sumners
Falconer	Johnson, Wash.	O'Hair	Sutherland
Fergusson	Jones	Oldfield	Taggart
Ferris	Kahn	O'Shaunessy	Talbott, Md.
Fess	Keister	Padgett	Talcott, N. Y.
Fields	Kelley, Mich.	Page, N. C.	Tavenner
Finley	Kelly, Pa.	Paige, Mass.	Taylor, Colo.
Fitzgerald	Kennedy, Conn.	Palmer	Taylor, N. Y.
FitzHenry	Kennedy, Iowa	Patten, N. Y.	Ten Eyck
Flood, Va.	Kennedy, R. I.	Patton, Pa.	Thacher
Fordney	Kent	Peters	Thomas
French	Kiess, Pa.	Peterson	Thompson, Okla.
Gallivan	Kinkaid, Nebr.	Phelan	Thomson, Ill.
Gardner	Kinkead, N. J.	Platt	Towner
Garner	Kirkpatrick	Plumley	Townsend
Garrett, Tex.	Kitchin	Porter	Tribble
George	Knowland, J. R.	Post	Tuttle
Gerry	Korbly	Pou	Underhill
Gillett	Kreider	Powers	Underwood
Gilmore	Lafferty	Price	Vare
Gittins	La Follette	Prouty	Vinson
Glass	Langley	Ragsdale	Vollmer
Goldfogle	Lazaro	Rauch	Volstead
Good	Lee, Pa.	Rayburn	Walker
Gordon	L'Engle	Reed	Wallin
Gorman	Levy	Riordan	Walsh
Goulden	Lewis, Md.	Roberts, Mass.	Walters
Graham, Ill.	Lewis, Pa.	Roberts, Nev.	Weaver
Graham, Pa.	Lindbergh	Rothermel	Webb
Gray	Lindquist	Rouse	Whaley
Green, Iowa	Linthicum	Rubey	Whitacre
Griest	Lloyd	Rucker	White
Griffin	Loft	Rupley	Williams
Gudger	Logue	Sabath	Wilson, Fla.
Guernsey	Lonergan	Saunders	Wilson, N. Y.
Hamill	McClellan	Scott	Winslow
Hamilton, Mich.	McGillicuddy	Scully	Witherspoon
Hamlin	McGuire, Okla.	Seldomridge	Woodruff
Hardy	McKellar	Shackleford	Woods
Harris	McKenzie	Sherley	Young, N. Dak.
Hart	McLaughlin	Shreve	Young, Tex.
Haugen	Maher	Sims	
Hay	Manahan	Sisson	

The committee rose; and the Speaker pro tempore [Mr. FOSTER] having resumed the chair, Mr. RAINEY, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 20189, the river and harbor appropriation bill, and finding itself without a quorum, he had directed the roll to be called; that 134 Members answered to their names, and he reported herewith the list of absentees.

The SPEAKER pro tempore. The committee will resume its sitting.

The committee resumed its sitting.

The CHAIRMAN. The Clerk will read.

Mr. SPARKMAN. Mr. Chairman, I move that the committee do now rise.

The question was taken, and the motion was agreed to.

Accordingly the committee rose; and Mr. FOSTER having resumed the chair as Speaker pro tempore, Mr. RAINEY, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 20189, the river and harbor bill, and had come to no resolution thereon.

HOUR OF MEETING TO-MORROW.

Mr. SPARKMAN. Mr. Speaker, I ask unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock to-morrow morning.

Mr. MADDEN. Mr. Speaker, I object.

The SPEAKER pro tempore. The gentleman from Illinois objects.

ADJOURNMENT.

Mr. SPARKMAN. Mr. Speaker, I move that the House do now adjourn.

The question was taken, and the Speaker pro tempore announced the noes seemed to have it.

Mr. SPARKMAN and Mr. EDWARDS. Mr. Speaker, I ask for a division.

The House again divided, and there were—ayes 72, noes 4.

So the motion was agreed to; accordingly (at 10 o'clock and 58 minutes p. m.) the House adjourned to meet to-morrow, Saturday, January 16, 1914, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. Letter from the president of the Chesapeake & Potomac Telephone Co., transmitting report of the Chesapeake & Potomac Telephone Co. for the year 1914 (H. Doc. No. 1489); to the Committee on the District of Columbia and ordered to be printed.

2. Letter from the vice president of the Georgetown Barge, Dock, Elevator & Railroad Co., transmitting annual report of the Georgetown Barge, Dock, Elevator & Railroad Co. for the year ended December 31, 1914 (H. Doc. No. 1490); to the Committee on the District of Columbia and ordered to be printed.

3. Letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, United States Army, submitting data for the new edition of "Preliminary examinations, surveys, projects, and appropriations," with a view to having the same published complete in one document (H. Doc. No. 1491); to the Committee on Rivers and Harbors and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. ALEXANDER, from the Committee on the Merchant Marine and Fisheries, to which was referred the bill (H. R. 20107) to amend sections 4421, 4422, 4423, 4424, and 4498 of the Revised Statutes of the United States, and section 12 of the act of May 28, 1908, relating to certificates of inspection of steam vessels, reported the same without amendment, accompanied by a report (No. 1284), which said bill and report were referred to the House Calendar.

Mr. RAYBURN, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 20040) to provide for the care and treatment of persons afflicted with leprosy and to prevent the spread of leprosy in the United States, reported the same without amendment, accompanied by a report (No. 1286), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. GITTINS, from the Committee on Military Affairs, to which was referred the bill (H. R. 12896) to place Rev. John A. Ferry, captain, upon the unlimited retired list of the Army, reported the same without amendment, accompanied by a report (No. 1283), which said bill and report were referred to the Private Calendar.

Mr. STEPHENS of Nebraska, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (S. 6011) to reinstate Frederick J. Birkett as third lieutenant in the United States Revenue-Cutter Service, reported the same without amendment, accompanied by a report (No. 1285), which said bill and report were referred to the Private Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Pensions was discharged from the consideration of the bill (H. R. 19462) granting an increase of pension to Charles C. Moulton, and the same was referred to the Committee on Invalid Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. SMITH of Texas: A bill (H. R. 20931) making appropriations for the work of construction of irrigation projects, and for other purposes; to the Committee on Appropriations.

By Mr. CARY: A bill (H. R. 20932) to provide for the retirement of employees in the Postal Service; to the Committee on Reform in the Civil Service.

By Mr. McKELLAR: A bill (H. R. 20933) to amend an act entitled "An act to authorize the Arkansas & Memphis Railway Bridge & Terminal Co. to construct, maintain, and operate a bridge across the Mississippi River at Memphis, Tenn.," ap-

proved August 23, 1912; to the Committee on Interstate and Foreign Commerce.

By Mr. HAYDEN: A bill (H. R. 20974) for the establishment of a probation system in the United States courts except in the District of Columbia; to the Committee on the Judiciary.

By Mr. BEAKES: Joint resolution (H. J. Res. 402) proposing an amendment to the Constitution of the United States; to the Committee on Election of President, Vice President, and Representatives in Congress.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. AVIS: A bill (H. R. 20934) granting a pension to William Cain; to the Committee on Pensions.

By Mr. BRITTEN: A bill (H. R. 20935) granting a pension to Sallie E. Gilkeson; to the Committee on Invalid Pensions.

By Mr. BURKE of Wisconsin: A bill (H. R. 20936) granting an increase of pension to Freeman H. Bentley; to the Committee on Invalid Pensions.

By Mr. CAMPBELL: A bill (H. R. 20937) granting an increase of pension to George B. Henning; to the Committee on Pensions.

By Mr. CLAYPOOL: A bill (H. R. 20938) granting an increase of pension to William J. Barnett; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20939) granting an increase of pension to Charles Black; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20940) granting an increase of pension to John H. Cutright; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20941) granting an increase of pension to Joseph Donnells; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20942) granting an increase of pension to Jacob J. Roseboom; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20943) granting an increase of pension to Wesley A. Taylor; to the Committee on Invalid Pensions.

By Mr. CULLOP: A bill (H. R. 20944) granting a pension to George Eskew; to the Committee on Pensions.

Also, a bill (H. R. 20945) granting an increase of pension to Perry C. McIntosh; to the Committee on Invalid Pensions.

By Mr. DAVENPORT: A bill (H. R. 20946) granting an increase of pension to Joseph Swaney; to the Committee on Invalid Pensions.

By Mr. DONOVAN: A bill (H. R. 20947) granting an increase of pension to Marcus L. Pelham; to the Committee on Invalid Pensions.

By Mr. DOOLITTLE: A bill (H. R. 20948) granting an increase of pension to Henry C. Linn; to the Committee on Invalid Pensions.

By Mr. FIELDS: A bill (H. R. 20949) granting a pension to Alexander Herndon; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20950) granting an increase of pension to Spencer Cooper; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20951) granting an increase of pension to James W. Herndon; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20952) granting an increase of pension to William C. McCracken; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20953) granting an increase of pension to Charles Luman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20954) granting an increase of pension to Angeliner Thompson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20955) granting an increase of pension to E. B. Wilhoit; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20956) for the relief of James C. Downey; to the Committee on Military Affairs.

By Mr. FOWLER: A bill (H. R. 20957) granting an increase of pension to Samuel E. Lookingbill; to the Committee on Invalid Pensions.

By Mr. GODWIN of North Carolina: A bill (H. R. 20958) for the relief of the heirs of William Grissom, deceased; to the Committee on War Claims.

Also, a bill (H. R. 20959) for the relief of the heirs of Thomas Newton, deceased; to the Committee on War Claims.

By Mr. HARDY: A bill (H. R. 20960) granting a pension to Nancy L. Gillespie; to the Committee on Pensions.

By Mr. HINDS: A bill (H. R. 20961) granting a pension to John F. Scribner; to the Committee on Invalid Pensions.

By Mr. KEATING: A bill (H. R. 20962) granting an increase of pension to Joseph Harris; to the Committee on Invalid Pensions.

By Mr. LANGHAM: A bill (H. R. 20963) granting a pension to Ellen Carrier; to the Committee on Invalid Pensions.

By Mr. OGLESBY: A bill (H. R. 20964) granting an increase of pension to Matilda A. Manning; to the Committee on Invalid Pensions.

By Mr. RUCKER: A bill (H. R. 20965) granting a pension to William M. Silver; to the Committee on Invalid Pensions.

By Mr. SHERWOOD: A bill (H. R. 20966) granting an increase of pension to Cora Day Young; to the Committee on Invalid Pensions.

By Mr. SLOAN: A bill (H. R. 20967) granting a pension to Mary F. Carson; to the Committee on Pensions.

By Mr. TAVENNER: A bill (H. R. 20968) granting a pension to John O'Neil; to the Committee on Pensions.

By Mr. VOLLMER: A bill (H. R. 20969) granting a pension to Henrietta Borgstadt; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20970) granting an increase of pension to Theodore H. Rosche; to the Committee on Pensions.

By Mr. WALLIN: A bill (H. R. 20971) granting an increase of pension to Bernard Small; to the Committee on Invalid Pensions.

By Mr. WICKERSHAM: A bill (H. R. 20972) granting an increase of pension to George W. Hadley; to the Committee on Invalid Pensions.

By Mr. WOODRUFF: A bill (H. R. 20973) granting an increase of pension to William Hall; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. AVIS: Petition of citizens of the third congressional district of the State of West Virginia, favoring passage of House bill 5308 relative to taxing mail-order houses; to the Committee on Ways and Means.

By Mr. BAILEY: Petitions of Rev. J. W. Hoffman, of Everett, and Earl Barefoot and William A. Reynolds, of Summerhill, Pa., protesting against amendment to the Post Office appropriation bill, relative to curtailing the press; to the Committee on the Post Office and Post Roads.

Also, memorial of G. R. C. Knights of St. George, of Summerhill, Pa., protesting against the sale of munitions of war by the United States to warring nations; to the Committee on Foreign Affairs.

By Mr. BARCHFELD: Petitions of the German Evangelical Protestant Church of Pittsburgh, Pa.; the Allegheny County (Pa.) Branch of the National Federation of German Roman Catholic Societies of the United States; the German Roman Catholic Central Verein, of Carnegie, Pa.; and citizens of Pittsburgh, Pa., favoring House joint resolution to prohibit export of arms; to the Committee on Foreign Affairs.

Also, petition of citizens of Pittsburgh, Pa., favoring Hamill civil-service retirement bill; to the Committee on Reform in the Civil Service.

By Mr. BELL of California: Petitions of Golden West Lodge, No. 145, Knights of Pythias, of San Francisco, Cal.; the Woman's Progressive Club of the Mission; the Glen Park Outdoor Art League; Portola Parlor, No. 172, N. D. G. W.; La Estrella Parlor, No. 89, N. D. G. W.; members of the Foresters of America, Coast Sun Flower, No. 187; the Clement Street Merchants' Association, 400 members; Fourth and Fifth Street District Improvement Club, 196 members; Mission Parlor, No. 38, Native Sons of the Golden West; 265 members of the Central Mission and Hayes Valley Improvement Club; Golden Gate Parlor, No. 29, Native Sons of the Golden West; White Eagle Tribe, No. 72, Improved Order of Red Men; Indoor Yacht Club, 5,000 members; San Francisco Aerie, No. 5, Order of Eagles; Nelson A. Miles Camp, United Spanish War Veterans; Phelps Squadron, No. 12, U. S. V. N.; the Civic League of Improvement Clubs and Associations; Presidio Parlor, Native Sons of the Golden West, all of San Francisco, Cal., favoring Hamill civil-service retirement bill, H. R. 5139; to the Committee on Reform in the Civil Service.

Also, petitions of Escondido Chamber of Commerce, Escondido, Cal., and Cabrillo Club, San Diego, Cal., favoring Federal appropriation for the construction of a military road from Yuma, Ariz., to El Centro, Cal.; to the Committee on Military Affairs.

Also, resolutions of members of S. F. Schwaben Verein; Court California, No. 4, Foresters of America; Polk and Larkin Street District Association; Alpha Neighborhood Club; Lodge No. 2, K. R. ..., of San Francisco; Oceanside Improvement Association; Richmond Central Improvement Club; members of Castro Parlor 232, Native Sons of the Golden West; Eureka Valley Merchants' Association; Haight-Ashbury Im-

provement Association, all of San Francisco, Cal., favoring House bill 5139, the Hamill civil-service retirement bill; to the Committee on Reform in the Civil Service.

Also, petition of San Francisco Camp, No. 4, National Indian War Veterans, favoring the passage of House bill 15402, Keating bill, to place Indian war veterans who served from 1865 to 1891 on the regular Indian war veteran pension roll of earlier date; to the Committee on Pensions.

Also, petitions of George F. Muench, Dietrich Krause, E. J. Weaver, A. C. Schmidt, and Johanne Kruse, of El Monte; George Hess, Charles H. Guenther, C. F. Guenther, and William H. Guenther, of Pasadena, Cal., favoring the adoption of House joint resolution 377, to prohibit the shipment of munitions of war to the belligerent countries of Europe; to the Committee on Foreign Affairs.

By Mr. BRITTEN: Papers to accompany bill for pension to Sallie E. Gilkeson; to the Committee on Invalid Pensions.

By Mr. BURKE of Wisconsin: Petitions signed by John Rogles, William Behling, jr., and 76 other citizens of the city of Watertown, Wis., asking for the passage of Senate bill 6688, or any similar measure, to levy an embargo on all contraband of war, save foodstuffs only; to the Committee on Foreign Affairs.

By Mr. CRAMTON: Petitions of John Graf and 48 others, of Unionville; G. F. Wacker and 133 others, of Pigeon; Henry Gebhardt, of Minden City; F. P. Gerlach and 29 others, of Macomb County; Adolf Matthes, of Sebewaing; Charles Pagel and John Pagel, of Sandusky; and William F. Junke, of Goodrich, all in the State of Michigan, in support of House joint resolution 377, proposing to prohibit exportation of arms, etc.; to the Committee on Foreign Affairs.

By Mr. DALE: Petition of Gas Engine & Power Co. and Charles L. Seabury & Co., protesting against the passage of the Alexander bill (H. R. 18666); to the Committee on the Merchant Marine and Fisheries.

By Mr. DANFORTH: Petition of Mr. Fr. Bruckmaier and 25 others, of Attica and Batavia, N. Y., protesting against violations of the spirit of neutrality in connection with the war in Europe; to the Committee on Foreign Affairs.

Also, petition of Knights of St. Theodore, Rochester, N. Y., against export of arms to Europe; to the Committee on Foreign Affairs.

By Mr. DILLON: Petition of citizens of Hutchinson County, S. Dak., favoring House joint resolution 377, to forbid export of arms; to the Committee on Foreign Affairs.

By Mr. DIXON: Petition of 140 business men of fourth congressional district of Indiana, favoring House bill 5308, to tax mail-order houses; to the Committee on Ways and Means.

By Mr. DONOHOE: Memorial of Manufacturers' Club of Philadelphia, relative to amendment to the present tariff laws; to the Committee on Ways and Means.

By Mr. ESCH: Memorial of Evangelical Lutherans of St. Peters congregation, Dorchester, Wis., and George A. Walz and 245 other citizens of Norwalk, Wis., urging legislation to prohibit the exportation of war materials from the United States; to the Committee on Foreign Affairs.

By Mr. GILMORE: Petition of civilian clerks of the Quartermaster Corps, favoring the passage of Senate bill 6882; to the Committee on Military Affairs.

Also, memorial of Boston (Mass.) Marine Society, protesting against the passage of House bill 18666; to the Committee on the Merchant Marine and Fisheries.

By Mr. GRAHAM of Pennsylvania: Petition of the Pennsylvania Arbitration and Peace Society, relative to strict neutrality by the United States; to the Committee on Foreign Affairs.

By Mr. GREENE of Vermont: Memorial of Bennington (Vt.) Board of Trade, urging passage of House bill 19434, for the improvement of the Narrows of Lake Champlain; to the Committee on Rivers and Harbors.

By Mr. KONOP: Petition of citizens of Appleton, Wis., and of the ninth congressional district of Wisconsin favoring House joint resolution 377, to forbid shipment of arms to Europe; to the Committee on Foreign Affairs.

By Mr. LIEB: Petitions of W. Ed Mathis, Joseph Schaefer, John F. Land, John F. Baker, A. H. Kattman, John P. Miedreich, Clarence F. Whiting, Carl P. Grimmeissen, C. A. Lefler, Albert F. Horn, John H. Borgman, John Hudson, Philip A. Hoelscher, E. J. Miller, Edward M. Schaefer, A. C. Richardt, William E. Wilson, Louis H. Moser, John F. Richardt, John A. Schaefer, Carl Lauenstein, George J. Stockmeyer, Peter Hass, Oscar E. Rahm, Harry C. Dodson, W. E. Willis, William P. Miedreich, Sidney Craig, Charles F. Forster, A. L. Rose, Henry Bernhardt, all of Evansville, Ind., and L. T. Freeland, of Princeton, Ind., favoring Hamill bill for retirement of aged and infirm Government employees; to the Committee on Reform in the Civil Service.

Also, petitions of Charles H. Bohrer and George Kuntzman, of Boonville; Anton G. Jochim, of Mariah Hill; Rev. C. G. Kettelhut, of Mount Vernon; and the St. Joseph's Society, by George Bischof, president, and Engelbert Schnellenberger, secretary, of St. Meinrad, all in the State of Indiana, in favor of legislation to prohibit the shipment from the United States of munitions of war to a belligerent nation; to the Committee on Foreign Affairs.

By Mr. LINDBERGH: Petition of citizens of Paynesville, Minn., protesting against the shipment of arms to the warring nations; to the Committee on Foreign Affairs.

Also, petition of citizens of Bertha, Minn., protesting against shipment of arms to warring nations; to the Committee on Foreign Affairs.

Also, petitions of citizens of Cass Lake, Clear Water, South Haven, Elrosa, and Pierz, Minn., protesting against the shipment of arms and munitions of war to warring nations; to the Committee on Foreign Affairs.

By Mr. MAGUIRE of Nebraska: Petition of 57 citizens of Lincoln, Nebr., favoring passage of House joint resolution 377, relative to export of war material by the United States; to the Committee on Foreign Affairs.

By Mr. MAPES: Petitions of citizens of Grand Rapids, Mich., favoring the passage of House joint resolution 377, relative to shipment of war material by the United States; to the Committee on Foreign Affairs.

By Mr. J. I. NOLAN: Resolutions of the Petaluma Central Labor Council, of Petaluma, Cal., favoring the passage of H. R. 5139, to provide for the retirement of superannuated civil-service employees; to the Committee on Reform in the Civil Service.

Also, resolutions of three fraternal organizations in the city of San Francisco, Cal., comprising a membership of 450 citizens, favoring the passage of H. R. 5139, to provide for the retirement of superannuated civil-service employees; to the Committee on Reform in the Civil Service.

By Mr. REILLY of Wisconsin: Petition of Men's Bible Class of Oshkosh, Wis., 900 names, asking for the passage of H. R. 377, relative to shipment of war material; to the Committee on Foreign Affairs.

By Mr. SINNOTT: Petition of Baker County (Oreg.) Union of the Farmers' Educational and Cooperative Union of America, favoring rural credit legislation; to the Committee on Agriculture.

By Mr. J. M. C. SMITH: Protest of Coldwater Council, No. 452, United Commercial Travelers, of Coldwater, Mich., against advancing passenger rates by railroads; to the Committee on Interstate and Foreign Commerce.

Also, petition of Adam Ehrman and 171 citizens of Kalamazoo, Mich., favoring S. 6688, to prohibit sale of arms and ammunition to belligerent nations; to the Committee on Foreign Affairs.

By Mr. SMITH of New York: Petition of Bethel Baptist Church, of Buffalo, and Federation of German Catholic Societies of Buffalo, N. Y., favoring passage of resolution to prevent shipment of war material to Europe; to the Committee on Foreign Affairs.

By Mr. VOLLMER: Petition of St. Boniface Society, of Lyons, Iowa, favoring passage of House joint resolution 377, prohibiting the export of war materials; to the Committee on Foreign Affairs.

SENATE.

SATURDAY, *January 16, 1915.*

(Legislative day of Friday, January 15, 1915.)

The Senate reassembled at 11 o'clock a. m., on the expiration of the recess.

Mr. SMOOT. Mr. President, there are only half a dozen Senators in the Chamber. I therefore suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bankhead	Hughes	O'Gorman	Smoot
Brady	James	Owen	Sterling
Bryan	Johnson	Page	Swanson
Burleigh	Jones	Perkins	Thomas
Burton	Kenyon	Ransdell	Thompson
Chamberlain	Kern	Robinson	Thornton
Clark, Wyo.	La Follette	Saulsbury	Vardaman
Culberson	Lane	Shafroth	Weeks
Dillingham	Lea, Tenn.	Sheppard	White
Fletcher	Lippitt	Shively	Works
Gallinger	Lodge	Simmons	
Hitchcock	McLean	Smith, Ga.	
Hollis	Nelson	Smith, Md.	

Mr. LANE. I wish to announce that the Senator from Minnesota [Mr. CLAPP] and the Senator from Arizona [Mr. ASHURST] are unavoidably detained on business of importance.

The VICE PRESIDENT. Forty-nine Senators have answered to the roll call. There is a quorum present.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House had passed a bill (H. R. 4899) to fix the standard barrel for fruits, vegetables, and other dry commodities, in which it requested the concurrence of the Senate.

ENROLLED BILL AND JOINT RESOLUTION SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bill and joint resolution, and they were thereupon signed by the Vice President:

H. R. 6060. An act to regulate the immigration of aliens to and the residence of aliens in the United States; and

H. J. Res. 234. Joint resolution directing the selection of a site for the erection of a statue in Washington, D. C., to the memory of the late Maj. Gen. George Gordon Meade.

DISTRICT OF COLUMBIA APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 19422) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1916, and for other purposes.

The VICE PRESIDENT. The pending question is one which has an aspect to it wholly disassociated from the question of the proposed amendment. It is a new question in the Senate of the United States. It may arise again. If there is no objection, the Chair would like to read into the RECORD, not for the purpose of controlling the conduct of Senators nor for the purpose of influencing the vote but as a matter of information, if the question should ever arise again and this RECORD is looked up, that Senators may have all the light and information on the subject, an excerpt from a new work on parliamentary law prepared by Thomas B. Neely, of the Methodist Episcopal Church. If there is no objection, the Chair would like to put it in simply as a matter of information for the future use of the Senate of the United States.

Mr. SMOOT. Would the Chair object to the Secretary reading it at this time?

The VICE PRESIDENT. The Chair is simply asking permission of the Senate to have what Mr. Neely says upon the question of the suspension of the rules put in the RECORD, not for the purpose of controlling this question but that if it arises in the future Senators may have the document at hand to discuss the question.

Mr. SIMMONS. Mr. President——

Mr. SMOOT. I should like to have the Secretary read it, if the Chair does not object.

The VICE PRESIDENT. The Chair wanted to read it, if there was no objection.

Mr. SIMMONS. I was just going to supplement the suggestion of the Senator from Utah by saying that it might well be read to us in the consideration of the particular matter now pending.

The VICE PRESIDENT. The Chair will read it. There has just been issued a work by Bishop Thomas B. Neely, of the Methodist Episcopal Church——

Mr. SIMMONS. I do not mean to suggest that the Chair read it, but that the Secretary read it. Of course the Chair can read it, if he likes.

The VICE PRESIDENT. The Chair prides himself on his reading qualities.

Mr. SIMMONS. I know the Chair is a good reader.

The VICE PRESIDENT. This is what the author has to say on the suspension of the rules:

> Sometimes the regular rules of the body interfere with the transaction of business desired by the House at a particular moment, and the House invokes a method of temporarily suspending the force of a particular rule until the matter in question is presented, considered, and acted upon. Then the rule immediately comes into force again.
>
> The difficulty is met by moving the suspension of the obstructing rule. This is done by a Member securing the floor and saying, "I move to suspend the rule (or rules)," specifying the rule or rules intended, or by saying, "I move the rule (or rules) be suspended."
>
> The motion can not be debated, and can not be amended or have any subsidiary motion applied to it. For example, it can not be laid on the table or postponed indefinitely. A vote on the motion can not be reconsidered. In Congress a motion to suspend the rules for the same purpose can not be renewed the same day; in ordinary societies it may be renewed after an adjournment, though the next meeting be held the same day. It is not in order when the body is acting under a suspension of the rules. Neither is it while the previous question is operating. Deliberative bodies usually state in their code of rules what vote is necessary to suspend the rules, and provide that it shall exceed a mere majority; for example, that it shall be two-thirds or three-fourths. The common usage is to require a two-thirds vote.
>
> The rule in the United States House of Representatives is that "No rule shall be suspended except by a vote of two-thirds of the Members voting, a quorum being present."
>
> Some have held that unless the rules of the body provide for their own suspension they can not be suspended unless by general or unanimous consent, but the common practice is to permit the suspension of a rule by a two-thirds vote.
>
> Good judgment should be used in introducing the motion to suspend, for its too frequent use tends to the destruction of the binding force of the rules. If the rules are suspended on any or every pretext, they practically cease to be rules.

Mr. SHEPPARD. Mr. President, I think it is proper to call attention to the fact that the author does not state the entire condition in the House of Representatives.

The VICE PRESIDENT. The Senator from Texas will understand that the Chair is not taking any part in the discussion nor trying to influence the vote or to make an argument; but this being a new work on parliamentary law, he is simply putting it into the RECORD, so that hereafter Senators may know where to find it.

Mr. SHEPPARD. I understand that. I wanted to call attention to the fact that in the House of Representatives——

Mr. JAMES. Regular order, Mr. President.

The VICE PRESIDENT. The Senator from Texas has the right to proceed, in view of what the Chair did.

Mr. SHEPPARD. The Senator from Kentucky is pursuing the same revolutionary tactics that have characterized his side of this matter all the way through.

Mr. JAMES. I am pursuing no revolutionary tactics at all. I call for the regular order, which I have always understood under the rules of the Senate is perfectly legitimate. I do not think the Senator from Texas ought to be quite so touchy when the rules are invoked.

Mr. SHEPPARD. Yes; but the Senator does not show a spirit of fair play; that is what I intended to say.

Mr. JAMES. I am showing a public spirit of fair play, because I want to go to a discussion of the question.

The VICE PRESIDENT. Just one moment.

Mr. SHEPPARD. A matter has been introduced here which purports to sustain one side of a question before this body, and it is not fair play to deny me the privilege of answering. I have a right——

The VICE PRESIDENT. Just a moment. Language of that kind can not be permitted in the Senate of the United States.

Mr. SHEPPARD. Mr. President, what language?

The VICE PRESIDENT. A Senator can not impugn the motives of another Senator. It is an absolute violation of the rules of the Senate. This is not a question to get mad about, but it should be considered in good humor. The Senator from Texas will proceed.

Mr. SHEPPARD. There has been no language used on my part——

The VICE PRESIDENT. The pending question, of course, is the question to agree to the report of the Committee on Rules.

Mr. SHEPPARD. I rose——

The VICE PRESIDENT. The Senator from Texas has a perfect right to proceed and say what he wants to say.

Mr. SHEPPARD. Mr. President, I have not questioned the motive of any Senator. I have intended to exhibit no anger. There was placed in the RECORD here a statement from an authority on parliamentary law to the effect that in the House of Representatives the suspension of the rules requires a two-thirds vote. That is only partially true. The Committee on Rules in the House of Representatives may bring in a report suspending any rule, and it requires only a majority vote to adopt the report of the Committee on Rules.

I had no intention whatever of displaying any feeling in this matter. I have the highest respect and the kindest feeling for every Senator on this floor.

Mr. JONES. If the Senator from Texas will permit me, I wish to suggest that the rule of the House of Representatives referred to is not a rule based on common practice, but upon an express rule of the House adopted by the House itself.

Mr. JAMES. Mr. President, it seems to me that this question has already been settled by the Senate of the United States upon a roll call. It is now of record; and the Senator from Texas and the Senator from Washington entirely overlook the strong statement in this book upon parliamentary law, which is that it takes in legislative bodies usually two-thirds to suspend the rules. That is the common practice, and that is what this author on parliamentary law says.

Whatever may have been his opinion or the opinion of any other writer on parliamentary law, the Senate itself has already determined that question. I do not see any necessity for anyone to get mad about it or to get mad because something is

submitted to the Senate that goes to show the wisdom of the Senate in its former action.

Mr. GALLINGER. Mr. President, addressing myself to the motion before the Senate, I desire simply to say that we are getting a good deal of instruction on parliamentary law during this debate. A few days ago a Member of this body read into the RECORD the views of the author of a book called Robert's Rules of Order, which book is usually employed in debating societies, in women's clubs, in our public schools, and in some religious gatherings. It is not recognized as an authority at all on parliamentary law anywhere on earth. Now a bishop has given us some instruction about this matter, and he has not seemed to address himself to the rules of the Senate, but, rather, to the rules of the House of Representatives. It occurs to me that we are capable of making our own rules which are designed to govern this body.

In common with every other Senator I yield to the decision of the Senate made the other day, although it was in direct contravention to the rule that is written in our code, which does not require a two-thirds vote or a three-fourths vote, but simply states that the rules can be suspended upon motion if a certain procedure is adopted. But the Senate has decided the matter, and of course we are bound to obey the mandate of the Senate. However, I do not think we will get much enlightenment from reading into the RECORD the opinion of outside parties, who presumably know less about our rules than we do ourselves.

The VICE PRESIDENT. If the Senator from New Hampshire objects, the Chair will strike it out.

Mr. GALLINGER. I do not object at all, Mr. President. On the contrary, I am very glad to have it go into the RECORD for what it is worth.

Mr. OWEN. Mr. President, I wish to have it appear in the RECORD that while the Senate did determine this question and therefore it will require now by that determination of the Senate a two-thirds vote, at the same time it should be also remembered and observed that the Senate's mandate on this question fixing a two-thirds vote in this instance was a majority vote of the Senate, a majority vote which could now be reconsidered if the Senate chose to do so and by a majority vote revoke the two-thirds rule required in this instance. Therefore the rule of the Senate, in fact, is a majority rule, after all.

Mr. LANE. Mr. President, on yesterday I called attention to some errors in certain statistics; but I find that the Reporter has left out a couple of words which change the meaning of what I said. I was calling attention to the fact that one of the large Government penal institutions is located in Kansas and that citizens from other States are confined there temporarily and perhaps counted in as a part of the criminal population of Kansas. I said there were perhaps some from Nebraska, also some that had gone from other States of the Union, and some from Oregon, a fact which I knew, for the reason that I had been interested in times past in getting them released from there. The Reporter made it read that I had been interested in getting some of the citizens of Oregon incarcerated therein. I should not like to have that statement go back home, for I did not make it and it is contrary to the facts.

I wish to say something along the line which was suggested by the Senator from Mississippi [Mr. WILLIAMS] yesterday, but from a little different angle, upon the proposition of prohibiting the sale of liquor in the Capital City of the Nation, or anywhere else for that matter. The Senator was quite right and he spoke the truth when he said that the use of alcohol never benefited anyone. It never did, and it never will. I have come to that conclusion quite independently of any personal predilections on the subject. It has been forced upon me in the practice of my profession that alcohol has no food value whatever and also that it has no value as a remedy for disease. It is not a good stimulant, and about the only thing that alcohol is good for is to get drunk on. I guess that has been proven by the experience of mankind from the earliest times, and that is the principal reason, if any does exist, for its use as a beverage. It has the faculty of lowering the physical vitality, and, for that matter, the mental and moral tone of any and all persons who use it. It does so inevitably. There is no man with a constitution strong enough or with nerves hardy enough to resist its action. There never was one and there never will be. That has been tested and found out in all countries where men are compelled to place great strains upon their physical endurance.

In the interior of Alaska where the temperature goes down to 50 or 60 degrees below zero, and 70 and 80 degrees below zero, for that matter—though that is not so common—they do not allow anyone going out upon a long trip upon the trail to take liquor of any kind with him. If a man is met with upon the trail with whisky, or if it is ascertained that he has whisky with him, it is taken away from him and the bottles are broken. They do not do that out of any feeling of kindliness for him particularly, but they have found, and from experience, that it is necessary to do so, for the reason that under the influence of whisky a person loses his finer sensibilities, and his feelings become benumbed, and such a man on the trail will take chances which he otherwise would not take. If his feet or his hands become frozen, the whole expedition is tied up in taking care of him. It may be that the lives of others are risked and even lost through the fact that they have to stop somewhere on the trail without proper food supplies to care for this person who has foolishly allowed himself to become a derelict upon their hands. So they go right through his pack, and if he has whisky or alcohol, they take it away from him and break the bottle. For his sake and for their own protection it is necessary to do this act of prohibition. So it has been well proven that it is not safe for a man to undertake the hardships or the great strains which are placed upon him in that climate if he uses liquor while doing so.

In hot climates it is the same. Stanley would not permit anyone to go with him upon his expeditions through Africa who used either liquor or tobacco in any form. He found such men were not able to keep up with the expedition; that they hampered it. That is the truth of it. There is no prize fighter, a man who has to exert every ounce of his strength in his contest, who dares to drink liquor during his training period, or can afford to do so, or, if he is in the habit of doing so, he soon loses out. It is the same way with foot racers or any athletes upon whom a strain or test is put. I think there can be no question about these statements. Alcohol does no good; it is of absolutely no use on earth so far as that use is a beneficial one to mankind as a beverage, and it has no just claim upon anyone.

One Senator said yesterday that he had a great deal of respect for alcohol, for the reason that out of wheat and corn and rye and grapes, those very necessary products of the earth, which are beneficial to mankind, you could stew and brew whiskies and wines. That is true; so you can. I was going to say—I did not like to interrupt him at the time—that you can make a stronger drink, one that will make the drunk come quicker and last longer, out of potatoes and brown sugar, and the Indians do it in Alaska. They call it hoockinoo; and it is a much cheaper drink and fully as abiding, and one does not have to use wheat nor grapes nor rye to make it.

I think the idea which the same Senator presented here—and I have a great deal of respect for him—that prohibition is, in a measure, an economic question, is true. I do not think that those who wish to prohibit the use of alcohol and put the saloons off the face of the earth will be entirely fair if they do not substitute some place for them, some resting place, some place where a stranger, a man who is tired, who is beaten by the storms of winter, may go in and sit down by a fire and rest himself and be made welcome. That is why the saloon makes its way with the unfortunate people in this world. It is for the reason that it affords a sort of resting place for tired and homeless men. I think it is up to society to provide such places to replace the saloon. I am now, and have long been, of the opinion that the churches of the country should not be closed for six days in the week. For six days and nearly every night in the week, if you go by them, you will find their doors are closed to the homeless stranger; they are dark; they are gloomy; they look cheerless and unfriendly. It has always been my opinion that if you wish to drive the saloon out of business you should build a good fire in each church, and perhaps in every schoolhouse, and make men welcome there, and invite them to come in and sit down and take a rest, and entertain them in some useful and harmless way. I think we owe that to the men who now seek solace and a refuge in the saloon.

I think also an economic question is involved in another way. The man who undergoes the hardships of the world, the hard-working man, the man whose position is not too secure, who has no large means at his disposal to take care of him in the later period of his life, or even temporarily, perhaps in many cases to bridge him over immediate necessities, is the man who does the drinking. He is also the man who goes insane, for the reason that the trials of life bear down hard upon him and disturb his equilibrium, nervous, mental, as well as physical, and he becomes the wreck of society. Therefore he should be offered some substitute, whether the saloon is abolished or not.

I do not think that alcohol is the direct cause of a large percentage of insanity. I do not think that tables of statistics, if carefully examined and analyzed, will show that it is the old alcoholic, the chronic drunk, who, as a rule, goes insane. He becomes a hobo; he becomes a nuisance; he is the cause of misery to his family and to his children; he makes his wife

unhappy and is the cause of their not having enough food to eat and clothing to wear; he may become shattered physically, but, as a rule, he does not become insane. After he quits drinking, as a rule he resumes his normal mental condition and lives along without becoming insane. I do not think much of statistics which try to prove that he furnishes the largest proportion of the inmates of insane asylums; for the reason that my experience is to the contrary.

I have not much confidence in statistics such as were quoted here yesterday to the effect that the reason why one State will have a larger number of insane than another is due to the use of alcohol or the abstention from alcohol. For many years it has been noted that such States as New York, which is the port of entry for the largest number of people who come to this country from foreign lands, and is the mecca for a large number of the people of this country who wish to live in a large city, have a larger number of insane people than the States which do not offer such inducements or which do not appeal so strongly to the restless and the ambitious. On the Pacific coast the city of Seattle, the city of Portland, Oreg., the city of San Francisco, and the States of Oregon, California, and Washington will show a larger percentage of insane commitments in proportion to population than will the Middle States, such as Ohio and Iowa, for the reason that it is the restless who work their way across the continent to the far Pacific coast in the hope of bettering their condition. Men and women who are mentally unbalanced as well as those who are restless find their way to such sections, the first class perhaps fleeing from imaginary persecution, and after arriving there break down from one cause or another, such as a failure of their hope of making money, and such communities have to take care of them. So it may be that the difference between the State of Kansas and the State of Nebraska in the proportion of insane is due to some such controlling influence or factor as that, Kansas having offered greater opportunities than Nebraska, being a State which has opened up its resources in the last few years and risen from a condition where it was known as one of the poorest States in the Union—it was so known when I was a young man—until now it has arrived at the distinction of being one of the richest States in the Union, has attracted into its borders men and women from all over the country who would have gone insane if they had stayed at home. As I have said, it is the restless, discontented person who goes insane. It is not the placid, self-satisfied person of sure income, who rests at ease in his home, who ordinarily goes insane. The percentage of insanity among persons of that class is much less than it is among the more eager, among those less satisfied with the conditions which prevail about them.

Alcohol goes directly into the circulation. It does not remain in the alimentary canal; it is not digested; it enters immediately into the blood and thence makes its way directly to the nerve centers. The result of taking it into the system is that it accelerates the action of the heart, not by stimulating it, perhaps, but by opening up the arteries and the veins, and the heart gets into a state of fluttering activity, not a firm tonic action, but a tremulous one, in its attempt to feed the enlarged blood vessels. It was worked out a number of years ago by a medical gentleman that one drink of whisky taken, say at bedtime—the "nightcap" of our forefathers—will accelerate the action of the heart, say, 30 beats in the minute. The heart carrying a half ounce of blood at each beat, there would be nearly a pound of blood each minute, 60 pounds an hour, added to the duty of the heart; and in 8 or 10 hours it would amount to an enormous weight, an enormous additional labor put upon an organ which was already being deprived of its proper nerve tone. The necessary result was that in the morning the man who was in the habit of taking a "nightcap" or going to bed pretty well soused, rose the next morning with a dark-brown taste in his mouth and a consuming thirst for much cold water.

The action of alcohol in the system is direct and it goes not only into the circulation of the general system, but much of it finds its way immediately to the kidneys. It is notorious, having been known to medical men and other observers for years and years, that the man who drinks regularly suffers from kidney disease more frequently than does the average man who does not use alcohol. It has been ascertained, too, that it goes directly to the liver, which is one of the digestive organs; so that the man who keeps himself pretty well soaked with whisky or with any other stimulant of an alcoholic nature for a reasonable time is very liable to have hardening of the tissues of both the kidneys and the liver. It does not always result in direct hardening, but it does produce destructive processes in those organs.

There is no good in the use of it; there is no argument which can be made in its behalf, so far as any benefit to be derived from it by human kind. It is an outlaw; it is a curse; and yet I think, as does my friend from New Jersey [Mr. MARTINE], that there are other concomitant conditions also which it is equally our duty to relieve, such as the condition of unjust economic distress among the poor, who are the ones who use it most freely and disastrously. We owe it to ourselves to provide relief for them. If we did so, there would be less drunkenness among men. In the last analysis, that method is perhaps the only one that will cure the curse of the country. On the other hand, however, there is no good word which can truthfully be said in behalf of the use of alcohol.

I think my friend, the Senator from Mississippi [Mr. WILLIAMS], is mistaken if he thinks that alcoholic drinks derived from the grape, the fermented liquors in contradistinction to those that are distilled, are less harmful. It is my opinion that he is decidedly mistaken. The Englishman and the Scotchman and those people of Europe who drink heavy port wines are, I think, killed off as quickly, and I think more quickly, than those who confine themselves to the use of pure whisky.

If a person is going to drink at all, if he wants to get drunk, if he desires a stimulant, as a physician who has practiced medicine nearly 40 years I would say to him, "Get good, pure whisky. Leave wines and beers out. You will last longer and do yourself less harm, and the result will come cheaper to you in the long run. It is a matter of economy. If you really wish to use alcohol and get the effects from it without any subterfuge or fooling about, it is the safest drink of all."

I say this in order that those who are going to continue the use of it may have the advantage of my study on this subject. If they want a straight, unadulterated liquor upon which to get drunk, let them use pure alcohol, cologne spirits, the alcohol itself diluted with water. You will all do better to stick to plain whisky or pure alcohol rather than to go fooling around with high wines.

Yesterday some reflections were made upon the State of Georgia and the State of South Carolina for having passed laws forbidding the sale and the use of alcoholic drinks, and yet were unable to keep certain enterprising gentlemen dropping in from other States, men with a keen nose for the article, from finding it. [Laughter.]

For the benefit of the residents of those States, I would suggest that they adopt the method of the Eskimos to protect their food supplies from the ever-hungry malemute dogs, which is to cache it on a paltform about 20 feet above ground. By doing this enterprising and thirsty visitors from other States would have to seek their solace in the open and by means of a ladder.

Mr. THOMAS. Mr. President, we are about midway in the short session of the Sixty-third Congress. It began on the 4th of December, 43 days ago. It will end on the 4th of March, 46 days hence. We have therefore exhausted, inclusive of Sundays, 43 days in the consideration of important business, and we have, not excluding Sundays, 46 days remaining, during which period of time we must enact, if at all, the 14 remaining appropriation bills.

But one of them has been passed. Another is before the Senate, which should, and but for this resolution would, have been passed days ago. We have been considering for, I think, four days, in the midst of these important and unavoidable duties, the question of suspending a rule of the Senate by a process which, I understand, was invoked last some fifty-odd years ago, to the end that a subject which, however important in itself, is not germane to the substance of the bill, may be made a part of it, and either enacted into law or rejected.

If we establish this precedent, it can and will be invoked in behalf of other measures which, in the minds of Senators, may be quite as important as this, but which may be equally foreign to the subject matter of the measure under discussion.

Mr. President, I protest that we have halted the business, the pressing business, the real business, the important business of this session long enough in our discussion of an attempt to suspend a rule for a particular purpose. Four days, this day included, will have been exhausted—I had almost said wasted—in debating a matter that should not have been injected into the business of this important session, and fully 75 per cent of that time has been exhausted upon this side of the Chamber, where at present the responsibility for the enactment of legislation rests.

Mr. President, I shall vote against this motion, because I do not think the rule ought to be suspended now, of all times, and because I am satisfied that, however important the subject matter under discussion may be, we would, by suspending the rule, set a precedent that will surely be at once invoked in behalf of other matters, and as a result the 4th of March would come and find us where we are at present.

I think under the circumstances, in view of the magnitude of our task, that ordinary rules of business procedure require that we should vote upon this matter now, get it behind us, take up and pass this appropriation bill, and then proceed to the next important subject of urgent legislation.

Mr. WALSH. Mr. President, I desire to say a word along the line just pursued by the distinguished Senator from the State of Colorado [Mr. THOMAS].

The question before the Senate does not present at all the merits of the question whether prohibition shall or shall not prevail in the District of Columbia. The question before the Senate is whether a rule of the Senate shall be suspended in order that the amendment offered by the Senator from Texas [Mr. SHEPPARD] may be considered in connection with the District of Columbia appropriation bill.

That rule reads as follows:

No amendment which proposes general legislation shall be received to any general appropriation bill, nor shall any amendment not germane or relevant to the subject matter contained in the bill be received.

Confessedly, this amendment is neither germane nor relevant to the bill to which it is addressed. If it were, there would be no need to suspend the rule.

The wisdom of this rule is so obvious, the evils against which it is intended to guard are so pronounced, that the people of the various States of the Union, in establishing their constitutions, respectively, have, almost without exception in the last 30 years, in the case of those that have been framed within that period—and I might say within the last 50 years, put an absolute inhibition upon their legislatures in the matter of amendments to bills of this kind.

I read from a note to Cooley's Constitutional Limitations, as follows:

The constitutions of Minnesota, Kansas, Maryland, Kentucky, Nebraska, and Ohio provide that "no law shall embrace more than one subject, which shall be expressed in its title." Those of Michigan, New Jersey, and Louisiana are similar, substituting the word "object" for "subject." The constitutions of South Carolina, Alabama, Tennessee, Arkansas, and California contain similar provisions. The constitution of New Jersey provides that "to avoid improper influences which may result from intermixing in one and the same act such things as have no proper relation to each other every law shall embrace but one object, and that shall be expressed in the title." The constitution of Missouri contains the following provision: "No bill (except general appropriation bills, which may embrace the various subjects and accounts for and on account of which moneys are appropriated, and except bills passed under the third subdivision of section 44 of this article) shall contain more than one subject, which shall *be clearly* expressed in its title." The exception secondly referred to is to bills for free public-school purposes. The constitutions of Indiana, Oregon, and Iowa provide that "every act shall embrace but one subject and matters properly connected therewith, which subject shall be expressed in the title; but if any subject shall be embraced in an act which shall not be expressed in the title, such act shall be void only as to so much thereof as shall not be expressed in the title." The constitution of Nevada provides that "every law enacted by the legislature shall embrace but one subject and matters properly connected therewith, which subject shall be briefly expressed in the title." The constitutions of New York and Wisconsin provide that "no private or local bill which may be passed by the legislature shall embrace more than one subject, and that shall be expressed in the title." The constitution of Illinois is similar to that of Ohio, with the addition of the saving clause found in the constitution of Indiana. The provision in the constitution of Colorado is similar to that of Missouri. In Pennsylvania the provision is that "no bill except general appropriation bills shall be passed containing more than one subject, which shall be clearly expressed in its title."

When the people who framed the constitution for my State were engaged in that work, they were so deeply impressed with the necessity of placing a restraint upon the legislature in this matter that they likewise adopted a provision that no bill whatever should contain more than one subject, and that that should be expressed in the title.

Mr. SHEPPARD. Mr. President——

Mr. WALSH. Just a word further. Thus, Mr. President, the people of my State recorded themselves as believing that there never would arise an occasion so grave, so urgent, that this salutary rule should be departed from; and thus they laid an absolute inhibition upon the legislature, no matter what contingencies confronted it, from enacting legislation of this character.

Mr. SHEPPARD. Mr. President, may I ask the Senator a question?

Mr. WALSH. Certainly.

Mr. SHEPPARD. Does he think Rule XL ought to be repealed altogether?

Mr. WALSH Why, no; Rule XL ought not to be repealed at all; but Rule XL ought never to be suspended in order that two different and wholly unrelated subjects may be united in the same bill.

Mr. SHEPPARD. Mr. President——

Mr. WALSH. Just a minute; I shall be glad to give way to the Senator in a minute.

Mr. President, it is needless to review the reasons that have thus forced the inclusion of this provision in the constitutions of so many of our States; but let me attempt to elucidate one that forces itself upon the attention of everyone who considers the subject. I undertake to say, in view of the earnestness exhibited by the Senator from Texas, for whom we all have so great a regard, in favor of this amendment which he has offered, that it does not make any difference what appropriations may creep into the District appropriation bill; he will vote for the bill if his amendment is carried. On the other hand, the Senator from Kentucky [Mr. JAMES] has exhibited such antagonism to this amendment that if it should be added to this bill, no matter how wise all the other provisions of the bill may be, he will vote against it.

I have no idea how the Chief Executive of this Nation feels about this matter. He may be as earnest in advocacy of prohibition in the District of Columbia as is the Senator from Texas or he may be as earnest in his resistance to it as the Senator from Kentucky. If the bill goes to him carrying this amendment and it meets his disapproval, he is coerced into signing the bill notwithstanding, or he must veto the bill, in which case an extra session will be necessary for the consideration of an appropriation bill for the District of Columbia in order to provide funds to carry on the government here. On the other hand, if he is in favor of this amendment as earnestly as is the Senator from Texas we may expect that he will give his approval to the bill, although it contains appropriations or provisions in relation to some that are condemned by his best judgment. In other words, he may be forced to sign a bill a most important provision the unwisdom of which he is convinced.

Mr. VARDAMAN. Mr. President——

Mr. WALSH. I agreed to yield to the Senator from Texas.

Mr. SHEPPARD. I had not moved to suspend Rule XL.

Mr. WALSH. I understand. Mr. President; but the Senator has moved, under Rule XL, to suspend paragraph 3 of Rule XVI, which I read. The matter has been referred to the Committee on Rules, and the Committee on Rules has reported favorably upon the matter.

Mr. SHEPPARD. No; but Rule XL permits me to move to suspend the rules, so that a matter will be in order that otherwise is not in order.

Mr. WALSH. Why, certainly.

Mr. SHEPPARD. I am asking the Senator if he thinks that that rule, which permits me to move to suspend the rules in order to put general legislation on an appropriation bill—a practice that he denounces—ought to be repealed.

Mr. WALSH. I have answered the Senator. I can scarcely conceive of a condition of affairs that would suggest the suspension of Rule XVI in order that general legislation may be attached to an appropriation bill. I do not say that in some crisis which the Nation may face it may not be advisable or even necessary to do so, but I do say that at the present time no such condition, no such emergency has been shown. Moreover, the people of the various States of the Union, when they framed their several constitutions, declared that they could not conceive of such a condition being likely to arise in the course of their history, or at least that they were willing to endure the inconveniences of such a possibility in order to escape the innumerable evils that must follow in the train of legislation passed in disregard of the salutary rule which it is insisted should now be suspended.

I yield now to the Senator from Mississippi.

Mr. VARDAMAN. I wish to ask the Senator if he holds that the Senator from Texas is proceeding in order?

Mr. WALSH. Certainly not.

Mr. VARDAMAN. Does not the Senator recognize the right of the Senator from Texas, under Rule XL, to make the motion which is now pending before the Senate?

Mr. WALSH. I do; certainly. I am urging, however, that we ought not to agree to the motion and suspend the rule. I have not urged that the Senator is out of order.

Mr. VARDAMAN. I can not understand the cause of the warmth with which the Senator urges his suggestion. One would infer that the Senator from Texas was proposing a revolutionary or extraordinary measure here. The Senator from Texas is entirely within his rights under the rules. If the Senate does not want to adopt the amendment, the Senate will reject it and be done with it.

Mr. WALSH. The Senator from Mississippi will pardon me. I have not suggested that the Senator from Texas is out of order or that the motion should not be considered by the Senate. I merely say——

Mr. VARDAMAN. The suggestion the Senator makes, that this body should be influenced in its action by the course that

may be taken by the White House or the attitude of the President to the matter under consideration, strikes me as hardly pertinent. I have great respect for the President's opinion, but I would not feel like surrendering altogether my own views.

Mr. WALSH. I desire to interrupt the Senator. I have not suggested that the desires or wishes or opinions of the White House ought to be consulted. I was discussing the wisdom of the provision which forbids that two subjects shall be embraced in the same bill. I advanced that every bill that comes to the executive of any State or the Executive of the Nation with two independent and unrelated provisions in it coerces the Executive, in a way.

Mr. VARDAMAN. I think the Senator from Montana is correct. In my State the title of a bill must describe accurately the contents of the bill, and in the reports of committees to the body in which the bill originates it is always required that the title shall be found sufficient, and the contents of the bill are set out in the title. But those are rules—laws. We are living by the laws of the Senate. We are proceeding in this matter in order, and we have a right to have a vote upon it. If the Senate does not want to adopt the amendment, it can reject it. That is all there is to it. No revolutionary or unusual proposition has been made. Nothing is asked of the Senate except what we have a perfect right to ask under the provisions of Rule XL.

Mr. WALSH. Mr. President, in all that has been said by the Senator from Mississippi I might say I quite concur. There is no want of harmony between us at all. I have not urged that this is out of order; I have not urged that the Senator from Texas has not a right to make this motion; I have not urged that he has not a right to impress his views upon the Senate with all the great skill in debate he is able to command. I address myself to the judgment of the Senate to reject his suggestion that the rules ought to be suspended in order that this amendment might become a part of a general appropriation bill providing funds for the government of the District of Columbia.

Mr. President, inasmuch as the rule has such very general concurrence as I have spoken of, it must be obvious that it never ought to be disturbed in order to permit general legislation to be admitted to an appropriation bill unless in the face of some great crisis, unless in the face of some great urgency. What is there in the situation now confronting us that requires or justifies this extraordinary course? No one has told us any reason why an independent bill which might be introduced by the Senator from Texas prohibiting the sale or disposition of intoxicating liquors in the District of Columbia could not as well present the main question, why it should not be referred to the proper committee, or why it should not come up for consideration in the proper and usual way. I may say, although it is entirely irrelevant to the question, that when a bill of that character comes up regularly I shall vote for it. I believe that it ought to be adopted.

But, Mr. President, that is entirely aside from this question. It might be objected that such a bill would go to a hostile committee which might possibly delay it unreasonably or bury it. What reason is there for apprehending anything of that kind?

When the Senator from Texas moved to suspend the rule and his motion was referred to the Committee on Rules that committee went out, and within a few hours came back and reported favorably in relation to it. What is the reason for supposing that any committee of this body to which a bill introduced by him upon this general subject might go would not be returned with equal dispatch?

But, Mr. President, if it should in any way be delayed, the Senator has a right to rise here at any time and move that it be returned within 24 hours, or other period, and if a majority believe that its importance is sufficient to warrant such action it will be here for consideration in its due order, and it may be taken up by a vote of the Senate, even to the exclusion of the unfinished business, even to the exclusion of the appropriation bills, and the embarrassment of the public business which must follow from a failure to enact them.

Mr. President, no reasons whatever have been advanced why we should depart from the salutary rule which forbids the incorporation of this amendment in an appropriation bill.

Mr. SIMMONS. Mr. President, the Chair has caused to be read this morning, or rather has read himself, a very eminent authority upon the subject of suspending the rules of the Senate or of any legislative body. The statement was made by that authority that a motion to suspend the rules is not debatable. I think the Chair has decided that it is debatable.

The VICE PRESIDENT. In accordance with the rules of the Senate which specify what shall be and what shall not be debated.

Mr. SIMMONS. I am not in any way impugning the decision of the Chair, nor am I advocating the position taken by the authority which the Chair has read as a proper exposition of parliamentary law, but I do want to say a few words in this connection, because I think they ought to be said and because I think the circumstances we find ourselves in to-day emphasizes the necessity of the action that I am going to suggest. If a motion of this kind is, under the rules as they now obtain, debatable, the rule ought to be changed, and speedily changed, so as to provide that a motion of this character shall not be debatable.

We have here for the last day and a half been debating the question whether the rules should be suspended or not, and until this morning, until the Senator from Colorado [Mr. THOMAS] took the floor, not a single observation, so far as I have heard, has fallen from the lips of any of the participants in the debate with reference to whether the rule should be suspended or not.

Mr. THORNTON. Mr. President, if the Senator had heard my remarks yesterday, or if he had read them, he would find that in my remarks I did touch on that point and nothing else.

Mr. SIMMONS. We have been, then, until this morning ostensibly engaged in debating the question whether we should suspend the rules, and instead of discussing that question we have been discussing the question which would come up in case the rules are suspended and which would not come up in case the rules are not suspended.

Mr. President, if we had taken the vote immediately upon the question of suspending the rules and that motion had been voted down, this debate would have been saved and the time which has been consumed unnecessarily would have been saved.

Now we are notified by Senators on the other side of the Chamber, and possibly by Senators on this side of the Chamber, that if this proceeding is allowed there will be other motions made as we proceed with this or with other appropriation bills to suspend the rules and to place other riders upon these appropriation bills, dealing with subjects absolutely foreign to the subject of the bill. The Senator from Michigan [Mr. TOWNSEND] has just given notice that he will make a motion to suspend the rule for the purpose of bringing before the Senate as an amendment to an appropriation bill his bill with regard to retired officers' pay.

Mr. TOWNSEND. Mr. President——

Mr. SIMMONS. If the Senator will pardon me, I will not say anything he will desire to reply to.

Mr. TOWNSEND. Will the Senator yield to me for a moment?

Mr. SIMMONS. Yes; I will yield.

Mr. TOWNSEND. The Senator is mistaken in his statement that I said I would move it. I said if it was true that a majority of the Senate could change the rules I should certainly employ that method to put my amendment on the bill, but the Senator will remember I explained how a majority could do that, but I recognize the fact that a two-thirds can not do it.

Mr. SIMMONS. The Senator might desist from offering his amendment, because he thinks he can not get two-thirds in favor of the measure, but we all know how Senators seek here sometimes for legislation that is very popular; that is on the calendar perhaps, but because of other more important business it is held in abeyance or pushed aside. They will have the temptation greatly accentuated to offer such measures as a rider to these appropriation bills, because they think, if it were very popular with the Members of the Senate, they will be able to secure a two-thirds vote.

Mr. President, I say if that practice is to obtain, if we are to invoke this rule that for 53 years has not been invoked in the Senate, then we ought to provide that a motion to suspend the rules shall not be subject to debate, so that Senators can not under cover of a motion to suspend the rules for the purpose of taking up some extraneous subject claim the attention of the Senate here for an indefinite time.

Let us suppose, Mr. President, that there is a disposition on the part of either side of the Chamber or on the part of a considerable number of Senators upon one side of the Chamber to filibuster against some measure, and it is desired to use an appropriation bill as a buffer for accomplishing that purpose. I do not charge that that is the situation now, but I do say that two appropriation bills at this session have taken two or three or four times as much of the time of the Senate to secure action as is ordinarily the case. Suppose, Mr. President, there is a desire to use these appropriation bills, especially during a short session of the Senate like this, as buffers to prevent the consideration of some important measure of legislation which certain Senators are unalterably opposed to, and determined to

defeat by the method that may be open to them, how easy it will be for Senators, under the method the Senator from Texas has adopted, to make a motion to suspend the rules and offer an amendment placing their bill as a rider upon the appropriation bill, and then upon the motion to suspend the rule, before they have reached the subject matter which they wish to add to the appropriation bill, before its discussion has become pertinent, upon this motion to suspend to engage in a general debate such as we had here in the Senate on yesterday, taking up the time of the Senate and indirectly accomplishing the purposes of a filibuster. Mr. President, upon this one appropriation bill we can have a dozen filibusters in effect.

Mr. President, the Senator from Montana [Mr. WALSH] has wisely said that the question before the Senate at this time is not the question of prohibition for the District of Columbia. I want to say to the Senator from Texas if that was the question before the Senate I would not stand against him; I would be as solidly with him as any other Senator upon this floor. There has not been a time in my life when I have not been ready and willing to vote in favor of prohibition. I am willing to put my record upon the subject of prohibition against that of the Senator from Texas or any other Senator upon this floor. Shortly after I became a Member of the United States Senate, and while I was yet chairman of the Democratic executive committee of my State, believing, as I did, that there was a strong public sentiment in that State in favor of prohibition, feeling strongly myself in favor of that as a great measure looking to the uplift of the people, I prepared a bill providing for absolute rural prohibition in the State of North Carolina and municipal local option. I gave it to a member of the legislature and asked him to introduce it and to state upon the floor that I had drafted it, and that as chairman of the Democratic executive committee, if I had the power to do so I would place the Democratic Party behind that measure. It was adopted at the next session. It worked well.

At the next session of the legislature I drafted another bill providing against the manufacture of liquor except in incorporated towns of a thousand inhabitants anywhere in the State. I handed it to another member of the legislature with the request that he offer it and state that I had drafted it, and that, as far as I was able, as chairman of the Democratic executive committee of that State, I desired to put the party behind it. It passed. The towns voted liquor out, with the exception of eight or nine towns. Liquor was voted out. Then, Mr. President, we submitted the question of absolute prohibition, both as to the sale and manufacture of liquor, in North Carolina, and I was one of the chief advocates in favor of it.

I say this, Mr. President, in order that it may be distinctly understood that the position which I take now with regard to my vote upon the motion now pending is not to be construed as being in any way hostile to the cause of prohibition.

I want to state emphatically to the Senator from Texas that I am surprised, in view of his zeal here to-day, that he has permitted the bill providing for prohibition for the District of Columbia to rest in the committee since last April, when, as I understood from his observation yesterday, it was referred to a committee, without making an effort to get it out of that committee and before the Senate.

Mr. SHEPPARD. I have no power over that committee.

Mr. SIMMONS. Ah, but the Senator ought to have proceeded in the regular way. He ought to have gone before the committee and have insisted upon its action. But he did not do that. I am not complaining of the Senator because he did not. I say to the Senator that the bill is there now. I say to the Senator that I will join him in insisting that that committee shall act upon it, and if they do not act upon it in a reasonable time, then I will join him in a vote to discharge that committee and bring the bill before the Senate.

But, Mr. President, I can not stultify myself by casting a vote here to open the doors wide in the conditions which we have in the Senate to-day, in view of the fact that it is a short session, that one-half of that session has expired, and that it would be followed by all sorts of propositions to suspend the rules and to permit riders carrying general legislation to be attached to this appropriation bill and to every other appropriation bill.

Mr. President, the Democratic Party being the majority party is responsible for legislation. I want to ask Democrats, have we not a program this year that we want to carry out? Mr. President, we not only have a program of legislation which we desire to carry out, but we have a program of legislation that we have solemnly agreed to carry out. We have committed ourselves to it. We have promised each other that we will seek to carry it out by every legitimate means known to parliamentary law.

Mr. SHEPPARD. Mr. President——

The VICE PRESIDENT. Does the Senator from North Carolina yield to the Senator from Texas?

Mr. SIMMONS. After a little while. Mr. President, it is perfectly apparent that if we enter upon this program and then let the bars down in this case it will not be the only case. We know—every one of us on this side knows—that it is the fixed determination of the party on the other side of the aisle to defeat this legislative program if they can. They have expressly declared their intention upon the floor of the Senate not to permit a vote upon the ship-purchase bill. I do not say that they are filibustering upon the appropriation bills. Filibustering can be done upon appropriation bills, because of their peculiar character, so adroitly that you can not put your finger upon the filibuster.

Mr. GALLINGER. Mr. President——

Mr. SIMMONS. I am not charging that it is being done, but I do say—I will not yield for the present; I will yield after a while—I do say that if we open the doors, if we start upon this policy, with the splendid opportunities for using the appropriation bills for filibustering purposes, with the enlarged opportunities that will be afforded by this method of suspending the rules and taking up general legislation and discussing it ad infinitum, every man of sense in this body knows that we shall not do more at this session than pass the appropriation bills. It means an absolute abandonment by the majority Members of the Senate, who are responsible for legislation, of the program that we have adopted and as to which we have committed ourselves to our party and to the country.

Mr. GALLINGER. Mr. President, will the Senator permit me to interrupt him?

Mr. SIMMONS. Yes.

Mr. GALLINGER. I will not enter, Mr. President, into any discussion with the Senator from North Carolina concerning the question now before the Senate, and upon which the Senator is wasting a great deal of time; but I will ask the Senator for a single moment——

Mr. SIMMONS. I am wasting time—to keep the Senator's method of trying to defeat legislation in which I am interested from being successful.

Mr. GALLINGER. I will ask the Senator if a single moment of time in debate on the District of Columbia appropriation bill, aside from the question which the Senator is now discussing, was not legitimate?

Mr. SIMMONS. I have said that you can not lay your hand upon a filibustering scheme in connection with an appropriation bill. It is so easy with the hundreds and sometimes thousands of items in such bills to take up each one of them or many of them and to discuss them a little while——

Mr. GALLINGER. Yes.

Mr. SIMMONS (continuing). That the discussion seems to be absolutely legitimate, and is absolutely legitimate, and yet the purpose of the discussion may be, and frequently is, delay.

Mr. GALLINGER. And if the Senator will go to the records he will find that more than 50 per cent of the time in discussing the District of Columbia appropriation bill has been taken up by Senators on the other side of the Chamber. The RECORD will show that to be the fact.

Mr. SIMMONS. The larger part of the time in connection with the discussion of this very proposition we have before us now has been taken up on this side of the Chamber.

Mr. GALLINGER. Precisely.

Mr. SIMMONS. I am saying, Mr. President, that if we had had a ruling of the Chair that this motion was not debatable, we would have voted upon it at once; and if two-thirds had not voted for it, then all this unnecessary debate would have been cut off.

Mr. GALLINGER. There is no question about that; but the Senator, I know, would not ask the Chair to make a ruling that was not justified by the rules of this body.

Mr. SIMMONS. I do not ask the Chair to make such a ruling. What I suggested—and if the Senator was present he would have heard it—was that, without impugning at all the decision of the Chair, I am inclined to think the decision of the Chair under the rule was entirely right; but I was suggesting that we ought to proceed very quickly to amend our rules so as to require that they should provide that such a motion should not be debatable.

Mr. GALLINGER. Of course, there is a proper and legitimate way to amend the rules; and there is a proper and legitimate way to amend Rule XX so as to require a two-thirds vote. I would join with the Senator in amending the rule so as to require a two-thirds vote of this body to suspend the rule.

Mr. SIMMONS. I think we have already settled that point; and I think, in view of the interpretation that we gave to the rule the other day, that it is not necessary to make any further provision about that. Two-thirds from now on, I take it, will be required to suspend the rule, because the Senate has decided that that is the meaning of the rule; but the point I was making was that such a motion ought not to be debatable.

Mr. GALLINGER. That might be true as to a great many motions; but, as a matter of fact, they are debatable under our rules.

Mr. SIMMONS. The reason I was giving why it ought not to be debatable was the very situation that we are confronted with now. Instead of debating it, we have been debating the question that can only come up in case of a two-thirds vote to suspend the rules, and which may never come up. Therefore it should not be debated on the question of whether or not we shall suspend the rules. That debate ought to be held in abeyance until we get to it, and if two-thirds do not vote for suspension, then this time has been absolutely wasted.

Mr. VARDAMAN. Mr. President——

Mr. GALLINGER. I simply want, if the Senator will permit me, to make a further suggestion to the effect that our rules are written in the code, and that we ought to observe them so long as they are there.

Mr. SIMMONS. It is not to that at all that I object.

Mr. GALLINGER. And I am somewhat surprised that the Senator from North Carolina is now arguing that we ought to infringe the right of debate in this body.

Mr. SIMMONS. The Senator from New Hampshire wholly misunderstands me. I have twice repeated that I did not suggest that we infringe the rules; I did not even suggest that the Vice President was wrong in his ruling that the motion was debatable; but I suggest that we ought to speedily change the rules so as to make such a motion nondebatable. That was my only suggestion.

Mr. GALLINGER. Well, when the Senator from North Carolina attempts that, the question of changing the rules will be debatable.

Mr. SIMMONS. Oh, that is a question that we can consider when we reach it.

Mr. VARDAMAN. Mr. President——

The VICE PRESIDENT. Does the Senator from North Carolina yield to the Senator from Mississippi?

Mr. SIMMONS. Yes.

Mr. VARDAMAN. The Senator from North Carolina indirectly, if not directly, seems to charge the proponents of this amendment, by discussing this question, with unnecessarily delaying legislation which he says the Democrats have promised to enact, and he says that it ought not to be discussed.

Mr. SIMMONS. The Senator has wholly misunderstood me. I have made no such statement.

Mr. VARDAMAN. What is the Senator from North Carolina discussing?

Mr. SIMMONS. I am discussing this rule; that is what I am discussing.

Mr. VARDAMAN. Then, if it is not out of order, why does the Senator criticize other people for taking up time when the Senator is consuming more time?

Mr. SIMMONS. I can not discuss a proposition without making illustrations to support my argument; but I have made no such statement.

Mr. VARDAMAN. No Senator upon this floor has taken more time to discuss this question than has the Senator from North Carolina this morning.

Mr. SIMMONS. I have not suggested what the Senator said, that the discussion of this question ought not to be had; but what I did suggest was that we ought not to take the time of the Senate to discuss this question until we had decided whether or not we were going to suspend the rules so as to make the amendment offered by the Senator from Texas [Mr. SHEPPARD] in order.

Mr. VARDAMAN. The Senator from Texas, I, and other Senators who are favoring this measure have been ready to vote on the matter all the morning; we are ready to vote now without any further discussion.

Mr. SIMMONS. But, Mr. President——

Mr. VARDAMAN. I want to say, if the Senator will pardon me, Mr. President, that I am getting a little bit tired of being criticized for doing something that I did not receive orders, or rather permission, to do from the self-constituted leaders on this side. I am exercising my right, as is the Senator from Texas exercising his right, as a Senator to move an amendment which we believe to be quite as important to the American people as is the ship-subsidy bill or any other item on the program referred to by the Senator from North Carolina.

Mr. SIMMONS. Mr. President, I have not denied the right of the Senator to make the motion; I am not criticizing that at all. The Senator from Texas is entirely within his rights, and it is entirely within the right of Senators to discuss this question whenever it is in order to discuss it; but my proposition was to cut off the discussion until the amendment proposed by the Senator had been decided to be a competent and legitimate amendment to this measure.

The Senator from Mississippi says I am taking up time this morning, and that he is ready to vote. Yes; Mr. President, all of yesterday was taken up by the discussion of the merits of the prohibition proposition, but the merits of the rule, which is the only thing now before the Senate, were not discussed at all; and I say, Mr. President——

Mr. VARDAMAN. I want the Senator to understand that I do not object——

Mr. SIMMONS. I say, Mr. President, that a proposition to change a standing rule of the Senate, which has not been suspended in 53 years, and to inaugurate in the Senate a new policy with reference to riders upon appropriation bills is a very important matter per se; it is a public matter and not a private matter, and I think it ought to be discussed.

Mr. VARDAMAN. I have not objected to the Senator discussing it. I think it is perfectly proper to discuss it, because I realize that out of discussion, that by the attrition of ideas and the friction of suggestions the eternal truth may be evolved. I have not uttered one word in protest against the Senator's speaking, but I do not think it is entirely proper and consistent, with my idea of fair play, for the Senator to consume an hour of the time of the Senate and to criticize some of us who have used 15 minutes.

Mr. SIMMONS. I do not think I have been speaking half an hour, but even at that much of the time I have been on the floor has been taken by Senators who desired to interrupt me, and part of it has been taken up by the Senator, who says he was tired of something somebody else was doing. The Senator from Mississippi has been tired ever since he has come here of whatever anybody was doing that he did not agree with, even in the White House. [Laughter.] I shall proceed, whether the Senator from Mississippi is tired or whether he is not tired; that is not a matter of concern to me.

Now, Mr. President——

Mr. VARDAMAN. And, Mr. President, it is equally a matter of indifference to me what the Senator from North Carolina may do or think.

Mr. SIMMONS. Mr. President, I decline to be further interrupted, because the Senator has complained that those who oppose the proposition to suspend this rule, which has stood unsuspended for 53 years, ought not to be heard, ought not to have time to discuss it, after those who favor it have discussed for a whole day the merits of the question which is to follow after action with reference to the pending motion.

Mr. VARDAMAN. Mr. President, the Senator's statement is not justified by what I said.

The VICE PRESIDENT. Does the Senator from North Carolina yield to the Senator from Mississippi?

Mr. SIMMONS. No; I said I would not.

Mr. President, the Senator from Montana [Mr. WALSH] has very pertinently and very wisely called attention to the fact that not only the United States Senate but nearly every legislative body in this country has a rule against riders upon appropriation bills. He has given the fundamental reasons why it is unwise to put such riders upon appropriation bills. However meritorious the legislation may be, however strong it may be with the body to which it is presented, it is an improper way, and an unwise way, as the Senator from Montana has shown, to endeavor to enact it into law. In addition to the reasons which the Senator from Montana has given why it is an unwise thing to do, I invoke the fact that for 53 years no such action as is now sought has been taken by this body.

Mr. President, there have been times in our history when men who represented legislation which they regarded of vital importance, who were just as zealous and just as enthusiastic and just as anxious to have it speedily considered as are the proponents of the proposed legislation now under discussion, have been unable to get the legislation in which they were interested out of the committee and upon the calendar, and, if it were upon the calendar, unable to get it up for consideration. The temptation has been great, as it is in the case of the Senator from Texas, to facilitate and expedite action by attaching such legislation to appropriation bills; but, Mr. President, the common sense and judgment of this body for 53 years has made itself

felt so powerfully with the Members of this body that no effort has been made during all that time to secure legislation through appropriation bills by the medium of the suspension of the rules.

I do not think there could be a more powerful circumstance than that adduced as an argument why it should not be invoked on this particular occasion in this particular case, especially when it is realized that the Senator from Texas will have his opportunity and the advocates of prohibition in the District will have their opportunity—and they have a majority of this body that will back and support them in any course that they may see fit to pursue—to bring this matter before the Senate in a regular and orderly and not in a revolutionary way.

But, Mr. President, the chief reason, to my mind, why it is unwise to relax this rule grows out of two circumstances; first, that a measure brought up here in this way may be a measure which has never been submitted to a committee of the Senate. It may be a measure that has never had any consideration on the part of the Members of the Senate. We have provided, and provided wisely, that nothing shall be taken up for consideration by this body until it has been submitted to a committee of the Senate and that committee have had time to consider and report upon it, not only giving their reasons why they have acted, but, if they have taken testimony in the course of their investigations, furnishing us with the written testimony, so that we may have both the facts and their conclusions to assist us in legislation. I do not think there is any more salutary rule of procedure than that, and yet if this course is allowed—and this is but the entering wedge—then we lose the benefit of committee action, committee consideration, committee investigation, and committee report upon measures before we take them up.

More than that, Mr. President, though we may sneer if we want to at the rights of the Executive with reference to legislation and his power, he not only has rights and power, but he has a responsibility in connection with legislation just as weighty and probably weightier than ours. Our responsibility is divided amongst 96 Members of the Senate; the responsibility of Congress as to legislation is divided amongst 96 Members of the Senate and over 400 Members of the other House. The responsibility of the Chief Executive as to legislation rests entirely upon his shoulders. He is as much a part of the law-making body as are we. His assent—and in his assent is implied his responsibility—is coequal with ours.

Mr. President, when you present to the President of the United States an appropriation bill providing for the necessary expenses to carry on the Government, the effect of the failure of which or a veto of which would be to stop the wheels of the Government, whether it be the District of Columbia appropriation bill or the bill to provide money to carry on the Post Office Department or the Navy or the Army, and couple with that bill a distinct and unrelated proposition of general legislation, he can not veto the one without vetoing the other. It is taking an unfair advantage of the Chief Executive.

For that reason, Mr. President, as well as for the reasons the Senator from Montana has given, and the additional reason that I have given with reference to the loss by this method of the help of committee action, it would be extremely unwise to enter upon the policy of loading down our appropriation bills with matters which do not relate properly to appropriations for the departments of the Government.

Mr. GALLINGER. Mr. President, the first discordant note has been sounded by the Senator from North Carolina in the discussion of the bill making appropriations for the government of the District of Columbia. We have had an interesting debate on many provisions of that bill, participated in by Senators on both sides of the Chamber, I think to a larger extent on the other side than on this. The Senator from North Carolina [Mr. SIMMONS] has made the suggestion that there is a purpose in view, and, as he said, it had been announced to filibuster against another bill in which the Senator from North Carolina is greatly interested.

I wish to say for myself, and I think I speak for every other Senator on this side of the Chamber who has made any observations on the matter, that we have never made any such declaration. We have said, and we repeat, that so far as the shipping bill is concerned we propose to have a full and free discussion of that measure. We do not propose to commit ourselves to Government ownership of steamship lines or railroads or telephones or telegraph lines or any other great industry now conducted by private enterprise without debating it and having the country distinctly understand our position. That is all we have said; it is all we say now; we stand by that declaration, and propose to stand by it.

Mr. President, so far as the matter that is now under debate is concerned, I think we may well keep good-natured over it. The rule gave the Senator from Texas the right to make the motion he did. It went to the Committee on Rules, and the Committee on Rules reported it back favorably, and I think the Committee on Rules meant to do the right thing. It has, perhaps, resulted in a longer debate than some Senators desired; but that frequently occurs in this body, to the discomfort of some of us on one side or the other of this Chamber. As I have suggested, I think we had better keep good-natured about it and determine this matter dispassionately and calmly and without heat. That is what I propose to do, and I trust every other Member of this body will do the same thing.

I regret, personally, that so much feeling has developed on the other side of the Chamber between our friends of the Democratic Party, because we want to help them keep good-natured. We want them to enjoy themselves as long as they are in power. It is not going to be a great while [laughter], and we want to contribute our little mite toward their happiness whenever we have an opportunity. As a humble member of the minority, recognizing the fact that our Democratic friends are temporarily in power, I wish to assure them that we do not particularly enjoy the violent outbursts we have witnessed to-day between distinguished members of the majority party; and I will add simply that I hope we will now proceed in order and calmly discuss, if it is to be discussed further, the question before the Senate, and in due time take a vote upon it, and we will all bow, as we must bow, to the decision of this body when that decision is rendered.

For myself, Mr. President, I have not taken any time in this discussion. I am in favor of the motion the Senator from Texas has made. I shall vote for prohibition for the District of Columbia, if I get an opportunity to do so, believing that such action will be for the best interests of a majority of the people. I shall vote for national prohibition, if I get an opportunity to do so, believing that that action will be in the interests of a majority of the people of the country at large; but I am not going to find any fault with any Senator who differs with me or who votes differently from the vote I shall cast.

I hope now, Mr. President, in the interests of good legislation, in the interests of good nature and good feeling all around, that we will proceed to the further discussion of this question, if it is to be further discussed, and that in due time we will take a vote upon it and settle it.

Mr. JAMES. Mr. President, I am sure this side appreciates, and I am doubly sure I do, the deep interest always manifested by the Senator from New Hampshire in keeping this side in a good humor. I know, of course, that it would grieve him overmuch to see anything happen upon this side that would cause strained relations between Democrats. He has so recently had an experience of that kind in the Republican Party and I know he has seen the bad effects of it so manifested upon his own party that he does not desire to see it inflicted upon the Democratic Party. It is a glorious thing in this country that everybody has a right to prophesy; and I am certain that if there is any happiness to be derived by the Senator from New Hampshire from prophesying about the success of the Republican Party I should not, if I could, deny that to him, because I feel certain that it will run in the next election where it did in the last; that is, third. [Laughter.]

Mr. GALLINGER. Mr. President, I am not going to get into a political controversy with my good friend from Kentucky. I had no purpose of saying anything that would result in that. I simply expressed a friendly feeling for our good Democratic friends; and I was reminded, as I was on my feet—I thought I would not quote it then, but I think I will now—of the words:

Behold, how good and how pleasant it is for brethren to dwell together in unity.

[Laughter.]

Mr. JAMES. Mr. President, that is the second time I have heard the Senator quote that verse very recently. If there is anybody on earth who ought to be an expert in all those statements in the Bible or in history about "brethren dwelling together in unity," I am certain a Republican ought to be quite familiar with them, since their Chicago convention so delightfully experienced it. [Laughter.]

But, Mr. President, the Senator from New Hampshire need not be alarmed. The Senators on this side discuss questions. We have our opinions about them. We may be a little overenthusiastic sometimes, but the Senator takes that too much to heart. He is too much impressed with it. I can assure him that we will all be together in solid phalanx behind the Democratic nominee in 1916.

But I arose, Mr. President, not to discuss the prospects of the Republican Party—I do not think that question sufficiently important to call for serious consideration—but to discuss the question that is now before the Senate—the suspension of the

rules of the Senate for the purpose of considering the question of prohibition in the District of Columbia.

This discussion has proceeded here as if the issue were, "Is whisky a good thing or a bad thing to use?" That is not the issue at all. The immediate issue here submitted is whether the rules of the Senate shall be suspended to consider the question of prohibition in the District of Columbia.

This is the first time in 53 years there has ever been an attempt in this Senate to tie onto an appropriation bill new legislation—unconsidered, undigested, uninvestigated legislation—in this way by a suspension of the rules. In the State that sends me here to represent them it is provided in our constitution that only one subject can be considered in a bill before the legislature, and that subject shall be plainly stated in the title. The importance of preventing the tying of one issue onto another, so prolific of bad legislation, was manifest to the organic-law makers of our State, so they prohibited it in the constitution, as has been stated by the Senator from Montana [Mr. WALSH]. So this body, by its rules of procedure, provided that amendments presenting new legislation could not be tied onto appropriation bills. I believe that this rule has saved the people of this country more money, has been a greater protection to the people's Treasury than any other ever written. Gentlemen having a desire to raid the Treasury, and knowing that standing alone it would fail to become a law, would tie onto it some popular principle of new legislation. Some gentlemen would vote for the bill containing the two questions because it contained the legislation they approved; others would vote for it because the Government could not proceed without the necessary appropriation. Hence, it would pass, yet either alone would fail, and neither is the will of the majority. While some might be willing to break down this protection to serve an end they deemed wise, it would return many times to plague them.

The attempt here is not to take the sense of the people of the District of Columbia on whether or not they desire the sale of spirituous, vinous, or malt liquor; no vote is to be given to them; no referendum to them is submitted; they are not to be consulted. It is proposed to have Congress—which the District of Columbia did not elect, had no voice in selecting whatever—vote upon the people here absolute prohibition. Their advice is not asked; they are not consulted; but the District of Columbia, in which there is the city of Washington, the Capital of the Nation, with 400,000 people, is to be disfranchised upon this question, and without a hearing before a committee of the Senate. I can not support such a proposition. It is undemocratic, un-American, and unfair. It would deny to the people here a right given to the people in every other State in the Union, either of a direct or an indirect referendum—direct referendum when the vote would be upon the issue itself, or indirect when the vote was for the candidates upon platform pledges as to their course.

In Kentucky we have local option. I was elected to the Senate upon a platform which pledged our party to local option. Our party enacted it into law, and each "locality"—which in our State is the county, the unit—passes upon this question at the polls—the voters, the people themselves. No legislature would dare to usurp this right of local self-government and impose whisky upon a dry county or impose prohibition upon a wet county. I would not vote to impose upon the people here prohibition without submitting the question to them, any more than I would vote to license the sale of whisky here, if it were prohibited by law, without submitting the question to the people. The rule of the people must be recognized in all questions. No question is so good or so great that it is better than the rule of the people, which is the voice of the people, which, we have often been told, is the voice of God. In Kentucky we have, as I said, local option, where the county is the social unit. I believe in local option. It has been a success in our State.

In Kentucky, which perhaps distills more whisky than any other State in the Union—certainly more good whisky than any other State in the Union [laughter]—we submit the issue, wet or dry, license or no license, to the people, and under this law more than 106 counties voted to prohibit the sale of whisky. The other 14, in which there are large cities, have the sale of whisky. It is possible for the whole State to be dry, if it is the will of the people in each county. The people living in one part of Kentucky can not force their will upon the other part of the State. Local self-government is given to the people of each county, which together constitute the State. To each self-governing community is given the right of self-government. This is democracy as I have always been taught it. The platform upon which I was elected to the Senate pledged me to the county unit in local option; that is, to give to the people in each county in our State the right to say at the ballot box whether whisky should be licensed or prohibited. That is local self-government in each county. For me to vote here to deny that right to the people of this District would be a direct violation of the spirit of that platform promise. I was elected upon that platform, and I shall not violate it. I will not do that. In each county in Kentucky, some of them with less than 10,000 people, they have this right of self-government, a right pledged to them by my party. Shall I now vote to deny the same right of self-government to the people here, 400,000 in numbers, forty times the size of the unit to which it is given in my State under the pledge of the Democratic Party and written into law by their legislature? I challenge any advocate of prohibition upon this floor to point me to a city that in any way approximates the size of Washington where prohibition has been a success when it was voted upon them against their will.

There was placed in the CONGRESSIONAL RECORD yesterday a letter from the Washington Mercantile Association. That letter gives the names of organization after organization in the District of Columbia that have protested against prohibition. Let me read the first one:

The Personal Liberty League of the District of Columbia, with a petition of residents and taxpayers numbering about 50,000.

In this District there would not be over 80,000 voters. So here is a protest from a majority of the voters against prohibition. I am in favor of the rule of the people everywhere. Why should the people here be denied it?

Why, in my State you can not have a vote upon local option—that is, the denial or the permission of the sale of whisky in a county—unless you get 25 per cent of the voters of that county to petition for it. Why is that? That is a good law. The reason for it is that there should be no necessity for an election that will stir up a community, as the question of whisky or no whisky will, and make enemies out of good friends unless there is a decided desire in the county to have that question decided, to have the law changed, which is dry to wet or which is wet to dry. You can not enforce a prohibition law in any community unless you have back of that law a healthy public sentiment.

Take the District of Columbia. It would seem that the reason why the effort is made here to vote prohibition direct upon these people without their consent is because the advocates of that policy believe that if the question were submitted to the people themselves they would refuse to vote it.

Mr. SHEPPARD. Mr. President——

The VICE PRESIDENT. Does the Senator from Kentucky yield to the Senator from Texas?

Mr. JAMES. I yield to the Senator.

Mr. SHEPPARD. Did not the Senator from Kentucky the other day vote to impose on the people of this District a change in the plan of taxation without saying anything about referring it to them?

Mr. JAMES. Oh, certainly, Mr. President; but that is not a parallel case at all. The legislatures of the various States pass upon questions of taxation without submitting them to the people, but upon the question whether or not whisky shall be sold in a county that is "dry" or prohibited in a county that is "wet" it always has been the policy in practically every State in this Union to submit it to the voters at the ballot box.

How can you enforce prohibition in the District of Columbia if you have not back of it the sentiment of the people here? Your jurors, your officers, the men who indict and the men who try, the officers who arrest, the witnesses who testify, and the judges who preside are the men who must enforce this law. That is the reason why prohibition has been a failure in every big city in this Nation. The public sentiment has not been strong enough to uphold the law. It was a failure in Nashville, it was a failure in Memphis, because public sentiment did not favor it and would not uphold it, and it would be a failure in the District of Columbia if it were forced upon these people without their consent.

I have heard a great deal of a referendum. That has been dear to the hearts of some—almost as dear as prohibition—yet in the District of Columbia the iron hand of power would be leveled against these people, without giving them the opportunity to be heard, by those who have told us so much of referendums. The rule of the people upon a question like this applies as much to the people of the District of Columbia as it applies to the people of a county in Kentucky.

You say you have not the machinery for it. Why, all you have to do is to appoint the election officers, print the ballots, and prescribe the qualifications of the voters. That is all that is done in Kentucky. The election commissioners appoint the election officers, the sheriff serves notice on them, the clerk has the ballots printed, the election officers conduct the election, and the result is determined by the people themselves. But

here in the District of Columbia we are told that the liberty of the citizen fades as he approaches the Capital of the Nation; that a right dear to the people of the States shall be denied here; that out in the States they have the right to govern themselves, but here in the District of Columbia, because they are close to the Capitol itself, because they are near to the very seat of liberty, therefore we will force upon these people, without giving to them the opportunity to be heard, prohibition that in all probability would not in the slightest degree be enforced—if forced on them against their will.

Mr. President, because you are willing to give to the people the right to rule themselves, because you believe a question of this kind can be better handled under strict regulation and a high license, it is as unfair to designate one who takes that position as lining up with the saloon men as it would be for me to turn upon those who advocate a prohibition law that could not be enforced in great cities and line them up with the "blind tigers" and the "speak-easies" and bootleggers" that violate the law that has been written upon the statute books.

Mr. WILLIAMS. Mr. President——

The VICE PRESIDENT. Does the Senator from Kentucky yield to the Senator from Mississippi?

Mr. JAMES. I do.

Mr. WILLIAMS. If the Senator will pardon me, in that connection I wish to call his attention to a fact well known to him, and I suppose to a great many Members of the Senate.

Abraham Lincoln was very ardently in favor of the abolition of slavery as far as it could be constitutionally accomplished. There was no doubt about the fact that Congress could abolish slavery in the District of Columbia, and yet Abraham Lincoln said that as a Member of Congress he would not vote for a bill to do it unless it had been previously submitted to the people of the District of Columbia. You might just as well say, then, that he was hypocritical and insincere in his pretension that he wanted to abolish slavery because he was willing to leave to the people of the District whether it should be abolished or not.

Mr. JAMES. Certainly; the right of the people to govern themselves and to rule themselves in the District of Columbia was recognized, and advocated by Abraham Lincoln, and it ought to exist in the same degree that it does in every State of the Union. Gentlemen say that you do not submit this or that taxation question to the District of Columbia. Certainly not, nor do you in any of the States submit that question to the people of the State; but you must remember that in the State there are two ways by which this question of local option or prohibition has been decided—either upon the direct vote of the people upon the issue itself, or by voting for a candidate who himself declared how he stood upon that question. But in the District of Columbia no Senator has been voted for by the people here. No Senator stated what his position was when he was elected as to the District of Columbia; the people of the District of Columbia had no right to pass upon his election to the United States Senate.

I want to say that in the District of Columbia the people here have just as much right to settle this question as to whether or not they want whisky or no whisky as they have in the State of Kentucky.

My friend from Texas [Mr. SHEPPARD] represents a great Commonwealth, the State of Texas, and he is undertaking to force upon the people of the District of Columbia by men they did not elect, against their will and without their consent, a policy of prohibition that the great State of Texas itself has three times recently repudiated. I ask him would he be willing to vote upon the people of Texas prohibition when that question was submitted to them twice at the ballot box and twice they have defeated it, and only recently they again expressed their opinion in the election of a governor who stood opposed to State-wide prohibition? Yet the effort is made here to impose upon these people prohibition without ever giving them an opportunity to be heard. Would he do Texas the same way?

Mr. President, the letter that I shall ask to have read states my position upon the whisky question. It is a letter familiar to Senators, but in order that they may again hear it I send it to the Secretary's desk. It is the letter by President Wilson to Rev. Thomas D. Shannon. I ask that the Secretary may read it.

The VICE PRESIDENT. Is there any objection? The Chair hears none, and the Secretary will read as requested.

The Secretary read as follows:

MAY 1, 1911.

Rev. THOMAS D. SHANNON,
16 Clinton Street, Newark, N. J.

MY DEAR MR. SHANNON: The question asked in your letter of April 27 about my attitude toward the important question of local option is, of course, a perfectly legitimate one, and you are entitled to a very frank answer. I would have replied sooner had I not been prevented by imperative public engagements. I have explained my views to you in private, but have, of course, no objection to your making them public.

I am in favor of local option. I am a thorough believer in local self-government, and believe that every self-governing community which constitutes a social unit should have the right to control the matter of the regulation or of the withholding of licenses.

But the questions involved are social and moral and are not susceptible of being made parts of a party program. Whenever they have been made the subject matter of party contests they have cut the lines of party organization and party action athwart to the utter confusion of political action in every other field. They have thrown every other question, however important, into the background and have made constructive party action impossible for long years together. So far as I am myself concerned, therefore, I can never consent to have the question of local option made an issue between political parties in this State. My judgment is very clear in this matter. I do not believe that party programs of the highest consequence to the political life of the State and of the Nation ought to be thrust on one side and hopelessly embarrassed for long periods together by making a political issue of a great question which is essentially nonpolitical, nonpartisan, moral, and social in its nature.

Very sincerely, yours, WOODROW WILSON.

Mr. JAMES. Mr. President, that letter states that every social unit shall decide for itself the question of license or no license. Prohibition has been a success wherever public sentiment has been back of it. It has been a failure wherever public sentiment has been opposed to it.

It is claimed that the issue is to be determined here as to whether whisky is a good thing or a bad thing, whether it is good for the human system or bad for it, whether it affects the kidneys or has no effect whatever. Mr. President, that is not the question. The question here is what is the best way to regulate and handle the whisky question—whether by high license and strict regulation or by prohibition. The question is whether or not you can enforce a prohibition law in a community that is opposed to it and impose upon the people of that community prohibition without ever allowing them to have a word to say about it.

Of course the direct issue here is whether or not the rule shall be suspended and this proposition placed before the Senate. I shall cast my vote in opposition to it for the reasons I have given. I am perfectly willing that this question shall be submitted to the people here. If it is their will to prohibit the licensing of the sale of whisky, then the law can be enforced, because the people are back of it and public sentiment will enforce it.

Mr. SHEPPARD. I wish to ask the Senator from Kentucky a question before he takes his seat. He has stated that he is in favor of local option. Does he mean to say by that that if he were in a county that voted as to whether or not there should be prohibition he would vote for prohibition?

Mr. JAMES. The Senator misconstrued my terms. In Kentucky local option means that each locality shall determine for itself how it stands.

Mr. SHEPPARD. Will the Senator answer as to how he would vote in one of those localities?

Mr. JAMES. I have already voted. In my home county I voted in a local option election, and I voted dry, because the people there, the sentiment there, could handle the question and enforce the law.

The sentiment in my community under the local option law prohibited the sale of whisky in the county, and it was a community that has enforced the law. But just 160 or 170 miles from my county is the city of Memphis, where they have not enforced the law. Public sentiment favored the law and enforced it in one social unit; in the other it opposed it and violated it. The rule of the people is manifest by this comparison. It is better to let the people rule, for when you do they will sustain the law; if you do not, they will violate it. For in the last analysis public sentiment is the law. Every community is just as good as the public sentiment of the people makes it.

Mr. KENYON. Mr. President, I am not going to take any time on this question, because I hope that a vote may be reached, but in view of the letter submitted by the Senator from Kentucky [Mr. JAMES] I think it would not be inappropriate to place in the RECORD another editorial of the Secretary of State upon this subject. I placed one editorial in the RECORD a few days ago, and I shall from time to time place in the RECORD these editorials as they shall appear. I am sorry that the editorial which appears in the Commoner to-day, in which Secretary Bryan predicts the end of the liquor business in this country, has not as yet reached Washington, but it will be here during the day, and I shall then submit it. For the present I ask to have read, in answer to the letter read by the Senator from Kentucky, the part I have marked from an editorial in the Commoner of December, 1914.

The VICE PRESIDENT. Is there any objection? The Chair hears none, and the Secretary will read as requested.

The Secretary read as follows:

These questions are, however, at issue in the States, and as a Democrat I am interested in seeing the party take the moral side of both questions—the side that appeals to young men who are coming out of our schools and colleges and who assume the obligations of citizenship with a vision of better things. Every new issue causes a new alignment; in proportion as it is an important issue it brings about changes in party affiliations. If the Democratic Party takes the side of the brewer, the distiller, and the saloon keeper, it will lose many of its best members and it will draw to itself the worst element of the Republican Party, and the Democratic Party can not afford to invite an element that puts desire for drink before principles of government and the Nation's welfare. The more we have of that element, the more difficult it will be to draw to us those whose presence gives strength to a party and whose voice and example increase its numbers.

The Democratic Party can not be killed, even by association with so contaminating an influence as the liquor interests, but why should the party allow itself to be debauched and disgraced? It would take a decade or more to remove the odium that the representatives of the triple curse—the saloon, the gambling hall, and the brothel—will bring upon the party if they are allowed to dictate its policy. The result of the liquor fight in the late campaign is full of warning; if the Democratic Party fails to heed this warning to it, it does so at its own peril.

W. J. BRYAN.

The VICE PRESIDENT. The question still is on concurring in the report of the Committee on Rules.

Mr. WHITE. Mr. President, the immediate question before the Senate has not been much discussed, but the real question, the question that reaches the ultimate end, has been debated. The question to be voted on is, as I understand it, Shall the report of the Committee on Rules be adopted? If this report should be adopted, then the way would be open for the Senator from Texas to offer his amendment to the appropriation bill under consideration prohibiting the sale of intoxicants in the District of Columbia. This is the subject which has been discussed by Senators and is the one dominant in the public mind. Therefore it devolves upon me as a representative in this body to express the views of my constituency upon the subject as well as my own. Happily on this occasion they are in accord.

I am opposed to the saloon, and I will go further and say that I am opposed to the sale of intoxicating liquors in any way. A large majority of the people in my State are opposed to the saloon and share my views on this subject. This is conclusively shown by the fact that only two days ago the legislature that has recently assembled in Alabama, by a three-fourths vote in each house, prohibited the sale and manufacture of liquor throughout the entire State. It is further demonstrated by the fact that there are 67 counties in Alabama, and 66 of those counties, by a vote of the people in the counties, have prohibited its sale and its manufacture.

But, Mr. President, I am not here alone to reflect the views of the people of Alabama. I am here to give expression, as far as I can, to the views of the people of the Nation. This is essentially a national question. The authority of Congress to exercise the police power of the Nation to protect the morals and safeguard the health of the people of the District of Columbia can not be doubted. The power is lodged there and it is lodged nowhere else. It devolves upon Congress to act, and if it does not act action can not be taken.

Are the people of the Nation affected by this question? Have they any responsibility resting upon them? Both these questions must be answered in the affirmative. They are vitally affected. The sovereignty of the District abides in them. They reside here in the persons of their representatives. The national life is centered here. The conditions existing naturally affect the efficiency of their representatives in the discharge of their duties. It is well for the people that the moral and social atmosphere in which their representatives live should be clean and pure; that their environment should be the best. When I speak of the people's representatives I do not mean to include only their representatives in Congress, but all those who are here at the behest of the people doing the work of and discharging the duties imposed upon them by the public. Surrounding them by proper conditions is conducive to a better and more faithful discharge of their duties.

The people of the entire Nation are deeply concerned in every officer and every employee of the Government, as well as the members of their families, to say nothing of the thousands of young men and young women they are sending here from their homes, in whom they have a personal interest. The lives of these young men and young women are to be made or marred by civic conditions existing in the District.

The people of the Nation are concerned in conditions existing here for other reasons. This is their Capital; thousands of them visit it annually, and to that extent become a part of the District's life. They are to be benefited, elevated, injured, or lowered by the social and moral atmosphere in which they are compelled to live while they are in the city. That atmosphere should be made conducive to their happiness and safety.

The people of the United States are concerned in this case for a greater and better reason than those I have given. They love their fellow men. Their desire to help and advance humanity is itself an all-sufficient reason for the interest they feel in the people of the District. In their action they are complying with the new commandment, "Love thy neighbor as thyself."

It is asserted, however, by some that the people of the District should determine the question. I take issue with this view. While the people of the District have a right to be heard on the subject, they have no right to control the situation. The question presented is whether the District shall control the Nation or whether the Nation shall control the District. There can be but one answer to this question. It answers itself.

Mr. President, it is not necessary for me on this occasion to point to the vice involved in the liquor traffic or to assert that the saloon is a thing of evil. That is admitted on all hands. No Senator in this debate has assumed the responsibility of defending the saloon or of denying its evil effects on the community. So far they affirmatively admit that the presence of the saloon is harmful in its effects on society and that no good whatever results from it. The saloon has no defender on this floor, none who will even apologize for it. The only contention is that prohibition will not prohibit. If this contention is conceded, it furnishes the strongest reason that can be offered why saloons should be driven from the District. For if we have in our midst an evil, an admitted evil, that is capable of combating and defying the Federal Government, then we had better make the issue and settle the question. If the Federal Government is to be powerless and helpless when met by this foe of society, this enemy of mankind, then the people of the United States had better know it and adopt some other means of conquering a foe that is engaged in a life-and-death struggle with them.

Mr. President, I think this is the opportunity, the best opportunity, for the people of the United States to demonstrate whether prohibition laws can be enforced, as in the District of Columbia the entire influence and power of the Federal Government can be brought to bear in favor of its enforcement.

Conditions in the District of Columbia are not comparable with those in the various counties of the States. In the counties the people elect the officers who are to enforce the law, and if the people are opposed to the law they will elect officers who are with them in sentiment, but in the District of Columbia the officers are selected by the Government itself. They are responsible to the Government. They will be held accountable by the Government, and when the Government is engaged in a struggle in which it is to be determined whether it shall be supreme or shall fall limp and helpless at the feet of the saloon, the Government will see to it that officers are appointed who will enforce the law and then see to it that the law is enforced.

Mr. President, I am in favor of adopting the report of the committee and thereby give the people the opportunity of accepting the challenge of the liquor forces that they are more powerful in the District of Columbia than the Government of the United States of America.

Mr. JAMES. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. WALSH in the chair). The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Gronna	O'Gorman	Smith, Ariz.
Bankhead	Hardwick	Overman	Smith, Md.
Borah	Hitchcock	Page	Smoot
Brady	Hollis	Perkins	Stephenson
Bryan	Hughes	Pittman	Stone
Burleigh	James	Poindexter	Swanson
Chamberlain	Johnson	Pomerene	Thomas
Chilton	Jones	Ransdell	Thompson
Clapp	Kern	Reed	Thornton
Colt	Lane	Root	Tillman
Culberson	Lea, Tenn.	Saulsbury	Townsend
Dillingham	Lee, Md.	Sheppard	Walsh
du Pont	Lippitt	Sherman	White
Fletcher	Martine, N. J.	Shields	Williams
Gallinger	Myers	Shively	
Gore	Norris	Simmons	

Mr. TOWNSEND. The senior Senator from Michigan [Mr. SMITH] is absent from the Senate. He is paired with the junior Senator from Missouri [Mr. REED]. This announcement may stand for the day.

The PRESIDING OFFICER. Sixty-two Senators have answered to their names. A quorum is present. The question is on the adoption of the report of the Committee on Rules.

Mr. NORRIS. I wish to inquire from the Senator from Indiana [Mr. KERN]—or if he is not present, perhaps the Senator from Mississippi [Mr. WILLIAMS] can tell me—if it is contemplated that we are going to adjourn prior to 2 o'clock?

Mr. WILLIAMS. I understand it is contemplated that we shall take a recess later this afternoon.

Mr. KERN entered the Chamber.

Mr. WILLIAMS. The Senator from Indiana is here.

Mr. KERN. I beg pardon, I did not hear what the Senator said.

Mr. NORRIS. I inquire whether it is contemplated that the Senate is to adjourn prior to 2 o'clock.

Mr. KERN. No, sir; it is contemplated that we shall take a recess by 4 o'clock.

Mr. NORRIS. Then, Mr. President, in anticipation that the amendment which I propose to offer can not be reached to-day, I ask unanimous consent to have read for the information of the Senate and printed in the RECORD an amendment to the pending bill that I expect to offer later on.

Mr. SIMMONS. Mr. President, is it an amendment to the amendment that is pending?

Mr. NORRIS. No; it is an amendment to the District of Columbia appropriation bill. I wish to have it printed in the RECORD for the information of the Senate. I expect to offer it when the pending amendment and other amendments are disposed of.

Mr. SIMMONS. Does it relate to general legislation?

Mr. NORRIS. No; it does not relate to general legislation, but to special legislation.

Mr. KERN. Mr. President, I should like to inquire of the Senator from Nebraska if he knows of any reason why a vote should not be had on this bill within the next two hours?

Mr. NORRIS. A vote can be had; then I shall offer the amendment when we get to it; but I rather anticipated from the way this debate has been going on that we would not finish the bill to-day.

Mr. KERN. I understand the Senator from Washington [Mr. JONES] wishes to speak, as he informs me, about three-quarters of an hour or an hour. I am not advised that any other Senator will speak.

Mr. NORRIS. Well, no harm will be done by having the amendment now read. I only ask to have it read for information.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Nebraska for the reading of the amendment? The Chair hears none. The amendment will be received and read as requested.

The SECRETARY. It is proposed, after line 6, page 30, to add the following:

The Secretary of War is authorized and directed to construct two public bathhouses and convert portions of the tidal basin in Potomac Park into public bathing beaches as outlined in Senate Document No. 593, Sixty-third Congress, second session, and for the beginning of such improvement the sum of $50,000 is hereby appropriated.

Mr. JONES. Mr. President, during the discussion yesterday I had a very pleasant thought from the fact that partisanship was not suggested in any way, shape, or form in the discussion. I had at first thought I would refer to that fact if I got recognition to speak; but as the debate further proceeded and no reference was made to partisanship or party affiliations, I had decided not even to refer to the matter at all, not even to that fact. So I regret that to-day, for the first time in the discussion of this question, has partisanship cropped out; that some of our friends on the other side of the aisle have apparently appealed to party ties and to party support to defeat the adoption of the report of the Committee on Rules, and that the President has been brought into the matter in one way or another. I do not think that ought to have been done; and I hope that this side of the Chamber will not be charged with filibustering if we do refer to some of the matters which have been brought up by our friends on the other side, although they may not be exactly germane to the question at issue before the Senate.

I really see no occasion for the suggestions of the Senator from North Carolina [Mr. SIMMONS] that this side of the Chamber has been filibustering. I know that he disavowed any such charge against us, and of course I accept his disavowal; yet the language used would lead the ordinary layman to conclude that the Senator had in mind the idea that we had been in a way purposely and needlessly delaying the passage of the pending appropriation bill. That would be of the nature, of course, of a filibuster. Anyone who will read the RECORD, however, will come to the conclusion that the debate thus far has been perfectly legitimate, and it has been.

The Senator from North Carolina suggested that more discussion had been had with reference to appropriation bills this session than ever before. I want to suggest to the Senator that we on this side of the Chamber have more of an excuse now to consider appropriation bills very carefully than ever before. The "captain of the team" on the other side of the Chamber made a speech in Indianapolis a few days ago in which he gloried in the fact—at least he claimed it was a fact—that his "team" had been able to slip into a bill a particular provision that the Republicans knew nothing about. He seemed to take much satisfaction out of the fact that under his captaincy his "team" had been able, to use a common phrase, to "put it over" on our side of the Chamber. I have heard of "jokers" in bills, and that has always been my idea of what a joker is—something slipped in without consideration, without notification or advice to the other side, slipped in quietly and surreptitiously and in the dark, without discussion, without education with reference to the matter.

Mr. HARDWICK. Mr. President, will the Senator yield at that point?

Mr. JONES. Oh, certainly; with pleasure.

Mr. HARDWICK. Would the Senator mind quoting the exact language of the President? Unless I read his address wrong, he did not use any such language as the Senator is using.

Mr. JONES. I am not pretending to quote the language of the President.

Mr. HARDWICK. The Senator has used the words "slipped in surreptitiously."

Mr. JONES. My recollection is that the President used those words. If he did not, he used words that mean that.

Mr. HARDWICK. I will get the address.

Mr. JONES. I shall be very glad if the Senator will quote the President's exact language. I dislike to take the time of the Senate to stop now and look up the President's message and examine it to find just what the exact language was; but I do know that the President expressed an exultant note, an exultant feeling, that something had been put into the bill that the Republicans did not know anything about and did not "get on to it" until after the bill had been passed and enacted into law.

Mr. CLAPP and Mr. GALLINGER addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Washington yield; and if so, to whom?

Mr. JONES. The Senator from Minnesota interrupted first, and I yield to him.

Mr. CLAPP. I wish to say that the only person who was oblivious as to the contents of the bill with reference to the proposition to afford a junket was the President himself. The matter was fully discussed by the committee, and I think on the floor, and objected to on the ground that we had already provided either one or two just such junketing trips during that session of Congress. If that constitutes a tariff commission, we now have two, if not three, tariff commissions.

Mr. GALLINGER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from New Hampshire?

Mr. JONES. Certainly; I yield to the Senator from New Hampshire.

Mr. GALLINGER. Is my memory correct or is it at fault? Did not the President use the words "Woodrow chuckled" in connection with that matter?

Mr. JONES. I think so; since the Senator has refreshed my memory that is my recollection. But, of course, the address has been put into the RECORD, and it will speak for itself as to whether or not the President used that language.

Mr. SWANSON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from Virginia?

Mr. JONES. I shall do so in just a moment.

The President certainly did chuckle audibly in his address at what he thought had been "put over" on this side of the Chamber. Now I will yield to the Senator from Virginia.

Mr. SWANSON. As I understand, a fair interpretation of the President's speech would be that he was surprised that many Republicans should now be clamoring to pass in Congress something that had already been passed—legislation for the appointment of a commission that could investigate matters connected with the tariff; and he chuckled that he had knowledge enough to know that if that were wise, it had been provided for, and other people did not know it. There was no evidence that it had been done surreptitiously. As I understand, it passed the other House, then came over here in the House bill, and was discussed in the Senate. I have no doubt the President was surprised that some Republicans had been trying to get legislation that had already been provided for.

Mr. REED. Mr. President——

The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from Missouri?

Mr. JONES. Certainly.

Mr. REED. I merely wish to remark that if one-tenth of the presidential crimes were committed which Taft charged to Roosevelt and which Roosevelt charged to Taft, then, if a Democratic President has done nothing worse than to "chuckle," we are, indeed, progressing.

Mr. HARDWICK. Mr. President, will the Senator from Washington yield to me?

The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from Georgia?

Mr. JONES. I yield.

Mr. HARDWICK. I have here the exact words the President used, and they do not justify, in my judgment, any such characterization as has been made of them either by the Senator from Washington or elsewhere.

Mr. JONES. I shall be very glad to have the Senator read the language.

Mr. HARDWICK. Very well, sir, if the Senator will yield to me for that purpose I shall do so.

It is as follows:

That kind of science I do not care to know anything about, except enough to stop it. But if by scientific treatment of the tariff they mean adjustment to the actual trade conditions of America and the world, then I am with them; and I want to call their attention, for though they voted for it they apparently have not noticed it, to the fact that the bill which creates the new trade commission does that very thing. We were at pains to see that it was put in there. That commission is authorized and empowered to inquire into and report to Congress not only upon all the conditions of trade in this country, but upon the conditions of trade, the cost of manufacture, the cost of transportation—all the things that enter into the question of the tariff—in foreign countries as well as in the United States, and into all those questions of foreign combinations which affect international trade between Europe and the United States. It has the full powers which will guide Congress in the scientific treatment of questions of international trade. Being by profession a schoolmaster, I am glad to point that out to the class of uninstructed Republicans, though I have not always taught in the primary grade.

Mr. JONES. Of course the Senator can construe that language just as he pleases; I shall construe it as I understand it; and I think it bears out fully what I said a moment ago, that the President was exulting in the fact that he thought he had put something in this bill which the Republicans did not know anything about. He says substantially, "We put it in; we worked it out; we were at pains to see that it was put in there."

Mr. HARDWICK. Mr. President, if the Senator will pardon me, the President was merely expressing his deep regret at the ignorance of the uninstructed Republicans.

Mr. JONES. Oh, yes; that is true. Of course he used very dignified language in the address where he charged Senators on this side of the Chamber with being ignoramuses. He did not use the word "ignoramus"; I will admit that, but that is what he meant. I do not complain at his language. I suppose he honestly believed what he said.

Mr. WILLIAMS. Well, a rose by any other name would smell as sweet.

Mr. JONES. As my friend from Mississippi suggests, a rose by any other name would smell just as sweet.

Mr. WORKS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from California?

Mr. JONES. Certainly; I yield.

Mr. WORKS. I should like to suggest that if the President has "put anything over" on anybody, it has been on the Democrats and not the Republicans. We have been earnestly favoring a tariff commission for a long time.

Mr. JONES. I think so. I have been wondering whether the President has come over to the policy of protection, because, according to the Democratic theory, a tariff commission is not needed, and you have always said so; so that if we do need a tariff commission and there was put in the bill a provision for a tariff commission to take into consideration the differences in the conditions of manufacture and in the cost of production as between this country and foreign countries, it has been put in to carry out a policy of the Republicans, a policy in which they believe. So that, as the Senator from California suggests, the President is probably 'putting something over" on his team, and it may be possible that when you get into caucus this afternoon you will have orders there to take up a protective tariff system, or something of that sort, to meet the present emergency; I do not know.

Mr. REED. Mr. President——

The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from Missouri?

Mr. JONES. Gladly.

Mr. REED. If the President has adopted a Republican policy, as the Senator insists, and has played directly into the hands of the Republicans, as the Senator insists, I should like to know what he is making all this noise about? He ought not to complain even at the Greeks bearing gifts.

Mr. JONES. Mr. President, I am not insisting that the President has done this; I am merely wondering if it is true. I wish to say to the Senator from Missouri that I would welcome the support of the President in behalf of protection; I will be glad if he does issue orders to his team to favor the protective system and put it into effect; and I believe that would more nearly insure the continuance of the Democratic Party in power than any other thing he could do. If he should follow the suggestion and recommendation of the Democratic national committeeman from the State of New York, things would not look so rosy for us Republicans as they do now. Nor am I complaining for his coming around to the Republican view.

Mr. REED. Mr. President——

Mr. JONES. I gladly yield to the Senator from Missouri

Mr. REED. I do not know for which wing of the Republican Party the Senator is speaking, whether he is speaking for the revitalized stand-pat element, which he and certain other Senators were condemning only a few months ago, or whether he is speaking for that moribund and rapidly shrinking animal known as the "Bull Moose"; but I can say to the Senator that there is nothing in the language of the President to indicate that he has in the slightest degree abandoned the Democratic doctrine—that taxation should only be levied for the support of the Government and that no government has the right to pick the pockets of all the people for the benefit of a few of the people, particularly when the few are wealthy corporations already grown too great and powerful.

The Senator fails to distinguish between a remark which indicates that a board has been created which has the power to gather certain data and information and an abandonment of a well-known national policy. The Senator seems to think that if the Democratic Party were to get information through this board it necessarily would employ it as he might employ it or as one branch of his party might employ it, for the purpose of ascertaining how much more they could take out of the pockets of the people and transfer into the coffers of some manufacturers.

I want to say to the Senator another thing in reply to his remark that we may get orders in our caucus this afternoon from the President. The Democratic caucus has not been taking orders from the President, and he has not been sending orders there. The Democratic conference will meet this afternoon and discuss propositions in its own way relating to the public business and will not be interfered with by anybody. The Senator can disabuse his mind of that, as he might well disabuse his mind of the thought that by distorting and twisting the plain language of the President, and after it has been read still standing for the distortion and insisting upon the twisting process—that by such means as that he will deceive anyone in the United States as to the intention or utterances of the President or will conceal his own purposes.

Mr. JONES. Mr. President, my recollection is that in that address the President also, to a certain extent, divided the Democrats into classes; and I think he referred to some who were sitting on the brakes or the traces, or something like that, retarding the wagon or injuring the team and affecting the virility and the efficacy of the team. I do not know whether or not he placed the Senator from Missouri in that class, and I do not know whether or not the Senator from Missouri is really authorized to speak for the President, but I do know that he could not have a better spokesman than the Senator from Missouri, and I say that very sincerely.

Mr. REED. Mr. President——

Mr. JONES. I gladly yield to the Senator, although I hope the Senator from North Carolina will not charge me with filibustering by yielding to his friends on the other side, because I am not. I am really anxious to get along.

Mr. SIMMONS. If the Senator will pardon me, of course I do not wish to interfere with the Senator from Missouri, but the Senator from Missouri seems to be in doubt about what the Senator from Washington is trying to do. I am not in any doubt about it. It has been apparent to me for some time that the Senator from Washington was trying to play the favorite Republican game recently, of setting up a man of straw and knocking him down, and feel it is a little ungracious for my Democratic colleagues to interfere with the Senator in that delightful Republican game.

Mr. JONES. Now, I gladly yield to the Senator from Missouri.

Mr. REED. Mr. President, I only rose to say that I do not pretend to be the authorized spokesman of the President of the United States. I never made such a pretension, and I do not

know of any other person who is authorized to act as his spokesman. Of all the men in this country to-day who are abundantly able to speak for themselves, Woodrow Wilson stands preeminently at the head; but when the plain language uttered by any man in public place is sought to be distorted and a sinister meaning given to it, I have the right as a Member of the Senate and as an humble member of the Democratic Party, which I have always been and always will be, to direct attention to the fact that the language employed by the President is not susceptible of the construction sought to be placed upon it.

I would not have taken this much time if the Senator had been the first man who had raised this construction. The leader of the minority in the House of Representatives is quoted in the public press as having uttered very similar sentiments. The truth about the matter is that the speech of the President evidently struck home, and there has been a good deal of squirming ever since, and I make the prediction that the "galled jade" will wince quite frequently in the future.

Mr. JONES. Mr. President, I assure the Senator from Missouri that I do not feel like the "galled jade." I would vote this minute to print that speech and send it to every man, woman, and child in the United States. It would be the best document for Republicans that could be sent out. The Senator suggests that we have distorted the meaning of the President's address. Well, practically every newspaper that came out the morning after that speech was delivered had big headlines calling attention to what the President had "put over" on the Republicans; and I am satisfied that every man who will read that speech and every man who read that speech at that time has the impression that the President was really delighted that he had apparently obtained something that the Republicans apparently had not "gotten on to."

I do not say that he suggests that it had been done insidiously, or anything of that sort, but that it had been put in; it had not been called to our attention; we did not know about it; it was something they had gotten in, and the President was delighted at the dexterity of his "team" in working out this matter without Republicans knowing about it.

Mr. JAMES. Mr. President, does the Senator think that the President——

The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from Kentucky?

Mr. JONES. Certainly, I yield to the Senator from Kentucky, although I am sorry to take so much time.

Mr. JAMES. I shall take only a moment. I want to suggest to the Senator from Washington that I do not believe the President would claim that he is able to put anything over the Republican Party. Since it put Taft over Roosevelt, I think they are adept in that regard, so that when it comes to "putting things over" I do not think anybody claims to have anything on the Republican Party.

Mr. JONES. I think the President was really delighted at the thought that he had done so.

Mr. JAMES. I think when it comes to "slipping things over" and "putting things over" nobody claims to excel the Republican Party.

Mr. JONES. I think the President was really delighted that he, a schoolmaster who had not taught very much in the primary grades, in the kindergarten, had been able to do something which he thought showed great dexterity; but I do not care to go into the proposition the Senator from Kentucky suggests. That would look like filibustering, it seems to me, and that matter has absolutely nothing to do with the matter before the Senate or with the question I am discussing. Should I do so, the Senator from North Carolina would have some cause to complain.

Mr. CLAPP. Mr. President, will the Senator yield to me for a moment?

Mr. JONES. Certainly.

Mr. CLAPP. I do not think the President's Indianapolis speech was justified. It is true he used the word "Republicans" as though all Democrats were familiar with the provision of the trade commission bill to which he referred and that no one else was familiar with it. He did that probably for political purposes. The vice of his speech—and I say it freely and frankly—was the intimation that he knew more about what was going on in connection with legislation than Senators knew. He simply used the word "Republicans" to relieve himself, as I firmly believe, from any suggestion of exulting over his political colleagues.

As a matter of fact, the committee knew the provision was in the bill; they discussed it in the committee; they discussed the fact that similar provisions for similar trips to Europe had been put in other legislation; but still it was thought well enough to leave the provision in the trade commission bill. Every member of the committee was aware—and, if my memory serves me right, it was pointed out here on the floor—of that fact, and I do not think the President of the United States has a right to go out and make a speech which casts a reflection not only upon the Senate but upon the members of the committee having the bill in charge.

So far as the politics of it is concerned, I do not care two straws. I never was much of a partisan, and the older I get the less of a partisan I am, but I was a member of the committee having the trade commission bill in charge, and I have no hesitation in standing here and saying that, either intentionally or unintentionally, the President created a false impression as to the knowledge of the members of that committee as to what was in the bill and the scope of the bill.

Mr. JONES. Mr. President, the Senator from Missouri said that the Democratic caucus would not take orders from the captain of the team. I know that the Senator from Missouri will not take orders from the captain of the team, but I am not so sure about the caucus. As I understand, the caucus determines its action through a majority vote, and if a majority gets its orders it will probably obey. I doubt if the President would give to the Senator from Missouri the encomium that he did with reference to a couple of other very distinguished Senators in this body. I do not know whether the President stays awake nights with reference to what the Senator from Missouri may do or not. Possibly he does not; but I know the Senator from Missouri acts in accordance with his honest judgment on the floor of the Senate, so far as that is concerned, and the President knows it would do no good to lay awake nights about what he will do.

I did not expect to create all this discussion over this little matter. I simply referred to this suggestion of the President for this purpose—and I should like the attention of the Senator from North Carolina, not at all for the purpose of involving him in what he thinks is a filibuster, but to suggest to him the very reason why I made that suggestion about the President's reference, and this is really what I have been trying to get a chance to say for some time and the only reason I referred to it.

I have the impression, and a great many people have the impression, that the President took some delight in putting something into the Trade Commission bill, or that something was gotten in, that we Republicans did not know about. Now, I am afraid in the case of these appropriation bills that the team, under the leadership and orders of the captain, may try to slip in some more things that we do not know anything about. If they will do it once, they will do it again. Therefore, as one Republican—I have not talked with others—I feel that we ought to scrutinize these bills very carefully, because while, to use the language of the President, we are "ignorant," we might stumble on to something that would injuriously affect the people. So it seems to me that we are justified in scanning very carefully and very closely every measure that our Democratic friends bring in here to see whether they are getting in something else that they can boast about afterwards as something that we did not know anything about. We ought to watch the bills.

Mr. SIMMONS. I should like to inquire of the Senator whether he has read the bill.

Mr. JONES. I certainly have.

Mr. SIMMONS. Did the Senator move to strike anything out of it? Did he find anything bad in it?

Mr. JONES. Why, Mr. President, I am a humble member of the committee that has charge of the bill.

Mr. SIMMONS. Yes. The Senator had opportunity to see it when it was before the committee, did he not?

Mr. JONES. Oh, the Senator from North Carolina can not point to any time when I have been delaying the District of Columbia bill.

Mr. SIMMONS. I am not objecting to the Senator's moving to strike out anything that is in the bill. What I am objecting to is suspending the rules for the purpose of putting on the bill some general legislation.

Mr. JONES. Mr. President, there is one appropriation bill before one of the Senate committees now that contains new legislation that, if properly considered, will take all the rest of the time of the Senate this session. You will bring that bill in here before very long and you will want to pass it without any consideration and without any discussion. Do you think we ought to let you do it? I do not. I do not believe, for the good of the country, that we ought to let you put in these things without considering them. There is a whole lot of legislation in that bill. Whether it is good legislation or not I do not know yet, but it ought to be considered and it will be considered. Senators on the other side rather reflect upon the intelligence of the people of this country if they think they can make the

people believe that they ought to be permitted to pass legislation through this body without consideration and without discussion. The mere fact that your captain says a thing is right does not end it.

The Senator says we have a program to put through. I have heard about it. I was told some time ago, or I saw in the public press, that the Democratic caucus had met and had decided upon a program, and that what they had decided to do was to pass the appropriation bills; that all other legislation would be laid aside in order to get the appropriation bills through, and then, if they had time, of course, they would take up other matters. Now, I understand that a Democratic caucus is to be called this afternoon. I have not the honor to be a member of it. I do not know why it is called, but I suppose it is to get the team together to try to change the program, and possibly adopt another program.

Probably I ought not to suggest that this caucus may be called upon the suggestion, possibly, if not the order, of the captain of the team. I suppose that the conferences of a team are usually called by the leader and by the captain or at least at his suggestion; so possibly the captain has called the Democratic team together in caucus in order to change the program and adopt a new program and endeavor to put it through. The secret caucus seems to be the place to do things now rather than in the open Senate.

I do not know whether it is true or not, but we hear it said that there are certain measures that must be put through. I want to say to the Senator from North Carolina, however, that he will know when I am filibustering. He will know it without any suggestion of a deduction. I want to say to him, however, that the measures he proposes to put through will not be put through without discussion and without consideration, and that discussion and consideration are not filibustering. There will be legitimate discussion and legitimate consideration, and you may call it what you please.

Mr. SIMMONS. The Senator need not remind me that I will know when he is filibustering. I have seen him in action once before, when the little matter of a clerk was involved.

Mr. JONES. Yes; and that was taken care of, too. [Laughter.] Whenever I want to filibuster again it will be right along those same lines, and it will be even a more effective one than that. So I do not want the Senator to conclude, because I yield to my Democratic friends on the other side to interrupt me, that I am engaged in a filibuster, because I am not. I want to be very courteous to my friends over there, and I wanted to call attention to these matters. I would not have referred to them at all; in fact, they never occurred to me until my friend from North Carolina spoke. If anybody is responsible for the use of this time, I shall have to lay the responsibility upon the Senator from North Carolina; and I will tell him privately what I have told him so many times before with reference to various bills in which he has been interested.

The Senator from Kentucky [Mr. JAMES] says, "Let us have a referendum for the people of the District of Columbia," and yet he is going to vote to prevent it. He is going to vote to shut us out of any opportunity to consider a referendum on this proposition for the people of the District of Columbia. He is going to vote against the suspension of the rules. If he would suspend the rules, then this amendment would be subject to amendment. He could provide for his referendum and submit it to the people of the District of Columbia; but in one breath denouncing us for not having these things referred to the District of Columbia, in the next breath he announces that he is going to vote against the suspension of the rules.

Mr. President, I am going to come now to what I intended to say if I had had an opportunity yesterday, or to what I would have said already to-day except for my friend from North Carolina.

It is a significant fact, which I trust the country will not overlook, that not a Senator on either side of this Chamber rises in his place and defends the liquor traffic or points to any good that it does or ever has done. No industry can long exist under such a condition as that, especially an industry that exists to-day only by sufferance. But, as has been said, the real issue upon which the Senate is now to vote is not prohibition for the District of Columbia, but whether the Senate will permit itself to vote upon that question directly. By a majority vote the other day, which, Mr. President, the majority to-morrow, upon any other proposition, could reverse by a majority vote, it was decided that it will take a two-thirds vote to suspend the rules of the Senate so that the amendment proposed by the Senator from Texas will be in order when presented.

I do not share the pessimism of the Senator from Kansas [Mr. BRISTOW] or the Senator from South Dakota [Mr. CRAWFORD]. I will not believe until the vote is cast that one-third of the Senate will say that a vote shall be denied by the Senate upon such a vital question as this. Every Senator who believes in prohibition will surely give the Senate an opportunity so to express itself. Every Senator who believes in the will of the majority being expressed in legislation will surely vote to give such majority a chance to express itself; and I do not now believe that one-third of the Senate is in favor of refusing the majority this right. We shall see and the country shall see whether the Senate itself will deny to itself the opportunity to vote directly and squarely upon the merits of this proposition, in which the people are interested as in no other question that has agitated the people of this country.

This amendment is in a sense germane to this bill. This bill deals entirely with the District of Columbia; and with all due respect to the opinion of the able Senator who now presides over this body, I do not believe the District of Columbia appropriation bill is a general appropriation bill within the meaning and intent of the rule that has been invoked in this case. It is not a general appropriation bill. We are sitting here as the common council of the District of Columbia.

The PRESIDING OFFICER. The speaker having referred to the Presiding Officer, will he permit the Presiding Officer to inquire, if that is the case, why he wants to suspend the rules?

Mr. JONES. Mr. President, I did not present or suggest this motion to suspend the rules, but I am glad to support the Senator who did. He submits it regularly and in accordance with the rules of this body. That issue has been presented. But I submit, in view of the suggestion made by the learned Senator from Montana, that this is not a general appropriation bill within the intent and meaning of the language of that rule. I believe in that rule. I believe that it serves a good purpose. I do not believe that means, however, that it never should be suspended, even in regard to general appropriation bills. But the argument that we should not now vote to suspend this rule because of the necessity of such a rule as that with reference to general appropriation bills is certainly weakened by reason of the fact that this is a bill that applies solely and only to the District of Columbia.

This bill provides for the maintenance of the government of the District of Columbia and the care of its people. The plea that this is legislation upon an appropriation bill does not have the force against this amendment that it would have against a bill covering the whole United States. This amendment relates only, as I said, to the District of Columbia. It involves a question that has been debated in this Chamber, and especially out of this Chamber, more than any other question that agitates the American people. Every Senator is thoroughly informed upon it and upon the conditions here, and has definite and certain views regarding it. If this amendment is made in order, we can discuss it just as ably and vote upon it just as intelligently as if it were presented in another bill.

I want to call the attention of some of those representing the liquor interests who have honored us with their presence in the gallery to-day to the fact that Senators have announced on this floor that while they are going to vote against the suspension of this rule they are with us on the proposition as a separate bill, and that not only do not Senators rise on either side and say anything good of this traffic, but they rise and indignantly repudiate what they think are suggestions that they are friendly to this interest, and assert that upon a separate bill they will vote in a way that will abolish this traffic; and such a bill will pass before very long, if not as an amendment here, then as a separate measure.

The Senator from Kentucky [Mr. JAMES] suggests that we should have a referendum. I shall be glad to meet that question when it comes up; and if, as I said awhile ago, he will vote to suspend this rule and make this amendment in order, then he will have an opportunity to submit that amendment, and we will gladly consider it, vote upon it, and pass it or reject it as the majority of the Senate may deem wise.

The conduct of the liquor interests in the District of Columbia fully justifies the action proposed to the Senate to-day. It has defied Congress; it has nullified its laws; it deserves no leniency at our hands. I have some facts that I want to call to the attention of the Senate which I believe will appeal to the fair and impartial judgment of the ambassadors of the sovereign States of the Union representing not only those States but the people of those States. In order to do this I must go back a couple of years; and now I am going to present some facts that I hope the Senators will consider, and that I think ought to be considered, while we are determining the action we must take with reference to this matter.

Two years ago we passed a general excise law for the District of Columbia. Why did we do it? We did it because for 19 or more years the District of Columbia had been going on

under a condition of things that was a disgrace to any city of the Union. Men and women had been knocking at the doors of Congress asking for legislation to better conditions. They did not come to the Senate and ask for a prohibition measure then. They came to us and asked that we might pass a law that would improve conditions, that would cut the saloons out of residential districts, that would take them away from the mouths of the slums and the dwelling alleys of this city, that would remove the great congestion which existed in certain localities, that would insure the better conduct of those places where the business was carried on, and that would limit the number of saloons. A subcommittee of the Senate Committee on the District of Columbia held hearings for a week. We looked into the conditions carefully, and we reported a bill, not an amendment, for passage through this body. That bill was passed as an amendment on the District of Columbia appropriation bill. We could not get unanimous consent for its consideration in this body. We did not ask to suspend the rules of this body. With reference to that measure we followed another course. We followed a course that the rules provide, just as the Senator from Texas has followed a course that the rules provide. The rules of this body provide that any point of order made to any amendment offered to an appropriation bill or otherwise may be submitted by the presiding officer to the Senate for its decision, on the theory, I suppose, that the Senate is an independent, self-governing body, and that whatever the Senate says it wants to do it can do. When the District of Columbia bill came up I offered that bill as an amendment to the District of Columbia bill. The point of order was raised. The presiding officer submitted the question to the Senate, and the Senate said: "It is in order," and adopted it, and it passed through this body as a part of the District of Columbia appropriation bill.

Why, Mr. President, did we take that course? We had passed it through this body. I was mistaken a moment ago. We had passed it through this body as a separate measure. We did get it up as a separate measure and passed it. The Senator from Utah [Mr. SMOOT] says that makes a difference. No, Mr. President; the fact that a bill of general legislation has passed the Senate does not make it in order upon an appropriation bill per se; not at all. It may have some little influence with Senators, of course, and very properly so; but why was it, Mr. President, that we found it necessary to offer that bill as an amendment to an appropriation bill? I want to tell the Senate, and go just as far as I can in a parliamentary way to do so, and that will give one reason, at any rate, why it is necessary to place some of these things upon an appropriation bill.

We passed that excise bill through the Senate. It went to a committee of another body, and there it lay for almost a year. Why? I do not know, Mr. President, but the representatives of the liquor people said, and made their boasts, that that bill never should come from that committee. I do not charge that they used improper influences, but I state as a fact that, from the time the bill went into that committee until it was placed as a rider upon the District of Columbia appropriation bill, that committee never had a quorum to do business.

That is one reason why the Senate, in dealing with a question that relates to this traffic in the District of Columbia, must adopt methods of this kind in order to accomplish what they think ought to be accomplished. These men had made their boast that they had the bill killed; that it never could become the law. That is the reason why we proposed to put it upon the District of Columbia appropriation bill in the Senate. It was put on in the manner I have stated; and then, Mr. President, it may be unparliamentary for me to say that a special rule was brought in to be passed in another body in order to force that amendment to conference, but it failed of passage, and therefore I will not say it. [Laughter.] It may be unparliamentary for me to say that in another body, for days and even weeks, the District of Columbia appropriation bill was held up in the hope that they could secure enough votes to send that amendment to conference, where they hoped to kill it, and therefore I shall not say it. [Laughter.] Finally, Mr. President, it may also be unparliamentary for me to say that when they saw they could not get it into conference they agreed upon a substitute that carried all the important provisions of the amendment that we put on, and that then it was sent to conference with the understanding that it would be agreed to, and therefore I will not say it. [Laughter.]

That is the way, Mr. President, we had to proceed to pass the excise law of the District of Columbia which we have on the statute books now. That is the course we had to take to pass a regulatory measure.

Mr. President, what is wrong? Why the necessity for this legislation in view of that legislation? Well, Mr. President, the results which have been brought about under that law justify this action.

I wish to read a couple of resolutions which were adopted some time ago. One of the resolutions is by the headquarters committee of the Anti-Saloon League of the District of Columbia; and, my friend, these are the substantial people of this country. These are among the best men and the best women of this country. These are not men and women who are urging that we do nothing to curtail the traffic for which no man stands on this floor and says a good word. These are some of the men and women who are especially interested in the homes of the country and in the boys and girls of the country. Resolutions passed by them are worthy of consideration by this honorable body. What do they say? They say:

NOVEMBER 5, 1914.

At a meeting of the headquarters committee of the Anti-Saloon League of the District of Columbia, held at the office of the president of the league the afternoon of Thursday, November 5, 1914, the following resolution was adopted:

"*Resolved*, That in behalf of its constituency of churches and other local organizations of the best citizens of the District, the league indignantly protests against the recent grant by the excise board of 100 or more licenses contrary to the spirit of the Jones-Works law, and many of them clearly contrary to its letter."

Adopted by headquarters committee, November, 1914.

Then another resolution, adopted December 7 by the Anti-Saloon League of the District of Columbia, is as follows:

DECEMBER 7, 1914.

Whereas Congress, by enacting the Jones-Works excise law, endeavored to relieve the deplorable saloon conditions in the District of Columbia; and

Whereas the excise board, charged with the administration of said law, has apparently ignored every prohibitive section, in part at least, in the granting of licenses, excepting the one limiting the number of saloons to 300, and certain other sections fixing certain prohibition zones, such as the 1,000-feet zone around the navy yard and Marine Barracks grounds; and

Whereas wholesale licenses are being granted in residential districts; and

Whereas such actions of the excise board bid fair to lead to a great public scandal; and

Whereas the liquor traffic, neither here nor elsewhere, obeys the law: Be it

Resolved, That the Anti-Saloon League of the District of Columbia this 7th day of December, 1914, expresses its indignation at the existing conditions of excise affairs, and hereby announces its determination to work from now on for absolute prohibition as the only effective solution of the liquor problem in this District.

I have some facts here that I propose to present to the Senate which I think fully substantiate those resolutions, and which I think ought to be heard by Senators in reaching a determination as to what course they will take with reference to this proposition.

Mr. President, not for the purpose of hearing what I have to say, but for the purpose, if possible, of getting the facts to the Senators, who must pass on this proposition, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bankhead	Gore	O'Gorman	Smith, Ga.
Brandegee	Gronna	Oliver	Smith, Md.
Bristow	Hardwick	Owen	Smoot
Bryan	Hitchcock	Page	Stephenson
Burleigh	Hollis	Perkins	Sterling
Burton	Hughes	Pittman	Stone
Chamberlain	Jones	Ransdell	Sutherland
Chilton	Kenyon	Reed	Swanson
Clapp	Kern	Root	Thomas
Clark, Wyo.	La Follette	Saulsbury	Thornton
Clarke, Ark.	Lea, Tenn.	Shafroth	Tillman
Colt	Lee, Md.	Sheppard	Vardaman
Culberson	Lippitt	Sherman	Walsh
Cummins	Lodge	Shields	White
Dillingham	McLean	Shively	Williams
Fletcher	Nelson	Simmons	Works
Gallinger	Norris	Smith, Ariz.	

Mr. CLARK of Wyoming. I wish to announce the unavoidable absence of my colleague [Mr. WARREN]. I desire this statement to stand for the day.

Mr. GRONNA. I wish to announce that my colleague [Mr. MCCUMBER] is unavoidably absent from the city. He is paired with the junior Senator from Kentucky [Mr. CAMDEN].

The PRESIDING OFFICER. Sixty-seven Senators have answered to their names. A quorum is present. The Senator from Washington will proceed.

Mr. JONES. Mr. President, as I stated, I called this quorum not that Senators might hear me speak, but in order that I might present some facts to them that I think will appeal to them in connection with the consideration of this measure. I wish to call their attention now to certain facts.

In the excise law that we passed under the conditions I have just described there is this provision:

No saloon, barroom, or other place wherein intoxicating liquor is sold at retail or wholesale, other than hotels and clubs, shall be licensed,

allowed, or maintained within 400 feet of any public schoolhouse, or a now located or established college, or university, or within 400 feet of any now established house of religious worship, measured between the nearest entrances to each by the shortest course of travel between such places of business and such public schoolhouse, college, or university, or established house of religious worship.

Mr. President, there have been allowed licenses for 18 saloons in violation of that provision of the law. I have here a list of these saloons. One of them is the saloon of John J. Allen, 807 North Capitol Street, by a careful measurement 397 feet from St. Aloysius Church. The saloon of Michael Daly, 1319 Seventh Street, 397 feet from the Church of the Immaculate Conception by long measurement, 347 by the shortest and most direct route, as provided in the statute. John D. O'Conner, 918 Ninth Street, 328 feet from the College of Pharmacy, 375 feet by the longer measurement. August H. Plugge, 1317 Seventh Street NW., 329 feet from the Church of the Immaculate Conception, 379 feet by the longer measurement, measured by right angles. Let me ask permission to insert this list in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered. The Chair hears none.

The list referred to is as follows:

The following-named saloon keepers were granted licenses for the year beginning November 1, 1914, for places located within 400 feet of houses of religious worship, public schoolhouses, colleges, or universities, according to measurements made by "the shortest course of travel" from entrance to entrance. Some are within the prescribed distance by longer measurements:

John J. Allen, 807 North Capitol Street, 397 feet to St. Aloysius Church.

Michael Daly, 1319 Seventh Street NW., 397 feet to Church of Emaculate Conception by long measurement, 347 feet to Church of Emaculate Conception by short measurement.

John D. O'Conner, 918 Ninth Street NW., 328 feet to College of Pharmacy, 375 feet longer measurement.

August H. Plugge, 1317 Seventh Street NW., 329 feet of Emaculate Conception Church, 379 feet by longer way (right angles).

John J. Brosnan, 506 Four-and-a-half Street SW., 364 feet to Jewish Church on E Street.

James J. O'Donnell, 333 Pennsylvania Avenue SE., 385 feet to Metropolitan Presbyterian Church.

Patrick J. McDonald, 643 Pennsylvania Avenue SE., 364 feet to Wallach Public School.

John G. Graff, 222 Seventh Street SE., 393 feet to Eastern High School.

W. J. and Jeremiah Costello, 600 G Street NW., within 100 feet of Greek Catholic Church.

Margaret Casey, 114 H Street NW., within 200 feet of public school.

John T. O'Day, 921 Ninth Street NW., 367 feet to College of Pharmacy.

John F. Schriner, 730 Fourteenth Street NW., 336 feet to New York Avenue Church, New York Avenue entrance; 375 feet to New York Avenue Church, H Street entrance (measured at right angles).

Mary T. Schulz, 607 G Street NW., within 200 feet of Greek Church.

John F. Killeen, 1314 Wisconsin Avenue NW., 364 feet of Dumbarton Avenue Methodist Episcopal Church.

Charles H. Morris, 2029 K Street NW., 330 feet of Stevens Public School.

Robert H. Snook, 825 Seventh Street NW., 389 feet of Calvary Baptist Church.

Frank C. Poch, 900 Four-and-a-half Street SW., 393 feet to public schoolhouse.

Hugh F. Harvey, 1913 Pennsylvania Avenue NW., 340 feet to Union Methodist Episcopal Church.

Mr. JONES. I wish to call attention to the last one on the list, and that is the saloon of Hugh F. Harvey, 1913 Pennsylvaia Avenue NW., 340 feet to the Union Methodist Episcopal Church. I shall refer to Mr. Harvey a little later on.

Then, Mr. President, there is another provision in this excise law. It reads as follows:

Hereafter no license shall be granted for the establishment or maintenance of a barroom—

I invite the careful attention of Senators to the consideration of this language:

Hereafter no license shall be granted for the establishment or maintenance of a barroom or other place for the sale of intoxicating liquors, otherwise than in sealed packages and not to be drunk on the premises, in any residence portion of the District of Columbia; and it shall be the duty of the excise board to determine in the case of each application for license whether the location where the barroom is to be located is or is not within the business portion of the District, and if not the license shall be denied; and the excise board is hereby authorized and required to determine in each case what is so far devoted to business as to constitute it a business street or section.

Mr. President, when we framed that law we recognized the fact that it was pretty broad language, and that it gave this board a great deal of discretion in determining whether a section was a business section or a residential section. So in order to make certain the carrying out of what we had in mind we put in this language. Listen!

Provided, That no license shall be granted for any saloon or barroom on any side of any square, block, or tract of land where less than 50 per cent of the foot frontage, not including saloons or hotels and clubs having barroom licenses under this section, is used for business purposes; nor shall intoxicating liquors be sold at wholesale outside of the business districts as above provided.

In other words, Mr. President, the plain meaning of that language is that even if they say that a section is a business section they can not grant a license for a saloon or barroom where less than 50 per cent of the frontage, without counting hotels or clubs, is occupied by business houses. What have they done? The excise board have adopted a proviso without any authority of law, saying, "*Provided*, This restriction shall not refer to clubs and hotels." What authority have they to legislate? The law says that no license shall be granted to a saloon or barroom under certain conditions. What have they done? They have granted licenses in violation of that provision to 62 sellers of liquor in the District of Columbia. I know one square of my own personal knowledge where a barroom license has been granted and where there is not a single business house fronting on the square except the drug store on the corner.

Mr. President, I do not know how many more are like that, but the statement I have has been prepared by those who have given the matter very careful investigation and study. I believe we can rely upon the statement they have prepared.

I ask that this list of 62 licenses granted in violation of this provision may be inserted without reading.

The PRESIDING OFFICER. Without objection, it is so ordered.

The list referred to is as follows:

The Anti-Saloon League's careful investigation shows that the following barroom licenses were granted for the license year beginning November 1, 1914, on nonbusiness streets or in residence districts, contrary to the evident intent and purpose of the law:

Louise Gordon, 407 Q Street NW.; Theodore G. Stoner, 206 Seventh Street SW.; John T. Bronson, 614 Eleventh Street SW.; Mary A. Solan, 1003 Seventh Street NW.; Paul Allen, 2 N Street NE.; Patrick Raffery, 225 Eleventh Street NE.; Dennis J. O'Connell, 411 Four-and-a-half Street SW.; Gustave Brahler, 410 E Street NE.; Patrick J. Callen, 238 Second Street NW.; John Morris, 1610 U Street NW.; Peter Loftus, 329 Thirteen-and-a-half Street NW.; Austin Loftus, 302 N Street NW.; John E. Mergner, 415 East Capitol Street; Daniel F. Driscoll, 107 H Street NW.; John J. Sullivan, 1331 Thirty-fifth Street NW.; Michael J. O'Donoghue, 701 I Street SW.; Metropolitan Club, 1700 H Street NW.; Army and Navy Club, 1627 I Street NW.; Patrick J. McDonald, 643 Pennsylvania Avenue SE.; Henry C. Hibbs, 2000 K Street NW.; Lena Morgenweck, 12 Fourth Street NE.; Thomas J. Leonard, Anacostia; University Club, 900 Fifteenth Street NW.; Anna A. E. Klotz, 1708 G Street NW.; Patrick O'Donohue, 908 Fourth Street NW.; Bridget Leech, 1847 L Street NW.; Charles W. Edwards, 491 Missouri Avenue NW.; Daniel Scanlon, 105 H Street NW.; Stoneleigh Court, 1019 Connecticut Avenue NW.; David Cohen, 118 First Street NW.; Francis X. Cox, 1618 U Street NW.; John H. Harris, 15 Massachusetts Avenue NW.; Jeremiah Costello, 521 First Street SW.; The Portner apartment house, Fifteenth and U Streets NW.; Commercial Club, 1634 I Street NW.; Mary Sullivan, 73 I Street SE.; Daniel Doody, 1312 North Capitol Street; Mary E. Frank, 319 G Street NW.; Elks Club, 919 H Street NW.; Michael E. Buckley, 2028 M Street NW.; Hotel Gordon, 916 Sixteenth Street NW.; Congress Hall Hotel, 233 New Jersey Avenue SE.; Harry Winninger, 631 Pennsylvania Avenue SE.; John D. Kelliher, 1258 Water Street SW.; Washington Saengerbund (Inc.), 314 C Street NW.; Cairo apartment house, 1615 Q Street NW.; Capital Park Hotel, North Capitol and E Streets NW.; Luke J. Kearney, 1811 L Street NW.; Charles H. Morris, 2029 K Street NW.; Hugh J. McGinness, 1001 New York Avenue NW.; Charles Wolf, 1202 Water Street SW.; George F. Neitzey, 1106 Water Street SW.; John J. Madden, 401 Four-and-a-half Street SW.; Charles C. Leavens, corner New Jersey Avenue and C Street SE.; Walter Spauls, 2012 K Street NW.; William J. Boyle, 601 Massachusetts Avenue NW.; Patrick Smyth, 101 D Street SW.; The Monticello Club, 1301 Fourth Street NW.; Century Club, 815 Vermont Avenue NW.; Peter J. Lynagh, 523 Seventh Street SW.; Terminal Co., 44 G Street NE.; Hotel Bellevue, Fifteenth and I Streets NW.

Mr. SMOOT. Is there not a penalty attached to a violation of the law?

Mr. JONES. Certainly. Of course these people can be prosecuted, and I think they will be prosecuted, if we can ever get the legal machinery to work at it; but that is what has been done. I do not say what influences have brought it about, but it has been done. Every Senator here knows as well as I do how this business does things, how it works, how it influences. Here is another provision:

No saloon, barroom, or other place where intoxicating liquor is sold at retail shall be licensed, allowed, or maintained within 300 feet of any alleyway occupied for residences or of places commonly called slums, except upon the unanimous vote of all three members of said excise board.

Of course, Mr. President, they do not violate the law when the three members of the excise board grant a license for the location of a saloon in a case like that. Yet they knew what this law was passed for. They knew what that provision was inserted in it for. They knew that there are some perfect hell holes in the city of Washington which are a disgrace to the Nation's Capital, where men and women are huddled together under conditions and surroundings that can not be described; that they are made the prey of the vultures of commercialism; that saloons have been located at the entrance to these compounds, if you please, places where there is only one entrance and one egress, and these saloons have been located at the mouths of these entrances. We sought to drive them away. We endeavored to avoid the provision for the unanimous action of the board, but we could not get that, so we had to accept this provision; and we did it in the hope that the men who administered the law would seek to remedy the conditions that we sought to prohibit. What have they done? They have granted 28 licenses inside of 300 feet of these alleys and slums

of the District of Columbia. They have not violated the law in doing it, but they have violated the spirit of the law and they have thwarted the intention of Congress in regard to it.

I ask that this list of licenses granted within 300 feet of inhabited alleys be printed in the RECORD.

The PRESIDING OFFICER. Without objection, that order will be made. The Chair hears none.

The list referred to is as follows:

The following barrooms were licensed for the year beginning November 1, 1914, within 300 feet of inhabited alleys:

John P. Sheehan, 701 North Capitol Street; Michael McIrnerney, 1226 Seventh Street NW.; Terence Fegan, 930 Fourth Street NW.; Leopold Birkle, 1245 H Street NE.; Jeremiah O'Connor, 115 Four-and-a-half Street NW.; William E. O'Connor, 234 Four-and-a-half Street SW.; Michael J. Lynch, 350 Pennsylvania Avenue NW.; William Doyle, 1218 Wisconsin Avenue NW.; George P. Harrigan, 729 Ninth Street SW.; James O'Connor, 1429 North Capitol Street; George W. Hall, 927 Four-and-a-half Street SW.; William Hanlon, 1235 Seventh Street NW.; Stephen Chaconas, 468 Pennsylvania Avenue NW.; Daniel J. Alman, 244 Fourteenth Street SW.; Patrick F. Neligan, 1908 Fourteenth Street NW.; John M. Trant, 629 Four-and-a-half Street SW., Gregor Kramm, 224 Fourteenth Street SW.; Minnie E. Costello, 45 H Street NE ; John E. Bonini, 729 North Capitol Street; Kate H. Welch, 248 Third Street SW.; Maurice Ganey, 615 Seventh Street SW.; Patrick J. Bligh, 235 Four-and-a-half Street SW.; Patrick J. Daly, 626 Four-and-a-half Street SW.; Francis J. Stanton, 1205 Wisconsin Avenue; Michael T. Greene, 639 D Street SW.; William J. O'Leary, 733 North Capitol Street; William T. Babbington, 34 H Street NE.; Thomas Cannon, 1358 H Street NE.

Mr. JONES. Then, Mr. President, there is another provision in this law:

No saloon, barroom, or wholesale liquor business shall be licensed, maintained, or allowed in the territory west of the following lines—

Listen!

The westerly line of the fire limits as now established—

I want Senators to consider this language:

No saloon, barroom, or wholesale liquor business shall be licensed, maintained, or allowed in the territory west of the following lines: The westerly line of the fire limits as now established from its southerly limits to where the same intersects with the mile limit of the Soldiers' Home; thence westerly and northerly along the said mile limit until the same intersects with Kansas Avenue; thence along Kansas Avenue to its intersection with the northern boundary of the District of Columbia.

What was done, Mr. President? Just as soon as that law was passed, with a provision in it that it shall not take effect until, I think it was, the 1st of July, or five or six months afterwards, what was done? Somebody started out to move the fire limits of this territory. Why? They got some legal opinion of some kind from somebody that the words "as now established" did not refer to the date of the passage and approval of the law, but that they referred to the time, five or six months ahead, when the law should take effect. So they said: "If we can get the fire limits as described in the act changed we will save some saloons which now exist."

Senators, what do you think of a proceeding of that kind? What did we intend when we passed that act? Did we intend to say that in the district beyond some line hereafter to be fixed and hereafter to be established there shall be no saloon? What did we mean by the term "as now established"? We could have had nothing else in mind, Mr. President, except the fire limits of this city as they were at the time of the passage and approval of the law. Did they succeed in getting the fire limits changed? They did. The fire limits were changed, and they were extended so as to include within their limits two or three of the most disreputable establishments in the District of Columbia. One of them was located at the end of the Aqueduct Bridge, at Georgetown, where men and women going to and from the State of Virginia, going to and from work in the District of Columbia, were compelled to pass by and through its evil influences.

What did the excise board do? Did they grant licenses within the new limit so established? They did not have to do it. They could have refused to grant such licenses. If not within the terms of the law, they would have been clearly within the spirit and intent of it. Did they refuse to grant licenses to the saloons that Congress had almost in so many words said should not exist? No; they granted licenses for those saloons. They winked at, aided and abetted, and made effective this fraud upon the law they had sworn to enforce.

I will say, Mr. President, in justice to the excise board, that they got the opinion of the corporation counsel of the District of Columbia, and that his opinion in that case held that the limit established by Congress was the fire limit when the law went into effect and not under the language at the time it was passed and approved. So they had a legal opinion to sustain them in that proposition; but they did not have any compelling statute anywhere to compel them to grant such licenses, though the corporation counsel said they had a right to do it. I am glad to say that that question is now in the court, and that the court has intimated very strongly that there is scarcely any room for construction, but that Congress meant and described a specific line which existed when the law was passed and that no outside influence could in fact legislate for Congress. The board should not have hunted for legal quibbles to nullify the law. The very action taken to defeat its very evident purpose should have led them to deny these licenses. They seem to think they are the guardians of the liquor business rather than the conservators of the well-being of the people of the District.

Now, we put this provision in this law:

Said board shall consider and act upon all applications for license to sell intoxicating liquors, and may require a report thereon by the chief of police, and the action of said board shall be final and conclusive.

We did not provide there, of course, that they must follow the recommendation of the chief of police. We tried to get that provision in, but we could not pass the bill with it, and we had to except that provision. But what is the purpose of it? What would we naturally expect of men trying to carry out the spirit of the law that was passed to better conditions in the District of Columbia? Would you not expect them to follow the report of the men who have to enforce the law, men who know more about these places—how they are conducted, the character of the men who conduct them—than anybody else? Yet what was done. Listen, Mr. President.

About two years ago a man by the name of Edward J. Gardner was the proprietor of the Grand Hotel. It is located just across from the New Willard, just beyond Poli's Theater. He had a license to run a barroom in connection with that hotel. He maintained a beer garden in the basement. Many women frequented this place. He was arrested for selling and dispensing liquors to a minor, a girl not more than 18 years of age. He was convicted of dispensing liquors, but not of selling it to a minor. The trial court refused to enter an order of revocation of his license. An appeal was taken to the court of appeals; the lower court was reversed and the license was revoked.

What did he do? He formed a corporation, he holding the controlling interest in it. He became its manager and its treasurer. He applied for a license for the corporation, and the license was granted. He reopened his beer garden and has continued since in the usual objectionable way, according to the best information that we can get. The new excise board has renewed his barroom license; and now listen: The license this year was renewed in spite of a protest and a severe adverse report upon the application to the excise board by the captain of the police precinct. This is what the captain of the police precinct says about this application. This report was dated August 22, 1914, and is a matter of record:

The manager, Edward L. Gardner, conducts a garden in the basement of this hotel, where they have music and singing; dancing is allowed on a platform set aside for that purpose. This is a resort for street walkers and women of questionable character, and the result is a meeting place for men and women. In my opinion these conditions are objectionable in connection with a bar and should be eliminated.

J. L. SPRINKLE,
Acting Captain, First Precinct.

Mr. President, in the face of that fact a license was granted for that place. It is said, I do not know how true it is, that the police officer was reprimanded.

There is another instance I now want to give you. John H. Gordon had a license for a barroom at 407 Q Street in the northwest. He died February 13, 1914. Under the law his widow, in order to have the license transferred to her, should have made an application within 30 days. She did not do so; she made an application on the 28th day of April, 1914. A hearing was had before the board on May 19, 1914. The saloon was running all the time contrary to law. The board got the opinion of the corporation counsel. The corporation counsel said they had no right to run it; that the 30 days had expired. Did they close it up? Did the board reject the application? They did not act on it until when? Under date of June 26 a letter was written by Andrew Wilson, president of the Anti-Saloon League, to Hon. Frederick L. Siddons, Commissioner of the District of Columbia, asking that he take the matter up and see if he could not get the board to reject this application. Then it was rejected, and not until then. Mr. President, I ask permission to have the letter, which I hold in my hand, printed in the RECORD.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and permission is granted.

The letter referred to is as follows:

JUNE 26, 1914.

Hon. FREDERICK L. SIDDONS,
Commissioner of the District of Columbia,
Washington, D. C.

DEAR MR. COMMISSIONER: Your attention is respectfully called to the continued violation of the excise law at 407 Q Street NW. This place is undoubtedly being run without a license.

It appears John H. Gordon had a license for a barroom at said place. Mr. Gordon died February 13, 1914. On April 28, 1914,

Louise Gordon, the widow, made application for a transfer of the license from the estate to herself. Under the law no transfer could be permitted after the expiration of 30 days from the date of John H. Gordon's death. A hearing on the application was had before the excise board May 19, 1914. Many cases have been heard and acted upon since that hearing, and yet no decision in that case. This is all the more remarkable because, in addition to the plain provisions of the law, the corporation counsel has filed an opinion in the case. If the excise board can permit the violation of the law in this case, the same course can be pursued in any number of cases.

Not only as president of the Anti-Saloon League, but also as a citizen and as the owner of four houses in that general locality, I request that, as the commissioner in charge of the Metropolitan police, you close the said saloon at 407 Q Street NW. by taking whatever measures may be necessary and proper to accomplish the purpose.

Very respectfully, yours,

ANDREW WILSON.

Mr. JONES. In response to the above complaint Commissioner Siddons acted promptly, through the corporation counsel, and within a few hours the application was refused and the saloon closed.

Mr. President, here is another instance to which I wish to call the attention of the Senate. It shows what is done and what influences are brought to bear in connection with this business. On the first board there was appointed a gentleman by the name of Joseph T. Sheehy, an attorney of this District. It was thought that he was a man of high standing and high character. He served on the board for a while, long enough to get certain rules adopted, and then he resigned. What did he then do? He became the attorney before the board to act for those people desiring licenses and transfers of licenses. What use would anybody have for an attorney in such a case? The law prescribes the conditions under which licenses shall be issued or transferred. It does not seem as though the services of an attorney would be worth anything, and yet Mr. Sheehy's services seem to have been needed to secure certain action by the board. How valuable were the services of Mr. Sheehy considered in securing the transfer of a license—not in the granting of a license but in securing the transfer of a license? One man who desired a transfer of his license from the place where it was to another place entered into a contract to pay $5,500 to secure such a transfer, and Mr. Sheehy was one of his attorneys.

What was the purpose of agreeing to pay Mr. Sheehy $5,500 to secure the transfer of a license? Was that to pay him for legal services or was it to be used in some other way? I do not know, but I have my ideas about it. I do not see how the human mind can reach but one conclusion as to why they agreed to pay him $5,500. Do you have any doubt about this agreement? Do you have any doubt about this contract? If you have, I desire to say that in the Washington Law Reporter, volume 42, page 743, is a decision by the Supreme Court of the District of Columbia in a case entitled "William F. Columbus, plaintiff, against Joseph C. Sheehy, defendant," wherein this contract is set out.

How did it happen to get into court? It happened in just this way: Mr. Sheehy and another lawyer had a contract with the man wanting a transfer. Mr. Sheehy got $2,500 and the other lawyer got nothing. He thought Mr. Sheehy ought to divide, and he brought suit against him for his part of the $2,500 that had been collected. Here is the decision holding, of course, that such a contract as that is absolutely void and against public policy. Mr. Sheehy got the $2,500; the man got the transfer of his saloon license; and the other man brought the matter into court, so that we get the facts. Mr. President, I ask that this decision may be printed in the RECORD.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

The decision referred to is as follows:

SUPREME COURT OF THE DISTRICT OF COLUMBIA—WILLIAM F. COLUMBUS, PLAINTIFF, v. JOSEPH C. SHEEHY, DEFENDANT.

ATTORNEY AND CLIENT; CONTINGENT FEES; PUBLIC POLICY.

1. A party having a claim against an individual or against the Government may lawfully agree with attorneys for a contingent fee to be paid the latter for services in prosecuting such claim.

2. Where, however, the services to be rendered by the attorneys are to consist in securing the transfer of a liquor license from one location to some other, and the agreement is for a contingent fee to be paid upon success in securing such transfer, the contract is against public policy and is therefore void.

3. Where in an action by one of the attorneys so employed against the other to recover one-half of payments made by the client to defendant on account of such fee, held that the invalidity of the contract sued upon appearing from the affidavit of plaintiff no recovery could be had thereunder and judgment entered for defendant.

At law, No. 57265. Decided November 6, 1914.

Hearing on a motion for judgment under the seventy-third rule. Judgment for defendant.

Mr. L. A. Bailey for the plaintiff.

Mr. F. J. Hogan and Mr. D. W. Baker for the defendant.

Mr. Justice Stafford delivered the opinion of the court:

The cause was heard upon the plaintiff's motion under the seventy-third rule for judgment in his favor for the amount claimed in his declaration upon the ground that the affidavit of defense, if true, is insufficient to defeat the plaintiff's claim in whole or in part.

An examination of the declaration and fortifying affidavit shows that the plaintiff is attempting to enforce a contract that is clearly void as against public policy. Both the plaintiff and the defendant are practicing members of this bar. Prior to May 4, 1914, one McCarthy, a proprietor of a barroom license in the District of Columbia, requested the plaintiff to secure the transfer of said license to another location, the place to which said license then applied being in a restricted district, under the terms of the excise law. Thereupon the plaintiff invited the defendant to join with him in the tendered employment. The defendant accepted the invitation, and the plaintiff, the defendant, and McCarthy all subscribed a contract in the following words:

"Fee agreement, made this 4th day of May, 1914, between Dennis J. McCarthy, party of the first part, and William F. Columbus and Joseph C. Sheehy, parties of the second part, is as follows:

"1. The party of the first part hereby employs the parties of the second part to represent him before the excise board of the District of Columbia in the matter of his application for a transfer of his license from No. 332 Fourteenth Street SW. to the ground floor of the Evans Building, or elsewhere.

"2. The party of the first part shall pay the parties of the second part a retainer of $500 and an additional fee of $5,000 should his license be transferred to the ground floor of the Evans Building or elsewhere.

"3. The parties of the second part accept the employment aforesaid and will endeavor to secure the transfer of the license of the party of the first part."

Thereupon McCarthy paid the $500 retaining fee called for by the contract and the same was divided equally between the plaintiff and defendant. After the public hearing on the application for the transfer before the excise board, the plaintiff and defendant both participating therein, the board granted the transfer. Thereafter defendant collected $2,500 of the $5,000 contingent fee from McCarthy and refuses to divide the same with the plaintiff. The plaintiff finding himself unable to collect of McCarthy now seeks to recover in this action one-half of the $2,500 collected by the defendant, upon the theory that they were equal partners in the business, and that anything collected by either must be equally divided between the two. It will not be necessary to consider the sufficiency of the defendant's affidavit, but it may be fair to state that his position seems to be that he was to have his fee of $2,500 whether the plaintiff received anything or not.

The question to be decided by the excise board was one to be determined in the public interest. McCarthy had no legal right to have his license transferred. (See the excise law, 37 Stat., 997.) McCarthy was not in the position of a claimant seeking to enforce a legal right, and who might therefore employ attorneys upon a contingent fee. His position was more analogous to that of the defendant in Haselton *v.* Miller, reported under the name of Haselton *v.* Sheckells (202 U. S., 71), who had a parcel of real estate which he wished to dispose of to the Government, or like the parties in other cases referred to in that opinion who wished to secure contracts with the Government. In such cases it is well settled that a contract to pay an attorney a contingent fee for securing the contract or the purchase of the plaintiff's property by the Government is void, as against public policy, the reason being that it is of evil tendency in that it naturally tempts the attorney to the use of improper means to accomplish his client's purpose. In the present case, the amount of the contingent fee, $5,000, is so disproportioned to any legitimate legal services to be rendered as to furnish an additional reason for holding the contract to be one of evil tendency. The invalidity of the contract does not depend upon the question the character of the services actually rendered or agreed to be rendered, but results from the fact that its natural tendency is to prompt efforts which are against the public interest. In the Haselton case, the court assumed that the services were legitimate, but struck down the contract for the reason above stated, remarking that the court would not inquire what was actually done, inasmuch as the arrangement "necessarily invited and tended to induce improper solicitations and intensified the inducement by the contingency of the reward."

It is undoubtedly legal for parties to stipulate for a contingent fee to be paid for services in prosecuting a plaintiff's claim against an individual or against the Government, but in such cases the claim is a demand of some matter as of right. The present case does not belong to this class. In the class of cases to which this does belong the plaintiff has a right to employ an attorney to represent him and has a right to pay such an attorney for his services, but he has not a right to do so upon a contingent fee for the reason above stated. The brief filed for the plaintiff proceeds upon the theory that wherever the plaintiff has a right to employ a paid attorney he has a right to engage the attorney upon a contingent fee. A manufacturer would have a right to employ and pay an attorney to appear before a committee of Congress and show such reasons as he could why a certain duty should be imposed upon the class of goods manufactured by his client, but certainly he could not employ the attorney upon a contingent fee. In our view the present case falls within this class.

It may be urged by the plaintiff that judgment can not be rendered against him upon his own motion because the proceedings under the seventy-third rule are merely collateral and are to determine whether or not the plaintiff is entitled to summary judgment. In answer thereto it must be said that the contract in question is illegal. The plaintiff by his motion refers not only to his own declaration, but also to his affidavit in support thereof. As soon as the court perceives the illegal nature of the contract it is in duty bound to dismiss the suit. The plaintiff by his own affidavit puts himself out of court—by his own solemn oath in laying the contract before the eyes of the court. It seems unnecessary to cite authorities in support of such a proposition, but in the case of Oscanyan *v.* Arms Co. (103 U. S., 261) an officer of the Turkish Government was employed on a commission by an American corporation to sell its products to the Turkish Government through his influence with its officials. The nature of the contract appeared upon the opening statement of the plaintiff's counsel to the jury, and the court at once directed a verdict for the defendant. Of that action the Supreme Court says:

"So in a civil action, if it should appear from the opening statement that it is brought to obtain compensation for acts which the law denounces as corrupt and immoral or declares to be criminal * * * the court would not hesitate to close the case without delay."

Later on, in the same case the court says:

"Here the action is upon a contract which, according to the view of the judge who tried the case, was a corrupt one, forbidden by morality and public policy. * * * Assuming for the present that such was a sound view, the objection to a recovery could not be obviated or

waived by any system of pleading, or even by the express stipulation of the parties. It was one which the court itself was bound to raise the interest of the due administration of justice."

In the case of Coppell v. Hall (7 Wall., 542) a suit was brought upon a contract whereby the plaintiff, a neutral, had agreed with the defendant, a citizen of one of the belligerents to protect with his neutral name shipments made by the defendant into the other belligerent State, where trade between citizens of the belligerents was forbidden. In reversing a judgment given in favor of the plaintiff after a waiver by the defendant of the point of illegality, the court said:

"Whenever the illegality appears, whether the evidence comes from one side or the other, the disclosure is fatal to the case. No consent of the defendant can neutralize its effect."

In thus rendering judgment in favor of the defendant, on the motion of the plaintiff under the seventy-third rule, we are not departing from the decisions of the court of appeals in regard to cases arising under said rule, for those decisions were not rendered in cases in which the contract sued upon was illegal from its inception: Lawrence *v.* Hammond (4 D. C. Ap., 467, 473–474; 22 Wash. Law Rep., 749), Bailey *v.* D. C. (4 D. C. Ap., 356, 370; 22 Wash. Law Rep., 735), Booth *v.* Arnold (27 Ap. D. C., 287, 291; 34 Wash. Law Rep., 289), Thompson *v.* Custis (35 D. C. Ap., 247, 250.) In fact, the same court said in Brown v. D. C. (29 Ap. D. C., 273, 281; 35 Wash. Law Rep., 163):

"The opening statement * * * admitted a fact that discharged all possible right of recovery in the action. It was in the interest, therefore, of the speedy administration of justice to act upon the admission when deliberately made and avoid the delay that would be caused by the production of the evidence."

It is unnecessary to pursue the subject further. The plaintiff stating that he can not amend, judgment must be rendered for the defendant. "In pari delicto potior est conditio defendentis."

Mr. JONES. Now, Mr. President, I want to give you some more facts.

Mr. LODGE. Mr. President, will the Senator allow me to ask him a question?

The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from Massachusetts?

Mr. JONES. Certainly.

Mr. LODGE. Who appoints the excise board that the Senator from Washington is describing?

Mr. JONES. The President appoints them; we provided that in the excise law; but I do not make any reflection on the President. The President appointed these men, and the Antisaloon League examined into the matter as fully as they had an opportunity, and said, while the appointees were not entirely satisfactory, they seemed to be fairly good men. We thought we would get a fairly good administration of the law, but the facts that I have given simply show the influences that this traffic brings to bear upon men who are to administer the law. They show the power of these influences, and they show the ineffectiveness of regulation where you must give discretion to executive officers.

Mr. GALLINGER. Mr. President, with the Senator's permission, I will ask if the President did not appoint two members of that board, and, when their characters were called to his attention, were the names not withdrawn?

Mr. JONES. He did so very promptly; and I wish he had withdrawn the others. I should say that one of the names was withdrawn not because of the character of the appointee, but because he had been a most open and determined opponent of the law.

Mr. SMOOT. Mr. President——

The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from Utah?

Mr. JONES. Yes.

Mr. SMOOT. I wish to call the Senator's attention to paragraph 12 of the excise liquor law of the District of Columbia, in which I find this provision:

PAR. 12. That any person, company, copartnership, corporation, club, or association manufacturing, selling, offering for sale, keeping for sale, trafficking in, bartering, exchanging for goods, or otherwise furnishing any intoxicating liquors in the District of Columbia, without first having obtained a license as herein provided, or shall manufacture, sell, offer for sale, keep for sale, traffic in, barter, exchange for goods, or give away intoxicating liquors in any part, section, or district of the District of Columbia wherein the same is prohibited by law, upon conviction thereof shall be fined not less than $250 nor more than $800, and in default in the payment of such fine be imprisoned in the District jail or workhouse for not less than two months nor more than six months.

Does the Senator from Washington know whether or not there have been any complaints made against these persons who have obtained licenses contrary to the excise law of the District?

Mr. JONES. I am informed that the office of the corporation counsel say they hope to begin proceedings in four or five or a half dozen of these cases before very long.

Mr. SMOOT. But the Senator does not doubt for a minute that the 62 cases and the 18 cases which he has cited could be prosecuted under paragraph 12 of the law which I have just quoted?

Mr. JONES. No; I do not, and they ought to be prosecuted. It ought to be done promptly, but that is the trouble we have with reference to these regulative measures. Then they have all sorts of defenses under the technical terms of the law which they present, rendering practically inefficient and ineffective a regulative measure which I think is really a model regulative measure.

Mr. CLAPP. I want to say that the committee, of which the Senator was one of the leading forces, were unusually fortunate and farsighted in making it plain that not only would a man be subject to prosecution if he sold without a license, but even if he obtained a license, and the regulative features were ignored, he would be subject to prosecution, so that there is no escape for those who are actually and openly selling contrary to law.

Mr. JONES. Not if we can get them prosecuted.

Mr. President, I want to call your attention to the fact that the excise board has winked at a deliberate evasion of the law, and then I want to ask the Senate whether or not you are going directly or indirectly to appear to indorse the action that was taken in this case?

On Pennsylvania Avenue, or rather on E Street, I believe, right where E Street comes into Pennsylvania Avenue, between Thirteenth and Fourteenth Streets, when the excise law was passed and went into effect there were five saloons. Under the new law only three of those saloons could continue. Two of them, under the terms of the law, had to go out of business. The five saloons there were run by Miller, Gerstenberg, Shoomaker, Engel, and Bush. As I have said, two had to go. This had to be done by the 31st of October. On the 30th day of October the exicse board said that Engel and Miller must go, and directed the assessor to prepare licenses for the other people. On the morning of the 31st of October some authority came from somewhere, some influence came from some source, and Bush had to go and Engel came back. The license of Bush was destroyed, while Engel was granted his license. I should like to know what that influence was. I should like to know where it came from. I should like to know whether it came through a $5,000 attorney fee or whether it came from some other source. I do not know.

But, Mr. President, that is not all. A few days after Mr. Miller closed up his place, what did he do? He applied for a license for a bar in the same building where he had been conducting his business, but as fronting on Fourteenth Street and not on E Street. The license was granted. The entrance on E Street was closed, and an entrance on Fourteenth Street made, and the saloon is now carried on in the same building in the same room, with the bar in the same place where it was before. That may not be a technical violation of the law, although I think it is. But it is worse than a violation of the law. It is a perversion of the law; it is a setting at naught of the plain provisions of the law and the plain intention of Congress.

Mr. President, the conduct of this board has been such as to call forth a letter which, if without foundation, would be one of the most insulting letters that could be sent to an administrative body; but it was sent by a man of responsibility, a man of character, a man of standing, and there has not been any indignation manifested at its contents. I want to read it to the Senate. Here is the letter, dated October 26, 1914, addressed to the honorable the Excise Board, Washington, D. C.:

GENTLEMEN: One of the grave questions confronting us in relation to excise matters in this District is how to justify what has been done when called upon so to do by legally constituted authority or by the citizens of the District of Columbia responsible for the Jones-Works law. In some instances it is respectfully submitted that some of us, though in close touch with the situation and presumed to know, are unable to commend what has been done.

Let me illustrate—

Mr. President, what I am going to read just now is a new fact which I have not presented, but one which can be fully established—

How can we explain why Thomas Raftery was permitted to transfer after the evidence produced before you showed that he had, in fact, paid for the destruction of protests when the law requires you to consider protests? What comment can we make upon the statement made by a member of the board immediately after that evidence was produced in the Raftery case—

That is, evidence showing that he had paid for the destruction of protests—

to the effect "now that you have the evidence what does it amount to? It amounts to nothing."

Mr. President, does it not show something as to the character of the man applying for a license? If he will pay money to have protests destroyed, what is it he will not do in order to accomplish his purposes? And what of an excise board that will countenance such conduct?

After the hearing in the Ebbitt House case, where certain uncontradicted testimony showed a state of affairs shocking to the moral sense, it is said the chairman of your board stated, in substance, what another member said in the Raftery case, and further indicated that such testimony would be given no consideration, to which statement by the chairman Mr. Baker said "Amen, amen!" Are these expressions given at the very time by a majority of the board to be taken as the moral standard of such officials? What other conclusion is possible? If such is the moral standard, what have the various cooperating

forces responsible for the enactment of this law to hope for in its administration?

The Evans Building case will not down—

That is the case where a fee of $5,500 was agreed to be paid—

A prominent citizen, who might in some contingencies have occasion to deal officially upon certain phases of it, in referring to the attorney's fee in that case, said, "The human mind can reach but one conclusion." A prominent lawyer, not identified in any way with the Antisaloon League, spoke to me of excise conditions and referred to them as being a public scandal. He did not specify the particulars, and was not asked for them. In this same case an eminent jurist said, "It was a great mistake to permit that place to have a license." Another eminent jurist here said to me, "It is the utmost folly for the United States to permit saloons to exist." Numerous nonofficial citizens have expressed their views in strong terms in this case. There is not the least doubt the board could have avoided all this comment by refusing the transfer—

They were not compelled to grant a transfer—

The applicant's attitude may be easily surmised. He certainly would not have agreed to pay what he did unless he thought he would get his money's worth. An attorney for the liquor interests recently stated in my office that the attorneys in that case had often done more work for $10 than they did in that case. Then why such fees? Before the transfer was granted, I wrote to you and asked that you investigate. You replied, but you did not investigate, and you did grant the transfer.

There are many other stories of large fees, in some instances much larger than the Evans Building case, and the insinuations are quite as unpleasant.

Then the writer refers in this letter to some of the facts to which I have already alluded in my remarks. I shall not take the time of the Senate to read the remainder of the letter, but will ask that I may put it in the RECORD, remembering that this is a letter addressed to the excise board.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the permission is granted.

The remainder of the letter is as follows:

Upon what theory can we explain the open bar at 407 Q Street NW., where no license was in existence from March 15, 1914, to June 27, 1914?

How can we explain the apparent attitude that the shortest course of travel is not the most direct route across a public right of way? In the opinion of many a contrary holding would not only be unjustifiable in law but must subject the board to criticism which could be avoided by the board. A contrary holding, in my opinion, would be a violation of the act which you have sworn to support.

In one instance, it is reliably reported, the board took the attitude that Congress had inadvertently omitted to state that clubs could be licensed in residential districts, and that the board would supply the omission.

You had before you an expression of the view of a man whose name the law bears as to the intention of Congress on the question of fire limits in the western section of the city. The ruling was in favor of the liquor interests. There is no law to compel you to grant any license in that disputed zone.

The authors of the law are grievously disappointed because the inspector provided by law has not inspected saloons in the sense in which saloons should be inspected. For this the inspector is not responsible.

We have to deal with a traffic whose attributes are so well known that characterization is useless. Certain evidences have been presented to you. It has been powerful enough to secure the removal of police officers who were not desired and has persistently violated the law.

Upon one occasion, in a statement before the board, I took the liberty of quoting from certain eminent authorities named by me, only to be told a few hours afterwards that a member of the board stated that I certainly did not believe what I had said in that statement. Notwithstanding that experience, I am now going to ask your indulgence while I quote from legal authorities on the rules of construction. I do this because of the importance of the matters before you and because when excise affairs in this District are sifted to the bottom by competent authority, as now seems probable, it may not be said that the rules of statutory construction were not presented to you.

In Heydon's case (3 Rep.) it is stated that it was resolved by the barons of the exchequer as follows:

"For the sure and true interpretation of all statutes in general, be they penal or beneficial, restrictive or enlarging of the common law, four things are to be discerned and considered:

"First. What was the common law before the making of the act?

"Second. What was the mischief and defect for which the common law did not provide?

"Third. What remedy the Parliament hath resolved and appointed to cure the disease of the Commonwealth.

"Fourth. The true reason of the remedy.

"In construing a statute the courts may recur to the history of the times when it was passed in order to ascertain the reason for its passage, as well as the meaning of its provisions." (United States *v.* Union Pacific R. Co., 91 U. S., 72.)

In Platt *v.* Union Pacific Railroad (99 U. S., 48, 64) it was said: "But in endeavoring to ascertain what the Congress of 1862 intended we must, as far as possible, place ourselves in the light that Congress enjoyed, look at things as they appeared to it, and discover its purpose from the language used in connection with the attending circumstances."

In Siemens *v.* Sellers (123 U. S., 276, 285) the court said: "No doubt the words of the law are generally to have a controlling effect upon its construction; but the interpretation of these words is often to be sought from the surrounding circumstances and preceding history."

In the case of the Church of the Holy Trinity *v.* United States (143 U. S., 457–463), Mr. Justice Brewer, in delivering the opinion, said: "Again, another guide to the meaning of a statute is found in the evil which it is designed to remedy; and for this the court properly looks at contemporaneous events, the situation as it existed, and as it was pressed upon the attention of the legislative body. * * * It appears also from the petitions and in the testimony presented before the committees of Congress.

Sincerely, yours, ANDREW WILSON.

Mr. LA FOLLETTE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from Wisconsin?

Mr. JONES. Certainly.

Mr. LA FOLLETTE. Will the Senator from Washington give us the names of the excise board?

Mr. JONES. There is a Mr. Baker, a Mr. Smith, and Mr. Bride. Those gentlemen compose the board.

Mr. President, a petition or resolution was presented here yesterday from the Chamber of Commerce of the City of Washington protesting against this proposed legislation. What is the ground of their protest? They do not say anything in behalf of the business; they do not say any good word for the business; but what do they say? Oh, they say we ought not to put legislation on an appropriation bill. Since when have they become so interested about putting legislation onto appropriation bills? We have been doing it year after year and we have never heard from them any such protest. Mr. President, how was the passage of this resolution secured? Here is how it was secured: I have the Washington Times giving an account of this matter, and here is the way it reads:

Merchants send protests to Senate. Chamber of Commerce votes against prohibition and similar rider legislation. Members of the Senate to-day received * * * a vigorous protest—

Then the resolution is quoted, and following that occurs the following:

In introducing his resolution Mr. Harvey said—

Mr. Harvey introduced this resolution. Who is Mr. Harvey? Mr. Harvey is the representative of the Retail Liquor Dealers' Association of the United States, located in the city of Washington, and he is the Mr. Harvey whose name I read a moment ago as having secured a liquor license for the running of a saloon less than 400 feet from a church, contrary to the law. He is the spokesman for the chamber of commerce, the respectable business men of the city of Washington. Mr. Harvey appeared before our committee two years ago as the attorney for and as representing the liquor interests. He stayed there every day and every hour and every minute. He is a very affable, a very pleasant, and a very able gentleman. I will say that for him. He holds a liquor license contrary to law. He introduced a resolution in the Chamber of Commerce of the City of Washington; and what does he say when he introduces it? He is quoted as saying this:

The people of the District have not asked for this legislation—

Why, Mr. President, you know and I know that highly respectable, strong, and powerful organizations, as well as citizens of the District of Columbia, have been asking for this legislation for years—

It is being foisted upon us by persons the majority of whom have not a dollar's worth of property in this community. Our interests have not been consulted in any manner.

Why, Mr. President, we have been dealing with their interests for some time.

Mr. WORKS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from California?

Mr. JONES. Certainly.

Mr. WORKS. I should like to ask the Senator from Washington if he knows how many members of the Washington Chamber of Commerce are engaged in the liquor business?

Mr. JONES. I do not. I do not know what we have a right to assume from this action.

The Jones-Works bill, the present excise measure, has only been in effect a few months—

Says Mr. Harvey—

and consequently has not yet had a fair trial—

Yes; I know it has not had a fair trial. Nobody has done more to prevent its having a fair trial than Mr. Harvey—

Those who are endeavoring to have the law changed are individuals who are anxious to make experiments, and select the District as the place to be experimented with.

Why, Mr. President, that is an insult to the honesty and the intelligence and the sincerity of the Senate and Senators. This is not an experimental station, but this is the place where we ought to put into effect what has been shown to be for the best interests of the people of the country after a trial in many sections of this country. Instead of Washington City being the model after which the rest of the country acts, Washington City, as a matter of fact, simply follows and reflects the consensus of the best sentiment and the best legislation of the country.

Then he says:

This bill, if enacted, most certainly will injure business in this city. The chamber of commerce is a business men's organization, and as such I ask—

Now, notice the dominating attitude of Mr. Harvey—

as such I ask that you vote upon this resolution. I want action, whether it be favorable or not.

He wants action. He is bound to have it. He forced it through. Yet, Mr. President, what are the facts about that? Does this resolution represent the sentiment of the Chamber of Commerce of the District of Columbia?

I am told that the resolution was not offered until after they had held their meeting, it being an annual meeting, and elected their officers and adjourned for lunch, with the understanding that when they came back the choice of officers would be ratified and they would go home, and that, as a matter of fact, when the resolution was presented there were but very few members of the chamber of commerce present. I do not say that is the fact; I do not know whether it is or not; but here is what I saw in the Washington Herald, I presume of the next day, giving an account of the meeting. Listen to what the paper said:

Protest was made against prohibition, the Sheppard rider in the District appropriation bill by which the District would be made dry, and against riders in general at the annual meeting of the chamber of commerce last night.

Patrick T. Moran had been elected president, and Capt. James F. Oyster had moved adjournment when Hugh Harvey rose and offered the resolution.

Several members spoke for and against the resolution. The question was whether the chamber, in protesting against the rider that will be considered by the Senate to-day, should protest also against prohibition. Many members, believing there would be no more business, had left.

There is the account of the meeting in a newspaper, with no reason to mistake the facts. It corroborates what I have been told with reference to the matter.

With reference to Mr. Harvey a little bit further, I have here what was given to me by a very reputable gentleman, who says that it is a correct copy of an extract from a speech made by Mr. Harvey a little over a year ago here in the city of Washington. I want to read it to the Senate simply in order to show you what Mr. Harvey thinks, and the course he thinks ought to be taken in order to promote the welfare of the interests he so ably represents.

This is an address delivered by him before the Wholesale Liquor Dealers' Association at the Willard Hotel. This is what he said:

Here is the place where a national organization ought to see the national men who make the laws. [Applause.] Come here annually; every mother's son of you ought to go up there and see every man you know. Every year when you come here you should come here with all the influence you possibly can. Bring all the names of the people that amount to anything in your district and go and leave them with these men. Let them look forward every year to a visitation from you men.

That does not say to whom he was referring, but I have an idea as to who it was.

Mr. President, the Senator from Oklahoma [Mr. OWEN] has called my attention to a little memorandum in the Liquor Dealer telling who the Washington Mercantile Association are. I think something from them was put in the RECORD yesterday protesting against this proposed legislation. Let us see:

The Washington Mercantile Association.
Office: National Hotel, corner Sixth and Pennsylvania Avenue NW.
* * *
President: William Muehleisen, jobber.
Secretary: Hugh F. Harvey, retailer.
Treasurer: Charles Jacobson, bottler.
Executive committee: Albert Carey, brewer; Joseph Bush, wholesaler; Frank P. Madigan, salesman.

That ought to have a powerful influence in this body. [Laughter.]

Then, Mr. President, I want to insert in the RECORD—I will not take the time to read it—an extract from the Washington Herald under date of November 16, 1913, and other papers. I do not believe, however, I shall ask to have it inserted in the RECORD, but I am just going to put this reference here, so that Senators who may want to read it may do so. At page 6046 of the CONGRESSIONAL RECORD, volume 50, part 6, Sixty-third Congress, first session, under date of November 29, you will find extracts from the leading papers of Washington City giving accounts of a most disgraceful episode in connection with the Ebbitt Hotel, showing violation of the excise law of the District of Columbia. I shall not take the time to read it.

Mr. President, I have presented these facts in the hope that the Senate might see the necessity of legislation of the character proposed, that they might see the futility of a regulative measure in the District of Columbia. That a prohibition law could be enforced here I have absolutely no doubt. If Congress will provide the force and the means to enforce a law providing that this trade shall not be carried on under any circumstances or any conditions, that law will be enforced in the District of Columbia much more effectively than anywhere else in the country, so far as that is concerned. But the question now before the Senate is, Will you permit a vote upon the merits of this question, or will you, under the plea that we must not put legislation on appropriation bills, deny to the Senate itself the right to express its opinion upon this question?

Mr. President, we are legislating every day on appropriation bills. The Post Office appropriation bill has legislation from beginning to end in it now. That bill will come before us. Will we hear any protest from Washington City against putting legislation in that bill? Will we hear anybody on the floor of the Senate protesting against its passage because it carries legislation? In the very bill we have before us now there is legislation. It is absolutely essential, under our system, if we are to get legislation passed, that we shall put it on appropriation bills, not for the purpose of embarrassing those measures but for the purpose of getting them enacted into law.

We have not hesitated in the past to put legislation on appropriation bills even though it might be embarrassing to the Executive. Only two years ago there was placed on the sundry civil bill a rider of the highest importance, to which there was tremendous opposition. I heard nobody on this floor on the other side protesting against it on the ground that it would embarrass the Chief Executive. You sent it to the President. He vetoed it. Then we passed it again with that provision in it.

No, Mr. President; in my judgment there is no excuse for preventing a vote upon the merits of this proposition at this time.

Mr. WORKS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from California?

Mr. JONES. I do.

Mr. WORKS. I should like to ask the Senator from Washington if the bill he has been talking about, the excise bill, was not enacted in this same way by attaching it to this very same appropriation bill?

Mr. JONES. Yes. The Senator probably was not here, but I described all that in the first part of my remarks. I wish I had had a quorum here when I showed how it was done, but I did not, and I did not ask for a quorum for that purpose.

Mr. President, I am not going to discuss now the merits of the amendment of the Senator from Texas. I am not going to discuss the character of this business. As I said before, nobody has a good word for it. This business is an outlaw by law and in practice. It is declared unlawful, but it is permitted to exist and do business upon certain conditions. These conditions continue from year to year. They may be terminated without ground for complaint and without violating any vested right. It is a business for which no good word can be said. It hides behind respectability to promote its own advantage, but for respectability it has no regard in its hellish and damning influences and effects. It prevents legislation by fair means and foul, and when passed it perverts, violates, and nullifies it. It corrupts officials, debauches attorneys, terrorizes individuals, scoffs at public opinion, commercializes womanhood, blackens character, and undermines society. Such a business can not permanently exist. Its doom is certain. It may not come to-day in the District of Columbia, but just as surely as time rolls on the Capital of this Republic will be free from this curse carried on as a business. Public opinion may move slowly, but it is as inexorable as fate.

Mr. President, in this District the liquor interests have nullified a reasonable regulative measure; and if not to-day in the very near future they will face absolute prohibition.

EMPLOYMENT OF ADDITIONAL CLERK.

Mr. BRYAN. Mr. President, I move to take from the tab'e Order of Business No. 33, being Senate resolution 519.

Mr. SMOOT. I ask that the resolution may be stated.

The PRESIDING OFFICER. The Secretary will state the resolution.

The SECRETARY. Senate resolution 519, authorizing the Committee on Post Offices and Post Roads to employ an additional clerk.

Mr. SMOOT. Is not this the resolution to the consideration of which the Senator from Michigan [Mr. TOWNSEND] objected on yesterday?

Mr. BRISTOW. Mr. President, I will answer the Senator by stating that it is not. This resolution was reported last night in executive session, but the reporters were not here at the time, and it was laid over. It is simply to authorize the Committee on Post Offices and Post Roads to employ a clerk for 30 days in order to help out on some important business during that time.

Mr. SMOOT. I have no objection to the resolution. The only point is, the Senator from Michigan objects to any business being done by unanimous consent as long as we do not have a morning hour.

Mr. BRYAN. Have I not the right to call it up, Mr. President?

Mr. SMOOT. Mr. President——

The PRESIDING OFFICER. The Senator from Florida has the floor. Does he yield to the Senator from Utah?

Mr. BRYAN. I yield to the Senator from Utah.

Mr. SMOOT. A resolution of a similar character was passed a few days ago when the Senator from Michigan was in the Senate, and he did not object. Therefore I shall not object to this; but so far as general legislation of any kind is concerned, I shall object.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

The resolution was read, considered by unanimous consent, and agreed to, as follows:

Resolved, That the Committee on Post Offices and Post Roads is hereby authorized to employ an additional clerk for a period of one month at a salary of $75 per month, to be paid out of the contingent fund of the Senate.

PETITIONS AND MEMORIALS.

Mr. GALLINGER presented the petition of Joseph Madden, of Keene, N. H., chairman of the committee on legislation of the Commercial Law League of America, praying for the enactment of legislation for the appointment of official stenographers in all Federal courts, which was referred to the Committee on the Judiciary.

He also presented a petition of Walbridge & Thayer, of Peterboro, N. H., praying for the enactment of legislation to provide for the Federal grading and inspection of grain, which was referred to the Committee on Agriculture and Forestry.

Mr. McLEAN presented a memorial of the Business Men's Association of Hartford, Conn., remonstrating against an investigation as to the preparedness of the United States for war, which was referred to the Committee on Military Affairs.

Mr. POMERENE presented petitions of sundry citizens of Valley City, Wapakoneta, Rawson, Hamler, Alliance, Lima, Irwin, Sandusky, East Akron, Bridgeport, Youngstown, Apple Creek, Dalton, Orrville, Canton, New Richmond, Martins Ferry, and Cleveland; of the German-American Alliance, of Tiffin, representing over 500 members; of St. Joseph's Commandery of the Knights of St. John, of Lorain, representing 54 members; of the German-American Catholic District League, of Cleveland; of sundry citizens of Deshler; of the Catholic Benevolent Mutual Association, of Tiffin; of the German Aid Society, of Tiffin, and of the German Consolidated Newspaper Co., of Cleveland, all in the State of Ohio, praying for the enactment of legislation to prohibit the exportation of ammunition, etc., which were referred to the Committee on Foreign Relations.

He also presented a petition of Local Branch, German-American Alliance, of Lima, Ohio, praying for the enactment of legislation to enable the President to place an embargo upon all contraband of war, with the exception of foodstuffs, which was referred to the Committee on Military Affairs.

REPORTS OF COMMITTEE ON INDIAN AFFAIRS.

Mr. OWEN, from the Committee on Indian Affairs, to which was referred the bill (S. 4602) to pay the balance due the loyal Creek Indians on the award made by the Senate on the 16th day of February, 1903, reported it without amendment and submitted a report (No. 917) thereon.

Mr. CLAPP, from the Committee on Indian Affairs, to which was referred the bill (H. R. 14196) authorizing the Tuscarora Nation of New York Indians to lease or sell the limestone deposits upon their reservation, reported it with amendments and submitted a report (No. 918) thereon.

BILLS INTRODUCED.

Bills were introduced, read the first time and, by unanimous consent, the second time, and referred as follows:

By Mr. NELSON:

A bill (S. 7319) granting certain land to the board of education of the village of Mahnomen, Minn. (with accompanying papers); to the Committee on Public Lands.

By Mr. JONES:

A bill (S. 7320) granting an increase of pension to Mercy A. Martin (with accompanying papers); to the Committee on Pensions.

By Mr. SHIVELY:

A bill (S. 7321) granting a pension to Clara McGaughey;

A bill (S. 7322) granting a pension to Edward H. Baldwin;

A bill (S. 7323) granting an increase of pension to Joseph England;

A bill (S. 7324) granting a pension to John H. Hopewell; and

A bill (S. 7325) granting an increase of pension to William J. Cottrell; to the Committee on Pensions.

By Mr. BURLEIGH:

A bill (S. 7326) granting a pension to Fred Lajoie; to the Committee on Pensions.

By Mr. OWEN:

A bill (S. 7327) granting an increase of pension to Alicen W. Poe (with accompanying papers); to the Committee on Pensions.

AMENDMENT TO POST OFFICE APPROPRIATION BILL.

Mr. JONES submitted an amendment relative to the allowance to be made for third-class post offices having postal-savings deposits exceeding $75,000, etc., intended to be proposed by him to the Post Office appropriation bill (H. R. 19906), which was referred to the Committee on Post Offices and Post Roads and ordered to be printed.

OMNIBUS CLAIMS BILL.

Mr. RANSDELL submitted an amendment intended to be proposed by him to the omnibus claims bill (H. R. 8846), which was ordered to lie on the table and be printed.

THE MERCHANT MARINE.

Mr. JONES submitted an amendment intended to be proposed by him to the bill (S. 6856) to authorize the United States, acting through a shipping board, to subscribe to the capital stock of a corporation to be organized under the laws of the United States or of a State thereof or of the District of Columbia to purchase, construct, equip, maintain, and operate merchant vessels in the foreign trade of the United States, and for other purposes, which was ordered to lie on the table and be printed.

RECESS.

Mr. KERN. I move that the Senate take a recess until 11 o'clock on Monday morning.

The motion was agreed to; and (at 3 o'clock and 50 minutes p. m., Saturday, January 16, 1915) the Senate took a recess until Monday, January 18, 1915, at 11 o'clock a. m.

HOUSE OF REPRESENTATIVES.

SATURDAY, *January 16, 1915.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

O Thou who art the Creator, upholder and sustainer of all things, and who in Thy providence dost mark the sparrow's fall, be graciously near to Thy children everywhere, especially to those who are in distress and sorrow; alleviate their distress and comfort them in their sorrows. So move upon the hearts of the leaders of men throughout the world that they may devise ways and means for the betterment of conditions in all the walks of life; that wars may cease and peace and happiness fill every home. And to Thee we will give all praise, in His name. Amen.

The Journal of the proceedings of yesterday was read and approved.

THE LATE SENATOR BACON.

Mr. BARTLETT. Mr. Speaker, I ask unanimous consent that the date of January 24, 1915, set apart in the House for eulogies on the life, character, and public services of the late Senator AUGUSTUS O. BACON, of Georgia, be changed to February 21, 1915, on account of the fact that gentlemen who expected to be present can not be present on the day that has been set.

The SPEAKER. The gentleman from Georgia asks unanimous consent that the order for eulogies on the late Senator BACON for the 24th of January be vacated, and that Sunday, February 21, be set apart instead. Is there objection?

There was no objection.

NAVAL APPROPRIATION BILL.

Mr. PADGETT, from the Committee on Naval Affairs, reported the bill (H. R. 20975) making appropriations for the naval service for the fiscal year ending June 30, 1916, which, with accompanying report (No. 1287), was referred to the Committee of the Whole House on the state of the Union and ordered printed.

Mr. BUTLER. Mr. Speaker, I reserve all points of order on the bill.

Mr. MADDEN. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from Illinois [Mr. MADDEN] raises the point of order that there is no quorum present, and evidently there is not.

Mr. UNDERWOOD. Mr. Speaker, I move the call of the House.

The motion was agreed to.

The SPEAKER. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll.

The roll was called, and the following Members failed to answer to their names:

Ainey	Dixon	Kinkead, N. J.	Post
Allen	Dooling	Korbly	Powers
Anderson	Driscoll	Kreider	Price
Anthony	Drukker	Langham	Ragsdale
Austin	Dunn	L'Engle	Riordan
Avis	Elder	Lever	Roberts, Mass.
Baker	Faison	Levy	Roberts, Nev.
Barchfeld	Falconer	Lewis, Pa.	Rothermel
Barnhart	Fess	Lindbergh	Rouse
Barton	Flood, Va.	Lindquist	Rupley
Bell, Ga.	French	Linthicum	Sabath
Booher	Gallivan	Loft	Saunders
Brodbeck	Gardner	Logue	Scott
Brown, W. Va.	George	McClellan	Scully
Browning	Gittins	McGillicuddy	Shackleford
Bruckner	Glass	Maher	Sims
Bryan	Goldfogle	Manahan	Smith, Idaho
Buchanan, Ill.	Gordon	Metz	Stanley
Bulkley	Graham, Pa.	Miller	Stevens, N. H.
Burke, Pa.	Griest	Morin	Stout
Byrnes, S. C.	Griffin	Moss, Ind.	Taggart
Campbell	Guernsey	Moss, W. Va.	Talbott, Md.
Cantor	Hamill	Murdock	Taylor, N. Y.
Carew	Hart	J. I. Nolan	Townsend
Carlin	Hinebaugh	O'Brien	Vare
Carr	Hobson	Oglesby	Walker
Chandler, N. Y.	Hoxworth	O'Hair	Whaley
Clark, Fla.	Igoe	O'Shaunessy	Wilson, Fla.
Curry	Kahn	Paige, Mass.	Wilson, N. Y.
Dale	Keister	Palmer	Winslow
Davis	Kennedy, Conn.	Patten, N. Y.	Witherspoon
Deitrick	Kennedy, Iowa	Peters	Woodruff
Difenderfer	Kennedy, R. I.	Peterson	

The SPEAKER. On this roll call 293 Members, a quorum, have answered to their names.

Mr. UNDERWOOD. Mr. Speaker, I move to dispense with further proceeding under the call.

The motion was agreed to.

The SPEAKER. The Doorkeeper will open the doors.

BILL AND JOINT RESOLUTION SIGNED.

Mr. ASHBROOK, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bill and joint resolution of the following titles, when the Speaker signed the same:

H. R. 6060. An act to regulate the immigration of aliens to and the residence of aliens in the United States; and

H. J. Res. 234. Joint resolution directing the selection of a site for the erection of a statue in Washington, D. C., to the memory of the late Maj. Gen. George Gordon Meade.

RIVER AND HARBOR APPROPRIATION BILL.

Mr. SPARKMAN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 20189, the river and harbor bill.

The motion was agreed to.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 20189, with Mr. RAINEY in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 20189, the river and harbor bill. The Clerk will report the title of the bill.

The Clerk read as follows:

A bill (H. R. 20189) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Oklawaha River, Fla.: Continuing improvement and for maintenance, $10,000.

Mr. FREAR. Mr. Chairman, I move to strike out lines 8 and 9, on page 16.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Wisconsin.

The Clerk read as follows:

Amend, page 16, by striking out lines 8 and 9.

Mr. FREAR. Mr. Chairman, if this item was for maintenance alone, I would not make the motion. It is for continuing improvement, in addition to maintenance, and I call the attention of the committee to the fact that this item called for $175,000 in the last bill. It is placed at $10,000 here. The new project has not been extended in this year's bill. That was a $733,000 project.

A very interesting fact in connection with that project is that while the House insisted it should remain in the bill last year when the bill went to the other side of the Capitol the Senate committee struck it out before it was referred to that body. This action indicated to some degree the merit of criticisms that were leveled at the item in this House. It now reads for $10,000 on a different project, and I desire to present one or two facts, because they may have some bearing upon the future consideration of the $733,000 project when it is offered.

There has been appropriated on this river $78,710—not a very large appropriation as appropriations go—and the balance available was $10,046 on July 1, 1914.

In view of the fact that this is a very small project in character, it seems to me that the balance which remains on hand could very profitably be used at the present time, and we might save that amount of money—$10,000—which is proposed in the bill. The engineers state that the navigation on the upper river is obstructed by water hyacinths and eel grass; that the dredges *Florida* and *Captain McGuire* in three months in 1914 removed 1,298 snags, 991 overhanging boughs, 478 logs, and 144 stumps, aggregating about 3,000 obstructions removed from this stream last year. It would seem that that ought to be sufficient under ordinary circumstances to get most of the stumps out of the river. The commerce on that river last year amounted to 14,622 tons, of which 6,210 tons were logs.

Mr. DONOVAN. Mr. Chairman, will the gentleman allow me an interruption?

Mr. FREAR. Certainly.

Mr. DONOVAN. Will not the gentleman repeat what he just read? As I caught it, I thought it was interesting.

Mr. FREAR. Yes; certainly. On page 2101 of the second volume of the 1914 report, the engineers state that the dredges *Florida* and *Captain McGuire* in three months in 1914 on the Oklawaha River removed 1,298 snags, 991 overhanging boughs, 478 logs, and 144 stumps; in all, nearly 3,000 obstructions. It would seem that this work ought to have cleared the river reasonably well, if it were not for the notation on page 595, wherein it is stated that navigation on the upper river is much obstructed by hyacinths and eel grass. The suggestion has been made to me, and possible it will occur to every other Member, that it would be well in conducting navigation on this stream to go armed with a lawn mower and a pair of clipping shears for the branches. [Laughter.] The commerce on this stream, however, is of some importance. In 1914 it aggregated 14,622 tons.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. FREAR. Mr. Chairman, may I have two minutes more in view of the interruption?

The CHAIRMAN. The gentleman from Wisconsin asks unanimous consent to proceed for two minutes more. Is there objection?

There was no objection.

Mr. FREAR. The commerce, as I said, in 1914 aggregated 14,622 tons, of which 6,210 tons consisted of logs afloat, making a net result of 8,412 tons of valuable traffic, for which $733,000 was asked for the same stream in the project presented last year. In view of the fact that a little more than $10,000 was on hand at the last report, it occurs to me that we ought to save this money, if possible, at this time. I move to strike out the two lines.

The CHAIRMAN. The question is on the amendment of the gentleman from Wisconsin [Mr. FREAR].

The amendment was rejected.

The Clerk read as follows:

Indian River, Fla.: Continuing improvement between Goat Creek and Jupiter Inlet and for maintenance, $10,000.

Mr. DONOVAN. Mr. Chairman, I move to strike out the last word. I notice that this is called Goat Creek. I should like to ask the chairman of the committee if that signifies a place where there is water only occasionally? Is the Government money being spent in trying to make a waterway of a creek? My understanding of a creek is a place where there is water only a part of the year. I ask that question of some member of the committee who knows anything about it, if Goat Creek is a place where there is water only a part of the year? What do you mean by the word "creek"?

Mr. EDWARDS. If the gentleman will read that item a little more carefully, he will see that this is for the Indian River between Goat Creek and Jupiter Inlet, and is not for Goat Creek.

Mr. DONOVAN. Mr. Chairman, I think I ought to apologize to the committee for not reading the paragraph more carefully.

Mr. EDWARDS. The gentleman did not get our goat that time.

The CHAIRMAN. Does the gentleman from Connecticut withdraw the pro forma amendment?

Mr. DONOVAN. Yes.

The Clerk read as follows:

Crystal River, Fla.: For maintenance, $3,000.

Mr. FREAR. Mr. Chairman, I wish to consider this river and the next one together, and I move at this time to strike out line 17.

The CHAIRMAN. The gentleman from Wisconsin offers an amendment, which the Clerk will report.

The Clerk read as follows:

On page 16, amend by striking out line 17.

Mr. FREAR. Mr. Chairman, this is a very small project, of course; only about the size of the Oklawaha. I call attention to the character of a few streams among the 30 different projects in Florida which are in this bill. I wish to show the character of some of these projects. Crystal River is one of them, as is the next item, the Anclote River.

Mr. DONOVAN. Will the gentleman allow a question?

Mr. FREAR. Certainly.

Mr. DONOVAN. The gentleman stated that this is one of some 30 projects in Florida. Does the gentleman mean to infer that Florida has a greater number of projects in the bill than any other locality in the United States?

Mr. FREAR. Oh, I do not ask anyone to draw any inference from what I say. I try to give facts from which inferences can be drawn.

Mr. SPARKMAN. I wish to say that Florida has more harbors than any other State in the Union, unless it is New York. It also has more seacoast than any other State, and nearly as great a mileage of navigable rivers and canals as any other State, only two or three others exceeding it.

Mr. FREAR. I am very much pleased to be interrupted by the chairman of the committee. However, I will say that, outside of two harbors, I do not know that it has any very large traffic, so far as the engineer's report shows, except logs.

Mr. SPARKMAN. The gentleman is mistaken about that, for it has about 12,000,000 tons of commerce; that is to say, the rivers and harbors inside of the State or Florida carry, in round figures, 12,000,000 tons of commerce annually.

Mr. FREAR. Is that true of the 30 projects in the bill?

Mr. SPARKMAN. That is the annual water-borne commerce of the State.

Mr. FREAR. I will say to the gentleman, as we are passing the compliments backward and forward, that there is a harbor in my own State that has almost four times the total commerce of all the rivers and harbors of Florida combined.

Mr. SPARKMAN. I would like to have the gentleman name that harbor.

Mr. FREAR. Duluth and Superior, which has been combined by the engineers and has 46,000,000 tons. The city of Milwaukee has over 8,000,000 tons, and I can give you some others having over 5,000,000 tons, for instance, Ashland.

Mr. SPARKMAN. A great deal of that is iron ore, but it is very good commerce to be sure.

Mr. FREAR. And yours is largely lumber.

Mr. SPARKMAN. Oh, no; relatively a small part is lumber, besides 1 ton of commerce in Florida would buy about 15 or 20 tons of yours.

Mr. STAFFORD. That would not apply so far as Milwaukee is concerned. [Laughter.]

Mr. MANN. It would if Milwaukee beer went to Florida.

Mr. FREAR. I accept the statistical correction of the gentleman from Milwaukee.

Crystal River has had an appropriation of $34,000 thus far. On July 1, 1914, the balance on hand was $4,000. Nothing was spent in 1913, so that a balance presumably is still on hand for this little stream.

According to the engineer's report the project was completed at 6 feet in 1902. It is a short, 9-mile creek to Crystal. The commerce in 1913 on this important waterway amounted for all purposes to 1,240 tons, about 3 tons a day going one way, or 4 tons at the outside. It has no regular steamers. The trade carried on by water amounts to 2 per cent of the total trade. No effect on freight rates. It is entirely used by private launches according to the statement of the engineer.

I move to strike out the appropriation.

Mr. SPARKMAN. Just one moment, Mr. Chairman. Wherever there is a diminishing commerce it always attracts my attention, as it should that of anyone. Any person who wishes to act intelligently on a river and harbor bill should seek to understand the growth and fluctuations of water-borne commerce.

Now, the commerce on Crystal River has fallen off, but it is because of the fact that for the last three or four years the engineers have not recommended enough money to keep that channel open. At one time we had 6 feet of water. That was brought about by the expenditure of about $30,000, and not $80,000, as I am told a newspaper in New York stated the other day. When that $30,000 was expended it resulted in a channel with a depth, I think, of 6 feet of water.

Mr. SAMUEL W. SMITH. Mr. Chairman, will the gentleman yield?

Mr. SPARKMAN. Just one moment. Then the commerce began to increase. In 1907 it was 7,888 tons and in 1908 it went up to 48,000 tons. In 1909 it dropped to 33,000 tons, and then continued to fall off gradually, because the channel was not kept open, and last year it was down to the tonnage the gentleman has just mentioned.

Mr. FREAR. May I ask the gentleman a question?

Mr. SPARKMAN. Just one moment. I have no doubt that when this money is expended and the channel is reopened to a proper depth commerce will increase therein, because while the stream is only 9 miles in length, it is an important waterway and carries at all times very important commerce. I want to say again to this House that in that section of Florida where the country has not reached its full growth it is not falling back, but still growing and developing commerce, both by rail and water—is increasing rapidly and not diminishing. Wherever there is a falling off in the case of any harbor or river it can safely be attributed to the fact either that the waterway is not sufficiently commodious or that the commerce statistics have not been properly gathered.

Mr. SAMUEL W. SMITH. Mr. Chairman, will the gentleman yield now?

Mr. SPARKMAN. Yes.

Mr. SAMUEL W. SMITH. How much more coast line has Florida than Michigan?

Mr. SPARKMAN. I could not tell, but I think about twice as much. I may be mistaken, but I fancy not.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Wisconsin.

The question was taken, and the amendment was rejected.

The Clerk read as follows:

Anclote River, Fla.: For maintenance, $5,000.

Mr. FREAR. Mr. Chairman, I move to strike out line 18.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 16, strike out line 18.

Mr. FREAR. Mr. Chairman, I do not offer this for the purpose of needlessly repeating in reference to small projects. It occurs to me that in this project is to be found a full explanation of the argument just made in reference to the large amount of traffic which occurs at certain times upon some of these small streams.

Mr. DONOVAN. Mr. Chairman, I make the point of order that the committee is not in order. We are entitled to hear what the gentleman has to say, and the members of the committee are keeping up a continual humdrum conversation, without any regard to propriety or decency in conducting debate in this House.

The CHAIRMAN. The committee will be in order.

Mr. FREAR. Mr. Chairman, I desire to say that I had not observed it with the members of the committee. They certainly owe no explanation or apology to me, for I think they have been very courteous, so far as I have noticed, and I appreciate it very much. On this project I believe is to be found a complete answer to the statement of the gentleman from Florida with reference to Crystal River. Referring to the engineer's report, on page 627, we find that it is a project for a 4-foot channel begun in 1899. We have expended upon it $56,500, and now we are asked for $5,000 more. The project has been completed. The commerce upon this stream, which apparently is much like that of Crystal River, amounted to 22,730 tons. That is quite a large commerce; but logs and timber amounted to 21,100 tons, which is practically all of it. There were only 1,630 tons of other commerce. The commerce decreased 33 per cent from the preceding year—from 1912—according to the engineer's report, at page 627. There are no regular steamers in the trade, and one boat was abandoned, due to railroad rates, according to page 2126 of the engineer's report. In a case where the railroads had driven out all of the commerce and the only boat line has been taken off, it occurs to me that we ought to think twice before making an appropriation.

Mr. EDWARDS. Mr. Chairman, will the gentleman yield?

Mr. FREAR. Yes.

Mr. EDWARDS. Does the gentleman notice that the value of that commerce to which he refers is $1,381,700?

Mr. FREAR. That is, including the timber?

Mr. EDWARDS. Regardless of what it is, it is commerce and is of that value. Whether it is iron ore or logs, it is commerce found there. Of course, if it was iron ore it would make a very great difference in the gentleman's opinion, but they do not find much of that in Florida.

Mr. FREAR. If the gentleman is making an argument, I want my time extended in order to reply to it.

Mr. EDWARDS. The gentleman noticed also that there are 200 launches and yachts on that stream. Does he not know that on these small rivers where there are no railroads in the vicinity, as is the case here, the people have to rely largely on launches for carrying of their freight, which is not taken into account in compiling the tonnage in the reports?

Mr. FREAR. Let me say to the gentleman that if he is acquainted with the methods of logging he will know that not more than 4 feet is ordinarily required to float logs. That is the character of commerce floated on that stream. As a member of the committee the gentleman ought to know these facts. If the gentleman will only glance at the preceding item in regard to Crystal River, he will find that only 2 per cent of the commerce was carried on the Crystal River last year.

Mr. EDWARDS. But we are discussing the Anclote River now.

Mr. FREAR. I am discussing the other to show the character of it.

Mr. CALLAWAY. Mr. Chairman, will the gentleman yield?

Mr. FREAR. Certainly.

Mr. CALLAWAY. Is it not a fact that this log commerce referred to is not regularly carried on on the streams, but that these logs are cut and prepared and floated down on the rise in rafts?

Mr. FREAR. I assume that is so. That is the case in most places.

Mr. CALLAWAY. And does not the gentleman know that is the way they raft timber and float it down the stream to the sawmills, that they catch them in booms, and that it is not necessary at all to have any expenditure to carry on this kind of commerce?

Mr. FREAR. I will answer the gentleman by saying that we have just taken 3,000 snags and old stumps out of the last place, and that is strong evidence of a sawmill. Those obstructions are left usually for the Government to clear up.

Mr. CALLAWAY. Is it not a fact that a lot of this commerce is simply the gravel and sand and stuff they float up and down the river to improve the river, to make these locks and dams and things of that kind, and that they report that as commerce on the river?

Mr. FREAR. There is no question about that on some of the other streams. The engineers say so in many cases.

Mr. CALLAWAY. From the information that the committee gives as to this claim, is it possible for any man who has not made a study of it to give any legitimate, reasonable, intelligent thought to it from the facts that they give as to whether or not the projects ought to be continued or discontinued?

Mr. FREAR. I leave that for the chairman of the committee, who is about to rise.

Mr. SPARKMAN. Mr. Chairman, just a word. It is true some of the commerce going over that river is lumber, but that is not all produced there. The most of it is shipped there by water from other places where there are sawmills and is carried up the river mainly for use in the construction of houses. The town of Tarpon Springs, which is very near the river—in fact, extends to the river—is quite a flourishing town and uses a great deal of building material, hence the large tonnage of lumber on the river. In addition to that it is an important harbor of refuge for vessels in that section of the country, a great many small vessels going in there for shelter in stormy weather. Very large vessels can not go in there, but small craft, fishing smacks, and sponging vessels go in, and some good-sized vessels. And I may say in passing this is the greatest sponge center in the United States, Key West being the next. Nearly all sponges now taken in American waters are gathered in that vicinity and carried to Tarpon Springs, up this very river, where they are cured and dried and sent thence to all parts of the country; some to foreign countries. There are likewise some fish carried in there from up and down the coast and shipped to other parts of the country. I have not had time to investigate as to why the commerce fell off last year, but I may say that it should not have fallen off, as it is a rapidly growing town; one of the most flourishing and progressive towns in the country, and I take it that there has been no real falling off in the commerce. On the contrary, I am sure it is increasing all the while.

Mr. EDWARDS. Mr. Chairman, just a few words. Now, the gentleman from Wisconsin [Mr. FREAR], whether intentionally or unintentionally—and I think intentionally—has left the impression upon the minds of the Members of this House that the only commerce that floats upon that stream—Anclote River—consists of a few logs——

Mr. FREAR. I gave the statistics of the full amount.

Mr. EDWARDS. Let us see if the gentleman did. The gentleman did not mention fish as an item of commerce.

Mr. FREAR. I gave 1,600 tons.

Mr. EDWARDS. There are 800 barrels of fish carried over that stream, and there were 1,500,000 feet b. m. of lumber. The gentleman did not mention merchandise, and there are 1,000 tons of merchandise carried over it. The gentleman did not mention sponges, valued at $1,210,000, that go over this river. He merely pointed out the item of logs and said that that practically was all that goes over the stream. The logs amount in value to only $45,000, while the whole commerce of this river amounts to $1,381,700.

I want to say to the gentleman from Wisconsin that if he is going to enlighten the country he ought to deal fairly with this House and with the country, and when he undertakes to attack a stream he ought to give the commerce of it and point out what constitutes the commerce. Now, the sponge item alone in value is $1,210,000. Gentlemen of the House, the item that is carried in this bill for this particular project is only $5,000, and is for the maintenance of the stream, and yet the gentleman tells you in effect this is a great blot upon the country because we appropriate $5,000 to maintain this stream, that has over a million dollars' worth of commerce on it.

Mr. DONOVAN. Will the gentleman allow a question?

Mr. EDWARDS. Certainly.

Mr. DONOVAN. Does not the census report for 1909 show that Florida is the forty-fifth State in the Union in point of commerce? I ask the gentleman that question.

Mr. SPARKMAN. It shows nothing of the kind. It shows it is about the twelfth or thirteenth in point of tonnage.

Mr. DONOVAN. That would be important testimony.

Mr. EDWARDS. I am not advised as to that, but I am quite confident that is not true. Now, Mr. Chairman and gentlemen, I think it is ridiculous for a Member of this House to stand up here and criticize an item of this kind—$5,000 for maintenance of a stream that carries over a million dollars' worth of commerce—and want to crucify the committee because we have carried that item in the bill, and I think it is but fair to the House when an item of this kind is attacked by a Member that he should give the House the whole truth and not have the House labor under a misapprehension in reference to it.

Mr. DIES. Will the gentleman yield for a question?

Mr. EDWARDS. I will.

Mr. DIES. That is about 20 cents a ton, I take it, for maintaining that stream. That is a very low average for maintaining the waterways of the country, whether ports or rivers, with regard to the amount per ton required for maintenance, is it not?

Mr. EDWARDS. I can not say as to that, but I think it is true.

Mr. DIES. Does the gentleman from Georgia understand that the gentleman from Wisconsin would abandon all of these streams and ports by cutting off the appropriations for their maintenance?

Mr. EDWARDS. I am persuaded to believe he would abandon everything except those in Wisconsin. Wisconsin has drawn from the National Treasury, down to 1913, the sum of $16,220,390.90, practically everything in Wisconsin completed, and that does not include the Soo, that required something like $50,000,000, and now, Wisconsin having been taken care of, the rest of the States must go begging before the country to have their commerce developed and taken care of.

Mr. DIES. Now that the gentleman is reminded of this perfidious way of getting money from the Treasury and the needs of his State have been supplied, probably he will introduce a bill to return to the Government every dollar which has been so extracted.

Mr. EDWARDS. I would hardly think so; but we will wait and see.

Mr. SPARKMAN. Just one word more. I want to answer the gentleman from Connecticut. He stated a moment ago, interrogatively to be sure, but it was a statement nevertheless, that Florida was the forty-fifth State of the Union in its commerce. I said offhand that it was the fourteenth. I find it is the thirteenth, and has twice as much commerce as the State

of Connecticut. Florida, for instance, has about 12,000,000 tons of commerce annually, while his State has about 6,000,000 tons. [Applause.]

Mr. DONOVAN. Mr. Chairman, will the gentleman allow an interruption?

Mr. SPARKMAN. Certainly.

Mr. DONOVAN. There is one thing sure, that Florida has several times as many fingers in the Treasury of the United States as Connecticut. There is no doubt about that. But if he wants to quote from the census, let him tell us the page and line on which he finds it. I ask the question of the gentleman. He assumes so much knowledge, and, of course, if he has so much knowledge, he can answer. I did not make the assertion. It was interrogatory on my part. The gentleman can state truly, and without fear of contradiction, that when it comes to putting fingers in the Treasury Florida has got Connecticut skinned in every way.

Mr. SPARKMAN. I can state this also, that when we came to cut the estimates furnished by the War Department for this bill, as we did, we cut 36 per cent out of those for Florida and did not cut one cent from those for the State of Connecticut. [Applause.]

Mr. DONOVAN. I suggest, Mr. Chairman, if I am allowed, that nothing is so pleasing as the applause of the committee when one of the Members has something to say. [Applause.] The committee is in trouble on account of their system of doing business. There is hardly a Member of this House who can vote on a single item of this bill intelligently. I am having trouble to get information. I go to the committee, go to the clerk, and it is not given to me. Now, the gentleman comes in here, and he is in a serious disturbance of mind because a query is propounded. But the applause of the committee is music to his ears. It is always pleasing to gentlemen who are dividing the swag to have our associates sustain us.

Mr. SPARKMAN. The House is very apt to applaud the truth.

Mr. CALLAWAY. Mr. Chairman, I move to strike out the last word. The gentleman from Texas [Mr. DIES] jumps on the gentleman from Wisconsin [Mr. FREAR], and asks him if he thinks 20 cents per ton expenditure on a river proposition is excessive. The actual cost of carrying a ton a mile on a railroad, I believe, is between 6 and 7 mills. The gentleman from Texas [Mr. DIES] does not think the gentleman from Wisconsin ought to jump on this project when it does not cost over 20 cents a ton for what goes over the route. How far would 20 cents at 7 mills a ton-mile carry freight?

Mr. FREAR. Will the gentleman yield?

Mr. CALLAWAY (continuing). At 20 cents per ton, it would carry it 285 miles.

Mr. FREAR. I want to assure the gentleman that his basis of computation is entirely wrong, because that freight is costing the Government to-day at the rate of $3 per ton, as I propose to show, after counting the floating logs out.

Mr. CALLAWAY. I am not taking that. I am taking the gentleman's own figures. Twenty cents a ton-mile, the cost of carrying it by rail, would carry every ton on this stream 285 miles. I guarantee—and the gentleman from Texas will not contradict or question that statement—that the freight on that stream is not carried 285 miles for every ton, or one-tenth that far.

Mr. CULLOP. Will the gentleman permit an interruption there?

Mr. CALLAWAY. If you will calculate the tons that are carried per mile on this stream and see how far actually each ton is carried, you will find that instead of it costing 7 mills a ton-mile, what it costs the railroads of the country, that the Government is paying out ten times 7 mills a ton-mile, or 70 mills a ton, for every ton of freight that is carried on that project. And you object to criticism of a proposition like that.

Mr. CULLOP. Will the gentleman permit an interruption there?

Mr. CALLAWAY. Yes.

Mr. CULLOP. The owner does not pay this 20 cents a ton for the carrying of freight. It is the Government's gift for preparing the way to carry the freight.

Mr. DIES. Mr. Chairman, I had occasion to remark last evening that all the revenues of the Government are now going to pay pensions and provide for the wars of the past and the present. I can readily understand what moves the bowels of wrath of my friend to my right from Indiana [Mr. CULLOP], but I am puzzled about my colleague from Texas [Mr. CALLAWAY]. My friend from Indiana wants to save a little on commerce in order to save the pension appropriation, but where does the trouble of my friend from Texas come in?

Mr. CALLAWAY. It comes in when I see the Treasury looted either by these river and harbor raiders or by the pension raiders, the Army and Navy raiders, and the gentleman from Texas will not dispute that my course has been consistent every time this body has tried to raid the Treasury for pensions, for the Army, for the Navy, or any other of these outrages that are parceled out like this is parceled out.

Mr. DIES. Now, Mr. Chairman, I am ready to concede that my friend has objected to a great part of the 76 cents on the dollar of the entire money that is appropriated, and that goes to support war past and present, but does he not think in view of the fact that these pensions are saddled upon us and this great war preparation is saddled upon us that we ought to let some commerce get away from the hills and valleys of this country and pass down its rivers and through its ports to the marts of the world in order to pay the bill? [Applause.]

Mr. CALLAWAY. Mr. Chairman——

Mr. DIES. Just a moment.

Mr. CALLAWAY. I want to answer the question.

Mr. DIES. We have got to develop this great country with its 90,000,000 of people and its broad acres and pay the pensions of my friend from Indiana [Mr. CULLOP], and I ask of him not to become impatient to get it all, but let us build up some business and pay what we already owe.

Now I yield to my friend from Texas [Mr. CALLAWAY].

Mr. CALLAWAY. Mr. Chairman, I do not think you can make this donkey, that is already loaded to the "gunnels," rise and hump himself by piling on another brick house.

Mr. DIES. Mr. Chairman, the truth of it is this: The outgoing commerce of this country is almost $2,000,000,000 a year. Its incoming commerce is tremendous, reaching into the hundreds of millions of dollars. Yet gentlemen stand here and talk about the river and harbor bill as being "graft," affording meat and bread for the sensational newspapers of this country. They do a vast and violent injustice to the commerce through the ports and rivers of this country. [Applause.] Men may laugh at it, but it is not a laughing matter. I know I represent a district, gentlemen of the committee, where 12 years ago we tried to get aid from the Government, and men like the gentleman from Wisconsin [Mr. FREAR] were then on the floor of the House and laughed it to scorn, and we could not get a cent for that project; and yet we built it at our own private cost and gave it as a gift to the Government, and to-day it is one of the most important ports in the United States and carries more than 4,000,000 tons of commerce, with a value of almost $100,000,000. I refer to Port Arthur, Tex. If the character of statesmanship now being expressed by my friend from Wisconsin [Mr. FREAR] could have controlled that waterway, Port Arthur would still be a cow range and the Government would have saved its means.

I want to say, Mr. Chairman, that I have great respect for the honesty of purpose of both the gentleman from Wisconsin and my colleague from Texas [Mr. CALLAWAY], but I think they owe it to their country—and I think my friend from Wisconsin owes it to his State and my other friend and colleague owes it to his State and to the country—to investigate these propositions before they talk about them so glibly.

Just last evening my friend was complaining of a pitiful sum to be expended on three rivers that carried a burden of 300,000 tons. How is the commerce to be carried through the arteries of trade, how is the country to be developed, how are we to carry our lumber and oil and wheat and timber and agricultural products and commerce in general to the sea and through the ports of the sea to the markets of the world, unless the United States Government shall carry on this work? [Applause.] While I respect the integrity and patriotism and purity of purpose of these gentlemen, I do pity their judgment. [Applause.]

Mr. SWITZER. Mr. Chairman, for the enlightenment of the committee I desire to say that the Government engineers——

Mr. SPARKMAN. Mr. Chairman, I want to submit a request for unanimous consent, that all debate on this paragraph and amendments thereto end in five minutes.

Mr. FREAR. Mr. Chairman, I ask for five minutes. I have responded to three different interjections that I have had from the gentleman from Georgia [Mr. EDWARDS] and the gentleman from Texas [Mr. DIES]. I want to speak for five minutes.

Mr. SPARKMAN. Then make it eight minutes, Mr. Chairman.

The CHAIRMAN. The gentleman from Florida [Mr. SPARKMAN] asks unanimous consent that the debate on this paragraph close in eight minutes. Is there objection?

There was no objection.

Mr. SWITZER. Mr. Chairman, I desire to say that there were 354 rivers and harbors investigated by the Government

engineers costing $506,671,600, and on a 3 per cent investment the cost of traffic annually per ton-mile for improving these harbors and streams would be 2$\frac{1}{10}$ mills per ton. The cost of maintenance of these harbors that have been investigated, which is $9,248,900, amounts to 1$\frac{7}{10}$ mills per ton-mile. The original investment at 3 per cent, so far as they have investigated, amounts to 2$\frac{1}{10}$ mills per ton-mile for the tonnage carried. The maintenance to keep them up year by year is 1$\frac{7}{10}$ mills per ton-mile. The commerce on the rivers and harbors I have referred to was originally 276,000,000 tons—in 1907 it was 648,026,400 tons, and in 1912, 722,885,400 tons—showing an increase in place of a decrease, so far as they have been able to investigate. I desire to say that these 354 projects do not include some of the greatest and largest commerce-carrying streams and harbors in the country. [Applause.]

Mr. FREAR. Mr. Chairman, after the applause ceases from the members of the committee I would like to be heard for a moment. There are two or three gentlemen that I would like to respond to; first, the gentleman from Georgia [Mr. EDWARDS].

I will say to him that if anyone on this floor makes a misstatement, either purposely or by mistake, the attention of the House ought to be called to it, and conclusions will then be drawn. For that reason, knowing that the gentleman is mistaken in his statement regarding myself, I call the attention of the House to his quotation from myself when he said I had asserted that logs were all that went over this stream. Was that the gentleman's quotation?

Mr. EDWARDS. No. I said that was the impression left upon the Members' minds by the gentleman's statement.

Mr. FREAR. That was the statement of the gentleman, as reported, and I leave it to the Reporter's notes to determine. I clearly stated that there was 1,600 tons over and above the timber that floated down the stream. The Reporter's notes will so show. If not, it is a fact, nevertheless. I am sure that was my statement.

Mr. EDWARDS. I want to state to the gentleman that I would not knowingly do him an injustice.

Mr. FREAR. I believe not. Yesterday in all the statements and statistics that I offered on this floor I was never corrected in a single instance.

Mr. EDWARDS. The gentleman can hardly ever be corrected in all of them, because that is next to an impossibility.

Mr. FREAR. There is no dispute about the statistics I quoted here, because they came from the engineer's report. I do not desire to misrepresent in a single case.

Now, in answer to the gentleman from Texas [Mr. DIES] I realize, too, that he has certain projects to which we are approaching, and he has been very diligent in calling attention to my own lack of information on some things. He has done it very fairly, and I appreciate the spirit in which he has done it. However, in this case he suggests what is the cost of freight and places it at a very erroneous figure.

This stream, according to the engineers' report, has been improved only 2½ miles. It is a 20-mile project. Outside of the logs that have been floated down the stream, so far as we can gather from the engineers' report, it gives about 1,600 tons as being taken out in little boats, and so on; sixteen hundred and some odd tons at an expenditure of $5,000 is more than a few cents a ton. It amounts to over $3 a ton for 2½ miles. As the gentleman from Indiana [Mr. CULLOP] says, that is what the Government pays to get a waterway, $3 a ton. The transportation, of course, must thereafter be paid. So I am calling attention to what seems to be an exorbitant figure for carrying on that transportation, $3 a ton for an insignificant commerce. I believe I have done it fairly, or attempted to do so.

Mr. CALLAWAY. Will the gentleman yield?

Mr. FREAR. I want to finish this thought, because I may not have a chance otherwise.

The gentleman states that the question of pensions enters into it. Gentlemen, I truly believe we all feel that this is the country that we all love now, and we all stand together and are glad that things resulted as they did. The men of the North went down to Texas and did what they could to keep Texas in this Government, whether right or wrong. We are living under that Government now. Those men are old now. I have introduced several pension bills. I have been before the Committee on Invalid Pensions only once, and that was when I was called before the committee. I think I have introduced six or seven bills and perhaps more. In any event, those bills went before this gentleman who sits here at my side, Gen. SHERWOOD, one of the leading Democrats of this House, one of the ablest men in the House, one of the most patriotic men in the House, and I have left it to his judgment and the judgment of his committee entirely as to the merits of those propositions. I believe he would not permit a pension bill to go through that was not a just one, and of course each case has to go through the board down at the Pension Bureau for a report.

Mr. DIES. The gentleman is constantly moving to strike out appropriations for the maintenance of rivers and harbors. Is the gentleman sincere about that?

Mr. FREAR. Oh, yes.

Mr. DIES. Would the gentleman have the Government cease to maintain our waterways?

Mr. FREAR. I would not have the Government cease to maintain any reputable waterway. I have said that repeatedly and I reiterate it.

Mr. DIES. What I say about pensions is that we want you to let us do a little business so that we can make the money to pay them.

Mr. FREAR. I do not think it is a question of rubbing one shoulder against another. It seems to me we should legislate on broader grounds, and base our action on the necessity of the Government and the requirements of navigation. For that reason I would urge that anything worthy ought to be cared for. But I do not accept the judgment of a committee that is compelled to sit here and be buffeted around from one Member to another who has projects to put through. The poor chairman of this committee has been made a martyr, as we well know, just by the constant urging of various communities. We have had an evidence of that here upon the floor. The gentleman from Texas [Mr. DIES] speaks about appropriations. His State, as I remember, has had $22,000,000 represented in the projects here, and that does not include Galveston Harbor, which I think has had something over $12,000,000, making over $34,000,000. Now I yield to the gentleman from Texas.

The CHAIRMAN. The time of the gentleman has expired. All time has expired. The question is on the amendment of the gentleman from Wisconsin [Mr. FREAR].

The amendment was rejected.

The Clerk read as follows:

Removing the water hyacinth, Florida, Alabama, Mississippi, Louisiana, and Texas: For the removal of the water hyacinth from the navigable waters in the States of Florida, Alabama, Mississippi, Louisiana, and Texas, so far as it is or may become an obstruction to navigation, $25,000.

Mr. DUPRÉ. Mr. Chairman, I move to strike out the last word for the purpose of asking the chairman of the committee, whose attention I will appreciate, whether the amount appropriated in this section responds to the request made by the department on the subject?

Mr. SPARKMAN. It does; exactly.

Mr. DUPRÉ. I want to ask him if it is not true that an additional State has been provided for in this appropriation without any increase in the amount?

Mr. SPARKMAN. Does the gentleman mean Alabama?

Mr. DUPRÉ. Mississippi.

Mr. SPARKMAN. There was one State added; yes.

Mr. DUPRÉ. And yet the same amount is appropriated, to be apportioned to five States instead of four.

Mr. SPARKMAN. The assistant to the Chief of Engineers told our committee that that amount would be enough for all of them.

Mr. DUPRÉ. I am glad to be told that, so that I may be able to inform the local engineer that we have been assured by the War Department that the amount appropriated here would be enough. In response to my numerous requests for a dredge to clear the rivers of the water hyacinths his reply is always either that the dredge is somewhere else or that there is not a sufficient amount of money for that purpose. May I ask how many dredges there are available for this purpose?

Mr. SPARKMAN. I can not tell that. They are not using many dredges in Florida for that purpose.

Mr. DUPRÉ. I know that they are using them in Louisiana, and when the demand is made for a dredge it is always somewhere else, or there is no money available. Some other State has used the proportion of money that ought to have gone to Louisiana.

Mr. SPARKMAN. Dredges are used but very little, if at all, in Florida for that purpose.

Mr. DUPRÉ. I hope the gentleman will allow me to use all the money in my own district, because all the hyacinths in the country seem to congregate there. Sometimes it gets so thick in a stream that even a heavyweight like the gentleman from Wisconsin [Mr. FREAR] could walk across it with perfect impunity.

Mr. SPARKMAN. I have no doubt the gentleman would like to see it all used in his State, but we are going to leave that to the engineers.

Mr. HARRISON. I should not like to see the gentleman use it all in his district. I have some hyacinths in my district.

Mr. DUPRÉ. I notice that Mississippi is included in this paragraph. I hope there will be enough to go around, now that I am assured Florida will not need any of it.

Mr. SPARKMAN. I did not say that.

Mr. HARRISON. I hope that Mississippi may be able to have some of it.

Mr. SPARKMAN. Mr. Chairman, the report of the engineer will show that very little is expended for hyacinths in Florida.

Mr. CALLAWAY. Mr. Chairman, I know very little about hyacinth, for there is none of it in the part of Texas where I live. It appears to me that this would be equivalent to making appropriations to remove hogweed from the public highway. The idea of weeds growing up and stopping traffic in a stream seems ridiculous to me. The idea of a great commercial highway and weeds growing up in it to stop the traffic, and we have got to have an appropriation to get the weeds out of it.

I do not know about these things, but from my knowledge of weeds I never saw them grow up where there was any amount of traffic or commerce. If there is anything growing along there, it looks like it would be a disturbance, and it would not be necessary to appropriate $25,000 to clean the weeds out of a great commercial highway that was necessary to furnish money for pensions, and so forth.

Mr. SPARKMAN. It was not necessary, Mr. Chairman, for the gentleman to inform the House that he did not know anything about hyacinths, for his remarks demonstrate that fact. If he did, he would not be making this speech.

Mr. DUPRÉ. Will the gentleman yield?

Mr. CALLAWAY. Yes.

Mr. DUPRÉ. Is not the gentleman confusing hyacinths with cactus?

Mr. CALLAWAY. No; cactus does not grow in the highway. Hogweed does not grow in the highway, but hogweed and cactus and hyacinths will come up when there is no traffic there to keep it down. You have got to have some one go along and clean out the bushes and the weeds and the cactus and other stuff when you have nothing else to keep them out of the highway.

Now, I would like to say to the gentleman from Texas who said that this commerce would help us pay our debts. A man engaged in five or six different enterprises would not add another enterprise to it that was not a paying proposition in order to help him. Here is a Government loaded to the gunwales with pensions, naval expenses, Army expenditures, and other follies, and now we want to add a river and harbor bill to enable us to arise and come down the turnpike at a regular Nancy Hanks gait.

Now, the gentleman from Wisconsin said that the commerce in that stream instead of costing 70 mills a ton-mile to the Government costs $3 a ton for 2 miles, or $1.50 a ton-mile, to carry it, and to engage in that kind of industry is not going to help us pay these debts.

I am willing for this Government, and I want it to lay out any legitimate expenditure on rivers and harbors, but a legitimate expenditure is one that brings a dividend on the expenditure. That is the only kind of a legitimate expenditure for rivers and harbors.

The gentleman from Ohio [Mr. SWITZER] gave a long list of increased tonnage that comes into the rivers and harbors. The fight that has been made by the gentleman from Wisconsin and myself on the river and harbor bill shows that the tonnage had decreased on the rivers and the canals, and that there had been a steady decrease since 1881. We never questioned the tonnage of the harbors like New York, Galveston, San Francisco, and Philadelphia. When he comes to these it goes to make up the total estimate of the tonnage on rivers and harbors. They do not meet the arguments as to what the tonnage is on the inland rivers and the canals. They give the tonnage where boats have been increasing from 18 feet to 30 and 40 feet, carrying from 1,000 to 15,000 tons of freight. They want to lug that in to swell the total and defend these raids.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MANN. Mr. Chairman, the gentleman from Texas [Mr. CALLAWAY] makes some eloquent observations in regard to appropriations concerning water hyacinth. I have often noticed that men frequently make the most eloquent observations about those things concerning which they know the least. Recently I was at Panama on the canal. I noticed on Lake Gatun, which is quite a body of water, and in the streams running into the lake also, vast fields of water lettuce and a few water hyacinth. The water lettuce, which, like the hyacinth, is a water plant, is a plant which propagates rapidly. It has quite a short root, and vessels can go through it without difficulty. The water hyacinth, which also propagates very rapidly, has a very long root, and the people at the canal, after full investigation of the subject, still, possibly, not knowing as much about it as does the distinguished gentleman from Texas, wherever a water hyacinth makes its appearance on any of those waters proceed at once to put it out of business, because they know, if the gentleman from Texas does not know, that if the channel of the canal becomes filled with water hyacinth the most powerful boat will become so entangled in it with its propeller that it will not be able to proceed. Of course, such observations or information will have no effect on the distinguished gentleman from Texas, who fights the hardest when he knows the least.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin.

The question was taken, and the amendment was rejected.

The Clerk read as follows:

Blackwater River, Fla.: Completing improvement, $5,000.

[Mr. DONOVAN addressed the committee. See Appendix.]

The CHAIRMAN. The point of order is well taken. Without objection, the pro forma amendment will be withdrawn, and the Clerk will read.

The Clerk read as follows:

Channel from Apalachicola River to St. Andrews Bay, Fla.: For maintenance, $10,000; and the Secretary of War is hereby authorized to pay to the treasurer of Calhoun County, Fla., out of any funds heretofore appropriated for improving channel from Apalachicola River to St. Andrews Bay, the sum of $400 as full compensation for damage done public highways of said county at points where the adopted line of said channel intersects said highways.

Mr. MANN. Mr. Chairman, I reserve the point of order on the paragraph. I make the point of order on that portion of the paragraph following the figures "$10,000."

Mr. SPARKMAN. Mr. Chairman, I think the gentleman last year, when the 1914 bill was before the House, made a similar point of order, which was either withdrawn or overruled, because the bill passed, as I recall, with this item in it.

Mr. MANN. I offered to reserve the point of order just this minute. I do not want to waste very much time over a $400 item.

Mr. SPARKMAN. Perhaps the gentleman does not wish to insist upon his point of order?

Mr. MANN. The point of order, I think, was not overruled. It certainly is a good point of order.

Mr. SPARKMAN. Perhaps the gentleman does not care to insist upon his point of order.

Mr. MANN. With my present information, I will make the point of order.

The CHAIRMAN. Does the gentleman from Florida desire to be heard upon the point of order?

Mr. SPARKMAN. Mr. Chairman, if the gentleman insists upon it I would like to have him state the grounds of his point of order. I did not understand that the gentleman insisted upon it.

Mr. MANN. This is a proposition to pay a claim against the Government, and clearly the Committee on Rivers and Harbors has no jurisdiction over that.

Mr. SPARKMAN. Mr. Chairman, we have been doing just that kind of thing from time to time in the river and harbor bills. I know that since I have been a member of this committee we have appropriated sums for like purposes quite a number of times, and it may be true that points of order were made against some of them, and that several of them have been adopted. It is very clear from the reading of the item what it is intended to do. When that channel was constructed through Calhoun County in the western part of Florida, it went across two highways, as I recall, causing damage to the county. The purpose of this provision is to reimburse the county for this damage. If we are authorized to dig a channel there across the highways, it would seem to me that we should also have authority to pay the county for whatever damage we may cause her. In other words, that where we cause damage or incur a debt in the interest of navigation, that we should and would have the power and authority to discharge the debt or pay the damage.

Mr. MADDEN. Mr. Chairman, I served on the Committee on Rivers and Harbors in 1909–10, and during my membership on that committee the committee reported an item for the reimbursement of the owners of property on the Monongahela River, which was destroyed as the result of a flood that broke down a dam adjacent to the property. A point of order was made against the recommendation of the committee and a suggestion was made that the person in whose behalf the recommendation was made could have nothing more than a claim against the Government. The then presiding officer of the Committee of

the Whole House on the state of the Union held that the point of order was well taken. The item was stricken from the bill and it was referred to the Committee on Claims, where I presume it is now pending. It is on all fours with this, and this is undoubtedly subject to the point of order.

Mr. SPARKMAN. Mr. Chairman, just one moment. In the same bill of 1910 I find an item on page 25 in respect to the Kentucky River:

Provided further, That out of the amount herein appropriated the sum of $6,000 may be expended for the construction of a bridge——

Mr. DONOVAN. Mr. Chairman, I make the point of order that there is no quorum in the committee, and the parliamentary procedure and our rules require that a quorum be present.

The CHAIRMAN. The gentleman from Connecticut makes the point of no quorum. The Chair will count. [After counting.] One hundred and twenty-five Members are present, a quorum. [Applause.]

Mr. SPARKMAN. Mr. Chairman, when interrupted by the point of no quorum I was calling attention to the bill of 1910 to which the gentleman from Illinois [Mr. MADDEN] referred. At the bottom of page 25, and in the shape of a proviso, it says:

Provided further, That of the amcunt herein appropriated the sum of $6,000 may be expended in the construction of a bridge across Tates Creek and restoration of the county road near Otter Creek, both of which items of work have been rendered necessary by construction of Locks and Dams 9 and 10, Kentucky River.

And in the bill of 1912 there was a similar item:

For reimbursing the county of Madison, in the State of Kentucky, for moneys expended by said county for the repair of said county roads near Otter Creek.

Of course that does not fully answer the point of order in that the point of order was not made. It simply shows what we have been doing.

The CHAIRMAN. Did these items remain in the bill?

Mr. SPARKMAN. I was reading from the act as approved.

Mr. STAFFORD. Might I ask the gentleman if the gentleman means to cite a paragraph of a former act as a warrant that it is within the power of the committee to report an item in case a point of order has not been raised?

Mr. SPARKMAN. No; I would not go to that extent; I was simply stating the manner in which we had proceeded heretofore. Custom often makes law, at least in construing a rule it is always useful to know what has been the practice under it.

Mr. DONOVAN Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. DONOVAN. Has a Member the right to demand a division or tellers if there should be a dispute on account of the number present when trying to find a quorum?

The CHAIRMAN. If the Chair is uncertain of the correctness of the count, the Chair may order a count.

Mr. DONOVAN. That question was suggested by my looking over the crowd here. I think there was a mistake made in finding 125.

Mr. MANN. The gentleman did not take the trouble to count. There are at least 150.

Mr. DONOVAN. Oh, the gentleman may be a lightning calculator, but——

Mr. MANN. Well, I made the count, and that is more than the gentleman from Connecticut did.

Mr. DONOVAN. There are a good many things I do not make.

The CHAIRMAN. The Chair counted.

Mr. DONOVAN. Does the Chair decide we are entitled to tellers?

The CHAIRMAN. If the Chair thinks tellers are necessary, the Chair will order them. [Applause.] No; a Member is not entitled to call for tellers.

Mr. DONOVAN. Has he a right to have a division?

The CHAIRMAN. No; the Chair thinks not. The Chair is in doubt as to the point of order made by the gentleman from Illinois, as to what the proper decision is, and, if there is no objection, the Chair would like to pass that over for a short time.

There was no objection.

The Clerk read as follows:

Choctawhatchee River, Fla. and Ala.: For maintenance of improvement, including Cypress Top Outlet, $30,000.

Mr. FREAR. Mr. Chairman, I move to strike out the paragraph. I desire to say, in this connection, Mr. Chairman, I have endeavored to present in these projects different kinds of propositions, so far as possible. The gentleman from Florida asked me a few moments ago if sentiment controlled my soul to such an extent that I refused to strike out the Suwanee River. I had not noticed the Suwanee River, and only know it ranks deservedly high in the halls of fame. Many of these projects I have examined, and in reference to some of the projects I have considered particular phases that are presented in the engineer's report, and I have such a case to present. It is not a duplication of the same character of traffic or anything of that kind, but it presents a different proposition entirely. I trust the members of the Rivers and Harbors Committee will aid us in arriving at an understanding of what the engineers mean in this case. The Choctawhatchee River has a total appropriation of $255,300. There was available October, 1914, $20,079, and $30,000 is asked for here. The project has been completed, according to the engineer's report. This is what I desire to call the attention of the committee to: "From the mouth of the Holmes River," the engineers say, "to the mouth of the Choctawhatchee River, 40 miles, a channel of 4 feet exists." "This is the head of navigation," say the engineers, page 657; and they further say that there is no commerce on the river above the mouth of Holmes River, except for logs. Now, the commerce is given on page 2156 as 73,877 tons, of which logs and timber amount to 46,841, leaving a net traffic, after deducting floatable material, of 27,036 tons. This lumber is all upon a 40-mile haul, according to the engineer's report, but if you will examine on page 2156, you will observe, next to the last column, the freight traffic. The intelligent engineer says that the average haul is from 110 to 120 miles for all this traffic.

Now, how is that possible to occur on a 40-mile stream, which is the head of navigation according to his own statement? How can you get the per-ton mileage, as they endeavored to do here, of 110 to 120 miles for all this traffic? I ask for the purpose of getting information as to the accuracy of such a report.

Mr. DONOVAN. Does the gentleman ask that question of me?

Mr. FREAR. No; of the chairman of the committee.

Mr. SPARKMAN. I think the gentleman is mistaken about the length of the river.

Mr. FREAR. I will give the gentleman the pages on which the information can be found.

Mr. SPARKMAN. Of the entire river, I think it is from 150 to 160 miles.

Mr. FREAR. The engineer says that no commerce exists above the mouth of Holmes River except logs—page 657—and also says:

From the mouth of the Holmes River to the mouth of the Choctawhatchee River, a distance of about 40 miles.

Mr. SPARKMAN. To be exact, the precise length of the project is 162 miles.

Mr. FREAR. Then the engineer is mistaken in his statement that no commerce on the river exists above the mouth of the Holmes River?

Mr. SPARKMAN. It seems he is correct except as to the logs.

Mr. FREAR. Except the logs. He takes all the items, and if the gentleman will examine the record he will find about 20 of them. With the exception of one item of 90 miles, they all run from 100 to 120 miles. We have been frequently referred to the engineers in regard to the ton-mile——

Mr. SPARKMAN. I have no explanation to make myself. Probably it is a typographical error. I would like to read something here when the gentleman has finished, or I can read it now if he prefers, and I think it will satisfy the gentleman.

Mr. FREAR. In reference to this project?

Mr. SPARKMAN. Yes; on the estimate. It is a report made by the Chief of Engineers or the assistant to the chief—Col. Taylor—to the committee regarding that particular work. He says:

We have not had money enough there to properly snag the river, and all of the money that has been appropriated for several years has been expended on the lower river.

That is the part where navigation now exists; and I want to say that I personally know something of this river. It is not in the district I now represent. I did represent it years ago, but Florida has grown so that west Florida, in which this stream is located, is outside of my district. When I knew it there was quite a traffic above the point where it is said to exist now. I have seen steamboats running up beyond the point which they say is the head of steamboat navigation now. Col. Taylor says further:

Lately they have attempted to establish a steamboat line on the upper river, and we have been unable, on account of a scarcity of money, to do the work which ought to have been done and which they now say they will make use of on the upper river. All the balance there is the money that was allotted from the 1914 act. Work has been stopped there for some time. We have not had money enough to extend the work up as far as it should have been done. His estimate calls for dredging at the mouth of Cypress Top Outlet, $10,000; snagging between the mouth and Geneva, $40,000; total, $50,000; less balance available, $20,000, leaves $30,000 to be provided.

Now, this project extends up into the State of Alabama, and, as I have just said, there was an important commerce on that river years ago, and by reason of the fact that the stream was permitted to deteriorate the steamboat navigation has stopped. They want to restore it, and that is the purpose of this appropriation.

Mr. FREAR. I desire to read those portions of the engineer's report which have been given to us. This is the information that comes to the committee and to the House. He says, on page 657:

The total amount expended on all projects to the end of the fiscal year 1914 was $233,128.92.

The project has been completed, and the additional work required is for maintenance.

Then reading down below:

The actual head of navigation for regular traffic on June 30, 1914, was the mouth of Holmes River.

Variation in water surface from 0 at mean low water to 28 feet at upper limit of the project.

There is no commerce on the river above the mouth of Holmes River with the possible exception of a small movement of logs. Below this point there is a large commerce in logs and hewn timbers, and several steamers ply between Pensacola and Vernon on the Holmes River.

I gave the amount of commerce shown by the report. The question I desire to call the committee's attention to at this time is, Why does the engineer, on page 156, give the average haul and distance freight carried? Does he do so in order to ascertain the rate per ton-mile, and how does he reach from 100 to 120 miles, when, as a matter of fact, he says right in the same connection it is only 40 miles? All miscellaneous traffic runs only 40 miles, according to his statement, and yet he puts it 120 miles. What I ask the chairman is, Can we rely on the engineer's report in regard to the amount of traffic?

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. FREAR. Mr. Chairman, I ask unanimous consent for two minutes more.

Mr. EDWARDS. Mr. Chairman, reserving the right to object—I am not going to object at this time, but I will object to any further extension. We have been on this bill very nearly a week, and time is valuable in this Congress. There has been a vaudeville performance against this bill going on for some time.

Mr. DONOVAN. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. DONOVAN. The gentleman from Georgia is not talking to the point of order. He can not take the floor on a subterfuge and talk about extraneous matters.

Mr. EDWARDS. The gentleman is mistaken as usual.

The CHAIRMAN. The committee will be in order. The question is on the request of the gentleman from Wisconsin for two minutes more. Is there objection? [After a pause.] The Chair hears none.

Mr. FREAR. Mr. Chairman, it occurs to me to be a remarkable spectacle that in the $34,000,000 bill that has been discussed less than two entire days, we should be criticized for inquiring as to facts. We are entitled to know the truth as to items like this in which engineers have made a wrong statement. I can not believe it was done purposely. I say it is a remarkable thing that we can not acquire information and are challenged as to our right of inquiry. I do not believe the gentleman from Georgia is going to insist upon that course of conduct. At least he will surely not expedite matters by so doing. I have found many cases in which the engineers failed to give satisfactory responses in regard to the amount of commerce, but if there is no explanation to be offered, of course, that is all I can ask in regard to it. I think, in view of the situation, that paragraph ought to be stricken out.

Mr. SPARKMAN. Mr. Chairman, I do not think that should be done by any means. I can not at this moment explain what the gentleman thinks is a discrepancy between the two statements. Possibly the gentleman from Alabama [Mr. MULKEY], whose constituents are interested in the portion of the stream in Alabama and also in that part in Florida, can explain.

Mr. FREAR. I did not want to make him responsible for the engineer's act, because I do not think the engineer himself can explain.

Mr. MULKEY. Will the gentleman yield?

Mr. FREAR. Yes.

Mr. MULKEY. I think the statement of the gentleman should not go unchallenged as to this particular river. I happen to live at the head of navigation on the Choctawhatchee, in the town of Geneva. And the river from that point to the bay is 120 miles in length. I happen to go up and down the river twice a year in a gasoline launch. If the gentleman would go down there and take one of those fishing trips with me and encounter the snags and the timber and the rocks, as we do, and have to go overboard occasionally, he would not only be willing to give us this appropriation, but he would be willing to augment it.

Now, there is a large class of people below me for 30 or 40 miles who practically have no market. The country is filling up. The lack of market is due to the fact that we can not get transportation on the river by which their wants as to merchandise can be supplied, and through which they could get their commodities to market. The upper portion of the river has been navigable for years. Steamboats ran regularly from Pensacola to Geneva for a number of years, and ought to run now in the interests of the people and the merchants. The navigable portion of the river is 120 miles in length. I know that to be true. I wish to disabuse the mind of the gentleman to the effect that it is only 46 miles. I wish to state that the appropriation for this object is absolutely worthy, but inadequate. Thirty thousand dollars, I believe, is the amount. I hope the gentleman will not insist upon his opposition to it, and I feel that if he knew the facts as I do he would not. [Applause.]

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the Chairman announced that the noes seemed to have it.

Mr. DONOVAN. Mr. Chairman, a division.

The CHAIRMAN. The gentleman from Connecticut calls for a division.

The committee divided; and there were—ayes 7, noes 57.

So the amendment was rejected.

Mr. DONOVAN. Mr. Chairman, I did not hear the result.

The CHAIRMAN. The ayes were 7 and the noes were 57.

Mr. DONOVAN. Mr. Chairman, I make the point of order that there is no quorum present.

The CHAIRMAN. The gentleman from Connecticut makes the point of no quorum. The Chair will count.

Mr. DONOVAN. Mr. Chairman, I withdraw my point of no quorum. The body can proceed to business.

The CHAIRMAN. The gentleman from Connecticut withdraws the point of no quorum. The Clerk will read.

The Clerk read as follows:

Alabama River, Ala.: Continuing improvement and for maintenance, including the Alabama and Coosa Rivers between Montgomery and Wetumpka, $125,000.

Mr. FREAR. Mr. Chairman, I move to strike out the paragraph.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Wisconsin.

The Clerk read as follows:

Page 18, strike out lines 1, 2, and 3.

Mr. FREAR. Mr. Chairman, I would say this in respect to the paragraph, that I dislike to be placed in a position of striking out the entire appropriation, although there may be a sufficient amount of money on hand to take care of it.

But I want to call attention to what has occurred on the Alabama River. The total appropriation has been $1,214,000 and there was allotted last October $50,000, leaving a balance of $63,609. The existing project has a 4-foot depth from Wetumpka on the Coosa River. In October, 1914, the maximum draft to Montgomery was 2½ feet. Between Montgomery and Wetumpka it was 2 feet. The variation of water was 59 feet. The commerce reported is 250,000 tons; logs and timber rafted, 73,000 tons; and does not cover other timber. Snag boats reported trees removed, 130; logs removed, 529; snags removed, 145; piles, 138; logs from banks, 137; overhanging trees clipped, 577; trees trimmed, 60; total, 1,196.

The point I want to make is this: On page 669 appears this statement:

One of the barge lines established in 1910 has been abandoned.

I realize the condition on that river may be sufficient to cause the abandonment of a line of boats. I will ask the chairman if he can give us any light on that or reason for that in view of the fact that there is $63,000 now available, or whatever the amount is, for improvement on that river?

Mr. TAYLOR of Alabama. Mr. Chairman, I will answer the gentleman to this effect: If the gentleman had noticed more closely, he would have found that this sum of $125,000 was the largest amount yet appropriated for that particular project. It is due to the fact that it is for 15 months instead of the ordinary time of 12 months' appropriation. When the matter was up before the committee we sent for the engineer, to know whether it could be reduced. The reply was it could not be, because of the longer time to elapse before another appropriation could be had.

As to the barge line the gentleman speaks of, I do not know the details of it. I did not expect such an inquiry. It did not strike me as important. All I knew about it was what I read

casually in a newspaper. I think the temporary stoppage of the barge line grew out of some trouble down at my end of the river at Mobile. But it did not affect the merits of this project, so far as I can understand.

Mr. DENT. Mr. Chairman, will the gentleman yield?

Mr. TAYLOR of Alabama. Yes.

Mr. DENT. I happen to know that one of the reasons why this barge line was temporarily discontinued was due to the fact of unusually low water for about 15 or 20 miles below Montgomery during the particular season of the year when the principal produce shipped out of Montgomery—that of cotton—was being handled.

The appropriation is for the purpose of making this river deeper; and whenever the depth reaches a point that the line can be operated all the year round from Montgomery, the capital of the State, to Mobile, then the merchants of Montgomery themselves will see that this barge line is continued, as they have done heretofore. [Applause.]

I desire to add in this connection the following item, appearing in the Montgomery (Ala.) Advertiser of January 15, as follows:

RIVER TRAFFIC TO MOBILE OPEN AGAIN—NAVIGATION OF ALABAMA WILL BE RESUMED AT ONCE IS ANNOUNCEMENT—SCHEDULE BEGINS TUESDAY.

River navigation will be resumed between Montgomery and Mobile. This was the text of an announcement made by the transportation committee of the chamber of commerce yesterday afternoon.

The river steamer *America* will reach the Montgomery wharf Saturday afternoon and will leave with a full cargo early Sunday morning bound for Mobile and intermediate points.

The regular schedule will begin next Tuesday afternoon. A river steamer, probably the *Peerless*, will reach Montgomery every Tuesday afternoon between 4 and 7 o'clock and will leave the next morning early for the return trip to Mobile.

Earl G. Lutz has been appointed the local agent for those promoting the new river line, and he is authority for the statement that this line is permanent.

I call attention to the fact that in 1909 the city of Montgomery, in its municipal capacity, established a modern wharf, which permits free loading and unloading at any stage of the river.

The freight of all descriptions on this river during the calendar year 1913 amounted to 153,295 short tons, of the value of $6,141,808. It is unnecessary to say more in behalf of this item of the bill.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Wisconsin [Mr. FREAR].

The question was taken, and the amendment was rejected.

Mr. MANN. Mr. Chairman, a moment ago the Chair reserved his decision on the point of order which I made on page 17, lines 11 to 18. Upon refreshing my recollection of what took place last year on this item, I wish to withdraw my point of order.

The CHAIRMAN. The point of order is withdrawn.

Mr. HUMPHREYS of Mississippi. Mr. Chairman, just to suggest what was not put in the RECORD a moment ago, I desire to say that on the Alabama River last year there was something more than $6,000,000 of commerce.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Tombigbee River, Ala. and Miss.: For maintenance of improvement from the mouth to Demopolis, Ala., $54,500, and from Demopolis, Ala., to Walkers Bridge, Miss., $10,000; in all, $64,500.

Mr. MOORE. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD on the subject of the Chesapeake & Delaware Canal. I asked it yesterday, but I am inclined to think it was not granted.

The CHAIRMAN. The gentleman from Pennsylvania asks unanimous consent to extend his remarks in the RECORD on the subject of the Chesapeake & Delaware Canal. Is there objection?

There was no objection.

Mr. MOORE. Mr. Chairman, a short time ago some question was raised with regard to the Suwanee River in Florida. I think the objection was based very largely upon poetic grounds. The Suwanee River has a place in history, and I hope in practice it works out as well as in popular song

Mr. DONOVAN. A point of order, Mr. Chairman.

The CHAIRMAN. The gentleman will state it.

Mr. DONOVAN. The gentleman from Pennsylvania is not talking to the subject matter before us.

Mr. MOORE. Mr. Chairman, the gentleman has no music or poetry in his soul. I was beginning to approach the subject in a perfectly parliamentary way. I said that reference had been made to the Suwanee River as a poetic stream. Evidently up in the gentleman's district they do not appreciate music.

The Tombigbee River is a stream which is just as classic as the Suwanee. Ballads have been written about it, prose has been woven about it, men have spoken eloquently upon it, swains have paddled their canoes upon it, but I have seldom heard anyone describe its usefulness as an artery of commerce. I desired to know whether there was anyone in the House who could tell us just why we should spend this large sum of money, $64,500, upon a stream that is famous chiefly in song and story.

Mr. DONOVAN. Does the gentleman expect me to answer his question?

Mr. MOORE. I had not thought of it. I usually ask a question with the expectation that some one will answer who knows something about the subject. Therefore I would not be apt to ask the gentleman from Connecticut.

Mr. DONOVAN. The gentleman might at least propound his questions in a parliamentary way.

Mr. MOORE. I am still within my rights, Mr. Chairman, I think, speaking in my own time.

Mr. MADDEN. I think there is only one man on the floor of the House who understands the Tombigbee River, and that is my friend from Mississippi [Mr. CANDLER]. I suppose he could answer the gentleman.

Mr. MOORE. Now that is a happy suggestion. The gentleman from Mississippi [Mr. CANDLER] is usually on the floor. I have been wondering whether he could tell us about this interesting item of the Tombigbee.

Mr. TAYLOR of Alabama. This is not his part of the river.

Mr. ADAMSON. The gentleman from Mississippi does not fool with the big end of the river. It is the little poetic end of it with which he is familiar.

Mr. GOULDEN. I submit that he knows all about it, from one end to the other.

Mr. MOORE. "On the Tombigee River, so bright. I was born, in a hut made of husks of the tall yellow corn." I think that is the way it goes. Now, if the gentleman from Mississippi can not find inspiration there, I would be glad to have him explain the financial part of the item.

Mr. CANDLER of Mississippi. That is very easy to do, Mr. Chairman. There is no question but that this is one of the most magnificent rivers in all the world. It is known in poetry and song. It has inspired poets. It would inspire anyone who has the milk of human kindness in his soul. It has inspired the most beautiful poetry in all the world.

Mr. MOORE. Does the gentleman favor spending this sum of $64,500 on the Tombigbee River?

Mr. CANDLER of Mississippi. Why, certainly.

Mr. ADAMSON. I hope the gentleman from Pennsylvania will not interrupt his own witness. He has brought him out and he is estopped from interfering with him.

Mr. MOORE. I was doing it dreamingly, in my own time, which was more than the gentleman from Georgia was doing, for he was borrowing time which belonged to me—and time is precious.

Mr. ADAMSON. I made a point of order, and that did not come out of anybody's time.

Mr. MADDEN. I should like to ask the gentleman if this river sleeps in its own bed?

Mr. FREAR. Before yielding to the gentleman from Mississippi I just want to state the facts and to ask a question of the gentleman from Mississippi, who is probably familiar with the river.

The CHAIRMAN. The Chair will recognize the gentleman from Wisconsin.

Mr. FREAR. I am not going to strike out this item, because the appeal of the gentleman from Mississippi starts the milk of human kindness——

Mr. MOORE. A parliamentary inquiry, Mr. Chairman.

The CHAIRMAN. The gentleman will state it.

Mr. MOORE. The gentleman from Wisconsin has just indicated that he does not intend to strike out this item. My parliamentary inquiry is, Can the gentleman, being but a single Member of the House, strike out the item?

Mr. FREAR. I accept the correction of my friend from Pennsylvania. To follow along his line of argument, I will state that there has been spent upon the Tombigbee River so far $9,901,295.

Mr. DONOVAN. Will the gentleman permit an interruption?

Mr. FREAR. Yes.

Mr. DONOVAN. I did not hear the amount the gentleman stated.

Mr. FREAR. There has been expended on the river $9,901,295.

Mr. DONOVAN. Nearly $10,000,000.

Mr. SPARKMAN. That is, on the whole system of rivers there.

Mr. FREAR. Yes. The commerce has amounted to 64,523 tons, including timber and stone to the amount of 48,492 tons, leaving a balance of 16,031 tons besides timber and stone.

Mr. MOORE. And the appropriation here contemplated is $64,500?

Mr. FREAR. It is $64,500.

Mr. MOORE. On a tonnage of what?

Mr. FREAR. The tonnage is 64,523, including 48,492 tons of timber and stone.

Mr. MOORE. That is a good river to sing about.

Mr. FREAR. I wish to ask a question, which I am going to put to the gentleman from Alabama. To my mind, this is of much importance to the committee. The engineer's report, on page 690, states:

Such a traffic was inaugurated during the fiscal year by a fleet of six self-propelled steel barges, each of about 1,000 tons capacity, transporting coal from a point on the Black Warrior River near Gilmore, Ala., to New Orleans. Due to the unfinished state of the project, upon the approach of low water operations had to be abandoned, 31,865 tons having been shipped to New Orleans.

I wish to ask the gentleman whom I interrupted a few moments ago whether or not it has been found practicable to undertake a commercial business upon that river with a 63-foot lock, with six barges, as has been stated by the engineers, who report that it has been abandoned? Is it possible to do that in the future, no matter what provisions you have made for the river?

Mr. TAYLOR of Alabama. In the judgment of the committee, not until the river is made navigable. You can not run barges until the river is made navigable.

Mr. FREAR. What would be the probable expense?

Mr. TAYLOR of Alabama. Let me answer your question as you put it.

Mr. FREAR. I was going to supplement it by asking what, in the judgment of the gentleman, would be the probable expense of making the river navigable. I am not asking technically, for I could get that from the engineer's report, but in a general way?

Mr. TAYLOR of Alabama. I see that the gentleman is not asking it technically.

Mr. FREAR. No; because I could get that from the engineer's report, providing anybody knows.

Mr. TAYLOR of Alabama. The Tombigbee River, as a matter of fact, not as the gentleman has it in his mind, begins in the central part of Alabama.

Mr. DONOVAN. Mr. Chairman, there is no motion before the House at the present time.

Mr. FREAR. Mr. Chairman, I thought I moved to strike out the last two words.

The CHAIRMAN. The gentleman is discussing the subject matter of the paragraph and will proceed.

Mr. TAYLOR of Alabama. Mr. Chairman, the Tombigbee River starts with the name of that river from Demopolis, and 50 miles above Mobile it joins with the Alabama and makes the Mobile River. At Demopolis it goes northwest into the State of Mississippi and is called the Bigbee River. To the right and northeast to Tuscaloosa it is called the Warrior River, and from Tuscaloosa up to the forks it is called the Black Warrior River. At the forks it is called the Mulberry and the Locust Forks.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. TAYLOR of Alabama. I ask for five minutes to answer the gentleman's question.

The CHAIRMAN. The gentleman will proceed.

Mr. TAYLOR of Alabama. The river in Alabama is known and called in its several parts from head to mouth the Black Warrior, the Warrior, the Tombigbee, and the Mobile. That is the entire length of that river. That is the waterway that has cost in the neighborhood of $9,000,000. This project will be finished as a canalization by the completion of the lock and dam at Lock 17. It is not finished to-day, but it is expected that it will be finished early in January. I expect to see it finished, at least, by the 1st of March, 1915.

Above Lock 17, as originally reported, there were four locks to be built, and in 1911 or 1912 these four locks were merged into one to save expense and to make better slack-water navigation. This one dam was raised to 63-foot lift, making it one of the highest dams in the United States. That lock and dam have been pushed expeditiously by the contractor, and, I am informed and believe, will be finished in this month or by spring. Then there will be navigation throughout. There never can be navigation to reach the Great Warrior coal fields until Lock 17 is completed. My information is that barges are now ready to take advantage of that business just as soon as this lock is finished.

It is necessary that they should have the $54,500, so the engineers say, and that is the lowest sum that could be safely appropriated at this time in this bill in order to put into operation the canal upon which the $9,000,000 has been expended. If the gentleman desires any further information, I will be glad to give it to him.

Mr. CANDLER of Mississippi. Mr. Chairman, my previous remarks were made as a preface to making later a statement in reference to the commerce. In response to the question of the gentleman from Pennsylvania, my good friend Mr. MOORE, as to whether I thought this appropriation was justifiable, I will state I certainly do think so, as the commerce on the river as shown by the report was 287,034 tons, of a value of $4,925,490. The gentleman from Alabama [Mr. TAYLOR], who has just taken his seat, gave a history of the improvement of the lower part of the river. The improvement on the lower part, of course, should be done before the improvement on the upper part, which will bring splendid results. There is no question about the commerce; there is no question about the value. We want the money to open it up, and we will show that it is a good investment for the United States. [Applause.]

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn and the Clerk will read.

The Clerk read as follows:

Channel connecting Mobile Bay and Mississippi Sound, Ala.: The $20,000 conditionally appropriated by the river and harbor act approved March 4, 1913, for improvement of said channel by way of Grants Pass is hereby made available for maintenance of the existing improved channel by way of Pass aux Herons.

Mr. DONOVAN. Mr. Chairman, I move to strike out the last word. This item looks to me as though it was a great deal like the proposition which was offered last night, which was not allowed. I think it was the Maryland proposition, if I remember rightly. All they asked was an appropriation to be allowed that had not been expended, that had been voted at some previous time.

Mr. SAUNDERS. It was for Virginia.

Mr. DONOVAN. Well, whatever it was. Here the committee is asking that $20,000, heretofore conditionally appropriated, be made available for this particular channel. Is that the channel which it was originally appropriated for, I will ask some member of the committee? I do not seem to get any reply.

Mr. TAYLOR of Alabama. I did not understand the gentleman's question.

Mr. DONOVAN. They tell me there are twenty-odd members of the committee here, and I do not know whether they are neglecting their duty or not.

Mr. TAYLOR of Alabama. I would be very glad if the gentleman would confine himself to questions, if he is addressing me.

Mr. DONOVAN. I am not necessarily questioning the gentleman from Alabama. Is this appropriation by this act for the same channel that it was originally appropriated for? Is it for the channel between Mobile Bay and Mississippi Sound? Was it originally voted for that?

Mr. TAYLOR of Alabama. I can not answer the question without stating exactly the conditions.

Mr. DONOVAN. Take all the time I have—go ahead.

Mr. TAYLOR of Alabama. Oh, no.

Mr. DONOVAN. It is information that we want.

Mr. TAYLOR of Alabama. I will endeavor to give it to the gentleman. There was a pass, called Grants Pass, connecting Mobile Bay with Mississippi Sound for many years, owned by old Capt. Grant, whose rights in that pass, which it was thought were absolute, have been practically vested in the Catholic Church in the city of Mobile. The right to make charges and collect tolls was claimed on vessels passing through what is called Grants Pass. For many years there has been considerable agitation of the question in Mobile, and sometimes in Congress. At last a survey was ordered to establish definitely a pass that would be satisfactory from Mobile Bay into Mississippi Sound, either by way of the Pass aux Herons or Grants Pass, which lay very close together. On the report of the engineers the following law was enacted as part of the river and harbor act of 1913:

Improving channel connecting Mobile Bay and Mississippi Sound, Ala.: The project adopted by the river and harbor act approved July 25, 1912, may, upon recommendation of the Chief of Engineers and approval of the Secretary of War, be modified to include the whole or any part of Grants Pass: *Provided*, That all rights claimed in and to Grants Pass shall be released and surrendered to the United States, and that any saving or difference in the cost of actual construction that may result from the use of any or all of Grants Pass may, as compensation for said rights, be paid to the present owners of the pass or their assigns: *Provided further*, That the total cost of the completion of the project shall not be thereby increased except to the extent of $20,000, which amount is hereby appropriated: *Provided further*, That not more than $20,000 shall be paid in any case for all rights claimed in and to said Grants Pass.

The $20,000 so appropriated conditionally is still in the hands of the Government. Every effort has been made to have the

War Department so construe the language that that $20,000 could be paid over to the owners of Grants Pass, but the legal authorities who have investigated the matter say that that was not the meaning of the law and that it can not be done. Therefore that money remains in the Treasury unexpended. The engineers called for $20,000 for maintenance this year at Pass aux Herons, and when we were trying to cut this bill as much as we could, asking whether $20,000 was not too much, whether it could not be cut, they said no, but that there was a fund which had already been appropriated and was unexpended and which could be diverted and used for maintenance at this pass. If the gentleman will read the language of the act, he will find that that was exactly what is done in this bill.

The CHAIRMAN. The time of the gentleman from Connecticut has expired.

Mr. DONOVAN. Mr. Chairman, I move to strike out the paragraph for the purpose of getting further information.

The CHAIRMAN. The gentleman moves to strike out the paragraph.

Mr. DONOVAN. This is true, is it not, that the $20,000 originally appropriated was for another place, another channel from this pass for which it is going to be appropriated. Is that right?

Mr. TAYLOR of Alabama. I do not think that is true.

Mr. DONOVAN. But this Grants Pass was a private way, so to speak. It was claimed to be a private right.

Mr. TAYLOR of Alabama. It was claimed to be a private right. It was originally granted by the State of Alabama.

Mr. DONOVAN. Is this improved channel the same place?

Mr. TAYLOR of Alabama. No; it is Pass aux Herons, and the two run side by side.

Mr. DONOVAN. Then it is a different place where this money is to be used?

Mr. TAYLOR of Alabama. No; it is the pass that the engineers reported to Congress, that was adopted by Congress, and is now called Pass aux Herons.

Mr. DONOVAN. But you got rid of meeting this question of private ownership and private interest, is that it?

Mr. TAYLOR of Alabama. No; we did not get rid of that at all. That question can come up. I have so advised the owners and will be very glad to help them in any way to bring this matter up as a matter of claim, but not through the river and harbor appropriation bill.

Mr. DONOVAN. Mr. Chairman, I withdraw the amendment.

The CHAIRMAN. The gentleman from Connecticut withdraws the amendment, and the Clerk will read.

The Clerk read as follows:

Pascagoula Harbor, Miss.: For maintenance of channels through Horn Island Pass, Mississippi Sound, Pascagoula River, and Dog River, $15,000.

Mr. FREAR. Mr. Chairman, I move to strike out the last word. Out of deference to the gentleman from Mississippi [Mr. HUMPHREYS], I am not going to move to strike out the paragraph; in fact, it is an inquiry I wish to make, if I can get enlightenment from him. I will give the facts, and then I will ask the question. The past appropriations for this project have amounted to $1,312,153 and this item of the bill carries $121,000, with $30,123 on hand July 1, 1914, for a channel with a proposed depth of 25 feet. The part I wish to call attention to is this: On page 730 the engineer says that under the present contract local interests must give assurance to contribute $100,000, at $20,000 per annum, and also 800 feet of wharf. Dropping down to page 2209 of volume 2, the engineer says this:

It is believed the wharf will be built and the payment of $100,000 will not have to be made by local interests.

What is the reason the contribution of $100,000 first insisted upon by the engineers is not made, and why has the change occurred?

Mr. HUMPHREYS of Mississippi. I will yield to the gentleman from Mississippi [Mr. HARRISON], in whose district this is.

Mr. HARRISON. Mr. Chairman, I will say to the gentleman that this improvement at Pascagoula, Miss., is not new. We have been expending money there for quite a while and through these appropriations they have built up quite a large commerce there. The commerce at Pascagoula now approximates $7,000,000 annually, and their desire is to obtain approximately 22 feet depth. The reason why the $100,000 conditional provision was stricken out was because the Board of Engineers, after having investigated it thoroughly, and the committee as well, concluded it was an unfair condition that they had imposed upon the Pascagoula people. For instance, the estimate for the 17-foot channel at Pascagoula which they now have was $1,050,000. The 17-foot channel which they have now finished cost the Government practically $800,000.

Mr. FREAR. At this point may I ask the gentleman what is the character of the commerce?

Mr. HARRISON. The character of the commerce is largely lumber.

Mr. FREAR. Is there a sawmill in operation there?

Mr. HARRISON. There are a good many sawmills there, as well as other large industries.

Mr. FREAR. That is what I assumed.

Mr. HARRISON. Also naval stores and things of that kind, but largely lumber; so the Government on the 17-foot project really was saving about $250,000 or $300,000 from what the Board of Army Engineers estimated it would cost to build a 17-foot project, and when the 22-foot project was estimated at a cost of $383,000 they imposed a condition there—notwithstanding the fact that the harbor did not cost within $200,000 to $300,000 of the original estimate of the engineers—that at Moss Point and Pascagoula, which are 4 miles apart, public wharves must be provided. The citizens had no objection to that. They are small towns, with 2,500 or 3,500 people living there. They have provided these public wharves at an expense of about $50,000. The wharves at one of these towns cost, I think, $20,000 and the other $25,000. When this unjust $100,000 condition was placed before the Board of Army Engineers they said: "We will not approve this project of $383,000 without the condition being complied with, but we will cut it down to $283,000, and allow the expenditure by the Government of that much, provided the two towns provide these public wharves and the citizens pay for it, so that such depth can be procured there as possible with an appropriation of $283,000." We hope to obtain the 20-foot or 21-foot channel with the appropriation.

Mr. FREAR. Mr. Chairman, I do not care to strike out the paragraph, and as I said I do not intend to pursue that course hereafter simply to get facts, but what I do desire to say is this, that this project emphasizes the fact, in my judgment, that it is improper under present conditions to leave these questions to Army engineers to determine for themselves what amount should be charged up against a locality. Here is a community which is required to pay a certain proportion while another is relieved, and injustice occur necessarily in many cases.

The CHAIRMAN. The time of the gentleman has expired.

Mr. FREAR. I ask for two minutes more.

The CHAIRMAN. Is there objection to the request of the gentleman from Wisconsin. [After a pause.] The Chair hears none.

Mr. FREAR. For that reason, Mr. Chairman, it occurs to me that the present system is indefensible.

Mr. CALLAWAY. Will the gentleman yield for a question?

Mr. FREAR. In just a moment. I will give way to the gentleman in a moment. I desire to say that the Army engineers are not more competent to pass upon these questions nor do they pass upon them with any degree of accuracy, because conditions are very frequently modified. It seems to me the responsibility should be delegated to some one else if a contribution is to be imposed in any case. Take this case. Here is practically a sawmill operation by which there is something like 20,000 tons, of which 15,000 is charcoal. Now, they impose this charge. I think the responsibility ought not to be left with the Army engineers.

Mr. KENT. Will the gentleman yield for a question?

Mr. FREAR. I will.

Mr. KENT. I would like to ask the gentleman, who has made a study of these questions, whether he believes the Army engineers in their report pass upon the feasibility, the real commercial feasibility, of a project, or whether they simply say that this can be done regardless of expense?

Mr. FREAR. They assume to pass upon the commercial possibility and set those questions out in their report and give the possibilities of commerce very frequently. As to their ability to do so, I do not believe they are competent to do so.

Mr. HUMPHREYS of Mississippi. Will the gentleman yield?

Mr. FREAR. Certainly.

Mr. HUMPHREYS of Mississippi. The gentleman says they assume to do it. The law requires them to do it.

Mr. FREAR. I presume that is true.

Mr. HUMPHREYS of Mississippi. And while I agree very largely with what the gentleman says about the Army engineers perhaps not being better qualified than anybody else, does he not think they are as well qualified to determine——

Mr. FREAR. I think a board composed of men of the high character, such as the members of the Interstate Commerce Commission, that would measure the possibilities of commerce, would be far better able to handle such matters.

Mr. CALLAWAY. Mr. Chairman, I move to strike out the last word. Is it not a fact that these Army engineers are

usually West Pointers, that go into West Point before they have ever had any experience in business, and we spend $22,000 educating them as scientific engineers, and they come out in the Government service and draw a monthly stipend? As a general thing the men passing on this are not experienced men at all in operating business on their own hook, where they necessarily must make their business pay a dividend. Is it not a fact that these are the men that this committee is handing up to us each day as passing on these projects as to whether or not they are good commercial investments, men that were not required ever to earn their living in the marts of trade or any other business, but have drawn a salary all their lives?

Mr. TAYLOR of Alabama. Will the gentleman allow me to suggest something right there?

The CHAIRMAN. Does the gentleman yield?

Mr. CALLAWAY. I will.

Mr. TAYLOR of Alabama. The Panama Canal was dreamed of 400 years ago. The first dream that ever came was in the mind of a Spanish engineer. He was not a railroad engineer—I mean, he did not drive an engine—but he was a civil engineer under the Spanish King, and he dreamed of opening the canal between the two oceans. For 400 years that matter was dreamed of, talked of, thought of. France took it and tried to carry it on for a number of years along the line the gentleman speaks of. Men of intelligence, men of high engineering capacity, men of importance, men of affairs—but they failed. The United States took it up, and put it in the hands of such men as the gentleman speaks of, and very properly, and for a time they tried it—but they failed. The canal was never built until a United States engineer took charge of it, and now it is a finished thing. [Applause.]

I want to say the man who has the highest credit for the building of it, Col. Goethals, was educated on the Tennessee River in Alabama, and learned there how to build the Panama Canal; that the man who built the Gatun Dam at Panama was born in Alabama and educated on the Tennessee River along the very line we are discussing here of river and harbor improvement. His name is William L. Siebert. He built the Gatun Dam and stopped the mighty torrent of the Chagres River. In the days of old, when Canute spoke as a king, before the days of the kings of commerce and the kings of finance, and stood at the ocean side and ordered the sea to stand still, it paid no attention to him. But when you put an Army boy, an Army engineer educated at West Point, in front of the Chagres River, which had stampeded France with all her intelligence, at the end of 10 years, under the charge of William L. Siebert and of Col. Goethals and of Col. Gaillard and all those other gentlemen educated at West Point, it stood still, and to-day it is still. [Applause.]

Mr. CALLAWAY. Mr. Chairman, that is a very eloquent speech.

Mr. TAYLOR of Alabama. One minute, my friend.

Mr. CALLAWAY. I have never said anything about the capacity of these men to determine whether or not a thing could be done. The question is not whether these projects can be carried out if you put money enough in them. The point that I made was, and the question that ought to concern this House is, and the question that concerns these people that put up the money is, whether or not this is a good investment from a business viewpoint.

The CHAIRMAN. The time of the gentleman has expired.

Mr. CALLAWAY. I ask unanimous consent for three minutes, Mr. Chairman, in order to complete my statement.

Mr. TAYLOR of Alabama. The gentleman was discussing the Army engineers, and I thought I would give him a little light on the subject.

Mr. CALLAWAY. You want to give light, but you run into the darkness with your candle. That is the way with this committee. It does not meet the issue at all. It was not a question of whether or not a project is feasible after these engineers have passed on it. Of course they are educated to determine whether or not a thing can be accomplished. They go there and work out their plan and determine its feasibility. They are educated with capacity to do that. They can tell whether or not it can be done. But they have no experience in earning money. They have not gone out into the highways and byways of commerce and labored to make a dollar bring back a dividend. They have never had any experience of that kind, and when they come in with the feasibility of a project, we can say, "Oh, yes; you are to determine whether or not it can be done." But when you go to determine whether or not it is a proper outlay of our money, then we ought to come to the front and determine, after they have given us the expert and scientific knowledge, whether or not our dollars put into that proposition are going to bring back a dividend on the investment.

I hire a doctor to come and doctor me, and I take his medicine because I look to his scientific knowledge. I hire an engineer to go and lay out a proposition for me and determine whether or not it can be done, what the expense of it will be; but when that is done I determine for myself whether or not I want to carry that proposition out and put my money into it. I do not ask him to determine whether or not my money shall go into it, and this is the thing I am objecting to in following these engineers' reports. I say—and there is no question about the rightness of it—that they have had no experience in the world of business; they have never earned their dollars. They have worked to determine whether a thing can be done. We wish to follow them so far as their scientific knowledge can determine those questions, and then put our experience and observation to it to determine whether or not we want to put our money in it.

Mr. SWITZER. Will the gentleman yield for just a question?

The CHAIRMAN. Does the gentleman from Texas yield?

Mr. CALLAWAY. Yes.

Mr. SWITZER. Does not the gentleman think the Army engineers are as competent as anybody he could pick to gather statistics under the law, with the appropriations Congress makes for such purpose?

Mr. CALLAWAY. That is not the thing I am talking about. I said that they could gather statistics, and should. You want us to follow them as to whether or not we put our money into it.

Mr. SWITZER. Another thing.

Mr. CALLAWAY. Blaze away.

Mr. SWITZER. Is it not a fact that they gather all the facts pertaining to a proposition, and report on them to the Congress, that go to the Rivers and Harbors Committee, and the Rivers and Harbors Committee first passes on them and then this House passes on them?

Mr. CALLAWAY. Are you not a member of the committee?

Mr. SWITZER. Is it not a fact that——

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. CALLAWAY. Mr. Chairman, I ask for three minutes more. I have not heretofore taken up much of the time of this committee, Mr. Chairman, and I have consistently and persistently opposed these measures for three years, and I think I ought to be heard on matters like this when members of the committee are shooting at me.

Mr. SPARKMAN. Mr. Chairman, I ask unanimous consent that all debate on this paragraph end after three minutes.

Mr. MANN. I would like to have five minutes.

Mr. SPARKMAN. Mr. Chairman, I ask that all debate on this paragraph end in eight minutes, then.

The CHAIRMAN. Is there objection? Who is to have the eight minutes?

Mr. SPARKMAN. Three to the gentleman from Texas [Mr. CALLAWAY] and five to the gentleman from Illinois [Mr. MANN].

The CHAIRMAN. Is there objection to the request of the gentleman from Florida?

Mr. PARKER of New York. Mr. Chairman, does the gentleman yield?

Mr. CALLAWAY. The gentleman from Ohio [Mr. SWITZER] asked me to yield to him.

The CHAIRMAN. Is there objection to the request of the gentleman from Florida?

There was no objection.

The CHAIRMAN. The gentleman from Texas [Mr. CALLAWAY] is recognized for three minutes.

Mr. SWITZER. Mr. Chairman, does the gentleman claim that the Committee on Rivers and Harbors is bound by the report of the Army engineers as to whether a project will be a paying proposition or not? Is not that matter left to the Committee on Rivers and Harbors and to the Congress?

Mr. CALLAWAY. Under the law, according to the statement of the gentleman from Mississippi [Mr. HUMPHREYS], they are required to find that.

Mr. HUMPHREYS of Mississippi. But we are not required to follow them.

Mr. CALLAWAY. Of course; neither is the House required to follow you; but it does, just as sheep follow the bellwether.

Mr. HUMPHREYS of Mississippi. The House follows its own judgment in the matter. The gentleman would not want to handicap the House in that direction, would he?

Mr. CALLAWAY. Is it not a fact that you do follow the engineers' reports, and whenever we question you you cite us to the volumes of engineers' reports as to whether or not it ought to be done, and what the commerce on the river will be? Those

are the things you cite us to. Those were the things I inquired about when I asked about this Beaufort expenditure.

Mr. HUMPHREYS of Mississippi. We do not follow the engineers simply because they make a favorable recommendation. The gentleman is advised that $100,000,000 of projects have been recommended now that we have declined to accept.

Mr. CALLAWAY. I thought you said $150,000,000 yesterday, and added: "Just wait until next year; we will attend to them then."

Mr. PARKER of New York. Mr. Chairman, will the gentleman yield?

Mr. CALLAWAY. Yes.

Mr. PARKER of New York. Has the gentleman explained why the Committee on Rivers and Harbors has not done exactly what he advocated?

Mr. CALLAWAY. I have never outlined a policy to anybody to follow at any time.

Mr. PARKER of New York. It seems that the Army engineers have made their estimates as to whether a proposition is feasible or practicable, and it is left to these gentlemen to determine whether it would be commercially profitable or not.

Mr. CALLAWAY. Are you a member of the committee?

Mr. PARKER of New York. I am not.

Mr. CALLAWAY. Did you hear the gentleman say that under the law it was left for the engineers to determine? He said they were required to determine whether or not the proposition was feasible.

Mr. PARKER of New York. I did not so understand any member of the committee.

Mr. CALLAWAY. Under the law they are required to report whether or not it will be a paying proposition.

Mr. PARKER of New York. Pardon me, will the gentleman state that again?

Mr. CALLAWAY. Under the law the engineers are required to find that, as a proposition, according to the statement of the gentleman from Mississippi [Mr. HUMPHREYS].

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. MANN. Mr. Chairman, it would be fair to say that what the gentleman from Texas [Mr. CALLAWAY] refers to is a provision for a survey of new projects. We insert an item in the bill requiring the engineers to survey new projects. Under the law they are prohibited from making a recommendation until they first determine whether it will be a profitable investment, and that is what the law provides.

Now, gentlemen have referred to the Army engineers with as much opprobrium as they could. Some gentlemen have insisted that we ought to have, not the opinion of Army engineers, but the opinions of business men, men who make money for themselves and for the corporations which they represent. I am going to give an illustration of the kind of opinions we get under such circumstances. The river and harbor engineers reported some provision—and I will not refer to what it is—concerning Chicago and Illinois. The Committee on Rivers and Harbors in reporting the bill did not include all of the money which the engineers have said might be profitably expended, and thereupon I received this letter from a business man, and other letters like it from business men—men of great reputation, some of them. I have received letters along the line of this one, which I will show, from heads of great banks, from heads of great corporations, all great business men, of great business experience, making lots of money for themselves and their corporations. Here is a letter which I ask leave to extend in full in the RECORD.

The CHAIRMAN. The gentleman from Illinois [Mr. MANN] asks unanimous consent to extend his remarks by inserting a letter in the RECORD. Is there objection?

There was no objection.

Mr. MANN. It is from the secretary of the Illinois delegation to the 1914 National Rivers and Harbors Congress, Mr. John J. Commons, addressed to the members of the Illinois delegation to the Rivers and Harbors Congress, asking the people to write in reference to this resolution:

Resolved, That each member of the Illinois delegation write each Senator and Representative from Illinois urging him to use his best endeavor to have the Committee of Commerce of the United States Senate restore to the rivers and harbors bill of this session the amounts recommended for Illinois projects by the House of Representatives at the last session of Congress.

The big business men think we have not provided enough, and the secretary of this delegation, for fear that the big business men might not have acumen enough to write a letter to a Member of Congess, says:

I am inclosing a suggestion for a letter to our Senators and Representatives.

Here is the letter. I have received a number just like it. It is intended to be addressed to us:

Knowing that you are interested in everything beneficial to the State of Illinois, and I being especially interested in waterway development, I take this means of urging the necessity of strenuous action on your part toward getting appropriations passed in the Senate, and Congress as originally recommended by United States Army engineers. I was appointed a delegate to the Rivers and Harbors Congress and have given this matter much thought, and consider it extremely unfortunate that Illinois claims were ignored to the extent of cutting off parts of appropriation that were so badly needed.

The people in our district are in sympathy with the original recommendations, and I personally would be greatly indebted if you would use your influence toward increasing instead of decreasing appropriations for waterways in Illinois.

The letter accompanying this form letter reads as follows:

JANUARY 9, 1915.

DEAR SIR: As secretary of the Illinois delegation to the 1914 National Rivers and Harbors Congress, I am instructed by the delegation to notify you that the following resolution was adopted:

"*Resolved*, That each member of the Illinois delegation write each Senator and Representative from Illinois, urging him to use his best endeavor to have the Committee of Commerce of the United States Senate restore to the rivers and harbors bill of this session the amounts recommended for Illinois projects by the House of Representatives at the last session of Congress."

It is imperative that you, and others who have influence with our legislators, urge them to make every effort to restore to the rivers and harbors bill the amounts recommended by the Army engineers. Chicago harbors need every dollar recommended by the engineers, and any amount less than the original recommendations should not be thought of.

Each of the 132 delegates appointed by Gov. Dunne are being requested to write each Senator, as well as each Representative from their district, and I trust you will find time to give this matter your attention. I know you are busy, but busy men are the ones who do things, and your influence and the influence of the other delegates may force our lawmakers to give this matter the attention it deserves.

I am inclosing a suggestion for a letter to our Senators and Representatives, but expect, of course, that you will use your own language. A letter along this line has the indorsement of Mr. M. F. Rittenhouse, chairman of the Illinois delegation; Mr. T. Edward Wilder, Illinois vice president of the Rivers and Harbors Congress; Mr. E. J. Kelly, of the sanitary district; and others.

Please advise if we may expect your influence in our effort to restore the appropriation above mentioned, and oblige,

Yours, very truly,

JOHN J. COMMONS,
Secretary Illinois Delegation to the 1914 National Rivers and Harbors Congress.

This is the way the great business men act upon these propositions. [Applause.] They have a letter sent out, personal in character, to be sent to the Senator or Members of Congress, telling how much they know about the subject, when the man who sent it assumed that they did not know enough to write a letter about it. That is the way big business men handle these things. Thank Heaven, that is not the way Army engineers handle such propositions. They figure them out on their merits and not on personal solicitation.

The CHAIRMAN. The question is on the motion of the gentleman from Texas [Mr. CALLAWAY] to strike out the paragraph.

Mr. HARRISON. Mr. Chairman, there was not a motion to strike out the paragraph. There was a motion made by the gentleman from Wisconsin [Mr. FREAR] to strike out the last word, merely pro forma.

The CHAIRMAN. If there be no objection, the pro forma amendment will be withdrawn and the Clerk will read.

The Clerk read as follows:

Pascagoula and Leaf Rivers, Miss.: For maintenance, $18,000.

Mr. FREAR. Mr. Chairman, I move to strike out the last word, for the purpose of calling attention to a statement made by the Army engineers in reference to commerce at this point, and which is characteristic of other items throughout the bill. The question is whether or not their judgment is to be accepted in reference to such items.

On Leaf River I notice that the commerce is 335,010 tons, according to the report of the engineers, of which timber and logs amount to 335,000 tons and the merchandise to 10 tons. I assume that that is a mill, or something like that, because that would probably be the case in a project of this character. Ten tons of miscellaneous commerce is significant.

But returning to the question of the Army engineers, the gentleman from Illinois [Mr. MANN] states, and very properly, that it would be unwise to leave these questions to men who have a personal interest. Why, certainly. If the gentleman will let me take the letterhead from which he read a moment ago—the gentleman states that the letter has gone to the Clerk's desk, but I had a copy of it in my hand this morning—it is from the Portland cement headquarters, and the writer of the letter sends out in the name of the rivers and harbors congress, to these various people who are members of that congress, asking them to write to the gentleman from Illinois and other Members who are interested in the Illinois projects, telling them what to do. No; you would not put men of that character in charge of an enterprise of this kind, to pass upon

these projects. Portland cement people and dredgers and contractors should be left out. The suggestion is that men of standing throughout the country, like members of the Interstate Commerce Commission, men of that kind ought to be qualified—high-class men who would not be subject to political pull. No one says that Goethals is not qualified. No one says that Hodges and Gaillard are not of the same type. I have met them all.

Mr. MANN. Will the gentleman yield?

Mr. FREAR. Yes.

Mr. MANN. I have received these letters from men drawing as high as $50,000 a year salary.

Mr. FREAR. I presume so. Salary means nothing at all.

Mr. MANN. Abler men than anybody here.

Mr. FREAR. Assuming that they are abler than the gentleman from Illinois, who is one of the ablest to be found, any man who is interested or likely to be interested in a project ought not to be appointed in such a place. Men who draw more than $50,000 a year have been hammering the Interstate Commerce Commission for months. But men of that type, appointed by the President, selected for the purpose of determining some system of waterway improvements and passing upon these projects, would be highly capable and ought to be removed from political influences. Think of the condition read here the other day when I showed a report where the Army engineers had rejected a project three times, and then 11 Members of Congress, two of them Senators, went before the board and demanded that they change their opinions, and they changed them. They had rejected the project three times. I can not believe, Mr. Chairman, that all the good is in the Army engineers, nor do I believe they should be intrusted with this important work. When I see these constant changes in projects, these constant amendments of opinions, these constant increases in amounts to be appropriated, and when I see the character of the propositions presented with the engineers' approval I can not believe the engineers are infallible. In fact, I believe we will get no material relief from present conditions until we take all projects out of the hands of Army engineers.

Mr. EDWARDS. Will the gentleman tell us whether he knows of any perfect man or any perfect body of men?

Mr. FREAR. No; I will concede that; and I will also concede that it is a very hard proposition for the members of your committee. I know that it is.

Mr. EDWARDS. Will the gentleman also tell us, and will not the gentleman admit, that perhaps of all the men of the country who ought to know about engineering problems the Army engineers are the best equipped for that?

Mr. FREAR. Oh, yes; so far as carrying out engineering problems.

Mr. EDWARDS. Does not the gentleman think that impartial men who are fitted for this particular service will give it the most impartial consideration?

Mr. FREAR. Yes.

Mr. EDWARDS. And will the gentleman——

Mr. FREAR. I can not yield any more time. I want to answer the gentleman, and he keeps asking me more questions. I want to say in response that that is true, but, as the gentleman from Texas [Mr. CALLAWAY] says, men who have had no personal experience in business, who have no qualifications for business, are not competent to handle these responsible duties and ought not to be set at the task of determining the commercial possibilities of any project.

Mr. HUMPHREYS of Mississippi. I move to strike out the last word, just to ask one question of the gentleman, on the paragraph, and not on this general debate. Does not the gentleman in all candor believe it worth while to spend $6,000 a year on the Leaf River, which floats $2,000,000 of commerce?

Mr. FREAR. If it is simply for the benefit of a sawmill, and there is nothing except 10 tons outside of the timber and logs, I should say that the condition of Mattawan Creek is precisely on the same level. As to the policy of making an improvement for the purpose of benefiting a particular institution, I should disagree to that.

Mr. HUMPHREYS of Mississippi. This is to float $2,000,000 worth of commerce.

Mr. FREAR. It is immaterial how much. It is a question of the purpose, whether public or private.

Mr. HUMPHREYS of Mississippi. It is a commerce that everybody is interested in. It matters not whether it is lumber, coal, or ore.

Mr. FREAR. Let me make my answer clear to the gentleman.

Mr. HUMPHREYS of Mississippi. If the gentleman will pardon me for a moment, it matters not what it is or to whom it belongs just so it enters into the commerce of the world. Now, all of this is for export. This goes to the sawmills down there, and you notice that the value is $8 a ton. The value of ordinary logs is $2 or $3 a ton. This value of $8 shows that much of the timber is sawed. Does not the gentleman think it is worth while to spend $6,000 a year to make that stream navigable in whatever way is necessary in order to get $2,000,000 of commerce out to the sea?

Mr. FREAR. The gentleman has asked a very fair question. Let me endeavor to answer it just as fairly. If it is for the benefit of one mill or two mills standing there, I should say no. I do not believe in appropriating public moneys for private concerns. If that is proper to be done, then I admit that the Government may make contributions to any individual or any particular interest.

Unless it is for the public welfare to be served by navigation at that particular point, I can not understand how we are justified in using the taxpayers' money, whether it is in Wisconsin, Arkansas, or Mississippi.

Mr. HUMPHREYS of Mississippi. The gentleman does not say that there is anything in the record showing that there is only one sawmill here?

Mr. FREAR. No; I do not say that. It is the principle I am speaking of.

Mr. HUMPHREYS of Mississippi. I am talking about this particular item. The gentleman does not think that this is an unfair appropriation?

Mr. FREAR. I should want more information about it. I have said that there are only 10 tons of merchandise, and all the rest are logs and timber, and apparently a sawmill is located there to be served by this appropriation.

Mr. HUMPHREYS of Mississippi. A good many sawmills.

Mr. FREAR. Well, I do not know about that, I am speaking about the principle, and the general benefit to be subserved.

Mr. HARRISON. Will the gentleman yield?

Mr. HUMPHREYS of Mississippi. I will yield to the gentleman.

Mr. HARRISON. I want to say that it is not the sawmills alone that are benefited, but the people who live along the river and own the timber and float it down are benefited, and because of these appropriations the river is made navigable so that these people are enabled to float their logs to the sawmills and to obtain a good price for their logs and timber. It is a great benefit to the people who live along the river.

The CHAIRMAN. The pro forma amendment is withdrawn, and the Clerk will read.

The Clerk read as follows:

South Pass Channel, Mississippi River: For maintenance, $50,000.

Mr. WATKINS. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 20, between lines 11 and 12, insert:

"Red River, La.: For maintenance from its mouth to Fulton, Ark., $100,000."

Mr. WATKINS. Mr. Chairman, I recognize the difficulty and the almost impossibility of securing the passage of any amendment to this bill. I wish, however, to say in the beginning that I have nothing but the kindest feelings for every member on the Rivers and Harbors Committee. They are all personal friends of mine, and I would not say anything to detract from their work or reflect upon them in any way whatever. But in considering the proposition of rivers and harbors throughout the United States one of the most deserving rivers is that of Red River, La., Ark., Tex., and Okla. For 475 miles that river is not only navigable, but until the last two years, which I will give a reason for later, it has been navigated for more than 50 years. This is not a new project. Not one dollar is allowed for it in this bill. This river serves to regulate the freight rates for more than 1,000,000 people, running through the districts of five Members of Congress, each of which has a population of over 200,000. As I say, it is the distributing point up and down and regulates freight rates for the benefit of more than a million citizens of this country, and still not one dollar is provided for it in this appropriation bill.

There have been various projects adopted for this river; the last one was that of 1882. From that time to this there has never been an appropriation bill but that has provided for this river until the one of last year.

Now, Mr. Chairman, I wish to call the attention of the committee to these facts. I ask the attention of every Member on the floor, including every member of the Committee on Rivers and Harbors. I have not said what I have about the members of the Committee on Rivers and Harbors with the hope of getting a vote from any member of that committee, but I am speaking to the membership outside of the Committee on Rivers and Harbors. There is not a river in Florida, with 30 projects, in Mississippi, with its vast projects, or in Alabama, with its

number of projects—there is not one that has the merit that Red River has. While I say I do not expect a vote from a single member of the Rivers and Harbors Committee, I do expect that the Committee of the Whole will heed what I say and grant this deserving relief.

Last year for the first time the committee left out the appropriation for Red River in Louisiana, Texas, Mississippi, and Arkansas. Immediately the schedule of rates for freights was fixed up by the various railroads running into the city of Shreveport, La. Shreveport is a city of 40,000 inhabitants. It ships 250,000 bales of cotton per annum under normal conditions, and $15,000,000 worth of timber was billed out of that city in 1907. The commerce on this river serves to keep the freight rates down for that city as well as numerous other towns and cities along the river. They have now been notified that the rate on cotton bagging and ties will be raised from 10 to 20 cents. They have not been authorized to raise the freights yet, but it is in contemplation. They have offered to do it, and will do it unless the cities along this river are to have the benefit of navigation. That is an increase of 100 per cent. You take all the various articles down the line and they have proposed to raise the freight rates from 100 per cent, 200 per cent, and 400 per cent. The last article that I see is salt, a necessary article in every home, and they propose to raise that from 10 cents to 40 cents, or 400 per cent. This is on an application to increase the rates and charges. In this particular list I do not see that of cotton, but there are several other commodities. The only contention, so far as I know, by the committee is that right at this particular time and last fall there were no boats plying the river, and the only reason for it so far as I know is the fact that the river is full of logs and snags. The fourth congressional district, which I have the honor to represent, is the largest lumber-producing district in the United States. The State of Washington is the first producer of lumber and the State of Louisiana the next, and the fourth congressional district—my district—is the largest producer of lumber of any congressional district. There are vast quantities of timber, various kinds of staves, lumber, logs, and things of that kind being shipped continuously, and in cases of overflow, where these logs have been cut near the banks of the river——

The CHAIRMAN. The time of the gentleman from Louisiana has expired.

Mr. WATKINS. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. WATKINS. In cases of overflow these logs have been washed into the river, and their ends projecting up make navigation dangerous. The last steamboat which went down the river had the bottom of it knocked out, and she now lies tied up to the wharf in New Orleans waiting for these logs to be taken out. It is only because of this physical condition at this time that it is dangerous to use steamboats, and the river is now not being used. But the people are waiting now for the logs to be taken out, and they are now in communication with the steamboat lines for the purpose of inducing them to put a new line of steamboats in the river just as soon as the logs are removed, and this snag boat is now standing tied up to the banks of the river, I suppose, for want of appropriations. At the last session of Congress there was a small balance of appropriations which lapped over from the year before and that was used as a reason for not allowing the appropriation at the last session, but that would last but a very few months, even at that time, and it long since has been exhausted.

This is not a new project, and all I ask now is to have the Members vote upon the recommendation of the Board of Engineers. If we are to have a board of engineers by which we are to be governed, and if we are to have a criterion by which we are to go, then why not and why does not the committee in this instance go by the recommendation of the Board of Engineers for rivers and harbors? They recommend the expenditure of $100,000 for this year.

The Board of Engineers from year to year has recommended from $100,000 to $250,000, and the appropriations have been made as high as $250,000 for the entire Red River in all these different States, and the commerce upon that river has been enormous up to within the last recent years; but right at this time, as stated, the reason I have given is the reason why it is not used at this particular time.

I think that in a hasty manner I have covered the various propositions involved; and without referring to this lengthy protest of my constituents, who are indignant, who are outraged at the fact that the entire appropriation has been withdrawn from the bill, without filing it, I will submit it to the fair and equitable consideration of the House as to whether a river larger than the rivers in any of these other States, more important than the rivers of many other States, except the Mississippi River—whether this river should be entirely ignored and not one dollar of appropriation allowed for it simply and purely because the logs and snags and impediments in the river so completely obstruct navigation that it is dangerous to property and life to have it further navigated.

Mr. ASWELL. Mr. Chairman, these telegrams represent the leading cities and towns between the Arkansas line and the mouth of Red River. They speak the truth. I appeal to the Members of this House to treat Red River fairly. I submit that the river deserves the usual appropriation of $100,000 annually. It can not be denied that appropriations are recommended by the Rivers and Harbors Committee in this bill for rivers not one-tenth as important or as large, and rivers for which there can not be half the justifiable reason given for such appropriation as is presented by the records I herewith submit in behalf of Red River.

Red River, 1,200 miles long, drains one of the most fertile valleys in the world, and all that is needed to place upon it all the commerce necessary amply to satisfy the members of the Rivers and Harbors Committee is for a reasonable appropriation to be made to encourage the people to build up the traffic, which they are doing and are anxious to continue to do if they can receive reasonable encouragement from the Federal Government. By the removal of one sand bar the river would be navigable the year round as far north as Alexandria.

I sincerely hope that this amendment will be adopted, and that Red River will not be treated so wrongly and in a manner so unjustifiable by this committee.

I serve notice now upon the House that at an early date there will be presented a measure carrying into effect the report of Gen. Bixby for the purpose of creating a Red River commission to organize and systematize the improvement of Red River on a scale that I trust will meet the hearty indorsement of the Congress.

The enormous lumber interests, oil and other mineral deposits adjacent to this river, which find their only outlet through its course, make it imperative that this $100,000 be annually appropriated until the larger and more comprehensive plan of improving the river can be put into execution.

I again most earnestly appeal to the members of the committee to agree to this amendment.

The river has been so neglected that no report has been made of the commerce on the river since 1910, and none then on the timber and oil products of that great valley. As explained by the chairman of the Rivers and Harbors Committee in defending the Florida rivers, the engineers have not had enough money to keep the river navigable.

The work on Red River by the Federal Government began in 1828, and has had continuous support from the Federal Government for maintenance except between 1841 and 1852 and 15 years after 1857, until the last Congress. The existing project, which is not complete, was begun in 1882 and has been continued until last year. Certainly you can not turn this amendment down on your usual excuse that it is a new project.

In his report to Congress for 1914 the Chief of Engineers of the United States Army says:

The amount that can be profitably expended in the fiscal year ending June 30, 1916, for the work of improvement and maintenance of Red River is $100,000.

Mr. CALLAWAY. Mr. Chairman, will the gentleman yield?

Mr. ASWELL. Yes.

Mr. CALLAWAY. The gentleman says the only excuse for not making the appropriation for this river is that the commerce has decreased on the river. If that is a good reason for discontinuing the appropriation, it would be so with reference to every inland river in this country, even the Mississippi and the Ohio.

Mr. ASWELL. It would.

Mr. CALLAWAY. And every other river.

Mr. ASWELL. Mr. Chairman, in reply to the gentleman from Texas, I will say that the chairman of the Committee on Rivers and Harbors made the best possible answer to the criticism made against the Red River when he defended himself for appropriating large sums of money for rivers in Florida, even though their commerce had decreased 30 per cent.

Under leave to print, I insert the following:

The report of the Chief of Engineers of the Army for 1914, page 867, is as follows:

The existing project now provides for continuing improvement from Fulton, Ark., to the Atchafalaya River, La., by the systematic clearing of the banks to remove the source of drift and snags; continuing snagging operations and the removal of jams and raft; dredging towheads and shoals; constructing a substantial system of levees to fix the

course of the river, either alone or by cooperating with riparian States; the closure of all outlets that deplete the river; the fixing of caving banks to confine the river to the selected channel; and the prevention of injuries to regimen by new cut-offs or outlets. The nature of the improvement is such that no estimate for its completion can be given. The estimated cost to maintain improvement is $100,000 a year, exclusive of extraordinary demands for new plant that will arise from time to time.

On pages 841–842, the following appears in the Chief of Engineers' Report for 1913:

The commerce reported for the 18 years ending June 30, 1907, ranging in quantity from 66,376 to 279,946 short tons per annum, with estimated values of from $1,506,500 to $9,185,000. The average for the 18 years was 123,244 short tons, valued at $4,359,900 To this should be added the commerce from Ouachita River, entering Red River at the mouth of Black River, the average of which was 178,070 short tons, valued at $6,229,560, making a total of 301,314 short tons, valued at $10,589,460.

Traffic in timber products has increased on the river, which alone affords an outlet for them.

The project has effected a reduction on freight rates on all commodities.

The amount estimated as a profitable expenditure in the fiscal year ending June 30, 1915 ($100,000), is to be applied as follows: Care and renewal of plant, $25,000; maintenance by snagging and clearing, $50,000; improvement by dredging, $25,000.

On March 30, 1914, Maj. Frank M. Kerr, chief State engineer of Louisiana, writes as follows:

I have no hesitation in asserting, from many years' experience, that for a stream of its length and magnitude and importance there has never been a year, in all the long years of the past during which it has been under consideration, in which the Government appropriations for the improvement of Red River have ever been anything like adequate.

Except for raft removals, snagging operations in the main stream and in contiguous lake regions, the overhead expenses and cost of maintaining the plant necessary for this, extending over quite a period of time, spasmodic efforts to promote the proposed restoration of navigation, by way of the lake region, between Jefferson, Tex., and Shreveport, La., some little harbor work, now and then, here and there, and for a year or so, about the time of the organization of the Caddo, Bossier and Red River, Atchafalya and Bayou Boeuf Levee districts, when some small part of the levee work required under the then proposed projects for the Caddo and Bossier Levee districts was assumed by the National Government, no real, systematic, and comprehensive advance, due to inadequate Government appropriations by the National Government, has ever been possible on Red River.

The result is that Red River, from source to mouth, in spite of local effort here and there along its length, is at best still in an untamed and uncontrolled state.

In Louisiana more advance along this line has been rendered possible, because of the longer and somewhat more strenuous efforts put forth during the past 20 years or so by its riparian dwellers and property owners, the outlay, with little encouragement from the Government, reaching, at this date, within that period, with projects at present under way, upward of $5,000,000.

A world of corrective work, from the point of view of navigation, as well as for restraining floods, is therefore still required on Red River.

Red River, just like the Mississippi River, also suffers greatly from caving banks. This condition is intensified by its extreme tortuousness, cut-offs, steepness of slope, and, where so far confined, to the enlargement of section consequent.

Realizing to what a serious extent the interests of navigation, the preservation of its lines of public levee, and the protection from floods of its riparian lands were affected by this ever-recurring menace, one local district alone on Red River, the Caddo Levee district, in addition to extensive levee work, drainage work, and rectification of channel ways, has recently undertaken to treat the greater number of the most aggravated caving banks on Red River within its limits with bank-protection work.

With such a good example as that set by the Caddo Levee district, it would certainly appear reasonable that the National Government should not much longer fail to accord substantial recognition to at least this important factor in river control on Red River, with its far-reaching influence over improving navigation and flood prevention, as well as of the numerous other features connected with the development and preservation of Red River as a great waterway for Louisiana, and elsewhere throughout its course.

—

MARKSVILLE, LA., *January 13, 1915.*

J. B. ASWELL, *Washington, D. C.:*

You are earnestly requested to do all in your power to secure appropriation of funds to improve Red River. Large area of fertile lands are rendered useless by annual floods, and the stopping of navigation is threatened. Limited revetment work in certain localities would pay Government.

J. W. JOFFRION,
C. C. GASPARD,
I. B. LEMOINE,
J. M. BARHAM,
W. F. COUVILLION,
AMET GUILLOT.

—

BOYCE, LA., *January 14, 1915.*

Hon. JAMES B. ASWELL, *Washington, D. C.:*

We need more appropriation for the continuance of traffic, as the open river traffic gives us very low freight rates, thereby placing the necessities of life where the people at large get the benefit. Urge larger appropriations, as appropriations have been too small to be of benefit.

J. E. RAY,
H. A. JOINER,
D. K. TEXADA,
J. DAWSON JOHNSON,
J. G. BAKER,
JOHN WOODARD,
J. E. GRISSOM,
R. H. GRANT.

CAMPTI, LA., *January 14, 1915.*

Hon. J. B. ASWELL, *Washington, D. C.:*

We, the undersigned citizens of Campti, La., urge you to use your influence in Congress to obtain a fair appropriation for the improvement of Red River, as navigation is now conducted on the south end from Alexandria, La., and in our opinion it will be only a short while before navigation will be resumed on the north end. If same is not taken care of now, when navigation is resumed it will be very expensive to open said river for navigation.

E. C. Readhimer, I. Rappiel, T. S. Hightower, A. A. Rappiel, C. D. Keator, Frank J. Maricelli, jr., R. E. Hammell, B. B. Roubieu, S. L. Perry, E. W. Breazeale, R. H. Simmon, R. H. Perot, E. W. Perot, W. F. Teer, J. R. Maybon, F. G. Gallaspy, J. T. Sompoayrac, Dan Leahy, Edgar Jarriet, Arthur Crocker, Will Crocker, J. A. Genius, Robert Hart, J. A. Prudhomme, J. D. Simpkins, W. L. McKnight, A. M. Gillen, J. B. Gillen, Joe McIntyre, G. E. Prothro, P. A. Cloutier, J. E. Cloutier, F. Robieu, H. N. Listage, G. J. Gillen, C. G. Prot, M. D., A. F. Trichell, Frank Garza, W. H. Huckaby, P. Birdlong, Joe Merchant, James Gregg, G. Crocker, W. J. Smith, J. C. Perot, L. L. Wallett, Sill Cralmer, Pink Merchant, Pert Roberts, John Plunket, R. S. Taylor, Joseph Sauce, Joe Deriso, A. Gourdon, L. Versia, W. G. Woodard, John Woodard, Ludy Hale, J. O. Vascocue, Lute Wallett, Edward Wallett, Ralph McKnight, E. B. Fleming, Rene Lowe, Edgar Perot, S. J. Mayeaux, R. A. Prouciau.

—

ALEXANDRIA, LA., *January 13, 1915.*

Hon. J. B. ASWELL,
House of Representatives, Washington, D. C.:

We maintain traffic on Red River between New Orleans and Alexandria and all way landings by weekly trips of steamer *Omaha*. The stage of water would permit the removal of snags and sand bars between Alexandria and Black River and will permit traffic as far up as Alexandria the year round. There is no reason why the river should not be made navigable all the way to Shreveport. The thousands of people living along this stream, the next in importance to the Mississippi in the South, are badly in need of the transportation this river can be made to furnish.

W. D. HAAS,
President Alexandria Chamber of Commerce.

—

COLFAX, LA., *January 13, 1915.*

Hon. J. B. ASWELL, *Washington, D. C.:*

We insist that appropriation be made. No care taken of river in so long that it has run wild, filled in from caving banks, become more crooked, and less susceptible to navigation. If river is straightened it would deepen itself, and we would have no trouble in restoring navigation. Thirty-six boats were once kept busy in Red River. With locks river would be navigable at all times. If this course was observed by the Government, it would largely protect the valley from inundation.

C. H. TEAL.
J. H. MCNEELY.
J. Q. LONG.
T. M. WELLS.
A. B. PERKINS.
E. H. BLACKWOOD.
J. W. DUNCAN.
E. S. MURRELL.
M. E. SWAFFORD.
F. B. COLE.
J. B. ROBERTS.
J. A. HYDE.
N. P. BARTON.

—

SHREVEPORT, LA., *January 12, 1915.*

Hon. J. B. ASWELL, *Washington, D. C.:*

Traffic manager of chamber of commerce now in New Orleans for purpose of effecting an arrangement with barge line to enter Red River permanently. Chamber of commerce has acted as body with cooperation of city officials. We recognize the dire importance of navigation in Red River, and are going to spare no pains nor expense looking to this end. Shreveport is thoroughly alive to the opportunity and will not be found wanting.

GEORGE M. HEARNE, *President.*
ARDIS & CO.
FOSTER & GLASSELL.
CRAWFORD, JENKINS & BOOTH.
THE HICKS CO.

Mr. GOODWIN of Arkansas. Mr. Chairman, as has been stated by my colleagues from Louisiana [Mr. WATKINS and Mr. ASWELL] this is not a new project. About 1913 the Chief of Engineers made a recommendation that the improvement of this river be made and made an estimate of something in excess of $6,000,000. That report was predicated upon the theory that the Federal Government would be assisted by localities and States, such as levee districts and the like, and acting upon that theory the various localities upon Red River have proceeded to tax themselves until within my State alone the people have paid out already in the last few years over $1,175,000. That does not, of course, include the appropriations and taxation made upon the people themselves above or north of Fulton, Ark., nor does it take into consideration the appropriations made by levee assessments south of Arkansas, and for many hundred miles in the State of Louisiana. Notwithstanding this is not a new project, being a continuing one, this committee does not bring in one red cent for Red River. Red River has a drainage area of 97,000 square miles, much more than many of the rivers combined in this bill which have received many million dollars in the past and several hundred thousand dollars of appropriations carried in this bill.

The Yazoo River alone, if comparison may be made, and I do not desire to make an invidious comparison, has a drainage

area of only 13,850 square miles. The great Ohio River has 102,000 square miles of drainage area. Red River, as I said, has 97,000 square miles of drainage area. The length of Red River, I believe, is 1,300 miles, rising way down in New Mexico, flowing eastwardly, separating the States of Oklahoma and Texas, then taking a southeasterly course, going through the southwestern part of Arkansas, and emptying into the Mississippi River about 150 miles above the city of New Orleans. This is one of the greatest cotton countries in all the earth, raising a peculiar grade of cotton, the long-staple cotton. It grows in my district near Red River, and has a special quotation upon the Liverpool market, bringing a higher price than any other upland cotton grown in the world. Now, the length of Red River is about 1,300 miles, as stated, many hundred miles of which have been made navigable and have been navigated until the past two or three years, when the Congress failed and refused to make sufficient appropriations. In length it exceeds the combined length of the Savannah River; the St. Johns River, of Florida; the famous Tombigbee River, of Mississippi and Alabama; and the Sunflower River, in the State of Mississippi. I submit, Mr. Chairman, that notwithstanding the recommendation made by the Chief of Engineers to appropriate the sum total only of $380,000 for the first year, the amendment of my colleague [Mr. WATKINS] upon this occasion asking for only $100,000 is certainly reasonable. I do not stand here as an enemy of river appropriations—worthy appropriations. I think if I have made any reputation at all, and it is very small along any line, it has been as a promoter and as favoring meritorious river appropriations where they are needed.

The gentleman from Georgia [Mr. EDWARDS] says that the engineers are the ones who are the authority upon these matters. I shall not make any assaults upon the committee, who are my friends. I believe they have done the best they could, but I submit, Mr. Chairman, that the committee has not followed punctiliously or in a way at all uniformly the recommendations of the engineers. Those recommendations have been wholly disregarded in many States not represented by the committee. This last year when $20,000,000, a lump sum, was appropriated and left to be distributed by the War Department, the State of Arkansas received $440,000. Now, if in the distribution of last year by the War Department we received $440,000 upon meritorious projects, I submit, gentlemen, that the sum carried in this bill for Arkansas appropriations of $41,000, a good part of which Louisiana receives, is inadequate and wholly disproportionate. We have, as Mr. CARAWAY, my colleague from Arkansas, said in his speech the other day, more miles of navigable streams in Arkansas, counting the Mississippi River which borders the eastern side of our State, more navigable water in our State than any other State in the country. It receives the pittance of $41,000. I submit, gentlemen, that if I were acting wholly upon the theory that our State is not getting the proportionate part of the appropriation, I might then recur and puncture, so to speak, those items set forth in the bill which, in my opinion, are unmeritorious. Here is this great expanse of country—97,000 square miles of area—producing cotton, sugar cane, and a great quantity of commercial output——

The CHAIRMAN. The time of the gentleman has expired.

Mr. HARDY. Mr. Chairman, I wish to say that for the Committee on Rivers and Harbors I have not only the very highest esteem, but the highest opinion in every respect, and I dislike to get away from them on any part of this bill, the more so because I have listened here for hours and hours to criticisms of the committee on grounds that are not tenable. If they have committed a fault in this bill it is a fault by way of being too conservative and by way of being influenced by the "pork-barrel" cry that has been raised in sundry interested quarters as well as by sundry people who think they are speaking for the public good. There are those in this country interested in preventing the waterways from being made navigable. Great railroad interests seem to control many of the great daily newspapers, and it is the seemingly railroad-controlled papers that are week after week pouring into the ranks of this committee their charges of "pork-barrel" legislation. [Applause.] You can notice the papers loudest in their denunciation of almost any restraint upon railroads and most insistent on allowing the roads to increase their freight rates; these same papers without exception are denouncing this committee as a "pork-barrel" committee. I happen to know that in my State where we have no water competition or possibility of it there, the railroad rates were advanced to the very highest, which to my mind is a convincing reason why the railroads want no waterway improvement and why all their influences are against it. Railroad owners are human and if a waterway actual or potential cuts down their rates they don't want that waterway.

From this very town of Shreveport, on Red River, before it was left off of the river and harbor appropriation bill, they had—that is, the railroad had—a rate on cotton to New Orleans of 18¾ cents per 100 pounds, or maybe it was 19 cents, while we were paying for a less distance in Texas 55 cents per 100 pounds. This abandoned river is the great Red River. Running into the Mississippi, the father of waters, you have the Missouri on the west, the Ohio on the east, the Red River and the Arkansas on the west, and the Tennessee on the east, which, in the order as I have named them, are the great rivers of the greatest and most fertile valley of this continent, and they fit into the framework of the water system of the United States, which, when they are made navigable, will enable us to ship the products of the great valley down to the Gulf; and then by the intercoastal canal, when it is completed, there will be a perfect framework, by which one portion of our country can communicate by water with the other portions. And when we pass laws rightly prohibiting cutthroat competition by the railroads, we will have cheaper freight rates for the coarser commodities and for all slow freight.

Let me explain what I mean by cutthroat competition. There are railroads from St. Louis, from Memphis, from Cairo, to New Orleans and to the Gulf. The Mississippi River also runs from these cities to the Gulf. Now everybody knows that a good freight boat can carry a cargo of any kind of freight from and to any of these cities or the Gulf cheaper than the same cargo can be carried by rail—but the rail route can carry it quicker—consequently on the basis of fair and equal competition the river naturally and really would carry most of the nonperishable, slow, and bulk freight, while the roads would carry the more perishable and costly freight which demanded quick transportation. Left to fair competition, both river and roads would get a fair and just share of the freight. There would never be any congestion of freight in the railroad offices of these cities, and the Mississippi would be covered from St. Louis to its mouth with great vessels loaded with logs and lumber and cement and coal and cotton and hundreds of other commodities, while the roads would carry most of the high class and package freight. But the river is confined to its bed. It has no tentacles that can reach out into the country away from its banks except the railroads, and there are but few centers of commerce or points of origin of freight on its banks, and by refusing reasonable cooperation and accommodation with water transportation, making high rates from the interior to river points, and low rates from one river point to another river point, they can without lessening the aggregate amount of freight collected actually starve river navigation to death. All this they have done and will continue to do so long as our laws permit them. They levy the tribute of unjustly high rates on interior points in order to be able by unjustly low rates from river points to kill water transportation. Their selfish purpose is to secure the whole transportation of the United States for the roads, and then having destroyed all competition, to reap a rich harvest of an aggregate high rate for the whole. They have followed this practice wherever it was possible and wherever they have been allowed by law to do it. In this way they can lower their rates from St. Louis or Memphis or Shreveport below possible water rates, and I have actually seen railroads hauling saw logs down the bank of the Mississippi River. This is what I call the railroad cutthroat method of competition.

When we learn a little more we will get to the point where we can amend the laws so that the railroads can not make the Mississippi River dry, practically, as they have done in the past. I have been on that river when it was practically dry so far as freight was concerned. When we have a great system of waterways and our laws reformed so as to enable us to get the benefits of it, we will have a reduction in the general burden of freights borne by the people of this country. It is no wonder that when the great railroad systems, who want to monopolize all the freights of this country, see a chance to charge pork-barrelism against this committee, they are quick to do it. It is hard to see good men fall into the meshes of their arguments and join in their clamor without losing respect for their good sense. They come here and charge "pork barrel," and just appropriations are refused. It was not right to leave out of this bill the Red River or any other great project that so long has had the support of Congress.

Mr. CALLAWAY. Will the gentleman yield?

Mr. HARDY. If I can get more time.

Mr. CALLAWAY. I will ask for it.

Mr. HARDY. Very well.

Mr. CALLAWAY. You say that the general burden of freight rates will be lessened on the backs of the people. Is it not a fact that the Interstate Commerce Commission has just said that burden is not heavy enough on the backs of the people and have allowed the railroads to increase their rates 5 per cent?

Mr. HARDY. You have asked the question, and I will answer it.

Mr. Chairman, the freight rates of this country are from time to time regulated by our Interstate Commerce Commission. Undoubtedly, the aggregate of the freight rates must be enough to pay actual expenses of the railroads that carry the freight and give them a fair profit, but I say that if you will enable the waterways to carry the heavy freight and the slow freight, and very much of the bulk freight, there will not be so much freight for roads to carry, they will carry what they do carry at fair rates, and all water-bound freight will be carried at far less rates than the roads can carry it. What the railroads want to do is to monopolize all the freight. They want to carry every bit of it and my friend CALLAWAY'S course is helping them; and then they want such rates as will enable them to get high pay for carrying it all. Under the conditions I have described they can do this if we as lawmakers let them. We have made a beginning toward preventing this cutthroat method of the railroads, by our last laws on the subject, but we have not gone far enough. When we have advanced our great waterway system further toward completion, men like my friends from Texas and Wisconsin will see the light, and help us to give to waterways their just share of our freights at their cheaper rates and not be fooled into joining the railroads to oppose all waterway improvements. It has been said here to-day that the average freight rate per ton per mile in the United States is 7 mills. That is approximately true. But the average rate per ton per mile on my cotton and on yours is 4 cents, or about 44 mills, for the simple reason that in our country there are no competing waterways. These railroads went before our State railway commission and said that if they reduced the rate on cotton from 55 cents to 50 cents a hundred pounds it would bankrupt the roads. And yet those railroads while charging us 55 cents for 250 miles were voluntarily carrying cotton from Houston to New Orleans, 390 miles, but in competition with a waterway, at 12 cents a hundred pounds. They can figure! And they sometimes pull the wool over the eyes of commissions.

I say that when this country does its duty we will have a river and canal system like that of France, where you can carry a package by water from the southeastern corner of France to the northwestern without ever taking it off of the water. And when you get that system you will not have the railroads congested with freight which they can not carry. They will carry high-class freights and get high-class rates for it, and the cheaper freights will go by water and at lower rates.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. HARDY. Mr. Chairman, I ask unanimous consent for five minutes more.

The CHAIRMAN. The gentleman from Texas asks unanimous consent for five minutes more. Is there objection?

Mr. MANN. Mr. Chairman, reserving the right to object, I will say that I do not intend to do so. But I would like to inquire if the amendment of the gentleman from Louisiana is still pending?

The CHAIRMAN. Yes, sir.

Mr. MANN. Can not we reach an agreement as to the time for debate?

Mr. HARDY. I suppose the chairman would like to have such an agreement. I have no objection.

Mr. MANN. We have had half an hour on it now.

Mr. SPARKMAN. Mr. Chairman, I ask unanimous consent that all debate on this paragraph and amendments thereto close in 10 minutes, the gentleman from Texas [Mr. HARDY] to control five minutes and the gentleman from Mississippi [Mr. HUMPHREYS] five minutes.

The CHAIRMAN. The gentleman from Florida asks unanimous consent that all debate on this paragraph and amendments thereto close in 10 minutes, the gentleman from Texas to have five minutes and the gentleman from Mississippi five minutes. Is there objection?

Mr. WINGO. Mr. Chairman, reserving the right to object, where is this amendment supposed to be inserted?

The CHAIRMAN. To be inserted after line 11 on page 20.

Mr. WINGO. That will simply close the debate on this paragraph?

The CHAIRMAN. Close the debate on this amendment. Is there objection?

There was no objection.

Mr. HARDY. Mr. Chairman, I want to appeal to this House in behalf of this amendment, and to the Committee on Rivers and Harbors. The great Ohio River has been a wonderful blessing to her people, because they still continue to use it. The great Mississippi River might be a wonderful blessing to the whole country, but by unfair means in our railroad-rate regulations it has been largely caused to be the same as a dry stream. The time will come when our country will get its waterways in better condition than they are now, when some of the blessings, such as were pointed out by the gentleman from Pennsylvania [Mr. BARCHFELD] as having come to the city of Pittsburgh from water transportation, will come to us everywhere. It will come when our Congress will adopt a law under which the railroads can not use cutthroat methods to secure a monopoly of transportation and when a great portion of our transportation of commodities will be on our rivers. We are a pitiful exhibition of statesmanship if we let the thousands of miles of navigable rivers in our country run to the ocean without being laden with freight while the railroads monopolize transportation, part of which they ought not even to attempt to take.

Here is the Red River, that for a long time has helped those people along its borders cut down their freight rates to a reasonable amount, now made dry because the appropriations have been stopped. There is no more deserving stream among all our inland waters. It affects the State of Arkansas and the State of Texas and the State of Louisiana and parts of Oklahoma. It is a great river, second only to the Ohio, with its tributaries, running into the Mississippi River; and yet for some reason the railroads were permitted by cutthroat methods to reduce their rates at Shreveport and other river towns while raising them at inland points till they killed transportation on this river, and we now second the operations of the railroads and cut off appropriations entirely, allow the river to fill with snags, and are apparently going to do nothing more till traffic resumes on the river.

Mr. Chairman, I do hope that this cry of "pork barrel," raised here and by the great newspapers of the country, will not deter us from doing our duty. We have a duty to perform to the whole people. I would like to have it known what are the interests that are fighting river and harbor appropriations. They are the great interests back of great newspapers that fight it every year, and it is the railroads that want to monopolize freights and raise their rates at every opportunity.

Mr. FREAR. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Texas yield to the gentleman from Wisconsin?

Mr. HARDY. Just one moment. I think I can anticipate the gentleman's question and thus save time. I know that Members here who are fighting different items in this bill have nothing in the world to do with these influences. I intended to say that. I have as high a regard for my friend CALLAWAY and for the gentleman from Wisconsin [Mr. FREAR] as I have for any Member, but I do say sometimes it behooves us to look well to the company we are in, and when we find that we are fighting shoulder to shoulder with the great selfish interests of this country the significance of the fact ought to be patent to us. We ought to want to know why the railroads are fighting. They are fighting river and harbor appropriations because they want a monopoly of all freight, common and fine, carload and package, every kind. They do not want the waterways to carry an ounce or a pound or a ton of freight if they can help it.

They know that every waterway decreases their power to tax the people, and that more and more this people will insist on the full, free use of cheap water transportation. I would like to see all our rivers made navigable, and then we shall have, like the backbone of a great whale, the Mississippi River coming down through the center of this country, its ribs running out in the Red River, the Arkansas, the Ohio, the Tennessee, and the Missouri, and pouring the riches of its freights into the cities on its banks and into the Gulf of Mexico, and from there going back through our intercoastal canal around the coast of the Gulf and the Atlantic and up our streams into the interior, giving our people water rates by actual transportation and not by paper calculation and railroad differential rates only. I would like to see the amendment of the gentleman from Louisiana [Mr. WATKINS] agreed to by the Committee on Rivers and Harbors. I believe they ought to do it, and I believe the committee ought to put that appropriation of $100,000 on this bill and enact it into law. [Applause.]

Mr. HUMPHREYS of Mississippi. Mr. Chairman, I am, of course, sorry that the committee could not see their way clear to incorporate this item of appropriation in the bill, but we were hedged about by limitations that are known and must be appreciated by all the Members of this House on both sides.

This particular item is for the Red River, which is a great river in many respects. There is now pending before the Committee on Rivers and Harbors a proposition to improve this river so as to make it a real commerce bearer, at a cost of several million dollars.

Mr. ASWELL. Mr. Chairman, will the gentleman yield?

Mr. HUMPHREYS of Mississippi. Yes; I yield.

Mr. ASWELL. I merely wanted to ask the gentleman from Mississippi if he does not think it is imperative to continue this appropriation until that larger scheme can be put into effect, because it will require a long time?

Mr. HUMPHREYS of Mississippi. Well, if the committee had thought that, of course, it would have been included. It is a great project, and if put into effect and executed it would make the Red River navigable. But in the opinion of the committee it is utterly impossible to restore navigation on the river by continuing the present project. We have expended nearly $3,000,000 on it, and yet the commerce has almost disappeared.

Mr. HARDY. Mr. Chairman, will the gentleman allow me a question right there?

The CHAIRMAN. Does the gentleman from Mississippi yield to the gentleman from Texas?

Mr. HUMPHREYS of Mississippi. Let me state the case first. Last year there were 26,000 tons of commerce on the river, and about 24,000 of that was lumber and sand and riprap that floated down the river.

Mr. ASWELL. Does that include the lumber product?

Mr. HUMPHREYS of Mississippi. That included even the lumber product. That includes everything. There were on the river 2 gasoline boats of 42 tons, and 2 steamboats of 497 tons which carried 10 passengers.

Mr. ASWELL. That did not include the traffic below the mouth of the Black River, which is larger.

Mr. HUMPHREYS of Mississippi. This includes all the commercial statistics of the Red River, Louisiana and Arkansas, below Fulton, Ark. From there to the mouth, unregistered, there were two gasoline boats and four barges. Of the 20,000 tons of timber, 15,000 tons went down in rafts. So that the committee felt, under the limitations which, as I said, confronted it, we could not justify the appropriation of $100,000 for this river. We found that after the appropriation of all this money the commerce continued to decrease and finally practically disappeared. Year before last it was 44,000 tons; then it dropped to 26,000 tons. The steamboats can not navigate that river in the condition it is in, unfortunately, because they can not undertake the hazards. It is very shallow and full of logs, and if the logs are snagged out, as this present project proposes they shall be, the water in the pools simply runs out of the pool above, and we have the same shallow condition as before. It is utterly impossible, in the view of the committee, to make that channel navigable so that it may be made serviceable to the people under the existing project. For that reason the committee thought that the only wise thing to do—not in a spirit of unfriendliness to this project, and certainly not in a spirit of unfriendliness to the State, but the only thing that could be done in justice to the country—was to pass this over until we can take up and give proper consideration to a project that may be of real service.

Mr. HARDY. Now will the gentleman yield?

Mr. HUMPHREYS of Mississippi. Just excuse me for a moment, until I finish. I have only five minutes. The gentleman had 15 minutes; his side has had 25 minutes. I just want to make this brief reply. I know it is charged on the floor, and I know it is charged off the floor, with great vehemence in some cases off the floor, that I am unfair to the State of Louisiana——

The CHAIRMAN. The time of the gentleman has expired. All time has expired. The question is on the amendment of the gentleman from Louisiana.

The question being taken, on a division (demanded by Mr. GOODWIN of Arkansas and Mr. WATKINS) there were—ayes 27, noes 64.

Accordingly the amendment was rejected.

Mr. REILLY of Connecticut. I move to strike out the last word. Mr. Chairman, to show that all of the money for river and harbor improvements is not squandered or misspent, and as proof of the great benefit that these appropriations can be to communities, let me read a bit in reference to matters that the committee has already acted upon. I read from a letter printed in the Waterbury American of January 14, 1915, from a person who is visiting in Tampa and St. Petersburg, Fla., after an absence of 15 years. He is not a booster for a river and harbor appropriation. He tells interestingly of changes due in great part to improvements made as a result of river and harbor appropriations:

The sail across Tampa Bay was beautifully restful after 36 hours on a sleeper. Hillsboro River has been dredged since my last visit, so that now the boats, including some fair-sized sea goers come up into the heart of Tampa. Formerly Port Tampa, far down the peninsula which divided the big Tampa Bay proper on the west from the smaller Hillsboro Bay, was the shipping point for all but very small craft. It was reached by railroad and is, of course, still a busy spot. But our sea trip was about twice as long as the old one—two hours by schedule.

St. Petersburg is my most serious shock thus far. I remember it 15 years ago rather hazily as a slumberous little village, with a rickety wharf, a street of a few ramshackle wooden or brick structures, and a tiny terminal railroad station, from which one train a day arrived and departed from and to Jax, and two little yellow trains, with wood-burning engines, arrived and departed from and to Tarpon Springs, at the head of the peninsula. Yesterday we dropped into a city of paved streets, big buildings, trolley cars clanging in every direction, automobiles blocking traffic.

The old town seems to have been completely wiped out and built over. Central Avenue runs up from the old or Atlantic Coast Line wharf through the middle of the town. The streets are numbered from the water front westward. There are, I think, 15 or 16 of them in the developed area.

All streets, so far as we have seen, are brick paved, running, I should say, from 30 feet upward in width. On each side is a grass plot 15 or 20 feet wide; then a broad, concrete sidewalk and a narrower grass plot outside the property line. There are rows of palmettos which, with their short, thick boles and squatty verdure, give the same impression of formality that you get from boxed shrubs in a big city street. There is good water, sewers, gas, electricity, and fire alarm.

If one wants a temperate tropical climate, with every city convenience, he can not find a better place than this on the eastern coast of this continent, I should say. But it doesn't appeal to me. I still mourn my old, sleepy, enchanting St. Petersburg—this place ought to be "Petrograd"; it isn't St. Petersburg.

And why? Because judiciously spent appropriations by Congress have changed sleepy old St. Petersburg into a modern, up-to-date city. [Applause.]

The CHAIRMAN. By unanimous consent, the pro forma amendment will be considered as withdrawn, and the Clerk will read.

The Clerk read as follows:

Inland waterway from Mermentau River to Sabine River, La. and Tex.: For maintenance, $8,000.

Mr. WATKINS. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Louisiana offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 20, between lines 16 and 17, insert:

"Sabine River, La.: From Orange, Tex., to Logansport, La., $30,000, for construction of a snag boat and its operation for a period of one year in taking out logs; which logs are to be sold, the proceeds to go to pay expenses, in conformity with the recommendations of the Board of Engineers for Rivers and Harbors, as per House Document No. 668, Sixty-third Congress, second session."

Mr. WATKINS. Mr. Chairman, this is a new project, and for that reason—and I conceive that is the only reason—the Rivers and Harbors Committee thought proper not to incorporate it into this bill. The Board of Engineers for Rivers and Harbors made a very long report upon this proposition, recommending it favorably; and I want to state to the members of this committee that the estimates and the evidence on the hearing showed that there are approximately $500,000 worth of logs which can be taken out of this river and sold, making the river a navigable stream without costing the Government anything at all, except the $30,000 which it expends for the purpose of constructing this boat, and even that is to be paid back out of the proceeds of the sale of these logs. This is recommended by the Board of Engineers. It is a financial proposition which is a sound one. It will enhance the revenues of the Government to a large extent, and it is perfectly feasible in every respect. I ask for a vote, and hope to obtain the favorable action of the House on this proposition.

The CHAIRMAN. The question is on the amendment of the gentleman from Louisiana [Mr. WATKINS].

The question was taken; and on a division (demanded by Mr. WATKINS) there were—ayes 13, noes 37.

Accordingly the amendment was rejected.

Mr. DUPRÉ. Mr. Chairman, I had intended at this juncture to offer an amendment to insert a new paragraph, but I have decided not to do so, and I should like five minutes in which to explain why I have decided not to offer this amendment.

The CHAIRMAN. The gentleman moves to strike out the last words, and is recognized for five minutes.

Mr. DUPRÉ. Mr. Chairman, the amendment I had in mind was an amendment which was reported to the Senate when the ill-fated river and harbor bill of 1914 was before that body. The amendment received the favorable action of the Commerce Committee of the Senate. It reads as follows:

Between lines 16 and 17 insert the following new paragraph:

"Improving waterway from Mississippi River to Bayou Teche, La., in accordance with the report submitted in House Document No. 610,

Sixty-third Congress, second session, $100,000, and in constructing said waterway the Secretary of War may use such portion or portions of any private canals as may be suitable for the purpose and can be acquired upon satisfactory terms."

I realize that this is a new project, although a great number of my constituents differ with me on that point. It is true it is a part of the intercoastal canal system on which a favorable report has been made, the system extending from St. Georges Sound to Brownsville; but that system is divided into a number of links and sections. Each section stands on its own bottom. Unfortunately, in spite of the fact that before the Senate committee Col. Beach, the engineer in charge, declared that this section from Morgan City to the Mississippi River was the most important segment of this system, still it was one of the last that was reported upon, and accordingly it stands before the House to-day as a project for which no appropriation has ever been made, and which has no further basis than a favorable report from the Chief Engineer of the United States Army Corps, a report never acted upon or approved by Congress. That, I understand, is the difference between a new and an old project, as determined by the committee and recognized by this House.

I believe then that as it is a new project and as I have been assured by members of the committee that no new project of any kind has been inserted in this bill, although there may be two or three that are skating on mighty thin ice—which I could mention if I cared to be personal—and as I am convinced that these gentlemen are acting in good faith and have sought to exclude all new projects, and as I remember the legislative "hold-up" that the rivers and harbors bill encountered in the Senate last year, and as I do not want to be responsible for defeating this legislation by overloading the bill, I think its passage can best be accomplished by standing behind the measure as the committee reported it, and I will not press the amendment at this time. I shall, however, insert certain resolutions adopted by various organizations in Louisiana and Texas, in which they pay their compliments to Congress and myself for the views that this House and I entertain on the subject.

The CHAIRMAN. The gentleman from Louisiana asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

The following is the matter referred to:

Resolution adopted by the inland waterway committee of the New Orleans Association of Commerce, in session, Monday, December 28, 1914.

Resolved by the inland waterway committee of the New Orleans Association of Commerce, That the exclusion from the pending rivers and harbors bill of the New Orleans-Morgan City and Sabine-Galveston links of the Mississippi-Rio Grande Intercoastal Canal on the ground that these links are new projects is contradictory to the essential requisites to be considered in the construction or improvement of inland waterways, inasmuch as the Mississippi-Rio Grande Intercoastal Canal is one project, approved as such by the United States Engineers and to be worth while and to justify the investment already made, and its consideration under the head of interstate commerce, it must be so completed; be it further

Resolved, That we do hereby instruct our delegate (Mr. S. B. Stewart) to the meeting of the executive committee of the Interstate Inland Waterway League, to be held at Houston, Tex., December 30, to urge upon that meeting that it demand of the delegations in Congress from Louisiana and Texas that they insist upon the inclusion of these two links in the single project of the Mississippi-Rio Grande Intercoastal Canal in the pending rivers and harbors bill; be it further

Resolved, That our delegate be instructed to set forth the judgment of this committee before the executive committee meeting to the effect that the exclusion of these links in this unit project from the Mississippi to the Rio Grande is violative of every fundamental of business administration and tends to be destructive of the cause of inland waterway transportation in the region affected; be it further

Resolved, That copies of these resolutions be sent to the members of the Louisiana congressional delegation and the newspapers of the States of Louisiana and Texas.

NEW ORLEANS ASSOCIATION OF COMMERCE,
B. B. MYLES,
Acting Chairman Inland Waterway Committee.

Attest:

M. B. TREZEVANT, *General Manager.*

—

The executive committee of the Interstate Inland Waterway League of Louisiana and Texas, and representatives of the various business interests of both States, at a special meeting held in Houston, Tex., this 30th day of December, resolve as follows:

We take issue with such members of the Rivers and Harbors Committee of Congress as declare that any section of the inland waterway of Texas and Louisiana, popularly known as the intercoastal canal, is a new project, and we call their attention to all reports in connection with this waterway which read "The inland waterway from the Rio Grande to the Mississippi River."

The presentation made by certain Congressmen who include the intercoastal canal with projects on the Atlantic seaboard, some of which exist only on paper and for which no surveys or appropriations have been made, is an injustice to the commercial interests of both States, which long ago secured recognition of the Mississippi-Rio Grande Canal as an independent project. We call upon the Senators from Texas and Louisiana to demand that the following amendments be made to the rivers and harbors bill:

First. Appropriation for the New Orleans-Morgan City section of the canal on a tide-level plan, with a minimum depth of 9 feet.

Second. Provision for the Sabine-Galveston section of the inland waterway along such approved route as will secure a minimum depth of 9 feet on tide level. In the event that the existing survey is not along lines where such depth can be maintained, we demand that the amendment offered to the Commerce Committee of the Senate authorize such survey as will connect the important ports of Galveston, Houston, Beaumont, Port Arthur, Orange, Sabine, and the tributary rivers in a 9-foot tide-level canal.

This meeting, representing the shippers and producers of the great commodities of the coast, viz, lumber, oil, rice, sulphur, salt, sugar, and various farm products, insists that the tonnage represented is entitled to immediate relief, which can only be afforded by a continuous waterway connecting all ports and tributary rivers of the coast; and it again urges its Representatives in Congress to take a positive stand for the amendments herein.

C. S. E. Holland, Victoria, Tex.; J. S. Cullinan, Houston, Tex.; G. J. Palmer, Houston, Tex.; Adolph Boldt, Houston, Tex.; S. Tallaferro, Houston, Tex.; R. W. Wier, Houston, Tex.; Theo. Heyck, Houston, Tex.; J. Q. Tabor, Houston, Tex.; D. D. Peden, Houston, Tex.; R. M. Johnston, Houston, Tex.; R. A. Welsh, Houston, Tex.; H. F. MacGregor, Houston, Tex.; E. R. Spotts, Houston, Tex.; George Waverly Briggs, Galveston, Tex.; Hugh Jackson, Beaumont, Tex.; A. E. Masterson, Angleton, Tex.; S. B. Stewart, New Orleans, La.; Leon Locke, Lake Charles, La.; H. B. Moore, Texas City, Tex.

Mr. BRYAN. Mr. Chairman, I move to strike out the last two words. I take a great deal of delight in appearing here for a little matter that I want to present at the same time my friends and colleagues and relatives from Louisiana are on the scene. It is a great delight to me that my great grandmother was a Broussard, and therefore "Cousin BOB BROUSSARD" is the real name of the gentleman from Louisiana as he looks to me.

As I was returning to the last session of Congress I had called to my attention by a gentleman on the train a situation which I believe ought to be considered in connection with this bill. The rate of pig iron from Birmingham to Mobile, if intended for coastwise shipment to the Pacific coast, bears a rate of $2.75 per ton; if that same pig iron is intended for Cuba it bears a rate of $1 per ton to the identical port and over the identical railroad. It seems to me that that fact is proof positive that independent of waterways and independent of railways there is a rate discrimination at times that is absolutely inexplainable.

The idea that if we on the Pacific coast want to buy pig iron from Birmingham, in the home State of the able leader of the Democratic Party, for shipment to the Pacific coast we have to pay a rate of $2.75 per ton to the seaboard to aid the railroads put it over the steamships, whereas if Cuba wants to buy it she gets the same service for $1.75 per ton less. I think that if the river and harbor bill will cure that situation it will indeed be a valuable and precious document to us, for we need pig iron and iron piping and other such products on the Pacific coast and in Alaska.

But, gentlemen, I do not believe it can cure it. We of the Pacific coast, when we want that product, have gone to China and imported a vast amount of pig iron. We could go to the Birmingham district at the $1 rate to the seaboard. Ships are anxious to carry it through the Panama Canal. The same conditions prevail in regard to other commodities.

The rate is $2.75 per thousand pounds on this pipe if you take it for coastwise shipment to the Pacific coast, but $1.50 if you take it there to reship to Cuba. That is the situation that I wanted to take advantage of this opportunity to call attention of gentlemen, particularly the gentlemen from Gulf Coast States, the gentlemen from Alabama and Louisiana, and others, in the hope that this anomalous situation may be remedied. I ask, in connection with the matter, to insert in the RECORD some figures in connection with the rates, for the benefit of Members, and I do it with the hope of starting something, so that both Alabama and the Pacific coast will derive the benefit, in part at least, of the canal route.

The CHAIRMAN. The gentleman from Washington asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

The following is the matter above referred to:

INTERSTATE COMMERCE COMMISSION,
OFFICE OF THE SECRETARY,
Washington, December 18, 1914.

Hon. J. W. BRYAN,
House of Representatives.

MY DEAR SIR: Replying to your favor of the 9th instant, I am forwarding you herewith a statement prepared by our Division of Tariffs, showing rates, both domestic and export, from Birmingham, Ala., to Mobile, Ala., applying on pig iron, iron piping, lumber, cotton, and

other principal commodities which are shown in tariffs filed with the Interstate Commerce Commission. I have endeavored to have the statement prepared sufficiently in detail to cover fully your inquiry.

Respectfully,

G. B. McGINTY, *Secretary.*

(Inclosure.)

The following is a statement showing rates, both domestic and export, from Birmingham to Mobile, Ala., applying on pig iron, iron piping, lumber, cotton, and other principal commodities, which are shown in tariffs filed with the commission:

Commodity description.	Rates in cents.	Application.
Pig iron, carload.....	275 per 2,240 pounds.	Rate includes shipside delivery on coastwise movements by barges or sailing vessels from Mobile.
Do.....	100 per 2,240 pounds.	Export rate on traffic destined to foreign points and countries, including insular territories under jurisdiction of United States. Includes shipside delivery.
Cast-iron pipe, carload.	275 per 2,000 pounds.	Shown as local rate.
Do.....	150 per 2,000 pounds.	Export rate on traffic destined to foreign points and countries including insular territories under jurisdiction of United States. Includes shipside delivery.
Cotton.....	45 per 100 pounds...	Local rate.
Do.....	48 per 100 pounds...	Applies only as inland proportion of export rate on traffic destined to foreign destinations moving on through bills of lading. Includes shipside delivery.
Coal, carload.....	110 per 2,000 pounds.	Applies only when for bunkerage purposes other than for export. Includes cost of lowering from cars to barges or into vessels.
Do.....	100 per 2,000 pounds.	Applies when for movements by vessel to Galveston and other Gulf ports. Includes cost of lowering from cars to vessels.
Do.....	.....do.....	Applies to ship side for export to foreign countries.
Staves, carload.....	13 per 100 pounds...	For export. Includes ship-side delivery.
Tallow, carload.....	22 per 100 pounds...	Do.
Do.....	26 per 100 pounds...	Local sixth-class rate.
Bar and rod iron, carload.	10 per 100 pounds...	For export. Includes ship-side delivery.
Do.....	12 per 100 pounds...	Local rate.
Blooms, billets, muck bars, ingots, etc.	100 per 2,240 pounds.	For export. Includes ship-side delivery.
Do.....	275 per 2,240 pounds.	Local rate.
Lumber, rough or dressed.	9½ per 100 pounds..	Local or for export.
Lumber, surfaced, carload.	13 per 100 pounds...	For export only.
Machinery, carload..	19 per 100 pounds...	For export. Includes ship-side delivery
Machinery, harvesting, binder twine, farm wagons, and gasoline farm engines, carload.	26 per 100 pounds...	Local rate.

NOTE.—Alabama intrastate rates fixed by the Alabama State commission are not on file.

Authorities: Washburn's I. C. C., 107; Washburn's I. C. C., 112; Washburn's I. C. C., 121; M. & O., I. C. C., A-1017; L. & N., I. C. C., A-12137; Southern Ry., I. C. C., A-6200.

Mr. BRYAN. I ask the business men of Birmingham and the Gulf cities to take up this data and look into the facts and find out why such a situation should exist. One dollar per ton from Birmingham to Mobile if for reshipment to Cuba, but if for reshipment from Mobile to the Pacific coast $2.75 per ton from Birmingham to Mobile. What is the difference to the railroad what becomes of the pig iron after it reaches Mobile?

The Clerk read as follows:

Bayous Bartholomew, Macon, D'Arbonne, and Corney, and Boeuf and Tensas Rivers, La.: For maintenance, $10,000.

Mr. WATKINS. Mr. Speaker, I offer the following amendment.

The Clerk read as follows:

Amend, on page 21, between lines 8 and 9, by inserting the following:

"The Caddo Levee Board is authorized to close Twelvemile Bayou and make a channel through Cross Bayou to Red River, all in Caddo Parish, La., in conformity with the recommendation of the Chief of Engineers and the approval of the Secretary of War, as per agreement of May 9, 1913."

Mr. SPARKMAN. Mr. Chairman, I reserve a point of order against that.

Mr. WATKINS. Mr. Chairman, I will ask that this agreement signed by the Assistant Secretary of War and a memorial from the board of commissioners from Caddo levee district be read in my time, and if I have any time left I will explain the matter. I will not ask the Clerk to read the contract, because it is a photograph and difficult to read, but let him read the memorial, and I will put the contract in the RECORD also.

The CHAIRMAN. The gentleman from Louisiana asks unanimous consent to insert a contract and memorial in the RECORD. Is there objection?

There was no objection.

The contract and memorial follow:

Whereas by section 10 of an act of Congress approved March 3, 1899, entitled "An act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes," it is provided that it shall not be lawful to build or commence the building of any wharf, pier, dolphin, boom, weir, breakwater, bulkhead, jetty, or other structures in any port, roadstead, haven, harbor, canal, navigable river, or other water of the United States, outside established harbor lines, or where no harbor lines have been established, except on plans recommended by the Chief of Engineers and authorized by the Secretary of War; and it shall not be lawful to excavate or fill, or in any manner to alter or modify the course, location, condition, or capacity of any port, roadstead, haven, harbor, canal, lake, harbor of refuge, or inclosure within the limits of any breakwater, or of the channel of any navigable water of the United States, unless the work has been recommended by the Chief of Engineers and authorized by the Secretary of War prior to beginning the same;

And whereas application has been made to the Secretary of War by the board of commissioners of the Caddo levee district, Caddo Parish, La., for authority to close the mouth of Twelvemile Bayou, in the State of Louisiana, with a dike, at the point at which it now enters Red River, and to divert its waters through Cross Lake and Cross Bayou by way of "The Pass" and "Bonners Ditch" into Red River, at Shreveport, La., about 5 miles below the present mouth of Twelvemile Bayou, the plans for which have been recommended by the Chief of Engineers;

Now, therefore, this is to certify that the Secretary of War hereby authorizes the said work of closing the mouth of Twelvemile Bayou, La., with a dike, at the point at which said bayou now enters Red River, and diverting the waters of said bayou through Cross Lake and Cross Bayou by way of "The Pass" and "Bonners Ditch" into the Red River at Shreveport, La., about 5 miles below the present mouth of Twelvemile Bayou, all as shown on the attached map, upon the following conditions:

1. That it is to be understood that this authority does not give any property rights, either in real estate or material, or any exclusive privilege; and that it does not authorize any injury to private property or invasion of private rights or any infringement of State laws or regulations; nor does it obviate the necessity of obtaining State assent to the work authorized, as it merely expresses the assent of the Federal Government, so far as concerns the public rights of navigation. (See Cummings *v.* Chicago, 188 U. S., 410.)

2. That the work shall be subject to the supervision and approval of the Engineer officer of the United States Army in charge of the locality.

3. That if at any time in the future it shall be made to appear to the Secretary of War that the work causes unreasonable obstruction to the free navigation of said waters the grantee will be required, upon due notice from the Secretary of War, to remove or alter the same so as to render navigation through said waters reasonably free, easy, and unobstructed.

4. That there shall be installed and maintained on the work, by and at the expense of the grantee, such lights and signals as may be prescribed by the Bureau of Lighthouses, Department of Commerce and Labor.

5. That the location of the proposed closing dike shall be approximately as indicated on the attached map.

6. That the channel from Twelvemile Bayou to Red River shall be of such dimensions, and so located, that it will provide at least 4-foot navigation from Red River into Twelvemile Bayou when Red River is at a stage of 5 feet on the Shreveport gauge.

7. That the plans for the construction of the proposed diverting canal shall be submitted to and receive the approval of the Secretary of War prior to commencing operations under this permit.

8. That all bridges crossing this waterway between Twelvemile Bayou and Red River shall be so changed, at the expense of the grantee or other local interests, as to provide suitable passage for all boats using the waterway.

9. That the proposed channel or diverting canal shall be a free public waterway, subject to the Federal laws relating to such waters, and shall be subject to such modification by the United States at any time in the future as the interests of navigation may require.

10. That the mouth of Twelvemile Bayou shall not be closed until the channel between said bayou and Red River has been excavated and fully opened to navigation, and the bridges crossing it changed, to the satisfaction of the Secretary of War.

11. That this permit shall expire by limitation if no advantage is taken thereof before December 31, 1916.

Witness my hand this 9th day of May, 1913.

HENRY BRECKINRIDGE,
Assistant Secretary of War.

MEMORIAL.

To the Congress of the United States:

The memorial of the board of commissioners of the Caddo levee district, a corporation and body politic created by act No. 74 of the acts of the General Assembly of the State of Louisiana for the year 1892, with respect shows:

1. That said levee district comprises the alluvial portion of the territory forming the parish of Caddo; that these alluvial lands aggregate many thousands of acres of very rich and fertile lands, which were subject to overflow from the waters of Red River and its tributaries; that the system adopted by the State of Louisiana to reclaim its lowlands from floods is the levee and drainage system; that there is a general State tax levied for levee purposes, and this is supplemented by levee-district taxation; that the Caddo levee district is a levee-taxing district and its board of commissioners annually levies taxation upon the alluvial lands and upon the products of same for levee repair and construction purposes.

2. That with the means obtained from the State and from levee-district taxation and from the sale and lease of swamp and overflowed lands donated by the State to the levee district, a levee system, protecting the river lands and the lowlands back from the river, has been practically completed with one exception, and that exception is the channel of what is known as Twelvemile Bayou.

3. The line of levees coming down from the Arkansas line, north of the city of Shreveport, has been completed to Twelvemile Bayou, and has been completed from Twelvemile Bayou to Cross Bayou, which latter bayou is the north boundary of the municipal limits of Shreveport, and empties into Red River at Shreveport.

The hills of Caddo Parish touch the Red River and run along the river at Shreveport for about 2 miles, so that Shreveport is located on the hills. From the lower or southern boundary of Shreveport the levee system extends on down the river to the southern boundary line of Caddo Parish.

It thus apepars, and is the fact, that the levee system of the Caddo levee district is complete, except the one gap at Twelvemile Bayou.

4. At high-water stages of the river the water backs up the channel of Twelvemile Bayou and overflows and affects the drainage of many thousands of acres of alluvial lands, to protect which from floods was the purpose of the creation of the Caddo levee district.

5. Twelvemile Bayou is the lower link of the chain of bayous and lakes which form the navigable waterway from Jefferson, Tex., to the Red River. The other links in the chain are Soda Lake, the channel between Soda Lake and Caddo (or Ferry) Lake, Caddo Lake, and Buffalo Bayou.

6. Twelvemile Bayou flows into Red River 6 miles north of Shreveport. It formerly made its junction with Red River a short mile above the mouth of Cross Bayou, which latter bayou flows into Red River at Shreveport.

7. If the channel of Twelvemile Bayou, at or above its mouth, is permitted to be closed by dam constructed across it, the levee system of the Caddo levee district would be complete from the Arkansas line to the lower or southern boundary of the parish of Caddo.

8. But we do not ask that this dam be constructed across Twelvemile Bayou until a new navigable channel or waterway be constructed to take the place of that portion of the channel of Twelvemile Bayou which will be rendered unnavigable by the proposed dam, and in this connection your memorialists aver that the Caddo levee board proposes that Congress, in granting authority to close Twelvemile Bayou, make it conditional that this new chanel to take its place shall be first constructed under plans and specifications approved by the War Department; that the United States engineer officers in charge of the Red River and of the waterway to Jefferson, Tex., have already signified their approval of the proposed new channel.

9. That the proposed new channel would make out of Twelvemile Bayou at a point where there is already a natural outlet from that bayou, known as "the Pass," connecting the waters of Soda Lake and its outlet, Twelvemile Bayou, with Cross Lake; that this outlet or "pass" is also known locally as the Tim Mooring Slough, extending a distance of several miles from where it leaves Twelvemile Bayou to Cross Lake; that in the bed of lower Cross Lake this pass or slough encounters what is locally known as Bonners Ditch or Slough, which was originally a natural chanel draining part of the waters of Soda Lake and Cross Lake into Cross Bayou, which bayou is the sole drainage of the waters of Cross Lake into Red River; that Cross Bayou begins at the foot of Cross Lake and is formed by what is known as Bowmans Chute, Middle Bayou, and Bonners Slough; and that from where Cross Bayou begins, at the foot of Cross Lake, to its entrance into Red River at Shreveport its length is only about 2½ miles.

10. That the proposed new channel will utilize the Tim Moorings "Pass" or Slough, Bonners Slough, and Cross Bayou, thus bringing the waters, which now go down Twelvemile Bayou, into Red River just north of the city of Shreveport, making the mouth of Cross Bayou at Shreveport the outlet of those waters into Red River instead of the mouth of Twelvemile Bayou.

11. That the proposed new channel will shorten the distance which these waters have to travel to reach Red River very materially and greatly improve and facilitate the drainage of the country.

12. That the channels known as Tim Moorings Slough and Bonners Slough will have to be materially widened and deepened to make the proposed new channel equal to Twelvemile Bayou as a link in the navigable waterway to Jefferson, Tex., and this it is proposed to do; that Cross Bayou will require no dredging at all, it already having a deep and wide channel.

13. That the distance between the mouth of Cross Bayou and the present mouth of Twelvemile Bayou is, as already stated, 6 miles, and the State board of engineers of Louisiana estimate that by giving the waters of the lakes above Shreveport an outlet into Red River through Cross Bayou instead of through the present mouth of Twelvemile Bayou will make a difference of between 4 and 5 feet in favor of the better drainage of the lowlands, besides greatly facilitating the Caddo levee board in its work of flood protection.

The premises considered, your memorialists pray for favorable action by Congress on the resolution formally adopted by the board of commissioners of the Caddo levee district at its meeting on December 9, 1914, a copy of which resolution is hereto annexed and made part hereof. The relief wanted, as set forth in said resolution, is the permission of Congress to close Twelvemile Bayou by dam across it at some point below where the proposed new channel will make out of that bayou, but this closing of Twelvemile Bayou not to be accomplished until the new channel way is opened up to the satisfaction of the Secretary of War.

And your memorialists will ever pray, etc.

J. M. ZENTELL,
President Caddo Levee Board.
W. A. KIRBY,
Secretary Caddo Levee Board.

Excerpt from minutes of the meeting of Caddo levee board held December 9, 1914:

J. M. Robinson offered the following resolution, seconded by John Glassell:

"*Be it resolved by the board of commissioners of the Caddo levee district, in session this, the 9th day of December, 1914,* That Congressman WATKINS and Senators THORNTON and RANSDELL be, and are hereby, requested to prepare and have passed by Congress a bill formally authorizing the closing of Twelvemile Bayou and the opening in lieu thereof of a new channel or waterway through what is known as Tim Moorings Chute and its connections and Bonners Channel and Cross Bayou to Red River, just above the city of Shreveport, said new channel proposed to be opened to be of such dimensions as the War Department has approved or will approve, and to form a link in the navigable waterway from the city of Shreveport to the city of Jefferson in Texas.

"*Resolved further,* That this board attach to this resolution a memorial to Congress urging the passage of the bill above mentioned, and that the president of the board prepare such memorial, and, when prepared, the same to be attested by the president and secretary of the board and forwarded, with a copy of this resolution, to each Congressman WATKINS and Senators THORNTON and RANSDELL."

Carried.

A true copy.

W. A. KIRBY, *Secretary.*

Mr. SPARKMAN (interrupting the reading). Mr. Chairman, I have not heard the reading of the entire resolution, but so far as it goes it appears it has nothing to do with the question of navigation or the improvement of any navigable water. That I suspected when I made the point of order. If the Chair should sustain the point of order, it would make it unnecessary to finish the reading.

The CHAIRMAN (Mr. FLOOD of Virginia). This is a memorial that is being read. The gentleman reserved the point of order against the amendment.

Mr. SPARKMAN. If the Chair would sustain the point of order, it would make it unnecessary to continue the reading of the resolution.

The CHAIRMAN. The gentleman reserved the point, and the Clerk started to read the memorial in the time of the gentleman from Louisiana who desired it read in his time.

Mr. WATKINS. Mr. Chairman, when the memorial is finished I would like to be heard on the point of order.

The CHAIRMAN. The Clerk will read.

The Clerk continued the reading of the memorial.

Mr. STAFFORD (interrupting the reading). Mr. Chairman, I understand that the gentleman from Florida has made the point of order.

The CHAIRMAN. He has reserved the point of order.

Mr. SPARKMAN. Mr. Chairman, I make the point of order.

The CHAIRMAN. The situation is this: An amendment was offered, and the gentleman from Louisiana [Mr. WATKINS] having the floor, asked that the memorial be read in his time, and he was recognized for that purpose.

Mr. STAFFORD. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. STAFFORD. I make this further question: When any Member, when a point of order has been reserved, makes the point of order that immediately terminates the time which any Member is using under a reservation of the point of order, does it not?

The CHAIRMAN. The Chair did not keep count of the time the memorial has consumed The Chair rules that the gentleman has five minutes in which to have this read.

Mr. STAFFORD. Do I understand that when the point of order is reserved and a gentleman proceeds to discuss the proposition on the merits that no Member is entitled to make the point of order in those five minutes?

The CHAIRMAN. The gentleman is entitled to his five minutes.

Mr. STAFFORD. And nobody else is entitled to demand the regular order?

The CHAIRMAN. The Chair thinks that nobody can take a Member off the floor until he has consumed his five minutes.

Mr. SPARKMAN. Mr. Chairman, I think the five minutes have long since been consumed.

The CHAIRMAN. The Chair thinks that is true. The time of the gentleman from Louisiana has expired.

Mr. WATKINS. Mr. Chairman, the memorial has been almost completed, and I ask unanimous consent that the memorial be put in the RECORD.

The CHAIRMAN. The gentleman from Louisiana asks unanimous consent that the memorial along with that which has been read be incorporated in the RECORD. Is there objection?

There was no objection.

Mr. WATKINS. Mr. Chairman, I would like to be heard now upon the point of order.

The CHAIRMAN. The Chair will hear the gentleman upon the point of order.

Mr. WATKINS. Mr. Chairman, the chairman of the Committee on Rivers and Harbors certainly could not have understood the purport of the resolution and memorial, else he would not have reserved or made the point of order. He did not know what was contained in the memorial. At most he could only have heard the amendment that was offered. The facts are that some four years ago Congress passed in the river and harbor appropriation bill a provision for a permanent dam to be constructed at the foot of Caddo Lake, which is a tributary of the Red River, cutting off the navigation between this branch of the Red River and the main body of the river. The Caddo levee board had been building levees on the river from the Arkansas line near the city of Shreveport, where there is an outlet of this closed stream running into the Red River, and when they got to that point they were allowed by this agreement between the Secretary of War and the Caddo levee

board to close up Twelvemile Bayou, provided they would divert the channel through Cross Bayou, and the amendment calls for the allowance of that proposition, for the ratification of that proposition—to allow them to close Twelvemile Bayou and divert it, making a very much better navigable stream and at the same time reclaiming outright 45,000 acres of land and benefiting 95,000 acres of as fine alluvial soil as there is in the world. It is clearly a project for the benefit of navigation and, at the same time, for the purpose of reclaiming this large quantity of land and preventing the water from overflowing by the continuation of this levee across Twelvemile Bayou.

Mr. SPARKMAN. Mr. Chairman, if the gentleman had presented this proposition to me before I could have looked into it, but it comes up suddenly and no one has had any time to investigate it. I ask unanimous consent that it go over to be taken up again.

Mr. WATKINS. That is agreeable. I did not have time to present it, because I have just obtained it.

The CHAIRMAN. The gentleman from Florida asks unanimous consent that the matter go over temporarily for the present. Is there objection?

Mr. STAFFORD. Mr. Chairman, reserving the right to object, do I understand this is a new project?

Mr. WATKINS. Yes, sir.

Mr. STAFFORD. I understand that the policy of the chairman of the committee on this bill is not to include any new projects. What is the need of passing it over if the committee is not going to give consideration to new projects?

Mr. SPARKMAN. I have not looked into it, and I want to see what it is.

Mr. STAFFORD. The gentleman from Louisiana submits this as a new project.

Mr. SPARKMAN. Does the gentleman from Louisiana say it is a new project?

Mr. WATKINS. Yes; it is a new project.

Mr. SPARKMAN. Then, we had just as well vote on it now if it is a new project.

The CHAIRMAN. Does the gentleman withdraw the point of order?

Mr. MADDEN. This is a reclamation project.

Mr. SPARKMAN. I think it is a reclamation project, pure and simple, and I insist on the point of order; that will settle it.

The CHAIRMAN. The Chair would like to hear the gentleman from Florida on the point of order.

Mr. SPARKMAN. It seems to me a reclamation project, pure and simple. The Committee on Rivers and Harbors has no jurisdiction of reclamation projects, except as they flow incidentally from improvement of rivers and harbors. A few may flow incidentally from that; but this is a new proposition, an independent proposition, bearing mainly, if not exclusively and entirely, upon the subject of reclamation.

The CHAIRMAN. What does the gentleman from Louisiana say about this being a reclamation project?

Mr. WATKINS. Mr. Chairman, I stated it was a reclamation project in that it directly reclaims 45,000 acres and benefits 95,000 acres, and to that extent it is a reclamation project; but at the same time it will benefit navigation. That is what the engineers report, and that is the contract entered into between the Government, through the Secretary of War, and the Board of Levy Commissioners of Caddo Parish.

The CHAIRMAN. The Chair thinks it is properly a reclamation project. At any rate, in the shape the amendment is, it is not in order, and the Chair sustains the point of order.

The Clerk read as follows:

Galveston Channel, Tex.: Continuing improvement by construction of sea-wall extension in accordance with the report submitted in House Document No. 1390, Sixty-second Congress, third session, subject to the conditions therein named, $200,000: *Provided*, That no part of the amount herein appropriated shall be expended and no contract shall be entered into under this appropriation until the county or city of Galveston and other local interests shall have donated the necessary lands to the United States, and shall have quieted all claims to the present San Jacinto Reservation, nor until the said county or city of Galveston shall have obtained a right of way and made provision in a manner satisfactory to the Secretary of War for paying the cost of constructing at least 3,300 feet of similar sea-wall extension in addition to that herein appropriated for: *Provided further*, That the entire work of construction shall be done under the direction of the Secretary of War, and the funds appropriated by Congress and those furnished by the county or city of Galveston shall be expended by him.

Mr. TREADWAY. Mr. Chairman, I move to strike out the paragraph. Mr. Chairman, I wish to call the attention of the committee to this item on this account. We find that the project for building a sea wall in Galveston comes into the present river and harbor bill as a result of a report submitted to Congress by the Secretary of War on February 11, 1913, which was referred to the Committee on Rivers and Harbors on February 12, 1913. The river and harbor bill of 1913 became a law. Congress, as is well known, expired on March 4; consequently it is a very evident situation that very little attention could have been given at that time to the purport of the report in reference to this improvement. The improvement not only means the expenditure of this $200,000, which is the first item—and that is why I call it to the attention of the committee—but it is the beginning of a project which will involve, according to the report of the engineers, the country in the expenditure of $1,185,000 for a sea-wall extension, which I maintain has very little, if any, bearing on the subject of river and harbor improvement for navigation purposes. It can be argued, and will be argued by the distinguished member of the committee who is directly interested in this item, that it is solely to care for the harbor of Galveston. I dislike to disagree with the gentleman, but by reading the report, by reading the document itself, by reading the paragraph, by reading the similar paragraph in the bill of last year, it is just as evident as can be the real foundation for this effort to secure this $1,185,000 is to construct a sea wall, of which the city of Galveston is building a part, to make a nice promenade, having the Government expend a million and a quarter dollars upon that excellent local improvement for the benefit of the city of Galveston. Now, what is the excuse? The only possible excuse is that in 1900, more than 14 years ago, a great tidal wave struck the city of Galveston, and if another similar event may in the future take place it will flood this particular section where the sea wall ought now to be constructed.

For some reason or other the ordinary form of engineer's report was not sufficient to secure a favorable report on this project, so a special board was formed, which took up this project, and it says "that it believes in time of great storm this neck may be breached, resulting in serious damage to the Galveston Channel." Very good. But we are facing a financial condition now which it does not seem to me makes an emergency issue of the possibility of something again happening that may have happened or did happen 14 years ago.

The CHAIRMAN. The time of the gentleman has expired.

Mr. TREADWAY. Mr. Chairman, I ask unanimous consent for five minutes more.

The CHAIRMAN. The gentleman from Massachusetts asks unanimous consent for five minutes more. Is there objection?

There was no objection.

Mr. TREADWAY. If the city of San Francisco could, by some form of appropriation, secure immunity against a future earthquake, I have no doubt that it would be very glad to do so, and if the city of Galveston can likewise secure immunity against a tidal wave again hitting the city, it would be delighted to do so; but the building of this sea wall, making a beautiful promenade for the city of Galveston, will not bring that about. The report further says:

The situation, while satisfactory under normal conditions, is far from safe in the event of a repetition of a storm approaching in violence that of 1900.

As I have already said, that was more than 14 years ago. And then, again, in the draft as it passed last year it said all conditions must be similar to the part built by the city of Galveston. That is intended in this bill, and is also referred to in the report of the special commission, as follows:

The front part of the fill next the concrete should be protected by a sidewalk and brick paved roadway, as has been done in the Government's similar extension of the sea wall to and in front of Fort Crockett, and the top of the fill between this roadway and its rear crest should be protected from the blowing away of its material by suitable soil covering and vegetation.

We are going to build, at the expense of $1,185,000, as already estimated, a very attractive promenade for the citizens of Galveston, and we are going to fix it up nicely with a cement sidewalk and employ a landscape gardener, undoubtedly, and lay it out, and place trees and vegetation thereon. I submit that if that is any part of river and harbor navigation improvement, we can not ever rule out on a point of order any suggestion of any kind of an improvement that our good friends may see fit to bring in under the cloak of river and harbor navigation.

I am very sorry not to be able to agree on this point with the value of that expenditure for river and harbor improvement in the sum of $1,185,000, which my good colleagues on the committee think ought to be expended. But I want to caution the House that when we vote for this $200,000, as I know in all probability you will, because that is the way these suggestions are being taken—when you vote for $200,000 to-day you are starting the Government in a project which already the special committee says will cost $1,185,000. And in a year or two the engineers will come along again and say that we have got to change the project a little bit and have the sea wall a little more extensive, or say that the sidewalk needs a little more

concrete in it, and the trees need to be a little bigger than they originally estimated, and so will raise the estimate $200,000 or $300,000. We are embarking on a very attractive improvement for the city of Galveston. If that is the kind of appropriation we are to have in river and harbor bills, let us adopt them with our eyes wide open.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts [Mr. TREADWAY].

The question was taken, and the amendment was rejected.

The Clerk read as follows:

Channel from Galveston Harbor to Texas City, Tex.: For maintenance, $50,000.

Mr. FREAR. Mr. Chairman, I ask to strike out the paragraph last read, being lines 8 and 9.

The CHAIRMAN. The gentleman from Wisconsin offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 22, strike out all of lines 8 and 9.

Mr. FREAR. Mr. Chairman, there are a number of projects that we are approaching apart from the one that concerns Galveston proper, and in view of the fact that criticisms were indulged in a while ago against other States, and it was asserted that Texas had been neglected, I wish to call attention to the fact that already this Government has appropriated for rivers and harbors in Texas approximately $35,000,000. I have the items here, and can place them in the RECORD if you desire to have me do so.

Speaking more particularly to the item which has been read—of $50,000; channel from Galveston Harbor to Texas City—let me say that we have appropriated $2,035,000 on this project and that we had on hand $1,314,956 last October, in 1914, counting the money received in the sundry civil bill. This is an 8-mile project. And I call your attention to the fact that you are asked to appropriate $50,000 at this time in addition to $1,314,000.

In connection with this I desire to read from page 801, in reference to the commerce, which seems to be a legitimate and large commerce, but I desire to present this statement of the engineers, in which they say:

The effect of the project upon freight rates has been beneficial, owing to the establishment of a line of steamers from New York to Texas City, thereby breaking up the rate agreement that had existed between the old line between New York and Galveston. Prior to the establishment of this line in 1908 the rates by steamship lines from New York and seaboard territory to points in Texas were the highest figures that were ever in effect, notwithstanding the fact that the deepening of the Galveston Harbor channel had been continuously going on and that the depth was to 30 feet; but with a competing line in operation to Texas City the rates were reduced on the average of 51½ per cent, and the volume of the business increased over 300 per cent.

I would, Mr. Chairman, that I might stop there, but there is another small paragraph in which the engineer says:

However, during the past three years the rates have advanced again, the average being over 75 per cent over the rates of 1908.

Such is the State from which the gentleman [Mr. HARDY] comes, who a few moments ago said that the railroads must be driven out. You endeavored to do it by putting $2,000,000 into that harbor, and this is the result, notwithstanding the efforts of one of the best railroad commissions in the United States. In your own State of Texas you have that statement made by the Board of Engineers, indicating how futile it is to reduce freight rates by large expenditures of Government money at that point.

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Channel to Port Bolivar, Tex.: For maintenance, $40,000.

Mr. FREAR. Mr. Chairman, continuing along with several of those items, that seem to be increasing in character——

The CHAIRMAN. Does the gentleman make a motion?

Mr. FREAR. I move to strike out.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amend, page 22, by striking out lines 10 and 11.

Mr. FREAR. This is an appropriation of only $40,000, but the amount available here is $32,000, and in proportion to the total appropriation of $306,000 it seems rather large.

The project is for a 30-foot channel for 4 miles—the last was 8 miles—to Port Bolivar, which I understand has a population of 83 people. Of course there is probably a district surrounding that which has to be served. The amount expended to June 30, 1914, is $269,704. The channel is to be dredged up to the wharf of the Interstate Waterway Co. It was formerly only 9 feet deep up to that wharf.

I desire, Mr. Chairman, to present a statement showing, after an expenditure of $306,000, the decrease in freight shipments during the past year. In 1912 the total freight at this point was 428,495 tons. This last year the freight has been reduced to 256,105 tons—a loss of 40 per cent.

And so, I say, Mr. Chairman, it would seem advisable in a case like this to make an inquiry before we appropriate $40,000 more, with $32,000 on hand, in the case of a project that has had only $306,000 in all these years, where there has been a loss of 40 per cent, and particularly in view of the fact that we have recently had placed upon the people of this country a war tax amounting to almost $100,000,000. I believe we should commence here.

The CHAIRMAN. The question is on agreeing to the motion of the gentleman from Wisconsin.

The question was taken, and the motion was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Port Aransas, Tex.: Continuing improvement and for maintenance, $400,000.

Mr. FREAR. Mr. Chairman, I approach this with some hesitation, because a good friend of mine has an interest in connection with that. I want to make a motion.

The CHAIRMAN. Does the gentleman make a motion?

Mr. FREAR. Yes. I make a motion to strike out the paragraph.

The CHAIRMAN. The Clerk will report the amendment of the gentleman from Wisconsin.

The Clerk read as follows:

Page 22: Strike out lines 12 and 13.

Mr. FREAR. Mr. Chairman, I recognize that quite a commerce has been served at this point; but if anyone will read the engineers' report he will be impressed with the fact that there has been a waste of money in experiments which call for an investigation to find out who is responsible for it.

We have expended on this project $3,253,000, and we had on hand last July $830,000, and we are calling for $400,000 in this item of the bill. We are getting into very large figures.

Let me suggest what the commerce amounts to. The commerce at this point is 211,330 tons, of which fuel oil is 193,922 tons, indicating the existence of several oil wells at that point.

Mr. CALLAWAY. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Wisconsin yield to the gentleman from Texas?

Mr. FREAR. Yes; but first I desire to read something interesting here.

Mr. CALLAWAY. I wanted to interject a statement in there.

Mr. FREAR. Very well; go on.

Mr. CALLAWAY. Mr. Chairman, in view of the statement of my colleague from Texas [Mr. HARDY] that we should have water competition in order to bring the railroads to time, I want to call the attention of the committee to the fact that this port, since they have got it all dug out at Government expense, complains that the railroads there are keeping them from having any commerce such as they should have, and I got a communication from Aransas a while ago looking to the taking of some action against the railroad companies and the ship companies, charging that the railroads would not haul it down there as they should haul it down there, and they wanted an investigation of that, to make the railroads bring the stuff down there, and then make the ships come and get it.

Mr. FREAR. I wish to read what Army Engineers have done for this project, reading from page 834 of the Engineers' report. To those who have stood for the competency under all circumstances of Army engineers it may be interesting to note the following:

Work was completed in accordance with the above-mentioned specifications June 11, 1906, at a cost to the Government of $546,703.10, but after the completion of the north jetty the channel became steadily worse, approaching dangerously near the jetty, and finally a secondary channel, 600 feet wide and 6 feet deep, broke through the gap between jetty and shore with the result that for all practical purposes the channel was on the north side of the jetty instead of the south side, as intended by the plan adopted by the Aransas Pass Harbor Co.

In other words, the Government engineers took up the project of the Aransas Pass people, a private corporation, carried it on to a conclusion with a loss to the Government of over $500,000, and then they have sought to lay the responsibility upon the Aransas Pass Co. for the mistake.

The CHAIRMAN. The question is on the amendment of the gentleman from Wisconsin [Mr. FREAR].

The amendment was rejected.

The Clerk read as follows:

Sabine Pass, Tex.: Continuing improvement and for maintenance of Sabine Pass and Port Arthur Canal, $500,000.

Mr. FREAR. Mr. Chairman, I move to strike out the two lines.

The CHAIRMAN. The gentleman from Wisconsin offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 22, strike out lines 14 and 15.

Mr. FREAR. Mr. Chairman, I realize that this is another very important project; but in view of the fact that we have appropriated $5,716,550 for it and that last October we had on hand $550,270 for further work, it occurs to me that this appropriation of a half million dollars at this time ought to be inquired into.

The total length of the canal from Port Arthur to Sabine River is 16 miles. The project is a 25-foot depth to Port Arthur. Up to this reading of the bill the appropriations that we have just been considering in Texas have reached for the various projects under construction $11,311,341, and in this bill approach nearly a million dollars. Reading from page 851 of the Engineer's Report—

On June 30, 1914, approximately 75 per cent of the dredging operations in the Port Arthur Ship Canal and turning basin had been completed, and approximately 13 per cent of the work contemplated in connection with the raising and repairing of the jetties.

The maximum draft that could be carried at mean low water in the Port Arthur Ship Canal on June 30, 1914, was 26 feet, with approximately 25.5 feet in the jetty channel.

As I said, Mr. Chairman, in view of the large amounts of money that we are liberally throwing away down on that water front—I do not care whether it is in Texas or Wisconsin—it seems to me we ought to have an inquiry as to the necessity from a public view. Why should we add a half million dollars in this bill, in view of the fact that we had on hand over half a million dollars two or three months ago to be used for the same purpose? Can we not practice economy here?

Mr. DIES. Mr. Chairman, I think this illustrates most beautifully the value of the criticisms which have been made against various items in this bill.

Port Arthur, which my friend talks about, is a self-made port. As almost every Member of this House knows, it was constructed by the citizens down there and donated to the Government. They have spent a million dollars of their own good money for this purpose. Having done that, they introduced a bill in Congress to have Port Arthur made a subport of entry, but Congress would not give them the pitiful privilege of being a subport of entry. That showed how much Congress thought about it. When they started to build this canal by private capital there was just a pittance of commerce that went through Sabine Pass. As late as 1899 there was a commerce of only 300,000 tons, of the value of $3,000,000. Yet that privately made port, a gift to the Government, is to-day, I believe, the tenth or eleventh greatest port in the United States, and it has an annual commerce of 4,000,000 tons, valued at $86,000,000.

The citizens in that locality from Port Arthur to Beaumont and Orange have put in private capital to improve that harbor, making it the best harbor in all the world, $1,900,000. Now, my friend moves to strike it out. Why? He says that some time last year, when the birds were nesting in the spring, they had some amount of money. The engineers have said that the commerce was so great that they could not make facilities fast enough to handle it. The fact is commerce is growing so rapidly that one firm doing business there spent $300,000 last year of their own private funds to provide facilities for handling the commerce. Adding that to the $1,900,000, you have over $2,000,000 that the local community has spent there.

The whole truth is, I know about that the same as some other men know about other things, and Members sit around and take the criticism in all verity, when in good truth I have no doubt much of the criticism is as utterly worthless as it is of this great harbor at Port Arthur. [Applause.]

The CHAIRMAN. The question is on the amendment of the gentleman from Wisconsin.

The question was taken, and the amendment was rejected.

The Clerk read as follows:

Houston Ship Channel, Tex.: For maintenance, $250,000.

Mr. FREAR. Mr. Chairman, I move to strike out lines 16 and 17, on page 22.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amend, page 22, by striking out lines 16 and 17.

Mr. FREAR. Mr. Chairman, I realize that I have no chance to reply to the average defense, nor do I care to do so. I am willing to state facts from the engineers' report and leave the House to judge for itself, even though I vote alone.

Mr. Chairman, when we have a million dollars going into this project and $400,000 into another we are going a long ways toward reducing the Treasury balance.

Mr. DIES. Will the gentleman yield?

Mr. FREAR. Yes.

Mr. DIES. Does the gentleman realize that Texas is as big as the balance of the country?

Mr. FREAR. It is a great State, and let me say that you have done something that has not been done in many other places—you have contributed toward a number of projects and you are entitled to much credit for it. It has not been done in many other places.

Mr. GARNER. Does the gentleman know that in the item he is criticizing the citizens contributed an equal amount to the Government contribution for the construction of the harbor?

Mr. FREAR. I believe they did.

Mr. GARNER. Now the gentleman wants to strike this appropriation out.

Mr. FREAR. But you have a lot of money down there now and do not need it, and as you have left the Treasury in bad condition, I am trying to help you economize. The engineer's report, page 806, says that the total amount expended on all projects at the end of the fiscal year, June 30, 1914, is $5,375,590. He says we have $415,449 on hand now, and we are asked to appropriate $250,000 more.

The engineers give the commerce at 1,860,452 tons. Ordinarily I do not go into items to see what they are composed of, but here it says that 520,000 tons are sand and 750,000 tons are shells and 200,000 tons are floatable timber.

Mr. DIES. The gentleman is not talking about Port Arthur?

Mr. FREAR. Oh, no; I was beaten on that project; we are up at Houston now. I want to call the attention of the gentleman from Texas [Mr. HARDY], who thinks railroads are interested in this proposition. The report says:

The effect of this project on freight rates is unknown and is indeterminate, because of the railroad rate differential in favor of Houston, authorized by the Railroad Commission of the State of Texas.

The Texas commission is amply able to protect the people of that State from the railways, and all the waterways put together are of little service in that direction.

The CHAIRMAN. The time of the gentleman has expired.

Mr. EAGLE. Mr. Chairman, I greatly hoped that the distinguished gentleman from Wisconsin [Mr. FREAR] would have exhausted himself in his futile and senseless fight against this bill before we had reached the item of $250,000 for the maintenance of the Houston Ship Channel. I am not given to much or frequent speaking in this House, but I beg leave to say that any man who will read the record, as the distinguished gentleman from Wisconsin gives evidence of having done, at least casually, and then make a motion to strike out this item for the maintenance of this great project, shows, first, a total ignorance of the necessities of commerce, and, second, a total inability to appreciate a real port, and, third, a total lack of consideration for the commerce of the whole Southwest. The tone of the gentleman is most exalted; he seems to think that every item in this bill is what he is pleased to term "pork," unless it be those items that go to Wisconsin. His own streams and ports having been long since developed by the Federal Government, he goes into a state of frenzy when the Congress comes to develop other sections.

Almost every item of this great bill, carrying some $34,000,000, he ridicules, denounces, and slanders, and sets up his opinion against the Government engineers, the committee, 50 years of action by thousands of honorable Representatives and Senators, and the practically unanimous wish and judgment of this House. Truly, he must enjoy the isolation of his self-exaltation!

He even attacks the Houston Ship Channel, by moving to strike out an item of $250,000 for its maintenance. A mere glance at some of the facts will demonstrate the absurdity of his position.

In the year 1871 money was first appropriated for the beginning of a project resulting in the Houston Ship Channel. These appropriations were continued in 1877, in 1881, in 1892, and in 1899, all upon the reports of the engineers, and finally the present project was adopted on June 25, 1910. I should like in passing to say that the city of Houston proposed to Congress that for the completion of the project it would raise $1,250,000, contingent upon the Congress appropriating a like sum; and accordingly, on June 25, 1910, the sum of $1,250,000 was appropriated by Congress, and with that $2,500,000 thus raised the Houston Ship Channel was recently completed.

Mr. Chairman, I wish gentlemen would consider the following facts and figures and then by their votes on this item answer

the motion of the gentleman from Wisconsin to cripple the Houston Ship Channel upon which the great sum of $5,375,590.94 has been spent. In the years mentioned below the number of short tons of freight, valued at the great amounts set opposite, passed through the Houston Ship Channel to and from the Gulf of Mexico, to wit:

Year.	Short tons.	Value.
1905	104,907	$12,544,323
1906	132,108	[1] 15,000,000
1907	452,463	24,466,730
1908	602,734	28,318,621
1909	1,214,904	36,097,560
1910	1,371,650	39,155,357
1911	1,354,897	34,721,530
1912	1,365,050	35,938,800
1913	1,860,452	38,738,464

[1] Estimated.

Does that not satisfy the requirement that there be real traffic and increasing traffic to justify Federal appropriations? And now the people of that splendid city are preparing a commodious turning basin and terminal facilities in full accordance with the spirit and purpose of that noble enterprise.

In order to maintain the Houston Ship Channel, which is 50 miles in length from the Gulf of Mexico to the turning basin, $400,000 are required for suitable dredges, and the city of Houston has voluntarily raised $200,000 and tendered that sum to the Government, which has been met by a like sum from the Government; and now the gentleman from Wisconsin would have such total investment and commerce sacrificed rather than vote $250,000 for the maintenance of a channel bearing some $40,000,000 of commerce.

I can not think for one moment that the Congress will be niggardly, as the gentleman from Wisconsin would have it be, with the Houston Ship Channel, an enterprise whose conception was noble, whose development was inevitable, and whose possibilities are as limitless as the mighty future which spreads out before that people, that city, that State, and that great southwestern portion of our common country.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Wisconsin.

The question was taken, and the amendment was rejected.

The Clerk read as follows:

Anahuac Channel, Trinity River, Oyster Creek, and Cedar, Chocolate, Turtle, Bastrop, Dickinson, Double, and East Bay Bayous: For maintenance, $25,000.

Mr. FREAR. Mr. Chairman, I move to strike out the last word. I certainly wish to extend my compliments to the gentleman from Texas [Mr. EAGLE] for the address with which he has favored us. As I stated yesterday, there are quite a number of Members in the House who are really indebted to me for giving them an opportunity to tell about the local surroundings in which they live. We are all pleased to hear them and to get their unprejudiced views. I have no desire to puncture what has been said by the gentleman from Texas in the slightest degree, but I just want to leave one thought: Of the 1,860,452 tons of freight of which he boasts, 1,470,000—or over 80 per cent of the whole—was sand, shells, and a little lumber, as I have before stated.

Mr. DIES. Mr. Chairman, will the gentleman yield?

Mr. FREAR. Yes.

Mr. DIES. As I understand, this project is just about to be completed; and does not the gentleman think it is a little unfair to talk about its tonnage within a few weeks after its completion and before the people have had a chance to use it?

Mr. FREAR. The gentleman misses the point entirely. I said that with $400,000 on hand at this time we ought to endeavor to economize in some small degree. Mr. Chairman, I wish to read now the following newspaper dispatch, which comes from Houston, Tex.:

INLAND WATER ROUTE TO TEXAS FROM MISSISSIPPI DEMANDED IN RESOLUTION.

HOUSTON, TEX., *December 31.*

Prospects of a continuous inland water route from all points on the Mississippi, Ohio, and Missouri Rivers to southeastern Texas and consequently continuous inland waterway connecting between Houston to the Great Lakes entered into the discussion of the special executive meeting of the Interstate Inland Waterways' League of Texas and Louisiana here to-day.

The meeting went on record as favoring a canal of 9-foot depth and 90 feet minimum bottom width connecting Galveston Bay and Sabine Pass, and a similar canal connecting Morgan City with New Orleans.

The resolution calls upon the Senators from Louisiana and Texas to demand that an amendment be made to the rivers and harbors bill so as to provide for the proposed canal extension.

The gentleman from Illinois [Mr. MANN] read not long ago a communication from his own State which demands of Illinois Members and Senators that they place back in this bill projects which were stricken out last year. These statements come from waterway associations—waterway lobbies. Are we not entitled to know, on the part of the House, who is demanding such action and why they are demanding it? This communication I have read comes from Houston, Tex., just handed to me, and I offer it as a fair sample of waterway demands. Mr. Chairman, I withdraw the pro forma amendment.

The Clerk read as follows:

Improving inland waterway on coast of Texas: For maintenance of the West Galveston Bay-Brazos River section, $15,000; for maintenance of the Brazos River-Matagorda Bay section, $30,000; for maintenance of the Aransas Pass-Pass Cavallo section, $45,000; for continuing improvement and for maintenance of Guadalupe River up to Victoria, $15,000; in all, $105,000: *Provided*, That any portion of the amount hereby appropriated for a given section of said waterway may, upon the recommendation of the Chief of Engineers, be transferred by the Secretary of War and made available for maintenance of improvement in any other section.

Mr. FREAR. Mr. Chairman, I move to strike out the last word, in order to refer to several projects without asking to strike them out.

Mr. HENRY. I will ask the gentleman if he will not wait until after we read down to line 17 and pass that and then make his statement. That will give me an opportunity to fill my engagement.

Mr. FREAR. Certainly, if the chairman will permit a return to this. I will take no time of the committee except to state the facts showing the particular traffic upon these streams.

The CHAIRMAN. The gentleman withdraws his pro forma amendment and the Clerk will read.

The Clerk read as follows:

Brazos River, Tex.: Continuing improvement from Old Washington to Waco by the construction of locks and dams heretofore authorized, and commencing the construction of two additional locks and dams, $200,000; continuing improvement and for maintenance by open-channel work from Velasco to Old Washington, $10,000; in all, $210,000.

Mr. TREADWAY. Mr. Chairman, I move to strike out the paragraph in order that the matter may be formally before us.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 23, strike out the paragraph beginning with line 9 and ending with line 14.

Mr. TREADWAY. Mr. Chairman, if the gentleman from Texas expresses a wish to speak, I am willing to yield the floor.

Mr. HENRY. Even if I have the five minutes in which to speak, I fear I will miss my train. I would prefer to have a vote without speaking.

Mr. TREADWAY. I will yield for the gentleman's five minutes first.

Mr. HENRY. I would rather not speak at all, but just vote on it.

Mr. TREADWAY. Mr. Chairman, with all due courtesy to the gentleman from Texas, I do not feel we ought to vote on this proposition without a word of explanation. I realize what the vote will be when we reach it, but at the same time I wish to extend the gentleman from Texas every courtesy, because I understand he has an important engagement to keep.

Mr. HENRY. I shall not insist. The gentleman can proceed with his speech.

Mr. TREADWAY. Now, Mr. Chairman, the item of the Brazos River is sufficiently well known, and it is not going to take a great deal of the time of the committee to show just a little what we are paying here for it. It is shown by the report of the Board of Engineers that there has been already expended on the improvement of the Brazos, appropriated to December 1, 1914, $2,316,250; that the amount needed to complete is indefinite; that no commerce has as yet developed. I think that of itself——

Mr. COOPER. No commerce?

Mr. TREADWAY. No commerce has yet developed on the Brazos River. That puts the proposition in a very concrete form as to whether or not we wish to continue spending good money and chase it after bad, letting the good money become just as bad in the end as that already spent is now.

Mr. HUMPHREYS of Mississippi. Will the gentleman yield for just one question?

Mr. TREADWAY. Certainly.

Mr. HUMPHREYS of Mississippi. Will the gentleman state how much commerce passed through the Panama Canal before it was finished?

Mr. TREADWAY. Oh, well, we expect to get commerce through there, and we will never get any on the Brazos River. I yield to the gentleman from Mississippi any comparison with the Panama Canal when he uses it to illustrate a stream that eventually is going to have some commerce on it; but if I can read figures right, if I can read these statements, if I can read

the engineer's reports, the commerce that is going to be developed on the Brazos River is of a minimum amount, and the result would be just about as it is now after we have spent two and a quarter million dollars—"No commerce has as yet developed." When an indefinite sum is expended, which the engineers say will be needed to complete it as planned, then I prophesy the report can still come back here and be given in with all truth, "No commerce has as yet developed." And why? I hold in my hand the report of the engineer, which is made with all due consideration of the interest of the Brazos River and the people promoting it, and I quote:

It is obviously difficult to determine with absolute accuracy the number of months in which the minimum depth for water in navigation will prevail, primarily because the rainfall varies greatly from year to year, and secondarily, on account of the great expense of obtaining all the exact data for each reach of the river.

Then they have on the next page of the report a table showing the depth of water and its stages over a certain average number of days during the years 1903, 1904, and 1905, and we find that for 252 days of that period—the average number of days per year during that period—the average depth was 3 feet; for 184 days, 3½ feet; for 136 days, 4 feet; and for 88 days they actually got 5 feet of water.

Then, again, I see this item:

Experience with the shoals below Old Washington indicates that by dredging and contraction work a gain in depth over shoals of 2.6 feet can be readily made. The work is being done with that idea, and frequently depths of 3 feet and more result.

Is not that fine? Frequently there will be 3 feet of water!

It therefore seems that the proper answer to the proposition proposed by the act of Congress, upon which the appropriation of the $75,000 depends—

Do we not begin these big projects mighty modestly? The original project was $75,000—

namely, the least number of locks and dams that will furnish navigation for four or six months, is eight, and that these eight will furnish a little over fourth months' average navigation.

And still my good friend and colleague on the committee wants to compare navigation on the Brazos River with the greatest engineering proposition ever undertaken by the United States, namely, the construction of the Panama Canal.

Mr. HUMPHREYS of Mississippi. The fact is that there is just as much commerce on the Brazos River now as there was on the Panama Canal before it was completed.

Mr. TREADWAY. Did you vote for the completion of the Panama Canal in the expectation of securing the amount of water that the engineer's reports say the Brazos River will eventually get when the amount of money is spent which this report calls for?

Mr. HUMPHREYS of Mississippi. Oh, no——

Mr. TREADWAY. Then please do not draw a comparison between the two propositions.

Mr. HUMPHREYS of Mississippi. I understand the gentleman naturally objects to the comparison.

Mr. TREADWAY. I do not think it is in point, if I may be allowed to criticize the gentleman from Mississippi. I do not think his comparison carries with it any point whatsoever. The whole subject is right down in the engineers' report. I have quoted it once. It is in the RECORD with my remarks, on page 1633. I do not want to take the time of the committee or the time of the gentleman from Texas [Mr. HENRY] by reading it again, but it is perhaps just possible that we ought to call attention to a line or two here.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. HENRY. The gentleman suggested that he did not intend to move to strike out this item. I have just one minute in which to meet that engagement.

Mr. MANN. Is it not worth more than that to the gentleman?

Mr. HENRY. If the gentleman puts it that way, I am willing to stay and talk about this matter to the committee. However, I am willing to vote now. I ask for a vote, Mr. Chairman.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts [Mr. TREADWAY].

The question was taken, and the Chair announced that the noes seemed to have it.

Mr. TREADWAY. Mr. Chairman, I call for a division on this important question.

The committee divided, and there were—ayes 8, noes 42.

So the amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

That the channels which the Beaumont navigation district, or other local interests, and the Orange navigation district, or other local interests, are required by the aforesaid act to maintain for a term of three years, free of cost to the United States, are hereby defined as, respectively, the channel from the mouth of the Neches River up to Beaumont, Tex., and the channel from the mouth of the Neches River up to Orange, Tex.: *Provided*, That nothing herein shall be construed as relieving said Beaumont navigation district of its obligation to provide for the operation and maintenance of the guard lock without cost to the United States as required by said river and harbor act of February 27, 1911.

Mr. MANN. Mr. Chairman, I reserve a point of order on the paragraph. Will the gentleman give an explanation of what this is intended to do? Is this to relieve the Beaumont Navigation Co. or compel them to do something they are not now required to do?

Mr. DIES. I will try in a very brief moment to give the gentleman an explanation unless he cares to use some time.

Mr. MANN. No; I want information.

Mr. DIES. I will say to the gentleman from Illinois [Mr. MANN] that this project, in which the citizens of Beaumont and Orange participated to the extent of contributing half of the money, was recommended by a special board of engineers who visited the locality and held a hearing. The citizens submitted four plans to the Government, and the Government accepted plan No. 4. Now, having said that, let me say this other thing: This was for an improvement in the Neches River and the Sabine River, from the mouths of those rivers to the towns of Beaumont and Orange. It also provided for the deepening of the Sabine-Neches Canal, a waterway of about 10 miles, already existing, but it was only 10 feet in depth.

Mr. MANN. Possibly I could shorten what I want to get at by asking a question.

Mr. DIES. Very well.

Mr. MANN. Under the law the Beaumont Navigation Co. is required to maintain certain channels for a term of three years?

Mr. DIES. I am about to come to that.

Mr. MANN. Does this relieve the company from the maintenance of any of the channels it is now required to maintain?

Mr. DIES. It relieves them from the maintenance of no channel that they ever agreed to maintain. In this proposition, made by the Government, this language was used:

We further offer to pay the cost of the maintenance of the proposed improvement in the Neches River, including turning basin at Beaumont, for a period of three years after the completion of said improvement.

Now, then, that was embodied in Document No. 1290. The law that was enacted was as follows:

Improving the Sabine-Neches Canal, Tex., from the Port Arthur Ship Canal to the mouth of the Sabine River, the Neches River up to the town of Beaumont, and the Sabine River up to the town of Orange, to a navigable depth of 25 feet, in accordance with plan No. 4, submitted in House Document No. 1290, Sixty-first Congress, third session.

Now, it is true, I will say to the gentleman from Illinois, that, notwithstanding the commissioner has not agreed to maintain anything except the river, the construction placed upon the law by the Board of Engineers was that they should not only maintain the river which was proposed to be improved, but should take over the maintenance of the already existing Government stream, to wit, the Sabine-Neches Canal. As soon as it came to my knowledge I went to the Board of Engineers and to the chairman of the Committee on Rivers and Harbors and laid the matter before them, because they had never agreed to maintain the channel except in the rivers; but that was the understanding, and it was so nominated in the bond—that is, in the offer and in the acceptance. And this is no more, I will say to the gentleman from Illinois, than a correction of that mistake, which arose in that way.

Mr. MANN. It is not intended to relieve the company of any obligations which in the gentleman's opinion they ought to maintain?

Mr. DIES. No. They are still to maintain the channel in the Sabine River and in the Neches River. They are not to take over the maintenance of the Sabine-Neches Canal, which was built before and was always maintained by the Government. It was in there by mistake, pure and simple.

Mr. MANN. I do not desire to see imposed upon the company anything which we ought not to do; but I desire very much to prevent a company, after making an offer to do a thing and getting the Government into it, from trying to get relieved from the undertaking.

Mr. DIES. In the Senate, I will say to the gentleman, this took place——

Mr. MANN. Never mind; I do not care what took place in the Senate.

Mr. DIES. All right. As it passed the House before we would not have relieved them from maintaining the law.

Mr. MANN. Mr. Chairman, I withdraw the point of order, so far as I am concerned.

The CHAIRMAN. The gentleman from Illinois [Mr. MANN] withdraws the point of order. The Clerk will read.

The Clerk read as follows:

Trinity River, Tex.: Continuing improvement and for maintenance by open-channel work, $15,000.

Mr. CALLAWAY. Mr. Chairman, I made some remarks on the Trinity River, and have been much jumped on on account of it, and I also made some remarks on the Brazos.

The CHAIRMAN. Does the gentleman make a motion?

Mr. CALLAWAY. Yes; I move to strike out the last word.

The CHAIRMAN. The gentleman from Texas [Mr. CALLAWAY] moves to strike out the last word.

Mr. CALLAWAY. Mr. Chairman, I would not want to strike out that $15,000 they give the Trinity River, after they have expended $2,225,000 on it trying to make it navigable, although it is wholly impossible. But I do insist that the House ought to have treated the Brazos and the Trinity alike. They both run through my district, and I do not believe in being partial.

They have put in this bill for the Brazos River $210,000 and have given the Trinity only $15,000—rivers running through the same character of territory, of about the same length, that have heretofore had about the same money expended on them. The engineers report that it will take, so far as they can determine, about the same amount to complete them, with about the same hope of navigation on each of them.

Mr. Chairman, I think this is a narrow, shallow, crooked, and dry way to treat the Trinity. We ought not to do it.

Mr. TREADWAY. Will the gentleman yield for a question?

Mr. CALLAWAY. Yes.

Mr. TREADWAY. The gentleman speaks of "the same hope of navigation." He is familiar with the country down there. These rivers flow through his district. Will he be kind enough to tell us what that same hope is?

Mr. CALLAWAY. I have had some experience with that hope. Some fellows down there jumped on me because of the rivers and harbors bill when I was running for Congress, and were going to beat me because I would not bring money to the district; and the man who specially made the same claim for the navigation of all Texas rivers that the gentleman from the head of navigation on the Brazos [Mr. HENRY] made on the floor of the House got about 4,000 votes in a poll of over 35,000 in the district. [Laughter.] I stood on the banks of the Trinity River and made fun of the ridiculous idea of pouring money into that stream with the hope of ever making it navigable. As I came up here the other day there was a man who lives on the banks of the Brazos got on the train at Granbury, on the banks of the Brazos, and looking down at it he said, "Wouldn't you like to see BOB HENRY trying to come up that sand flat on a boat." [Laughter.]

Now, I have not made a motion to strike this item out. Members of this House jump up and get red in the face and defend propositions in their own districts, and then when they come to vote every fellow who has got a dime in the bill sticks to the committee. The Trinity and Brazos Rivers are just as good and better projects than hundreds in this bill. That is the reason I call attention to these rivers. I know what I am talking about when it comes to the Trinity and the Brazos. I have been there and waded across them; I never had to swim. I have driven cattle and horses back and forth across them; yes, and could spit across them in places. Sometimes they get up so you can not spit across them. Right at this time you can not spit across them, I guess. It has been raining a lot lately. [Laughter.] Here is an editorial comment from a paper printed on the banks of the Trinity, 30 miles above navigation:

CONGRATULATIONS, DALLAS!

The navigation of the Trinity River is an assured fact we learn from the Dallas newspapers. Soon the chug chug of the panting engines as they propel the "big steamer" down the muddy waters of the Trinity will resound throughout the State, and farmers, awe-stricken, will gaze upon the strange and unusual sight as did the farmers along the banks of the Hudson when *Fulton's Folly* wended its way in the shadows of the Palisades years and years ago.

Enter *Douglas the Third*, the palatial craft that will cleave its 3 feet of draft from Dallas toward the blue waters of the Gulf. Enter the days of the old Mississippi River steamboat—light draft, high speed, the deep blue sky limit, the bar then ran from stem to stern, the gay old cavaliers who planted corn and consumed it in its liquid form.

We are glad to know that the *Douglas the Third* is to be a "big steamer." Measurements are 78 feet in length—not quite the distance between the home plate and first base—

[Laughter.]

She is 20 feet wide, just the combined length of 7 baseball bats, and she draws from 2½ to 3 feet of water. If the floods hold up, she may be able to make her maiden trip before waiting for the winter freshets. In time of war the *Douglas the Third* might be leased to Carranza and Villa as a gunboat to dock at the El Paso navy yard and patrol the Rio Grande.

We are not jealous. We are happy and gay in the thought that the good old days of the Mississippi, immortalized by Mark Twain, are about to return, and we, too, may have some of the joys which were the part of our fathers. Hasten the day.

I said that everybody in Texas not directly interested in the propositions knows that the Trinity and Brazos Rivers are not navigable. The gentleman from the Brazos has gone. The gentleman from the Trinity is here. Last year both the gentleman from the Brazos and the Trinity disputed that and jumped on me with both feet. I have some letters from prominent citizens giving their views on the Trinity's navigability.

The CHAIRMAN. The gentleman's time has expired.

Mr. CALLAWAY. I ask five minutes more.

Mr. HUMPHREY of Washington. Reserving the right to object for a moment, are those letters about the Trinity?

Mr. CALLAWAY. Yes.

Mr. HUMPHREY of Washington. I will not object, but the Trinity River is not in the bill.

Mr. CALLAWAY. Oh, yes, it is. Here is an appropriation of $15,000—a little measly appropriation compared with that for the Brazos.

I will prove by the proponent of this Trinity River project that these are good, substantial, leading, and public-spirited citizens.

CITIZENS' NATIONAL BANK,
Waxahachie, Tex., January 30, 1913.

Hon. OSCAR CALLAWAY,
Washington, D. C.

DEAR SIR: I wish to commend you for your course on the rivers and harbors appropriation bill. That you are right in your position there can be no question. Money appropriated to make navigable dry creeks hundreds of miles away from tidewater is money wasted. How so-called engineers can make favorable reports on such schemes is past comprehension. But they do it. Many seem to think the Government a big institution, with money without limit, and that every dollar they can get from the Government, by any means, is fair, and that the people are gainers to that extent, when in truth all governments, as purely governments, are paupers. Every dollar the Government has must come from the people. If all these foolish appropriations were placed where good results would follow, it would be commended. Why Congressmen will vote for such wild, foolish appropriations is passing strange. It can only be assigned to ignorance or insincerity. The people are getting tired of such foolishness. I have heard many commend you for your stand.

Yours, truly,
O. E. DUNLAP.

Here is a letter from a man who has some interest in this appropriation. Listen to what he says:

THE CITIZENS' NATIONAL BANK,
Waxahachie, Tex., April 1, 1914.

Hon. OSCAR CALLAWAY,
Washington, D. C.

DEAR SIR: From press reports I note that you have been opposed to further appropriations for the furtherance of the proposed navigation of the Trinity River. I do not think this a practical project at all, and I wish to congratulate you on the fair, unprejudiced stand you have taken, especially so in the face of all the opposition and criticism this stand has brought upon you. Personally the cleaning and clearing of the underbrush along the river would be of much personal benefit to me, as I have considerable land adjoining same, but I do not think it right that the funds of the Federal Government should be used in bringing this about, although, as stated, should the Trinity be made a navigable stream, it would be of considerable benefit to me and a project which would meet with my hearty support could I conscientiously believe it practicable, which I do not.

With best wishes to yourself, I am,

Yours, very truly,
R. W. GETZENDANER.

Now, if that is the sentiment of the people along its banks—and I take it that it is the sentiment of the people all along these little intermittent creeks and inconsequential harbors everywhere—why continue to waste the public money? When I made the fight a big, red-headed, freckle-faced man from Comanche, who had moved over to Dallas, told me that when the fight was going on and the two gentlemen from Texas were jumping on me, and papers down home printing what they were saying, the citizens of Dallas were saying on the streets of Dallas that CALLAWAY is right about it; it is a farce, but we want the money spent down here. He said that I might quote him. He was at that time and is now a citizen of Dallas.

The chamber of commerce at Fort Worth sent me a wire, and the gentleman from the Trinity read it last year, asking me to support the appropriation. That came from the chamber of commerce. It was not the views of the body of the people. I went home and I stood on the banks of the Trinity River, at Fort Worth, the place that wire came from, and spoke against such waste and carried that county over the man who was opposed to me, who lived there, by 1,500 votes. Why? The people there know that it is foolish. Mattewan Creek, Kissimme, the Little Pedee, and all these little, inconsequential and intermittent creeks are projects upon which it is foolish to spend money. There is no use in arguing that the railroad is behind this opposition. That is begging the question. Every common-sense man can see the foolishness in trying to beat down the freight on the railroads by appropriations while the Interstate Commerce Commission are raising the rates by rulings that the railroads may live.

Mr. TREADWAY. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD on the Brazos River.

The CHAIRMAN. The gentleman from Massachusetts asks unanimous consent to extend his remarks. Is there objection?

There was no objection.

The pro forma amendment was withdrawn.

Mr. BEALL of Texas. Mr. Chairman, I ask unanimous consent to proceed for 10 minutes.

The CHAIRMAN. The gentleman from Texas asks unanimous consent to proceed for 10 minutes. Is there objection?

There was no objection.

Mr. BEALL of Texas. Mr. Chairman, when the gentleman from Wisconsin began to cast aspersions on Texas projects I felt some irritation. When the gentleman from Massachusetts [Mr. TREADWAY] began to attack the river on which my friend HENRY lives and called it the Brāyzŏs, I began to be indignant; but when my own colleague [Mr. CALLAWAY] launched forth in an attack upon the Trinity, which is really the best project in the river and harbor bill, my indignation swells to the point where it can be no longer suppressed.

He attempts to claim some sort of knowledge with respect to the Trinity and Brazos, because, he says, they run through his district. That is not to their credit at all, and, like well-disposed rivers, they leave his district just as soon as they can. [Laughter.]

Mr. CALLAWAY. Will the gentleman yield? They do not run out of there at all.

Mr. BEALL of Texas. Oh, yes; they do run. They do not even hesitate about it. Now, my friend from Texas says that Fort Worth is upon the Trinity River. This river, as its name indicates, has three forks, two of which are very wet and one of which is dry. The dry fork happens to be the fork upon which Fort Worth is situated; and this may account for some of the things said and some of the things written by citizens of Fort Worth in opposition to the canalization of the Trinity River. Fort Worth is now a good town. At one time it was an ambitious town; it even essayed to be the rival of the great city of Dallas. That was in the past. It has been overshadowed and has now become an interesting suburb of Dallas, to which the people of that city like to go to find peaceful quietude and rest.

I was over there a few months ago myself. I found that it still attempts to imitate the ways of sure enough cities. In the middle of one of the principal streets I saw a policeman standing. It seemed to me that he must have been 7 feet in height. I had a few minutes to wait for a car after having finished pitching horseshoes and wanted to find some other kind of diversion, and so I ambled up to this policeman and said: "What are you doing?" He said, "I am a traffic policeman in Fort Worth." I looked up and down both streets, but saw few vehicles. I said, "How do you like your job?" He said, "Oh, fine, except that I get so darned lonesome." [Laughter.] Mr. Chairman, my friend reads letters from two very estimable gentlemen from my own home town of Waxahachie who do not have faith in the Trinity River project. There are people there who have not—in the language of Billie Sunday—"hit the trail" and have not been converted to see its merits. There are benighted people there just as there are some benighted people in the House of Representatives who will not agree that the Trinity River project is one of superlative merit. There were people in my friend CALLAWAY'S district who were so unappreciative of him that several thousand of them voted against him, and probably more than two in his home town would volunteer the written opinion that it would be far easier to "improve" the Trinity River than to "improve" him. I really admire my colleague very much, and my regret is that he knows so little about what it takes to make a first-class river.

I was unavoidably kept away from here before the holidays. If I had been here, I believe that Mr. SUMNERS and I, together, could have touched the hearts of the genial, kindly chairman and of the other members of the committee and could have persuaded them to give a more generous recognition of the Trinity than is contained in this bill. I have no criticism to make of them. I suppose they did the very best they could. I am sure that they patiently and laboriously considered all of these many projects, and that conditions beyond their control compelled them to select some for present appropriation and to require others to await the next bill. I say this much in compliment of them. I think that if they had given the Trinity more than they did I could have said a good deal more in praise and compliment of them. [Laughter and applause.] They should not expect $100,000 worth of praise in exchange for only $15,000 of appropriation.

Mr. CALLAWAY. Mr. Chairman, will the gentleman yield?

Mr. BEALL of Texas. Yes.

Mr. CALLAWAY. Does not the gentleman think that the Trinity is as good a proposition as the Brazos?

Mr. BEALL of Texas. Of course the gentleman thinks that. The gentleman thinks that the Trinity River is the best of the two.

Mr. CALLAWAY. Did not the gentleman from the Brazos say in his speech last year that the Trinity was just as good as the Brazos?

Mr. BEALL of Texas. I think that is universally conceded. I have never heard anyone contend that the Trinity was not the equal of the Brazos. This project has been before Congress for a good many years. It is true it gets only $15,000 in this bill, but I do not accept that as any evidence of the fact that there is any purpose on the part of the Government to abandon the project. I know the circumstances under which this bill was made, and I am confident in my expectation that when future river and harbor bills are made up the Trinity River will be recognized in accordance with its real merits.

Mr. Chairman, this is a sort of "swan song" of mine, so far as the Trinity River is concerned. I have struggled here as best I could for the last 10 or 12 years, trying to do something for this project, because I thought it was of vital importance to my section and to my State. I believe it is now, because the situation down there is a situation that demands some character of relief. During these 10 or 12 years Congress has dealt as generously with the Trinity River as conditions would permit. Something more than $2,000,000 have been appropriated. I think that every dollar of this sum has been secured in the House of Representatives. Sometimes the progress of improvement has seemed discouragingly slow. Seven locks and dams are in process of construction, and two more have been authorized to the extent of locating and securing their sites.

My colleague [Mr. CALLAWAY] says that some friend of his has advised him that the people of Dallas ridicule the proposition, that they have no faith in it, that they only want the appropriation. Let us look at the facts for just a minute. For the last 20 years the people of Dallas have been laboring to secure recognition of this project and appropriations for it. They gave $66,000 of their own money at one time, when the river and harbor bill required it. They have expended thirty or forty thousand dollars of their own money buying sites for locks and dams. They have expended many thousands of dollars securing the land necessary for wharves. They have issued bonds to provide a sewage-disposal plant that was made necessary because of the effort to make this river navigable. They have issued bonds to the extent of $700,000 therefor, and yet my friend indulges in the statement that the only interest people in Dallas have is to get these appropriations to be spent in that section of Texas.

Mr. CALLAWAY. Mr. Chairman, will the gentleman yield?

Mr. BEALL of Texas. Yes.

Mr. CALLAWAY. Fort Worth has issued bonds to take care of its sewage.

Mr. BEALL of Texas. Yes; but you have no other means of disposing of it.

Mr. CALLAWAY. We can turn it into the Trinity River.

Mr. BEALL of Texas. But you are on the dry fork of the Trinity, while we are on the river. Your city undertook it because the legislature of the State of Texas passed a law compelling you to do it, and prohibiting you from emptying your sewage into the Trinity River, while the people of Dallas undertook it years ago in order to aid this undertaking in which they have proven their faith. They have spent hundreds of thousands of dollars in addition to that in building new bridges across the river so as not to interfere with and obstruct navigation.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BEALL of Texas. Mr. Chairman, I ask for five minutes more.

The CHAIRMAN. The gentleman from Texas asks unanimous consent to proceed for five minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. BEALL of Texas. The Government has appropriated something like $2,000,000, but for every dollar that the Government has appropriated the people of Dallas, the people who, according to my colleague, have no faith in the project and no interest except to secure Federal appropriations, have expended or have assumed obligations for an equal amount.

I will not go into the question as to the freight situation down there. It has been referred to many times before and in connection with other items in this bill. It is a desperate effort of the people in central Texas to find some avenue of escape, to find some means of relieving themselves of a situation that is an intolerable situation, a situation that handicaps them, a situation that impedes their progress and their prosperity, and yet, in spite of all this, my friend, who represents the district containing a city that is the rival of Dallas, says that it is an unworthy project; that the people there have no faith in it; that

they ridicule it; and yet for every dollar that the Government has put into it the people of Dallas, because of the fact that they were interested in making this river navigable, have contributed or assumed obligations for an equal amount.

Now, Mr. Chairman, ever since I have been here people have been trying to poke fun at the Trinity River. In most instances it was because they did not know anything about it; because they did not appreciate our situation. If we had in Texas a bigger and better river than the Trinity, of course, that would be the one we would want improved. We have not, and we are compelled to accept the situation as it is.

We are sorry, far more sorry than you are, that there has been a question or that there could be a question about the water supply of the Trinity River. There is no question except with reference to section 1, from Dallas down to the junction with the East Fork, a distance of 50 miles. The Government undertook the project knowing that there was some question about the water supply in section 1. Mr. BURTON, who was then chairman of the Committee on Rivers and Harbors, knew the condition, knew that in certain seasons the flow of water in the river was small, and yet because of the situation in that great agricultural section he decided that the effort to canalize Trinity River should be made.

Gentlemen poke fun at it and say they began the improvement at the head of the river instead of at the mouth. They did. Congress transferred the appropriation that had been made for the lower section of the river to the upper, because it was recognized that if the first 50 miles could be canalized and made navigable there was no question about the balance of the river, and the struggle has been to try to complete the canalization of the first 50 miles of the river. We have a lock and dam at White Rock Shoals, another at Hurricane Shoals, two places on the lower stretches of the river where there are obstructions, because it was reasoned if we could canalize the first 50 miles and then have locks and dams at places where there are obstructions, that during a large part of every year, dry years, wet years, all kinds of years, we would have a navigable river for from 6 to 10 months of the year depending upon the varying rainfall. You take the Ohio and other rivers of the North and East; they are sometimes affected by low water, but almost every year they are frozen over for months in the winter, and this condition obstructs navigation just as surely and just as effectually as any condition of low water would affect the navigation of the Trinity River. It does not make any difference what the cause is that interfers with navigation; if it is interfered with, the result is just the same.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BEALL of Texas. Mr. Chairman, I am ashamed to take five minutes more. It is so rare that I ask for time of the committee that I want to ask its indulgence while this item is up.

The CHAIRMAN. Does the gentleman ask unanimous consent for five minutes more?

Mr. BEALL of Texas. I do.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. BEALL of Texas. Now, with all of these locks and dams in section 1 authorized, and with all but two constructed or approaching completion, we thought it was not unreasonable to hope for an appropriation in this bill sufficient to begin the construction of these two which would complete the improvement of section 1. When that is completed we believe the project will be a success. If it should not be, we will grieve far more than you, because it will mean the disappointment of the hopes of so many people who have been looking for and praying for some kind of relief.

Gentlemen have not succeeded during the past 10 years in driving the Trinity River out of court by attempting to ridicule it. They will not in the future. It is a recognized Government project, and the improvement of it is going on. My successor and the other Representatives from Texas interested will see to it that in the next river and harbor bill there will be an adequate appropriation for the Trinity River.

Trinity River has served one purpose at least. It has given certain gentlemen an opportunity to indulge in many witticisms that otherwise might have been denied them. I hope that in the future, if witticisms are indulged in, they will be new ones. I want to tell you now that some of the old ones are getting stale. They have talked about the boring of artesian wells up at the head of the river. That has done duty for 10 or 12 years. It should be barred by limitation in the future. They have talked about macadamizing it, and gentlemen have grown hilarious over the suggestion. We have heard that down in Texas until it has gotten old, too. And then they have proposed to insure it against fire. [Laughter.] And then they have advised that the bed of it should be used for the right of way for a railroad running from Dallas down to the Gulf. My colleague [Mr. CALLAWAY] claims to have waded it many times. All these statements have been very funny, but the improvement of the river has gone steadily on, and it will go on. In my opinion gentlemen will not be able to defeat this undertaking by ridicule, because the men upon this committee know more about the situation than the would-be funny men who attempt to indulge in humor at the expense of that project that means so much to that section of Texas.

I thank you. [Applause.]

Mr. SUMNERS. Mr. Chairman, in order that I may not be precluded, I want to ask unanimous consent that before this item is passed—I understand the motion for the committee to rise is about to be made—I be given an opportunity to speak to it for 10 minutes. I shall not ask for that privilege now. I understand that the House wants to adjourn, but I do ask before the item is passed that I be allowed that privilege.

The CHAIRMAN. Whenever the gentleman desires to make that request the Chair will put it. The Clerk will read.

The Clerk read as follows:

Cypress Bayou, Tex. and La.: For maintenance, $2,500.

Mr. SUMNERS. Mr. Chairman——

The CHAIRMAN. Does the gentleman from Texas desire to make any request now?

Mr. SUMNERS. I do not want to interfere with the committee.

Mr. SPARKMAN. I would suggest to the gentleman that he might speak to the next item when we reach it. I was about to move to rise.

Mr. MANN. Let the first Arkansas item be read.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Ouachita River, Ark. and La.: For maintenance of improvement by open-channel work up to Camden, $25,000.

Mr. SPARKMAN. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. RAINEY, Chairman of the Committee of the Whole House on the state of the Union, reported that the committee had had under consideration the bill (H. R. 20189) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, and had come to no resolution thereon.

ENROLLED BILLS PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. ASHBROOK, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States, for his approval, the following bills and joint resolution:

H. R. 6060. An act to regulate the immigration of aliens to and the residence of aliens in the United States;

H. R. 5195. An act for the relief of the Atlantic Canning Co.; and

H. J. Res. 234. Joint resolution directing the selection of a site for the erection of a statue in Washington, D. C., to the memory of the late Maj. Gen. George Gordon Meade.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. BOWDLE, for three days, so as to deliver an address at Cincinnati.

To Mr. TALBOTT of Maryland, indefinitely, on account of sickness.

To Mr. O'SHAUNESSY, for two weeks, on account of illness.

EXTENSION OF REMARKS.

Mr. GOODWIN of Arkansas. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the subject of the Red River.

The SPEAKER. The gentleman from Arkansas asks unanimous consent to extend his remarks in the RECORD on the subject of the Red River. Is there objection?

There was no objection.

Mr. HUMPHREY of Washington. Mr. Speaker, I ask unanimous consent to extend my remarks on the income-tax section of the present tariff law.

The SPEAKER. The gentleman from Washington asks unanimous consent to extend in the RECORD some remarks on the income-tax of the present tariff law. Is there objection?

There was no objection.

HOUR OF MEETING NEXT TUESDAY.

Mr. UNDERWOOD. Mr. Speaker, I ask unanimous consent that when the House adjourns on Monday next it adjourn to meet at 11 o'clock on the following Tuesday. On account of the approaching end of this session, I think it is necessary to drive these bills, although I recognize it is entirely proper for gentlemen who are interested in them to have a reasonable opportunity to state the wishes of their constituents and to voice such criticism as they desire against a bill on the floor. I realize also that if these bills are not pushed from now on it may jeopardize their passage, and I therefore hope that when the House meets on Tuesday it will try to stay in session until this bill is passed.

The SPEAKER. The gentleman from Alabama [Mr. UNDERWOOD] asks unanimous consent that when the House adjourns next Monday it adjourn to meet at 11 o'clock a. m. on Tuesday. Is there objection?

There was no objection.

ADJOURNMENT.

Mr. SPARKMAN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 20 minutes p. m.) the House adjourned until Monday, January 18, 1915, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. Letter from the Secretary of the Treasury, submitting an estimate of appropriation which has been approved by the President in the sum of $50,000, to extend to the Governments of Central and South America an invitation to send representatives to a conference with the Secretary of the Treasury, in the city of Washington, and representative bankers of the United States, with a view to establishing closer and more satisfactory financial relations between their countries and the United States (H. Doc. No. 1493); to the Committee on Appropriations and ordered to be printed.

2. Letter from the Secretary of War, submitting answers to questions propounded in House resolution No. 698, adopted by the House of Representatives on January 14, 1915 (H. Doc. No. 1492); to the Committee on Military Affairs and ordered to be printed.

3. Letter from the assistant clerk Court of Claims, transmitting a certified copy of the findings of fact in the case of Sarah F. Tronwith, executrix of C. F. Simpson, deceased, *v.* The United States (H. Doc. No. 1494); to the Committee on War Claims and ordered to be printed.

4. Letter from the assistant clerk Court of Claims, transmitting certified copy of the findings of fact in the case of John M. Seigle, widower of Caroline Seigle, *v.* The United States (H. Doc. No. 1495); to the Committee on War Claims and ordered to be printed.

5. Letter from the assistant clerk Court of Claims, transmitting certified copy of the findings of fact and conclusion in the case of the trustees of Liberty Springs Missionary Baptist Church, of Stewart County, Tenn., *v.* The United States (H. Doc. No. 1496); to the Committee on War Claims and ordered to be printed.

6. Letter from the assistant clerk Court of Claims, transmitting certified copy of findings of fact and conclusion in the case of James H. Trimble, son of James H. Trimble, deceased, *v.* The United States (H. Doc. No. 1497); to the Committee on War Claims and ordered to be printed.

7. Letter from the assistant clerk Court of Claims, transmitting certified copy of the findings of fact and conclusion in the case of Maude Taylor, daughter of John C. Taylor, deceased, *v.* The United States (H. Doc. No. 1498); to the Committee on War Claims and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. YOUNG of Texas, from the Committee on Agriculture, to which was referred the bill (S. 2278) granting the El Paso & Rock Island Railway Co. a right of way for its pipe lines and reservoir upon the Lincoln National Forest for the carrying and storage of water for railroad purposes, reported the same with amendment, accompanied by a report (No. 1288), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. WALTERS, from the Committee on the District of Columbia, to which was referred the bill (H. R. 18383) to provide better sanitary conditions in composing rooms within the District of Columbia, reported the same with amendment, accompained by a report (No. 1289) which said bill and report were referred to the House Calendar.

Mr. MOON, from the Committee on the Post Office and Post Roads, to which was referred the bill (S. 1701) to admit legislative journals of State and Territorial legislatures to the mails as second-class mail matter, reported the same without amendment, accompanied by a report (No. 1290), which said bill and report were referred to the House Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Invalid Pensions was discharged from the consideration of the bill (H. R. 20804) for the relief of William P. Nason, and the same was referred to the Committee on Military Affairs.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. PADGETT: A bill (H. R. 20975) making appropriations for the naval service for the fiscal year ending June 30, 1916, and for other purposes; to the Committee of the Whole House on the state of the Union.

By Mr. RAKER: A bill (H. R. 20976) to prohibit the coming of Asiatic laborers into the United States, and for other purposes; to the Committee on Immigration and Naturalization.

By Mr. KENT: A bill (H. R. 20977) to provide for the establishment of a life-saving station in the vicinity of Duxbury Reef, Cal.; to the Committee on Interstate and Foreign Commerce.

By Mr. CRAMTON: A bill (H. R. 20978) authorizing the Secretary of the Treasury to make refund in certain cases of sums of money paid in settlement of income-tax penalties in excess of existing regulations; to the Committee on Ways and Means.

By Mr. STEPHENS of California: A bill (H. R. 20979) relating to experts, their appointment by the court or a judge thereof, and providing for their compensation and manner of examination as witnesses; to the Committee on the Judiciary.

By Mr. CONNOLLY of Iowa: A bill (H. R. 20980) to enlarge, extend, remodel, and modernize the post-office building at Waterloo, Iowa; to the Committee on Public Buildings and Grounds.

By Mr. ADAMSON: A bill (H. R. 21005) to prevent, prohibit, and punish frauds and cheating and swindling in interstate and foreign commerce; to the Committee on Interstate and Foreign Commerce.

By Mr. BLACKMON: Joint resolution (H. J. Res. 403) to authorize the Secretary of War to grant permission to the Southern Commercial Congress to place a tablet at Gamboa, Canal Zone, as a memorial to the late Senator John T. Morgan; to the Committee on Interstate and Foreign Commerce.

By Mr. LOBECK: Joint resolution (H. J. Res. 404) authorizing an embargo on commerce under certain conditions; to the Committee on Foreign Affairs.

By Mr. MURRAY: Resolution (H. Res. 704) referring the bill (H. R. 20890) for the relief of the Iowa Indians of Oklahoma to the Court of Claims for a finding of fact and conclusions of law; to the Committee on Indian Affairs.

By Mr. J. M. C. SMITH: Memorial of the Legislature of the State of Michigan protesting against the seamen's bill; to the Committee on the Merchant Marine and Fisheries.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADAIR: A bill (H. R. 20981) granting an increase of pension to Thomas J. Cartwright; to the Committee on Invalid Pensions.

By Mr. BROUSSARD: A bill (H. R. 20982) for the relief of Elodie Dejoie; to the Committee on War Claims.

By Mr. BRUCKNER: A bill (H. R. 20983) granting an increase of pension to Joseph Zeimer; to the Committee on Invalid Pensions.

By Mr. CAMPBELL: A bill (H. R. 20984) granting an increase of pension to Samuel Ratcliff; to the Committee on Invalid Pensions.

By Mr. CARY: A bill (H. R. 20985) granting an increase of pension to James S. Case; to the Committee on Pensions.

By Mr. CONNOLLY of Iowa: A bill (H. R. 20986) granting a pension to George Critzman; to the Committee on Pensions.

Also, a bill (H. R. 20987) granting a pension to John G. Powers; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20988) for the relief of Henry H. Stevenson; to the Committee on Claims.

By Mr. COX: A bill (H. R. 20989) granting a pension to John Pennington; to the Committee on Invalid Pensions.

By Mr. GOULDEN: A bill (H. R. 20990) granting a pension to George M. Griffith; to the Committee on Pensions.

By Mr. GRIFFIN: A bill (H. R. 20991) granting a pension to James Daly; to the Committee on Invalid Pensions.

By Mr. HAMILTON of New York: A bill (H. R. 20992) granting an increase of pension to Samuel Massey; to the Committee on Invalid Pensions.

By Mr. HINDS: A bill (H. R. 20993) granting a pension to Clara J. Sherburne; to the Committee on Pensions.

By Mr. KETTNER: A bill (H. R. 20994) granting an increase of pension to George R. Smith; to the Committee on Pensions.

By Mr. LENROOT: A bill (H. R. 20995) granting an increase of pension to Jordon J. McCann; to the Committee on Invalid Pensions.

By Mr. LESHER: A bill (H. R. 20996) granting an increase of pension to William Raup; to the Committee on Pensions.

By Mr. MOSS of West Virginia: A bill (H. R. 20997) granting an increase of pension to Oscar Hoce; to the Committee on Invalid Pensions.

By Mr. NEELY of West Virginia: A bill (H. R. 20998) granting an increase of pension to Lydia Ann Hagan; to the Committee on Invalid Pensions.

By Mr. SMITH of Maryland: A bill (H. R. 20999) granting a pension to Marian Eva Keyes; to the Committee on Pensions.

By Mr. SMITH of Minnesota: A bill (H. R. 21000) granting a pension to Imogene P. Ingersoll; to the Committee on Invalid Pensions.

By Mr. THOMAS: A bill (H. R. 21001) granting a pension to Elizabeth Wilson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 21002) granting an increase of pension to James M. Silvey; to the Committee on Invalid Pensions.

By Mr. TRIBBLE: A bill (H. R. 21003) granting a pension to William A. Abney; to the Committee on Pensions.

By Mr. WILLIAMS: A bill (H. R. 21004) granting an increase of pension to John W. Gahan; to the Committee on Pensions.

By Mr. OLDFIELD: A bill (H. R. 21006) granting an increase of pension to Margaret McHenley; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Petition of citizens of Washington, Mo., favoring bill prohibiting export of arms; to the Committee on Foreign Affairs.

Also, petition of St. Anthony's Young Men's Society, Hermann, Mo., favoring bill prohibiting export of arms; to the Committee on Foreign Affairs.

Also, petition of Retail Grocers' Protective Association, of St. Charles, Mo., favoring House resolution 5308, to tax mail-order houses; to the Committee on Ways and Means.

By Mr. BAILEY: Memorial of Johnstown (Pa.) Turn-Verein, favoring passage of House joint resolution 377; to the Committee on Foreign Affairs.

Also, petition of M. N. McGeary, of Johnstown, Pa., protesting against amendment to the Post Office appropriation bill relative to the freedom of the press, etc.; to the Committee on the Post Office and Post Roads.

Also, petition of D. M. Bare & Co., J. P. Martin, John B. Miller, S. H. & W. J. Garber, and George W. Snyder, all of Roaring Spring, Pa., for the passage of House bill 5308, a bill providing for the taxation of mail-order houses for local purposes; to the Committee on Ways and Means.

By Mr. BARTHOLDT: Petitions of Maryland Citizens' Committee, of Baltimore, Md.; Concord Farmers' Club, of Affton, Mo.; German-American League and United Irish Societies of San Francisco, Cal.; V. J. Welcome, of Brawley, Cal.; M. M. Vust, of Ellsworth, Minn.; mass meeting of 15,000 citizens of St. Louis, Mo.; Kaiser Club, of Jacksonville, Fla.; E. M. Kauth & Co. and E. D. Fisher Commission Co., of Sioux Falls, S. Dak.; 75 citizens of St. Louis, Mo.; Henry Heil Chemical Co. and G. R. C. Benevolent Society, of St. Louis, Mo.; German Evangelical Protestant Church of Pittsburgh, Pa.; 52 citizens of St. Louis, Mo.; Karl Hoffmann and Herman Kabitz, of South Bend, Ind; F. J. Kuestenmacher and W. B. Dunn, of Boston, Mass.; H. P. Holler, of Washington, D. C.; G. M. Hirsch, of Portland, Oreg.; Fair Play League, of Newark, N. J.; Wilbur Hyde, of Sioux Falls, S. Dak.; F. B. Lohmeyer and J. V. Jenkins, of New York City; L. A. Plass, of Brooklyn, N. Y.; Reinhold Liebau, of Eau Claire, Wis.; John L. Harris, of Kelso, Wash.; J. E. Engstad and O. E. Naegele, of Minneapolis, Minn.; Prof. L. Fuerbringer, German Roman Catholic Central Verein, and F. Pfeiffer, of St. Louis, Mo.; J. L. Taylor & Co., American Chamber of Commerce, and Francis Taresch, of New York City.; C. A. Heimert, of Pittsburgh, Pa.; H. F. Wagner Insurance Co., of Minneapolis, Minn.; German-American Stadtverbund, of Holyoke, Mass.; George Skuette, Manitowoc, Wis.; German-American National Association, of Denison, Tex.; Citizens' State Bank of Onaga, Kans.; H. H. Kern, of Banner Springs, Kans.; Christian Irion, St. Louis, Mo., and Carl S. von Logan, of Mount Vernon, N. Y., in favor of the bill to prohibit the manufacture and sale of arms and munitions of war to the belligerent nations of Europe; to the Committee on Foreign Affairs.

By Mr. BORCHERS: Petition of citizens of Champaign, Ill., protesting against export of munitions of war by the United States; to the Committee on Foreign Affairs.

By Mr. BROUSSARD: Papers to accompany bill for relief of Elodie Dejoie; to the Committee on War Claims.

By Mr. DILLON: Petition of citizens of Parkston and Dimock, S. Dak., favoring the passage of House joint resolution 377, relative to shipment of war materials; to the Committee on Foreign Affairs.

By Mr. DRISCOLL: Petition of citizens of New York, against violation of neutrality; to the Committee on Foreign Affairs.

By Mr. EAGAN: Memorial of consistory of the German Evangelical Church, of North Bergen, N. J., relative to the violation of the spirit of neutrality in the United States; to the Committee on Foreign Affairs.

By Mr. ESCH: Petition signed by H. Brandt and 217 other citizens of Neillsville, Wis., urging enactment of legislation to prohibit the exportation of munitions of war from the United States; to the Committee on Foreign Affairs.

Also, papers in support of H. R. 20914, granting an increase of pension to Robert L. Ferguson; to the Committee on Invalid Pensions.

Also, petition signed by H. Burmester and 41 other citizens of La Valle, Wis., urging passage of legislation prohibiting the exportation of munitions of war from the United States; to the Committee on Foreign Affairs.

Also, petition signed by Rev. G. A. Westerhaus and 38 other citizens of Elroy, Wis., urging legislation to prohibit the exportation of munitions of war from the United States; to the Committee on Foreign Affairs.

By Mr. GOEKE: Petition of Lima (Ohio) Branch of the German Alliance, favoring House joint resolution 377, to forbid export of arms; to the Committee on Foreign Affairs.

By Mr. GRAHAM of Pennsylvania: Petition of Manufacturers' Club of Philadelphia, favoring an amendment to the present tariff laws; to the Committee on Ways and Means.

By Mr. HAMILTON of New York: Papers to accompany House bill 20789, granting an increase of pension to Thomas Covell; to the Committee on Invalid Pensions.

By Mr. KETTNER: Memorial of citizens of Orange, Cal., favoring passage of House joint resolution 377, relative to shipment of munitions of war; to the Committee on Foreign Affairs.

By Mr. KIESS of Pennsylvania: Papers to accompany House bill 2704, for the relief of William C. Taylor; to the Committee on Invalid Pensions.

By Mr. LONERGAN: Protest of Branch 1088 of Polish National Alliance, Thompsonville, Conn., in re Smith-Burnett immigration bill; to the Committee on Immigration and Naturalization.

By Mr. MAGUIRE of Nebraska: Petition of 50 citizens of Lincoln, Nebr., favoring passage of Senate bill 6683 and House bill 19548, relative to prohibiting selling of munitions of war, etc.; to the Committee on Foreign Affairs.

By Mr. MAPES: Memorial of Schiller Tent 171, of Maccabees, Grand Rapids, Mich., asking for the passage of House joint resolution 377; to the Committee on Foreign Affairs.

By Mr. MOORE: Memorial of Branch No. 3, National Association of Civil Service Employees, of Philadelphia, Pa., urging the passage of the civil-service retirement bill, H. R. 5139; to the Committee on Reform in the Civil Service.

By Mr. MORIN: Petition of citizens of Pittsburgh, Pa., favoring House joint resolution 377, to forbid export of arms; to the Committee on Foreign Affairs.

By Mr. NEELY of West Virginia: Papers filed in support of bill (H. R. 20998) for the relief of Lydia Ann Hagan; to the Committee on Invalid Pensions.

By Mr. RAKER: Petition by citizens of Red Bluff, Cal., favoring the enactment of House joint resolution 377, to forbid export of arms; to the Committee on Foreign Affairs.

Also, petition of citizens of Baltimore, Md., against export of arms; to the Committee on Foreign Affairs.

Also, petition of John J. Freschi, president, and Dominic A. Irotta, secretary, of the Union League of Italian-Americans of United States, against Burnett immigration bill; to the Committee on Immigration and Naturalization.

Also, petition of Louis M. Cole, president, and Frank Wiggins, secretary, Chamber of Commerce, Los Angeles, Cal., favoring support by United States Government of the widow of Gen. A. R. Chaffee; to the Committee on Pensions.

By Mr. REILLY of Connecticut: Petition of William I. Barber, secretary of the Hartford (Conn.) Business Men's Association, against House joint resolution 372, to provide for a national security commission; to the Committee on Rules.

By Mr. SELDOMRIDGE: Petition of citizens of Colorado, favoring House joint resolution 377, to forbid export of arms; to the Committee on Foreign Affairs.

Also, petition of city council of Colorado Springs, Colo., favoring Hamill civil-service retirement bill; to the Committee on Reform in the Civil Service.

By Mr. SMITH of Minnesota: Petition of citizens of Minneapolis, Minn., urging the passage of House joint resolution 377, forbidding exportation of munitions of war; to the Committee on Foreign Affairs.

By Mr. TALCOTT of New York: Petition of members of St. Michael's Society, of Rome, N. Y., protesting against the passage of the Smith-Burnett immigration bill; to the Committee on Immigration and Naturalization.

Also, petition of citizens of the thirty-third congressional district of New York, protesting against violations of neutrality; to the Committee on Foreign Affairs.

By Mr. VOLLMER: Petition of 1,170 American citizens, favoring adoption of House joint resolution 377, prohibiting the export of war materials; to the Committee on Foreign Affairs.

SENATE.

MONDAY, *January 18, 1915.*

(Legislative day of Friday, January 15, 1915.)

The Senate reassembled at 11 o'clock a. m., on the expiration of the recess.

DISTRICT OF COLUMBIA APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 19422) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1916, and for other purposes.

Mr. SMOOT. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Brady	Gallinger	Norris	Smoot
Brandegee	Hardwick	Overman	Sterling
Bryan	Hollis	Page	Stone
Burleigh	James	Perkins	Thomas
Burton	Johnson	Pomerene	Thornton
Catron	Jones	Reed	Tillman
Chamberlain	Kern	Robinson	Vardaman
Clapp	La Follette	Saulsbury	Walsh
Clark, Wyo.	Lane	Sheppard	Warren
Colt	Lea, Tenn.	Shively	White
Culberson	Lippitt	Smith, Ariz.	Works
Cummins	Martin, Va.	Smith, Ga.	
Dillingham	Martine, N. J.	Smith, Md.	
Fletcher	Myers	Smith, Mich.	

Mr. ROBINSON. I was requested to announce that the Senator from Arizona [Mr. ASHURST] and the Senator from Oklahoma [Mr. OWEN] are unavoidably detained from the Chamber on business of the Senate. This announcement may stand for the day.

The VICE PRESIDENT. Fifty-three Senators have answered to the roll call. There is a quorum present. The Chair lays before the Senate certain petitions from the Wesley Chapel Methodist Episcopal Church, the First United Presbyterian Church, and the Petworth Baptist Church, of this city, praying for the prohibition of the liquor traffic in the District of Columbia. The petitions will be properly noted in the Journal.

Mr. THOMAS. Mr. President, I ask unanimous consent to have printed in the RECORD, without reading, a letter from Dr. Charles M. Emmons in reply to certain correspondence which was put into the RECORD by the Senator from New Hampshire [Mr. GALLINGER] a few days ago relating to the site for the Eastern High School.

The VICE PRESIDENT. Without objection, it is so ordered.

The matter referred to is as follows:

EAST WASHINGTON CITIZENS' ASSOCIATION,
Washington, D. C., January 16, 1915.

Hon. C. S. THOMAS,
United States Senate, Washington, D. C.

MY DEAR SENATOR: In view of the personal interest you manifested in the debate on the floor of the Senate in the matter of the selected site for the Eastern High School, I deem it but just to yourself, as well as important to the subject matter, to make brief reply to some statements contained in and inferences that might be drawn from the letters of Henry P. Blair and John B. Larner, appearing on page 1610 of the CONGRESSIONAL RECORD of yesterday's proceedings.

By referring to the assessment books of the District of Columbia it will be found the Washington Loan & Trust Co., as trustee for the Equitable Building Association, of this city, controls lot 8 and part of lot 7 in square 1108, and also, as executor of the estate of J. Sprigg Poole, controls lots 40 and 41 in square 1095. These lots are all included within the boundaries of the proposed purchase.

The city directory shows that Mr. John B. Larner is vice president and general counsel of the said Washington Loan & Trust Co. and is also a director in the said Equitable Building Association. These two corporations are very closely connected, as is shown by the fact that Mr. John Joy Edson is president of both.

These two corporations with which Mr. Larner is conected necessarily have a fiduciary interest in the sale of these properties to the District of Columbia. As to the hearing before the board of education, mentioned in Mr. Blair's letter, I will state that the present proposed site had not been then selected. We appeared before the board of education to urge the selection of reservation No. 13. As a matter of fact, no public hearing whatsoever has been granted or had by the board of education or by the District Commissioners with reference to the purchase of this proposed site and the closing of the public streets.

Sincerely, yours,

CHARLES M. EMMONS, M. D.,
President East Washington Citizens' Association.

The VICE PRESIDENT. The question is on agreeing to the report of the Committee on Rules.

Mr. JONES. Mr. President, I have one letter here that I received this morning, which I wish to have read. I simply desire to say that I have received a great many letters this morning along the same line, but this letter sets out the facts so clearly and succinctly that I ask that it be read. I am glad to know that this man is working for a great company and is not afraid to express his sentiments in regard to this question; that he is not afraid the company will call him to task for so doing.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the Secretary will read as requested.

The Secretary read as follows:

256 NINTH STREET NE.,
January 17, 1915.

Senator JONES.

MY DEAR SIR: Your effort to clear the curse of the saloon from our Capital City meets with my approval. Trust that you may clear the corner Eleventh and C Streets NE., so that a lady may feel safe to pass that corner at night. I see no reason for such business to be placed in the eyes of so many homes and children. The nine years we have owned our home at Ninth and C Streets NE. our lady friends who were alone making calls always left early at night, stating they were afraid to pass this saloon after dark. The colored people seem to be the greater number around this saloon. We have two clean sons, 22 and 24 years, and would like to keep them so. Without the saloon I will feel more sure. You won't have time to read all such lengthy letters, but trust mine may help the cause.

Very truly, yours,

WILLIAM A. PIERSON,
Passenger Conductor, Pennsylvania Railroad.

Mr. SHEPPARD. I have a brief editorial here from the Commoner on this subject which I would be glad to have read.

Mr. STONE. I should like to ask if it is the same editorial the Senator from Washington [Mr. JONES] put in the RECORD on Saturday?

Mr. SHEPPARD. It is not.

Mr. JONES. I desire to say that the Senator from Washington put in no editorial from the Commoner.

The VICE PRESIDENT. Is there objection? The Chair hears none. The Secretary will read as requested.

The Secretary read as follows:

NATIONAL PROHIBITION IN CONGRESS.

In the last issue of the Commoner I expressed the opinion that this was not an opportune time to propose a national prohibition amendment, not because of any objection to the principle involved—I stated I would vote for the amendment if submitted—but because the submission of such an amendment at this time would divert attention from other issues pressing for consideration without advancing the cause of prohibition

On another page will be found the vote upon the amendment. It will be seen that while it lacked the two-thirds necessary to pass such a resolution, it received a majority of eight—a striking proof of the growing tide against the liquor business.

While the brewers and distillers are congratulating themselves that the prohibition forces could not secure a two-thirds majority, they are looking with blanched faces and trembling hearts upon the declaration, solemnly made on roll call, that a clear majority of the people's Representatives in Congress are arrayed against rum selling.

As it only requires a majority to pass laws, the liquor interests see in the vote on the amendment the beginning of the end of their suprem-

acy. The death knell of the saloon has been sounded, and it is only a question of a few years when the business, now made an outlaw, will be driven from the highways and forced into the secret places, where, after a few years more of fugitive life, it will meet its death. From now on the liquor business can consider itself a fugitive from justice, living in constant fear of arrest and punishment.

Many who voted for the prohibition amendment were opposed to its submission at this time, but, when compelled to vote yes or no, they preferred to ally themselves with the temperance forces rather than run the risk of being counted on the side of the saloon. Others, who have fought the liquor interests in their several States, voted against the submission of the amendment at this time because they preferred to center the fight on the States where it is at issue rather than to have the attack scattered over the entire country. These will be for a national amendment whenever they think the time is ripe for such action, and in the meantime they will redouble their energies and enter with still more earnestness into the State contests against the liquor interests. The temperance element will not deal harshly with the man who voted "No," provided he is in the forefront of the battle in his State, but woe unto the man who pleads "State rights" against national prohibition and then allies himself with the liquor interests in his State! He will find it difficult to convince his constituents that his arguments against the exercise of national authority on the subject expressed his real reason for voting "No."

W. J. BRYAN.

Mr. KENYON. Mr. President, I introduced and had read into the RECORD on Saturday an editorial from the Commoner of some weeks ago. The Senator from Texas has now had read an editorial from the last issue of the Commoner. On the third page of that same issue there is another editorial by Mr. Bryan on this same subject, which I think should also be inserted in the RECORD and read. I ask to have that done.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered. The Secretary will read as requested.

The Secretary read as follows:

STATE RIGHTS NOT MENACED.

The discussion of the proposed national prohibition amendments has brought out a new lot of mock heroics on the subject of local self-government. Some of the "wets," in attempt to justify their opposition to national prohibition, express great fear lest the national authority shall trample upon the "imperishable rights of local self-government." What perishable tommy rot!

The insincerity of these protestations is manifest when it is remembered that the liquor interests are just as jealous of "the imperishable rights of interstate commerce" as they are of "the imperishable local self-government"; it depends entirely upon the case which is being presented.

If a State attempts to deal with the liquor question a hoard of saloon sympathizers raise a chorus against the "invasion of the rights of the National Government." They insist that "commerce between the States must be protected"; "the arm of the National Government must not be paralyzed"; "fanaticism must not be permitted to suspend the traffic between the various Commonwealths of the Nation," etc.

Whenever, however, the authority of the National Government is invoked we find this same crowd worshiping at the shrine of "State rights" and beating their breasts in frantic fear lest the people may be robbed of the sacred right to control their own affairs.

Those who regard the saloon as an unalloyed evil and seek to abate the nuisance need not worry themselves about the hypocritical arguments presented by those who prey upon the welfare of society and make a merchandise of morals. The right to class alcohol as a poison; the right to protect society against those who would make money by administering this poison to their fellow men—this right can be exercised without any danger either to the authority of the National Government or to the rights of local communities. It will be a sad day for this country when the brewers, the distillers, and the saloon keepers are made the custodians of either national or local authority.

The rights of the city are not trampled upon when township option is adopted, as it has been in some States; such legislation simply enlarges the unit and places the control of the liquor traffic in the hands of a greater number of people. The rights of local self-government are not imperiled by legislation which makes the county, instead of the township, the unit—which has been done in a number of States. No more is local self-government menaced when the State is made the unit, as it has been in some 14 States. The same reasoning holds true when the legislative unit is the Nation, instead of the State.

If the readers of the Commoner will take notice they will find that whenever a choice is to be made between two units, the liquor interests always choose the smaller unit—no matter which two are under consideration. If the question is between national prohibition and State prohibition, the liquor interests are the vociferous champions of the State's right to act. When, however, the choice is between State prohibition and county option, the liquor interests are just as vehemently in favor of county option. If it is a choice between county option and township option, the liquor interests are out beating their tom-toms and shouting for precinct option; if the choice is between township option and city, town, or village option, the liquor interests bring out their cohorts and make their fight for the least unit, and there is just as much sincerity in their arguments in one case as in any other; but there is no sincerity in their arguments in any case, it is all a matter of pecuniary interest.

To carry the illustration further, they would favor ward option as against city option, and they would favor giving the option to the block instead of to the ward. Finally, they would demand that the option be exercised by the individual rather than by any governmental unit, and they would do this in the name of "personal liberty," although if the manufacturers of intoxicants were in position to enforce their decrees, they would make drinking compulsory, even if they had to tie their victim and force alcohol down him as stated intervals—they would do it, of course, for the benefit of the victim's health.

When it is understood that the arguments made in favor of the liquor traffic are not the real ones that actuate those who make them, why should the opponents of the saloon pay any attention to them?

Experience has taught that the unit is enlarged in proportion as public sentiment against the saloon increases, and a national prohibition amendment will be submitted as soon as enough States adopt prohibition to make the ratification of the amendment probable. When that time comes, the reserved rights of the States will be just as sacredly guarded as they are now, or ever have been—they will be guarded by intelligent and sober freemen who believe in the theory upon which our Government is founded. It only brings "State rights" into ridicule to have the phrase made a mask for a disreputable business which is fighting to perpetuate the privilege of debauching a nation.

W. J. BRYAN.

Mr. MARTINE of New Jersey. Mr. President, in view of the statements made here by the Senator from Washington [Mr. JONES] on Saturday last, regarding the excise board of this District, which, if they are half true, the Senate owes the duty to itself and to the country that they should be diligently inquired into, I desire to make a motion.

I am unalterably opposed to prohibition, but I am square, and I believe in being square. To that end, I move that a committee of five be appointed by the President of the Senate to inquire into all the charges which have been made by the Senator from Washington.

The VICE PRESIDENT. The question is on the motion of the Senator from New Jersey. [Putting the question.] The ayes have it, and the motion is agreed to.

Mr. CLAPP. Mr. President, I had intended this morning making some remarks upon the question before the Senate. I realize, however, that the junior Senator from Texas [Mr. SHEPPARD], who has been primarily back of this amendment, is a member of the dominant party; I realize that the dominant party is charged with the enactment of legislation at this session, that it has what might be called "a program," and that continued debate upon this question has and that further debate will subject the author of the amendment to the criticism of delaying the action of the policy or the program of his dominant party. The Senator in charge of the matter feels that it is wise that there be no unnecessary loss of time in taking a vote upon this measure; therefore, rather than embarrass him, unless I shall discover later this morning a tendency to delay and postpone the vote, I shall refrain from addressing the Senate upon the subject. Later when this question comes up, as it will if not successful at this time, I shall discuss the question.

The VICE PRESIDENT. The question is on agreeing to the report of the Committee on Rules.

Mr. JAMES. I ask for the yeas and nays.

The VICE PRESIDENT. The yeas and nays are called for. Is the request seconded?

Mr. REED. I call for a statement of the question, Mr. President.

Mr. SMOOT. Mr. President, I intend to detain the Senate but a very few moments. The real question before the Senate is as to whether or not we shall suspend the rules. I am going to vote upon that question, and upon no other.

Mr. President, I am opposed to suspending the rules of this body, particularly the one that is asked to be suspended at this time. We are asked to suspend Rule XVI, paragraph 3, providing:

No amendment which proposes general legislation shall be received to any general appropriation bill, nor shall any amendment not germane or relevant to the subject matter contained in the bill be received.

Mr. President, I believe there is no necessity for suspending the rules at this time. The Senator from Texas [Mr. SHEPPARD] can get a vote upon this question in the Senate in a more direct way. The same question has been presented to the Senate in a bill introduced by the Senator from Texas, which is now before a committee of this body. If that committee does not desire to report the bill to the Senate, the Senator from Texas has a perfect right to move to discharge the committee from the further consideration of the bill, and that the Senate itself consider the bill.

Mr. SHEPPARD. Mr. President, may I ask the Senator a question?

Mr. SMOOT. Certainly.

Mr. SHEPPARD. What chance does the Senator think a bill reported and passed by the Senate in that manner would have in the other House at this session?

Mr. SMOOT. If the Senator takes that position, that is another good reason why action such as proposed should not be taken.

Mr. SHEPPARD. No; the reason for acting upon it in this way is that this is a House appropriation bill and it will go through in this way.

Mr. SMOOT. I understand the Senator's position, but I am opposed to any such way of legislating. It is for that reason that I oppose the suspension of the rules.

Mr. SHEPPARD. Has the Senator from Utah always taken that position?

Mr. SMOOT. I have, Mr. President; but this question has never arisen before in the Senate during my service here. I have in the past consented to legislation going upon appro-

priation bills where it was the almost unanimous wish of this body, where there was very little sentiment against it, but wherever there is such a vital question as this involved I do not believe that this is the proper way to reach it.

I want to say, however, that if this question should be referred to the people of the District of Columbia and I had an opportunity to vote upon it, I should vote for prohibition in the District, as I voted and would again vote for prohibition in my home city. I simply wanted to make this statement so that my position could not be misunderstood. It is for this reason, Mr. President, that I shall vote against suspending the rules, and that is the sole and only question before the Senate at this time.

I could discuss the question of prohibition and state my attitude upon it, but I do not think it is now necessary. I do, however, think that this body ought to change Rule XL, and change it as quickly as possible, in conformity with the sentiment expressed by this body. I shall first give notice of my intention to do so, and then I shall offer an amendment and have it referred to the Committee on Rules, amending Rule XL to read as follows:

RULE XL.

SUSPENSION AND AMENDMENT OF THE RULES.

No motion to suspend, modify, or amend any rule, or any part thereof, shall be in order, except on one day's notice in writing, specifying precisely the rule or part proposed to be suspended, modified, or amended, and the purpose thereof, and shall require a vote of two-thirds, and shall be decided without debate.

Mr. President, I think that will make Rule XL clear. I think that when the question of the suspension of the rules is presented it should be decided without debate, and if the rules are to be suspended, unless by unanimous consent, they should only be suspended when there is involved a question of vital importance to the welfare of the United States.

Mr. GALLINGER. Mr. President, will the Senator permit me to interrupt him?

Mr. SMOOT. Certainly.

Mr. GALLINGER. Do I understand the Senator as suggesting that an amendment to the rules should require a two-thirds vote?

Mr. SMOOT. My suggestion was a proposed amendment to Rule XL, requiring a two-thirds vote to suspend a rule of the Senate.

Mr. GALLINGER. To suspend?

Mr. SMOOT. Yes.

Mr. GALLINGER. I understood the Senator to say "or amend." Manifestly, we ought to be able to amend our rules by a majority vote.

Mr. SMOOT. Yes, Mr. President; that is true. I wrote the proposed amendment hurriedly, and did not notice at the time that the amendment as prepared would apply to a motion to amend the rules.

Mr. SMITH of Georgia. The suggestion of the Senator is simply that a motion to suspend the rules shall be considered without debate and shall require a two-thirds vote?

Mr. SMOOT. Yes.

Mr. SMITH of Georgia. But a rule may be modified by a majority vote just as heretofore?

Mr. SMOOT. Absolutely. That was my intention; but, as I have explained, I hurriedly wrote out the proposed amendment. That, however, will be the effect of the amendment and will be the wording when it is finally drafted.

Mr. SHEPPARD. Mr. President, I do not desire to prolong the discussion of this matter, but I believe it important at this time to give the Senate some important instances of the addition of general legislation to appropriation bills in this body.

It is not an uncommon practice to add provisions embodying general legislation to appropriation bills. The entire bill creating a public-utilities commission, a measure composed of 103 sections, was placed upon the District appropriation bill by the Senate on February 19, 1913. Almost immediately after that measure was added to the District appropriation bill the Senator from Washington [Mr. JONES] offered as an amendment what was known as the "excise bill." That bill was composed of 27 distinct and comprehensive sections, and it was likewise added to the District appropriation bill.

In the Fifty-sixth Congress, second session, an amendment providing for the establishment of civil government in the Philippine Islands was placed upon the Army appropriation bill. The President pro tempore, Mr. Frye, submitted the question of order to the Senate, and the Senate by a vote of 39 to 23 determined that the amendment was in order. I call attention to that vote, because the Senator from Utah [Mr. SMOOT] endeavored to create the impression that the Senate had only added provisions embodying general legislation to appropriation bills when there was practical unanimity on the subject.

Again, an amendment providing for the construction of a telegraph cable between the United States and the Hawaiian Islands and appropriating $500,000 for that purpose, was placed upon the Diplomatic and Consular appropriation bill. Mr. Blackburn raised the question of order that it was general legislation on an appropriation bill; the then Vice President, Mr. Stevenson, submitted the question of order to the Senate, and it was voted in order by a vote of 36 to 25. Here were measures involving general legislation about which there was great difference of opinion and which were added to appropriation bills.

The Senator from Connecticut [Mr. MCLEAN] succeeded some months ago in attaching the migratory bird law to the agricultural appropriation bill. The Senator from Florida [Mr. BRYAN] raised the point of order that it was general legislation. The question was submitted to the Senate, the Senate deliberately voted it in order, and the amendment went upon the bill.

Mr. President, the only difference between the Senate in adding general legislation to appropriation bills and myself in the effort I am now making has been that the Senate has added general legislation in a roundabout and indirect way, while I have attempted to do it in an orderly way and in accordance with the rules. It seems that my proposition to do a thing properly in the Senate has shocked some Senators, who have stood here and permitted general legislation to be added to appropriation bills by means of a parliamentary subterfuge.

The ordinary practice is to have an agreement with the Chair to submit the question to the Senate, Is the matter said to be general legislation in order? Then the Senate, while technically voting on the point of order, votes upon the merits of the proposition.

I have but one further thing to say, and that is that the excise bill, of which the Senator from Washington [Mr. JONES] and the Senator from California [Mr. WORKS] were joint authors, after having been referred to the Senate Committee on the District of Columbia, was reported to the Senate and passed. It then went to the House, where it was permanently held up in the House Committee. The only way that bill could then have been passed was by adding it to the District of Columbia appropriation bill, and that was done. I did not attempt to have the Senate Committee on the District of Columbia report out my prohibition bill, because I felt, even if the Senate passed it, the influence which held up and in that way defeated the excise bill in the House would also hold up and stifle my measure for prohibition for the District.

Mr. SUTHERLAND. Mr. President, a good deal of the discussion which has taken place in the Senate with reference to this rule I think might be characterized as somewhat disingenuous. Senators have argued that we have put upon appropriation bills in the past items of general legislation. That is probably true; but whenever it has been done it has either been done by unanimous consent of the Senate, by which, of course, any rule can be suspended or any procedure adopted which may be desired, or it has been done upon a vote of the Senate declaring that the proposed amendment was in order.

The Senator from Texas has just criticized the Senate for doing the very things which he has been citing as illustrations in support of what he is himself undertaking to do.

Mr. SHEPPARD. Oh, no; not at all, Mr. President.

Mr. SUTHERLAND. The Senator from Texas has just cited some cases where the Senate has voted that certain proposed legislation was in order upon an appropriation bill, and proceeded to say that he did not proceed in that way; that he was proceeding in an orderly way. If that is not equivalent to saying that the Senate in proceeding in the other cases was out of order, then I am incapable of understanding the significance of the English language.

Mr. SHEPPARD. Mr. President, I did say it had proceeded out of order, but I did not say that I did not indorse its action in proceeding out of order along that line. If the Senator will pardon me, my real reason for citing these instances was due to the fact that it was stated here on the floor on Saturday last that I was introducing a revolutionary innovation, and a dangerous practice in attempting to add an item of general legislation onto an appropriation bill; and it was suggested that I was embarrassing the President by attaching a substantive measure to an appropriation bill. It was for that reason that I cited the fact that it was not an uncommon practice for the Senate to add general legislation to appropriation bills, and that in adding that general legislation it has proceeded in a way not permitted by the language of the rules.

Mr. SUTHERLAND. Well, Mr. President, the Senate undoubtedly has put upon appropriation bills items which might be termed "general legislation," and yet with reference to those

items there was evidently a difference of opinion, and I am not prepared to say that it was not an honest difference of opinion. Some Senators when the question was presented have voted that the proposed item was in order; in other words, that it was not general legislation, and a majority of the Senate has declared, and by their votes have determined, that the item was not obnoxious to the rule. I do not think that it lies in the mouth of any Member of this body to impeach the integrity and good faith of his fellow Members in that way. Whenever——

Mr. GALLINGER. Mr. President——

Mr. SUTHERLAND. Just a moment—whenever the Senate has voted by a majority that a particular item was in order, I am not prepared to say that that majority was not voting in accordance with its honest opinions about it. I yield to the Senator from New Hampshire.

Mr. GALLINGER. Mr. President, it was my fortune or misfortune to be overruled on two occasions when I had the honor to preside over the Senate when I decided that certain matters, being general legislation, were obnoxious to the rule, but the Senate voted that I was wrong. After that vote was taken Senators came to me and said that they knew the ruling was right, but they wanted to put the item on the bill, and they put it there.

Mr. SMOOT. That often happens.

Mr. SUTHERLAND. I do not know who those Senators were. I know perfectly well that the Senator from Utah who is now on his feet was not one of them.

Mr. GALLINGER. Mr. President, it does not admit of argument that the Senate puts general legislation on appropriation bills when it wants to do it, whether it is in accordance with the rule or not. That is a truism that can not be denied.

Mr. SUTHERLAND. The Senator from New Hampshire of course is welcome to his own opinion about that; but however that may be, the proposition now pending before the Senate is whether the Senate will deliberately suspend a wise rule of this character for the purpose of putting upon an appropriation bill an item which everybody concedes is general legislation. I am not going to enter upon a discussion of that question. I have some very pronounced views about it, however.

Mr. SHEPPARD. Mr. President, will the Senator yield to me?

Mr. SUTHERLAND. Not for a moment. I think the rule is a very wise one. The Senator from Montana [Mr. WALSH] the other day, in his brief discussion of this subject, put it in such a way that it seems to me no unprejudiced man could differ with him; and I agree with and indorse what he said upon that subject. The rule which requires that general legislation shall not be put upon an appropriation bill is a wise one, and the rules ought not to be suspended unless the matter is one of the most vital concern.

I now yield to the Senator from Texas.

Mr. SHEPPARD. I want to say to the Senator that I do not think any legislation affecting the District of Columbia is general legislation from the standpoint of Congress. Congress is legislating for the Nation, and the essential definition of general legislation is that it shall apply to all parts of the country and to all persons.

Mr. SUTHERLAND. Oh, Mr. President, upon reflection the Senator from Texas himself will not insist upon that definition of general legislation. General legislation is legislation which applies uniformly to the class with which you are dealing. If you are dealing with the whole Nation, legislation which deals with the whole Nation is general legislation. If you are dealing with a particular State, legislation which affects the whole State is general legislation. If you are dealing with the District of Columbia, any legislation which deals with the entire District of Columbia is general legislation. This is a general appropriation bill, and this proposition to enforce prohibition in the District is clearly general legislation.

Mr. President, upon the main question which is involved here I desire to say a word. I believe in prohibition. I believe that the people of this country would be far better off if no intoxicating liquor were permitted to be sold or used at all. I think that would be an ideal condition, because I think intoxicating liquor has done precious little good in this world, and it has done an infinite amount of harm. It is possible that in some cases it may be useful as a medicine; but I, for one, would be glad to forego whatever small benefit may result from its use as a medicine in order that we might accomplish the great good that would result from the abolishment of its use altogether. But it is one thing, Mr. President, to pass a law declaring for prohibition, and it is quite another thing to enforce it.

This is not a new question. The sentiment of the country upon prohibition has ebbed and flowed for the past 60 or 70 years. More than 60 years ago Neal Dow, that great exponent of prohibition, succeeded in bringing about a state of sentiment in Maine in response to which the people of Maine voted for State-wide prohibition. I do not care what anybody says about it; I have spent some time in the State of Maine, and I know what has been going on there, and there is not any doubt that State-wide prohibition in the State of Maine is a farce. It does not prohibit. What results is that liquor is imported from the surrounding States, a very large part of it from the city of Boston.

Every year the State of Maine is flooded with letters from liquor houses in Boston and other places inviting the people to purchase liquor and have it transported to them by express. They will send to you, if you are in Maine, a letter calling your attention to what they are selling, and they will inclose in the letter a blank order giving the names of the various kinds of liquors, and all you have to do is to fill in the quantity you want and send them back the printed order list.

Some four or five years ago I spent several weeks at a little village in Maine—an ordinary fishing village of perhaps 600 or 700 people. There was a drug store in that village which would have done credit to the city of Washington. Upon one occasion I went to the express office and I saw in the room a large collection of packages. I said to the expressman, "How does it happen that you are getting so much express matter up here in this little village?" He told me that three-fourths of it consisted of shipments of liquor.

The vice of the situation is that it brings into the prohibition State of Maine a class of liquor which ought not to be brought there. If people are going to drink at all, I think it is better that they should drink liquor which contains the least quantity of alcohol. The ardent spirits are certainly more harmful than the light beers and the light wines. I am not speaking of the high-proof wines, because I think the high-proof wines are quite as injurious as the whiskies and brandies; but the result of it is to promote in the State of Maine the consumption of the more ardent spirits and to discourage the consumption of the beers and the light wines, because the beers and the light wines come in larger packages, and it is a good deal easier to bring into the State of Maine a quart of whisky than it is a case of beer. So that has been the effect of it.

I was told that in the city of Bangor, Me., there were pending on the docket of the municipal court 436 cases; that 400 of those 436 cases were prosecutions for violation of the liquor law; that out of those 400 cases but one conviction resulted. I was told that by a gentleman whom I regard as reputable.

To my mind, the ideal way to deal with the liquor question is by local option, because when you have a community which votes in favor of prohibition under the local-option plan you have behind your vote the force of a sentiment which will bring about at least the measurable success of the law. Now, take an illustration: Here is a town of three or four thousand people, and we will say that 100 per cent of those people believe in prohibition and vote for it. Of course, everybody having voted for prohibition, the law in that town is going to be a complete success. But we will suppose that 80 per cent voted in favor of prohibition and 20 per cent against it. Then the law is going to be pretty nearly successful, because the 80 per cent are so strong as compared with the 20 per cent that they can enforce their law. But take a case where 51 per cent of the people vote for it and 49 per cent against it. Then you have an exceedingly difficult problem. It is going to be an exceedingly difficult thing for the sentiment represented by the 51 per cent to compel the 49 per cent to yield to it.

Communities teach by example, precisely the same as individuals do. I used to hear it said that when a community voted out the saloon it injured the business of the town, that the law could not be enforced, and all that sort of thing. I do not believe it. I think that when a town has voted "dry" with a fairly good majority the law can be enforced, and as a general thing is enforced, with measurable success. I am sure the town is cleaner and better for getting rid of the saloon, and I am sure that in the long run it does not in any way injure business; but if it did injure business, that would be no reply. We could afford to injure business to some extent to get rid of the evils which result from the saloon. So when I speak about prohibition, when I opposed in my own State four years ago State-wide prohibition as contrasted with local option, it was not because I believed in the saloon, because I do not; I am as strongly opposed to the saloon as anybody, but it was because I wanted the law which could be made most nearly successful, which would accomplish the best results.

When a State by a majority vote attempts to put into operation prohibition for the entire State, the effect of it is to vote prohibition into a community where the majority sentiment is

against prohibition just the same as it votes prohibition into a community where the majority sentiment is in favor of it; and it is the community which, in the last analysis, enforces a law of that character. Where a majority of the people of a community have had foisted upon them a law which for any reason they did not believe should have been put upon them, that law is bound to be more or less of a dead letter.

Local option on the whole has operated well in my own State. More than nine-tenths of the State in area is "dry." The law is being administered with reasonable success; more successfully, it is true, in some towns than in others. Now these communities, as I said a moment ago, are teaching by example, just as an individual teaches by example.

For instance, here is one community that upon a vote has voted "wet," because the people of that community think the law can not be enforced, or for a variety of other reasons. Another community, some little distance off, has voted "dry." People from the "wet" community come to the "dry" community, and they see that the law is being enforced; they see that business is not suffering; they see that conditions have been bettered. They go back to their own community and say: "Why, we insisted that the law could not be made a success, but we have been over to such and such a town and we find that it is being made a success"; and they have the force of the sentiment of that individual who theretofore was against the "dry" town thereafter in favor of it. So, gradually, the territory is gained step by step; and the advantage of it is that as you make each gain of territory you have put behind the gain the sound, determined sentiment of the majority of the people.

I venture to say that, with the possible exception of Kansas, the local-option plan has done more for the cause of temperance in the United States than has the State-wide plan.

Mr. GRONNA. Mr. President——

Mr. SUTHERLAND. I said a moment ago that this was no new question. The tide has been ebbing and flowing for 60 years.

Mr. GRONNA. Mr. President——

Mr. SUTHERLAND. I yield to the Senator from North Dakota.

Mr. GRONNA. I can not let that statement go without making some observations, if the Senator will permit me.

Mr. SUTHERLAND. I am very nearly through, and I hope the Senator will defer what he has to say.

Mr. GRONNA. I simply wanted to say that I represent, in part, a State that has prohibition, and not a single saloon will be found in my State nor a single place where liquor is sold as a beverage.

Mr. SUTHERLAND. I am prepared, of course, to accept the statement of the Senator from North Dakota. The conditions in North Dakota are very much as they are in Kansas, only I think they are better. If I had thought of North Dakota when I was speaking, I should have added North Dakota to my statement; but the conditions in Kansas and in North Dakota are peculiarly favorable to the enforcement of the State-wide prohibition law, and whenever conditions are peculiarly favorable I should be in favor of the State-wide plan. It is, in my mind, wholly a question as to which plan can be made most successful. That is all there is about it. Under what form of law can you best promote temperance?

The population of Kansas, in the main, is a rural population. They have been educating sentiment in Kansas for 30 years in favor of prohibition. There are people in Kansas who have grown to maturity without ever having seen a saloon. The sentiment in favor of prohibition is peculiarly strong in that State, and from what I have heard about it I believe the law is quite successful in that State. I am just as certain that it is not at all successful in the State of Maine, which I have just described. The same thing will apply to North Dakota. If they had saloons in North Dakota they would not have as much intemperance as they would have in a State where more people were in favor of drinking. A comparatively small number of the population of that State desire to drink at all, and so the conditions are exceedingly favorable for the enforcement of a prohibitory law.

I want to give the Senate now a very brief résumé of what happened some 50 or 60 years ago with respect to this question. Under the impulse given by Neal Dow, for whom I have the greatest possible admiration, the State of Maine declared for State-wide prohibition.

Under that same impulse the State of New York declared for prohibition. That is a fact which is, I think, not generally understood. The great State of New York at one time, 50 or 60 years ago, voted for State-wide prohibition. The State of Delaware, the State of Illinois, the State of Indiana, the State of Nebraska, the State of Rhode Island, the State of Massachusetts, the States of Connecticut, Michigan, Vermont, and New Hampshire all at that time declared for State-wide prohibition. There were altogether 13 States with a State-wide prohibitory law upon their books. I think there are 10 to-day. That was at a time back in the fifties and late forties, when we had about 30 States; so nearly one-half the States of the Union at that time declared in favor of State-wide prohibition.

In New York the law was never attempted to be enforced, because it was declared to be unconstitutional. No attempt was made to amend the constitution so as to provide for State-wide prohibition.

In Delaware the law, after a trial of two years, was repealed.

In Illinois, after a trial of two years, the law was repealed.

In Indiana and in Nebraska, after a trial of three years, the State-wide prohibition law was repealed.

In Rhode Island they tried it for 11 years and then repealed it.

In Massachusetts they tried the law for 23 years and then repealed it.

In Connecticut and in Michigan the law was in operation for many years—I do not remember how many—and then it was repealed.

In Vermont and New Hampshire the law was tried for many years, and in those two States it has been repealed. The Senator from New Hampshire [Mr. GALLINGER] undoubtedly knows more about the situation in his State than I do. It is sufficient to say that after the people of New Hampshire had tried prohibition for many years they concluded that it was a failure. I do not know the exact form of the law, but they went to some form of law that permits the sale of intoxicating liquor.

Mr. GALLINGER. Prohibition was the policy of New Hampshire probably for over 40 years. The law was repealed and a local-option law substituted by the legislature. The question was never submitted to the people of New Hampshire, and I am satisfied that if it was submitted the State of New Hampshire would be largely in favor of a prohibitory law for the entire State.

Mr. SUTHERLAND. The Senator may be right about that; but as it is a mere matter of opinion, I beg leave to differ with him. The law of New Hampshire had been in operation for 40 years, and if it had been a success, if the large majority of the people of New Hampshire believed that the cause of temperance was being more nearly promoted by the State-wide law than by a local-option law, I do not think any legislature would have undertaken to repeal such a law.

Mr. GALLINGER. The Senator is speaking from the Utah standpoint, not the New Hampshire standpoint. In my own city we submitted the question only a few months ago. The churches were for no license, the best people of the city were for no license, but in the last four days of that campaign the city was flooded with money sent in there by the wholesale liquor dealers of Boston and elsewhere, the scum of the city was gathered together at the polls, and they defeated no-license by about 100 votes.

Mr. SUTHERLAND. Under local option?

Mr. GALLINGER. Under local option.

I want to say to the Senator that when the prohibitory law was repealed in New Hampshire I was told that money was used in one way and another to secure that result. There is little question about it, I regret to say. And other powerful influences were invoked to influence the legislature.

Mr. SUTHERLAND. I am sorry to hear that indictment by the Senator from New Hampshire of his own State legislature.

Mr. GALLINGER. It is an indictment that will lie in one shape or another against every legislature in this country. There are some men who can be corrupted in legislatures, and the liquor people know how to corrupt them. The liquor men are more cunning and more efficient in that direction than any other class of people in the world. Without using money directly upon the legislature other influences can be brought to bear that are equally effective.

Mr. SUTHERLAND. There is a vast deal of corruption among people who deal in intoxicating liquor. It is not a business which commends itself to me any more than it does to the Senator from New Hampshire. But one difficulty with many of the advocates of prohibition is the intemperance of their mental attitude toward people who differ with them, not as to the results to be obtained, all agree to that, but as to the wisdom of the way in which we shall bring about those results. If two men believe in prohibition, believe in getting rid of the saloon, believe in temperance, and one of them advocates State-wide prohibition he condemns the other who believes in local option as a tool of the saloon; and that is an absolutely unfair attitude of mind. People who are advocating local option are just as honest and just as earnest in their desire to promote

the cause of temperance as those who are advocating State-wide prohibition.

I call attention to the action of these 13 States—12 States, because Maine has not changed—but I call attention to the attitude of these 12 States, constituting at that time more than a third of the States of the Union, as indicating what was the deliberate opinion of the people of those States after a trial of the system of State-wide prohibition. They tried it for periods varying from 2 to 23 years, 40 years in the case of New Hampshire, and it is significant that at the end of that period a majority of the people, whatever may be the case in New Hampshire, in many of those States, at any rate, concluded that the better way to deal with the liquor question was by local option.

It is the last expression of the opinion of those people upon it, and it is worth something. To my mind the action of the people of Massachusetts, which tried the State-wide prohibition system for 23 years and then set it aside for local option, is a good deal more instructive and a great deal more significant than the action of some States which vote State-wide prohibition for the first time. Massachusetts tried it. They found at one time in the city of Boston that approximately in value one-tenth of the property of that city, in a State-wide prohibition State, was being devoted in one form or another to the promotion of the liquor business. Some of the best men in Massachusetts who investigated the subject put themselves on record as declaring that the State-wide prohibition law was a failure and asking for local option.

Now, Mr. President, I am not going to prolong this debate.

Mr. THOMPSON. Mr. President——

The VICE PRESIDENT. Does the Senator from Utah yield to the Senator from Kansas?

Mr. SUTHERLAND. Yes.

Mr. THOMPSON. I understand the Senator to say that the last expression of the people in a prohibition State on the question of prohibition was in New Hampshire when it was a prohibition State, and that the vote was strongly against prohibition?

Mr. SUTHERLAND. In New Hampshire.

Mr. THOMPSON. Yes, sir. That should weigh heavily in this matter if it were true. I wish to call the Senator's attention to the fact that in the last election in the State of Kansas we had that question directly before the people, after 34 years of prohibition. We cast in that State 528,206 votes.

Mr. SUTHERLAND. The Senator evidently did not understand what I said.

Mr. THOMPSON. Just a moment. We had one candidate for governor on a resubmission ticket. That gentleman received only 47,201 votes, or less than 9 per cent of the vote of the people of Kansas on that important question. This was the last expression of the people in a prohibition State, and was strongly in favor of its continuance, and I hope forever settles that question, so far as my State is concerned.

Mr. SUTHERLAND. Mr. President, the Senator is indulging in the cheerful practice of building up something that I did not say at all for the purpose of answering it. What I said was that I would rather take the judgment of a State which had tried State-wide prohibition for 40 years than to take the judgment of a State which had just declared for it.

I was contrasting the State of Massachusetts with one of those States. I have already said that I think the State-wide law is measurably successful in Kansas. If I were a resident of Kansas I would not vote to repeal it. I think the conditions in Kansas under State-wide prohibition are better than they would be with the saloon, and I think they are better in North Dakota because of the conditions I have stated.

But what is a good rule for Kansas or for North Dakota may not be at all a good rule for some other States. I am quite sure that any attempt to provide for prohibition in the great city of New York would be an absolute failure. I think it would be a failure in almost all the great cities of the Union. But we have States composed of rural population and small communities, and I have no doubt that there it can be made measurably successful and more successful in the cause of temperance than the open saloon under strict regulation.

I forgot to enumerate among the States that have declared for State-wide prohibition, the State of Iowa, which my good friend [Mr. KENYON] represents. They have put into the constitution of Iowa a provision for prohibition, and yet there is no prohibition in Iowa.

Mr. KENYON. I think the Senator wants to be correct about that.

Mr. SUTHERLAND. Certainly.

Mr. KENYON. The State voted for constitutional prohibition by about 30,000 majority, and it was held unconstitutional by the courts.

Mr. SUTHERLAND. They never attempted to amend the constitution, did they?

Mr. KENYON. They did; but at that time it required a resolution to twice pass the legislature.

Mr. SUTHERLAND. It is generally understood that Iowa has voted for State-wide prohibition, and it is also understood that the people of Iowa have deliberately and quite frankly recognized under certain circumstances the saloon, and the saloon flourishes to some extent in the State of Iowa.

Mr. KENYON. Under the mulct law.

Mr. SUTHERLAND. The mulct law.

Mr. KENYON. The mulct law was copied after the Ohio law providing for a petition and statement and matters of that character.

Mr. REED. Mr. President——

Mr. SUTHERLAND. Mr. President, that is all I desire to say on that subject.

The VICE PRESIDENT. Does the Senator from Utah yield to the Senator from Missouri?

Mr. SUTHERLAND. Yes.

Mr. REED. I simply want to say, in order to clear up the matter for the RECORD, that Iowa adopted a constitutional provision. The law was declared to be unconstitutional, because the constitution declared it not to have been properly adopted. Thereupon the people and the legislature adopted a prohibitory law which was very stringent. Subsequently, after trying that law for a number of years, they adopted what is known as the mulct law, so that there are saloons regularly established in the State of Iowa in practically all the cities, I think. There is in connection with that I think a local-option regulation.

Mr. KENYON. The Senator has stated the situation correctly as to the mulct law. There are some 8 or 10 counties called wet in the State of Iowa; the balance of the State is dry.

Mr. REED. For instance, in most of the largest cities?

Mr. KENYON. I think so.

Mr. SUTHERLAND. The Senator from Missouri has stated what was my general understanding of the situation in Iowa. I have not given any attention to this matter for some time, but I knew that in some way there was a law—I was under the impression it was a constitutional provision—which prohibited the sale of liquor in Iowa, and that that law had been set aside and they had adopted a law which they call a mulct law, under which, I understand, whenever a majority of the people in a given locality petition to have a saloon established the petition is granted, or there is some such arrangement as that.

Mr. BRANDEGEE. It is equivalent to local option.

Mr. SUTHERLAND. It is equivalent to local option; only the burden is upon the petitioners to secure a majority in favor of the license system instead of the other way.

Mr. KENYON. It is a very skillful law. It practically gives local option to the counties.

Mr. SUTHERLAND. That is local option.

Mr. KENYON. Practically local option.

Mr. SUTHERLAND. Mr. President, I wish there were no cities that wanted liquor; but so far as there are cities in the Union where a considerable majority of the people desire to purchase liquor and desire that liquor shall be sold, it is perfect folly, to my mind, to attempt to force prohibition upon those communities. We must simply go on and educate the public sentiment as it is being educated.

Mr. President, in spite of the fact that the per capita consumption of liquor in the United States seems to be larger now than it ever has been, notwithstanding that, we all know, from our daily observation, that there is less drunkenness in the country than there ever has been. The great body of men who are working upon the railroads in the operating department are almost a body of teetotalers, because it has been borne in upon them that the wisest thing for them to do is to refrain from drinking intoxicating liquor. It is the same way in other employments; less and less liquor is being consumed immoderately all over the country. I think the cause of temperance is growing all over the country. We must simply proceed with the matter in a sane way with a view of obtaining the best results. I believe in high ideals. I would rather a man would have a high ideal than a low ideal; and yet, after all, unless you can put your high ideal into operation, so far as practical results are concerned, you might as well not have it.

It is all well enough to say that we want State-wide prohibition or Nation-wide prohibition, but the practical question is, How are you going to bring about temperance in the highest degree?

So far as the District of Columbia is concerned, I personally would like to see the saloon abolished. I think it is an unmixed evil, but I doubt very much whether even here a law abolishing the sale of intoxicating liquors could be enforced in a city of this size if a very large proportion of the people do not favor the law.

It is just one of those laws that is most difficult to administer against public sentiment. I should like to see the question submitted in some way to the responsible people of the District, and if a majority of the people of the District favor prohibition, prohibition ought to be put into operation. Then you would have a condition of public sentiment that would enable us to measurably enforce the law.

I think a better way to deal with this question probably would be to appoint a commission to study the subject between now and the next meeting of Congress and see exactly what the situation is in this District, ascertain, if they can, the state of sentiment, and be prepared to report to us a method by which the question can be submitted to the people of the District. That is the way to legislate. It is not wise to legislate upon any question in this haphazard way of introducing a bill as a rider upon an appropriation bill without any committee consideration, without any facts. So, Mr. President, I shall vote against suspending the rules.

Mr. CLARK of Wyoming. Mr. President, I have just a word to say. I shall vote for suspending the rules, and in doing so I shall be governed largely by the considerations which govern the Senator from Utah against suspending the rules. I shall be governed mostly by the fact that this is an effort to do in an orderly way what we have been heretofore doing in a disorderly way; in other words, there is no question at all of the fact that it has become a practice of the Senate to suspend the rules by a majority vote of the Senate. Time after time the Chair rules, under the rules, that an amendment is not in order; time after time by a majority vote of the Senate the Senate rules that it is in order, when the Senate very well knows that under the rules it is not in order. That is a suspension of the rules in a disorderly way; this is an attempted suspension of the rules in an orderly way. Therefore, in the interest of good order in the Senate, I shall vote for the suspension.

Any Senator voting on this particular matter before the Senate does not thereby indicate in any way what his vote may or may not be when the amendment is properly, and in order, brought before the Senate. The discussion in the last two days has turned not upon the question before the Senate, but upon the question of the amendment proposed by the Senator from Texas, which has not yet been decided to be in order, namely, prohibition in the District of Columbia. Of course, I think perhaps it is proper for that discussion to take place, in view of the importance of the subject. We can try to set it aside if we like, but the question of prohibition is before the people of the United States. I think in that sense it is right that it should come before the Members of this body.

Without expressing any indication one way or the other as to what my attitude shall be upon the main question, if it shall be decided by the Senate to allow the amendment to be proposed, I shall content myself with saying that, for the reasons stated, I shall vote for the adoption of the report of the Committee on Rules.

Mr. WORKS. Mr. President, when the question was presented whether or not a two-thirds vote was necessary to suspend a rule of the Senate, I voted against it, because there is no such requirement in the rules themselves. If the question were directly presented as to whether or not the rules should be amended in that respect, I should support an amendment requiring two-thirds in order to suspend a rule of the Senate; but here, in an orderly and proper way, the question is directly presented whether or not the rule shall be suspended temporarily for the purpose of allowing the Senate to vote upon this particular question.

One great trouble about this rule is that the Senate itself has not respected the rule. It has often set it aside and willfully violated it for the very purpose of bringing about legislation that was in direct violation of its terms. It would be a good deal better for the Senate to suspend the rule than to violate it. Whatever may be said by the Senator from Utah, it is undoubtedly true, as stated by the Senator from New Hampshire, that in the past, whenever the Senate desired to pass any particular legislation by attaching it to an appropriation bill, it has done so openly in violation of the rule.

This is a case, Mr. President, of the greatest importance. It involves a vital question affecting the interests of the people not only of the District of Columbia but of the whole country. If there ever was a valid reason for the suspension of the rule, this seems to be a case where that might properly be done.

I have listened with a good deal of surprise to the discussion of this question by the Senator from Utah. He has advanced that worn-out argument that legislation of this kind ought not to be passed because the law, when enacted, can not be enforced. Well, Mr. President, you might just as well insist that we should not pass a law making it a crime to commit murder or burglary or larceny, because those laws are only partially enforced. Murders are still committed and other crimes that are prohibited by law are committed. The fact that a law is not properly enforced by the administrative or executive officers is no argument against the passage of a proper law.

The Senator says that he believes in local option and that where the people themselves vote a measure of this kind it may reasonably be expected that it will be enforced. But what is the condition in Maine, where the Senator charges the law is not enforced? It was voted by the people of that State just the same as a law may be passed affecting a certain locality; and yet he arraigns the people of Maine as being a lawless people, not obeying the law, not enforcing it, although voted by them; and he therefore insists that we ought not to pass a law of this kind affecting the District of Columbia.

But, Mr. President, this proposed amendment is not a law affecting a whole State; it does not provide for State-wide prohibition. It affects only a small territory, where the people themselves are not authorized by law to vote upon it at all. It is a responsibility that rests upon Congress itself, and it is for Congress to determine whether or not a law of this kind ought to be enacted

It may be said that provision should be made for the people of this District voting upon this question; but that would require us to enact laws providing for all of the machinery of elections to be held in the District, and it is decidedly impracticable, it seems to me, to attempt to secure a vote of the people upon this question. Why is it, Mr. President, that it should be insisted that in dealing with this small locality, covering 10 miles square of territory, directly under the jurisdiction of the Government of the United States, we should not pass a law because State-wide prohibition has not been successfully enforced? As I said the other day, certainly the Government of the United States can enforce a law of this kind within the District of Columbia. It is a sad commentary upon the power of a Government of this kind if that can not be done.

I am a believer in prohibition; I think the time has come in this country when the people themselves are demanding it all over the country. I do not question the motives of those who believe in local option; I have no doubt of the entire sincerity of purpose of the Senator from Utah, who looks upon this matter quite differently from myself. I think his position is entirely illogical; I do not question his motives, but I do question his judgment with respect to it.

I am not going to take up the time of the Senate in discussing the matter any further. I only wanted to refer to this particular position taken by the Senator from Utah, which I think is exceedingly weak and entirely inconsistent and illogical as applied to conditions that exist in the District of Columbia and the legislation that we are now proposing to pass.

Mr. GRONNA. Mr. President, I regret very much that during the sessions that the amendment offered by the Senator from Texas [Mr. SHEPPARD] has been before the Senate for discussion I have, on account of important hearings before the Committee on Agriculture, been compelled to be absent from the Senate. I do not, therefore, know what arguments have been made against the pending motion. I learn, however, that no Senator has attempted to defend either the drinking habit or the open saloon, and that the main arguments have been made against a proposition of offering important legislation on an appropriation bill, and also that it is contrary to the provisions of our rules to permit the consideration of the proposed amendment by less than a two-thirds vote.

I am exceedingly sorry that anyone should object to the consideration of so important a measure as this for the reasons I have named. The Members of this body should be permitted to dispose of this proposed amendment by a majority vote, and that can be done if no Senator will object to its consideration. While I am in full accord with those who advance the argument that it is important and necessary for a legislative body to adopt rules that will protect the minority as well as the majority, I want to remind Senators that the rules of the Senate will permit the consideration of the proposed amendment if no Senator will object, but will give his consent to an agreement that the amendment shall be taken up for a vote. I therefore hope that no Senator will object, but will give us an opportunity to dispose of the question by a direct vote. If a majority of the Members of the Senate believe that prohibition is a good thing, they will vote for it; on the other hand, if a majority believe that it is a bad thing, they will vote against it.

The argument advanced by certain Senators that the President might veto this appropriation bill if the amendment proposed by the Senator from Texas should be incorporated in the bill is no argument at all. I know of no greater opportunity we could give our President than the privilege of approving a provision that would abolish the saloon in the District of Columbia. To my mind, sir, it would be an opportunity as great, if not greater, than that afforded the immortal President Lincoln. The abolishment of the saloon from the District of Columbia, the Capital of this great Nation, would make it the clean city we have heard so much about in the discussions of the provisions of this bill; it would make it an ideal clean city both from a moral and physical standpoint; it would afford a test whether it is possible for the Government of the United States to abolish the saloon and dispense with the liquor traffic. All seem to agree that the saloon and the liquor traffic are great evils, and we have no right to say that these evils can not be abolished until we have made an honest effort to put prohibition into effect. I believe, sir, that we can abolish the saloon and that a prohibition law can be enforced. The emancipation of millions of American men and women from this curse would, in my judgment, be a greater and a more humane act than the emancipation of the black man from slavery.

This is a question so great that it overshadows all other questions; it concerns every locality and every city and hamlet of every nation in the civilized world. In our own country the men at the head of great corporations engaged in the industrial pursuits have been among the first to realize that liquor destroys the efficiency of men. It may be true that a small percentage of our people have the intellectual capacity and the physical strength to control their appetites and moderately use liquor so that it will not destroy them; but what about the millions of our people and the hundreds of millions yet unborn who perhaps will not be endowed with intelligence and blessed with sufficient strength to control their appetites? We all realize that we are not living for ourselves alone, and what is done to best preserve the rights and the welfare of a majority of the human family is the best thing for us all.

The State which I have the honor in part to represent has never had a legalized saloon within its borders since it became a State. While some of the very best citizens of our State are opposed to prohibition, a large majority of our people believe in it as religiously as they believe in a living God. Prohibition with us is a condition and not a theory, because the prohibition law has been on the statute books for more than a quarter of a century, and while it is true that liquor has been sold in violation of law it will not be said by any fair-minded man that the law at any time has been ineffective. And to-day, sir, not a single place can be found within the borders of our State where liquor is being sold as a beverage.

After the enabling act was passed by Congress authorizing the inhabitants of that portion of the Territory of Dakota which is now North Dakota to become a State a constitutional convention was called and after full deliberation and discussion the draft of a constitution was submitted to the people of that State. In that constitution article 20, section 217, provides:

ARTICLE 20—PROHIBITION.

SEC. 217. No person, association, or corporation shall within this State manufacture for sale or gift any intoxicating liquors, and no person, association, or corporation shall import any of the same for sale or gift or keep or sell or offer the same for sale or gift, barter, or trade as a beverage. The legislative assembly shall by law prescribe regulations for the enforcement of the provisions of this article and shall thereby provide suitable penalties for the violation thereof.

The provision for prohibition met with much opposition, but a majority of the people voted for it, and it was adopted as a part of our constitution on the 1st day of October, 1889. I venture the statement that, although this section of our constitution has often been bitterly attacked, the time will never come when the people of that great State will permit it to be repealed.

A great deal has been said by those who oppose prohibition about the "blind pigs" and "bootleggers" who operate in a prohibition State. North Dakota has had her share of trouble with that lawless, criminal class of people who will knowingly and openly violate the law. At first it seemed almost an impossibility to be able to subdue the liquor traffic, and that condition prevailed until a statute was enacted giving the courts the power to enforce the prohibitory law by imposing a penalty of imprisonment as well as a fine. Just so long as those who were willing to offend against the law could escape by the imposition of a fine there were among the criminal classes those who would take the chance, but since we strengthened our laws and provided for imprisonment as well as a fine we have no trouble in enforcing the law. Men have been sent to the penitentiary in my State for violation of the prohibition law, and just as soon as the law began to be enforced in this way the "blind piggers" left our State.

I stand here to testify that the prohibition law has been effective and a great blessing to the people of our State. We constantly have to meet the argument that prohibition does not prohibit. I am here, sir, to testify that prohibition, properly enforced, does prohibit.

North Dakota was almost a wilderness when we adopted this law. The resources of that State were undeveloped. The inhabitants were financially poor. The inhabitants of the Territory of that day were mainly composed of young men and young women who had come from different portions of the United States, physically and mentally strong and morally clean. They were determined to set up an empire where the people should not be destroyed by the liquor traffic. The saloons that had been built during Territorial days, whether on the hillside or in the valley, were changed to places of legitimate and honorable business; and to-day, sir, that Territory, which at that time was almost a barren waste, has progressed as no other country has progressed, and in the place of the saloon we have built tabernacles of worship and modern educational institutions.

We were told that we were too poor to eliminate the liquor traffic. We were told that we must have the license in order to maintain the dignity and protect the people in our cities. For more than 25 years not a dollar has been paid into the treasury of any city or hamlet as a license fee; and yet, for its size, nowhere in this great country will you find better managed cities, better regulated cities, better and cleaner cities than will be found in our State.

We were told that it would bankrupt our State to do away with the license system. On the contrary, we can show that no agricultural State has made more rapid advancement, more rapid progress, than has our State. Our State is yet in its infancy, but our population has grown from 177,000 to about 700,000. Our resources to-day, on an assessed valuation, are more than $1,250,000,000. Our valuation per capita is greater than that of any other agricultural State—more than $2,000 for every man, woman, and child. Our educational institutions have been built up. We have to-day as many pupils in the public schools as we had inhabitants when our State was first admitted as a State. We expend annually more than $5,000,000 in our public schools, and we have a fund of more than $70,000,000 for the higher educational institutions of our State. So, from an economic standpoint, I ask you, Has prohibition hurt the State of North Dakota or the people of that State? It must be remembered that that wealth has been dug out of the earth by good and honest labor. Our wealth has not been amassed by speculation and gambling. Every dollar has been taken from the soil.

Prohibition is practical. We have the opportunity now to manumit the people of the District of Columbia from the greatest evil and the worst slavery that exists among men; and I, for one, shall vote to do it.

Mr. MARTINE of New Jersey. Mr. President, I received to-day a letter dated Greenville, S. C., January 17, 1915. A gentleman whom I do not know says:

Senator MARTINE: Read the inclosed articles in to-day's Atlanta Journal. Prohibition is a fake and farce in Atlanta. There are now 180 saloons—licensed—that sell any brand of beer you ask for—Schlitz; Pabst; Budweiser; Ehrets, of New York; Houcks, of Cincinnati; Perfect Brew, of Baltimore; and 25 other beers from different cities. These beers are all 4 per cent alcoholic strength and over. There are also about 30 clubs that sell you any brand of whisky and beer you ask for The same condition exists in Savannah and Augusta, Ga. If you will send some reliable man here to look up this subject he will verify the statement I have made.

Prohibition in Georgia is a joke. Any stranger can get a 10-day card in any club, and when it runs out can have it renewed.

I am sending you this information as the true conditions. I am a traveling man, and have visited the saloons and clubs often in past months, including yesterday.

Yours, very truly. CHARLES S. SIMMONS.

I do not know the gentleman. Then I clipped from the Washington Post of January 17 an interview with another gentleman, a Mr. Mattingly, of Atlanta, Ga., and I ask that it may be printed in the RECORD.

The VICE PRESIDENT. In the absence of objection, that will be done.

The matter referred to is as follows:

"A striking example of the declaration that prohibition does not prohibit was shown in Atlanta, Ga., on New Year's eve," said Ralph Mattingly, of that city, at the New Willard. "Atlanta is supposed to be a dry town, with a State-wide prohibition law on the statute books, yet on the date mentioned the police made more than 500 arrests for drunkenness. I venture to say that in the city of Greater New York there were not that many persons held for drunkenness.

"There are no open barrooms in Atlanta, to be sure, but there are dozens of places where drinks of any kind can be obtained. I know of at least nine clubs in the down-town section of Atlanta where drinks can be obtained, and many men are members of all these clubs. The ex-

traordinary number of arrests on New Year's eve caused the mayor, who is not a sympathizer with the prohibitionists, I understand, to write a special message to the council recommending that stricter regulations be thrown about the serving of drinks in clubs, and particularly suggesting that women should not be served unless accompanied by a relative.

"The New Year's violations of the law doubtless will lead to a campaign on the part of the prohibitionists for the stricter enforcement of the law, but there is no chance of stamping out the consumption of intoxicants, and a nation-wide prohibition law, in my judgment, would only lead to an increase in the number of lawbreakers.

"Several years ago I believed prohibition could be enforced, but the late Senator Money, who himself had been an ardent prohibitionist, convinced me that it was impossible. The Senator had made a long and scientific study of the liquor question, and he came to the conclusion that legislation can not cure the drink evil."

Mr. MARTINE of New Jersey. I have no doubt that the gentlemen who are making this strenuous contest in this direction are prompted by honest and laudable motives. I know them, and I believe they are; but, as I said a day or two ago, I believe they are mistaken. How can the statements made by the distinguished gentlemen on that side of the question stand, in the face of the fact——

Mr. THOMAS. Mr. President——

The VICE PRESIDENT. Does the Senator from New Jersey yield to the Senator from Colorado?

Mr. THOMAS. I rise to a point of order, Mr. President.

The VICE PRESIDENT. The Senator from Colorado will state his point of order.

Mr. THOMAS. The Senator from New Jersey has already spoken twice upon the pending question.

Mr. MARTINE of New Jersey. I think that is a mistake. I have spoken once; but, in Heaven's name, if you are going to pull that rule on me, the Senator from Colorado has violated it a hundred times.

The VICE PRESIDENT. If the Senator from Colorado insists upon his point of order, the Chair sustains it.

Mr. MARTINE of New Jersey. Is the point of order sustained, Mr. President?

The VICE PRESIDENT. Yes; it has been the same legislative day for three calendar days, and the Senator from New Jersey has spoken three times on this question.

Mr. MARTINE of New Jersey. Mr. President, I desire to ask the privilege to have printed in the RECORD, from page 210 of the Internal Revenue Report for 1914, a statement of the internal-revenue taxes received from the State of Georgia.

The VICE PRESIDENT. Is there any objection? The Chair hears none, and it is so ordered.

The matter referred to is as follows:

Revenues—Georgia.

Rectifiers	$300.00
Retail liquor dealers	28,857.14
Wholesale liquor dealers	3,037.50
Manufacturers of stills	16.67
Stills or worms manufactured	20.00
Brewers	600.00
Retail dealers in malt liquors	10,215.03
Wholesale dealers in malt liquors	2,872.91
Retail dealers in oleomargarine artificially colored in imitation of butter	48.00

Mr. SHIELDS. Mr. President, I do not wish to prolong this debate, especially along lines which are probably not germane to the direct question before the Senate. I must, however, challenge the statements that have been made during this debate, that the prohibition laws of Tennessee have proved a failure, especially in the cities of Memphis and Nashville. The Senators who have made these statements are misinformed. For years I held an official position in Tennessee which gave me ample opportunity to observe the manner in which these laws were enforced, and I know that they have not failed in their purposes. They have stopped the sale of intoxicating beverages in at least 92 counties out of the 96 into which our State is divided, and have very largely reduced the traffic and consequent evil resulting in the other 4 counties.

These laws are doubtless sometimes violated in every county of the State, but not more than other laws for the suppression and punishment of crime which are on the statute books. All criminal laws are violated sometimes. Even those against homicide are violated, but no one has ever said that they should be repealed on that account. The prohibition laws are as rigidly and successfully enforced as any of our criminal laws. The judges of our courts are able and conscientious, and do their duty without fear or favor; the district attorneys and other officers are men of high character and efficiency, and our juries are composed of intelligent men, and all criminal laws are enforced.

I can not deny that the sale of intoxicating beverages has not been entirely suppressed in Nashville and Memphis or that the temperance laws have at times been flagrantly violated in these cities. This, however, is not the fault of the laws, nor does it meet with the approval of the better class of the people of these cities. The majority of the people of Nashville and Memphis are as highly educated, refined, and law-abiding as those of any city in the country. The only fault I can find with them is they do not give that attention to the nomination and election of officers they ought to do in order to secure the best government. The fault is in the officers whose duty it is to enforce these laws. It grows out of their inefficiency and unfaithfulness or want of courage to do their duty.

The great majority of the people of the State approve these laws, and they mean to and will enforce them. Gov. Thomas C. Rye, an able and courageous man, was elected governor upon a platform declaring for the maintenance and enforcement of the temperance laws of Tennessee by a majority of over 20,000. In his inaugural address he declared that he would keep his platform pledges, and that these laws should be vigorously enforced and obeyed in every county in the State. He further declared that if the machinery we now have is insufficient for that purpose he would favor the enactment of such further laws as might be needed.

The great majority of the general assembly were elected upon the same platform and are in full sympathy with the governor. The personnel of this body is of unusual intelligence and ability, there being among them quite a number of the ablest lawyers of the State. Bills have already been introduced to carry out the platform pledges providing, among other things, for the removal of all unfaithful and inefficient officers, and reported for passage.

Knowing Gov. Rye and the members of the general assembly as I do, their ability, integrity, and loyalty to their pledges and to the people of the State, I have no doubt these bills will be enacted into law.

When the people of the State elect a Governor by a majority of 20,000 over a strong and popular opponent, and a general assembly upon a platform declaring in unmistakable terms for the maintenance and enforcement of a law, and when the governor of that State in his inaugural address declares he will keep his platform pledges, and the members of the general assembly promptly introduce bills to carry out the platform pronouncements, it can not be said that that law is a failure. On the contrary, it must be conceded that the people of the State favor it and have determined that it shall be enforced. The people of Tennessee, not the prohibitionists alone, recognized that the open saloons were hotbeds and nurseries of immorality and political corruption and are determined to drive them from the State, and they are going to do it. The laws they have enacted for this purpose, like all other new laws, require some time for adjustment, but they can be and will be enforced. It is only a matter of time. The people of Tennessee believe in law enforcement, and they will not allow any law to be repealed at the behest of those who violate it. They have never in peace or war failed to do their duty, and they will not in this case. It is now as much a question of good citizenship and whether the laws of the State can be defied and trampled upon by the lawless element as it is that intoxicating liquors shall not be sold. I have no doubt of the ultimate success and enforcement of the temperance laws of Tennessee, and deny all assertions that they or any other law can not be enforced in my State.

The VICE PRESIDENT. The question is, Will the Senate concur in the report of the Committee on Rules, which reports favorably the temporary suspension of the rule against offering an amendment proposing general legislation to an appropriation bill? The yeas and nays have been ordered, and the Secretary will call the roll.

The Secretary proceeded to call the roll.

Mr. GALLINGER (when his name was called). I have a general pair with the junior Senator from New York [Mr. O'GORMAN] who does not seem to be in the Chamber. I therefore withhold my vote. If privileged to vote, I would vote "yea."

Mr. WEEKS (when Mr. LODGE's name was called). My colleague [Mr. LODGE] is detained from the Chamber to-day on account of illness, and has requested me to state that if he were present he would vote "nay" on this question.

Mr. GRONNA (when Mr. MCCUMBER's name was called). I desire to state that my colleague [Mr. MCCUMBER] is unavoidably absent, and that he is paired with the junior Senator from Kentucky [Mr. CAMDEN]. If my colleague were present, he would vote "yea."

Mr. MARTIN of Virginia (when his name was called). I am paired with the junior Senator from West Virginia [Mr. GOFF]. In his absence I withhold my vote. If I were at liberty to vote, I would vote "yea."

Mr. THORNTON (when Mr. O'GORMAN's name was called). I have been requested to announce the necessary absence of the

junior Senator from New York [Mr. O'GORMAN] on account of illness in his family.

Mr. SMITH of Georgia (when his name was called). I am paired with the senior Senator from Massachusetts [Mr. LODGE], and in his absence I withhold my vote. If at liberty to vote, I would vote "yea."

Mr. SUTHERLAND (when his name was called). I inquire whether the Senator from Arkansas [Mr. CLARKE] has voted?

The VICE PRESIDENT. He has not.

Mr. SUTHERLAND. I have a pair with that Senator, and on that account I withhold my vote.

Mr. THOMAS (when his name was called). I have a general pair with the senior Senator from New York [Mr. ROOT]. I am informed that we are in accord upon this proposition, and I therefore feel at liberty to vote. I vote "nay."

Mr. WILLIAMS (when his name was called). I have a standing pair with the senior Senator from Pennsylvania [Mr. PENROSE]. I have been unable to procure a transfer of that pair. I must therefore withhold my vote. If I were at liberty to vote, I would vote "yea."

The roll call was concluded.

Mr. SUTHERLAND. I transfer my pair with the Senator from Arkansas [Mr. CLARKE] to the Senator from Delaware [Mr. DU PONT] and vote. I vote "nay."

Mr. SHEPPARD. Mr. President, a point of order. I think under the rule, it being a vote requiring two-thirds, the Senator will have to transfer to two. It requires two-thirds to carry the report.

Mr. SUTHERLAND. It would be the other way about.

Mr. LEA of Tennessee. I have been requested to announce the necessary absence of the senior Senator from West Virginia [Mr. CHILTON]. He is paired with the junior Senator from New Mexico [Mr. FALL]. If the Senator from West Virginia were present, he would vote "yea."

Mr. SMITH of Georgia. I have been requested to announce the necessary absence of the junior Senator from South Carolina [Mr. SMITH], who is detained at home on account of sickness in his family.

Mr. CATRON. I wish to announce the necessary absence of my colleague [Mr. FALL], who is detained on account of serious illness in his family, and he has been detained for some time by that cause.

The result was announced—yeas 38, nays 40, as follows:

YEAS—38.

Ashurst	Gore	Norris	Smith, Mich.
Borah	Gronna	Overman	Sterling
Brady	Hollis	Owen	Swanson
Bristow	Jones	Page	Thompson
Burleigh	Kenyon	Pittman	Townsend
Chamberlain	Lane	Poindexter	Vardaman
Clapp	Lea, Tenn.	Shafroth	White
Clark, Wyo.	Lee, Md.	Sheppard	Works
Crawford	Myers	Sherman	
Cummins	Nelson	Shields	

NAYS—40.

Bankhead	Hitchcock	Perkins	Smoot
Brandegee	Hughes	Pomerene	Stephenson
Bryan	James	Ransdell	Stone
Burton	Johnson	Reed	Sutherland
Catron	Kern	Robinson	Thomas
Colt	La Follette	Saulsbury	Thornton
Culberson	Lippitt	Shively	Tillman
Dillingham	McLean	Simmons	Walsh
Fletcher	Martine, N. J.	Smith, Ariz.	Warren
Hardwick	Oliver	Smith, Md.	Weeks

NOT VOTING—18.

Camden	Gallinger	Martin, Va.	Smith, Ga.
Chilton	Goff	Newlands	Smith, S. C.
Clarke, Ark.	Lewis	O'Gorman	Williams
du Pont	Lodge	Penrose	
Fall	McCumber	Root	

The VICE PRESIDENT. So the Senate does not concur in the report of the Committee on Rules.

Mr. JONES. In connection with this matter I ask to have printed in the RECORD an address delivered by Hon. William T. Haines, governor of Maine, on the question "The Maine law; or, does prohibition prohibit."

The VICE PRESIDENT. Is there objection. The Chair hears none.

Mr. SMITH of Georgia. Mr. President, the subject is not now up for consideration, and I object.

Mr. JONES. I merely thought that I would put in this address in connection with the vote just had.

Mr. SMITH of Georgia. If the subject were under consideration by the Senate, I would not object. The Senator from Utah [Mr. SMOOT] and myself have agreed to object to the publication of any matter in the RECORD which does not relate to a subject under consideration by the Senate.

Mr. JONES. It is to help in the future, and I think it is important.

The VICE PRESIDENT. The Chair is of the opinion that the objection of the Senator from Georgia is too late and the matter will have to go into the RECORD.

Mr. SMITH of Georgia. All right.

The matter referred to is as follows:

THE MAINE LAW; OR, DOES PROHIBITION PROHIBIT?

[By Hon. William T. Haines, governor of Maine.]

Ladies and gentlemen, I am invited to address the national convention of the Antisaloon League of America, whose sole object is the suppression of the traffic in intoxicating liquors and reduction of the evils flowing therefrom. I consider this a marked honor, and only regret that I am so situated that I can not be present at your convention; but I am handing what I have to say to the Rev. Wilbur F. Berry, of Waterville, Me., who will be in attendance upon the convention, and have asked him to read the same for me.

I have taken for my subject "The Maine law; or, Does prohibition prohibit?" By this I mean the law prohibiting the manufacture and sale of intoxicating liquors in my State, and what I have to say will pertain to my own State principally, with a few suggestions which I have to offer.

Maine was noted in its early history for inebriety. We were referred to by the early writers as "a race of drunkards." Rum was one of the principal articles of traffic. Our people were early engaged in navigation, particularly with the West India Islands. We sold them lumber and pickled fish. We took in exchange sugar, molasses, and West India rum, and the early commerce of the State is especially marked with the last-named product. If you were to examine the accounts kept by any of the country stores—and, in fact, all of the stores of the State prior to 1840—you would note in the charges made to the various customers, about every fourth item, "W. I. goods." I have examined a good many sets of old account books, and they all read the same. The subsistence of the average family consisted of very few items—salt pork, salt codfish, flour, and Indian meal, with the home-produced vegetables, milk, and butter, but to the family expense was added the inevitable item, "W. I. goods," or West India rum. It was cheap—almost free. There was no license fee to sell it and no internal revenue charged upon it by the Federal Government. All stores and taverns sold it. The State was large and taverns were frequent. There were no railroads and goods were moved by team very long distances, and the stopping places were at these taverns. Every night saw the same round of drunkenness in the old-time barroom.

In 1830 we had 13 distilleries of our own; 500 licensed dealers, with only 400,000 people; and we imported 300,000 gallons of intoxicating liquors annually. It is estimated that we had at that date 10,000 habitual drunkards, the most of them heads of families. There were 2,000 grog shops in the State—1 to every 225 persons. In a single town of 1,200 population we had as high as 17 rum shops reported, where 10,000 gallons of liquor were sold annually.

While the most marked thing about the State in these early days was poverty, it was estimated that at least $12,000,000—at the very low prices for which intoxicating liquors were then sold—was spent annually for them by our people, or about $20 per capita.

In 1834 a few of the leading men of the State became frightened at the situation. A State temperance society was formed of which one of the governors was president, and Chief Justice Mellen, of our supreme court, was elected as his successor. The traffic was pronounced immoral, and a fight for better conditions was begun. Soon afterwards Judge Shepley, of our supreme court, and nine other leading men presented a petition to the legislature announcing the doctrine that "the sale of intoxicating liquors is either right or wrong. If right, the law by license should not make it a monopoly. If not right, it should not be sanctioned by law." "That by legalizing the traffic and authorizing a revenue from it, such laws tend to encourage the sale and use of such drinks and hold out a temptation to produce a town income from a source adverse to the moral interests of the community."

Various kinds of local and State license laws pertaining to innholders were passed from time to time for the next 20 years, all of little force and effect, but the agitation went constantly on, supported by the right-minded and far-seeing people of the State, creating a sentiment for the suppression of this traffic.

The first prohibitory law was passed in 1846, but it did not give the right of search and seizure, and it was not until 1851 that the first real prohibitory law was enacted. It was signed by Gov. Hubbard, a Democrat, who was reported to like his toddy altogether too well, but who had respect enough for the will of the people not to veto this statute, as it was expected he would do.

The row now began in earnest, with the late Gen. Neal Dow, commander in chief of the forces of prohibition on the one side, and the devil, with all the rum sellers and bums of the State on the other. The latter organization has remained intact to date, and I regret to say the most of the time they have had the assistance of the organization of the Democratic Party in our State, aided in later years by the United States Whisky Trust and the National Brewers' Association, which are now in complete control, or think they are, of the Democratic Party in Maine; but I must add that there are thousands of honest and right-minded Democrats in my State who refuse to follow this trust.

Lest I may be accused of partisanship in this discussion, I want to say also that the Republican Party, which in Maine, during the past 50 years, has stood for the principles of our prohibitory law, has grossly failed in its administration and enforcement many, many times. While it has had control of the State for over 50 years, with the exception of two administrations, one of one year and one of two years—one a fusion of Democrats and Greenbackers, in 1881; the other a fusion of Demorcats and the Whiskey Trust in 1911—it, the Republican Party, has many times been much more interested in the question of which would furnish the more votes—the churches or the rum shops—than in the suppression of drinking houses and tippling shops.

Uninfluenced by party politics, there never has been a time since 1858—when the question was referred to the people whether the "license law of 1856" or "An act of 1858 for the suppression of drinking houses and tippling shops" should be the future policy of the State—when there has been a question but what the sentiment of the majority of the people was in favor of what is popularly known as our "Maine law." For many years the Democratic Party of the State, in conventions assembled, declared it a sumptuary law. They insisted that it interfered with personal liberty. This question was finally fought out in the courts, even to the Supreme Court of the United States, which declared in favor of our State having control of its own police regulations to the extent of our prohibitory statutes.

Under our system of government the sheriffs of our 16 counties, together with the county attorney in each county, are especially charged by statute with the enforcement of this law. The Maine law is complete in every particular. It provides for the punishment of a single sale—for search and seizure process, even to the dwelling house; with confiscation and destruction of liquor seized, and punishment of those in whose possession it is found. It provides for indictment of "common sellers," the "keepers of drinking houses and tippling shops," and makes a "common nuisance" of every place in which liquors are kept for sale or sold in violation of law. It provides for injunction against the owners of buildings with knowledge that they are used by tenants for the sale of liquor; and any person who goes about as a salesman from place to place, offering liquors for sale, is subject to a penalty and fine for so doing.

Now, the question is being asked, constantly, from outside the State—probably I have had 25 inquiries during the last 10 months, as governor—"Does the prohibitory law prohibit?" My answer is always "Yes." By this I do not mean that it has always prohibited in the State of Maine; or, in other words, that the law has always been enforced—neither would I say that it has ever been fully and completely enforced; nor do I undertake to say that it is possible to give a full and complete enforcement of our Maine law, however honest and faithful officers may be; and if they are not honest and faithful, it may be looked upon as a complete failure, as it has been many times in the past, not only by people outside of the State, but by people inside of the State.

Public sentiment is subject to every wind that blows, and a weak public sentiment in our State makes a weak enforcement of this law, and submits us to ridicule and disgrace, and properly charged as hypocrites, and furnishes splendid opportunity for the friends of a "license law" to have the best of the argument. But there are some special reasons for this which those outside of our State may not understand. Our location is bad. We have a long border on the north, bounded by licensed Canada, and it is very easy to get rum across our borders. On the west and south again by licensed New Hampshire, and we are only six hours by rail from the center of the State to the great whisky market of New England—Boston—whose runners are ever among us, who have the name of every citizen of the State, in catalogue order, and who flood our mails day by day to the remotest hamlet with their circulars, advertising liquors; and we are bounded on the east by the great free rum Atlantic Ocean. There is no limit to the amount that is brought to our shores concealed in vessels of different kinds, which make the stock for pocket peddlers and the lowest cowards in the business.

We have had, through the efforts of the Whisky Trust and their allies in our State, during the past 20 years a determined and persistent demand for what is popularly known as "resubmission." In 1885, in order to stop continual agitation in the legislature at each succeeding session thereof for repeal or modification of the prohibitory law, Gen. Neal Dow succeeded in getting an amendment to the constitution forever prohibiting the manufacture and sale of intoxicating liquor in our State except for medicinal and mechanical purposes, submitted to the people for their approval or disapproval. It was voted on and approved and become a part of our fundamental law.

For about 10 years the question remained quiet, and the statutes were partially enforced. Then the new cry for resubmission increased in volume as the years went by, until 1911, when the claim became so strong for the young men of the State who had never had a chance to express themselves upon this question, that the legislature yielded and again submitted it to the people, or resubmitted it. Then the Rum Trust thought they had us. The Democratic Party was in power for the first time in 30 years in our State. They had the governor and both branches of the legislature, and their long-dreamed-of ambition to rid the State of the hateful prohibitory law seemed to be theirs in accomplishment. The day the "yes" and "no" vote was taken every would-be saloon keeper; a few hotel men who wanted to make the whisky trade the principal feature of their business; every thug and low-down citizen living in our State who would have been members of the "nether-world" population had they lived in the big cities; the keepers of houses of ill fame—all under the leadership of men who called themselves statemen, and assumed control of the Democratic Party, supplied with all the money that they could use by the brewers' association and Whisky Trust of the Nation, on the one side, with the churches, supported by the mothers and wives and backed by the honest business men and our great farming population, with its natural and clean discernment of right and wrong and good hard-headed common sense, on the other side made up the contending forces. Much to the surprise of everybody, the right had a small majority. The "no" won by less than 800 votes, but there never was a greater triumph for right and virtue against vice and crime than in this contest. The Republican Party as an organization had nothing to do with it. It was the Democracy, as organized and led in this State, against the people.

I think we have a right to assume that for awhile there will be no further claims made for the repeal of our "Maine law." Yet we have a certain line of newspapers in the State which claim to be in support of the present administration at Washington that are constantly claiming and declaring that "Prohibition does not prohibit." They seldom fail to let a day pass that they don't have an article to this effect. While the jails and prisons, under the present administration in our State, with fairly good enforcement, have only about one-half the inmates as a result of intoxication as compared with the number during a previous two years of nonenforcement, every time there is any crime as a result of drunkenness in the State it is advertised widely, with an invariable comment attached that "Prohibition does not prohibit."

In my inaugural address, delivered in January last, I appealed to all of the newspapers of the State, irrespective of party, "to help in creating a public sentiment against rum selling and rum drinking. It can do more to help or more to hinder in this cause than any other influence in the State." These papers saw the point, and have since done everything they can "to hinder in this cause."

I am trying to state the exact situation as I see it in our State and the causes of it. I may seem to have a partisan bias, but the people who live here know I am telling the truth. Several causes are making to-day in Maine for the enforcement of the prohibitory law, perhaps a little better than it was ever enforced before. First, I place the nonenforcement of the previous two years' administration, during which there was almost practically no enforcement in the State and the people got the nearest to an object lesson of what free rum means of anything they have had for half a century, and we are all under a great obligation to Gov. Plaisted and his administration for this splendid object lesson. The next is the fact that the business men of the State have at last come to the conclusion that a legal business is better than an illegal business, and the men who wish to do a legal business are disgusted with the men who wish to do an illegal business, especially with their presumption or assumption of the control of the political affairs of the State. The grocer and dry goods man, especially the retailer, who is dependent upon popular sentiment for his trade and is naturally timid, now thoroughly believe that they have better business and make more money when the laboring man takes home his pay check to his wife without interference or being waylaid by the rum seller on the way. The contractor and builder find with the enforcement of the "Maine law" a full crew on Monday morning, ready to go to work, with their heads clear and their hands steady. The doctor is no longer telling patients that alcohol is a good remedy. If from no other source, he has had it clearly demonstrated to him by the lectures of that distinguished naval officer, Capt. HOBSON, that the great destroyer of the white corpuscles, or life itself, is the great warrior John Barleycorn. The bankers and economists of our State have only to look at our bank reports to find that with a population of only about 742,000 people we have assets in our 48 savings banks, 44 trust companies, and 37 loan and building associations amounting to $165,784,505, or an average of about $224 for every inhabitant of the State, which is something of an argument that "prohibition does prohibit." Two hundred and thirty-three thousand one hundred and fifty-nine people in our State have deposits in our savings banks averaging $401. The gain in our savings bank deposits annually for the past 10 years has been about $6,500,000, running from four to eleven millions each year. These figures are something of an argument in favor of the "Maine law." It is estimated that we shall take from people living outside of the State during the present year for entertainment on our seashore and inland lakes, through our railroads, hotels, cottages, boarding houses, guides, summer schools, and other ways in which we serve a foreign population annually with our scenery, seacoast, fish, and game over $50,000,000. The Whisky Trust advocates have strenuously insisted that we could not maintain this business with an enforcement of the prohibitory law, but I am pleased to report that the proprietor of the largest hotel in the city of Portland, the largest city in our State and which is coming to be considered our largest summer resort point, told me in August that his hotel had broken all records for guests; also that Portland has had probably the best season for summer business that it has ever had, and this with the most strenuous enforcement of the prohibitory law it has had for years.

After I became governor, in January last, complaints were made from five counties that the sheriffs of those counties were not enforcing the law; that they were standing for nullification. Three were Democrats and two were Republicans. I submitted the one in Cumberland County to the legislature for impeachment, intending to submit the others as soon as I had a little more evidence, but the legislature, anticipating my purpose, immediately commenced impeachment proceedings against all of them. Three were tried and impeached, one resigned, and the other hunted up a case of smallpox and had himself exposed to it, and then he got in league with our board of health and got a certificate that there was some danger of his having smallpox, and the legislature adjourned without hearing his case. Rum sellers without smallpox are bad enough, but a sheriff who protected them was too much for a Maine Legislature.

I appointed successors in these places under pledges to enforce the prohibitory law, and I believe they have done so faithfully and honestly and to the best of their ability and against great opposition in their several localities. I am pleased to report, however, that this enforcement is now popular with the masses of the people. Every honest man likes it, irrespective of the political party to which he belongs. There is a political machine in these different counties fighting enforcement the best it can in every way possible, but they are losing ground. The mayor of Portland recently, upon the sudden death of Sheriff Scully, of that county, in the interim of the appointment of his successor of seven days, changed his heretofore publicly announced policy of doing nothing to assist in the enforcement of the prohibitory law in the city of Portland, at the request of strong public sentiment, and ordered his police force to enforce this law until the successor to Sheriff Scully was appointed and confirmed.

Bangor, in Penobscot County, which for many years has had the distinction of having the "Bangor plan," and from which was removed a Republican sheriff by the legislature for failure to do his duty, and another Republican appointed in his place, who is doing his duty fearlessly and without favor, is fast becoming a strong temperance locality. It is the county seat of the second county in the State. It is the metropolis of eastern Maine. It does a large wholesaling business, and its business men are among the brightest and most enterprising in the State. There is not a day passes that I do not receive some evidence of their satisfaction with and approval of the enforcement of the "Maine law" in that county, Bangor included. They see the point as business men. It is dollars and cents to every one of them, not looking in some way, directly or indirectly, from the profits of the sale of liquor.

In many of our counties there is practically no liquor sold, and but few or none in the jails as a result.

Now, this is the situation in Maine, as I see it and understand it. Of course, there is much more that I might add, but let me reassure you all that the "Maine law" in Maine is prohibiting and preventing the sale and use of intoxicating liquors, and there is no reason why it should not continue to do so more and more as the years go on; but it must be remembered that the personal liberty or privilege of no citizen has ever been interfered with. Every man is at liberty to have all the liquor he wishes come for his own private use from outside of the State, and many people have it. Some, perhaps, to whom it does no apparent harm—many to whom it does a great deal of harm, but as long as it is made and the right remains to ship it into our State, it will continue to come here and be used. That does not mean in any way that "prohibition does not prohibit," and there is less and less of this done every year.

In closing, I want to offer just one suggestion, and it is with reference to this particular matter. As long as the United States Government continues to collect a revenue for the sale and dealing in liquors, so long as they permit it shipped into the different States under interstate-commerce laws, so long as the United States mails are permitted to carry circulars and advertisements to every citizen in our State from every brewer and distiller, just so long will we have the condition in our State upon which the Whisky Trust will base their continuing claims that the "Maine law" is a failure or that "prohibition does not prohibit."

The Federal tax now collected for the manufacture and sale of liquors was put on as a necessity of war. Why continue it? The fact that the Federal Government licenses the sale of liquor and the State prohibits it makes a dual situation between the two Governments over the same people. They are inconsistent, and one or the other is right or wrong. They can't be both right and wrong. Why should the mails carry advertisements for liquor sellers any more than for lottery-ticket venders.

We permit the one and prohibit the other. Which is the greater evil? This is a question for Congress to consider, and in the very near future. We may need an amendment to the Constitution, as suggested by Gov. Baldwin in a recent address, to prohibit the sale of intoxicating liquors by the Federal Government, but we don't need any amendment to repeal the internal-revenue tax on liquors or to prohibit the carrying of liquor advertisements in the mail, and such a law would take the Federal Government out of copartnership with the whisky and beer trusts. Nothing would strengthen the hands of the State more than such legislation.

While I have referred to political parties and politicians freely in this paper, describing the situation in Maine, and the history of this law to some extent, I want to say that it is the greatest satisfaction to feel that we have two great Democrats in the Nation, and the first two in the land to-day—President Wilson and Secretary Bryan—who we all feel are on the moral side of this great question and can be depended upon to sustain the cause of prohibition, independent of the mandates of their party, even, if it ever comes to an issue of that kind, and there is no one for whom all lovers of law and order have greater respect than for that celebrated Democrat who has done so much to place the evils of alcohol before the American people, Capt. HOBSON.

This question is fast going beyond the bounds of party politics, and the party or the man who in the future is allied with the whisky or brewery interests in this country is bound ultimately to receive the condemnation of a fast-increasing intelligence and understanding, coupled with a keener sense of morality and justice, which will be given expression to by the American ballot.

EXPORTATION OF MUNITIONS OF WAR.

The VICE PRESIDENT laid before the Senate a communication from the Secretary of Commerce, transmitting, in further response to a resolution of December 7, 1914, a memorandum showing the exports of domestic cartridges, gunpowder, and firearms from the United States to specified countries during the month of November, 1914, which, with the accompanying paper, was ordered to lie on the table and be printed. (S. Doc. No. 660, pt. 2.)

CREDENTIALS.

The VICE PRESIDENT presented the credentials of PAUL O. HUSTINGS, chosen by the electors of the State of Wisconsin a Senator from that State for the term of six years beginning March 4, 1915, which were read and referred to the Committee on Privileges and Elections.

PETITIONS AND MEMORIALS.

Mr. CHAMBERLAIN presented petitions of sundry citizens of Oregon, praying for the enactment of legislation to prohibit the sale of munitions of war, which were referred to the Committee on Foreign Relations.

He also presented petitions of sundry citizens of Oregon, praying for national prohibition, which were referred to the Committee on the Judiciary.

He also presented a memorial of sundry citizens of Oregon, remonstrating against the transfer of postal clerks to the Railway Mail Service, which was referred to the Committee on Post Offices and Post Roads.

He also presented a memorial of sundry citizens of Oregon, remonstrating against the enactment of legislation to exclude anti-Catholic publications from the mails, which was referred to the Committee on Post Offices and Post Roads.

Mr. PAGE presented the petition of Mrs. F. W. Nash, State superintendent of antinarcotics of the Woman's Christian Temperance Union of Burlington, Vt., praying for the adoption of an amendment to the Philippine bill to prohibit the sale of intoxicating drinks and drugs in those islands except for medicinal purposes, which was referred to the Committee on the Philippines.

AMENDMENT OF THE RULES.

Mr. SMOOT. Mr. President, I ask unanimous consent that I may at this time give notice of a proposed amendment to Rule XL, and ask that it be read.

The VICE PRESIDENT. Is there any objection? The Chair hears none, and the Secretary will read as requested.

The SECRETARY. The Senator from Utah gives notice that he will move to amend Rule XL as follows:

On line 4 of said rule, as printed on page 37 of the Rules and Manual, United States Senate, after the word "thereof," insert a semicolon and the following:

And a motion to suspend any rule or any part thereof shall require a vote of two-thirds, and shall be decided without debate.

The VICE PRESIDENT. The notice will lie over under the rule.

BILL INTRODUCED.

Mr. ROBINSON introduced a bill (S. 7328) granting a pension to Virginia F. Sawyer, which was read twice by its title and referred to the Committee on Pensions.

AMENDMENT TO INDIAN APPROPRIATION BILL.

Mr. ASHURST submitted an amendment proposing to appropriate $175,000 for beginning the construction of a dam and necessary controlling works for diverting water from the Gila River at a site above Florence, Ariz., etc., intended to be proposed by him to the Indian appropriation bill (H. R. 20150), which was referred to the Committee on Indian Affairs and ordered to be printed.

THE MERCHANT MARINE.

Mr. SAULSBURY submitted an amendment intended to be proposed by him to the bill (S. 6856) to authorize the United States, acting through a shipping board, to subscribe to the capital stock of a corporation to be organized under the laws of the United States or of a State thereof or of the District of Columbia, to purchase, construct, equip, maintain, and operate merchant vessels in the foreign trade of the United States, and for other purposes, which was ordered to lie on the table and be printed.

RIVER AND HARBOR APPROPRIATIONS.

Mr. NELSON submitted an amendment intended to be proposed by him to the rivers and harbors appropriation bill (H. R. 20189), which was referred to the Committee on Commerce and ordered to be printed.

DISTRICT OF COLUMBIA APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 19422) making appropriations to provide for the expenses of the Government of the District of Columbia for the fiscal year ending June 30, 1916, and for other purposes.

Mr. KERN. I wish to offer an amendment.

The VICE PRESIDENT. The Chair understands the parliamentary situation to be that the amendment of the Senator from Ohio [Mr. POMERENE] is pending.

Mr. KERN. Very well.

The VICE PRESIDENT. That is the question to be disposed of. The question is on agreeing to that amendment.

Mr. POMERENE's amendment was to add to the bill a new section, as follows:

SEC. 1608 j. That said jury shall assess, as benefits accruing by reason of said opening, extension, widening, or straightening, an amount equal to the amount of damages as ascertained by them as hereinbefore provided, including $5 per day for the marshal and $5 per day for each juror for the services of each when actually employed, and all other expenses of such proceedings upon each lot or part of lot or parcel of land in the square or block in which said alley or minor street is to be opened, extended, widened, or straightened, and upon each lot, part of lot, or parcel of ground in the squares or blocks confronting the square in which such alley or minor street is to be opened, extended, widened, or straightened which will be benefited by such opening, extension, widening, or straightening, in the proportion that said jury may find said lots, parts of lots, or parcels of land will be benefited: *Provided, however*, That wherever the Commissioners of the District of Columbia, under the foregoing provisions, shall institute proceedings for the widening or extension of any alley so as to convert said alley into a minor street through the square in which said alley is located, such an amount of the total amount of damages as ascertained by the jury, as hereinbefore provided, including $5 per day for the marshal and $5 per day for each juror for the services of each when actually employed, and all other expenses of such proceedings, shall be assessed by the said jury as benefits, and to the extent of such benefits upon each lot or parcel of land in the square or block in which such alley is to be converted into a minor street, and upon any and all other lots, pieces or parcels of land which the jury may find will be benefited by the said widening or conversion of said alley into such minor street, as the said jury may find said lots or parts of lots, places or parcels of land will be benefited; and in determining the amount to be assessed against such lots or parts of lots, pieces or parcels of land the jury shall take into consideration the respective situations and topographical conditions of such lots or parts of lots, pieces or parcels of land, and the benefits and advantages they may severally receive from the said widening or conversion of such alley into such minor street.

Mr. SMOOT. If the amendment of the Senator from Ohio is now before the Senate, I wish to say that I shall object to that amendment, that it is general legislation upon an appropriation bill.

The VICE PRESIDENT. If that is the reason, the Chair will be compelled to sustain the point of order.

Mr. POMERENE. I am disposed to admit that the point of order is well taken, and necessarily if that objection is insisted upon I can not proceed with it. I expect, however, to present it in the form of a separate bill and will ask for action.

Mr. JONES. I intended to urge the Senator to permit me to make an explanation in reference to this amendment and to state the necessity for this law. I have some facts here with reference to the matter showing that it is a very imperative proposition, but after a talk with the Senator in charge of the bill, who is very anxious to proceed with the bill, and on the suggestion that if this amendment is permitted it would probably lead to the presentation of several other amendments, and with the assurance that our committee will take the matter up as a separate measure and act very promptly upon it, I shall not delay the Senate by presenting the facts that I have gathered, but will take it up before the committee in conjunction with the Senator from Ohio and seek action upon it through the action of the committee. I regret that it can not be passed on in this bill, but I recognize the parliamentary situation and shall hope for early and favorable action upon an independent measure.

Mr. KERN. I send to the desk an amendment, which I ask to have read.

The VICE PRESIDENT. The amendment will be read.

The SECRETARY. On page 22, line 11, strike out "1886" and insert "1914," and in line 14 of the same page strike out "1904" and insert "1914."

Mr. SMITH of Maryland. Mr. President, I raise the point of order that that is new legislation. It is not estimated for.

Mr. KERN. I call the attention of the chairman of the committee to a palpable mistake that has been made in this section in providing that the asphalt used on the streets shall only be as good as that used prior to July 1, 1886, 29 years ago, when the asphalt business was in its infancy. I am only asking that the asphalt used shall be as good as that used up to July 1, 1914.

The VICE PRESIDENT. Why does the Senator from Maryland say that this is general legislation?

Mr. SMITH of Maryland. I accept the modification proposed by the Senator from Indiana if he insists upon it. I have no objection to it.

The VICE PRESIDENT. The question is on agreeing to the amendment submitted by the Senator from Indiana.

Mr. TOWNSEND. There has been so much confusion that I have not yet learned what is the object of the amendment proposed by the Senator from Indiana. I wish he would explain it briefly.

Mr. KERN. Let me read the paragraph as it now stands. After providing for certain improvements for asphalt pavement and asphalt-block pavement it reads:

Under appropriations contained in this act no contract shall be made for making or relaying asphalt pavement at a higher price than $1.80 per square yard for a quality equal to the best laid in the District of Columbia prior to July 1, 1886, and with same depth of base, nor more than $1.80 per square yard for laying standard asphalt-block pavement equal to the best laid in the District of Columbia prior to July 1, 1904.

The proposition as to the asphalt used shall be of that quality, but no better than that quality. The proposition is that that quality shall be used that was used 29 years ago, when the asphalt business was in its infancy and when there was no expensive asphalt, and that the asphalt blocks shall be no better than those used in 1904, the year when they first began to use asphalt blocks. I propose that the provision shall be amended so that the asphalt and asphalt blocks shall be as good as any used prior to July 1, 1914.

Mr. SMITH of Maryland. I should like to correct the statement made by the Senator. It does not say it shall be any better, but it shall be a quality equal to the best laid in the District of Columbia prior to July 1, 1886.

Mr. KERN. Used at that time.

Mr. SMITH of Maryland. It does not necessarily follow that it shall be better.

Mr. KERN. Let us suppose asphalt used on the street——

Mr. SMITH of Maryland. I have no objection to the amendment.

The amendment was agreed to.

Mr. JAMES. I call up the amendment I offered and ask that it be read to the Senate.

The VICE PRESIDENT. The Senator from Kentucky offers an amendment, which will be read.

The SECRETARY. Insert as a new section the following:

SEC. —. That section 6 of the act of the Fifty-seventh Congress entitled "An act making appropriations to provide for the expenses of the general government of the District of Columbia for the fiscal year ending June 30, 1903, and for other purposes," be amended by striking out the word "tangible" wherever it occurs in section 6 of said act; and that the words "personal property" wherever occurring in said section shall be held to include, in addition to the specific property mentioned in said section, all moneys, credits, cash, notes, bonds, stocks, annuities, and all other kinds and forms of indebtedness.

Mr. SMITH of Maryland. I raise the point of order that this is new legislation.

The VICE PRESIDENT. The Chair understands it to be admitted that there is an act of Congress which provides what property shall be assessed and how it shall be assessed. Is not that correct?

Mr. JAMES. I understand that that is the state of the law at this time. I will say to the Senator having the bill in charge that I recognize that this is new legislation. I regret exceedingly that he has felt impelled to make the point of order. I think the law ought to be amended in this respect, so that the stocks, bonds, and money of the very wealthy people of the District of Columbia should pay taxes just as the ordinary citizen pays taxes on his humble home. But if the Chair thinks it is new legislation, I can not insist upon it.

The VICE PRESIDENT. The Senator from Kentucky has admitted that it is new legislation?

Mr. JAMES. Yes; I think that the point of order is well taken, I regret to say.

The VICE PRESIDENT. The Chair sustains the point of order.

Mr. NORRIS. I offer the following amendment.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. On page 30, after line 6, insert:

The Secretary of War is authorized and directed to construct two public bathhouses and convert portions of the tidal basin in Potomac Park into public bathing beaches, as outlined in Senate Document No. 593, Sixty-third Congress, second session, and for the beginning of such improvement the sum of $50,000 is hereby appropriated.

Mr. SMITH of Maryland. I raise the point of order that this is new legislation in one sense; in another sense it has never been estimated for.

Mr. NORRIS. In my judgment, the amendment is not general legislation.

The VICE PRESIDENT. May the Chair inquire of the Senator from Nebraska whether it is admitted that this is an increase of the appropriation made in the bill?

Mr. NORRIS. Yes.

The VICE PRESIDENT. Is it to carry out provisions of existing law?

Mr. NORRIS. It is not antagonistic to any existing law. There is not any law that has——

The VICE PRESIDENT. Very well. Has it been moved by the direction of any standing or select committee of the Senate?

Mr. NORRIS. No; it has not.

The VICE PRESIDENT. Or is it in accordance with an estimate made by the head of any one of the departments?

Mr. NORRIS. I think it is.

The VICE PRESIDENT. What department is that?

Mr. NORRIS. The War Department. The Senate of the United States, on August 25, passed a resolution asking the Secretary of War to make an estimate. In Senate Document No. 593, Sixty-third Congress, second session, in response to that resolution, is the reply of the Secretary of War sent to the Senate. That is the document referred to in the amendment, and in that document, signed by the Secretary of War, he says:

The estimated cost of the above outlined project is as follows.

Then he gives an itemized estimate of the entire cost.

But, Mr. President, as I have understood the ruling of the Chair, there is another reason why the amendment is not subject to a point of order. It does not purport on its face to be general legislation.

The VICE PRESIDENT. No; it is not general legislation. That is clearly true.

Mr. NORRIS. In conversations I have had with members of the committee, even members of the committee of the House, since this matter has been somewhat agitated, they have suggested that this amendment be put on the bill. I have had that suggestion made by the members of the House Committee on Appropriations, and I know that there are many members of the District Committee here who have given it consideration. On its merits there certainly can be no objection to it. I do not care to discuss the merits, because I do not want to take up the time of the Senate. I will not discuss them unless there is some objection on its merits, and then I would be glad to go into it.

Mr. SMITH of Maryland. I will say to the Senator we have no knowledge of any estimate upon this proposition. There has been no estimate made. There may have been a suggestion, but there is no estimate that came before our committee or before Congress.

Mr. NORRIS. If the Senator will get this document which I have named, he will find the estimate.

Mr. SMITH of Maryland. We have the document here.

Mr. GALLINGER. Mr. President——

Mr. NORRIS. I yield to the Senator from New Hampshire.

Mr. GALLINGER. It is undoubtedly correct that the estimate of cost made by the Secretary of War is not an estimate such as our rules contemplate, yet I am going to appeal to my friend the chairman of the subcommittee to let this item go on the bill, and we will give it very careful consideration. This is, to my mind, a very desirable matter, and it may appeal to all of us that it is good legislation. I would not commit myself to what action I might take in conference over this question, but it is something that ought to be done. The condition that exists, so far as our bathing beach is concerned, is almost scandalous at the present time; and while undoubtedly, from my viewpoint, the amendment can be ruled out on a point of order, this estimate not having been correctly submitted through the Treasury Department, yet, as I said, I think it might be well to let it go on the bill for future consideration in conference.

Mr. SMITH of Maryland. I will say to the Senator from New Hampshire that there are many things that probably should

go on the bill that we in committee turned down, and this is a matter that did not, so far as I know, come before our committee at all. There were a great many propositions before our committee that were certainly desirable. The only question is, if you are going to start with this, there is no telling where the legislation will go. This bill has been before the Senate for nearly two weeks, and it does seem to me that we should dispose of it and not allow new legislation to be submitted here on matters that have not been estimated for in a proper way. From what I can understand, it certainly has not been properly estimated for. There is an estimate in a way of the cost, but not in such a way that I think can sustain the claim here that there has been a proper estimate made.

Mr. NORRIS. The rule says "an estimate by the head of a department." This very estimate has been before the Senator's committee since the 8th day of October last.

Mr. SMITH of Maryland. I would say to the Senator it was only sent in in compliance with a Senate resolution.

Mr. NORRIS. Yes.

Mr. SMITH of Maryland. It is no regular estimate for an appropriation; it is only in compliance with that resolution.

Mr. NORRIS. I think that should add to its importance. It is a request made by the Senate, not a request made by the committee; but when the estimate came in it was referred to the committee. It has been before the Senator's committee since the time I have mentioned.

Mr. SMITH of Maryland. The law provides that—

All annual estimates for the public service shall be submitted to Congress through the Secretary of the Treasury, and shall be included in the Book of Estimates prepared under his direction.

This has never gone through that operation.

The VICE PRESIDENT. If the point of order is insisted upon, it must be sustained.

Mr. NORRIS. I appeal to the Senator, the chairman of the subcommittee, that he ought not to make the point of order against this amendment. It is not saving any time. I am not to blame, neither is this particular subject, but I submit that a great deal of time has been taken up by the Senate in the discussion of the District appropriation bill. If I had been instrumental in taking it up and taking it up unnecessarily, I would feel different about it from what I do.

Mr. SMITH of Maryland. I will say to the Senator I should like very much to comply with his request, but there are other Senators here who had amendments that they have withdrawn. This bill has been before the Senate for nearly two weeks. If one amendment is admitted we will have to admit others.

Mr. NORRIS. Not by any means.

Mr. SMITH of Maryland. Whilst I would like very much to accommodate the Senator, and there may be something in it, but there are other amendments just as meritorious that have been withdrawn.

The VICE PRESIDENT. The point of order is sustained.

Mr. NORRIS. Mr. President, on page 30 of the bill, line 6, I move to strike out "$1,400" and to insert "$1,500."

This particular amendment which I have offered will be a sufficient foundation for a few remarks which I desire to make on the bill. The amendment I have offered refers to the location of a bathing beach somewhere in the District of Columbia.

Mr. GALLINGER. Let the amendment be stated, Mr. President.

The VICE PRESIDENT. The Secretary will state the amendment proposed by the Senator from Nebraska.

The SECRETARY. On page 30, line 6, after the word "grounds," it is proposed to strike out "$1,400" and to insert "$1,500."

Mr. NORRIS. Mr. President, the tidal basin, with which I presume every Senator is familiar, is a large pool of water, from 4 to 8 feet deep, located in Potomac Park. It contains 110 acres. It is of no particular use now, except that a few people have boats and small yachts floating upon it. It is connected with the main channel of the river by a drawbridge, where the water can be shut off and turned on and again connected with what is known as the Washington Channel. That is the part of the stream this side of the island. The connection between this channel and the tidal basin is a small opening that is but a few feet across and has a bridge spanning it. Trains, street cars, and automobiles cross it.

So we have here 110 acres of water connected with the river, with the Washington Channel. With those two exceptions it is entirely surrounded by land. It is no good to anyone, of no particular beauty to look at, because there is the river just on the other side and the Washington Channel on this side, and anyone can see it who wants to look at a bit of water.

The tidal basin has been made by the development of Potomac Park, where the mud and sand were pumped out of the river and put behind a retaining wall, and a beautiful park was made out of what before was nothing but a marsh. The Government of the United States has spent hundreds of thousands of dollars in reclaiming that land. It is to-day, as everyone knows, one of the most beautiful parks anywhere around the city of Washington. I am reminded by the Senator from New Hampshire [Mr. GALLINGER] that the Government and the District together made this improvement. That is true.

There is only one possible drawback to this park, and that is that the trees are all small; but it has been planted to trees, and it is only a question of time until it will be the finest beauty spot anywhere in the District of Columbia. In this park, surrounded by a wall, is this 110 acres, known as the tidal basin. I want to compare that tidal basin with the floor of the Senate Chamber and show you how it is connected. Over here to the left [indicating] is the Potomac River; where that door is [indicating] is the connection between this big basin and the Potomac River; over here at this door [indicating] is the Washington Channel. There [indicating] is the connection, smaller still, and the only connection that this tidal basin has with the outside. So it is a model location for public bathing, having no other use under the sun to which it can be put, and yet it is not used.

Over farther in this same park are some concrete basins—three of them, I think; I do not now remember their dimensions—where this same water is pumped in and let out again, and those are the bathing places in the District of Columbia. If you will go there in the summer time, you will find at 7 o'clock in the morning, when this place is first opened, a line of boys, and, on days when women are admitted, girls and grown women, ready to go into those pools, that are not much bigger than the pool of an ordinary Young Men's Christian Association building, yet almost within a stone's throw are 110 acres of as fine a body of water as there is anywhere, and nobody can use it, because no bathing houses have been built there and the beaches have not been sanded, perhaps.

It was the intention of the amendment which I offered to give to the people of Washington—to the boys, the girls, the men, and the women—a place large enough to accommodate the entire District, where in the summer time they can go bathing.

There is not another city in the United States located as is the city of Washington where this matter has been neglected as it has been here. We have gone to the expense in the last 10 or 15 years of creating this body of water, and there it stands useless; it is no good to anybody; but thousands of people who want to go in bathing in the summer time have no place to go.

The little pools we have, of which I have spoken, the concrete pools, are so crowded that it is necessary that rules and regulations be made governing their use. So you will find in the summer time at certain hours of the day boys are admitted; at certain other hours smaller children are admitted; at other hours larger children are admitted; at certain other hours women are admitted; and at cetain other hours both men and women are admitted to the pools, which are so crowded that they are practically useless. There are not one-tenth of the people who get the accommodations which they ought to have.

What I said a while ago I repeat now; there is not another city in the United States where they have any opportunity for a bathing beach, but what they have it provided for by the expenditure of public funds. Here we have the District of Columbia appropriation bill filled from beginning to end with legislation—even the very first sentence in it is legislation—and yet this amendment must go out because it is legislation. All the way through such legislation is brought in by the same committee which rejects this amendment as legislation.

I want to tell Senators of a little incident that happened here in the Senate. I knew of this document to which I have referred in the amendment, it being an estimate made by the Secretary of War, in which he approved this appropriation, and which, he says, should be made. You may search from one end to the other of this Capitol—indeed, of this entire District—and you can not find anyone opposed to it. They all say it ought to have been done years ago, but now the amendment must go out because a point of order is made against it on a bill that has more of legislation in it than it has apropriations, which legislation is in violation of this same rule that is now invoked to keep this amendment out.

Mr. SHAFROTH. Mr. President——

Mr. NORRIS. In just a moment I will yield to the Senator.

I was going to illustrate just what happened here. I prepared that amendment at my desk. I knew about Senate Document No. 593. It consists of a letter from the Secretary of War, which he sent to the Senate in the estimates as to the cost of this bathing beach, in answer to a resolution which I

introduced and which was passed by the Senate. I had forgotten the number of the document, which I needed in preparing the amendment, so I called one of the little pages who sit around the Vice President's desk to me and said I did not know what the number was, but I also said to the boy, "I wish you would go up to the document room and get a document which consists of a letter from the Secretary of War in regard to a bathing beach down at the tidal basin in Potomac Park." The boy relied, "Why, I have that right here in my pocket," and he pulled the very document I was talking of out of his pocket. It was so badly worn that it was hardly legible. He had been carrying it in his pocket ever since there was such a document. How many boys in the District do you suppose have that document in their pockets now, thinking that possibly when we have a Senate that asks for the information and a Secretary of War who furnishes it and recommends it, possibly next summer or the following summer, or some time in the future, there may be some use made of these 110 acres of water down there where the boys can not now go swimming?

Why, Mr. President, if the point of order had not been made this proposed amendment would now be in the bill. I have taken up ten times as much time as it would have taken to adopt the amendment. I have not been instrumental in delaying the passage of this bill. I am not saying that the discussions that went on in reference to the prohibition question and the half-and-half principle were not proper, but they delayed the bill. The Senate itself has done that. We have now got back to the discussion of the bill, we have gotten through with those things, and now we come to something that will do some good for humanity, which would be of benefit to the rising generation, and then we are told that the rules must be rigidly enforced.

Why, Mr. President, there is not an item in this bill that ought to appeal so much as this one to anyone with a heart. There is no reason on earth of which I can conceive why anyone should object to making some use of this tidal basin, to making a bathing beach of it, especially as we have spent several hundred thousand dollars in placing it there. It has never been put to but one use, and that was for skating this winter. There might be some objection if using it in the summer time to swim in would prevent the boys skating on it in the wintertime when it was frozen over; but everybody knows that would be no objection. It will freeze over just the same if the weather gets cold enough, and people can skate on it just the same as they have done this winter if the weather should be sufficiently cold; but it goes without saying that we shall always have some warm weather, and there never will be a summer season when thousands and thousands of men, women, boys, and girls will not use this basin to the betterment of their health and the betterment of humanity.

Mr. President, I withdraw the amendment which I offered.

Mr. CLAPP. Mr. President, I desire to offer the amendment I send to the desk, and will say that it is recommended by the Board of Commissioners of the District of Columbia on page 121 of their annual report. I understand the committee is not particularly opposed to the insertion of the item.

The PRESIDING OFFICER (Mr. LEA of Tennessee in the chair). The Secretary will state the amendment proposed by the Senator from Minnesota.

The SECRETARY. It is proposed by Mr. CLAPP to insert the following amendment:

That the Commissioners of the District of Columbia are hereby authorized and directed to institute, within three months after the passage of this act, in the Supreme Court of the District of Columbia a proceeding in rem, in accordance with the provisions of subchapter 1 of chapter 15 of the Code of Law for the District of Columbia, to condemn the land that may be necessary for the widening and extension of Spring Road NW., between Sixteenth Street and the westerly line of square No. 2901, according to the permanent system of highways plan for the District of Columbia; also the land that may be necessary to extend Spring Road across square No. 2901 to Ninth Street NW., and across square No. 2690, with a width of 90 feet; also to condemn the land that may be necessary to extend Perry Place from its present terminus to connect with Spring Place and widen Spring Place between Fourteenth Street and Sixteenth Street to a width of 50 feet, as shown on plan filed in the office of the Engineer Commissioner of the District of Columbia: *Provided, however,* That the entire amount found due and awarded by the jury in said proceedings as damages plus the costs and expenses of the proceeding hereunder shall be assessed by the jury as benefits.

That there is hereby appropriated out of the revenues of the District of Columbia, an amount sufficient to pay the necessary costs and expenses of the condemnation proceedings taken pursuant hereto, and for the payment of amounts awarded as damages, to be repaid to the District of Columbia from the assessments for benefits, and covered into the Treasury to the credit of the revenues of the District of Columbia.

Mr. CLAPP. Mr. President, the chairman of the committee informs me that during the pendency of the District appropriation bill, in view of the delay upon the bill, a great many Senators who had amendments they intended to offer have consented to refrain from offering them, and the chairman of the committee has been assured that they would not be offered, and he has given such assurance on the statement of a Senator who, jointly with me, had this amendment in hand that this amendment would not be offered. In view of that fact, rather than embarrass the chairman, I will withdraw the amendment.

Mr. LANE. Mr. President, I have an amendment which I think should be adopted by the Senate, to go into the bill after line 10, on page 86. The amendment reads:

Provided, That from and after the passage of this act the cost of all water mains shall be assessed upon the abutting property until such time as such mains shall yield a revenue from the sale of water of 5 per cent per annum upon the cost of the same.

The amendment provides for a change in the method of extending water mains throughout the city of Washington. At present the cost is paid from the revenues which are derived in a majority of cases from the poorer inhabitants and residents of the city who use water. It has been found to be unjust in all cities where investigation of the method has been conducted, and in most cities that method has been changed. Under the present plan, the money which is paid to the water department by the consumers who use the water for household purposes is used to extend mains throughout the city and beyond the inhabited portions of the city into vacant tracts of land which are being opened and put upon the market for speculative purposes at no cost to the "real estater" who engaged in selling town lots.

Mr. NORRIS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Oregon yield to the Senator from Nebraska?

Mr. LANE. In just a moment. In other words, it adds a value of from 30 to 40 per cent to the property without any cost whatever to the speculator, and at the direct expense and cost of the consumers of water throughout the city.

Mr. NORRIS. Mr. President, has the Senator offered the amendment?

Mr. LANE. I have.

Mr. NORRIS. Has he the consent of the Senator in charge of the bill?

Mr. LANE. I have not asked for it yet. I am assuming that I will get his consent as soon as I ask for it.

Mr. NORRIS. Does the Senator know that it will take some time and may delay this bill, which it is so necessary to get through in the next 15 minutes?

Mr. LANE. I did not know that.

Mr. NORRIS. Yes; I understand that is the objection to amendments being offered—that they will cause some delay.

Mr. LANE. I suppose it will take some time to discuss it, but it is a matter of such great importance——

Mr. NORRIS. I have no doubt of that.

Mr. LANE. To hundreds and thousands of people in this city, that I think it should be taken up and adopted. The present method is wrong; it is unfair and unjust.

Mr. NORRIS. But the Senator must know that we have taken three or four days to discuss the half-and-half principle and a week to discuss prohibition, and, therefore, we ought not to take any time to act upon anything that is necessary for the good of the District unless it can be done by unanimous consent.

Mr. LANE. There is a large amount of water in this amendment, so that in that respect it perhaps comes under the head of a prohibition measure.

At any rate I was going to say that the present method of taking the money derived from the collection of the water rates from the people of the city, especially from the poorer classes, who live in the crowded quarters and who in many cases I have no doubt by reason of the cost of water deny themselves the use of a bathtub—little children going without water—and using the money to exploit, to bring profit, and to add value to property held for purely speculative purposes is wrong; it is unfair; it is unjust.

I assume that the committee having this bill in charge have not yet had that condition of affairs drawn to their attention, and I feel quite sure that, being fair men and anxious to get the best possible results for the city, they will without loss of time consent to the adoption of the amendment as soon as it is explained to them. I do not see how the Senate or any other body that has legislative power could refuse, in behalf of the people, to adopt a measure which would so greatly equalize taxes.

Mr. SHAFROTH. Mr. President, I would like to ask the Senator a question for information. I will ask him if he has examined the status of the financial condition of the water department of the city; and, if so, does it pay? Have they money to their credit? If they are able to construct these mains, I inquire if they make to the city or to the Government any return on the investment?

Mr. LANE. I do not know whether the water system pays to the Government any money in return for the funds advanced by it; but I was informed by the Senator from Utah a day or two ago, who was then reading the report, that hundreds of thousands of dollars of the income received from the collection of water rates is used in the extension of mains. In the past the money collected from water rates—which, as I have said, in many cases comes out of the pockets of the poorer classes—has been spent to the extent of millions of dollars in increasing the value of lots held for speculative purposes, and from which in many instances very large profits have been derived.

There is one large tract lying in the northwestern portion of Washington which is, I presume, a mile long and perhaps half a mile wide—an enormous tract of land—through which there are streets, water mains, lamp posts, I presume electric light wires, with lines of curbing, without a house that I know of on the tract, these improvements having been placed there to enable the land to be sold as town lots for residence property, and I am informed that water mains have been extended through that property. If that has been done by the Commissioners of the District of Columbia—and whether it has been done or not, they have the authority to do it—without taxing any part of the cost on the abutting property, it is wrong. I think the better plan would be that which is provided in my amendment, which would compel the owner of the lot himself, at his own expense, to install water mains, subject to the regulations and under the supervision of the water department of this city, the city obligating itself to take them over at any time when they pay 5 per cent upon the cost. Such a plan would do no harm, and it would save the poor people of the city from advancing money for this purpose.

Mr. GALLINGER. Mr. President, will the Senator permit me?

Mr. LANE. Certainly.

Mr. GALLINGER. Without combating the Senator's proposition, I want to ask him if he has made inquiries concerning the large tract which he says is being opened for sale as to whether or not the parties owning it did not themselves construct the streets, lay the sidewalks, put in lamp-posts, and all that sort of thing? I do not know about the water mains; but did the Senator inquire about those things to ascertain the facts?

Mr. LANE. I am informed that they put in the streets, the curbs, and the sidewalks. I do not know whether they provided the lighting system; but I was also informed—although I do not know whether it is true or not—that the District put in mile after mile of water mains to serve this property. Without water mains the curbings, the sidewalks, and the decorated lamp-posts are not worth the ground they stand on, and the men who own the property, being far-sighted gentlemen, know that just as well as I do. I say that it is a bad system which permits the extension of water mains to property held for speculative purposes, thereby greatly enhancing its value, at the expense of the little fellow who lives in the alleys and crowded centers. It is not the proper way of doing that work.

Mr. GALLINGER. Whatever may be the fact as to that—and it is worthy of consideration—the further fact remains that there is no city on this continent and perhaps no city in the world which is supplied water as cheaply as is the city of Washington, and the "little fellow" gets the same benefit that the "big fellow" does.

Mr. SMOOT. Mr. President, I will say to the Senator from Colorado [Mr. SHAFROTH], in answer to his question, that the revenues for the year ending June 30, 1914, from water used in the District of Columbia, were $828,296.69. Of that amount there was expended $794,952.16, leaving a credit to the water department of $32,497.90.

That expenditure was along these lines: Fifty-two per cent of it was used for the extension of water mains and 27 per cent of it was for the maintenance charges of the system. That has been the plan of the District from the time that they first took over the water system of the city, and all water extensions which have been made, I think I am safe in saying, have been made from the revenues of the department.

Now, one other thing. In the District the minimum water rate, allowing 7,500 gallons, is $4.50, and when the consumption reaches more than 7,500 gallons the rate is 4 cents a hundred gallons. The average of all water meters in the District of Columbia shows a charge of $5.80 a year. Water is cheaper in the District of Columbia, I think, than anywhere else in all the world.

Mr. SHAFROTH. I should like to ask the Senator, Mr. President, how the amount of the original cost of construction has been paid? Has it been paid out of the general revenues, or has it been paid out of moneys collected from the sale of water?

Mr. SMOOT. Ever since the District took over the water system it has been extended by the expenditure of the receipts obtained from the use of water.

Mr. SHAFROTH. Has there been any return of any of the money that went into the plant originally?

Mr. SMOOT. The returns have been a great deal more than the amount that originally went into the plant outside of the extensions.

Mr. SHAFROTH. Have they been applied to the payment of the plant?

Mr. SMOOT. They have been applied to the payment of other expenses of the District, which, of course, would be the same thing. There is no bonded indebtedness upon the system, nor any debt whatever.

Mr. SHAFROTH. Then it was paid for originally out of the general appropriations?

Mr. SMOOT. Yes; the same as the purchase of any other property.

Mr. SHAFROTH. Half from the revenues of the District and half from those of the United States?

Mr. SMOOT. Half from the revenues of the District and half from the revenues of the Government.

Mr. SHAFROTH. I have understood that there are to be some extensions of the water mains, which will cost a great deal of money. If that is going to be the case, it seems to me these moneys ought to be conserved, at least to some extent, for that purpose.

Mr. LANE. Mr. President, allow me to say, for the information of the Senator from Colorado, that, judging from the statement made by the Senator from Utah, the District takes 52 per cent of its revenues derived from water rates to be used for the extension of mains.

Mr. SMOOT. They expended that percentage for the year 1914, and I think perhaps that is a fair average.

Mr. SMITH of Maryland. Mr. President, has the Senator sent up his amendment?

Mr. LANE. I have the amendment here.

Mr. SMITH of Maryland. Has the Senator sent it to the desk?

Mr. LANE. No; I have not sent it to the desk so far. I want to prepare it very carefully.

Mr. SMOOT. I want to say to the Senator offering the amendment that there are two sides to the question as to whether this would be a benefit to the poor people of the District. In my opinion, if this proposed plan were adopted it would stop the opening of many new residence districts outside of the city proper. It would stop the erection of cheaper buildings that the poor people could occupy for less rent. There is that question, which ought to be taken into consideration.

Mr. SHAFROTH. The Senator evidently is very familiar with the affairs of the water department. I should like to ask him whether it is contemplated that there shall be constructed a new source of water supply or water plant. As the Senator knows, we begin the supply of water at Great Falls, and conduct it down to the city. I have been told by persons that I do not know have the correct information that the construction of a new plant is contemplated, a new source of water supply from the Potomac River. If that is the case, I think this money ought to be conserved in the Treasury instead of being used in building mains. In fact, I am somewhat in sympathy with the statement of the Senator from Oregon, because I can not believe it is to the interest of the Government that we should construct mains until they are needed, and until they bring in some revenue upon the amount of money that is invested in building them.

Mr. SMOOT. I will say to the Senator that since the establishment of meters in the District, in 1905, the per capita use of water in the District has greatly decreased. I understand that beginning with that year up to the present time there has been a decrease of 33⅓ per cent. In other words, at that time the consumption per capita in the District of Columbia was 227 gallons per day. Now, as I stated, it is about 33 per cent less than that amount.

Mr. GALLINGER. Mr. President, the Senator will recall that at that time there was more or less agitation, or at least suggestions made, to the effect that we would require another supply.

Mr. SMOOT. Yes.

Mr. GALLINGER. To obviate that some of us interested ourselves in having the houses metered. The waste of water in Washington was enormous. Everybody saw it and knew it, and yet it was not remedied. I will say to the Senator from

Colorado that I feel sure that since the system of metering houses and public buildings has been adopted there is no suggestion of the need of another water supply, certainly not in the near future, and perhaps not in the remote future.

Mr. SHAFROTH. I am thoroughly in accord with the metering of private houses in the District of Columbia as well as public buildings, because I know that it conduces to saving, and necessarily in the end will produce an effect that will make a plant last 40 years longer than it would last under the wasteful system we have had.

Mr. SMOOT. By means of the pitometer service for the prevention of water waste through underground flow there has been saved annually over two million and a half gallons of water in the District that formerly was wasted; and I have not heard any suggestions of late that it will be necessary to expend a large amount of money to increase the water supply in the District of Columbia.

Mr. LANE. Mr. President, that is not the question. The question of metering the water supply piped to a house is a simple proposition, as I suppose anyone that has had any experience with it knows. If it is not metered and measured, the tenant of the house will waste it, or he may do so, either through leaky pipes, poor plumbing, or just ordinary sheer carelessness and shiftless disposition, or to prevent it from freezing in the wintertime, or in the summer through opening all the faucets in order to get a cool drink of water. Every city has discovered that meters pay. Every house should be metered and every supply pipe entering a factory should be metered, and the rate should be equitable.

Everybody wants the people of Washington to have plenty of water, and at as low a rate as possible; but if, from the water rates derived from the city, we are to continue to expend 52 per cent for the extension of mains, without any cost to the property owner, or without any assurance that it will pay the city a return in meter rates, we are making a mistake. We are merely visiting the cost upon the poorer and more thickly settled and older portions of the community for the benefit, in many cases, of speculators—men who buy property for the sole purpose of speculating in it, and are dependent upon this advance made by their poorer fellow citizens in the city to reap their profit.

Why, it is utterly wrong. It is inexcusable. It should not be allowed. Merely calling attention to the fact that the condition exists ought to be, it seems to me, enough to convince anyone.

Mr. President, I submit my amendment, which I ask to have read, and I hope the committee will accept it.

The PRESIDING OFFICER. The Secretary will state the amendment.

The SECRETARY. On page 86, after line 10, it is proposed to insert:

Provided, That from and after the passage of this act the cost of all water mains shall be assessed upon the abutting property upon such time as such mains shall yield a revenue from the sale of water of 5 per cent per annum upon the cost of the same.

Mr. SMITH of Maryland. Mr. President, this, as I understand, would almost entirely revolutionize the present water system. It is new legislation, and there is no estimate made for it; therefore I make the point of order against it.

Mr. LANE. I will say that it does not cost a cent. It will reduce expenditures.

The PRESIDING OFFICER. The Chair sustains the point of order.

Mr. KERN. I offer the amendment which I send to the desk.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. On page 81, at the end of line 22, it is proposed to insert a colon and the following words:

Provided, That no brick or other building material that may be produced at said workhouse or reformatory shall be sold or offered for sale in competition with the products of free labor, or otherwise to any department or institution of the government of the District of Columbia or of the United States, or to any public or private corporation, partnership, person, or persons.

Mr. KERN. Mr. President, this amendment is offered as an addition to the clause on page 81, which provides as follows:

The commissioners are authorized, under such regulations as they may prescribe, to sell to the various departments and institutions of the government of the District of Columbia and of the United States the products of said workhouse and said reformatory, and all moneys derived from such sales shall be paid into the Treasury—one-half to the credit of the United States and one-half to the credit of the District of Columbia.

I wish to add this proviso so that convict labor which engages in making bricks or other building material shall not come in competition with the free labor engaged in the same business in this District.

Mr. GALLINGER. I will ask the Senator from Indiana what disposition could be made of the brick that is manufactured at the workhouse if his amendment should prevail.

Mr. KERN. I do not know that there is any compulsory law or rule by which they are compelled to make bricks. They could be used on the ground. They could be used for a new building, perhaps, that was being built by the commissioners themselves. I do not know. It is the same question that comes up all the time in regard to convict labor and free labor. The brickmakers, the men who have invested their money in the city of Washington in the manufacture of brick and in dealing in stone and other building materials, and the men who work for them, are, of course, subject to competition with the convict labor at the workhouse and the reformatory. It is the same old question we have had over and over again.

Mr. GALLINGER. At the National School for Boys they are raising flowers. They sell, I think, a couple of thousand dollars' worth, perhaps, in a year. If the florists of Washington should ask that an amendment be put in this bill denying that institution the right to sell those flowers, would the Senator think it was desirable?

Mr. KERN. I suppose that would be a rather small matter compared with this.

Mr. GALLINGER. The principle is the same.

Mr. KERN. I will meet that question when I come to it.

Mr. GALLINGER. I simply want to observe that at a large expense the government of the District of Columbia has purchased nearly 2,000 acres of land, as I remember, in the State of Virginia, for the establishment of a workhouse, and is about to establish a reformatory there. Those people are better off, happier, and more contented if they have some work to do. In the economy of things the commissioners have found that there is clay there and facilities for making brick. I do not know to what extent they have interfered with other manufacturers of brick; I should think perhaps not to any extent at all up to the present time. I can not for the life of me understand, however, why the brick made there should not be used for the construction of buildings in the District of Columbia, which is denied by this amendment, and why those people, most of them committed for minor offenses, some of them for more serious offenses, should not be allowed the privilege of performing some work and being of some use to the community.

I make the point of order against the amendment.

Mr. SWANSON. Mr. President, a point of order can not be made against this amendment.

The PRESIDING OFFICER. The Senator will state the ground of his point of order.

Mr. GALLINGER. I make it on the ground that it is general legislation upon an appropriation bill.

Mr. SWANSON. This is an amendment that was put on in the House. Let the whole amendment go out, and we are satisfied.

Mr. GALLINGER. We are not dealing with the House amendment at all.

Mr. SWANSON. It is an amendment that was put on in the House, and has come to the Senate, and this is an amendment to the House amendment.

Mr. GALLINGER. But it is not an amendment when it comes here from the House. It is a part of the bill.

Mr. SWANSON. No; it is not.

The PRESIDING OFFICER. The Chair is ready to rule on the point of order. The Chair is of opinion that the point of order is not well taken.

Mr. GALLINGER. Very well.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from Indiana.

Mr. SWANSON. I can not see why the Government should prohibit the sale of convict-made goods and then create here in Virginia a convict camp to interfere with the legitimate enterprises of the people there. There is no limit to which this can go, except the number of convicts; and I can not see why it should be permitted if the Government believes in that policy, which has passed the Senate repeatedly and is a law on the statute books now, but which this provision proposes to repeal. It proposes to repeal a general statute of the United States. We want to exclude these products from the District of Columbia as a matter of justice to some enterprises that would be ruined if this were continued.

Mr. GALLINGER. Will the Senator from Virginia allow me to ask him a question?

Mr. SWANSON. Certainly.

Mr. GALLINGER. Is there not a mistake in the amendment, where it says that it shall be inserted on line 22, page 81? Is it not after line 14, after the amendment of the committee?

Mr. KERN. We may not have the same print. It follows the conclusion of the provision on that subject.

Mr. GALLINGER. I have the bill reported by the committee to the Senate, with amendments.

Mr. SWANSON. It is at the end of that paragraph.

Mr. GALLINGER. Very well. I was misled in regard to that. It is an amendment to the committee amendment, as I understand the matter.

Mr. SWANSON. To the House amendment, that the committee reported; that is right.

Mr. GALLINGER. No; but it is not a House amendment.

Mr. SWANSON. It is the House language.

Mr. GALLINGER. It is under the head of "Reformatory." Is that right?

Mr. SWANSON. It is under the House language, on page 81. That is the House language.

Mr. GALLINGER. It is the House language; yes.

Mr. SWANSON. We insist, Mr. President, that this general law ought not to be repealed by this language so as to injure brick manufacturers, labor, and other enterprises of that character that are covered by this amendment. If the Government is going to have a general policy in connection with convicts, then there is no reason why an exception should be made in this case. Those people can very easily work on Government roads. The convicts in Virginia work on State roads. The Government has sufficient roads to build on its property around here, and I think it would be well to let these convicts be engaged in that business.

Mr. GALLINGER. If they work on roads, do they not work in competition with free labor?

Mr. SWANSON. But nobody objects to that. Nearly all the States have adopted that as a way to let the convicts work. The Government has land over in Alexandria County. There is a necessity of having goods roads over it. The Government owns about one-third or nearly one-third of all the real estate in Alexandria County, and it certainly ought to have good roads through its land. We people in Virginia build good roads up to the Government land, and we are very anxious that it shall continue the roads through its land. The convicts could work on good roads around Washington and the District of Columbia. What we ask is that this general policy, which prevents convict labor from interfering with outside enterprises, shall be continued here, and not have this exception made.

Mr. GALLINGER. While I am as clear in my mind as I ever was about any proposition that this is not general legislation on an appropriation bill, the Chair has ruled that the point of order is not well taken, and I have nothing further to say about it.

Mr. SHAFROTH. Mr. President, I should like to say that in Colorado we have solved this problem as between labor and the manufacturer of goods, and it has been done by the passage of laws that require the convicts to work upon the public roads or to work upon the farms. The competition as against privately owned farms is so slight, because nearly all of the products of the farms go to the world's markets, that it is not objected to at all by the farmers. Consequently we have State farms, and we have gangs of convicts sent out on the public roads.

I want to say, furthermore, that by reason of giving to the convict a commutation of 10 days for every 30 days of service we have produced a revolution in the way of reform in the treatment of prisoners. We do not have any armed guards to conduct the penitentiary convicts in their work—simply two unarmed superintendents to a gang of 50 men—and we have had less escapes than we had under the old system of confining the prisoners.

Everybody recognizes that the convict should be given an opportunity to work and develop his mind and also his body. From a sanitary standpoint, from a health-giving standpoint, this new plan has been found to be most excellent. These men are taken out on the roads, sometimes as far as 200 miles from the penitentiary, and they are put into a camp there, with no wire fences around it and nothing at all to keep them in. The result has been that we have had fewer escapes than under the old plan. The convicts swear before they go out that they will not attempt to escape nor permit any other man to escape. There was an instance where a convict sneaked away, and another convict saw him, and he went to the camp and got a rifle and followed him 8 miles and brought him back and surrendered him to the authorities. Another convict, just before I left Colorado two years ago, came to the office of the pardoning board and said: "I am here to present my own case." He was asked what he was convicted of, and he said "murder." He was serving a life sentence. "How did you get here?" "Why," he said, "I was working 60 miles from here, and they told me I could come down and present my case." He came down and presented his case, and after being heard he went back and continued his work.

If this system produces a reform of that kind, it is not only good, but it is putting the work in the right direction. The labor organizations do not object to it, the farmers do not object to their working on the farms, and it seems to me we ought to confine their labors to those two branches.

Mr. THOMAS. Mr. President, I merely wish to add to what my colleague has said the fact that organized labor not only acquiesces in but actively approves this method of solving the question of convict labor. It improves the standard of the convict; it keeps him in a healthy atmosphere; it appeals to his spirit of honor and fair dealing; it awakens all the manhood that is latent in his breast; and it is in every respect one of the most desirable and, up to date, one of the most successful and practical experiments in handling the difficult question of convict labor that has been made anywhere.

Mr. SWANSON. Mr. President, this bill provides for the construction of enough roads to keep all of these convicts occupied and busy. When I was governor of Virginia we inaugurated in the State the system of working convicts on roads, the State controlling the camps, feeding them, clothing them, guarding them when necessary, and so on. That has been followed in different States. Every State that has tried it has made a marked success of working convicts on the roads. What we protest against is that, instead of doing that, this bill appropriates thousands and thousands of dollars for road work to be paid out of the District funds. Instead of working these convicts on the roads, improving the streets, and doing that kind of work, they desire by this amendment, nullifying the general statute against convict labor, to let them go in competition here with people engaged in the brick, stone, and other businesses. We ask to have their products excluded.

Mr. NORRIS. Mr. President, I was unable to hear the Senator's amendment. I presume it is an amendment offered by the Senator from Indiana [Mr. KERN].

Mr. SWANSON. Yes; by the Senator from Indiana.

Mr. NORRIS. Does it provide that the convicts shall be used in working on the roads?

Mr. SWANSON. It does not. That would be general legislation. They have come in here with a provision changing the general statute in connection with convict labor.

Mr. NORRIS. What does it provide for, briefly? What is the purpose of the amendment?

Mr. SWANSON. That brick and other building material produced by convicts shall not be sold in competition with the same kind of material made by free labor.

Mr. NORRIS. Are they making brick and other building material there now?

Mr. SWANSON. They are going to make brick, and nobody knows what else. They are making some brick now, I think.

Mr. GALLINGER. We have appropriated money, and we have a plant at Occoquan, for the manufacture of brick.

Mr. NORRIS. What would be the objection to letting them make brick, but not dispose of the brick?

Mr. SWANSON. That is all our amendment does. They can make all they please.

Mr. NORRIS. That would be perfectly consistent with our action in some other respects. We spent four or five hundred thousand dollars in fixing up the tidal basin down here, and now we refuse to let anybody use it. On the same theory we ought to make brick for 10 or 12 years and just pile it up and not use it. That would be doing the same thing.

I do not believe you will spend as much money in making brick as you have spent in fixing up the tidal basin unless you should run for 15 or 20 years. We have a good precedent right ahead of us for doing so.

I am in sympathy with the Senator's amendment. I do not believe convict-made materials of this kind ought to come in competition with similar products of free labor.

Mr. SWANSON. As I stated, this does not prevent them from making brick down there. It simply prohibits them from making brick with convict labor in competition with free labor, which is prohibited now by a general statute. We do not think that that statute ought to be repealed and this made a special case for the benefit of the United States Government or anyone else.

Mr. GALLINGER. Mr. President, as I suggested a moment ago, the Chair having intimated how he would rule, I have no disposition to discuss this matter. I will content myself by suggesting to the Senator from Virginia that if the plan they have in Virginia, which he says has been very successful, of having convicts work on the roads, is not any more successful

than it has been in Virginia in making good roads, it must be a failure.

Mr. SWANSON. If the Senator will permit me, the only roads in Virginia that the Senator complains of are in their present condition because Congress is so penurious that in Alexandria County, and where it has property around Washington, it will not appropriate any money to build roads through its own property in spite of the most earnest efforts. The Government does not pay any taxes in Alexandria County. It owns nearly one-third of the land there, but pays no taxes to build roads over its property, which is all we have asked. When we have improved roads up to the Government property, all we have ever asked the Government to do is to connect the roads we have built through its own property upon which it pays no taxes. The roads the Senator complains of are usually roads through Government property that the Government refuses to improve. I should be glad to have these convicts improve them.

Mr. GALLINGER. Is that true of the road between here and Mount Vernon?

Mr. SWANSON. There is very little travel to Mount Vernon except by patriotic travelers. There is no commercial travel in that direction, and yet they expect the people that live along the line of the road from Washington to Mount Vernon to build a road for the use of the 50,000 people that come to Washington each year and go to Mount Vernon. There is not a city in the United States that has a magnificent monument of patriotism and glory like Mount Vernon, there is not a Government in the world that would not be generous enough to build a road to it. To tax the few farms and other lands and small pieces of taxable property from Washington to Mount Vernon to furnish good roads for people all over the United States to get to Mount Vernon is not just and right.

Mr. GALLINGER. We might say that about any of the suburbs of Washington.

Mr. SWANSON. We would like to have these convicts build that road. It ought to be a national road. To ask the small number of people that pay the taxes in that county to furnish a road that is broad enough and monumental enough and to keep it up for the 50,000 to 100,000 people that go there each year, when they are not hauling their own traffic, their own business, or attending to their own enterprises, is absolutely unreasonable. You can never expect the people there to be taxed to furnish transportation over a good road for 100,000 people each year in the United States and keep it in repair. It is a disgrace that Congress has not built a monumental road to Mount Vernon, which ought to be the Mecca of patriotism of every American citizen.

Mr. GALLINGER. The patriotism applies to Virginia as well as to Congress.

Mr. SWANSON. Virginia will pay her part of it.

Mr. GALLINGER. She has not done it.

Mr. SWANSON. She is willing to do it when a part of it comes out of the National Treasury. Does the Senator think that about 50 per cent who live on the road from Washington to Mount Vernon ought to be taxed to pay enough money to keep a monumental road in order for the 100,000 people who travel on this road from all parts of the United States? It would confiscate the farms there.

Mr. GALLINGER. I think the State of Virginia ought to do it.

Mr. SWANSON. Washington is a national character, and when Virginia insists on him as being a Virginian you claim he is a national character. Yet when it comes to paying tribute you say he is a Virginian. When it comes to building monuments and things of that kind, what interest has Virginia in it outside of the interest of the rest of the United States? Every Virginian has been to Mount Vernon. It is a national movement; there is a national desire to go there. The travel is national, the monument is national, the home is held by ladies of every State in the Union. If there is one thing that ought to be national, it is the desire to honor Washington and Mount Vernon.

Mr. GALLINGER. I suppose if we buy Monticello the Government will have to build a road to Monticello, because that is a monument that is national in its character.

Mr. SWANSON. It ought to do it if it is its own property.

Mr. GALLINGER. From Washington?

Mr. SWANSON. Does the Senator think the State ought to be taxed to build monuments and roads through Government property? Is the United States Government so parsimonious and so bankrupt that it can not build roads and take care of its own property and its own monuments?

Mr. GALLINGER. I am not going to argue that with the Senator. His patriotism surpasses mine to such a great extent that it is not necessary.

Mr. SWANSON. I will say to the Senator that the county of Fairfax, one county in the State, has bonded itself nearly $100,000 to construct that road. It has been waiting and waiting for the Government of the United States to cooperate with it so as to have a road that will be an honor to Washington and to Mount Vernon. They have waited for Congress to make an appropriation. I have no doubt when the road is built and it is as monumental and as magnificent as it ought to be, complaint will be made that Virginia ought to build a fairer road. The county of Fairfax has bonded itself, I understand, for $100,000, and I have been trying to get a part of this fund of $250,000 devoted to experimental good roads, but I have not been able to get it. Do you not think $100,000 is enough for that county to give? It ought to be supplemented by several hundred thousand dollars by Congress to have as magnificent an avenue as the world possesses to that great home and Mecca of American patriotism.

Mr. GALLINGER. If Virginia will take a lesson from Maryland in good-road building, Virginia will have an entirely different system of roads from that which she has to-day, and if Virginia will take a lesson from the New England States or from Pennsylvania or New York or New Jersey, she will have better roads than she has to-day.

Mr. SWANSON. I will say——

Mr. GALLINGER. I say with some knowledge that the roads in Virginia are an abomination and a disgrace to that great State.

Mr. SWANSON. The Senator's experience with roads in Virginia is mostly as to those he finds around Washington.

Mr. GALLINGER. A short distance out.

Mr. SWANSON. The trouble around Washington is this, that you can not get the Federal Government that runs Washington to aid us in building roads. All the traffic from Virginia is not to Washington. Alexandria is a city. Baltimore trades largely with Washington, and Washington is the center of business of a great many people. There are good roads around the city of Richmond, the city of Roanoke, the city of Norfolk, and other cities which have united with the counties and made contributions to have good roads made into those cities.

The difficulty we have had in Virginia is that the Government here has been so parsimonious, so illiberal. We have a great deal of Government land south of the Potomac which pays no taxes, and you do not make any contribution to give us roads in that direction. Any city of the size of Washington would be glad to do it.

Mr. GALLINGER. When Virginia gets rid of her tollgates and does something about building better roads more than she has done, I will agree with the Senator.

Mr. SWANSON. We will do that.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Indiana [Mr. KERN].

The amendment was agreed to.

Mr. KERN. I offer the following amendment, which has heretofore been proposed by the Senator from Idaho [Mr. BORAH].

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. On page 49, after line 2, insert:

For the payment of all expenses, including personal services of architects and others, and for prizes to be awarded in a competition for the best preliminary designs for a model 12-room suburban school to be hereafter erected on the site purchased north of Rhode Island Avenue for the Woodridge and Langdon neighborhood, the awards to be made by a committee consisting of the superintendent of schools, the president of the board of education, the Engineer Commissioner of the District of Columbia, the Supervising Architect of the Treasury, and the municipal architect, $5,000.

Mr. KERN. Mr. President, I desire to say in support of the amendment that in the last Congress an appropriation of $12,000 was made for the purchase of land in the neighborhood described for school purposes. The land has been purchased. It is situated in a growing part of the city. The school facilities there are entirely inadequate. I regret that I have misplaced the paper signed by people living in that part of the city setting forth the exact facts. I had them here on Saturday.

The situation is such in the existing school, the facilities are so inadequate, that the children are unable to attend during the full day; that is to say, they have an afternoon school. It is very necessary that a new schoolhouse be built as soon as possible. The ground has been bought, and the only appropriation asked now is that the preliminary arrangements may be made for the building of a schoolhouse. That is the purpose of this appropriation of $5,000. It has been estimated for, I will say, by the school board.

Mr. SMITH of Maryland. Mr. President, I am entirely in accord with the Senator from Indiana in seeking much needed school improvement. That is the case in many parts of the city,

and there were many propositions presented to our committee to improve these schools. We wanted to improve them, but it seems that there having been no estimate for them we had to turn down quite a number of them. I will ask if there is any estimate for this.

Mr. KERN. I pointed it out to the Senator the other day. It is the estimate made by the school board.

Mr. SMITH of Maryland. The Senator from Indiana is right in saying that the school board took it up and gave the amount that would be requisite, but it is not estimated for by the proper authorities—the commissioners—and that is where the estimate has to come from. I would have no objection to this amendment and would be glad, so far as I am concerned, to allow the appropriation to be made, but we have had many requests of this kind, and where there has been no estimate made it would be out of order to introduce it.

The PRESIDING OFFICER. Does the Senator from Maryland make that point of order?

Mr. KERN. I did not understand what the Senator from Maryland said.

Mr. SMITH of Maryland. I say that there has been no estimate for it.

The PRESIDING OFFICER. Does the Senator from Maryland make a point of order?

Mr. KERN. Suppose a little later it should be found that there is an estimate? I am very sure that it was estimated for.

Mr. SMITH of Maryland. I will say to the Senator if there is an estimate for this by the commissioners, it will give me pleasure to try to get it in in conference, and I will agree to let it go in. I do not hesitate to say that, so far as I am concerned, if it was estimated for, I would agree to it, but there has been no estimate. We put in all they estimated for, and would like to have done more.

The PRESIDING OFFICER. Does the Senator from Maryland make the point of order?

Mr. SMITH of Maryland. I do.

The PRESIDING OFFICER. The Chair sustains the point of order.

Mr. WILLIAMS. With regard to the last observation made by the Senator from Maryland, he could not put it in in conference, because it would not be a subject of difference between the two Houses.

Mr. SMITH of Maryland. That I recognize.

Mr. WILLIAMS. Therefore if anything is to be done it must be done now; it can not be done in conference. It seems to me this ought to be one place on the earth where nobody could reasonably contend that there were not sufficient school facilities. The people of the United States pay one-half of all the expenditures here.

In connection with this particular matter, there ought to be this school there, and it strikes me that with the great District of Columbia, wealthy as it is, paying 50 per cent and the United States themselves, wealthy as they are, paying the other 50 per cent, to have any dispute at all about $5,000 being expended for a school where it is admitted that a school ought to be, where it is admitted by everybody that the educational facilities are not sufficient without it, is sticking in the bark. I hope the Senator from Maryland will let us just vote it through and be done with it.

Mr. SMITH of Maryland. I entirely agree with the Senator from Mississippi that the school facilities of the District are not what they should be.

Mr. WILLIAMS. And they ought to be perfect.

Mr. SMITH of Maryland. They ought to be perfect.

Mr. WILLIAMS. They should be as near perfect as you can get them.

Mr. SMITH of Maryland. This was presented by the school board. There are schools here where they probably have to give only half days to the scholars.

Mr. KERN. That is what they are doing now.

Mr. SMITH of Maryland. We wanted to make this appropriation, but there has been no estimate made for it, and we could not make it.

Mr. WILLIAMS. Whose duty was it to make those estimates?

Mr. SMITH of Maryland. The commissioners.

Mr. WILLIAMS. The commissioners themselves have neglected their duty by not doing what the school board asked to have done. I know the school board pretty well, and they are not going to ask for things they ought not to have. Very frequently they do not ask for all they need.

Mr. SMITH of Maryland. As I stated on the floor of the Senate, we had propositions made by the president of the board, Mr. Blair, in whom I have the utmost confidence, a man that I do not think would ask for anything wrong.

Mr. WILLIAMS. No.

Mr. SMITH of Maryland. But we have not been able to allow them. Of course the committee had to follow the estimates and could do nothing more.

Mr. WILLIAMS. If there is a place on earth where there ought to be a university, a college, a high school, and primary schools going from the kindergarten up, and where there is no excuse under the sun for not doing it, it is right here. This place, of all places on the surface of the earth, ought to be a model for the education of the citizen for two reasons; first, because there is the financial power to have it; and secondly, because it is the Capital of the country. Our institutions rest upon intelligence, and intelligence ought not to be absent anywhere in this District at any rate.

I hope the chairman of the subcommittee will find it possible to accept the amendment.

Mr. SMITH of Maryland. I have not the slightest objection to its going in.

Mr. SHAFROTH. Mr. President, I must say that I feel in sympathy with the chairman of the subcommittee, the Senator in charge of this bill. He has raised the point of order upon other meritorious matters. The matter which the Senator from Nebraska presents is, it seems to me, very meritorious, but if the Senator from Maryland withdraws the point of order which he makes there is no telling when either this bill will be finished or how much the appropriations will amount to.

It is true that perhaps there is a requirement of some kind with relation to this particular section of the city, and yet we have not anything definite in regard to it. If you take the views of one Senator who happens to know of a certain locality, he will insist upon it. It is wise that these things should be controlled to a very large extent by estimates and by a demand upon the part of the commissioners, and then, when your schools are established, they will be established in the right way.

Mr. KERN. If the Senator will allow me, the last Congress purchased the land, and there is no trouble about the location. The school is overcrowded. They are not asking for an appropriation for a building. The appropriation of $5,000 is that the architects may prepare the plans.

Mr. SHAFROTH. I believe that these matters should be presented to the committee and let them at least see all sides, and investigate any objection that may be made to it. Legislating on the floor of the Senate is not a good way to legislate, and inasmuch as the chairman of the subcommittee has made the point of order and a good many other amendments have been presented, it seems to me that it should be insisted upon.

The PRESIDING OFFICER. Does the Senator from Maryland insist upon his point of order?

Mr. SMITH of Maryland. I make the point of order against the amendment.

The PRESIDING OFFICER. The Chair sustains the point of order made by the Senator from Maryland. The Senator from Nebraska [Mr. NORRIS] has submitted a proposed amendment.

Mr. NORRIS. I have an amendment that I want to offer.

Mr. JONES. Mr. President, I wish to call the attention of the Senator from North Carolina [Mr. SIMMONS] to the time that has been consumed on the other side, and also to the fact that when we had a very important amendment here a while ago, in which I was very much interested and upon which I had gathered quite a number of facts and some very interesting observations, I refrained from delivering them to the Senate and refrained from insisting upon having the amendment considered by the Senate. I merely wanted to show the Senator that I am not in the category mentioned.

Mr. NORRIS. Mr. President, I offer the following amendment.

The PRESIDING OFFICER. The Secretary will read the amendment.

The SECRETARY. On page 49, after line 2, insert:

Hereafter any balance remaining after the purchase of the site for the Eastern High School may be applied for the purpose of putting said site in a condition suitable for the uses for which it was purchased.

Mr. SMITH of Maryland. Mr. President, I shall have to raise the point of order against the amendment.

Mr. NORRIS. I should like to inquire what rule the Senator is seeking to invoke now in this respect. I do not believe the amendment is subject to a point of order.

Mr. SMITH of Maryland. It is not estimated for. There is no law giving them the right to use the money for this purpose.

Mr. NORRIS. This is in the nature of a limitation on an appropriation already made. The Eastern High School site has

been appropriated for, but the site is not yet purchased. The Senator can not tell us now how much money is going to be left. There may be none. If there is none, this particular limitation would have no effect; but as near as we can estimate there will be something left if the site is purchased that has been discussed here, and I believe some proceedings have been commenced to condemn it.

Mr. SMITH of Maryland. I am not able to state from my own personal knowledge, but the information we have is that the amount will approximate about $40,000, and the purpose is to use that money for a purpose the present law does not justify.

The PRESIDING OFFICER. The amendment does not increase the appropriation. It seems merely to qualify the amendment. So the point of order is overruled.

Mr. GALLINGER. I suggest to the Senator from Nebraska to change the amendment so as to read "hereafter any balance or so much thereof as may be necessary."

Mr. NORRIS. Yes; I think that is an improvement.

The PRESIDING OFFICER. Without objection, the amendment will be considered as modified in that way. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. LEE of Maryland. I offer the following amendment. I should like to call the attention of my colleague [Mr. SMITH] to certain bearings of it after it has been read.

The PRESIDING OFFICER. The amendment will be read.

The SECRETARY. On page 41, at the end of line 11, at the end of the items for the McKinley Manual Training School, insert the following proviso:

Provided, That in the expenditure of these appropriations for manual-training high schools there shall be no discriminating charge made against pupils from any State or Territory of the United States, who shall be admitted and taught on the same basis as pupils residing, or whose parents reside, in the District of Columbia.

Mr. LEE of Maryland. Mr. President, I should like to call the attention of the chairman of the subcommittee in charge of the bill to this amendment. It adds no additional expense and is not an appropriation that has not been estimated for. It merely provides how that which is already appropriated shall be expended. It is not general legislation, because it applies to the expending on an appropriation. Under these circumstances I trust the amendment will be acceptable to him and to the Senate.

Mr. GALLINGER. But, Mr. President, does not the amendment contemplate that pupils from all over the country can come here and be taught free of charge in these schools? That seems to be pretty general legislation.

Mr. LEE of Maryland. It is no more general than the appropriations made in this bill are general. Here is an appropriation for a purpose, and the amendment provides that the appropriation shall be spent in such and such a manner. It is absolutely germane with the spending of the money and is absolutely free from any objection under the rule.

Mr. President, I should like to call the attention of the Senate to the subject of this amendment, and I believe it will commend itself to their kindly sympathy.

The State of Maryland has gone to great expense in creating a school of technology in Baltimore under the Johns Hopkins University. The initial expenditure that the State made for that school of technology was $600,000. That school is open for general education along these absolutely important lines, especially important to the people of that section of the United States. It is the preparation for these schools of technology that the Manual Training High School provides. Any ambitious boy who wants to pay the railroad fare—and, of course, the number would be strictly limited, because it is a special business—any poor boy who is willing to make that effort certainly ought to get that much encouragement from the expenditures in the National Capital. I am simply asking that that may be done. Particularly I call the attention of the Senator from New Hampshire, who has been talking about the roads in Virginia, that here is a case where a State has made a liberal and large expenditure for technical education and that we want the District of Columbia to reciprocate for the preliminary preparation upon this line of important schooling to the limited extent that any poor boy coming into this District and paying the transportation might be willing to take advantage of.

Mr. GALLINGER. Mr. President, I am not going to make a point of order against this amendment. I do not know whether any other Senator will or not; but I want to say to the Senator from Maryland that while Maryland has built good roads and spent large amounts of money in building them, Maryland does not ovrlook the fact that we have to pay pretty liberally for using them. The Senator's proposition is to open our technical schools. He ought to include the Armstrong Manual Training School, which is a colored school strictly, because that has equal rights, certainly, with the other. He proposes to open those technical schools to the pupils from all over the United States to come here and be educated free of charge.

I see no reason why we should not open all our schools on the same basis, why our grammar schools and primary schools and kindergarten should not be opened if technical knowledge is to be opened. I do not think it is good legislation.

Mr. WILLIAMS. Mr. President——

Mr. GALLINGER. I yield to the Senator from Mississippi.

Mr. WILLIAMS. Does not the Senator from New Hampshire think, the fact being considered that parents of children outside of the District of Columbia pay 50 per cent of the cost of carrying on these schools, their children ought to be entitled just as much to attend them as the children of parents who live in the District of Columbia, who pay only the other 50 per cent? I agree with the Senator that it ought to apply to all the schools here. Every school in Washington, from the primary up, ought to be as free to the children of the parents who do not live in the District of Columbia, who pay one-half, as to the children of parents who do live in the District of Columbia, that pay the other half.

Mr. GALLINGER. Of course that is broadening the proposition, as I suggested, and if that is to be the policy I think it would be very much better policy than to simply apply it to one class of our schools.

Mr. SWANSON. Mr. President, it seems to me this ought to apply to all schools in Washington, as suggested by the Senator from New Hampshire. Of course the States that would be benefited most by it would be the States of Maryland and Virginia. A great many people bring their children here from other States. Many people who are officeholders and live in Virginia are permitted to send their children here. They pay very little taxes in Virginia, and that makes it more or less difficult to have as good high schools and as good a grade of schools around Washington as otherwise we would have. That condition has to some extent hurt Virginia and Maryland.

Mr. GALLINGER. Will the Senator permit me?

Mr. SWANSON. Certainly.

Mr. GALLINGER. Possibly the Senator has not looked at the amendment that the committee reported and which has been agreed to at the bottom of page 46. The committee has met with the proposition, on the one hand, that the school should be open free of charge to everybody. On the other hand, it was claimed that they ought to be open to the States contiguous to the District of Columbia. The present law allows people performing official duties here to have their children educated in the District of Columbia. The committee has enlarged that so as to provide that—

Hereafter all pupils whose parents are employed officially or otherwise in the District of Columbia shall be admitted and taught free of charge in the schools of said District.

So that any man from Maryland or Virginia or anywhere else who is doing business in the District will have free entrée to the schools of the District. I think we have liberalized it to a very large extent.

Mr. SWANSON. Yes; but we ought to go further, I think, than we have gone. The people of the United States pay one-half the expense of supporting schools in Washington, which I favor and have always voted for, because I feel that it is just and proper and right. When the people of the United States pay one half for supporting the schools of Washington it seems to me but just that the children of the other half should have the privilege of the schools. That is all we have ever asked. It is that we should have a half partnership in the benefits of Washington as we have a half partnership in its burdens.

I do not see why the United States Government, that favors education for the benefit of all its citizens to raise them to a higher grade of citizenship, should object to any citizen of the United States being permitted to come to Washington and get an education. I hope the amendment will prevail.

Mr. WILLIAMS. The geographical problem will keep them from getting here.

Mr. SWANSON. The very geographical problem suggested by the Senator from Mississippi will keep it from being abused. You must remember in Maryland and Virginia there live a great many officeholders in Washington who simply have homes and board in Virginia and their children go to our schools. We get little taxes from them. They have the privileges of schools in Maryland and Virginia, and the principle of reciprocity ought to extend to the people of these two States the privileges of the schools of Washington, because a proportionately large part of the officials in Washington have the privi-

leges of the schools of Virginia and pay practically no taxes to support them.

Mr. NORRIS. I did not hear the reading of the amendment. I ask the Senator from Virginia if this amendment has particular application to Maryland and Virginia?

Mr. SWANSON. Not at all; it applies to any citizen of the United States.

Mr. NORRIS. In its practical application will not the result be that the benefits will be derived by the citizens of Maryland and Virginia?

Mr. SWANSON. Very largely that is true; but the Senator must remember that Maryland and Virginia very largely educate free of cost a large part of the children of the officials in Washington who have suburban homes in Maryland and Virginia.

Mr. NORRIS. Yes; I presume that is true. I have not said anything against the amendment.

Mr. SWANSON. We thought it but right that there should be reciprocity; and we thought it was not proper to limit its scope to Maryland, which would be a discrimination; but the geographical situation of other States will make it an impossibility for the privilege to be abused in the way of overcrowding the schools of Washington.

Mr. NORRIS. Of course it ought to be general in its terms.

Mr. SWANSON. It ought to be.

Mr. NORRIS. Yes; but, as a matter of practical application, the benefits will be derived by the people of Virginia and of Maryland.

Mr. SWANSON. That is largely true.

Mr. NORRIS. The Senator understands, does he not, that this amendment is subject to a point of order? The chairman of the committee, coming from Maryland, would, of course, make the point of order on something which affects Maryland, as he has made it on other similar amendments.

Mr. SMITH of Maryland. I will say to the Senator from Nebraska that the Senator from Maryland will look after it in the proper way when the time comes. I take it for granted, however, that the Senator's idea is, it being a Maryland matter, that I would not make the point of order.

Mr. NORRIS. I have suggested that of course I knew the Senator would do so.

Mr. SMITH of Maryland. I understand what the Senator has suggested, but we can sometimes draw our own conclusions.

Mr. NORRIS. Yes; and I am going to draw mine, Mr. President. The debate had gone on here so long and no point of order had been made that I had already commenced to draw it.

Mr. SHAFROTH. Mr. President——

Mr. SWANSON. I yield to the Senator from Colorado.

Mr. SHAFROTH. I am on the committee with the Senator from Maryland [Mr. SMITH], and I feel that a point of order ought to be made against the amendment. I therefore make the point of order.

I want to say, with relation to the matter, that the half-and-half principle as applied between the Government of the United States and the District of Columbia has nothing to do, as it seems to me, with an amendment of this kind, because the United States Government, as a government and the holder of property in the District, is supposed to get its compensation in the way of protection from the District. Therefore it is not fair to say that everybody in the entire United States shall have privileges of this kind in addition to the Government having such privileges. For that reason I do not believe that the half-and-half principle applies or should apply to a matter of this character.

Mr. President, it seems to me that as every school district in the United States provides whenever a child comes into that district it shall pay tuition of some kind, it is nothing but fair to the people of the District whenever a child comes into their schools from any State, they giving to the Government, by reason of the Government paying one-half of the expense, this protection in all directions in government, the same rule ought to prevail. The price of the tuition is not high; it is not regarded as a very great burden; and it seems to me that, in order to protect the people of the District of Columbia with respect to this matter, the point of order ought to be made. I therefore contend, Mr. President, that the point of order that this amendment is general legislation should prevail.

Mr. LEE of Maryland. Mr. President, I offered this amendment, and the Senator from Nebraska [Mr. NORRIS] probably did not listen to my preliminary explanation.

Mr. THOMAS. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. THOMAS. Is the point of order debatable?

The VICE PRESIDENT. It is not.

Mr. THOMAS. I make the point of order that the point of order is not debatable.

Mr. LEE of Maryland. I ask the Senator to withhold his point of order for a moment.

Mr. THOMAS. I am quite anxious to see a final vote upon this bill this week, and the prospect is not now very promising.

The VICE PRESIDENT. The Chair believes the amendment to be general legislation and sustains the point of order.

Mr. LEE of Maryland. I appeal from the decision of the Chair.

The VICE PRESIDENT. The question is, Shall the ruling of the Chair stand as the judgment of the Senate?

Mr. LEE of Maryland. Is an appeal from the decision of the Chair debatable?

The VICE PRESIDENT. It is.

Mr. LEE of Maryland. Mr. President, I am glad to lay before the Senate the fact that this amendment is drawn with the intent of not being open to a point of order. The amendment provides that in the expenditure of the appropriations made by this bill they shall be expended so and so. You, Mr. President, were out of the Chamber when I explained the amendment. I doubt very much, if you had not been by absence cut off in listening to the statement of the amendment, that you would have decided as you have decided. In fact, I doubt very much, Mr. President, if you ever read the amendment before you decided the point of order.

The VICE PRESIDENT. The Chair does not believe that the Chair is called upon to sit here and have statements of that kind made from the floor of the Senate, which impugn the honor, honesty, and integrity of the Chair.

Mr. LEE of Maryland. Mr. President, I certainly want to disclaim any reflection upon the honor or the honesty of the Chair. I am perfectly willing to have the Chair say whether he had ever read the amendment before.

The VICE PRESIDENT. The Chair did read the amendment and is now rereading it.

Mr. LEE of Maryland. I am glad that the President is rereading the amendment.

Mr. President, the question whether the expenditure of a sum of money can be regulated by the Senate without having a point of order made against that regulation is the question now before the Senate. There is not a single dollar added to this appropriation by that amendment, not a single cent of burden is thrown upon any taxpaying contributor, but the amendment provides that the money shall be spent so and so. If that is not within the discretion and power of the Senate in passing an appropriation bill, the power of the Senate over appropriation bills has practically gone. Any Member of the Senate can rise and make a point of order under this ruling and take out of the hands of the Senate the power to say how money appropriated shall be expended.

I wish the Senate could decide this for themselves, and I regret that you, Mr. President, have brought in the issue of your own dignity as the presiding officer in the discussion of this minor matter. I disclaim any reflection upon you, and I ask the same consideration from the Chair.

Mr. President, I will ask to have the amendment read.

Mr. NORRIS. I want to ask the Senator from Maryland some questions in regard to the amendment. The amendment is, on page 41, at the end of line 11, to insert:

Provided, That in the expenditure of these appropriations for manual-training high schools there shall be no discriminating charge made against pupils from any State or Territory of the United States, who shall be admitted and taught on the same basis as pupils residing, or whose parents reside, in the District of Columbia.

What I wanted to ask the Senator was, if it were not true that there is now on the statute books a law that does make such a discrimination?

Mr. LEE of Maryland. There is general legislation to that effect; but this particular appropriation by this amendment, properly and consistently with the rules of the Senate, is proposed to be taken from under that general legislation by reason of a special provision with reference to this particular appropriation.

Mr. NORRIS. Does the Senator contend, because of the language immediately preceding or following this in the bill, that it would modify the intent really of this provision? I have not considered it in connection with the other language of the bill.

Mr. LEE of Maryland. I maintain that the Senate in making an appropriation can apply that appropriation in a way that might not be consistent with general legislation.

Mr. NORRIS. Yes; but outside of this bill, in a general law, as I understand, there are provisions made by which there is a

discrimination against people coming into the schools of the District from outside of the District. Is not that true?

Mr. LEE of Maryland. I so understand.

Mr. NORRIS. They have to pay tuition, and I do not know but that there are some other regulations with which they have to comply. The effect of this amendment would be to repeal that law, would it not?

Mr. LEE of Maryland. To the extent of the expenditure of this appropriation. That is just what I have said to the Senator very distinctly.

Mr. WORKS. Mr. President——

The VICE PRESIDENT. Does the Senator from Nebraska yield to the Senator from California?

Mr. NORRIS. I yield to the Senator.

Mr. WORKS. Mr. President, the admission just made by the Senator from Maryland [Mr. LEE] that this amendment would have the effect of repealing or modifying the existing statute proves clearly that it is general legislation.

The VICE PRESIDENT. The question is, Shall the ruling of the Chair stand as the judgment of the Senate?

Mr. LEE of Maryland. I ask to have the amendment stated before the vote is taken.

The VICE PRESIDENT. The Secretary will state the amendment on which the opinion of the Chair is challenged as to whether or not it is general legislation.

The SECRETARY. On page 41, in the item relative to the McKinley Manual Training School, at the end of line 11, it is proposed to insert the following:

Provided, That in the expenditure of these appropriations for manual training high schools there shall be no discriminating charge made against pupils from any State or Territory of the United States, who shall be admitted and taught on the same basis as pupils residing, or whose parents reside, in the District of Columbia.

The VICE PRESIDENT. The question is, Shall the ruling of the Chair stand as the judgment of the Senate?

Mr. NORRIS. I ask for the yeas and nays, Mr. President.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. GALLINGER (when his name was called). I announce my pair with the junior Senator from New York [Mr. O'GORMAN], who is absent. If I were privileged to vote, I should vote "yea."

Mr. SMITH of Georgia (when his name was called). I have a pair with the senior Senator from Massachusetts [Mr. LODGE] and withhold my vote. If I were at liberty to vote, I should vote "yea."

Mr. THOMAS (when his name was called). I have a general pair with the senior Senator from New York [Mr. ROOT], but I am informed that, if he were present, he would vote with me on this question. I therefore feel at liberty to vote, and do vote "yea."

Mr. WILLIAMS (when his name was called). I have a pair with the senior Senator from Pennsylvania [Mr. PENROSE], but I am informed by his colleague that, if he were present, he would vote "yea" upon this question. I feel, therefore, at liberty to vote the same way. I vote "yea."

The roll call was concluded.

Mr. GALLINGER. I transfer my pair with the Senator from New York [Mr. O'GORMAN] to the senior Senator from Pennsylvania [Mr. PENROSE] and vote "yea."

Mr. SUTHERLAND. I transfer my pair with the senior Senator from Arkansas [Mr. CLARKE] to the senior Senator from New York [Mr. ROOT] and vote "yea."

Mr. GRONNA. I desire to announce that my colleague [Mr. MCCUMBER] is necessarily absent from the city. He is paired with the junior Senator from Kentucky [Mr. CAMDEN].

Mr. STONE (after having voted in the affirmative). I inquire if the Senator from Wyoming [Mr. CLARK] has voted?

The VICE PRESIDENT. The Chair is informed that he has not.

Mr. STONE. Then I will have to withdraw my vote, as I have a general pair with that Senator.

The result was announced—yeas 60, nays 1, as follows:

YEAS—60.

Ashurst	Hughes	Page	Smith, Mich.
Bankhead	James	Perkins	Smoot
Bristow	Johnson	Pittman	Sterling
Bryan	Jones	Poindexter	Sutherland
Chamberlain	Kern	Pomerene	Swanson
Clapp	La Follette	Reed	Thomas
Culberson	Lane	Robinson	Thompson
du Pont	Lea, Tenn.	Saulsbury	Tillman
Fletcher	Lippitt	Shafroth	Townsend
Gallinger	Martin, Va.	Sheppard	Walsh
Gore	Martine, N. J.	Sherman	Warren
Gronna	Myers	Shively	Weeks
Hardwick	Nelson	Simmons	White
Hitchcock	Oliver	Smith, Ariz.	Williams
Hollis	Overman	Smith, Md.	Works

NAYS—1.

Lee, Md.

NOT VOTING—35.

Borah	Clarke, Ark.	Lodge	Root
Brady	Colt	McCumber	Shields
Brandegee	Crawford	McLean	Smith, Ga.
Burleigh	Cummins	Newlands	Smith, S. C.
Burton	Dillingham	Norris	Stephenson
Camden	Fall	O'Gorman	Stone
Catron	Goff	Owen	Thornton
Chilton	Kenyon	Penrose	Vardaman
Clark, Wyo.	Lewis	Ransdell	

So the Senate sustained the ruling of the Chair.

The bill was reported as amended, and the amendments made as in Committee of the Whole were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

THE MERCHANT MARINE.

Mr. FLETCHER. I move that the Senate proceed to the consideration of Senate bill 6856.

The VICE PRESIDENT. The Senator from Florida moves that the Senate proceed to the consideration of a bill the title of which will be stated.

The SECRETARY. A bill (S. 6856) to authorize the United States, acting through a shipping board, to subscribe to the capital stock of a corporation to be organized under the laws of the United States or of a State thereof or of the District of Columbia, to purchase, construct, equip, maintain, and operate merchant vessels in the foreign trade of the United States, and for other purposes.

The VICE PRESIDENT. The question is on the motion of the Senator from Florida.

Mr. GALLINGER. On that I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. GALLINGER (when his name was called). I announce my pair with the junior Senator from New York [Mr. O'GORMAN], and for that reason withhold my vote. If I were privileged to vote, I should vote "nay."

Mr. LEA of Tennessee (when his name was called). I have a general pair with the senior Senator from South Dakota [Mr. CRAWFORD]. In his absence I transfer that pair to the Senator from South Carolina [Mr. SMITH] and vote "yea."

Mr. MYERS (when his name was called). I inquire if the Senator from Connecticut [Mr. MCLEAN] has voted?

The VICE PRESIDENT. The Chair is informed that he has not.

Mr. MYERS. I have a pair with that Senator, and in his absence withhold my vote.

Mr. THORNTON (when Mr. O'GORMAN'S name was called). I again announce the necessary absence of the junior Senator from New York [Mr. O'GORMAN], on account of illness in his family, and I ask that this announcement stand for the day.

Mr. SAULSBURY (when his name was called). Transferring my pair with the junior Senator from Rhode Island [Mr. COLT] to the senior Senator from Nevada [Mr. NEWLANDS], I vote "yea."

Mr. THOMAS (when his name was called). I transfer my pair with the senior Senator from New York [Mr. ROOT] to the junior Senator from Nevada [Mr. PITTMAN] and vote "yea."

Mr. TILLMAN (when his name was called). I have a pair with the Senator from West Virginia [Mr. GOFF]. As he is not here, I withhold my vote.

Mr. CHAMBERLAIN (when Mr. VARDAMAN'S name was called). In reference to the junior Senator from Mississippi [Mr. VARDAMAN], I am requested to announce for this vote and the last that he is unavoidably detained from the Senate.

The roll call was concluded.

Mr. SUTHERLAND. I transfer my pair with the Senator from Arkansas [Mr. CLARKE] to the Senator from Idaho [Mr. BRADY] and vote "nay."

Mr. GALLINGER. I transfer my pair with the Senator from New York [Mr. O'GORMAN] to the Senator from Wisconsin [Mr. STEPHENSON] and vote "nay."

Mr. MYERS. I transfer my pair with the Senator from Connecticut [Mr. MCLEAN] to the Senator from Illinois [Mr. LEWIS] and vote "yea."

Mr. SMITH of Georgia (after having voted in the affirmative). I transfer my pair with the senior Senator from Massachusetts [Mr. LODGE] to the junior Senator from Tennessee [Mr. SHIELDS], and allow my vote to stand.

Mr. WILLIAMS (when his name was called). I have a standing pair with the senior Senator from Pennsylvania [Mr. PENROSE]. Not knowing how he would vote if he were present, and not having secured a transfer of my pair, I must withhold my vote. If I were at liberty to vote, I would vote "yea."

The result was announced—yeas 39, nays 24, as follows:

YEAS—39.

Ashurst	Johnson	Owen	Smith, Ga.
Bankhead	Kern	Poindexter	Smith, Md.
Bryan	La Follette	Pomerene	Stone
Chamberlain	Lane	Robinson	Swanson
Culberson	Lea, Tenn.	Saulsbury	Thomas
Fletcher	Lee, Md.	Shafroth	Thompson
Gore	Martin, Va.	Sheppard	Thornton
Hardwick	Martine, N. J.	Shively	Walsh
Hughes	Myers	Simmons	White
James	Overman	Smith, Ariz.	

NAYS—24.

Brandegee	Dillingham	Oliver	Sterling
Bristow	du Pont	Page	Sutherland
Burton	Gallinger	Perkins	Townsend
Catron	Gronna	Sherman	Warren
Clapp	Jones	Smith, Mich.	Weeks
Clark, Wyo.	Nelson	Smoot	Works

NOT VOTING—33.

Borah	Fall	McLean	Shields
Brady	Goff	Newlands	Smith, S. C.
Burleigh	Hitchcock	Norris	Stephenson
Camden	Hollis	O'Gorman	Tillman
Chilton	Kenyon	Penrose	Vardaman
Clarke, Ark.	Lewis	Pittman	Williams
Colt	Lippitt	Ransdell	
Crawford	Lodge	Reed	
Cummins	McCumber	Root	

So the motion was agreed to; and the Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 6856) to authorize the United States, acting through a shipping board, to subscribe to the capital stock of a corporation to be organized under the laws of the United States or of a State thereof or of the District of Columbia, to purchase, construct, equip, maintain, and operate merchant vessels in the foreign trade of the United States, and for other purposes.

Mr. BURTON. Mr. President, on Thursday, the 7th of January, I was addressing the Senate on this bill. It was requested that it be laid aside for the District of Columbia appropriation bill. At that time no one anticipated that so long a time would be required for the consideration of the latter measure, so I am compelled to take up my remarks after a considerable interval. The time which has elapsed and the fact that certain Senators are now here who were not here on the prior occasion will justify some small amount of repetition. I may also say that there have been developments in relation to this measure since the 7th of January which justify a further reference to the argument advanced on that occasion.

So far as I know, not a single chamber of commerce or commercial body in the United States has expressed itself in regard to the measure except in condemnation. No organization of that nature has expressed a favorable opinion of this bill. Opposition has been voiced by the Chamber of Commerce of the City of New Orleans in one of the most cogent set of resolutions yet voiced against the measure; and yet that is the city which it is maintained by the advocates of the bill is the most seriously injured by the present situation and most in need of the passage of the bill. If you await a declaration by the press of the thick-and-thin partisan type, its voice has been raised unanimously against this measure. Another development in regard to this bill has also occurred; that is the reference to the measure made by the President of the United States in his speech at Indianapolis. At some later time I may take occasion to comment upon it as well as upon the address of the Secretary of the Treasury at Chicago, but I wish to dwell today upon certain fundamental facts and principles involved in this very manifest departure from the policies adopted by the United States.

Mr. DU PONT. Mr. President, I call attention to the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Hollis	Perkins	Sterling
Brandegee	Hughes	Poindexter	Stone
Bristow	James	Pomerene	Sutherland
Bryan	Johnson	Reed	Swanson
Burton	Jones	Robinson	Thompson
Chamberlain	Lane	Saulsbury	Thornton
Clark, Wyo.	Lea, Tenn.	Shafroth	Walsh
Culberson	Martine, N. J.	Sheppard	Warren
Dillingham	Myers	Shively	Weeks
du Pont	Norris	Simmons	White
Fletcher	Oliver	Smith, Ariz.	Williams
Gallinger	Overman	Smith, Ga.	
Hardwick	Page	Smoot	

The VICE PRESIDENT. Fifty Senators have answered to the roll call. There is a quorum present.

Mr. BURTON. Mr. President, on January 7 I referred to a number of very important questions involved in this discussion, which I trust will be very carefully discussed.

The one which presents itself at the very outset is the general policy of Government ownership. It will be recognized that the operation of a business by the Federal Government which heretofore has been conducted by private parties is a very serious departure from established policy. Furthermore, the entering upon such a field by a country so large and so populous as the United States is clearly distinct from the same question as presented by a small country like Switzerland, for instance, or Belgium.

The second question which presents itself is whether it is desirable or feasible, in any form of enterprise, that it should in part be conducted by the Government and in part by private enterprise.

Abraham Lincoln, in an expression which has been very widely quoted, said that the country could not remain half slave and half free. It is very desirable that any policy of government shall be of uniform application throughout the country. It is equally desirable that in the conduct of any form of activity either private or public agency shall have exclusive control. The best thought of the country has favored, in municipal enterprise, exclusive control, either by the municipality or by private parties. In case both take up any form of public-service enterprise—electric lighting, gas works, water works, or whatever it may be—there is sure to be collision, duplication of plants, higher costs, and probably inefficiency.

The argument oftentimes used for a partial occupancy of the field by the public is that the municipal electric plant, or whatever it may be, will serve as a check on private exploitation, will prevent extortionate prices, and will secure improved service; but in almost every instance this has not proved to be the case. The result is that neither is sufficiently equipped to occupy the field, that neither performs a service as good as would be rendered by one plant having full responsibility for funding the service. Exactly this question arises here.

It is not contemplated that the Government shall attempt to purchase and operate ships on a scale which will supply more than a bare fraction of the transportation industry by sea. The merchant marine of the United States however decadent it may be in over-sea traffic, has been estimated to have a value of $560,000,000. This estimate, of course, is a mere approximation. This bill contemplates an expenditure of $40,000,000, or one-fourteenth of that amount. Not only reasoning on general principles, but judging by the experience of cities which have entered the field of public utilities on a small scale, we may confidently predict that ill success would result from such an attempt as this.

Then there is a third question: Is this a kind of enterprise into which the Government can profitably enter? To my mind the arguments are strongest successively on these three questions: First, against Government ownership; second, against partial Government ownership and partial private ownership; third, against this particular field of effort.

The shipping business is one which in an unusual degree is successfully conducted or unsuccessfully conducted in accordance with the skill and the experience of those engaged in it. Those who are successfully engaged in the business have made it a lifelong occupation. One gentleman who has presented here a statement of ocean traffic and his objections to this bill visited the Plate country in 1863 and has been familiar with the trade to the east coast of South America for more than 50 years. Is it probable that the members of the Cabinet or any men who have been engaged in other occupations can enter into the field of transportation and do as efficient work as these men who have given their lives to it?

Some seem to think that a few men may gather around a table, smoke cigars, discuss questions requiring expert knowledge and ability, and reach conclusions as wise as those who have given their lives to that particular business. I have met persons who thought that the great inventions were the result of some sudden inspiration; that the great discoveries in electricity came from men who, as it were, peered out into the darkness and brought in an electric light or a telephone or something of the kind. Such, however, is not the case. The great inventor, Mr. Edison, stated a few weeks ago that genius consisted of 10 per cent inspiration and 90 per cent perspiration. If the Government should organize a corporation and engage in the shipping business, there would be in the management perhaps 10 per cent of inspiration and almost surely 90 per cent of inexperience, which inevitably, in any business enterprise, results in bad management, inefficiency, and failure.

Again, in order to conduct the shipping business successfully it is necessary to create or secure the ready use of wharves and other terminal facilities. The ships which sail the ocean can not maintain a successful business without convenient

and expeditious opportunities for loading and unloading. They must have, in addition to that, affiliations with shippers. They must have knowledge as to the routes of trade. They must anticipate the future and provide for future demands. They must have a knowledge of the seasonal movements of freight and must solve the intricate problem of its most efficient transportation.

Still further, in many instances the business of shipping is connected with that of the merchant. The sea captains of Maine and of the other States of New England who followed their calling with such wonderful success and made our clippers and sailing ships the marvel of ocean transportation were not merely the owners of the boats; they traded to the Indies and to China, made their purchases from merchants, brought the products of far-off Cathay and of the Orient to the United States, and sold them at a profit. While this is not true to-day in so large a degree as it was 100 or 75 or even 50 years ago, it is still a feature of the shipping business. The shipowner may have a cargo to South America, to the west coast, or to the east coast, and may engage in the venture, being assured of freight only for the outward voyage. At the other end he may discover that there is no return cargo. In view of that situation he purchases products of South America—nitrates, ores for reduction, or agricultural products.

Is the Government going to engage not merely in the shipping business, but in the mercantile business as well? Instances are sure to arise in which the purchase of a return cargo would be absolutely necessary for the successful conduct of the business; and yet I can not conceive that a corporation dominated by the Secretary of the Treasury, the Postmaster General, and the Secretary of Commerce could engage in trade.

Thus we see that if this Government is about to enter upon any line of activity which heretofore has been left to private enterprise, one of the most unfavorable fields which it could enter is that of the buying and operation of ships. Indeed, I think there is much of validity to a remark which was made to me a few days ago to this effect: "If I were the worst enemy of Government ownership, there is nothing over which I should have more cause for congratulation than the entry of the Government of the United States into the ownership and operation of ships."

Mr. President, in my remarks a few days ago I omitted one very important line engaged in the traffic to the east coast of South America. That is the Lloyd Brazileiro, a Brazilian line which owns some 100 ships in all and which controls from 40 to 45 per cent of the tonnage plying to the east coast of South America. I have a statement from the manager of that line in New York, to which I shall refer later, in which he condemns this bill.

Mr. NORRIS. Mr. President——

The VICE PRESIDENT. Does the Senator from Ohio yield to the Senator from Nebraska?

Mr. BURTON. I do.

Mr. NORRIS. I wish to inquire of the Senator if all the ships owned by this line are engaged in the traffic between ports in North America and ports in South America?

Mr. BURTON. No; they are not; in fact, only a comparatively small share of them—10 or 12.

Mr. NORRIS. Where are the most of them engaged?

Mr. BURTON. The rest are engaged in local traffic along the coast of Brazil. The coastwise trade of Brazil is provided for probably as well as that of any country of an equal degree of advancement.

Mr. NORRIS. How many of these ships, if the Senator knows, are engaged in the traffic between ports in the United States and South American ports?

Mr. BURTON. I think about 12, although I do not know that I can speak with certainty.

Mr. NORRIS. Do they have a regular schedule?

Mr. BURTON. Some of them do. For instance, the Senator from Nebraska will note that, according to advertisements in the New York Herald, two ships are scheduled to sail from New York to Rio de Janeiro, one on February 10 and one on March 10. Some of the boats carry passengers.

Mr. NORRIS. How large are these boats that are engaged in the traffic between the ports of the United States and South American ports?

Mr. BURTON. Their dead-weight capacity would be, I take it, about the same as that which I gave for the general type of boats to South America—from six or seven thousand to ten or twelve thousand tons.

Mr. NORRIS. How frequent are the sailings? How often is it possible now to ship freight between, say, New York and Brazilian ports?

Mr. BURTON. That, of course, depends upon the freight that is available; certainly every month.

Mr. NORRIS. Do they carry mail?

Mr. BURTON. The passenger boats that sail on these established schedules carry mail.

Mr. NORRIS. And carry passengers?

Mr. BURTON. And passengers, as well.

Mr. NORRIS. Why is it that as a general thing—or, at least, I have heard it so stated a great many times—the passengers going from the United States to South America go first to Europe?

Mr. BURTON. There are several reasons for that. In the first place, the average trans-Atlantic passenger is accustomed to luxurious accommodations. That has its effect upon all the passenger traffic, whether it be to Europe or to any other part of the globe. It must be conceded that these boats which ply to South America of the Lloyd Brazileiro and the Lamport and Holt lines are not quite up to the standard of the boats, say, of the Cunard Line, the White Star Line, the North German Lloyd Line, or the Hamburg-American Line. If there is any one fact that is characteristic of passenger traffic out of the United States, it is the demand for the very highest grade of accommodations. I remember that not many years ago the manager of the North German Lloyd Line stated to me that the first cabins to be taken on his line were the cabins de luxe; that they were oftentimes engaged a year in advance.

Mr. NORRIS. Is it the contention of the Senator that this bill is unnecessary because there are enough ships to supply this trade?

Mr. BURTON. I endeavored to show that in my former address to the Senate.

Mr. NORRIS. If that be true, then why the necessity of going first to Europe to get to South America?

Mr. BURTON. In the first place, they offer a higher grade of accommodations. In the next place, many passengers to South America enjoy the opportunity of a brief stay in England or somewhere else in Europe on their way. Then, again, there are close financial relations between Brazil and England and other European countries, and in the transaction of business it is often very desirable to stop in Europe on the way.

Mr. NORRIS. In going from Europe to South America the passengers do not encounter that difficulty, do they?

Mr. BURTON. What is that?

Mr. NORRIS. That the boats are not of the luxurious nature to which the Senator referred.

Mr. BURTON. The Royal Mail Line from Southampton is a line of excellent boats. I would not say that they were of so much higher grade than those from New York to South America, but, nevertheless, they are better boats. They are faster and more up to date.

Mr. NORRIS. There certainly must be something of that kind. The persons who go that way because they want better accommodations must be able to get better accommodations from Europe to South America than they can get from the United States to South America.

Mr. BURTON. Oh, it is a better class of boats. That opens up a very, very wide field that I had not intended to dwell upon at this time; but I will say briefly that conditions are such that the traffic from Europe to South America is naturally larger than from the United States to South America. The most profitable passenger business, and perhaps the most profitable business of any kind, that a trans-Atlantic steamship enjoys is that of carrying steerage passengers. That is point No. 1.

Mr. DU PONT. Mr. President——

Mr. BURTON. I will yield to the Senator from Delaware in just a minute; I want to answer the question of the Senator from Nebraska.

There is a very large migration from points in Europe to South America, going from Lisbon and the northern ports of Europe to Brazil, to some extent to Argentina, and a very large migration from Italy to the Argentine Republic. That makes it possible to put on boats that are larger and that are of a more expensive type than those from New York to Rio de Janerio and the Argentine Republic. That is point No. 1. They have an established business taking care of this emigration.

No. 2. The return cargoes are more abundant, especially from Argentina, than they are to the United States. The products of the Argentine Republic and of Uuruguay—Uruguay is, perhaps, the fourth country commercially in South America, although it is small in size—are competitors with our own in the case of wheat, meats, and, to some small extent, corn. Any boat sailing from Europe to any one of those ports would have a far better opportunity for a return cargo to Europe than it would to the United States. Indeed, I am compelled to say that this promises, at the present time at least, to be a permanent disad-

vantage resting upon passenger through lines between New York and South America—at least, to the east coast—as compared with boats from Europe.

Mr. NORRIS. What the Senator has said in regard to passengers going first to Europe applies also to the freight, does it not, to a great extent?

Mr. BURTON. Not by any means to the same extent.

Mr. NORRIS. How far does it apply?

Mr. BURTON. I quoted—and the Senator from Nebraska will find it on pages 1189 and 1190 of the RECORD—a statement showing the sailings, first, of the Prince Line, from January 1, 1914, to September 30; and, second, of steamers dispatched from New York to Brazil and the River Plata. It appeared, as regards the Prince Line, that the sailings during this time, which were two to four a month, in every single instance, before the war and after the war, were made with a very large amount of empty cargo space. The most notable——

Mr. FLETCHER. Mr. President——

Mr. BURTON. In just a minute. The most notable illustration was the sailing of the *Portuguese Prince* August 2. It had 175,500 cubic feet of unused space. That would mean a cargo capacity of nearly 4,500 tons, which, I take it, is considerably more than half the carrying capacity of the boat. It also appears that of boats sailing from New York to this part of South America—Brazil and the Argentine Republic—there were 96 voyages in 9 months, an average of a little more than 10 per month. Now I shall be glad to yield to the Senator from Delaware.

Mr. DU PONT. The Senator from Ohio has anticipated the answer to the question I was going to propound. I was going to ask if it was the fact that vessels sailing from New York directly to South America had been loaded to their full capacity.

Mr. BURTON. In no case. While I am on that point let me read what was said in the joint letter of the Secretary of the Treasury and the Secretary of Commerce, transmitted here and printed December 29 last, on pages 10 and 11, beginning toward the bottom of page 10:

> As a matter of fact, the demand for cargo space to South American ports is not sufficient to fill the steamers which are leaving for such ports. It is a notable fact that many of the South American lines are sending boats out of New York, frequently after a long detention, in order to secure a proper cargo, with vacant space. Mr. Lilly, of Norton, Lilly & Co., pointed out that last year his company had 17 steamship sailings from New York to the River Plata. This year this company has had only 10 steamship sailings. The steamship *San Francisco*, of this company, has been held in New York since November 16 waiting for a cargo. This steamer should have sailed December 5, but it is not expected that a sufficient cargo will be secured until toward the first of the year.

This is from a letter in which the passage of this bill is advocated, and yet they state in the clearest language that there is an abundance of shipping now to the east coast of South America.

I shall be glad to yield to the Senator from Florida now.

Mr. FLETCHER. I want to submit to the Senator from Ohio in all fairness if it is not true that the statement just made, and which the Senator made the other day and which he gave figures to substantiate, that ships sailing from New York to South American ports with so much space unoccupied really means nothing. A ship may be loaded down to her mark and still have a large amount of cubic space unoccupied. Is not that the case?

Mr. BURTON. Oh, no. This statement is intended to show the actual capacity for carrying cargo. Every 40 cubic feet that is not occupied would mean empty space for a ton of freight.

Mr. FLETCHER. Precisely; that was not occupied.

Mr. BURTON. This much is correct in what the Senator from Florida suggests. I suppose in an ordinary voyage there is a certain amount of space which it is not expected to fill; but the amount here is, in almost every case, exceptional.

Mr. FLETCHER. I simply submit that a statement showing unoccupied space and the argument that there was a showing of that kind does not mean that the ship might not have been absolutely loaded to her limit.

Mr. BURTON. Oh, not to her limit.

Mr. FLETCHER. She might have plenty of cubic space unoccupied and still be carrying all the load that the law would allow her to carry.

Mr. BURTON. Oh, no. As I have stated, this table was prepared with a view of showing the amount of cargo in tons, which, without loading her below her proper load line, she could have carried. The same is true, while I am on this subject, of shipments to the west coast of South America. In this case also there is the same abundance of tonnage. As I believe I stated the other day, there has been a very considerable falling off in the demand by South America for heavy freight. The railway building is in a measure suspended. The provisions for lighting plants and other public utilities which would be made in case of favorable conditions there have fallen off; and that is a condition not altogether caused by the war, but is due to financial conditions in the leading countries of South America, which have reduced their purchasing power.

I have noticed a statement frequently that trade follows the flag. I may some time wish to argue that proposition. It is a kind of shibboleth used by extreme protectionists. I concede a certain amount of force in that expression, whether you use it with reference to trade with colonies where the flag of the mother country floats or whether, as it is more commonly used, you apply it to the flag of the boat and its ownership. But instead of laying down a general rule that trade follows the flag, it is nearer to the truth to say that the flag follows trade; and still nearer, especially in the conditions that prevail in a new country, that trade follows the extension of credit by an older country to a newer one.

Mr. SIMMONS. Mr. President——

The VICE PRESIDENT. Does the Senator from Ohio yield to the Senator from North Carolina?

Mr. BURTON. I do.

Mr. SIMMONS. I wish to ask the Senator a question for information. The Senator has been telling us about ships that ply between this country and Brazil having a great deal of unoccupied space. Has the Senator investigated with a view to finding out whether those plying directly between this country and Europe do not have under ordinary circumstances a good deal of unoccupied space?

Mr. BURTON. Under certain conditions at certain seasons of the year.

Mr. SIMMONS. Is it not rather a rare thing that a freighter from this country to any country is filled to its full capacity?

Mr. BURTON. I would say that in the case of passenger boats they may quite frequently depart with unoccupied cargo space.

Mr. SIMMONS. They are combined passenger and freight.

Mr. BURTON. The fast passenger lines carry mail and carry express freight, and do not depend so largely on coarser freight. I say further, as I said to the Senator from Florida, that under normal conditions it would hardly be expected that a boat would be loaded to the maximum on every trip.

Mr. SIMMONS. Is it not also true that if a vessel is loaded with some very heavy freight she may be loaded to her carrying capacity and yet have a good deal of unoccupied space?

Mr. BURTON. Yes; if the freight were heavy as compared with its bulk.

Mr. SIMMONS. No; say lead or iron. While she would be loaded to the extent of her carrying capacity, yet she might have a great deal of space left.

Mr. BURTON. Yes; that would be true. These figures were, however, prepared with a view to showing the amount of freight which should normally be carried, and it was thought the amount of cubic space afforded the best indication of carrying capacity. In two or three instances boats went to Norfolk to take on coal for the voyage, because it was thought desirable to fill in the unused space with coal for the round trip, it being possible to obtain coal there more cheaply than in South America.

Mr. SIMMONS. Will the Senator let me ask him another question? The Senator said a little while ago that there was considerable indirect intercourse between this country and Brazil and other South American countries; that is, it went to Europe and then back to Brazil. That, he said, was true both of freight and of passengers.

Mr. BURTON. Much more of passengers than of freight.

Mr. SIMMONS. That is true also of mail matter?

Mr. BURTON. Yes; to a certain extent.

Mr. SIMMONS. A good deal of mail matter from this country to South America is carried first to Europe and then from Europe to South America. Why is that? Is it because it can go quicker? A passenger can not only have better accommodations but he can go quicker——

Mr. BURTON. I can not answer that.

Mr. SIMMONS. By way of Europe than he can directly from the United States to South America.

Mr. BURTON. That question can not be answered categorically.

Mr. SIMMONS. Is not that true with reference to a cargo? Of course, time is very much the essence of transportation. Is it not true that cargoes from this country destined to South America can frequently reach there quicker by going first to Europe and then to South America?

Mr. BURTON. That depends upon the boat. Suppose a boat sails on the 1st, the 11th, and the 21st of each month directly to South America and makes the usual time—17 days—to Rio, Santos, Barbados, Trinidad, and to Pernambuco, and perhaps to Bahia. No shipment could be made by way of Europe to surpass that in shortness of time. But suppose between the interval of steamers making the trip of 17 days it is desired to forward freight, in view of the fact that it would be a week or two weeks, perhaps, before there would be a through fast boat, the freight could then be sent quicker by way of Europe. I am satisfied, although I do not make the assertion with the utmost confidence, that the custom of transshipment by way of Europe is much less in vogue than it was formerly; that is, it is just like every other line of freight which responds to demands, and as our trade to South America increases the facilities increase.

Mr. SIMMONS. Obviously, if the Senator will permit me, if a boat starting from here went directly to South America at the same speed, it would go there very much quicker than it would go by way of Europe. But, as a matter of fact, boats going from here to Europe and from Europe to South America have regular sailing days, have regular schedules, and are generally fast boats, while boats going from here to South America have no regular sailing days.

Mr. BURTON. Two lines maintain regular sailings.

Mr. SIMMONS. I know they have no regular schedules in many cases, and they have stopping points; as a matter of fact, as I have understood it, in many cases it is found much more expeditious for either a person or his cargo to go by way of Europe to South America than to rely upon the irregular service that we have directly between here and South American ports.

Mr. BURTON. That is due to a condition which is easily explained. There are not passengers enough to justify sailings to South America except with a certain degree of frequency. The Lamport & Holt Line sent out a boat every week until this struggle came. Recently by lack of freight and passengers they have been sending boats out less frequently. Before that line was established the facilities for reaching South America were much inferior to what they are now, due largely to the fact that there was not enough passenger traffic to justify a high-grade service. The question arises, How are you going to help that condition with a Government line? If you can not afford to send ships that make fast time, and that is the situation after years of trial, what are you going to do? Are you going to put a Government line on there and run it at a big loss; run it whether there is freight or not?

Mr. SIMMONS. I will say to the Senator that so far as I am concerned I shall hope very much if this bill passes that we will have a regular line controlled by the Government between here and Brazil with just as good passenger accommodations and just as good freight accommodations and just as quick schedules as boats running from here to Europe. Now let me ask the Senator another question.

Mr. BURTON. Let me make a remark right there. If that be the case, why not run to South Africa? Why not run to New Zealand? If you have rapid-running steamships, why not establish service to other countries of the world?

Mr. SIMMONS. We will not run them simply for the purpose of having rapid steamships, but we will run them for the purpose of having adequate steamships.

Mr. BURTON. What is going to be your policy about it? Are you going to run them with the idea that it is a good plan to run ships to every part of the world, irrespective of traffic, or are you going to run your boats where there is traffic to justify it?

Mr. SIMMONS. I would run them for the purpose of accommodating the present traffic. I would run them for the purpose of building up additional traffic. The lack of trade that there is between this country and these great countries to the south of us is because of the lack of adequate transportation.

But I did not rise to get into a debate with the Senator. I wanted to get some information from him. I want to direct his mind to this point, because I should like to have his views upon it. I know he has studied this question pretty carefully.

The Senator has said that there are not sufficient cargoes to fill the boats that are already available running directly between here and South America. He has said that there was a large part of the traffic between here and South America that went by way of Europe for one reason or the other.

I will ask the Senator this question: Suppose all the traffic between this country and the countries of South America were provided with adequate transportation and quick transportation for passengers and freight, does he not suppose that this triangular process would cease, and the ceasing of that would stop the present methods of carrying half or a third or a fourth of the freight and passengers from here to South America by way of Europe and then to South America? If it were all concentrated directly between here and South America, would it not very greatly increase the tonnage of vessels plying directly between this country and South American countries?

Mr. BURTON. I am not so sure about that. There would still be a certain amount of traffic that would go around that way, particularly of passengers; but, as it seems to me, with the greatest respect, the fallacy of the argument of the Senator from North Carolina is that you are to put on boats irrespective of the demand for them. You can not do business in that way. You can not send boats to South America or establish a line like the Cunard Line, with the *Mauretania* or the *Lusitania*, and make it profitable. You must adapt your transportation facilities to the demands of trade.

Mr. SIMMONS. Would the Senator from Ohio think, therefore, that a railroad company should not build a road anywhere until there was sufficient traffic already developed to that place to make the railroad profitable?

Mr. BURTON. Oh, railroads are built in anticipation of the growth of trade, and just so are steamship lines. Steamship lines have already been established to South America, in anticipation that they would build up traffic. There is no difficulty about that, but the service established must have some regard for the reasonable expectation of traffic.

I say again that it is my impression, though I can not speak with entire confidence that the triangular traffic, so called, has very much diminished in recent years. The reason for its existence hitherto is partly personal preference of passengers and the convenience of shippers, and more, perhaps, because the traffic has not been sufficient to justify the highest grades of accommodations.

Why, Mr. President, I very boldly make the prediction that if the Government should put on a line to South America of the same high standard as the lines to Europe they would soon find that it would prove an extravagant and wasteful experiment.

As regards traffic with the west coast of South America, there is a point that assumes the utmost importance which should be taken into account—that is the conclusion of the work on the Panama Canal. This canal greatly increases the efficiency of each unit of shipping plying from New York to and from all Atlantic and Gulf ports and to most of the ports of South America. For instance, the round trip from New York to Callao, the principal port of Peru, involves a sailing of 20,000 miles. With the opening of the Panama Canal it is 10,000 miles. That does not mean that a boat can make twice as many trips from New York to Callao as before, but it does mean a greatly increased efficiency in the transportation of freight between those two places. For instance—this reason will appeal to the Senator from California [Mr. PERKINS]—you can not make twice as many trips, because there are certain stops which must be made, and those stops will still occupy the same amount of time, but the sailing distance and the time required therefor would be cut in two.

Mr. GALLINGER. Mr. President, will the Senator from Ohio yield to me?

Mr. BURTON. Certainly.

Mr. GALLINGER. Just at this point I wish to ask does not the fact that the Panma Canal has substantially reduced the sailing distance one-half force us to the conclusion that we will need fewer ships to do whatever business there is between our country and South America than we have for that purpose under existing conditions?

Mr. BURTON. Certainly; and that is now making its influence felt.

Mr. GALLINGER. That is true.

Mr. BURTON. There is also another factor. The Chilean and Peruvian Governments are placing a line on the west coast of South America. Is there not a British line which has been in operation for many years from Panama south? The Senator from California [Mr. PERKINS] will understand about that. How many steamers have they?

Mr. PERKINS. About 13.

Mr. BURTON. They have, of course, been interfered with somewhat by the war; but the line is still running ships.

There is one point which I neglected to explain in answering the question of the Senator from Nebraska as to the reason for the wide disparity between the number of boats belonging to the Lloyd-Brazileiro, or the Brazilian Line, and the number engaged in through traffic from New York to Brazil. Perhaps four-fifths of those boats are used for local traffic along the coast of Brazil. I started to explain that, but some question intervened and I did not conclude my statement.

There are a number of ports which by reason of their shallowness would shut out large-sized boats such as would make

the trip from New York down south of the Equator. Another reason, perhaps even more substantial, is that a sufficient cargo could not be obtained to make it worth while to stop at any of these numerous small ports. Thus the freight is carried in large boats from New York to Pernambuco or Bahia or Rio, or perhaps Santos, and it is distributed from those points by transshipping from a large boat to a smaller one or by placing it in the warehouse; and on some occasions it is carried by smaller boats of those lines into the domestic or local ports.

In this connection, Mr. President, I wish to present a list of questions, which I trust will be answered at an early date by the advocates of this bill. I shall read them and then take them up one by one and comment upon them. They are as follows:

1. Will it be the policy of the Government to select a special route for such ships? On what route is a line to be established?

2. If so, what will be the determining factors in selecting the route?

3. Will the choice be determined with a view to getting any particular American commodity to market? If so, what product; and what will be the determining factors in the selection?

4. What American port or ports will be adopted as the export and import points, and what will be the rule for determining the choice?

5. Will the desire to build up new trade be the determining factor? If so, how will this be accomplished?

6. Will it be the policy to operate the boats on a profit or no-profit basis? If on a no-profit basis, will it not drive all American shipping off the routes invaded? If on a profit basis, can you demonstrate on what routes and by what economic saving this can be accomplished to better advantage than by private shipping?

7. Will boats be required to follow definite routes; that is, will the plan be to establish a line of steamers with regular schedules, or will the steamers be left free to accept charters at will? If so, will they not engage in the world's random trade and not offer any definite assurance of promoting American exports and imports?

8. Where is the Government to secure its ships? If by construction, can they be secured soon enough to relieve the so-called emergency? If by purchase, from whom?

9. If the purchase of interned vessels is contemplated, will it not prejudice the quality of our neutrality? If such purchase were at all feasible, could it not be accomplished with less prejudice by private capital than by public capital?

10. If the desire is to build up an American merchant marine, will not this bill defeat its own purpose by driving private capital out of the business? Is there not a larger amount of private capital ready for the purchase of ships which is kept from investment by this bill than is contemplated to be expended by the bill itself?

11. Should the almost impossible happen and the Government-owned line prove profitable, to whom would it be sold?

12. Will the managers of this Government line enter into conferences or agreements with existing lines?

13. Will boats be acquired for special service, such as the carriage of fruit, meat, or oil?

14. Will the policy of the Government be to operate the boats through the proposed corporation or to charter them to private parties?

There is one question at the very beginning that assumes great importance in this matter: Is this to be a permanent or a temporary policy? It seems to me we are entitled to know what is intended by those who insist upon the enactment of this measure.

It is of the utmost importance that it should be definitely understood whether the provisions of this bill are intended to correct an immediate emergency in the shipping trade or whether they are intended to inaugurate a permanent policy. Without knowing definitely what is intended, it is impossible to determine the adequacy or desirability of the means proposed. These propositions are so entirely different that they can not be met with equal efficiency by the same economic facilities. For example, if a temporary emergency only is contemplated, the essence of the relief is that it shall be immediate and instantly potent. Delay would defeat entirely its adequacy. If a real emergency exists which can be remedied only by Government agency, then the Government would be justified in a course of action which could not be justified under less imperative conditions. If there were any possible way of securing ships, it might be defensible to pay under such circumstances more than their real commercial value. It should be noted, however, that to provide immediate relief it is necessary to secure additional tonnage. No mere transfer of tonnage will be of any avail.

If, on the other hand, it is desired to establish a permanent policy, then the minutest consideration should be given to its economic features. Every detail of business economy in building, purchasing, equipping, and operating such fleet should be exercised. For the Government to go into such an enterprise with less consideration than this would be indefensible. If such a policy is contemplated, then the present time is most inopportune for its inauguration. There has not been a moment since the Civil War when boats could not be secured to better advantage than at present. The Government could not buy a single bottom without paying from 50 to 100 per cent more than it is actually worth. The expense of building under present conditions is also considerably above normal. The slightest consideration of prevailing conditions must make it evident to anyone familiar with the shipping business that a permanent policy of Government ownership could not be initiated under more unfavorable auspices.

It is for considerations of this sort that it is absolutely imperative that the Senate should be given the fullest assurance as to what the real policy is of those who are insisting on the enactment of a ship-purchase bill. Only then can the Senate proceed to any intelligent consideration of the question. To mix the proposals produces an impossible situation.

It seems to me, Mr. President, that this assumes primary importance at the very start. Exactly what is intended? Is it intended simply to meet this emergency, or is the Government embarking on a policy of owning a considerable amount of shipping? If it is to meet the emergency, how are you going to do it?

I will take up more in detail the questions which I have enumerated. Will it be the policy of the Government to select a special route for such ships? If so, on what route is a line to be established? In my remarks on the 7th of January I asked the question, "Where is the route on which you propose to place these ships?" In reply, we were informed that that was a question for the shipping board to determine, and it was said, "We will cross that bridge when we come to it." Well, Mr. President, we have reached that bridge already. Should not the advocates of this bill tell us where, in the multitude of routes extending over the entire globe, is there one on which you can place ships acquired under this bill?

The first agitation for the measure was on behalf of an increased trade with South America; but your own Secretary of the Treasury and your Secretary of Commerce have negatived that proposition, for they say that boats find it hard to obtain cargoes for South American ports; that a boat which was to have sailed on the 5th of December had not left port on the 29th of December because of the lack of freight. Therefore there is manifestly no need for any boats to those ports. Will it be to Java or to Hongkong and Calcutta? There does not seem to be any scarcity there. Indeed, they will probably have a surplus of boats to spare from that trade, which is very well established, to transfer for service across the Atlantic. They would have transferred them before this except for the fact that owners of shipping lines do not wish to suddenly change the established routes which they have adopted and for which they have been long furnishing facilities.

Another reason is found in the hope that the present war will not be of long duration.

To make this appropriation and leave it to any shipping board is too much like the blind pools which speculators form, when some one of financial standing says, "I want a couple of million dollars; I can buy some stocks at a profit." He is asked, "What are you going to do?" "Oh, I will not tell," he replies; "the enterprise is of so confidential a nature that I must refuse to tell what it is; you must put your money into a pool with mine and permit me to determine what disposition shall be made of it."

In the appropriations which we make for different objects Congress has always insisted on knowing the purposes for which the money is to be expended. Thus far in this debate not a word has been said by the proponents of this measure as to where these boats would be used. I asked whether they were for South America and China. Or do you intend to put on a line of boats running to Bremen? Is it desirable to send boats over that route, which for 150 miles is strewn with floating mines, many of which have probably broken loose from their original anchorage and are liable, without a moment's warning, to send a ship to the bottom and all the men on it to eternity?

Mr. POMERENE. Mr. President——

The VICE PRESIDENT. Does the Senator from Ohio yield to his colleague?

Mr. BURTON. Certainly.

Mr. POMERENE. Is not the reason the Senator is now giving a very good one why we should not determine these routes?—because these vessels may not be ready for six months or a year, we will assume for the sake of the argument, and the Senator is now speaking of the fact that the sea is strewn with mines in many places. Of course, if it is strewn with mines now a vessel should not be put on a given route. If the route that is in contemplation six months hence should be strewn with mines, clearly the board that has control ought not to place the vessels where they would be in jeopardy.

Mr. BURTON. In other words, disregarding present conditions, the boats are to be built for the routes where they may be required 6 or 12 months hence. By the way, the suggestion of my colleague does not allow sufficient time for their construction. For boats of any considerable capacity it requires at least 9, 10, or 12 months before they can be made ready for the sea. In its last analysis you are simply saying, "Eliminate all the routes; we have at present no routes where it is desirable to place them now, but just give us the money, and we will build the ships, and by that time there will exist routes on which they can be profitably used."

In this troublous time, when so large a share of the world is convulsed with war, if any man can look into the vista of the future and tell where there will be a profitable route 9 months hence or 12 months hence, he is endowed with a wisdom denied to mere mortals.

Mr. POMERENE. Mr. President, it occurs to me that it is just because we do not have that wisdom now that we should not decide now what we will do a year hence.

Mr. BURTON. What is my colleague's idea—may I ask—that we should buy boats or build them?

Mr. POMERENE. My thought is to buy, if we can; to build, if we must. As I read the public prints to-day, it seems to me that the one question which confronts the business public now is that we have not the necessary means of transportation. That is an established fact; and that being so, the first step is to provide means of transportation. When the Government has these vessels, we can then determine where to place them so as to get the best use out of them.

Mr. BURTON. That, Mr. President, is piling uncertainty upon uncertainty. "We know of no route now where they could be used. But we recognize a certain emergency, and when we are through building them we will know where to send them."

I submit that if we are going to commit this country to such a course as this we ought to know now where these ships are to be obtained.

In the first place, it is said, "Buy some." Is there some place where the Government of the United States can buy ships, but where private individuals can not buy them? Is there some hidden harbor or cove in some remote portion of the world where these vessels are moored and where Government agents alone will find them? I assert with the utmost confidence that not merely forty millions—the amount it is expected the Government will invest in ships—would have been invested by this time by private capital in vessels to carry American produce, but one hundred millions would have been so invested, except for the inevitable feeling in the business world that they can not compete with the United States. It is an effective check upon every plan for enlarging the merchant marine of the United States, because the policy to be pursued by the Government is a mystery locked in the breasts of a few men not yet even selected.

Nobody knows what you propose to do. Do you intend to run these boats at a loss and operate them at such low rates that private shipping will be driven from the ocean? That is one possibility. Are you going to pick out the best and most fruitful routes and run the boats on those alone, saying to American shipping: "You shall have the remainder, the skim milk, as it were, and we will take the cream."

With these questions undecided, no company or private individual is willing to proceed, however much he may desire to engage in the business—a business in which perhaps he has been engaged all his life and in which, except for this threat, he sees now a golden opportunity for advancement. If we answer this question in the negative, I am confident that there will be a larger number of boats sailing the ocean under the American flag than if we pass this measure, and that the facilities for shipments will be far superior to what they now are.

Why, it seems to me that Congress, in the exercise of its prerogatives—this Congress that sometimes demands to know what use is to be made of the paltry sum of a thousand dollars—should know what is to be done with the thirty or forty millions which we are asked to deliver into their hands without being admitted to their confidence. We are driven to the conclusion that if you do not tell us for what you are going to use it you do not know yourselves, and that there is no useful purpose to which it can be applied.

It is true that heretofore large sums have been placed in the hands of the President, as in the case of the Panama Canal, but it was to accomplish a definite object, clearly understood, and approved by the American people. Yet here we are told that we must leave it to this board to use their discretion, and that we must indeed wait until the boats are built. Why, we fervently hope that when the time has passed within which ships could be built the drums of war will have ceased to beat, and every boat now blockaded in the harbors of any nation will weigh anchor and again set sail, resuming its place along the great routes of trade, and furnishing a supply which shall be ample for the shipping of the entire world.

If there is any business enterprise that would be foolish at this time, it is that of building ships with the uncertainties incident thereto, with their increased cost, and with the probablity that when they are finished there will be no use for them.

What will be the determining factor in establishing the route? How are you going to settle that? Are you going to put on boats to carry wheat, cotton, and meat? If so, are you going to build boats expressly for the purpose of carrying meat, or are you intending to buy them? Shipping is now highly specialized. One class of boats, with their refrigerator chambers, are built to carry fruit; another to carry meat, with the same facilities for refrigeration; and another to carry oil. If the Government goes into the shipping business, it should make provision for all these varied kinds of trade. Is this enterprise intended for the cotton grower alone? Is it for the wheat producer alone? Or is it for the meat producer alone? Why, you might spend all of your money, and before you were through you might not have enough to carry the wheat, the corn, or even the cotton that is shipped from this country.

Do you propose to help one trade or one line of production alone? And if so, is that fair to the American people? From what ports are you going to send out these ships? Will New Orleans, whose chamber of commerce has protested against this bill, have them all, or the bulk of them? Will they all sail from Galveston? Or will they, as is the usual tendency, concentrate at New York?

You can not sail from one port one week and from another port another week. If the business is to be conducted profitably, if you are going to obtain freight for your vessels, those who manage this proposed line must keep track of the trade in each locality. Must Galveston complain because New Orleans gets all the ships? Must Boston be left to say, "We are being ignored, and all these ships are going to other ports"?

These questions show the futility of the plan under which it is proposed to enter the shipping business, unless you handle all the commerce which offers. If you take part of it, you are doing an injustice to a great majority of the industries of the country and favoring one or even a few of these industries. You are doing an injustice to the great majority of the ports of the country, and again favoring but one or a few of them.

I presume it will be said, "We will send the boats as they are needed." Yes; but who will know where they are needed? One port may say, "There is a scarcity of shipping here." The shipping agents may say, "If there is a scarcity of shipping there, it is because there is not enough freight to make it profitable, or because they are unwilling to pay the natural prices on traffic from that port." Will you empower a political board to decide all those questions?

I must say, Mr. President, that I think there is a very rational ground for apprehension about leaving the decision of those questions to any political body. Some months ago, when the question of the location of regional banks was before us, I expressed my belief that it would be better if we passed a resolution that no Member of this body should go before the organization board to urge any place for such a bank. I believed it would be better to leave to the board the decision as to the proper localities, because every one of us knows, and the people know, that when you leave those questions to a political board there is bound to be favoritism.

Now, there are certain questions which settle themselves, and settle themselves correctly. One of these is the normal relation between demand and supply. For illustration, if the place where a boat is needed to ship freight, and the kind of freight which ought to be carried be left to this normal law of trade, all will be well. But if you appoint a board, and introduce resolutions in the Senate and the House to learn why did we not send the *Dacia* to Charleston or the *Prince Joachim* to Galveston, and permit Senators and Representatives to importune the dispatch of boats to particular points, there is sure to be trouble.

So, if you establish this kind of a corporation and buy a few boats, perhaps one-fourteenth of the number that are needed, you can not manage the enterprise without favoritism. You can not manage it without conferring a benefit on some interest or locality to the prejudice of all the rest.

Mr. GALLINGER. Mr. President——

The VICE PRESIDENT. Does the Senator from Ohio yield to the Senator from New Hampshire?

Mr. BURTON. I do.

Mr. GALLINGER. If it will not interrupt the Senator, I want to call his attention to the steamship facilities that we now have between this country and South America. A friend of mine who is very well versed in this matter has given me a list of the steamship lines, and if it will not interrupt the Senator I should like to read them.

Mr. BURTON. To South America?

Mr. GALLINGER. To South America.

Mr. BURTON. I shall be glad to have them read. I think I mentioned all of them except the Lloyd Brazileiro in a table I gave the other day, but it will be well to repeat them.

Mr. GALLINGER. I think the Senator must have omitted some. There is the Red D Line, with which the Senator is familiar.

Mr. BURTON. Yes. That does not go to Brazil. That only goes as far as Venezuela.

Mr. GALLINGER. To Venezuela; yes. There is the United States & Brazil Steamship Line, an American line.

Mr. BURTON. That is a United States Steel Corporation Line, and carries their products largely.

Mr. GALLINGER. Yes. There is the United Fruit Co., an American line; the New York-South American Line, an American line; the Luckenback Line, an American line; the Booth Steamship Co.; the Lamport & Holt Line; the Royal Dutch Line; the Quebec Steamship Co.; the Trinidad Line; W. R. Grace & Co.——

Mr. BURTON. They sail to the west coast.

Mr. GALLINGER. To the west coast—the Prince Line; the Lloyd Brazileiro Line; the Funch Edye Line; the Houston Line; the Barber Line; the Houlder, Wiere & Boyd Line; Wessels, Duval & Co.; the Merchants' Line; the Seeberg Line; and the Munson Steamship Line.

Of course some of those do not go to the farther ports, but they are all between our country and South America. I will ask the Senator if in his investigations—and very little has escaped the Senator from Ohio in this matter, he has discovered the fact that there is not a port of South America, with the exception of Rio, where a ship drawing more than 23½ feet can enter?

Mr. BURTON. They are changing so rapidly that I would not dare make that statement now. I think some are deeper than that.

Mr. GALLINGER. The information I have is very recent. I suppose the Senator knows that those ships in that trade are built upon a model somewhat different from the ordinary ships. They are broader beamed and lighter draft. So it is necessary to build ships of that type, or, if we bought ships for that trade, we would have to reconstruct them all at a very great cost.

Mr. BURTON. That is another reason which should be conclusive against putting on ships of the most advanced type, like those that sail between the United States and Europe, some of which draw nearly 40 feet and require very deep and wide harbors. It is not merely a matter of draft. They are unwilling to go into ports unless there is ample room to maneuver, as shown by the fact that the Cunard Line has recently declined to stop its boats at Queenstown because of the danger in entering that port.

Mr. OLIVER. Mr. President——

The VICE PRESIDENT. Does the Senator from Ohio yield to the Senator from Pennsylvania?

Mr. BURTON. I do.

Mr. OLIVER. I suggest the absence of a quorum.

Mr. FLETCHER. I raise the point of order that there has been no business transacted since the last call was made.

The VICE PRESIDENT. The Senate has decided heretofore that unless business shall have intervened since the last roll call disclosing a quorum the point of order is well taken. There has been no intervening business since the last roll call disclosed a quorum. The Chair therefore sustains the point of order.

Mr. GALLINGER. I move that the Senate adjourn.

Mr. FLETCHER. On that I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. CLAPP (when his name was called). I have a general pair with the Senator from North Carolina [Mr. SIMMONS], and on this question I withhold my vote.

Mr. THOMAS (when his name was called). I transfer my pair with the Senator from New York [Mr. ROOT] to the senior Senator from Nevada [Mr. NEWLANDS] and vote "nay."

Mr. TILLMAN (when his name was called). I have a general pair with the Senator from West Virginia [Mr. GOFF]. In his absence I withhold my vote.

Mr. CHAMBERLAIN (when Mr. VARDAMAN'S name was called). The junior Senator from Mississippi [Mr. VARDAMAN] is unavoidably detained from the Senate.

Mr. WILLIAMS (when his name was called). I transfer my pair with the senior Senator from Pennsylvania [Mr. PENROSE] to the junior Senator from South Carolina [Mr. SMITH] and vote "nay."

The roll call was concluded.

Mr. GALLINGER (after having voted in the affirmative). When I voted I inadvertently overlooked the fact that the junior Senator from New York [Mr. O'GORMAN] is not present. I transfer that pair to the junior Senator from Idaho [Mr. BRADY] and allow my vote to stand.

Mr. JOHNSON. Has the junior Senator from North Dakota [Mr. GRONNA] voted?

The VICE PRESIDENT. He has not.

Mr. JOHNSON. I am paired with that Senator and withhold my vote.

Mr. MYERS. Has the Senator from Connecticut [Mr. MCLEAN] voted?

The VICE PRESIDENT. He has not.

Mr. MYERS. I transfer my pair with that Senator to the Senator from Ohio [Mr. POMERENE] and vote. I vote "nay."

Mr. JAMES. Has the junior Senator from Massachusetts [Mr. WEEKS] voted?

The VICE PRESIDENT. He has not.

Mr. JAMES. I transfer my pair with that Senator to the junior Senator from Kansas [Mr. THOMPSON] and vote. I vote "nay."

Mr. STONE (after having voted in the negative). I voted, not noticing that the Senator from Wyoming [Mr. CLARK] is not present. I have a general pair with that Senator. I transfer that pair to the junior Senator from Mississippi [Mr. VARDAMAN] and will allow my vote to stand.

Mr. LEA of Tennessee. I transfer my pair with the Senator from South Dakota [Mr. CRAWFORD] to the Senator from Illinois [Mr. LEWIS] and vote "nay."

Mr. JOHNSON. I transfer my pair with the Senator from North Dakota [Mr. GRONNA] to the Senator from Colorado [Mr. SHAFROTH] and vote. I vote "nay."

The result was announced—yeas 11, nays 36, as follows:

YEAS—11.

Brandegee	Nelson	Perkins	Stephenson
Bristow	Oliver	Poindexter	Warren
Gallinger	Page	Smith, Mich.	

NAYS—36.

Ashurst	James	Myers	Smith, Ariz.
Bankhead	Johnson	Norris	Smith, Ga.
Bryan	Kern	Overman	Stone
Chamberlain	La Follette	Pittman	Swanson
Fletcher	Lane	Reed	Thomas
Hardwick	Lea, Tenn.	Sheppard	Thornton
Hitchcock	Lee, Md.	Sherman	Walsh
Hollis	Martin, Va.	Shively	White
Hughes	Martine, N. J.	Simmons	Williams

NOT VOTING—49.

Borah	Cummins	McLean	Smith, S. C.
Brady	Dillingham	Newlands	Smoot
Burleigh	du Pont	O'Gorman	Sterling
Burton	Fall	Owen	Sutherland
Camden	Goff	Penrose	Thompson
Catron	Gore	Pomerene	Tillman
Chilton	Gronna	Ransdell	Townsend
Clapp	Jones	Robinson	Vardaman
Clark, Wyo.	Kenyon	Root	Weeks
Clarke, Ark.	Lewis	Saulsbury	Works
Colt	Lippitt	Shafroth	
Crawford	Lodge	Shields	
Culberson	McCumber	Smith, Md.	

The VICE PRESIDENT. No quorum having voted, the Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Fletcher	Kern	Oliver
Bankhead	Gallinger	Lane	Overman
Bristow	Hardwick	Lea, Tenn.	Page
Bryan	Hitchcock	Lee, Md.	Perkins
Burton	Hollis	Martin, Va.	Pittman
Catron	Hughes	Martine, N. J.	Pomerene
Chamberlain	James	Myers	Ransdell
Clapp	Johnson	Nelson	Reed
Colt	Jones	Norris	Robinson

Sheppard	Smith, Ga.	Thomas	White
Sherman	Stephenson	Thornton	
Simmons	Stone	Tillman	
Smith, Ariz.	Swanson	Walsh	

The VICE PRESIDENT. Forty-nine Senators have answered to the roll call. There is a quorum present. The question recurs on the motion to adjourn upon which the yeas and nays have been ordered The Secretary will call the roll.

The Secretary proceeded to call the roll.

Mr. COLT (when his name was called). I have a general pair with the junior Senator from Delaware [Mr. SAULSBURY] and withhold my vote.

Mr. GALLINGER (when his name was called). I will announce my pair with the junior Senator from New York [Mr. O'GORMAN].

Mr. JAMES (when his name was called). I transfer my general pair with the Senator from Massachusetts [Mr. WEEKS] to the Senator from Kansas [Mr. THOMPSON] and vote. I vote "nay."

Mr. JOHNSON (when his name was called). I transfer my pair with the junior Senator from North Dakota [Mr. GRONNA] to the Senator from Colorado [Mr. SHAFROTH] and vote. I vote "nay."

Mr. LEA of Tennessee (when his name was called). Transferring my pair as before, I vote "nay."

Mr. STONE (when his name was called). I transfer my pair with the Senator from Wyoming [Mr. CLARK] to the junior Senator from Mississippi [Mr. VARDAMAN] and vote "nay."

Mr. THOMAS (when his name was called). I make the same transfer as before and vote "nay."

Mr. TILLMAN (when his name was called). Unless it is necessary for me to vote, I will observe my pair with the Senator from West Virginia [Mr. GOFF].

Mr. WALSH (when his name was called). I am paired with the Senator from Rhode Island [Mr. LIPPITT]. I find he is not present. I transfer that pair to the Senator from Oklahoma [Mr. GORE] and vote "nay."

Mr. WILLIAMS (when his name was called). Repeating the same announcement which I made on the last roll call, I vote "nay."

The roll call was concluded.

Mr. MYERS. I have a pair with the Senator from Connecticut [Mr. MCLEAN]. In his absence I would withhold my vote, but inasmuch as a quorum appears not to have voted I ask to have my vote recorded. I vote "nay."

Mr. TILLMAN. I ask to have my vote recorded. I vote "nay."

The result was announced—yeas 6, nays 39, as follows:

YEAS—6.

Bristow	Nelson	Poindexter	Sherman
Jones	Perkins		

NAYS—39.

Ashurst	James	Overman	Smith, Ga.
Bankhead	Johnson	Pittman	Stone
Bryan	Kern	Pomerene	Swanson
Burton	Lane	Ransdell	Thomas
Chamberlain	Lea, Tenn.	Reed	Thornton
Fletcher	Lee, Md.	Robinson	Tillman
Hardwick	Martin, Va.	Sheppard	Walsh
Hitchcock	Martine, N. J.	Shively	White
Hollis	Myers	Simmons	Williams
Hughes	Norris	Smith, Ariz.	

NOT VOTING—51.

Borah	Cummins	McCumber	Smith, Mich.
Brady	Dillingham	McLean	Smith, S. C.
Brandegee	du Pont	Newlands	Smoot
Burleigh	Fall	O'Gorman	Stephenson
Camden	Gallinger	Oliver	Sterling
Catron	Goff	Owen	Sutherland
Chilton	Gore	Page	Thompson
Clapp	Gronna	Penrose	Townsend
Clark, Wyo.	Kenyon	Root	Vardaman
Clarke, Ark.	La Follette	Saulsbury	Warren
Colt	Lewis	Shafroth	Weeks
Crawford	Lippitt	Shields	Works
Culberson	Lodge	Smith, Md.	

So the Senate refused to adjourn.

The VICE PRESIDENT. A quorum has not voted.

Mr. GALLINGER. Let the roll be called.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Hitchcock	Nelson	Simmons
Bankhead	Hollis	Norris	Smith, Ariz.
Bristow	Hughes	Overman	Smith, Ga.
Bryan	James	Perkins	Stone
Burton	Johnson	Pittman	Swanson
Catron	Kern	Poindexter	Thomas
Chamberlain	La Follette	Pomerene	Thornton
Clapp	Lane	Ransdell	Tillman
Cummins	Lea, Tenn.	Robinson	Walsh
Fletcher	Lee, Md.	Sheppard	White
Gallinger	Martine, N. J.	Sherman	Williams
Hardwick	Myers	Shively	

The VICE PRESIDENT. Forty-seven Senators have answered to the roll call. There is not a quorum present.

Mr. GALLINGER. Let the absentees be called, Mr. President.

The VICE PRESIDENT. The Secretary will call the list of absentees.

The Secretary called the names of absent Senators, and Mr. PAGE and Mr. REED responded to their names when called.

The VICE PRESIDENT. Forty-nine Senators have answered to the roll call. There is a quorum present.

EXECUTIVE SESSION.

Mr. STONE. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 45 minutes spent in executive session the doors were reopened.

RECESS.

Mr. FLETCHER. I move that the Senate take a recess until 11 o'clock to-morrow.

Mr. GALLINGER. On that I ask for a division.

The VICE PRESIDENT. All in favor of the motion will rise. [After a pause.] Those opposed will rise. [After a pause.] The division shows that the ayes have it, and the Senate stands——

Mr. GALLINGER. Mr. President, I make the point that no quorum has voted.

The VICE PRESIDENT. The Chair has heretofore ruled, and thinks he was sustained by the Senate, that when the question of a division arises it is simply for the information of the Chair, and if it is desirable the absence of a quorum can be disclosed by a yea-and-nay vote.

Mr. GALLINGER. This is not a motion to adjourn. This is a motion to take a recess, and it can not be done except by a quorum of the Senate. If it were a motion to adjourn, it undoubtedly could be declared carried.

The VICE PRESIDENT. The last roll call disclosed a quorum of the Senate present. A motion was made to take a recess. There was simply a request for a division, which was had for the information of the Chair, and the Chair decided that the motion was carried.

Mr. GALLINGER. I take an appeal from that decision, and I want to be heard on it.

The VICE PRESIDENT. The question is whether the ruling of the Chair shall stand as the judgment of the Senate. [Putting the question.] The ayes have it.

Mr. GALLINGER. I ask for the yeas and nays.

The yeas and nays were not ordered.

The VICE PRESIDENT. The Senate sustains the ruling of the Chair. The Senate stands in recess until 11 o'clock a. m. to-morrow.

Thereupon (at 6 o'clock and 17 minutes p. m., Monday, January 18, 1915), the Senate took a recess until to-morrow, Tuesday, January 19, 1915, at 11 o'clock a. m.

NOMINATIONS.

Executive nominations received by the Senate January 18 (legislative day of January 15), 1915.

UNITED STATES ATTORNEY.

James A. Smiser, of Columbia, Tenn., to be United States attorney for the district of Alaska, division No. 1, vice John J. Reagan, appointed by the court.

UNITED STATES MARSHAL.

Jonas T. Amis, of Columbia, Tenn., to be United States marshal for the middle district of Tennessee, vice John W. Overall, whose term has expired.

RECEIVER OF PUBLIC MONEYS.

Martin N. Fegtly, of Jordan Valley, Oreg., to be receiver of public moneys at Vale, Oreg., vice Henry G. Guild, term expired and resigned.

REGISTERS OF THE LAND OFFICE.

Dallas C. Weyand, of Craig, Colo., to be register of the land office at Glenwood Springs, Colo., vice Ernest E. Fordham, whose term expired January 10, 1915.

Joseph T. Carruth, of Blackfoot, Idaho, to be register of the land office at Blackfoot, Idaho, vice Henry W. Kiefer, term expired.

Nathaniel Campbell, of Portland, Oreg., to be register of the land office at Portland, Oreg., vice Henry F. Higbee, term expired.

PROMOTIONS IN THE ARMY.

FIELD ARTILLERY ARM.

First Lieut. William Bryden, Fifth Field Artillery, to be captain from January 10, 1915, vice Capt. Cleveland C. Lansing, Fourth Field Artillery, resigned January 9, 1915.

Second Lieut. Leo J. Ahern, Field Artillery (detailed first lieutenant in the Ordnance Department), to be first lieutenant from January 10, 1915, vice First Lieut. William Bryden, Fifth Field Artillery, promoted.

Second Lieut. Donald M. Beere, Field Artillery, unassigned, to be first lieutenant from January 10, 1915, vice First Lieut. Leo J. Ahern, whose detail in the Ordnance Department is continuous from that date.

CAVALRY ARM.

Capt. Ervin L. Phillips, Thirteenth Cavalry, to be major from January 15, 1915, vice Maj. Letcher Hardeman, Fourth Cavalry, retired from active service January 14, 1915.

First Lieut. Douglas H. Jacobs, Cavalry, unassigned, to be captain from January 15, 1915, vice Capt. Ervin L. Phillips, Thirteenth Cavalry, promoted.

INFANTRY ARM.

Second Lieut. George C. Bowen, Twentieth Infantry, to be first lieutenant from September 18, 1914, vice First Lieut. Sherman A. White, Twelfth Infantry, promoted.

Second Lieut. John H. Hester, Twenty-fourth Infantry, to be first lieutenant from September 18, 1914, vice First Lieut. Howard G. Sharpe, Eighth Infantry, retired from active service September 17, 1914.

Second Lieut. Franklin L. Whitley, First Infantry, to be first lieutenant from September 22, 1914, vice First Lieut. William H. Clendenin, Seventeenth Infantry, promoted.

Second Lieut. Alfred H. Hobley, Infantry (detailed as first lieutenant in the Ordnance Department), to be first lieutenant from September 30, 1914, vice First Lieut. Samuel M. Parker, Thirtieth Infantry, detached from his proper command.

Second Lieut. Arthur J. Hanlon, Eighth Infantry, to be first lieutenant from September 30, 1914, vice First Lieut. Alfred H. Hobley, whose detail in the Ordnance Department is continuous from that date.

Second Lieut. Olin O. Ellis, Infantry, unassigned, to be first lieutenant from November 4, 1914, vice First Lieut. Kelton L. Pepper, Fifteenth Infantry, retired from active service November 3, 1914.

Second Lieut. Elmer C. Desobry, Nineteenth Infantry, to be first lieutenant from November 7, 1914, vice First Lieut. Roy W. Ashbrook, Ninth Infantry, retired from active service November 6, 1914.

Second Lieut. Emile V. Cutrer, Eleventh Infantry, to be first lieutenant from November 11, 1914, vice First Lieut. John R. Kelly, Twenty-sixth Infantry, promoted.

PROMOTIONS IN THE NAVY.

Commander Herman O. Stickney to be a captain in the Navy from the 15th day of December, 1914.

Lieut. Commander Ivan C. Wettengel to be a commander in the Navy from the 15th day of December, 1914.

Ensigns to be lieutenants (junior grade) in the Navy from the 5th day of June, 1914:

George W. Hewlett,
Frank S. Carter, and
John M. Ashley.

Ensign James D. Moore to be a lieutenant (junior grade) in the Navy from the 6th day of June, 1913.

POSTMASTERS.

ALABAMA.

Theresa C. Spink to be postmaster at Grand Bay, Ala. Office became presidential January 1, 1915.

ARIZONA.

Ella G. Clarke to be postmaster at Florence, Ariz., in place of Ella G. Clarke. Incumbent's commission expired January 11, 1915.

ARKANSAS.

Bessie Bevill to be postmaster at Kensett, Ark. Office became presidential January 1, 1915.

Mary G. Clark to be postmaster at Bald Knob, Ark. Office became presidential January 1, 1915.

William K. Estes to be postmaster at Calico Rock, Ark. Office became presidential January 1, 1915.

Robert H. Harrison to be postmaster at Tuckerman, Ark. Office became presidential January 1, 1915.

Sylvester K. Hohes to be postmaster at Murfreesboro, Ark. Office became presidential January 1, 1915.

Jesse C. Latta to be postmaster at Piggott, Ark., in place of Frank Weldin. Incumbent's commission expires January 19, 1915.

Noble J. Nixon to be postmaster at Mulberry, Ark. Office became presidential January 1, 1915.

Joe J. Shaddock to be postmaster at Thornton, Ark. Office became presidential October 1, 1914.

Philip J. Smith to be postmaster at Dumas, Ark. Office became presidential January 1, 1915.

Benjamin W. Thomasson to be postmaster at Rison, Ark. Office became presidential January 1, 1915.

CALIFORNIA.

T. C. H. De Lapp to be postmaster at Huntington Beach, Cal., in place of I. M. Clippinger. Incumbent's commission expired December 19, 1914.

Charles L. Gassaway to be postmaster at Banning, Cal., in place of Ada Ainscough, resigned.

K. D. Harger to be postmaster at Riverside, Cal., in place of G. D. Cunningham. Incumbent's commission expires February 14, 1915.

Henry E. Smith to be postmaster at Taft, Cal., in place of George E. Seybolt. Incumbent's commission expired December 13, 1914.

COLORADO.

James Brennan to be postmaster at Grand Valley, Colo., in place of J. E. Sipprelle. Incumbent's commission expires February 17, 1915.

Mary Farrell to be postmaster at Aspen, Colo., in place of G. E. Rohrbough. Incumbent's commission expired January 10, 1915.

D. W. Shores to be postmaster at Carbondale, Colo., in place of Jessie L. Thurston. Incumbent's commission expires February 23, 1915.

J. A. Theobold to be postmaster at Breckenridge, Colo., in place of Maude E. McLean. Incumbent's commission expired January 11, 1915.

GEORGIA.

W. A. Enterkin to be postmaster at Temple, Ga. Office became presidential January 1, 1915.

General M. Kilgore to be postmaster at Loganville, Ga. Office became presidential January 1, 1915.

ILLINOIS.

Thomas E. Davis to be postmaster at Mulberry Grove, Ill. Office became presidential January 1, 1915.

George B. Gray to be postmaster at Sesser, Ill. Office became presidential January 1, 1915.

Ludwig A. Karcher to be postmaster at Dahlgren, Ill., in place of James O. Burton. Incumbent's commission expired December 20, 1914.

J. J. Lloyd to be postmaster at Fairfield, Ill., in place of Francis M. Brock. Incumbent's commission expired December 21, 1914.

Elmer Lummis to be postmaster at Quincy, Ill., in place of David F. Wilcox, removed.

James K. Hopkins to be postmaster at Princeton, Ill., in place of Palmer E. Anderson. Incumbent's commission expires January 31, 1915.

John T. Scott to be postmaster at Saybrook, Ill., in place of Frank Woolley. Incumbent's commission expired December 13, 1914.

Louis A. Slykas to be postmaster at Westville, Ill., in place of Bertha Taylor. Incumbent's commission expired June 10, 1914.

Charles L. Stephenson to be postmaster at St. Francisville, Ill. Office became presidential January 1, 1915.

J. F. Stillwell to be postmaster at Edwardsville, Ill., in place of T. M. Crossman. Incumbent's commission expires February 16, 1915.

INDIANA.

Walter M. Engle to be postmaster at Francesville, Ind., in place of Calvin Myers. Incumbent's commission expires February 6, 1915.

Merrimon Straughn to be postmaster at Cambridge City, Ind., in place of Peter H. Zehrung. Incumbent's commission expires January 19, 1915.

IOWA.

Frank W. Eichoff to be postmaster at Muscatine, Iowa, in place of Robert S. McNutt. Incumbent's commission expires January 21, 1915.

Frank C. Siebengartner to be postmaster at Bettendorf, Iowa. Office became presidential January 1, 1915.

Walter E. Witten to be postmaster at Sloan, Iowa, in place of Francis H. Farley. Incumbent's commission expires January 18, 1915.

KANSAS.

Henry Block to be postmaster at Syracuse, Kans., in place of Robert D. Rodgers. Incumbent's commission expires February 8, 1915.

James T. Braddock to be postmaster at Madison, Kans., in place of George Gilman. Incumbent's commission expires January 20, 1915.

G. S. Hoss, jr., to be postmaster at Cherryvale, Kans., in place of Fred C. Oehler. Incumbent's commission expires February 6, 1915.

Anna C. Huffman to be postmaster at Eureka, Kans., in place of Robert Z Swegle. Incumbent's commission expires March 3, 1915.

W. S. Twist to be postmaster at Bonner Springs, Kans., in place of John A. Stark. Incumbent's commission expired December 13, 1914.

KENTUCKY.

Willis Green Bandy to be postmaster at Irvington, Ky. Office became presidential October 1, 1914.

Andrew M. Edwards to be postmaster at New Castle, Ky. Office became presidential January 1, 1915.

Helen L. Gurney to be postmaster at Erlanger, Ky. Office became presidential January 1, 1915.

William P. Kirtley to be postmaster at Horse Cave, Ky., in place of William R. Lyon, removed.

John B. Lasley to be postmaster at Lewisburg, Ky. Office became presidential January 1, 1915.

Allie Reid to be postmaster at Brandenberg, Ky. Office became presidential January 1, 1915.

George T. Smith to be postmaster at Beattyville, Ky. Office became presidential January 1, 1915.

Edward F. Yelton to be postmaster at Butler, Ky. Office became presidential January 1, 1915.

LOUISIANA.

Frank J. Maricelli, jr., to be postmaster at Camptl, La. Office became presidential January 1, 1915.

MARYLAND.

Alice L. Exley to be postmaster at Kensington, Md. Office became presidential January 1, 1915.

MASSACHUSETTS.

John J. Downey to be postmaster at Blackstone, Mass., in place of Andrew N. Maxon. Incumbent's commission expired December 13, 1914.

Nathaniel A. Eldridge to be postmaster at Chatham, Mass., in place of Nathaniel A. Eldridge. Incumbent's commission expired December 13, 1914.

F. B. Estabrook to be postmaster at Moody (late East Northfield), Mass., in place of F. B. Estabrook; to change name of office.

James T. Hennessy to be postmaster at Wareham, Mass., in places of John Huxtable. Incumbent's commission expires February 23, 1915.

MICHIGAN.

Julius C. Armbruster to be postmaster at Sebewaing, Mich., in place of Joshua Braun. Incumbent's commission expires February 1, 1915.

Clyde O. Barrett to be postmaster at Mackinaw, Mich., in place of Oliver J. Gowans. Incumbent's commission expired December 13, 1914.

William F. Hemmeter to be postmaster at Saginaw West Side, Mich., in place of Martin N. Brady. Incumbent's commission expires February 1, 1915.

Charles A. Johnson to be postmaster at Pinconning, Mich., in place of George Barie. Incumbent's commission expires February 1, 1915.

Ward J. Kelly to be postmaster at Crystal Falls, Mich., in place of Frank D. Ball. Incumbent's commission expired January 10, 1915.

Judson E. Richardson to be postmaster at Evart, Mich., in place of George W. Michin. Incumbent's commission expires February 23, 1915.

William H. Vau Consant to be postmaster at St. Johns, Mich., in place of Will H. Brunson. Incumbent's commission expires January 20, 1915.

William H. S. Wood to be postmaster at Howell, Mich., in place of Timothy Smith. Incumbent's commission expired January 10, 1915.

MINNESOTA.

Isaac I. Bargen to be postmaster at Mountain Lake, Minn., in place of Isaac I. Bargen. Incumbent's commission expires February 1, 1915.

C. S. Dougherty to be postmaster at Northfield, Minn., in place of William H. Revier. Incumbent's commission expired December 13, 1914.

Frank X. Eickmann to be postmaster at Glencoe, Minn., in place of Thomas M. Paine, resigned.

James D. Griggs to be postmaster at Truman, Minn., in place of James D. Griggs. Incumbent's commission expired December 13, 1914.

John Haas to be postmaster at Lamberton, Minn., in place of Alfred J. Gebhard. Incumbent's commission expires January 20, 1915.

C. J. Schendel to be postmaster at Campbell, Minn. Office became presidential October 1, 1914.

MISSISSIPPI.

Virginia B. Duckworth to be postmaster at Prentiss, Miss., in place of Virginia B. Duckworth. Incumbent's commission expires February 23, 1915.

L. M. McClure to be postmaster at Ocean Springs, Miss., in place of Charles H. Bransford. Incumbent's commission expires March 3, 1915.

James T. Skelton to be postmaster at Goodman, Miss. Office became presidential January 1, 1915.

Margaret S. Walker to be postmaster at Houlka, Miss. Office became presidential January 1, 1915.

MISSOURI.

William H. Alexander to be postmaster at Paris, Mo., in place of Willis L. Flanders. Incumbent's commission expires February 23, 1915.

George H. Applegate to be postmaster at Keytesville, Mo., in place of Daniel J. Holman. Incumbent's commission expired December 13, 1914.

James T. Dearmont to be postmaster at Mound City, Mo., in place of Wesley W. Wehrli. Incumbent's commission expires February 1, 1915.

John H. Nelson to be postmaster at Lewistown, Mo. Office became presidential January 1, 1915.

Dow S. Pollard to be postmaster at Cowgill, Mo. Office became presidential January 1, 1915.

William J. Rouse to be postmaster at Monroe City, Mo., in place of Robert K. Megown. Incumbent's commission expired January 18, 1915.

Edward Smyth to be postmaster at New Hampton, Mo. Office became presidential January 1, 1915.

Bayard C. Wilson to be postmaster at Lawson, Mo. Office became presidential January 1, 1915.

NEBRASKA.

Edward H. Bishop to be postmaster at Central City, Nebr., in place of Isaac S. Tyndale. Incumbent's commission expires February 16, 1915.

A. S. Campbell to be postmaster at Imperial, Nebr., in place of Charles W. Meeker. Incumbent's commission expired December 17, 1912.

William H. Hartsick to be postmaster at Westpoint, Nebr., in place of James C. Elliott. Incumbent's commission expires January 20, 1915.

NEW JERSEY.

James D. Carpenter to be postmaster at Woodbury, N. J., in place of Frank D. Pedrick. Incumbent's commission expires February 1, 1915.

Robert L. De Camp to be postmaster at Westfield, N. J., in place of Augustus K. Gale. Incumbent's commission expired January 10, 1915.

NEW HAMPSHIRE.

John N. Grimes to be postmaster at Troy, N. H., in place of H. P. Thompson. Incumbent's commission expired December 13, 1914.

NEW YORK.

Frank P. Bagg to be postmaster at Barneveld, N. Y. Office became presidential July 1, 1914.

Edward T. Cole to be postmaster at Garrison, N. Y., in place of Edward T. Cole. Incumbent's commission expired April 21, 1914.

Sylvester R. Deyo to be postmaster at Kingston, N. Y., in place of Walter P. Crane. Incumbent's commission expired December 13, 1914.

Gregory Dillon to be postmaster at New Rochelle, N. Y., in place of Eben Adams. Incumbent's commission expired December 20, 1913.

Charles R. Flanly to be postmaster at Babylon, N. Y., in place of Joseph A. Douglas. Incumbent's commission expires January 27, 1915.

Edgar H. Jolliffe to be postmaster at Congers, N. Y., in place of George F. Odell, resigned. Office became presidential January 1, 1915.

John W. McKnight to be postmaster at Castleton, N. Y., in place of George Anderson. Incumbent's commission expires January 20, 1915.

Maud Rogers to be postmaster at Bridgehampton, N. Y., in place of Edward A. Hildreth. Incumbent's commission expired January 9, 1915.

John W. Salisbury to be postmaster at Hamburg, N. Y., in place of William C. Froehley. Incumbent's commission expired April 21, 1914.

James J. Smith to be postmaster at Fleischmanns (late Griffin Corners), N. Y., in place of James J. Smith; to change name of office.

NORTH CAROLINA.

Stephen L. Ross to be postmaster at Robersonville, N. C. Office became presidential January 1, 1915.

William B. Walker to be postmaster at Andrews, N. C., in place of James A. Bristol. Incumbent's commission expired December 13, 1914.

NORTH DAKOTA.

Frank Argersinger to be postmaster at Forman, N. Dak., in place of Charles Marcellus. Incumbent's commission expires February 23, 1915.

James F. Cannon to be postmaster at Tioga, N. Dak., in place of H. F. Irwin. Incumbent's commission expires February 14, 1915.

M. J. Gurnett to be postmaster at Balfour, N. Dak., in place of Ole Helseth. Incumbent's commission expires March 3, 1915.

T. J. McCully to be postmaster at Sheldon, N. Dak., in place of James L. Green. Incumbent's commission expires February 23, 1915.

Bernhard Ottis to be postmaster at Wyndmere, N. Dak., in place of Charles G. Klenzing. Incumbent's commission expires February 23, 1915.

Henrietta Rooks to be postmaster at Linton, N. Dak., in place of Thomas Jones. Incumbent's commission expires March 2, 1915.

OHIO.

William Alexander to be postmaster at Miamisburg, Ohio, in place of J. Shepherd McKnight. Incumbent's commission expires January 23, 1915.

Thomas O. Armstrong to be postmaster at Middle Point, Ohio. Office became presidential January 1, 1915.

William A. Ault to be postmaster at Wadsworth, Ohio, in place of Morgan Neath. Incumbent's commission expires January 23, 1915.

Andrew H. Austin to be postmaster at Ravenna, Ohio, in place of E. W. Marvin. Incumbent's commission expires January 23, 1915.

Welker Besst to be postmaster at West Lafayette, Ohio, in place of John Carroll. Incumbent's commission expires February 23, 1915.

Frederick M. Bushnell to be postmaster at Mansfield, Ohio, in place of Le Roy C. Benedict, resigned.

Ira A. Deeter to be postmaster at Pleasant Hill, Ohio, in place of Henry H. Coppock. Incumbent's commission expires February 23, 1915.

Roy E. Faber to be postmaster at Rittman, Ohio, in place of John B. Mullie. Incumbent's commission expires February 23, 1915.

E. W. Fisher to be postmaster at Sugarcreek, Ohio. Office became presidential January 1, 1915.

John S. Gossett to be postmaster at Dennison, Ohio, in place of David C. Mahon. Incumbent's commission expires January 23, 1915.

Robert E. Jennings to be postmaster at West Milton, Ohio, in place of A. G. Eidemiller. Incumbent's commission expires February 23, 1915.

Frank J. Mitchell to be postmaster at Port Clinton, Ohio, in place of John Orth. Incumbent's commission expires February 23, 1915.

Nelson C. Petrie to be postmaster at Rock Creek, Ohio, in place of Augustus M. Barker. Incumbent's commission expires January 23, 1915.

John E. Robbins to be postmaster at Jeffersonville, Ohio, in place of Warren W. Williams. Incumbent's commission expires January 23, 1915.

E. C. Wisman to be postmaster at Bryan, Ohio, in place of Charles T. La Cost. Incumbent's commission expires March 2, 1915.

PENNSYLVANIA.

Dwight M. Hess to be postmaster at Heilwood, Pa., in place of John McM. Thompson, resigned.

Leslie C. Lockerman to be postmaster at Cheswick, Pa., in place of H. H. McDonough. Incumbent's commission expired January 9, 1915.

P. F. Leininger to be postmaster at Myerstown, Pa., in place of James Koller. Incumbent's commission expired December 19, 1914.

Robert McCalmont to be postmaster at Franklin, Pa., in place of Josiah R. Dodds. Incumbent's commission expired January 10, 1915.

J. Edwin McCanna to be postmaster at Paoli, Pa., in place of John D. Burns. Incumbent's commission expired December 13, 1914.

Thomas J. McClelland to be postmaster at Boswell, Pa., in place of Chauncey S. Ickes, resigned.

R. Morgan Root to be postmaster at Pottstown, Pa., in place of G. F. P. Wanger. Incumbent's commission expires February 17, 1915.

William W. Van Eman to be postmaster at Grove City, Pa., in place of James S. Kennedy. Incumbent's commission expires February 1, 1915.

RHODE ISLAND.

Emory H. Desilets to be postmaster at Manville, R. I., in place of Jonathan Bateman. Incumbent's commission expired December 13, 1914.

SOUTH CAROLINA.

David Duncan to be postmaster at Whitmire, S. C. Office became presidential January 1, 1915.

Benjamin J. Hammet to be postmaster at Blackville, S. C., in place of Benjamin J. Hammet. Incumbent's commission expires February 6, 1915.

Samuel E. Owen to be postmaster at St. Matthews, S. C., in place of Samuel E. Owen. Incumbent's commission expires March 3, 1915.

John W. Peeples, jr., to be postmaster at Estill, S. C. Office became presidential January 1, 1915.

SOUTH DAKOTA.

V. M. Dalthorp to be postmaster at Volga, S. Dak., in place of Ole A. Stumley. Incumbent's commission expires March 2, 1915.

G. F. Davis to be postmaster at Estelline, S. Dak., in place of George C. Lohr. Incumbent's commission expires February 23, 1915.

John T. McCullen to be postmaster at Miller, S. Dak., in place of Frank E. Saltmarsh. Incumbent's commission expires February 15, 1915.

H. K. Sanborn to be postmaster at Hurley, S. Dak., in place of J. A. Churchill, resigned.

TENNESSEE.

Jesse F. Jones to be postmaster at Loudon, Tenn., in place of James A. Greer. Incumbent's commission expired December 13, 1914.

William D. Kyle to be postmaster at Kingsport, Tenn. Office became presidential January 1, 1915.

TEXAS.

Walter C. Blalock to be postmaster at Linden, Tex. Office became presidential January 1, 1915.

William E. Cage to be postmaster at Pharr, Tex. Office became presidential January 1, 1915.

J. T. Cox to be postmaster at Groesbeck, Tex., in place of Elizabeth Rhea. Incumbent's commission expires February 6, 1915.

Horace B. Cooper to be postmaster at Quinlan, Tex. Office became presidential January 1, 1915.

J. A. Kercheville to be postmaster at Devine, Tex., in place of George W. Brown. Incumbent's commission expires February 6, 1915.

George P. Lillard to be postmaster at Seguin, Tex., in place of William Myers. Incumbent's commission expires February 23, 1915.

D. L. Lunn to be postmaster at Humble, Tex., in place of W. E. Sholar, removed.

Elmo D. McCage to be postmaster at Aubrey, Tex. Office became presidential January 1, 1915.

T. L. D. Richardson to be postmaster at Jourdanton, Tex., in place of C. E. Long, removed.

James T. Tarlton to be postmaster at Gunter, Tex. Office became presidential January 1, 1915.

UTAH.

L. P. Nelson to be postmaster at Mount Pleasant, Utah, in place of Thomas Brady. Incumbent's commission expires February 17, 1915.

Henry W. Wadley to be postmaster at Pleasant Grove, Utah, in place of Luella E. Thorne. Incumbent's commission expired December 13, 1914.

VERMONT.

David P. MacKenzie to be postmaster at Island Pond, Vt., in place of John S. Sweeney. Incumbent's commission expires January 26, 1915.

VIRGINIA.

William H. Maffett to be postmaster at Vienna, Va., in place of Edmond L. S. Bouton, removed.

John L. Pulley to be postmaster at Ivor, Va. Office became presidential January 1, 1915.

T. W. Richardson to be postmaster at Bedford (late Bedford City), Va., in place of William H. Mosby, deceased; change name of office.

WASHINGTON.

Stonewall J. Craig to be postmaster at Clarkston, Wash., in place of S. D. Steininger. Incumbent's commission expires February 1, 1915.

George T. Heslin to be postmaster at Newport, Wash., in place of Carl M. Johanson. Incumbent's commission expired January 11, 1915.

Calvin W. Stewart to be postmaster at Tacoma, Wash., in place of F. L. Stocking. Incumbent's commission expires February 23, 1915.

WISCONSIN.

Thomas N. Curran to be postmaster at Campbellsport, Wis., in place of Platt Durand. Incumbent's commission expired January 10, 1915.

Henry B. Kaempfer to be postmaster at West Bend, Wis., in place of William Hausmann. Incumbent's commission expires March 2, 1915.

John J. Kaiser to be postmaster at Stratford, Wis. Office became presidential January 1, 1915.

John A. Kuypers to be postmaster at De Pere, Wis., in place of Paul L. Halline. Incumbent's commission expired January 10, 1915.

Charles J. Janisch to be postmaster at Waterloo, Wis., in place of Alexander Archie. Incumbent's commission expires February 17, 1915.

George H. Herzog to be postmaster at Racine, Wis., in place of James A. Pritchard. Incumbent's commission expired January 11, 1915.

WEST VIRGINIA.

A. L. Hatfield to be postmaster at Matewan, W. Va. Office became presidential July 1, 1914.

James A. Pyles to be postmaster at New Martinsville, W. Va., in place of R. T. Richardson. Incumbent's commission expires March 3, 1915.

CONFIRMATIONS.

Executive nominations confirmed by the Senate January 18 (legislative day of January 15), 1915.

POSTMASTERS.

FLORIDA.

R. E. L. McFarlin, Quincy.

ILLINOIS.

George R. Tilton, Danville.

MICHIGAN.

William H. S. Wood, Howell.

PENNSYLVANIA.

Henry C. Deible, Reynoldsville.
John E. Guthrie, Summerville.

TENNESSEE.

Felix P. McGinness, Carthage.
E. F. Wilson, Tullahoma.

HOUSE OF REPRESENTATIVES.

MONDAY, *January 18, 1915.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

God bless us all, for we all need Thy blessing and Thy help. We are weak; Thou art almighty. We know only a little; Thou knowest all things. We are a mixture of good and evil; Thou are infinitely pure and holy. Impart unto us wisdom, strength, purity, that we may reach the highest results in our calling, satisfy the best that is in us, and accomplish Thy commands; in the spirit of Him who taught us Thy will and left us an example worthy of all emulation. Amen.

The Journal of the proceedings of Saturday, January 16, 1915, was read and approved.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. CANTOR, for one week, on account of the death of his son.

To Mr. GARRETT of Texas, for three days, on account of illness in his family.

GOVERNMENT AID TO HOME OWNERS.

Mr. BUCHANAN of Illinois. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the subject of Government aid to home owners, both farm and city.

The SPEAKER. The gentleman from Illinois [Mr. BUCHANAN] asks unanimous consent to extend his remarks in the RECORD on the subject of aid to home owners. Is there objection?

There was no objection.

AMERICAN MERCHANT MARINE.

Mr. GREENE of Massachusetts. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing a communication received from the Boston Chamber of Commerce; also some suggestions in regard to the upbuilding of the American merchant marine and an article written by myself published in the New York World on the same subject.

The SPEAKER. The gentleman from Massachusetts [Mr. GREENE] asks unanimous consent to extend his remarks in the RECORD by printing certain resolutions passed by the Boston Chamber of Commerce and also an article which he himself wrote, published in the New York World, on the subject of improving the American merchant marine. Is there objection?

There was no objection.

PLAZA AWARDS.

Mr. JOHNSON of Kentucky. Mr. Speaker, about a week ago unanimous consent was given that Senate joint resolution 129, relative to the Plaza Commission, be stricken from the calendar and that the resolution lie upon the table. I find it still upon the Union Calendar, and I repeat the request.

The SPEAKER. If there be no objection, the resolution will be stricken from the calendar.

There was no objection.

Mr. JOHNSON of Kentucky. I also ask unanimous consent that House joint resolution 308, relating to the same subject, be stricken from the calendar and that the resolution lie on the table.

The SPEAKER. The gentleman asks unanimous consent that House joint resolution 308 be stricken from the calendar, and that it lie on the table. Is there objection?

There was no objection.

IMMIGRATION.

Mr. SHERWOOD. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing resolutions adopted by Branch No. 520 of the Polish National Alliance, of Toledo, Ohio, on the Smith-Burnett immigration bill.

The SPEAKER. The gentleman from Ohio asks unanimous consent to extend his remarks in the RECORD by printing resolutions on the Burnett immigration bill. Is there objection?

There was no objection.

CALENDAR FOR UNANIMOUS CONSENT.

The SPEAKER. The Clerk will report the first bill on the Calendar for Unanimous Consent.

OLD POST OFFICE, JERSEY CITY, N. J.

The first business on the Calendar for Unanimous Consent was the bill (H. R. 9584) to authorize the Secretary of the Treasury of the United States to sell the present old post office and the site thereof in the city of Jersey City, N. J.

The bill was read, as follows:

Be it enacted, etc., That upon the completion of the new Federal building at Jersey City, N. J., and its occupancy by the United States, the Secretary of the Treasury is hereby authorized, in his discretion, to sell the present old post office and site thereof in said city, after proper advertisement, at public or private sale, on such terms as he may deem to be to the best interests of the United States.

With the following committee amendment:

Page 1, lines 6, 7, 8, and 9, strike out, after the word "discretion," the following words: "sell the present old post office and site thereof in said city, after proper advertisement, at public or private sale, on such terms as he may deem to be to the best interests of the United States," and insert in lieu thereof the following: "offer at public sale, after proper advertisement, the present old post office and site in said city, and sell the same to the highest and best bidder."

The SPEAKER. Is there objection?

Mr. MANN. Reserving the right to object, Mr. Speaker, when this bill was up before, I think, the gentleman from New Jersey [Mr. HAMILL] was going to get a statement from the Treasury Department of the value of this site and propose an amendment fixing an upset price.

Mr. HAMILL. I have such a letter, Mr. Speaker, and in the opinion of the Treasury Department this property should be sold at not less than $25,000. I have drawn an amendment to that effect.

Mr. MANN. Did the gentleman get an estimate of the value from the official taxing or assessing board?

Mr. HAMILL. Yes.

Mr. MANN. What do they say the value is?

Mr. HAMILL. The actual valuation of the land, as made by the tax assessors of Jersey City, is $21,700.

Mr. MANN. And the gentleman proposes to offer an amendment fixing the upset price at $25,000?

Mr. HAMILL. Yes.

Mr. STAFFORD. What is the basis of the appraisement in Jersey City as to its valuation?

Mr. HAMILL. The full value.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. This bill is on the Union Calendar.

Mr. HAMILL. I ask unanimous consent to consider it in the House as in Committee of the Whole.

The SPEAKER. The gentleman from New Jersey asks unanimous consent to consider this bill in the House as in Committee of the Whole. Is there objection?

There was no objection.

The SPEAKER. The question is on agreeing to the committee amendment.

Mr. BORLAND. Mr. Speaker, I move to strike out the last word.

The SPEAKER. The gentleman from Missouri moves to strike out the last word, and is recognized for five minutes.

Mr. BORLAND. Mr. Speaker, my attention has been called to a speech delivered on December 30, 1914, by a Member of this House, the gentleman from Colorado, Mr. GEORGE J. KINDEL, and circulated separately, in which he says:

What if we had a captain of industry like Mr. Ford, of automobile fame; Mr. Wanamaker, of department-store fame; Mr. Woolworth, of the tallest-building fame, at the head of our Postal System. With a man of their caliber as our Postmaster, how long would political hacks such as our Third Assistant Postmaster continue feeding at the public crib?

What valuable service has he rendered to entitle him to a perpetual meal ticket at the hands of our Government?

Mr. Speaker, that comment is as foolish as it is unjust. The Third Assistant Postmaster General of the United States is the Hon. Alexander Monroe Dockery, of Missouri. I notice in this speech, on the front page, something that I never saw on a speech before in my life:

I will mail to commercial or economic bodies, at 75 cents per hundred, or single copies at 1-cent postage stamp.

Now, I assume that if people are required to pay for copies of this speech it will not have a very large circulation, even though the fool killer is considerably behind with his work. But I want to invite the attention of the House, especially the Members who do not know the Third Assistant Postmaster General personally, to the fact that he served for 8 consecutive terms—16 years—as a Member of this House. During that service he was a towering figure on the floor of the House of Representatives. He served on the great Committee on Appropriations of this House. His distinguished services are still evident in all the executive departments of the Government.

Among his other legislative activities he was the author of the celebrated Dockery Act, which for the first time put the accounting system of the Federal Government on a business basis. The Dockery Act gave the Treasury Department the power to outline a uniform system of accounting for the various bureaus of the departments of the Government. Under that act the disbursements in the Treasury Department have been reduced lower and lower each year in proportion to the amount of money disbursed and the amount of business handled by that great department. The departments are still operating under the Dockery Act, which has saved thousands of dollars of the peoples' money.

Gov. Dockery retired from service in this House when he was elected by the people of Missouri as the governor of that great State in 1900. He served four years as governor. If he had not retired from representing his district to become governor, he would still be a commanding figure on the floor of this House, for he was greatly beloved by the people of his district and greatly reverenced and beloved by the people of Missouri.

To talk of a meal ticket in connection with the public services of a man like Mr. Dockery is absurd. His public services were at the call of the people of his district and of his State. When his term as governor expired he was out of public life for eight years, his private interests being ample to engage his attention.

He has never asked, and under no other circumstances than a request from the Democratic administration would he accept public service. He has accepted it to my personal knowledge at a personal loss to himself. The idea of a meal ticket has never entered into Mr. Dockery's service to the United States, and does not to-day. The present Postmaster General, who was a Member of this House at the time Mr. Dockery was a leader of the Democratic Party on this floor, invited him into the official family with the full knowledge that Mr. Dockery was one of the principal supporters of the Speaker of this House for the Presidency of the United States.

I know nothing of the dispute between Gov. Dockery and the gentleman from Colorado, except that I understand that Gov. Dockery is seeking to compel the gentleman from Colorado to pay the Government about $4,000 postage for alleged abuse of the franking privilege. Gov. Dockery, having been a Member of this House, knows the just rights of a Member in the use of the franking privilege. I am satisfied he would not call the gentleman from Colorado to account unless he had grounds to do so. As an honest and vigilant public servant he will not submit to an abuse of the franking privilege at the expense of the Public Treasury. Those of us who desire to see the franking privilege protected from abuse are inclined to support Gov. Dockery's action.

Mr. Dockery's services added luster to the Democratic side of this House; has added luster to the Democratic Party in the State of Missouri, and to-day adds luster to the Democratic administration in Washington; he is a man who never shirked a duty or betrayed a friend. [Applause on the Democratic side.] He needs no defense at my hands on the floor of this House, but I desired to take this opportunity to call these facts to the attention of the Members of this body. [Applause on the Democratic side.]

Mr. KINDEL rose.

The SPEAKER. For what purpose does the gentleman rise?

Mr. KINDEL. To move to strike out the last word.

The SPEAKER. The gentleman from Missouri made that motion.

Mr. KINDEL. Then I rise, Mr. Speaker, to oppose the amendment. Mr. Speaker, I am pleased to note that Gov. Dockery has such a champion as we have just discovered in the distinguished gentleman from Missouri [Mr. BORLAND]. What I meant to convey was that we put men in office who are positively not qualified for the position in which they are placed. Mr. Dockery himself told me that he did not know anything about the rates that were operating in the parcel post. He could not, to save his life, reconcile the present graduated rates on parcel post, and neither can the gentleman from Missouri [Mr. BORLAND] or anybody else. I contend that any man that will take a position that he does not know anything about is getting a meal ticket and not earning the money which he receives.

Mr. DECKER. Will the gentleman yield?

Mr. KINDEL. Yes; I will yield.

Mr. DECKER. Does the parcel-post business come under Gov. Dockery's department?

Mr. KINDEL. Yes.

Mr. DECKER. In what way?

Mr. KINDEL. In the management of the receipts and the rules of the Post Office. Can the gentleman himself reconcile these rates?

Mr. DECKER. I am not talking about the rates. I want the gentleman to explain to the House in what way Mr. Dockery has the management of parcel post.

Mr. KINDEL. He is one of the heads of the department.

Mr. DECKER. Does it come under his department?

Mr. KINDEL. He told me I must pay $4,000 for putting a rubber stamp on some things I put out.

Mr. DECKER. Does it come under Mr. Dockery's department?

Mr. KINDEL. I told the gentleman in a general way that he is one of the heads of the department.

Mr. DECKER. Does the gentleman mean to give the impression that Mr. Dockery is not acquainted with the work and details of his department?

Mr. KINDEL. I emphatically say that he can not reconcile the parcel post's graduated rates upon which they work, and I will leave that challenge open to you or any other man.

Mr. DECKER. Will the gentleman answer my question?

Mr. KINDEL. There is no use in asking any more questions, and I decline to yield any further. I have nothing against Mr. Dockery nor anybody else connected with the Post Office Department. I came here elected a Democrat, to help the country and to help the party, but I found it was utterly useless to get in on the transportation rates, although when I came here I had been studying and giving large attention to those matters for the past 25 years. In everything I have said there is no malice intended toward anybody. All I want to do is to improve the service, if it can be done. I have not made a speech on the floor at any time that I did not inject rates and rules on transportation into it. Mr. Dockery wanted to humiliate and ridicule me by presenting me with a bill for $4,000, because I had put a rubber stamp on a speech announcing the very fact that the gentleman from Missouri [Mr. BORLAND] has just said concerning the fool killer, and I repeat that speeches do cost money and that I am out of pocket, and if anybody wants more than one copy they must send a 1-cent stamp for each one. I think it would be money well invested and time well spent to study and digest my speech, and if you find anything for criticism in it, I am open to conviction. [Applause on the Republican side.]

The SPEAKER. The pro forma amendment is withdrawn. The question is on the committee amendment.

The question was taken, and the committee amendment was agreed to.

The SPEAKER. The question now is on the amendment offered by the gentleman from New Jersey [Mr. HAMILL], which the Clerk will report.

The Clerk read as follows:

On page 2, after line 4, insert "*Provided, however,* That said property shall not be sold for less than the sum of $25,000."

Mr. CLARK of Florida. Mr. Speaker, I desire to state that that amendment is perfectly satisfactory to the committee.

The amendment of Mr. HAMILL was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. HAMILL, a motion to reconsider the vote whereby the bill was passed was laid on the table.

BRIDGE ACROSS ST. LOUIS RIVER.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 17762) to amend an act approved February 20, 1908, entitled "An act to authorize the Interstate Transfer Railway Co. to construct a bridge across the St. Louis River between the States of Wisconsin and Minnesota."

The SPEAKER. Is there objection?

Mr. MILLER. Mr. Speaker, reserving the right to object, I would like to make an inquiry of the gentleman from Wisconsin [Mr. LENROOT]. Has the War Department or the engineers of the War Department reported on this bill as yet?

Mr. LENROOT. Not any further than the gentleman is already aware of.

Mr. MILLER. Then they have sent in no formal report upon the bill?

Mr. LENROOT. Not that I know of.

Mr. MILLER. Does not the gentleman think that it is advisable that the consideration of this bill be postponed until such report is received?

Mr. LENROOT. No; but I shall not object if the gentleman makes that request.

Mr. MILLER. Under the circumstances, I think I shall have to ask the gentleman to request that it be passed over without prejudice.

Mr. MANN. Mr. Speaker, I ask unanimous consent that the bill which has been reported and the next bill on the calendar, H. R. 15727, be passed without prejudice.

The SPEAKER. The gentleman from Illinois asks unanimous consent that this bill and the next one on the calendar be passed without prejudice. Is there objection?

Mr. MILLER. Mr. Speaker, reserving the right to object——

Mr. MANN. I understand there is some controversy in respect to the matter that ought to be first settled.

Mr. MILLER. Mr. Speaker, I will say to the gentleman that the condition as to the other bill which he mentions, the one that follows this on the calendar, is not at all the same as the bill that is now before us, because the Board of Engineers has reported upon that.

Mr. MANN. I thought the gentlemen had agreed upon that. Then I ask unanimous consent that the pending bill be passed without prejudice.

The SPEAKER. The gentleman from Illinois asks unanimous consent that the bill just reported be passed without prejudice. Is there objection?

Mr. FOSTER. Mr. Speaker, reserving the right to object, I will ask the gentleman from Illinois whether this bill under the circumstances would retain its place upon the calendar or would it go to the bottom of the calendar?

Mr. MANN. I think it ought to retain its place on the calendar.

Mr. FOSTER. Does not the gentleman think, because so many of these bills are passed over without prejudice, that they ought to go to the bottom of the calendar?

Mr. MANN. Of course when Members first began to ask unanimous consent to pass the bills over without prejudice, when the Unanimous Consent Calendar first went into effect, I objected; but in the course of time various good reasons were given for passing a particular bill, and that has been the custom from then on.

Mr. FOSTER. I think it prevents a lot of Members from having an opportunity to have their bills considered.

Mr. MANN. I do not care about the matter particularly. If the gentleman desires to object to this, I shall not quarrel with him, but then I shall object to passing any bills over without prejudice, under any circumstances.

Mr. FOSTER. I do not mean the first time.

Mr. MANN. If we are going to have that rule, we ought to treat everyone alike. I do not believe in making any distinction in respect to bills as between one Member and another. If the gentleman thinks the bill ought not to be passed over without prejudice, I certainly shall not quarrel with him, if he objects, but I shall object to passing any other bills.

Mr. FOSTER. I shall not object to passing any of them over without prejudice, but I submit that if we do it two or three times on the same bill——

Mr. MANN. Unless there is reason for it, it ought not to be done.

Mr. FOSTER. Is this bill likely to be disposed of on the next unanimous-consent day?

Mr. MANN. I do not know. I understand that they are waiting for a report from the War Department, and it ought to be in.

Mr. FOSTER. I shall not object at this time.

The SPEAKER. Is there objection?

Mr. LENROOT. Mr. Speaker, reserving the right to object, there has been an understanding that this bill and the next bill on the calendar shall be considered as companion bills, and in view of my understanding that the gentleman from Minnesota would object if this bill were presented now, I ask unanimous consent to modify the request of the gentleman from Illinois by including the following bill, and that both bills be passed over without prejudice.

Mr. MILLER. Mr. Speaker, reserving the right to object, I have no objection particularly, because the gentleman from Wisconsin is, of course, ready to make the same objection to the next bill that I have made respecting this, but I do not think it fair to state that the two bills are companion bills.

Mr. LENROOT. I said it is the understanding that they shall be treated together.

Mr. MILLER. I do not quite agree with that. That has been the understanding in times past; but I wish the gentleman to know that if there is any doubt in his mind, regardless of whether the House sees fit to pass the bill or not, I am under the highest obligation and shall be insistent on every effort to consider the other bill. If the department is not able to report upon the gentleman's bill, I can see no reason why the House should not take action upon the bill that has been reported upon.

Mr. LENROOT. Mr. Speaker, I want to say, in reply to the gentleman from Minnesota, that there was an understanding when these bills were recalled from the Senate that they should be considered together when considered at all.

Mr. MILLER. I had no such understanding with the gentleman from Wisconsin.

Mr. ADAMSON. Mr. Speaker, as chairman representing the committee which has on this calendar so many bills, not knowing exactly what hands I may fall into and not desiring to make any enemies, as the candidate for membership in the church said when he was asked to renounce the devil and all his works, I will say nothing about the proposition of my friend from Illinois [Mr. FOSTER] as to passing bills to the heel of the calendar;

but I will say, as to this pending bill, there has been some conflict over the two bills—this and the next one—as between the two localities represented, respectively, by the distinguished gentleman from Minnesota [Mr. MILLER] and the distinguished gentleman from Wisconsin [Mr. LENROOT], but I think the crux of the difficulty is aimed at in this bill. Our committee recommended and Congress many years ago consented for a bridge. Our committee is now inclined to the opinion that the conditions of the consent of Congress have not been complied with by the company constructing the bridge.

The committee, after elaborate hearings, reported the bill introduced by the gentleman from Wisconsin [Mr. LENROOT], to amend the original act. The War Department, however, had not up to that time concurred with the view of the committee; but I am informed that the War Department is undergoing a change of heart on the subject and that there is likely to come in a report favorable to the bill, and for that reason I think it wise that the matter stand in status quo for the present.

The SPEAKER. Does the gentleman object?

Mr. ADAMSON. I do not.

The SPEAKER. Is there objection to passing this bill and the next one without prejudice? [After a pause.] The Chair hears none.

FALSE ADVERTISING IN THE DISTRICT OF COLUMBIA.

Mr. DENT. Mr. Speaker, I ask unanimous consent to pass without prejudice the bill H. R. 4931, a bill to prevent false advertising in the District of Columbia. I ask it at this time, Mr. Speaker, because when that bill was introduced the District attorney or the prosecuting attorney of the District of Columbia at the time thought it was necessary. The present District attorney doubts whether it is necessary or not, but his attention has only recently been called to the bill, and he would like to have further time to investigate it.

The SPEAKER. What is the calendar number of the bill?

Mr. DENT. It is H. R. 4931, Calendar No. 370.

The SPEAKER. The gentleman from Alabama asks unanimous consent to pass Unanimous Consent Calendar No. 370 without prejudice. Is there objection? [After a pause.] The Chair hears none.

COMMISSION TO SURVEY CRATER BATTLE FIELD.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 13923) authorizing and directing the Secretary of War to appoint a commission to designate, define, and survey the battle field of the Crater at Petersburg, Va., and to collect certain data concerning the same and make report thereon.

The bill was read.

The SPEAKER. Is there objection?

Mr. MANN. Mr. Speaker, I object.

The SPEAKER. The gentleman from Illinois objects, and the bill is ordered stricken from the calendar.

CERTAIN CLAIMS OF THE UNITED STATES AGAINST THE STATE OF TENNESSEE.

The next business on the Calendar for Unanimous Consent was S. J. Res. 65, to amend S. J. Res. 34, approved May 12, 1898, entitled "Joint resolution providing for the adjustment of certain claims of the United States against the State of Tennessee and certain claims against the United States."

The Clerk read the title of the joint resolution.

Mr. HULL. Mr. Speaker, I desire to make a request for unanimous consent that consideration of this resolution be passed without prejudice——

The SPEAKER. The gentleman asks to pass this resolution without prejudice.

Mr. HULL. For the reason that the Department of Justice has been working on information sought by the gentleman from Illinois and others and has not been able to complete this work, but we are hopeful the desired information may be brought in a little later on.

The SPEAKER. Is there objection?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, will the gentleman, when the information is obtained, have it printed either in the RECORD or in some other form, so that it will be available for Members of the House?

Mr. HULL. I will be very glad to take that up with the gentlemen on the other side.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

PUBLIC BUILDING, GRAND JUNCTION, COLO.

The next business on the Calendar for Unanimous Consent was the bill (S. 4012) to increase the limit of cost of the United States public building at Grand Junction, Colo.

The Clerk read as follows:

Be it enacted, etc., That the limit of cost of the United States public building at Grand Junction, Colo., be, and the same hereby is, increased from the sum of $100,000 to the sum of $200,000, said increase being necessary in order to complete the building according to the present plans and specifications.

The committee amendment was read, as follows:

Line 5, strike out "$200,000" and insert "$175,000."

The SPEAKER. Is there objection?

Mr. FINLEY. Mr. Speaker, reserving the right to object, I would like to have an explanation of this bill.

Mr. TAYLOR of Colorado. Mr. Speaker, this matter has been up, and up, and the House has had some discussions on it once or twice before. The city of Grand Junction is the largest city in the western part of the State. I secured an appropriation some four and a half years ago for $100,000 to provide a public building there. The Supervising Architect has advertised three different times, and has never been able to get a bid that could be accepted. They can not build any kind of a suitable building for the present appropriation. The matter is at a standstill. It seems that it will be exceptionally expensive to get a suitable foundation. They report that it will cost some $30,000 to build a proper foundation.

Mr. FINLEY. Right there, let me ask the gentleman, is that the case in every part of the city of Grand Junction, that you have such trouble to get a proper foundation? Why not move the location?

Mr. TAYLOR of Colorado. No; the whole city is underlaid with some alkali—it would do no good to change the site—they have to make an extensive construction there they claim to stand the weight of this kind of a public building. Furthermore, since the original appropriation was made the Government has established or extended the Reclamation Service there, and has increased the Weather Bureau and other Government functions there. The Treasury Department wants to provide for all of them at the same time, and this authorization only provides for a very plain brick building, while that city, I think, is entitled to a stone or marble building.

Mr. FINLEY. Well, what are the dimensions of the building upon which the plans and specifications have been made?

Mr. TAYLOR of Colorado. Eight thousand square feet of floor space, I believe. The report and its hearings give all the details very fully. This matter has been gone into exhaustively by the Secretary of the Treasury and the Supervising Architect and the Public Buildings and Grounds Committee, and the Treasury very earnestly recommended and tried to get $100,000 additional, whereas I am only asking for $75,000 in this bill.

Mr. FINLEY. I will say this to the gentleman, that this looks too much like a new proposition. It is 75 per cent a new proposition.

Mr. TAYLOR of Colorado. It is not a new proposition. The original one has been pending and held off for nearly 10 years since we got the site, and nearly 5 years since I got this appropriation. That city is certainly entitled to a public building, and they never can get one until Congress appropriates enough for them to build a building large enough to hold the Government business there.

Mr. FINLEY. It has gone out all over this country that we are to have no public buildings bill this year.

Mr. TAYLOR of Colorado. I will say to the gentleman that if there are to be none of these bills passed this session I do not ask to have this one passed; I do not want any advantage over other equally meritorious bills, not at all. I will say now to the other Members of the House, if that is the program I will subscribe to it instantly. But we have, during the past six months, passed one or two bills of this kind, and there are several more of them on the calendar, and if we are going to pass others I do not want the House to make fish of one and fowl of another. I fully realize that we are all trying to economize in every way, and no one wants to make any appropriation that is not absolutely necessary as an emergency measure. We just passed one small bill somewhat similar to this.

Mr. FINLEY. I was not here when that bill passed; I was at my committee room.

Mr. CLARK of Florida. Will the gentleman yield?

Mr. TAYLOR of Colorado. Yes, sir.

Mr. CLARK of Florida. I want to say for the information of the gentleman from South Carolina that it is not the purpose of the committee to report any omnibus public buildings bill.

But we distinctly stated some time ago, and the committee came to that conclusion after hearings and after conferring with the Treasury officials and other officers of the Government,

and even the President himself, that we would only report out such bills as appeared to be emergencies and of urgent necessity.

Mr. FINLEY. Now, just there, will the gentleman give me the urgent necessity in this instance?

Mr. CLARK of Florida. Let me finish that statement. We particularly described as one of the emergencies which the committee thought ought to be taken care of, cases where authorizations had heretofore been made and where the department had attempted by advertisement to secure contracts for the erection of a building and found, after such effort, that the authorization was inadequate and that the building could not be constructed within the limits of the authorization; and that we would then consider propositions to increase the authorization. That is one of the cases. And for three times, as the gentleman from Colorado [Mr. TAYLOR] has stated, advertisements were made and efforts to make contracts were made, and it was found utterly impossible to construct an adequate building for the purposes of Grand Junction within the limits of the authorization.

Mr. FINLEY. Now, just there. I ask the gentleman what facilities are afforded at Grand Junction at this time for the accommodation of the public business?

Mr. CLARK of Florida. I understand that they are extremely meager, though my friend from Colorado [Mr. TAYLOR] can answer the question.

Mr. TAYLOR of Colorado. I will answer that. They have the post office in a rented building and without sufficient space. They have the Reclamation Service in another rented building in another part of the city and without sufficient space. They have the Forest Service in another place, and other Federal offices scattered around over the city.

Mr. FINLEY. Will the gentleman tell me what rentals are paid?

Mr. TAYLOR of Colorado. The report here of the Treasury Department shows that they pay $1,000 a year rent for the post office; they pay $750 a year for the Reclamation Service; they pay $300 a year for the Forest Service; and they pay $480 a year for the Weather Bureau, and besides that they have the Civil Service Commission and the Department of Justice in separate buildings. and they are establishing a drainage department of the Government that will require considerable room. Let me call the gentleman's attention to the fact that the post-office receipts of that city are $35,000 a year.

Mr. FINLEY. About how much population has Grand Junction?

Mr. TAYLOR of Colorado. There are 15,000 served at this office.

Mr. CLARK of Florida. If my friend will permit me, I want to say this much further. He ought to recollect that the site for this building was procured some seven or eight years ago. The building was provided for in the public building bill of June 25, 1910, four and a half years ago. Now, the gentleman in his district, presumably, and I in mine and other gentlemen in theirs, had items carried in that bill. The buildings have been constructed. This is not a new proposition, but one which has been pending for all these years. It was carried originally in the bill of 1910, and on account of the fact of this foundation being so peculiar, as has been described, it has been utterly impossible to construct the building within the limits of the authorization. I hope my friend will not object.

Mr. FINLEY. I want to say to the gentleman this, that these are war times. The condition of the Treasury is not such as to warrant any expenditure that is not absolutely necessary, and I am not here contending for anything for any other State or any other district in the Union. But any proposition that looks to an isolated instance, where it is substantially a public building proposition as big as this, it strikes me it can wait until next winter.

Mr. CLARK of Florida. I want to say to the gentleman, and I am violating no confidence, I think, when I say that I had a talk with the President on the subject of this character of legislation recently, and I think the gentleman will agree with him that we ought not to stop all matters of public improvement; that where it is necessary for work to be done or where it results in a substantial saving to the Government and can not be done hereafter so well and so economically as it can be done now, it is our duty to do it now.

Mr. FINLEY. I do not understand how there could be so much of error in what would necessarily be the cost and the estimates upon which this proposition was first based.

Mr. TAYLOR of Colorado. Let me suggest to the gentleman that the Government functions have very greatly increased in that city since this building was originally proposed. The Reclamation Service has a large force there now. Grand Junction is the metropolis of western Colorado and the center of a large part of the Government functions in that part of our State, and these matters have been developing very much in recent years.

Mr. FINLEY. The figures which you have read amount to about $2,000 a year in rent.

Mr. TAYLOR of Colorado. More than that. They amount to nearly $3,000 a year in rent.

Mr. FINLEY. And then the necessary cost of upkeep of a public building would be vastly more. Now, I ask the gentleman how much harm and injury would be done to the public service by letting this matter go over until next winter?

Mr. TAYLOR of Colorado. I will say to the gentleman from South Carolina that this building has gone over now for 8 or 10 years, and it has been 4½ years since I got the original appropriation. If Congress is not going to pass any bills of this kind increasing any existing appropriations at all at this session. then I will acquiesce. However, I will say that there is no case more meritorious or urgent than this one, and if any bills of this kind are to be considered I certainly want to have this bill passed if possible.

Mr. CLARK of Florida. Will my friend permit one more question? He can realize——

Mr. MANN. Mr. Speaker, I ask for the regular order.

Mr. CLARK of Florida. I hope the gentleman will withhold that request for a moment. I just wanted to ask one question of my friend, if the gentleman will not insist on it now.

Mr. MANN. I withhold the request for the regular order for a minute.

Mr. CLARK of Florida. I want to say to the gentleman this, that here is a case where $100,000 has already been authorized. It is found that the building can not be constructed for that money. Is it not good business judgment to authorize $75.000 more now, when the gentleman knows that not a dollar of the $75.000 will possibly be reached for three years?

Mr. FINLEY. Has the site been obtained?

Mr. CLARK of Florida. Yes; seven or eight years ago. The Government owns the site now.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. This bill is on the Union Calendar.

Mr. CLARK of Florida. Mr. Speaker, I ask unanimous consent that it may be considered in the House as in the Committee of the Whole.

The SPEAKER. The gentleman from Florida asks unanimous consent that the bill may be considered in the House as in the Committee of the Whole. Is there objection? [After a pause.] The Chair hears none. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

The bill as amended was ordered read a third time, was read a third time, and passed.

On motion of Mr. TAYLOR of Colorado, a motion to reconsider the vote by which the bill was passed was laid on the table.

The SPEAKER. The Clerk will report the next one.

PUBLIC BUILDING, ST. PETERSBURG, FLA.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 18783) to increase the limit of cost of the United States post-office building and site at St. Petersburg, Fla.

The bill was read, with a committee amendment.

Mr. MANN. Reserving the right to object, Mr. Speaker, I would like to ask the gentleman from Florida [Mr. CLARK] a question in regard to that.

Mr. DONOVAN. Mr. Speaker, I want to reserve the right to object as well.

The SPEAKER. Very well.

Mr. MANN. If this increase is granted, will this be the last one that will be asked for?

Mr. CLARK of Florida. Mr. Speaker, I will say in reply to the gentleman that there is one other bill, which has passed the Senate——

Mr. MANN. I mean the last increase for this building?

Mr. CLARK of Florida. Oh, absolutely.

Mr. MANN. The gentleman is sure of that?

Mr. CLARK of Florida. Yes.

Mr. MANN. We made two increases before, did we not?

Mr. CLARK of Florida. Yes; but I will say to the gentleman that this is one of the most marvelously growing places in America. There is no question about it.

Mr. MANN. We commenced by making an authorization of $55,000 in 1908, after we purchased a site for $7.500 in 1907. Would it not be wise, if this place is growing so rapidly, not to hurry the building, because everything we have done heretofore has fallen short?

Mr. CLARK of Florida. No; it would be wise to get this additional land as quickly as possible. That is the proposition here.

Mr. MANN. We provided $55,000 for a building in 1910, and increased it $25,000 in 1913. It is proposed now, in the early days of 1915, to make another increase. I do not say it is improper, but I just wondered if we could ever tie it up.

Mr. CLARK of Florida. I think so. I want to say, Mr. Speaker, that this request does not come from my colleague [Mr. SPARKMAN], who represents St. Petersburg, but it comes from the Treasury Department.

Mr. MANN. I have never found him short in attending to his duties.

Mr. CLARK of Florida. He has not made the request. It comes absolutely from the department itself, and it was on their own initiative that the bill was introduced. Now I yield to my colleague [Mr. SPARKMAN].

Mr. SPARKMAN. Mr. Speaker, I only want to say that when the first authorization of this building was made I called the attention of the Treasury Department, possibly not that of the House, to the fact that the amount authorized was not sufficient for an adequate building there. That was in 1910. This they realized later. In the next act, in the bill of 1913, they provide for an increase of $25,000, which it contains. Again I warned that increase was not enough, and that they would yet need a further increase.

Last summer, when they were believed to begin work on the building, they found that the amount as increased would not suffice, and of their own initiative they sent an agent down there to look into the matter, who, after a thorough investigation, reported that they would need at least the amount which they ask for here, and which this bill carries.

Now as to the urgency of the matter, I doubt if there is one more so. Why, at this very time, and for several months past, the post-office authorities have been utilizing the municipal building—the city hall—of St. Petersburg as a post office, because they can not find any other suitable place for that purpose that is more available. Among other difficulties, the rents are higher there than the Post Office Department is willing to pay. Of course, no one will rent to the Government when he can get more from other parties, and but for the fact that the city itself lets them use a part of its own building, they would have no place there in that beautiful, progressive town in which to carry on the post-office business.

This bill, as has been stated by my colleague [Mr. CLARK], is very meritorious. There is certainly none on the entire calendar more so. The city is growing as rapidly as any other in Florida, and that means in the country. Its post-office receipts have grown from $13,661 in 1908 to $44,913 in 1914. Its normal population is now about 10,000, with a winter population of perhaps 25,000; and I would suggest that we had better provide for the building now and get it started, otherwise we may be soon called upon for a further increase.

The SPEAKER. Is there objection?

Mr. DONOVAN. Mr. Speaker, we have here, as has been stated, an appropriation for a building in the State of Florida. I would like to suggest to the gentleman from Florida that, in view of the large amount of money that is collected from the different States by direct tax, Florida has already had its share.

Mr. SPARKMAN. As to that I want to say that Florida, up to this time, has not gotten anything. She has not asked for anything.

Mr. DONOVAN. Then I object. If the gentleman does not know what is going on down there and makes that statement, I object.

The SPEAKER. The gentleman from Connecticut [Mr. DONOVAN] objects.

Mr. SPARKMAN. Mr Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. The gentleman from Florida [Mr. SPARKMAN] asks unanimous consent that this bill be passed over without prejudice. Is there objection?

There was no objection.

The SPEAKER. The Clerk will report the next one.

REGULATION OF TRAFFIC DURING PARADES, DISTRICT OF COLUMBIA.

The next business on the Calendar for Unanimous Consent was the bill (S. 2415) relating to the exclusion of traffic from the streets and avenues of the District of Columbia during parades.

The bill was read.

The SPEAKER. Is there objection?

Mr. JOHNSON of Kentucky. Mr. Speaker, reserving the right to object, I wish to say that the House committee seems to have taken something for granted because this bill was prepared by the corporation counsel and because it already had been passed by the Senate. But I find on the first page, toward the end of line 7 and throughout line 8, when taken in connection with what follows, that the bill either gives concurrent jurisdiction to the Commissioners of the District of Columbia and to the police court or it gives conflicting jurisdiction; I can not certainly tell which. Besides that, the bill nowhere creates the offense of misdemeanor or felony or any other specific offense. I therefore object to its present consideration, and further ask that the bill be laid on the table.

The SPEAKER. The gentleman from Kentucky objects, and asks that the bill be laid on the table. Is there objection to his request?

Mr. STAFFORD. Mr. Speaker, I do not think we should have the bill laid on the table without its being considered.

Mr. JOHNSON of Kentucky. Then, Mr. Speaker, I ask that the bill be recommitted to the Committee on the District of Columbia.

The SPEAKER. The gentleman from Kentucky asks that the bill be recommitted to the Committee on the District of Columbia. Is there objection?

Mr. MOORE. Mr. Speaker, reserving the right to object, I call the attention of the gentleman to the title of this bill "relating to the exclusion of traffic from the streets and avenues of the District of Columbia during parades." It would seem to pertain to vehicular traffic and not to the granting of permits to parade. But the bill itself apparently empowers the commissioners to grant permits to parade, and then it imposes a fine of $40 for the violation of such regulation as they may provide. It is not clear to me, as I read the bill in connection with the title, whether the imposition of this penalty, which seems to be delegated to the commissioners, is to be against street car companies or vehicles that may interrupt a parade, or against those who parade without a permit.

Mr. JOHNSON of Kentucky. I wish to say to the gentleman that in construing a statute the court will not take the title into consideration in connection with the bill; and if he will look at the end of line 7 and all of line 8, taken in connection with what follows, I apprehend that it may confer judicial power upon the commissioners to convict and impose fines.

Mr. MOORE. It reads that way.

Mr. JOHNSON of Kentucky. I do not think the commissioners ought to have judicial powers.

Mr. MOORE. I am not going to object to the motion to refer the bill back to the committee, but I think——

Mr. JOHNSON of Kentucky. I ask unanimous consent that the bill be stricken from the entire calendar and recommitted to the Committee on the District of Columbia.

The SPEAKER. Is there objection to the request to recommit the bill to the Committee on the District of Columbia?

There was no objection.

PETER LASSEN NATIONAL PARK, CAL.

The next bill on the Calendar for Unanimous Consent was the bill (H. R. 52) to establish the Peter Lassen National Park in the Sierra Nevada Mountains in the State of California, and for other purposes.

The Clerk read the title of the bill.

Mr. JOHNSON of Washington. Mr. Speaker, I object to the consideration of this bill.

The SPEAKER. The gentleman from Washington objects. The bill will be stricken from the calendar.

ALCATRAZ ISLAND.

The next bill on the Calendar for Unanimous Consent was the bill (H. R. 9017) transferring the control and jurisdiction of Alcatraz Island, and its buildings thereon from the Department of War to the Department of Labor.

The Clerk read the title of the bill.

Mr. ANTHONY. Mr. Speaker, I reserve the right to object to this bill.

The SPEAKER. The Clerk will report the bill.

The bill was read, as follows:

Be it enacted, etc., That Alcatraz Island and all its buildings thereon, now under the control and jurisdiction of the Department of War, and now used as and known, designated as and called the United States military prison on Alcatraz Island, Cal., be, and the same hereby is, transferred to the Department of Labor to be used by the Bureau of Immigration and Naturalization, the said Alcatraz Island and all its buildings thereon to be hereafter under the exclusive control and jurisdiction of the Department of Labor

With the following committee amendment:

Strike out all after the enacting clause and insert the following:

"That Alcatraz Island and all buildings, machinery, and improvements thereon, now under the control and jurisdiction of the Department of War, and used for and known as the Pacific branch, United States military prison, on Alcatraz Island, Cal., be, and the same hereby is, except as herein otherwise provided, transferred to the Department of Labor to be used by the Bureau of Immigration as an immigration station or for such other uses as may be provided for by law. The said Alcatraz Island, together with all buildings, machinery, and improvements thereon, shall be hereafter under the exclusive control and jurisdiction of the Department of Labor, subject to the provisions of the

act of Congress approved September 28, 1850, providing for a lighthouse at Alcatraz Island."

The SPEAKER. Is there objection?

Mr. ANTHONY. Mr. Speaker, reserving the right to object, I should like to say that there does not appear to be any compensation to the War Department for the transfer of a very valuable piece of property.

Mr. KAHN. Mr. Speaker, there is no compensation provided in this bill. After all, it would be simply a matter of bookkeeping—transferring in the Treasury Department from one page of the ledger to anther page of the ledger the cost of the buildings.

This transfer is really needed at the present time. Alcatraz Island, in the bay of San Francisco, is about 2 miles from the mainland, and has on it a comparatively new building, completed probably three or four years ago for a military prison.

The War Department has recently inaugurated a new policy with reference to military prisoners. As I understand it, the new regulation went into effect on or about September 30 last. Many of the prisoners confined in this military prison are deserters. They are serving time for desertion, ranging from one year to two or three years. Some of them, too, are serving time for felonies that were committed by them while they were in the Army. The War Department feels that when a soldier has deserted and is willing to serve out his time and get an honorable discharge, it should be the policy of the department to give that man a chance to redeem himself. I understand that the Navy Department has carried out such a policy for some years quite successfully. The War Department has now taken it up.

The purpose of the War Department is to rehabilitate an old fortification built in 1861, located at the northern extremity of the peninsula of San Francisco, known as Fort Point. This fort is a very substantial building. At a comparatively small cost of money it has been renovated and made habitable for disciplinary companies of soldiers who deserted and who are trying to redeem themselves. The War Department feels that these soldiers can be used to some advantage if they are placed in these disciplinary barracks at Fort Point; that their labor can be utilized in the construction of roads and walks, and the care of the grounds in the military posts in and about the bay of San Francisco.

The present immigration station is located on Angel Island, between 4 and 5 miles from San Francisco and approximately 3 miles north of Alcatraz Island. That station was completed about 10 years ago. With the exception of the building which contains the dynamos and boilers, as I now recall, the buildings are of wood construction. At the present time the sole occupants are orientals, Chinese and Japanese and Hindu immigrants who come from oriental countries to San Francisco.

There is no doubt that with the opening of the Panama Canal additional immigration buildings will have to be constructed. There are no accommodations, or there would be no accommodations at present, for white immigrants coming to San Francisco if they should come in any considerable numbers, and it is believed that they will come in considerable numbers as soon as the canal is formally opened for the traffic of the world. In view of that fact, the Secretary of Labor, negotiating with the War Department, and the War Department, feeling that a considerable saving could be made to the Government by transferring those buildings to the Department of Labor, has asked for this legislation.

Mr. MOORE. Has the Department of Labor indicated that it wants it?

Mr. KAHN. Yes. In the report of the Committee on Military Affairs on this bill the gentleman will find the statement that the Commissioner of Immigration and the Secretary of Labor both want the transfer.

Mr. MOORE. It would not want the buildings for prison purposes?

Mr. KAHN. Oh, no. At a very small expense they could be converted into very desirable quarters for immigrants.

Mr. MOORE. Hospital purposes?

Mr. KAHN. Oh, there is a splendid hospital there. The buildings are of modern reinforced-concrete construction, only completed three or four years ago.

Mr. TOWNSEND. Would there not be another advantage that the gentleman overlooked in having this transfer, that instead of these disciplinary companies being located some 5 miles away, and being transferred back and forth every day at a loss of three or four hours' time, they might be conveniently employed if they were located at Fort Point?

Mr. KAHN. That is very true. I thank the gentleman for his suggestion.

Mr. MANN. Will the gentleman yield for a question?

Mr. KAHN. I will yield to the gentleman from Illinois.

Mr. MANN. Is it not rather a reflection on the War Department that they should construct these modern buildings, almost finishing them now, and then immediately find out that they are not proper for the service for which they were constructed or that the place is not a proper one?

Mr. KAHN. The buildings themselves were constructed by prison labor, so that the actual cost of construction was not very great. But, as I stated at the very outset, the War Department has recently—in fact, within the last year—inaugurated an entirely new policy so far as the treatment of military prisoners is concerned. At the time the buildings were commenced no such policy was in contemplation. The fact that they have changed the former policy makes it advisable to transfer these buildings to another branch of the Government service that certainly will require buildings.

The SPEAKER. Is there objection?

Mr. NORTON. Mr. Speaker, I reserve the right to object.

Mr. MOORE. Are these buildings known as prison buildings?

Mr. KAHN. They are known as the United States Military Prison, Branch of the Pacific.

Mr. MOORE. The gentleman knows that it would be very unhappy to call buildings "prison buildings" that were to be devoted to immigration purposes.

Mr. KAHN. If they are turned over to the Department of Labor, they will be known as the United States Immigration Station. The very fact that these buildings occupy a very conspicuous location in the bay of San Francisco and are designated as a United States military prison, in my judgment, is exceedingly detrimental to the War Department.

Mr. NORTON. I would like to ask the gentleman if it is not a fact that one of the principal reasons for desiring this change is the sentimental one that the citizens of San Francisco are opposed to having this prison located in the harbor on this island?

Mr. KAHN. The gentleman is entirely mistaken; the sentimental reason probably occurred to me rather than to anybody else. As a member of the Committee on Military Affairs, I do not think it a good thing to have such a conspicuous building as that pointed out as a military prison; but there is not a citizen of San Francisco who has expressed any opinion on the subject as far as I know. They are willing to have it there no matter what it is called, but the Immigration Service requires additional buildings and will have to have them, and in the interest of economy it is desirable to make this transfer.

Mr. NORTON. Mr. Speaker, the report shows that within the past two years $250,000 has been expended in the construction of a new prison building on this island. It occurs to me that there is no immediate need for a change of the control of this building from the War Department to the Immigration Department, except that it be for the satisfaction of some citizens in San Francisco to improve the harbor and have these buildings designated as an immigration station rather than as a prison. Further than that, it means that a large appropriation will soon be asked for in the improving of the harbor and for the construction of other prison buildings on the mainland. I object.

The SPEAKER. The gentleman objects, and the bill will be stricken from the calendar.

THE NAVAL APPROPRIATION BILL.

Mr. PADGETT. Mr. Speaker, I ask unanimous consent to have referred back to the Committee on Naval Affairs the naval appropriation bill (H. R. 20975) in order to correct one paragraph that does not accurately express the action of the committee.

Mr. BUTLER. The unanimous action of the committee.

Mr. PADGETT. By inadvertence, the language does not accurately express the action of the committee.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

Mr. MANN. I did not hear the request.

Mr. PADGETT. I am asking to have the naval appropriation bill, which is on the calendar, referred back to the Committee on Naval Affairs in order to correct some inaccurate language.

Mr. MANN. I have no objection.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

MALAMBO FIRE CLAIMANTS.

The next business on the Calendar for Unanimous Consent was the bill S. 4254, an act to enable the Secretary of War to pay the amount awarded to the Malambo fire claimants by the joint commission under article 6 of the treaty of November 18, 1903, between the United States and Panama.

Mr. MANN. Mr. Speaker, I object.

The SPEAKER. The gentleman objects, and the bill will be stricken from the calendar.

IMPROVEMENT OF THE FOREIGN SERVICE.

Mr. FLOOD of Virginia. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the Senate bill S. 5614, for the improvement of the foreign service, which provides for the reorganization of the Consular Service and the secretaries in the Diplomatic Service.

The Clerk read the bill, as follows:

Be it enacted, etc., That hereafter all appointments of secretaries in the Diplomatic Service and of consuls general and consuls shall be by commission to the offices of secretary of embassy or legation, consul general, or consul, and not by commission to any particular post, and that such officers shall be assigned to posts and transferred from one post to another by order of the President as the interests of the service may require: *Provided*, That no officer may be assigned for duty in the Department of State for a period of more than three years, unless the public interest demand further service, when such assignment may be extended for a period not to exceed one year, and no longer: *Provided further*, That no secretary, consul general, or consul shall be promoted to a higher class except upon the nomination of the President, with the advice and consent of the Senate.

SEC. 2. That secretaries in the Diplomatic Service and consuls general and consuls shall hereafter be graded and classified as follows, with the salaries of each class herein affixed thereto:

SECRETARIES.

Secretary of class 1, $3,000.
Secretary of class 2, $2,625.
Secretary of class 3, $2,000.
Secretary of class 4, $1,500.
Secretary of class 5, $1,200.

CONSULS GENERAL.

Consul general of class 1, $12,000.
Consul general of class 2, $8,000.
Consul general of class 3, $6,000.
Consul general of class 4, $5,500.
Consul general of class 5, $4,500.

CONSULS.

Consul of class 1, $8,000.
Consul of class 2, $6,000.
Consul of class 3, $5,000.
Consul of class 4, $4,500.
Consul of class 5, $4,000.
Consul of class 6, $3,500.
Consul of class 7, $3,000.
Consul of class 8, $2,500.
Consul of class 9, $2,000.

SEC. 3. That section 1685 of the Revised Statutes is hereby amended to read as follows:

"SEC. 1685. That for such time as any secretary of embassy or legation shall be lawfully authorized to act as chargé d'affaires ad interim at the post to which he shall have been appointed or assigned, he shall be entitled to receive, in addition to his salary as secretary of embassy or legation, compensation equal to the difference between such salary and 50 per cent of the salary provided by law for the ambassador or minister at such post; and for such time as any vice consul shall be lawfully authorized to assume charge of a consulate general or consulate during the absence of the principal officer at the post to which he shall have been appointed or assigned, he shall be entitled to receive, in addition to his regular salary or compensation as a subordinate consular officer or employee, compensation equal to the difference between such salary or compensation and 50 per cent of the salary provided by law for the principal consular officer at such post."

SEC. 4. That a secretary, consul general, or consul of whatever class detailed for special duty outside of the city of Washington shall be paid his actual and necessary expenses for subsistence during such special detail: *Provided*, That such special duty shall not continue for more than 60 days unless in the case of international gatherings, congresses, or conferences, when such subsistence expenses shall run only during the life of the international gathering, congress, or conference, as the case may be.

SEC. 5. That the Secretary of State is directed to report from time to time to the President, along with his recommendations for promotion or for transfer between the department and the foreign service, the names of those secretaries in the Diplomatic Service and the names of those consular officers or departmental officers or employees who by reason of efficient service, an accurate record of which shall be kept in the Department of State, have demonstrated special efficiency, and also the names of persons found upon examination to have fitness for appointment to the lower grades of the service.

SEC. 6. That section 1674 of the Revised Statutes is hereby amended to read as follows:

"SEC. 1674. That the official designations employed throughout this title shall be deemed to have the following meanings, respectively:

"First. 'Consul general' and 'consul' shall be deemed to denote full, principal, and permanent consular officers as distinguished from subordinates and substitutes.

"Second. 'Consular agent' shall be deemed to denote consular officers subordinate to such principals exercising the powers vested in them and performing the duties prescribed for them by regulation of the President at posts or places different from those at which such principals are located, respectively.

"Third. 'Vice consuls' shall be deemed to denote consular officers subordinate to such principals exercising and performing the duties within the limits of their consulates at the same or at different points and places from those at which the principals are located, except that when vice consuls take charge of consulates general or consulates when the principal officers shall be temporarily absent or relieved from duty they shall be deemed to denote consular officers who shall be substituted, temporarily, to fill the places of said consuls general or consuls.

"Fourth. 'Consular officer' shall be deemed to include consuls general, consuls, vice consuls, interpreters in consular offices, student interpreters, and consular agents, and none others.

"Fifth. 'Diplomatic officer' shall be deemed to include ambassadors, envoys extraordinary, ministers plenipotentiary, ministers resident, commissioners, chargés d'affaires, agents, secretaries of embassy and legation, and secretaries in the Diplomatic Service, and none others."

The offices of vice consul general, deputy consul general, and deputy consul are abolished.

SEC. 7. That no ambassador, minister, minister resident, diplomatic agent, or secretary in the Diplomatic Service of any grade or class shall, while he holds his office, be interested in or transact any business as a merchant, factor, broker, or other trader, or as an agent for any such person to, from, or within the country or countries to which he or the chief of his mission, as the case may be, is accredited, either in his own name or in the name or through the agency of any other person, nor shall he, in such country or countries, practice as a lawyer for compensation or be interested in the fees or compensation of any lawyer so practicing.

SEC. 8. That this act shall take effect on the 30th day of September, 1914, when all acts or parts of acts inconsistent with this act are repealed.

The SPEAKER. The Chair wishes to state that if this bill is to be passed at this session it should be passed now, in order that it may be provided for in the appropriation bill. Is there objection?

Mr. STAFFORD. Reserving the right to object, Mr. Speaker, I would like to have the gentleman from Virginia state what the difference is between the Senate bill and the bill as reported from his committee. I notice that the Senate bill is quite different from the House bill.

Mr. FLOOD of Virginia. The differences are slight.

Mr. MOORE. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MOORE. Is the gentleman's request for consideration, or is it a motion to suspend the rules?

The SPEAKER. His request is to take from the Speaker's table this bill and consider it.

Mr. MOORE. Does that admit of an opportunity for debate as under suspension of the rules? Under the suspension of the rules there would be 20 minutes on a side.

The SPEAKER. The suspension of the rules has nothing to do with it. The Chair put it ahead because if the bill is to be passed at all it should be passed now.

Mr. STAFFORD. Mr. Speaker, will the gentleman postpone the consideration of this bill until later in the afternoon, when we may have an opportunity to examine it? We have not been able to obtain the print that has been read by the Clerk.

Mr. MOORE. Mr. Speaker, I wish to say to the gentleman that 10 minutes have elapsed since I sent for my copy, and I have just been able to obtain it.

Mr. STAFFORD. And we are not certain of the copy we have received. The bill that I have in my hand does not show that it is the bill that passed the Senate.

Mr. FLOOD of Virginia. If I could be recognized a little later, I would be perfectly willing to postpone the consideration of the matter now.

The SPEAKER. The Chair does not know about that. He can not tell what the state of the business will be in two or three hours. The Chair will promise to recognize the gentleman, however, as soon as we get through with the next two of these bills. Will that be satisfactory to the gentleman from Wisconsin?

Mr. STAFFORD. I do not know how much time that will take, Mr. Speaker.

The SPEAKER. The Chair is simply asking if the gentleman would like to have that much time.

Mr. STAFFORD. That certainly will be better than taking it up for consideration now.

Mr. BURNETT. Mr. Speaker, I will ask the Chair to make that the next three bills.

The SPEAKER. Very well; make it the next three.

MAJORS IN ORDNANCE DEPARTMENT.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 17765) to regulate the details of majors in the Ordance Department.

The Clerk read the bill, as follows:

Be it enacted, etc., That majors may be detailed in the Ordnance Department, under section 26 of the act approved February 2, 1901, and acts amendatory thereof, without a compulsory period of service out of that department.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

PUBLIC BUILDING AT HONOLULU, HAWAII.

The next business on the Calendar for Unanimous Consent was the bill (S. 5295) to amend existing legislation providing for the acquisition of a site and the construction of a building thereon for the accommodation of the post office, United States courts, customhouse, and other governmental offices at Honolulu, Territory of Hawaii, and for other purposes.

The Clerk read the bill, as follows:

Be it enacted, etc., That the acts of June 30, 1906 (34 Stats., p. 782), June 30, 1906 (34 Stats., p. 794), May 30, 1908 (35 Stats., p. 490), May 30, 1908 (35 Stats., p. 541), March 4, 1909 (35 Stats., p. 951), June 25, 1910 (36 Stats., p. 696), March 4, 1911 (36 Stats., p. 1373),

March 4, 1913 (37 Stats., p. 866), and October 22, 1913, providing for the acquisition of a site, the enlargement thereof, and the construction of a building thereon for the accommodation of the post office, United States courts, customhouse, and other governmental offices at Honolulu, Territory of Hawaii, be, and the same are hereby, amended so as to authorize the Secretary of the Treasury, in his discretion, in lieu of enlarging the site heretofore acquired for said building, to reconvey said site by the usual quitclaim deed to the person or persons from whom the United States acquired title, or to their successors in interest, upon the payment to the United States of the price the Government paid for said property, and conditioned upon the payment being first made by said previous owners, or by their successors in interest, of the sum of $35,000 to the person or persons who contributed said sum for the opening and dedication of Bishop Street, adjoining said site, or to their successors in interest; and the Secretary of the Treasury, in his discretion, is hereby authorized to acquire, by purchase, condemnation, or otherwise, a new and conveniently located site of ample area for said authorized building, and to enter into contract, within the limit of cost hereinafter fixed, for the acquisition of such new site, or such enlargement of the present site, and for the erection and completion of the building heretofore authorized: *Provided*, That the cost of the present site, including the enlargement thereof, or of such new site, and of said building shall not exceed the total of the limits of cost heretofore fixed, to wit, $1,325,000: *Provided further*, That all appropriations heretofore made toward the acquisition of the present site and the enlargement thereof and the construction of said building, together with the proceeds of such sale of the present site, are hereby made available toward the acquisition of such new site, or the enlargement of said present site, and the construction of said building upon either the new or the present site.

With the following committee amendments:

Page 2, line 16, strike out the words "in his discretion."

Page 2, lines 17, 18, 19, 20, 21, 22, 23, 24, 25, and line 1, on page 3, strike out the following: "Reconvey said site by the usual quitclaim deed to the person or persons from whom the United States acquired title, or to their successors in interest, upon the payment to the United States of the price the Government paid for said property, and conditioned upon the payment being first made by said previous owners, or by their successors in interest, of the sum of $35,000 to the person or persons who contributed said sum for the opening and dedication of Bishop Street, adjoining said site, or to their successors in interest," and insert in lieu thereof the following: "Sell said site to the highest bidder, at public or private sale, after giving notice by advertisement for 30 days in some newspaper published in said city of Honolulu, at a minimum price of not less than $150,000, the proceeds of said sale to be paid into the Treasury as miscellaneous receipts."

Page 3, lines 6 and 7, strike out the words "in his discretion."

Page 3, lines 11 and 12, after the word "site," strike out the comma and the words "or such enlargement of the present site."

Page 3, lines 13 and 14, strike out the words "the present site, including the enlargement thereof, or of."

Page 3, lines 19 and 20, strike out, after the word "building," the comma and the words "together with the proceeds of such sale of the present site."

Page 3, lines 21 and 22, after the word "site," strike out the comma and the words "or the enlargement of said present site."

Page 3, line 23, strike out the word "either" and the words "or the present."

The SPEAKER. Is there objection?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, I notice that there is no limitation in the bill as to the cost of the new site. We make available all of the moneys that have heretofore been appropriated for the purchase of a site and the erection of a public building at Honolulu, without any limitation whatsoever on the cost of the new site. I propound this question to the gentleman who has charge of the bill—whether he does not think there should be some restriction placed in this bill on the exercise of discretion on the part of the Government officials in islands so far removed as Hawaii?

Mr. BURNETT. Mr. Speaker, this bill does not propose to take a cent out of the Treasury. The gentleman is aware of that, of course. In 1906 there was authorization for the construction of a customhouse, courthouse, post office, and various other public buildings in Hawaii, in Honolulu. A site was purchased for $104,000. It was ascertained that that was inadequate in size, and an appropriation or authorization was made for the purpose of enlarging it. It was found that was going to cost so much, and there were so many intricacies in regard to the matter, that it was determined they could not do that and still construct the building within the authorization. Therefore this bill is for the purpose of selling the old site at $150,000, turning that money into the Treasury, and then buying a new site and to construct the building out of the authorization; so it really is a net profit of $150,000 to the Public Treasury.

In regard to the suggestion of the gentleman, this is under the suggestion of the Treasury Department. It was first in the discretion as to enlargement of the old site, but all of that is stricken out, and that has been done with the concurrence of the Treasury Department. They say there are several sites in view. They believe they can buy a site and keep within the cost of $200,000 or $225,000. However, the entire site is to be purchased and the building constructed within the authorization, and hence we discussed with them the very question that the gentleman has asked, and they said for that reason they did not see any necessity and hoped there would not be any limit as to the cost of the site, because the building and the site can not exceed the amount of the authorization.

Mr. STAFFORD. The gentleman has had wide enough experience on the Committee on Public Buildings to know that if you are going to grant to these officials out there unlimited discretion as to the purchase of a site within the combined cost of the site and the public building, when the site has once been purchased, then they can come back and say that the site cost so much that they are not able to construct the building within the amount authorized.

Mr. BURNETT. Yes, that is true; that is often done.

Mr. STAFFORD. There is nothing in the report to show what the estimated cost of the new building will be.

Mr. BURNETT. I see the Delegate from Hawaii [Mr. KALANIANAOLE] here, who is perhaps more familiar with that proposition than I am, and I would not object to a reasonable limitation on the cost of the site. I believe it unnecessary, however, because this thing has been going on so long that they are very anxious to get on with the construction of it.

Mr. STAFFORD. I hope the gentleman will not contradict himself. In one breath he says he agrees with what I say might arise and the next breath he says he thinks it is unnecessary to do this.

Mr. BURNETT. I think so because of the facts. I think they will proceed to purchase the site and construct the building.

Mr. STAFFORD. The gentleman can not furnish the committee with any estimate as to the cost of the building?

Mr. BURNETT. Mr. Speaker, perhaps the Delegate here from Hawaii can give the gentleman more accurate information than I am able to give.

Mr. KALANIANAOLE. Mr. Chairman, the Treasury Department has not given any estimate of the cost of these sites. There are two sites now being considered by the Treasury Department, one in the city proper and another about a quarter of a mile out of the city, both of which I believe can be purchased for about $200,000.

Mr. STAFFORD. Which one does the gentleman refer to when he says the price is $200,000?

Mr. KALANIANAOLE. Both the so-called Spreckels site and the Irwin site, I think, can be purchased for that amount.

Mr. STAFFORD. Both have an estimated value of $200,000?

Mr. KALANIANAOLE. It may be a little more.

Mr. STAFFORD. Would the gentleman have any objection, in line 10, page 3, to inserting, after the word "cost," "$200,000," so as to read "within the limit of cost of $200,000," so that these officials in purchasing a new site will leave sufficient money for the erection of this public building?

Mr. KALANIANAOLE. I do not think it would be well to limit the cost of the site to $200,000, as one can not say with any degree of certainty that that amount would be sufficient to purchase either of the sites under consideration.

Mr. STAFFORD. The gentleman is acquainted with the practice in these public-building proposition of limiting the appropriation for the site and then the amount of appropriation for the public building. I have no objection whatsoever to the erection of this public building, but I can see that if a public building is to be erected there should be some limitation on the cost of the site.

Mr. KALANIANAOLE. In this case I do not think it would be well to limit the cost of the site, inasmuch as the cost of the building and site must come within the authorization.

Mr. STAFFORD. I realize it is a proper legislative function to place a limitation as to the amount that can be paid for site purposes.

Mr. KALANIANAOLE. I think the gentleman is right.

Mr. STAFFORD. The gentleman knows that very frequently when there is no limitation on the cost of the site that they purchase a very large site at a very large price, and that then there is not enough money left to construct the building according to the original plans, and they come here for a supplemental appropriation. I would not have any objection, Mr. Speaker, even to raising the amount and allowing $50,000 more, so as not to restrict them too closely and enable them to obtain a proper site, but without such a limitation I will feel constrained to object. I hope that meets with the approval of the Delegate from Hawaii.

The SPEAKER. Is the gentleman objecting or objecting conditionally?

Mr. STAFFORD. Mr. Speaker, I am objecting conditionally, and I find my suggestion has the full approval, I may say, of the gentleman from Hawaii.

Mr. ASHBROOK. Do I understand the Delegate accepts the raise?

Mr. STAFFORD. The Delegate always accepts everything that is right and proper.

The SPEAKER. Is there objection?

Mr. GOULDEN. Mr. Speaker, I would like to ask the gentleman from Alabama what is the total authorization for site and building?

Mr. BURNETT. One million three hundred and twenty-five thousand dollars. That has heretofore been made, but not in this bill.

Mr. GOULDEN. That excludes the sale or the proceeds of the sale of the present site?

Mr. BURNETT. Oh, yes; that goes back into the Treasury. Now, as far as the suggestion of the gentleman from Wisconsin goes, I think it would be a very wise provision to put a limitation that the cost shall not exceed $250,000, and, like the Delegate, I do not believe it will cost that. I do not believe it will exceed $200,000, but out of abundant caution, in order that they may have ample funds, we have no objection.

Mr. MANN. You are selling the present site for $150,000.

Mr. BURNETT. And that goes into the Treasury.

Mr. MANN. That is not large enough, and what is the use of wasting time in passing a bill to buy a new site for $150,000?

Mr. STAFFORD. Two hundred and fifty thousand dollars. The Delegate himself thinks it can be bought for $200,000, and so we give him plenty of leeway by adding $50,000. We put that limitation on the cost.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. This bill is on the Union Calendar.

Mr. BURNETT. Mr. Speaker, I ask unanimous consent to consider the bill in the House as in the Committee of the Whole House on the state of the Union.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The question is on the committee amendments.

The question was taken, and the committee amendments were agreed to.

Mr. STAFFORD. Does that include the new proposition?

The SPEAKER. It does not.

Mr. STAFFORD. Mr. Speaker, I offer an amendment. In line 10, page 3, after the word "cost," strike out the words "hereinafter fixed" and insert in lieu thereof "of $250,000."

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Page 3, line 10, after the word "cost," strike out the words "hereinafter fixed" and insert the word and figures "of $250,000."

The question was taken, and the amendment was agreed to.

The bill as amended was ordered to be read a third time, was read the third time and passed.

PRESIDIO AND FORT MASON (CAL.) LANDS.

The SPEAKER. The Clerk will report the next bill.

The next business on the Calendar for Unanimous Consent was H. J. Res. 346, ceding to the State of California temporary jurisdiction over certain lands in the Presidio of San Francisco and Fort Mason (Cal.) Military Reservation.

Mr. KAHN. Mr. Speaker, this resolution has already become a law, a Senate bill of similar import having already been passed. I therefore move that it be stricken from the calendar.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

IMPROVEMENT OF FOREIGN SERVICE.

Mr. FLOOD of Virginia. Mr. Speaker, this is the point at which I understood I was to be recognized.

Mr. MANN. That bill went off the calendar. That does not count.

The SPEAKER. The gentleman from Virginia [Mr. FLOOD] asks unanimous consent to take from the Speaker's table and consider at the present time the bill S. 5614, for the improvement of the foreign service. Is there objection?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, I think the chairman of the committee should explain this bill.

Mr. FLOOD of Virginia. Mr. Speaker, the gentleman from Wisconsin asked the difference between this bill and the bill as reported from the House committee. The gentleman, I suppose, has in his hand a print of the bill S. 5416?

Mr. STAFFORD. Yes. Since the colloquy I went out and obtained an engrossed copy of the Senate bill.

Mr. FLOOD of Virginia. Now, the gentleman will observe at the end of line 14 of this bill as it passed the Senate——

Mr. MOORE. Line 14 on which page?

Mr. FLOOD of Virginia. Page 1, section 1, as follows:

Provided further, That no secretary, consul general, or consul shall be promoted to a higher class except upon the nomination of the President, with the advice and consent of the Senate.

Mr. MANN. Of course, that absolutely destroyed the purpose of the bill.

Mr. FLOOD of Virginia. No; that was the purpose of the bill as recommended by the House committee. They did not use that language. The intention of this, I will say to the gentleman from Illinois, is that the President may appoint to a class, and that being confirmed by the Senate he could transfer the secretary or the consul from any post in that class to any other post in the same class; but if the President wishes to promote or demote a consul or secretary it has to be sent to the Senate for confirmation. The House bill did not use that language but made a similar provision in different language.

Mr. MANN. The House bill was directly the contrary.

Mr. FLOOD of Virginia. No.

Mr. MANN. The House bill provided consuls should be appointed as consuls and should be sent to posts in the discretion of the President.

Mr. FLOOD of Virginia. Oh, no; it did not. Only to posts in the same class.

Mr. MANN. That is what it reads.

Mr. FLOOD of Virginia. The House bill provided that consuls should be appointed to classes, and that confirmation had to be had by the Senate, and then if the President should desire he could transfer a consul from any post in that class to any other post in the same class, but he could not promote or demote the consul without the advice and consent of the Senate; and the provision applies to secretaries.

Mr. MANN. The House bill says:

That hereafter all appointments of secretaries in the Diplomatic Service and of consuls general and consuls shall be by commission to the offices of secretary of embassy or legation, consul general, or consul, and not by commission to any particular post, and that such officers shall be assigned to posts and transferred from one post to another by order of the President as the interests of the service may require.

Mr. FLOOD of Virginia. Such officers shall be assigned to a post and transferred from one post to another.

Mr. MANN. Yes; they are to be appointed simply as consuls. It is true section 2 of the bill says the grade shall be classified as follows, but they are not appointed to a class. Under section 1 they are appointed as consuls. There is not any question about what the bill says. I supposed the very purpose of this bill was to give the President or the Secretary of State acting with him power to change consuls and let a man enter the service in a lower grade without being held up by Senators all the time on the question of patronage.

Mr. FLOOD of Virginia. No; the gentleman is mistaken as to the purpose of the bill, and the same question arose in the Senate that the gentleman is making now, that the bill was not clear on that point, and the amendment I have just called attention to was put in on the floor of the Senate to make that clear.

Mr. MANN. I may be mistaken as to the purpose of the bill, although I have examined this bill for several Congresses.

Mr. FLOOD of Virginia. That was not the purpose. And the Senate took the position that the gentleman from Illinois takes, that the wording of the bill was not plain, and did not carry out the meaning of the bill, and therefore added that amendment.

Mr. MAPES. Will the gentleman yield?

Mr. FLOOD of Virginia. Yes.

Mr. MAPES. The gentleman has introduced two bills on this same subject in the House, has he not?

Mr. FLOOD of Virginia. Yes.

Mr. MAPES. And when he refers to the House bill, to which one does he refer?

Mr. FLOOD of Virginia. I refer to H. R. 18654.

Mr. MAPES. In H. R. 18654, sections 5, 6, and 7 of H. R. 16680 were omitted, were they not?

Mr. FLOOD of Virginia. Yes.

Mr. MAPES. And that strikes out the section providing for the efficiency reports and the competitive examination feature, does it not?

Mr. FLOOD of Virginia. Yes.

Mr. MAPES. Now, in the Senate bill as it passed the Senate, section 5 was kept in?

Mr. FLOOD of Virginia. Yes.

Mr. MAPES. The bill passed the Senate with that section in?

Mr. FLOOD of Virginia. Yes.

Mr. MAPES. Does the gentleman propose, if unanimous consent is given to consider this bill this afternoon, to offer an amendment striking out section 5 as reported by the House committee, or to leave it in as it passed the Senate?

Mr. FLOOD of Virginia. In deference to the gentleman, I did not propose to offer an amendment to the Senate bill. I do not care about section 5, but I do not propose to offer any amendment to strike it out.

Mr. STAFFORD. To which section 5 does the gentleman refer?

Mr. FLOOD of Virginia. Section 5 in the bill as it passed the Senate.

Mr. STAFFORD. The engrossed copy? What objection could there be to that? It reads as follows:

SEC. 5. That the Secretary of State is directed to report from time to time to the President, along with his recommendations for promotion or for transfer between the department and the foreign service, the names of those secretaries in the Diplomatic Service and the names of those consular officers or departmental officers or employees who by reason of efficient service, an accurate record of which shall be kept in the Department of State, have demonstrated special efficiency, and also the names of persons found upon examination to have fitness for appointment to the lower grades of the service.

Is that the section that the gentleman objects to?

Mr. FLOOD of Virginia. I do not object to it. The gentleman from Michigan [Mr. MAPES] wants it.

Mr. MAPES. I object to its being taken out.

Mr. STAFFORD. What objection could be lodged against it?

Mr. FLOOD of Virginia. My only objection to that is that it was a part of the system of civil service that was originally incorporated in this bill.

Mr. ROGERS. I have in my hand a copy of Senate bill 5614, which was reported from the Committee on Foreign Relations to the Senate. I attempted to get from the House and Senate document rooms the text of that bill as it passed the Senate, but they tell me it has not been printed. I presume the copy that the gentleman from Virginia [Mr. FLOOD] has in his hand is the only copy in this room.

Mr. MANN. No. I will loan the gentleman my copy if he desires it.

Mr. FLOOD of Virginia. That was the only change made. The bill passed the Senate exactly as reported by the committee, with the exception that I have indicated.

Mr. MOORE. Has section 5 of the bill S. 5614 been stricken out by the Senate?

Mr. FLOOD of Virginia. No. The gentleman from Michigan [Mr. MAPES] asked me if I would move to strike it out if unanimous consent were given to the consideration of the bill. I said I would not.

Mr. MOORE. Section 5 of the Senate bill will be considered when the time comes for consideration?

Mr. FLOOD of Virginia. Yes.

Mr. MOORE. I wish to inquire if sections 6 and 7, both pertaining to examinations and promotions, were in the bill as originally presented to the House by the gentleman from Virginia himself.

Mr. FLOOD of Virginia. As originally introduced. I subsequently changed it and introduced another bill.

Mr. MOORE. And they were stricken out by the Senate, and they contain certain civil-service features?

Mr. FLOOD of Virginia. They not only were stricken out by the Senate, but the House committee did not report them.

Mr. MAPES. Mr. Speaker, will the gentleman say why they were stricken out by the House and by the Senate?

Mr. FLOOD of Virginia. They were stricken out by the House committee because that committee was anxious for the early enactment of this legislation, and we thought the bill would stand a better chance to get through if we did not inject the civil-service feature into the bill.

Mr. HARRISON. Mr. Speaker, will the gentleman yield a moment? I want to read what Mr. Carr said with respect to the civil-service feature.

Mr. MAPES. Just one moment. Was the Foreign Relations Committee in the Senate in favor of the two sections?

Mr. FLOOD of Virginia. There were several gentlemen who were in favor of them. I am not, and I do not know how many gentlemen there are on the House committee who are not in favor of them.

Mr. MAPES. They were in the bill as originally introduced?

Mr. FLOOD of Virginia. Yes; they were in the bill as originally introduced; and I then introduced another bill leaving them out and leaving out section 5 of the Senate bill. But I will say to the gentleman that, so far as the civil-service law is concerned, there is an Executive order in the State Department that puts consuls and secretaries to embassies and legations under as strict civil-service regulation as any law we could pass, and it is being rigidly enforced at the present time.

Mr. MAPES. The Executive order could be changed at any time?

Mr. FLOOD of Virginia. Yes.

Mr. MANN. Could I make a suggestion to the gentleman from Virginia?

Mr. FLOOD of Virginia. Yes.

Mr. MANN. As I understand, the gentleman from Virginia expected to suspend the rules and have this bill considered to-day, which would require a two-thirds vote?

Mr. FLOOD of Virginia. Yes.

Mr. MANN. Now the gentleman is asking unanimous consent. If consent is given now there will be an opportunity, I take it, for amendment and debate? The gentleman would not expect to move the previous question at once?

Mr. FLOOD of Virginia. Oh, no.

Mr. MANN. The gentleman is perfectly willing to allow a reasonable allotment of debate and amendment under the five-minute rule?

Mr. FLOOD of Virginia. Certainly.

Mr. MANN. It seems to me we would make progress if we were to determine now whether or not we were going to consider it where we would have a chance to amend it, over what we would make if we considered it only under suspension of the rules.

Mr. MAPES. Mr. Speaker, if I am allowed to introduce an amendment to reincorporate into the bill sections 6 and 7, I shall have no objection. I understand that I will have that right.

Mr. MOORE. I want a ittle time, but I do not want to interfere with the consideration of the bill.

The SPEAKER. Is there objection? Does the Chair understand that the gentleman from Michigan [Mr. MAPES] intends to object conditionally?

Mr. MAPES. No.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The Clerk will read the bill for amendment.

Mr. MANN. Mr. Speaker, this is a Union Calendar bill.

Mr. FLOOD of Virginia. Mr. Speaker, I ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

Mr. MANN. With the understanding that there will be reasonable latitude for debate and amendment?

Mr. FLOOD of Virginia. Certainly.

The SPEAKER. Without objection, it is so ordered. The Clerk will read the bill.

The Clerk read as follows:

Be it enacted, etc., That hereafter all appointments of secretaries in the Diplomatic Service and of consuls general and consuls shall be by commission to the offices of secretary of embassy or legation, consul general, or consul, and not by commission to any particular post, and that such officers shall be assigned to posts and transferred from one post to another by order of the President as the interests of the service may require: *Provided,* That no officer may be assigned for duty in the Department of State for a period of more than three years, unless the public interest demand further service, when such assignment may be extended for a period not to exceed one year, and no longer: *Provided further,* That no secretary, consul general, or consul shall be promoted to a higher class except upon the nomination of the President, with the advice and consent of the Senate.

Mr. MOORE. Mr. Speaker, I move to strike out the last word.

The SPEAKER pro tempore (Mr. ALEXANDER). The gentlemen from Pennsylvania moves to strike out the last word.

Mr. MOORE. Mr. Speaker, this bill purports to be for "the improvement of the foreign service." I am certainly in favor of the improvement of the foreign service so far as it pertains to the efficiency of the personnel, and I join very heartily in the recommendation of the Secretary of State that there shall be some improvement in the salaries paid to many of our hard-working and efficient representatives on the other side of the water. Too much can not be said about the work they are doing, and too much can not be said about the advisability of encouraging these men to give even better service. Many of them receive a stipend that is niggardly in the extreme; consuls, vice consuls, and others of the minor representatives in the foreign service. It is regrettable that some of our American representatives in foreign countries must live and maintain families on salaries ranging from $1,500 and less up. I would like to see all that corrected in some systematic way, but I would not like to see taken away from the men who are faithful and who work at such small compensations the right of promotion and the hope and expectation of being advanced in consequence of faithful service performed. If the bill did not leave a loophole in this respect, admitting of the possible overthrow of an efficient service by omitting the right of examination and promotion upon records made, I would cheerfully support it.

The Secretary of State, in his report recommending the passage of the bill, argues for "a higher efficiency" to the Government and "greater service to the business interests" than are obtainable at present. The Secretary of State makes this specific statement in his report to the United States Senator who happened to have charge of the bill in the other Chamber.

The Secretary of State, however, in his official letter suggests the advisability of introducing "elasticity into the service." First he wants "a higher efficiency," then he wants the privilege to "introduce elasticity into the service."

Now, if it were simply a matter of meeting a war condition, if it meant only that in an emergency he should have the right to transfer these consular officers, without sending their names to the Senate for confirmation, very well. That kind of "elasticity" might be all right. This House might very readily approve of it. But the Secretary has laid himself open to a double meaning upon this question of "elasticity" and of efficiency in the service.

At a recent court proceeding in New York City we were given a side light upon the kind of "elasticity" that might be generally applied to secure the kind of "efficiency" most desired by the Secretary of State.

Addressing the Hon. W. Walter Vick about consular matters in Santo Domingo the Secretary said:

MY DEAR MR. VICK: Now that you have arrived—

Mr. Vick, you will remember, was appointed to a position approaching that of diplomacy for this particular island.

MY DEAR MR. VICK: Now that you have arrived and are acquainting yourself with the situation, can you let me know what positions you have at your disposal with which to reward deserving Democrats? Whenever you desire a suggestion from me in regard to a man for any place there, call on me.

Are we to understand by this that the Secretary is standing in this particular for "higher efficiency" or for an "elasticity" of the service that will give him the privilege of sending those friends of his whom he regards as deserving Democrats to fill positions in the service?

The SPEAKER pro tempore (Mr. ALEXANDER). The gentleman has spoken five minutes.

Mr. MOORE. I ask unanimous consent to continue the reading of this letter until it is finished.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. MOORE. The Secretary, in his letter to Mr. Vick, continues:

You have had enough experience in politics to know how valuable workers are when a campaign is on and how difficult it is to find suitable rewards for all the deserving. I do not know to what extent a knowledge of Spanish is necessary for employees. Let me know what is required, together with the salary, and when appointments are likely to be made.

Sullivan will be down before long, and you and he together ought to be able to bring about such reforms as may be necessary there. You will find Sullivan a strong, courageous, reliable fellow. The more I have seen of him the better satisfied I am that he will fit into the place there and do what is necessary to be done.

W. J. BRYAN.

I have no further comment to make, Mr. Speaker, except to say that the Secretary of State who wrote this letter to Mr. Vick seeking places for "deserving Democrats" in the Consular Service is the same Secretary who, in his report to the Senator who had this bill passed in the Senate, said:

In the present emergency—

That is, the emergency for the passage of this bill giving the Secretary an "elasticity" in the service—

the President desires me to inform you that he earnestly hopes that the bill S. 5614, which you were good enough to introduce in the House on May 19 last, will become a law at the earliest possible moment.

And in this connection I would add that the President, whose wish was voiced by the Secretary of State in his letter to the Senator, is the same President who only recently, in a speech at Indianapolis, indicated that he stood for a particular political party, and that he desired to see the interests of that particular party advanced.

Now, Mr. Speaker, this may be a good bill in that it provides higher salaries for some of our deserving consular employees. It may be a good bill in that it may encourage "higher efficiency" without examinations; but if it is such a bill as will grant to the Secretary of State that "elasticity" which he seems to desire in his letter to Mr. Vick, then it is a bad bill, and ought not to pass.

Mr. ROGERS. Mr. Speaker, I desire to offer the following amendment:

Strike out the proviso in section 1, which reads as follows:

"*Provided*, That no officer may be assigned for duty in the Department of State for a period of more than three years, unless the public interests demand further service, when such assignment may be extended for a period not to exceed one year, and no longer."

And insert in place thereof the following:

"*Provided*, That any such officer may be assigned for duty in the Department of State without loss of grade, class, or salary, such assignment to be for a period of not more than three years, unless the public interests demand further service, when such assignment may be extended for a period not to exceed one year, and no longer.

The SPEAKER pro tempore. The Clerk will report the amendment.

Mr. ROGERS. I have not reduced the amendment to writing. I think when I explain the amendment——

Mr. MANN. I know; but the gentleman can not offer his amendment in this way. We have a right to know what the amendment is. The gentleman has plenty of opportunity to prepare his amendment.

The SPEAKER pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

Strike out the proviso in section 1, which reads as follows:

"*Provided*, That no officer may be assigned for duty in the Department of State for a period of more than three years, unless the public interests demand further service, when such assignment may be extended for a period not to exceed one year, and no longer."

And insert in lieu thereof the following:

"*Provided*, That any such officer may be assigned for duty in the Department of State without loss of grade, class, or salary, such assignment to be for a period of not more than three years, unless the public interest demands further service, when such assignment may be extended for a period not to exceed one year, and no longer."

Mr. ROGERS. Mr. Speaker, this measure was originally introduced in the House by the gentleman from Virginia [Mr. FLOOD] on May 19, 1914, and into the Senate by Senator STONE on May 20. It was, I think, identical as originally introduced in the two branches. It was taken up and hearings were had upon it in the House Committee on Foreign Affairs. In the House committee is was suggested that there was weakness in the proviso to section 1 as originally drawn, for this reason: It has been the habit of the Department of State to withdraw secretaries of embassies or legations from their service in foreign posts and place them temporarily as clerks in the Department of State. As there has hitherto been no appropriation under which the department was enabled to pay to such secretaries their previous salaries, they were allowed only the compensation ordinarily paid the regular clerks in the personnel of the department. Therefore these men, not because they were inefficient, not because they were being punished, but simply because there was no appropriation that could care for them, were, when thus taken back into the Department of State, often to do the most responsible service, obliged to serve at perhaps two-thirds or one-half of their regular pay.

The Committee on Foreign Affairs in considering this measure felt that this result was improper and unjust, and drafted an amendment to care for it, and in reporting the bill to the House that amendment was embodied. It reads as follows:

That any such officer may be assigned for duty to the Department of State without loss of grade, class, or salary—

And so forth.

That was clearly to cover this very point. It was suggested by some officials of the department that possibly the measure as originally drawn cared for the difficulty, but it was the opinion of the committee that it did not and that it was safer to have such a provision. Therefore, as it is not included in the Senate bill now before us, I am suggesting it in the form of an amendment. [Applause.]

Mr. FLOOD of Virginia. Mr. Speaker, I am in favor of the idea contained in the amendment offered by the gentleman from Massachusetts, and yet I hope it will not be adopted at this time, because I believe that any amendment to this bill now may mean its defeat.

The gentleman has the same desire that the department has and that the members of the Senate committee have. Everybody who has investigated the matter realizes that to bring a secretary from an embassy paying $3,000 a year to Washington to do work for the Department of State at a salary of $1.000 or $1,200 or $1,500 is unjust and unfair, and in drawing this bill, which is a State Department bill, it was drawn to obviate that injustice. In the opinion of the officials of the State Department it does obviate that injustice, and I think there can be no doubt about it, though the language of the gentleman from Massachusetts is clearer.

Mr. McKENZIE. Will the gentleman yield?

Mr. FLOOD of Virginia. Certainly.

Mr. McKENZIE. Is it not a fact that where a man is appointed to the Consular Service and his salary is fixed by law, and the same act provides that he may be assigned to the State Department temporarily, that he will receive the salary fixed by law when he is so assigned unless it is expressly set forth in the law to the contrary?

Mr. FLOOD of Virginia. Not under the present law.

Mr. McKENZIE. I mean under this bill.

Mr. FLOOD of Virginia. Yes; under this bill he will, because after this act has been approved it provides for more secretaries in certain classes than there are posts for those secretaries to fill. There will be one additional secretary in the $3.000 class, and that secretary will be assigned to duty here in Washington, and he will get the $3,000 when he is appointed a secretary in that class, whether he is secretary at London or Paris or here in Washington. He will be appointed secretary in class 1, and will be confirmed as a secretary in class 1, and when he is brought to Washington he will still be a secretary in class 1,

and although performing duties in the department at Washington he will draw the salary of a secretary in class 1.

Mr. ROGERS. The gentleman recognizes that the present system is unjust and indefensible?

Mr. FLOOD of Virginia. Undoubtedly.

Mr. ROGERS. I assume that the present law would continue in operation in this city unless it was changed by the new law. Can the gentleman point to anything in the new law that changes it?

Mr. FLOOD of Virginia. Yes; all secretaries are appointed to classes, and the salaries for those classes are fixed in the bill, and when they are assigned to London or Paris they will be assigned to class 1 and get $3,000. If assigned to the Department of State in Washington, they will still get the $3,000.

Mr. ROGERS. The only language of the bill is this language:

Provided, That no officer may be assigned for duty in the Department of State for a period of more than three years unless the public interests demand further service.

Mr. FLOOD of Virginia. They will assign him from one of these classes—either 1, 2, 3, or 4—to duty in the department at Washington. A man so assigned will stay three years, except for special reasons for extending it, and then he gets a salary not as clerk but as secretary in his class, assigned for duty in the Department of State at Washington. That is the construction put upon it by the State Department and also by the Senate. While it is not as clear as the language in the gentleman's amendment, it seems to me that it is clear enough. I will say that if the gentleman wants to improve the service, if he wants this bill to pass, his amendment ought not to be agreed to.

Mr. ROGERS. I have no desire to imperil the bill, because I thoroughly believe in it. But this bill will go to conference, and it seems to me there will be ample time to consider it.

Mr. FLOOD of Virginia. It might be very difficult to get it up in the Senate again.

Mr. GARDNER. Will the gentleman yield?

Mr. FLOOD of Virginia. Yes.

Mr. GARDNER. Is it not true that if it comes back from conference and goes to the committee it loses its privilege?

Mr. FLOOD of Virginia. Yes. I will say to the gentleman that the Secretary of State is in favor of this bill not only because it increases the salary for a few secretaries, but because it makes the service more elastic, and that elasticity is not in the way of enabling the Secretary of State to provide positions for Democrats over Republicans, but it is to transfer secretaries from one post in some class to another. As to the letter which was read by the gentleman from Pennsylvania [Mr. MOORE] that the Secretary of State wrote to Mr. Vick it meets my hearty approval, and I believe it meets the approval of red-blooded party men in this country, Democrats or Republicans. It was simply a statement that in his opinion there were Democrats as able to fill positions as Republicans, and so far as he was concerned he favored a Democrat of capacity and character over a Republican, and I believe his wisdom and patriotism in that matter is approved by the country. [Applause.]

Mr. MANN. Mr. Speaker, I am very much surprised to hear the gentleman from Virginia [Mr. FLOOD] or anyone else openly defend the unfortunate letter of Secretary Bryan to Mr. Vick. That was not a case of getting Democrats jobs as against Republicans. It was a case of trying to exploit the people of another country in order to furnish ward workers for the Democratic Party in this country. It was a case of trying to make the poor people of Santo Domingo pay the expenses—I will not say of the Democratic Party, but of the political heelers of the Secretary of State.

Mr. Speaker, this is a bill to reorganize to a large extent the Consular Service of our Government, as well as other portions of the Diplomatic Service. Personally I am in favor of the bill. I hope that we may accomplish by legislation some kind of an organization that in some way, unknown to us, will perhaps put a little lime or other element of strength into the backbone of the State Department. I received yesterday by wireless the following telegram from one of the newspaper correspondents who has been in Washington for some time, now, I believe, on his way to Berlin to act as a newspaper correspondent there. It may be assumed that he is pro-German. I suspect that to be the case. He says:

S. S. "NEW AMSTERDAM," *January 16.*

Representative MANN,
Washington, D. C.:

New Amsterdam held up by British cruiser *Caronia* in sight of New York. American citizens, including correspondent of Washington Herald, forced to show passports to British officer. See Fish-Berthemy letter.

SCHUETTE.

I remember the letter which Secretary Fish wrote during the Franco-Prussian War in 1870. At that time French war vessels hovered around the city of New York and the entrance to Norfolk Harbor prepared to seize German vessels that might come out; and as there was some backbone and nerve in the office of the State Department at that time, Secretary Hamilton Fish wrote a letter which, I think, was addressed to Elihu B. Washburne, the American minister to France. It was to our diplomatic representatives in France at that time. The letter is as follows:

SECRETARY OF STATE HAMILTON FISH TO E. B. WASHBURNE, AMERICAN MINISTER TO FRANCE.

DEPARTMENT OF STATE,
Washington, October 4, 1870.

This Government desires and intends to maintain a perfect and strict neutrality between the two powers now unfortunately engaged in war. It desires also to extend to both the manifestation of its friendly feeling in every possible way and will allow to the vessels of war of each power equally the hospitality of its ports and harbors for all proper and friendly purposes.

But this hospitality is liable to abuse, and circumstances have arisen to give rise in the minds of some persons to the apprehension that attempts at such abuse have taken place.

I am not in possession of facts to justify me in saying that such has been the case, but I have deemed myself justified in calling the attention of M. Berthemy, the French representative at this Capital, to the current rumors, sustained, as they are, by the presence of a number of French vessels upon the coast of the United States. These vessels have appeared at or near the entrance of the harbor of New York, off Sandy Hook; at the entrance of the Long Island Sound; at or near the entrance of the Chesapeake Bay. One or more is represented to have been anchored not far from Sandy Hook (the main entrance to New York Harbor), and there is a difference of statement as to the precise distance at which she lay from the shore, some claiming that she was within a marine league. But of this there is no positive evidence. She has entered the port of New York—as claimed by some—for the purpose of watching a German steamer about to sail thence. Three of them have put into the harbor of New London (which looks out upon Long Island Sound, the eastern entrance to the New York Harbor) avowedly for some small repairs; one recently asked permission, which was granted, to make some repairs at the Norfolk Navy Yard, near the entrance of Chesapeake Bay.

All this may be consistent with an intention of perfect observance of the neutral character of our waters and jurisdiction and with an entire absence of undertaking any hostile movement against the vessels of North Germany from those waters or that jurisdiction.

A large trade has been carried on from the ports of the United States approached by the waters in which these vessels have thus appeared by vessels belonging to North Germany.

The appearance of French vessels in these immediate neighborhoods in such numbers and force does not fail to excite the alarm of these vessels and must have the effect to a greater or less degree to diminish that trade.

The United States are not prepared at present to say that any actual violation of international law has been committed or that the hospitality of these waters has been positively abused. But the hovering of the vessels of war of a belligerent on the coasts near the entrance of the principal ports of a friendly power does interfere with the trade of the friendly power.

The interruption of the regular communication with you, by reason of the investment of Paris, has led me to represent to M. Berthemy our views on this subject and to say that, although the vessels of either belligerent may not actually shelter within the jurisdiction of the United States and proceed thence against the vessels of its enemy, this Government would regard as an unfriendly act the hovering of such vessels upon the coast of the United States, near to its shores, in the neighborhood of its ports, and in the track of the ordinary commerce of these ports with intent to intercept the vessels of trade of its enemy.

I have requested M. Berthemy to make known these views to the French Government and to express the confident hope of the President that there may be no cause of complaint on the part of this Government by reason of any such hovering by the vessels of the French Government.

You will be pleased to take an early opportunity to present the same view to the minister for foreign affairs, which you may do by reading to him this dispatch.

HAMILTON FISH.

Mr. Berthemy at that time was the French representative at this Capital. How refreshing it is to go back to the old days of Ulysses S. Grant and Hamilton Fish and learn that we had the nerve to tell the French to keep their war vessels away from the entrance to our harbors with intent to annoy the commerce of this country, and they kept them away. [Applause.] And if we would say so now, Great Britain would keep hers away. We are a neutral power; but we have some rights, and we ought to insist upon our rights being respected. [Applause.]

Mr. HARRISON. Mr. Chairman, I do not believe that the American people agree with the gentleman from Illinois [Mr. MANN] in his statement that there is no backbone in the administration of the present State Department. I believe that the American people applaud and approve the actions and policies of the present Secretary of State, as well as the whole administration. The gentleman from Pennsylvania [Mr. MOORE] just read a letter into the RECORD and criticized the Secretary of State for writing to Mr. Vick about getting places for certain Democrats. The gentlemen on that side of the aisle forget that when the Democrats came into control of the Sixty-second Congress, and when the Republicans in Washington and away from Washington saw the handwriting upon the wall, the Republican administration under Mr. Taft and the State Department, presided over by Secretary Knox, recommended to the Foreign

Affairs Committee of this House that we enact into law the placing of the Consular Service under the civil service. This was not done until they saw that the Democrats would sweep the country in 1912 We did not take their suggestions, because we knew and they knew they had placed Republicans in all of the places in this service and had covered them in by an Executive order, and we knew they wanted them fixed so that they could be retained. The administration has not removed them. They have kept them. The administration has placed efficiency above partisanship. I do not know that I can agree absolutely with that policy. I believe that good and efficient Democrats could have been found to take and fill many of these places. This bill is based on efficiency and economy. The gentleman from Michigan [Mr. MAPES] says that he is going to introduce some amendments to put these places under the civil service. If he will read section 5 he will see that these places are to be filled on merit.

Mr. MAPES. Mr. Speaker, will the gentleman yield?

Mr. HARRISON. Yes.

Mr. MAPES. I understand the gentleman's contention to be that the President has authority under the orders heretofore issued by President Roosevelt and President Taft to conduct something of the same kind of an examination as is provided in the amendment which I propose to introduce.

Mr. HARRISON. Yes; and there is an Executive order now in force.

Mr. MAPES. That can be set aside by the stroke of the pen of the President.

Mr. HARRISON. It can; and I want to say that the representative of the State Department, Mr. Carr, came before the committee and said that this was what they desired to have done.

Mr. MAPES. May I ask the gentleman a further question? Is the gentleman in favor of carrying out in good faith those orders of the former Presidents?

Mr. HARRISON. I am in favor of appointing efficient men to this service, and I hope and believe that they can find Democrats to fill these places who are efficient. I believe, like the Secretary of State, Mr. Bryan, that Democrats are just as good as Republicans, and I do not believe there is a Republican on that side of the aisle who has any respect for his party and any feelings for the men who make up the rank and file of the party who is not in favor when they get into power of putting good Republicans in control if they can get them. I think possibly you could find a few if you should get a comb and scrape the whole country and——

Mr. MAPES. I am afraid the gentleman is not answering my question.

Mr. HARRISON. What was the gentleman's question?

Mr. MAPES. Is the gentleman in favor of carrying out in good faith those orders of the former Presidents?

Mr. HARRISON. If it were left to me, I would abolish the Executive order with respect to this business altogether and put in good Democrats throughout the country who are reliable and worthy and efficient.

Mr. BATHRICK. Mr. Speaker——

Mr. MAPES. Will the gentleman yield for one further question?

Mr. HARRISON. Yes.

Mr. MAPES. Then the gentleman's objection to the amendment I propose to introduce is based upon the fact that he is not in sympathy with those orders and therefore not willing to have them enacted into law?

Mr. HARRISON. I will say to the gentleman that Mr. Carr, representing the department, came before us, and Mr. LINTHICUM, a member of the committee, asked him this question:

> Mr. LINTHICUM. And the civil service of this bill you recommend striking out?
>
> Mr. CARR. We recommend leaving that just where it stands at present under existing Executive orders.

And another reason why I am opposed to the amendment would be that it might be impossible, if you tack on amendments to this bill, to get it enacted into law at this session of Congress. The Senate would not probably recede from their former action and concur in them, and it might be the means of defeating this most desirable legislation.

Mr. MAPES. Will the gentleman yield?

Mr. HARRISON. Yes.

Mr. MAPES. This bill was started six months ago with those sections all in it?

Mr. HARRISON. Yes.

Mr. MAPES. At that time it would have been just as easy to report it out of the committee and pass it with those provisions in as without them?

Mr. HARRISON. It was not reported out of the House committee with those provisions in it. A majority of the committee were opposed to incorporating them in the bill.

Mr. MAPES. It was before the committee with those provisions in.

Mr. HARRISON. It was; and they were stricken out on the recommendation of the State Department. I think probably the State Department thought it might endanger the passage of the bill. Mr. Speaker, one word in conclusion, and that is that I hope that no amendment will be tacked on this bill, so that the bill can be speedily passed and become a law. It is very important that that should be done.

Mr. AUSTIN. May I ask the gentleman a question?

Mr. HARRISON. Yes.

Mr. AUSTIN. Mr. Carr, director of consuls, indorses this bill and recommends its passage?

Mr. HARRISON. Oh, undoubtedly he favors it and recommends its passage as well as the State Department recommends it.

The SPEAKER. The question is on the amendment offered by the gentleman from Massachusetts.

The question was taken, and the amendment was rejected.

The Clerk read as follows:

> SEC. 3. That section 1685 of the Revised Statutes is hereby amended to read as follows:
>
> "SEC. 1685. That for such time as any secretary of embassy or legation shall be lawfully authorized to act as chargé d'affaires ad interim at the post to which he shall have been appointed or assigned, he shall be entitled to receive, in addition to his salary as secretary of embassy or legation, compensation equal to the difference between such salary and 50 per cent of the salary provided by law for the ambassador or minister at such post; and for such time as any vice consul shall be lawfully authorized to assume charge of a consulate general or consulate during the absence of the principal officer at the post to which he shall have been appointed or assigned he shall be entitled to receive, in addition to his regular salary or compensation as a subordinate consular officer or employee, compensation equal to the difference between such salary or compensation and 50 per cent of the salary provided by law for the principal consular officer at such post."

Mr. STAFFORD. Mr. Speaker, I move to strike out the last word. I rise to inquire of the chairman whether this increase of salary to the acting secretaries and consuls and vice consuls is to be paid, whether there is a vacancy or not, or whether it is to be paid in every instance——

Mr. FLOOD of Virginia. What section?

Mr. STAFFORD. I am referring to the provision in section 3—that any secretary of embassy or legation or vice consul who fills the post during the absence of his principal shall receive, in addition to his regular salary, compensation equal to the difference between such salary and 50 per cent of the salary provided by law for the principal at such post.

Mr. FLOOD of Virginia. What is the question?

Mr. STAFFORD. Whether he is to be paid only in the case the salary of the principal is not being drawn, or whether he is to be paid under all conditions, whether the principal is absent from his post and drawing the salary or not?

Mr. FLOOD of Virginia. No; he is only paid where the principal is absent and not drawing his salary.

Mr. STAFFORD. The section does not place any such limitation upon it.

Mr. FLOOD of Virginia. That is a rule in the State Department. If the principal gets leave of absence, he does not draw the salary; and, as a matter of fact, this provision saves the Government money.

Mr. STAFFORD. There is no question as to the saving of money to the Government, if the principal is not to receive the salary while absent from his post.

Mr. FLOOD of Virginia. That is the fact.

Mr. MANN. That is the case now.

Mr. STAFFORD. There is nothing in this section—that may be a regulation, but it is not provided in the section.

Mr. FLOOD of Virginia. That is the construction that has been put upon the law from time immemorial.

Mr. STAFFORD. But the other practice could pertain under the wording of this amendment.

Mr. FLOOD of Virginia. But it does not in practice.

Mr. STAFFORD. That is not the intent?

Mr. FLOOD of Virginia. No, indeed.

The Clerk read as follows:

> SEC. 4. That a secretary, consul general, or consul of whatever class detailed for special duty outside of the city of Washington shall be paid his actual and necessary expenses for subsistence during such special detail: *Provided*, That such special duty shall not continue for more than 60 days unless in the case of international gatherings, congresses, or conferences, when such subsistence expenses shall run only during the life of the international gathering, congress, or conference, as the case may be.

Mr. MANN. Mr. Speaker, I move to amend section 4 by inserting just before the proviso—I do not have the page and

line—after the word "detail," the following: "Not exceeding $4 per day."

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Page 4, line 1, after the word "detail," insert the words "not exceeding $4 per day," so that the line will read "expenses for subsistence during such special detail not exceeding $4 per day."

Mr. SELDOMRIDGE. Will the gentleman from Illinois yield?

Mr. MANN. I will yield.

Mr. SELDOMRIDGE. I would like to ask the gentleman if he thinks that the sum stated in his amendment, $4 per day, is ample to cover the expenses for subsistence in other countries? I believe from what knowledge I may have of the matter that there are certain capitals in Europe where the expense for subsistence would be considerably greater than $4 per day.

Mr. MANN. I have no doubt there are many places where it could be greater than $4 per day. We passed a law here in the last session, I believe it was, limiting the amount that could be paid for subsistence here to $4 or $5 a day——

Mr. STAFFORD. Five dollars.

Mr. MANN. To anybody, a Cabinet officer or anybody else. I do not pretend to be fixed about the amount. Maybe it ought to be $5 a day, although it occurred to me that $4 was all right. This is simply where a man is detailed to some place else, and we still pay him his salary. This pays him his subsistence. Now, it became a habit under the law authorizing these payments generally to pay the judges of the court of the United States $10 a day. That is what they get. They put in a bill for $10 a day whenever they are holding court in places away from where they live. I do not think we ought to extend that abuse to anybody else.

Mr. SELDOMRIDGE. If the gentleman will yield, it seems to me if the State Department orders some of these subordinate officials of the Government in the Diplomatic Service to leave their posts and go to other cities on special duty and be put to the additional expense of providing for their subsistence, that they might find themselves put to very great inconvenience and hardship if limited to the sum named by the gentleman from Illinois, namely, $4 a day. It seems to me it should be much larger in Europe and other countries than in the United States.

Mr. MANN. The expense of living in Europe is not as large as living in the United States, and it should be remembered that these people are drawing their salaries, anyhow. If they want to live high, I have no objection.

Mr. FLOOD of Virginia. This is not intended to cover a detail in Europe. It is only intended to cover a detail in this country, and I think the gentleman from Illinois is correct about it. There ought to be a limitation, and still I believe it will imperil the passage of the bill.

Mr. MANN. Oh, no; it will not.

Mr. FLOOD of Virginia. If the gentleman will make it $5 a day instead of $4, it would be more satisfactory.

Mr. MANN. I am perfectly willing to say $5 a day.

Mr. FLOOD of Virginia. Make it $5 a day.

Mr. MANN. Mr. Speaker, I ask unanimous consent to make the amount not exceeding $5 per day.

The SPEAKER. The gentleman from Illinois modifies his amendment by making it to read not to exceed $5 a day.

Mr. FLOOD of Virginia. I hope the amendment will be adopted.

Mr. FOSTER. That makes it not exceeding $5 a day in this country?

Mr. FLOOD of Virginia. Yes.

Mr. FOSTER. What is the reason we should pay more than we do for subsistence to other men in the service? It means if this amendment is adopted they will likely get $5 a day instead of $4.

Mr. FLOOD of Virginia. These men are in the Consular Service or are secretaries of embassies and legations, who are brought here and sent about the country to confer with commercial boards and to give them information about matters in foreign countries.

Mr. MANN. This provides for actual expenses.

Mr. FOSTER. As I understand, they have actual expenses besides this $4 a day?

Mr. FLOOD of Virginia. No. That is not the intention of the amendment.

Mr. MANN. Their actual expenses for subsistence will not exceed so much.

Mr. FOSTER. Actual expenses for subsistence; but that does not include the railroad fare.

Mr. MANN. Oh, no; that has nothing to do with railroad fare. They get paid that, and properly.

Mr. FOSTER. That is what I was getting at. This gives them $5 a day besides their traveling expenses?

Mr. MANN. It does if they spend it.

Mr. FOSTER. I judge they would usually spend that amount.

Mr. MANN. Ordinarily they would in Chicago, New York, or Washington, undoubtedly.

The SPEAKER. The question is on agreeing to the amendment offered by the gentleman from Illinois [Mr. MANN].

The question was taken, and the amendment was agreed to.

The SPEAKER. The Clerk will read.

The Clerk read as follows:

SEC. 5. That the Secretary of State is directed to report from time to time to the President, along with his recommendations for promotion or for transfer between the department and the foreign service, the names of those secretaries in the Diplomatic Service and the names of those consular officers or departmental officers or employees who by reason of efficient service, an accurate record of which shall be kept in the Department of State, have demonstrated special efficiency, and also the names of persons found upon examination to have fitness for appointment to the lower grades of the service.

Mr. MAPES. Mr. Speaker, I desire to offer an amendment. I have not the engrossed copy of the bill, and it may be that the amendment comes after a different line than the one I have marked.

The SPEAKER. The gentleman from Michigan offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 4 of the engrossed copy, after line 17, insert the following as a new section:

"SEC. 6. That the board of examiners for the Diplomatic Service shall be composed of an Assistant Secretary of State, the chief examiner of the Civil Service Commission or such other officer as that commission shall designate, a law officer of the Department of State, and one other officer to be designated by the Secretary of State. The board of examiners for the Consular Service shall be composed of an Assistant Secretary of State, the Director of the Consular Service, a law officer of the Department of State, the Chief of the Bureau of Foreign and Domestic Commerce of the Department of Commerce, and the chief examiner of the Civil Service Commission or such other officer as that commission shall designate.

"SEC. 7. That the scope and method of the examinations shall be determined by the board of examiners, but the examinations shall include business experience and ability; the resources and commerce of the United States, with special reference to the development of export trade; international, commercial, and maritime law; American history, government, and institutions; and one language other than English. These examinations shall be held at least once annually, and shall be conducted with strict impartiality and without regard to the political or other affiliations of any candidate; and upon their conclusion the board of examiners shall certify in writing to the Secretary of State the names of those persons whom they have found to be, in their judgment, thoroughly well qualified for the Diplomatic or Consular Services, and the results of the examinations shall be made public.

Mr. FLOOD of Virginia. Mr. Speaker, I reserve a point of order on that amendment.

The SPEAKER. The gentleman will state his point of order.

Mr. FLOOD of Virginia. I reserve it now. The amendment provides for a board of examiners and a complete civil-service system in the Consular and Diplomatic Service. This is a bill to appoint consuls and secretaries to classes. The amendment is a civil-service law incorporated into this bill and is not germane to anything that is in the bill. I think it is subject to a point of order.

Mr. MANN. Why, Mr. Speaker, this bill provides for the appointment of consular officers. It provides for dividing them into grades, and it provides for their salary. Now, if we provide for the appointment, we can lead up to the appointment. Personally I do not have any doubt that the amendment is germane, but as laid before the House I can not vote for it, because I do not want to destroy the bill. I would rather have a half loaf than no loaf.

The SPEAKER. Does the gentleman from Michigan [Mr. MAPES] desire to be heard?

Mr. MAPES. I do not care to discuss the point of order. It seems to me that my amendment is clearly germane.

The SPEAKER. The Chair will ask the gentleman where he got this printed matter?

Mr. MAPES. It is sections 6 and 7 of the bill as first introduced by the gentleman from Virginia [Mr. FLOOD].

Mr. MANN. It is the same bill.

Mr. MAPES. It is from the same bill with these sections taken out.

Mr. FLOOD of Virginia. The committee did not think it was germane to the main object of the bill and cut those provisions out.

Mr. MANN. The committee of the Senate did not want to take away their power, I suppose.

Mr. FLOOD of Virginia. The committee of the House eliminated it.

Mr. MANN. It was eliminated in the Senate. The House did not act upon it until they found they could not put it through the Senate.

Mr. FLOOD of Virginia. The gentleman is entirely mistaken. The House committee reported this bill with these provisions out of it before the Senate passed the bill that has been considered here to-day.

Mr. MANN. That is all true; but the gentleman found he could not pass it through the Senate with these amendments in it. Let us be on the square about these things. That is true of a previous Congress and true of this Congress.

Mr. FLOOD of Virginia. I did not and do not think we could pass it through this House with this amendment in it.

Mr. MANN. I do not know whether you could or not. We were not relinquishing any power by the amendment; we were asking the other body to do it, and we were perfectly certain they were not going to do it.

The SPEAKER. The point of order is overruled.

Mr. MAPES. Mr. Speaker, I have introduced this amendment at the request of the National Civil Service Reform League. The amendment is taken verbatim from sections 6 and 7 of a bill introduced in May, 1914, by the chairman of the committee that reported this bill. On May 19, 1914, the gentleman from Virginia [Mr. FLOOD] introduced a bill along the line of the Senate bill which we are now considering, with these two paragraphs in it. Subsequently he introduced another bill with those two sections and section 5 of the Senate bill, which he had in his first bill, eliminated. This last bill was reported favorably by the Committee on Foreign Affairs of the House. The bill as originally introduced in the Senate by Senator STONE also contained sections 6 and 7, the section which I propose to reinstate by my amendment as well as section 5.

The National Civil Service Reform League approved and recommended the bill as originally introduced by the gentleman from Virginia. With these sections taken out, however, they say that the point of the bill is destroyed, and that they do not support it.

Mr. ROGERS. Mr. Speaker, will the gentleman yield?

Mr. MAPES. Certainly.

Mr. ROGERS. Does not the gentleman think that it stands about like this: That this bill as originally introduced by the gentleman from Virginia [Mr. FLOOD] contained two good provisions, each independent, each desirable, standing on its own legs, and that as the result of that amendment one of the good things has been taken out, but that a good one remains behind?

Mr. MAPES. In answer to the gentleman from Massachusetts [Mr. ROGERS] I will say that the Senate bill does contain one section recommended by the Civil Service Reform League, but which the Committee on Foreign Affairs of the House eliminated, providing for efficiency reports and promotions from the efficiency list. It is a good feature, which was not in the bill as reported from the House committee. I intended to introduce the three sections if the House bill had been taken up, but we are considering the Senate bill, which has left the efficiency section in, and the chairman of the committee assured us that he would not attempt to have it stricken out.

In further answer to the gentleman from Massachusetts, I would like to read just one paragraph from a letter which I have from the National Civil Service Reform League, which says that—

> In the opinion of the league, however, the bill (H. R. 18654) is largely devoid of its usefulness without these sections. * * *
> The main purpose of the original bill was to enact into statute the provisions of the Executive orders providing for examination for admission to the Consular and Diplomatic Services promulgated by President Roosevelt on June 27, 1906, and President Taft on November 26, 1909, the first order relating mainly to the Consular Service and the second order extending the same system to the Diplomatic Service.

Those who have been interested in the Consular Service, business men and others, have been endeavoring for a number of years to improve this service. Now, we propose to take away all the examination features of the Diplomatic Service except as they are promulgated by Executive order.

Mr. FLOOD of Virginia. I will say to the gentleman is not that the case now?

Mr. MAPES. That is the case now.

Mr. FLOOD of Virginia. Does not the gentleman think that in the past eight years the Consular Service of this country has greatly improved?

Mr. MAPES. I think it has, and we might have—perhaps not under this administration—but we might have an Executive order that would take these men from under these examinations, the same as we had an Executive order under this administration taking out of the civil service the fourth-class postmasters which were put under the civil service by President Taft. I have not heard any objection, Mr. Speaker, to the amendment which I have proposed, putting back into the bill the two sections which have been taken out. The only opposition to the amendment that I have heard is based upon the assumption that it might jeopardize or prejudice the passage of the bill in another body. If it is a good thing, let us incorporate it in this bill.

The SPEAKER. The time of the gentleman from Michigan has expired.

Mr. MAPES. I ask unanimous consent, Mr. Speaker, to extend my remarks in the RECORD by incorporating a letter from the National Civil Service Reform League.

The SPEAKER. The gentleman from Michigan [Mr. MAPES] asks unanimous consent to extend his remarks in the RECORD by inserting the document named. Is there objection?

There was no objection.

Following is the letter referred to:

NATIONAL CIVIL SERVICE REFORM LEAGUE,
New York, September 15, 1914.

Hon. CARL E. MAPES,
House of Representatives, Washington, D. C.

MY DEAR CONGRESSMAN MAPES: Inasmuch as it is understood that a special rule is likely to be passed at any time bringing up for immediate consideration Mr. FLOOD's bill (H. R. 18654) providing for the appointment of secretaries in the Diplomatic Service and appointments in the Consular Service, I venture to call your attention to certain facts with respect to the bill. On May 19 Mr FLOOD introduced a bill (H. R. 16680) making the same provisions as the bill mentioned above, with three additional sections, two providing that candidates for entrance to the Diplomatic and Consular Service shall be subjected to a qualifying examination, the other providing that efficiency records of employees in the Diplomatic and Consular Service shall be submitted to the President in order that promotions may be based upon an accurate record. The National Civil Service Reform League was glad to register its hearty approval of the bill in that form, and it did so in letters to the Committee on Foreign Affairs.

In the opinion of the league, however, the bill H. R. 18654 is largely devoid of its usefulness without these sections. Without insuring some system of examination for appointees in the foreign service, no matter how adequate the salary schedule and the method of designating incumbent's terms, there can be no guaranty that appointments will not be made for political considerations. The examinations provided for in the original bill are noncompetitive, but the league has indorsed the measure because it represents the best system obtainable under the existing circumstances and at the present time. The Constitution stands absolutely in the way of a requirement that the President must make selections from the top of an eligible list.

The main purpose of the original bill was to enact into statute the provisions of the Executive orders providing for examinations for admission to the Consular and Diplomatic Service promulgated by President Roosevelt on June 27, 1906, and President Taft on November 26, 1909, the first order relating mainly to the Consular Service and the second order extending the same system to the Diplomatic Service.

The secretary of this league in 1912, during the consideration of a similar bill introduced by Congressman Sulzer, made a thorough investigation into the actual working of the Executive orders and examined the records of the Department of State in regard to these examinations. This investigation showed conclusively that, while the orders had not excluded political considerations from appointments, the maintenance of a high standard of examinations has led to the elimination of the old class of place hunters and the substitution of men of good education and capacity to the benefit of the two services. The high standard of these examinations has been maintained and experience has shown that they are successful in weeding out the incompetents. A list of competent persons is created from which the President may select in his discretion, and the constitutional rights of the Senate are protected by the procedure outlined above by the fact that no attempt is made to interfere with its power to confirm or fail to confirm as it sees fit.

It is most desirable that some provisions be made in the bill for the keeping of efficiency records of various employees in the Diplomatic and Consular Service, so that promotions may be made on the basis of merit and fitness. Section 5 of Mr. FLOOD's bill, H. R. 16680, provides that the Secretary of State shall make his recommendations for promotion to the President on the efficiency records which shall be kept in his department. This provision would attract qualified persons who desire to make the foreign service their career, as advancement would depend upon service records.

It is almost inconceivable in this day and generation that a backward step should be taken by a new administration in view of these results, which would sacrifice the business interests of the country by turning these positions back into the spoils arena and permitting again the appointment of incompetents for political considerations; but the system should not be allowed to be imperiled by the fact that it rests only on Executive discretion, when there is no constitutional or other valid objection to its enactment into law.

On behalf of the league, therefore, I venture to ask that you use your influence to secure the insertion in the bill, H. R. 18654, introduced by Mr. FLOOD on September 3 of sections 5, 6, and 7 of his bill, H. R. 16680, introduced on May 19.

Very truly, yours,
HARRY W. MARSH,
Assistant Secretary.

The SPEAKER. The question is on agreeing to the amendment.

The question was taken, and the amendment was rejected.

The SPEAKER. The Clerk will read.

The Clerk resumed and concluded the reading of the bill.

Mr. ROGERS. Mr. Speaker, I rise to ask unanimous consent to return to section 1 of the bill and to offer again an amendment to that section which I previously offered, but which I did not press because of the belief that its adoption might imperil the bill in conference. But inasmuch as the bill has to go to conference anyway——

Mr. MANN. It does not have to go to conference.

Mr. ROGERS. The chairman of the committee told me it would have to go to conference. I understand I have the approval of the chairman in offering this amendment?

Mr. FLOOD of Virginia. I have no objection.

The SPEAKER. The gentleman from Massachusetts [Mr. ROGERS] asks unanimous consent to return to section 1 so as to offer an amendment which he offered earlier in the day. Is there objection?

There was no objection.

Mr. ROGERS. Mr. Speaker, the amendment is to strike out the first proviso in section 1 and insert in lieu thereof the following language, which was included as a proviso in the bill as originally reported to the House from the Committee on Foreign Affairs.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

Amend, page 1, line 10, of the Senate engrossed copy by striking out the proviso beginning in line 10, which reads as follows: "*Provided*, That no officer may be assigned for duty in the Department of State for a period of more than three years, unless the public interests demand further service, when such assignment may be extended for a period not to exceed one year and no longer," and inserting in lieu thereof the following: "*Provided*, That any such officer may be assigned for duty in the Department of State without loss of grade, class, or salary, such assignment to be for a period of not more than three years, unless the public interests demand further service, when such assignment may be extended for a period of not to exceed one year and no longer."

Mr. MANN. Mr. Speaker, I see a difference in the language. But what is the difference in the effect of the two propositions?

Mr. ROGERS. It was not clear to me, and I think it was not clear to a majority of the Committee on Foreign Affairs, that a secretary when recalled to the State Department for temporary service would, under the original language, retain his grade and class and salary; this ambiguity was called to the attention of some of the officials of the State Department, who agreed that it was desirable that there should be no possibility of dispute upon this point.

Mr. MANN. The Senate proposition does not provide that. It provides for the assignment to the Department of State.

Mr. ROGERS. Yes.

Mr. MANN. The man is in a certain grade as a certain officer with a certain salary. When you assign him he, of course, retains his grade and salary.

Mr. ROGERS. The gentleman understands that the right of a secretary to retain while temporarily in departmental work his full secretarial salary is a departure and a modification of the present practice in that regard?

Mr. MANN. Oh, yes; but now we appoint a man as a consular officer at a particular port, and when he leaves there and goes into the State Department he is not performing the duties for which he is appointed; but when a man is appointed as consul in a certain place, he may be in Persia, or he may be in the United States doing some work. I do not think there is any possible question myself about the effect of it. It certainly would not be contemplated that we would authorize a consul to be transferred to the State Department without any salary.

Mr. ROGERS. The presumption would be that as at present he would then take the salary of the ordinary clerk in that department.

Mr. MANN. But he can not draw his salary now as consul, because he is not at his post.

Mr. ROGERS. I do not suppose it is necessary that a man be at his post in order that he may be able to draw his salary.

Mr. MANN. Oh, yes; it is.

Mr. ROGERS. He can be on leave temporarily.

Mr. MANN. He might be on leave temporarily; but he can not be on leave temporarily and transferred to some other place, under the law. Now, they are violating the law at this time, or straining it, at least, and that is one reason for the urgency of passing this bill, I suppose. During the war in Europe a number of consular officers have been transferred from one place to another. Under the law they are not entitled to draw their salaries. Well, they are winking at that. So far the comptroller or the auditor have not held them up. Probably they have not discovered it officially, and that is one of the reasons for haste on this bill. There is no question that under this bill, if a man is assigned to the State Department, he is in a particular grade to which he is appointed and confirmed.

Mr. ROGERS. But he is doing different work, and he may be considered, as before, to be doing the work at the salary provided for that work in the Department of State. At all events, this makes it clear beyond peradventure.

Mr. MANN. I have no objection. I wondered why the Senate used other language. What was the reason for that?

Mr. FLOOD of Virginia. Because that was the way it was drawn in the bill as originally introduced.

Mr. ROGERS. That is the identical language embodied in the original bill introduced in the Senate by Senator STONE, and this is a perfecting amendment adopted by the Committee on Foreign Affairs of the House. There is no question as to the desirability of the amendment.

The SPEAKER. The question is on agreeing to the amendment offered by the gentleman from Massachusetts [Mr. ROGERS].

The amendment was agreed to.

The bill as amended was ordered to a third reading, and was accordingly read the third time and passed.

On motion of Mr. FLOOD of Virginia, a motion to reconsider the last vote was laid on the table.

Mr. MANN. I hope the gentleman will ask to have the similar House bill (H. R. 18654) laid on the table.

Mr. FLOOD of Virginia. I ask unanimous consent that House bill 18654 lie on the table.

The SPEAKER. The gentleman asks unanimous consent that the corresponding House bill (H. R. 18654) be laid on the table. Is there objection?

There was no objection.

NAVAL APPROPRIATION BILL.

Mr. PADGETT, from the Committee on Naval Affairs, reported a bill (H. R. 20975) making appropriations for the naval service for the fiscal year ending June 30, 1916, and for other purposes, which was read a first and second time, referred to the Committee of the Whole House on the State of the Union, and with the accompanying report (No. 1287), ordered to be printed.

Mr. BUTLER. Mr. Speaker, I desire to reserve all points of order on the bill.

The SPEAKER. The gentleman from Pennsylvania reserves all points of order on the bill.

POST-OFFICE BUILDING AT ST. PETERSBURG, FLA.

Mr. CLARK of Florida. Mr. Speaker, I ask unanimous consent to make a statement to the House. It will take but a minute.

The SPEAKER. The gentleman asks unanimous consent to address the House for one minute. Is there objection?

There was no objection.

Mr. CLARK of Florida. Mr. Speaker, this morning the bill (H. R. 18783) to increase the limit of cost of the United States post-office building and site at St. Petersburg, Fla., was objected to. I want to say that the situation there is this: In this city of St. Petersburg, Fla., which has a population of 20,000 or 25,000 people, land can not be bought for less than it can be bought for in the average city of 100,000 to 150,000 people. If this bill passes, the outside appropriation will be only $120,000. The postal receipts last year were practically $45,000. The lease which the Government had on a building that was occupied as a post office has expired, and I am reliably informed that the Government was out in the street because the owners of the property could rent it to private persons for a sum that the Government could not afford to pay, and the Government is to-day occupying the city hall in that town, by the grace of the city, for postal purposes. I ask unanimous consent to return to that bill, and for its present consideration.

The SPEAKER. The gentleman from Florida asks unanimous consent to return to the bill which he mentions. Is there objection?

Mr. DONOVAN. Mr. Speaker, reserving the right to object——

Mr. KENT. Regular order, Mr. Speaker.

The SPEAKER. Is there objection?

Mr. DONOVAN. Reserving the right to object, Mr. Speaker, does the gentleman from Florida——

Mr. KENT. I ask for the regular order.

The SPEAKER. The gentleman from California demands the regular order. The regular order is to put the question, Is there objection? If nobody objects——

Mr. DONOVON. I am going to object if I can not get some information.

Mr. CLARK of Florida. Let the gentleman ask his question. It will take only a minute.

Mr. KENT. Mr. Speaker, I withdraw the demand for the regular order.

Mr. DONOVAN. Does the gentleman from Florida have any information about how many other public buildings the State of Florida has for its first and second class post offices at the present time?

Mr. CLARK of Florida. The State of Florida has a number of public buildings.

Mr. DONOVAN. How many?

Mr. CLARK of Florida. I do not know how many—Jacksonville for one.

Mr. DONOVAN. You do not know anything about it, do you?

Mr. CLARK of Florida. Yes; I do. I can tell you if the House will give me the time.

Mr. DONOVAN. You do not know about the lease expiring, do you?

Mr. CLARK of Florida. I do.

Mr. DONOVAN. Has the lease expired?

Mr. CLARK of Florida. I have the word of the Comptroller of the Treasury, Judge Downey.

Mr. DONOVAN. Is that all you know about it?

Mr. CLARK of Florida. I have no reason to doubt it.

Mr. DONOVAN. I want to tell the gentleman that it has not.

Mr. CLARK of Florida. The gentleman doubts the word of Judge Downey. That is a question between him and Judge Downey; that is all.

Mr. DONOVAN. One thing more. The lease at St. Petersburg has not expired, and the population stated by the gentleman is not correct, and the number of post offices in the State is a matter of conjecture with him. I will say further that there is an immense amount of money collected for public buildings and other purposes; and shall we dump it all into such States as Florida?

Mr. CLARK of Florida. Mr. Speaker, I demand the regular order. If the gentleman wants to object, let him object.

Mr. DONOVAN. I will make the point of order, Mr. Speaker, that it is not proper to go back to this bill.

The SPEAKER. The gentleman from Connecticut objects.

Mr. ADAMSON rose.

The SPEAKER. For what purpose does the gentleman from Georgia rise?

Mr. ADAMSON. To submit a request for unanimous consent. I have no personal bill of my own, but I call attention to the bill H. R. 8904, a bill to establish a life-saving station at the mouth of the Siuslaw River, Oreg., for the Lighthouse Service, which service asked for that one little project out on the Pacific coast. I ask unanimous consent that it may be immediately considered.

Mr. MANN. I think it ought to be reached in the regular order.

Mr. ADAMSON. But it will not be reached in the regular order. Will not the gentleman withhold his objection?

Mr. DONOVAN. Mr. Speaker, I ask for the regular order.

The SPEAKER. The gentleman from Connecticut demands the regular order. Is there objection?

Mr. MANN. I object.

The SPEAKER. The gentleman from Illinois objects, and the Clerk will read the next bill.

USE OF PORTIONS OF NATIONAL FORESTS FOR RECREATION PURPOSES.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 17780) providing for the use of certain portions or spaces of ground within the national forests for recreation purposes.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of Agriculture may, upon such terms as he may deem proper and for periods not exceeding 20 years, permit responsible persons or associations to use and occupy suitable spaces or portions of ground in the national forests for the construction of summer homes, hotels, stores, or other structures needed for recreation or public convenience, not exceeding 5 acres in area to any one person or association.

The SPEAKER. Is there objection?

Mr. STAFFORD. Reserving the right to object, I would like some information from gentlemen from far Western States where they have so many forest reserves. I was under the impression that the gentlemen from the coast were protesting against the forest reserves because the lumber could not be marketed. The query comes to my mind that as this bill is intended to depart from the policy of forestation and turn these reserves into pleasure grounds, or national parks, that there is a conflict between the two ideas of keeping the forest reserves for forestation and making them national parks and allowing hotel proprietors to erect hotels in favored places.

Mr. HAWLEY. I think there is no conflict between the two policies. There are many places in the forests that are very beautiful in natural scenery and useful for fishing and hunting, and where there are many natural wonders. I have one particular place in mind as an illustration. Near Grants Pass, in Jackson County, Oreg., there is a place known as the Oregon Caves, some 25 miles from the city. The people will build a road over the lands belonging to private individuals to assist in facilitating access to the proposed park. The caves are of vast extent and great interest, and unless some provision is made by which people going there can receive accommodations, they can not very well visit them. If they can have permission, if the Secretary of Agriculture can have authority to lease a small area of ground for the building of a hotel, people can go and enjoy the scenery and the fishing and hunting. It is a most beautiful place. This is only one instance, as adjacent to many communities there are places of great scenic beauty and interest that could be so used by the people. It will be for the benefit of the forest reserve in which it is located to have visitors come into them under the conditions proposed in this bill. The roads that will be built will help the forest officers in patrolling the forest, and the presence of a large body of people who always turn out to fight the fire will assist the foresters in fighting fires in that vicinity should they occur.

Mr. STAFFORD. I would like to inquire of the gentleman what would prevent in the case instanced by him of creating it into a national monument if these special caves to which the gentleman refers have a scenic value. Why can not the department create it into a national monument?

Mr. HAWLEY. It would be less expensive to have it in the forest reserve, as proposed here, than to have it exist as a monument. During the winter when no people are there, the foresters can look after it, without extra cost. If it is a national monument, it would be without care, and there would be danger from fire and other causes. Unless an additional officer was provided it would be without care for a part of the year.

Mr. STAFFORD. The gentleman can appreciate that while in this instance the local people might be willing to expend money in building a road, if we adopted a general policy permitting the building of hotels on long-term leases, that there would arise a great demand for the building of roads, so as to turn the forest reserves proper into national parks.

Mr. HAWLEY. I doubt if that will ever be done to any great extent.

Mr. STAFFORD. It is a very present doubt in my mind.

Mr. HAWLEY. There are in certain places natural wonders, which people would like to visit as campers and to secure recreation. At present the people have an unlimited right to go upon the public land in the national forests. They can go there and build a temporary camp, put up a tent or a little camp of some kind. They are given now by the Secretary of Agriculture permission to construct temporary structures. But it does not enable them to put up any important building, or justify any considerable expenditure. But if they could get permission for a period of years they can afford to put up a better building and will have an interest in protecting that particular locality, and if they have a building in which they can put a stove there is not the same danger of forest fires as if they built it outside. The Secretary of Agriculture and the Chief Forester are very much in favor of this legislation, as the following letter indicates:

JULY 22, 1914.

Hon. A. F. LEVER,
Chairman Committee on Agriculture,
House of Representatives.

DEAR MR. LEVER: I wish to acknowledge receipt of your letter of July 11, inclosing a copy of the bill (H. R. 17780) introduced by Mr. HAWLEY, providing for the use of certain portions or spaces of ground within the national forests for recreation purposes.

You will probably recall that in the hearings (p. 302) on the bill (H. R. 13679) making appropriations for the Department of Agriculture, Mr. Graves testified at some length on the need for just such legislation, requiring summer-residence leases, as is proposed in the bill. As a result of his testimony, your committee added an amendment to the Agriculture appropriation bill, which was substantially the language used in Mr. HAWLEY'S bill, now referred here for report. The amendment to the Agriculture appropriation bill went out, however, on a point of order made by one of the Members.

There is at the present time some hesitancy on the part of persons who want to use national-forest land upon which to construct summer residences, hotels, stores, and other structures involving a large expenditure, because of the indefinite tenure of the permits to them which the present law provides for. At the present time, however, there are several thousand such permits in use, upon which structures have been erected. In justice to those who desire to construct more substantial improvements it is believed that the present law should be amended to give persons a better right than the revocable permit now authorized.

For the reasons given above this department would approve of the passage of the bill.

Very truly, yours,

D. F. HOUSTON,
Secretary.

Mr. STAFFORD. I have been benefited by the gentleman's information as to the fact that the public can go there and locate temporarily from season to season, and I think that is better than to grant a permit to hotel proprietors to build for 20 years.

Mr. FERRIS rose.

Mr. MANN. Mr. Speaker, I demand the regular order.

The SPEAKER. Is there objection?

Mr. STAFFORD. Mr. Speaker, I object.

Mr. HAWLEY. Mr. Speaker, I ask unanimous consent that the bill may be passed over without prejudice.

The SPEAKER. The gentleman from Oregon asks unanimous consent that the bill be passed over without prejudice. Is there objection?

Mr. DONOVAN. Mr. Speaker, reserving the right to object——

Mr. CLARK of Florida. Mr. Speaker, I demand the regular order.

The SPEAKER. Is there objection?

Mr. DONOVAN. Mr. Speaker, I object.

QUITCLAIM DEED TO CERTAIN LANDS IN AKRON, OHIO.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 18550) empowering and directing the Secretary of the Treasury to convey by quitclaim certain lands in the city of Akron, State of Ohio.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, empowered and directed to convey, by the usual quitclaim deed, to the city of Akron, in the State of Ohio, for street purposes and no other, the northeasterly 5 feet of the new Federal-building site at the southwesterly corner of East Market and Prospect Streets, in said city.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. This bill is on the Union Calendar.

Mr. CLARK of Florida. Mr. Speaker, I ask unanimous consent that it may be considered in the House as in the Committee of the Whole.

The SPEAKER. The gentleman from Florida asks unanimous consent that the bill may be considered in the House as in the Committee of the Whole. Is there objection?

Mr. DONOVAN. Mr. Speaker, I am going to object.

The SPEAKER. The gentleman from Connecticut objects.

Mr. DONOVAN. Did the gentleman from Florida notice that objection?

The SPEAKER. The House will be in order.

Mr. CLARK of Florida. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 18550.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 18550, with Mr. UNDERWOOD in the chair.

The CHAIRMAN. The Clerk will report the bill.

The Clerk again read the bill.

The CHAIRMAN. If there is no general debate, the Clerk will read the bill for amendment under the five-minute rule. [After a pause.] The Clerk will read the bill.

The Clerk again read the bill.

Mr. BATHRICK. Mr. Chairman, I offer the following amendment which I send to the desk and ask to have read.

The Clerk read as follows:

Strike out lines 3 and 4 and insert:

"That the Secretary of the Treasury be, and is hereby, authorized, in his discretion, to convey by the usual quitclaim."

Mr. BATHRICK. Mr. Chairman, that amendment was suggested by the Secretary of the Treasury as giving him the discretion to make this conveyance instead of as in the original bill, directing him to make the conveyance. The committee has no objection to it.

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. CLARK of Florida. Mr. Chairman, I move that the committee do now rise and report the bill back to the House with the amendment, with the recommendation that the amendment be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. UNDERWOOD, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 18550 and had directed him to report the same back with an amendment, with the recommendation that the amendment be agreed to and that the bill as amended do pass.

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

The SPEAKER. The question now is on the engrossment and third reading of the bill as amended.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. CLARK of Florida, a motion to reconsider the vote by which the bill was passed was laid on the table.

ROCKY MOUNTAIN NATIONAL PARK, COLO.

Mr. TAYLOR of Colorado. Mr. Speaker, I move to suspend the rules and pass the bill (S. 6309) to establish the Rocky Mountain National Park, in the State of Colorado, and for other purposes, with the amendments, which I send to the Clerk's desk and ask to have read.

The Clerk read the bill, as follows:

Be it enacted, etc., That the tract of land in the State of Colorado particularly described by and included within metes and bounds as follows, to wit: Beginning at the southeast corner of section 34, township 3 north, range 73 west of the sixth principal meridian, Colorado, thence north along the section lines to the northeast corner of section 3, said township; thence west to the northwest corner of said section; thence north along the section lines to the northeast corner of section 16, township 4 north, range 73 west; thence west to the northwest corner of said section; thence north to the northeast corner of section 8, said township; thence west along the section lines to the northwest corner of section 7, said township; thence north to the northeast corner of township 4 north, range 74 west; thence west along the first correction line north, to the southeast corner of section 36, township 5 north, range 74 west; thence north along the range line to the northeast corner of the southeast quarter of the southeast quarter of section 13, said township; thence west to the northwest corner of the southeast quarter of the southeast quarter of section 14, said township; thence north to the northwest corner of the northeast quarter of the southeast quarter of section 11, said township; thence east to the northeast corner of the northeast quarter of the southeast quarter of section 12, said township; thence south along the range lines to the southeast corner of said section; thence east along the section lines to the southeast corner of the southwest quarter of section 10, township 5 north, range 73 west; thence north to the northeast corner of the southwest quarter of said section; thence east to the southeast corner of the northeast quarter of said section; thence north to the northeast corner of said section; thence east to the southeast corner of the southwest quarter of the southwest quarter of section 2, said township; thence north to the northeast corner of the southwest quarter of the southwest quarter of said section; thence east to the southeast corner of the northeast quarter of the southwest quarter, said section; thence north to the northeast corner of the northeast quarter of the southwest quarter of said section; thence east to the southeast corner of the northeast quarter of section 1, said township; thence north along the range line to the northeast corner of section 36, township 7 north, range 73 west; thence west along the section lines to the intersection with the west bank of the Big South Cache la Poudre River in township 7 north, range 75 west; thence southeasterly along the west bank of said river to the mouth of a tributary of said river, probably in section 1, township 6 north, range 75 west; said tributary heading at La Poudre Pass in section 20, township 6 north, range 75 west; thence southwesterly along the west bank of said tributary to its head; thence across the Continental Divide to the headwaters of the North Fork of the Grand River, which also heads at La Poudre Pass; thence down the west bank of the North Fork of the Grand River to its intersection with the section line between sections 29 and 30, township 6 north, range 75 west; thence south along the section lines to the southeast corner of section 18, township 5 north, range 75 west; thence west along the section line to its intersection with the west bank of the North Fork of the Grand River; thence down the west bank of the North Fork of the Grand River to its intersection with the section line between sections 25 and 36, township 4 north, range 76 west; thence east to the northeast corner of section 36, said township; thence south along the range line to the southeast corner of said township; thence east along the township line to the northeast corner of the northwest quarter of section 4, township 3 north, range 75 west; thence south to the southwest corner of the northeast quarter of section 9, said township; thence west along the quarter section line to its intersection with a creek in section 7, said township, this creek being an outlet of Grand Lake, and flowing into the North Fork of the Grand River; thence southerly along the said creek to its junction with the North Fork of the Grand River; thence southerly along the west bank of the North Fork of the Grand River to its intersection with the township line between townships 2 and 3 north; thence east along the township line to the southeast corner of section 34, township 3 north, range 73 west of the sixth principal meridian, Colorado, the place of beginning, all of said above-described tract now being included within the boundaries of the counties of Grand, Boulder, and Larimer, in the State of Colorado, is hereby reserved and withdrawn from settlement, occupancy, or disposal under the laws of the United States, and said tract is dedicated and set apart as a public park for the benefit and enjoyment of the people of the United States, under the name of the Rocky Mountain National Park: *Provided*, That the United States Reclamation Service may enter upon and utilize for flowage or other purposes any area within said park which may be necessary for the development and maintenance of a Government reclamation project.

SEC. 2. That nothing herein contained shall affect any valid existing claim, location, or entry under the land laws of the United States, whether for homestead, mineral, right of way, or any other purpose whatsoever, or shall affect the rights of any such claimant, locator, or entryman to the full use and enjoyment of his land. Whenever consistent with the primary purposes of the park the act of February 15, 1901, applicable to the location of rights of way in certain national parks and the national forests for irrigation and other purposes, shall be and remain applicable to the lands included within the park. The Secretary of the Interior may, in his discretion and upon such conditions as he may deem wise, grant easements or rights of way for steam, electric, or similar transportation upon or across the park.

SEC. 3. That no lands located within the park boundaries now held in private, municipal, or State ownership shall be affected by or subject to the provisions of this act.

SEC. 4. That the said park shall be under the executive control of the Secretary of the Interior, and it shall be the duty of the said executive authority, as soon as practicable, to make and publish such reasonable rules and regulations not inconsistent with the laws of the United States as the said authority may deem necessary or proper for the care, protection, management, and improvement of the same, the said regulations being primarily aimed at the freest use of the said park for recreation purposes by the public and for the preservation of the natural conditions and scenic beauties thereof. The said authority may, in his discretion, execute leases to parcels of ground not exceeding 20 acres in extent in any one place to any person or company for not to exceed 20 years whenever such ground is necessary for the erection of establishments for the accommodation of visitors, may grant such other necessary privileges and concessions as he deems wise for the accommodation of visitors and may likewise arrange for the removal of such mature or dead or down timber as he may deem necessary and advisable for the protection and improvement of the park. The regulations governing the

park shall include provisions for the use of automobiles therein. All funds derived from concessions, privileges, or other sources within the park shall be expended therein: *Provided*, That no appropriation for the maintenance, supervision, or improvement of said park in excess of $10,000 annually shall be made unless the same shall have first been expressly authorized by law.

The SPEAKER pro tempore (Mr. HAY). Is a second demanded?

Mr. MOORE. Mr. Speaker, I demand a second.

Mr. TAYLOR of Colorado. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The SPEAKER pro tempore. The gentleman from Colorado is entitled to 20 minutes and the gentleman from Pennsylvania to 20 minutes.

Mr. TAYLOR of Colorado. Mr. Speaker, in arising to present this bill to the House I want to take this first opportunity of expressing to the Speaker the profound appreciation of the State of Colorado for granting my earnest appeal and placing this bill at the head of the Suspension Calendar to-day. With the many thousands of bills before us there was no other possible way that it ever could have been reached for consideration at this session of Congress, or probably within the next year, and I know my constituents will forever feel grateful for his act of special consideration to my State.

I want to also thank the Public Lands Committee for granting my request for a full and patient hearing upon the bill and their authorizing me to make this favorable and unanimous report.

I am aware that it is not customary to publicly express gratitude in this way; but very few people realize the tremendous importance of this measure to Colorado, and I know that this brief acknowledgment is but a very feeble expression of the sentiment of my constituents.

The committee accorded me the privilege of conducting the hearings upon this bill and I presented our retiring governor, Elias M. Ammons; our incoming governor, George A. Carlson; both of our United States Senators, CHARLES S. THOMAS and JOHN F. SHAFROTH; and Mr. R. B. Marshall, the Chief Geographer of the United States Geological Survey, who had made an exhaustive examination of and report on this proposed park; also Mr. Mark Daniels, the general superintendent and landscape engineer of national parks. The committee was also favored with a very attractive presentation by Mr. F. W. Byerly, which I wish you all could have seen, of stereopticon natural-color views of the park. I also presented a large amount of data upon this subject that had been sent to me by many associations and people throughout the country.

In my printed report upon this bill, covering 48 pages, I have incorporated a synopsis of what was presented at the hearing, as well as some other relevant and, I think, interesting information.

INTRODUCTORY.

The project of establishing a national park in this region was started several years ago by a number of our public-spirited citizens. A bill for that purpose was introduced in the Sixty-second Congress, but nothing whatever was done or attempted to be done with it during that Congress. I was requested by a great many people to take the matter up at that time, but I did not do so, because a few enthusiastic individuals were very industriously trying to include a large part of four counties, and embracing some 800,000 acres of land, much of which was mineral land, a large amount of it agricultural land, and a considerable portion was patented and privately owned land. After a large amount of correspondence and many conferences with the chambers of commerce, business men's organizations, and enterprising citizens of Denver, Boulder, and Grand Counties, as well as the Interior Department, and after Secretary Fisher had sent Mr. Marshall out to examine the territory in the fall of 1912, and Mr. Marshall had made his report in January, 1913, Senator THOMAS and I finally succeeded in bringing about an agreement between the Interior and Agricultural Departments and the inhabitants of Larimer, Boulder, and Grand Counties, and the Denver Chamber of Commerce and Real Estate Exchange and others as to the proper boundaries of the park and the appropriate provisions of the bill. Thereupon a compromise bill was prepared in duplicate, and on the opening day of the first session of this Sixty-third Congress, April 7, 1913, I introduced it—H. R. 1634—and on April 8 Senator THOMAS introduced it in the Senate—S. 530.

Those bills were referred to the Interior and Agriculture Departments and investigated and considered by those departments for about 15 months, and after many more conferences and further investigations and correspondence—I have written hundreds and hundreds of letters about this bill—it was determined to eliminate further lands and reduce the size of the park to about one-third of its original contemplated dimensions. So the bill was again rewritten and reintroduced in the Senate by Senator THOMAS on June 29, 1914, as Senate bill 6007, and a few days afterwards as the present bill (S. 6309), and again reintroduced in the House by myself as House bill 17614, on July 2, 1914. Those bills were again referred to the two departments, and I have incorporated their reports on this bill, which is the fourth amended bill, in my report.

I mention these preliminary matters merely so that the House may know that this is not a hastily prepared or unduly considered measure.

There has been a world of detail work put upon this bill during the past three years by the department officials and by Senator THOMAS and myself, and we have all along been greatly assisted by Mr. Frederick R. Ross, the chairman of the Rocky Mountain National Park Committee of the Denver Chamber of Commerce and the Denver Real Estate Exchange, and by former United States Senator Thomas M. Patterson, Gov. Ammons, and Mr. John C. Shaffer, proprietor of the Rocky Mountain News, and many other organizations and people prominent in Colorado affairs whom I would like to mention.

The Secretaries of both the Interior and Agriculture Departments are now heartily in favor of this bill in its present amended form. I asked for and obtained an additional report from the Interior Department as late as January 9, 1915, in which Secretary Lane says:

> I favor the creation of the Rocky Mountain National Park in the State of Colorado. It will give to the country a new national playground, having unsurpassed mountain scenery and a most salubrious climate, and which will be in proximity to the great centers of population in the eastern portion of the United States. I am confident that the affairs of this park could be administered at a moderate cost.

This bill is supported by our State legislature, all political parties, the city of Denver, and a great many business men's organizations, and, in fact, by the entire population of Colorado. There are over 800,000 citizens in my State who are to-day anxiously looking, hoping, and appealing to this House to pass this bill, and if you grant their appeal there will be more general heartfelt rejoicing than there has been over any local measure since the passage by Congress in 1876 of the enabling act by which the Territory of Colorado was admitted into the Union as the Centennial State. However, Colorado is not alone in her appeal for this bill. The National Federation of Women's Clubs, including a million of the good women of this country, are enthusiastically supporting the measure. The Daughters of the American Revolution and hundreds of outing clubs, recreation associations, and unselfish, patriotic, and public-spirited organizations all over the United States have passed resolutions and written me indorsing this bill. I have mentioned a number of these and set out a few of the indorsements in both the hearings and in my report here before us.

DESCRIPTION.

I can not take the time, as I would like, to give a detailed description of the marvelously beautiful region that is sought to be created into a national park. But I will say generally that the area contains 229,062 acres, or 350 square miles of gorgeous scenery. All of it, excepting 3,082 acres, are now included in the Arapahoe and Colorado National Forests. All of the land, excepting 11,200 acres, is surveyed land. There are 2,340 acres of patented land and 1,200 acres of State land in the park, and all the rest of it is public domain. It will be the fourth in size of our national parks. It is situated on the crest of this continent on the main range of the backbone of the Rocky Mountains in the most rugged section of the Continental Divide, about one half on the Atlantic and the other half on the Pacific slope. The territory is located about one-half in Grand County, one-third in Larimer, and one-sixth in Boulder County, and about 60 miles northwest of the city of Denver in the northern-central part of the State. The territory is the source of a number of tributaries of some of our large rivers. The waters from the eastern part ultimately flow into the Missouri River, while on the western slope of the peaks the melting snows reach the Pacific Ocean through the Colorado River. The lowest part of the region is at an altitude of 8,000 feet, and the greater part of it is over 9,000 feet above sea level.

There are over 60 peaks that rise above 12,000 feet and a dozen exceed 13,000 feet within 10 miles along the Continental Divide, with Longs Peak rising 14,255 feet above the ocean's tides—145 feet higher than Pikes Peak. While Longs Peak lacks a few feet of being the highest peak in Colorado, yet, owing to its rugged nature and marvelous surroundings, in a panorama of scenic grandeur, in the heart of the Rockies, it is looked upon as America's gem, and is often called the "King of the Rockies," and frequently compared to Mount Blanc and the Matterhorn. Colorado is the top of the world, and my description of Longs Peak would be the bright jewel set in the crest of the Rockies,

where it shines as the Kohinoor of all the gems of this Continent.

In her book, A Lady's Life in the Rocky Mountains, Miss Isabella L. Bird describes one view of the peak as follows:

Deep, vast canyons, all trending westward, lie in purple gloom. Pine-clad ridges, rising into the blasted top of Storm Peak, all run westward, too, and all the beauty and glory are but the frame out of which rises—heaven piercing, pure in its pearly luster, as glorious a mountain as the sun tinges red in either hemisphere—the splintered, pinnacled, lovely, ghostly, impossible, double-peaked summit of Longs Peak, the Mount Blanc of northern Colorado.

But Longs Peak is only one of the many wonderful features of this park. Nature has lavished many of her choicest gifts upon this region. The entire region is equal in grandeur to the Swiss Alps, and it surpasses Switzerland in the varied glory of its magnificence. There are several large glaciers and one extinct volcano in the park. It is a veritable wonderland. There are many beautiful small parks and valleys, while the foliage is perfectly gorgeous. There is a ruggedness and grandeur in the scenery which no one can describe. It must be seen to be realized.

There are nearly 200 lakes, varying in size from a few rods to a half a mile across. A dozen of the peaks within the park are capped with perennial snow. There are many scraggy peaks, deep canyons, and snow fields; hundreds of cascades and many passes in the Continental Divide above an altitude of 12,000 feet. The timber line, the altitude above which trees will not grow, in the Alps is about 6,500 feet elevation, while in the Rocky Mountains in this proposed park the timber line is 11,500 feet.

There are many kinds of wild life, including the mountain sheep (bighorn); grizzly bear, black and brown bear, deer, and beavers abound; all the lakes and streams contain mountain trout; and a herd of elk has recently been brought from the Jackson Hole, in Wyoming, and placed in the park.

Owing to the wide range of climate, from summer moderation to the perpetual snow line, it is estimated that there are in the park a thousand varieties of wild flowers. The colombine, the official State flower of Colorado, and which we think is the most exquisitely beautiful flower in the world, grows in luxuriant profusion all over the sides of these mountains. It is a native mountain flower, and only grows naturally in that high altitude. Besides the flowers, there is a much greater variety of plant life than is found in the Alps.

There is comparatively little timber that is of a merchantable value, and there is no agricultural land in the park; and, moreover, the altitude is too great for practical farming, and there is very little grazing possibilities in that region. In fact, it has been said thousands of times by people from all over the world that the one great and only thing this region is suitable for is a great national park. It has no value for anything but scenery and climate.

Some of the greatest known travelers, authors, and naturalists of the world have for the past 40 years visited this territory and paid tribute to its scenic worth by writing books and articles upon it. In fact, Estes Park and Grand Lake and the adjacent territory included in this bill have long since attained not only a nation-wide reputation, but are known almost as well throughout Europe as they are in this country. The park is visited every summer by tens of thousands of people because of its scenic beauty and delightful mountain summer climate. Last summer there were 20,250 people visited the Yellowstone National Park, while it is estimated that over 50,000 people visited Estes Park, and many of them stayed there practically the entire summer, because it is not only a very invigorating and healthful climate, but one of the most delightful places in the world. Nowhere in the long range of the Continental Divide is there such scenery as that of this region. This bill will nationalize the State's most beautiful park and will capitalize Colorado's scenery for the benefit of the Nation. Some of the Nation's greatest attractions, from the tourist's standpoint, are located in Colorado.

It is eminently fitting that this region should be selected by Congress and given the name of "the Rocky Mountain National Park." No one can behold and contemplate the magnificent scenery of this region without being bigger and better ever thereafter.

For over 40 years Estes Park has been famous to travelers and tourists, who include it in their intinerary. Kit Carson went through there in 1840. The first house was built there in 1860 by Joel Estes, after whom the park was named. He was one of the earliest settlers of Colorado, who made his home there when it was a wilderness. Later on it became a resort for tourists and an attractive holiday place for thousands of people.

There were 10,000 automobiles from outside the State that visited the park last year, and it is estimated that fully 25,000 nonresident automobiles and from 125,000 to 150,000 people from all over the United States will visit the park this coming summer. One of the greatest and most important features of this park will be its inexpensive, easy, and ready accessibility It will be a glorious and immensely popular resort. It will be the one great national park on the eastern slope of our country, and at least one day nearer and much more accessible to the population of the country than any other national park. It will be the one great national recreation ground that will be the most available to all the people, and I predict that more people will visit this park every year than visit all the other parks combined.

By the adoption of this measure one of Colorado's most beautiful districts will be dedicated forever to public use and will be maintained as a national monument for the enlightenment and inspiration of the people of the United States; and Colorado will always be grateful to Congress for the creation of this park. It will indeed make Colorado the great "playground of the Nation." It will soon be the most popular of all the national parks.

All people need recreation, and there is a very great and growing demand for public recreation places out of doors. The tendency of the times, the modern business habits of our people, are such that they will be compelled to more and more seek outdoor life, and these recreation places will be a Godsend to their health and shattered nerves, and benefit the lives of many millions of people physically, mentally, and morally every year. The grown-up children of the Nation need parks just as much as the little ones do.

We want to consecrate this territory to the public use as a national playground. We cordially invite the people of our country to come and be invigorated by and enjoy this delightful spot, the scenery of which is not surpassed by any park or anywhere on earth.

Our State highway commission and the city of Denver and those counties are building magnificent automobile roads from Denver and all the adjoining cities and towns to and across the park. So that everyone can go. There will be no trust or monopoly of any of the highways leading to or through this park. All western railroads run to Denver, and from there it is only a three hours' delightful automobile ride, and it is less than that from the cities of Boulder and Loveland. Many thousands of people will every year come from the east, north, and south in their automobiles over the Lincoln National Highway.

Our people are especially anxious to have this park created now on account of the European war and the Panama-Pacific Exposition, so that the traveling public may learn of its attractive features during the coming summer and be benefited thereby.

The American people have never yet capitalized our scenery and climate, as we should. It is one of our most valuable assets, and these great assets should be realized upon to the fullest extent. We receive comparatively nothing for it, while Switzerland derives from $10,000 to $40,000 per square mile per year for scenery that is not equal to ours. But Switzerland knows that the public is ready and willing to pay for scenery and they have developed it for selling purposes. It is estimated that the American people spend approximately $500,000,000 a year abroad, and a considerable portion of it goes to see scenery that in no way compares with our own. Besides, our mountains are endowed with a climate so far superior to that of the Old World that this park will soon become the mecca of the tourists of the earth.

Now is the time to cultivate the "See America First" movement. We should systematically turn the attention of the American tourists to the fact that there is grander and more beautiful scenery in this country than elsewhere, and keep at home some of the hundreds of millions of dollars of tourist money that is now annually spent abroad. A large per cent of the American population scarcely know that we have national parks, and most of them only have the vaguest notion of what our natural scenic resources are. The closing of European resorts to American travel this year has developed this "See America First" spirit and will be of great aid in the teaching of American citizens to visit and appreciate our own parks. Tens of thousands of Americans who have every year spent their surplus money in Europe will, on account of the present war, many of them visit the mountains, and a large per cent of them will inevitably visit the Rocky Mountain National Park; and a very large per cent of all the people who visit the Panama-Pacific Exhibition will stop off at Denver on their trip across the continent and visit this park.

It is estimated that 300,000 Americans visited Europe last year. Switzerland sells to the world $250,000,000 worth of scenery every year. The several hundred million dollars that

Americans spend in Europe every year is a net and unnecessary loss to America, because our citizens could derive a better quality of scenery by judiciously spending their money at home. We should popularize our own parks through letting the people know of their beauty and advantages. There should be a tremendous annual movement of our people for vacations in the Government reserves. I hope the Interior Department will use the moving-picture concerns for the purpose of advertising these national parks. Uncle Sam has an unlimited supply of scenery that is worth advertising.

Mr. MOORE. Mr. Speaker, will the gentleman yield?

Mr. TAYLOR of Colorado. Certainly.

Mr. MOORE. I demanded a second mainly for the purpose of getting information. I understand some gentlemen may want to oppose the bill. I would like to inquire to what extent the Federal Government will be called upon to bear expense in connection with this enterprise?

Mr. TAYLOR of Colorado. If the gentleman from Pennsylvania will notice, the amendment which the committee has recommended at the end of the bill provides that the entire annual cost is limited to $10,000, unless otherwise authorized by Congress some time hereafter. That amount is not a great deal in excess of what it is now costing the Federal Government to maintain this territory as a part of two forest reserves. Several forest rangers are required to superintend and protect that territory at the present time. In fact, I understand the Forest Service contemplates spending very much larger sums each year than this bill authorizes. There are 14,500,000 acres of forest reserves in Colorado. This park only comprises about 2 per cent of the forest reserves of my State, and I am asking by this bill to transfer the jurisdiction of less than a quarter of a million acres out of our fourteen and a half million acres of forest reserves from the Agriculture Department to the Interior Department, because our people believe that that grand and rare scenic region, which is one of the most beautiful spots in the entire Rocky Mountains, can be much better administered, protected, and delevoped by the national park service of the Interior Department as a national park than it possibly could be under the Forest Service. Forest reserves are not public playgrounds and they are not administered for recreation places. I am asking that this very unique scenery be converted into a national park, so that all the people of the United States may see and enjoy it.

Mr. MOORE. I want the gentleman to have a fair chance to explain the bill, and I call to his attention the fact that the report states that the Colorado Democratic State platform of 1914 contained the following plank:

> We heartily favor the creation of the Rocky Mountain National Park, and commend our Senators and Representatives in Congress for their labor in its behalf.

Are we to understand from that that the bill has any particular political significance?

Mr. TAYLOR of Colorado. Not the slightest. If the gentleman will look at page 7 of my report, he will see that I state right in the very next sentence that "all other parties urgently advocated the establishment of the park." I put that in my report to show that the entire State, all organizations and all political parties and everybody, is in favor of it. This is one subject upon which Colorado is absolutely and enthusiastically united. Our legislature has adopted and sent to me a memorial to Congress, which in part says:

> That the people of Colorado desire that said park shall be established. It includes the highest mountain peaks in the State; the area is little adapted to either agriculture or grazing; its scenery for sublimity and grandeur is not excelled on the continent. Its location is easy of access to America's millions who seek health and recreation in the summer months, being situated in the front and main range of the Rocky Mountains.

Mr. MOORE. Now, one further question. I am still seeking information. Why is it that the State of Colorado does not take care of this park itself?

Mr. TAYLOR of Colorado. Well, there is very little use of our discussing that question, because, in the first place, Congress would not under any circumstances cede that territory to the State. It would be wrong for the Government to ever surrender title to that territory. Secondly, Colorado has a large number of beautiful parks. Half of the State is composed of mountain parks. We have three times as much mountain scenery in our State alone as there is in the entire Swiss nation. Our State does not want this as a local State park. We want the Nation to have this marvelous region so the entire population of the United States will feel a proprietary interest in it. We prefer to surrender jurisdiction over the territory to the Federal Government, and let the entire world feel at liberty to come there as the guest of Uncle Sam.

Mr. MOORE. The maintenance of it, for the first year at least, would be limited to $10,000?

Mr. TAYLOR of Colorado. It is limited to $10,000 a year forever unless Congress grants us an increase.

Mr. MOORE. Ten thousand dollars per annum is all you propose to ask at present?

Mr. TAYLOR of Colorado. That is all until further additional appropriations are authorized by Congress.

Mr. MOORE. Would $10,000 a year be sufficient to provide for maintenance and take care of future improvements?

Mr. TAYLOR of Colorado. No; that amount is not enough; but we will have to get along with that sum for a while, and I am in hopes that we will be allowed to also retain and use toward the improvement of the park all the revenues derived from automobile licenses and concessions from all sources. If we can have those receipts, I feel that we can get along without any additional appropriation for possibly several years to come.

Mr. MOORE. The gentleman expects some revenue will be derived from the park to make up the expenses?

Mr. TAYLOR of Colorado. Yes, sir. Mr. Marshall and the Interior Department recommend that we be given those receipts for the maintenance and improvement of the park, especially for road and trail building, and I am relying upon these recommendations and that express provision in this bill. I had that in mind when I reluctantly consented to the adoption by the committee of this $10,000 a year limitation.

If Congress will permit Secretary Lane to carry out his ideas concerning these national parks, I confidently believe that in the near future they will all be self-supporting.

There are three different types of revenue that may be received from national parks: First, from the natural resources; second, from the public utilities operated there; and, third, from leases and concessions.

If the Rocky Mountain National Park were a purely local project, the outdoor clubs and other patriotic organizations throughout the United States and representative newspapers everywhere would not be supporting this measure as earnestly as they are. But our State administration and prominent men in Colorado affairs and all of our business men's organizations want this territory placed in a national park, so that its scenic features may be preserved and reserved in perpetuity for the people of the United States.

We already have in southwestern Colorado the Mesa Verde National Park, the ruins of the ancient cliff dwellers. From an archeological viewpoint it is one of the wonders of the world. To me it is the most weird and fascinating place I have ever visited. Mr. Daniels says:

> If any man wants to find Omar Khayyám's lines expressing the eternal thought of "whence we come and why," let him visit those wonderful remains, steep himself in their mystery, and puzzle over the riddle they present. Who built them? When? Whence came they? Whither did they go? No man knows the answer. The pyramids of Egypt are no more impressive, no more awesome.

We also have the wonderfully unique and picturesque Colorado National Monument, near Grand Junction, Colo., which I had the honor of having created, and of naming it in 1911. We have also the Wheeler National Monument, in southern Colorado. I have had the distinction and pleasure of passing through Congress bills granting parks on the public domain to some 20 different cities and towns in my State. And last summer I had charge of the two bills in the committee and House which set apart a 15,000-acre mountain park for the city of Denver, a portion of which was placed in a forest reserve for that purpose. All of our Colorado cities appreciate the importance of having outing places, recreation and pleasure playgrounds. That sentiment is natural to our people because we have so many wonderfully beautiful natural parks in Colorado. I feel that every city in the United States should have a public park large enough to accommodate its entire population and should be maintained and kept in a way that would make it attractive to the old and young. Instead of having 13 national parks in this country we ought to have at least a hundred.

Your Committee on the Public Lands confidently believe that the time is fast approaching when this Government will need and have many more national parks. The tendency in every State and every city in the United States is toward the creation of more outing places. The strenuous life which the American people are living requires outdoor recreation and relaxation, and our city, State, and national parks are one of our greatest health assets. No money ever expended by the Government will bring greater returns in health and happiness than that expended toward the improvement and maintenance of our national parks. Your committee believes that

from the natural wonders which the proposed territory contains it should be created into a national park, and therefore unanimously and earnestly recommend the passage of this bill.

Grand Lake adjoins the western boundary of this park and geographically is practically a part of it. It is immediately across the range from Estes Park, and the new State highway which is now approaching completion renders it easy of access from the Estes Park portion of the park. The lake is one of the most interesting, attractive, and picturesque spots in the Rocky Mountains, as well as one of the largest natural lakes in Colorado. The surrounding region is unsurpassed in grandeur for beauty of natural scenery, and at the same time it is intensely interesting from a romantic, legendary, and historical point of view. The lake is the source of the Grand River, one of the two streams that constitute the Colorado River, one of the great rivers of the country that finds its way to the Pacific by way of the Gulf of California. The territory was originally occupied by the Ute Indians, and the legendary history of their wars and tribal strifes is intensely interesting in connection with this park. The lake was also the scene of strife in later years. About 1884 a pitched battle was fought on the shores of the lake involving practically all of the white inhabitants of the county, and several of them were killed. "Patience" Thornton, one of Colorado's early and most successful novelists, used the incident in connection with this county-seat war as the basis of a most realistic story. So that it will live as a part of the record of the region and serve to render the lake a place of historical interest.

Prof. Ellsworth Bethel, of the East Denver High School, has made some valuable researches in the Estes Park region that I think are of sufficient interest to justify being inserted in the RECORD, as follows:

NOTES ON THE NATURAL HISTORY OF THE ESTES PARK REGION.

The flora and fauna of Colorado: Colorado has about 3,000 species of native wild plants, this phenomenally large number being exceeded only by California.

The varying altitude from the Great Plains to the summits, reaching to an elevation of 14,000 feet above sea level, is responsible for the large number of varieties. The flora is acknowledged by all botanists to be the most beautiful, interesting, and varied of any State in the Union.

The proposed Rocky Mountain National Park contains more than 1,500 species, mostly Alpine and sub-Alpine. Many botanists have visited this region and pronounced it one of transcendent interest, and having once visited it they return from year to year. The Rocky Mountain blue columbine (the State flower), acknowledged to be the most beautiful flower in the United States, grows in great profusion. Hardly less attractive are the Mariposa lily, gentians, cowslips, buttercups, bluebells, and harebells in many varieties. The Alpine flora is exceedingly attractive and in variety and brilliancy of color are quite equal to those of the Alps; in fact, many of them are the same as those found in the high mountains of Europe. Attractive forests cover the hills and slopes. These are composed chiefly of pines (three species), spruce (two species), firs (two species), junipers (two species). The aspen, birches, alders, willows, poplars, etc., intermingle with the coniferous forests, and, unlike their habit in the East, turn to a brilliant red and orange in the fall, presenting a landscape effect of indescribable beauty. The snows linger in the forests until July, and Alpine flowers grow right through the snow and in close proximity thereto, so that almost anywhere near timber line one can pick up snow with one hand and beautiful wild flowers with the other.

The fauna: More than 400 kinds of birds are found in the State, which number is exceeded by only one other State. Many of these breed in the Estes Park region, so that bird life is abundant. Mammals of many kinds abound, such as chipmunks, squirrels, rabbits, conies, beaver; and there are some of the larger forms, such as mountain sheep, bear, lions, deer, coyotes, and wildcats.

Physiography: Glaciation, with its resultant cirques and moraines and impounded lakes, is in evidence everywhere. A half dozen small glaciers occur, and gorgeous and steep slopes are clad with perpetual snow. The rocks are chiefly granitics, schists, and quartzites, though eruptive rocks are also found within the park. Specimen Mountain, an old volcanic cone and crater, has vast deposits of black obsidian (volcanic glass) and geodes.

The proposed national park includes about 10 miles of the Great Continental Divide, with Longs Peak nearly 3 miles (14,253 feet) above the ocean tides. A dozen other peaks exceed 13,000 feet, and a score rise to 12,000 feet. Scenically it is America's gem, a wonderland of such transcendent beauty that the tourist is sure to return many times.

There are scores of unscaled peaks and dizzy heights to tempt the most arduous mountain climber. It would take one many summers to explore all the canyons, high peaks, and lakes and waterfalls.

Prof. Bethel has also compiled some interesting information upon the peaks of Colorado, as follows:

THE HIGH PEAKS OF COLORADO.

[Being a list gathered from the latest available authorities of the named mountain summits in this State exceeding 14,000 feet in altitude. Compiled for the club by Ellsworth Bethel.]

Colorado is the mountain State of the Union. Of the 49 named peaks of the United States which exceed 14,000 feet in height, Colorado has 36, California 12, and there is 1 in Washington. There are probably at least 10 more peaks of this altitude in Colorado which remain unnamed. It is estimated that one-fifth of the State stands above 10,000 feet in altitude, that it contains 350 peaks above 11,000 feet, 220 above 12,000 feet, 150 above 13,000 feet, and about 45 above 14,000 feet.

The highest peak in the United States proper is Mount Whitney (Cal.), altitude 14,501 feet. Mount Massive, Mount Elbert, and Blanca Peak, which head the table in this leaflet, are, respectively, the second, third, and fourth highest in the United States. Massive and Elbert, after elaborate recent surveys, have been found to differ less than a foot in altitude.

In the following table the first column gives the name of the mountain, the second column the altitude of the peak above sea level, the third column the survey or other authority from which the figure is derived, the fourth column the mountain range to which the peak belongs, and the fifth the county in which it lies. In the fourth column the letters "U. S. G. S." signify that the figure given is fixed by the records of the United States Geological Survey; Hayden, that it is derived from the Hayden survey of Colorado; Wheeler, from the Wheeler survey; and C. A. C. from work done by Prof. L. G. Carpenter and students of the Colorado Agricultural College. Pikes Peak and Longs Peak were determined by checked spirit leveling, and are probably correct within 1 foot. Those credited to the United States Geological Survey were determined by vertical angulation, and are probably correct within 10 feet; while those credited to Hayden and Wheeler were determined many years ago by mercurial barometer, and may be in error as much as 100 feet.

The altitudes of Mount Massive and Mount Elbert were recently determined by vertical angulation by R. B. Marshall, chief geographer of the United States Geological Survey, for the Colorado Academy of Sciences, upon request of its secretary, Mr. J. Clarence Hersey.

Recent determinations have reduced the elevations of Mount of the Holy Cross and Buckskin Mountain so that they no longer belong in this list. The name Crestone supplants Three Tetons, and Mount Wilson has been adopted in place of Glacier Mountain.

Grays Peak, Torreys Peak, Mount Evans, Longs Peak, and Pikes Peak are visible from Denver, and the last named also from Pueblo and Colorado Springs.

Mountain peaks in Colorado exceeding 14,000 feet in altitude.

Mountain.	Altitude.	Authority.	Range.	County.
1. Mount Massive	14,402	U.S.G.S.	Sawatch	Lake-Pitkin.
2. Mount Elbert	14,402	...do...	...do...	Lake.
3. Blanca Peak	14,390	...do...	Sangre de Cristo	Huerfano-Costilla.
4. Mount Harvard	14,375	Hayden	Sawatch	Chaffee-Gunnison.
5. Grays Peak	14,341	...do...	Front	Summit-Clear Creek.
6. Torreys Peak	14,336	...do...	...do...	Do.
7. La Plata Mountain	14,332	U.S.G.S.	Sawatch	Chaffee.
8. Uncompahgre Peak	14,305	...do...	San Juan	Hinsdale.
9. Mount Lincoln	14,287	...do...	Park	Park-Summit.
10. Mount Evans	14,260	...do...	Front	Clear Creek.
11. Castle Peak	14,259	...do...	Elk Mountain	Pitkin-Gunnison.
12. Quandery Peak	14,256	...do...	Park	Park.
13. Longs Peak	14,255	C. A. C.	Front	Boulder-Larimer-Grand.
14. Mount Wilson	14,250	U.S.G.S.	San Juan	San Miguel.
15. Mount Antero	14,245	Hayden.	Sawatch	Chaffee.
16. Mount Shavano	14,239	...do...	...do...	Do.
17. Crestone Peak	14,233	...do...	Sangre de Cristo	Saguache-Custer.
18. Mount Princeton	14,196	...do...	Sawatch	Chaffee.
19. Yale Mountain	14,187	...do...	...do...	Chaffee-Gunnison.
20. Old Baldy Peak	14,176	...do...	Sangre de Cristo	Costilla.
21. Mount Sneffles	14,143	U.S.G.S.	San Juan	Ouray.
22. Maroon Peak	14,126	...do...	Elk Mountains	Pitkin.
23. Pikes Peak	14,110	...do...	Front	El Paso.
24. San Luis Peak	14,100	Hayden.	La Garita	Mineral-Saguache.
25. Mount Windom	14,084	U.S.G.S.	Needle Mountains.	La Plata.
26. Mount Eolus	14,079	...do...	...do...	Do.
27. Culebra Peak	14,069	Hayden.	Culebra	Las Animas.
28. Simpson Mountain	14,055	Wheeler		
29. Sunlight Mountain	14,053	U.S.G.S.	Needle Mountains.	La Plata.
30. Red Cloud	14,050	...do...	San Juan	Hinsdale.
31. Mount Sherman	14,048	...do...	Park	Park.
32. Stewart Peak	14,032	Hayden.	Sawatch	Saguache.
33. Wetterhorn Peak	14,020	U.S.G.S.	San Juan	Ouray-Hinsdale.
34. Grizzly Mountain	14,020	...do...	Sawatch	Pitkin.
35. Sunshine Peak	14,013	...do...	San Juan	Hinsdale.
36. Handies Peak	14,008	...do...	...do...	Do.

Hon. Mark Daniels, general superintendent and landscape engineer of national parks, has furnished me with some data upon this subject that I feel is of sufficient general importance to warrant being inserted in the RECORD in connection with this bill. His letter is as follows:

DEPARTMENT OF THE INTERIOR,
Washington, January 11, 1915.

Hon. EDWARD T. TAYLOR,
House of Representatives.

MY DEAR MR. TAYLOR: Your request for a more full opinion from me as to my reasons for advocating the creation of the Rocky Mountain National Park brings up a rather broad subject, and one which in order to be entered into exhaustively would take considerable time and space.

It seems to me that the question of our national parks, like other subjects involving art and esthetics, is constantly being confronted with a demand for reasons for its existence, and yet to one who understands the functions which they perform in the scheme of things it seems impossible that they should be so frequently challenged.

That scenery is a national asset has been proven in many instances in the older countries, where all resources have been carefully considered. Switzerland derives a revenue of over $250,000,000 annually from her scenery. She has made the scenic resources of her country one of the best revenue producers within her boundaries.

It has been estimated that over $400,000,000 annually leave this country and are spent abroad by tourists and travelers. Undoubtedly a very large proportion of this is for the purpose of transacting business, and to acquaint the traveler with the customs of the foreign people; a very large proportion, however, is spent by the tourist who goes to see scenery, and so spending his money he is purchasing a commodity which is inferior to the home product.

If the Secretary of the Interior were to announce to the press that a new mineral product had been discovered which would produce to this country, after being thoroughly developed, $50,000,000 net annually for a period of 25 years, there would undoubtedly be a great hue and cry to undertake the enterprise at once, and yet, if the national park system

were properly developed and placed before the public in all of its wonderful phases there is no doubt that more than $50,000,000 that are spent annually abroad by scenery lovers would be diverted and be spent within the boundaries of the United States.

In order that the people of this country shall derive the benefit, from a commercial point of view, of our national scenery, it is necessary that the scenic areas of national interest be set aside and administered in a way that will satisfy the demands of the tourist and the traveling public. This is the real and fundamental reason why it is necessary, in order to develop scenery as a national resource, to set aside the scenic areas as national parks.

As to the administrative cost or the cost of maintenance and development of these parks there are two general policies which have been adopted by different countries, namely, the establishment and administration of the parks upon the principle that they should be free to all visitors as against the policy of developing along the lines of self-support. I may say that it is only in the older countries, with the exception of the Dominion of Canada, where such parks are administered as free institutions. There is much to be said in favor of both policies, but suffice it to say that the policy which has developed in this country is one of administering the parks as nearly as possible in such a way as to make them self-supporting.

This can be done by charging hotel concessioners, transportation concessioners, etc., a rental for the privilege of operating their concessions in the park areas. The Secretary of the Interior has recently taken steps to accomplish as economic administration as possible and to develop the revenue-producing phases of the parks in a manner that will in no wise interfere with their scenic values.

We have, therefore, the following condition: The scenery of our country is a great national resource and once through which many millions of dollars annually may be kept in this country which are now being spent outside. The policy which looks to the eventual establishment of these reservations upon a self-supporting basis, so that the cost of maintaining the parks as a national resource will be of little or no expense to the Federal Government. It is difficult to understand, therefore, any reticence on the part of Congress to set aside any area which has proven itself to be one of national interest and one of such magnitude and glorious scenery as to attract, without assistance on the part of the Federal Government, such numbers as 56,000 visitors, which, I am told, was the number that visited the proposed Rocky Mountain National Park last year.

Cordially, yours,

MARK DANIELS,
General Superintendent and Landscape Engineer,
National Parks.

Mr. Marshall in his report to which I have referred concludes his statement and recommendations concerning the park as follows:

PHYSICAL CHARACTERISTICS.

There is no predominant, commanding natural feature in Estes Park, such as is found in the Crater Lake, the Yellowstone, or the Yosemite, or along the Grand Canyon of the Colorado, but the region as a whole is as beautiful as any to be found in the United States, or, indeed in the world. There is spread before the eye a gorgeous assemblage of wonderful mountain sculpture, surrounded by fantastic and ever-changing clouds, suspended in an apparently atomless space. At first view, as one beholds the scene in awe and amazement, the effect is as of an enormous painting, a vast panorama stretching away for illimitable distances; gradually, this idea of distance disappears, the magnificent work of nature seems to draw nearer and nearer, reduced apparently by an unseen microscope to the refinement of a delicate cameo. Each view becomes a refined miniature, framed by another more fascinating, the whole presenting an impressive picture, never to be forgotten.

ACCESSIBILITY.

Perhaps the most attractive feature of the plan to create this park, viewed from both the National and the State standpoints, is the accessibility of the area. In considering the probable success of this proposed park, I have kept constantly in mind the enormous population of the eastern part of the United States, which would derive benefit from it, its nearness to the large centers of population, and the low transportation charges in effect during the season in which it would be most visited. Estes Park can be reached from Chicago in about 30 hours and from Denver by automobile in about 3 hours. These factors will lead to a large amount of travel into the park from outside the State and undoubtedly will result in its assuming a much more national character than any of the existing parks. Denver being the center of practically all the railroad systems west of Mississippi River, the number of visitors that may be expected annually in the proposed park will add enormous revenues to the State of Colorado and will make this one of its most productive sections.

There has been a marked increase within the last few years in the annual number of visitors to Estes Park and vicinity. It is estimated that this number has increased from 1,800 to 30,000 within a comparatively short time and, with the added attraction of the national park, it seems safe to predict that within a decade or two 100,000 or more people from all sections of the United States will visit this area each year. From a purely commercial standpoint, then, the proposed national park should certainly appeal to the people of the State of Colorado. Moreover, every citizen of Colorado realizes full well the value of the entire State as a health resort, and, reputed for their hospitality as they are, I am sure that none of them would wish, from selfish motives, to prevent the enjoyment of the benefits of his State by the greatest number of people of the whole country; but the State does need the help of the National Government in this, and I know of no way in which this assistance can be better rendered than in the establishment and maintenance of a national park. There is even now in the Estes Park one good hotel, the Stanley, which probably cost in the neighborhood of $500,000, and numerous smaller ones, which seem to indicate clearly the confidence of the public in the permanency of the attractions of this mountain park.

RECOMMENDATIONS.

I therefore respectfully recommend—

(1) That Congress be asked to create for the benefit and enjoyment of the people a national park in the Rocky Mountains of Colorado in the vicinity of Longs Peak, to be known as the "Rocky Mountain National Park," with boundary as defined on the map accompanying this report;

(2) That wherever practicable lands included within the boundary of the proposed park which are now in private ownership be exchanged for public lands outside said boundary;

(3) That a civilian superintendent and necessary guards be appointed through the United States civil service for the proper administration of the park;

(4) That leases of suitable acreage for the erection of hotels and camps for the accommodation of visitors within the park and of 1-acre tracts for the erection of private homes be granted, all such leases to cover periods of not more than 25 years, subject to renewal under conditions governing leases in the other national parks;

(5) That the use of dead and down timber for building purposes within the park be permitted;

(6) That suitable roads and trails be constructed within the park;

(7) That the use of automobiles within the park be permitted;

(8) That leases be granted, under suitable conditions, for the development of mining, hydroelectric, and grazing privileges within the park;

(9) That a fish hatchery be maintained within the park to keep the streams stocked with fish;

(10) That the destruction of game or birds within the park be prohibited; and

(11) That all revenues derived from the park, from whatever source, be applied to its development and improvement.

Very respectfully,

R. B. MARSHALL, *Chief Geographer.*

The present Secretary of the Interior, Hon. Franklin K. Lane, is one of the most earnest and forcible advocates of public parks in this country. A statement of his appearing in the Washington Evening Star a few days ago is exceedingly timely and interesting, as follows:

PREPARING FOR TOURIST TRAVEL.

Secretary Franklin K. Lane is a believer in preparedness. The Secretary of the Department of the Interior naturally leaves to his associates in the Cabinet, Secretaries Garrison and Daniels, the study of preparedness related to war equipment. What he is interested in is the preparedness on the part of the Government to handle properly the tremendous tourist travel in America, which is expected to be one of the results of the great war.

In the opinion of the Interior Department officials and others who are familiar with conditions in the national parks of the West these great natural show places have never been visited by as many American people as should have toured them, because there have not been the same kind of facilities to care for travelers which are found in Europe, where the tourist trade has been catered to for hundreds of years, and where in many places it is the chief source of income of the people.

Secretary Lane believes that many thousands of Americans will travel in this country during the coming season and following years who have heretofore spent their money in Europe, and that the national parks of the West and points in Alaska, with their scenic wonders, will be the places sought out by large numbers of American tourists. The work of reorganizing the system of caring for and developing the national parks is now going on, and in the near future it is believed that most of the American parks will have facilities which will rival Europe for completeness in providing for tourists.

Mark Daniels, the California landscape engineer, whom Secretary Lane has secured as the new general superintendent of the national parks, is now working on plans for reorganizing the system of management and bettering conditions generally in all of the great Government reservations which are under the Department of the Interior. Mr. Daniels is now planning along two lines, one to develop an economic policy for the parks and a system of administration to provide for the constant increase of visitors and an increase of revenue of the parks; and, secondly, to develop a system to care for the physical features of the parks, such as the construction of roads, trails, and buildings used by the hotel men and others who have concessions.

At the present time the Government appropriates slightly more than $300,000 to care for the national parks of the country. Canada appropriated $700,000 this year for her parks. The amount of revenue collected from national parks in the United States is approximately $100,000 a year. Revenue comes from three sources, rental and leasing of concessions, the operation of public utilities, and from natural resources, such as dead and down timber and water power.

Supt. Daniels believes that the revenues of the parks can be increased very materially without any great increase in the cost of operation, and that the national parks of the country in time can be made entirely self-sustaining. This condition will be brought about not by commercializing the parks any more than they ever have been in the past, but by increasing and perfecting facilities and conditions for caring for the tourists and encouraging a greatly increased tourist travel throughout all the reservations.

The new general superintendent of the parks thinks that the American people have been too slow to look upon scenery as an asset which is just as valuable in its way as is coal, timber, water power, or any other natural resource. The scenery of Switzerland is estimated to be worth more than $250,000,000 a year to the people of that little country. It has also been estimated that the Americans who go abroad each year carry to the various European countries more than $400,000,000.

One of the features in increasing accommodations for the parks is the proposed establishment in each park of a bureau of information and transportation. At the present time visitors have fallen into the habit of going to the nearest concession stand to ask for information, and, naturally, the advice is governed by the financial interest of the concessionaire.

Another feature in the development of the park system will be the organization of a national park ranger service. This will include the building up of a force of able men who will be uniformed, and, as representatives of the Government, will set a new standard of service in America in providing for every care of tourists who are Uncle Sam's guests in the parks. The plans for organization of the ranger service are now being developed by Col. L. M. Brett, the United States Army officer who is superintendent of the Yellowstone National Park, and who has just been detailed to Washington especially to cooperate with Supt. Daniels in perfecting plans for the organization of this service.

Concerning the financial policy of the Government in relation to these parks, and as a matter of information, it may be stated that in the sundry civil act approved March 14, 1911 (33 Stat., 1421), provision is made that hereafter the Secretary of the Interior shall submit in the annual Book of Estimates, following the estimates for each of the national parks, a classified statement of receipts and expenditures for the complete fiscal year next preceding the fiscal year for which the estimates of appropriations are submitted. Pursuant to this statute, the data required have been embodied in succeeding Books of Estimates. (H. Doc. 129, 62d Cong., 2d sess., p. 412 et seq.; H. Doc. 944, 62d Cong.,

3d sess., p. 638 et seq.; and H. Doc. 398, 63d Cong., 2d sess, p. 574 et seq.) In the Book of Estimates for 1916 (H. Doc. 1394, 63d Cong., 3d sess.) will be found detailed statements showing, as required by section 6 of the sundry civil act approved August 1, 1914, the number of persons employed, rates of compensation paid, and amounts expended for various purposes, with estimated unit cost of construction done or proposed to be done in the parks, showing amounts expended in 1914 and the purposes of the various items for which expenditure is to be incurred in 1916.

The report of the Secretary of the Interior for the fiscal year ending June 30, 1914, just published, contains much interesting data on this subject, and I will ask to extend my remarks in the RECORD by inserting several extracts therefrom, as follows:

NATIONAL PARKS AND RESERVATIONS.

The policy of setting aside tracts of land as national parks or pleasure grounds for all the people was inaugurated by Congress with the establishment, by the act of March 1, 1872, of the Yellowstone National Park in Wyoming, Montana, and Idaho. Since that time 11 additional parks in various sections of the country have been created, embracing in all over 4,436,000 acres of land. The areas of these national parks, with date of establishment of each, are as follows:

Areas of national parks.

Name.	Date of establishment.	Area.
		Acres.
Yellowstone, in Wyoming, Montana, and Idaho	Mar. 1,1872	2,142,720
Yosemite, in California	Oct. 1,1890	719,622
Sequoia, in California	Sept. 25,1890	161,597
General Grant, in California	Oct. 1,1890	2,536
Mount Rainier, in Washington	Mar. 2,1899	207,360
Crater Lake, in Oregon	May 22,1902	159,360
Wind Cave, in South Dakota	Jan. 9,1903	10,522
Sullys Hill, in North Dakota	Apr. 27,1904	780
Platt, in Oklahoma	July 1,1902 Apr. 21,1904	848.22
Mesa Verde, in Colorado	June 29,1906 June 30,1913	48,966.40
Hot Springs Reservation, in Arkansas	June 16,1880	911.63
Glacier, in Montana	May 11,1910	981,681
Total		4,436,904.25

Visitors: The increasing number of visitors to these national reservations and the many requests that are received for literature in relation thereto clearly indicate the interest of the public therein. The last national park was created May 11, 1910, and since that time bills have been introduced in Congress looking to the establishment of additional national parks in various sections of the country, none of which has as yet become a law. During the year the total number of visitors in all the parks aggregated 239,693, as against 251,703 during 1913. While the travel to these parks was not as great as in 1913, there is every reason to believe that there will be a material increase in the number of visitors during the next fiscal year, when the Panama-Pacific International Exposition will be held in San Francisco.

Economic value of national parks: Without taking into consideration the cost to visitors of transportation from their homes to the parks, a fair idea of the economic value of tourist travel in four of the larger parks may be obtained by consideration of the financial reports of concessionaires, to wit, the gross receipts in the Yellowstone for 1913 amounted to $1,186.811.36, as compared with $1,067,161.34 for 1912; in the Yosemite, $359,481.45 for 1913, as compared with $311,444.32 for 1912; in the Mount Rainier, $66,942.76 for 1913, as against $56,735.93 for 1912; and in the Glacier National Park, $161,510.87 for 1913.

Appropriations and revenues: The total appropriations made by Congress for protection and improvement of these parks during the year, expendable under this department, was $302,490, and the total revenues received from concessionaires in all the parks was $56,949.01.

Expenditures of revenues: The several acts of Congress setting aside lands for national park purposes, except in the cases of the Crater Lake National Park, Oreg., and the Mesa Verde National Park, Colo., authorize the expenditure of the revenues derived from the privileges or concessions therein in the management and protection of the respective reservations. In the case of the two parks above mentioned, however, the revenues therefrom are under existing law deposited in the Treasury to the credit of miscellaneous receipts and the reservations receive no direct benefit therefrom. It is desirable that these parks, so far as the revenues therefrom are concerned, be put upon the same footing as are other national parks, and in submitting the annual estimates to Congress for the park service appropriate legislation has been recommended.

Senate bill 2223, to authorize the use of the revenues in the Crater Lake National Park in the management of the same and the construction, repair, and improvement of roads, trails, and bridges therein, passed the Senate April 14, 1914, and is now pending before the House Committee on the Public Lands. This bill should be enacted into law at an early date.

Automobiles in the parks: Automobiles have heretofore been admitted, under strict regulations governing travel of the roads, in the Mount Rainier National Park, the Crater Lake National Park, the Glacier National Park, the Wind Cave National Park, the Platt National Park, the General Grant National Park, over the Giant Forest Road in the Sequoia National Park, over the Coulterville Road from the Merced Grove of Big Trees into the Yosemite Valley in the Yosemite National Park, and over a road in the northwestern section of the Yellowstone National Park not forming a part of the generally traveled routes in that reservation, for the special accommodation of people of Gallatin County, Mont.

During the year automobiles, under appropriate regulations, were admitted over the roads in the Mesa Verde National Park, Colo., and were also admitted on the Wawona Road leading to the Mariposa Big Tree Grove and the Big Oak Flat Road in the Yosemite National Park. The generally traveled roads in the Yellowstone National Park, Mont., and the Hot Springs Reservation, Ark., are not in such a condition, considering the safety of individuals and animals, as to permit of their joint use by motor-driven vehicles and vehicles drawn by horses. Licenses have been issued during 1914, as follows:

Automobile licenses issued, season of 1914.

	Automobiles.	Motor cycles.
Mount Rainier	1,594	188
Crater Lake	1,107	18
Glacier	267	4
Sequoia	158	----------
General Grant	392	12
Yosemite	673	----------
Wind Cave	11	----------
Mesa Verde	34	4

The policy of the department in admitting automobiles to the parks, where road conditions make motoring safe, has met with general approval. It enables the traveling public to make trips to the parks more expeditiously than formerly, and in addition to materially increasing the number of visitors to the reservation has been productive of considerable revenues, the receipts from this source in 1914 being $14.243.07 as against $8,435.45 during 1913.

Jurisdiction: In the Yellowstone National Park and the Platt National Park the United States has exclusive jurisdiction thereover, and Congress has provided a means of enforcement of the laws and regulations pertaining thereto. The Legislature of the State of Montana, by the act of February 17, 1911, ceded exclusive jurisdiction to the United States of the territory within the metes and bounds of the Glacier National Park, and by act approved August 22, 1914, Congress accepted the cession by the State of Montana of exclusive jurisdiction over the lands embraced within the Glacier National Park, and the United States District Court for the District of Montana has, as required by section 6 of said act, appointed a commissioner to reside in the park, who has jurisdiction to hear and act upon all complaints made of any violations of law or of the rules and regulations made by the Secretary of the Interior for the government of the park and for the protection of the animals, birds, and fish, and objects of interest therein, and for other purposes authorized by said act. In the other national parks, however, over which the laws of the States in which they are located obtain, great difficulties in administration have been encountered, owing to the fact that the department has no jurisdiction to punish offenses in violation of the regulations relating thereto, and particularly in the matter of preventing depredations on game and the selling of liquor therein.

Removal of troops from the parks: Under the act of June 6, 1900 (31 Stat., 618), the Secretary of War has, on request of this department, detailed troops during the summer months to the Yosemite, Sequoia, and General Grant National Parks for protective purposes therein. The expense to the War Department in maintaining these details was considerable, and the expenditures from the park revenues resulting from their presence in the park were large; furthermore, the conditions in and around these reservations which led to the authorization of the use of the military force in these parks having radically changed, the conclusion was reached that their presence was no longer required in the Yosemite, Sequoia, and General Grant National Parks, and the Secretary of War was so advised. During the past year, therefore, troops have no longer been employed in these reservations and have been superseded by civilian rangers, bringing the latter in closer touch with the actual work of the park management than was formerly practicable when troops were only in the reservations for a few months.

General superintendent of national parks: On March 10, 1914, Mr. Mark Daniels, of California, was commissioned as landscape engineer in the Yosemite National Park for the purpose of preparing a comprehensive general plan for the development and improvement of the floor of the Yosemite Valley covering the best locations for roads, trails, and bridges, so as to bring into view the full scenic beauty of the surroundings, the clearing and trimming of suitable areas of woods to provide attractive vistas, the proper location and arrangement of a village in the Yosemite Valley, etc. Subsequently, with a view to increasing the efficiency in the administration of the parks and the reduction in the cost of superintendence, Mr. Daniels was commissioned, on June 4, 1914, general superintendent and landscape engineer for all the national parks under this department, and the titles of the officers in charge of the immediate work in the reservations changed from superintendents to supervisors at lower salaries than were paid the superintendents. Since the date of his appointment Mr. Daniels has inspected the Yosemite, Sequoia, and General Grant National Parks in California; Mount Rainier National Park, Wash.; Glacier National Park, Mont.; Crater Lake National Park, Oreg.; and the Yellowstone National Park, Wyo., and submitted recommendations in relation thereto; and before the close of the year he will inspect the Mesa Verde National Park, Colo.; Platt National Park, Okla.; Hot Springs Reservation, Ark.; the Wind Cave National Park, S. Dak.; and Sullys Hill National Park, N. Dak.

Roads: Under a cooperative agreement with the Good Roads Office of the Agricultural Department, and with a view to bringing about the wisest possible expenditure of available funds for road building and maintenance thereof in the parks, the services of experienced highway engineers have been secured to make comprehensive surveys for a system of roads and trails in the reservations, the salaries of such engineers to be paid by the Agricultural Department and their expenses by the Interior Department. This work is satisfactorily progressing and preliminary surveys have been made in the Glacier, Yosemite, Sequoia, and General Grant National Parks. Through cooperation by the employees of the Forest Service in the field with the employees in the various parks, more effective control of forest fires have been secured and much valuable timber has been preserved.

Sanitary inspections: The reports of the sanitary inspections heretofore made by the chemist of the United States Geological Survey of camp, hotel, sewerage, and other conditions of the Glacier, Yellowstone, and Yosemite National Parks were brought to the attention of the superintendents of these reservations as well as the concessionaires therein, and active work has been inaugurated looking to the protection from pollution of the water for drinking purposes, the proper disposition of sewage, and the enforcement of hygienic regulations necessary to the protection of the health of the visitors in the parks. Similar inspections will be made where necessary in other national parks as funds available for the work will permit.

Hotels: In the Yellowstone National Park the hotel at Mammoth Hot Springs has been reconstructed, additions have been made to the Old

Faithful Hotel, the pavilions for housing and caring for people at the permanent camps materially improved, and a 20 per cent reduction in the transportation rates from the western entrance of the park has been secured without any deterioration of the character of service rendered. In the Yosemite National Park a contract is under consideration under which new hotel and camps will be provided for the accommodation of tourists in the Yosemite Valley, and in the other parks material improvements have been made in the permanent camps and other services.

Hetch Hetchy Valley, Yosemite National Park: In prior annual reports the permit issued to the city and county of San Francisco in 1908 granting the right of way over certain lands in the Yosemite National Park, with permission to take water from Lake Eleanor and Hetch Hetchy Valley in that park under conditions therein set forth, was very fully discussed, and reference was made to a bill then pending in Congress granting the city and county of San Francisco such right of way in said park. On December 19, 1913, House bill 7207 became a law, granting to the city and county of San Francisco certain rights of way in, over, and through certain public lands, the Yosemite National Park, and Stanislaus National Forest, and certain lands in the Yosemite National Park, the Stanislaus National Forest, and the public lands in the State of California, and for other purposes. The maps required under this act showing the right of way have been filed and approved and the city has taken steps to effectuate the provisions of this statute.

Proposed national-park service: In the annual report of the Secretary of the Interior for 1911, in discussing national-park affairs, he stated:

"While public interest in and use of these reservations is steadily increasing, as shown by the growing number of visitors, adequate provision has not been made for their efficient administration, and sufficient appropriations have not been made for their proper care and development. At present each of these parks is a separate and distinct unit for administrative purposes. The only general supervision which is possible is that obtained by referring matters relating to the national parks to the same officials in the office of the Secretary of the Interior. Separate appropriations are made for each park, and the employment of a common supervising and directing force is impossible. Many of the problems in park management are the same throughout all of the national parks, and a great gain would be obtained and substantial economies could be effected if the national parks and reservations were grouped together under a single administrative bureau. Bills to create a bureau of national parks have heretofore been introduced in Congress, and, in my judgment, they should immediately receive careful consideration so that proper legislation for this purpose may be enacted. Adequate appropriation should also be made for the development of these pleasure grounds of the people, especially through the construction of roads and trails and their proper care and maintenance."

A bill (S. 826, 63d Cong., 1st sess.) to establish the national-park service, and for other purposes, is now pending in Congress and has been reported favorably by the Senate Committee on Public Lands, and its early enactment into law is earnestly recommended.

There are hereto appended tables giving the location, date of establishment, area, private holdings, if any, and number of visitors, and the special characteristics of the various national parks under the supervision of the Secretary of the Interior, the appropriations made by Congress for the protection and improvement thereof during 1914 and eight years prior thereto, as well as revenues derived from leases, privileges, and concessions in said reservation received during said period; also a statement of the automobile receipts during 1914.

NATIONAL MONUMENTS AND PRESERVATION OF AMERICAN ANTIQUITIES.

By an act approved June 8, 1906, entitled "An act for the preservation of American antiquities," the President of the United States is authorized, "in his discretion, to declare by public proclamation historic landmarks, historic and prehistoric structures, and other objects of historic or scientific interest that are situated upon the lands owned or controlled by the Government of the United States to be national monuments." Under such authority the President has created the 29 monuments:

National monuments administered by Interior Department.

Name.	State.	Date.	Area.
			Acres.
Devils Tower	Wyoming	Sept. 24, 1906	1,152
Montezuma Castle	Arizona	Dec. 8, 1906	160
El Morro	New Mexico	do	160
Chaco Canyon	do	Mar. 11, 1907	[1] 20,629
Muir Woods [2]	California	Jan. 9, 1908	295
Pinnacles	do	Jan. 16, 1908	2,080
Tumacacori	Arizona	Sept. 15, 1908	10
Mukuntuweap	Utah	July 31, 1909	[1] 15,840
Shoshone Cavern	Wyoming	Sept. 21, 1909	210
Natural Bridges [3]	Utah	Sept. 25, 1909	[1] 2,740
Gran Quivira	New Mexico	Nov. 1, 1909	160
Sitka	Alaska	Mar. 23, 1910	57
Rainbow Bridge [4]	Utah	May 30, 1910	160
Lewis and Clark Cavern	Montana	May 16, 1911	160
Colorado	Colorado	May 24, 1911	13,883
Petrified Forest	Arizona	July 31, 1911	25,625
Navajo [4]	do	Mar. 14, 1912	360
Papago Saguaro	do	Jan. 31, 1914	2,050

[1] Estimated area.
[2] Donated to the United States.
[3] Originally set aside by proclamation of Apr. 16, 1908, and contained only 120 acres.
[4] Within an Indian reservation.

One new monument, the Papago Saguare, was created during the fiscal year. It embraces approximately 2,050 acres of rocky and desert land in Maricopa County, Ariz. Within the tract is found a splendid collection of characteristic desert flora, including many striking examples of giant cactus and other interesting species of cacti as well as fine examples of the yucca palm. Within the tract historic pictographs may be found upon the faces of the rocks, adding to the interest of the reservation ethnologically and archeologically.

Administrative conditions: The supervision of these various monuments has, in the absence of any specific appropriation for their protection and improvement, necessarily been intrusted to the field officers of the department having charge of the territory in which the several monuments are located.

As stated in the last annual report, the administrative conditions continue to be unsatisfactory, since no appropriation of funds has yet been made available for this important, protective, and preservative work. Such supervision as has been possible in the cases of a few monuments only has been wholly inadequate and has not prevented vandalism, unauthorized exploitation or spoliation of relics found in those prehistoric ruins, whose preservation is contemplated by the passage of the act of June 8, 1906. An estimate in the sum of $5,000 for protection of these monuments was submitted last year, but no appropriation was made, and a similar estimate will again be submitted to Congress, not so much for the purpose of preserving by restoration the objects reserved in the national monuments as to prevent the removal of valuable relics and vandalism. Monuments suffering from these causes should be provided with a custodian or superintendent, and in this way a small general appropriation can be made most useful and its expenditure will be wholly in the interest of the public. The protection and preservation of the national monuments as public reservations are of great interest and importance, because a great variety of objects, historic, prehistoric, and scientific in character are thus preserved for public use intact instead of being exploited by private individuals for gain and their treasures scattered. These reserves should be administered in connection with the national parks, which they strongly resemble. It would be difficult to define one in terms that would exclude the other. The renewal of the estimate for a small appropriation has been made for the purpose of keeping this class of reserves intact until such time as Congress shall authorize the creation of some administrative unit which shall take over both the parks and monuments and administer them under a general appropriation.

National monuments under other departments: The following national monuments are not administered by the Secretary of the Interior:

National monuments administered by Department of Agriculture.

Name.	State.	Date.	Area.
			Acres.
Cinder Cone	California	May 6, 1907	[1] 5,120
Lassen Peak	do	do	[1] 1,280
Gila Cliff Dwellings	New Mexico	Nov. 16, 1907	160
Tonto	Arizona	Dec. 19, 1907	[1] 640
Grand Canyon	do	Jan. 11, 1908	[1] 806,400
Jewel Cave	South Dakota	Feb. 7, 1908	[1] 1,280
Wheeler	Colorado	Dec. 7, 1908	[1] 300
Oregon Caves	Oregon	July 12, 1909	[1] 480
Devil Postpile	California	July 6, 1911	[1] 800
Mount Olympus	Washington	Apr. 17, 1912	[1] 603,480

[1] Estimated area.

National monuments administered by War Department.

Name.	State.	Date.	Area.
			Acres.
Big Hole battle field [1]	Montana	June 23, 1910	5
Cabrillo	California	Oct. 14, 1913	1

[1] Set aside by Executive order.

Excavation of ruins: Paragraph 3 of the uniform rules and regulations promulgated by the Secretaries of the Interior, Agriculture, and War under date of December 28, 1906, to carry out the provisions of the act for the preservation of American antiquities, reads as follows:

"Permits for the excavation of ruins, the excavation of archæological sites, and the gathering of objects of antiquity will be granted by the respective Secretaries having jurisdiction to reputable museums, universities, colleges, or other recognized scientific or educational institutions, or to their duly authorized agents."

During the year five permits were granted for the examination, excavation, and gathering of specimens, as follows:

To Prof. Byron Cummings, of the University of Utah, to make examinations and excavations as continuation of explorations under similar permits granted him by the department on June 26, 1912, and July 11, 1913, with the Navajo National Monument, in the Navajo and Piute Indian Reservations, and in San Juan County, Utah, as well as on lands 30 miles northwest of Bluff, Utah.

To Prof. F. W. Putnam, honorary director of the Peabody Museum, Harvard University, to make examination and excavation of ruins in the Chinlee Valley and the tributary canyons heading against the Navajo Mountains, on its east and north sides, on behalf of the Peabody Museum, as continuation of explorations under a similar permit granted by the department on June 18, 1913. This locality is in the vicinity of the Navajo National Monument, and approaches, but does not overlap, the region of Prof. Cummings's explorations.

To Prof. Lull, representing the department of geology, of Yale University, to enter upon the Rosebud Indian Reservation and the Pine Ridge Reservation, in South Dakota, and the Fort Niobrara Abandoned Military Reservation, in Nebraska, for the purpose of collecting vertebrate fossils, specimens of which are to be used in the museums of Yale University.

To Prof. Livingston Farrand, president of the University of Colorado, to carry on archæological research in Montezuma and La Plata Counties, Colo., and in San Juan County, N. Mex., including such parts of the Ute and Navajo Indian Reservations as lie within those counties, and to take specimens for the benefit of the University of Colorado.

To Dr. E. Bonnert, of Dornach-Mulhausen, Germany, for removal of not exceeding 500 pounds of silicified wood from the Petrified Forest National Monument in Arizona, for presentation to the Geological Institute of Elsass-Lothringen, in Germany.

BIRD RESERVES.

All of the bird reserves have been created through reference from the Interior Department to the President of forms of Executive orders providing therefor. These reserves are regarded as in all essential particulars reservations of public lands for public use or other purposes, for which there are numerous precedents. The first specific act of Congress providing for the protection of birds by bird reserves created by Executive order was introduced by Hon. John F. Lacy, of Iowa, and became a law on June 28, 1906 (34 Stat., 536). This act made it unlawful to kill birds, to take their eggs, or to willfully disturb birds upon the reservations, and it provides a fine of not exceeding $500 or imprisonment for

not exceeding six months, or both fine and imprisonment, for each conviction secured. This law was substantially reenacted in the new penal code approved March 4, 1909 (35 Stat., 1104), in the following language:

"SEC. 84. Whoever shall hunt, capture, willfully disturb, or kill any bird of any kind whatever, or take the eggs of any such bird, on any lands of the United States which have been set apart or reserved as breeding grounds for birds by any law, proclamation, or Executive order, except under such rules and regulations as the Secretary of Agriculture may from time to time prescribe, shall be fined not more than $500 or imprisoned not more than six months, or both."

During the year two new reservations for the protection of native birds were created, as follows:

Smith Island, Wash., created June 6, 1914.

Blackbeard Island, Ga., created July 17, 1914.

The reservations now existing are 67 in number, of which 65 are being administered under the direction of the Biological Survey, Department of Agriculture. The Pribilof Reservation, in Alaska, is administered by the Bureau of Fisheries of the Department of Commerce, and the Canal Zone Reservation, Panama, by the Isthmian Canal Commission.

Bird reserves created.

Name of reservation.	Date.	Location.	Area.
Pelican Island	Mar. 14, 1903	East Florida coast	5.50 acres.
Breton Island	Oct. 4, 1904 / Nov. 11, 1905	Southeast coast of Louisiana.	Unknown.
Stump Lake	Mar. 9, 1905	North Dakota	27.39 acres.
Huron Islands	Oct. 10, 1905	Lake Superior, Mich	Unknown.
Siskiwit Islands	do	do	Do.
Passage Key	do	Tampa bay, Fla	36.37 acres.
Indian Key	Feb. 10, 1906	do	90 acres.
Tern Islands	Aug. 8, 1907	Mouths of Mississippi River, La.	Unknown.
Shell Keys	Aug. 17, 1907	South Louisiana coast	Do.
Three Arch Rocks	Oct. 14, 1907	West Oregon coast	Do.
Flattery Rocks	Oct. 23, 1907	West Washington coast	Do.
Quillayute Needles	do	do	Do.
Copalis Rock	do	do	Do.
East Timbalier Island	Dec. 7, 1907	South Louisiana coast	Do.
Mosquito Inlet	Feb. 24, 1908	East Florida coast	Do.
Tortugas Keys	Apr. 6, 1908	Florida Keys, Fla	Do.
Klamath Lake	Aug. 8, 1908	Oregon and California	Do.
Key West	do	Florida Keys, Fla	Do.
Lake Malheur	Aug. 18, 1908	Oregon	Do.
Chase Lake	Aug. 28, 1908	North Dakota	Do.
Pine Island	Sept. 15, 1908	West Florida coast	Do.
Matlacha Pass	Sept. 26, 1908	do	Do.
Palma Sola	do	do	Do.
Island Bay	Oct. 23, 1908	Florida	Do.
Loch Katrine	Oct. 26, 1908	Wyoming	Do.
Hawaiian Islands	Feb. 3, 1909	Hawaii	Do.
East Park	Feb. 25, 1909	California	Do.
Cold Springs	do	Oregon	Do.
Shoshone	do	Wyoming	Do.
Pathfinder	do	do	Do.
Bellefourche	do	South Dakota	Do.
Strawberry Valley	do	Utah	Do.
Salt River	do	Arizona	Do.
Deer Flat	do	Idaho	Do.
Minidoka	do	do	Do.
Willow Creek	do	Montana	Do.
Carlsbad	do	New Mexico	Do.
Rio Grande	do	do	Do.
Keechelus Lake	do	Washington	Do.
Kachess Lake	do	do	Do.
Clealum Lake	do	do	Do.
Bumping Lake	do	do	Do.
Conconully	do	do	Do.
Bering Sea	Feb. 27, 1909	Alaska	Do.
Pribilof [1]	do	do	Do.
Tuxedni	do	do	Do.
Farallon	do	California	Do.
Culebra	do	Porto Rico	Do.
Yukon Delta	do	Alaska	Do.
St. Lazaria	do	do	Do.
Bogoslof	Mar. 2, 1909	do	Do.
Clear Lake	Apr. 11, 1911	California	Do.
Forrester Island	Jan. 11, 1912	Alaska	Do.
Hazy Islands	do	do	Do.
Niobrara	do	Nebraska [2]	14,640 acres.
Green Bay	Feb. 21, 1912	Wisconsin	1.87 acres.
Chamisso Island	Dec. 7, 1912	Alaska	Unknown.
Pishkun	Dec. 17, 1912	Montana	Do.
Desecheo Island	Dec. 19, 1912	Porto Rico	Do.
Gravel Island	Jan. 9, 1913	Wisconsin	Do.
Aleutian Islands	Mar. 3, 1913	Alaska	Do.
Canal Zone [3]	Mar. 19, 1913	Panama	Do.
Walker Lake	Apr. 21, 1913	Arkansas	Do.
Petit Bois Island	May 6, 1913	Alabama and Mississippi	Do.
Anaho Island	Sept. 4, 1913	Nevada	247.73 acres.
Smith Island	June 6, 1914	Washington	Unknown.
Blackbeard Island	July 17, 1914	Georgia	Do.

[1] Transferred to Bureau of Fisheries.

[2] Approximate area.

[3] Under jurisdiction of Isthmian Canal Commission, Canal Zone. Strictly speaking, not a bird reservation, but birds are protected by Executive order.

Total reservations, including Canal Zone, 67.

Bird reserves enlarged and reduced.

Name of reservation.	Date.	Location.	Area.
Pelican Island	Jan. 26, 1909	Florida (enlarged)	Unknown.
Mosquito Inlet	Apr. 2, 1909	do	Do.
Cold Springs	Nov. 25, 1911	Oregon (enlarged)	Do.
Clear Lake	Jan. 13, 1912	California (reduced)	Do.
Minidoka	Feb. 21, 1912	Idaho (enlarged)	Do.
Niobrara	Nov. 14, 1912	Nebraska (enlarged) [1]	15,253.7 acres.

[1] Approximate area.

As appears from this list, these reservations are scattered between Alaska and Porto Rico. After careful consideration, based upon representations made by this department, the Isthmian Canal Commission secured an Executive order for the protection of the native birds within the zone, which, in its punitive features, conforms to section 84 of the United States Penal Code. Jurisdiction over the Canal Zone reservation is, however, retained by the Isthmian Canal Commission instead of being placed with the Department of Agriculture, as is the case in all other Government bird reserves.

NATIONAL-PARK STATISTICS.

Appropriations and revenues of national parks for the fiscal years 1906–1914.

	Appropriation.	Revenue.	Total.
Yellowstone National Park:			
1906	$7,500.00	$1,522.50	
1907	7,500.00	2,808.96	
1908	8,000.00	4,699.65	
1909	8,000.00	4,790.20	
1910	8,000.00	18,188.82	
1911	8,500.00	23,420.13	
1912	8,500.00	16,476.38	
1913	8,500.00	21,980.10	
1914	8,500.00	15,439.23	
	73,000.00	109,325.97	$182,325.97
Yosemite National Park:			
1906	5,400.00	1,000.00	
1907	5,750.00	9,193.04	
1908	30,000.00	14,390.06	
1909	30,000.00	16,051.17	
1910	30,000.00	21,373.18	
1911	62,000.00	35,765.48	
1912	50,000.00	23,855.77	
1913	80,000.00	19,495.83	
1914	125,000.00	23,406.14	
	418,150.00	164,530.67	582,680.67
Sequoia National Park:			
1906	10,000.00		
1907	10,000.00	159.50	
1908	15,550.00	43.15	
1909	15,550.00	46.57	
1910	15,550.00	121.78	
1911	15,550.00	255.65	
1912	15,550.00	305.16	
1913	15,550.00	353.85	
1914	15,550.00	4,094.21	
	128,850.00	5,379.87	134,229.87
General Grant National Park:			
1906	2,000.00		
1907	2,000.00		
1908	2,000.00	63.75	
1909	2,000.00		
1910	2,000.00	50.00	
1911	2,000.00	324.39	
1912	2,000.00	173.54	
1913	2,000.00	158.63	
1914	2,000.00	429.64	
	18,000.00	1,200.00	19,200.00
Crater Lake National Park:			
1906	3,000.00		
1907–8	7,315.00	25.00	
1909	3,000.00		
1910	3,000.00	11.00	
1911	3,000.00	30.00	
1912	3,000.00	323.00	
1913	3,000.00	784.18	
1914	7,540.00	793.00	
	32,855.00	[1] 1,966.18	34,821.18
Mesa Verde National Park:			
1907–8	7,500.00		
1909	7,500.00		
1910	7,500.00		
1911	20,000.00	100.00	
1912	7,500.00	898.62	
1913	15,000.00	615.21	
1914	10,000.00	679.00	
	75,000.00	[1] 2,292.83	77,292.83

[1] Carried to credit of "Miscellaneous receipts" and "General fund" in Treasury.

Receipts collected from automobiles and motor cycles admitted into the national parks during the period from July 1, 1913, to Oct. 20, 1914.

Name of national park, source of receipt, and fee charged per automobile or motor cycle.	Number of permits issued.		Receipts, season 1913.		Receipts, season 1914.		Total receipts, automobiles and motor cycles.
	Automobiles	Motor cycles.	Automobiles.	Motor cycles.	Automobiles.	Motor cycles.	
Mount Rainier (Wash.):							
Fee, $5 per automobile	1,190		$5,950.00				
	1,594				$7,970.00		
Fee, $1 per motor cycle		184		$184.00			
		188				$188.00	
Deduction of transmission fees			20.82		24.90		
			5,929.18		7,945.10		$14,243.28

Receipts collected from automobiles and motor cycles admitted into the national parks during the period from July 1, 1913, to Oct. 20, 1914—Continued.

Name of national park, source of receipt, and fee charged per automobile or motor cycle.	Number of permits issued.		Receipts, season 1913.		Receipts, season 1914		Total receipts, automobiles and motor cycles.
	Automobiles.	Motor cycles.	Automobiles.	Motor cycles.	Automobiles.	Motor cycles.	
Yosemite (Cal.):							
Fee, $5 for single round-trip automobile permits	129	[1]	$645.00	[1]		[1]	
Fine for each failure to secure permit, $5			10.00				
			655.00				
	673				$3,365.00		
Deduction of transmission fees			.90		8.75		
			654.10		3,356.25		$4,010.35

[1] Motor cycles not admitted into Yosemite Park.

Visitors to national parks, 1907 to 1914.

Name of park.	1907	1908	1909	1910	1911	1912	1913	1914
Yellowstone National Park	16,414	19,542	32,545	19,575	23,054	22,970	24,929	20,250
Yosemite National Park	7,102	8,850	13,182	13,619	12,530	10,884	13,735	15,145
Sequoia National Park	900	1,251	854	2,407	3,114	2,923	3,823	4,667
General Grant National Park	1,100	1,773	798	1,178	2,160	2,240	2,756	3,735
Mount Rainier National Park	2,068	3,511	5,968	8,000	10,306	8,946	13,501	15,038
Mesa Verde National Park	[1]	80	165	250	206	230	280	502
Crater Lake National Park	2,600	5,275	4,171	5,000	[2] 4,500	5,235	6,253	7,096
Wind Cave National Park	2,751	3,171	3,216	3,387	3,887	3,199	3,988	3,592
Platt National Park	28,000	26,000	25,000	[2] 25,000	30,000	[2] 31,000	[2] 35,000	[2] 30,000
Sullys Hill National Park	400	250	190	190	[2] 200	[2] 200	300	500
Hot Springs Reservation	[1]	[1]	[1]	120,000	130,000	135,000	[2] 135,000	[2] 125,000
Glacier National Park					[2] 4,000	6,257	12,138	14,168
Total	61,335	69,703	86,089	198,606	223,957	229,084	251,703	239,693

[1] No record kept. [2] Estimate.

Location, area, and characteristics of national parks.

Name.	Location.	When established.	Area (acres).	Private lands (acres).	Visitors, 1914.
Yellowstone (1)	Wyoming, Montana, and Idaho	Mar. 1, 1872	2,142,720	None.	20,250
Yosemite (2)	California	Oct. 1, 1890	719,622	19,827	15,145
Sequoia (3)	do	Sept. 25, 1890	161,597	3,716.96	4,667
General Grant	do	Oct. 1, 1890	2,536	160	3,735
Mount Rainier (4)	Washington	Mar. 2, 1899	207,360	18.2	
Crater Lake (5)	Oregon	May 22, 1902	159,360	2,458.11	7,096
Wind Cave (6)	South Dakota	Jan. 9, 1903	10,522	160	3,952
Platt (7)	Oklahoma	July 1, 1902 / Apr. 21, 1904	848.22	None.	[1] 30,000
Mesa Verde (8)	Colorado	June 29, 1906	42,376	880	502
Boundary changed	do	June 30, 1913	48,966.4	993	
Hot Springs Reservation (9)	Arkansas	June 16, 1880	911.63	None.	[1] 125,000
Glacier (10)	Montana	May 11, 1910	981,681	16,668.11	14,168
Sullys Hill (11)	North Dakota	Apr. 27, 1904	780	None.	500
Casa Grande Ruins (12)	Arizona	Mar. 2, 1889	480	None.	[1] 500

[1] Estimated.

SPECIAL CHARACTERISTICS.

(1) Wonderful scenery, geysers, boiling springs, mud volcanoes and springs, mountains, grand waterfalls, brilliant-hued canyons, great lake 8,000 feet above the level of the sea, wild animals.

(2) Mountain scenery, magnificent waterfalls, the Hetch Hetchy and Yosemite Valley, ice-sculptured canyons, glacier lakes, forests.

(3) The home of the "big tree" (sequoia gigantea), growing to a height of 300 feet, with a diameter of 30 feet, the bark being 2 feet thick; rugged and picturesque scenery, beautiful cascades and falls, and wonderful caves.

(4) Glaciers and wild mountain scenery.

(5) Rugged mountain scenery, beautiful lake within the crater of an extinct volcano, etc.

(6) Well known by reason of a cavern therein having many miles of galleries and numerous chambers of considerable size containing many peculiar formations.

(7) Noted for its bromide and other springs, the waters of which have medicinal qualities; park well wooded, scenery picturesque.

(8) Set aside to preserve the prehistoric ruins of an ancient people; rugged scenery.

(9) Famous for its thermal springs, having wonderful medicinal qualities.

(10) Famed for its beautiful lakes derived from glaciers, lofty mountains clad with forests, magnificent glacial formations, numberless waterfalls. Game, fish, and birds abound.

(11) Small rugged hills containing prehistoric ruins. Practically a local park.

(12) These ruins are one of the most noteworthy relics of a prehistoric age and people within the limits of the United States. Discovered in ruinous condition in 1694.

All of the Presidents of the United States and all of the Secretaries of the Interior have for several years past been enthusiastically in favor of the establishment of national parks and the development of the national-park service in order that our country and our people may obtain some of the benefits of our unparalleled scenery and climate, and so the visitors and tourists from the world at large, as well as from the various States, may be accommodated and suitably cared for in their visits to our public playgrounds and outdoor recreation centers.

President Taft in his message to Congress on February 2, 1912, in advocacy of the establishment of a bureau of national parks, used the following language:

I earnestly recommend the establishment of a bureau of national parks. Such legislation is essential to the proper management of those wondrous manifestations of nature, so startling and so beautiful that everyone recognizes the obligations of the Government to preserve them for the edification and recreation of all the people.

The Yellowstone Park, the Yosemite, the Grand Canyon of the Colorado, the Glacier National Park, and the Mount Rainier National Park and others furnish appropriate instances. In only one case have we made anything like adequate preparation for the use of a park by the public. That case is the Yellowstone National Park. Every consideration of patriotism and the love of nature and of beauty and of art requires us to expend money enough to bring all these natural wonders within easy reach of our people. The first step in that direction is the establishment of a responsible bureau, which shall take upon itself the burden of supervising the parks and of making recommendations as to the best method of improving their accessibility and usefulness.

Soon thereafter President Taft delivered an address upon the subject, from which the following extracts may be appropriately quoted:

PRESIDENT TAFT'S ADDRESS.

Ladies and gentlemen: It costs a good deal of money to run a government, and the first ambition of anyone responsible for a government is economy—at least it ought to be. Therefore the proposition to add a bureau or a department sends goose flesh all over the body of anyone who has any sort of responsibility in respect to the finances of the Government, for it means another nucleus for the increase of governmental expenses. Yet a modern government, in order to be what it ought to be, must spend money. Utility involves expense.

Now, we have in the United States a great many natural wonders, and in that lazy way we have in our Government of first taking up one thing and then another, we have set aside a number of national parks, of forest reservations, covering what ought to be national parks, and what are called national monuments. We have said to ourselves: "Those can not get away. We have surrounded them by a law which makes them necessarily Government property forever, and we will wait in our own good time to make them useful as parks to the people of the country. Since the Interior Department is the 'lumber room' of the Government, into which we put everything that we don't know how to classify and don't know what to do with, we will just put them under the Secretary of the Interior." That is the condition of the national parks to-day.

Those of you who have first been in the Yellowstone Park and admired its beauties and thought of the ability of the Army engineers to construct such roads as are there, and then have gone on to the Yosemite and have seen its beauties and have found the roads not quite so good, and then have gone to Grand Canyon and have found a place where you could bury the Yellowstone Canyon and the Yosemite and never know that they were there, and found no roads at all except a railroad, that was built at a great expense and probably at great loss,

to the side of the canyon, and only a trail, called the "Bright Angel Trail," down into the canyon—down which they would not let me go, because they were afraid the mules could not carry me—you will understand that something needs to be done in respect to those parks if we are all to enjoy them.

I am in favor of equality of opportunity, and I resent an exclusion from the enjoyment of the wonders of the world that it only needs a little money to remove.

Now, the course that was taken in respect to the Yellowstone Park ought to be taken in respect to all of our parks. If we are going to have national parks, we ought to make them available to the people, and we ought to build the roads, as expensive as they may be, in order that those parks may become what they are intended to be when Congress creates them. And we can not do that, we can not carry them on effectively unless we have a bureau which is itself distinctly charged with the responsibility for their management and their building up.

When the Secretary of the Interior, therefore, asked me to come here and told me the subject of the meeting to-night, I was glad to come. It is going to add to the expense of the Interior Department, and it is going to swell those estimates, but it is essential that we should use what the Lord has given us in this way and make it available for the people. We have the money. It is not going to take enough to exhaust the Treasury. It is a proper expense, a necessary expense. Let us have the bureau.

The Hon. Walter L. Fisher, Secretary of the Interior during the last administration, made many eloquent and earnest appeals to Congress for suitable recognition and development of the national parks and for the establishment of a park service. In one of his addresses he used the following language:

ADDRESS OF HON. WALTER L. FISHER, SECRETARY OF THE INTERIOR.

In the first place, the national parks, like Topsy, have "just growed"; at least that is the impression which has been produced upon my mind from such investigation and discussion as I have given to them. There is no consistent theory of legislation with regard to the national parks. While some of them follow the general lines of previous statutes, there are wide variations in the statutory authority under which the parks are carried on to-day. The whole park work of some States is wholly different from that of others, and the situation in detail is almost radically divergent. For instance, I find some such question as this: Whether the revenue derived from a particular national park shall be available for the use of that park, its improvement and development. We have no consistent action. Two of our important parks are without statutory authority to that effect, so that such revenue as is derived from the park itself in any way has to go back into the general fund of the Nation, to be used in such a way as that derived from any other general source is used, and appropriated directly and specifically for that purpose. In other parks a very large per cent of the money available is directly available without appropriation. The same thing is true with regard to appropriations which Congress gives to the parks. The importance and the political pressure which a particular park possesses bring to it appropriations larger than those which may be given to another. The result is that we have no consistent theory of park administration.

There are many questions which anyone could see at a glance are similar in all these parks. Take, for instance, the question of road making. We have practically the same problems in all of the parks with regard to road making, at least in a very considerable number of then. For instance, there may be three or four parks where these problems are so similar that the general specifications, the general principles that should be applied, are identical, but they may differ from another class of these parks.

Take many of the other questions that are raised in the parks. The whole question of the protection and the disposition of the trees, the concessions, how the hotel concessions shall be managed, what requirement shall be made of the hotel proprietors, what regulations shall be made with regard to the casual, ordinary visitor for his protection and so that he may receive the proper sort of service. These are very similar in all these parks, or, at all events, it is quite apparent that an examination into any given question in one of the parks would throw a great deal of light upon the same problem when it arises in other of the parks.

I mention these things, simple as they may seem, to call your attention to the singular fact that although there has been a great deal of talk of improved efficiency in our Government affairs, we have absolutely no machinery and no legal authority to use any machinery for the coordination of these parks, so we may state this problem as a whole. The only thing we can possibly do in the way of coordination in the Interior Department is to see that questions that come to us for determination are referred to the same individuals in the department. We can see that the chief clerk or his assistant shall primarily pass upon these matters. We may say that the assistant secretary—as distinguished from the first assistant, there being two—shall be the person to whom appeals shall go, the person to whom the chief clerk shall go for final determination of questions of importance; and we do. When we have done that we are through. We may use our Division of Mails and Files. We may use our Division of Publications and get a certain amount of effective work there; and we have Mr. Schmeckebier, of that division, who has accomplished some quite remarkable results, in my judgment, in the publicity line simply in getting out some material to those who are eager to have it. We have found that the American public is greedy for real news about the national parks; that it is genuinely interested in the national parks and ready to get anything that is not simply perfunctory news upon this subject. But when we have done these things the Department of the Interior is through. That is all that it can do toward coordination. It would seem that it required practically no argument to convince that the one thing we need at once for the efficiency of administration and economy in expenditure is to get these parks together under some division or bureau where they can receive the benefit of a central staff, where we can take the men who are now studying road making, or the management of roads, or the sprinkling problem, which is, after all, to the traveling public probably the most important question connected with the administration of the park, because the hotels will do a certain amount of looking after their own interests along the lines of intelligent and enlightened selfishness; and the revenue is there. But if the roads are to be sprinkled and taken care of, that must be done purely as a matter of expenditure, and unless it is looked after by the administrative force it will not be looked after at all.

Now, it is perfectly apparent what we ought to have. We ought to have some sort of a central organization—something in the nature of a bureau, with a head and subordinates—so we can get proper expert talent and men who will devote their time to the matters not merely with regard to one park, but all the parks where the question arises. It is perfectly apparent that if we were studying any one of these questions with regard to any one of these parks and were confined to that and the appropriations for that park we could not get as good a man to study these problems in the case of the others. And, in the second place, after we have done it once, unless we can utilize his advice and experience some place else, we don't get it at all. Then, another thing. We get rid of a good many of these isolated and separate and distinct appropriations. We would not have several appropriations made distinctly for the Yellowstone Park and made for the Yosemite Park, and so on down the line, and each appropriation confined to that particular or some particular function or interest in that park, but we would begin to learn that many of these problems are alike; that it is not enough to treat one park in one way and another in another way. We would have our bureau bring forward the things in our parks which now do not receive particular attention, very largely through ignorance of the subject, because the experience of the particular man who has that park in charge has not been so great as has been that of some other man.

The famous explorer and geologist, Dr. Hayden, in describing this wonderful scenic region as early as 1875, wrote:

Not only has nature amply supplied this region with features of great beauty and surroundings of admirable character, but it has thus distributed them that the eye of the artist may rest with perfect satisfaction on the complete picture presented.

Right Hon. James Bryce, British ambassador to the United States, in his address before the American Civic Association, November 20, 1912, among other things stated:

I have lived long enough in the United States and have known the United States long enough, having come here for the first time 42 years ago, to feel just as much interested in all those questions that relate to your welfare, in city and country, as if I were one of your citizens, and I hope you will allow me to speak to you with that freedom which you would allow to one of your citizens. I do not think I need to feel those limitations when discussing a subject of this kind, so far removed from politics or any other controversial fields.

* * * * * * *

Now, a word about additional parks. Although you have done splendidly in creating these I have mentioned and some others, there are still other places where national parks are wanted. * * * Then you might have some additional parks in Colorado also.

* * * * * * *

The places of scenic beauty do not increase, but, on the contrary, are in danger of being reduced in number and diminished in quantity, and the danger is always increasing with the accumulation of wealth, owing to the desire of private persons to appropriate these places. There is no better service we can render to the masses of the people than to set about and preserve for them wide spaces of fine scenery for their delight.

From these propositions I draw the conclusion that it is necessary to save what we have got and to extend the policy which you have wisely adopted by acquiring and preserving still further areas for the perpetual enjoyment of the people.

Mr. J. Horace McFarland, president of the American Civic Association, in an address to this society entitled "Are national parks worth while?" stated, among other things:

So I hold that in safeguarding and stimulating the essential virtue of patriotism the beauty of the American park stands forth as most of all worth while. I urge that as an antidote to the teachings of social disorder, as a counterirritant to the saloon, as a relentless foe to the slum, the American park idea in the playground is most completely justified.

* * * * * * *

The primary function of the national forests is to supply lumber. The primary function of the national parks is to maintain in healthful efficiency the lives of the people who must use that lumber. The forests are the Nation's reserve wood lots. The parks are the Nation's reserve for the maintenance of individual patriotism and Federal solidarity. The true ideal of their maintenance does not run parallel to the making of the most timber, or the most pasturage, or the most water power.

On another occasion Mr. McFarland also stated:

The value of great scenic possessions is being increasingly recognized the world over. Its value is now known to have great influence upon the development of that best citizenship, without which a country is poor, indeed.

LORD DUNRAVEN ON ESTES PARK.

No one ever has shown a higher appreciation of the attractiveness of Estes Park, which is an essential part of the proposed national park, than the Earl of Dunraven, an English peer, who has achieved an enviable reputation both as an author and a sportsman, and no one has had a better opportunity to form an opinion on the subject. In the early days, when Colorado still was a Territory and he was a young man, the earl was attracted there by the reports of the abundance of big game. He was among the first to enter the park, and he was so entranced by the beauties of the scenery and by the presence of elk, deer, mountain sheep, and other wild animals that he undertook to establish himself there permanently. He obtained possession of about 10,000 acres of land, including the greater part of the park, with the idea of establishing an immense game preserve and, incidentally, of entering into the cattle business upon a great scale. He took in a large number of stock and spent several years in the park, but, while he met with no obstacles in the beginning, increasing population ultimately had the effect of causing him to surrender control of this natural

beauty spot, and he long since ceased to maintain his proprietary rights there. That, however, his interest did not cease with the cessation of his property tenure has been made manifest by his utterances on the subject. In one of his books, "The Great Divide," devoted in the main to an account of a camping trip through Yellowstone Park, and written as early as 1876, he makes many pleasant references to Estes Park, and in a recent work, entitled "Canadian Nights," he devotes an entire chapter to the Colorado park, which it is proposed now to transform into a national park. The chapter is entitled "A Colorado sketch," and it is so full of appreciation and withal so enlightening that I ask to have it inserted as a part of these hearings. The sketch is as follows:

A COLORADO SKETCH.

It would appear that the American Continent was originally of considerably larger dimensions than it is at present. It was probably found to be altogether too large for comfort or convenience, and it was reduced by the simple process of pressing or squeezing it together from the sides—an operation which caused it to crumple up toward the center, and produced that great, elevated, tumbled, and tossed region generally and vaguely known as the Rocky Mountains. If this simple theory of the formation of a continent sounds somewhat infantile, you must remember that I am not a scientific man, and that it is not more unscientific than many other theories of creation. There is no such thing as a chain of Rocky Mountains. Under that name are included various ranges and belts of mountains and hills, which embrace within their far stretching arms fertile valleys, arid deserts, sunny hill slopes clothed with valuable timber, parks full of pastoral beauty basking beneath a sun that warms them into semitropical life, but which never melts the virgin snow whitening the hoary heads of the mountains that forever look down upon those smiling scenes. Rich and extensive plains, tracts of inhabitable land almost large enough to be the cradle and home of nations, are included in the Rocky Mountains. Among all the States and Territories that lie wholly or partially within the borders of this vast, upheaved region there is none, so far as I am aware, more favored by nature and at the same time more accessible to man than Colorado. It is easily reached from all the great cities of the Eastern States; its scenery is varied, beautiful, grand, and even magnificent. Crystal streams of pure, wholesome water rush down the hillsides, play at hide and seek in the woods, and wander deviously through the parks. The climate is health-giving—unsurpassed, as I believe, anywhere—giving to the jaded spirit, the unstrung nerves, and weakened body a stimulant, a tone, and a vigor that can only be appreciated by those who have had the good fortune to travel or reside in that region.

The parks of Colorado constitute its special feature; there is nothing elsewhere on the American Continent resembling them in natural characteristics. They are not valleys; they are too flat and extensive for that. They can not be called plains, for they are not flat enough; and, besides, plains are generally bare and destitute of trees, while the parks are rich in timber, with beautifully undulating surfaces, broken up by hills, spurs from the parent range, and isolated mountains. The term "park" is usually applied to ground more or less artificially made; and these places are very properly called parks, for they look, if it be not rank heresy to liken nature to art, as if ground naturally picturesque had been carefully laid out and planted with most consummate skill and taste. Some of them are of great size, such as the North, Middle, South, and St. Louis Parks; others—and it is with them I am best acquainted—are comparatively small.

There are many things to arouse deep interest in that favored region. Where you find lofty mountains, foothills, plain, valley, forest, and quick-flowing stream, in a southern latitude, you have in combination all that can gratify the scientific student, as well as all that can content the eye of man, in the way of scenery. The philosopher who devotes himself to the study of atmospheric conditions could nowhere find a more fitting field for observation. The mountain ranges and extensive level spaces comprised within their limits are important factors in the economy of nature. The great masses of heat-radiating rock temper the winds that blow over them and shed genial warmth far and wide.

The whole region is one vast brewery of storms. Chemical changes are constantly going on. Electricity is working with exceptional vigor, riving the solid rocks, devastating trees, and putting forth most vividly the awful and mysterious manifestations of its strength. Hot currents and cold currents fight aerial battles round those patient peaks, that stand unmoved amidst the roar and racket of elemental strife. Frequent lightnings blaze or flicker round the mountain heads; continuous thunder crashes on their slopes and rolls and rumbles in the caverns and valleys that seam their sides. Tempests shriek round the crags and moan dismally as they toss the gnarled and matted branches of the stunted trees that force their adventurous way up the broad shoulders of the range. Snow in winter, rain and hail in summer, pour upon the higher summits, while beneath the land is glowing under a cloudless sky. Contending air currents of different density discharge their moisture on the hills. The sun draws up fresh moisture from the valleys, like drawing water from a well. All nature seems seething in that region of heat and cold, sunshine and tempest, dryness and damp, constantly fabricating those great cloud masses that, breaking away from their cradle, carry rain and fertility over thousands and thousands of miles. Sometimes they overexert themselves, carry their good intentions too far, exceed their proper limits, and, transgressing the boundaries of their native land, cross the wide Atlantic and pour their accumulated store of rain upon those already sodden little islands, Great Britain and Ireland.

The parks and valleys which spread out beneath the mountains or nestle cosily amid the warm folds of the forest mantles which clothe them play also an important part. They act as reservoirs; they catch the little, tiny, ice-cold rills that trickle out from under the ever-melting but never-melted snow, gather them together, hold them till they grow strong enough to carve their way through the granite flanks that hem them in, and launch them out into the world, forming rivulets bright and sparkling, flecked with light and shade, over which the quivering aspen bends from banks sweet and bright with flowers; growing into brooks down which lumber may be rafted; swelling into streams which carry irrigation and fertility to arid wastes, becoming rivers upon which steamboats ply and ships ride at anchor.

Physical geography is a fascinating science, and to the student of it nothing can be more interesting than to stand upon some commanding mountain top and, with a large, comprehensive view, study the configuration of the country that gives birth to those rivers that in their course determine the natural geographical features of a continent, and consequently shape the destiny of a race. From many a peak in Colorado the geographer can trace the devious line of the "watershed," the "divide" that separates the rivers and sends them out, each on its appointed course, and can see, shining like silver threads, the rivulets from which they spring. Looking westward and to the north and south he can see the fountains of both Plattes, of the Rio Grande—the grand river—the Arkansas, the Blue, the White, and the Bear Rivers, and other streams which unite to form that most extraordinary of all rivers on the American continent, the Colorado. Turning to the east a very different scene greets his eye. There, spread out like an ocean beneath him, lies the prairie, that great deposit of gravel, sand, and unstratified clays, the débris of the mountain range on which he stands.

Where could the geologist find a region more suitable for the exercise of his peculiar branch of science than one which combines the vast deposit of the prairies with mountain masses obtruded from the bowels of the earth, and deep canyons exposing broad sections of the earth's crust to his view? And where is the mineralologist more likely to be rewarded for his pains? As to the botanist, I would almost warn him from visting those scenes, lest he should never be able to tear himself away; for the variety of the flora is infinite, ranging from Alpine specimens blooming amid everlasting snows, to flowers of a very different character, growing in rich luxuriance in deep valleys under a subtropical sun.

I have not included hunting among the sciences, but in reality I might have done so. It is a very exact science, and one in which excellence is rarely obtained. Many men never become, never can become, good hunters. They are not endowed with the necessary faculties; and those who are gifted with them require years of study and hard work before they can be entitled to call themselves masters of the art. I hope no one labors under the delusion that hunting is a mere barbarous, bloodthirsty sport. Every good hunter will agree with me that it is not the killing of the animal that gives pleasure. The charm lies in overcoming difficulties—in matching your natural intelligence and acquired knowledge and skill against the instinct, cunning, intellect, and reason of the animal you are endeavoring to outwit.

The reward of the hunter is the same as that of the student of languages, of the archeologist, of the geologist—in fact, of all scientific people. His triumph is the triumph of unraveling a mystery, tracing and discovering a hidden fact, grappling with and overcoming a difficulty. It is the fact of overcoming, not the act of killing, that brightens the hunter's eye and renders his occupation so charming. The hunter's craft gives health, its surroundings are beautiful, it calls forth some of the best qualities of man, it is full of fascination, and it is no wonder that primitive races find it difficult to emerge from the hunting condition. It is most annoying that everything that is pleasant is all wrong. We all know that peoples, in their progress toward civilization, advance from the hunting to the pastoral state, from the pastoral to the agricultural, and from thence to a condition of existence in which the manufacturing instincts of man are fully developed. This is the sequence—hunting, cattle tending, sheep herding, fresh air, good water, lovely scenery, wholesome excitement, healthy lives, and—barbarism; agriculture, manufactures, great cities, hideous country, poisoned water, impure air, dirt, disease, and—civilization. It is difficult sometimes to know exactly what to say when preaching civilization to the savage. It is certain that in so far as the masses of the people are concerned the highest aim of civilization is to secure to a large number the same blessings that a small number obtain, freely and without trouble, in an uncivilized state.

It was sport, or, as it would be called in the States, hunting, that led me first to visit Estes Park. Some friends and I had visited Denver at Christmas to pay our proper devotions to the good things of this earth at that festive season, and hearing rumors of much game at Estes Park we determined to go there. We spent a day or two laying in supplies, purchasing many of the necessaries and a few of the luxuries of life, and wound up our sojourn in Denver with a very pleasant dinner at an excellent restaurant, not inaptly styled the "Delmonico" of the West. During dinner one of those sudden and violent storms peculiar to that region came on. When we sat down the stars were shining clear and hard with the brilliancy that is so beautiful in those high altitudes on a cold, dry midwinter night, and not a breath of wind disturbed the stillness of the air, but before we had half satisfied the appetites engendered by the keen, frosty atmosphere the stars were all shrouded in cloud, the gale was howling through the streets, and snow was whirling in the air, piling up in drifts wherever it found a lodgment and sifting in fine powder through every chink and cranny in the door. It did not last long. Before morning the sky was clear, cloudless, steely, star-bespangled as before, and when we left by an early train for Longmont Station the sun was shining undimmed upon the fields of freshly fallen snow.

By way of enlivening the journey we were treated by thoughtful nature to a magnificent spectacle—a beautiful exhibition of that phenomenon known, I believe, as a parhelion. The sun was only a few degrees above the horizon. The sky was very clear and intensely blue overhead, but slightly clouded with a thin gauzy film round the horizon, and, on looking up, one could see that the air was full of minute crystals of ice. It was tolerably cold—probably about 15° or 20° below zero—and perfectly calm. All around the horizon ran a belt of pure bright white light, passing through the sun. This belt was not exactly level, but dipped a little to the east and west, and rose slightly to the north and south. The sun was surrounded by a halo showing rainbow colors on the inside, which faded into white light on the outside edge. A bright perpendicular ray of white light cut through the sun, forming, with the belt that ran round the horizon, a perfect cross. There was a similar cross in the west, and another in the north, but none in the south at first, but after an hour or so a fourth cross formed in that quarter also. Right overhead was a partially formed horizontal rainbow, the colors of which were very bright. Sometimes this rainbow would develop into an almost perfect circle, then, again, it would diminish till there remained only a small segment of the circle. The points where the solar halo cut the belt which encircled the horizon were intensely brilliant—almost as bright as the sun—and rays of white light struck down from them. As the sun rose the halo surrounding it became very dazzling, and assumed the colors of the rainbow, and a second rainbow-tinted circle formed outside it. The rainbow in the zenith increased at the same time in brilliancy, and a second circle formed outside that also. The whole phenomenon was very beautiful; it continued some hours, gradually fading away, and finally disappeared about 3 in the afternoon.

The next morning we loaded up a wagon with stores and started on our toilsome expedition to the park. It is very easy work—it is not

work at all, in fact—to get into the park nowadays. It was a very different affair at that time. There are two good stage roads now. There was no road at all then, only a rough track going straight up hill and down dale and over rocks and through trees and along nearly perpendicular slopes, with the glorious determination to go straight forward of an old Roman road, but without any of the engineering skill and labor expended upon the latter. It was a hard road to travel, covered with snow and slippery with ice; but, by dint of literally putting our shoulders to the wheel uphill, by chaining the wheels downhill, and by holding up the wagon by ropes and main strength on precipitous hillsides, we got to our destination very late at night, with only one serious accident—the fracture of a bottle containing medical comforts.

The road from Longmont to the park traverses the level plain for about 15 miles, and then enters a canyon flanked on either side by strange-shaped masses of bright red sandstone, outcropping from the surface, and in some places tilted nearly on end. It then follows along the bank of the St. Vrain River, teeming with trout, crosses that stream, and works its way, with many curves and twists, up through the foothills, along grassy slopes, through pine forests, past fantastic masses of rock, crosses a little creek hiding deep among aspens and poplars, and, after plunging down two violent descents and mounting up again, enters a long valley rejoicing in the euphonious title of "Muggins Gulch." I do not know who Muggins was—no doubt an honest citizen—but he should have changed his name before bestowing it upon such a pretty spot. You ascend this valley at an easy gradient till you reach the summit, when suddenly a lovely view bursts upon you, and the park lies spread out at your feet. On the left the hillside rises steeply, crowned with a buttress of frowning rock. On the right a mountain of almost solid rock stands naked and savage. In front, beyond the park, the main range of mountains rears itself, topped with snow, rent in great chasms, pierced by the gloomy heavily timbered depths of black canyon. On the extreme left and in the distance Longs Peak towers above its fellows, and beneath you, in strange contrast with the barren foothills through which you have passed and the savage, stern grandeur of the range, lies the park—undulating, grass covered, dotted with trees, peaceful, and quiet, with a silver thread of water curving and twining through its midst.

A log house is comfortable enough at any time, and on that particular night it appeared eminently so to us, as, cold and wearied, we passed the hospitable threshold. What a supper we devoured, and what logs we heaped upon the fire, till we made the flames leap and roar on the open hearth; and then lay down on mattresses on the floor and listened to the howling of the wind, till the noise of the tempest, confusedly mingling with our dreams, was finally hushed in deep, unbroken sleep.

The winter weather in northern Colorado is most enjoyable. At the high altitude of Estes Park, between 7,000 and 8,000 feet above sea level, it consists of alternate short storms and long spells of fine weather. You will have several days of bright clear weather, hard frost, the thermometer very low, but the sun so powerful that you can lie down and go fast asleep, as I have frequently done, on a warm, sunny, and sheltered bank, in the very depth of winter. Then the clouds begin to accumulate, growing denser and denser, till they break and descend in a snowstorm of some hours' duration. The cattle, which before dotted all the open ground, disappear as if by magic, seeking and finding shelter in little hidden gulches and unnoticed valleys, and the land looks utterly desolate. The snowstorm is invariably succeeded by a violent tempest of wind, which speedily clears the ground of snow, heaping it up in drifts, and blowing the greater part of it into the air in such a thin powdery condition that it is taken up by the atmosphere and disappears completely. So dry is the air and so warm the winter's sun that snow evaporates without leaving any moisture behind it. Another period of clear, still, cold weather then follows after the gale.

The violence of these tempests is very great. Many a night have I lain awake listening to the screams and clamor of the gale; now rising suddenly to a shriek as a fresh gust of wind came tearing down the level plain, snatching up pebbles and stones, sending them hopping over the ground, and hurling them against the log house; then sinking to a long melancholy moan; whistling shrilly around the walls, hoarsely howling in the wide chimney; while, under all, the low continuous roar of the tempest raging in the distant forest sounded like a mighty bass note in the savage music of the storm.

That is the time to appreciate the comfort of a warm weather-proof house, to snuggle up in your blanket and idly watch the merry sparks fly up the chimney, and the warm ruddy flicker of the fire casting shadows on the rough brown pine logs; gazing and blinking, listening and thinking, one's thoughts perhaps wandering very far away, and getting less and less coherent. The storm chimes in with your fancies, mingles with your dreams, till with a start you open your eyes, and find to your astonishment the level rays of the rising sun lighting up a scene as calm and peaceful as if the tempest had never been.

In spring and summer the scene and climate are very different. Ice and snow and withered grass have passed away, and everything is basking and glowing under a blazing sun, hot but always tempered with a cool breeze. Cattle wander about the plain—or try to wander, for they are so fat they can scarcely move. Water fowl frequent the lakes. The whole earth is green, and the margins of the streams are luxuriant with a profuse growth of wild flowers and rich herbiage. The air is scented with the sweet-smelling sap of the pines, whose branches welcome many feathered visitors from southern climes; an occasional humming bird whirrs among the shrubs, trout leap in the creeks, insects buzz in the air; all nature is active and exuberant with life.

I and a Scotch gillie, who had accompanied me from home, took up our abode in a little log shanty close to the ranch house, and made ourselves very cozy. There was not much elegance or luxury in our domicile, but plenty of comfort. Two rough rooms—a huge fireplace in one of them—two beds, and no other furniture of any kind whatever, completed our establishment. But what on earth did we want with furniture? We were up before daylight, out hunting or fishing all day, had our food at the ranch, sat on the ground and smoked our pipes, and went to bed early. One's rest is a good deal broken in wintertime, and it is necessary to go to bed early in order to get enough sleep, because in very cold weather it is highly advisable to keep a fire burning all night; and as yet hunters have not evolved the faculty of putting on logs in their sleep. It would be most useful if they could do so; and, according to the law of evolution, some of them by this time ought to have done it. However, I was not much troubled, for Sandie, who slept by the fire, was very wakeful. I would generally awake about 2 or 3 in the morning to find the logs blazing and crackling merrily, and Sandie, sitting in the ingle smoking his pipe, plunged in deep thought.

"Well, Sandie," I would say, "what kind of a night is it, and what are you thinking of?"

"Oh, well, it's a fine night, just a wee bit cheely outside [thermometer about 25° below zero]; and I'm thinking we did not make that stalk after the big stag just right yesterday; and I'm thinking where we'll go to-day to find him." Then we would smoke a little—have a little, as Sandie would call it—and discuss the vexed question of how we made the mistake with the big stag; and having come to a satisfactory conclusion and agreed that the stag had the biggest antlers that ever were seen—which is always the case with deer you don't get—we would put out our pipes and sleep till daylight warned us to set about our appointed task, which was to find a deer somehow, for the larder wanted replenishing.

In those days you had not far to seek for game, and you could scarcely go wrong in any direction at any season of the year. In winter and spring the park still swarms with game; but it is necessary in summer to know where to look for it, to understand its manners and customs, to go farther and to work harder than formerly, for Estes Park is civilized. In summer time beautiful but dangerous creatures roam the park. The tracks of tiny little shoes are more frequent than the less interesting but harmless footprints of mountain sheep. You are more likely to catch a glimpse of the flicker of the hem of a white petticoat in the distance than of the glancing form of a deer. The marks of carriage wheels are more plentiful than elk signs, and you are not now so likely to be scared by the humanlike track of a gigantic bear as by the appalling impress of a No. 11 boot.

That is as it should be. There is plenty of room elsewhere for wild beasts, and nature's beauties should be enjoyed by man. I well remember the commencement of civilization. I was sitting on the stoop of the log shanty one fine hot summer's evening, when to me appeared the strange apparition of an aged gentleman on a diminutive donkey. He was the first stranger I had ever seen in the park. After surveying me in silence for some moments he observed, "Say, is this a pretty good place to drink whisky in?" I replied, "Yes," naturally, for I have never heard of a spot that was not favorable for the consumption of whisky, the State of Maine not excepted. "Well, have you any to sell?" he continued. "No," I answered, "got none." After gazing at me in melancholy silence for some moments, evidently puzzled at the idea of a man and a house but no whisky, he went slowly and sadly on his way, and I saw him no more.

On the morning that Sandie and I went out, it was not necessary to go far from the house. We had not ridden long before we came to likely looking country, got off, unsaddled and tethered our horses, and started on foot, carefully scanning the ground for fresh sign. Soon we came upon it—quite recently formed tracks of three or four deer. Then we had to decide upon the plan of operations in a long and whispered conversation; and finally, having settled where the deer were likely to be, and how to get at them, we made a long circuit, so as to be down wind of the game, and went to work. The ground to which I am referring is very rough. It slopes precipitously toward the river. Huge masses of rock lie littered about on a surface pierced by many perpendicular jagged crags, hundreds of feet high, and long ridges and spurs strike downward from the sheer scarp that crowns the canyon of the river, forming beautiful little glades—sheltered, sunny, clothed with sweet grass—on which the deer love to feed.

In such a country there was no chance of seeing game at any distance; so we had to go very cautiously, examining every sign, crawling up to every little ridge, and inch by inch craning our heads over and peering into every bush and under every tree. In looking over a rise of ground it is advisable for the hunter to take off his head covering unless he wears a very tight-fitting cap. I have often laughed to see great hunters (great in their own estimation) raising their heads most carefully, forgetting that a tall felt hat, some 6 inches above their eyes, had already been for some time in view of the deer. Many hunters seem to think that the deer can not see them till they see the deer.

The sportsman can not go too slowly, and it is better to hunt out one little gully thoroughly than to cover miles of ground in the day. If he walks rapidly he will scare heaps of deer, hear lots of crashing in the trees and scattering of stones, and perhaps see the whisk of a white tail, or the glance of a dark form, through the trees, but never get a shot for his pains. We pursued a different plan—took each little gulch separately, and carefully crept up it, searching every inch of ground, using redoubled caution toward the end where the bush is thickest, and especially scanning the north side; for, strange to say, deer prefer lying on the north side of valleys in the snow, even during the coldest weather, to resting on the warm sunny grass on the southern slopes. Patiently we worked; but our patience was not well rewarded, for not a sign of anything did we see till our entirely foodless stomachs and the nearly shadowless trees indicated that it was past noon. So we sat us down in a nice little sheltered nook, from whence we commanded a good view of the precipitous cliffs and gullies that led down to the tortuous and icebound creek, some thousands of feet below us, as well as of the face of the mountain that reared itself on the opposite side, and betook ourselves to food and reflection. It is very pleasant to lie comfortably stretched out with nothing to do but to gaze with idle pleasure and complete content upon grand and varied scenery. The eye, now plunging into the abyss of blue crossed at intervals by swiftly moving clouds, now lowered and resting on the earth, pauses for a minute on the dazzling snow-white summits, then travels down through dark-green pine woods, wanders over little open glades or valleys gray with withered grass, glances at steep cliffs and great riven masses of rock which time and weather have detached and hurled down the mountain side, and falls at last upon the pale-green belt of aspens that fringes the rivers, white with snow where spanned with ice, but black as ink where a rapid torrent has defied the frost. Nor is the eye wearied with its journey; for mountain, valley, cliff, and glade are so mingled, and are so constantly changing with light and shade, that one could look for hours without a wish to move. The mind goes half asleep and wonders lazily whether its body is really there in the heart of the Rocky Mountains leading a hunter's life, or whether it is not all a dream—a dream of schoolboy days which seemed at one time so little likely to be realized, and yet which is at length fulfilled.

It must not be supposed that, because we were half asleep and wholly dreaming, we were not also keeping a sharp lookout; for in a man who is very much accustomed to take note of every unusual object, of every moving thing, and of the slightest sign of any living creature—more especially if he has roamed much on the prairies where hostile redskins lurk and creep—the faculty of observation is so constantly exercised that it becomes a habit unconsciously used, and he is all the time seeing sights, and hearing sounds, and smelling smells, and noting them down, and receiving all kinds of impressions from all external objects, without being the least aware of it himself. However, none of our senses were gratified by anything that betokened the presence of game, and,

after resting a little while, we picked up our rifles and stole quietly on again. So we crept and hunted, and hunted and crept, and peered and whispered, and wondered we saw nothing, till the pine trees were casting long shadows to the east, when suddenly Sandie, who was a pace or two in front of me, became rigid, changed into a man of stone, and them, almost imperceptibly, a hairbreadth at a time, stooped his head and sank down. If you come suddenly in sight of game, you should remain perfectly motionless for a time, and sink out of sight gradually; for if you drop down quickly, the movement will startle it. Deer seem to be shortsighted. They do not notice a man, even close by, unless he moves. I never saw a man so excited at the sight of game, and yet so quiet, as Sandie. It seemed as if he would fly to pieces; he seized my arm with a grip like a vise, and whispered, "Oh, a great stag within easy shot from the big rock yonder. He has not seen me." So, prone upon the earth, I crawled up to the rock, cocked the rifle, drew a long breath, raised myself into a sitting position, got a good sight on the deer, pulled, and had the satisfaction of seeing him tumbling headlong down the gulch, till he stopped stone dead jammed between two trees.

Leaving Sandie to prepare the stag for transportation, I started off as fast as I could and brought one of the ponies down to the carcass. It was pretty bad going for a four-footed animal; but Colorado horses, if used to the mountains, will go almost anywhere. The way they will climb up places, and slither down places, and pick their way through "windfalls" is marvelous. They seem to be possessed of any number of feet and to put them down always exactly at the right moment in the right place. I do not suppose they like it, for they groan and grunt the while in a most piteous manner. My pony was sure-footed and willing, and, moreover, was used to pack game; so we had little trouble with him, and before long had the deer firmly secured on the saddle and were well on our way home. It was well for us that we killed the deer in a comparatively accessible place or we should not have got him in that night or the next day. It was almost dark when we topped the ridge and could look down into the park and see the range beyond, and there were plenty of signs there to show that a storm was at hand. Right overhead the stars were shining, but all the sky to the west was one huge wall of cloud. Black Canon, the canon of the river, and all the great rents in the range were filled with vapor, and all the mountains were wrapped in cloud.

When we left the ranch that night after a good supper, a game of euchre, and sundry pipes it was pitch dark and light flakes of snow were noiselessly floating down to the earth, and when we got up the next morning behold there was not a thing to be seen. Mountains, ranch house, and everything else were blotted out by a densely falling white, bewildering mass of snow. Toward noon it lightened up a little, and great gray shapes of mountains loomed out now and then a shade darker than the white wall that almost hid them; but the weather was not fit for hunting, and as there was nothing else to be done out of doors we made a fête of it, as a French-Canadian would say, and devoted ourselves to gun cleaning and spinning yarns.

When deep snow lies upon the higher grounds surrounding Estes Park wapiti come down into the park in considerable numbers. The wapiti is a splendid beast, the handsomest by far of all the deer tribe. He is called an elk in the States—why, I do not know; for the European elk is identical with the American moose, and a moose and a wapiti are not the least alike. But I presume the wapiti is called by the Americans an elk for the same reason that they call thrushes robins and grouse partridges. The reason, I dare say, is a good one, but I do not know what it is.

The wapiti enjoys a range extending from the Pacific seaboard to the Mississippi and from the northwest territories in British possessions down to Texas, and he formerly was found all the way across the continent and in the Eastern States. He is exactly like the European red deer—only about twice as large—carries magnificent antlers, and is altogether a glorious animal. Wapiti are very shy. They require quiet and large undisturbed pastures, and they are hunted with a thoughtless brutality that must shortly lead to their extermination in civilized districts. They do not accustom themselves to civilization as easily as do moose or antelope, but resent deeply the proximity of man; that is to say, of civilized man, for Indians do not interfere with them very much. Indians, as a rule, are not really fond of hunting; they hunt for subsistence, not for pleasure, and where buffalo are to be found never trouble their heads about smaller game. Elk are plentiful in any Indian country that suits them. In fact, as a rule, there is very little use in hunting wapiti in any country that is not exposed to Indian incursions, and the more dangerous the country the better sport you are likely to have; but this is not an invariable rule. There are some places where wapiti may be found in quite sufficient numbers to repay a sportsman's labor and where he need not incur the smallest risk to life or limb. I imagine there are more wapiti to be found in Montana and the adjacent territories than in any other part of the United States. Wapiti are to be met with in forests of timber, among the mountains, and on the treeless prairie. They are, I think, most numerous on the plains, but the finest specimens are found in timbered districts.

One might suppose that branching antlers would cause inconvenience to an animal running through the tangle of a primeval forest, but the contrary appears to be the case, for in all countries the woodland deer carry far finer heads than the stags of the same species that range in open country. The size of the antlers depends entirely on the food which the animal can procure. Where he is well fed, they will be well developed; where food is scarce, they will be small. In a timbered country there is more shelter than on the plains, the grass is not so deeply covered with snow in winter, and consequently food is more plentiful at that time of year and the animal thrives better. You always find heavier deer in woodland than in an open country. Early in the fall the stags gather large herds of hinds about them; about the end of October they separate, and the big stags wander off alone for a while, and then later on join in with the big bands of hinds and small stags. During the winter they run in great numbers—it is not unusual to find herds of two or three hundred together, and I have seen, I believe, as many as a thousand different wapiti within a week. A large herd of these grand animals is a magnificent sight and one not soon to be forgotten. They are to be killed either by stalking them on foot, or partially on foot and partially on horseback, or by running them on horseback as you would run buffalo.

THE PARK REGION AS SEEN BY AN ENGLISH LADY.

Fortunately for the region embraced in the proposed park, that part of Colorado was visited while yet in its primitive state by Miss Isabella L. Bird, who, like Lord Dunraven, was English, and like him also a traveler and writer of many books. She went to Colorado in 1873, after a visit to the tropical islands of the Pacific Ocean, and became so entranced with the beauties of the Longs Peak country that she spent two years in that vicinity, practically camping out. She wrote many letters to friends at home in England, which afterwards were collected and published in book form under the title of "A Lady's Life in the Rocky Mountains." The book was published in England and by Putnams, of New York, in 1880. These letters fairly teem with ecstatic praise of the atmosphere, the scenery, and the wild life of the country, and all are portrayed in such choice language and such graphic style as to render the little book a classic in travel literature.

Much of the text is occupied with Estes Park, but Miss Bird also spent considerable time in the adjoining mountains, and she was entranced by every spot. She was one of the first women to make an ascent of Longs Peak, that great sentinel of the Front Range. Her ascent of the peak, which is within this proposed national park, was made late in the fall and was replete with danger and hardship. Her account of the experience would be worth producing as a whole, but I present only a few descriptive extracts. To her this great mountain was king of all other Colorado peaks, and time and again she compares it to Mont Blanc and the Matterhorn. She first views the mountain from a glade much to her liking, of which she says:

This is an upland valley of grass and flowers, of glades and sloping lawns, and cherry-fringed beds of dry streams, and clumps of pines artistically placed, and mountain sides densely pine clad, the pines breaking into fringes as they come down upon the park and the mountains breaking into pinnacles of bold gray rock as they pierce the blue of the sky. A single dell of bright green grass on which dwarf clumps of the scarlet poison oak look like beds of geraniums slopes toward the west. Deep vast canyons, all trending westward, lie in purple gloom. Pine-clad ridges, rising into the blasted top of Storm Peak, all run westward, too, and all the beauty and glory are but the frame out of which rises—heaven piercing, pure in its pearly luster, as glorious a mountain as the sun tinges red in either hemisphere—the splintered, pinnacled, lovely, ghostly, impossible, double-peaked summit of Longs Peak, the Mount Blanc of northern Colorado. This is a view to which nothing needs to be added. This is the lodge in some vast wilderness for which one often sighs when in the midst of a bustle at once sordid and trival. This scenery satisfies my soul. * * *

This place is, indeed, far removed. It seems farther away than any place I have been to yet, except the frozen top of the volcano of Mauna Loa. It is so little profaned by man that if one were compelled to live here in solitude one might truly say of the bears, deer, and elk, which abound, "their tameness is shocking to me." It is the world of big game. Just now a big, heavy-bearded elk, with much branched horns fully 3 feet long, stood and looked at me and quietly trotted away. He was so near that I heard the grass, crisp with hoarfrost, crackle under his feet. Bears stripped the cherry bushes within a few yards of us last night. Now two lovely bluebirds, with crests on their heads, are picking about within a stone's throw.

Coming to Estes Park, where Miss Bird spent much of her time, she says:

From a ridge at a height of 9,000 feet we saw at last Estes Park, lying 1,500 feet below in the glory of the setting sun, an irregular basin, lighted up by the bright waters of the rushing Thompson, guarded by sentinel mountains of fantastic shape and enormous size, with Longs Peak rising above them all in unapproachable grandeur while the Snowy Range, with its outlying spurs heavily timbered, came down upon the park slashed by stupendous canyons lying deep in purple gloom. The rushing river was blood red, Longs Peak was aflame, the glory of the glowing heaven was given back from earth. Never, nowhere, have I seen anything to equal the view into Estes Park. * * *

We had an ascent of four hours through a ravine which gradually opened out upon this beautiful park. But we rode for some miles before the view burst upon us. The vastness of the mountain range, like astronomical distances, can hardly be conceived of. At this place I suppose it is not less than 250 miles wide, and with barely a break in its continuity it stretches almost from the Arctic Circle to the Straits of Magellan.

From the top of Longs Peak, within a short distance, 22 summits, each above 12,000 feet in height, are visible, and the Snowy Range—the backbone or divide of the continent—is seen snaking distinctly through the wilderness of ranges, with its waters starting for either ocean.

From the first ridge we crossed we had a singular view of range beyond range, cleft by deep canyons and abounding in elliptical valleys, richly grassed. The slopes of all the hills as far as one could see were waving with fine grass for the scythe, but the food of wild animals only. All these ridges are heavily timbered with pitch pines, and where they were down on the grassy slopes they looked as if the trees had been arranged by a landscape gardener. Far off, through an opening in a canyon, we saw the prairie, simulating an ocean. Far off, through an opening in another direction, was the glistening outline of the Snowy Range. * * *

You will ask, "What is Estes Park?" This name, with the quiet midland counties sound, suggests "park palings" well lichened, a lodge with a courtseying woman, fallow-deer, and a Queen Anne mansion. Such as it is, Estes Park is mine. It is unsurveyed, "no man's land," and mine by right of love, appropriation, and appreciation; by the seizure of its peerless sunrises and sunsets, its glorious afterglow, its blazing noons, its hurricanes sharp and furious, its wild auroras, its glories of mountain and forest, of canyon, lake, and river, and the stereotyping them all in my memory. Mine, too, in a better than the sportsman's sense, are its majestic wapiti, which play and fight under the pines in the early morning, as securely as fallow-deer under our English oaks; its graceful blacktails, swift of foot; its superb bighorns, whose noble leader is to be seen now and then with his classic head against the blue sky on the top of a colossal rock; its sneaking mountain lion with his hideous nocturnal caterwaulings, the great grizzly, the beautiful skunk, the wary beaver, who is always making lakes, damming and turning streams, cutting down young cottonwoods, and setting an example of thrift and industry; the wolf, greedy and cowardly; the coyote and the lynx, and all the lesser fry of mink,

marten, wildcat, hare, fox, squirrel, and chipmunk, as well as things that fly, from the eagle down to the crested bluejay. May their number never be less, in spite of the hunter who kills for food and gain, and the sportsman who kills and marauds for pastime.

But still I have not answered the natural question, "What is Estes Park?" Among the striking peculiarities of these mountains are hundreds of high-lying valleys, large and small, at heights varying from 6,000 to 11,000 feet. The most important are North Park, held by hostile Indians; Middle Park, famous for hot springs and trout; South Park, rich in minerals; and San Luis Park. South Park is 10,000 feet high, a great rolling prairie, 70 miles long, well grassed and watered, but nearly closed by snow in winter. But parks innumerable are scattered throughout the mountains, most of them unnamed, and others nicknamed by hunters or trappers who have made them their temporary resorts. They always lie far within the flaming foothills, their exquisite stretches of flowery pastures dotted artistically with clumps of trees, sloping lawnlike to bright, swift streams full of red-waiscoated trout, or running up in soft glades into the dark forest, above which the snow peaks rise in their infinite majesty. Some are bits of meadow, a mile long and very narrow, with a small stream, a beaver dam, and a pond made by beaver industry. Hundreds of these can only be reached by riding in the bed of a stream or by scrambling up some narrow canyon till it debouches on the fairylike stretch above. These parks are the feeding grounds of innumerable wild animals, and some, like one 3 miles off, seem chosen for the process of antler casting, the grass being covered for at least a square mile with the magnificent branching horns of the elk.

Estes Park combines the beauties of all. Dismiss all thoughts of the midland counties. For park palings there are mountains, forest skirted, 9,000, 11,000, 14,000 feet high; for a lodge, two sentinel peaks of granite guarding the only feasible entrance; and for a Queen Anne mansion, an unchinked log cabin with a vault of sunny blue overhead. The park is most irregularly shaped, and contains hardly any level grass. It is an aggregate of lawns, slopes, and glades, about 18 miles in length, but never more than 2 miles in width. The Big Thompson, a bright, rapid trout stream, snow born on Longs Peak, a few miles higher, takes all sorts of magical twists, vanishing and reappearing unexpectedly, glancing among lawns, rushing through romantic ravines, everywhere making music through the still, long nights. Here and there the lawns are so smooth, the trees so artistically grouped, a lake makes such an artistic foreground, or a waterfall comes tumbling down with such an apparent feeling for the picturesque, that I am almost angry with nature for her close imitation of art. But in another hundred yards nature, glorious, unapproachable, inimitable, is herself again, raising one's thoughts reverently upward to her Creator and ours. Grandeur and sublimity, not softness, are the features of Estes Park. The glades which begin so softly are soon lost in the dark, primeval forests, with their peaks of rosy granite and their stretches of granite blocks piled and poised by nature in some mood of fury. The streams are lost in canyons nearly or quite inaccessible, awful in their blackness and darkness; every valley ends in mystery; seven mountain ranges raise their frowning barriers between us and the plains, and at the south end of the park Longs Peak rises to a height of 14,700 feet, with his bare, scathed head slashed with eternal snow.

The lowest part of the park is 7,500 feet high; and though the sun is hot during the day, the mercury hovers near the freezing point every night of the summer. An immense quantity of snow falls, but partly owing to the tremendous winds which drift it into the deep valleys, and partly to the bright, warm sun of the winter months, the park is never snowed up, and a number of cattle and horses are wintered out of doors on its sun-cured, saccharine grasses, of which the gramma grass is the most valuable. The soil here, as elsewhere in the neighborhood, is nearly everywhere coarse, gray, granite dust, produced probably by the disintegration of the surrounding mountains. It does not hold water and is never wet in any weather. There are no thaws here. The snow mysteriously disappears by rapid evaporation. The wild flowers are gorgeous and innumerable, though their beauty, which culminates in July and August, was over before I arrived, and the recent snow flurries have finished them. Here are dandelions, buttercups, larkspurs, harebells, violets, roses, blue gentian, columbine, painter's brush, and 50 others, blue and yellow predominating. Snakes and mosquitoes do not appear to be known here. Coming almost direct from the Tropics, one is dissatisfied with the uniformity of the foliage; indeed, foliage can hardly be written of, as the trees properly so called at this height are exclusively Coniferæ and bear needles instead of leaves. In places there are patches of spindly aspens, which have turned a lemon yellow, and along the streams bear cherries, vines, and roses lighten the gulches with their variegated crimson leaves. The pines are not imposing, either from their girth or height. Their coloring is blackish green, and though they are effective singly or in groups, they are somber and almost funereal when densely massed, as here, along the mountain sides.

The timber line is at a height of about 11,000 feet and is singularly well defined. The most attractive tree I have seen is the silver spruce, *Abies engiemanii*, near of kin to what is often called the balsam fir. Its shape and color are both beautiful. It looks as if a soft, blue, silver powder had fallen on its deep-green needles, or as if a bluish hoarfrost, which must melt at noon, were resting upon it. Anyhow, one can hardly believe that the beauty is permanent and survives the summer heat and the winter cold. The universal tree here is the *Pinus ponderosa*, but it never attains any very considerable size.

Miss Bird's account of her two days' climb of Longs Peak is accentuated by many interesting references to the scenery. Describing the view from "the Lift," about 500 feet below the summit, she says:

At the foot of the precipice below us lay a lovely lake, wood embosomed, from or near which the bright St. Vrain and other streams take their rise. I thought how their clear, cold waters, growing turbid in the affluent flats, would heat under the tropic sun and eventually form part of the great ocean river which renders our far-off islands habitable by infringing on their shores. Snowy ranges, one behind the other, extended to the distant horizon, folding in their wintry embrace the beauties of Middle Park. Pikes Peak, more than 100 miles off, lifted that vast but shapeless summit which is the landmark of southern Colorado. There were snowy patches, snow slashes, snow abysses, snow forlorn and soiled looking, snow pure and dazzling, snow glistening above the purple robes of pine worn by all the mountains, while away to the east in limitless breadth stretched the green gray of the endless plains. Giants everywhere reared their splintered crests. From thence with a single sweep the eye takes in a distance of 300 miles—that distance to the west, north, and south being made up of mountains ten, eleven, twelve, and thirteen thousand feet in height, dominated by Longs Peak, Grays Peak, and Pikes Peak, all nearly the height of Mount Blanc. On the plains we traced the rivers by their fringes of cottonwood to the distant Platte, and between us and them lay glories of mountain, canyon, and lake sleeping in depths of blue and purple most ravishing to the eye.

As we crept from the lodge round a horn of rock I beheld what made me perfectly sick and dizzy to look at—the terminal peak itself—a smooth, cracked face or wall of pink granite as nearly perpendicular as anything could well be up which it was possible to climb, well deserving the name of the American Matterhorn.

Her description of the mountain top itself was brief. She contents herself by saying of it simply that it was "an acre of bowlders."

From the summit we saw in unrivaled combinations all the views which had rejoiced our eyes during the ascent. It was something at last to stand upon the storm-rent crown of this lonely sentinel of the Rocky Range, on one of the mightiest of the vertebræ of the backbone of the North American Continent, and see the waters start for both oceans, uplifted above love and hate and storms of passion. Calm amidst the eternal silences, fanned by zephyrs, and bathed in living blue, peace rested for that one bright day on the peak as if it were some region "where falls not rain, or hail, or any snow, or ever winds blow loudly."

In closing my extracts from this fascinating book, I can not refrain from the author's reference to the color of the Rocky Mountains, which she says "beats all I have seen." She gives many bits of description in support of this statement, of which the following sentence is a fair sample:

The sky and the earth combine to form a wonderland every evening—such rich velvety coloring in crimson and violet; such an orange-green and vermilion sky; such scarlet and emerald clouds; such an extraordinary dryness and pureness of atmosphere, and then the glorious afterglow which seems to blend earth and heaven.

When this bill is signed by President Wilson there will be bequeathed to the United States and the world one of the most beautiful and attractive places ever evolved by nature for the pleasure of mankind. And its dedication to the present and future generations is a noble and patriotic act, for which the men and women who have supported this measure may all well feel proud.

The creation by Congress to-day of this national park will be a milestone in the development of Colorado, and I am supremely proud to be able to render this service to my beloved Commonwealth. It will be worth many millions of dollars to Colorado and many times that sum to the Nation.

The State of Colorado has always been one of the most enthusiastic champions of the slogan "See America first." President Roosevelt referred to the Centennial State as the "Playground of the Nation," and many citizens of our country proudly and affectionately refer to the State as "the Switzerland of America." The State has more than 5,000 miles of excellent State highways, 20,000 miles of improved county roads on the plains, the foothills, through the mountains and valleys, amidst magnificent scenery. With fine camping, hunting, hundreds of good trout streams, and 320 days of sunshine in every year, she invites the human race to come and enjoy her superb health-giving climate and unique mountain scenery of unparalleled grandeur and marvelous beauty.

Mr. Speaker, I am now pleased to yield five minutes to the gentleman from Illinois [Mr. MANN], and I know the State of Colorado will be exceedingly grateful to him for speaking in behalf of this bill.

Mr. MANN. Mr. Speaker, I am in favor of the passage of this bill. I have seen a good deal of the country in Colorado. I believe the most valuable purpose for which a country like this can be used is for the preservation of its scenery. I think the time will come, and I hope it will not be very long in the future, when the vast hordes of Americans who now go across the Atlantic to see some mild scenery over there will restrain their curiosity for the other side of the ocean and visit some of the grand scenery in this country which is to be found in the Rocky Mountains. It will be a good thing even financially, and it would broaden the minds of those gentlemen who live along the Atlantic coast, many of whom never have gone as far west as the Allegheny Mountains and who do not know that there exists a portion of the country west of the Mississippi. [Applause.] This makes into a national park what in the main is now a national forest. As I understand, nearly all of this territory embraced in this bill is now covered by reservations for national forests and it makes it into a national park. It does not make a large appropriation, but leaves to the people who manage the park the problem of working out some method by which the park will pay for itself in the way of maintenance and improvements. Personally, next to working in a garden, I would rather climb one of the Colorado mountains in August, way above the snow line, than do anything else. I believe it will be inspiring to all of our people who will do that. There can be no damage in creating such a park, and I hope that every Member of Congress as he crosses the continent this summer, if he does, will stop on the way coming or going and see

the Rocky Mountains. There is no other part of the world, unless it be in the high places in Asia or in the Andes, which compares in grandeur with the Rocky Mountains, and there is nothing that makes a man feel that he ought to be great and grow big like it does to go out and see what nature has done. [Applause.]

Mr. TAYLOR of Colorado. Mr. Speaker, I yield two minutes to the gentleman from California [Mr. KENT].

Mr. KENT. Mr. Speaker, I believe in having the public domain used for those things for which it is fitted. This piece of property is peculiarly adapted to the purpose designated, and is not adapted, in my opinion, to any other purpose. It should be dedicated as a pleasure ground and a scenic attraction to all our people, and the difference between its being held under the forest reserve and under the Department of the Interior as a national park is simply this—that as a national park the animal life will be forever free from molestation. Moreover, there will be no question of timber cutting for utilitarian purposes, but the property, which has few available commercial resources, will be held in a state of nature, and for which it is peculiarly adapted. I know of no other part of the United States better fitted for park purposes. It should be dedicated to the people of the United States as a public park forever. [Applause.]

The SPEAKER pro tempore. The time of the gentleman has expired. The question is on the passage of the bill.

Mr. JOHNSON of Washington. Mr. Speaker, I desire to use five minutes.

The SPEAKER pro tempore. How much time does the gentleman from Pennsylvania yield to the gentleman from Washington?

Mr. MOORE. Mr. Speaker, I yield five minutes to the gentleman from Washington.

Mr. JOHNSON of Washington. Mr. Speaker, this seems to be about the only bill that is going through this Congress on greased skids, except some of the bills on the administration program. Here is a bill referred to the Committee on the Public Lands on January 12, and here it is before the House under suspension of the rules on January 18.

Mr. MANN. The gentleman is mistaken about the dates.

Mr. JOHNSON of Washington. I am reading from the bill here.

Mr. MANN. October 9 it was referred to the Committee on the Public Lands.

Mr. JOHNSON of Washington. And reported out on the 12th. and acted on in just one week. I find here in the Rocky Mountain News of January 6 a statement to the effect that this bill will be passed on the 18th day of January, and telling just how it will be done. I find a report of 48 pages accompanying this bill. The report reads as if it were a one-sided hearing on the bill. I understand hearings were held on the bill, but they have not been printed, and they can not be had.

Mr. TAYLOR of Colorado. I will say to the gentleman from Washington that hearings were held. The report was referred to the gentlemen who appeared before the committee so that they could correct their testimony. The governor of the State and two United States Senators and a number of other distinguished people appeared before the committee, and the hearings were sent around to these gentlemen for correction, and they got back to the committee only the other day, when they were sent down here, two or three days ago, to the printer. I was in hopes that they would be here by this time, but it is no fault of anybody.

Mr. JOHNSON of Washington. At any rate, the bill itself has gotten ahead of the hearings. There will now be no need of printing the hearings.

The statement has been made here that there is no opposition whatever to the bill. I hold in my hand a letter signed by the Front Range Settlers' League, dated December 8, in which quite a number of substantial arguments are made against this bill. I have received the past week quite a number of letters from citizens of Colorado who oppose the measure. I call attention to the fact that the park you are about to create is in a forest reserve; that it cuts the reserve in two; that it will increase the number of Federal employees; that the park scheme adds nothing to the great natural scenic beauty, nor will it make the locality one bit more accessible; in fact, it will simply give tourists an opportunity to pay more, and will develop the schemes of real estate speculators and hotel men, who have already secured the available hotel sites, which are, by the way, outside of the proposed park area and will not be subject to regulations governing national parks.

A magnificent road to Estes Park is already constructed, built by the State and the Forestry Bureau—principally by the State. The Forest Service proposes additional roads, but here, all of a sudden, it is proposed to yank Estes Park away from its present control and change its name to Rocky Mountain National Park. One citizen of Colorado writes:

> More work has been done in road building by the State and the Forest Service in one year than we could hope to get from the Government in 10 years. I base this observation on a study of the yearly appropriations of Congress for national parks.

Another gentleman says in a letter:

> In talking with a former forest rider I learned that Enos A. Miles, owner of Longs Peak Inn, at the foot of Longs Peak, is the originator of this national-park idea, and that he and his associates have purchased and obtained options on large tracts and on all the best grounds about Horse Shoe Park, all of which will be taken in by the Rocky Mountain National Park.

I have no information as to whether that statement is exactly correct or not.

Mr. TAYLOR of Colorado. I will say to the gentleman that since those original lines were proposed they have changed the lines and have eliminated all of that Estes Park, so it is not in the park.

Mr. JOHNSON of Washington. The writer of the letter says further:

> I can not see where there is any benefit to the people of the United States or of Colorado in making this ground into a national park only to enrich Mills and his associates by advertising his hotel and lands, for the amount of money to be obtained will only police the park partly, and nothing will be expended on roads and trails for the next 20 or 30 years.

Mr. CAMPBELL. Mr. Speaker——

The SPEAKER pro tempore. Will the gentleman from Washington yield to the gentleman from Kansas?

Mr. JOHNSON of Washington. Yes.

Mr. CAMPBELL. What does this fellow want to use it for?

Mr. JOHNSON of Washington. He sees, no doubt, that the tract is now as great a scenic attraction as it ever will be without going to additional Government expense. In the 48 pages of this report—a most remarkable report—you will find on the last page an argument saying all the other national parks are on the west of the Rocky Mountains and to a greater or less extent inaccessible.

Mr. CAMPBELL. I would like to know what this kicker wants to do with this national park.

Mr. JOHNSON of Washington. The roads and trails have been built in there. It is now accessible to everyone for its scenic beauty. You can go through it in an automobile or a wagon or a motor cycle without cost, whereas if it is made into a park it will cost $5 a vehicle.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. JOHNSON of Washington. I would like to have two minutes more.

Mr. MOORE. I yield two minutes more to the gentleman.

Mr. JOHNSON of Washington. Now, Mr. Speaker, I have no desire to obstruct the passage of this bill to the extent of making a point of no quorum. I simply want to call attention to the difficulties that so many important bills are having—no hearings and no chance—while this one, for which no emergency exists, gets a peculiar right of way. It provides for a park to be maintained by the Government. The plan is to take over a beautiful natural tract for the benefit of the automobilists principally. It gets the right of way in the Committee on the Public Lands, while 400 other bills which do not relate to playgrounds or to play of any kind repose peacefully in the pigeonholes of that committee's room. Particularly I want to call attention to the haste with which this bill has been sent out of the committee, into the House for passage, on to the calendar, and up for passage—if not by unanimous consent, then by suspension of the rules. As I said a moment ago, it is one that skids in the good old-fashioned way.

Mr. HUMPHREY of Washington. Are there any other national park bills pending before that committee?

Mr. JOHNSON of Washington. I think so.

Mr. HUMPHREY of Washington. Have any of them been reported?

The SPEAKER pro tempore. The question is on agreeing to the amendment.

Mr. MOORE. Mr. Speaker, I desire to yield more time, but I thought the gentleman from Colorado wanted to use some.

Mr. HUMPHREY of Washington. Mr. Speaker, I want to ask the gentleman from Colorado [Mr. TAYLOR] a question.

The SPEAKER pro tempore. Does the gentleman from Colorado yield to the gentleman from Washington?

Mr. TAYLOR of Colorado. Yes; certainly.

Mr. HUMPHREY of Washington. Do I understand this is in a forest reserve?

Mr. TAYLOR of Colorado. Yes.

Mr. HUMPHREY of Washington. Is there any timber there?

Mr. TAYLOR of Colorado. Not of much value, I will say to the gentleman.

Mr. HUMPHREY of Washington. I think, if there should be, it ought to be preserved as a natural curiosity. [Laughter.]

Mr. TAYLOR of Colorado. We have not the timber in our State that you have in your State.

Mr. HUMPHREY of Washington. If there is any forest reserve that has any timber on it, that timber ought to be preserved.

Mr. TAYLOR of Colorado. I now yield, Mr. Speaker, two minutes to the gentleman from Oklahoma [Mr. FERRIS].

The SPEAKER pro tempore. The gentleman from Oklahoma [Mr. FERRIS] is recognized for two minutes.

Mr. FERRIS. Mr. Speaker, I doubt if there is anything that I could add to the eloquent statement of the gentleman from Colorado [Mr. TAYLOR] and to the more than eloquent statement of the gentleman from Illinois [Mr. MANN] on the establishment of parks in the Rocky Mountains. I am glad to say that I think this is the very purpose for which this land should be used. It is already a reserved area, and this bill transfers it from the Department of Agriculture to the Department of the Interior. There is no friction about it. Both departments agree to it. Both have reported in favor of it. It can be administered economically, and the people of Colorado are very desirous of it. Both their outgoing governor and their incoming governor and different conservation societies from Chicago and elsewhere, all over the country, are in favor of it, and telegrams have been received from everywhere asking that this park be created.

We have only 13 parks in the United States. They do not cost the Government very much to maintain, and even if they did, it would be worth while. So many citizens, I think, are so far removed from any personal contact with the Federal Government now that it is wise to arrange these national playgrounds for them where appropriate. This is an ideal spot for it. It ought to have been done years ago. The Colorado delegation are entitled to great credit for it. I am proud to have been an humble member of the great Committee on the Public Lands who have reported it.

Mr. JOHNSON of Washington. Mr. Speaker, will the gentleman yield?

The SPEAKER pro tempore. Does the gentleman from Oklahoma yield to the gentleman from Washington?

Mr. FERRIS. Yes.

Mr. JOHNSON of Washington. Is it true that the gentleman's Committee on the Public Lands has caused it to be stated that it would authorize no more national parks during this session of Congress?

Mr. FERRIS. No. No such statements have been made to us or by us, so far as I know. I can not think any such statement has been made by anyone. It does not sound like our committee. I think there must be some mistake about that.

Mr. HUMPHREY of Washington. Mr. Speaker, will the gentleman yield?

Mr. FERRIS. I do.

Mr. HUMPHREY of Washington. The gentleman's committee does not intend any such policy as that, I hope?

Mr. FERRIS. Oh, not at all. I never heard of it before. There is nothing of that sort intimated by anyone.

I merely desire to say, Mr. Speaker, that the committee used every precaution in consulting the local people and the Interior Department and the Department of Agriculture and the Forest Service and the Geological Survey people and everybody that would know anything about it. I think this park is well conceived and the details are well worked out. It follows the usual procedure in the establishment of national parks, and it is not a park for the State of Colorado alone, but it is a park for the enjoyment of the people of other States as well. The people of my own State, in the hot and arid months, and the people from the States of New Mexico, Kansas, Texas, and adjoining States journey out there in one form and another and spend a month or two in that locality.

The SPEAKER pro tempore. The time of the gentleman from Oklahoma has expired.

Mr. TAYLOR of Colorado. I yield to the gentleman one minute more.

The SPEAKER pro tempore. The gentleman from Oklahoma is recognized for one minute more.

Mr. MARTIN. Mr. Speaker, I wanted to ask the gentleman what is the recommendation of the Committee on Agriculture in regard to this park?

Mr. FERRIS. It is in favor of it, and so is the Interior Department.

Mr. STAFFORD. Why did the committee not follow the recommendation of the department in creating a bureau of national parks? The department says that on several occasions they have approved of the creation of such a bureau, and several bills have been reported separately creating these national parks. The Secretary recommends that there should be a uniform bill apply to all of them.

Mr. FERRIS. The committee has such bills before it, and they have been urged very vigorously to do so by the officials of the department. So far as I am concerned, I do not care to create any more officials or add to the expense of the Government at this time. We have too many officers now I fear, and we ought to go slow on new ones until the war lets up and our commerce again gets started.

Mr. TAYLOR of Colorado. Mr. Speaker, I yield two minutes to my colleague from Colorado [Mr. SELDOMRIDGE].

The SPEAKER pro tempore. The gentleman from Colorado [Mr. SELDOMRIDGE] is recognized for two minutes.

Mr. SELDOMRIDGE. Mr. Speaker, I am heartily in favor of the passage of this bill. I represent the district in which the greater part of the national park herein proposed is located. I have never received a single line from any resident of that district protesting against the passage of this bill. My constituents clearly recognize the value of this legislation in benefiting not only the State, but the entire country.

I wish I could take the Members of this House to Colorado and give them an opportunity to observe the natural beauty of this park and the wonderful scenery it contains. It comprises some of the loftiest snow-covered peaks in the Rocky Mountain States, with a large number of lakes, valleys, and parks. I know, Mr. Speaker, that it will afford every American citizen who visits this region a feeling of pride and satisfaction that he has a proprietary interest in this great natural scenic property. In common with citizens of Colorado and Representatives of other States, I believe that Congress is doing something not only for the State, but also for the Nation in passing this bill.

I wish to express on behalf of the citizens of our State our appreciation of the generous and friendly interest which Members from other States have shown in this bill.

We are particularly grateful to the Speaker of the House, who has afforded my colleague [Mr. TAYLOR] an opportunity to bring the bill before the House under suspension of the rules, and to the able leader of the minority [Mr. MANN], who has given material assistance in advocating the passage of the measure.

The people of Colorado will not be backward in contributing to the care and maintenance of the park, in cooperation with the General Government. They will see to it that the scenic attractions, not only of this park but of the entire Rocky Mountain region, are brought more fully to the attention of the American people. For many years thousands of American tourists have contributed to the support and development of European tourist centers, unmindful of the fact that we have in this country some of the greatest natural wonders of the world. While we deplore the calamity of war which is now devastating Continental Europe, we hope that it will have one effect at least, and that to interest our American citizens in the natural beauties of our own country. Every section of the Nation has a wealth of physical beauty that should appeal to citizens of other sections. There should be an intermingling of tourist travel within our own borders. We have all degrees of climate, and there is no limit to the number and variety of medicinal and healthful springs. "See America first" should be the slogan in every section. Transportation lines should be encouraged to aid in this movement; and if we can retain within our borders a large share of the wealth which we have been sending abroad through American tourists we will do much to develop and enlarge our natural scenic assets. The people of Colorado, through their Representatives in Congress, will always be willing to aid in the creation of national parks in other States where their creation is justified.

The park provided for in this bill is most accessible to the great population of the Middle West and Southwestern States. It is directly on the line of travel between the two oceans; and when its attractions are more fully known it will draw many thousands annually, not only to Colorado but to the Pacific coast and the great Yellowstone and Glacier Parks. Constructive legislation of this character not only directly benefits the locality affected but indirectly helps other sections. The support which the bill has received from nature lovers whose attention has been directed to it is most gratifying, and the passage of the bill will be welcomed by citizens generally who are actively interested in the preservation and protection of our natural resources.

The SPEAKER pro tempore. The time of the gentleman from Colorado has expired.

Mr. MOORE. Mr. Speaker, I yield four minutes to the gentleman from Kansas [Mr. CAMPBELL].

The SPEAKER pro tempore. The gentleman from Kansas [Mr. CAMPBELL] is recognized for four minutes.

Mr. CAMPBELL. Mr. Speaker, I have made two or three trips that led me over the Rocky Mountains. I do not know that I have been through that portion of the mountains that is described within the limits of the proposed park, but from my general knowledge of the Rocky Mountains I believe the lands within these described boundaries are not suitable for agricultural purposes. In fact, I do not know of any other purpose to which the mountains or the scenery could be put, or any to which it is so well adapted, as that of a park. I think the Committee on Public Lands is rendering the entire country a great service by reporting favorably upon this bill and urging that a national park be established there.

I agree with the gentleman from Illinois [Mr. MANN] that every citizen of our country should see as much of the Rocky Mountains as possible. It should be made as attractive as may be for our citizens to go there, and every convenience for their comfort while they are there in the way of travel and hotels should be provided, and if perchance some hotel keeper can be induced to spend his money to build a hotel for the accommodation of such guests as may pass that way, the writer of the letter to the gentleman from Washington [Mr. JOHNSON] will have no real ground for complaint. It probably will not cost him anything.

There is no reasonable objection that can come from any source to the establishment of this park, and there is every argument in its favor. I heartily favor the bill, and hope it will have the necessary votes to insure its passage.

Mr. TAYLOR of Colorado. Mr. Speaker, I yield three minutes to the gentleman from Wisconsin [Mr. LENROOT].

Mr. LENROOT. Mr. Speaker, all of the land that is comprised within this proposed national park is now within national forest reservations, and with the limitation of expense contained in the bill there will be little or no increased expense unless Congress shall hereafter expressly authorize it. Therefore from any standpoint there is no reason why this bill should not pass, and there are many reasons why it should.

I am especially glad for one thing, Mr. Speaker, to find that these gentlemen who have thundered so long and so loudly against bureaucracy in reference to our national domain in the West have come before our committee, and now come on the floor of the House and ask for a little more bureaucracy with reference to the 230,000 acres comprised within this proposed park. When our committee held its hearings I was amazed to hear some gentlemen, not Members of this body, but of another, urge most strenuously before our committee the creation of this park because of the fact that the National Government could so well administer it and take such splendid care of it; and it struck me at the time that if those gentlemen would apply a little more of the same reasoning with reference to certain other portions of the national domain, we might get along very much better in the consideration of some of these matters.

Mr. JOHNSON of Washington. Does the gentleman think it would take any less money to care for the remaining portion of the forest reserve after the 240,000 acres were taken out for this park?

Mr. LENROOT. Oh, yes; it would cost considerably less, of course.

Mr. JOHNSON of Washington. I doubt it.

Mr. LENROOT. From every standpoint I am heartily in favor of this bill.

Mr. MOORE. I yield three minutes to the gentleman from Oregon [Mr. LAFFERTY].

[Mr. LAFFERTY addressed the House. See Appendix.]

Mr. KENT. I should like to ask the gentleman if he would be willing to say that to the members of the committee? Because I am quite sure that the Public Lands Committee as a whole have no knowledge of any such alleged facts and do not tolerate any such statement.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. MOORE. I yield three minutes to the gentleman from Texas [Mr. SLAYDEN].

Mr. SLAYDEN. Mr. Speaker, I was rather inclined to be against this bill until I heard the moving appeal of my friend from Illinois, the distinguished leader of the minority [Mr. MANN], who is a learned and earnest lover of nature. When he held out to us the prospect of seeing him climb that mountain in August, I found that I could not resist his argument. I trust he will realize, however, that in making that ascent, considering the present state of social aridity in Colorado, he will remember to carry something more than the coat on his back. I promise him that with that prospect in view, and the other that he hinted at of having the privilege to go out there this summer, I shall cordially indorse him and follow him in this vote. [Applause.]

Mr. MOORE. Mr. Speaker, how much time is remaining?

The SPEAKER pro tempore. The gentleman from Colorado [Mr. TAYLOR] has one minute, and the gentleman from Pennsylvania [Mr. MOORE] three minutes.

Mr. SHERLEY. I desire to make an inquiry and a suggestion in regard to this bill.

Mr. MOORE. I have but three minutes.

Mr. SHERLEY. I notice that most of the time has been given to those in favor of the bill. I think there ought to be an opportunity for a suggestion about it by those who may not be in favor of it.

Mr. MOORE. I think the gentleman had better direct his inquiry to the gentleman from Colorado [Mr. TAYLOR], who is in charge of the bill.

Mr. SHERLEY. You were supposed to have the time in opposition to the bill.

Mr. MOORE. I am going to yield to myself, Mr. Speaker.

The SPEAKER pro tempore. The gentleman's time is running.

Mr. MOORE. If my time is running, I shall have to decline to yield.

Mr. SHERLEY. A parliamentary inquiry, Mr. Speaker.

The SPEAKER pro tempore. The gentleman will state it.

Mr. SHERLEY. I want to know if it is in order for a person in charge of the time in opposition to yield all the time to gentlemen who speak in favor of the bill?

The SPEAKER pro tempore. The gentleman from Kentucky knows that the gentlemen in charge of time can distribute it to whom they please.

Mr. SHERLEY. But men get time in opposition under the statement that they are opposed to legislation.

The SPEAKER pro tempore. The gentleman from Pennsylvania [Mr. MOORE] demanded a second. No one else demanded a second, nor did anyone indicate that he was opposed to the bill, nor did the gentleman from Pennsylvania indicate it. The Chair can not now control the parceling out of the time.

Mr. MOORE. I should have been glad to have yielded to the gentleman from Kentucky if he had asked it.

Mr. MANN. Mr. Speaker, I think the request of the gentleman from Kentucky ought to be granted; but the suggestion that the gentleman made is unfair to the gentleman from Pennsylvania, who, like anyone else in control of time, if people do not come who are opposed to the bill, he yields the time to those in favor of it. I ask unanimous consent that the gentleman from Kentucky have three minutes.

Mr. SHERLEY. Mr. Speaker, I do not want to talk on the bill, except to call attention to some language in it which I think ought to be corrected. I do not want to be arbitrary or make any point of no quorum, but I do want to call attention to some of the language in the bill.

Mr. MANN. If the gentleman from Kentucky had been in the Chamber——

Mr. SHERLEY. I was at work in the Committee on Appropriations.

Mr. MANN. I understand the gentleman was busy in the Committee on Appropriations, but if he had been here he would have had no difficulty in getting time.

The SPEAKER pro tempore. The gentleman from Illinois asks unanimous consent that the gentleman from Kentucky have three minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. SHERLEY. Mr. Speaker, I desire to call attention to the language in the proviso, which, as has been suggested, may create a permanent appropriation of $10,000 annually, and which nobody would desire to do. I also want to suggest the wisdom of striking out the language which requires that all funds derived from concessions, privileges, or other sources within the park shall be expended therein.

At this time there is no reason why that should not be done, and probably there will not be any reason in the near future, but I hope we are reaching a point where we are going to adopt some system for making national parks yield some revenue that may help to sustain them, and we ought not to tie up by this all the revenues that may come from a particular park.

It is a mistaken notion that parks belong to the localities where they exist. That is one of the vices I find running all through the arguments of gentlemen from public-land States—the assumption that the public land belongs to those States,

which I will never agree to as long as I may be able to protest against it.

Now, we ought not to reserve all the revenues that come from any particular park and say that they must be expended in that park. My committee makes appropriations for these parks. At present we do spend in the parks all the revenue that comes from them, but we may reach a time when it will be desirable to place the revenue in a general fund and expend that fund for park purposes generally and not on any particular locality.

Mr. MANN. The amendment which is offered provides that not more than $10,000 shall be appropriated in any one year. Does not the gentleman think that the park will come and ask for a change, and we can make the other change?

Mr. SHERLEY. I think they will ask for one change, but will not concede the other.

Mr. MANN. Well, the gentleman from Kentucky and I will be here, and if we are they will not get it.

Mr. SHERLEY. The gentleman from Illinois may not be here and I may not.

Mr. MANN. Well, some one will be here to take care of it.

Mr. SHERLEY. I see no reason why we should have the provision in the bill, and I suggest that there is no need for it. We ought not to segregate the fund in this way.

Mr. MOORE. Mr. Speaker, one reason for demanding a second on this bill was to give an opportunity for just such questions as the gentleman from Kentucky has raised.

The practice of the House in calling up bills suddenly without notice is very unfair to the main body of the Members who might be interested in them but who are engaged in committee work or are at their offices. Because of it bills that are not wholly meritorious might occasionally get through except for the watchfulness of two or three careful Members on the floor.

I sought information as to the wisdom of passing this bill. I did not say that I opposed the bill, but I did want to have it discussed. The arguments in favor of the bill have been quite convincing, but the discussion has invited comment from those of us who come from the Atlantic seaboard.

The gentleman from Illinois [Mr. MANN] made an intensely interesting talk advising people who live in the eastern part of the country to go out to the Rocky Mountains and "see America first." He wanted them to get a grasp of the beauty and the magnificence of this land of ours. That is exactly what most of us have done. Many of us have gone over the Rocky Mountains, over the Canadian Pacific, riding by the snow-capped peaks, and we have enjoyed to the full the grandeur of the scenery. We glory in all this, but sometimes, when these reports come in from the Committee on Public Lands, and we recall that in a State like Pennsylvania, for instance, where we have great forest reserves which we take care of ourselves at the expense of the people of the State, we wonder why we should be criticized for seeking river and harbor improvements to create revenue to care for the forests and parks of other States. This, however, is only in passing. I am inclined to think that this is a good bill. We ought to preserve our natural beauty spots, not alone for those who come from foreign shores, but for the people in our own land.

The SPEAKER pro tempore. The time of the gentleman from Pennsylvania has expired.

Mr. TAYLOR of Colorado. Mr. Speaker, in view of the fact that some question is being made concerning lines 14 and 15, on page 7, about the expenditure of funds derived from concessions, and as I do not want to jeopardize the bill by meeting opposition, I ask uanimous consent to strike those two lines out.

Mr. MANN. The gentleman asks unanimous consent to modify his motion so as to make that one of his amendments?

Mr. TAYLOR of Colorado. Yes.

The SPEAKER pro tempore. The gentleman from Colorado asks unanimous consent to modify his motion by the amendment which he proposes and which the Clerk will report.

The Clerk read as follows:

On page 7, line 14, after the word "therein," strike out "all funds derived from concessions, privileges, or other sources within the park shall be expended therein."

The SPEAKER pro tempore. Is there objection?

There was no objection.

The SPEAKER pro tempore. The question is on suspending the rules and passing the bill as amended.

The question was taken; and two-thirds having voted in favor thereof, the rules were suspended and the bill was passed.

Mr. JOHNSON of Washington. Mr. Speaker, I ask unanimous consent to revise and extend my remarks in the RECORD.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. TAYLOR of Colorado. Mr. Speaker, I make the same request.

The SPEAKER pro tempore. Is there objection to the request

Mr. RAKER. Mr. Speaker, I make the same request.

The SPEAKER pro tempore. Is there objection of the request of the gentlemen from Colorado [Mr. TAYLOR and Mr. SELDOMRIDGE] and the gentleman from California [Mr. RAKER] to extend and revise their remarks in the RECORD?

There was no objection.

PROVIDING FOR STOCK-RAISING HOMESTEADS.

Mr. FERGUSSON. Mr. Speaker, I move to suspend the rules and pass the bill (H. R. 15799) to provide for stock-raising homesteads, and for other purposes, as amended, which I send to the desk and ask to have read.

The Clerk read as follows:

Be it enacted, etc., That from and after the passage of this act it shall be lawful for any person qualified to make entry under the homestead laws of the United States to make a stock-raising homestead entry for not exceeding 640 acres of unappropriated unreserved public land in reasonably compact form: *Provided, however*, That the land so entered shall theretofore have been designated by the Secretary of the Interior as "stock-raising lands."

SEC. 2. That the Secretary of the Interior is hereby authorized, on application or otherwise, to designate as stock-raising lands subject to entry under this act lands, the surface of which is, in his opinion, chiefly valuable for grazing and raising forage crops, do not contain merchantable timber, are not susceptible of irrigation from any known source of water supply, and are of such character that 640 acres are reasonably required for the support of a family.

SEC. 3. That any qualified homestead entryman may make entry under the homestead laws of lands so designated by the Secretary of the Interior, according to legal subdivisions, in areas not exceeding 640 acres, and in compact form so far as may be subject to the provisions of this act, and secure title thereto by compliance with the terms of the homestead laws: *Provided*, That instead of cultivation as required by the homestead laws the entryman shall be required to make permanent improvements upon the land entered before final proof is submitted tending to increase the value of the same for stock-raising purposes, of the value of not less than $1.25 per acre, and at least one-half of such improvements shall be placed upon the land within three years after the date of entry thereof.

SEC. 4. That any homestead entryman of lands of the character herein described, who has not submitted final proof upon his existing entry, shall have the right to enter, subject to the provisions of this act, such amount of contiguous lands designated for entry under the provisions of this act as shall not, together with the amount embraced in his original entry, exceed 640 acres, and residence upon the original entry shall be credited on both entries, but improvements must be made on the additional entry equal to $1.25 for each acre thereof.

SEC. 5. That persons who have submitted final proof upon, or received patent for, lands of the character herein described under the homestead laws, and who own and reside upon the land so acquired, may, subject to the provisions of this act, make additional entry for and obtain patent to contiguous lands designated for entry under the provisions of this act, which, together with the area theretofore acquired under the homestead law, shall not exceed 640 acres, on proof of the expenditure required by this act on account of permanent improvements upon the additional entry.

SEC. 6. That in the event there are not contiguous lands in area sufficient to complete an entry of 640 acres, as provided for in this act, the entryman or patentee shall have the right to enter within a radius of 10 miles from his first entry subject to the same requirements as specified for contiguous additional entries, lands in reasonably compact form which have been designated for entry under the provisions of this act, that shall, together with the first entry, not exceed 640 acres: *Provided*, That the entryman shall be required to enter all contiguous areas open to entry prior to the entry of any noncontiguous land.

SEC. 7. That any person who is the head of a family, or who has arrived at the age of 21 years and is a citizen of the United States, who has entered or acquired under the homestead laws, prior to the passage hereof, lands of the character described in this act, the area of which is less than 640 acres, and who is unable to exercise the right of additional entry herein conferred because no lands subject to entry under this act adjoin the tract so entered or acquired or lie within the 10-mile limit provided for in this act, may, upon submitting proof that he resides upon and has not sold or encumbered the land so entered or acquired, relinquish or reconvey to the United States the land so occupied, entered, or acquired, and in lieu thereof, within the same land-office district, may enter and acquire title to 640 acres of the land subject to entry under this act, but must show compliance with all the provisions of this act respecting the new entry and with all the provisions of existing homestead laws except as modified herein: *Provided*, That the lands so relinquished or reconveyed as herein provided shall thereafter be subject to disposition only on such terms and under such rules and regulations as the Secretary of the Interior may prescribe.

SEC. 8. That the commutation provisions of the homestead laws shall not apply to any entries made under this act.

SEC. 9. That any homestead entrymen or patentees who shall be entitled to additional entry under this act shall have, for 30 days after the designation of lands subject to entry under the provisions of this act and contiguous to those entered or owned and occupied by him, the preferential right to make additional entry as provided in this act: *Provided*, That where such lands contiguous to the lands of two or more entrymen or patentees entitled to additional entries under this section are not sufficient in area to enable such entrymen to secure by additional entry the maximum amounts to which they are entitled, the Secretary of the Interior is authorized to make an equitable division of the lands among the several entrymen or patentees, applying to exercise preferential rights, such division to be in tracts of not less than 40 acres, and so made as to equalize as nearly as possible the area which such entrymen and patentees will acquire by adding the tracts embraced in additional entries to the lands originally held or owned by them: *Provided further*, That where but one 40-acre tract of vacant land may adjoin the lands of two or more entrymen or patentees entitled to exercise preferential right hereunder, the tract in question may be entered by the person who first submits to the local land office his application to exercise said preferential right.

SEC. 10. That any person who has heretofore acquired title to land of the character designated in this act under any of the homestead

laws of the United States and who is the owner and occupant of the land so acquired may purchase from the United States not exceeding 320 acres of stock-raising lands, as designated by this act, or unappropriated and unreserved lands valuable only for grazing contiguous to his said homestead, upon paying to the United States the sum of $1.25 per acre for such lands, under such rules and regulations as may be prescribed by the Secretary of the Interior, which said land, together with the area theretofore acquired under the homestead laws, shall not exceed 640 acres.

SEC. 11. That all entries made and patents issued under the provisions of this act shall be subject to and contain a reservation to the United States of all the coal and other minerals in the lands so entered and patented, together with the right to prospect for, mine, and remove the same. The coal and other mineral deposits in such lands shall be subject to disposal by the United States in accordance with the provisions of the coal and mineral land laws in force at the time of such disposal. Any person qualified to locate and enter the coal or other mineral deposits, or having the right to mine and remove the same under the laws of the United States, shall have the right at all times to enter upon the lands entered or patented, as provided by this act, for the purpose of prospecting for coal or other mineral therein, provided he shall not injure, damage, or destroy the permanent improvements of the entryman or patentee, and shall be liable to and shall compensate the entryman or patentee for all damages to the crops on such lands by reason of such prospecting. Any person who has acquired from the United States the coal or other mineral deposits in any such land, or the right to mine and remove the same, may reenter and occupy so much of the surface thereof as may be required for all purposes reasonably incident to the mining or removal of the coal or other minerals, first, upon securing the written consent or waiver of the homestead entryman or patentee; second, upon payment of the damages to crops or other tangible improvements to the owner thereof, where agreement may be had as to the amount thereof; or, third, in lieu of either of the foregoing provisions, upon the execution of a good and sufficient bond or undertaking to the United States for the use and benefit of the entryman or owner of the land, to secure the payment of such damages to the crops or tangible improvements of the entryman or owner, as may be determined and fixed in an action brought upon the bond or undertaking in a court of competent jurisdiction against the principal and sureties thereon, such bond or undertaking to be in form and in accordance with rules and regulations prescribed by the Secretary of the Interior and to be filed with and approved by the register and receiver of the local land office of the district wherein the land is situate, subject to appeal to the Commissioner of the General Land Office: *Provided*, That all patents issued for the coal or other mineral deposits herein reserved shall contain appropriate notations declaring them to be subject to the provisions of this act with reference to the disposition, occupancy, and use of the surface of the land.

SEC. 12. That the Secretary of the Interior is hereby authorized to make all necessary rules and regulations in harmony with the provisions and purposes of this act for the purpose of carrying the same into effect.

The SPEAKER pro tempore. Is a second demanded?

Mr. STAFFORD. Mr. Speaker, I demand a second.

Mr. FERGUSSON. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

The SPEAKER pro tempore. The gentleman from New Mexico asks unanimous consent that a second be considered as ordered. Is there objection? [After a pause.] The Chair hears none. The gentleman from New Mexico is recognized for 20 minutes, and the gentleman from Wisconsin is entitled to 20 minutes.

Mr. FERGUSSON. Mr. Speaker, before I take up the bill, I ask unanimous consent to modify my original motion, by incorporating in section 10, line 8, page 6, after the word "land," the words "of the character designated in this act." It is obvious that that was the intention.

The SPEAKER pro tempore. The gentleman from New Mexico asks unanimous consent to modify his motion by inserting an amendment, which the Clerk will report.

The Clerk read as follows:

Page 6, line 8, after the word "land," insert the words "of the character designated in this act.

The SPEAKER pro tempore. Is there objection?

Mr. MANN. Mr. Speaker, reserving the right to object, may I take the liberty of asking what were the amendments which were offered with the bill? No one could tell from the reading of the bill what the amendments were. They were not committee amendments, reported in the bill.

The SPEAKER pro tempore. Without objection, the Clerk will report the amendments which were read into the bill.

There was no objection, and the Clerk read as follows:

Page 2, line 6, after the word "family," strike out the words: "*Provided*, That the Secretary of the Interior shall not designate for entry under this act lands of such character that, in his opinion, 640 acres will not support a family."

Page 4, line 24, after the word "provisions," strike out the words "of the homestead law and," and in line 25, after the word "entry," insert the words "and with all the provisions of existing homestead laws except as modified herein."

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Mexico? [After a pause.] The Chair hears none.

Mr. FERGUSSON. Mr. Speaker, the object of this bill is to restore the beef and mutton producing capacity of the semiarid States of the West, and at the same time enable the settlers to get homes, and thus promote the settlement and prosperity of these semiarid States by inducing settlers to get title to the land and to become taxpayers.

It is conceded by those who want to lease parts of this semiarid country, and also maintained by those who are in favor of homesteading all that can be reduced to homes, that the meat-producing capacity of the West—beef and mutton—has been reduced; some claim at least 50 per cent, about half of what they could produce in that semiarid country, comprising something like 330,000,000 acres. It has been reduced from overcrowding. There is no order. First there is sheep and then cattle. A man takes a homestead and can not raise anything because there is not enough land in 160 or even 320 acres to enable him to do anything in the way of grazing. The title of this bill is, "To provide for stock-raising homesteads." Now, the advantage of a grazing homestead is obvious to anybody. He will farm all that he can. The land will be subject to taxation. He will improve the stock; he will provide for winter feed for his stock; he will improve the kind of forage—sudan grass and fedrietta—and all improvements; whereas on an immense cattle range a man leases 10,000 or 20,000 acres of land; it will be impossible for him to improve or produce any quantity of meat. That is the general idea of introducing this bill. The question of leases is not disposed of by the enactment of this bill for this reason, that there are many hundreds of thousands of acres of land in these semiarid States. Six hundred and forty acres of land will be enough for a man to raise 20 or 30 beeves and do any farming. There is no sort of doubt about that, and the balance of all this immense area will be subject to disposition by Congress hereafter if it should be advisable under the leasing laws. Mr. Speaker, under the time to which I am limited I will not have time to go into the details of the various provisions of the bill, and I will be glad to submit it with these few preliminary remarks, reserving the balance of my time.

Mr. STAFFORD. Mr. Speaker, I yield five minutes to the gentleman from Illinois [Mr. MANN].

Mr. MANN. Mr. Speaker, the homestead laws provide for a homestead of 160 acres. In some instances the provisions of law have been changed so that some homesteads are authorized at 320 acres, some at 640 acres, but everyone, I think, has realized that there was occasion from time to time to make some changes as to the amount of acreage which might be required in a homestead where the conditions of the land require it. Now, here is a bill coming in here to-day, 8 pages long, 12 sections long, a bill which necessarily is largely a matter of detail and form. You want to describe the particular circumstances under which you authorize the larger homestead. A motion is made to suspend the rules and pass the bill, with no opportunity for anyone, except the mover of the motion, to offer an amendment, not even to correct the grammar of the bill, and it is seriously in need of correction, a bill that has a privileged status, could have been called up in the House any day since May 6 last when it was reported. It does not require to be considered by unanimous consent. It does not require a motion to suspend the rules to consider it. The Committee on Public Lands any day, except on Calendar Wednesday or possibly unanimous-consent day, could move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of this bill, because the rules provide—Rule XI, paragraph 56:

The following-named committees shall have leave to report at any time on the matters herein stated. The Committee on Rules, etc. The Committee on the Public Lands—

And among other things—

And bills for the reservation of public lands for the benefit of actual and bona fide settlers.

Under that rule all bills relating to homesteads and providing for homesteads are privileged, and yet the Committee on the Public Lands bring in a bill covering 12 sections, necessarily in the main a matter of detail, propose to suspend the rules and pass it, with no chance for amendment, with only 20 minutes' debate on a side, to give 640 acres of land as a homestead. No one can read this bill and tell what it means. The first provision in the bill is that this homestead shall not exist unless the land is of such a character that 640 acres are reasonably required for the support of a family. If 630 acres will support a family, this bill will not apply. It does not apply unless the Secretary says that 640 acres are reasonably required for the support of a family.

Then the bill goes on and provides that if 641 acres are necessary for the support of a family, this bill will not apply. The Secretary, under the terms of the bill, if he finds a piece of land where 639 acres will support a family, this bill does not apply. Or if he finds 641 acres are necessary to support a family, this bill does not apply. Well, gentlemen will say, of course, the

Secretary will not draw the line that fine. He does not know how large the family is to be.

Now, my distinguished friend from Nebraska [Mr. KINKAID] might be able to live on 640 acres and support his family while the gentleman from Pennsylvania [Mr. MOORE] would not be able to support his family, because the size of the families is very different. Yet under the terms of this bill the Secretary is required to make a finding which no man on earth can truthfully make. What is the use of imposing duties upon an executive officer which he can not perform and which it is not intended he shall perform?

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. STAFFORD. Mr. Speaker, I yield three minutes more to the gentleman.

Mr. MANN. Now, for instance, we can not amend this bill, and yet it would be vastly improved if you could insert, on page 2, line 2, after the word "crops," the words "and which," because without those words it does not make sense. The bill was drafted in the Land Office, but in printing it the Committee on Public Lands probably did not read it very carefully, and they left out a pronoun which is absolutely required to make sense. Yet we can not offer an amendment to perfect it, notwithstanding that the Committee on Public Lands, any day when Congress has been or is to be in session, did have and would have the privilege of calling this bill up for consideration as a matter of high privilege, having it considered in the Committee of the Whole, where there was a chance to perfect it by offering amendments, but the committee is evidently afraid to expose the bill to critical analysis. Hence it directs its Member in charge of the bill to move to suspend the rules and pass it without knowledge, without amendment, without real consideration.

Mr. Speaker, I yield back any time I may have left.

Mr. STAFFORD. Mr. Speaker, I ask the gentlemen on the other side to use some of their time.

Mr. FERGUSSON. Mr. Speaker, I yield five minutes to the gentleman from Oklahoma [Mr. FERRIS]. How much time did I use?

The SPEAKER pro tempore. The gentleman used three minutes.

Mr. FERRIS. Mr. Speaker, I hardly think I will use the time allotted. The gentleman from Illinois, with his ingenious mind, calls the attention of the House to the supposition that the Public Lands Committee can march in and take possession of the House with this or with any other bill that they have reported.

I think it is scarcely necessary to say that the Committee on Public Lands would not carry on any such proceeding as that, even if the rules would technically say we had the right.

The Public Lands Committee has many matters before it, some of little consequence and some important, but it does not feel it has the right to come in here and take advantage of some technical rule, and it has not done it in the past under this or any other administration. Neither has the gentleman from New Mexico [Mr. FERGUSSON] been selfish, grasping, or penurious with his bill.

The gentleman from New Mexico has gone down in defeat while working for the people of his State. He has been working in season and out to get up this bill. No man could have been more diligent. No man deserves more credit for his zealous and untiring efforts. It is not necessary for me to state that when a man comes into this House with a bill on the Unanimous Consent Calendar he approaches a perilous course. The Speaker has generously agreed to recognize the gentleman from New Mexico [Mr. FERGUSSON] to-day to call up this bill under suspension, and very properly so, as I believe.

As the public land dwindles away, and the good land is taken up, and the rocky and the hilly dry land is left, Congress is occasionally asked to modify the homestead laws. You can not go out on a sand dune or a bald knob without a stake or a blade of grass on it, and a family can not exist on 160 acres of such land.

I want the gentleman from Illinois to search into the innermost recesses of his heart and see if he can not put some of his patriotism into this bill as he did into the bill of the gentleman from Colorado [Mr. TAYLOR] a moment ago. The gentleman from Illinois has great influence in this House; he is the leader of a great party here, and he probably will be a candidate for leader in a greater capacity, and I hope he will; but I urge the gentleman from Illinois and his colleagues who sit about him, and I urge the colleagues of my friend FERGUSSON on this side of the House, not to turn their back on a law that will absolutely settle and populate the West. I ask, then, to pass a bill to-day that is workable, that is practical, and that will help the West.

Let me call the attention of the House to what Congress is being asked to do in another bill that has already passed the Senate, and it is being seriously urged in my committee. They ask to let land be taken up without any residence at all on the ground that they can not get water. Two States in previous Congresses have already been granted that right. I stood in the Public Lands Committee during the Congresses and opposed that proceeding. I am opposed to it now. I am in favor of letting the arid sections of the Rocky Mountain States, where it requires land for pasturage, perchance a little valley, on which to raise the various forage crops—fedrietta, alfalfa, Soudan grass, and others—be actually settled and not prove a failure.

They can not live and they can not stay on 160 acres of this dry, arid land. They can not live and they can not stay on 320 acres of this sort of land. But if you will give them an area large enough so that they can have, perchance, 10 dairy cows or 5 dairy cows, or perchance they can find a little valley with a little well water with which they can irrigate, or a little valley that will raise something without irrigation, and enable them to produce a little forage which they can put into a silo I think the West can be settled.

The Senator from Nevada [Mr. PITTMAN] called attention to the fact that although his State had been admitted into the Union 50 years they had only 80,000 population. Why, my own county in the State of Oklahoma has almost as much population as that. Think of it! Eighty thousand people in an entire State. No one can stay on the land under the present law. No arable or irrigable land or mineral land is to be settled under this bill; no land in any section of the country where they have rainfall enough to raise enough to live on can be homesteaded under this bill. But this bill will cause what? It will cause the Secretary of the Interior, the Geological Survey, the Commissioner of the General Land Office, to pick out a lot of high, dry, nonagricultural grazing land, and it will give 640 acres to a man and his family to live upon. Does anyone longer desire a State that has been admitted into the Union 50 years to be held down to a population of 80,000? This is a good bill. The West needs it. It will help produce more foodstuffs and enable people to get food more cheaply. It should have been passed long ago. I am proud to see it up for consideration. I want it to pass. It deserves to pass. The West will appreciate it. I ask the House to pass it.

The SPEAKER. The time of the gentleman from Oklahoma has expired.

Mr. STAFFORD. Mr. Speaker, I can not agree with the chairman of the Committee on Public Lands that this bill relates only to lands on which nothing can be grown. If that were the fact, it would be meaningless and of no value to consider it in this House at all. But because I believe you are going to enlarge the homestead entries on lands that residents in any State might see fit to locate upon, and to grant to those who have already exercised their homestead rights additional land upon which to locate, is the reason I am against this bill.

I do not think the time has arrived for the inauguration of a policy on the part of the National Government to enlarge homesteads generally from 160 to 640 acres. In 10 years' time we have seen that idea develop from the well-known Kinkaid Act, which applied only to arid lands, until now it is proposed to be extended to lands that are capable of agriculture.

Because land is suitable for grazing it does not follow that it is not suitable for agriculture. If you will read this bill closely throughout, you will find that every endeavor is being made to add to the domain of those who have homesteaded the addition of 480 acres. If the homestead entryman has 160 acres, he can go and locate an additional 480 acres within 10 miles of the original tract. If there is no such compact tract within 10 miles of the original tract, he can go foraging around and take to that extent in little strips. He might appropriate under the provisions of this bill all the various scattered tracts of land that might contain watercourses. The gentlemen on the other side shake their heads, but as I read this bill it may be subject to such entry. You do not limit them.

Mr. SELDOMRIDGE. Mr. Speaker, will the gentleman yield?

The SPEAKER pro tempore. Does the gentleman from Wisconsin yield to the gentleman from Colorado?

Mr. STAFFORD. Yes; I yield. I wish to be notified, Mr. Speaker, when five minutes have elapsed.

Mr. SELDOMRIDGE. Is the gentleman personally familiar with the land that is described here?

Mr. STAFFORD. I tried to get some information about it. There is nothing here that says "arid" lands. It says lands described as suitable for stock raising. Now, stock-raising lands are grazing lands, and grazing lands may be suitable for agriculture.

Mr. HAYDEN. He can go only 10 miles.

Mr. STAFFORD. Then section 11 of the bill has some provisions relating to coal entries. What connection have stock-raising lands with coal entries? You are legalizing coal entries by this bill.

Mr. HAYDEN. Mr. Speaker, will the gentleman yield?

Mr. STAFFORD. Yes.

Mr. HAYDEN. That is a reenactment of other laws heretofore passed, providing for the surface entry, merely, of land containing coal and minerals.

Mr. STAFFORD. This provision goes further than that. It does not merely reserve to the Government the coal and mineral lands thereon, but specially grants the right to enter, and approves of those entries.

Mr. HAYDEN. Oh, no.

Mr. STAFFORD. Read the language and you will see that it will bear that construction. I am one of those coming from the Middle West, where we have large numbers of people who want to go upon the public domain. All the available public land has not been exhausted——

Mr. FERRIS. Will the gentleman yield?

Mr. STAFFORD. Yes.

Mr. FERRIS. Is the gentleman speaking now of section 10?

Mr. STAFFORD. Section 11.

Mr. FERRIS. Did the gentleman observe that the gentleman from New Mexico [Mr. FERGUSSON], on the suggestion of the gentleman from Wisconsin [Mr. LENROOT], added an amendment which made it clear that when a homestead was taken it had to be of the character designated in this bill—a stock-raising homestead?

Mr. STAFFORD. I remember that amendment was suggested.

Mr. FERRIS. It was embodied in the bill.

Mr. STAFFORD. This is too important a bill to be considered without the privilege of amendment. You are crowding this through here, taking away the rights of the great majority of the people to locate on the public lands that are now available and permitting all who have heretofore homesteaded to enter upon an additional 480 acres without paying anything for the additional land. I protest against that policy.

Mr. FERRIS. We are not taking away anything.

Mr. STAFFORD. You are taking away the privilege that my people now have to homestead this land, and conferring a second homestead entry of 480 acres of grazing land adjacent to their present homesteads. This is for the benefit of the entrymen in the Western States, and not for the benefit of the people in the rest of the country.

Mr. HAYDEN. Will the gentleman kindly tell me how a man can enter public land without going West?

Mr. STAFFORD. I yield two minutes to the gentleman from California [Mr. KENT].

Mr. KENT. Mr. Speaker, a statement was made here by the gentleman from Oregon [Mr. LAFFERTY] that I, as a member of the Public Lands Committee, am obliged to resent. He stated that our committee had adopted the policy of recognizing only two bills for national parks, the bill of the gentleman from California [Mr. RAKER] and the bill of the gentleman from Colorado [Mr. TAYLOR], both members of the Public Lands Committee. The gentleman from Oregon, in connection with that statement, said that he had gone before a subcommittee of the Public Lands Committee to recommend a certain bill for the State of Oregon, and by that subcommittee he was told that that bill would not be considered and that no other bills than these two would be considered. The gentleman from Oregon has since informed me personally that that event happened in a previous Congress, when the bill of the gentleman from Colorado [Mr. TAYLOR] was not under consideration. I make this statement here and now because I feel it is due to the Public Lands Committee to have it known that they are not playing favorites. They have tried to do their duty by the membership of the House, to take up all questions concerning the public domain, irrespective of whether the bills were brought in by members of the committee or by others. I make this statement to repel false aspersions of recalcitrance to our duty or of favoritism.

Mr. FERRIS. I did not hear the statement of the gentleman from Oregon and do not know what he said. Did the gentleman from Oregon say he was seriously pressing some bill now that the committee had slighted?

Mr. KENT. I understood his statement would lead to the belief that a bill he was pressing was put aside in the interest of these two bills.

Mr. FERRIS. That was some park bill?

Mr. KENT. Yes.

Mr. FERRIS. The gentleman from Oregon has not been pressing any bill recently to the chairman of this committee, has he?

Mr. LAFFERTY. If the gentleman from California refers to me, I never heard of these two bills until to-day.

Mr. FERRIS. I did not know what the incident was, and all I desire to say is that I do not recall any Member of the Oregon delegation or the Washington delegation recently pressing any park bill. If they have done so, I have forgotten it.

The SPEAKER pro tempore. The gentleman from New Mexico has 11 minutes and the gentleman from Wisconsin has 7 minutes.

Mr. FERGUSSON. Mr. Speaker, I yield one minute to the gentleman from Wyoming.

Mr. STAFFORD. And I yield two minutes additional to the gentleman from Wyoming.

Mr. MONDELL. Mr. Speaker, when I presented the 320-acre homestead bill to the House some years ago I said that the next evolution in homestead law would be in the nature of a grazing homestead bill. A short time after that I introduced a grazing homestead bill. Now we have before us such a bill, called a stock-raising homestead bill. I am in favor of the legislation suggested in this bill. I very much regret, however, that the bill was not brought up in the way that it could have been brought up, and in which the House has heretofore considered the same kind of legislation, so that we could have an opportunity to debate it and amend it. I regret that that was not done, because I do not like the form of the legislation. While I am in favor of good grazing or stock-raising homestead bill, whatever you may call it, I do not like the provisions of this bill. I do not like the provisions of the bill with the complete mineral reservation, which is not clear, and I am sure would not be satisfactory. There are other provisions of the bill that, in my opinion, could be wisely amended; but if it is a question of passing the bill or not passing the bill, I am in favor of legislation of this character, and therefore shall vote for the bill with all of its failings and imperfections. I yield back the balance of my time.

Mr. FERGUSSON. Mr. Speaker, I yield to the gentleman from South Dakota.

Mr. BURKE of South Dakota. Mr. Speaker, this is a good bill, and I am sure if its provisions are understood there will not be a vote against it. The bill authorizes any person qualified to make entry under the homestead laws of the United States to make a stock-raising homestead entry for not exceeding 640 acres of land that shall theretofore have been designated by the Secretary of the Interior as "stock-raising lands."

Section 2 of the bill authorizes the Secretary to designate or classify lands subject to entry under the bill, which limits the entry to the surface and provides that the land must be chiefly valuable for grazing and raising forage crops, not containing merchantable timber and not susceptible of irrigation, and that 640 acres are reasonably required for the support of a family.

Section 3 prescribes that the lands entered must be in compact form and that title can be secured by compliance with the terms of the homestead laws, except that instead of cultivation the entryman shall be required to make permanent improvements upon the land before final proof is submitted, tending to increase the value of the same for stock-raising purposes, of the value of not less than $1.25 per acre, and that at least one-half of such improvements shall be placed upon the land within three years after the date of entry.

Section 4 provides that an entryman who has an existing entry of 160 acres or less shall have the right to file upon contiguous lands designated for entry under the provisions of this act to the extent of an area equaling 640 acres, including his original entry.

Section 5 provides that one who has submitted final proof or received patent for lands of the character subject to entry under the terms of this bill, who owns and resides upon the land so acquired, may make additional entry for contiguous lands which, together with the area theretofore acquired, shall not exceed 640 acres.

Section 6 provides that where there are not contiguous lands in area sufficient to complete an entry of 640 acres the entryman or patentee shall have the right to enter, within a radius of 10 miles from his entry, lands in reasonably compact form designated for entry under the provisions of this bill that shall, together with the first entry, not exceed 640 acres.

Section 7 authorizes a person who has made an entry or submitted proof to relinquish or reconvey to the United States his land and make an entry in the same land district of 640 acres under the terms of this bill.

Section 8 provides that the commutation provisions of the homestead laws shall not apply to entries made under this act.

Section 9 gives entrymen or patentees entitled to an additional entry a 30 days' preference right to make an additional entry and also provides for how it shall be determined who is entitled to a tract where there are two claimants.

Section 10 provides that any person who has acquired title under the homestead laws and who is the owner and occupant of the land so acquired may purchase not exceeding 320 acres of stock-raising land at $1.25 per acre.

Section 11 reserves the mineral in lands entered and patented under the terms of this act and provides how the mineral deposits may be disposed of.

Section 12 authorizes the Secretary of the Interior to make rules and regulations for carrying the terms of the law into effect.

The original homestead law under which the public lands in the humid sections of the United States have been entered and acquired permit an entryman to file upon 160 acres as the maximum area that can be entered, the original theory of the law being that by reason of favorable climatic conditions and the productiveness of the soil 160 acres is sufficient to enable a settler with a family to live comfortably. I mention this because that is the correct theory upon which laws for the disposition of the public domain ought to be constructed. It is this theory that justifies the enactment of the pending bill, and I think I can demonstrate it. Some years ago Congress recognized that the homestead unit of 160 acres ought not to be adopted in all instances; in the irrigation act the Secretary of the Interior is authorized to fix the amount of land that can be entered, the maximum being 160 acres, and he may limit the amount that can be entered to only 40 acres. This limitation is because with the aid of water in arid localities lands may be irrigated and cultivated in the most intensive manner and several crops can be produced during the year.

In the Fifty-seventh Congress there was enacted what is known as the Kinkaid law (act of Apr. 28, 1904, 33 Stat., 547), which is limited in its application to a portion of western Nebraska. This act permits the entry of not exceeding 640 acres. The Kinkaid Act clearly recognizes the necessity of providing that a settler should have a greater area of grazing or arid land, especially nonirrigable, than a settler locating in a humid section on land susceptible of successful grain raising without irrigation. The Kinkaid law was predicated upon the suggestion of the President in his message to Congress at the opening of the second session of the Fifty-seventh Congress, in which he said:

Moreover, the approaching exhaustion of the public ranges has of late led to much discussion as to the best manner of using these public lands in the West which are suitable chiefly or only for grazing. The sound and steady development of the West depends upon the building up of homes therein. Much of our prosperity as a nation has been due to the operation of the homestead law. On the other hand, we should recognize the fact that in the grazing region the man who corresponds to the homesteader may be unable to settle permanently if only allowed to use the same amount of pasture land that his brother, the homesteader, is allowed to use of arable land. One hundred and sixty acres of fairly rich and well-watered soil, or a much smaller amount of irrigated land, may keep a family in plenty, whereas no one could get a living from 160 acres of dry pasture land capable of supporting at the outside only one head of cattle to every 10 acres.

Recognizing that in the intermountain States there are areas not susceptible to raising crops under the ordinary methods of farming, but which will, through the adoption of conserving the moisture by certain cultivation known as dry farming, produce profitable crops, Congress enacted what are known as the enlarged homestead laws of February 19, 1909 (35 Stat., 639), and June 17, 1910 (36 Stat., 531), under which acts not exceeding 320 acres may be entered as a homestead. It will be seen by the laws just cited that Congress has repeatedly recognized what I have already stated, that the original homestead laws are not applicable to portions of the public domain and that new laws are necessary to apply to portions of the country where none of the existing laws are applicable, and give the settler who may go upon such lands a fair chance to succeed.

The Assistant Secretary of the Interior, in his report to the chairman of the Public Lands Committee on the pending bill, commenting upon the success of the Kinkaid Act and the other enlarged homestead laws that I have referred to, said:

The settlement, home-making, and agricultural development which followed the enactment of these laws is well known and need not be here described.

With relation to the necessity for legislation, as proposed by this bill, the Assistant Secretary said:

There remain, however, as indicated, vast areas of the public lands to which none of the foregoing laws seem well adapted, and I am of opinion that the time has arrived when a new form of homestead law should be enacted peculiarly adapted thereto. The lands I have in mind, because of their arid or semiarid character, or because of their location on mountain tops or sides, will not produce agricultural crops for sale or exportation in sufficient quantities to justify acquirement thereof and residence thereon under the existing laws. They do, however, possess some value for grazing purposes and often include tracts of greater or less extent upon which might be grown forage crops, such as Kafir corn, milo maize, fodder, or other rough feed, of little value for sale and transportation, but valuable for winter feed or for the fattening of range stock. I believe that with this class of lands a homestead of 640 acres of land would enable bona fide homeseekers to establish and maintain homes for the purpose of stock raising and for such farming operations as will enable him to raise their own supply of rough feed for the stock pastured upon the remaining lands entered or acquired.

After the subject had been fully and carefully considered by the Public Lands Committee and after exhaustive hearings had been held, the committee approved the present bill precisely as it is presented here, and it was submitted to the Secretary of the Interior for a report, and the Assistant Secretary, in a letter to the chairman of the committee, under date of April 24, 1914, said:

As stated in my letter to you of January 30, 1914, I am heartily in favor of legislation which will permit and encourage the settlement and development of public lands to which the present homestead laws are not adapted, but which, under a somewhat more liberal measure, would be settled upon, improved, and developed for the purpose of stock raising.

He suggested a couple of amendments to the bill, and their adoption is included in the pending motion to suspend the rules.

I want to read a statement made by Mr. I. S. Bartlett, of Cheyenne, Wyo., that appears in the hearings upon this bill, as to the necessity for this legislation and the benefits that would result from it. Mr. Bartlett said:

A grazing homestead bill giving 640 acres, or even 2 sections, to each settler would soon add 200 per cent to the live-stock production of the public-land States and solve the beef problem for the next half century. Not only that, it would break down the high prices of beef, pork, and mutton, as well as dairy products.

Better than all, it would settle up the vast area of waste lands in the Nation with a hardy, intelligent, and progressive American citizenship.

Think for a moment what our desert or grass ranges will produce, situated, as they are, in an environment of mountains and plains and flooded with sunshine.

Here are some purely range products: Cattle, sheep, horses, hogs, goats, hides, wool, butter, cheese, milk and dairy products, poultry, and eggs. All these can be produced in our native grass regions without any plowing or land cultivation.

The irrigated and dry farms in the same section will supplement all the needed fattening and forage crops, and both the farming and stock-raising interests will be mutually and correspondingly benefited.

The range homestead proposition can be easily worked out. Instead of the requirements of plowing up the land and crop cultivation, the law should require expenditure for sinking wells, building of sheds and corrals, the possession of a certain number of animals, etc. The residence requirements should be the same as in other homestead acts.

In nearly every section of the grass ranges water can be found at depths varying from 20 to 500 feet. In many cases artesian water and flowing wells are obtained, giving a sufficient supply of water for irrigating many acres and raising fine crops. With the passage of a grazing homestead bill the so-called desert lands would be penetrated with wells and the whole landscape dotted with windmills and improvements in the form of houses, barns, corrals, and fences.

In a very few years a wonderful transformation scene would be enacted in the vast cattle ranges of the West, now practically uninhabited by settlers. That this is no dream has already been demonstrated by the results of the Kinkead 640-acre homestead act, which applied to the desert wastes of western Nebraska. That entire section is now settled up with a high class of prosperous and successful farmers. Five million acres of arid lands have been reclaimed there, and the wave of incoming settlers has overflowed into Wyoming in the search for dry-farming lands.

Even under the late repressive land administration the Commissioner of the General Land Office advocated the 640-acre homestead for the semiarid West, and in so doing stated that "the largest part of the unappropriated public domain would never pass to private ownership under smaller allotments."

Local bills are good enough so far as they go, but the whole subject should be treated from a national point of view and a bill passed applicable to all the States having public lands.

It is interesting to note what Maj. J. W. Powell, Director of the United States Geological Survey, said in 1879 with relation to the necessity for legislation permitting the entry of more than 160 acres of grazing land. Here is his statement:

THE FARM UNIT FOR PASTURAGE LANDS.

The grass is so scanty that the herdsman must have a large area for the support of his stock. In general, a quarter section of land alone is of no value to him. The pasturage it affords is entirely inadequate to the wants of a herd that the poorest man needs for his support (p. 21).

Four square miles may be considered as the minimum amount necessary for a pasturage farm, and a still greater amount is necessary for the larger part of the lands; that is, pasturage farms, to be of any practical value, must be of at least 2,560 acres, and in many districts they must be much larger (p. 22).

Hon. Charles D. Walcott, who for many years was the Director of the United States Geological Survey, in a communication to the Secretary of the Interior concerning the Kinkaid bill, among other things said:

The central idea of this bill is that of enlarging the area of homestead entry to suit the conditions of the semiarid West. There is general recognition of the fact that the present land laws, designed for the humid region, are not applicable to the arid region.

* * * * * * *

The arbitrary limit stated by the present land laws of 160 acres for a homestead does not suit existing conditions in the arid region. If the water supply is ample, 160 acres is usually far too much, and would support two, three, or four families; on the other hand, throughout 90 to 95 per cent of the vast extent of remaining public land 160 acres is so small as to be useless for a homestead.

No general rule as to what shall constitute a homestead can be laid down. In order to determine this matter local knowledge must be had and exercised in the same manner as it is under the reclamation projects. The question is one largely of altitude, climate, and water supply, rather than extent of land.

* * * * * * *

There can be no hard and fast rule as to the limits to be set for such land, but knowledge of the water supply and judgment may be used if the arid lands are to be divided into tracts capable of supporting a family. Under the operation of the laws at present in force there is no possibility of equity in the matter. Men take their chances of getting enough land one way or another. If they fail, they sell or relinquish their rights to their neighbors until an adjustment is finally attained, at great cost and hardship, and without attaining the best results for the Commonwealth, since in the general laxity of affairs the lands are not put to the best use, and many of them gradually pass into the hands of corporations instead of being utilized for the support of independent families.

I might go on discussing at much length the necessity for legislation for the disposition of lands of the character intended to be affected by this bill so as to induce settlers to go upon them and acquire homes and under conditions that would enable them to succeed and live comfortably, but being convinced that enough has been said to justify the passage of the bill, and having explained its different provisions in detail, I will conclude with a hope that the motion to suspend the rules will prevail and that the bill will be passed.

Mr. FERGUSSON. Mr. Speaker, I yield two minutes to the gentleman from South Dakota [Mr. MARTIN].

Mr. STAFFORD. Mr. Speaker, I also yield two minutes to the gentleman from South Dakota.

Mr. MARTIN. Mr. Speaker, in my opinion, no more important measure has been before Congress for consideration for many years. I do not believe that in all the history of the country a single piece of national legislation was ever passed that has resulted in greater good to the entire people than the homestead law of 1862. This bill, after very full consideration and very full hearings and with all the light up to date on this great homestead question, has been drafted, and the purpose of it is to adapt the fundamental principles of the homestead law to the conditions surrounding the remaining public lands.

Of course, the exact test as to what ought to be the size of the homestead which the Government offers to citizens who will go out upon and open up a new country and make it fit for civilization is the area that will enable an industrious man to support a family. That was the rule adopted as to the 160-acre homestead law, and it worked well in the Missouri and the Mississippi Valleys, but we have gone way beyond the point where 160 acres in area of our remaining public lands without irrigation, can support a family. The area here, 640 acres, has been fixed as the result of experience. This particular bill has been drafted by the Interior Department itself, and I differ from my friend from Wyoming [Mr. MONDELL] in his view as to whether it has been well prepared. It would have been proper if the bill, considering its importance, could have been considered for general amendment, and still I believe that the bill in its present form is about as good as could be drafted, with all the intelligence and information we have on this great subject up to the present time.

We undertook many years ago—10 years ago, indeed—to pass a section homestead law for the remaining public lands in western South Dakota. We passed it through this House, but it failed in the Senate because we were near the adjournment of Congress at that time. Impelled in part by the fact that that movement had life and agitation in Congress, two great railways built across that country and settlers poured into that semiarid area and took 160-acre homesteads; but the result has been, from practical experience, that many of those who went there have now gone away, while those who remain occupy practically 640 acres each and are making a living upon it. Consult the census and you will find that in Iowa, for instance, with rich lands and ample rainfall, about 160 acres are now the unit of farm area—one hundred and fifty-six and a fraction.

Mr. GARNER. Mr. Speaker, is it not a fact that in certain portions of the West 640 acres are not sufficient?

Mr. MARTIN. That is true. There are portions of the West where that is not sufficient, and it is the duty of the Secretary of the Interior under this bill to leave out those general areas from classification and to put in classification only those portions of grazing lands where 640 acres can be reasonably expected to support a family. In South Dakota the average farm unit is three hundred and thirty-five and a fraction acres; in North Dakota, 382; in Montana, 516; and in Wyoming, 777. We have never had a land monopoly in this country, and we never will have so long as Congress remains wise enough to provide farm homestead units upon which men can make a living. It is only when we are negligent in that respect that the lands are liable to fall into monopoly.

A large number of homesteads have been made in the semiarid West in the past few years. To the extent that they have become permanent, it is well known that the settlers are not supporting themselves on 160 acres of land. They are depending upon large areas of open range for their stock, and without this could not exist under present conditions. The native grass of the range country is being rapidly destroyed under the careless and wasteful methods of the open range. These vast areas of public lands are not subject to taxation and make no contribution to local self-government.

A good stock country is a wealthy country when properly stocked and used for the purposes for which it is best adapted. A section of these lands, properly protected and utilized, in the ownership of an industrious citizen may support a family. To limit the settler to 160 acres is to invite disaster.

It is the duty of the Government to offer the homesteader sufficient land that his battle on the frontier may not be a losing one. This legislation will take us a long step in the right direction. It will provide comfortable homes for thousands of our worthy citizens, who in turn will build up local communities and add millions of value to the combined wealth of the Nation.

Mr. FERGUSSON. Mr. Speaker, I yield one minute to the gentleman from Nebraska [Mr. KINKAID].

[Mr. KINKAID of Nebraska addressed the House. See Appendix.]

Mr. FERGUSSON. Mr. Speaker, I yield now to the gentleman from Colorado [Mr. TAYLOR] for one minute.

[Mr. TAYLOR of Colorado addressed the House. See Appendix.]

Mr. FERGUSSON. Mr. Speaker, I yield now to the gentleman from California [Mr. RAKER].

[Mr. RAKER addressed the House. See Appendix.]

Mr. FERGUSSON. I now yield to the gentleman from Arizona.

Mr. HAYDEN. Mr. Speaker, this bill, commonly known as the Fergusson 640-acre homestead bill, is the product of months of hard work by the Committee on the Public Lands. Exhaustive hearings were held, and the committee was favored by the testimony of men thoroughly familiar with every phase of the live-stock and dry-farming industries of the West. Three different drafts of this measure were considered by the committee, and the bill before you represents the collective judgment of its members as to what ought to be done in order to promote the settlement of large areas of the public domain.

Like most bills that come before this House, this proposed act is a compromise. I have not been a Member of this body very long, but I have served here a sufficient time to learn that we can not expect to have legislation passed that is entirely satisfactory to our constituents. This is particularly true of the Congressmen from the public-land States, because we must submit our measures for decision to the membership of the House, a majority of whom never saw an acre of the public domain and have no conception of the difficulties under which the homesteader is compelled to labor.

I betray no secrets when I say that there was a serious disagreement in the Committee on the Public Lands when this proposition was first considered. The bill as originally drawn made available for entry as "grazing homesteads" all lands designated by the Secretary of the Interior "the surface of which is, in his opinion, chiefly valuable for grazing, which do not contain merchantable timber, and which are not susceptible of irrigation from any known source of water supply." Immediate objection was made to this provision by a number of the members of the committee, upon the ground that it would permit speculation in large areas of land by entrymen who were not seeking in good faith to obtain homes, but who would make entries in order to force the stockmen to pay them to move away or to purchase the land after title was obtained from the Government.

Members of the committee who favored this language insisted that a similar provision in the 320-acre homestead law had worked well in actual practice, and that it was no concern of the United States as to what use was made of the land after a patent is issued. They were quite certain that the Department of the Interior could prevent the acceptance of proof made by entrymen who were not acting in good faith.

A compromise was finally agreed upon which requires the Secretary of the Interior to classify the land that is suitable for entry under this act. In addition to the text that I have just read, the Secretary must designate lands that "are of such character that 640 acres are reasonably required for the

support of a family," and a proviso was added which reads as follows:

Provided, That the Secretary of the Interior shall not designate for entry under this act land of which, owing to its general character or general conditions, in his opinion, 640 acres clearly will not support a family.

This proviso is an innovation in our homestead laws. Heretofore the settler could go upon the most arid, barren, and worthless tract of land imaginable and, if he succeeded in making satisfactory proof of residence and cultivation, title to the area entered would pass to him. The entryman took all the risk and did his own classifying. But under this provision it is made incumbent on the Secretary of the Interior to say that the average settler has a fair chance to make a living on 640 acres of land of such character that it is "chiefly valuable for grazing and raising forage crops."

This new idea was adopted by the committee after much discussion in the belief that it would not only tend to prevent speculation by entrymen who would not act in good faith, but with the further purpose of preventing the location of settlers by land agents in places where they are foredoomed to failure. The committee believed that an attempt by the settler to support his family by grazing live stock and growing forage crops on 640 acres in the semiarid West is, at best, an enterprise of considerable hazard, and for this reason the prospective entryman is entitled to the benefit of the best judgment of the Department of the Interior respecting the probability of his success on the land he desires to enter. Undoubtedly the department will, among other things, give consideration to the annual and seasonal rainfall, the length of the growing season, and the quality of the native grasses in determining the areas to which this act shall apply. The settler in a new country has enough of hardships to contend with, under any circumstances, and he certainly ought to be furnished with every particle of helpful information that the Government has at its command.

I desire to state, Mr. Speaker, that I have heretofore mailed a large number of copies of this bill to my constituents, and that much mention of it has been made in the newspapers of my State. I have received a great many letters from citizens of Arizona urging its passage. Most of the letters, however, are from the counties of Cochise and Santa Cruz in southern Arizona, and from Apache, Navajo, Coconino, and Yavapai Counties in the northern part of the State. I doubt whether the Department of the Interior will find any considerable area of land in the other counties of Arizona where this bill can be made applicable. I am satisfied, however, that its enactment into law will materially promote an increase in the population of the counties that I have mentioned by inducing new settlers to make homes on the public lands located therein.

This bill merits favorable action by the House. It is but a continuation of our present homestead policy, with such changes as experience has demonstrated to be necessary in view of the character and condition of the remainder of the public lands in the West. It will make homes for our citizens; it will create property values that can be taxed to support the State and county governments; it will promote the prosperity and the general welfare of the entire West. This is the only homestead legislation that is obtainable at this time, and I sincerely trust that this measure will become a law during the present session of Congress.

Mr. FERGUSSON. Has the gentleman only one more speech?

Mr. STAFFORD. Yes. I yield the balance of my time to my colleague [Mr. LENROOT].

The SPEAKER pro tempore. The gentleman from Wisconsin [Mr. LENROOT] is recognized for three minutes.

Mr. LENROOT. Mr. Speaker, I was not in charge of the bill nor was I interested in it any more than I was in any other bill coming from the Committee on the Public Lands, of which I am a member. I want frankly to say it had not occurred to me that this bill was a privileged bill, and if it were not for the fact that it would be impossible, through the inability of the Democratic Party to expedite business and its general incompetency [laughter on the Republican side], to secure consideration of this bill in the regular way during this session, although it is privileged, I would not favor this motion at this time. But we all know that, although privileged as it is, appropriation bills will take all the time of the remaining portion of the session.

Now, with reference to the criticism made on this bill by the gentleman from Illinois [Mr. MANN]. He very severely criticized that provision of the bill which requires the Secretary of the Interior in making designations to designate such land as he shall find that 640 acres are reasonably required for the support of a family, and on the other hand prohibits him from designating land where he believes 640 acres will not support a family. Now, technically, the criticism of the gentleman from Illinois may be correct, but, after all, it is only a direction to the Secretary of the Interior as to what character of land shall be designated by him; and it was the intention, as is clearly seen from a reading of the bill itself, that he must not designate land where 160 acres will support a family or 320 acres will support a family, but where 640 acres are reasonably required to support a family, and in order to prevent inducements being held out to would-be settlers from all over the country that here are 640-acre homesteads in abundance, in order that the entire public domain, much of which is absolutely worthless, will not be held out to them by land agents in the West, we make a limitation upon the other hand also prohibiting the Secretary from including in that designation land where the settler will not have a reasonable chance to make a home and support a family. That is the purpose of the proviso, of the two limitations, one that he shall designate 640 acres that will reasonably support a family, and the other that he shall not designate any land where it certainly will not support a family.

The SPEAKER pro tempore. The time of the gentleman has expired; all time has expired.

Mr. FERRIS. Mr. Speaker, I ask unanimous consent that all those who have spoken on the bill may have the privilege of extending their remarks in the RECORD.

The SPEAKER pro tempore. The gentleman from Oklahoma asks unanimous consent that those who have spoken on the bill may have the privilege of extending their remarks in the RECORD. Is there objection?

Mr. KEATING. Mr. Speaker, may I make a similar request?

The SPEAKER pro tempore. The gentleman from Colorado asks unanimous consent that he may extend his remarks in the RECORD. Is there objection?

Mr. MANN. Mr. Speaker, I object to all of them. If we pass the bill under the suspension of the rules, let us have the RECORD show that we did it without consideration.

The SPEAKER pro tempore. The question is on suspending the rules and passing the bill.

The question was taken; and, in the opinion of the Chair, two-thirds having voted in favor thereof, the rules were suspended and the bill was passed.

Mr. MANN. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER pro tempore. Does the Chair understand the gentleman makes the point of order on the vote?

Mr. MANN. Oh, no; the vote has been disposed of.

The SPEAKER pro tempore. Evidently there is no quorum present.

ADJOURNMENT.

Mr. UNDERWOOD. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 21 minutes p. m.) the House, under its previous order, adjourned, to meet to-morrow, Tuesday, January 19, 1915, at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. Letter from the Secretary of Commerce, transmitting list of documents and files of papers of no use in the transaction of the current business of the department and of no permanent or historic interest (H. Doc. No. 1499); to the Committee on Disposition of Useless Executive Papers and ordered to be printed.

2. Letter from the Secretary of the Treasury, submitting data relative to leasing and renting unoccupied and unproductive property of the United States under the control of the Secretary of the Treasury (H. Doc. No. 1500); to the Committee on Appropriations and ordered to be printed.

3. Letter from the Secretary of the Treasury, submitting report as to rents received from properties located on sites of proposed public buildings purchased by the United States Government in the city of Washington (H. Doc. No. 1501); to the Committee on Appropriations and ordered to be printed.

4. Letter from the Secretary of the Treasury, transmitting copy of a communication of the Secretary of the Interior submitting a supplemental estimate of appropriation for administration and protection of the Yellowstone National Park, caring for buffalo, etc., for the fiscal year ending June 30, 1916 (H. Doc. No. 1502); to the Committee on Appropriations and ordered to be printed.

5. Letter from the assistant clerk of the Court of Claims, transmitting certified copy of findings of fact and conclusions in

the case of Frances J. Tuyle, remarried widow of Henry F. Jacobs, deceased (H. Doc. No. 1503); to the Committee on War Claims and ordered to be printed.

6. Letter from the assistant clerk of the Court of Claims, transmitting certified copy of findings of fact and conclusions in the case of E. B. McHenry, receiver of the Bank of West Tennessee (H. Doc. No. 1504); to the Committee on War Claims and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. STOUT, from the Committee on the Public Lands, to which was referred the bill (S. 3897) to authorize the Great Northern Railway Co. to revise the location of its right of way, and for other purposes, reported the same with amendment, accompanied by a report (No. 1292), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. DENT, from the Committee on Military Affairs, to which was referred the bill (S. 5525) to authorize the President to appoint Maj. William O. Owen, United States Army, retired, a colonel on the active list of the Army, reported the same without amendment, accompanied by a report (No. 1291), which said bill and report were referred to the Private Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 12841) granting a pension to Blanche Wood; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 20410) granting a pension to Jennie S. Bunch; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. FERRIS: A bill (H. R. 21007) giving contestants preference right to purchase abandoned entries pursuant to successful contest proceedings, and for other purposes; to the Committee on the Public Lands.

By Mr. BURNETT (by request): A bill (H. R. 21008) to further regulate the entrance of Chinese aliens into the United States; to the Committee on Immigration and Naturalization.

By Mr. GUERNSEY: A bill (H. R. 21009) to make Van Buren, Me., a port through which merchandise may be imported for transportation without appraisement; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADAIR: A bill (H. R. 21010) granting an increase of pension to George Gardiner; to the Committee on Invalid Pensions.

By Mr. BARNHART: A bill (H. R. 21011) granting an increase of pension to James P. Strickler; to the Committee on Invalid Pensions.

By Mr. CRAMTON: A bill (H. R. 21012) granting an increase of pension to Harriet Vosburg; to the Committee on Invalid Pensions.

By Mr. DALE: A bill (H. R. 21013) granting an increase of pension to Frances M. Hammond; to the Committee on Invalid Pensions.

By Mr. DONOHOE: A bill (H. R. 21014) granting an increase of pension to Mary E. Macdonald; to the Committee on Pensions.

By Mr. DONOVAN: A bill (H. R. 21015) granting a pension to Edward Rowe; to the Committee on Pensions.

By Mr. DOUGHTON: A bill (H. R. 21016) granting a pension to Mary A. Coffey; to the Committee on Invalid Pensions.

By Mr. HULL: A bill (H. R. 21017) granting an increase of pension to Schuyler C. Cline; to the Committee on Pensions.

By Mr. KEATING: A bill (H. R. 21018) granting an increase of pension to Charles W. Bushnell; to the Committee on Invalid Pensions.

By Mr. LANGLEY: A bill (H. R. 21019) granting an increase of pension to Major S. Bowman; to the Committee on Invalid Pensions.

By Mr. LOBECK: A bill (H. R. 21020) granting an increase of pension to Mary Lenz; to the Committee on Invalid Pensions.

By Mr. McANDREWS: A bill (H. R. 21021) granting a pension to Mary Wallace; to the Committee on Pensions.

By Mr. MOSS of West Virginia: A bill (H. R. 21022) granting a pension to Francis M. Stoddard; to the Committee on Invalid Pensions.

Also, a bill (H. R. 21023) granting a pension to Sarah J. Effelberg; to the Committee on Invalid Pensions.

By Mr. PARKER of New York: A bill (H. R. 21024) granting a pension to Maggie Barron; to the Committee on Invalid Pensions.

By Mr. PHELAN: A bill (H. R. 21025) granting a pension to Sarah E. Sargent; to the Committee on Invalid Pensions.

By Mr. ROBERTS of Massachusetts: A bill (H. R. 21026) granting an increase of pension to Justin B. Lynch; to the Committee on Invalid Pensions.

By Mr. SELLS: A bill (H. R. 21027) granting an increase of pension to Joseph P. Campbell; to the Committee on Invalid Pensions.

By Mr. SHERLEY: A bill (H. R. 21028) granting an increase of pension to Marcella Matlock; to the Committee on Pensions.

By Mr. TUTTLE: A bill (H. R. 21029) granting an increase of pension to William Husk; to the Committee on Invalid Pensions.

By Mr. TOWNSEND: A bill (H. R. 21030) for the relief of the Hilton Building & Loan Association; to the Committee on Claims.

Also, a bill (H. R. 21031) for the relief of the Commonwealth Building & Loan Association; to the Committee on Claims.

By Mr. VOLLMER: A bill (H. R. 21032) granting a pension to Mary Burke; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Petition of citizens of St. Charles and Catholic Union State League of Missouri, protesting against sale of munitions of war by the United States; to the Committee on Foreign Affairs.

Also (by request), memorial of Pueblo German and Austrian Widows and Orphans' War Sufferers' Society, protesting against shipment of munitions of war; to the Committee on Foreign Affairs.

By Mr. BAILEY: Petition of Eichelberger Co., J. E. Dilling, R. S. Isenberg & Sons, C. N. Johnson, and J. P. Rearick, all of Martinsburg, Pa., for the passage of House bill 5308, a bill providing for the taxation of mail-order houses for local purposes; to the Committee on Ways and Means.

By Mr. BARNHART: Petitions of citizens of Elkhart, Silver Lake, Warsaw, Etna Green, Pierceton, Argos, Inwood, Tippecanoe, Atwood, Bourbon, Claypool, Mentone, and Plymouth, all in the State of Indiana, in favor of bill to compel mail-order merchants to pay taxes in communities where they sell merchandise; to the Committee on Ways and Means.

By Mr. BURKE of Wisconsin: Petitions of August Ruedebusch and 366 other citizens of the city of Mayville, Wis., and Andrew Schmidbauer and 34 other citizens of the town of Leroy, Dodge County, Wis., asking for the passage at this session of House joint resolution 377, to levy an embargo upon and prohibit the exportation of arms, ammunition, etc., from this country to any of the European countries now at war; to the Committee on Foreign Affairs.

By Mr. DONOVAN: Petition of citizens of Danbury, Conn., favoring House joint resolution 377, to forbid export of arms; to the Committee on Foreign Affairs.

Also, petition of the Hartford (Conn.) Business Men's Association, against House joint resolution 372, to establish a national security commission; to the Committee on Rules.

Also, petition of citizens of Danbury, Conn., against Smith-Burnett immigration bill; to the Committee on Immigration and Naturalization.

By Mr. DOUGHTON: Papers to accompany bill granting pension to Mary Coffey; to the Committee on Invalid Pensions.

By Mr. DRUKKER: Petition of citizens of New Jersey, favoring observance of strict neutrality by the United States; to the Committee on Foreign Affairs.

By Mr. FESS: Petition of Wilmington Friends' meeting, of 1,000 or more members, favoring passage of House bill 16098, protecting the Quaker name against advertising; to the Committee on the Judiciary.

By Mr. GORDON: Petition of the Winton Gas Engine & Manufacturing Co., of Cleveland, Ohio, protesting against passage of House bill 18666, relative to Government ownership of merchant marine; to the Committee on the Merchant Marine and Fisheries.

By Mr. GRAHAM of Pennsylvania: Memorial of Philadelphia Branch, National Association of Civil Service Employees, favoring the passage of the Hamill bill (H. R. 5139); to the Committee on Reform in the Civil Service.

Also, memorial of Good of the Order Association, Fraternal Patriotic Americans, favoring the passage of the immigration bill, H. R. 6060; to the Committee on Immigration and Naturalization.

By Mr. GRIFFIN: Petition of citizens of Brooklyn, N. Y., against Smith-Burnett immigration bill; to the Committee on Immigration and Naturalization.

By Mr. IGOE: Petition of North St. Louis (Mo.) Business Men's Association, favoring 1-cent postage; to the Committee on the Post Office and Post Roads.

By Mr. JACOWAY: Petition protesting against Smith-Burnett immigration bill by Polish National Alliance, Pulaski Branch, No. 178, Little Rock, Ark.; to the Committee on Immigration and Naturalization.

By Mr. KENNEDY of Iowa: Petition of William F. Schmidt, of Farmington; citizens of West Point; and J. A. Reid and others, of Morning Sun, Iowa, favoring House joint resolution 377, to forbid export of arms; to the Committee on Foreign Affairs.

By Mr. LONERGAN: Protest of Klemens Markowski, Southington, Conn., in re Smith-Burnett immigration bill; to the Committee on Immigration and Naturalization.

Also, letter of President C. L. Beach, the Connecticut Agricultural College, Storrs, Conn., in re agricultural appropriation bill; to the Committee on Agriculture.

Also, letters of J. F. Callbreath, secretary the American Mining Congress, Washington, D. C., and William North Rice, superintendent of Geological and Natural History Survey of Connecticut, Middletown, Conn., in re House bill 15869, to establish mining experiment stations; to the Committee on Mines and Mining.

Also, letter of William I. Barber, secretary of Hartford Business Men's Association, Hartford, Conn., in re House joint resolution No. 372, to establish a national safety commission; to the Committee on Rules.

By Mr. McANDREWS: Memorial of Catholic Union of Illinois, First German Baptist Church of Oak Park, German-Irish Central Legislative Committee, and German-Irish Demonstration, all of Illinois, favoring American neutrality; to the Committee on Foreign Affairs.

By Mr. MADDEN: Petition of Illinois Manufacturers' Association, favoring passage of the Root bill (S. 3672) relative to improvement of the Harlem River; to the Committee on Rivers and Harbors.

By Mr. MAHAN: Petition of sundry citizens of Norwich, Conn., and vicinity, favoring the passage of House joint resolution 377, relative to export of munitions of war; to the Committee on Foreign Affairs.

Also, petition of Hartford (Conn.) Business Men's Association, protesting against the passage of House joint resolution 372, relative to appointment of national security commission; to the Committee on Rules.

By Mr. MAPES: Petition of Germania Aid Society, of Grand Rapids, Mich., favoring House joint resolution 377, to forbid export of arms; to the Committee on Foreign Affairs.

By Mr. MOORE: Memorial of Good of the Order Association, Fraternal Patriotic Americans, of Philadelphia, Pa., favoring the passage of the Dillingham-Burnett immigration bill (H. R. 6060); to the Committee on Immigration and Naturalization.

Also, memorial of Pennsylvania Arbitration and Peace Society, urging strict maintenance of neutrality law by the United States; to the Committee on Foreign Affairs.

By Mr. J. I. NOLAN: Petitions of Kullman, Salz & Co., Benicia, Cal., protesting against the Underwood Tariff Act; to the Committee on Ways and Means.

Also, memorial of Chicago Substitute Letter Carriers' Association, favoring the passage of H. R. 11522, providing a minimum wage for Federal civil-service employees; to the Committee on Reform in the Civil Service.

By Mr. PHELAN: Memorial of Polish National Alliance, Group 1114, of Lawrence, and St. Michael's Polish Benefit Society, Branch 630, of West Lynn, Mass., protesting against the literacy test in the immigration bill; to the Committee on Immigration and Naturalization.

By Mr. RAINEY: Petition of Hardin, Ill., citizens, protesting against certain publications through the mails; to the Committee on the Post Office and Post Roads.

Also, memorial of Boardstown, Ill., Knights of Columbus, favoring restoration of order in Mexico; to the Committee on Foreign Affairs.

Also, petition of 300 citizens of Boardstown, Ill., favoring embargo on war materials; to the Committee on Foreign Affairs.

By Mr. REILLY of Connecticut: Petition of Polish Knights of Holy Virgin, of Meriden, and St. Stanislaw, B. Z. N. P., of Meriden, Conn., against Smith-Burnett immigration bill; to the Committee on Immigration and Naturalization.

By Mr. REILLY of Wisconsin: Petitions from residents of the sixth congressional district of Wisconsin, protesting against the exportation of arms and ammunition from this country to any of the warring European nations and asking the passage of legislation preventing such exportation; to the Committee on Foreign Affairs.

Also, letters of sundry citizens of the sixth congressional district of Wisconsin, asking support of House joint resolution 377, or legislation that will prevent the exportation of arms and ammunition from this country to any of the warring European nations; to the Committee on Foreign Affairs.

By Mr. RUBEY: Petition of citizens of Crawford County, Mo., favoring passage of House joint resolution 377; to the Committee on Foreign Affairs.

By Mr. SHREVE: Petition of Board of Commerce of Erie, Pa., favoring Senate bill 3672, to make certain improvements in Harlem River; to the Committee on Rivers and Harbors.

By Mr. STEENERSON: Petition of John Stege and others, of Perham; Peter Frendenberg and others, of Parkers Prairie; J. A. Fridgen and others, of Vining; and citizens of Rothsay, all in the State of Minnesota, favoring House joint resolution 377, to forbid export of arms; to the Committee on Foreign Affairs.

Also, petition of Rev. Joseph Eitel and others, of Perham, Minn., favoring House joint resolution 377, to forbid export of arms; to the Committee on Foreign Affairs.

By Mr. THOMAS: Papers to accompany bill granting pension to Jennie S. Bunch; to the Committee on Invalid Pensions.

By Mr. VOLLMER: Petition of Pueblo German and Austrian widows and orphans, war sufferers, Pueblo, Colo., favoring bill to prohibit the export of war materials; to the Committee on Foreign Affairs.

Also, petitions of 776 American citizens, favoring passage of House joint resolution 377, prohibiting export of war materials; to the Committee on Foreign Affairs.

By Mr. WALLIN: Petition of Polish Society of Schenectady, N. Y., protesting against the Smith-Burnett immigration bill; to the Committee on Immigration and Naturalization.

SENATE.

TUESDAY, *January 19, 1915.*

(Legislative day of Friday, January 15, 1915.)

The Senate reassembled at 11 o'clock a. m., on the expiration of the recess.

Mr. JONES. Mr. President, there are only about half a dozen Senators present. I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll and the following Senators answered to their names:

Brady	Gallinger	Overman	Swanson
Brandegee	Gronna	Page	Thomas
Bristow	Hitchcock	Perkins	Thornton
Bryan	Jones	Ransdell	Tillman
Burleigh	Kenyon	Robinson	Townsend
Burton	Kern	Shafroth	Vardaman
Chamberlain	La Follette	Sheppard	Walsh
Clapp	Lane	Simmons	White
Crawford	Lippitt	Smith, Ariz.	Works
Culberson	Martin, Va.	Smith, Mich.	
Cummins	Martine, N. J.	Smoot	
Fletcher	Myers	Stone	

Mr. GRONNA. My colleague [Mr. McCUMBER] is unavoidably absent from the city.

Mr. THORNTON. I was requested to announce the necessary absence of the junior Senator from New York [Mr. O'GORMAN] on account of illness in his family. I ask that this announcement may stand for the day.

The VICE PRESIDENT. Forty-five Senators have answered to the roll call. There is not a quorum present. The Secretary will call the roll of absentees.

The Secretary called the names of the absent Senators, and Mr. CAMDEN, Mr. CLARK of Wyoming, Mr. NORRIS, Mr. ROOT,

Mr. SUTHERLAND, Mr. THOMPSON, and Mr. WILLIAMS answered to their names when called.

Mr. DILLINGHAM, Mr. BORAH, Mr. REED, Mr. POMERENE, and Mr. LEE of Maryland entered the Chamber and answered to their names.

The VICE PRESIDENT. Fifty-seven Senators have answered to the roll call. There is a quorum present.

EXCISE BOARD OF THE DISTRICT OF COLUMBIA.

The VICE PRESIDENT. Out of order, on the motion of the Senator from New Jersey [Mr. MARTINE], which was agreed to, for the appointment of a committee to examine into the conduct of the excise board of the District of Columbia, the Chair appoints Senators SHEPPARD, JAMES, HITCHCOCK, JONES, and DILLINGHAM.

IMPORT DUTIES COLLECTED AT VERA CRUZ.

Mr. CUMMINS. I move to proceed to the consideration of Order of Business 800, Senate resolution 514, which unfortunately went to the calendar the other day instead of being disposed of.

Mr. FLETCHER. I suggest that the unfinished business, the shipping bill, is before the Senate.

The VICE PRESIDENT. The Chair has not a doubt of the right to displace the unfinished business, if the Senate shall desire to do so, by a motion.

Mr. CUMMINS. Mr. President, may I be heard just a moment? I am sure the Senator from Florida will not oppose my motion. This is a resolution asking for certain information from the President of the United States, information that we ought to have at once. It was before the Senate the other morning in the morning hour, and the Senator from Missouri [Mr. STONE] moved that the resolution be referred to the Committee on Foreign Relations. Discussion on that motion carried the question beyond the morning hour, and under the rules of the Senate it took its place upon the calendar; but it is a matter that ought to be determined one way or the other, and determined at once. I have no desire to interfere with the so-called shipping bill. I am sure that we can dispose of this resolution within a very limited time.

Mr. STONE. Mr. President, a parliamentary inquiry. I understand the shipping bill is before the Senate. It was before the Senate when we took a recess, and it is still before the Senate. I should like to know whether a motion is in order to take up any other matter except by displacing the unfinished business.

The VICE PRESIDENT. If this resolution is taken up, it does displace the unfinished business. There never has been a doubt about the right to move to displace the unfinished business by taking up some other business.

Mr. STONE. I think that is correct.

Mr. SMOOT. Is it not a fact that if the resolution were disposed of before the conclusion of the legislative day then the unfinished business would not be displaced, but if it went beyond the legislative day it would be displaced?

The VICE PRESIDENT. Yes.

Mr. BRANDEGEE. The motion clearly is debatable.

Mr. STONE. We have no morning hour, but——

The VICE PRESIDENT. The Chair can not rule that the motion is not debatable. The Chair had to withdraw a ruling made the other day. The Chair believes that the rule is that before 2 o'clock the motion is not debatable, but after 2 o'clock it is debatable.

Mr. CUMMINS. Mr. President, a parliamentary inquiry while I have the floor. We are now, as I understand it, theoretically doing business after 2 o'clock?

The VICE PRESIDENT. Yes.

Mr. CUMMINS. If I remember correctly, the Chair ruled the other day that a motion of this character made after 2 o'clock is debatable?

The VICE PRESIDENT. There is no doubt about that.

Mr. STONE. What is it that the Chair rules?

The VICE PRESIDENT. A motion to proceed to the consideration of any subject upon the calendar after 2 o'clock is debatable.

Mr. STONE. But this is not after 2 o'clock.

The VICE PRESIDENT. Oh, yes; it is after 2 o'clock of the legislative day of Friday the 15th.

Mr. CUMMINS. Mr. President, I do not want to be accused of joining in any effort to unduly delay the disposition of the bill authorizing a shipping board to purchase or build merchant ships. I have no intention of taking up any part of the time of the Senate in laying before it the resolution which I have moved to consider. I only want to remind the Senate lest it shall be forgotten of the character of the resolution.

I have asked in the resolution that the President shall inform the Senate, if it be compatible with the public welfare and interest, concerning certain money collected by the general of the Army while we were in occupation of a part of Mexico, namely, Vera Cruz.

As I am advised, and as was stated the other day by the Senator from Mississippi [Mr. WILLIAMS], and I have no doubt with full knowledge, we undertook to enforce the law of Mexico with regard to the collection of import duties at Vera Cruz, and in the enforcement of that law there came into the hands of the general of the Army a large sum of money. It is currently reported, and since the discussion the other day took place I have been more definitely advised, that the customs duties at Vera Cruz had been pledged by a law of the Republic of Mexico to secure certain obligations which had been issued by some Government of Mexico or some Commonwealth or State in the Republic.

This money is now in the hands, so far as I know, of the general of the Army or the Secretary of War or the United States Treasury. I have asked the President in this resolution to inform us with regard to the amount of money so collected; with regard to the pledges created by the laws of Mexico, if he knows what they are; with regard to the claimants for the money in so far as they have made their claims known to the United States; with regard to the holders of these obligations, if their names are known to the Secretary of War or the President; with regard to any changes that have occurred in the ownership of the obligations since we took possession of Vera Cruz, and finally as to the intention of the executive department of the Government in the disposition of the money; that is to say, whether the President or any subordinate officer of the United States intended to make disposition of the money without the action of Congress.

I asserted the other day—and I think I was right about it—that it is for the Congress of the United States to say what shall become of this money. I do not care to enter into a long argument with regard to the authority over the money. The Senator from Mississippi [Mr. WILLIAMS] claimed that the President of the United States could recognize whomsoever he pleased to recognize as the government of Mexico, and could turn this money over to whomsoever he might believe represented to the Republic of Mexico. I do not think that is the law of the United States. I do not think that is within the constitutional power of the President. I want, if I can, to preserve the country from that blunder or mistake, as the case may be.

Mr. President, the Senator from Missouri [Mr. STONE] moved to refer the resolution to the Committee on Foreign Relations upon the suggestion that there was something in it that might involve our relations with Mexico. To me he is obviously wrong. We have the money, and if it does require congressional authority to dispose of it, then it can not involve our relations with the Republic of Mexico. I do not know what our relations are with that Republic. There seems to be a great deal of confusion upon that point, and I do not intend to take this occasion to give my own views with regard to what our relations should be. But this resolution presents a very plain, clear case of a request for information to which we are entitled. If the President himself believes that it will be unfair to the executive department or inconsistent with the public interest to give the information, he can, within the terms of the request, decline to give it upon that ground. I can not conceive that the President needs for the exercise of his duty in that respect either the advice or the assistance of the Committee on Foreign Relations.

I hope, Mr. President, that the resolution will be taken up. If it once comes before the Senate, I renew my hope that it will be dealt with in the Senate, and without a reference to the committee. Upon the motion to proceed to the consideration of the resolution I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. STONE. I move to lay the motion of the Senator from Iowa on the table.

Mr. SMOOT. Mr. President, I rise to a parliamentary inquiry. After the yeas and nays have been ordered, is it proper for the Senator from Missouri to move to lay the motion to proceed to the consideration of the resolution on the table?

Mr. STONE. The matter is still open to debate, even after the yeas and nays are ordered.

Mr. SMOOT. That is true. After the yeas and nays have been ordered the question is open to debate, but it is not open to a motion to lay on the table.

Mr. STONE. I think it is.

Mr. SMOOT. I should like to have the Chair rule upon that.

The VICE PRESIDENT. The Chair would ask the Senator from Utah if there is any precedent upon the subject?

Mr. SMOOT. Mr. President, I will frankly say that I have not looked into the question.

The VICE PRESIDENT. Rule XXII provides that—

When a question is pending—

Now, this is a pending question—

When a question is pending, no motion shall be received but—
To adjourn.
To adjourn to a day certain, or that when the Senate adjourn it shall be to a day certain.
To take a recess.
To proceed to the consideration of executive business.
To lay on the table.
To postpone indefinitely.
To postpone to a day certain.
To commit.
To amend.
Which several motions shall have precedence as they stand arranged; and the motions relating to adjournment, to take a recess, to proceed to the consideration of executive business, to lay on the table, shall be decided without debate.

The yeas and nays have been ordered, but that does not cut off debate upon the subject, and the roll call had not begun. The Chair recognizes the importance of the question, but does not see why, under the rule, a motion to lay on the table is not in order.

Mr. SMOOT. Just a word, Mr. President.

The VICE PRESIDENT. The Chair will be glad to hear the Senator briefly on the question.

Mr. SMOOT. I recognize that the motion made by the Senator from Iowa [Mr. CUMMINS] was a pending question, but the Senator from Iowa asked for the yeas and nays and they were granted. Therefore that question is not a pending question. I have not any doubt that the statement of the Chair is perfectly correct as to the original motion and before the Senator had asked for the yeas and nays; but after the yeas and nays have been granted I do not believe that it is possible, under the rule, to move to lay that motion on the table.

Mr. CUMMINS. Mr. President, just a moment. I can not bring my mind to agree with the position of the Senator from Utah. I believe that under the rules a motion to lay on the table is in order, and to show that I am not engaged in any effort to postpone or delay the consideration of the shipping bill—I have not enlarged any debate upon the question—I now ask for the yeas and nays upon the motion of the Senator from Missouri to lay my motion on the table.

The VICE PRESIDENT. Is the request for the yeas and nays seconded?

Mr. SMOOT. Mr. President, before that is done I should certainly like to have the Chair rule upon the question.

The VICE PRESIDENT. The Chair has ruled, and would have reversed the ruling if there had been to the mind of the Chair anything in the statement of the Senator from Utah which would have justified him in doing so; but it is well known to every Member of this body that the yeas and nays are very frequently ordered, and that the commencement of the call of the roll does not take place sometimes until 24 hours afterwards.

Mr. SMOOT. I recognize that.

The VICE PRESIDENT. Meantime Senators rise and discuss the pending question. It can not, therefore, be the rule of the Senate that, if the yeas and nays are ordered, all motions which may be made after the ordering of the yeas and nays are out of order. The Chair does not think there is any doubt on that point.

Mr. SWANSON. Mr. President, if the Senator from Utah will permit me, I will say that it is only after the roll call has actually begun that debate can not occur and motions can not intervene. That is not the case when the yeas and nays have merely been ordered. I think an examination of the precedents will disclose the fact that a roll call can not be interrupted for the purpose of debate or to submit a motion, but, as I have said, that does not apply in cases where the yeas and nays have merely been ordered.

The yeas and nays were ordered.

The VICE PRESIDENT. The Chair has ruled. The yeas and nays have been ordered on the motion of the Senator from Missouri [Mr. STONE] to lay on the table the motion of the Senator from Iowa [Mr. CUMMINS] to proceed to the consideration of the resolution indicated by him. The Secretary will call the roll.

The Secretary proceeded to call the roll.

Mr. GALLINGER (when his name was called). I have a pair with the junior Senator from New York [Mr. O'GORMAN], who seems to be absent from the Chamber. Therefore I withhold my vote.

Mr. SUTHERLAND (when his name was called). I have a pair with the Senator from Arkansas [Mr. CLARKE], who seems to be absent. On that account I withhold my vote.

The roll call was concluded.

Mr. WILLIAMS. I transfer my pair with the senior Senator from Pennsylvania [Mr. PENROSE] to the junior Senator from South Carolina [Mr. SMITH] and vote "yea."

Mr. GRONNA. I desire to inquire if the senior Senator from Maine [Mr. JOHNSON] has voted?

The VICE PRESIDENT. The Chair is informed he has not.

Mr. GRONNA. I have a general pair with that Senator, which I transfer to the senior Senator from Kansas [Mr. BRISTOW], and vote "nay."

While I am on my feet I desire to announce that my colleague [Mr. MCCUMBER] is unavoidably absent from the city, but he has a pair with the junior Senator from Kentucky [Mr. CAMDEN].

Mr. CULBERSON. I transfer my general pair with the Senator from Delaware [Mr. DU PONT] to the Senator from Indiana [Mr. SHIVELY] and vote "yea."

Mr. SMITH of Georgia (after having voted in the affirmative). I did not observe when I voted that the senior Senator from Massachusetts [Mr. LODGE], with whom I am paired, was out of the Chamber. I transfer my pair with that Senator to the senior Senator from Nevada [Mr. NEWLANDS] and allow my vote to stand. I will ask that this announcement of the transfer of my pair remain for the day.

Mr. WALSH. I desire to announce that the Senator from Delaware [Mr. SAULSBURY] has been called from the city on important official business and will not be present to-day.

Mr. DILLINGHAM (after having voted in the negative). I desire to inquire if the senior Senator from Maryland [Mr. SMITH] has voted?

The VICE PRESIDENT. The Chair is informed he has not.

Mr. DILLINGHAM. I transfer my pair with that Senator to the junior Senator from Iowa [Mr. KENYON] and will allow my vote to stand.

Mr. COLT (after having voted in the negative). I desire to inquire if the Senator from Delaware [Mr. SAULSBURY] has voted?

The VICE PRESIDENT. The Chair is informed that he has not.

Mr. COLT. I transfer my pair with that Senator to the Senator from Massachusetts [Mr. LODGE] and will allow my vote to stand.

Mr. HOLLIS (after having voted in the affirmative). When I voted I thought my pair, the junior Senator from Maine [Mr. BURLEIGH], was in the Chamber. I find that he is not present, and I transfer my pair with that Senator to the senior Senator from Illinois [Mr. LEWIS] and will allow my vote to stand.

Mr. SMITH of Georgia. I wish to announce the continued absence of the junior Senator from South Carolina [Mr. SMITH] on account of sickness in his family.

Mr. KERN. I desire to announce the unavoidable absence of the senior Senator from West Virginia [Mr. CHILTON] on account of sickness in his family. This announcement may stand for the day.

Mr. GALLINGER. I am requested to announce the following pairs:

The Senator from New Mexico [Mr. FALL] with the Senator from West Virginia [Mr. CHILTON];

The Senator from West Virginia [Mr. GOFF] with the Senator from South Carolina [Mr. TILLMAN]; and

The Senator from South Dakota [Mr. CRAWFORD] with the Senator from Tennessee [Mr. LEA].

The result was announced—yeas 36, nays 28, as follows:

YEAS—36.

Ashurst	Hughes	Pomerene	Stone
Bankhead	James	Ransdell	Swanson
Bryan	Kern	Reed	Thomas
Chamberlain	Lee, Md.	Robinson	Thompson
Culberson	Martin, Va.	Shafroth	Thornton
Fletcher	Martine, N. J.	Sheppard	Vardaman
Gore	Myers	Simmons	Walsh
Hardwick	Overman	Smith, Ariz.	White
Hollis	Owen	Smith, Ga.	Williams

NAYS—28.

Borah	Cummins	Nelson	Sherman
Brady	Dillingham	Norris	Smoot
Brandegee	Gronna	Oliver	Stephenson
Burton	Jones	Page	Sterling
Catron	La Follette	Perkins	Townsend
Clark, Wyo.	Lippitt	Poindexter	Weeks
Colt	McLean	Root	Works

NOT VOTING—32.

Bristow	Fall	Lewis	Shields
Burleigh	Gallinger	Lodge	Shively
Camden	Goff	McCumber	Smith, Md.
Chilton	Hitchcock	Newlands	Smith, Mich.
Clapp	Johnson	O'Gorman	Smith, S. C.
Clarke, Ark.	Kenyon	Penrose	Sutherland
Crawford	Lane	Pittman	Tillman
du Pont	Lea, Tenn.	Saulsbury	Warren

So the motion of Mr. CUMMINS was laid on the table.

Mr. BRISTOW subsequently said: Mr. President, I desire to state that the reason why some of us were not here on the vote was because the Committee on the Philippines, of which we are members, has been engaged in working on the Philippines bill, and it was impossible to be with that committee and to be here at the same time.

THE MERCHANT MARINE.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 6856) to authorize the United States, acting through a shipping board, to subscribe to the capital stock of a corporation to be organized under the laws of the United States or of a State thereof or of the District of Columbia, to purchase, construct, equip, maintain, and operate merchant vessels in the foreign trade of the United States, and for other purposes.

Mr. BURTON. Mr. President, yesterday I presented to the Senate certain questions which I regard as especially pertinent to this discussion. They are 14 in number and appear on pages 1863 and 1864 of the RECORD. I trust that at an early day the advocates of this bill will answer these questions. Several of them, as it seems to me, present insuperable objections to the adoption of this policy.

I was proceeding with these questions in order yesterday and dwelt upon the first four, and also the seventh, the course of my remarks being somewhat interrupted by questions. I repeat the first four already disposed of:

(1) Will it be the policy of the Government to select a special route for such ships? On what route is a line to be established?

(2) If so, what will be the determining factors in selecting the route?

(3) Will the choice be determined with a view to getting any particular American commodity to market? If so, what product and what will be the determining factors in the selection?

(4) What American port or ports will be adopted as the export and import points and what will be the rule for determining the choice?

It is inevitable that under any such plan as this a comparatively trivial portion of the export and import trade of the United States will be provided for by Government ships. What a serious obstacle arises to this plan, indeed an insuperable obstacle, in the fact that it would be impossible to avoid favoritism in the products selected for carriage and in the selection of ports from which the boats may ply.

I come now to the fifth question: Will the desire to build up new trade be the determining factor? If so, how will this be accomplished?

Mr. President, I have been surprised, not to say amazed, by the arguments used by the advocates of this bill in regard to the promotion of trade. They have said: "Trade follows the flag." They have called attention to the fact that in a greater or less degree the owners of ships enter into conferences in regard to rates, sailing schedules, and routes. They have added to this the statement that the control of these steamboat lines is determined by the desire of the foreign owners, corporations or individuals, to reap profits from the shipping trade.

Those arguments have a very familiar sound. They have been used in this Chamber and in the House for 20 years in support of ship subsidies. They have also been used in support of extreme ideas in favor of a protective tariff. If we are to be influenced by these last two arguments—that conferences and combinations occur, and that the dominating feature in the management of foreign shipping is the desire for profit—how can you escape the argument for a high protective tariff in this country?

What is the controlling motive of manufacturers in foreign lands who manufacture products competing with those of our mills and factories? Is it altruism? No; it is the desire to obtain the largest possible share of the American market, which is admittedly the best and broadest in the world. If that is a valid argument why the Government should go into the shipping business, it is also an unanswerable argument why we should build a tariff wall so high that no foreign producer could come over it.

Mr. CUMMINS. Mr. President——

The VICE PRESIDENT. Does the Senator from Ohio yield to the Senator from Iowa?

Mr. BURTON. I do.

Mr. CUMMINS. I want the Senator from Ohio to feel entirely free to say to me, if he desires to do so, that he would rather pursue the argument he is now making than to turn aside for a moment to answer the question I desire to put.

Mr. BURTON. I am quite willing to answer questions at this point. There are some portions of the argument on which I should desire not to be interrupted, but at this time I am entirely willing.

Mr. CUMMINS. There is a very interesting feature about this bill, very intimately connected with the point which the Senator from Ohio is now making.

This business is to be done by a private corporation, not by the Government. It is to be done by a corporation organized under the laws of either a State, the District of Columbia, or the United States, but, nevertheless, a private corporation, in which the Government is a stockholder. Now, suppose the Government becomes a stockholder in the corporation that is to engage in trade with foreign countries. We will assume that it is a majority stockholder, because that is provided for. Suppose private capital comes in to take the remainder of the stock. Assume that Kuhn, Loeb & Co. were to subscribe for the $4,900,000 of the stock which the Government is not required to take. A minority stockholder has rights in a corporation which the majority can not ignore. The only right of a majority stockholder, under the laws of most of the States, is to elect a board of directors; and the board of directors then manage the corporation and must manage the corporation for the equal benefit of all the stockholders.

Suppose that this corporation proposed to enter upon a trade such as the Senator from Ohio has just been considering, plainly unprofitable, but plainly for the benefit of all the people of the country, either in the way of opening up new trade or in the way of reducing rates below the cost of operation in an old established trade. The Senator is arguing the case upon the assumption that the corporation would have the right to do that, would have the right to confer this advantage upon the whole people by doing business at less than cost or without any profit, just as we confer these privileges upon those who produce commodities in this country in competition with producers abroad.

Does the Senator believe that the minority stockholders would permit a corporation so organized to engage in business simply to benefit the people of the country, and which would exhaust and destroy the capital which they had invested in the business? Plainly not. Any court in the land would enjoin the corporation from proceeding in that way, where its avowed purpose was the general benefit of the whole country, and not the profit of the individual stockholder.

Mr. BURTON. I am obliged to the Senator from Iowa for the suggestion. I have regarded that point as of sufficient importance to make it the subject of a separate question, which I believe is the very next in my list, No. 6. I had intended to discuss that subject somewhat fully, but I fear that I can add very little to what the Senator from Iowa has so excellently said.

Of course, it is probable that no individual subscriber would be found for any part of this 49 per cent. If there were any subscriptions from outside, it is quite probable they would be made for the sake of embarrassment. The manifest object of this scheme is so utterly alien to the ordinary purpose for which corporations are formed that no one can be imagined as subscribing for any of the stock from an ordinary business motive. I shall come to that later.

Why, Mr. President, in 1913 we heard the loudest denunciation of combinations ever heard in this country. Men were called "standpatters" and "reactionaries" who stood for the idea that the Government should foster American industry. Our eyes were blindfolded to the plain fact that this is an age of large-scale operations, that practically every foreign country having a leading position in industry and commerce has its combinations. Germany has its cartels. It makes legal and binding selling associations which seek to control the whole of the output of a particular article. By every means in the power of the Government these organizations are aided. Preferential rates are given on the State railroads. Preferential rates are given on privately owned steamship lines. Sales are frequently made abroad at less than the price at home, no doubt at less than the cost of production. We were asked to close our eyes to all this and to enforce in this country the severest rules against combinations. Any corporation which sold abroad for less than at home was visited with criticism and objurgation.

It was from motives of this sort that you passed the Underwood-Simmons Act of 1913, recognizing that foreign profits

would be increased by the opening of our markets to them, and demanding that no combinations should be allowed to exist in the United States. But now, in the year 1915, what a change. Because profits are reaped by foreigners, because they combine in shipping agreements which, if necessary anywhere, are necessary in this business of transportation, the Government must go into the business.

What an abounding versatility and capacity for turning mental somersaults this shows in the party in power! Why did you not make this argument in 1913? Why did you not recognize in that year the fact that business was carried on abroad for the profit of manufacturers and shippers? Why this belated conversion to the idea that we must enter upon this untried experiment, so fraught with danger and probability of disaster, because the foreigner, according to the general rules of business, is determining the course of his shipping by the expectation of profit?

Mr. President, I never have had extreme ideas on the tariff question. I think our domestic policy should undertake to repress monopoly. I think that gradually, decade by decade, we can reform our tariff, working toward lower rates and a limited free list. But if the principles which you are adopting, on which you base your argument for this bill, are to be accepted by the American people, our tariff rates must continue indefinitely at the highest altitude. The whole idea of trade, as advocated by those who favor the removal of restrictions on imports, is that of a division of labor. It is maintained that if another country can bring a certain product to our markets at a lower price than that at which our producers can sell it, they should be allowed to do so; that we should turn our attention to lines of enterprise in which we have a natural advantage. I do not altogether accept that doctrine. There are considerations of national sufficiency and of industrial development which should apply. And I believe, again, that in order to make these theories of free trade practicable in any one country they must be adopted by all countries. We can not open our markets to the products of other nations unless they show the spirit of reciprocity and open the door for our trade.

I trust before we are through those who have proposed this bill, those who are saying they are going to vote for it, those who say they have a sufficient number of Senators to pass it through will explain this inconsistency: Why are you adopting as a guiding principle of legislation in 1915 a doctrine which you indignantly rejected in the year 1913?

One of the chief arguments for this bill is that if we have more ships and establish new routes our trade will be increased. To a limited extent, Mr. President, I admit the truth of that contention, but the course of trade is largely determined by other considerations. In this connection I take the liberty to present again to the Senate some remarks which I made here in January, 1911. These were made when no ship-purchase bill was pending, when these questions were not arising except in an indirect way, so that I think no accusation can be made, as might possibly be the case now, that I was using them for the purpose of defeating an administration measure. They were made at a time when a so-called ship subsidy bill was pending.

I begin to read on page 1174, this being the RECORD of January 20, 1911, four years ago. I take the liberty to read this because I think perhaps it was prepared more carefully than I could prepare it now. In the language of Dean Swift, "How well I could write when I was a young man."

"Mr. President, the fundamental question in this discussion is what conditions determine the course of trade. The argument usually presented in behalf of such measures as this is that trade follows the flag or that trade follows a subsidized merchant marine. On the fallacy of these claims I desire to address myself at some length.

In order to understand this question, it is necessary to examine into the factors which determine commerce. Trade between nations, as between individuals, depends upon the ability to satisfy a want or a desire more cheaply and more efficiently than a competitor can. A nation will be a large buyer if it is possessed of great wealth. There must not only be a demand for commodities to satisfy wants, but this demand must be accompanied by purchasing power.

"Nothing more clearly illustrates the rules governing trade than the contrasted conditions in Great Britain and in the United States. Great Britain is an extremely wealthy country and does not have within its own borders that supply of food and raw materials necessary to meet the demands of its large population and industries. It has, however, great purchasing power, derived from interest on investments abroad, from income on the carrying trade, from insurance, and from commissions on exchanges. Naturally its exports and imports do not balance each other. But computations very carefully made by Mr. Giffen some years ago and recently by Mr. Paish show that in England the excess of imports over exports was practically offset by the incomes from the sources which I have named—the amount derived from foreign countries for interest on investments abroad, from the carrying trade, from insurance, and from commissions.

"The United States, on the other hand, is notable for what may be called its self-sufficiency. No country on the globe has so large a supply of that which ministers to the wants of its people as our own country. That is due to the great diversification of soil and of climate, to our great expanse of territory, and to the ready means of communication within our own borders, partly by lakes, rivers, and canals, but more especially by reason of a very highly developed railway system.

"In a newly developed country like Argentina, which is perhaps the best example, there are great resources to be developed. Such a country will inevitably import very large quantities of material for its further development. In the era preceding 1890 immense purchases of material for the construction of a great mileage of railways were made from foreign countries. All of these purchases promoted the future development of the country. On the other hand, Argentina furnishes great quantities of food and raw material for export. But the vital point is that trade exists between countries when one is able to supply the wants of the other and when both have resources sufficient to enable them to buy."

This is what I said then, and I say it again now.

"Means of communication follow the conditions which make for trade and not vice versa. If purchasing power is developed in a nation by an increase of resources, that country will seek to buy from others, lines of ships will then be organized in response to the demand, and means of communication readily obtained.

"Now, who will supply the demand? Naturally it will be that country which can furnish the commodities desired most cheaply and most efficiently. If there is a boat line between two trading countries, and still another country can supply the demand of that purchasing country more cheaply, inevitably shipping lines and lines of communication will be established and commerce transferred from the one which furnishes at the greater cost to the one which furnishes at the lesser cost. This is an inevitable law of trade.

"Another feature which affects the South American trade very materially is the question as to whether the products of two countries engaging in trade are competitive or what is called complementary. Is one a manufacturing country and the other an agricultural country? Does one have an adequate supply of the products required by the other? For an illustration, Argentina for the most part supplies articles similar to those produced in our own country. To some extent, though much less, that is true of Brazil. Europe possesses one great advantage in its trade with Argentina (which is the most rapidly developing country of the South American continent), due to the fact that that country furnishes meat, grain, food, and other similar articles required in Europe. Our own country, at least under present conditions, does not need these products, but is itself producing them in competition with Argentina for export to Europe. So inevitably the trade of Argentina develops more naturally with Europe than with the United States.

"This factor in the situation is, in my judgment, often lost sight of. Overlooking the question of competitive supply and ignoring the demand for our products, we take it for granted that trade will develop between our own country and another. It is not unlike the case of two manufacturing cities within our own borders. If they produce the same articles, the amount of traffic between them will not assume large proportions, but if the goods manufactured in the two cities are different there will be very considerable shipments from the one to the other.

"Mr. FLETCHER. Mr. President——

"The VICE PRESIDENT. Does the Senator from Ohio yield to the Senator from Florida?

"Mr. BURTON. I do.

"Mr. FLETCHER. Speaking with reference to Argentina, Brazil, and the South American countries, I would like to inquire of the Senator if it is possible to develop trade in raw cotton in those countries? We produce some eleven to twelve million bales of cotton and export nearly four-fifths of it. The section to which the Senator is alluding as supplying the products of the soil demanded in Europe I believe does not produce cotton, and there might be a possibility of trade in that article.

"Mr. BURTON. In cotton goods; certainly.

"Mr. FLETCHER. In cotton itself; raw cotton.

"Mr. BURTON. As I understand the Senator from Florida no raw cotton is produced in Argentina.

"Mr. FLETCHER. There is none in South America."

I am not absolutely certain whether that is the case. However, it is not a factor in international trade.

"Mr. BURTON. Nor is there any on the whole of the continent of South America. Then to that extent certainly our country is what may be called complementary in its production, though of course other portions of the world may furnish cotton goods more advantageously and more cheaply than we can. One factor to be considered is the question of the return cargoes. Outgoing boats from South America to Europe or elsewhere carry their food products and naturally return with cotton goods.

"The fallacy that trade follows the flag is readily disproved by statistics and by certain fundamental facts. Trade between countries is influenced by proximity of location, one of the most important factors, by similarity of language, of customs, and of currency, and not by the nationality of a flag or a steamship line.

"As respects the United States the best illustration of that is our trade with Canada. The climate is similar, at least the climate of the northern portion of the United States; their currency is the same, or practically the same, being in dollars rather than in pounds, shillings, and pence; their language is the same; the habits and customs of the people are the same.

"Trade is not a matter of sentiment or of patriotism. It is governed by rules of its own which are of universal application. It is determined by great general principles and by the comparative efficiency of the countries which seek to furnish the articles to each other. It precedes the flag; it does not follow it. There may be a coincidence in cases where the flag of different countries is the same. For instance, in all the colonies of England the English language is spoken, at least by a majority of the merchants and traders. There is also, as a rule, a large infusion from the mother country of immigrants who carry to the colony certain habits and certain preferences for the articles which they have used at home.

"Nationality or race counts potently in determining the country from which a people will derive their supplies. For instance, Brazil purchases a large share of its commodities from Portugal because of the similarity of language and because of the fact that for many years the inhabitants were in close communication with that European Kingdom. Thus not only had the habit been formed of purchasing in Portugal, but the tastes and the customs of the people of Brazil conform in a large degree to those of the country with which they were formerly affiliated."

I may say in this connection it is probable that the communication of Brazil with Portugal diminishes somewhat year by year, and after the lapse of almost exactly four years this statement is less correct that when it was originally made.

"The best illustration of the fact that trade does not follow the flag is to be derived from the trade of Great Britain. Taking the annual average trade for the five-year period from 1855 to 1859, 73.4 per cent of the British export trade was with foreign countries and 26.6 per cent with her own possessions. In the five-year period from 1890 to 1894, inclusive, exactly the same proportion obtained, 73.4 per cent to foreign countries and 26.6 per cent to her colonies, although there had been during this time an enormous increase in the area, population, and wealth of her colonial possessions. But notwithstanding mail steamships"—

I ask especial attention of those who think you are going to build up a traffic with South America by establishing a line of steamers to these facts. The Senator from North Carolina [Mr. SIMMONS] said yesterday he thought one of the first things the Government would do if it had this authority would be to put on a line of fast ships to South America. There are two very fair lines on this route now which have grown up gradually with the trade, the Lambert & Holt and the Lloyd Brazileiro. Let me read:

"But notwithstanding mail steamships and means of communication which girdle the earth, all flying the English flag, in the five-year period from 1904 to 1908 the proportion of her exports to foreign countries had increased to 77.2 per cent and that to her possessions had fallen from 26.6 per cent to 22.8 per cent."

That is, for the five-year period 1890 to 1894 to the five-year period from 1904 to 1908 there had been a decided decline in the exports from Great Britain to her colonies as compared with the exports to other portions of the earth.

"An even more striking illustration of this same fallacy is the trade of the United States with Canada. In the year 1888, 47.1 per cent of the total imports of Canada came from the United States. In the same year Canada bought but 38.3 per cent of her imports from Great Britain. In 1898 the proportion of imports from the United States into Canada had increased from 47.1 to 60.2 per cent, while those from Great Britain had fallen from 38.3 per cent to 24.8 per cent."

That is, between 1888 and 1898, notwithstanding the steamship lines ran under mail subsidy from Great Britain to Canada, notwithstanding almost every boat that came into Canada flew the British flag, the percentage of imports from Great Britain diminished more than a third while the imports from the United States had increased one-fourth and more, from 47.1 per cent to 60.2 per cent.

Then a different policy was adopted, and let us see how that worked out. Let us see whether the putting on of steamship lines such as you propose to South America or this granting of preferences will build up your trade. Do steamship lines follow trade or does trade follow steamship lines?

"About this time a law was passed in Canada granting preferential rates to imports from Great Britain and, with certain unimportant exceptions, reducing the duties one-third. But notwithstanding this preference of one-third in duty rates in favor of England, the imports from the United States into Canada in the year 1909 were 60.4 per cent of the total, while those from Great Britain fell from 24.8 per cent to 23.7 per cent. It is probable that no object lesson could be cited which more clearly disproves the idea that trade follows the flag than this instance of our relations with the country to the north of us. The following table shows in summary form the progress of our trade with Canada:

Comparison of imports into Canada from the United States and Great Britain.

Years.	Total imports for home consumption.	Imports from United States.	Imports from Great Britain.	Per cent from United States.	Per cent from Great Britain.
1888	$102,847,100	$48,482,000	$39,299,000	47.1	38.3
1898	130,698,006	78,706,000	32,500,000	60.2	24.8
1909	298,205,957	180,027,000	70,683,000	60.4	23.7

"If trade follows the flag, the percentage of imports into Canada from Great Britain would naturally increase instead of decreasing, as the table shows. As already stated, the real factors in the situation are proximity of location, similarity in tastes, language, and currency, ready communication across the border, the ability of our manufacturers to make articles to meet the demands in Canada, and the aggressiveness of our merchants in this market."

Mr. President, I made that argument when I was opposing the views of a very large majority of my colleagues on this side, and I certainly feel very free to make it again now in opposition to a bill introduced on the other side as a result of this most remarkable change of front on the part of our Democratic opponents.

I want to read briefly something in regard to recent trade statistics with Canada. Trade with that country is the distinctive feature of our whole foreign trade. For the last year for which I have statistics, that ending June 30, 1913, the exports of the United States to Canada were greater than our exports to Germany. To that country, with less than 10,000,000 people, we sold more merchandise than to all of Germany. Our exports were exceeded only by those of the United Kingdom of Great Britain and Ireland. In 1901 our total exports to Canada amounted to $105,000,000. The balance of trade in our favor was $63,000,000.

In 1913—12 years later—our exports had increased from $97,000,000 to $397,000,000. You may search far and wide in the history of trade to find anything comparable with that—a gain of $300,000,000, or a little more than 300 per cent, in 12 years. The excess of exports over imports was $294,000,000; that is, as against the $397,000,000 which we sent to them; it is $415,000,000 when you count in foreign as well as domestic figures. They sent to us $120,000,000, the excess being $294,000,000. I think that under the first full year of the tariff law of 1913, taking the calendar year of 1914, this balance of trade was quite materially diminished, and very naturally so.

That shows where our exports go—to a country of similar tastes, having much the same climate, with the same language and currency, and where deliveries of goods can be made quickly; to a country that is developing along lines very similar to our own, for much of Canada to-day is on the same plane with our own great West in the time when there were millions of acres of fertile soil awaiting settlement and cultivation.

The following table shows the value of merchandise imported into and exported from the United States to Canada:

Value of merchandise imported into and exported from the United States, etc.

TOTAL CANADA.

Year ended June 30—	Exports.		
	Domestic.	Foreign.	Total.
	Dollars.	*Dollars.*	*Dollars.*
1901	97,722,458	8,066,756	105,789,214
1902	101,696,372	7,946,621	109,642,993
1903	114,480,138	8,786,650	123,266,788
1904	122,234,039	9,000,946	131,234,985
1905	131,343,280	9,186,301	140,529,581
1906	146,175,015	10,561,670	156,736,685
1907	171,731,700	11,474,367	183,206,067
1908	157,516,736	9,519,211	167,035,947
1909	153,608,991	9,839,665	163,448,656
1910	202,548,023	13,441,998	215,990,021
1911	256,371,775	13,434,238	269,806,013
1912	314,895,910	14,361,284	329,257,194
1913	397,426,817	18,022,640	415,449,457

Year ended June 30—	Imports.				Excess of exports (+) or imports (−).
	Free.	Dutiable.	Total.	Per cent free.	
	Dollars.	*Dollars.*	*Dollars.*		*Dollars.*
1901	14,063,475	28,418,688	42,482,163	33.10	+ 63,307,051
1902	16,069,738	32,006,386	48,076,124	33.43	+ 61,566,869
1903	15,991,684	38,789,734	54,781,418	29.19	+ 68,485,370
1904	19,237,201	32,315,590	51,552,791	37.32	+ 79,682,194
1905	24,747,790	37,721,842	62,469,632	39.62	+ 78,059,949
1906	27,023,521	41,214,132	68,237,653	39.61	+ 88,499,032
1907	28,908,933	44,425,682	73,334,615	39.42	+109,871,452
1908	32,595,874	42,535,792	75,131,666	43.39	+ 91,904,281
1909	33,309,672	46,007,383	79,317,055	42.00	+ 84,131,601
1910	43,024,372	52,103,938	95,128,310	45.23	+120,861,711
1911	46,991,271	53,872,147	100,863,418	46.59	+168,942,595
1912	50,214,329	58,599,039	108,813,368	46.15	+220,433,826
1913	64,006,573	56,564,607	120,571,180	53.09	+294,878,277

Mr. President, I want to call attention to several distinctive features of our own trade and to follow that——

Mr. LIPPITT. Mr. President, if the Senator will allow me to interrupt him a moment, he has been amplifying instances of cases where our trade follows along the lines of similar tastes. Is it not also true that just the opposite of that takes place very frequently? Is it not also the fact that trade follows along lines of absolutely diverse tastes and products? I have particularly in mind at the minute the extraordinary development which have taken place between this country and the Philippines in the last four or five years.

Mr. BURTON. I will answer the second question of the Senator in the affirmative. As to diverse products, yes; as to diverse tastes, no. Manifestly the case of the Philippines is altogether exceptional. Under the old colonial system of Spain by which the mother country had every advantage, that country was virtually forced to make its purchases from the parent nation; and an unnatural condition grew up, contrary to the general practices and rules of trade. It was entirely artificial. That Spanish dominion was destroyed, and we stepped in and took possession of the islands. Our trade there has increased very materially. I am well aware that that country will be used as an illustration in support of the argument made by the proponents of this bill that trade does follow the flag; but if we analyze the situation carefully, we will find that such is not the case. An old-time dominion was overthrown and a new one established. In the first place, American supplies were sent there in very considerable quantities for our Army and our Navy. In the next place, American capital went there to engage in the construction of public works and public utilities. Our officials were accustomed to the appliances and devices which were in use in the United States, and they took those with them. In the first instance, a line of Army transports was established between the two countries. Taken all in all, it was more like a subject country, where the supplies were brought for official purposes. After making due allowance for all that, there was, of course, a certain promotion of American trade with the Philippines due to the very striking change in conditions resulting from our acquiring possession of them.

Mr. LIPPITT. Mr. President, of course the Senator from Ohio is aware that the great change that occurred in our trade relations with the Philippines followed after the enactment of the Payne-Aldrich tariff bill in 1909. Up to that time our total trade with the Philippines was about $14,000,000. It has grown from about $5,000,000, the year after we took over the islands, to $14,000,000 in 1909; but since then it has gone up to the very large figure of something over $51,000,000, which, of course, was due to the establishment of complete reciprocity between this country and those islands.

The reason I ventured to intrude that idea into the argument of the Senator from Ohio was not to in any way interfere with the application which he was making of his statement that trade followed not the steamship lines but the steamship lines followed the trade, but to show that in this very instance it was not due to the fact that there had been any change in our methods of communication, but it was due to the fact that proper legal restrictions and proper methods of trading had been established, which made possible that great increase. The increase also took place because the kind of products which are produced in the Philippines and the kind of products which are produced in this country are entirely the opposites of each other.

Mr. BURTON. I am obliged to the Senator from Rhode Island for calling my attention to one point which for the moment had escaped my memory, namely, the preferential trade arrangement created by the Payne-Aldrich Act of 1909, which no doubt has very greatly increased the volume of trade between the two countries; but I do not believe that even such preferential rates as those can, in the case of a great country, permanently determine the course of trade. Canada is an illustration of that. Her tariff rates are made in favor of Great Britain.

In short, there are other factors which determine the currents of trade which are more potent than the establishment of steamship lines and more influential even than preferential tariffs. Of course, you can make preferential tariffs so severe against one country and so favorable to another that it is practically impossible to trade with any other country than the one enjoying that preference, but it is not probable that in these days any country will resort to devices of that nature.

Mr. LIPPITT. Mr. President, I do not know exactly what the Senator has in mind as to what did cause the change in the trade between this country and the Philippines, but I think the figures bear out the assumption that it was due almost entirely to what may be called a preferential tariff and which we have been in the habit of calling "reciprocal relations." The development of trade, however, between this country and the Philippines had not taken any great start until the establishment of those relations. From that time until to-day the increase in the trade between the two countries has been very great, and it gives every indication of continuing along the lines that have been stimulated by the result of the Payne-Aldrich Tariff Act.

Mr. BURTON. I should seriously doubt whether, as a result of preferential rates, there will be any great preponderance of trade with this country. The Philippines, however, are an exceptional country, quite unlike the great commercial nations of the earth. It is very easy to explain why there should be a marked change in conditions there after our occupancy. The overturning of an old dominion, the establishment of a new government based on more liberal principles, closer association with the United States, the investment of American capital in the islands—all those were contemporaneous with or were followed by the establishment of steamship lines.

Then after 10 or 11 years the preferential tariff arrangement was made, which I concede will occasion a considerable increase in trade, but I do not believe that will be the determining factor. If we continue to enjoy their trade, it will be because we can furnish the articles they want and furnish them under terms that they regard as favorable. We may aid in that trade by tariff arrangements; but, after all, that is not the leading feature of the situation.

Mr. President, the whole subject of our foreign trade becomes involved in this discussion. I think this bill is utterly fallacious, in that it disregards the facts and also the principles which are so clearly in evidence in the establishment of our magnificent export trade. What are the characteristics of the foreign trade of the United States? First and most notable of all is the fact that our exports go to the most advanced nations of the earth—that is, the bulk of them, at any rate.

Much has been said about our trade with South America and about the magnificent possibilities in that continent, which, it is said, surpass the conception and comprehension of even the most optimistic. I believe there is a great field there for us, and I trust the time may come when in a peculiar sense the South American trade will belong to us. But, for reasons that are perfectly apparent, we now rank only third among the nations enjoying commercial relations with the continent to the south of us. Now, why is our trade so largely with the most advanced nations of the earth? In the first place, we possess a

great abundance of raw materials and food products which all the older nations need. Some of them have reached a point where they must rely on sources beyond their borders for a sufficient quantity of even the necessities of life. Great Britain is the best illustration of this. Some extravagant figures have been prepared showing the quantity of food supplies which they derive from abroad and of the starvation which would ensue if they were blockaded and deprived of such imports. They have long been in this position.

Germany was supposed to be another illustration, though, according to the best and most recent estimates, they furnish 85 per cent of their food supply. Then there are other countries, like France and Italy, which in some years import and in other years export wheat and other food products. This is a constant demand, for, first of all, the human race must be fed. Formerly the overwhelming proportion of our exports was made up of foodstuffs and of cotton. But this proportion is decreasing year by year.

Next, we have abundant supplies of raw material. Probably copper is the metal which we have in the greatest abundance, and in the mining of which we enjoy the greatest advantage over all the races of the world. Then, whatever others may say to the contrary, our supply of coal is inexhaustible. We may have to go farther afield for the supply; the centers of industry may shift from their present locations to other parts of the United States; but we can hardly conceive that the human race will exist on this planet to the time when the United States will not have a supply of coal. Then we have divers other metals, such as lead and zinc. The whole world demands these, and we have been exporting them. Then I might also mention iron ore, the supply of which is not so great as that of the other metals, and oil, which constitutes a very large item in our exports.

What is the second feature of our exports? The supply of these raw materials is so abundant that we are able to manufacture their products more cheaply than other nations of the world. So, naturally, the first stage in our export trade is marked by the amount of raw material and food products. Next comes the time when, by reason of these abundant raw materials, such as iron ore and coal, we can manufacture iron and steel. So we are coming to be great exporters of those commodities. Still further there are a large number of products where American ingenuity has been able to devise a better and perhaps a cheaper article than is made in any other country on the globe. As illustrations of these you may take our agricultural implements, our machine tools, and divers manufactures of iron and steel. But all these, except perhaps the agricultural implements, go mostly to nations like England, France, Germany, Holland, and Belgium, with smaller quantities to the less advanced countries of the world. There are some very striking illustrations of this situation.

In the year 1913 our exports to Holland, with only 6,000,000 people, were more than to the whole continent of Asia, with its 600,000,000. That simple illustration speaks volumes. Of course, it should be said that Holland does not consume all the exports we send there. It is largely a trading country, shipping the articles on to other nations. But there is that astonishing fact that our exports to Holland, $125,000,000 or thereabouts, were more than to Japan, China, India, Siam, Siberia, and all the portions of the Asiatic continent. This proves my statement that we send more to the advanced countries of the world than we do to those that are less progressive.

I might give one or two further illustrations. In 1908 we exported more to Denmark than to all of Africa. Still further, in 1906 we sent more to the United Kingdom than all the nations of the earth sent to South America. So, if every product except that marked "produced in America" had been shut out of South American ports and we had possessed a monopoly of all their trade, nevertheless in 1906 we would have sent less to all of South America than we did to Great Britain and Ireland. Happily that is not the case now. Our South American trade has very largely increased, and I trust will continue to show further gains.

The exportation of raw materials, food, and certain forms of manufactures does not require that minute study of foreign markets, of the tastes and preferences of people, which is required for the development of new markets. That is one reason why we have not entered these South American countries to a larger degree. It is not because of the absence of ships; it is because we do not know and do not try to find out what they want. Furthermore, this is an enormous growing country, and we use a very large share of our production at home. It is the greatest home market in the world, and, indeed, the greatest market in the world.

Of our manufactured products, which amount to $20,000,000,000 per year, twenty times as great as in 1850, we export only from 2½ to 4 per cent. Of our farming products, exclusive of cotton, we export from 2½ to 6 per cent. The exportation of food products is now diminishing. It reached its maximum proportion about 1880. There were special reasons for the maximum being reached in that year. In the first place, the great West had been touched as by a magic wand. Areas which had been hitherto unsettled were brought under the plow. Towns, cities, railroads ministered to them. We were rapidly reaching not only a maximum of production for our own country, but a position in which we could be the purveyor of the world's wants as regards food. One further reason why our agricultural exports increased was the growth of manufacturing abroad and to bad harvests in foreign countries for several years. In the year 1879 the Archbishop of Canterbury in England directed prayers in the churches because of the bad weather. And in this and succeeding years there was an enormous increase in our food exports to foreign countries. The reason for the decrease since is, in the first place, the growth of manufactures at home. There is a very interesting bit of economic history in relation to Germany in this connection which, in view of its special interest in this time of war, I will briefly state to the Senate.

In the seventies there occurred a discussion, which was a very heated one, in regard to levying tariffs on agricultural products. A very large and influential party favored following the lead of England and relieving food products from all duties. On the other hand, there was the agrarian party, including the farmers and producers, which demanded duties. Between them were the students of the subject, the economists and the publicists, who decided in favor of levying duties on agricultural products and using every possible means to stimulate the home production of food. This policy, then adopted, has brought remarkable results. Lands which seemed a barren waste have been made productive in the highest degree. These were the arguments that they used:

First, that Germany had a sort of insular position, had not then developed a great navy, and in case of war she might be cut off from communication with the outside world, and that so far as possible it was essential that they produce all the necessaries of life at home.

The next argument was to this effect: "We are developing in our manufactures, but how do we know but that other countries to which we would ship our products will themselves become manufacturing nations and erect tariff barriers against our products?" In the same line it was argued: "If these other countries more and more give attention to manufacturing, will not the surplus of food, upon the import of which we now rely, be consumed within their own borders?" They used the United States as an illustration, and very pertinently, for in the year 1913 the value of our imports of food, including the products of the tropical countries, was more than our exports.

I do not share the very pessimistic view of many who think the time is coming when we shall be importers of wheat. It may come in the remote future; but as we are now producing about 14 or 15 bushels to the acre, against, say, 25 to 30 in England, France, and Germany, it is evident that we have not exhausted the benefits of improved methods of farming, and that the time is likely to come when, with better cultivation and increase in the use of fertilizer, our wheat crop will be well-nigh doubled from lands already occupied, and there is a further possibility which arises from lands which have not yet been cultivated.

I now wish to pass to this subject: Has there been any deficiency in the supply of shipping? Freight rates have gone up and down, just like any other costs. There have been years when there was an apparent scarcity of ships; but, generally speaking, there has been an abundance.

There is no branch of business which for a larger number of years during the last decade has been in a depressed condition than the shipbuilding industry in the United Kingdom, Germany, and the United States. If the work of the shipyards had been confined to the mere building of merchant and passenger vessels, they would indeed have experienced a season of depression; but they have been kept alive in this country especially by the demand for warships, colliers, and other naval craft. The whole history of our trade with Great Britain, with Germany, and with France shows that there first existed a foreign need of our products, a need which we could supply, and that with that need yet following it transportation was provided.

Would more wheat have been purchased, or more flour, for Great Britain if there had been a Government line? Would more cotton have been purchased for Manchester, or for the spinners of Lancashire, or for those in the valley of the Seine, or in Saxony, if there had been a Government line?

We are driven to the conclusion that the idea which, according to the report, seems to be fundamental in advocacy of this bill, is an entirely fallacious one. Trade does not follow the flag except in a limited degree. The needs of the human race, their demands, the sources from which they are to be supplied, are first developed, and then the means of communication follow.

I do not say that trade could be conducted without the most careful attention to the question of transportation, and I do not overlook the fact that occasionally railways have been built in anticipation of the future; but let us examine that question a minute. In the first place, it has been much more true of railways than of steamship lines. These railways were laid down through countries which had a certain degree of fertility and productive power, so that they could be sure of development. Those who built them did not build on any uncertainty. They knew that there would be a demand for the products of the lands they traversed, that those lands had certain possibilities in the way of production, and that traffic would eventually be developed. Notwithstanding all that, the fact is that most of the railways leading over the prairies in the great West were so far in advance of the demand they became bankrupt before sufficient freight was developed to maintain them.

I have tried to make this point clear. Mr. President, I regret it seems probable this measure will be determined not by arguments here in the Senate Chamber but by influences from outside. It seems to me the arguments which can be marshaled against this bill, and which will be advanced by others who can state them much better than I, afford conclusive proof that this bill is a dangerous measure; that it will be futile, and ought to be defeated.

A great deal has been said about our trade with South America, and I want to take that up more in detail. I include under the term South America, or with it, Central America and the States north of the Isthmus, and Mexico as well, for in a remarkable degree these countries have similarity of history, customs, tradition, and religion, and in a less degree of race.

I give especial attention to this trade because in the message which the President read to the Congress on the second Tuesday in December he seemed to have in mind only our neighbor States of America. The first bill as drawn for the purchase of ships mentioned South America and Central America, and then paid very scant respect to all the rest of the world by adding the simple word "elsewhere." It was manifest then not only from the message of the President but from the form of the bill as first introduced that its prevailing purpose was to furnish ships for trade with South America.

Mr. President, I have already shown the gradual growth of shipping facilities with South America, and that in the last year, both before and after the beginning of the war, there was a large amount of vacant cargo space in practically every boat that sailed out of New York for those ports. In this opinion the joint letter of the Secretary of the Treasury and the Secretary of Commerce concurs. They mention the difficulty in obtaining cargoes. As I said yesterday, a boat that should have sailed the 5th of December in the ordinary course of things did not sail until the 29th.

It is true there are no such passenger lines between New York and Rio and Buenos Ayres as there are between New York and Liverpool and Southampton and cities on the continent of Europe, but that is because the traffic does not warrant it. If you were to put the *Imperator* or the *Vaderland* on a line between New York and South American ports, you would be confronted, in the first place, with the fact that there are no ports in which they could dock; in the next place, there is no traffic which would justify the placing of so large and expensive a boat on that line.

Now, there is the situation. The original object of this bill and the original arguments in support of it, when confronted with the cold facts in the case, fall to the ground. There is no scarcity of shipping over this route. There is no considerable increase in rates.

Oh, but it was said yesterday we will put on an extra line there. The Lamport & Holt Line sent out a boat every week for a while—boats of 12,000 tons; some as good boats as those of the American Line, and as large, which were given American registration in 1890 or 1892. Those boats now are running only at intervals; the need is not there. One of the Lamport & Holt boats came in a few days ago with only 26 passengers when there were good accommodations for perhaps 300, or at least a very large number.

What are you going to do? Are you going to put on a passenger line at the Government expense under such circumstances as that, with good-sized boats scheduled to sail every week, when after an interval of a month without any sailing the first boat comes in with only about a quarter of a hundred passengers? Is it seriously proposed to ask the taxpayers of America to back so absurd a proposal?

On the average boats are sailing out of New York for Rio and for Buenos Aires and Montevideo every three days. The figures which I gave here yesterday show that down to the end of September they sailed at the rate of 10 each month, I believe; that is, in 9 months there were 96 steamers. I have here the figures, which I will ask to have printed, showing that in the last three months of the year—October, November, and December—23 steamers sailed from New York for Rio, or substantially eight each month, showing very conclusively that it is not lack of boats but lack of freight which confronts us. The one sailing on December 24 had 18,000 cubic feet of empty space, or room for substantially 4,500 tons which she did not carry.

On the west coast the conditions are the same. Possibly at a later time I shall read from a report of a commission with which the Secretary of Commerce was closely associated in which they confirm all these statements that there is no scarcity of ships in that direction.

When the original structure falls down, lo and behold the efforts made to build up another. The bill, which only spoke of all the rest of the world outside of this continent as "elsewhere," is changed so that it is general in its nature and provides for American foreign trade generally.

But before we leave this subject, in view of the arguments in regard to building up South American trade, let us dwell upon that for a time. The American people have not yet taken the pains to study the problem of South America. They have not yet come to appreciate the South American people. It is one of the subjects which should receive our most earnest care in future years.

I would not enthrone increase of trade as the be-all in our relations with these countries. The whole world is seeking new outlets for its products. With these people who are near to us, who naturally have a tie which is not only geographical but political, we should have other relations which should awaken our earnest thought aside from those which pertain to markets.

In the first place, they should be assured—and I trust they are assured by the policy of administration of both parties—that we desire no part of their territory. We gave a splendid object lesson in that regard 16 years ago, when the Senate adopted a provision, as an amendment to a pending bill, to the effect that we expected no part of the territory of Cuba, an amendment which was no mere empty form of words, but which was carried into effect. We went there with our Army and our Navy, and after the sweat and toil and the clash of arms we freed Cuba from Spanish dominion; we sought no territory, but sought only to establish them as a free, self-governing people, to be numbered among the nations of the earth. We have not intervened since then, except for the restoration of order, and that merely for a temporary period. Central and South America should know, and all the world should know, that we are not seeking to enlarge our borders by the annexation of any part of their territory.

But, Mr. President, I think it is desirable for us to go a step further than that and to abstain from interference in their local affairs, except so far as it may be necessary for the protection of our citizens or for the protection of foreigners whom we are under obligations to protect. If we demand that foreign Governments keep their armies and navies away from American shores, impliedly, at least, we assume the duty of safeguarding their citizens and protecting their rights and property ourselves.

I may also say it makes a most painful impression throughout all those southern Republics when the administration at Washington takes the side of one faction or another in their internal affairs. One of two courses we must pursue—either say we will dominate your affairs, we will say who shall be your President, or keep away. Mr. President, I favor the latter policy.

Mr. SUTHERLAND. Mr. President——

The PRESIDING OFFICER (Mr. SIMMONS in the chair). Does the Senator from Ohio yield to the Senator from Utah?

Mr. BURTON. Certainly.

Mr. SUTHERLAND. What the Senator is now saying upon our course with reference to these South American and Central American countries certainly has my sympathy and support. It has been claimed, and I have seen no denial of it, that the Government of the United States for a long time has been maintaining at the capital city of one of the Central American countries a force of United States marines, and that the effect of the maintenance of this body of marines has been to keep in power a certain government, a certain set of officials in that country. If that condition exists, I ask the Senator from Ohio

whether it is not likely that it will bring about a feeling of very great resentment on the part of the people of that country. It seems to me that that would be the natural tendency of it; and as that resentment is brought about, and as it must naturally increase if we proceed with that sort of thing, I ask the Senator whether it is not very likely to interfere with our trade with that country and incidentally with the trade of other countries that will sympathize with this Central American country in that situation?

Mr. BURTON. The Senator is undoubtedly correct. Mr. President, the landing of those marines and their retention was, of course, not opposed by the faction which was aided; but the rest of the people, and that very large class in the country who deplore foreign interference, certainly look with profound disfavor upon anything of this kind. I do not want to say——

Mr. NORRIS. Mr. President——

Mr. BURTON. In just a minute. Let me finish, please. I do not mean to say that circumstances might not arise in which it would be justifiable for the preservation of order, and especially for the protection of foreign interests, to land our marines. I remember a very interesting discussion between the late Senator from Georgia, Senator Bacon, and the Senator from New York [Mr. ROOT] on this subject, the Senator from Georgia taking the ground that it was not permissible to land our troops, even in an emergency or for a day, as I recall it, without the direction of Congress. The Senator from New York took the opposite stand, and I think that has been the policy of our Government, that in the time of some serious revolution, where there was likely to be bloodshed and public order destroyed and foreign residents as well as natives liable to suffer, it was justifiable to land marines. But to continue there permanently and virtually maintain a military government by armed intervention is not consistent with our policy, and, besides, is sure to lead to friction and a disruption of our normal relations with the South and Central American countries. I now yield to the Senator from Nebraska.

Mr. NORRIS. Mr. President, I should like to ask the Senator if he thinks it is any defense in landing troops, as he has pointed out, that the nation which the troops are sent there to aid give their consent to it? That would always be true, would it not?

Mr. BURTON. It should be for the purpose of maintaining order under circumstances in which the interests of our own citizens or foreigners to whom we owe a certain obligation are involved.

Mr. NORRIS. I understood the Senator, in answer to the Senator from Utah, rather impliedly, at least, to justify the landing of marines on the ground that the faction we were assisting made no objection to their landing.

Mr. BURTON. I do not think so. I said that the faction that was helped would not object. Of course, they would not, because the troops were their stay and support.

Mr. NORRIS. Can the Senator tell us how long we have had marines now in Nicaragua?

Mr. BURTON. I think about three years.

Mr. NORRIS. I understand so. The force is still retained there.

Mr. BURTON. I so understand it.

Mr. NORRIS. Does the Senator have any idea that the Government they are assisting would last any length of time if they were withdrawn?

Mr. BURTON. I could not say in regard to that. It stands to reason, however, that the fact of their retention indicates that it would not.

Mr. NORRIS. Is it not the fact then, in that case at least, that by the landing of our marines and retaining them there we are keeping in power a certain faction in a foreign country?

Mr. BURTON. It so seems to me.

Mr. SUTHERLAND. Not only that, if the Senator will permit me, and in what I am going to say I am not in any manner passing upon the wisdom of the treaty which was involved nor attempting to discuss it; but while we are maintaining in this capital of a Central American country a force of marines, the effect of the presence of which is said to be to keep in power a certain Government, we are undertaking to make a treaty with that very Government which we are maintaining. Irrespective of the question as to whether the treaty is a wise treaty or not, it does not appear to me that it is a seemly situation for this great Government, with its tremendous power, with its unlimited power in comparison with these small, weak Central American countries, to be maintaining a Government, or to be maintaining a force of marines, which in turn maintains a Government down there, and then treating with that Government as though it was wholly independent of us. It savors altogether too much of an attempt to make a contract with ourselves.

Mr. BURTON. I fully agree with what the Senator from Utah says. It is similar to making a treaty with a man in prison on the condition that if the treaty is made he will be let out. I do not wish, in saying this, to express any opinion as to the so-called Nicaraguan treaty. I have no doubt it has some very favorable features.

Before the interruption I was stating, Mr. President, that we must pursue one of two courses—either take control, put up or put down Presidents and administrations at will, or, subject always to our duty to our own citizens and to other nations, leave them to themselves.

As I understand it, it is the impression of this administration that the question in Mexico is an agrarian one, or, in broad, general terms, an economic one, namely, that there is an unfortunate division of land; that great proprietors have large tracts, and that the title to those immense holdings has been acquired by methods which would not be approved if thoroughly analyzed. Mr. President, however much we may sympathize with this situation, it is not for us or our administration to say we will put up one side or the other according to the political or economic views they may hold, for the moment any administration take that position they deny that their neighbor nation is a free people. There will never be lacking times when it will be said party A is in the wrong and party B is in the right; that party A is an organization which makes for uplift and party B for retrogression, because that means constant interference; it means domination over them.

Mr. President, if we look over the political map of the world what is the fact? Whatever nation has attained to excellence in free government has gained it after a long course of self-sacrifice. The path of freedom and permanence has been beset by faction, by dispute, by bloodshed, and woe before the final goal of real popular government has been attained. It is not for us to say to Mexico or to Venezuela or to Nicaragua or any other country, "You know not how to govern yourselves; we know better," for that assumption immediately destroys their freedom if it is carried into effect. It stands in the way of their attaining to permanent popular institutions, and is a denial of the very fundamental ideas which we have cherished from the days of Lexington and Concord through all our conflicts down to the present day. Indeed, it goes far back of Lexington and Concord. The sturdy inhabitant of the Colony, with his gun or his sword, was always ready to protect himself and his fellow citizens and to speak for liberty of conscience and of action.

Why should we take sides with one or another? Here is a danger which has come into glaring prominence, as it seems to me, within the last few months. If we take up the cause of one or another, we may choose very unwisely. In aiding in the putting down of one we may lift into power another about whom the question will immediately arise, "Is he really any better than the first?" That is the danger we always run.

I have stated these facts because they are of great importance in all our relations with the countries to the south of us. They are more important than the establishment of steamship lines by the Government of the United States. We should do away with this everlasting superciliousness toward our neighbors to the south and the idea that we of the Anglo-Saxon civilization are better or holier than they.

The circumstances of the settlement of South America were very different from those which pertained to the settlement of the United States. They are clearly pointed out, and I think in as excellent form as anywhere, by Mr. Roosevelt in the first chapter of his book entitled "The Winning of the West." He showed that while the United States of America were being developed the English and other settlers from abroad drove out, practically exterminated, the inhabitants of the soil whom they found. The Spaniards of South America and Central America, the Pizarros, the Balboas, and others who dominated the people, made them their servants, killed some of them, allowed others to live, but did not exclude them from the land which they occupied. As a result, there grew up in South and Central America a composite civilization, in which the Spaniard, the resident of the Iberian Peninsula, lived alongside the original Indian; and upon this foundation the structure of their institutions has been built.

On this subject I want to refer to a very excellent pamphlet by the Peruvian minister, being an address delivered at Worcester, Mass., on November 21, 1913, entitled "Contrast in the Development of Nationality in Anglo-America and Latin America." I wish to refer to this at some length, because while persons are groping round about increasing trade with South America, and some are proposing to put on Government lines

of boats, it is well for us to get at the root of the real difficulty; it is well for us to build up good feeling there, a desideratum which, in the long run, may be far more gratifying to the American people and to the people of South America than the selling of a certain amount of American implements and of other articles, and in the end lead more effectively to trade relations. In this address the author says:

I have chosen as my subject a question that is most important at this time, when there is a growing tendency to know better and to understand the peoples of the Latin-American nations; to get closer to them by establishing bonds of friendship through commercial relations based on mutual respect and confidence, as is evidenced by this conference and by the recent utterances of the President of the United States in his memorable declarations at Mobile.

In order to properly determine the relative positions and conditions of the two great groups of individuals that people this American world north and south of the Rio Grande and the Gulf of Mexico we must first study the contrasts in the development of nationality in these two groups that, for expediency, I shall denominate or class as "Anglo-American" and "Latin-American."

No man can truly appreciate another if he does not know him. No nation can feel friendship toward another if it does not know it. But to know should imply understanding, without which there can be nothing in common, and understanding is essential to draw individuals together, and this is also true of nations.

International relations are necessary. They are cultivated for many reasons, but they do not necessarily mean friendship. Nations, like individuals, live on good terms with their neighbors because it behooves them to do so, but this does not imply that they are friends, that there is any closer relation between them other than one of courteous deference toward each other.

Such neighbors, whether they be individuals or nations, do not know each other, much less do they understand each other. There is, consequently, no true friendship between them; no bond of union.

Therefore, if such people wish to become friendly, they must begin by knowing each other, becoming acquainted through intercourse and thus discover their respective traits and characteristics, so that, in course of time, a sentiment of understanding is born, which, being reciprocal, eventually gives way to friendship, and, in like manner, to amity between nations.

Therefore, as a first essential to the study of the subject matter of these remarks, we must place ourselves in a position to perfectly understand the very peculiar conditions of settlement and growth of Latin America before we can obtain any fair estimate of present-day Latin America.

These conditions were very different to those that have been found in Anglo-America. This is a most important point, and one that should be made clear to all who in this Nation and elsewhere are trying to know and to understand Latin America and its people.

When this point becomes apparent to all, then I shall expect to see another attitude toward our people. I contend that the average Anglo-American does not appreciate us because he invariably wants to measure us by his own standards, regardless of the fact that those standards do not happen to fit our special type of humanity.

Physically we are more or less similar, but in a moral sense each has special traits of character that mark the peculiar idiosyncrasies in each. Therefore if we reverse the process and we Latin Americans measure you Anglo-Americans by our standards, we, likewise, would find you as below par according to our estimate, which proves my premises that, firstly, secondly, and lastly, we have to thoroughly understand each other if there is to be any reciprocal appreciation; and it behooves us to be forbearing, generous, and accepting the other's idiosyncrasies as absolutely exact traits of character born with the individual or developed in him through environment. In order to make this point clear I must ask you to consider two things: First, the relative conditions at the time of the discovery by Christopher Columbus of the territories that constitute what is known to-day as the United States of North America and of those that constitute Latin America; second, the class and type of white men who became the first settlers in either section of the American Continent, on your territory and on ours.

Your territory, at the time of the advent of the white man from Europe, was more or less of a virgin territory, inhabited by savage and semisavage nomadic tribes, thinly scattered all over a very vast area. While our territory was to a very great extent organized into States, in a measure barbaric, but, nevertheless, semicivilized, densely populated, and concentrated in a manner to make for cohesion. Mayas, Aztecs and Toltecs, Caras, Chimus, Incas, Aymaras, and Quichuas, and other tribes less known overran our territory and presented marked contrast with conditions in yours.

As the news of the discovery of the New World invaded the European countries, two types that were to mold the destinies of the wonderlands beyond the seas were brought into play—the one formed of the oppressed and persecuted by religious intolerance, the other of the adventurous soldiers of fortune in quest of gold and adventures.

Both of these started out with set purposes; the oppressed and persecuted came to the New World, to build up new homes, free from all the troubles left behind; while the adventurous came bent on destroying and carrying away everything they could lay their hands on. So here we have the true genesis of the formation of nationality in Anglo and Latin America. In the two great classes, the permanent and the temporary, the one to build up, the other to tear down and destroy. The one came with reverence, the other with defiance; both with an equally set purpose, but the one with humility in his heart, the other proud and overbearing; the one full of tenderness born of his religious zeal, the other cruel and unscrupulous.

Thus we find that Anglo-America was settled by austere men, seeking religious freedom, men who were fleeing from States with laws prejudicial to their beliefs and practices, men dissatisfied with the political conditions in their own countries, who did not wish to go so far as to sever their connection entirely with the fatherland, but who sought in the new colonies ameliorated conditions under their own flag; men who came to build homes in a new land, eager to remain because, full of energy, they saw in the very newness of the land the great opportunities it offered them to build a greater commercial and political future for themselves. Besides these good elements there came, as a matter of course, a few adventurous outlaws, and others attracted to the New Land by the prevalent "wanderlust" of the times—the latter, a decided minority.

Let us now turn to Latin America. To her went the soldiers of fortune, valiant but ignorant, adventurous and daring yet unscrupulous. They came principally from a country where religious bigotry was rampant. They were an admixture of virtues and vices. They came to conquer, to fight if necessary; their one aim was to better their lot, regardless of by what means or as to the consequences. The companions of Pizarro, Hernando Cortez, De Soto, Almagro, Pedrarias, Vasco Nuñez de Balboa, were in marked contrast to the men who came to the shores of New England with the Pilgrim Fathers.

To us came the militarists seeking a field for new exploits, and in their wake came adventurous outlaws seeking gold and riches. Of course, there also came some good men, some who would have been willing to preserve what they found, but these were a minority, and, besides, the existing conditions throughout our territories prevented this. Because while in your territory there were nothing but nomadic, savage and semisavage tribes, without fixed settlements, in our territory the Spaniards came upon organized States, having a certain civilization of their own.

So we have it that in Anglo-America the whites arrived and settled peacefully, acquiring the ownership of the land from the native Indians, either by right of purchase, by peaceful treaty negotiations, or in some instances by forceful occupation, after actual warfare with the aborigines, which ended with the conquest of the land, but not of its inhabitants, who in each case were driven westward.

In Latin America the whites came as a militarily organized force. They overran the countries they discovered, fighting their way from the very outset right into the heart of the unknown territories that they seized, destroying everything, plundering wholesale, and making a display of force and rare indomitable courage so as to cower the astonished natives. In Latin America the white men overthrew the native governments and established themselves as the governing class, reducing the Indian to a state bordering on actual slavery that, in many instances, was slavery. Every cruelty was resorted to by the conquerors. No pity nor mercy was ever shown unto the defenseless tribes. From the very first it was a question of asserting his superiority as a master and making the Indian feel that he was but a mere tool in his master's hands.

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Our men did not bring their women and families until many years after the conquest. In consequence, the Spaniards from the very commencement took to themselves Indian women, and their offspring became the "Mestizos," a mixed race that the haughty and pure Castilians in Spain never countenanced, although they were of their own flesh and blood. Later on, when conditions became more settled, the Spaniards brought their families, and after a time the "Creoles" came into existence.

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In like manner, and as we had started out with the wrong foot at the time of the Conquest, the same misfortune befell us when we launched out into independent statehood. In other words, we ran before we walked. We wrote before we learned our A B C. We assumed a developed stage without first having had the preliminaries. How different this was in your case! Yet how very few people are there who think of this when discussing and criticizing us? How many are there among you who think of this and stop to consider to what extent the Latin-American countries and their people have been handicapped?

We have been misjudged. We have been misrepresented at all times. And all because our critics have failed to look into our early histories and ascertain the why and wherefore of the present state of affairs. They have sought in our countries for practically the same conditions as exist in other more fortunate lands, where the evolution of nationality has been gradual and logical, because there has been a foundation for it.

It is impossible to build where the foundation is not solid, where the ground has not first been well broken and prepared. As I stand here before you and think that I come from the country that is proud to possess the oldest trace of prehistoric civilization on the continent, the nation that boasts the most ancient seat of learning in the Americas, it grieves me to consider that, notwithstanding the age of my country and the venerableness of that seat of learning, the University of San Marcos, we still are, as a nation, in our infancy. And it is so because only now are we developing our true nationality. And we know now that the formative period may be considered as well over, and we feel ready to face the future with full confidence in ourselves and in our country.

Some of the countries of Latin America have already made wonderful strides along the path of progress, material and intellectual. Some have already crossed their Rubicon and are forging ahead at a rapid pace. Argentina, in which conditions are more analogous to those of the United States, has already attained a greater material growth than any other Latin-American nation. The tide of immigration from the European countries has been for some years steadily flowing toward the southern part of our continent. Brazil and, more specially, Argentina have been receiving in increased numbers European settlers. In Argentina the blending of the races is taking place and a condition similar to that which occurred in the United States is developing there. Southern Brazil and Uruguay, on the Atlantic, and Chile, on the Pacific, are developing strong nationalities. In the latter country climatic conditions and a more homogeneous race have been favorable.

The Panama Canal will open the west coast of Latin America to European immigration. It will help to open to trade the countries on the Pacific slope. Through the new waterway Peru will be in a direct line of communication with Europe and the Gulf and Atlantic ports of the United States. The canal will be the great gateway through which will flow to our shores a stream of progress, carrying along with it men with capital, men with energy and activity, men who will come to us in the spirit that the pioneers from these New England States went into the West of this great country and founded there a greater empire of wealth than even the Pilgrim Fathers founded in this section of your country.

There is a happy faculty that is common to the whole of America, of being able to readily assimilate diverse foreign immigrants and turn them into good citizens. The melting pot does not exist only in your country. In each of the Latin-American nations it is doing the work of fusing into one great nationality the stray elements from all over Europe.

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I would beg you to consider this question when you are judging the Latin American. Bear in mind what I have tried to make clear to you, and if you do this, you will be better able to understand his idiosyncrasy and in time you will perhaps look upon him as a companion and a fellow worker in the great cause of human uplift. We are all striving for a common goal. Our methods may differ, but our aspirations are the

same, and the earnest endeavor of each is worthy of the respect of the other.

Mr. President, this pamphlet by a South American diplomat states so fully the grounds of misunderstanding and, in a measure, the repulsion between the people of Latin America and those of the United States that I have taken the liberty of quoting liberally from it.

There is a question more important than the shipping bill, and yet closely associated with it, namely, a realization of the proper attitude of our people toward all foreign Governments. I regret to say that there is nothing that appeals so strongly to a certain class of our population as an attack upon foreigners. Unfortunately there have been times in the history of the United States when the fortunes of a political party have been at a low ebb and when the emission of some paper attacking a foreign nation has seemed to restore the equilibrium and brought popularity to the administration which has emitted the fulmination against some other people. To attack the Government of the people of some foreign land is regarded as an appeal to patriotism. It is an easy way to gain popularity; it loses no votes, and it seems to appeal to the unthinking.

Mr. President, we are one of the family of nations. Great and growing as we are, we are nevertheless but a small part of the multitudes who people this globe of ours, and, just as one individual owes courtesy and politeness and a proper observance of the amenities of life toward another, so we, the people of the United States, owe due respect toward all the peoples of the earth.

The great progress of science has aided us in this regard. It has broken down the barriers of space and time, by the railway, by the steamship, by the electric cable, so that the pulsations of the Old World are felt almost instantaneously in the New World. Let us seek a better understanding with other nations. Then peace, good will, and trade will follow.

I make a special appeal for this good will for the people of Latin America. Their history is different from ours. There is too wide a difference of race and tradition. Their civilization comes for the most part from the Latin race. Whatever we may think of that race, we ought to realize that 2,000 years ago it dominated the world, wonderful in its organization, powerful in its government, conquering the earth, establishing law much of which is in force to-day, and exerting an influence destined to be potent to the remotest day, while our ancestors were living in the forest and dwelling in huts. We may feel that we are superior to the Latin race and to all its descendants, but we owe them respect; as this writer has phrased it, we should regard even their idiosyncrasies with a charitable disposition.

What has been the growth of things in South America? We may commence with the Spanish invader, who came for conquest and for gold, caring not for the people, giving an impression which must last for centuries that government is synonymous with oppression and that rulers by nature are oppressors. About the year 1806, 108 years ago, after a long era of colonial dominion, the peoples of these States began to rebel, and in time they gained their independence. They looked to Washington as the great liberator of this country, and while the forms of government there are largely founded on our own, nevertheless the careful reader will discover that the spirit which dominated the revolutions of 1806 and succeeding years was more derived from the French revolution than from our own. The similarity of races and the partial similarity of language, the use of the Spanish language predominantly and the universal knowledge of their scholars of the French language, have given them a bent toward Latin and especially toward French civilization. So their ideas are different from our own. We do not have to cross the ocean to find people who are Spanish or Portuguese or French in their traditions; we find them on our own continent, and we should give due consideration to their habits of thought and traditions which are quite different from our own. We should especially maintain the attitude that the larger and more powerful members of the family of nations in the new world must treat all alike with justice, so that we shall have regard for the small, undeveloped nation as well as the strong, so that we may in every way promote good feeling and amity among them, aid them, and not in any way seek to interfere with them for our own benefit.

Little by little there has been a growth in the spirit of nationality and in the maintenance of orderly government. The progress along that line in the majority of the nations to the south of us has been very marked in the last decade; in fact, in all recent decades. Let us hold out to them the helping hand, and not seek to lay upon them the mailed fist of power. That is the problem—good understanding, removal of asperities and grounds of animosity, fellow feeling, the spirit under which we shall let them know we intend to dwell in peace and harmony with them and not use the strong arm of force. That is what is most needed, Mr. President; and I am unwilling to leave the Senate until I shall express my earnest desire for a better understanding with the States of South America. They are making such progress as any nation could be expected to make in their position.

Do you realize, Mr. President, how much popular government depends upon scientific progress? Without good roads and means of communication by the railway and the telegraph, without the printing press which publishes the news, and the telegraph which rapidly transmits it, that solidarity of public opinion, that amount of understanding of the proper functions of government which is necessary can not exist. You must have the improvements which have come with this modern day; otherwise, people dwell remote from each other, do not understand each other, and sources of irritation are constantly arising. This problem is somewhat complicated in South America by the difficulty of crossing great mountains, though among the world's great engineering feats are numbered the building of the tunnel through the Andes, the construction of railways in Peru to the old capitals of Arequipa and Cuzco, and the bringing of La Paz, in Bolivia, into communication with the outside world.

How is trade to be promoted with South America, if I may go down on that plane, which to my mind is several levels lower than the question of good relations with those countries? Why has not our trade been larger in South America? Why have we been surpassed by Germany and England in the quantity of exports to those countries? If that question had been asked 20 or 25 years ago the answer would have been that the trade did not exist there in any such volume as it did in other nations of the earth. It is now increasing very rapidly, however. It is assuming large proportions. Of course as a condition of their buying things, of their having a chance to import, they must produce something, or they must give promise of producing something; for they must either have the commodities to exchange for the products of other countries or they must have something on which to negotiate loans where the prospect will be reasonably assured that they can pay in the future.

I have already pointed out that very largely their products are the same as our own—wheat, flour, meats. There is beginning to be a scarcity of hides in this country, and we are importing a good many from Argentina and perhaps other countries; but their products are very largely competitive, and that fact has given a bent of trade toward the countries of Europe, where their products are more readily utilized.

Then there is another factor that is probably more powerful than that. We have been so well satisfied with avenues for the disposition of our products already obtained that we have given attention chiefly to supplying the markets at home and of the advanced countries of Europe. We have not realized that South America has ideas, methods, preferences of her own. If we make a certain staple article, we think South America should use that article. We make it and ship it down there. When it arrives we find that it is not suited to their tastes and uses. We have not sent our salesmen there to learn their language, to learn their methods of trade. We have not squared our methods with theirs. They are a sensitive, formal, polite people. They do not do business in the same way that we do. Further than all that, and very important, we are not ready, or have not been ready thus far, to make loans to them. I said yesterday that more correct than "Trade follows the flag" was the saying that "Trade follows a loan." Like our great West in its early development, like Canada in its present development, so South America is a new country, and trade has increased beyond the amount of available capital. They must, consequently, borrow from abroad. Our competitors—Great Britain, Germany, and in a measure other countries—have made them loans on condition that their rails for railroad building, their locomotives, their material for great structures of iron and steel should be purchased from the parties making the loan, or perhaps, more broadly, they agree to sell on credit. We have not yet entered that field. They demand long time—six months, perhaps, where the prevailing custom in the United States is 30 days. They demand that packages be put up in a particular manner, not required in our domestic trade; and this is not a mere whimsical demand. It is made necessary perhaps because of the severe handling to which articles are subjected in being sent to South America or for other excellent reasons.

There are other conditions besides those I have named, but these are the fundamental ones. They go down deep in their

roots to the differences between the people of the United States and those of South America. They are increased and intensified by conditions that have grown up there in recent years.

With the indulgence of the Senate, I shall read from a document recently issued which, I think, contains the best statement on this subject of any article on South American trade. It was prepared by a Latin-American trade committee appointed by the Secretary of Commerce, Hon. W. C. Redfield, under a resolution adopted at the informal Latin-American Trade Conference called at Washington, September 10, 1914, by the Secretary of State and the Secretary of Commerce:

The informal conference assembled at Washington on September 10, 1914, by the Secretary of State and the Secretary of Commerce brought together a number of diplomatic and consular representatives of Republics of South and Central America and representatives of American business and of commercial and industrial organizations, including the Chamber of Commerce of the United States of America, the Southern Commercial Congress, and the National Foreign Trade Council. After a general discussion, which brought forth prominently the commercial needs of both the United States and the sister Republics, a resolution was adopted requesting the Secretary of Commerce to appoint a general committee on Latin-American trade to consist of the members of the Latin-American committee, already appointed by the National Foreign Trade Council, and representative men from various parts of the United States.

To show the authority to which this document is entitled, I will read the names of the appointees:

Secretary Redfield accordingly appointed as members of the committee: John Barrett, Director General of the Pan American Union, Washington, D. C.; William Bayne, president of the New York Coffee Exchange, New York, N. Y.; W. B. Campbell, president Perkins-Campbell Co., Cincinnati, Ohio; Robert Dollar, president Robert Dollar Co., San Francisco, Cal.; James A. Farrell, of New York, chairman National Foreign Trade Council; William A. Gaston, president National Shawmut Bank, Boston, Mass.—

I presume the Senator from Massachusetts [Mr. WEEKS], if he were here, would know him very well—

J. P. Grace, president W. R. Grace & Co., New York, N. Y.; Fairfax Harrison, president Southern Railway Co., Washington, D. C.; Alba B. Johnson, president Baldwin Locomotive Works, Philadelphia, Pa.; C. J. Owens, managing director Southern Commercial Congress, Washington, D. C.; Lewis W. Parker, president Parker Cotton Mills, Greenville, S. C.; William E. Peck, president William E. Peck & Co., New York, N. Y.; William Schall, Müller, Schall & Co., New York, N. Y.; W. D. Simmons, president Simmons Hardware Co., St. Louis, Mo.; Willard Straight, with J. P. Morgan & Co., New York, N. Y.; E. P. Thomas, president United States Steel Products Co., New York, N. Y.; J. H. Waddell, Hard & Rand, New York, N. Y.; Daniel Warren, American Trading Co., New York, N. Y.; Harry A. Wheeler, vice president Union Trust Co., Chicago, Ill.

I read from the report and recommendations of the committee:

Industrial, commercial, and financial conditions throughout the world have been disorganized by the European war. The trade of the United States with Latin America has been seriously affected. The present period of confusion will, however, be succeeded by one of readjustment and reorganization. Your committee was appointed to investigate this situation and to suggest measures to relieve the emergency and to place the trade of the United States with the sister Republics on a permanently satisfactory and mutually profitable basis.

The products of Argentina, Brazil, Chile, and Peru exported to the United States differ each from the other and are dissimilar in turn from those which we in this country import from Bolivia, Colombia, Ecuador, Paraguay, Uruguay, and Venezuela, from the Central American States and Panama, from Mexico and from Cuba, the Dominican Republic, and Haiti. These products for the purposes of this analysis may be considered together as raw materials, just as the goods which we export to these countries may be classified as manufactures. Mutual advantage for both the United States of America and the other Republics lies in a wider interchange.

In a properly comprehensive report the trade of the United States with each of the Latin-American Republics should be separately considered. We realize that in each case the problem is different and demands an individual solution. In general, however, this trade rests solely on exchange of commodities; that it has, in its essentials, been barter, with a settlement of balances through London, and has not been built up by extensive investment of foreign capital as has been the case with British and German trade.

The accompanying report deals with certain underlying principles applicable to our Latin-American trade as a whole. We feel that recognition of basic facts affords the only proper basis for meeting problems which while they differ in the several countries are nevertheless fundamentally the same.

Your committee feels that articles recently appearing in the press regarding commercial opportunities in Central and South America have unduly emphasized the promising aspects thereof, and have, in most instances, failed to state that our exporters already doing business with these regions find that their sales have been decreased rather than increased owing to the war.

Mr. President, I have a fear that some of the articles recently appearing in the press have influenced the judgment of some persons who are favoring this bill. They gave the impression that there were empty markets in South America, when this conference, including men who understood the subject best, states what the newspapers have failed to state, that "our exporters already doing business with these regions find that their sales have been increased rather than decreased owing to the war." There is not much "empty market" about that. "Decreasing sales"—not much need of additional transport facilities, either. The report dwells upon the "undue emphasis laid on the promising aspects of trade with these localities":

Your committee recognizes the present time as one when competition is less effective than in the past and than it will be in the future, until European bankers, merchants, and manufacturers recover from the effects of the war.

Your committee, moreover, believes that an opportunity is now afforded to place the trade of the United States with other American nations upon a firm foundation, supporting a more comprehensive structure, which may be built as the situation again more nearly approaches normal.

Your committee feels, however, that there is great danger that our merchants and manufacturers unfamiliar with Latin-American conditions may be induced by recent publicity to undertake ventures in that field which not only will be unremunerative but actually disastrous, and in their ultimate result make for a reaction of the very healthy and much to be desired interest in foreign trade now manifest throughout the United States, an interest which, if properly directed, should be of great permanent value.

If merchants and manufacturers are liable to make that mistake, and be induced by recent publicity to undertake ventures which not only will be unremunerative but actually disastrous, what must be expected of those who are misguided, blind, or ignorant?

SOUTH AMERICAN TRADE CONDITIONS.

The trade of the principal South American countries with England, Germany and the United States is shown by the following table:

Imports and exports of the South American countries from and to England, Germany, and the United States for the years specified.

[Compiled by the Bureau of Foreign and Domestic Commerce, Department of Commerce, from official reports of the respective countries.]

Country.	Year.	England.		Germany.		United States.	
		Imports.	Exports.	Imports.	Exports.	Imports.	Exports.
Argentina	1913	$126,305,556	$116,154,937	$68,815,721	$55,888,788	$59,861,703	$22,096,385
Brazil	1912	77,509,079	43,006,473	52,945,352	51,856,965	48,043,322	141,720,216
Chile	1912	38,599,282	55,340,706	33,189,070	28,321,776	16,806,341	24,526,811
Peru	1913	7,779,616	16,561,235	5,138,902	2,970,857	8,541,934	14,761,355
Ecuador	1911	[1] 2,835,854	986,148	2,385,758	2,139,552	2,591,629	3,190,069
Uruguay	1912	[1] 12,575,508	6,508,127	[1] 7,849,094	7,860,272	[1] 5,638,402	2,655,371
Paraguay	1912	[2] 1,205,248	[3] 799	[2] 1,500,958	[2] 843,459	[2] 304,888	[2] 590
Colombia	1912	[2] 7,838,878	[2] 4,376,182	[2] 4,201,125	[2] 1,854,211	[2] 7,612,037	[2] 15,832,882
Venezuela	1913	3,994,733	767,031	2,586,986	5,563,768	6,944,136	8,470,563
Bolivia	1912	3,528,042	26,044,974	6,423,802	4,357,101	1,787,321	152,583

[1] Figures are for 1911 and are taken from the Almanach de Gotha.
[2] Figures taken from U. S. Daily Consular and Trade Reports.
[3] Figures are for 1911 and are taken from Pan American Union publication.

The above figures show that exports from Great Britain and Germany to South America considerably exceed imports from that region.

This balance in favor of Europe may, in a measure, be explained by the fact that proceeds of loans issued by the South American Governments in Europe are remitted not in cash but in goods.

AMERICAN EXPORTS CONCENTRATED.

Our export trade to South American countries particularly, and to a lesser degree the Central American States, is concentrated. It is estimated that 75 per cent of our principal exports to South America are the products of large organizations. Our principal exports to the River Plate may be roughly stated to consist of agricultural machinery and allied products, steel products, oil products—kerosene, gasoline, etc.—and printing paper of various kinds. Our exports to Brazil, Chile, and Peru are largely limited to steel and oil products, locomotives, and electrical machinery. Our trade in cotton cloths, shoes, stockings, wearing apparel, and miscellaneous goods has not made up an important part of the total because of our unwillingness or inability to meet British and German competition.

Even before the war our export trade to all Latin America, and notably South America, had begun to decrease on account of the prevailing financial stringency. Our imports, however, increased in value, and the trade balance adverse to the United States for the fiscal year 1913–14 greatly exceeded that of 1912–13 both for all Latin America and for South America alone.

The accompanying table shows the distribution of this trade:

	Exports.		Imports.	
	1913	1914	1913	1914
Central America, West Indian republics, and Mexico	$177,627,892	$157,530,244	$224,685,344	$246,405,592
South America	146,147,993	124,539,909	217,734,629	222,677,075
Total	323,775,885	282,070,153	442,419,973	469,082,667

Trade balance adverse to the United States.

	1913	1914
In trade with Central America, West Indian republics, and Mexico	$47,057,452	$88,875,348
In trade with South America	71,586,636	98,137,166
In trade with all Latin America	118,644,088	187,012,514

EFFECT OF THE WAR ON SOUTH AMERICAN COUNTRIES.

Since August 1 of this year the countries in South America whose currency is not already on a gold basis have experienced a serious depreciation of their paper money.

The export of copper, tin, nitrates, coffee, and other products has been curtailed because of loss of the normal European markets. As indicative of financial conditions, bank holidays and moratoria were declared at the outbreak of hostilities, which were extended in certain countries from 60 to 90 days. The effect has been damaging to American exporters, as, under such circumstances, drafts due in August will not be liquidated until November or December. This means a large accumulation of draft indebtedness never contemplated by the shipper. Specie payments were suspended.

Mr. President, in dwelling on this subject a few days ago I gave an instance in which a contract had been made to sell 2,000 sacks of flour to Brazil. They were on the wharf in New York City, and the boat was waiting to take them. The usual course is for a bank in South America to accept, by cablegram, a draft filed with the bill of lading in New York. Just as this boat was about to take on the load word came that the bank, no doubt by reason of the transfer of specie to England or Germany, where the capital of the bank was owned, declined to accept the draft; that an issue of paper money had been provided by the Brazilian Government, amounting, I think, to $170,000,000. The proposed buyer, who had intended to pay by a draft accepted by the bank, stated that he would agree to pay in six months; but the owner of the flour in New York City thought it altogether undesirable to complete such a transaction. He did not wish to take the buyer of the flour as a substitute for the bank; he did not wish to postpone payment for six months; and he feared that an issue of paper money in Brazil would further depreciate their currency. So the flour remained in New York. Now, that instance went forth to the country as an argument that we needed more shipping facilities to South America. The fact is that the ship was ready and probably remained in the harbor for a considerable time.

Mr. SUTHERLAND. Mr. President, the Senator from Ohio may have discussed a subject that I am curious about; but if so, I did not hear the discussion. What is the fact as to whether or not there is any great quantity of our goods or products destined for shipment to South American and Central American ports that are being held here in this country because there are not shipping facilities?

Mr. BURTON. I would say in answer to that question that there are less now than ever before. If they are being held here in this country at all, it is because of unsettled conditions in South America and the fear on the part of the would-be sellers in this country that they will not be paid for. As this report says, I repeat, even before the war our export trade to other countries and notably to South America had begun to decrease on account of the prevailing financial distress.

Mr. SUTHERLAND. That is, the difficulty with reference to our shipments, wherever they exist, is not a lack of shipping?

Mr. BURTON. Not at all.

Mr. SUTHERLAND. But it is due to some other circumstance?

Mr. BURTON. Yes.

Mr. SUTHERLAND. That would seem to pretty effectually dispose of the necessity of this shipping bill, so far as our trade with South America and Central America is concerned.

Now, I want to ask the Senator another question in this connection. Is there any lack of shipping facilities so far as our shipments to European ports are concerned, or is the difficulty with those shipments of another character? For example, it has been stated over and over again in the public press that shipments have taken place from this country to European ports and that the ships in which the goods were conveyed have been held up for indefinite periods owing to the lack of unloading facilities at the ports in Europe to which the goods have been consigned.

If that be true, then does it not indicate that our difficulty, so far as European shipments are concerned, is not due to a lack of shipping facilities, but due to causes which exist in European ports with which this shipping bill can possibly have nothing to do? If we should pass a shipping bill, of course it would not remedy the conditions which exist in European ports; and I again ask the Senator from Ohio whether or not, so far as our shipments to European ports are concerned, there is any lack of shipping facilities?

Mr. BURTON. I would say there was somewhat of a scarcity of ships, due, in a measure, to the internment of the whole mercantile marine of Germany, a part of it in their own country and a part of it scattered in other ports over the earth. Then, again, a number of ships have been requisitioned by the French or English Governments. A certain number of ships, also, have been sunk. But how the shipping bill can improve that condition at all I can not see.

The Senator from Utah has stated one reason which some shipping men say is worse than all the rest, namely, the delay in loading and unloading in foreign ports. I dwelt on that in my remarks on the 7th of January, though not very fully. I gave as an illustration the case of the ship *Missouri* that went over with horses, but had an available cargo of 8,000 tons of freight to a port of France. She did not dare, notwithstanding the remunerative rates, to carry that 8,000 tons or any part of it, because information came to her managers that one boat in the same harbor had been held 60 days in discharging her cargo and getting out.

Mr. SUTHERLAND. So if we should pass this bill and thereby add to the number of ships that can carry goods from our ports, the difficulty which the Senator is speaking about would not be obviated.

Mr. BURTON. I do not see how we can get any more ships unless we get the interned ships, which raises a question of neutrality immediately.

Mr. SUTHERLAND. The Senator understands that it is impossible to unload within any reasonable time. Is it not true that the number of ships now engaged in carrying goods to these foreign ports——

Mr. BURTON. Without a very great period of delay.

Mr. SUTHERLAND. If we add to the number of ships we will get more ships started from American ports, but is it likely while this condition exists that we will be able to get any more goods unloaded in European ports?

Mr. BURTON. Naturally the more ships you have the more freight you could send. I presume in the ports of Bremen or Hamburg, if a ship could get in, regardless of mines, although there would be very great danger, the unloading might be fairly prompt. The instances of delay which have been brought to my attention have been in the ports of England and France. There is an utter abandonment of all foreign trade in the harbors of Bremen and Hamburg, perhaps Stettin and others. There is not the same condition there.

Mr. SUTHERLAND. Now, I wish to ask the Senator another question. It has been stated that one of the reasons for the passage of this bill is that ocean freight rates have been very greatly increased. Obviously that condition must be due in a large measure to the disturbed condition owing to this world's war, to the risks that are incident to the shipping business under these conditions, the increased insurance rates, and a variety of circumstances of that character. If I understand the situation, this bill with its appropriation of $10,000,000, even if we used the money in the purchase of some of these interned vessels, could not restore to the sea one-fifth of the vessels that have been interned.

Mr. BURTON. No; it would not be one-fifth of those that have been interned; it would be much less than that.

Mr. SUTHERLAND. That is, those that have been in one form or another retired from the mercantile carrying trade.

Mr. BURTON. It would be much less than that.

Mr. SUTHERLAND. It would be much less than one-fifth. That being so, what is the Senator's view——

Mr. BURTON. That would include the whole of the German and Austro-Hungarian marine that are interned at home or in foreign ports.

Mr. SUTHERLAND. We may add the ships which have been taken from the carrying trade and are being used in the military operations of these various countries. The number of ships that we would restore to the ocean for the carrying trade by reason of this bill would be almost negligible, however, when compared with the number which are in one manner or another

retired. Now, does the Senator think that to put those few ships into the carrying trade would have any great effect upon ocean freight rates?

Mr. BURTON. The effect would be slight; it would not cure a situation which is most exceptional—indeed, extraordinary in its nature. Let me repeat what I said a few days ago. We are at peace here in America, and blest we are. So many people do not realize what is meant by this world war. They expect things to move on just as they would in normal times. The seas near these great ports are strewn with mines, and ships are out for prizes, detaining ships, just as they are liable to be detained in all wars. We ought to be aroused and awakened when we are considering legislation to a consideration of the conditions of the time.

I want to add to what the Senator from Utah said that I do not see how the United States Government is going to obtain any ships from foreign owners. Certainly it would go right into the teeth of international difficulties if it did. Private owners might be able to purchase and run them with less danger of complications than the Government could.

Mr. SUTHERLAND. What the Senator has said about that brings me to this suggestion, if the Senator will permit me.

Mr. BURTON. Certainly.

Mr. SUTHERLAND. First of all, the President's message——

Mr. BURTON. The first proposition that was made here pointed, just as the compass points to the North Pole, to the building up of trade with Central and South America, which I have endeavored to show, was entirely without any reason.

Mr. CUMMINS. Mr. President——

The PRESIDING OFFICER (Mr. MARTINE of New Jersey in the chair). Does the Senator from Ohio yield to the Senator from Iowa?

Mr. BURTON. In just a minute. I want to run down that South American proposition.

Mr. CUMMINS. My question was with reference to one put a moment ago by the Senator from Utah. I think the Senator from Ohio ought to consider what I am about to suggest probably before the Senator from Utah puts his second question.

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Iowa?

Mr. BURTON. I shall be glad to yield.

Mr. CUMMINS. The Senator from Utah assumed in his question that under this bill the corporation to be organized could buy only $30,000,000 worth of ships.

Mr. SUTHERLAND. Ten million dollars.

Mr. BURTON. Ten million dollars of stock and $30,000,000 of bonds. The stock may be increased, however.

Mr. CUMMINS. The corporation is to be organized with a capital of $10,000,000. The shipping board is to buy $30,000,000 worth of ships and sail them or transfer them to the corporation to be organized, taking the obligations of the corporation for the purchase price. I assume that the $10,000,000 which constitutes the capital of the corporation will be needed in the enterprise itself. At least that such money will be needed to enable them to carry on the business which it is proposed they shall carry on, although they might of course use that money in the purchase of ships.

Mr. BURTON. I thought the Senator from Iowa was going to say used in the preliminary organization.

Mr. CUMMINS. Possibly. I think probably it will be expended in the preliminary organization. But what the Senator from Utah fails to perceive apparently, at least that is the way I look at it, is that this corporation which is thus to be organized can buy $200,000,000 of ships, if it desires to do it, and has the credit which will enable it to do it. It can buy all the ships that ply between American ports and foreign ports if the persons who own those ships are willing to give it the credit. So we are putting afloat here an enterprise which will not only have $30,000,000 of ships but, if people can be induced to trade with it, it can have the largest fleet of ships known to the history of mankind.

Inasmuch as the Government is the majority stockholder in this extraordinary corporation to be created, there will a certain strength be added to the credit of the corporation which will enable it to make these purchases, and, without any guidance, without any direction, without any supervision, this corporation is to go into this business to any extent that it may see fit to do so.

Mr. SUTHERLAND. If the Senator from Iowa is correct about that, and I have no doubt he is, we have conferred by this bill upon the shipping board the most extraordinary powers that Congress has ever undertaken to confer.

Mr. CUMMINS. There is nothing like it known in the history not only of this country but any other. You may search all the records of any country in the world and you will find no such proposal or any proposal approaching this one.

Mr. SUTHERLAND. That illustrates the thorough unwisdom of the manner in which this bill has been formulated and brought to the Senate. There has been no hearing upon it, no one has had any opportunity of digesting its provisions and coming before the committees and expressing his views with reference to it. I have been looking hurriedly over the bill since the Senator from Iowa rose to his feet. I find this provision on page 2 of the bill:

The shipping board, with the approval of the President—

I should like very much to have the attention of the Democratic side of the Chamber to this extraordinary provision of the bill. I see the leader of the Democracy upon the other side giving his attention.

Mr. CUMMINS. I suggest to the Senator that the other side is not well represented.

Mr. SUTHERLAND. Yes; the Senator from South Carolina [Mr. TILLMAN] has just come in, and the Senator from Texas [Mr. CULBERSON], which makes three Democratic Senators upon that side. The Senator from Ohio [Mr. POMERENE] has just appeared, which makes four.

Mr. SHEPPARD. I would say that I was unavoidably called out of the Chamber for a few moments.

Mr. SUTHERLAND. I have no doubt the entire Democratic side has been unavoidably called out.

Mr. POMERENE. Mr. President——

Mr. SUTHERLAND. I am not complaining of that; I am simply commenting upon it.

Mr. POMERENE. I recognize the fact that the Senator is usually very diligent, and particularly when anything of a political nature is on hand; but I think I am in the Chamber quite as many hours as my distinguished friend from Utah.

Mr. SUTHERLAND. The junior Senator from Ohio is one of the most faithful attendants upon the sessions of the Senate. He is nearly always here, and he is here upon this extraordinary occasion when nearly all his fellows have fled. So my criticism is not directed to the Senator from Ohio at all. Now the Democratic side seems to be fairly well represented, there being some six or seven present, and I desire to invite their attention to this extraordinary provision in the bill:

The shipping board——

Mr. POMERENE. If it is not asking a question which calls for some peculiarly private information——

Mr. BURTON. My colleague I do not think has a right to speak here without asking who has the floor.

Mr. POMERENE. Will my colleague yield to me?

Mr. BURTON. I shall be most pleased to yield for a question.

Mr. POMERENE. I am very grateful to my colleague. I just wondered whether the rather unusually large number of Republican Senators were invited in in order to hear this particular colloquy at this time.

Mr. SUTHERLAND. To hear the colloquy on the part of the Senator from Utah?

Mr. POMERENE. The query occurred to my mind why it was that there happened to be more than the usual number of Republicans present at this time.

Mr. SUTHERLAND. I do not think there is more than the number of Republican Senators who are usually present; there is a fairly good attendance.

Mr. POMERENE. I think there are 11 Republicans in the Chamber now.

Mr. TILLMAN. Last night there was only one.

Mr. POMERENE. I remember the other evening when we tried to have a session in the evening to take up the calendar under a unanimous-consent agreement there were just about enough Republicans here to raise the question of the lack of a quorum and, of course, to defeat the legislation which otherwise would have taken place at that time. Last night, I believe, there was one Republican in the Chamber when we were seeking to get a quorum.

Mr. CLARK of Wyoming. At what time?

Mr. POMERENE. About 6 o'clock.

Mr. SUTHERLAND. The Democrats having a majority of this body, they were unable to muster a quorum. The provision, if I may go back to it, to which I desire to invite the attention particularly of the Democratic side is that—

The shipping board, with the approval of the President, may consent to or may cause an increase of the capital stock from time to time as the interests of the corporation may require, but the United States shall subscribe for 51 per cent of each and every such increase.

I venture to suggest to the Senator from Ohio that no such extraordinary provision has ever been found in a piece of legis-

lation heretofore. We are undertaking by that to confer upon a mere administrative board the power in effect to appropriate as much money out of the Treasury of the United States as they may desire.

I had always understood that it was the peculiar function of Congress to look after the appropriations from the National Treasury, and while we do to a limited extent authorize executive officers to incur expenses, I do not recall that any such power as this has ever heretofore been conferred upon any executive officer or upon any administrative board. We might just as well pass a bill in the first instance providing that the amount of the capital stock shall be fixed by this board without any limit whatever, because we have given them unlimited authority, if they choose to exert it, to increase the capital stock of this corporation to $100,000,000 or to $200,000,000. There is absolutely no limit.

Mr. BURTON. That is certainly true. The powers granted are unprecedented.

Mr. SUTHERLAND. The question that I desire to propound to the Senator from Ohio I have not yet had an opportunity to state.

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Utah?

Mr. BURTON. Yes.

Mr. SUTHERLAND. Upon this excursion into a new field I notice the President in his now famous Indianapolis speech said, speaking to his audience:

> Do you know, gentlemen, that the ocean freight rates have gone up in some instances to ten times their ordinary figure, and that the farmers of the United States—those who raise grain and those who raise cotton, these things that are absolutely necessary to the world as well as to ourselves—can not get any profit out of the great prices that they are willing to pay for these things on the other side of the sea because the whole profit is eaten up by the extortionate charges for ocean carriage? In the midst of this the Democrats propose a temporary measure of relief in a shipping bill.

The query I have had in my mind, that I desired to propound to the Senator, is this: Undoubtedly the ocean freights have been increased, as the President says. Whether they have been increased to the extent which the President names may be open to question, but they have been increased to some extent.

In the face of that there are some ships interned and some ships that are not now in the carrying trade, which the private capital of our people have an opportunity of acquiring. This shipping bill has been talked about now for a considerable period of time.

Mr. BURTON. It has not been very much discussed here in the Senate.

Mr. SUTHERLAND. I mean it has been talked about so that the people of the country understood that the administration was contemplating the passage of such a bill, a bill which would put the Government of the United States into the shipping business. Of course, if the United States Government goes into the shipping business that will discourage private capital from going into that same business.

Mr. BURTON. Certainly.

Mr. SUTHERLAND. Because private capital must realize that it can not compete upon equal terms with the Government of the United States and particularly——

Mr. BURTON. Private capital certainly would not go in in case the Government went in.

Mr. SUTHERLAND. No.

Mr. BURTON. The Government might charge lower rates. At any rate there would be great uncertainty as to earnings.

Mr. SUTHERLAND. In addition to that——

Mr. BURTON. It is impossible to determine what course would be pursued or what motives would determine the action of such an unprecedented organization as the one here proposed.

Mr. POMERENE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Ohio yield to his colleague?

Mr. BURTON. As soon as the Senator from Utah concludes.

Mr. SUTHERLAND. The President has already announced that it is expected that this business would be carried on at a loss by the Government, which means probably that the Government would charge unremunerative rates.

Mr. BURTON. Very likely. It might charge rates which would be remunerative under private control but would be unremunerative under Government control.

Mr. SUTHERLAND. At any rate, the statement that the Government expects to carry on this business at a loss certainly would not tend to encourage private capital to venture into the same field.

Mr. POMERENE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Ohio yield to his colleague?

Mr. SUTHERLAND. I had not quite reached the question I desired to propound to the Senator. Is not this threat upon the part of the Government of the United States that it is going to invade this field which has heretofore been given up to private enterprise for the purposes of carrying on business a sufficient threat in and of itself, and has it not operated as a threat for the past months in such a way as to prevent private capital acquiring ships that otherwise might have been acquired and put into the carrying trade of the United States?

Mr. BURTON. Yes; undoubtedly. I think I have already expressed that opinion, Mr. President.

Mr. SUTHERLAND. I did not hear the Senator.

Mr. BURTON. I answer unequivocally not only that it would deter private enterprise, but it has already prevented the investment of private capital in shipping——

Mr. POMERENE. Mr. President——

Mr. BURTON. I am safe in saying to a larger amount than the amount contemplated originally in this bill, namely, the $10,000,000 for stock and $30,000,000 for bonds. I make the statement with confidence that more than $40,000,000 has been kept out of investment in shipping by private parties by the threat of this bill.

The PRESIDING OFFICER. Does the Senator from Ohio yield to his colleague?

Mr. BURTON. I shall be glad to yield.

Mr. POMERENE. It has been only a matter probably of a month or a little longer since this measure was proposed, and within that time we are advised by my colleague that $40,000,000 has been deterred from going into the shipping industry. Now, what, if anything, was there to deter the $40,000,000, or any other millions of dollars, from going into the shipping business in this country prior to two months ago?

Mr. BURTON. I fear my colleague is altogether under a misapprehension in regard to the facts. The bill was introduced in the House of Representatives on the 24th day of August, and the report was then filed. The word was spread around, and, indeed, it was definitely understood that the bill had the backing of the administration.

Mr. POMERENE. Mr. President, that does not answer the question. I think I stand corrected, so far as the House bill was concerned; but let us assume that this controversy began with the introduction of the bill in the House, and that by reason thereof this $40,000,000 was deterred from going into the shipping interest of this country; what was there to deter this $40,000,000 from entering into the shipping industry for the 50 years prior to August 1, 1914? Why is it that, after private enterprise has had all these golden opportunities to invest in the shipping interest of the world, they have not grasped this opportunity, if they are now so eager to do it?

Mr. BURTON. What are the advocates of this bill insisting—the unusual opportunities of the present time, the higher rates, the difference in the relation between demand and supply? Now the shipping business is apparently very profitable.

Furthermore, it was not until last August that we passed a bill allowing ships under foreign registry, with certain exceptions as to age and size, to be transferred to American registry.

Mr. POMERENE. Mr. President, I am free to concede the proposition that by the liberalization of our registration laws we have improved the shipping facilities very largely; but when the shipping interests, taking advantage of the great needs of our commerce, in the course of several months are willing to double, treble, and even quintuple their rates, I do not know that that kind of private enterprise ought to appeal very much to legislators in the interest of the public.

Mr. BRISTOW. Mr. President——

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Kansas?

Mr. BURTON. I shall be glad to yield.

Mr. BRISTOW. I should like to inquire of the Senator from Ohio if the increase of rates in the ocean traffic has been any more than the increase in the rates of the rail traffic that has been forced upon the people of the United States under the command, practically, of this administration by the Interstate Commerce Commission?

Mr. POMERENE. Mr. President, perhaps that question is addressed to me; I am not sure. I have seen the statement—and I think it is in one of the reports—to the effect that in many places the ocean rates have been increased ten times the regular rates. So far as the Interstate Commerce Commission rates are concerned, I do not know; that is a great question of economics. I am so constituted mentally that I am not able

to have an intelligent idea upon that subject until I shall first have had the opportunity to investigate the question and ascertain whether one rate is too low or another rate is too high. Some men can jump at conclusions, and men who have not had the same opportunity to investigate the subject which the Interstate Commerce Commission has had are, of course, much more capable of determining what is right and what is wrong than are they, just as every man in his experience in the common walks of life recognizes the fact that there are many men who stand on the street corners who know better how cases should be decided in the Supreme Court of the United States than do the Supreme Court judges themselves.

Mr. NELSON and Mr. BRISTOW addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Ohio yield, and to whom?

Mr. BURTON. I yield first to the Senator from Minnesota, and then I will yield to the Senator from Kansas.

Mr. NELSON. I want to call the attention of the junior Senator from Ohio [Mr. POMERENE] to the fact that in the recent ruling of the Interstate Commerce Commission——

Mr. SMITH of Georgia. Mr. President, I desire to make the point of order that the senior Senator from Ohio can not yield to other Senators except for them to ask a question of him; and I object.

Mr. NELSON. Mr. President——

The PRESIDING OFFICER. The Chair was under the impression that these interruptions were all in the line of questioning the Senator from Ohio [Mr. BURTON]. The Chair thinks the Senator from Minnesota is in order in submitting his question.

Mr. NELSON. I desire to call the attention of both the Senators from Ohio to the fact that the Interstate Commerce Commission in their recent decision increasing the rates which might be charged by the railroads did not base their decision on the well-known doctrine which has heretofore prevailed as to the value of the service rendered, but they based it on an entirely new and novel ground, of which we have never before heard, to wit, on the ground that the times were a little dull and hard and that the railroads needed a little more income; that was all—not that the service was worth more or that the railroads were entitled to a higher rate. That is a new doctrine. If that doctrine shall be applied in the future, it will always be a question not as to the value of the service rendered, but as to whether the times are good or bad and as to whether the railroads are or are not making money.

Mr. BRISTOW. Mr. President——

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Kansas for a question?

Mr. BURTON. I shall be glad to yield to the Senator from Kansas.

Mr. BRISTOW. Mr. President, the junior Senator from Ohio [Mr. POMERENE] seemed to be somewhat irritated, judging from his manner, at my question; but I should like the senior Senator from Ohio [Mr. BURTON], if he is able to do so, to explain why it is that the present national administration seems to be so horrified at the alleged increase in ocean-going rates, while it demands that the Interstate Commerce Commission increase the railroad freight rates of the country? I should like some explanation of the attitude of the administration as between those two great transportation industries.

Mr. BURTON. Mr. President, to take up first the remarks of my colleague [Mr. POMERENE], who expressed surprise that for these many years men had not entered the shipping business. I wish to say that no one deplores that fact more than do I. I have given much study to the history of our shipping from the earliest days when our proud sailing ships ranked with the best of the boats on the ocean. That is a long story, and I do not wish to go into it now.

In all propositions for the restoration of the American merchant marine, against the judgment of the great majority of my colleagues I have steadfastly opposed any plan for ship subsidy. I regard the reasons for the decadence of the American merchant marine as so deep and so fundamental that none of the propositions for a national subsidy would remedy them. At sometime during this discussion I may wish to express my views upon that question, but I do not wish to digress at this time. After long years of decadence, however, the time came when our navigation laws were liberalized, when our competitors, who had driven us from the sea, were involved in a frightful war. The chance was then offered for us to regain something of that proud position which we occupied a hundred years ago, when our boats sailed over the entire globe, and when every port of any prominence welcomed a ship carrying the American flag at its masthead.

Almost immediately when this opportunity was afforded more than 100 ships under foreign registers were brought under the American flag. Then word comes—from I do not know where, perhaps from the other end of the Avenue—that the Government is going to take over this business. Like a pall of darkness it settled over the hopes of every individual and of every company which was disposed to purchase ships and take out an American register so as to fly the American flag.

They say the rates are four or five times as high as formerly, and that is an extortion. I do not hold any brief for the shipowners; I did not in the days when they asked for subsidy, and I do not now. But I fancy that if any Senator in this body were to complain of these increased rates and should say to one of the old skippers, "Captain, you are charging too much; you are raising your rates to four or five times your former charge for the trip to Bremen," he might say in reply with grim humor, "You just come right up here on the bridge, and when we are going through mine fields on the other side, where for hundreds of miles there may be a mine in every knot or in every quarter of a knot liable to blow you into kingdom come, and you will not complain that the rates are four or five times more than they formely were."

Mr. NELSON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Minnesota?

Mr. BURTON. Certainly.

Mr. NELSON. I ask the Senator from Ohio if it is not a fact that one great reason why there has been an increase in ocean rates is that so many vessels are carrying contraband or conditional contraband of war, involving exceptionally high rates of insurance, and also the order of the Treasury Department requiring that the manifests of the cargoes of ships should be concealed for a period of 30 days, so as to give vessels carrying American products an opportunity to ship contraband of war to Europe and get it well on the way before anybody knew what was in the cargo?

Mr. BURTON. I think, Mr. President, that was a most unfortunate step for the administration, though I do not wish to take that up at this moment.

Well, now it is said the rates are ten times as much as they were formerly? Possibly as to one single cargo that has been true. That is a good statement to make on the stump; possibly it is a good argument to use in urging the passage of a shipping bill when there is a lamentable paucity of solid arguments.

Even if there has been an increase of four or five times the former rates, there must be some very substantial reason for it. The Senator from Minnesota [Mr. NELSON] has given one—the tendency to violate the laws by carrying contraband—and then I have already pointed out others which, in my judgment, are more important, such, for example, as the existence of mines with which a ship is likely to come in contact when approaching ports to which formerly there was easy access through channels excellently lighted and of ample depth.

In addition to that, there is the delay in waiting for cargo, amounting in some cases, as I said a few moments ago, to as much as 60 days. On the routes where there is no delay, where there are no mines, there has been no notable increase. Perhaps there has been an increase of 10, 15, 20, or even 25 per cent, but it has not by any means been as great as the increase which occurred in a time of profound peace, in the autumn of 1912. Rates went up then more than they have gone up now, except where they are influenced by the abnormal conditions due to the present war.

I hope before we are through with the debate that the unsubstantial claims that are being made and the exaggerated statements of fact will be eliminated and that some reason will be advanced for the passage of this bill that will stand analysis. After carefully studying the whole question it seems to me at times that there must be something concealed about it that the Senate and the country does not yet understand, because it is so easy to show that the reasons which were given at first and those which have been advanced since are without foundation.

Mr. President, I have not quite finished as yet with the discussion of the South American situation in connection with the claim of empty markets. I will resume at the point where I was reading. In this connection, Mr. President, if it can be arranged by the reporters, I ask leave to have this document printed in its entirety without the interruptions, and then let the discussion and interpolations pertaining to it follow after the document itself. I do not wish to impose any impossible task on the reporters, but I should very much prefer to have the pamphlet printed by itself.

The PRESIDING OFFICER. Without objection, that course will be pursued.

Mr. BURTON. I continue reading from the report of the Latin-American trade committee:

DIFFICULTIES OF SETTLEMENTS FOR SOUTH AMERICAN TRADE.

Since the balance of our trade with South America is heavily against the United States, there should be exchange facilities which would enable our exporters to obtain payment from balances created in New York in settlement for goods imported into this country from South America.

Such balances, however, are not maintained in this country.

The external debt of the South American Republics (Federal, State, and municipal), amounts approximately to $1,632,488,580. The bulk of those funds were borrowed from Great Britain. South America therefore invariably has payments to make in London.

The greater part of South American banking business, moreover, is conducted by British-owned institutions. These facts, together with the facilities offered by the London discount market, have induced German and other European-owned banks trading in South America to maintain London agencies Sterling credits, therefore, have been the basis of South American trade.

Our exports to and imports from Latin America are shipped direct. They are, however (almost exclusively in South American trade and largely in Central American trade), paid for in sterling bills of exchange.

United States exporters have, in the past, converted their dollars into sterling at the rate of the day, drawing against their South American customers at 90 days' sight, payable in 90-day bills on London. Importers have accepted 90-day sterling bills, which they have liquidated at the current rate of exchange. This has necessitated the conversion of dollars into sterling in the United States and a reconversion in South America from sterling into the currency of the buying country.

Thus, although the balance of the South American trade of the United States has been increasingly heavy against this country, we do not make settlement direct. We have been obliged, either by the shipment of gold or goods, to settle this adverse balance by remitting to England either gold or goods to meet interest charges on the South American debt and to pay for goods purchased in Europe by the South American countries.

Recent attempts to establish direct exchange with South America have not been successful in relieving the trade congestion incident to the dislocation of London exchange. A few New York banking institutions have been ready to extend accommodation to American exporters, but the credits available have been wholly inadequate. This fact, together with the difficulty of making collections in South America, has seriously embarrassed our exporters, while our importers, finding it practically impossible to dispose of New York bills to bankers in South America, have been penalized by the almost prohibitive cost of London credits

PRESENT PROBLEMS.

(1) Because of the war the Latin-American countries are confronted by the necessity—

(a) Of marketing their products despite the shrinkage of world purchasing power.

(b) Of obtaining funds to move crops and to continue indispensable industrial and agricultural development normally financed by Europe.

(2) The United States is confronted—

(a) By the necessity of holding its normal export trade with Latin America.

(b) By the possibility of increasing that trade by filling Latin-American needs for merchandise hitherto purchased in Europe, which Europe can not now supply.

The solution of these problems depends upon—

(1) Production.

(2) Transportation—shipping and insurance.

(3) Financing: (a) Of production, (b) of transportation, (c) of settlements.

Production in the United States can be maintained if there be a sufficient market at home and abroad for American goods. Production in South America may continue, but can not be further developed unless financial assistance be obtained.

There is the crux of the whole matter, Mr. President.

Mr. NELSON. Mr. President, I should like to ask the Senator from Ohio a question.

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Minnesota?

Mr. BURTON. Certainly.

Mr. NELSON. Is the Senator aware of the manner in which some of the neutral countries have met the difficulty of the exchange situation which tied up the exports of this country for quite a while? Our American shippers were unwilling to ship their goods abroad until they were assured of their pay, and because of the condition of exchange in Europe they were placed in an embarrassing and difficult situation. There are some Governments which have met the situation, the pioneer Government in this respect being that of the little country of Norway. Representatives of that nation came over to the United States and secured a loan of $3,000,000 upon the condition that 80 per cent of that amount was to be left in the banks of the city of New York to be drawn against in payment for American products purchased in this country. Sweden afterwards followed with a $6,000,000 loan on the same basis. Subsequently, I think, Greece followed with a $12,000,000 loan; and lately Russia has likewise negotiated a loan of, I think, twenty-five or thirty million dollars. All these loans have been made in such a way that, while money is ostensibly borrowed from the banks of this country, the funds are left here, to be drawn against in payment for American products. None of the South American countries have taken such a step, and until they do there will be no commerce with them. It will be congested because of the exchange situation in those countries.

Mr. BURTON. I was aware of the course pursued by Norway and by Sweden, and I think it was a very wise precaution. Each of those countries realized that there might be urgent need for products of the United States, and to guard against any derangement in the exchange system it was thought best to have the money here ready for such a situation.

The South American countries, however, have not a surplus of resources that will enable them to adopt such a plan, and, as stated in this report, they are compelled more and more to depend upon their own products. In this connection I repeat the statement:

Production in the United States can be maintained if there be a sufficient market at home and abroad for American goods. Production in South America may continue, but can not be further developed unless financial assistance be obtained.

That is, they have relied so much on loans in the past that, with the breakdown of credits and the financial disturbance there, they must depend upon their own products now even more than before.

It seems to me that some who have discussed this question would have done well to read the report by this committee—made up of leading exporters and others familiar with South American trade—before expressing themselves. I do not think anyone familiar with the facts stated in the following paragraph would have made the accusation of being ignorant or being misguided against those who oppose the purchase of ships by the Government to stimulate the South American trade:

At the present time steamships are available and sailing regularly from this country to the principal ports of Latin America and from those ports to the United States. Many of these vessels are unable to obtain full cargoes. Although only a limited number are under the United States flag, the above will clearly indicate to exporters, importers, and manufacturers that they need not hold back from entering the field on this account.

This report of Secretary Redfield's committee distinctly says that those who are engaged in the trade need not hesitate because of any doubt as to the sufficiency of shipping.

Before trade can resume its normal course the exchange problem must be solved, either by the restoration of the old or by establishment of new credit facilities.

NEW CREDIT MACHINERY NEEDED.

Old methods may no longer be serviceable in the situation which will result from the readjustment following the war. It should now be possible, indeed, in the mutual interest of the Latin-American Republics and ourselves, to create new credit machinery to perform the functions of the old, and which will at the same time rid us, at least partially, of a dependence upon the London credits and European financial markets, which, though essential in the past, has proved to be seriously embarrassing.

Deprived of the European loans with which their resources were being developed, Latin-American countries are now undergoing a serious curtailment of industry and development. The consequences in many instances will be serious not only to these countries themselves but also to the countries which expected to supply the materials.

It has been increasingly the practice of European bankers to stipulate the use of European material in the projects which they financed. Latin America is now turning to the United States for funds. This country is hardly in a position to undertake considerable investments at the present time, but industries with an already considerable trade at stake may well consider the necessity of protecting that trade by obtaining for their customers some relief from the present stringency. Such investments, if judiciously made, would yield an ultimate fair return and meanwhile provide a market for American materials which can not now be sold.

The question of creating a market for Latin-American securities in the United States, therefore, is highly important. The development of our trade with those countries is largely dependent on its satisfactory solution.

ESTABLISHMENT OF COMMERCIAL CREDITS MOST IMPORTANT.

Unless the restriction of commercial credits be remedied, however, we will not only be unable to extend our trade, but we will lose a considerable portion of that which we already have.

Nowhere does this article sound much like a story of empty markets. It is as far from that as possible. They are in financial straits down there. Instead of there being a demand for more of our goods, instead of there being any occasion for putting on shipping lines, they say, "Unless the restriction of commercial credits be remedied * * * we will lose a considerable portion of that which we already have."

In these days when accusations of ignorance, blindness, and of being misguided are used so conspicuously I wish that documents like this, which exhaust the subject, might be read more generally. This was not prepared by the shipping people; it was not prepared by Republicans, but by a committee appointed by the Secretary of Commerce in this city, and if ever there was an absolute refutation from men who are thoroughly posted on this subject, an absolute destruction of every argument for the pending policy or measure, it is in this procedure.

Compare that with the following excerpt from page 4 of the President's message:

It is of equal consequence that the nations whom Europe has usually supplied with innumerable articles of manufacture and commerce, of which they are in constant need and without which their economic development halts and stands still, can now get only a small part of

what they formerly imported, and eagerly look to us to supply their all but empty markets.

In the light of actual conditions in South America that expression "empty markets" is absurd.

Mr. GRONNA. Mr. President——

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from North Dakota?

Mr. BURTON. I shall be glad to yield.

Mr. GALLINGER. I object, Mr. President.

The PRESIDING OFFICER. Objection is made.

Mr. BURTON (reading)—

This is particularly true of our own neighbors, the States, great and small, of Central and South America. Their lines of trade have hitherto run chiefly athwart the seas, not to our ports, but to the ports of Great Britain and of the older Continent of Europe. I do not stop to inquire why or to make any comment on probable causes. What interests us just now is not the explanation, but the fact, and our duty and opportunity in the presence of it. Here are markets which we must supply, and we must find the means of action.

Then, on page 5, the President speaks of the errors in the development of our merchant marine, and urges this system of Government purchase of vessels as a remedy. It is evident that he had South America in mind:

Therefore I propose another way of providing the means of transportation, which must needs precede, not tardily follow, the development of our trade with our neighbor States of America.

Not a word about these trans-Atlantic routes, the trade to France or to England or to Germany, but "our neighbor States of America." So far as transportation facilities to our neighbor States of America are concerned they are about as well provided for now as they ever were; and the fault is not in lack of shipping, for practically every boat that points its prow in that direction goes with a large amount of empty space, due entirely to other causes which I wish had been examined and appreciated. And that might have been done before this measure was introduced. The reading of this document alone would have given a full understanding of the situation.

I will resume reading, on page 9:

The present effort to secure cooperation of American bankers in massing a gold fund to satisfy our obligations abroad by promising to cause London exchange again to approach normal, will lessen to the American importer the expense of liquidating in London his South American indebtedness. It will nevertheless give effect to the old alienation of the selling power we should derive from purchases of South American products. Liquidation of our South American indebtedness in London will pay for British exports to Latin America, at a time when American merchandise, intimidated by moratoria, remains congested on our docks. Our available money will serve Great Britain's effort to capture South American markets vacated, perforce, by Germany.

Whenever there is a great disturbance of the world's finances, American exporters and importers in South American trade are injured, because of their dependence on London. This has happened four times in 25 years.

So long as South America must meet interest settlements in London by shipment of goods to the United States, under the old three-cornered system, our South American trade must, to a certain degree, depend upon London exchange.

But in view of the facts above mentioned, it has seemed to your committee that the need for independence, emphasized by the present situation, should be recognized. We feel that an attempt should now be made to evolve some plan whereby we might take advantage of our large direct trade with Latin America to make a market for bills drawn in dollars, and establish a direct exchange, not with the view to eliminating sterling credits now or later, but in order to provide an exchange channel which will supplement, offset, or compete with London, and be available in an emergency when London exchange is disorganized.

The maintenance of exchange relations depends on a credit machinery and reciprocal balances. This machinery will partially be provided under the Federal reserve act, which permits American banks to open branches abroad and permits a rediscount in this country of commercial paper, based on shipments of commodities in foreign trade. These steps, however, have not yet been effected, and your committee appreciating that the installation of this machinery may require considerable time, has considered means for temporary relief.

These means are in a measure superseded by the establishment of a bank, at least in one country of South America, as a branch of an American institution. However, I will read the plan that is proposed:

COOPERATIVE EXCHANGE AS EMERGENCY MEASURE.

A plan for the establishment of a merchants' "cooperative exchange," or clearing house for Latin-American trade, has been proposed. This, it has been suggested, would enable importers and exporters of goods to and from Latin-America to watch credits, balances to be remitted on certain definite settling dates. The chief argument for such an institution is that it would bring together exporters and importers among whom there is now no cohesion. Both know their cash requirements each month. If the exporters require say $5,000,000 to pay for their October shipments to Brazil, and the importers a like amount to pay for their imports from Brazil, such an exchange might be able easily to liquidate transactions in New York.

The plan, however, is open to serious objection for the following reasons:

First. The necessity and difficulty of securing the cooperation of a sufficient number of importers and exporters.

Second. The necessity and difficulty of standardizing credits.

Third. The difficulty of reaching an agreement as to the rate of exchange between South American currency and United States dollars.

Fourth. The difficulty due to the seasonal variations of shipments of South American produce and the consequent fluctuation in the demand for balances in New York or South America.

Fifth. The disorganized financial situation in South America, which increases the risk in securing settlements in the South American Republics.

Sixth. The necessity of creating and maintaining an expert and, therefore, expensive organization.

The difficulty as regards South America, however, would still remain, for it would be impossible within any reasonable time to organize in the principal cities of South America sufficiently extensive cooperative associations and importers and exporters of American products.

Standardization of South American credits, therefore, could only be secured by the guaranty of American shippers or importers, or by the guaranty of the South American Governments themselves.

Your committee, therefore, after careful consideration, feels that the suggested "cooperative exchange" would not be practical, although a powerful banking group or large banking institution willing to assist in maintaining and developing our Latin-American trade might be able to secure and render mutually beneficial the organized cooperation of exporters and importers in matching credits.

RECOMMENDATIONS.

Your committee, however, believes that the extension of credits might be facilitated and some relief afforded pending the establishment of the Federal reserve banks if, in addition to permitting national banks which have signified their intention to enter the reserve associations to accept commercial paper, action be taken by the Federal Reserve Board to make immediately effective the rediscount provision of the new banking system, thus assuring early establishment of a discount market.

Your committee, while appreciating the necessity of conserving the banking resources of this country for the protection of our domestic situation, nevertheless believes that the cessation or curtailment of our trade with Latin America will in itself be highly injurious to American industry, just as we believe that the extension of this trade would make for the prosperity of the country at large, as well as of those directly interested. We therefore hope that American banking institutions may be induced to meet the present emergency, not by tentative and inadequate measures, but by extending accommodation sufficient at least to assure the maintenance of our already established trade.

There is not a sanguine note in this report, Mr. President. It is to be noted here that they express the hope that by measures to be taken our already established trade may be maintained. On the other hand, I trust that in the future our trade to South America will greatly increase.

Mr. NELSON. Mr. President——

Mr. BURTON. I shall be glad to yield to the Senator.

Mr. NELSON. I desire to call the Senator's attention to the fact that while it is claimed that there has been a great depletion in our ocean shipping, yet that has not been as great as the depletion in the international ocean commerce.

Mr. BURTON. I believe I dwelt on that subject somewhat the first day I spoke—on January 7.

Mr. NELSON. I want to quote what the Commissioner of Navigation says on that subject:

The lessened production and the loss of vessels will be more than offset, however, by the great reduction in the volume of international trade by sea during the war and during the period of recuperation.

While the war has eliminated the German shipping and practically the Russian shipping, and to a limited extent the Swedish shipping, yet the oversea trade that we had with Germany, with Austria, and with Russia has also practically been eliminated; from the fact that the Turks control the Dardanelles and the Bosphorus, there is no communication with Russia in the Black Sea, and the fact that the Gulf of Finland and the Baltic have been mined; so that Russia, with the exception of the single port of Archangel, is absolutely cut off, as much as Germany and Austria. The loss of international trade from these sources far exceeds in pro rata quantity the loss of shipping as an incident to the war. I want to call the Senator's attention to that fact. Unfortunately, I did not hear the Senator the first day he spoke.

Mr. BURTON. Mr. President, I do not believe anyone can tell whether the decrease in commerce keeps pace with the decrease in shipping. I examined some figures on that subject a couple of weeks ago, and they showed that the percentage of the whole tonnage of the world owned by citizens of the German Empire was just about the same as their percentage of the total world's trade—some 10 to 12 per cent; I do not recall the exact figures. Then, as stated in this report—or did the Senator himself state that?—there is the closing of a part of the trade from Sweden.

Mr. NELSON. I called attention to that. That is not in the report. I simply referred to what I marked in pencil in the margin.

Mr. BURTON. Then there is the very obvious elimination of Turkish and Russian commerce by the closing of the Dardanelles and the mining of the Gulf of Finland, there being only two routes left for commerce into Russia—the one to Archangel on the north, which during the winter season is probably closed by ice, and the other to Vladivostock, at the easterly end of the Russian possessions in Asia.

Mr. NELSON. Mr. President——

The VICE PRESIDENT. Does the Senator from Ohio further yield to the Senator from Minnesota?

Mr. BURTON. Yes.

Mr. NELSON. I stated a moment ago that, among other things, a part of the Swedish shipping had also been affected by the war.

Mr. BURTON. Yes; there is no doubt of that.

Mr. NELSON. It has been affected partly because the Germans have strewn mines on both sides of the Baltic, and also in the Gulf of Bothnia, at the Aland Islands, and in the Gulf of Finland; but, worst of all, what has affected the Swedes more is this: They ship a good deal of timber by water from that country, and the German Government has declared timber to be contraband of war in order to prevent England getting the timber.

Mr. BURTON. What is the great port in northeasterly Prussia—Malmo?

Mr. NELSON. No, sir; it is a port farther up, north of Stockholm.

Mr. BURTON. This is in East Prussia.

Mr. NELSON. No; it is in Sweden.

Mr. BURTON. There is a port over there at the very northerly end of East Prussia, where they import timber on an enormous scale.

Mr. NELSON. Memel?

Mr. BURTON. Yes; Memel—that is it.

Mr. NELSON. And Konigsberg. Konigsberg and Memel are ports, and there is another little port by the name of Labiau. Then there is another port in Swedish Pomerania, Stralsund, that used to be a Swedish city in old times.

Mr. BURTON. Because of making timber contraband of war, no doubt that trade is almost entirely shut off.

To resume, I think it would be almost impossible to judge of the comparative falling off of the commerce of the world and the falling off in the quantity of shipping available. Probably there is a certain degree of equality between the two, but there are such uncertainties that you can make no reliable calculation.

On the 7th of January I pointed to the fact that larger supplies were required by the countries whose armies were in the field, which in certain branches increased importation and commerce; also, that some of the countries near the theater of war, but not directly involved in the struggle, were accumulating supplies in order to provide against emergencies. But the most decisive feature in the influence upon shipping rates is not that of interned shipping—shipping that has been put under military requisition—it is in the delay in ports and harbors, the danger of seizure, and the mining of channels. Those factors combined have very naturally put up freight rates altogether beyond the normal scale.

To resume reading:

EXTENSION OF TRADE.

The question of extending American commerce with Latin America depends primarily, as does the problem of maintaining our trade, upon the establishment of commercial credits, upon our ability to finance Latin-American enterprise, purchase the products of its soil and industries and upon the perfection of our selling machinery.

Your committee has not attempted to formulate suggestions as to the manner in which the individual manufacturer should proceed to establish a market for his products in South America. Nor does it here dwell upon the importance of adaptation of the product to the needs of the market for proper packing. Too high praise can not be given the Government, particularly the Department of Commerce, under the Hon. W. C. Redfield, for its effective propaganda on these essential points and for its efforts adequately to assist extension of our foreign trade.

The enlightened services of the Pan American Union in safeguarding good understanding among the republics of the Western Hemisphere, and in making its information and advice available to all affected by the commercial problems arising at this juncture are worthy of the warmest commendation.

CAUTION NOW ADVISABLE.

Your committee feels, however, that merchants and manufacturers now contemplating an entry into the Latin-American field should be careful to avail themselves of the easily accessible information concerning these markets. It is suggested that they should at the outset remember that the cost of maintaining individual representatives would probably be too great for any one of them to bear themselves. It is therefore suggested that associations consisting of the smaller firms or corporations engaged in kindred lines of production might be formed, and that either one or more representatives should be sent to South America to look after the interests of such associations, thereby bringing the cost of representation within a reasonable limit.

Mr. President, I doubt whether this arrangement would be allowable under the antitrust law. One disadvantage of our exporters has been that large-scale operations are practically essential to gain any foothold in the foreign market, save in the case of specialties; that an organization which furnishes articles for the South American trade must be able to respond quickly to the demands, and must have a variety in the wares which it can furnish, and an ample supply. The Germans provide for that by their cartels; the English, instead of discouraging, encourage that sort of thing; but with us it is contrary to the law. It can not be done.

I should be far from advocating, as at present advised, a repeal of the antitrust law; but it seems to me it is absolutely essential for our foreign trade that our laws should be so framed that this recommendation could be carried out. We are brought in competition with the whole world. Every other country permits these sales agencies which represent a number of different firms and corporations, including competitors. No single institution, unless a very vast one, can afford to maintain selling agencies generally throughout South America or any other country.

It has been suggested that American manufacturers should combine to send to South America trade exhibits, showing the various articles which they have for sale. Your committee, however, is not inclined to feel that such measures would be productive of any permanent results. It is suggested instead that manufacturers and dealers desiring to place their products in Latin America, and who, for any reason, prefer not to send their own representatives there, could establish connections with export houses already doing business in those countries and maintaining large branch offices in the principal South American cities fully equipped with efficient sales organizations or who have established connections, and in certain lines of goods—foodstuffs, notions, and miscellaneous articles—join in establishing what might be called for want of a better name an "American store" in certain of the most important cities.

Ventures of this sort, however, require considerable capital and experienced men, and for the sake of the ultimate development of mutually beneficial commercial relations with Latin America it is believed that our merchants and manufacturers should not attempt to install their own establishments in Latin America unless they are prepared to meet initial losses and disappointments before realizing even moderate profits in what must necessarily be a developing, rather than a ready-made, business.

That fact seems to have been overlooked in the communications that have been sent in here and in the reports and arguments. The trade in South America is not born full-fledged. It does not spring like Minerva from the brain of Zeus. It is a warning that our merchants and manufacturers should not go into the business unless they are prepared to meet losses and disappointments—

before realizing even moderate profits in what must necessarily be a developing rather than a ready-made business.

Your committee begs, therefore, to summarize the results of the investigations and to state its belief that the present disorganization of the trade of the United States with Latin America may best be remedied and placed on a permanently satisfactory basis as follows:

1. The establishment of a dollar exchange.

(a) By the ultimate creation of a discount market.

(b) Pending the establishment of a discount market by the extension of adequate accommodations by banking institutions and the establishment of reciprocal balances in the United States and in Latin America for financing Latin-American trade.

2. Perfection of our selling machinery.

(a) By furnishing additional support to commission houses already familiar with Latin-American business.

(b) By forming associations of merchants and manufacturers to be jointly represented in Latin America.

(c) By obtaining information as to the possibilities of developing retail stores in large Latin-American cities.

I repeat, Mr. President, I have gone into this subject with reference to South America so elaborately because it was represented to Congress as the main reason for the establishment of a Government shipping line. The initial message recommended it. There was no "elsewhere." There was no other country mentioned except our neighbor States of America. That did not mean Canada, because the great majority of our transportation there is by rail.

Here is this document, which I submit is one of the ablest ever prepared on the subject of foreign trade, in which its authors not only say not one word about the need of any additional mercantile marine but they say that merchants and manufacturers need not fear to go into business because of any apprehension on that score, there being a plentiful supply. I read this again. I can not reiterate it too often, because it is the very substance of the whole thing, and I would that all my colleagues understood it:

At the present time steamships are available and sailing regularly from this country to the principal ports of Latin America and from those ports to the United States. Many of these vessels are unable to obtain full cargoes. Although only a limited number are under the United States flag the above will clearly indicate to exporters, importers, and manufacturers that they need not hold back from entering the field on this account.

Mr. President, I am inclined to think that it would not be practicable for me to have this printed as a whole as a part of my remarks. But I ask leave that this pamphlet of some 11 pages, giving the report of the committee appointed by Secretary Redfield, entitled "Latin American Trade," be printed as a public document. (S. Doc. No. 714.)

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

Mr. FLETCHER. It was printed for the Committee on Commerce, was it not?

Mr. BURTON. I think not. I think this print comes from the Pan American Bureau. There is no mark on it.

Mr. FLETCHER. No; but it says "Printed for the use of the Committee on Commerce." I think I have the same document the Senator has, entitled "Latin American Trade."

Mr. BURTON. Yes.

Mr. FLETCHER. It was printed for the use of the Committee on Commerce. That committee perhaps would not have many copies, and I have no objection to having it printed as a document.

Mr. BURTON. I believe the Senator from Florida will agree with me that it is one of the most valuable documents on the subject of foreign trade that was ever printed at any time.

Mr. FLETCHER. I think it is quite a valuable document. I had that impression and it was for that reason the committee had it printed.

Mr. BURTON. I fancy there will be no objection to a revocation of the order made that it be printed. The more I think of it the more I think it impracticable to separate it from my remarks. The reporters will in any event have to insert it just as it was read, with the interruptions.

There is one point with regard to the trade with South America that I do not seem to have touched upon, and that is the diversity of that trade by reason of the production of both tropical fruits and of those of the Temperate Zone. Of course, it must be borne in mind that different conditions prevail in our trade with tropical countries from those which will prevail in Argentina and countries in the South Temperate Zone. In one case those of the South Temperate Zone are competitors of ours and they buy of us only such articles as machinery, agricultural implements, and so forth, as we can furnish to an advantage in comparison with other countries. In the other case, that of the tropical countries, our trade is very largely increasing.

One of the most remarkable features, not only in our trade but in the trade of other countries, has been the increased consumption of the tropical products. When the tariff act was pending here the Senate Committee on Finance inserted in the bill a provision for a duty on bananas. I thought that most unwise. Not only was it the food of a large class of our population, but trade was growing enormously in this article with certain Central and West Indian and South American countries, and it would impose an objectionable restriction. I am glad to say that, although this amendment was adopted by a very slim majority—I think by only 2 in the Senate—it was left out in conference, and no duty is imposed under the existing law.

This is but one illustration of the increase in the use of tropical and subtropical products in the United States, which is sure to increase the importance of our commercial relations with those countries of South America which furnish these fruits and products.

In this connection, Mr. President, I will read to the Senate an article on South America by a gentleman who formerly was in the Consular Service but now is the agent of the Lloyd Brazileiro in New York City. I read this particularly because he not only is thoroughly familiar with the situation but dwells upon the preference of the shippers in this regard. It has been alleged all along that, as a matter of course, the boat owners are opposed to this bill. The fact of the matter is that some of them are not. They rather like the idea. They think the Government will go into the business and find the results so disappointing that in a little while they will want to charter the boats or sell them, and then there will be an opportunity better than the bargain counter.

But it is maintained that a Government-owned line would benefit the shippers—those who have freight to forward. Mr. President, I think you will find that shippers very generally are opposed to this bill also. Indeed, I have known of no petitions of shippers coming in here in favor of this measure.

This communication is addressed to Hon. J. W. ALEXANDER, Committee on the Merchant Marine and Fisheries, House of Representatives, dated December 31, 1914:

> MY DEAR JUDGE ALEXANDER: You may recall that I was among those who testified before your committee about two years ago, concerning the steamship combination in the trade between Brazil and this country. It occurs to me that possibly an analysis of certain features of the present shipping question might serve some advantageous purpose before your committee. Permit me first to make clear the exact relation of my company to the present situation. I represent the Lloyd Brazileiro in the United States. My company is owned and operated directly by the Federal Government of Brazil. Since the beginning of the war we have increased our service, both with Brazilian tonnage and neutral vessels which we have chartered. Our situation is radically different from that of most steamship companies, in that this concern is not only a carrier but a very large shipper.

I have already, Mr. President, called attention to the fact that especially in the trade with South America the business of the merchant or shipper is in many instances sometimes of necessity combined with that of the shipowner:

> Since August we have shipped so largely for our own account that the total of our purchases for export has, in point of tonnage, exceeded the total shipments to Brazil of any other three exporting concerns. We have, therefore, a direct and vital interest in the reduction of freight rates, at the same time that we are interested, as carriers, in the increase of such rates. In other words, what we particularly desire is to obtain tonnage for charter at rates which will permit us to operate the same at a profit and at the same time obtain cheap transportation for our own exports.
>
> Of coal alone we have exported 50,000 tons for our own account and have 20,000 tons ready to move, for which we can not obtain the necessary vessels at rates which will permit us to ship the coal. Neutral tonnage which we have had chartered at $8,000 per month is not now available for recharter at less than $18,000 per month. In spite of this fact, we are continuing to carry practically all cargo offered by outside shippers for shipment to Brazil, using therefor our own vessels and in some cases even chartered ships rather than refusing the cargo to provide space for our own exports.
>
> No doubt the question will arise as to how we would fare in this respect if there were American bottoms available for charter. In answer to this query I will state that at the time when rates were still low, when we could obtain a given vessel at the rate of $8,000 per month, it was a common experience to have owners of American vessels offer tonnage almost exactly the equivalent of the other neutrals which we were chartering at $25,000 per month. How is it conceivable that now, with an unprecedented demand for tonnage of all descriptions, vessels flying the American flag, no matter how many may be obtained within the present year, could be obtained at rates below those being paid for British, Norwegian, or Dutch freighters? I will state at once that I believe it to be ridiculous to suppose that any possible contingency could bring about this result within a period when help will be most needed. To approach the subject with the assumption that a greatly increased American merchant marine is to be operated, either directly by the Government or under its immediate control as regards the fixing of freight rates, it is at once obvious that some very important issues will require consideration.
>
> First. Where are the vessels to be obtained? If they are to be purchased from neutral countries and operated at rates below the market, those remaining under foreign flags will obtain still higher rates. If they are to be built, at least a year will be required to enable all existing American shipyards to turn out 50 freighters of 7,000 tons capacity. If they are to be purchased from German owners, from among those now interned in our ports, not to exceed 25 per cent of such interned vessels will be found available for general freight service, and what is a great deal more vital, diplomatic questions of the greatest import will surely arise with England and France.

In this connection I want to call the attention of the Senate to what I am satisfied is a widespread misapprehension in regard to these German ships interned in our ports. Some people seem to have the idea that they can all be used to any part of the world, that the Government can buy them and use them. To begin with, there is the *Vaderland*, with one exception the largest boat ever built in the whole history of shipbuilding. She could not be kept in service except with an enormously large passenger traffic. She carries, crew and all, 5,000 people. Fancy buying that boat to send down to Rio de Janeiro, where the last boat that came in had 26 passengers. The whole list of those interned in our ports, as has been recently given—I will either read it or have it printed in the RECORD—is largely made up of boats that are suitable only for passenger service, and an expensive passenger service as well, where there is a large percentage of persons asking for expensive accommodations:

> Second. If obtained, where are the vessels to be operated? Are they to be placed in trades where the extraordinary demand has forced rates from one-fourth of a cent per pound on cotton to 3 cents per pound?
>
> I can fill this page with the names of ordinary cargo vessels now operated on the trans-Atlantic which are earning for their owners from a fourth to a half of the vessel's value in one voyage from the United States to Europe. Is it probable that owners having available tonnage will now be willing to dispose of these vessels at reasonable prices? In spite of the lack of men in shipyards and the extraordinary rush now on in England for warship construction, vessel operators in Great Britain in one week recently placed orders with builders on the Clyde alone for 30 large freighters. This will indicate more clearly than any argument how great is the demand for tonnage and how difficult it will be to obtain it for prompt service under any circumstances whatsoever.

Mr. CLARK of Wyoming. Mr. President, will the Senator from Ohio yield to me for a question?

Mr. BURTON. Yes.

Mr. CLARK of Wyoming. Going back to the item of which the Senator was previously speaking, I ask him if we have any information which is accessible as to the amount of tonnage that might be available to purchase or charter under this bill if it becomes a law, or have we a statement as to the number and tonnage of the ships of belligerents now interned in our ports?

Mr. BURTON. I will offer such a list before I conclude my remarks this evening.

Mr. CLARK of Wyoming. I think it would be very illuminating.

Mr. BURTON. I think less attention, perhaps, has been paid to this list because it has been taken for granted that boats would be seized if they engaged in the trade, whether they were in Government ownership or owned by private parties.

As to other boats, I suppose this very line about which I am reading could perhaps be purchased.

> Or is it proposed that vessels to be obtained are to be operated in trades where the demand is not so great; let us say, for example, in the trade to South America? Operators of tonnage to South America can readily prove to the satisfaction of your honorable committee that the rates now ruling on freight to all South America are barely sufficient to remunerate them in the operation in those trades of 7,000-ton vessels, for whose charter they have been paying, say, $8,000 per month. These same vessels can not now be obtained for twice that amount, and their purchase price has risen proportionately. Will the Government obtain vessels at such rates and then still further reduce rates to South America, in competition with existing companies trading to that part of the world? The same condition exists in routes to Africa, Australia, and the Orient.

Mr. President, all the persons who are operating ships at this time are not of the type to which reference is sometimes made as "bloated capitalists." A considerable number of those who have engaged in the shipping trade—and with a purpose which at this time is little less than patriotic—to carry American products to foreign lands and to increase our export trade have leased ships at the very top notch of the rates in the market, and have leased them for a considerable time. Those who have taken out such charters on boats are compelled, at least for the time, to realize these high freight rates or else they will go bankrupt.

In the first place, I think that that should disarm anyone from hastily criticizing the rates charged, and, in the next place, what is the Government going to do about it? Is it going to go into this business and so manage rates that it will ruin these men? Is that the fair function of this Government? If so, we are hearing something new under the sun.

If the Government goes into this business because prices are high, if the Congress and Government officials shut their eyes to facts that are as plain as day, which have caused this demoralized condition and the large increase in rates, is that going to be a precedent whenever anyone takes it into his head that prices are getting too high—for the Government to go into other lines of business, of manufacture or merchandising or the raising of some particular farm product?

Every measure that is before this honorable body is not only very important in itself, but it is important for the precedent that it creates; and I do not wish to leave this line of inquiry without asking my Democratic colleagues to beware the example they will set if they pass this bill, which is contrary to every principle laid down by the great leaders of the Democratic Party in the past; contrary to the idea that that government governs best which governs least; contrary to the idea that a bureaucracy—as it is called in an article by the present President of France, a parasitical bureaucracy—is a bad thing for a government; contrary to the idea that has been universally maintained, that it is better to maintain the individuality, the initiative of each individual in the body politic, in order to build up a nation which shall be great and strong—great and strong because its individual units are independent and ready to meet any situation which may arise.

Mr. CUMMINS. Mr. President——

The VICE PRESIDENT. Does the Senator from Ohio yield to the Senator from Iowa?

Mr. BURTON. I yield.

Mr. CUMMINS. What the Senator from Ohio has suggested leads me to propound to him an inquiry. This bill proposes the organization of a private corporation. The only influence that the Government can exert over the corporation is in the election of directors, I assume. When those directors are elected and are thus put in charge of the corporation they in turn select officers who are to operate the business of the corporation. When that corporation comes to fix rates, concerning which the Senator from Ohio has just been speaking, how would the Government control such rates except through the indirect influence which the knowledge that they might be turned out at the end of a year might work upon them? In other words, this corporation fixes the rates, but the Government does not fix the rates. We, as a Government, have no more authority over the corporation than we would have if the corporation had been organized entirely with private capital.

I should like to have the Senator's view with regard to either the propriety or the power of entrusting to a corporation of that kind, organized in that way, the authority to regulate the commerce in which the corporation may be engaged by fixing rates of transportation.

Mr. BURTON. Mr. President, it would seem to me altogether inefficient and disastrous. As the Senator from Iowa has stated, the only influence that the Government would have over the directors would be indirect. They would feel that they owed their election to the shipping board of three members, but, even when you reach the authority of these three men, of course they are not the Government—they are the agents of it. Their action is not determined by the ordinary processes of law, by the passage of legislation. The first attempts to fix rates were by direct legislation. Later, the conclusion was reached that the subject involved so much detail that the authority could better be vested in a board or commission.

At present rate fixing is very largely in the hands of commissions, in the various States as well as under Federal authority; their powers are, however, definitely limited by legal enactment.

Mr. CUMMINS. Mr. President——

The VICE PRESIDENT. Does the Senator from Ohio yield further to the Senator from Iowa?

Mr. BURTON. I do.

Mr. CUMMINS. What the Senator from Ohio has just said is entirely true, but the commission to which we intrust the power exercises a quasi legislative authority and performs a legislative act in determining what the rates shall be, although it has some of the aspects of a judicial function as well. The difficulty with the bill now under discussion is that you do not give to the shipping board any authority to fix rates. We can not, as the representatives of a stockholder in a corporation of this sort, give to the shipping board any authority to fix rates. If we confer upon anybody the power to fix rates for the Government we will be compelled to confer it upon this corporation, and we will then be met with the astonishing situation in which the Government of the United States attempts to give to a private corporation the authority to fix rates in order to regulate commerce with foreign nations. I do not understand that we have either the constitutional authority to confer that power or that it would be wise to confer it if we had such authority.

Mr. BURTON. Certainly, Mr. President, to say the least, it is exceedingly incongruous.

Mr. COLT. Mr. President, may I ask the Senator a question?

The VICE PRESIDENT. Does the Senator from Ohio yield to the Senator from Rhode Island?

Mr. BURTON. Certainly.

Mr. COLT. The Senator from Ohio is dealing with the subject in a most exhaustive way, and it may be that he has dwelt upon the particular inquiry I have in mind, namely, what would be the status of these ships? Would they be Government-owned ships or private-owned ships? Suppose that the title to these ships were conveyed to a corporation in which the Government owns a majority of the stock, or it may be the whole of the stock, would that fact from the standpoint of international law change the status of the vessel from a Government-owned vessel to a private-owned vessel? I do not know whether the Senator has dwelt upon this point.

Mr. BURTON. There has been some little discussion of that subject. But first answering the Senator from Iowa——

Mr. COLT. I was going to say that, from the international standpoint, I think it is a very important inquiry, whether, looking at these ships from the standpoint of their real ownership and brushing aside the fiction of a corporation, and especially if they carried mail, they would not be considered Government-owned ships. It is apparent that this is a governmental scheme of ownership; it starts with an appropriation of millions of dollars by the Government for the purpose of establishing a merchant marine to be controlled by the Government. How then can we escape the conclusion, from the standpoint of international law, and especially if the vessels carry mails, that they will be regarded as Government-owned vessels and therefore subject to the international rules of law which apply to Government ships and Government property as distinguished from private ships and private property?

Mr. BURTON. I will come to that in a few moments.

Mr. NELSON. Mr. President——

Mr. BURTON. Just a moment. I should like first to conclude the branch of the subject which I was discussing. In the situation suggested by the Senator from Iowa, how you are going to elect directors in this most extraordinary corporation I do not understand. I think practically every State in the Union has a provision requiring directors in corporations to be stockholders. It goes without saying that a director must be an individual; that is, a person.

Mr. NELSON. In that connnection I want to ask the Senator a question, and suggest to him that there is, so far as I know, no Federal law under which this proposed corporation can be created.

Mr. BURTON. No.

Mr. NELSON. The only Federal laws we have in relation to Federal incorporations are those affecting national banks. There have been some special incorporation acts relating to the Pacific Railroad, but those acts are, as it were, functus officio,

because they covered special cases and have long since served their purpose. Outside of that there are no Federal incorporation laws at all. Under this bill this corporation can be formed under the laws of some State or the District of Columbia, and we do not know, until we find out where the corporation is incorporated, what are the rules and regulations that will govern it. If it is incorporated under a State law, manifestly the State law will control the operations of the corporation. Then we have this situation, and that is the question I am coming to: We have a State law and State regulations that will regulate the operations of a corporation in which the United States Government owns the major part of the stock. Will not that lead to endless conflict between State authority and Federal authority?

Mr. BURTON. When the Government goes into the business of incorporating some of its functions and forms a corporation in a State, the State will have the control of that corporation and can make rules for its government. There is no doubt of that. It can impose on it such regulations as it sees fit.

To continue my remarks concerning the suggestion made by the Senator from Iowa [Mr. CUMMINS]——

Mr. NELSON. Will the Senator allow me one more question in that connection?

Mr. BURTON. Certainly.

Mr. NELSON. Would the Federal Government as a stockholder in such a corporation, organized and created under the laws of a State, have any greater right than any other stockholder because of the fact that it was the Federal Government instead of a private individual that was a subscriber to the stock?

Mr. BURTON. I think not, because privileges and duties are incident to stock ownership, and you can not create different classes of stockholders.

It would be necessary to have some one go outside of the 51 per cent of stock owned by the Government and buy a part of the 49 per cent of stock remaining in order to qualify as a director. The three members of the shipping board would vote the 51 per cent, and they would have an overwhelming preponderance, perhaps, in the voting; but that does not make them or anybody else eligible as director. To be eligible they would have to buy a part of the remaining 49 per cent of the stock to be taken by private subscription. Just consider the absurdity of the proposition in the first instance. You own 51 per cent of the stock, and yet you have to acquire part of the remaining 49 per cent in order to be able to qualify as a director.

The probability is that they would buy just a few shares each. Suppose the unexpected should happen, and private stockholders should buy the balance of the 49 per cent. Of course they would have representation on the board. It would not be fair for the Government of the United States to follow the reprehensible example set by some wicked corporations—making use of the ownership of a bare majority of stock to elect the whole board of directors. They would have to give the other stockholders representation. Suppose there were four directors in the interest of the Government and three in the interest of the minority stockholders. According to the regulations of some of the States, they would have to permit minority representation on the board of directors.

Mr. NELSON. Mr. President——

Mr. BURTON. I will yield to the Senator from Minnesota in just a moment. Just see what a situation would develop. There would be four men, perhaps, under the domination of the shipping board and three men looking out for themselves, one group desiring low rates, the other desiring high rates. If the history of corporate management is to be repeated, it is very likely that those three would draw one of the other four over to their side, and they might raise the rates beyond reason, or do anything which was in the interest, not of the Government, and not of the people, but of those who owned the 49 per cent. The whole thing, Mr. President, is so unnatural that, to me, it is almost inconceivable.

The point made by the Senator from Minnesota eliminates the plan of Federal corporation from consideration. The only general Federal laws that we have dealing with incorporation are the statutes under which national banks may be established. So far as I recall, there are no others. There have been repeated instances where persons have appealed to Congress for a private act of incorporation, and we would have to pass such an act or else incorporate under the laws of one of the States or of the District of Columbia.

Mr. NELSON. I should like to ask the Senator a question for information. Assuming that the Government invested this $40,000,000 in shipping, what proportion would the Government's tonnage be of the aggregate tonnage afloat in the international trade, eliminating from that the German tonnage that has been withdrawn and the tonnage withdrawn by the other belligerents on account of the war? Take the tonnage as it is to-day. What percentage of the total tonnage that is afloat to-day would this tonnage purchased with $40,000,000 be?

Mr. BURTON. I do not know that I can say in exact figures. But a rough estimate of the value of the mercantile marine of the United States is $560,000,000, and $40,000,000 would be one-fourteenth of that amount. That shows what a trivial amount of tonnage could be acquired for $40,000,000. The Senator from Minnesota, though, understands that there is absolutely no limit to the amount of stock subscription under this bill.

Mr. NELSON. No; but assuming that, I am following it up with another question that is perfectly germane. Assuming that they do not exceed the $40,000,000 investment in new shipping, the proportion of that shipping to the world's shipping that is now in active use would be scarcely 1 per cent, would it?

Mr. BURTON. I should say it would be rather more than that.

Mr. NELSON. Would it exceed 3 per cent?

Mr. BURTON. I can not say exactly, though I should say not.

Mr. NELSON. Then I will follow that up with another question; and in order to show what I mean I will read from the report of the majority of the committee on this bill:

> This legislation, so far as it permits the control of ocean freight rates by transportation in vessels under Government direction, is in line with all recent rate legislation. It permits that to be done at sea which we have long done at home, and provides for the ocean carrier what we long ago provided for the common carrier on land.

Can the Senator conceive how the limited amount of shipping that we can acquire under this bill, assuming that $40,000,000 is the amount, can control the ocean rates among the multitude of existing foreign vessels?

Mr. BURTON. I spoke of that yesterday, and I then stated that the Government-owned vessels would be used for favored products or favored localities, and that the general public would not be benefited by their operation. It would naturally be expected that this shipping corporation would reduce rates to a very low figure to carry cotton or wheat or some other product. Could not the shippers of meat and of oil and of iron and of steel complain, "We are not having a square deal in this matter"? Suppose these boats were sent out from Boston alone, or from Galveston. Might not every other seaboard city say, "You have, at the cost of the people of the United States, acquired certain steamships; we are getting no benefit from them; they go exclusively from one or two ports"?

Where would any advantage accrue to the public if these vessels were run at a loss? They would not reduce the rates on the rest of the traffic. The only persons who would benefit would be those so fortunate as to live in the cities from which the boats would sail or who were so fortunate as to own the products which the boats would carry. The situation would be similar to that which existed 30 or 40 years ago, during the railroad wars. A railroad paralleling another and competing with its would reduce rates on some commodity or lower all rates for a certain time. A few persons, usually the big shippers, would ship their products at such times. Before long the rates would be restored to normal again. Who secured this profit? Not the consumer of the product that was shipped, but the owner of that product—the packer, or whoever it might be—who gained the benefit of a sporadic, exceptional rate. Exactly the same condition would arise under this shipping plan with the conditions as suggested by the Senator from Minnesota, in which only a small part of the traffic is carried by Government ships, and that probably only occasionally.

Just as the shipment by railroads at the time of these rate wars constituted only a comparatively small share of the traffic and the benefit was secured by the few favored shippers, so under this plan of a Government-owned line the favored few and not the people at large would get the benefit of the low rates.

The question presented by the Senator from Rhode Island [Mr. COLT] is one to which some little attention was given the first day this bill was discussed. That is, suppose the Government of the United States as a part of its policy with reference to shipping decides to become a stockholder in a corporation and passes a law authorizing its representatives to take the majority of stock in that corporation in the first instance and to subscribe for the balance if it is not taken by private parties.

Suppose, further, it provides that the bonds of the Government, which are restricted to purely governmental purposes, may be issued to the amount of $30,000,000 and ships purchased for that amount and those ships turned over to this corporation under certain restrictions, such as that the boats shall not be sold except by the direction of Congress, and that they shall

not be leased except under the direction of the shipping board, and giving certain rights to the shipping board and to the President. You have, on the one hand, a corporation owning the ships just like any of our steamship lines. You have a corporation with all the rules pertaining to that corporation. It must be organized within a State and must conform to the laws of that State. On the other side it appears that this is but a form, that it is a method which the Government adopts to carry out a certain purpose, namely, the buying and operation of ships which it is supposed are to be purchased and operated for a public purpose. While it is not exactly clear, I think we may say that an emergency is given as the reason for this proposal.

The situation presents some confusion; but I should incline to the opinion that these boats, so far as detention on the sea is concerned, would have a dual capacity. If they are carrying private goods, if they are engaged in the same business as private ships, they can be overhauled just like any private ships. They would have no more rights under international law than any other ships. But if they are engaged in carrying mail or a purely governmental purpose—and it has been held that the incidental carrying of a certain amount of passengers and of freight does not take away that quality if the main purpose is that of a mail vessel—then they would have all the immunities of a Government vessel. But does that put them on a different footing from any private ship?

Mr. COLT. I should like to ask the Senator, if the 49 per cent of the stock is not subscribed by private individuals, and the Government actually owns all the stock, will not these ships be in fact Government-owned ships under international law?

Mr. BURTON. The Senator from Rhode Island, who is a most excellent and experienced lawyer, can answer that question quite as well as I. Is there a difference between the two cases—in one the Government subscribing only 51 per cent, and in the other the full 100 per cent? Is the infusion of a certain amount of private ownership going to alter the situation? Is not the real question whether there is a difference between this form of ownership by a corporation and ownership by the Government directly?

Mr. CUMMINS. Mr. President——

The PRESIDING OFFICER (Mr. BRYAN in the chair). Does the Senator from Ohio yield to the Senator from Iowa?

Mr. BURTON. Certainly.

Mr. CUMMINS. I think it is possible the Senator from Ohio, in answering the inquiry of the Senator from Rhode Island [Mr. COLT] has overlooked one of the provisions of the bill itself. The question in so far as it can be disposed of through a congressional declaration is disposed of in the bill.

Mr. BURTON. That is the Stone amendment?

Mr. CUMMINS. It is in the substitute which is now pending. The bill specifically declares that all these ships, no matter whether the Government owns a majority of the stock or all the stock, shall have the status of privately owned ships, shall be entitled to no greater rights in charter or on the sea than though they were owned by a private corporation. I think you will find that direct information in the bill.

Mr. BURTON. That is an amendment proposed, I believe, by the Senator from Missouri [Mr. STONE], which aims to give to these boats the same status as privately owned ships. In some relations of these boats that would be conclusive, but in others it would not. You give them a certain status by the mere fact that they are owned by the corporation whose creation was instituted by the Government. It seems to me that no declaration of this kind can do away with that fact. You might as well paint a mule and write below "This is a horse." You can not make these boats the same as privately owned boats by any mere legislative declaration. In the treatment that they would receive in the prize courts, possibly in the irritation that would be caused if one of them violated the law, in the danger of a diplomatic rupture and quarrel between nations there are certain features which pertain to these boats which could not possibly pertain to privately owned ships.

Mr. CUMMINS. I do not want the Senator from Ohio to understand that it is my opinion that the mere declaration in the bill can change the fact. I take it that the declaration would be effective whenever we sought against any foreign nation to assert any claim on account of one of these ships, but if a foreign nation should complain to us of the action or conduct of any of the ships we could not shield ourselves behind the declaration that we make in the bill, that they are to be regarded as privately owned ships. So in making that declaration we are limiting ourselves in some rights that we might otherwise claim, but we are not protecting ourselves against any right which a foreign Government might assert against us.

I did not want the Senator from Ohio to feel that in suggesting the presence of that declaration in the bill I was of the opinion that it would change the fact if the conduct of any one of these ships ever came in question between ourselves and a foreign Government.

Mr. BURTON. Suppose, for instance, contraband should be found on one of these boats, could the Government of the United States be in quite the same position as in the case of an absolutely private-owned boat, and could it say, "Oh, we passed a statute that these should be regarded as private vessels—that is, a private ship—and the Government of the United States is in no way responsible for it?" I do not think we could make that claim valid.

Mr. FLETCHER. I will suggest that section 5 of the bill contains the provision the Senator from Iowa has suggested. Section 5 covers the point that they may be entitled to American registry and have the same rights as vessels of the United States.

Mr. BURTON. The difficulty about that, Mr. President, as I have already stated, is that by no legislative declaration can you change the essential nature of this transaction. You can not ignore the legislation creating this corporation and providing that the Government of the United States should use its credit and its character for ships that are to be turned over to a corporation of this kind. I see in section 5 the provision that they "shall be entitled to registry under the laws of the United States and shall be deemed vessels of the United States and entitled to the benefits and privileges appertaining to such vessels, except such vessels shall engage only in trade with foreign countries or with the Philippine Islands, the Hawaiian Islands, and the islands of Guam and Tutuila."

I wish now to continue reading from the article by Mr. Slechta.

Assuming that it is intended to operate vessels in the trades last mentioned, who, the public asks, is to make up the deficit? If they are to be operated on routes to Europe, what will become of this tonnage when the demand now existing in those trades has fallen away, as it surely will? Granted, for the sake of argument, that the demand will continue as great for two years. By that time England, Norway, and Holland will have put on enough new tonnage to reduce the owners' earnings to a reasonable figure. And when an English owner's earnings are reasonable, there is no earning at all for an owner operating American tonnage under existing conditions in our laws and regulations.

I am convinced that not only the public but your honorable committee and other Members of Congress are not familiar with the causes which have brought about the present abnormal conditions in shipping. Red Cross and other relief organizations have alone taken enough tonnage out of the market to have an appreciable effect upon the steadily advancing rates for steamer hires. Shall we desist from such philanthropy in order to give more space to carry munitions of war and other supplies to belligerents? The British and French Governments have leased for a long period of time hundreds of the finest vessels afloat, using them for naval and army purposes. To cite some illustrations of how the thing has worked out: The Peninsular & Oriental Steamship Co. of Great Britain are owners of 60 large vessels, averaging about 8,500 tons gross capacity. Among this number are a good many fine liners normally employed in the Far East routes. Of the total number nearly 50 per cent, including all of the best vessels, have been leased by the British Government. The Ellerman-Bucknell Lines own and operate a total of about 125 vessels, averaging about 5,000 tons capacity. Their best vessels have nearly all been taken by the British Government, and the same is true of the 85 vessels owned by the Elder Dempster Line. Ocean traffic from England to Africa and the Far East has in no respect fallen off since the war began. What has been the result? The three lines mentioned, as well as scores of other lines of less importance, have had to replace the vessels taken by the Government with freighters either owned by them and normally leased out to others, or to charter similar vessels which they do not own and which are normally employed on trade routes to and from American ports. It is not at all a question of flag with those companies. They have, as a matter of fact, preferred Dutch and Scandinavian vessels to British, thus serving to increase still further the demand for neutral tonnage so much desired in our own trades. To a lesser extent this experience has been identical with that of the Cunard Line, White Star Line, French Line, Holland-American Line, and the several Italian lines.

Tonnage can not be created out of thin air. At present it is simply not available. We are ourselves suffering directly as a result of this condition. The writer has no motive other than to get at the facts in the matter. If there can be conceived any project by which the situation can be relieved, then I am for it; but it is impossible to believe that any measure yet presented to Congress on this question will serve the desired end. In one way, and one way only, can an American merchant marine be operated on a large scale advantageously. Abolish all existing laws on navigation. Let owners buy their vessels in the open markets of the world. There are vessels for sale on the stocks of United Kingdom shipbuilders at this moment. The prices are high now, but still lower than that for which American builders can or will build them. Let owners hire their officers and men in the open labor markets of the world. Then, and then only, will we have a merchant marine which can be operated without placing an additional and foolish tax burden on the American people.

In reading these various communications I desire to say that I do not necessarily approve of all the sentiments of their authors. I have presented three documents here. The address of M. Pezet, the Peruvian minister, which contains an excellent discussion of the feeling in South America toward us, the differences in tradition and race and political history which stand in the way of a more perfect understanding. I have presented also this article on Latin-American trade prepared by the com-

mission appointed by Secretary Redfield and, I suppose, in a measure under his direction. I regard that, as I have already said, as the most valuable contribution to the subject of trade in general, and particularly South American trade. Now I have quoted from this communication of Mr. Slechta, who has an exceptional familiarity with South American trade and expresses his opinion on all subjects related to the shipping business:

I can not close this communication without taking some decided exceptions to the conclusions reached in the report on this subject from the Department of Commerce to the Senate. Mr. Redfield objects to the operation of foreign tonnage in such a way as to net their owners the largest possible profits. Permit me to say that this is childishness in the extreme. Does Mr. Redfield propose to have the American Government control the 3,000 tramp steamers flying the British flag in such a way that only the interests of American exporters will be served, regardless of the owners' rights? That is what he says, in effect. This report betrays a woeful ignorance as to the causes and effects in the movement of international commerce. Has Mr. Redfield considered the fact that the high rates which now rule on shipments of wheat and other food products, for example, are decidedly an advantage to the majority of the American people? Were freight rates on wheat for export normal to-day, the exports of our wheat would so greatly exceed the amount available for export—that is, our surplus production—that there would be a shortage for our own people, and the whole population would pay extravagant prices for flour—higher even than they are paying to-day—for the privilege of enriching the comparatively few who produce wheat, and more especially the speculators in New York, Chicago, and Minneapolis who buy wheat for export.

Mr. President, I would like to obtain a diagram of the different views of this administration on this proposition of cost. It is impossible for anyone to show any consistency in the views of this administration about prices and rates. In the campaign of 1912 no promise was more frequently made to the American people by the Democratic Party than that the election of the Democratic ticket would reduce prices. The chairman of the State convention in the great State of New York, afterwards governor of the State, said if Woodrow Wilson were elected President of the United States high prices would virtually disappear "on the 4th of March next." Possibly in the heat and enthusiasm of the time it was not intended that that statement should be taken seriously, but there were many who believed it, and many voted for Woodrow Wilson because they thought prices would fall with his election and inauguration.

Now, any person who has given careful attention to this subject would know that with the world-wide increase in prices neither tariff laws nor the Republican Party was responsible for that condition. The people are to-day holding the Democratic Party responsible for failing to comply with a promise which they made in that campaign. The cost of living is as high now as it ever was, and if there is a falling off anywhere it is accompanied with a diminished prosperity. If the cost of an article in which labor enters largely is less, it means that workingmen are out of employment.

It was said that prices would be lower if Woodrow Wilson were elected. They are not lower; if anything, they are higher. But now comes the President and complains that the farmer is not getting prices high enough. What does this mean? How under the sun is the farmer going to get high prices for his produce without somebody being compelled to pay higher prices?

It is only my friends on the other side, the party in opposition, who can go around telling the people two different things, saying to the farmers, "Your pork and your meat and your wheat should be as high as ever," and then the next day go into the cities saying to the denizens there, to workingmen and others, "You are suffering from the pinch of the high cost of living, and we will relieve you; prices will be lower." I say that kind of a campaign, which offers happiness, joy, and hope to all, can only be carried on by a party that is in the opposition. I really think the promise was pretty effective in the last campaign and that a great many unthinking people believed it. Now, how are we to understand all this? Purchase ships, spend $40,000,000, and operate them at a loss because the farmer is not getting enough for his produce. My sympathies have been with the farmer; he is entitled to come into his own; but wheat is selling at over $1.40 a bushel in the Chicago market, a higher price than at any time for nearly 50 years—to be exact, 48 years; in 1866, I think, wheat sold for a little more. On the same day and in the same paper which chronicles the account of the necessity for buying ships, so that the farmer may get good prices, we read that the representative of a great consumers' union called on the President and asked him to put an absolute embargo on the shipment of wheat.

Well, now, will you not draw some diagram, will you not make some explanation, so as to make clear to an inquiring mind how you are reconciling all these things? I trust that will be done in the course of this debate.

I should be glad, though I fear it is hardly probable, if you would go back and read some of those old 1912 campaign speeches on lower prices, and then take up the price list which prevails to-day; and show us, if you can, that the workingman, the man on a salary, or any of our citizens have gained anything in the way of relief from the high cost of living by this Democratic administration. But perhaps, for the present, it is enough if it be explained to us why there is talk of an embargo on farm products, to absolutely prevent their being shipped out of the country, because prices are getting to be so high, and at the same time we are told by the President himself that we must buy ships in order to get the farmers' products to market more readily, and thus increase demand and still further raise prices.

Mr. President, that idea will not bear analysis at all. There never was a time in the history of prices when it was clearer that the consumer paid the freight than it is that he does so right now. That is always the case when there is a deficient supply and sources that have usually furnished the market are cut off. If there were now several competing sources of supply, such as Russia, India, Roumania, Turkey, all the countries that furnish wheat, and if each had a normal supply, if the lines of trade were open and the freight rates were raised on wheat carried from the United States to Europe and not raised on the other lines, there would be some need of additional shipping. But in every case the freight rate is added to the cost in this country. Those people over there need wheat; otherwise why do they import it? Why have they imported it in such great quantities? The price depends upon the demand the world over. When a certain price is fixed, the freight in addition to that price is paid by the buyer, and the farmer of the United States gets his full price. The freight rate on wheat is 1½ pence, or 3 cents, which would be very low. The farmer sells his wheat here at a normal price, and the consumer on the other side must pay 3 cents additional. If the freight rate is 10 pence, or 20 cents, the consumer likewise pays it on the other side. So there is nothing in that contention to show that we must have a line of ships owned and controlled by the Government in order to help out the farmer in this emergency.

I do not believe the farmer is asking for this line. I find it difficult to find any man who understands the situation who is asking for this line outside of those who have seemed to adopt it as a political policy.

Before I am through I wish to have read a communication from the Board of Trade of New Orleans setting forth their views on this measure. If there is any one city in this broad Union which has complained of high freight rates, if there is any locality where you would think they would need such a bill as this, it is that city at the mouth of the Mississippi, where cotton is shipped on so large a scale. But they condemn this proposed legislation in unqualified terms. Mr. President, perhaps while I am on this subject—I have strayed somewhat from the line of argument which I had pursued—I would ask to have the paper read right now. As I have not before asked to have any document read, I should like to have this read from the desk.

The PRESIDING OFFICER. Without objection the Secretary will read as requested.

The Secretary read as follows:

Resolutions adopted by the New Orleans Board of Trade (Ltd.), protesting against the proposed legislation providing for Government ownership and operation of merchant vessels in the foreign trade of the United States, December 29, 1914.

Whereas a bill known as H. R. 18666, providing for the Government ownership and operation of merchant vessels in the foreign trade of the United States, now pending in Congress, was considered at a meeting of the executive committee of the New Orleans Board of Trade under date of September 17, 1914, and an informal resolution was adopted protesting against the passage of such bill, which resolution was formally approved by the board of directors of the Board of Trade under date of October 14, 1914; and

Whereas no formal resolution was adopted by the board at that time because of the belief that the bill was so unwise that it would not be pressed, it is now considered advisable, in view of the present activity of President Wilson, to bring about the passage of said bill, that the New Orleans Board of Trade do now go on record with the following formal resolutions; and

Whereas by the provisions of said bill a shipping board, composed of the Secretary of the Treasury, Postmaster General, and the Secretary of Commerce, may subscribe to the capital stock of any corporation now or hereafter organized under the laws of the United States or any State thereof or the District of Columbia for the purpose of constructing, maintaining, and operating merchant vessels in the trade between the United States and foreign countries under certain prescribed conditions; and

Whereas said proposed legislation has met with the almost universal condemnation of the press as being unwise, unnecessary, unprofitable, and a dangerous undertaking for our Government: Therefore be it

Resolved, That the New Orleans Board of Trade (Ltd.) voice its emphatic protest against legislation of any such character, and submit for the consideration of its Senators and Representatives in Congress the following points:

1. It would be a startling and dangerous step toward socialism; and if the Government succeeded in starting on a small scale, it is difficult to foretell to what extent this dangerous precedent might lead.

2. There is no necessity for it, as there is quite a sufficient number of vessels in operation at the present time to take care of our commerce to Central and South American countries; and while there is probably, a temporary scarcity of tonnage to Europe, this will be relieved as soon as the war is over.

3. The passage of such legislation would be entirely inadequate and inefficient to create an American merchant marine, as, if the Government were to subscribe the full amount of the capital stock of $10,000,000 to a single corporation and then issue $30,000,000 in bonds, it would not add more than 40 or 50 ships to our merchant marine.

4. The enactment of such legislation would be a serious blow to our American merchant marine, in that it would destroy the initiative on the part of private capital, and no one would think of attempting to build, buy, or operate merchant vessels in competition with the United States Government, and the privately owned vessels which are now under the American flag would, in our judgment, diminish to such an extent as to actually reduce the aggregate tonnage of the American merchant marine rather than increase it.

5. Such legislation, it would appear to us, would be dangerous, on account of the possibility of international complications, because of the present war in Europe, in that any vessels purchased by the United States Government from German, English, French, Russian, or Japanese interests would be looked upon with suspicion by the opposing belligerent forces, and more than likely cause serious complications to arise.

6. It would, further, cause international complications in the matter of the shipment of supplies, as if any contraband of war were found on board any Government-owned vessels, or those of any corporation in which the Government had stock ownership, the belligerent nations would have a perfect right to consider it an unfriendly act on the part of the United States Government, and probably involve the Government in war. This would not be true of private interests, as if a vessel owned by a private corporation, but sailing under the American flag, or any other flag, should be found with contraband of war on board, the vessel or cargo, as the case might be, would be subject to seizure or taken as a prize, and the controversy would be between the belligerent nation and the shipowner, and not the United States Government.

7. We do not believe it would be a business proposition for the Government to engage in the steamship business, as, in our judgment, it would prove an expensive failure, and we seriously doubt if, after the Government had taken 51 per cent of the capital stock of any corporation organized for the purpose of taking advantage of this bill, individuals would take the other 49 per cent. It is a well-known fact that the operation of the Panama Railroad steamers from New York has proven an expensive undertaking for the Government, notwithstanding they were in a better position to provide these ships with tonnage and passengers than any private corporation.

8. In conclusion, we consider it ill-advised legislation, and believe that the proposed bill should be withdrawn from the calendar of Congress, and that the attention of the Merchant Marine Committee be more directed to such revision of our obsolete navigation laws as will bring them in line with the laws of Great Britain, France, and Germany, which, when done, will, we believe, relieve the situation and restore the American merchant marine to the seas through the means of private capital: Be it, therefore, further

Resolved, That a copy of these resolutions and arguments be sent to the President of the Senate, the Speaker of the House of Representatives, the chairman of the Merchant Marine Committee in the House, and to our Senators and Representatives in Congress from Louisiana, and the United States Chamber of Commerce.

NEW ORLEANS BOARD OF TRADE (LTD.),
J. D. HARDIN, *President*.

Attest:

H. S. HERRING, *Secretary*.

Mr. STONE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Missouri?

Mr. STONE. Mr. President, I thought the Senator had yielded the floor.

Mr. BURTON. No; I have not concluded.

Mr. STONE. Just a moment, Mr. President. The Senator took his seat.

Mr. BURTON. Only while a document which I sent up to the desk was being read.

The PRESIDING OFFICER. The Chair does not understand that the Senator from Ohio yielded the floor.

Mr. STONE. I think a Senator surrenders the floor when he takes his seat. The nineteenth rule provides that a Senator who desires to speak shall rise and address the Presiding Officer.

Mr. GALLINGER. Which the Senator from Ohio did. The Senator perhaps remembers that Senators——

Mr. STONE. Mr. President, I have the floor at this moment.

Mr. GALLINGER. The Senator will not yield?

Mr. STONE. No; I will not yield until I have finished.

Mr. BURTON. Mr. President, what do I understand this proceeding is?

Mr. STONE. I make the point of order that I am entitled to the floor myself in my own right. I rose and addressed the Chair.

Mr. BURTON. I do not so understand. I do not wish to yield the floor, Mr. President.

Mr. STONE. I make the point that the Senator did yield the floor, and I wish to read——

Mr. BURTON. Do I understand the Chair to make a definite ruling that I have not the floor?

Mr. CLARK of Wyoming. I call for the regular order.

Mr. STONE. I am making a point of order.

Mr. CLARK of Wyoming. A point of order is not debatable.

The PRESIDING OFFICER. The Senator will state his point of order.

Mr. STONE. Mr. President, in addition to the rule I have quoted, I read from Jefferson's Manual, page 92, which is the law governing this body.

Mr. GALLINGER. Part of it.

Mr. STONE. I read as follows:

When any Member means to speak he is to stand up in his place, uncovered, and to address himself, not to the House, or any particular Member, but to the Speaker, who calls him by his name, that the House may take notice who it is that speaks. But Members who are indisposed may be indulged to speak sitting.

Now, Mr. President, if the Senator from Ohio is sick, I am entirely willing that he should sit down to address the body.

Mr. BURTON. Mr. President, I feel that the Senator from Missouri ought to be assured that I am not sick or indisposed, either one.

Mr. STONE. Very well; then, I am willing to yield the floor to the Senator now, but I shall insist upon his observing the rules of the Senate and of parliamentary law as laid down by the authority which has been adopted by the Senate.

Mr. BURTON. Mr. President, this document seemed to be of unusual importance, and I desired to have it read at the desk. It took some five minutes. I was not averse to reading it myself, but I desired the additional impressiveness that it would have by being read in that way, and during that time perhaps I did sit down. However, the absurdity of saying that when a Member of this body is addressing the Senate and some document is being read he must in the meantime stand on his feet is too great to require any discussion here. The fact of the matter is, as the Senator from Iowa [Mr. KENYON] suggests, I do not think I took my seat except in a very qualified way. [Laughter.]

Mr. President, I now desire to read the protest of the Philadelphia Maritime Exchange against the proposed shipping legislation:

[Protest against the passage of bill H. R. 18666, providing for Government ownership and operation of merchant vessels in the foreign trade of the United States.]

THE PHILADELPHIA MARITIME EXCHANGE,
Philadelphia, December 31, 1914.

To the honorable the Senate and House of Representatives of the United States in Congress assembled:

This memorial of the Philadelphia Maritime Exchange respectfully represents:

First. That a bill (H. R. 18666) providing for Government ownership and operation of merchant vessels in the foreign trade of the United States is pending in the Congress of the United States.

Second. That by the provisions of the bill a shipping board, composed of the Secretary of the Treasury, the Postmaster General, and the Secretary of Commerce, may subscribe to the capital stock of any corporation now or hereafter organized under the laws of the United States, or of any State thereof, or of the District of Columbia, for the purpose of purchasing, constructing, maintaining, and operating merchant vessels in the trade between the Atlantic, Gulf, or Pacific ports of the United States and the ports of Central and South America and elsewhere, to meet the requirements of the commerce of the United States.

Third. That question is raised as to whether this proposed legislative action by the Government of the United States is justifiable and technically right, while the real question at issue is whether in the present emergency it is either necessary or advisable.

Fourth. That the advocates of the measure advance the theory that shipping facilities for the transportation of our exports abroad under existing conditions are inadequate, but appear not to accept the testimony of experienced and practical men that the present situation is due mainly, not to any extensive lack of vessels but to the present unstable foreign exchange operations, scarcity of foreign labor for handling commerce, and particularly to the high cost of marine insurance, and that with relief in these directions greater activity will follow and the present and future requirements of commerce amply met by private enterprise.

Fifth. That from an investment standpoint it could not be expected to appeal to the public. Although the men selected for the posts of Secretary of the Treasury, Postmaster General, and Secretary of Commerce are of the highest mental and moral attainments, it is not probable that they would be chosen especially because they were experienced in the ownership and operation of merchant vessels, to be successful in which requires long years of training and an intimate knowledge of every detail of the business.

Sixth. That under our system of government the personnel of these offices, with rare exception, changes every four years. It is not likely, therefore, that with such a flexible and uncertain management the public could even be tempted to invest its capital in an enterprise in the control of which it can for all time hold only a minority representation.

Seventh. That if this conclusion be well founded the proposed legislation would place the Government in direct and complete competition with a large number of our citizens who, with investments of many millions of dollars, are engaged in a business essentially private in character and readily controllable both by competition and governmental regulation.

No private enterprise, however capably and economically administered, where the management is accountable to its stockholders, can compete with the Government in the same industry, where there is no such accountability.

Eighth. That under the terms of legislation recently enacted by Congress providing for the transfer of foreign-built vessels to American registry, with necessary revision of our navigation laws to enable us to compete on equal terms with foreign shipping, instant impetus and a steady, wholesome growth should be given to our merchant marine, which, however, could not survive against Government competition.

The effect of this legislation should be fully demonstrated before any other is undertaken.

Ninth. That in dealing with this important subject the neutrality obligations of the United States should be seriously considered and any ground for criticism or even suspicion of our good faith avoided.

Tenth. That the Philadelphia Maritime Exchange, strongly advocating the upbuilding of the merchant marine of the United States, regards the provisions of bill H. R. 18666 as dangerous in the extreme, and is of the opinion that the ownership and operation by the Government of merchant vessels is a backward rather than a forward step, and will not only discourage but destroy all private initiative in the direction so earnestly desired.

Eleventh. For these reasons the Philadelphia Maritime Exchange urgently protests against the proposed measure being enacted into law.

THE PHILADELPHIA MARITIME EXCHANGE,
[SEAL.] By J. S. W. HOLTON, *President.*
Attest:

E. R. HARWOOD, *Secretary.*

I place these two protests in the RECORD—one by a board of trade in a Southern State, perhaps the leading organization of that type in the South, and the other by the Maritime Exchange of Philadelphia, very prominent in its association with shipping *in the* Northern States. I will state, also, that the San Francisco Chamber of Commerce has protested against this bill; that the New York Chamber of Commerce, an institution founded before the Revolution, and the Boston Chamber of Commerce have also protested against this bill.

In several of the sections each of these documents—the one styled "resolutions" and the other a protest—set forth in succinct form the vital objections. In the fourth division of the Philadelphia Maritime Exchange protest, to repeat, it is said:

The advocates of the measure advance the theory that shipping facilities for the transportation of our exports abroad under existing conditions are inadequate, but appear not to accept the testimony of experienced and practical men that the present situation is due mainly not to any extensive lack of vessels but to present unstable foreign exchange operations, scarcity of foreign labor for handling commerce, and particularly to the high cost of marine insurance, and that with relief in these directions greater activity will follow and the present and future requirements of commerce amply met by private enterprise.

Perhaps in the course of my argument during the day I have omitted to give prominence to the very important factor of war-risk insurance. I dwelt upon the others. This, however, is so obvious and so readily goes without saying that I conjecture that everyone here knows how important it is. Why, war-risk insurance ranges away up to 8 per cent or thereabouts, and that is more than the usual profit on a ship during the whole year. It is peculiarly severe when you take into account the fact that oftentimes the capital invested by the owners of a ship or a line of ships is very much less than the actual cost of the ships, because the owner borrows a very considerable amount—bottomry bonds, or whatever you may call them—reaching sometimes as much as 66⅔ per cent of the whole amount.

I will now resume the reading of the article submitted, which was originally intended to refer only to South America, but which pertains to the shipping trade generally. This is from the article by Mr. Schlechter. Speaking of the report by the Department of Commerce, he says:

The report attempts to use as an argument in favor of an American Government owned merchant marine the circumstance of high rates now ruling and the shortage of tonnage. This is, rather, an argument against any such proposition. I can supply your honorable committee with the names of American owned and American built vessels now in the European service which are earning on each trip to Europe a fourth of the cost of their vessels. Why do these same owners not order from our shipyards more such vessels for immediate construction? There was never a time during the past hundred years when aid for an American merchant marine was less needed. If it is anticipated that the present high rates are to continue, American owners should look forward with confidence to the employment of their vessels at a profit of from 25 per cent to 100 per cent per annum. Why should they require Government aid, or why should they not proceed to build on their own initiative? The question has already been answered in the preceding pages, but to summarize, I would point out that they do not feel confident of continued high rates. If it did not cost them so much to build here, they would build on a chance of high rates holding long enough to pay them a profit. Let them buy their ships, new or old, where they please and you will have a demonstration of alacrity on the part of American owners to buy and operate American tonnage that will surprise. The explanation is that, having an opportunity to again sell their vessels at a figure at least approximating what they paid for them, they will be willing to take the chance of operating them profitably for at least a period of months. But with the certainty that when normal conditions are resumed they can neither operate at a profit nor sell without suffering a loss of from 30 per cent to 50 per cent staring them in the face, no responsible operators will assume the risk.

Again, the report errs fundamentally in stating that American producers pay the cost of the high rates on freight now ruling. Any student of high-school economics knows that it is the ultimate consumer that pays the cost and not the producer. The whole issue is not as to how we may reduce the profits of the foreign shipowner, but how may we enable actual and prospective operators of American ships to reap the same or approximate profits when profits to the foreign shipowner are high. The records show that in the 10-year period ended with 1913, owners of tramp freighters flying the British flag earned an average of only a very low interest on their investments; to be specific, not more than 4 per cent. Would American investors be content with such an investment?

Right here in this statement we may find the chief reason why an American mercantile marine has not prospered. It is regarded as a stable investment in England or Scotland when an individual or a company buys ships and operates them. They are content with 4 per cent interest. They can borrow on ships at 4 per cent interest, borrowing two-thirds of the amount. In this country, however, mortgages on ships are placed for a less percentage of the total value, the rate of interest is as much as 6 per cent, and the rate of profit with which investors are satisfied when there is an element of risk and uncertainty, as in the shipping business, is much higher than that. Consequently the American investor is not predisposed toward the building of ships. Four per cent, with the possibility of borrowing two-thirds of the value, in England 4 per cent as the profit of the investor and his dividends, as against 6 per cent that must be paid on the investment in this country, with an unwillingness to enter the venture unless the real profit is very materially higher, represents just the difference between a country in which a certain type of investment is regarded as secure and another where the investment has no established stability.

Your own committee, Judge ALEXANDER, is authority for the conclusion arrived at after your investigation of two years ago that no such thing as a general monopoly in ocean transportation exists. Yet Mr. Redfield asserts, after an investigation made in a few days by the department's agents—none of them experts even slightly familiar with shipping—that there is such a monopoly. I will not further trespass upon your time in the discussion of this report. The truth is that there is scarcely a sentence in the whole report which is not pregnant with misstatements and misconceptions of the actual facts. Conclusions are false drawn, even when they are not a priori. The whole array of statements is marshaled together to bolster up a conviction in the minds of the sponsors for the idea which was arrived at before any knowledge of the real facts was available to them.

I venture to assert that 95 per cent of the merchandise now exported from this country is shipped by those who are opposed to such an artificial interjection of Government aid in the foreign commerce question as is proposed. Exporters care little about how high the freight rates go. They are interested only in having as good a chance to get the business as the next fellow, and to have that they must have as good a rate as the shipper from other countries. If it is desired to obtain this for them, as far as is possible, then the worst way to go about it is to force them to use American ships, which can not hope to operate at a cost of less than 25 per cent more than the cost of operating British tonnage, 30 per cent more than Dutch tonnage, or 40 per cent more than Norwegian tonnage——

Mr. KERN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Indiana?

Mr. BURTON. Yes.

Mr. KERN. I desire to inquire of the Senator from Ohio if he will yield to me to make a motion for a recess until to-morrow morning at 11 o'clock?

Mr. BURTON. As far as I am concerned, I have no objection. It does not mean that I lose my right to the floor. I do not lose my right to speak further?

Mr. KERN. Certainly not.

Mr. SMITH of Arizona. Then I ask unanimous consent that the Chair may lay before the Senate the amendments of the House of Representatives to Senate bill 5614, which passed the Senate unanimously and has now passed the House with slight amendments.

Mr. SMITH of Georgia. I should like to send to the desk, with the consent of the Senate, an amendment which I shall want to propose to the pending shipping bill. I ask that it may lie on the table and be printed in the RECORD, so that it can be seen to-morrow.

There being no objection, the amendment was ordered to lie on the table and to be printed in the RECORD, as follows:

Amendment intended to be proposed by Mr. SMITH of Georgia to the bill (S. 6856) to authorize the United States, acting through a shipping board, to subscribe to the capital stock of a corporation to be organized under the laws of the United States or of a State thereof or of the District of Columbia to purchase, construct, equip, maintain, and operate merchant vessels in the foreign trade of the United States, and for other purposes, viz: Amend section 1 by adding, on page 2, after the word "share," line 8:

"*Provided further*, That charters or leases of any vessel or vessels by such corporation, organized in pursuance of this act, in which the United States holds a majority of the stock, to any other corporation, firm, or individual shall not be made for less than 4 per cent of the value of such vessel, together with a charge of 5 per cent per annum for depreciation, and full insurance, and in no case shall such charters or lease to any one corporation, firm, or individual be of vessels in excess of $5,000,000 in value, and in no case shall such charter or lease be made to a corporation, firm, or individual with capital less than 25 per cent of the value of the vessel or vessels so chartered or leased: *And provided further*, That such corporation organized in pursuance of this act, in which the United States holds a majority of the capital stock, shall in no instance operate any vessel except where the same can not be chartered or leased for operation to another corporation, firm, or individual, as provided for in this section, unless such operation is necessary to move the commerce of citizens of the United States."

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House had passed the bill (S. 4012) to increase the limit of cost of the

United States public building at Grand Junction, Colo., with an amendment, in which it requested the concurrence of the Senate.

The message also announced that the House had passed the bill (S. 5295) to amend existing legislation providing for the acquisition of a site and the construction of a building thereon for the accommodation of the post office, United States courts, customhouse, and other governmental offices at Honolulu, Territory of Hawaii, and for other purposes, with amendments, in which it requested the concurrence of the Senate.

The message further announced that the House had passed the bill (S. 5614) for the improvement of the foreign service, with an amendment, in which it requested the concurrence of the Senate.

The message also announced that the House had passed the bill (S. 6309) to establish the Rocky Mountain National Park, in the State of Colorado, and for other purposes, with amendments, in which it requested the concurrence of the Senate.

The message further announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 9584. An act to authorize the Secretary of the Treasury of the United States to sell the present old post office and the site thereof in the city of Jersey City, N. J.;

H. R. 15799. An act to provide for stock-raising homesteads, and for other purposes;

H. R. 17765. An act to regulate details of majors in the Ordnance Department; and

H. R. 18550. An act empowering and directing the Secretary of the Treasury to convey by quitclaim deed certain lands in the city of Akron, State of Ohio.

IMPROVEMENT OF THE FOREIGN SERVICE.

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 5614) for the improvement of the foreign service, which were, on page 1, lines 9 and 10, after the word "require," to strike out all down to and including the word "longer," in line 14, and insert "*Provided*, That any such officer may be assigned for duty in the Department of State without loss of grade, class, or salary, such assignment to be for a period of not more than three years, unless the public interests demand further service, when such assignment may be extended for a period not to exceed one year, and no longer," and on page 4, line 1, after "detail," to insert "not exceeding $5 per day."

Mr. STONE. I move that the Senate concur in the amendments of the House.

Mr. SMOOT. Just a moment. I understand that the handing down of this bill does not interfere with the right of the Senator from Ohio [Mr. BURTON], who is holding the floor.

The PRESIDING OFFICER. It is the right of the Chair at any time to lay before the Senate messages from the House or communications from the heads of departments.

Mr. SMOOT. I am perfectly aware that the Chair can hand them down and that they can be received with certain exceptions, but I did not want it to be applied to the right of the Senator from Ohio to the floor.

Mr. STONE. I ask that the Senate concur in the amendments.

The PRESIDING OFFICER. Does the Senator from Indiana withhold his motion for that purpose?

Mr. KERN. I withhold the motion.

The PRESIDING OFFICER. The Senator from Missouri moves that the Senate concur in the amendments of the House.

The motion was agreed to.

ROCKY MOUNTAIN NATIONAL PARK.

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 6309) to establish the Rocky Mountain National Park, in the State of Colorado, and for other purposes, which were, on page 4, line 18, after "beginning," to insert ", all of said above-described tract now being included within the boundaries of the counties of Grand, Boulder, and Larimer, in the State of Colorado, is hereby reserved and withdrawn from settlement, occupancy, or disposal under the laws of the United States, and said tract is dedicated and set apart as a public park for the benefit and enjoyment of the people of the United States, under the name of the Rocky Mountain National Park."

On page 5, line 16, after "act," to strike out all down to and including "area," page 6, line 5.

On page 7, line 3, after "therein," to strike out all down to and including "therein" in line 4, and insert:

": *Provided*, That no appropriation for the maintenance, supervision, or improvement of said park in excess of $10,000 annually shall be made unless the same shall have first been expressly authorized by law."

Mr. THOMAS. I ask the Senator from Indiana to withhold his motion until I can move to concur in the amendments of the House.

Mr. KERN. Very well.

The PRESIDING OFFICER. The Senator from Colorado moves that the Senate concur in the amendments of the House.

Mr. SMOOT. May I ask the Senator what change the amendments make in the bill?

Mr. THOMAS. The description has been corrected a little, and the provision which devoted the proceeds from the concessions, privileges, and so forth, shall be used for the improvement of the park has been stricken out.

Mr. GALLINGER. I ask the Senator, Is this an additional national park?

Mr. THOMAS. Yes; a new national park.

Mr. GALLINGER. In the Senator's State?

Mr. THOMAS. In my State.

Mr. SMOOT. I ask the Senator where the proceeds from the park will go?

Mr. THOMAS. I suppose they will go into the general fund.

Mr. SMOOT. I wondered if the bill provided for it.

Mr. THOMAS. The amendment of the House simply strikes out those two lines on page 7.

Mr. SMOOT. I refer to the bill as it came from the House.

Mr. THOMAS. That is the only material change.

Mr. SMOOT. Will the whole expense of maintaining the park fall upon the Government?

Mr. THOMAS. I forgot to state in answer to the Senator's first question that the bill also provides that the expenditure shall be limited to $10,000 annually, and it is not to be increased except by act of Congress. The elimination of the particular provision to which I refer was, of course, undesirable to the friends of the bill, but it was insisted upon by the House, and it was done, the reason there assigned being that all the funds obtained by concessions, charges for tolls, and so forth, in the park should go into the common fund.

Mr. SMOOT. I had made up my mind that I would oppose the establishment of any more parks where the Government of the United States was called upon to maintain them until after we had passed some kind of a bill creating a bureau to take care of all the parks, and we should find out what they really cost the Government and not have them appropriated for in five different appropriation bills.

Mr. THOMAS. I will state to the Senator it was suggested that this land be given to the State for a park of its own, to be cared for at its own expense. I readily accepted the suggestion, but I could not secure the approval of such a measure by the Interior Department.

Mr. SMOOT. I know the Senator could secure the approval of the Senate to such a proposition.

Mr. THOMAS. I am quite aware of that.

Mr. SMOOT. And of the Senate Committee on Public Lands.

Mr. THOMAS. I am quite aware of it.

Mr. SHAFROTH. But we could not introduce such a bill now and get it through at this session. I hope the Senator from Utah will not object to the consideration of this matter now.

Mr. THOMAS. In view of the fact that the Senator from Utah did not oppose the bill at the time it passed the Senate I hope he will not oppose it now.

Mr. GALLINGER. Will the Senator state the area of the proposed park?

Mr. THOMAS. It is about 230,000 acres. I should add that the area is already in a forest reserve.

Mr. SMOOT. I wish to say to the Senator and also to the Senate that I would gladly——

Mr. GALLINGER. I presume it is in a mountain region of the State?

Mr. THOMAS. Entirely; and good for no other purpose in the world.

Mr. SHAFROTH. It is about 18 square miles.

Mr. THOMAS. It has been prospected for a great many years and no mineral deposit has ever been found in all the area.

Mr. SMOOT. Continuing, I will say that I would gladly and willingly give all that land to the State of Colorado for a State park. There would not be a question in my mind about it; but there has been and is a question in my mind as to whether we ought to maintain control over the land and be at the expense of maintaining the park within the State. However, Mr. President, as the bill passed the Senate and passed the House, and is sent back here for the approval by the Senate of the House

amendments, I shall not object at this time, but I do not believe it is a good practice.

Mr. THOMAS. I thank the Senator from Utah.

Mr. JONES. I understand this bill has already passed the Senate and some minor amendments were made in the House. Is that correct?

Mr. THOMAS. Yes, sir.

Mr. JONES. What is the nature of the amendments made in the House?

Mr. THOMAS. One amendment eliminated from the bill as it passed the Senate a provision which devoted the proceeds in the way of concessions, toll charges, and so forth, to the improvement of the park. Another amendment limits the expenditure upon it to the sum of $10,000 annually, unless any sum in excess of $10,000 shall have been first expressly authorized by Congress.

Mr. JONES. What requests are likely to come to Congress for the improvement of this national park?

Mr. THOMAS. They may come from the department to the Senate or from those of us who represent the part of the country in which the park is located.

Mr. JONES. I am inclined to hope some requests will come for the improvement of the parks. We have a park in our State that ought to be improved and that we have been trying to get more liberal appropriations for than heretofore, but in the last year or two there seems to have developed some considerable opposition to appropriating money for parks.

Mr. THOMAS. I am in full accord with the suggestion of the Senator from Utah [Mr. SMOOT], that there should be a bureau of national parks through which an arrangement would be made, with the consent and concurrence of Congress, for the preservation as well as the development of the parks.

Mr. JONES. I hope that will be done.

Mr. WILLIAMS. I ask the Senator from Colorado why it would not be better to let the State have the management of it.

Mr. THOMAS. We made an effort to do that, but I could not secure the consent of the Interior Department.

Mr. WILLIAMS. Why should we not surrender all the parks to the States, except the military parks, to be managed by the State?

Mr. THOMAS. I would be glad to have that done; and I will go further and say, if the Senator will support me, I will make the effort to do it.

Mr. JONES. I understood the Senator to say he could not get the consent of the Interior Department to do it.

Mr. THOMAS. That is right.

Mr. JONES. In other words, if Congress wants it, it must get the consent of the Interior Department.

Mr. THOMAS. It means that without such consent it would be hopeless in the House of Representatives.

Mr. JONES. I know the department has control of the matter. In the hope that this will help us in the future to get some appropriation for the developing of our parks that ought to be developed, I am not going to object.

Mr. THOMAS. I thank the Senator.

The PRESIDING OFFICER. The question is on concurring in the amendments of the House of Representatives.

The amendments were concurred in.

PUBLIC BUILDING AT GRAND JUNCTION, COLO.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 4012) to increase the limit of cost of the United States public building at Grand Junction, Colo., which was to strike out "$200,000" and insert "$175,000."

Mr. SHAFROTH. I move that the Senate concur in the amendment of the House.

The motion was agreed to.

HOUSE BILLS REFERRED.

The following bills were severally read twice by their titles and referred to the Committee on Public Lands:

H. R. 15799. An act to provide for stock-raising homesteads, and for other purposes; and

H. R. 18550. An act empowering and directing the Secretary of the Treasury to convey by quitclaim deed certain lands in the city of Akron, State of Ohio.

H. R. 9584. An act to authorize the Secretary of the Treasury of the United States to sell the present old post office and the site thereof in the city of Jersey City, N. J., was read twice by its title and referred to the Committee on Public Buildings and Grounds.

H. R. 17765. An act to regulate details of majors in the Ordnance Department was read twice by its title and referred to the Committee on Military Affairs.

PETITIONS AND MEMORIALS.

Mr. KERN presented petitions of the Men's Society of the Lutheran Church of Union City, and of sundry citizens of Wayne and Wanatak, in the State of Indiana, praying for the enactment of legislation to prohibit the exportation of ammunition, etc., which were referred to the Committee on Foreign Relations.

He also presented a petition of the United Mine Workers of Duggers, Ind., praying for the enlargement of the Bureau of Mines, which was referred to the Committee on Mines and Mining.

He also presented memorials of the German Catholic Central Verein, of La Fayette and South Bend, Ind., remonstrating against the transmission of anti-Catholic publications through the mail, which were referred to the Committee on Post Offices and Post Roads.

Mr. McLEAN presented petitions of the Arion Singing Society, of Danbury; of the German-American Central Alliance, of Danbury; and of sundry citizens of Danbury, all in the State of Connecticut, praying for the enactment of legislation to prohibit the exportation of ammunition, etc., which were referred to the Committee on Foreign Relations.

He also presented a petition of St. Rose's Holy Name Society, of Meriden, Conn., praying for the exclusion of anti-Catholic publications from the mail, which was referred to the Committee on Post Offices and Post Roads.

He also presented a petition of the Court of Common Council of Meriden, Conn., praying for the enactment of legislation to grant pensions to civil-service employees, which was referred to the Committee on Civil Service and Retrenchment.

Mr. OLIVER presented a memorial of the Manufacturers' Club, of Philadelphia, Pa., praying for the adoption of certain amendments to the present tariff law, which was referred to the Committee on Finance.

He also presented petitions of sundry citizens of Millersville, Waymart, and Ellen Chapel, all in the State of Pennsylvania, praying for national prohibition, which were referred to the Committee on the Judiciary.

He also presented memorials of sundry citizens of Stoneboro, Pa., remonstrating against the enactment of legislation to increase the Army and Navy equipment, which were referred to the Committee on Military Affairs.

He also presented petitions of sundry citizens of Pennsylvania, praying for the enactment of legislation to prohibit the exportation of ammunition, which were referred to the Committee on Foreign Relations.

Mr. WARREN presented petitions of the Christian Union Club, of Kirtley, and of sundry citizens of Florence, in the State of Wyoming, praying for national prohibition, which were referred to the Committee on the Judiciary.

He also presented a petition of sundry citizens of Worland, Wyo., praying for the enactment of legislation for the regulation of child labor, which was referred to the Committee on Education and Labor.

He also presented a petition of sundry citizens of Laramie, Wyo., praying for the enactment of legislation to enforce American neutrality, which was referred to the Committee on Foreign Relations.

Mr. GALLINGER presented the memorial of R. W. Lyon, of Newton, N. H., remonstrating against the enactment of legislation tending to restrict the freedom of the press, which was referred to the Committee on Post Offices and Post Roads.

He also presented petitions of Local Union No. 28, Boot and Shoe Workers' Union, of Manchester, and of Local Union No. 172, United Garment Workers of America, of Keene, in the State of New Hampshire, praying for the enactment of legislation to regulate interstate commerce in convict-made goods, which were ordered to lie on the table.

Mr. LIPPITT presented petitions of sundry citizens of Carolina, R. I., praying for national prohibition, which were referred to the Committee on the Judiciary.

INDIAN RESERVATIONS IN NEBRASKA.

Mr. CLAPP, from the Committee on Indian Affairs, to which was referred the bill (H. R. 9899) to authorize the laying out and opening of public roads on the Winnebago, Omaha, Ponca, and Santee Sioux Indian Reservations in Nebraska, reported it with an amendment and submitted a report (No. 919) thereon.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. JAMES:

A bill (S. 7329) granting an increase of pension to Pleasant Thomas (with accompanying papers); to the Committee on Pensions.

By Mr. COLT:
A bill (S. 7330) granting an increase of pension to Mary E. Searle (with accompanying papers); to the Committee on Pensions.
By Mr. KENYON:
A bill (S. 7331) granting an increase of pension to Thomas M. Wall; and
A bill (S. 7332) granting an increase of pension to Hugh M. Cory; to the Committee on Pensions.

CLERKS OF DISTRICT COURTS.

Mr. COLT submitted an amendment intended to be proposed by him to the bill (H. R. 15578) to codify, revise, and amend the laws relating to the judiciary, which was referred to the Committee on the Judiciary and ordered to be printed.

AMENDMENT TO LEGISLATIVE, ETC., APPROPRIATION BILL.

Mr. LEA of Tennessee submitted an amendment providing that the Librarian of Congress shall hereafter, without additional compensation, perform the duties, except those of disbursing officer, required of the superintendent of the building of the Library of Congress as provided in the act approved February 19, 1897, etc., intended to be proposed by him to the legislative, etc., appropriation bill (H. R. 19909), which was referred to the Committee on Appropriations and ordered to be printed.

MISSOURI RIVER BRIDGE.

Mr. REED. I ask unanimous consent to call up the bill (H. R. 19424) to extend the time for the completion of the municipal bridge at St. Louis, Mo. This is a bill that is purely local in its character. Congress granted the right to build a bridge across the Mississippi at St. Louis and——
Mr. OVERMAN. There is no objection to it.
The PRESIDING OFFICER. Is there objection to the request of the Senator from Missouri?
There being no objection, the bill was considered as in Committee of the Whole.
Mr. REED. I offer the following amendments. The language of the amendments are in the original grant, but the wording of the bill is not sufficient to cover it.
Mr. GALLINGER. I desire to make an inquiry. This is a House bill?
Mr. REED. It is a House bill.
Mr. GALLINGER. Has the bill ever gone to a committee of the Senate?
Mr. REED. Yes, sir.
Mr. GALLINGER. And it was reported back?
Mr. REED. It has been reported back and is now on the calendar.
Mr. GALLINGER. With amendments?
Mr. REED. The committee did not report the amendments. I did not call the attention of the committee to them.
Mr. GALLINGER. The Senator desires to offer them?
Mr. REED. Yes, sir.
The PRESIDING OFFICER. The amendments submitted by the Senator from Missouri will be read.
The SECRETARY. It is proposed to add as additional sections to the bill the following:

SEC. 2. That for the purpose of carrying into effect the objects of this act, the city of St. Louis may receive, purchase, and also acquire by lawful appropriation and condemnation in the States of Illinois and Missouri, upon making proper compensation, to be ascertained according to the laws of the State within which the same is located, real and personal property and rights of property, and may make any and every use of the same necessary and proper for the construction, maintenance, and operation of said bridge and approaches consistent with the laws of the United States and of said States, respectively.
SEC. 3. That the right to alter, amend, or repeal this act is hereby expressly reserved.

Mr. SMOOT. I should like to ask the Senator from Missouri if we ever passed a bridge bill with such a provision in it?
Mr. REED. That was in the original act granting the right to construct the bridge, and it should be renewed when the time is extended.
Mr. SMOOT. I simply wanted to be sure of it.
Mr. REED. Yes; that is in the original act.
The amendments were agreed to.
The bill was reported to the Senate as amended, and the amendments were concurred in.
The amendments were ordered to be engrossed and the bill to be read a third time.
The bill was read the third time and passed.

PUBLIC BUILDING AT HONOLULU, HAWAII.

Mr. SWANSON. I ask the Chair to lay before the Senate the amendments of the House of Representatives to Senate bill 5295.
Mr. KERN. I yield to the Senator from Virginia for that purpose.
The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 5295) to amend existing legislation providing for the acquisition of a site and the construction of a building thereon for the accommodation of the post office, United States courts, customhouse, and other governmental offices at Honolulu, Territory of Hawaii, and for other purposes.
Mr. SWANSON. I move that the Senate disagree to the amendments and ask for a conference with the House on the disagreeing votes of the two Houses thereon, and that the conferees be appointed by the Chair.
The motion was agreed to; and the Presiding Officer appointed Mr. SWANSON, Mr. MARTINE of New Jersey, and Mr. WARREN conferees on the part of the Senate.

DISTRICT EXCISE BOARD.

Mr. MARTINE of New Jersey. Mr. President——
Mr. KERN. I yield to the Senator from New Jersey.
Mr. MARTINE of New Jersey. I desire to offer a resolution and to have it referred to the Committee to Audit and Control the Contingent Expenses of the Senate.
The PRESIDING OFFICER. Is there objection to the request of the Senator from New Jersey?
Mr. SMOOT. I am not going to object to this request, but I give notice that I shall object to the transaction of any other business.
Mr. HUGHES. What is the request of my colleague—that the resolution go to the calendar?
Mr. MARTINE of New Jersey. I ask that the resolution may go to the Committee to Audit and Control the Contingent Expenses of the Senate. It is the purpose to give the committee which was appointed by the Vice President to-day regarding the excise board authority to send for persons and papers, employ a stenographer, and so forth.
The resolution (S. Res. 522) was referred to the Committee to Audit and Control the Contingent Expenses of the Senate, as follows:

Resolved, That the special committee appointed by the President of the Senate to investigate the conduct of the excise board is hereby further authorized to investigate fully into the manner in which the excise law, so called, is being administered in the District of Columbia; and said committee is hereby authorized to send for persons and papers, to administer oaths, to compel the attendance of witnesses, to employ stenographers to report such hearings as may be had at a rate not to exceed $1 per printed page, and to have the testimony and proceedings of such hearings printed for the use of the committee. The expense of such hearings shall be paid out of the contingent expenses of the Senate, upon vouchers to be approved by the chairman of the said special committee. The said committee is also authorized to sit during the sessions of the Senate.

RECESS.

Mr. KERN. I renew my motion.
The PRESIDING OFFICER. The Senator from Indiana moves that the Senate take a recess until to-morrow morning at 11 o'clock.
The motion was agreed to; and (at 6 o'clock and 16 minutes p. m., Tuesday, January 19, 1915) the Senate took a recess until to-morrow, Wednesday, January 20, 1915, at 11 o'clock a. m.

HOUSE OF REPRESENTATIVES.

TUESDAY, *January 19, 1915.*

The House met at 11 o'clock a. m.
The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:
Infinite Spirit, Father Soul, out of whose loving heart come all that we see and hear and touch, for these we give Thee hearty thanks. But above all do we thank Thee for those hidden qualities of soul which are ever crystallizing themselves into righteousness, truth, justice, mercy, and love, which make the whole world akin. Grant, O most merciful Father, that we may strive earnestly to develop these values as individuals, as a nation, as a race, until they become the dominant feature of every heart under the spiritual leadership of the Master. Amen.
The Journal of the proceedings of yesterday was read and approved.

PERSONAL PRIVILEGE.

Mr. LINDBERGH. Mr. Speaker, I rise to a question of personal privilege.
The SPEAKER. The gentleman will state it.
Mr. LINDBERGH. On January 7 there was a letter written by Henry B. Joy, a director of the Federal Reserve Bank of Chicago, addressed to Hon. F. A. Delano, vice governor of the Federal Reserve Board, Washington, D. C. In this letter are certain statements——
The SPEAKER. Was this letter published?

Mr. LINDBERGH. This letter has been published by sending it to all the Members of Congress and to Senators, to bankers, and to many business houses, and it has been published in many newspapers.

The SPEAKER. The gentleman will proceed.

Mr. LINDBERGH. There are certain statements in that letter which undertake to charge me with misconduct in office. I will just read those particular statements, because the letter is rather lengthy. I first read from the letter the following:

I certainly am so thoroughly disgusted at dragging of the Federal Reserve Bank of Chicago into the limelight by Congressman LINDBERGH, of Minnesota, and others that I feel warranted in writing you. I have to-day also written Mr. HAMLIN, of which letter I have sent you a copy. Of course we business men and bankers all felt that the Federal reserve bank would become the football of politicians and of a certain class of newspapers, but it has come so much sooner than I expected.

Then his letter goes on:

In the Chicago Tribune of January 6 is again a long article by the staff correspondent, giving interviews by Congressman LINDBERGH, of Minnesota—

And then naming certain other Members of Congress, whose names I shall not read.

A lot of pure, unadulterated, sensational slush to stir up prejudice and trouble. This I have no doubt is a very laudable object from somebody's point of view, and probably pays, or they wouldn't do it.

Further on in the letter is this expression:

Such gratuitous and unnecessary disturbing of conditions—which so far as I know from any stockholding banks within district No. 7 are working out just as well as it is possible to do and just as fast as it is possible to do under the circumstances—is entirely unwarranted.

Then, on page 2 of the same letter, is this statement:

But that the Federal Reserve Board in Washington should allow itself to be undermined and the Federal reserve system brought into disgrace by ambitious politicians and sensational newspapers is utterly criminal in effect.

Further on there is another clause, as follows:

Is it anything less than criminal for a politician who can enlist the columns of a newspaper of the character of the Chicago Tribune to put out the following statement? The Chicago Tribune prints the following as the words of Mr. LINDBERGH.

Then the statement follows. And then the statement is made, and the statement is attributed to me. Then there is this further clause on the fourth page of the letter:

Any person almost with the sense of a chicken would know that what Mr. LINDBERGH states as being within the possibilities for Mr. Forgan and Mr. Reynolds to do in the way of fixing the rate of interest up and down in the Chicago district is utterly false in every particular.

Now, I introduced a resolution in this House upon which this letter is supposed to be based, but this man could not have seen that resolution at the time he wrote this letter, because it was not in print at that time.

Mr. FITZGERALD. The item to which the gentleman refers does not raise a question of personal privilege. How much time does the gentleman wish?

Mr. LINDBERGH. I was coming to that. I would like time to discuss the real question that was involved in a resolution. I introduced House resolution 696, which at bottom is what Mr. Joy based his statement on, for he quoted a part of it.

Mr. FITZGERALD. The gentleman can not get that at this time. We are trying to get an appropriation bill through.

Mr. LINDBERGH. Mr. Speaker, I ask unanimous consent to get one hour's time, and if it is objectionable just now to get that I ask that I may have it at the close of the other business to-day.

Mr. FITZGERALD. We can not grant time now to anybody to talk about something not before the House.

Mr. LINDBERGH. This has been a very important problem and involves the rural credit system, and it should be before the House instead of some less important matters.

Mr. FITZGERALD. There is nothing more important than doing the business necessary to make it possible to continue the Government of the United States.

Mr. LINDBERGH. If the gentleman will permit, no one, so far as I know, seeks to do that. As every Member knows, I have not obstructed the business of the House in any way, but have always aided to expedite the business.

Mr. FITZGERALD. I am not reflecting on the gentleman, but he understands it is impossible at this time to grant an hour, when the river and harbor bill is waiting to proceed. It may be possible to get time on some bill in general debate.

Mr. LINDBERGH. I will ask that the Chair pass upon the matter of personal privilege.

Mr. FITZGERALD. Mr. Speaker, I make the point of order that the gentleman does not state a question of personal privilege.

The SPEAKER. The Chair will make this suggestion to the gentleman [Mr. LINDBERGH]: The Chair could not very well hear the gist of that letter, and if the gentleman will give it to me I will examine it and let him know, not right now, but to-morrow or this evening, whether it contains a question of personal privilege or not. The Chair will examine the letter and see if it really presents a question of personal privilege, and will notify the gentleman. If it does, he has a perfect right to go into it, and if it does not, he can ask for unanimous consent at some convenient time.

Mr. LINDBERGH. The Speaker is certainly fair in his proposition, and I shall gladly await the time of the Speaker.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Tulley, one of its clerks, announced that the Senate had passed with amendments bill of the following title, in which the concurrence of the House of Representatives was requested:

H. R. 19422. An act making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1916, and for other purposes.

Mr. JOHNSON of Kentucky. Mr. Speaker, I reserve all points or order on the District appropriation bill.

RIVERS AND HARBORS BILL.

Mr. SPARKMAN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the river and harbor bill (H. R. 20189).

Mr. MADDEN. Mr. Speaker, I ask unanimous consent that when the item making appropriations for the Chicago Harbor is reached I may have 20 minutes in which to discuss that question.

Mr. UNDERWOOD. Mr. Speaker, reserving the right to objest, I have not any desire to cut the gentleman off when the proper time comes, but I do not think that is an order which ought to be made in the House, because then the committee will have no control over it. It can be made in the committee when the proper time comes.

Mr. MADDEN. I think we ought to make it now.

The SPEAKER. The gentleman from Illinois asks unanimous consent that when the Chicago Harbor item is reached he may have 20 minutes. Is there objection?

Mr. UNDERWOOD. Mr. Speaker, I object.

The SPEAKER. The gentleman from Alabama objects.

Mr. MADDEN. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from Illinois [Mr. MADDEN] makes the point of order that there is no quorum present. Evidently there is no quorum present.

Mr. UNDERWOOD. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The SPEAKER. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

Ainey	Faison	Kreider	Roberts, Mass.
Anthony	Falconer	Langham	Roberts, Nev.
Aswell	Farr	Langley	Rothermel
Avis	Finley	L'Engle	Rouse
Baker	Gallivan	Levy	Rupley
Barchfeld	Gard	Lewis, Md.	Sabath
Barton	Gardner	Lewis, Pa.	Saunders
Beall, Tex.	Garner	Lindquist	Scott
Bell, Ga.	Garrett, Tex.	Lobeck	Scully
Bowdle	George	Loft	Sells
Brodbeck	Gittins	Mahan	Sherwood
Bruckner	Goldfogle	Maher	Sims
Brumbaugh	Gorman	Manahan	Slayden
Buchanan, Ill.	Graham, Pa.	Metz	Smith, Idaho
Burke, Pa.	Griest	Moore	Smith, Md.
Burke, Wis.	Guernsey	Morgan, La.	Smith, Saml. W.
Calder	Hamill	Morin	Stanley
Cantor	Hamilton, Mich.	Moss, W. Va.	Taggart
Carew	Hart	Murdock	Talbott, Md.
Carr	Haugen	Neely, W. Va.	Taylor, N. Y.
Chandler, N. Y.	Hayes	O'Brien	Underhill
Coady	Henry	Oglesby	Vare
Conry	Hinebaugh	O'Hair	Wallin
Copley	Hobson	O'Shaunessy	Walsh
Crosser	Howard	Paige, Mass.	Watkins
Curry	Hoxworth	Palmer	Webb
Dale	Johnson, Utah	Patton, Pa.	Whaley
Davis	Jones	Peters	White
Dies	Keister	Phelan	Wilson, Fla.
Difenderfer	Kelly, Pa.	Plumley	Wilson, N. Y.
Dooling	Kennedy, Iowa	Porter	Winslow
Drukker	Kennedy, R. I.	Post	Woodruff
Dunn	Key, Ohio	Pou	Young, N. Dak.
Eagan	Kless, Pa.	Price	
Eagle	Kinkead, N. J.	Reed	
Elder	Kitchin	Riordan	

The SPEAKER. On this roll call 282 Members have answered to their names—a quorum.

Mr. UNDERWOOD. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

The SPEAKER. The Doorkeeper will open the doors. The question is on agreeing to the motion of the gentleman from Florida [Mr. SPARKMAN], that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the river and harbor bill.

EXTENSION OF REMARKS.

Mr. BRYAN. Mr. Speaker, pending that, I ask unanimous consent to extend my remarks in the RECORD by inserting some correspondence with Mr. E. A. Drake, vice president of the Panama Railroad Co., and other data, controverting certain statements inserted in the RECORD yesterday emanating from the Boston Chamber of Commerce.

The SPEAKER. The gentleman from Washington [Mr. BRYAN] asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

RIVER AND HARBOR BILL.

The SPEAKER. The question is on agreeing to the motion of the gentleman from Florida that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the river and harbor bill.

The motion was agreed to.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 20189, the river and harbor bill, with Mr. RAINEY in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 20189, the river and harbor bill, of which the Clerk will report the title.

The Clerk read as follows:

A bill (H. R. 20189) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

Mr. UNDERWOOD. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Alabama moves to strike out the last word.

Mr. UNDERWOOD. Mr. Chairman, I regard this bill as one of the cleanest rivers and harbors bills that has ever been reported to the Congress of the United States. [Applause.] I think the men who sat on the Rivers and Harbors Committee are entitled to be congratulated by the membership of this House on the bill they have reported to the House. Unfortunately, on account of the existing condition of the public finances there are some meritorious propositions that it has been impossible for them to place in the bill, but that is not to the bill's discredit. There is not an item in this bill, in my judgment, that can not sustain any attempt to criticize it, and I think it is the duty of this House to stay here and uphold the hands of the chairman of this committee [applause] and allow him to attend to the business of the Government. We are reaching a point where, in the legislative history of this Congress, if the membership of this House are not willing to stay on the floor and furnish a quorum to do business, so that the men in charge of the supply bills can conduct their business in an orderly way, we will not finish the supply bills before the 4th of March, and this branch of the Congress will be responsible to the country for an extra session of Congress. Now, if I am any judge of opinion or the desire of the Nation, the last thing that the people of the United States want to-day is an extra session of Congress. [Prolonged applause.] The responsibility rests upon this side of the House. It is expected that we should do our full duty; and, as your floor leader, I think that I am entitled to ask of you that to-day you do that duty to the uttermost. [Applause.]

There is no reason why this bill should not become a law. There is no reason why it should not be passed before we reach an adjournment to-night. [Applause.] If you go to your offices and leave this floor, then any legislative obstructionist can demand any unreasonable terms from the chairman of your committee. I believe that everybody who is interested in this bill should have opportunity to be heard, and it is far from my desire to interfere with anybody; but I do believe that no man who wants to obstruct legislation on the floor of this House should be furnished with the opportunity to do so merely because he can demand a quorum and thus waste 45 minutes of the Government's time by calling the roll.

So, in all good nature and in a perfectly friendly spirit, I rise now to appeal to the membership of this House, and especially to the Democratic membership, to stay here and see that this bill is passed, if we have to stay until 3 o'clock to-morrow morning. [Applause.]

Mr. FREAR. Mr. Chairman, may I speak in opposition to the amendment offered by the gentleman from Alabama?

Mr. UNDERWOOD. I had intended to withdraw the pro forma amendment, but will withhold it if the gentleman desires to speak in opposition.

Mr. FREAR. Mr. Chairman, I do not know whether the remarks of the distinguished gentleman from Alabama [Mr. UNDERWOOD] were intended in any degree for my benefit. I tender to him the highest respect of anyone in this House as a gentleman of integrity and high standing. But when he says to the Members of this House that one of the cleanest river and harbor bills ever presented to Congress is before them, let me say to him unfortunately he has not been present at all the sessions. I doubt whether he would say so if he had been. But if so, it is because all other bills have not been good. I have shown on this floor from 20 to 30 projects that I can not see how he can defend, and there are others of like character in the bill.

Mr. GORDON. Mr. Chairman——

Mr. FREAR. I can not be interrupted now, although I should be glad to yield if I had the time. When the gentleman says there is not one item in the bill that can not sustain criticism, I say that is a statement I never heard before on the floor of this House as to a single appropriation bill. I would suggest to him that there are items even in Alabama, on the Tennessee River, that will be criticized on this floor, and I believe justly criticized, and we ought to be heard. I for one have not taken a single minute beyond what was necessary to make statement of conditions surrounding different projects criticized. I have not argued propositions. I have only presented facts here. The courtesy of the House which has been extended to me heretofore is appreciated. I have endeavored simply to present those facts, so that you would know what is in the bill. We ought to know the facts and have no report to help us.

The gentleman from Alabama [Mr. UNDERWOOD] says we ought to finish the bill to-night. Let us finish it if we have to stay 48 hours. A few days ago we were given 11 hours at one sitting, and we sat here uncomplainingly. We are willing to stay here, but let us inquire into every item that appears to deserve criticism. And the gentleman to the contrary notwithstanding, there are items here that I believe the country will criticize, even if he does not. He stands here as the leader of the majority, and, as I said, I tender to him the highest respect. His well-known ability is appreciated by all of us; but I can not believe that the country sustains his position, in view of business conditions that now exist, and in view of some facts that have been presented before this committee. [Applause on the Republican side.]

The CHAIRMAN. If there be no objection, the pro forma amendment will be considered as withdrawn.

Mr. GOODWIN of Arkansas. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Arkansas offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amend H. R. 20189 by striking out lines 14, 15, and 16, on page 24, and insert in lieu thereof the following:

"Ouachita River, Ark. and La.: For continuing improvement by the construction of Locks and Dams Nos. 2, 3, 4, 5, 6, 7, and 8, $746,000; for the preparation of plans for Locks Nos. 5 and 9, and for preliminary site surveys for those locks, and for the purchase and taking possession of lands for lock sites, $21,000; for maintenance of improvement by open-channel work up to Camden, $25,000; for maintenance of improvement by open-channel work from Camden to Arkadelphia, $4,000; in all, $796,000."

Mr. GOODWIN of Arkansas. Mr. Chairman, the Ouachita River is a continuing project, or will be if it can get some appropriations in order that that continuance may continue. [Laughter.]

The Board of Engineers recommended appropriations of $796,000 for this project. It is about 52 per cent complete. It has been in progress since 1902. Locks 2, 4, 6, and 8 are 99 per cent completed. Lock 3 is about 21 per cent and Lock 7 about 3 per cent completed. The commerce on this river has been for the past 20 years of an average valuation of over $5,000,000 annually. Now, there are many items in this bill which appropriate twenty, thirty, and forty times the amount that the bill carries for this project which have less than one-fifth the amount of freight in value carried on those streams from year to year.

We have just heard the remarks of the distinguished leader of the majority [Mr. UNDERWOOD] to the effect that this is one of the cleanest river and harbor bills ever presented to this House, and he says he believes every item in it can be defended. I will admit that the gentleman's State receives nearly $1,000,000 in this bill, whereas the State of Arkansas, although the Board of Engineers recommended $1,146,000 for that State, receives the

pitiful, insignificant, paltry sum of only $41,000. I submit that because a bill is brought in here by the committee that fact does not render the committee infallible. Some gentlemen seem to think that there is a sanctity about this committee, and that the Ark of the Covenant which they have brought into this House must not be touched with profane hands, that we must let it *remain* inviolate and must not place our hands upon it.

If that is the spirit that is entertained by certain gentlemen of this House, I think we are losing precious and valuable time. Why not suspend the rules and say that inasmuch as the committee has brought in this bill—whether pork barrel or not—let us pass it without consuming one minute of valuable time.

Now, referring to the amendment offered, Mr. Chairman, to this bill, the Committee on Rivers and Harbors did not recommend but $25,000 for this river, although the War Department in making the distribution—and gentlemen on the committee say that they have more judgment than anybody else, and I suspect that they have more judgment than Congress has—notwithstanding that, the War Department gave this river in the neighborhood of $320,000 last year. This year the War Department recommends that this river receive $796,000, but the committee only gives it the sum of $25,000.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Arkansas.

The question was taken, and the amendment was rejected.

Mr. TAYLOR of Alabama. Mr. Chairman, I would like to say something to the gentleman from Arkansas before he presents another amendment.

Mr. GOODWIN of Arkansas. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Amend, by striking out lines 14, 15, and 16, on page 24, and insert in lieu thereof the following:

"Ouachita River, Ark. and La.: For continuing the improvement by construction of locks and dams Nos. 2, 3, 4, 6, 7, and 9, $746,000; for maintenance and improvement, $25,000; in all, $771,000."

Mr. TAYLOR of Alabama. Will the gentleman yield to me a moment in reference to a statement which the gentleman made, which I think is incorrect. I want to say that Alabama has not a million dollars in this bill; it is $235,750; and there are only three items in the bill. I know the gentleman is mistaken in the difference between $300,000 and $1,000,000. The States of Florida and Alabama have a river that is not charged in this bill to Alabama.

Mr. GOODWIN of Arkansas. Now, Mr. Chairman, I have only a limited time, and the gentleman from Alabama is a member of the committee, and he can have his own time.

Mr. TAYLOR of Alabama. I know I can have my own time, but I thought the time to correct a mistake was when the gentleman made it.

Mr. GOODWIN of Arkansas. Mr. Chairman, if I am mistaken the conclusions I have drawn on them will be for the inspection of the gentlemen of the House, and they can determine that. I suppose the gentlemen of the committee have made the bill the best they could in their way. I have gone through the bill pretty carefully and impartially, and I want to say that 16 States represented by the members of this committee carry a total of $20,479,460 in this bill. That is out of a total appropriation of $34,138,580.

Mr. DONOVAN. Will the gentleman permit a question?

Mr. GOODWIN of Arkansas. Yes.

Mr. DONOVAN. I did not hear how much the committee had appropriated for themselves. [Laughter.]

Mr. GOODWIN of Arkansas. I have stated that the bill carries for 16 States, as represented by its Members on the River and Harbor Committee, $20,479,460.

Mr. CALLAWAY. Will the gentleman yield?

Mr. GOODWIN of Arkansas. Yes.

Mr. CALLAWAY. Does that include the appropriations for the Mississippi?

Mr. GOODWIN of Arkansas. I am about to reach that. The Mississippi River is a great national proposition, and all the political parties are pledged to care for that. There is an appropriation of $6,935,000 for the Mississippi River, which is not chargeable to one State or another, because that river drains 31 States, and is the great artery through which the waters between the Allegheny and the Rockies finally find their way.

Mr. CALLAWAY. It is not necessary for this appropriation to make it drain those States.

Mr. GOODWIN of Arkansas. The Government recognizes that the protection of the Mississippi is a necessity.

Mr. CALLAWAY. Is it not a fact that the gentleman from Mississippi, who is considered an expert on the Mississippi, says in his million-dollar book that there are 16,000,000 acres of land which can be reclaimed and put into profitable cultivation if the water can be kept off it? And is it not a fact that these appropriations are very largely made to protect the land from floods that go down the Mississippi instead of enabling the Mississippi to drain these 31 States? The Mississippi drained those States before Columbus discovered America. [Laughter.]

Mr. GOODWIN of Arkansas. Well, Mr. Chairman, I will make no reply to that. That can be interpreted by the various members of the committee. Now, you subtract the amount that goes to the 16 States from the total amount in the bill, and it leaves $6,722,120 to be divided between the 32 States not represented on the Rivers and Harbors Committee. Less than $7,000,000 go to 32 States, and more than $20,000,000 go to 16 States. I submit, Mr. Chairman, that I am not after an appropriation for my district to the exclusion of other meritorious propositions, but I do submit to the membership of this House that an equitable distribution is not manifest in this bill, at least it does not stand out in bold relief. I append herewith a tabulated statement showing discriminations in detail:

Total appropriations to projects for 16 States.

States.	Number items.	Amount.	Name of member on committee.
Alabama	13	$928,000	G. W. Taylor.
California	8	944,000	Wm. Kettner.
Florida	28	931,000	S. M. Sparkman.
Georgia	6	546,500	Chas. G. Edwards.
Illinois	4	664,000	Thos. Gallagher.
Indiana	2	330,000	Chas. Lieb.
Massachusetts	7	588,885	A. T. Treadway.
Mississippi	11	557,500	Ben Humphreys.
Missouri	5	1,290,000	Chas. F. Booher.
New Jersey	11	294,000	Thos. J. Scully.
New York	18	2,765,175	Daniel A. Driscoll.
North Carolina	19	1,155,700	John H. Small.
Ohio	7	3,568,000	Robt. M. Switzer.
Pennsylvania	6	1,752,200	Michael Donohoe and Andrew J. Barchfeld.
Texas	14	2,082,500	Geo. F. Burgess.
Washington	11	2,082,000	Wm. E. Humphrey.
Total	181	20,479,460	

Bill total	$34,138,580
Less above	20,479,460
Balance	13,657,120
Less Mississippi River	6,935,000
Total for 32 States and Porto Rico and Hawaii	6,722,120
ALABAMA.	
Chatahoochee River, Ga. and Ala	$120,000
Choctawhatchee River, Ala. and Fla	30,000
Escambia and Conecut Rivers, Ala. and Fla	7,000
Alabama River	125,000
Coosa River, Ala. and Ga. (L. and D., 4 and 5)	131,000
Harbor of Mobile	131,250
Mobile Bar	25,000
Black Warrior et al., Ala. and Miss	54,500
Black Warrior, operation and maintenance	10,000
Channel Mobile Bay and Mississippi Pass, Ala. and Miss. (exceeds estimate $10,000)	20,000
Tennessee River, between Riverton and Florence, Ala	120,000
Tennessee River, between Browns Island and Florence, Ala	150,000
Total	923,700
One-fifth sum for removal of water hyacinth ($25,000)	5,000
	928,700
CALIFORNIA.	
San Francisco Harbor	$19,000
Oakland Harbor	150,000
San Pablo Bay	80,000
Petaluma Creek and Napa River	15,000
Humbolt Harbor and Bay	375,000
Sacramento and Feather Rivers	90,000
Sacramento and Feather Rivers	140,000
Los Angeles Harbor	75,000
Total	944,000
FLORIDA.	
Tampa Bay	$9,000
St. Petersburg Harbor	1,500
Apalachicola Bay	15,000
St. Andrews Bay	30,000
Narrows and Santa Rosa Sound	5,000
St. Johns River	370,000
Indian River	10,000
Caloosahatchee River	5,000
Withlacooche River	5,000
Apalachicola River	20,000
Channel, Clearwater to Tampa	3,000
Channel, Apalachicola River to St. Andrews Bay	10,000
Harbor of Fernandina	40,000
Harbor of Miami	50,000
Harbor of St. Lucies Inlet	100,000
Harbor of Hillsboro Bay	120,000
Harbor of Carrabelle Bar	15,000
Harbor of Pensacola	50,000
Harbor of Lake Crescent	1,000
Harbor of Oklawaha	10,000
Harbor of Orange River	1,000

Harbor of Manatee River	$35,000
Harbor of Crystal River	3,000
Suwanee River	3,000
Anclote River	5,000
Holmes River	5,000
Black Water River	5,000
One-fifth appropriation for removal of water hyacinth ($25,000)	5,000
Total	931,000
GEORGIA.	
Savannah Harbor	$375,000
Savannah River	38,000
Altamaha, Oconee, and Ocmulgee Rivers	40,000
Flint River	50,000
St. Marys River, Ga. and Fla	5,000
Waterway, Savannah and Fernandina, Ga. and Fla	38,500
Total	546,500
INDIANA.	
Indiana Harbor	$300,000
Calumet River, Ind. and Ill	30,000
Total	330,000
ILLINOIS.	
Waukegan Harbor	$20,000
Chicago Harbor	574,000
Calumet Harbor	20,000
Illinois River	50,000
Total	664,000
MASSACHUSETTS.	
Newburyport	$10,000
Boston Harbor	200,000
Pollock Rip Channel	125,000
New Bedford and Fairhaven	56,610
Fall River	12,000
Merrimac	5,000
Malden River (unexpended balance)	80,275
Total	588,885
MISSISSIPPI.	
Pascagoula Harbor, maintenance	$15,000
Pascagoula Harbor, improvement	110,000
Pascagoula River, Dog River, et al	18,000
Biloxi Harbor	3,000
Gulfport Harbor	106,250
Wolf and Jordan Rivers	6,250
Pearl River	24,000
Tombigbee River, Walkers Bridge to Demopolis, Ala	10,000
Yazoo River and tributaries, maintenance	45,000
Big Sunflower River, improvement	215,000
One-fifth sum for removal water hyacinth ($25,000)	5,000
Total	557,500
MISSOURI.	
Missouri River, Kansas City to mouth	$1,200,000
Missouri River, Kansas City to Sioux City, Iowa	75,000
Osage River	7,500
Gasconade River	7,500
Total	1,290,000
NEW JERSEY.	
Raritan Bay	$20,000
Absecon Inlet	15,000
Absecon Inlet, appropriation previously conditionally made	45,000
Newark and Passaic Rivers	150,000
Keyport Harbor, Matawan and Compton Creek, et al	25,500
Shrewsbury River	10,000
Cooper River	5,000
Raccoon Creek	8,000
Salem River	5,000
Maurice River	10,000
Tones River	1,000
Total	294,500
NEW YORK.	
Lake Champlain (New York and Vermont)	$3,000
Harbor, Port Chester	10,000
Harbor, Mamaroneck	14,800
Harbor, Rondout	3,000
Harbor, Tarrytown	3,000
Channel, Gowanus Bay	150,000
Hudson River Channel (unexpended balance)	20,000
Buffalo Harbor	187,375
Harbor of Charlotte	12,000
Harbor of Oswego	100,000
Harbor of Plattsburg	2,000
Bronx River	125,000
East Chester Creek	5,000
Harlem River	100,000
Newtown Creek	20,000
Browns Creek	5,000
Hudson River	1,500,000
Staten Island Sound (New York and New Jersey)	505,000
Total	2,765,175
NORTH CAROLINA.	
Scuppernong River	$5,400
Shallowbag Bay	3,600
Inland waterway, Beaufort to Norfolk, Va	600,000
Fishing Creek	2,000
Pamlico and Tar Rivers	35,800
Bay River	2,400
Contentnia Creek	1,500
Smiths Creek	2,400
Neuse and Trent Rivers	$32,000
Inland waterway, Beaufort to Pamlico	8,000
Harbor of Beaufort	17,000
Waterway Beaufort to Core Sound	2,000
Beaufort Inlet	5,000
Harbor of Moorehead City	8,800
New River	37,300
Northeast and Black River	13,000
Cape Fear River	173,000
Do	205,000
Shallotte River	1,800
Total	1,155,700
OHIO.	
Sandusky	$5,000
Toledo	35,000
Huron	3,000
Cleveland	100,000
Conneaut	241,000
Ohio River	684,000
Do	2,500,000
Total	3,568,000
PENNSYLVANIA.	
Pittsburgh Harbor	$7,500
Erie Harbor	30,000
Allegheny River	2,500
Monongahela River	211,200
Delaware River	1,500,000
Ice Harbor at Marcus Hook	1,000
Total	1,752,200
TEXAS.	
Galveston Harbor	$200,000
Galveston Channel	250,000
Galveston Channel to Texas City	50,000
Channel, Port Bolivar	40,000
Houston Ship Channel	250,000
Waterway, Galveston Bay, Turtle Bayou, et al	105,000
Mouth of Brazos River	45,000
Brazos River, mouth to Old Washington and to Waco	210,000
Port Aransas	400,000
Port Aransas, channel to Corpus Christi	10,000
Operating Port Arthur Canal	500,000
Trinity River	15,000
Cypress Bayou	2,500
One-fifth amount for removing hyacinth ($25,000)	5,000
Total	2,082,500
WASHINGTON.	
Columbia River, Wash. and Oreg	$90,000
Columbia River, Wash. and Oreg., below Portland	600,000
Columbia River, Wash. and Oreg., and Snake River	45,000
Snake River, Wash. and Idaho	20,000
Mouth of Columbia River, Wash. and Oreg	1,250,000
Gray Harbor	15,000
Waterway, Puget Sound and Union Lakes	5,000
Cowlitz and Lewis Rivers	22,000
Grays River	500
Puget Sound	25,000
Skagit River	10,000
Total	2,082,000

There are many propositions here, little two-by-four propositions, cared for most lavishly by this bill, and I submit that if the committee is infallible why waste the time, why not put the question at once to the House sitting in Committee of the Whole and vote upon the bill and proceed to other important and pressing legislation?

Mr. GORDON. Name those propositions that are so rotten.

Mr. GOODWIN of Arkansas. Oh, I have not the time just here, but will reach that later on.

The CHAIRMAN. The time of the gentleman from Arkansas has expired.

Mr. HUMPHREYS of Mississippi. Mr. Chairman, I wish to submit a few unnecessary remarks. [Laughter.] It is always interesting to listen to the gentleman from North Carolina [Mr. GOODWIN]——

Mr. FOSTER. Arkansas.

Mr. HUMPHREYS of Mississippi. Arkansas. His remarks during the past few days were so frequently directed to the State of North Carolina that momentarily I misplaced him. It is always interesting to listen to him. We can never forget that classic he delivered the other evening on French Broad, Smiths Creek, and the Swannanoa. We were all delighted. We were fascinated with it, charmed by the magic of the gentleman's eloquence and the beauty of his imagery. To-day he again criticizes the committee, as he has done ever since the bill was on the floor—for he has done all he could to prejudice this House and the country against the bill—but when it was suggested by a gentleman a moment ago that the Mississippi River was taken care of, it was also interesting to note how readily the gentleman from Arkansas then flew to the defense of that great stream. Let it be remembered that the appropriations carried in the bill for that stream are to be expended largely for the protection from the floods of the Mississippi River of the people of the St. Francis Basin, in Arkansas, and of Desha and Chicot Counties, in the gentleman's district. When I

realize the tremendous interest his people have in this, and as I watched the gentleman capering nimbly before this body during the past several days, first opposing and now defending the bill, I, too, have been reminded of another classic, one entirely familiar to the gentleman from Arkansas. It runs about like this:

De squirrel, he jumped from limb to limb,
And de possum sot and looked at him;
Den said dat possum to himself,
"Dat fool squirrel's gwine to kill hisself."

[Laughter.]

Mr. MANN. Mr. Chairman, will the gentleman yield?

Mr. HUMPHREYS of Mississippi. Yes.

Mr. MANN. Mr. Chairman, in view of the fact that the gentleman from Arkansas the other day tried to reduce one appropriation $400, does not the gentleman from Mississippi think we ought now to give him an increase of $700,000 for his proposition? [Laughter.]

Mr. HUMPHREYS of Mississippi. Mr. Chairman, the gentleman from Arkansas insisted that it was ridiculous and wicked to expend money for the improvement of a stream, Smiths Creek, when we proposed to appropriate less than 2 per cent of the value of the commerce floated upon it for maintenance. Yet he insists vigorously upon the Government now appropriating money for a stream in the State of Arkansas to the extent of 50 per cent of the value of the commerce floated upon it. Oh, yes; the gentleman wants to be fair. He says that the committee has "hogged" the appropriations. Mr. Chairman, I have been upon this committee during the past 10 years, and I desire to state the appropriations that have been carried for the State of Arkansas and the State of Mississippi during that time. I do not include in these figures appropriations for the Ouachita expended in Louisiana or for the Red expended beyond the boundaries of the State of Arkansas. I have been criticized also by gentlemen from Louisiana. I hope they will give attention to this, for this is a fair sample of the value of their criticism. Six bills have been reported and passed since 1905, including the bill of that year, and in three of them Arkansas had appropriations larger than were carried for the State of Mississippi. In all six of them Louisiana had larger appropriations, and in three of the bills Mississippi had larger appropriations than Arkansas. In all six of the bills, however, combined Arkansas has $2,928,450, Louisiana has $8,479,942, while Mississippi, in all six of them, had $2,322,480. Arkansas, in other words, had $600,000 more than Mississippi. In this particular bill, because the engineers said they had money enough to carry on existing projects in the State of Arkansas without serious detriment to them, no further sum was appropriated; and now the gentleman comes on the floor and ridicules the committee, and, so far as lay in his power, the gentleman from Arkansas [Mr. GOODWIN] has prejudiced this House and has prejudiced the country against a bill in which his constituents have as deep an interest as any constituency in these United States. [Applause.]

Mr. DONOVAN. Mr. Chairman, I move to strike out the last word.

Mr. SPARKMAN. Mr. Chairman, I ask unanimous consent that all debate on this paragraph and the amendments thereto be closed in five minutes.

Mr. GOODWIN of Arkansas. Mr. Chairman, I have an amendment which I desire to offer, and I object.

Mr. SPARKMAN. Mr. Chairman, I move that all debate on this paragraph and the amendments thereto close in five minutes.

The CHAIRMAN. The question is on the motion of the gentleman from Florida——

Mr. WINGO. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. WINGO. This refers to the particular paragraph respecting the Ouachita River?

Mr. SPARKMAN. That is all.

Mr. WINGO. It would not affect the Arkansas or the Red?

Mr. SPARKMAN. No.

The CHAIRMAN. It would not affect any other. The question is on agreeing to the motion of the gentleman from Florida.

The question was taken, and the motion was agreed to.

Mr. GOODWIN of Arkansas. Mr. Chairman, I send up an amendment.

The CHAIRMAN. The gentleman has one amendment pending before the House at the present time.

Mr. DONOVAN. Mr. Chairman, does that eliminate me? I was recognized by the Chair and had the floor.

The CHAIRMAN. The gentleman from Connecticut has the floor.

Mr. DONOVAN. Mr. Chairman, in view of what the leader of the majority, the gentleman from Alabama [Mr. UNDERWOOD], has stated here this morning, I think it is quite proper to call his attention to a clause from Jefferson's Manual. I read now from Jefferson's Manual:

Mr. Onslow, the ablest among the Speakers of the House of Commons, used to say, "It was a maxim he had often heard when he was a young man, from old and experienced members, that nothing tended more to throw power into the hands of administration and those who acted with the majority of the House of Commons than a neglect of or departure from the rules of proceeding——

Mr. GOODWIN of Arkansas. Mr. Chairman, I submit the gentleman is not addressing himself to his amendment.

The CHAIRMAN. The gentleman will proceed to address his remarks to the matter under consideration.

Mr. DONOVAN (continuing)—

operated as a check and control on the action of the majority, and that they were in many instances a shelter and protection to the minority against the attempt of power.

The leader of the majority has stated that this was a most meritorious measure. If he had been present while the matter had been debated, he would have found that not a single Member here has claimed that this is a matter of merit, but, on the contrary, that it was not a question of merit. That is the position taken by the gentleman from Washington and by the ranking Member of the minority, that this was not a matter of merit; and the gentleman from North Carolina who replied to the gentleman from Virginia said that they did not consider the present or future needs of commerce in framing this bill. So I take it it is somewhat a strange definition of the word "merit" as used by the leader of the majority, and the committee does not claim it in framing the bill. Again, we have the remarkable significance of the silence of the leader of the minority [Mr. MANN] when we have for his city here an appropriation of several hundred thousand dollars that is entirely new, not authorized by any law, and it is most——

Mr. SPARKMAN. Will the gentleman yield?

Mr. DONOVAN. With pleasure.

Mr. SPARKMAN. I want to say the gentleman is entirely mistaken about the item for Chicago, because it is an old project, one that we have appropriated for heretofore, and it is put into the bill as a continuing work and authorized.

Mr. DONOVAN. Not authorized by law——

Mr. SPARKMAN. Authorized by law.

Mr. DONOVAN. The gentleman provides for an unexpended balance to be spent for that proposition entirely new, and the proposition of the Chicago appropriation is on a par with that of the gentleman from Norfolk, Va., and on a par with the Connecticut proposition that have been modified three times. Oh, the gentleman, the leader of the minority, rounded up his crew the other day against the Connecticut proposition, and those who are favorably inclined either absented themselves or else remained in their seats. That is the condition of things here, and our majority leader calls these things meritorious action. Mr. Chairman, notwithstanding the admonition of the leader of the majority here I propose to act within my own rights according to parliamentary procedure, the gentleman from Alabama to the contrary notwithstanding.

The CHAIRMAN. Without objection, the pro forma amendment will be considered as withdrawn, and the question is on the amendment offered by the gentleman from Arkansas.

The question was taken, and the amendment was rejected.

Mr. GOODWIN of Arkansas. Mr. Chairman, I desire to offer another amendment. As I understand, the time has expired on this paragraph?

The CHAIRMAN. Yes. The Clerk will report the amendment.

The Clerk read as follows:

Amend, by striking out lines 14, 15, and 16, page 24, and insert the following:

"Ouachita River, Ark. and La.: For continuing improvement by construction of locks and dams and for maintenance, $300,000."

The question was taken, and the amendment was rejected.

Mr. TAYLOR of Arkansas. Mr. Chairman, I desire to offer the following amendment.

Mr. SPARKMAN. Mr. Chairman, I desire to offer a committee amendment. Between lines 16 and 17 insert——

Mr. MANN. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. MANN. Does the other gentleman from Arkansas desire to offer an amendment to the pending paragraph?

The CHAIRMAN. Does the gentleman from Arkansas have an amendment to offer to the pending paragraph?

Mr. CARTER. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. CARTER. If an amendment were offered to the present paragraph, debate can not be had upon it?

The CHAIRMAN. Debate is all exhausted.

Mr. CARTER. And if an amendment is offered as a separate provision, debate is not closed upon it?

The CHAIRMAN. If it is offered as a separate paragraph, debate is not closed.

Mr. TAYLOR of Arkansas. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. TAYLOR of Arkansas. Has debate closed on the paragraph sought to be amended by the gentleman from Arkansas [Mr. GOODWIN]?

The CHAIRMAN. Yes.

Mr. TAYLOR of Arkansas. I will ask that this be passed, then.

The CHAIRMAN. Does the gentleman offer his amendment now?

Mr. TAYLOR of Arkansas. Yes; I desire to offer it now.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amend by inserting, after line 16, on page 24, the following: "Arkansas River, Ark.: For maintenance of improvements, including work at Pine Bluff and operation of dredging plant, $237,500."

Mr. SPARKMAN. Mr. Chairman, that is the amendment, except the difference in amount, that I propose to offer myself. That is the amendment I offer as a committee amendment.

Mr. JACOWAY. Will the gentleman, the chairman of the committee, yield?

Mr. SPARKMAN. Yes.

Mr. JACOWAY. I want to ask the chairman if the amendment offered by him covers the same territory and is for the same improvements as the amendment offered by the gentleman, my colleague from Arkansas?

Mr. SPARKMAN. The same project exactly.

Mr. TAYLOR of Arkansas. The only difference is in the amount?

Mr. SPARKMAN. The only difference is in the amount.

The CHAIRMAN. Where does the gentleman desire the new paragraph to be inserted?

Mr. SPARKMAN. Exactly at the same place as a new paragraph, between lines 16 and 17.

The CHAIRMAN. Under those circumstances the Chair will recognize the gentleman from Florida first, and the Clerk will report the amendment.

The Clerk read as follows:

Amend, page 24, by inserting, after line 16, as a new paragraph, the following: "Arkansas River, Ark. and Okla.: For maintenance of improvement, including work at Pine Bluff and operation of dredging plant, $150,000."

Mr. SPARKMAN. Mr. Chairman——

Mr. TAYLOR of Arkansas. Mr. Chairman, if I am entitled to the floor, may I offer an amendment to the amendment offered by the chairman of the committee?

The CHAIRMAN. The Chair will first hear the gentleman from Florida [Mr. SPARKMAN].

Mr. SPARKMAN. I think to the committee is due some explanation of the amendment which the Committee on Rivers and Harbors has instructed me to offer at this point. When in the preparation of the river and harbor bill we reached the item of the Arkansas River we were of the impression that there was a sufficient amount of money on hand or available to keep two dredging plants that have recently been constructed for use on that river in operation from the 4th of next March until the 30th of June of next year, the period covered by the estimates. I was under that impression down to a very few days ago and until after the consideration of this bill had begun, when I was informed by the Assistant Chief of Engineers that he did not have money enough and would need at least that sum of money to carry on this work during the period mentioned. I may say further that the work on the river had been going on for many years until a large sum of money had been expended—something between $2,000,000 and $3,000,000. Finally it was concluded to revise the project so that something definite could be reached, and in the bill of 1910 two projects were adopted having for their purpose the construction of two large dredge boats which it was estimated would require $118,000 a year to operate. These dredges have been completed and are now in use, and this sum of money is needed for their operation.

Now, we arrive at the sum of $150,000 in this way: The estimate, as I said, was for $118,000 each year to keep these dredges at work, and as the period to be covered is about 16 months we have added the amount necessary to make the difference, which approximates $150,000.

Now, we did not want this work to be neglected. It was not the purpose of the committee to do this. Having constructed those dredges, it would be unwise to let them lie idle and not use them. I want to say further that the engineers call this a tentative project—that is, one that is to be carried on for experimentation—and we want to not only do the experimenting but to substantially improve that river if it is possible to do so, and we think it is. We think it is a very meritorious amendment, and we hope it will prevail.

Mr. FERRIS. I observe that the amendment offered by the chairman states that $115,000 is to be used for Oklahoma and Arkansas on the Arkansas River. I wonder if the gentleman would be able to give us information as to how the money would be divided between the two States? Has he that information?

Mr. SPARKMAN. I could not do that. The item, I think, is the same item we inserted in the bill last year except the amount. The language is about the same.

The CHAIRMAN. The time of the gentleman from Florida has expired.

Mr. FERRIS. Mr. Chairman, I ask unanimous consent that the gentleman from Florida may have another minute.

The CHAIRMAN. The gentleman from Oklahoma asks unanimous consent that the gentleman from Florida may have another minute. Is there objection? [After a pause.] The Chair hears none.

Mr. FERRIS. How much dredging has actually been done on the Oklahoma side of the Arkansas River?

Mr. SPARKMAN. I can not answer that offhand.

Mr. FERRIS. Has any money of any kind, at any time, been spent on the Arkansas River on the Oklahoma side?

Mr. SPARKMAN. I could not say as to that.

Mr. FERRIS. We know every year that we get a lot of resolutions, but we never get any money.

Mr. POWERS. Will the gentleman from Florida yield?

Mr. SPARKMAN. I will.

Mr. POWERS. We could not hear very well over here. If we understand your statement correctly, the reason this paragraph has been inserted is the reason that you had information from the Engineers of the Army that there was enough money on hand, but later received information that was not true?

Mr. SPARKMAN. That is right.

The CHAIRMAN. The time of the gentleman from Florida has expired.

Mr. TAYLOR of Arkansas. Mr. Chairman, I will detain the House by saying that the amount carried by my amendment—$237,500—is exactly the sum recommended by the engineers and as carried in the estimates.

The Arkansas River, Mr. Chairman, is one of the great rivers of this country. It is 1,460 miles in length, of which 320 miles are in Arkansas. You can imagine the great volume of water that comes down the Arkansas River. It stands in importance next, or even equal to, the great Ohio River. It runs through one of the richest and most fertile countries known. It passes through the great commercial cities of Fort Smith, our capital city of Little Rock, and the city of Pine Bluff, my home city, and splits the great cotton region of Arkansas in the middle. There is a great volume of commerce that is now and could be handled on this river if it was only put in proper condition. The city of Little Rock annually handles over 200,000 bales of cotton and the city of Pine Bluff from 150,000 to 200,000 bales.

My home county annually produces about 61,000 bales of cotton. There is a milling plant in my city cutting 250,000 feet of lumber daily. There is a great deal of commerce to be handled which I have not time to mention, but on account of want of river improvement the railroads get it and our people are cut out of cheap freight rates that would, with cheap river transportation, benefit our people and enhance the volume of commerce on the river.

Mr. Chairman, I have no criticism to make of the committee. I believe they are all honorable gentlemen and have done what they thought was right. It seems to some that favoritism appears in the bill to a particular State represented on the committee. I know nothing about that. If it so happens, it would be but natural. But realizing that the Arkansas River is not likely to get more than is suggested by the committee, being an amount of $150,000, I withdraw my amendment and hope you will sustain the recommendation which the Committee on Rivers and Harbors has just now made. [Applause.]

While it has been argued that new projects should not be considered in this bill, I should state that, in so far as the Arkansas River is concerned, Congress has long since recognized it as a river of navigation that should be looked after, improved, and maintained. Reading from the report of the Chief of Engineers of the United States Army for the year 1914, as to

this river, which is in the charge of Maj. A. B. Putnam, Corps of Engineers, and Division Engineer Col. C. McD. Townsend, I quote:

An act of Congress approved June 13, 1902, merged those two general projects into one, which makes the existing general project in substance "the improvement of the river from its mouth to the head of navigation by snagging operations, by dredging operations, and by contraction works, holding the improved channel by revetment where necessary." No definite estimate of cost can be given.

Dredging project: By act of June 25, 1910, Congress adopted a definite dredging project based on reports printed in House Documents No. 71, Sixty-first Congress, first session, and No. 510, Sixty-first Congress, second session. The contemplated work is that of procuring and operating two suction dredges between the mouth of the river and Ozark, 318 miles, at an estimated cost of $349,000 for plant and $118,000 annually for its operation, the object being to aid and encourage navigation.

Originally this work was reported under a separate heading. By act of February 27, 1911, it was consolidated with the other projects under the general heading "Improving Arkansas River."

The act of June 25, 1910, authorized under this appropriation title maintenance of the works at Pine Bluff, Ark. Therefore by combining the dredging project of June 25, 1910, and the general project of June 13, 1902, a combination effected by act of February 27, 1911, and this authorization the existing project now is the improvement of the river from its mouth to Ozark (318 miles) by operating two suction dredges; from its mouth to the head of navigation by snagging operations, by dredging operations, and by contraction works, holding the improved channel by revetment where necessary; and maintenance of the works at Pine Bluff, Ark. No estimate for completion can be given.

The range between extreme high water and extreme low water at Fort Smith is 35.5 feet; at Little Rock, 30 feet; and at Pine Bluff, farther down the river, necessarily more; and at the mouth of the river, where the stage is controlled more or less by the Mississippi River, is from 40 to 50 feet.

The great need of dredge boats is to protect the river from caving banks and shifting sand bars, and snag boats are required to remove great trees and logs which lodge in the river bed, thereby preventing more or less navigation. It has been urged in debate here that this river since the year 1910 has been decreasing in commerce. Such, Mr. Chairman, appears to be true from the engineers' report, and so it is with other rivers. This is not on account of the commerce in the country that could be carried on the bosom of this river, but is solely due to the fact that the navigability of it has been impaired these years because of obstructions which interfered. With this river free from all obstructions, considering the depth of the water and its width, the largest vessels which go up and down the Mississippi River could traverse the Arkansas River as high up as our capital city, Little Rock. The full amount in the amendment which I have just offered should be granted this river, as have said the engineers, and I am sorry that I can not obtain it; but feeling that this is all that I can hope to get into the bill now, I will accept it without further resistance, since the chairman of the committee, Mr. SPARKMAN, of Florida, asserts that with the sum on hand unexpended the needed improvement will be taken care of.

Mr. DAVENPORT and Mr. JACOWAY rose.

The CHAIRMAN. The gentleman from Arkansas [Mr. JACOWAY] is recognized.

Mr. JACOWAY. Mr. Chairman and gentlemen of the committee, under the recommendations of the Board of Engineers an item of $237,000 should be carried in this bill to properly take care of the urgent and pressing needs of the Arkansas River in the matter of dredging operations on this river as far up as Ozark at least. This is no new project, and has the solemn sanction of the Board of Engineers of the War Department. Some few years since, after a survey of the river and commenting on its needs, D. W. Lockwood, colonel, Corps of Engineers, and senior member of the board, concludes an exhaustive report on this proposition by recommending that estimates be prepared for a dredging plant suitable for the work of maintaining a channel of 3½ feet in depth between Little Rock and Ozark, and also for obtaining such a channel by open-river improvement with or without the aid of dredging. The bill under discussion, as reported to the House, is conspicuous for the fact that no mention is made for an appropriation for the Arkansas River to cover this item, although same was recommended by the Board of Engineers for the War Department in its last report to Congress. That such should not be the case and the bill should carry an item of $237,000, we but have to look into the facts only casually to demonstrate the compelling need for this appropriation by Congress at this time. For some reason the committee—and I wish to add I believe unintentionally—omitted this item. The facts that I shall quote to this House in support of my contention that the item of $237,000 should be written in this bill are more than amply borne out by the recommendations of the office of the Engineering Department of the Government. That this item should be incorporated in the bill as it passes the House is Arkansas's due. That this amendment should prevail is imperative for the proper development of that great State that I have the honor in part to represent upon this floor, and which she so richly deserves. Let us examine into the facts for a moment. In the biennial report of the Bureau of Mines, Manufactures, and Agriculture for the State of Arkansas as early as 1905 and 1906 gives the coal production of the State for that period as 1,875,569 tons, and the distribution of that year's output is as follows:

	Tons.
Sebastian County	1,096,159
Franklin County	339,449
Johnson County	229,477
Pope County	38,875
Logan County	20,950
Scott County	50,659
Strip pits and smaller mines	100,000
Making a grand total of (for coal alone, to say nothing of an increasing tonnage on other products)	1,875,569

Since that time this output has greatly increased.

As an illustration, we will take Denning, located in Franklin County, Ark., a distance of 119 miles from Little Rock, as representing the average point of origin for coal shipments, and taking one-half cent a ton-mile as a reasonable charge for haulage and 20 cents a ton flat for terminal costs on account of short haul, the reasonable rate out of the Arkansas fields to Little Rock becomes 80 cents a ton, a reduction of 45 cents a ton on the present rate. These two points just mentioned are the extreme points of transportation, in so far as my district is concerned. What is true of Little Rock would be proportionately true of the towns of Argenta, Spadra, London, Ozark, Denning, Hartman, Lamar, Clarksville, Russellville, Dardanelle, Morrillton, Conway, Atkins, Plumerville, and other towns located between Denning and Little Rock. During the year of 1908 Little Rock consumed 193,000 tons of coal, which is equivalent to practically one-third of the output of the fields adjacent to the reaches of the river under examination at that time. Based on the freight-rate reduction of 45 cents a ton just mentioned, the total saving to Little Rock alone in one year would be $86,850 on account of coal rates being placed on a reasonable basis as a result of the Arkansas River becoming a "used river." The Board of Engineers further makes the observation that the saving to other towns using Arkansas coal would be equal proportionately to that of Little Rock, and which would swell the total savings to the immense amount of $173,700, savings on coal rates alone, to say nothing of the probability of a reduction in mine price, due to the opportunity for the independent operator to keep his product on the market at all times. I again invite the attention of the committee to the fact that Little Rock annually handles some 400,000 bales of cotton, as I now recall the figures. It is estimated that approximately one-third of this cotton comes from the territory adjacent to the Arkansas River between Little Rock and Ozark. Sometime since the Little Rock Board of Trade furnished a statement showing the most important tonnage originating in that territory and terminating at Little Rock, and it is as follows:

	Tons.
Cotton	27,677
Cotton seed	14,450
Hay	12,000
Cooperage stuffs	24,375
Produce	5,200
Wood	7,500
Not classified	31,600
Total	122,802

Since the compilation of this table this tonnage has generously increased from year to year.

It may be further argued that the effect of "used rivers" on cotton freight rates may be shown in the fact that cotton shipped from Little Rock to New Orleans, 487 miles, is 55 cents; cotton shipped from Memphis to New Orleans, 396 miles, 25 cents; cottonseed products from Little Rock to New Orleans, 15 cents; cottonseed products from Memphis to New Orleans, 10 cents.

From these figures it can be seen that where river and rail are in competition the rate on cotton is about one-half and the rate on cottonseed products is about two-thirds of that where there is a lack of competition of that nature. The board of trade in my home town, Dardanelle, Ark., reports that at one time the rate on cotton from that town to Little Rock was 25 cents a hundred, and that the old steamboat rate was 15 cents a hundred, making a difference of 10 cents per hundredweight, or a saving of 50 cents a bale in favor of river transportation between Dardanelle and Little Rock. In so far as the benefits of river transportation are concerned, what is true of Dardanelle and Little Rock is equally true of the other towns between Little Rock and Ozark, to which I have just referred.

It may be interesting to note that a recapitulation of the probable decrease in annual freight rates within the territory

between Little Rock and other points may be summed up as follows:

Decrease on coal freights, outbound	$173,700
Decrease on cotton crop, outbound	47,420
Decrease on general freights, outbound	225,890
Decrease on general freights, inbound	220,000
A total saving in freight charges of	667,010

In other words, for every dollar of an appropriation this Congress may give to this project is a saving of $3 in reduced freight rates to the people.

As stated in the report to the War Department, if we estimate that 40 per cent of the output of the coal fields east of Ozark is consumed by the railroads and not affected by water transportation we have as a statement of commerce directly affected by the river as follows:

Outbound:	Tons.
Coal	400,000
Cotton	28,000
Hay	12,000
Cooperage stuffs	24,000
Produce	5,000
Wood	7,000
Not classified	32,000
Inbound, not classified	100,000

Or a total tonnage which is influenced by the river of 622,000 tons.

Again, it has been estimated that with these dredge boats operating between Little Rock and Ozark that in about 17 months all the shoals between these two points could be cleared of obstruction and a channel made and maintained, and then the question is solved.

For the benefit of the committee I desire to make the further observation that unless this item is written in this bill the two magnificent dredges now built and ready for work will be compelled to lie idle for 18 months. I am informed by the War Department this morning that this will cost the Government $18,000 and not a single dollar's worth of benefit will result. It will be a dead loss of this amount. I am sure the committee will agree with me that this will be a most unwise business policy, especially so when we find that these boats cost $400,000.

It might be germane in this discussion to add that between the cities of Little Rock and Ozark that there is a magnificent and proven working coal field that would bring traffic on the Arkansas River when this river is properly dredged and open for traffic. The amount of this inchoate tonnage is overwhelmingly eloquent and convincing. It is as follows:

	Acres.
Shinn Basin	3,000
Ouita Basin	2,500
Spadra, north side of river	14,000
Prairie View, south side of river	20,000
Denning	6,000
Paris	4,000

Making a total of 49,000 acres in all, which alone in time would bring, subject to river transportation, 200,000,000 tons of coal, to say nothing of the tonnage that would also be gathered in by this stream in the way of timber, farm products, and other items of commerce too numerous to mention at this time.

It can readily be seen that the immense saving to the people living in the towns of Ozark, Denning, Hartman, Lamar, Knoxville, Spadra, Clarksville, Russellville, Dardanelle, Morrillton, Conway, and Argenta, as well as to the people living adjacent thereto on freight alone, to say nothing of the decreased cost per ton as a result of river transportation, would be stupendous in its nature. These facts and this argument, if not complemented with other facts and arguments, make plain why the amendment should prevail if there were no other facts argued in support of it. I desire, Mr. Chairman, to incorporate as a part of my remarks on this occasion a table showing comparative rates in cents per 100 pounds, on classes and commodities, river and rail, to Little Rock, but on account of the limited time given to me for the discussion of the matter I will be unable to recite these figures in full to the committee. It may be stated in a word, however, that the beneficent results, as shown by this table, that would flow to the people of my district as a result of continuous river traffic, as well as the benefits that would go to other portions of the State, would be told in the story of the saving of multiplied thousands of dollars in freight bills to the people in that territory through which the great Arkansas River runs. To the people as a whole freight rates that are fair and not prohibitive are most essential to the proper development of the country.

Rates by rail on cotton, in cents per 100 pounds.

	Cents.
Little Rock to New Orleans	55
Memphis to New Orleans	25
Little Rock to Boston	80
Memphis to Boston	55
Little Rock to New York	75
Memphis to New York	50

Cottonseed meal and cake, in cents per 100 pounds.

	Cents.
Little Rock to New Orleans	15
Memphis to New Orleans	10

Coal rates by rail from mines in Kentucky, Alabama, Tennessee, and Illinois, a distance of 100 to 250 miles.

	Per ton.
To Memphis	$1.00
Rate for same distance in Arkansas	$1.25 to 2.25
Memphis to Little Rock, 135 miles	1.45
St. Louis to Little Rock, 345 miles	2.70
Cairo, Ill., to Little Rock, 290 miles	2.20
Mines on the Illinois Central Railroad and St. Louis, Iron Mountain & Southern Railway in Illinois:	
To Little Rock, 335 miles	2.70
To Shreveport, La., 550 miles	2.60
To Monroe, La., 530 miles	2.25
To Alexandria, La., 630 miles	2.60

Mr. Chairman, I wish to say in the form of a hasty summary that when the plan of making the Arkansas River navigable from its mouth up as far as Ozark in Franklin County and maintaining a channel of 3½ feet as recommended by the Board of Engineers as entirely feasible and practicable, is carried to a successful consummation, it will mean a decrease of freight rates on coal, cotton, general freights outbound, and general freights inbound, of at least $700,000 per annum to the people of Arkansas. It means that there will be a competitor to the railroads that will enable the people living in this territory to ship every form of their products to a central market under freight rates that are not prohibitive. In a sense it will mean a day of deliverance, the coming of a greater progress for Arkansas. It will mean the saving of thousands of dollars to the towns located on this great watercourse in the form of coal bills and reduced freight rates of many thousands of dollars. Also, it will give to the city of Argenta and the city of Little Rock, the capital of my Commonwealth, and other places in my district, cheap coal as a result of cheap freight rates that will enable them to successfully solve some of the commercial and industrial problems with which they have to contend to-day. It may be termed as meaning a new era of development and prosperity that will be retarded until these conditions are made possible. I am no authority upon the feasibility or the practicability of the improvement of our streams, but the great Engineering Department of this country states in its official reports and recommends to Congress that it is practicable and feasible, and this should convince those who are of a doubting nature. Mr. Chairman, there is no necessity for Little Rock, Argenta, and other Arkansas cities to purchase yearly thousands of tons of coal from Illinois or any other State, and when this condition is forced upon the people of Arkansas it compels her to pay tribute to northern capital and northern labor when this homage should be given to Arkansas capital and Arkansas labor. It may be stated that in so far as coal is concerned, we are a rich people in disguise. We can see that which is justly ours but will be unable to reach it until this Government appropriates sufficient money to make navigable the Arkansas. Slumbering within the earth and under 49,000 acres of land just mentioned there is an inchoate and proven tonnage of 200,000,000 tons of coal alone that could go to river transportation, and which would go far toward making the Arkansas River in time one of the greatest streams that ever bore the white sails of commerce to the seas. The testimony I have submitted in support why this amendment should prevail is not the testimony of myself, or that which is biased and prejudiced, but the testimony of an arm of the Engineering Corps of the United States Government that made its report to Congress some few years since, and for this reason it should have its proper and convincing weight with the committee to-day.

Mr. Chairman, in the distant past the time was when Arkansas was called the Bear and Bowie-knife State. In part this was attributable to the story of the Arkansas Traveler and other slanderous statements that fell from reckless pens. But that period has passed forever. It is now less than a memory. Arkansas has long since caught the stirring strains of the martial music of progress and year in and year out is keeping step like a well-trained soldiery. So overwhelming is the sum total of her accomplishments in the agricultural, commercial, industrial, and business world, in the educational and professional world, in the arts and the sciences, and in the field of letters that she has written an eternal traverse upon the accusations of those who have sought to belittle her. To-day there are but two classes of people that would slander or heap discredit upon the name of Arkansas, those that are densely ignorant or morbidly envious.

The Arkansas River should be permanently improved and open to navigation. This is true of the other great rivers of the State. It is Arkansas's just due. When she receives the benefit of "used rivers" it means the day of deliverance from exorbi-

tant and prohibitive freight rates, and the coming of new era of a greater and far-reaching development for the entire State.

In conclusion, I desire to say that I do not want to occupy the position before the committee to-day of being a political highwayman. Neither do I want to obstruct any needful and useful legislation. I refuse to be put in the class of the dog in the manger. In my judgment, I speak for the greatest district represented upon this floor, inhabited by a progressive, patriotic, intelligent, and potential people. Within this domain, to me, is the greatest capital of all the capitals of this Government, that of Little Rock. As a rule, generally I do not occupy this floor in useless discussion, still I shall always reserve the right, when I feel that the great State that I have the honor in part to represent has been for some cause discriminated against unjustly, to submit certain observations and raise my provincial voice, and to the utmost do all that is possible commensurate with my ability, and which falls within the pale of what is right, to contend for those benefits and those privileges that my district is entitled to and the State of Arkansas should have as a matter of absolute right and justice. Mr. Chairman, I earnestly hope that the amendment will prevail. [Applause.]

Comparative rates, in cents per 100 pounds, on classes and commodities, river and rail, to Little Rock.

From—	By—	Class. 1	2	3	4	5	A.
St. Louis and New Orleans	Rail	100	85	65	49	37	39
	Boat	50	45	35	30	25	20
	Difference	50	40	30	19	12	19
Memphis	Rail	70	60	45	36	27	30
	Boat	35	30	22	18	15	15
	Difference	35	30	23	18	12	15
Louisville, Evansville, Paducah, Owensboro.	Rail	111	94	71	54	40	43
	Boat	55	49	38	34	27	28
	Difference	56	45	33	20	13	15

Commodities.	By—	Carloads.	Less than carloads.
Agricultural implements:			
St. Louis and New Orleans	Rail	33	60
	Boat	20	45
	Difference	13	15
Memphis	Rail	23	60
	Boat	15	30
	Difference	8	30
Louisville, Evansville, Paducah, Owensboro.	Rail	37	94
	Boat	28	49
	Difference	9	45
Produce:			
St. Louis and New Orleans	Rail	32	65
	Boat	25	35
	Difference	7	30
Memphis	Rail	19	45
	Boat	15	25
	Difference	4	20
Louisville, Evansville, Paducah, Owensboro.	Rail	35	71
	Boat	30	35
	Difference	5	26
Coffee:			
St. Louis and New Orleans	Rail	30	49
	Boat	22	30
	Difference	8	19
Memphis	Rail	20	36
	Boat	15	18
	Difference	5	18
Louisville, Evansville, Paducah, Owensboro.	Rail	33	54
	Boat	25	35
	Difference	8	19
Sugar and molasses:			
St. Louis and New Orleans	Rail	22	49
	Boat	20	30
	Difference	2	19

Comparative rates, in cents per 100 pounds, etc.—Continued.

Commodities.	By—	Carloads.	Less than carloads.
Sugar and molasses—Continued.			
Memphis	Rail	12	26
	Boat	10	51
	Difference	2	11
Louisville, Evansville, Paducah, Owensboro.	Rail	25	44
	Boat	20	30
	Difference	5	14
Canned goods:			
St. Louis and New Orleans	Rail	23	49
	Boat	17	30
	Difference	6	19
Memphis	Rail	13	36
	Boat	10	15
	Difference	3	21
Louisville, Evansville, Paducah, and Owensboro.	Rail	28	54
	Boat	23	30
	Difference	5	24
Bagging and ties:			
St. Louis and New Orleans	Rail	17	49
	Boat	15	30
	Difference	2	19
Memphis	Rail	12	36
	Boat	10	22
	Difference	2	14
Louisville, Evansville, Paducah, and Owensboro.	Rail	20	54
	Boat	20	35
	Difference		19
Nails, wire and iron:			
St. Louis and New Orleans	Rail	23	49
	Boat	16	25
	Difference	7	24
Memphis	Rail	13	36
	Boat	10	15
	Difference	3	21
Louisville, Evansville, Paducah, and Owensboro.	Rail	25	54
	Boat	25	34
	Difference		20
Window glass and bottles:			
St. Louis and New Orleans	Rail	35	65
	Boat	22	40
	Difference	13	25
Memphis	Rail	25	45
	Boat	18	35
	Difference	7	10
Louisville, Evansville, Paducah, and Owensboro.	Rail	38	71
	Boat	25	40
	Difference	13	31
Soap (common):			
St. Louis and New Orleans	Rail	33	49
	Boat	25	30
	Difference	8	19
Memphis	Rail	23	36
	Boat	15	18
	Difference	8	18
Louisville, Evansville, Paducah, and Owensboro.	Rail	36	54
	Boat	22	35
	Difference	14	19
White lead and paint:			
St. Louis and New Orleans	Rail	28	49
	Boat	20	30
	Difference	8	19
Memphis	Rail	18	36
	Boat	15	25
	Difference	3	11
Louisville, Evansville, Paducah, and Owensboro.	Rail	31	54
	Boat	25	35
	Difference	6	19

Comparative rates, in cents per 100 pounds, etc.—Continued.

Commodities.	By—	Carloads.	Less than carloads.
Petroleum and its products:			
St. Louis and New Orleans	Rail	23	65
	Boat	25	35
	Difference	2	30
Memphis	Rail	15	45
	Boat	15	35
	Difference		10
Louisville, Evansville, Paducah, and Owensboro.	Rail	32	71
	Boat	27	38
	Difference	5	33
Cement and plaster:			
St. Louis and New Orleans	Rail	17	49
	Boat	15	25
	Difference	2	24
Memphis	Rail	12	36
	Boat	15	15
	Difference	3	21
Louisville, Evansville, Paducah, and Owensboro.	Rail	20	54
	Boat	20	30
	Difference		24
Stoves and hollow ware:			
St. Louis and New Orleans	Rail	30	65
	Boat	25	35
	Difference	5	30
Memphis	Rail	20	45
	Boat	15	22
	Difference	5	23
Louisville, Evansville, Paducah, and Owensboro.	Rail	33	71
	Boat	25	40
	Difference	8	31
Wooden ware:			
St. Louis and New Orleans	Rail	46	85
	Boat	40	50
	Difference	6	35
Memphis	Rail	36	60
	Boat	15	25
	Difference	21	35
Louisville, Evansville, Paducah and Owensboro.	Rail	51	90
	Boat	34	60
	Difference	17	30
Galvanized ware:			
St. Louis and New Orleans	Rail	45	85
	Boat	30	50
	Difference	15	35
Memphis	Rail	37	60
	Boat	18	30
	Difference	19	30
Louisville, Evansville, Paducah, and Owensboro.	Rail	50	90
	Boat	34	54
	Difference	16	36
Pickles:			
St. Louis and New Orleans	Rail	25	65
	Boat	20	25
	Difference	5	40
Memphis	Rail	15	45
	Boat	15	15
	Difference		30
Louisville, Evansville, Paducah, and Owensboro.	Rail	28	71
	Boat	22	30
	Difference	6	41
Cotton-factory products (any quantity):			
St. Louis and New Orleans	Rail	60	
	Boat	50	
	Difference	10	
Memphis	Rail	35	
	Boat	25	
	Difference	10	

Comparative rates, in cents per 100 pounds, etc.—Continued.

Commodities.	By—	Carloads.	Less than carloads.
Cotton-factory products (any quantity)—Continued.			
Louisville, Evansville, Paducah, and Owensboro.	Rail	61	
	Boat	35	
	Difference	26	
Hardware (any quantity):			
St. Louis and New Orleans	Rail	85	
	Boat	45	
	Difference	40	
Memphis	Rail	60	
	Boat	30	
	Difference	30	
Louisville, Evansville, Paducah, and Owensboro.	Rail	94	
	Boat	50	
	Difference	44	

The CHAIRMAN. The time of the gentleman from Arkansas has expired.

Mr. JACOWAY. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. DAVENPORT rose.

Mr. SPARKMAN. Mr. Chairman, I ask unanimous consent that all debate on this paragraph and amendments thereto close. How much time does the gentleman from Oklahoma desire?

Mr. DAVENPORT. I would like to have five minutes.

Mr. SPARKMAN. I ask unanimous consent that all debate on this paragraph and amendments thereto close in five minutes.

Mr. GOODWIN of Arkansas. Mr. Chairman, I ask permission to revise and extend my remarks in the RECORD.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. TRIBBLE. Mr. Chairman, I make the same request.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. TAYLOR of Arkansas. I make the same request, Mr. Chairman.

The CHAIRMAN. Is there objection?

There was no objection.

The CHAIRMAN. What is the request of the gentleman from Florida [Mr. SPARKMAN]?

Mr. SPARKMAN. That all debate on this paragraph and amendments thereto close in five minutes.

The CHAIRMAN. The gentleman from Florida asks unanimous consent that all debate on the pending paragraph and amendments thereto close in five minutes. Is there objection?

There was no objection.

The CHAIRMAN. The gentleman from Oklahoma [Mr. DAVENPORT] is recognized.

Mr. WINGO. Mr. Chairman, I desire to submit a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. WINGO. If a unanimous-consent agreement is entered into, would it prevent the offering of an amendment to the pending amendment?

The CHAIRMAN. It would prevent discussion beyond five minutes.

Mr. WINGO. I simply want to offer a substitute for the pending amendment.

The CHAIRMAN. The gentleman from Oklahoma is recognized.

Mr. DAVENPORT. Mr. Chairman, I think I feel somewhat differently from the gentlemen who have preceded me. I have no fault to find with the Committee on Rivers and Harbors, but I am very strongly in favor of the amendment that has been offered by the chairman of the committee.

To my part of the State of Oklahoma the navigation of the Arkansas River is an important thing, and without improving the Arkansas River in the State of Arkansas we can get no benefit whatever in Oklahoma. It has been carried for a number of years by the engineers as one project, notwithstanding we have not had any improvement made upon the Arkansas River in Oklahoma except pulling out some snags along the channel by the Government.

Up until 1888 the Arkansas River, in what was then Indian Territory and is now Oklahoma, was navigated as far up the river as the town of Fort Gibson. Reference has been made to the benefit that it would be to a number of cities in the State of Arkansas. Commencing with the city of Tulsa, in the State of Oklahoma, Muskogee and other towns along the Arkansas River, down the Arkansas Valley to the State line, would all be greatly benefited in the way of freight rates as well as shipping out the products of coal and timber along the Arkansas River, which they can not now do, because it makes it too expensive to get these products out of the bends of the river and carry them to the railroad lines, with the distance they would have to haul. We are anxious to have some improvement made to the Arkansas River. We in Oklahoma feel, as well as the gentleman from Arkansas, that there are many streams of the United States that are improved for navigation that have no more water and no more commerce than the river Arkansas has. It is true that for a number of years our section of Oklahoma through which the Arkansas River flows had no Representative upon the floor of this House, and when the railroads were built through that section of country, from that day on until this, it has been difficult to get any recognition of the people along the Arkansas River in Oklahoma, because it seemed that people thought our commerce could be satisfactorily transported over the lines of railroad. I trust this House will adopt the amendment offered by the chairman of the committee, and by so doing I believe it will greatly benefit the people of Oklahoma as well as the people of Arkansas. [Applause.]

Mr. WINGO. Mr. Chairman, I offer a substitute for the committee amendment.

The CHAIRMAN. The gentleman from Arkansas [Mr. WINGO] offers a substitute for the pending committee amendment. The Clerk will report the substitute.

The Clerk read as follows:

Amendment offered by Mr. WINGO as substitute for the committee amendment:

"Arkansas River, from its mouth to the head of navigation, by snagging operations, by dredging operations, and by contraction work, holding the improved channel by revetment where necessary, $500,000."

The CHAIRMAN. The question is on the substitute of the gentleman from Arkansas.

Mr. CALLAWAY. Mr. Chairman, has the time allotted upon this amendment been consumed?

The CHAIRMAN. The time has all been consumed.

Mr. CALLAWAY. And on the substitute as well?

The CHAIRMAN. Yes. All time has expired. The question is on the substitute offered by the gentleman from Arkansas [Mr. WINGO].

The substitute was rejected.

The CHAIRMAN. The question is on the committee amendment offered by the gentleman from Florida [Mr. SPARKMAN].

The amendment was agreed to.

The Clerk read as follows:

Cache River, Ark.: For maintenance, $3,000.

Mr. CALLAWAY. Mr. Chairman, I never got in on this Arkansas River——

The CHAIRMAN. Does the gentleman offer some amendment?

Mr. CALLAWAY. Yes; Mr. Chairman, I move to strike out the last word.

I want to call the attention of the Committee of the Whole to the expenditure that has been made on this river, with the result up to the present time. I do this not because I have any desire to criticize the Arkansas expenditure. It is in harmony with all the expenditures in this bill as far as results are concerned.

On the Arkansas River there has been expended up to the present time $3,153,784. Is it a new project? Oh, no. Are they only just beginning to dredge now with some new-fangled boats? Oh, no. Have the engineers just reported on this? Oh, no; they have been working on this thing from so far back that the memory of man runneth not to the contrary. They have expended on it $3,153,784. Have they got any commerce? Oh, no. All these men say they have not got it, but they are going to get it, the Lord knows when. Is it getting better with all this expenditure through the years? Oh, no. The freight has been gradually declining on that river. For the last 20 years the average tonnage has been 77,000 tons, but last year it was 55,000 tons. Is the commerce improving by this expenditure? Oh, no; they just hope to improve it. The average expenditure on the river for the last 20 years has been $66,000 a year.

Mr. JACOWAY. Will the gentleman yield?

Mr. CALLAWAY. Yes.

Mr. JACOWAY. I will ask the gentleman where he gets his figures, 55,000 tons for the Arkansas River? On what portion of the river is that, or does it include all of the river?

Mr. CALLAWAY. I get it from the engineer's reports.

Mr. JACOWAY. I hold in my hand the report of the engineers' department for 1910, and in the recapitulation it shows that the established tonnage at that time was 662,000 tons. That is signed by the officer of engineers of the War Department.

Mr. CALLAWAY. I was talking about 1914.

Mr. JACOWAY. I want to say to the gentleman that he is wrong about that.

Mr. CALLAWAY. I have the engineer's report here, and am quoting from the engineer's reports on this.

Mr. Chairman, I do not want to criticize the Arkansas River particularly, because, as I said, the Arkansas River is exactly on a par with the Trinity and the Brazos and the Kissimme and the intercoastal canal and all the other river appropriations in this bill, nearly. That is the thing I object to. The gentleman who said it was not a question of merit with this committee was correct in that statement.

Mr. SPARKMAN. Will the gentleman yield for a minute?

Mr. CALLAWAY. Yes.

Mr. SPARKMAN. I have no apologies to make for the Kissimme River, but it is not in this bill.

Mr. CALLAWAY. I am glad it has been cut out. That is one good work we did.

Mr. SPARKMAN. I cut it out because there was no money needed there.

Mr. CALLAWAY. Some gentleman on the floor said it was not a question of merit. Take the statements of the committee. Running back through this entire discussion I have collated some statements of this committee in defense of these propositions on that question of merit. The gentleman from Texas [Mr. BURGESS], in answer to a question, said:

I will tell you I am getting very tired of being skinned by Members who do not know "straight up" on this floor. I have been on this River and Harbor Committee for 12 years. I have worked faithfully and tried my best to do the best for the rivers and harbors of the country. If we are going to take on a new project, then how will we keep from another new project, and another one, and another new one, and so on, endlessly?

Any merit? Oh, no.

There were 24 projects in the last bill that had conditions. There were 74 new projects. All of those have gone out, every one of them, without discussion of the merits. Mr. Chairman, I hate to oppose the amendment of the gentleman from Maryland [Mr. TALBOTT], for I love him very dearly, and I hate to oppose the gentleman from Maryland [Mr. LINTHICUM], who is, I hope, to be the new governor of Maryland. That is the naval part of it. Yes; but that does not appeal much to me, although I think, perhaps, that is a matter to be considered when we take on any new projects; but it is idle to discuss the merits of any of these propositions. The only rule that could be adopted after much thought, after much discussion, was the one which we have come in and built this bill upon, that no new projects will be considered, no matter what their merits are.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. CALLAWAY. Mr. Chairman, I ask for two minutes more.

The CHAIRMAN. The gentleman from Texas asks for two minutes more. Is there objection?

There was no objection.

Mr. CALLAWAY. The gentleman from Washington [Mr. HUMPHREY] says:

It is not a question of merit. Let us treat everybody alike in this House. If there is any member of the committee who is receiving undue favor in this bill, I will vote to take it away if you will point it out. Let us treat everybody alike.

That sounds like a discussion on the pension bill. Some fellow says, "How does it happen? I want the committee to explain; they have 30 bills apiece, while I have got but 10." The chairman of the committee says: "If the gentleman will possess his soul in patience until we get through, we will see that they are equally distributed and that everybody is treated fairly."

Mr. SPARKMAN. Was the gentleman referring in his last remarks to me?

Mr. CALLAWAY. Not to the chairman of this committee. Let us treat everybody alike, says the gentleman from Washington [Mr. HUMPHREY]. Now comes Mr. EDWARDS:

Now, if you put on this new project because of Mr. MAHAN'S influence in the House, what answer have I got to give to the people of Savannah, the great city that I come from? The gentleman from Connecticut [Mr. MAHAN] has no better friend on the floor of the House than I am to him; but what answer can I give to the people of my district and the people of Georgia when they say to me, "The gentleman from Connecticut [Mr. MAHAN] was able to rise on the floor of the House, and, although not a member of the Rivers and Harbors Committee, to put an amendment on the bill for a new project, while you, a member of the committee, were not able to get a new project that we so much desired"?

Mr. RUSSELL. Will the gentleman yield?

Mr. EDWARDS. I yield to my friend from Missouri.

Mr. RUSSELL. Can the gentleman inform us what is the amount of new projects that have been proposed and favorably recommended?

Mr. EDWARDS. There are 134 of them, approximating, I understand, something like $150,000,000, favorably passed upon by the engineers.

Mr. RUSSELL. And there are new projects that have been shut out by the committee which, if put on, would increase it about $150,000,000?

Mr. EDWARDS. Approximately it would increase it about $150,000,000 if all of them were put on.

Mr. RUSSELL. And the committee thinks that the bill, as now reported to the House, containing old projects, is just as much as the condition of the Treasury will permit?

Mr. EDWARDS. Absolutely.

The CHAIRMAN. The pro forma amendment is withdrawn.

Mr. WINGO. Mr. Chairman, I offer the following amendment as a new paragraph after the last line read.

The Clerk read as follows:

Amend, page 24, by inserting, after line 18, the following: "Red River, Ark. and La. and Tex., $140,000."

Mr. WINGO. Mr. Chairman, I will not attempt to discuss in five minutes the necessities of this Red River project. I am, of course, interested in the Arkansas River and in the Red River. Anyone who is familiar with the Southwest knows that the Arkansas and the Red Rivers occupy the same relation to the southwestern part of the country that the Ohio River does to the Ohio Valley. I recognize the fact, Mr. Chairman, that unfortunately the rivers and harbors bill heretofore has contained some projects that laid the bills open to criticism, and that that necessarily makes it harder for legitimate projects to be considered and appropriated for by Congress. It makes it easier for sincere men to be honestly misled and join the general cry that the railroads are making against the improvements of the waterways of this country. I take it that no intelligent man—mind you, I say intelligent man—objects to a legitimate and proper improvement of the waterways of this country.

Two of the great natural waterways of the country are the Red River and the Arkansas. The gentleman from Texas [Mr. CALLAWAY] just stated that the Arkansas River was on a par with the Trinity River. Evidently the gentleman does not know anything about the Arkansas River. If the Trinity River is what he says it is, it would take a dozen Trinity Rivers to equal either the Red or the Arkansas.

Mr. CALLAWAY. Will the gentleman yield?

Mr. WINGO. Yes.

Mr. CALLAWAY. It is not a question of water, it is a question, rather, of navigability. The Red River is not navigable——

Mr. WINGO. Mr. Chairman, I decline to yield. I thought the gentleman wanted to ask me a question.

Mr. EDWARDS. Will the gentleman yield?

Mr. WINGO. For a question.

Mr. EDWARDS. Is the gentleman of the opinion that the fight against the rivers and harbors bill and improvements in the country has been inaugurated by the railroads?

Mr. WINGO. I will not express myself further on that question now. Now, answering the remark of the gentleman from Texas as to the question of navigation, there can be no question about the Arkansas or the Red Rivers. The gentleman says Red River is not navigable. It has been navigable, and it is navigable now to a certain extent, and there is no question but that it can be made fully navigable by an expenditure of $140,000. The only thing to-day, the engineers say, that impedes legitimate navigation are the snags and logs, which can be taken out at an expense of $140,000, which they recommend should be appropriated for the purpose. The boats that have been navigating the river and carrying the commerce are tied up at the wharves because they can not navigate and because the work has failed. If you fail to carry out the recommendation of the engineers and make this appropriation of $140,000 to remove the snags and logs, you will kill what commerce there is left there.

Now, the gentleman from Texas says he can spit across the Trinity River, and yet he compares the Arkansas and Red Rivers with it. Evidently he has never seen either. It took nearly a million dollars to build a bridge across the Arkansas Rive. at Fort Smith. It would take a dozen Trinities to fill the Arkansas half bank full. Any man who goes through the Southwest knows that the Arkansas and the Red Rivers are in the same class as the Ohio River. I recognize that in the present alleged state of the finances you can not institute the project which the gentleman from Mississippi said the committee was considering of putting in on the Red River; but until you can, is it not good business judgment not to destroy what commerce is left, but give the engineers $140,000, which they estimate is necessary to keep the commerce going that is already upon that river?

Mr. HUMPHREYS of Mississippi. Mr. Chairman, I just want to call attention to the fact that the part of the Red River below Fulton, Ark., was voted on the other day. That is where the hundred thousand dollars was asked for. That has been disposed of. There are two projects. The one is above and the other below Fulton, Ark. The hundred thousand dollar item has already been stricken out. This is the $40,000 item above Fulton, Ark. The gentleman now attempts in one amendment to combine two separate projects. I call his attention to the fact that there is no commerce on the reach of the river that he asks this $40,000 for. Last year there were only 3,000 tons, and that was valued at only $16,000. We could not, of course, afford to appropriate $40,000 to maintain a channel that carries only $16,000 worth of commerce.

Mr. WINGO. Mr. Chairman, I know that there is commerce upon the river. I see it every day that I am at home. I see the boats tied up to the bridges at Red River, not simply at Fulton but at Index, and I know that staves out of my own county go over the Red River. The trouble is that many of them can not get out on account of the sand bar that is at the mouth of the Little River. The trouble with most of it is that the boats can not go out on account of snags. One boat I know is now tied up because the last trip she made she struck a snag.

Mr. HUMPHREYS of Mississippi. We appropriated to maintain this several years ago in the bill before the last, and $19,000 of that money is still left on hand with which to work along that reach of the river.

Mr. WINGO. Mr. Chairman, will the gentleman yield?

Mr. HUMPHREYS of Mississippi. Yes.

Mr. WINGO. Did not the engineers estimate it would take $140,000 to do that work for the coming year?

Mr. HUMPHREYS of Mississippi. Oh, no.

Mr. WINGO. That is the report of the engineers that I have.

Mr. HUMPHREYS of Mississippi. But the gentleman takes the whole river.

Mr. WINGO. I take the whole river—$40,000 below and $100,000 above.

Mr. HUMPHREYS of Mississippi. We have already disposed of the $100,000 below Fulton.

Mr. WINGO. I am talking about the whole river.

Mr. HUMPHREYS of Mississippi. Yes; but for the part the gentleman's amendment applies to now there are $19,000 on hand with which to maintain the river, and that river carries only $16,000 worth of commerce.

Mr. WINGO. Then, why did the engineers estimate for $140,000?

The CHAIRMAN. The question is on the amendment offered by the gentleman from Arkansas.

The question was taken, and the amendment was rejected.

The Clerk read as follows:

Cumberland River above Nashville, Tenn.: The balances remaining unexpended from the appropriations made for the construction of locks and dams heretofore authorized, and no longer needed for said purpose, are hereby made available for maintenance of improvement by open-channel work on that part of the river above Nashville.

Mr. HULL. Mr. Chairman, I move to strike out the last word. The Committee on Rivers and Harbors in bringing in this bill proposed a policy to the House with respect to the number of items and the amount of appropriations and authorizations that should be carried in the bill. That policy proposed to exclude all new projects of river and harbor improvements upon the ground that the stress of our revenue conditions, due to the foreign war, made the practice of rigid economy at this time very necessary. The committee, in pursuance of that policy, has excluded about 77 new projects that were carried in the last bill, which passed this House and failed of passage in the Senate during last year. Those projects were approved by the committee at that time. They were approved by the House with almost entire unanimity. They stand approved by the committee now just as much as they did when the bill passed the House last year, but, as the committee has explained, they were excluded from this bill not upon the question of merit, but solely upon the question of pressing economy. The people of Kentucky and Tennessee are greatly interested in a project, a new project it has been technically termed, relating to the upper Cumberland River, comprising a distance of almost 200 miles. In view of the fact that the committee has made the statement it has, and in view of the fact that it strongly expressed its approval of this project in its report accompanying the last river and harbor appropriation bill, but failed to embrace it in this bill for the reasons I have stated, I am not at all certain of the wisdom of proposing to the House now for its vote a new project embraced in this category. It would be voted on not upon its merits or demerits, but it would be voted down, as the Committee of the Whole has already expressed its approval of the policy proposed by the Committee on Rivers and Harbors upon the ground that no new projects should be

embraced in the bill. Under those circumstances I am not certain of the wisdom, as I say, of putting up a new project in the form of an amendment simply to be voted down without regard to its merits.

Mr. POWERS. Mr. Chairman, will the gentleman yield?

Mr. HULL. Certainly.

Mr. POWERS. I want to say to the gentleman from Tennessee that there is no question in the mind of the River and Harbor Committee about the merits of the upper Cumberland River project. It was left out of the bill because of the financial condition of the country.

Mr. HULL. I have that decided understanding. Mr. Chairman, in conclusion, there have been some remarks made derogatory to this project by some gentlemen who evidently have not studied the facts, who have not read the facts. The record pertaining to this project comprises some three or four hundred pages, and I invite the closest scrutiny of every member of the House to every fact and phase of that record. Gentlemen, unintentionally no doubt, but in their hurry and lack of time to go into the entire facts of projects, have made statements that were as damaging as they were erroneous; and I hope that when this matter comes up in connection with the next river and harbor appropriation bill gentlemen who honestly desire to offer criticism will go into the record as they would the record of a lawsuit, and present their criticisms in the spirit of fairness and with a desire to assist the House in getting at the merits of the project. It is utterly impossible for gentlemen who seek——

The CHAIRMAN. The time of the gentleman from Tennessee has expired.

Mr. HULL. Mr. Chairman, I ask unanimous consent to proceed for two minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. HULL. Mr. Chairman, I have no desire to suggest to any gentleman the method by which he should offer criticisms or suggestions relative to the merits or demerits of a given item, but it does seem to me that it would be impossible for any gentleman to take up all of the items in any appropriation bill and be able to give the entire facts so as to present their merits to the committee.

The case of the upper Cumberland River is one in question. Gentlemen who have undertaken to present the facts have missed them entirely in every essential respect, and it is due to the method, evidently, of undertaking to offer criticisms or suggestions with respect to the merits of an item without taking the time necessary to investigate and assemble all the facts. Mr. Chairman, I withdraw the pro forma amendment.

The Clerk read as follows:

Cumberland River below Nashville, Tenn.: Continuing improvement, $445,000.

Mr. FREAR. Mr. Chairman, I move to strike out lines 8 and 9.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amend, page 25, by striking out lines 8 and 9.

Mr. FREAR. Mr. Chairman, I wish to say that the Cumberland River, in my judgment, is as good as many of the projects in this bill—so far as we can judge. I desire to say in reference to what has been uttered by the gentleman from Tennessee who preceded me that in an effort to ascertain the facts in regard to this stream and all other streams Members have access only to the engineers' reports and to such statements as have been made by reputable men. Those I have relied upon, and the reputable men in this case are the men whose judgment on waterways, I believe, are equal to those of any men in this country. Now, to speak particularly to the preceding paragraph, on the upper Cumberland, without reference to the project before us on the lower river, the statistics in the engineers' report before us show that 84 per cent of all the traffic last year on the upper river consisted of sand and gravel or timber that floats. Naturally, that attracts attention. That is the information I have placed before the House, and the facts are that 84 per cent of all that traffic of sand, gravel, and timber, together with all traffic, has been aided to the extent of $3,000,000 already appropriated.

Mr. HULL. The gentleman is aware of the fact the value of the tonnage over the upper Cumberland was more than $8,000,000?

Mr. FREAR. I will speak to the point in a few minutes. Take the lower portion of the river. According to the engineers' report $835,439 was on hand last October and we are asked to appropriate $435,000 more, over a million dollars in all, in addition to $2,103,000 already appropriated on this branch of the river. We have appropriated $3,317,500 on the upper branch of the river. Now there is traffic upon this river for navigation at all seasons of the year.

Mr. SPARKMAN. Will the gentleman yield?

Mr. FREAR. I would prefer to get through with this statement, but I yield.

Mr. SPARKMAN. There was on hand the 1st of November last only $31,000.

Mr. FREAR. That means, if that be true, that $800,000 was spent inside of two months.

Mr. SPARKMAN. No; it means there was only $31,000 available.

Mr. FREAR. That means $800,000 was contracted for within that time. I was referring to the commerce upon the lower part of the river. I am not criticizing the project, but only referring to what the engineers' report shows. The commerce on the lower river in 1913 was 165,123 tons. Railway ties and timber that floats composed 131,891 tons. Sand hauled 6 miles amounted to 11,250 tons, making a total of 143,141 tons, according to the engineers' report, which, deducted from the total of 165,123 tons, leaves a balance of 21,982 tons. In reply to the gentleman from Tennessee on this point as to the value of the commerce, I call attention to valuations of merchandise as put upon all these streams, which in the Tennessee, Kentucky, and many other streams, is averaged at $150 a ton, irrespective of actual value. The engineers have increased the rate for Tennessee; it may be worth that average amount, and, of course, it is difficult to get at the facts, as there are few statistics of any value in a proceeding of that kind, but taking the engineers' reports as they come before us from Shrewsbury, N. J., I want to call attention to this class of case——

Mr. HULL. I did not undertake to go into a discussion of the details of this matter, because it is not before the House.

Mr. FREAR. I suggest this is the point. At Shrewsbury——

The CHAIRMAN. The time of the gentleman has expired.

Mr. FREAR. May I have two minutes more?

The CHAIRMAN. Is there objection to the request of the gentleman? [After a pause.] The Chair hears none.

Mr. FREAR. This is on the point of how the engineers get at the data. At Shrewsbury, N. J., they had 1,306,188 tons in 1913, and, by the engineers' report of that amount, general merchandise 620,000 tons. Will the committee give attention for a moment to this point? At Shrewsbury there was 620,000 tons of merchandise, reported valued at $800,000; that is at the rate of $1.20 a ton. In Tennessee we have $1.50 gross value in every case.

Mr. HULL. The gentleman does not want to be incorrect, I know. I have not the details of the report of the upper river, but the value of the sand, to which the gentleman referred, was $51,000, while the value of manufactured articles alone was about $3,500,000.

Mr. FREAR. I am referring to "merchandise," and I call attention to the fact of the engineers' computation, and I do not want to misstate it in any way. General merchandise at Shrewsbury, N. J., is worth $1.20 a ton, according to the engineers' report. It must be of a better class of merchandise in Tennessee, where it is valued at $150, more than a hundred times as much a ton. Transportation of 500,000 tons of miscellaneous commerce, and that traffic is valued at $501,000, or practically $1 a ton.

Now, the engineers do not give us sufficient data, but these are the facts according to their reports. Sand hauled 6 miles on the lower Cumberland, and railroad ties and timber that float do not require a great depth of water. One hundred and thirty-one thousand eight hundred and ninety-one tons is included in these two items, or practically four-fifths or five-sixths of all the commerce on the river, leaving a balance of 21,000 tons of higher class freight.

Mr. BYRNS of Tennessee. Mr. Chairman——

Mr. SPARKMAN. Mr. Chairman, I ask unanimous consent that all debate on this paragraph and amendments thereto close in five minutes.

Mr. POWERS. I would like to have the gentleman make it 10 minutes. I would like 5 minutes myself.

Mr. SPARKMAN. Will three minutes do? The gentleman from Tennessee [Mr. BYRNS] says that three minutes will satisfy him, and if three minutes will satisfy the gentleman from Kentucky, I will ask that debate close in six minutes.

The CHAIRMAN. The gentleman from Florida asks unanimous consent that all debate on this paragraph and amendments thereto close in six minutes, the gentleman from Florida to consume three minutes and the gentleman from Kentucky three minutes. Is there objection?

There was no objection.

Mr. BYRNS of Tennessee. Mr. Chairman, I want to take only a moment or two of the committee's time for the purpose of referring to some of the statements made by the gentleman from Wisconsin [Mr. FREAR] with reference to the commerce upon the lower Cumberland River. The gentleman's statements made upon the floor with reference to the commerce on the entire Cumberland River are to my mind an evidence of the inaccuracy of many of the statements the gentleman has made during the past few days relative to this bill. I have some personal knowledge of the commerce that is carried upon the lower Cumberland River. I am sure the gentleman intends to be accurate, but it simply shows how much in error a gentleman can be when he relies merely upon a few figures without investigating and reading all of the reports and securing all the information obtainable.

Now, the gentleman refers to commerce on the lower Cumberland River, and states, I think, that 85 per cent of it consisted of railroad ties and sand.

Mr. FREAR. I said 84 per cent on the upper river.

Mr. BYRNS of Tennessee. I misunderstood the gentleman. But he is wrong about that, for the report shows that of the $7,250,000 of commerce on the upper Cumberland River only about $300,000 was railroad ties and sand. As a matter of fact, the entire amount of forest products was about $2,000,000. The rest was farm products and merchandise. I am speaking now of the lower Cumberland River, however. The gentleman did not refer to the fact, Mr. Chairman, that the commerce upon the lower Cumberland River not only consisted in a large part of logs, lumber, railroad ties, handles, slabs, and spokes, but there were 3,200 hogsheads of tobacco transported on this river during the year, and nearly 300,000 bushels of corn, wheat, and all other kinds of agricultural products, large quantities of live stock, and great and valuable quantities of manufactured products and general merchandise, as set forth in the report of the engineers. Now, in addition to that, Mr. Chairman, the report of the engineer shows that upon the lower Cumberland River, where only one lock and dam has been completed up to this time, there has been a reduction of freight rates by reason of the building of that lock and dam of from 18 to 26 cents per hundred pounds to 6 to 12 cents per hundred pounds, a most important and material fact to be considered.

Mr. BARKLEY. Will the gentleman yield?

Mr. BYRNS of Tennessee. I will.

Mr. BARKLEY. And the gentleman might add that this great amount of commerce is transported on the river where there is only about four months' average navigation a year.

Mr. BYRNS of Tennessee. That is true. And that is an indication of what the increase in commerce will be if this river is completely locked and dammed.

And the gentleman was also inaccurate, as was shown by the chairman of the committee a moment ago, when he said there was over $800,000 on hand to the credit of the lower Cumberland River. There was $31,000 on hand, and the district engineer has reported that it is necessary to appropriate this $445,000 in order to complete the three locks and dams which are now under way. As was stated by the chairman, this work is being done under contract, and the gentleman from Wisconsin in his consideration of this matter has failed to take into account that there are contracts now under way down there which must be provided for in this bill. [Applause.]

The CHAIRMAN. The gentleman from Kentucky [Mr. POWERS] is recognized for three minutes.

Mr. POWERS. Mr. Chairman, I hope the gentleman from Wisconsin does not want to be unfair to the upper Cumberland River. He does not understand the situation. There is a scope of territory upon the upper Cumberland River of about 100 miles where they have no locks and dams. There is one lock and dam in the upper Cumberland River 30 miles below Burnside, and others then lower down. For the reason that there is a strip of territory on the upper Cumberland River not connected by locks and dams, the commerce in the upper Cumberland River is not as large as it would be if you had navigation the whole year around. There is a tract of country there as big as the entire State of Connecticut that has not a foot of railroad within its entire boundary lines. And it is a country that has produced some of the great men of our country. Senator Shelby M. Cullom, of the State of Illinois, was born in Monticello, Ky.—there in this scope of territory. It has furnished two governors of the State of Kentucky, Gov. Bramlette and Gov. Leslie. Gov. Benton McMillin, of Tennessee, was born in one of those counties down there. It is rich in timber and in coal. The gentleman from Wisconsin [Mr. FREAR] says that the value of its commerce amounts to but little.

Mr. FREAR. Oh, no; I beg pardon.

Mr. POWERS. To say the least of it, that it does not amount to very much in proportion to the moneys intended to be expended on that stream. He must remember that coal operators will not put up mining plants to get out coal when you can only get transportation facilities for some four months in the year. If this river was canalized, if you could transport over it the whole year around, the commerce on that stream would tell an entirely different story from that which the figures now show. It is a rich country and a valuable one in natural resources, but pitifully poor in transportation facilities.

The CHAIRMAN. The time of the gentleman has expired. The question is on the amendment offered by the gentleman from Wisconsin [Mr. FREAR].

The question was taken, and the amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Tennessee River, Tenn., Ala., and Ky.: Continuing improvement and for maintenance by open-channel work as follows: Above Chattanooga, Tenn., $265,000; between Florence and Riverton, Ala., $120,000; below Riverton, Ala., $287,000: *Provided*, That any portion of the amount hereby or heretofore appropriated for any section of said river may, upon the recommendation of the Chief of Engineers, be transferred by the Secretary of War and made available for improvement in any other section of said river.

Mr. FREAR. Mr. Chairman, I move to strike out the last word. I desire this for two purposes—one, to make corrections in the statements that have been made. I admit that I have not a personal knowledge of many of the projects, nor do I pretend to have.

Mr. SPARKMAN. Will the gentleman yield for a unanimous consent? How much times does the gentleman wish?

Mr. FREAR. Seven minutes. I want to answer the gentleman from Tennessee [Mr. MOON] as to statistics only. I want my regular five minutes and then two minutes.

Mr. SPARKMAN. I ask unanimous consent, Mr. Chairman, that all debate on this paragraph and amendments thereto close in seven minutes.

Mr. AUSTIN. What is the request of the chairman of the committee?

The CHAIRMAN. The request is that all debate on the paragraph and amendments thereto end in seven minutes.

Mr. AUSTIN. Well, Mr. Chairman, I want some time.

Mr. SPARKMAN. I think presently we will reach something else, when all these gentlemen will have an opportunity of talking.

Mr. MANN. Let the gentleman from Tennessee [Mr. AUSTIN] have five minutes.

Mr. SPARKMAN. How much time does the gentleman from Tennessee want?

Mr. MANN. He would like to have five minutes.

Mr. LIEB. Can I get five minutes?

Mr. SPARKMAN. Make it 17 minutes, Mr. Chairman; 7 minutes to the gentleman from Wisconsin [Mr. FREAR], 5 minutes to the gentleman from Indiana [Mr. LIEB], and 5 to the gentleman from Tennessee [Mr. AUSTIN].

The CHAIRMAN. The gentleman from Florida [Mr. SPARKMAN] asks unanimous consent that all debate on this paragraph and amendments thereto close in 17 minutes, 7 minutes to be given to the gentleman from Wisconsin [Mr. FREAR], 5 minutes to the gentleman from Indiana [Mr. LIEB], and 5 minutes to the gentleman from Tennessee [Mr. AUSTIN]. Is there objection?

There was no objection.

The CHAIRMAN. The gentleman from Wisconsin is recognized.

Mr. FREAR. Mr. Chairman, I do not desire to encroach on the time of the committee and will not take the full seven minutes if I can answer fully the statements that have been made with reference to the Cumberland and Tennessee Rivers in a shorter time.

As I said, Mr. Chairman, I was corrected a moment ago on the floor by a Member who is supposed to know the conditions around a river in his own State. As I understood him to say, navigation is possible only for a few months on the lower branch of that river. Let me read the engineer's report, in which it states that the Cumberland River below Nashville is navigable for all boats six months in the year. For boats drawing 8 feet of water it is navigable for four months in the year. It is navigable for small steamboats throughout the year. I suggested that five-sixths of all that commerce consisted of railway ties and sand and timber, carried 6 miles—things that could be hauled at that stage of water. I think I was fair in my statement. I do not want to misstate.

Mr. SPARKMAN. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Wisconsin yield to the gentleman from Florida?

Mr. FREAR. I can not be interrupted unless I get more time.

Mr. SPARKMAN. I notice the gentleman has mentioned several times, in criticism of the commerce on that stream, that it was only sand.

Mr. FREAR. Yes; and it was hauled only 6 miles.

Mr. SPARKMAN. Has the gentleman any particular antipathy for sand? I think it is about as good a class of commerce as you can carry.

Mr. MANN. If there were more sand in the House it would be a good thing. [Laughter.]

Mr. FREAR. The chairman has held us down to 17 minutes on a $682,000 item. I want to get some of the facts in my possession into the RECORD, even if I can not get them before the House. I say a large portion of the commerce is sand, which is hauled 6 miles, and the river now offers a sufficient stage of water for all practical purposes throughout the year, according to the engineer's report. Now, the gentleman from Tennessee——

Mr. MOON. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Wisconsin yield to the gentleman from Tennessee?

Mr. MOON. Just for a question.

Mr. FREAR. I can not yield to the gentleman at this time unless I get more time, Mr. Chairman. I want to be as courteous as possible to the gentleman, but I am tied down as to time, and I want to answer the gentleman as to a former statement.

Mr. MOON. The gentleman was talking to my colleague [Mr. HULL].

Mr. FREAR. Mr. Chairman, the gentleman from Tennessee [Mr. MOON], the other day, followed me on this floor and criticized me very severely. The gentleman from Tennessee did that apparently because I stated what was shown in the record upon Muscle Shoals, that between five and six thousand tons is all the traffic that goes through at this port, according to the engineer's report in 1912 and in 1913. He said the traffic was $13,000,000 in value and 1,300,000 tons. Is not that right?

Mr. MOON. No.

Mr. FREAR. So the RECORD shows, I believe. I want the gentleman to read the RECORD. I have the RECORD right here.

Mr. MOON. Let the gentleman be composed for a moment and I will show him where the mistake is. It is $23,000,000 instead of $13,000,000.

Mr. FREAR. I am glad the gentleman has made the correction.

Mr. MOON. No; you are not glad.

Mr. FREAR. Yes; I am glad. I want the House to know what the commerce is on that stream. But here is the engineers' report. It says the total above Chattanooga was 469,685 tons. From Chattanooga to Florence it was 104,133 tons. From Florence to Paducah, Ky., it was 186,000 tons. The total, including duplications, all told, is 1,053,923 tons—not a very great difference I will concede.

But, Mr. Chairman, of that total, sand and gravel made up 555,000 tons hauled 6 miles, and logs and timber that floats or is barged amounted to 523,000 tons, leaving a balance of 275,923 tons, which is reasonably large. But of that amount, 145,000 tons transported was iron ore, valued at $1.20 per ton, reducing 1,300,000 tons, valued at $13,000,000, to 126,923 tons, with the exception stated, according to the engineer's report. That is the report of the engineers, and when I was criticizing the other day the advisability of putting $18,000,000 more into Muscle Shoals, to carry between five and six thousand tons through the canal at that point, criticism was made in reply that I did not know about the river. Here are the facts according to the reports of the engineers as to the rest of the traffic. If they are true, they can not be controverted. The expenditure has already amounted to $8,658,000 on that river, as I find it in the engineers' report.

Mr. MOON. How much did the gentleman say?

Mr. FREAR. Eight million six hundred and fifty-eight thousand dollars, including locks and canals.

Mr. MOON. Oh, there has been $10,000,000 recently expended in one place alone.

Mr. FREAR. Then I accept the amendment.

Mr. MOON. That was expended by individuals, however.

Mr. FREAR. This $8,658,000 was Government money. I have no desire, Mr. Chairman, to misrepresent in any case, but I give you the facts as they are shown by the engineers' reports. I gave you the facts before as to what the engineers say of the navigability of the Cumberland River—navigable for 12 months in the year, as shown above Chattanooga. I did not move to strike out the item.

Mr. MOON. Mr. Chairman, will the gentleman yield?

Mr. FREAR. Yes.

Mr. MOON. How much did you say the engineers' report showed above Chattanooga? How many tons?

Mr. FREAR. Four hundred and sixty-nine thousand six hundred and eighty-five tons. You will find it on page 2562.

Mr. MOON. Of a value of——

Mr. FREAR. I am leaving out the valuation.

Mr. MOON. I am going to give you the valuation. You very carefully dodged that.

Mr. FREAR. Ask me another question, and see if I have given you the correct figures.

Mr. MOON. What did you say the valuation was?

Mr. FREAR. I did not give you the valuation.

Mr. MOON. I am going to give you that. It is $2,207,763.

Mr. FREAR. I say that the valuation in New Jersey of "merchandise" is put at $1.20 per ton and in Tennessee merchandise is valued at $1.50 per ton by the engineers, and I am showing the value of that method of securing statistics.

Mr. MOON. From Chattanooga to Browns Island, how much have you?

Mr. FREAR. I have given it from Chattanooga to Florence at 104,733 tons. That is the figure given in the report, page 2572.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MOON. Will the gentleman allow me two minutes?

The CHAIRMAN. The gentleman from Indiana [Mr. LIEB] has five minutes.

Mr. MOON. I just want to say before the gentleman from Indiana begins——

The CHAIRMAN. The gentleman from Indiana is entitled to the floor.

Mr. MOON. Will the gentleman from Indiana yield me one minute?

Mr. LIEB. I do not want this to come out of my time.

The CHAIRMAN. The gentleman from Indiana is recognized for five minutes.

Mr. LIEB. I want to quote from page 1708 of the CONGRESSIONAL RECORD of January 16, 1914, about 20 lines down in the first column, from the statement of my friend from Wisconsin [Mr. FREAR]. He said:

> Mr. Chairman, I will say to him that if anyone on this floor makes a misstatement, either purposely or by mistake, the attention of the House ought to be called to it, and conclusions will then be drawn.

The gentleman also said:

> There is no dispute about the statistics I quoted here, because they came from the engineer's report. I do not desire to misrepresent in a single case.

Mr. FREAR. I repeat that statement. I do not want to misrepresent in a single instance.

Mr. LIEB. The gentleman has signified his willingness to make nothing but truthful statements. I charge the gentleman with making a statement here which is injurious and damaging to this item in the bill. I want to quote from the CONGRESSIONAL RECORD of January 14. The gentleman in his speech said:

> The Ohio River received $4,176,000 in the sundry civil bill and asked for $5,000,000 more in the defeated 1914 "pork barrel," or $9,176,000 in one year for its $64,000,000 canalization scheme.

Now, I charge that the gentleman has misrepresented the facts, and the statement he has made here is damaging to this item in the bill. I refer to the sundry civil bill of 1914, known as H. R. 17041, and my statement that of the amount carried there the sum of $1,976,000 was authorized by Congress in 1911. Another item to the amount of $2,200,000 was authorized by Congress in 1912. Yet the gentleman comes on this floor and says that the whole amount was in what he calls that "pork-barrel" bill.

Mr. FREAR rose.

Mr. LIEB. No; I will not yield. Those two items were acted upon by Congress in 1911 and 1912. Yet the gentleman comes up here and signifies his willingness to tell nothing but the truth.

Mr. FREAR rose.

Mr. LIEB. I will not yield. I would like to refer to other items.

The CHAIRMAN. The time of the gentleman has expired.

Mr. LIEB. I ask for five minutes more.

The CHAIRMAN. The time has been limited. The gentleman from Tennessee [Mr. AUSTIN] is recognized for five minutes.

Mr. AUSTIN. Mr. Chairman, I have listened with great interest to the discussion on this bill, and I wish to enter a protest against the language used by Members in criticism of it on both sides of the Chamber. I am proud of the fact that I am a Member of this great lawmaking body. When we think that

out of a hundred million people 435 are chosen here, it is a great honor to all of us. I have not only a pride in my membership in this House, but I have great interest, consideration, and respect for all my colleagues. And I want to appeal to them to conduct themselves in the discharge of their official duties here so as to elevate the standard of the membership of this great body.

I know that the chairman of this committee [Mr. SPARKMAN] has been a faithful and honorable Member of this House for over 20 years. He comes from a district with a population of more than 250,000 people. These harsh and unjust reflections upon him and the other members of the Rivers and Harbors Committee are unworthy of any man who is entitled to a seat in this great body. These Members have as great a care for the observance of their oath of office as their critics. They have only a conscientious and patriotic purpose to observe that oath in the faithful discharge of their duties on the committee and as Members of this House.

There are many of our constituents who read in the muck-raking magazines and newspapers the unkind and unjust utterances made here against the membership of this House and against this great committee. We are furnishing material for these papers to discredit us and to lower the standard and dignity of this great body, and I appeal to my colleagues, if you must have a reputation in this House as public servants, I pray you do not secure it by methods of this kind, reflecting upon the integrity and the official honor of such men as compose the Committee on Rivers and Harbors.

If we want the country to respect us as a body, we must respect each other. If we want the public press to approve the administration of this House and the conduct of its Members, let us be careful in our criticisms of each other. We are supposed to be men of standing, of character, and of honor, or our constituents would not single us out and send us here. I think they would not have retained the faithful chairman of the committee as their Representative for 20 long years if his conduct in and out of office did not testify to his high standing and credit as a man and as a public official. [Applause.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin.

The question was taken, and the amendment was rejected.

The Clerk read as follows:

Tennessee River between Browns Island and the railroad bridge below the city of Florence, Ala.: For the completion of the detailed surveys, foundation borings, and preparation of plans for the improvement of this section of the river for the purposes of navigation, combined with the development of water power by the United States alone or in cooperation with private interests, $150,000: *Provided*, That the work hereby authorized is understood to be of a preliminary nature only and in extension of investigations heretofore authorized, and that the United States is in no wise committed to the execution of any plan of improvement which may be contemplated or proposed without the further and express action of Congress.

Mr. FOSTER. Mr. Chairman, I make a point of order on the paragraph. This paragraph provides for not only the purposes of navigation, but for the development of water power by the United States alone or in cooperation with private interests. Of course it is preliminary in reference to this work. I think under the law applying to surveys this is not authorized in the rivers and harbors appropriation bill.

Mr. UNDERWOOD. Mr. Chairman, I do not know of any rule that sustains the point of order made by the gentleman from Illinois. He does not make the point of order on the ground that it is new legislation. He does not make the point of order that an item of this kind is not in order on a river and harbor bill. I fail to see wherein this item is in conflict with the rules of the House, and therefore it is difficult to direct an argument against the point of order.

Mr. FOSTER. It is new legislation on an appropriation bill.

Mr. UNDERWOOD. It can not be contended that it is new legislation on an appropriation bill, because this is not an appropriation bill, and the rule in relation to appropriation bills does not apply. This legislation is authorization in a river and harbor bill, and there is no other place in which the authorization of a survey can be made except on this bill.

Although I do not see how the Chairman can sustain the point of order that is made by the gentleman from Illinois, I think I can state to the Chair why this particular project is in order on this bill. I desire to call to the attention of the Chair the fact that this particular point in the Tennessee River has been under improvement by the Government since 1828 in one way or another; that more than two decades ago the Government entered upon an improvement on this particular part of the river known as Muscle Shoals. In doing so it partly completed a lateral canal at this point; but the terminals or approaches to the canal not being completed, and requiring some seven or eight million dollars to fully complete the project, the Congress itself stopped further work on the project and ordered a new survey to ascertain whether or not the removal of the obstructions to navigation in the river at this point could not be accomplished more feasibly by a new project rather than to complete the old project.

That survey has been continued over a period of eight years. There has been some criticism made of the project because there is a very small tonnage that has gone through the canal. Naturally it could not go through the canal when both of the entrances to the canal have been stopped up during low water on the river. The only tonnage that can go through at this time is in boats that go through in high water. That limitation in going through the canal has been brought about by the fact that the Government did not complete its original project and improve the entrances to the canal so that they could be used at low as well as at high water.

The Congress ordered the engineers of the United States Government to report to the Congress as to whether or not it was practicable and feasible to construct a lock and dam system at Muscle Shoals that would produce both navigation and hydroelectric power. That report is nearly completed; in all the details except one it is completed. The one point of information yet to be ascertained is in regard to the foundations for the dams, and the item now under consideration provides for a complete investigation in respect to them.

The report of the United States Engineers, printed in Document No. 20, Sixty-third Congress, second session, on the Muscle Shoals project in the Tennessee River, shows:

Appropriation for Muscle Shoals.

Appropriations for construction of Muscle Shoals Canal from 1828 to Oct. 1, 1914	$3,191,726.50
Appropriations for operation and maintenance of Muscle Shoals Canal since 1890 to Oct. 1, 1914	1,368,247.79
Total	4,559,974.49
Average operating and maintenance cost per annum since 1890 to 1914, inclusive, of Muscle Shoals Canal	54,729.91
Estimated annual cost of lock and dam project recommended by engineers in Document No. 20	25,000.00
Annual saving to Government of lock and dam project proposed by engineers in Document No. 20, compared with present canal cost of operation	29,729.51

Financial plan of new project recommended by United States Engineers in Document No. 20:

ESTIMATED INVESTMENT OF THE FEDERAL GOVERNMENT.

United States Engineers' estimate of cost of project, exclusive of equipment and power houses	$18,701,000
Power company contribution	3,000,000
	15,701,000
Total amount chargeable to navigation, as estimated by United States Engineers	8,575,000
Investment of Federal Government chargeable to power, as estimated by United States Engineers	7,126,000
Total	15,701,000
Estimated initial expenditure of power company:	
Power houses and equipment	6,887,800
Contribution to Federal Government	3,000,000
Total initial expenditure	9,887,800
Estimated ultimate expenditure of the power company:	
Complete plants, with connecting lines	39,492,300
Contribution to Federal Government	3,000,000
Total	42,492,300

Contributions proposed by power company, as stated by United States Engineers in Document No. 20:

Total paid on $7,126,000 by power company in annual contribution in 100 years	$26,285,000

The United States Engineer Special Board in the course of its report contained in Document No. 20 states the following:

It is believed, therefore, that it may reasonably be assumed that the initial payment of $3,000,000, with the 99 annual payments, will return the entire part of the cost chargeable to power development with compound interest at 3 per cent. The actual aggregate amount paid by the company by the initial payment and the 99 annual payments will be $26,285,000.

In addition to the above return to the Government for power development, it is estimated that the lowest amount the Government will receive to reimburse it for amount expended for navigation development in 100 years under the proposed contract at 35 cents per horsepower per year, with an average of $155,750, will be $15,575,000.

The report demonstrates, if your engineers can be relied upon, that at the end of the 100 years the Government will have its money paid back with reasonable interest and a continuing net income from the investment.

I wish to answer the criticism made as to the tonnage going through the canal, so that I may not have to do it later.

It is true the average tonnage going through the canal has not amounted to more than 11,800 tons, because you have not finished your project. You put a cork in the mouth of the bottle, and as long as you keep a cork there nothing can go through except in high water. These Muscle Shoals are near Florence, Ala. From Florence through to the Ohio River there is an average in the last 20 years of 617,000 tons a year. From Florence, above the canal, to Chattanooga there has been an average of 206,000 tons. From Chattanooga to Knoxville, 384,000 tons; and above Knoxville, on the tributaries above, 36,400 tons, showing an average of freight carried on this river, with a cork put in the bottle about midway between the head of navigation and the mouth of the river, dammed up right in the middle of it, an average tonnage in the last 22 years of 1,255,200 tons a year.

The tonnage is there to-day. It would vastly increase if you give it an opportunity to get out to the sea, but you can not do so until you complete the project. Now, the engineers in this report show that it is possible to complete the two great dams at this point and create a horsepower that is equal to that which is now available at Niagara Falls.

I do not mean to say the entire horsepower that could be developed at Niagara, because that is vaster than anything we have in this country; but because of limitation of power development by Congress and the act of the Canadian Government. The power at Niagara Falls, I understand, is limited to 450,000 horsepower, and the engineer's report shows that if you build these dams at Muscle Shoals you can create a horsepower at this point equal to that of Niagara.

Mr. MOORE. Mr. Chairman, will the gentleman yield?

Mr. UNDERWOOD. Yes.

Mr. MOORE. The gentleman has struck a point which I think he should elucidate, and that is whether questions of water power come within the purview of a river and harbor bill.

Mr. UNDERWOOD. I am coming to that point.

Mr. MOORE. It is a big question, and the gentleman could help us very much if he would give his views.

Mr. UNDERWOOD. Of course that is not germane to this proposition, but I do believe that a great many of these inland rivers can be developed by private capital, so far as navigation is concerned, if you give the private capital an opportunity to sell the horsepower at reasonable rates, and I believe that is an economic and practicable way in which to develop navigation.

Mr. LENROOT. Mr. Chairman, will the gentleman yield?

Mr. UNDERWOOD. Yes.

Mr. LENROOT. Will the gentleman not admit that this is primarily a water-power proposition?

Mr. UNDERWOOD. No; I will not.

Mr. LENROOT. Does the gentleman know that the Board of Engineers so state?

Mr. UNDERWOOD. They may so state in their report that the water power in this proposition is of more value than the navigation, but I call to the gentleman's attention this fact, Here is a river that has a drainage area in nine States. It has a number of large cities upon it. It goes through a territory where there is an opportunity for wonderful mineral development. A great deal of the beauxite ores that are carried to Canada to be manufactured into aluminum come from the territory on this river. Right adjacent to this very dam are the iron fields, and an electric power here would develop electrical steel more advantageously than at any place in the United States. Therefore the engineers may well say that this project is of more value as a power development than a river development. But can the gentleman say that a river that carries to the sea more water in its drainage area than does the Ohio River, where the two rivers flow together, that flows through one of the most fertile areas of country in the United States, is to be ignored as a navigation proposition simply because there may be great power development upon it?

Mr. LENROOT. Mr. Chairman, will the gentleman yield further?

Mr. UNDERWOOD. Yes.

Mr. LENROOT. On the gentleman's theory, would not every dam bill go to the Committee on Rivers and Harbors rather than to the Committee on Interstate and Foreign Commerce?

Mr. UNDERWOOD. Of course it could go to the Committee on Rivers and Harbors. The question of jurisdiction between the two committees is a question for this House to decide ultimately.

Mr. LENROOT. Does the gentleman think that a particular proposition receives the same consideration upon its merits when embodied in the river and harbor bill that it does when considered as a separate proposition?

Mr. UNDERWOOD. Mr. Chairman, I say that it ought to. I do not know whether it does or not. I am not trying to prevent the proposition receiving careful consideration at this time.

Mr. AUSTIN. Mr. Chairman, is it not a fact that the Keokuk proposition was carried in a river and harbor appropriations bill, and the Hales Bar proposition, 30 miles below Chattanooga, also carried in a river and harbor appropriation bill?

Mr. UNDERWOOD. I think so. But I wish to call to the attention of the House that here is a proposition that this House must face, in justice to these people, either as a river and harbor appropriation proposition or as a power proposition, or as both. This river would be open to navigation to-day if it had not been for the fact that the Alabama delegation stopped its efforts to complete the present improvement because the Government engineers advised that this proposition be further examined into as to whether a development could not be better made by the development of power and navigation both at the same time. I say the Alabama delegation, but I mean the delegation from Alabama, Tennessee, and the other delegations interested. The question that confronts the House is this: After eight years of examination the engineers report to the Congress a project which they say can be developed in a particular way. I am not here to argue the merits or the demerits of that proposition, to argue the question as to whether the Congress ought to accept it or ought not to accept it at this time and in this bill. That is not the question before the House. Before that question can come before the House there is one other fact that must be ascertained, and that is as to whether or not there is a foundation in the river on which this great dam could rest.

Mr. LENROOT. Mr. Chairman, will the gentleman yield at that point?

Mr. UNDERWOOD. I would like to finish my statement.

Mr. LENROOT. I know the gentleman wishes to be accurate, but does not the gentleman know that the Board of Engineers have reported absolutely upon that question, and have also reported that no further surveys are needed for the information of Congress?

Mr. UNDERWOOD. No; I do not so understand.

Mr. LENROOT. I hold it in my hand.

Mr. FOSTER. If the gentleman would read up, he would find that what they are making the surveys for now is to determine in reference to the water-power project.

Mr. UNDERWOOD. Certainly.

Mr. FOSTER. Nothing more.

Mr. UNDERWOOD. They are asking this survey to ascertain whether or not there is a foundation on which this dam can rest, because if the foundation is not there that will sustain this dam, then you must abandon the power project and you must go back to complete the present project that is there to-day and finish the approaches to the canal that is already built.

But if, when you make these borings, it is ascertained that there is a foundation there which will sustain this dam, then you can take up at the next Congress or at such time as the proper committee may see fit to bring it before the House, the question as to whether you are going to develop this proposition as a navigation and a power proposition put together, or whether you are going to abandon the power proposition entirely and merely develop it as a river and harbor improvement solely. Now, that is the question, and, I say, Mr. Chairman, this appropriation is simply a continuation of a survey that has already been made to ascertain a material fact, the question as to whether there is a foundation there, which can only be ascertained by boring, or whether it is not a fact, and that is just as important a part of this survey to give this information to Congress as any other fact contained in the report. This survey has been carried in this bill. It comes under the jurisdiction of the Committee on Rivers and Harbors. In no way do I desire the committee and the House to agree to one proposition or the other at this time.

Mr. MADDEN. Mr. Chairman, I want to call attention to the fact that the gentleman from Alabama has talked a little over 15 minutes without asking consent of the committee, and that he objected to my asking for 20 minutes on a matter which is of more importance to Chicago than this is to Alabama.

Mr. UNDERWOOD. No; the gentleman from Illinois is my good friend and has been for many years.

Mr. MADDEN. I have no objection to it.

Mr. UNDERWOOD. If the gentleman will allow me to answer him, there is no man in the House for whom I am more anxious to grant a courtesy than the gentleman from Illinois, and have always shown that I am. The gentleman from Illinois asked this morning something that was impossible to agree to, and I stated when I was on the floor that if the gentleman would wait until we got into the Committee of the Whole House on

the state of the Union that he could get reasonable time; but I did object to his asking for an order made in the House in reference to debate in the committee, and I was very sorry after my explanation of that fact to the gentleman from Illinois that he saw proper to demand that a quorum should be present.

Mr. MADDEN. Then the gentleman said that I would not get any time later on. Notwithstanding that——

Mr. UNDERWOOD. I will say this——

Mr. MADDEN. Notwithstanding that I have not objected.

Mr. UNDERWOOD. It is not subject to objection.

Mr. MADDEN. Oh, yes; it is. The gentleman has talked on the merits of the question for 15 minutes.

Mr. UNDERWOOD. Of course some discussion was to the merits; the gentleman is correct; but I was talking on the point of order. If I said to the gentleman this morning that he should not have time, of course my objection might stop it; but I never have exercised my right of objection to interfere with a Member of this House doing what was legitimate for the interests of his constituents; and if I said that to the gentleman this morning I withdraw it as long as the gentleman stands here in the interest of his district and does not filibuster, which I do not charge the gentleman with doing, except this morning when he forced the roll call.

Mr. MADDEN. There were only about 25 Members in the House, and I knew there was very important business to be transacted, and I thought it necessary to have the Members here to hear what was going on.

Mr. UNDERWOOD. Mr. Chairman, I do not desire to occupy further time of the committee except to insist that this proposition is primarily a navigation question, and the development of power is an incident to the development of navigation in the river. If it were not, the Congress would not have jurisdiction of the matter at all. There is a canal at Muscle Shoals now that is not completed, and until this survey is completed how can the Congress determine whether it will appropriate the money to complete the present canal or whether it will abandon the present canal and adopt the report of the engineers as to the new proposal?

Mr. LENROOT. Will the gentleman yield?

Mr. UNDERWOOD. I do.

Mr. LENROOT. The gentleman has stated a number of times that the present project has not been completed. He stated once that the Alabama delegation had prevented the completion of the project——

Mr. UNDERWOOD. No; I did not say that they prevented it, but I said they did not insist on it.

Mr. LENROOT. The gentleman stated the present project has not been completed.

Mr. UNDERWOOD. It has not.

Mr. LENROOT. This year's report from the engineers states, "Improvement of the stretch of the river from the head of Browns Island to Florence, Ala., has been completed under the existing project."

Mr. UNDERWOOD. How can it be completed when there are only a few months in the year when the water can go over the sills of the approaches at either end of the canal?

Mr. LENROOT. But they have completed the project authorized by Congress; that is the point.

Mr. UNDERWOOD. They have completed the project as far as they were authorized to do so by Congress, but they have got a lateral canal into the belly of Muscle Shoals which you can not get into except at high water. Does the gentleman say that a project is completed when you can not enter it at either end except at high water?

Mr. LENROOT. What the gentleman had in mind was that the gentleman from Alabama was mistaken in saying there is an incomplete project as authorized by Congress.

Mr. UNDERWOOD. I said the project was incomplete; I did not say anything about the authorization of Congress.

Mr. TOWNER. Will the gentleman yield for a question?

Mr. FOSTER. I would like to say a word. In my judgment, and from all I can get, this is simply a project for the purpose of the development of water power, and that it is simply another attempt of the company that is operating a number of plants on the part of the United States——

Mr. HUMPHREY of Washington. Will the gentleman yield?

Mr. FOSTER (continuing). To secure another one at some future time. It is, then, for the purpose of developing water power and not for navigation.

Mr. HUMPHREY of Washington. I wanted simply to ask the gentleman whether he was going to discuss the point of order. If not, can we not agree to some time?

Mr. FOSTER. I had finished, I will say to the gentleman.

Mr. MOORE. Will the gentleman from Illinois yield? How does the gentleman interpret this language on lines 3 and 4 of page 26:

That the work hereby authorized is understood to be of a preliminary nature only.

Does not that indicate that this is new work?

Mr. FOSTER. I think it is for that purpose.

Mr. BRYAN. If the gentleman will yield, as I remember it, it cost $10,000 to find out by borings if there was a foundation for the Seattle dry dock at the Bremerton Navy Yard, a great big proposition. Does not the gentleman think that an appropriation of that $150,000 is a big appropriation for digging a few holes down there?

Mr. TAYLOR of Alabama. Mr. Chairman, I make the point of order that this is beyond the point of order. I hope the gentleman will confine himself to the point of order in answering questions.

Mr. FOSTER. I shall endeavor to do so.

Mr. MOON. Mr. Chairman——

The CHAIRMAN. The Chair would like to hear the gentleman from Tennessee on the merits of the proposition.

Mr. MOON. The gentleman from Illinois [Mr. FOSTER], as I understand him, makes the point of order that the committee is without jurisdiction to report an appropriation for the purpose of determining whether water power should be developed by the United States alone or in cooperation with private interests in connection with a project for navigation. Now, it is pretty generally understood and believed that the power of Congress over a navigable stream extends to the control of its waters for the purpose of navigation. If there were anything in the position as taken by the gentleman from Illinois, to begin with it would have to be assumed as true upon his part that this contention as to the power of Congress over navigable streams is correct. Listen to the language of this section:

Tennessee River, between Browns Island and the railroad bridge below the city of Florence, Ala: For the completion of the detailed surveys, foundation borings, and preparation of plans for the improvement of this section of the river for the purposes of navigation—

If the sentence stopped there, there is not an intelligent man in this House who would question for one second the power and the jurisdiction of Congress. It continues:

Combined with the development of water power by the United States alone, or in cooperation with private interests, $150,000.

Now, to understand and appreciate the position taken by the gentleman as to the point of order we would have to understand something about the facts. Those facts are judicially known to the Chair, for he sits as a quasi judicial officer on this matter. It is a well-known fact that the Tennessee River—and I have a right to state in connection with the consideration of this matter those facts that are judicially known to the Chair—it is a well-known fact, as stated by the gentleman from Alabama, that this improvement has been going on for some eighty and odd years. The river is opened up to navigation below the Muscle Shoals, and that is the point in contention here. It is open in pools at various points above the Muscle Shoals. Nevertheless, when we have completed the project of $6,700,000, upon which $2,000,000 or more have already been expended, that river will be a completed river for the purposes of navigation except the Muscle Shoals section, the very part of the river that is involved in this appropriation.

It has been deemed advisable to complete the river in other places and wait for the final determination or completion of this stream by the improvement of the Muscle Shoals section. But that has been the subject of legislation here and of action on the part of engineers in pursuance of legislation during all of this period of time. It has never been abandoned. The question of the survey, the question of the borings, the question of ascertaining the foundations for a lock and a dam for the purpose of navigation have been pending all the time, and are now pending. This river, unless this work is done, can never be completed. You will note now that there is a lateral canal around the shoals which can not be reached except at a rather high stage of water. That canal has cost $9,000,000, and it has to be improved. The question is whether it is best to continue this long, tortuous, and devious route and slow method of transportation or whether it is better for the Government of the United States to adopt a system of locks and dams instead of a United States canal. Well, if it is wise for the Government to adopt a system of locks and dams, it certainly will not be questioned that it already has the power to do so under the Constitution and in view of the facts. Then, if it has the power to do these things, if it is in order to complete a lock and dam, detailed surveys and foundation borings and preparation of plans for the improvement of the river must be made; then who

shall say that the Government may not, in making these plans and preparations that are entirely essential for the exercise of this power and the jurisdiction in the promotion of navigation, ascertain that lateral fact, if I may so speak, as to whether water power might be developed here by the United States alone or in cooperation with others? Suppose the Government, after it has erected its locks and dams, saw fit to operate those locks and dams by electric power. Who will say that the power does not belong to the Congress to ascertain whether the conditions there are such that will enable the Government to use electric power in the operation of its machinery and its canal?

If there was nothing more in this question than that, or whether the Government should have the right to participate and join in for the purpose of securing this right with the riparian owners, it is a difficulty that is a serious one. Suppose the Government should go in there and state that this is a proper place for improvement of navigation, that it is the cheapest and best thing to be done, and that we need these things to be done; that we want to erect a lock and dam—they can do that in the river—but in the same connection we want to use electrical power for the operation of these locks and dams. What has to be done? The riparian owner has to be consulted. You have to secure the site on dry land and not on water for the location of the machinery necessary for this purpose. Perhaps the State may have to be consulted in some instances.

Then shall it be said that Congress is without power, that in carrying out and in furtherance of a constitutional right and duty for the improvement of the country it shall be without power to engage with the riparian owner or with a Commonwealth of the Union as to those necessary things that will enable the Congress to carry out the provisions of the Constitution and fully exercise the powers which it has for the promotion of navigation?

I think the discussion of these necessary and incidental things in connection with the question involved leaves it clear that the jurisdiction exists in this committee. While I am not prepared now to discuss that question—and it is not essential to do so—I am not prepared to yield to the proposition that the Congress of the United States upon its navigable rivers has not the right to build locks and dams not only for the purpose of navigation but for the ultimate purpose of developing power.

Mr. TAYLOR of Alabama. Mr. Chairman, I would like to have a word to say on the point of order merely.

Mr. SPARKMAN. Mr. Chairman, I want to discuss the point of order for a few moments myself, but I yield to the gentleman from Alabama [Mr. TAYLOR].

The CHAIRMAN. The gentleman from Alabama [Mr. TAYLOR] is recognized.

Mr. LENROOT. Mr. Chairman, I shall not object, but unless the discussion hereafter is confined to the point of order—the discussion heretofore having been on the merits largely—I shall ask unanimous consent myself to speak for 15 minutes on the merits of this proposition.

The CHAIRMAN. The Chair hopes the discussion will be confined to the point of order.

Mr. TAYLOR of Alabama. Mr. Chairman, I desire to speak a few words, because I shall speak strictly to the point of order and prevent, if I can, such propositions as have been interjected on the merits, because discussion of the merits on a point of order takes too much time, is wholly unnecessary, and everybody knows the question will be fully discussed on its merits at the proper time. The law governing this question is contained in section 3 of the river and harbor act of 1913. I will read so much of it as bears upon the proposition:

SEC. 3. That in all cases where preliminary examinations and surveys are authorized, a preliminary examination of the river, harbor, or the proposed improvement mentioned shall first be made and a report as to the advisability of its improvement shall be submitted, unless a survey or estimate is expressly directed. If, upon such preliminary examination, the proposed improvement is not deemed advisable, no further action shall be taken thereon without the further direction of Congress; but in case the report shall be favorable to such proposed improvement, or that a survey and estimate should be made to determine the advisability of the improvement, the Secretary of War is authorized in his discretion to cause surveys to be made and the cost and advisability to be reported to the Congress.

There have been several preliminary examinations referred to the Board of Engineers for Rivers and Harbors and probably two or three surveys on improvement of Muscle Shoals since the report of January 11, 1909, as set forth in Document No. 20 of the present session of Congress, page 2. I think that the first authorization for the board of review was passed in the river and harbor act of 1902. Nothing has been finally reported that I remember to Congress upon that proposition, and in 1910 the preliminary examinations which the engineers were required to make were still unfinished, still in preliminary condition.

That report was still unfinished, so that in 1912 the Secretary of War and the engineers were requested, under a resolution drawn by the Committee on Rivers and Harbors, to take the question up and consider all the various reports, and examine all the previous surveys and all previous action that had heretofore been had in regard to this section of the Tennessee River and report back to Congress as follows:

1. To allow, if desired, of an absolute elimination of any or all cooperation with any corporation in the work of improving the Muscle Shoals reach of the Tennessee River.

2. If any private proposition for this improvement is considered by the board, to report upon all which may be offered or secured, giving the estimate of the construction cost of each, having in view the preservation of all the water power that can be developed in this reach of the Tennessee River.

3. In estimating the water power which can be developed at the dams of such slack-water navigation, to take into consideration the annual flow of the river with its variation for the past 25 or 30 years if data can be had, so as to be able to report the minimum flow as well as the probable maximum flow of the river, and the probable amount of primary and secondary or other fluctuating power which can be developed.

The CHAIRMAN. Under the law of 1902 and the resolution of 1912, as the gentleman says, a review of the surveys of this portion of the Tennessee River was directed for the purpose of improving the river for navigation purposes; and did they also provide that the engineers should make a survey with reference to ascertaining what improvements could be made, combined with the question of water power?

Mr. TAYLOR of Alabama. Yes; as will be seen in the following language the answer is set out on page 2 of Document No. 20, presented at this session of Congress:

Resolved by the Committee on Rivers and Harbors of the House of Representatives, United States, That the Board of Engineers for Rivers and Harbors, created under section 3 of the river and harbor act approved June 13, 1902, be, and it hereby is, requested to review its report of January 11, 1909, on the survey of the Muscle Shoals in the Tennessee River as submitted in Rivers and Harbors Committee Document No. 14, Sixtieth Congress, second session, and to submit as soon as practicable a revised report and estimate of the cost of the construction of the necessary locks and dams for the improvement of said river and the development of water power in connection therewith as proposed by the Muscle Shoals Hydro-Electric Power Co., together with a detailed plan of cooperation between said company and the United States, such report and plan to state the equitable amount that the Government of the United States ought to contribute to such work.

Resolved by the Committee on Rivers and Harbors of the House of Representatives, United States, That in lieu of the request made by committee resolution dated June 14, 1910, the Board of Engineers for Rivers and Harbors, created under section 3 of the river and harbor act approved June 13, 1902, be, and is hereby, requested to review all previous reports on the survey on that reach of the Tennessee River in the State of Alabama from Browns Island to the railroad bridge below the city of Florence, Ala., and to submit as soon as practicable a revised report and estimate of the cost of the necessary locks and dams for the improvement of said river for navigation and the development of water power in connection therewith, considering not only the case of no cooperation on the part of the United States with any corporation or water-power company whatsoever, but also the case of cooperation with any and all such companies; and to inquire into and report the probable amount and value of water power that can be developed in this reach of the Tennessee River under conditions of both minimum and maximum flow; and to take such steps as may be advisable, by advertising for bids or otherwise, to ascertain as definitely as practicable the fair value of the water power which can be developed, submitting estimates separately for each dam, and reporting also upon the probable cost of supplying foundations and other underwater facilities at each one of the locks and dams in connection therewith whereby power can be later generated and developed; all these investigations and reports to be made with a view to providing for an immediate slack-water navigation of 6 feet, capable of later deepening to 9 feet.

The CHAIRMAN. The Chair is ready to rule.

Mr. TAYLOR of Alabama. I should like to say one word further on that proposition, but I can say it later.

Mr. MOORE. Mr. Chairman, I desire to be heard on the point of order.

The CHAIRMAN. The Chair will be glad to hear the gentleman.

Mr. MOORE. I have no desire to discuss the merits and hope I may be able to confine myself entirely to the point of order.

Mr. CARLIN. Perhaps the gentleman did not understand the Chair. The Chair stated that he was ready to rule.

Mr. MOORE. The Chair has heard a number of gentlemen against the point of order, and I desire to be heard in favor of it.

The CHAIRMAN. The Chair will be glad to hear the gentleman.

Mr. MOORE. Referring to the engineer's report, in order to ascertain just what the project is, I find this statement:

The canal—

I call the attention of the Chair to the language specifically—

The canal was operated, and the locks, canal trunk and embankments, shops and appliances, buildings and grounds, and floating plant were cared for and maintained during the year.

This is found on page 2583 of the engineer's report. The project, if we are to consider it as a project existing and not a new project, according to the description of the engineers, necessitates all sorts of work pertaining to the construction of a canal. There are locks and dams; there are canal trunks and embankments; there is a railway bed and a railway; there are shops and boat-building equipment; there is a sawmill, a carpenter shop, a machine shop, foundry, dry dock; and there are other facilities in connection with the project. In addition, there are buildings of one kind or another, and there are boat-building operations.

The dry dock—

Reports the engineer—

was in use 221 days—

And so forth.

These are all accessories to the project, which is a canal project.

Now, on January 15 last the Committee of the Whole had under consideration a question somewhat similar to this, with the present Chairman occupying the chair. The gentleman from Pennsylvania [Mr. MOORE] offered an amendment providing for the taking over by the Government of a canal for the purposes of navigation. The amendment suggested not only the taking over but the improvement of the canal for navigation; and in lieu of the taking over, then the condemnation of the property, in order that the value of it might be ascertained. It was solely a navigation proposition, but it involved the taking over, the improvement, and the operation of a canal. The gentleman from Illinois [Mr. MANN] made a point of order against the amendment.

The CHAIRMAN. Because it involved the building of a bridge.

Mr. MOORE. No; this particular amendment had no reference to the building of a bridge. The gentleman from Illinois [Mr. MANN] made a point of order against the amendment, and picking up the rules quoted from them, showing that the province of the Committee on Rivers and Harbors pertains only "to the improvement of rivers and harbors." The gentleman from Illinois quoted the rule and then continued:

There is a committee of this House which has jurisdiction of canals, and that is not the Committee on Rivers and Harbors. It has been held by Chairmen in the past that the Committee on Rivers and Harbors did not have jurisdiction of bills providing for the construction of canals, and under the rule giving the committee privilege, this bill being a privileged bill, it would not be in order, even if they had jurisdiction over the subject matter, to offer an amendment in reference to the construction or the purchase of canals—

The construction or the purchase of canals, he said—

because the only privilege they have is in regard to the improvement of rivers and harbors.

Now, the gentleman from Illinois [Mr. MANN] made his argument, and there was some discussion, the chairman of the Committee on Rivers and Harbors [Mr. SPARKMAN] opposing the point of order of the gentleman from Illinois. The present Chairman, the gentleman from Illinois [Mr. RAINEY], being then in the chair, at one time during the discussion said:

The Chair will state that he will be perfectly willing to reserve his decision until to-morrow. There are ample decisions on the question. It is only a determination of the question whether this canal is in fact a canal. If it is, the Chair thinks, under the decisions which he has before him, that the point of order should be sustained.

And several other times during the discussion the Chair repeated that there were ample precedents tending to sustain the point of order that the jurisdiction of the Committee on Rivers and Harbors did not extend to canals.

Now, the present point of order having been raised against a project that is somewhat similar to the one incorporated in the amendment to which I have referred, that of the Chesapeake & Delaware Canal, it seems to me that the Chair should take into consideration not only what he said with reference to the amendment offered as to the Chesapeake & Delaware, but should also consider those larger and more significant and important questions, the right of the Committee on Rivers and Harbors to exercise jurisdiction over water power in which private interests are involved and questions of flood prevention. If we are to have the jurisdiction of the Committee on Rivers and Harbors limited with respect to one canal, perhaps that jurisdiction should be limited as to all canals. If we are to have the business of the Rivers and Harbors Committee limited to the matter of the improvements of rivers and harbors only, then it is a question whether the Chair can hold in order any provision in this bill that pertains to canals or to the operation of water power or to the appropriation of money to secure water power either for the Government or for private interests. I contend that under the ruling the Chair has already made, or indicated he would make, the Chair can not consistently rule this amendment in order.

Mr. SWITZER. Will the gentleman yield?

Mr. MANN. Mr. Chairman, I would not have discussed the point of order except that I am very anxious to have the rulings as consistent as possible. I do not know whether I can aid the Chair any or not. The ruling that was made the other day, to which the gentleman from Pennsylvania [Mr. MOORE] refers, was a ruling in reference to the authority of the Committee on Rivers and Harbors over canals. That has, as it seems to me, nothing to do with the pending proposition. What is the item before the committee now?

Tennessee River between Browns Island and the railroad bridge below the city of Florence, Ala.: For the completion of the detailed surveys, foundation borings, and preparation of plans for the improvement of this section of the river for the purposes of navigation.

There can be no question that the item so far is in order. It is for the improvement of the river for the purpose of navigation. The question is whether Congress in this bill would have jurisdiction over incidental matters following improvements of the river for the purpose of navigation.

Some years ago, to an item in the river and harbor bill which related to a harbor in Alaska—I do not now recollect which one—I made a point of order that the item was not in order. It went beyond the improvements of the harbor, but the Chair held—and I am inclined to think properly, for I accept rulings when made—the Chair held that the purpose being the improvement of the harbor, incidents that went along with the improvement of the harbor were in order in the same item.

Now, necessarily in some places the improvements of the river produces water power, and if we have authority to improve the river, as the Supreme Court has held that we have, we have the authority to control the incidents that follow the improvement of the river. No other committee of the House would have jurisdiction over a bill for the improvement of the Tennessee River, and there can be no improvement of the river without a possibility of making water power. And there can be no water power developed without affecting the improvement of the river for navigation. It seems to me that this item is different from the amendment offered by the gentleman from Pennsylvania and that it is in order.

The CHAIRMAN. A point of order is made against the paragraph by the gentleman from Illinois [Mr. FOSTER] upon the theory, as the Chair understands it, that the Rivers and Harbors Committee has no jurisdiction over water-power possibilities in rivers. Clause 56 of Rule XI gives to the Committee on Rivers and Harbors the right to report bills at any time for the improvement of rivers and harbors.

This particular paragraph in this bill provides for an appropriation for the completion of detailed surveys, and so forth, and for the preparation of plans for the improvement of this section of the river for the purpose of navigation. A survey for that purpose is, of course, in order in this bill and within the jurisdiction of the Committee on Rivers and Harbors.

The paragraph proceeds to say that the investigation is to be made for the purpose not only of reporting as to methods of improving navigation in the river, but the investigation is to have combined with it matters pertaining to the development of water power by the United States alone, or in cooperation with private interests.

If this paragraph in this bill simply contained a provision authorizing a survey in this navigable river for the purpose of determining the water-power possibilities at this point in preparation for future legislation of Congress along that line, the item would be subject to a point of order, and the Chair does not understand that combining a survey for the development of water power with a survey for the improvement of navigation would of itself make the provision, so far as it pertained to water power, appropriate legislation in a rivers and harbors bill.

You can legislate, of course, in a rivers and harbors bill under the rules, but the legislation must be germane to the bill, and of course the bill under the rules can only have reference to the improvement of rivers and harbors. But the Committee on Rivers and Harbors heretofore has assumed jurisdiction of matters not entirely germane under this rule to bills for the improvement of rivers and harbors and for the purpose of improving navigation.

In 1890 the Rivers and Harbors Committee reported out a bill which afterwards became a law which contained a clause to prevent obstructions in the navigable waters and to protect certain public works from injury. In 1891 the bill of that year contained a clause providing for the use of the surplus waters in

the Kentucky River for industries, and the same bill provided for reports as to certain commercial statistics.

In 1900 the Committee on Rivers and Harbors reported a bill (H. R. 11876) to regulate the construction and operation of a water-power canal at the Sault Ste. Marie, Mich., and the same year a bill (H. R. 9542) extending the time for the completion of the work of the Muscle Shoals Power Co., of Alabama, and in the same year the bill (H. R. 9824) contained a clause in reference to the floating of loose timber, logs, and rafts in navigable streams.

The Committee on Rivers and Harbors has exercised jurisdiction over legislation inviting the Government of Great Britain to join in the formation of an international commission to investigate into the condition and uses of the waters on the boundary line whose outlet is the St. Lawrence River, and as to the advisability of locating a dam at the outlet of Lake Erie.

The Chair is not advised that any point of order was made as to these various provisions in these various bills to which the Chair has just called attention. The Chair understands, on the contrary, from an examination of the authorities, that no point of order was made. Therefore these clauses in these bills ought not to be considered as furnishing precedents for this particular clause, which attempts to direct a survey for the purpose of ascertaining water-power possibilities.

But it has been brought to the attention of the Chair that prior river and harbor bills contained a provision authorizing a survey for the purpose of improving this section of this river, combining with it the development of water power by the United States alone or in cooperation with private interests.

The Chair understands from the authorizations submitted and from the acts which have been read that this survey in issue in the paragraph we are now considering is now in progress, it being a survey for the purpose of furnishing the foundation of a report as to the improvement of the river with reference to navigation, combined with the water-power possibilities mentioned in this clause.

The Chair does not understand that there is any difference between a survey in progress and any other public work in progress. There ought to be some doctrine of estoppel applying in matters of this kind. If points of order were now sustained and it should become necessary to go to the sundry civil or some other appropriation bill in order to provide funds to proceed with the survey now in progress which has heretofore been authorized by Congress, it would lead to endless confusion and interfere with public work in operation. The Chair therefore thinks the point of order is not well taken, and the point of order is overruled.

Mr. LENROOT. Mr. Chairman, I move to strike out the paragraph, and in connection therewith I desire to submit a request for unanimous consent. The gentleman from Alabama [Mr. UNDERWOOD] occupied 15 minutes in discussing the merits of this proposition. The gentleman from Tennessee [Mr. MOON] also discussed the merits of the proposition, and I now ask unanimous consent that I may be permitted to proceed for 15 minutes in the discussion of this motion. I will say I can not present it intelligently in less than that time, if I can do it then.

Mr. SPARKMAN. Mr. Chairman, I would be very glad to enter into some agreement as to the length of time that this discussion should continue.

Mr. LENROOT. Mr. Chairman, I suggest that before that agreement is reached I may be permitted to present the matter, because I think it is going to open up some fields that ought to be discussed, and it would be better to wait until that time.

The CHAIRMAN. The gentleman from Wisconsin asks unanimous consent to proceed for 15 minutes. Is there objection?

There was no objection.

Mr. LENROOT. Mr. Chairman, this matter has been discussed to some extent by the gentleman from Alabama [Mr. UNDERWOOD] and the gentleman from Tennessee [Mr. MOON]. I think I shall be able to demonstrate that this is not a survey for the information of Congress in any respect, that this proposition is not primarily in the interest of navigation, that it is a new project, and if these propositions be demonstrated I am confident that this item will go out of this bill. It has been repeatedly charged that no item in a river and harbor appropriation bill is ever voted out of the bill by the House. I do not believe that it is possible that this House, if it is convinced that a proposition has no merit, will refuse to vote it out of the bill when it ought to go out. This proposition ought to go out of the bill upon its merits. It ought to go out of the bill as a question of policy.

Mr. STAFFORD. Mr. Chairman, this is a very important subject, and the gentleman has given great study to it. I think a full committee should hear the gentleman, and I suggest the absence of a quorum.

The CHAIRMAN. The gentleman from Wisconsin makes the point of no quorum. The Chair will count. [After counting.] One hundred and seven Members present, a quorum. The gentleman will proceed.

Mr. LENROOT. Mr. Chairman, the history of this proposition will throw a great deal of light upon the proposition contained in the bill itself. In February, 1912, the Committee on Rivers and Harbors passed a resolution requesting the Board of Engineers to review all former reports concerning the improvement of this stretch of the Tennessee River and make a report with reference to its improvement in cooperation or without cooperation with private water-power interests. In response to that resolution the Board of Engineers made a very extended investigation. They called for bids from private water-power interests for the construction of dams on this part of the river. Two bids were received, one from the Muscle Shoals Hydro-Electric Power Co. The Muscle Shoals Hydro-Electric Power Co. made an estimate of the cost of these dams—three of them—of $18,390,000. The Board of Engineers finds that the cost of the dams proposed by this company will be $18,700,000. The Muscle Shoals Hydro-Electric Power Co. proposed that the Government itself shall advance every dollar of this $18,700,000 and give to it a 100-year lease of the water power created by this dam. The Board of Engineers finds that of this $18,700,000 only $8,500,000 can in any sense be attributed to any improvement of navigation, and that $10,000,000 of the $18,700,000 are for water-power purposes alone. The company proposes to pay to the Government at the completion of the project $3,000,000 and an annual payment during the 100 years in sums that will equal with interest the $10,000,000 that is chargeable to water power alone.

Mr. TAYLOR of Alabama. Mr. Chairman, will the gentleman yield?

Mr. LENROOT. I will yield when I complete my statement. They also propose to pay the Government, when they have installed 200,000 horsepower, 35 cents per horsepower, and that at the end of 20 years in any event they shall pay to the Government 35 cents per horsepower. So the proposition with which we are confronted is that the Government shall expend out of the Treasury within the next six years $18,700,000 for a water-power project.

Mr. Chairman, it is very interesting to read the report of the Board of Engineers. If you send to the document room you will be unable to get one. I doubt whether any Member of Congress to-day can secure a copy of this report. If they could, not a Member of this House who is not primarily interested in that section of the country would vote to keep this item in the bill. With reference to this company itself, it is worthy of observation that the Board of Engineers in calling for bids asked these companies who made bids to give assurance as to their financial responsibility, and it is of course of interest to know who and what the Muscle Shoals Hydro-Electric Power Co. is. I desire to read from their letter to the Board of Engineers. The board said that each bidder should inclose with his proposal sufficient evidence to show what financial backing they had. They say:

> The financial interests which are the support of the Muscle Shoals Hydro-Electric Power Co. and the owners of its securities are engaged on a large scale in the development and operation of water powers in South America, New Mexico, the United States, and Canada, and as large investors in industry requiring great amounts of hydroelectric energy. Their developments going forward at the present time involve an investment of $15,000,000. Representatives of the company will be pleased to state verbally to your board on presentation of this proposal such additional information as can not properly be conveyed in a document of a more or less public nature.

In the first place, the beneficiary of this expenditure, the company to whom it is proposed we shall give the lease, admits that if there is such a thing as a water-power trust in the United States it is a member of it. That is a fair inference. And in the second place, as corroborative evidence that it is the Water Power Trust of America, they refused to make public the names of those who are the financial backers and interested in it. That alone, if nothing else were involved, ought to cause this House to pause before voting one single penny looking toward the making of a contract with this concern. Going on a little further, this same Muscle Shoals Water Power Co. proposes a monopoly of the water-power interest of that section of the country. I again read from the report of the Board of Engineers, and that report states on page 5:

> The Muscle Shoals Hydro-Electric Power Co. has interests in other power development on the Talapoosa, the Coosa, and the Little River. Connecting these developments with the proposed Muscle Shoals development will make up deficiency in power at the latter place during the seasons of low water. This fact alone enables the power company to plan for an ultimate installation at Muscle Shoals of 680,000 horsepower, measured at the switchboards. The special board states that such combination of power plants, if suitably regulated by State or

Nation, will be of far greater public benefit than a number of independent power plants, with incomplete development at each plant.

Now, mark you, in the various streams of this section of the country independent power plants can exist with several hundred thousand horsepower for each of them, but here an absolute monopoly is advocated, that this one company shall have a complete monopoly of all available and potential horsepower in those States. The same argument, Mr. Chairman, that is made for the monopoly by this company can be made in favor of the monopoly of the United States Steel Corporation and of every other kind of monopoly in the United States.

Now, is this primarily for the purpose of navigation? Again, reading from the report—will the Chair kindly inform me when I have used 10 minutes?

The CHAIRMAN. The gentleman has just consumed 10 minutes.

Mr. LENROOT. Mr. Chairman, the report of the Board of Engineers on that proposition states:

The Board of Engineers for Rivers and Harbors has carefully considered this plan and is in general accord with the views and recommendations of the special board. The project contemplates primarily the conservation of one of the great natural resources of the Nation by the development of power in large amount, and, incidentally, the improvement for navigation throughout the year of a reach of about 82 miles of the Tennessee River.

Now, I only have five minutes left, and I can not undertake to present this proposition in 15 minutes as it ought to be presented, and this House, before considering a proposition of such magnitude as this, ought to have the matter fully and thoroughly presented to it. The gentleman from Alabama states that this is only a proposition for a survey, so that the Government may secure additional information with reference to this improvement. First note the language of the bill itself:

For the completion of the detailed surveys, foundation borings, and preparation of plans for the improvement of this section of the river for the purposes of navigation, etc.

The main purpose, sir, of this $150,000 is to prepare plans for this dam for the Muscle Shoals Hydro-Electric Power Co. If Congress itself shall not undertake to make the improvements, the Muscle Shoals Hydro-Electric Power Co., if it shall avail itself of any privileges granted by the general dam act, will secure the benefit of this $150,000 expenditure upon the part of the Government. And unless, Mr. Chairman, we enter into and adopt a project costing $18,000,000 this $150,000 is absolutely wasted. On page 48 of the report, in answer to the question—

Are any further surveys, examinations, and investigations desirable before undertaking this improvement?—

The board replies:

Other than the diamond borings recommended to be made along the axes of the high dams and along axes of the walls of locks, there is little additional information needed, and it is not believed that the decision as to whether or not it is advisable for Congress to undertake the improvement need wait for the completion of the further examination of foundations, since the preliminary examination indicated foundations of the most satisfactory type.

There is no question but what the foundations are sufficient; none whatever. This $150,000 that you propose sir, is, as the report itself shows, not for additional information, but for the beginning of the project itself. The board closes with this language:

It appears, therefore, to the board that the data on hand and the investigations already made are sufficient to warrant Congress in determining at the present time the desirability of beginning this important improvement.

No question is raised in any report of the Board of Engineers that they have not all the information necessary for Congress to decide whether it shall adopt the improvement or not. Now, what is the purpose of this $150,000? It is stated in the report of the board itself. I read from page 2:

The Board of Engineers for Rivers and Harbors has carefully considered this plan and is in general accord with the views and recommendations of the special board, though believing that a due regard of public interests require that some equitable provision should be made whereby the United States may terminate the lease at any time after the end of 50 years in case it should become apparent that such action is desirable. With this provision, the board is of opinion that it is advisable for the United States to adopt the project outlined by the special board for combined navigation improvement and power development of the Tennessee River at Muscle Shoals, Ala., in cooperation with the Muscle Shoals Hydro-Electric Power Co., at a total estimated cost of $18,701,000, under the conditions specified by the special board.

The CHAIRMAN. The time of the gentleman has expired.

Mr. LENROOT. Mr. Chairman, I will be obliged to ask for five minutes additional.

The CHAIRMAN. The gentleman from Wisconsin asks for five minutes additional. Is there objection? [After a pause.] The Chair hears none.

Mr. LENROOT (reading)—

The first appropriation should provide for at least $1,000,000 in cash and contract authorization for the balance, with a view to completion of the work in five years.

And now we come to this appropriation, and what is it they want it for? The board says:

In case Congress does not adopt the project at once, the board recommends an appropriation of $150,000 to provide for the completion of the detailed surveys, foundation borings, and preparation of plans—

For what? For further information of Congress? No. So they say—

that there need be no unnecessary delay in active prosecution of the work whenever it is authorized.

That is the purpose of this $150,000, and it has no other purpose. It is for the making of plans, the making of the borings—not to inform us, but for the benefit of the Muscle Shoals Hydro-Electric Power Co., when Congress shall adopt the project.

Now, I want to ask you upon the Democratic side of the aisle, are you going to appropriate $18,000,000 for this project out of the Treasury of the United States within the next few years? Are you going to appropriate $1,000,000 for that purpose next year? If you are not, why include this $150,000 in this bill, taking this amount out of the Treasury at this time? [Applause.] There can be no excuse, there can be absolutely no defense for it, except that of committing the United States to a proposition of adopting an $18,000,000 project now or making a gift of $150,000 out of the Treasury of the United States for the benefit of a company that admits it is a monopoly and refuses to give to the public officials of the United States in a public document the names of its financial backers. [Applause.]

Mr. TOWNER. Mr. Chairman, I desire to be heard; but if there is anyone on the other side who desires to speak I do not wish to be heard at this time. Perhaps the time ought to be arranged on this paragraph.

Mr. TAYLOR of Alabama. We are going under the rules of the Committee of the Whole, and the time is not arranged for under that rule as I understand it. I am not familiar with the rule, however.

Mr. TOWNER. Mr. Chairman, I desire to be recognized.

The CHAIRMAN. The gentleman from Iowa [Mr. TOWNER] will proceed.

Mr. TOWNER. Mr. Chairman, I believe that anyone who desires to make this bill so that it will not be subject to the criticism that killed the other bill ought to vote for this motion to strike out. There can be no possible question but that when it comes to be considered by the people of the United States to keep this item of $150,000 in the bill as it now stands will be understood by the people as an authorization for the expenditure of $18,701,000. Because there can be no question, Mr. Chairman, that this money is to be expended on this contemplated project. It has been shown by the gentleman from Wisconsin [Mr. LENROOT] beyond any question that the present examination has been completed. But now they contemplate a new project, and they recommend it, and this project involves an expenditure of $18,000,000 on the part of this Government. This $150,000 is the first expenditure that is to be made in the furtherance of that project. It will be claimed by those who will hereafter advocate it that this House has by so doing given its approval to this project.

And that gentlemen may understand distinctly what this is, there ought to be no mistake about the question. It is, in fact, to expend $18,701,000 for the benefit of the hydroelectric company, to commence its operations when this project shall be completed by the money that the United States will furnish them. Listen to what the report says, in section 24, on page 8:

The board therefore reports that, in its opinion, it is advisable for the United States to adopt the project recommended by the special board for combined navigation, improvement, and power development on the Tennessee River at Muscle Shoals, Ala., in cooperation with the Muscle Shoals Hydro-Electric Power Co., at a total estimated cost of $18,701,000, under the conditions specified by the special board and with the additional provisions suggested above for possible recall of the franchise after the lapse of 50 years.

Gentlemen should understand then that this is what they are giving their approval to when they vote $150,000 now to be expended. Gentlemen here try to save $5,000 or $10,000 or $50,000. This is an expenditure of $150,000. Can you justify it now in the present condition of your Treasury? Can you justify sending out to the world the fact that unless this $150,000 is afterwards to be considered as the preliminary expenditure on the $18,000,000 project that you have utterly thrown it away? Gentlemen will have to take either one or two of those dilemmas. There can be, then, as I view it, no possible justification for the passage of this section of this bill at this time, and I ask gentlemen who desire to make this bill so that it will stand criticism—if it shall be able to do so at all—to see to it that such items as this are not contained in the bill, or it will meet with the universal condemnation of the people of this country. [Applause.]

Mr. AUSTIN. Mr. Chairman, the Tennessee River, which is now under discussion, flows through the district which I represent. This important river is 652 miles long and is divided into three sections by the War Department: The upper section, from 4 miles above Knoxville to Chattanooga, 186 miles in length; the middle division, from Chattanooga to Riverton, 238 miles; and the lower division, from Riverton to Paducah, or the mouth of the river, 226 miles. With its principal tributaries—the French Broad, the Clinch, the Holston, the Powell, the Little Tennessee, and other streams—it forms a system of internal waterways capable of being navigated by steamboats for 1,300 miles for a limited period during the year. The tributaries can be utilized for flat boats and rafting logs for an additional 1,000 miles. This makes a system of navigable waters of 2,300 miles in length, with a drainage area of 44,000 square miles.

During the calendar year of 1913, according to the latest statistics furnished by Mr. C. H. Huston, a leading citizen of Chattanooga, the traffic on the Tennessee River, which was purely local, on account of the river being bottled up at Muscle Shoals, was 1,053,000 tons, the valuation of the same being $13,269,000. Average value, $12.59 per ton. This represents 69,600 carloads, or 3,800 train loads, or 10 freight trains per day throughout the year. The tonnage for 1913 was heavier than the average annual tonnage for the previous five years. This proves that the criticism, constantly made here that river commerce is decreasing, does not apply to the Tennessee River, and yet on the upper section of this river there were only seven months, or 218 days of navigation, on account of low water, and on the middle division 9 months' navigation, and on the lower division 12 months. If the Tennessee River was locked and dammed, in a short time the local traffic would be doubled, and the through traffic would far exceed the local traffic.

The 1913 tonnage on the upper division, or between Knoxville and Chattanooga, was 410,156 tons; valuation, $2,975,855. Average haul 12 miles, and average rate per ton per mile 3.2 cents. Number of vessels engaged 17; barges, 78. Reduced to railroad tonnage this is equivalent to 27,000 carloads, 1,400 train loads, or 7 train loads per day for each day of navigation. The tonnage on this section of the river exceeded by 59,500 tons the annual average for the previous five years.

The business over the middle division was as follows: Number of tons, 104,133; value, $4,431,588; average haul, 38 miles; and average rate per ton per mile, 4.3 cents.

The showing on the lower division was as follows: Four hundred and eight thousand one hundred and five tons; value, $6,130,874; average haul, 174 miles; and average rate per ton per mile, eight-tenths cent. The Government engineers have estimated that there are 1,000,000 undeveloped horsepower on the Tennessee River and its tributaries. The proposition contained in the present bill looking to the improvement of the Muscle Shoals will give a development of 680,000 horsepower. The amount needed in order to improve the river at that point for navigation purposes alone is $8,000,000; and if we develop at the same time the 680,000 horsepower, it means an additional expenditure of $10,000,000, or a total of $18,000,000. The offer of the power company is to repay this entire amount to the Government—$3,000,000 on the completion of the project and the balance as a royalty at 35 cents per horsepower. In other words, the Government of the United States will secure under this arrangement the needed improvement of the Muscle Shoals without it in the end costing the taxpayers of the country a dollar.

Is it good policy to accept this proposition, or decline it and go forward and improve the river for navigation purposes alone, expending for the same $8,000,000? Until this improvement is made at the Muscle Shoals the Tennessee River as a through transportation water route is practically worthless. Now, what is there in east Tennessee that is involved, from a developing or business standpoint, in the improvement by slack-water navigation or canalization of the Tennessee River? We have on the headwaters of this river and its tributaries the largest coal field in the South; the only two large copper plants in the Allegheny Mountains, employing several thousand men; the largest undeveloped slate field south of Virginia; the most valuable and the purest zinc on the American continent; in the course of construction the largest aluminum plant in the world; 10 iron furnaces; millions of tons of iron ore; the largest deposits of the most durable and valuable marble found in the United States, employing 5,000 men in the quarries and mills of this industry; the greatest undeveloped hardwood lumber region; and the growing and thriving manufacturing cities of Knoxville and Chattanooga, with populations close to 100,000 each; and these additional towns located on or near the Tennessee River—engaged in the following industries: Iron, cement, car building, lumber, furniture, tools, cotton and knit goods, and so forth—Rockwood, Harriman, Lenoir City, Loudon, Kingston, La Follette, Clinton, Dandridge, Maryville, Morristown, Jellico, Dayton, and South Pittsburgh in Tennessee, and in north Alabama, Bridgeport, Huntsville, Decatur, New Decatur, Sheffield, and Florence. There are manufacturing points on the Tennessee River paying to the railroad companies from 50 to 75 cents per ton for hauling steam coal from 35 to 60 miles.

The gentleman from Pennsylvania [Mr. BARCHFELD] stated to the House one of the greatest advantages to Pittsburgh as a manufacturing point is that they have cheap water transportation; and as a result are shipping coal by water at an expense of 5 cents per ton 50 and 60 miles. Now, contrast the cost of shipping steam coal to Pittsburgh at 5 cents by water transportation with 50 and 75 cents per ton in Tennessee by rail, and yet these Tennessee towns are located on the Tennessee River, within 50 and 60 miles of coal mines that could be reached by slack-water navigation. We are now compelled to pay from $4 to $4.50 per ton to ship by rail pig iron, marble, lumber, and other raw material to the interior cities, that could be reached by water if the Tennessee River was canalized, and in this way our transportation rates would be reduced at least one-half. We are 300 miles nearer the New Orleans market than the coal fields of western Pennsylvania, and yet we do not sell a ton of coal in that market. We are deprived of cheap water transportation for our coal to New Orleans, and as a result the New Orleans market is given over to the Pennsylvania and Illinois coal fields that have cheap water transportation. We are anxious not only to reduce the cost of transporting the output of our mines, quarries, farms, lumber camps, mills, and furnaces to the interior cities of the United States but, now that the Panama Canal is completed, to enter upon and establish a desirable trade with our Pacific coast and South and Central America. In order to do this successfully the Tennessee River must be open every day in the year, that our unequaled mineral and natural resources may be developed and our mills and factories kept going. We insist and demand of the American Congress that it do for our section what has been granted to the Ohio River.

The Tennessee is larger than the Ohio River; its discharge of water is greater than that of the Ohio and Cumberland Rivers combined, and yet Congress voted $60,000,000 to lock and dam the Ohio and is now hesitating about the expenditure of $18,000,000 on the Tennessee River, every dollar of which is in time to be returned. The very men in this House who are criticizing the proposition which would insure the early improvement of the Tennessee River at Muscle Shoals found no objection to the House voting $60,000,000 for the improvement of the Ohio River. These gentlemen hold up their hands in holy horror that this Congress should consider the expenditure of $18,000,000 upon a larger River than the Ohio River and with ten times the amount of natural resources and undeveloped wealth.

There are Members in this House opposing this proposition who get worried, excited, and alarmed when any bill is offered for our consideration looking to the development of water power. They insist upon the passage of water-power bills that are impracticable, that make it utterly impossible to finance a single one of them.

Shall we continue to let 680,000 horsepower on the Muscle Shoals run to waste when we could harness the power at that point and match the North and South with splendid manufacturing cities which would build up our section, give employment to thousands of our people, and add untold wealth and prosperity to our section of the Republic. This water-power proposition at the Muscle Shoals was thrown open to every power company in the land. The far-off State of Wisconsin, through one of its Members [Mr. LENROOT], is deeply concerned about a water-power monopoly in Alabama if this item or proposition is favorably considered. Here is a delegation representing the people of that State, a unit for the proposition. Are they untrue to the interests of their constituents? I deny it. Are they not capable of watching over and caring for the interests of the people of Alabama as well as the gentleman from Wisconsin? If there is a water-power monopoly in Alabama, or will be under this or any other bill, the State has a legislature which can control and regulate it.

I do not believe the Legislature of Alabama, any more than the Legislature of Wisconsin, would be untrue to the interests of the people in matters of this kind. We have heard for years about the cruelty of the "vested interests," and now, when a meritorious proposition comes here meaning so much for my section—for the entire South—we hear the cry "monopoly" and "trusts." In the name of the American people, let us do something for prosperity, for the upbuilding of our country, for the development of our resources, for the employment of our

people. Drop these scarecrows and let us invite and encourage capital to improve the rivers and develop the immense water power now going to waste.

If we will do this, we will advance and promote the best and highest interests of the people, rather than by blocking and defeating such measures as the one under consideration. [Applause.]

Mr. SPARKMAN. Mr. Chairman, I ask unanimous consent that all debate on this paragraph and amendments thereto end in 17 minutes.

The CHAIRMAN. The gentleman from Florida asks unanimous consent that all debate on that paragraph and amendments thereto end in 17 minutes. Is there objection?

Mr. COOPER. Reserving the right to object, Mr. Chairman, I would like to ask one question and have it answered before I agree on that.

Mr. STAFFORD. I would like to inquire how the time is to be distributed?

Mr. SPARKMAN. I will try to answer the gentleman's question if I can.

Mr. COOPER. I would like to ask my colleague [Mr. LENROOT] a question. I have not been able to get a copy of the report that the gentleman referred to in his very able speech. For what reason or under what circumstances did the bidders put in a bid in response to the request of the commission? What reason did they give and under what circumstances did they refuse to announce the names of their financial backers? As I understand, the original request for bids required the bidders to say who were their financial sponsors.

Mr. LENROOT. And I read what the response was, where they declined to do it, except verbally. It was in response to a circular issued by the Board of Engineers, inviting bids from the water-power interests upon this project, and also requiring assurances with the proposals as to their financial ability to carry them out. The reply of the Muscle Shoals Hydro-Electric Co. I read, as the gentleman heard, where they declined to give the names of the backers except verbally to the members of the board.

The CHAIRMAN. The gentleman from Florida asks unanimous consent that all debate on the pending paragraph and amendments thereto close in 17 minutes. Is there objection?

Mr. LENROOT. May I add five minutes to the gentleman's request?

Mr. SPARKMAN. I think the gentleman from Alabama [Mr. TAYLOR] will conclude the debate.

Mr. LENROOT. I might want to reply to it.

Mr. SPARKMAN. The gentleman from Alabama wanted 15 minutes. The 2 minutes extra I meant to use myself, but I will let the gentleman from Wisconsin have those 2 minutes.

Mr. ANDERSON. Do I understand that the gentleman intends to give somebody on that side 15 minutes in which to conclude the debate?

Mr. SPARKMAN. Yes. I intend to yield to the gentleman from Alabama [Mr. TAYLOR] 15 minutes. One of the gentlemen here had 20 minutes in opposition to the provision. I think it is nothing but right that the gentleman from Alabama should have 15 minutes.

Mr. ANDERSON. The gentleman from Alabama [Mr. UNDERWOOD] had at least 15 minutes on the point of order, and several other gentlemen on that side had considerable time on the point of order, but discussed the merits of the proposition.

Mr. SPARKMAN. What does the gentleman suggest?

Mr. ANDERSON. It seems to me we ought to have as much time on this side from now on as you gentlemen have had on that side.

Mr. LENROOT. I expect there will be a reply made to the remarks I have made. I would like to have 4 or 5 minutes in reply, not for the last speech, but to whatever speech in presentation is made I would like to have an opportunity to reply.

Mr. SPARKMAN. Of the 17 minutes I will let the gentleman have the 2 minutes that I intended to reserve for myself.

Mr. FOSTER. I should like three minutes.

Mr. SPARKMAN. I will ask unanimous consent that all debate on this provision close in 20 minutes, 2 minutes to go to the gentleman from Wisconsin [Mr. LENROOT], 3 minutes to the gentleman from Illinois [Mr. FOSTER], and 15 to the gentleman from Alabama [Mr. TAYLOR].

Mr. STAFFORD. I should like to say to the gentleman that there is a demand from this side of the House for fully seven minutes. I should like to have you provide for that. I suggest to the gentleman that he make the time half an hour.

Mr. SPARKMAN. If we make it half an hour, I shall want two or three minutes myself. I will ask the Chairman to put the request for 30 minutes.

Mr. STAFFORD. Thirty minutes, of which there shall be 10 minutes on this side.

Mr. SPARKMAN. That is satisfactory.

The CHAIRMAN. The request, as the Chair understands it, is that the debate on this paragraph and all amendments thereto shall be limited to 30 minutes, 15 minutes to be consumed by the gentleman from Alabama [Mr. TAYLOR], 3 minutes by the gentleman from Illinois [Mr. FOSTER], 2 minutes by the chairman of the committee [Mr. SPARKMAN]——

Mr. STAFFORD. And 10 minutes to be controlled by the gentleman from Wisconsin [Mr. LENROOT].

The CHAIRMAN. And 10 minutes to be controlled by the gentleman from Wisconsin [Mr. LENROOT]. Is there objection?

There was no objection.

Mr. SPARKMAN. Mr. Chairman, all I wish to say on this amendment is that there can be no doubt about the proposition that the provision in this bill does not commit Congress, nor was it the intention of the committee in framing the provision to commit Congress in any way to this proposition. The sole purpose in spending this $150,000 was to furnish Congress with information upon which it may act in the future, if it sees proper to take up this matter at all, not to commit it or the Government to the project in any way whatsoever.

The reading of the provision will show its purpose, which is, among other things, to prepare detailed plans, plans and information the House will desire to have before it whenever called upon to act, if at all. I do not know whether the House will be called upon to act on this matter in a river and harbor bill or in some separate measure. I do not know that it will be called upon to act upon it at all; but whenever it is called upon to do so, the information called for here will be very important to the House of Representatives or the Congress. That is the sole purpose of the provision, and the only question here is whether the information we are seeking is worth $150,000. I say it is, and this, of course, was the opinion of the Committee on Rivers and Harbors when it inserted the provision in the bill.

Here is a great project. It is great from the standpoint of navigation, it is great from the standpoint of power development, and certainly whenever it comes before Congress, whether in a river and harbor bill or in a separate measure, the House will want the very information we are proposing to give it by the adoption of this provision. Therefore I hope it will remain in the bill.

Mr. FOSTER. Mr. Chairman, this provision in the bill which appropriates $150,000 for a continuing survey also provides for plans for carrying out the work.

I take it that this question is largely one of producing hydroelectric power and securing, if possible, navigation upon that part of the Tennessee River.

The report of the engineers is quite voluminous upon this project, and among other things goes into some details as to what the Government proposes to do in the way of hydroelectric power. I may say that their report is made up largely of that character of work to be done. They go ahead and speak about giving to this hydroelectric company a franchise for 100 years. True, at the end of 50 years it might be taken over by the Government if thought best, but it also provides for 35 cents per horsepower at the end of 20 years or when this company shall have developed 200,000 horsepower. So that if they develop 199,000 horsepower after the work has been installed, then they can use that 199,000 horsepower for 20 years without paying a cent to the Government.

Mr. TAYLOR of Alabama. The gentleman does not mean to misrepresent.

Mr. FOSTER. No; I thought that was what it stated.

Mr. LENROOT. The gentleman from Illinois [Mr. FOSTER] is correct.

Mr. FOSTER. I think I am correct about it.

Mr. TAYLOR of Alabama. If you will read the report, you will see that you are not.

Mr. FOSTER. I think I have not misquoted it. If I have, I shall be glad to make the correction.

As I remember, this House passed a general dam bill in which certain regulation of water power was provided. It has been a question in this country for several years, and it will continue to be a question so long as any individual or any company attempts to take over this valuable asset of our country and appropriate it without regard to the rights of the people. [Applause.]

I believe in improvement of rivers and harbors. I want to see the water power of our country developed. I want to see navigation developed; but at the same time I want to see the rights of the people in this coutry protected from the corporations of the country. [Applause.]

Mr. SPARKMAN. I understand the gentleman from Alabama [Mr. TAYLOR] wishes to close on behalf of the committee.

Mr. TAYLOR of Alabama. That is my desire. I am perfectly willing to answer any questions.

Mr. LENROOT. I have no objection to the gentleman reserving five minutes to reply, but I suppose he is going to make an argument, and I should like to have five minutes in which to reply to him.

Mr. TAYLOR of Alabama. Mr. Chairman, I am rather astonished to find so much misunderstanding of river and harbor legislation in the United States during the whole period of our existence. At one time in river and harbor development we had what may be called the prophetic stage. When it was proposed to construct the Sault Ste. Marie Canal, otherwise called "the canal around the Falls of the St. Mary," to open up navigation on the Great Lakes, a project inaugurated nearly 100 years ago, we had the beginning of the prophetic age—of which we now have a recrudescence. Speaking for the prophets of that day, almost the greatest mind America ever had was Henry Clay, of Kentucky. [Applause.]

On the proposition for a canal at the St. Marys River Mr. Clay said you might as well try to make a canal to the moon. There were some hard-headed constructive minds around the Great Lakes in those days who rejected the criticism and persisted in their efforts to make a canal there. What was the result? It bankrupted the State of Michigan. The State of Michigan undertook internal improvements as a matter of State rights and created an indebtedness of over $5,000,000. In that early period of her life Michigan could not stand such enormous expenditure. The canal was a failure as a State affair. The General Government took charge and it became a success. Although not yet finished, it has developed a canal which is considered the greatest inland waterway in the world, within, I doubt not, a few hundred miles only of the distinguished gentleman from Wisconsin. It has cost many millions of dollars and carries many more millions of tons of freight. Long ago it carried more than five times the tonnage that passed through the Suez Canal. It will cost more yet, millions more. It is in the contemplation of the Rivers and Harbors Committee—and we thought our colleagues knew what we were doing, for we have tried to make them know—and is intended to add another improvement there when in the course of time the prophets die and constructive statesmanship finds opportunity to go and examine and survey what is there and report to Congress what is necessary to accommodate what is coming in the future. That is the mission and purpose of the Army engineers under the direction of Congress.

Document No. 20, which my friend from Wisconsin [Mr. LENROOT] criticizes, is one of several reports by the United States Engineers on the Tennessee River. It contains 88 pages of valuable information. Another document, No. 360, Sixty-second Congress, of 198 pages, contains equally valuable information. The distinguished gentleman has given you no information whatever except what is contained in Document No. 20, which is no secret, and was prepared under the direction of Congress and for the distinct purpose of giving information. The Rivers and Harbors Committee of this House has been trying since 1902 to give Congress this information and all that could be obtained on the subject. They have hidden nothing, concealed nothing, and found nothing to withhold.

The other day another gentleman from Wisconsin was annoyed because there were 88 pages of Document No. 20. He is diligent in seeking information. I do not object to it, like to see it, am sometimes somewhat hard-headed myself about information. But I never complain of too much. If the gentleman wants more information he can find it in the other documents on the Tennessee River, which the Board of Engineers were called on to review in the making up of report contained in Document No. 20. A concise history of the several acts, reports, and special boards appointed by the Secretary of War for this great survey and greater purpose, the removal of obstructions—at Muscle Shoals—to navigation and the development of water power at the same time, if desirable and practicable, is here inserted as part of my remarks.

SCHEDULE OF RESOLUTIONS AND REPORTS ON THE IMPROVEMENT OF MUSCLE SHOALS ON THE TENNESSEE RIVER, PREPARED AND COMPILED FOR HON. GEORGE W. TAYLOR, HOUSE OF REPRESENTATIVES, SEPTEMBER 3, 1914.

DOCUMENT NO. 1.

(See p. 45 of committee Document No. 20.)

Rivers and harbors act, approved March 2, 1907, page 23, appointing a board of engineers to examine and report on the canal at Muscle Shoals, with a view of improving that section of the Tennessee River in connection with the development of water power.

DOCUMENT NO. 2.

(See pp. 12 and 45 of committee Document No. 20.)

House of Representatives Document No. 781, Sixtieth Congress, first session, being a report on the examination from Elk River Shoals to Florence railway bridge in Alabama as to the advisability of improvement for the development of water power, which is the report called for in resolution contained in river and harbor act of March 2, 1907.

DOCUMENT NO. 3.

(See p. 12 of committee Document No. 20.)

Letter from the War Department to Col. W. T. Rossell, dated May 9, 1908, containing a resolution adopted by the Committee on Rivers and Harbors on April 29, 1908, calling for a review of report as contained in document No. 781, made in pursuance of a provision of the river and harbor act of March 2, 1907.

DOCUMENT NO. 4.

(See pp. 18 and 24 of committee Document No. 20.)

Committee on Rivers and Harbors, House Document No. 14, Sixtieth Congress, second session, being a report of board of engineers, in pursuance of resolution adopted on April 29, 1908, by the Rivers and Harbors Committee, report being dated January 11, 1909.

It will be observed that Nos. 1, 2, 3, and 4 preceding were adopted March 2, 1907, to January 11, 1909, while Senator BURTON was in the House and chairman of the River and Harbor Committee, and that the rivers and harbors act of 1907 called for a survey and report by a special board of engineers * * * "in connection with the development of water power." Senator BURTON resigned his seat in January, 1909, upon election as United States Senator.

Thus clearly jurisdiction was given by act of Congress, 1907, to the surveys and reports on the proposition until completed. The work is still in progress.

DOCUMENT NO. 5.

(See pp. 3 and 10 of committee Document No. 20.)

Hearings before the Committee on Rivers and Harbors of the House of Representatives, on page 535 of which will be found resolution adopted June 14, 1910, requesting a review of report submitted in House Document No. 14, Sixtieth Congress, second session.

DOCUMENT NO. 6.

(See pp. 3 and 11 of committee Document No. 20.)

Invitation issued by the Board of Engineers for Muscle Shoals stretch of the Tennessee River improvement, dated March 20, 1913, in which invitation is quoted a resolution adopted by the Rivers and Harbors Committee on February 24, 1912, which resolution superseded resolution dated June 14, 1910.

(See p. 67 of committee Document No. 20.)

This is the invitation of the Board of Engineers asking for bids on the work of improving this section of the river.

DOCUMENT NO 7.

(See p. 70 of committee Document No. 20.)

Invitation of the Board of Engineers for Muscle Shoals stretch of the Tennessee River, dated June 25, 1913, extending the time for receiving bids on the work of the improvement of the Muscle Shoals section of the Tennessee River.

DOCUMENT NO. 8.

River and harbor act approved March 3, 1909, on page 20 of which is a provision calling for a survey of the Tennessee River.

DOCUMENT NO. 9.

(See pp. 12 and 24 of committee Document No. 20.)

House of Representatives Document No. 360, dated December 29, 1911, being a report submitted by Maj. W. W. Harts in response to the above resolution.

DOCUMENT NO 10.

Submission of a report dated May 18, 1914, to the chairman of the Rivers and Harbors Committee on the Muscle Shoals stretch of the Tennessee River, in response to resolution of the Rivers and Harbors Committee dated February 24, 1912. Committee on Rivers and Harbors Document No. 20.

I commend Document No. 20 to the serious and careful study of every Member of Congress and every Senator and to the American people generally.

If the facts reported be wrong, the people and Members and Senators should know it. If they be valuable and sensible they should know it. For myself I have no objection to publicity, widespread and thorough, of this interesting and able report, and a great, interesting, and far-reaching effort to conserve, in the broadest and most patriotic way, the natural rights of navigation and development of water power by the General Government, if possible; if not, by other parties, corporate or private, capable of doing the work, under the full, complete, and fully recognized control of the United States. This is the aim of Document No. 20.

"A little learning is a dangerous thing." Therefore read 88 pages, if the reports contain that many. If, as Document No. 20 frankly declares, other reports of even more pages have been considered and reviewed, read them, if your purpose be real information and your object an understanding of the proposition.

"Too much learning" has been said to be likely to make one mad. There are several kinds of madness. In modern times it even crops out in Congress. I speak from memory. If the statement be challenged I refer the challenger to the incident of Paul before Agrippa. There is nothing to be ashamed of or

afraid of in this project of the engineers. On receipt and careful study of it, being much impressed with it and previous views modified by it, I promptly sent a copy to the distinguished Senator from Ohio [Mr. BURTON], calling his attention to it and asking his advice. He was long my colleague and chairman of our committee, and always my friend. The first work he assigned to me was on a subcommittee to consider a former report on this proposition in connection with water power, in 1908 or 1909. It was turned down on my motion, or suggestion, and another survey requested.

It seemed to me to be a valuable contribution to real national conservation, which means to my mind intelligent development for the use of mankind of all the resources of our people under the direction and control of the United States Government, so that the rights of the people in national and natural resources may be forever protected, maintained, and preserved. In doing this it is but fair the General Government should contribute in money or credit to such developments, especially when the proposition by its own natural situation, position, and formation is of such vast potential possibilities and results that it needs the diligent, continuous supervision and watchful care of the General Government to prevent abuse of the franchise and consequent imposition on the business and rights of the people.

If conservation can be interpreted to mean the preservation and perpetuation of the natural obstruction at Muscle Shoals and other like obstructions by leaving it and them severely alone, with navigation practically arrested on a river with 1,300 miles and more of navigable water, and which by the very nature of the obstruction itself has in itself, by and with constructive effort, the power to generate for constructive purposes and the aid of agriculture, of commerce, and other enterprises more than 500,000 horsepower, then I am altogether mistaken as to the true meaning of that word and the true purpose of the many splendid brains and progressive men who advocate conservation.

It is not the policy of conservation to let arid land remain arid. Millions have been spent in putting them to use by furnishing the one fertilizer needed, i. e., water. I approve that sort of conservation. The proposition suggested by the engineers at Muscle Shoals is identical.

Should the policy of perpetuation of obstructions, of standing still, be followed, how would we ever compete with Germany when this cruel war is over, her armies disbanded, gun factories all abandoned, and the men go "back to the farm," unless we overcome, not perpetuate, the obstructions at all our (Muscle) shoals and harness and develop the mighty horsepower instead of letting it remain asleep and idle, a monument to national neglect and monumental incapacity to utilize the talents, ten times ten, which God has placed in the Tennessee River for our Nation to handle.

What information I had or have or can obtain as a member of the Rivers and Harbors Committee will be gladly furnished to all who may desire it. And for whom, what purpose? For whose benefit? For the benefit of the people and to establish the rights of the people of whom and for whom my friend from Illinois [Mr. FOSTER] always speaks, and for the direct information of the body of the American Nation.

So, about the same time I took the liberty to forward Document No. 20 to Hon. Gifford Pinchot, a high, perhaps the leading, authority on conservation in this country, a gentleman whom I know personally and admire. He is able, honorable, exceptionally trained in this line, a distinguished man, a distinguished citizen. I wanted him to know all about Document No. 20. I wanted his opinion and advice. So I promptly placed this ferocious document in Mr. Pinchot's hands, because he is truly interested in conservation—which includes river and harbor improvement—and in everything pertaining thereto, including cooperation and coordination of all the forces which are going to make the United States greater than man ever dreamed of, whenever these great interests and forces can be brought together, organized for and by real cooperation, and put in the hands of Congress for constructive legislation. [Applause.]

You can not get information, so far as I am aware, in any more intelligent way than through the professional engineer, of whom, as an American citizen, I believe the United States Army engineer stands at the top.

The Tennessee is a great river and a very interesting study. It has been a school for many thinkers and interesting reading for many more minds variously employed. In the study of the Tennessee River Senator John T. Morgan was educated to take up an Isthmian Canal. In the Senate from what he learned of that river he taught the people of the United States and of the world what ought to be done, and it was done. In like study on the same river Col. Goethals learned to think and perform work which gives him among his brother officers and fellows throughout the nations of the world first rank.

Some mistakes have been made in the plans and construction of the Sault Ste. Marie Canal—one involving, unfortunately, as I get from the Michigan Supreme Court, bankruptcy in the State of Michigan.

The CHAIRMAN. The gentleman has occupied 10 minutes.

Mr. TAYLOR of Alabama. I see that I can not conclude in five minutes, and I would like to have a little more time.

Mr. LENROOT. Mr. Chairman, I ask unanimous consent that the gentleman's time be extended five minutes and that my time be extended five minutes.

Mr. SPARKMAN. How is that time to be divided?

Mr. LENROOT. I will use five minutes and the gentleman from Alabama five minutes.

Mr. SPARKMAN. I think the committee has the right to close.

Mr. LENROOT. The gentleman from Alabama [Mr. TAYLOR] will close.

The CHAIRMAN. The gentleman from Wisconsin asks unanimous consent that the time of the gentleman from Alabama be extended five minutes and also five minutes on the other side. Is there objection?

There was no objection.

Mr. TAYLOR of Alabama. Mr. Chairman, the real proposition, the real question is whether or not you are willing to expend $150,000 to have a complete survey made to determine whether you will proceed with the further improvement of the Tennessee River at Muscle Shoals.

The Tennessee River is navigable 1,300 miles, and the tributaries 1,000 miles more, making in the neighborhood of 2,300 miles of navigable waterways. Two hundred and twenty-six miles only lie below the Muscle Shoals, from Riverton, Ala., at the foot of the shoals, to Paducah, Ky. It is Muscle Shoals—not the old canal—which naturally constitutes the great obstruction and which can not be navigated by vessels without locks and dams for a distance of 37 miles.

Above the Muscle Shoals are over a thousand miles of navigable water. With obstruction there it is impossible, as anyone can see, to have continuous navigation the full length of that river. The tonnage average for the last 22 years, as will appear from records in the office of the local engineer now in charge of the Tennessee River, was 1,255,200 tons. The State of Michigan worried with their problem for some years before the United States Government took it in charge. In Alabama, you know, we tried to separate from the General Government, and while we did not become bankrupt on account of the Muscle Shoals Canal, we come very nearly being bankrupt in that effort of separation.

Mr. MAPES. Mr. Chairman, will the gentleman yield?

Mr. TAYLOR of Alabama. Yes.

Mr. MAPES. Where does the gentleman get his information that the State of Michigan went bankrupt on account of the Sault Ste. Marie Canal?

Mr. TAYLOR of Alabama. I got it from one of the Supreme Court reports of the State of Michigan. I do not remember the title of the case, but I will be very glad to furnish it to the gentleman.

Mr. MAPES. Has the gentleman the reference?

Mr. TAYLOR of Alabama. I have not.

Mr. MAPES. I think the gentleman is entirely wrong.

Mr. TAYLOR of Alabama. I think I can furnish the authority to the gentleman.

Mr. MAPES. The report of the engineers states that about $1,000,000 were spent on the canal before the Federal Government took it in charge, the money coming from the sale of some land which was donated to the State by the Federal Government. I think the gentleman's information is entirely inaccurate in that particular.

Mr. TAYLOR of Alabama. I do not think I am wrong, but I have known engineers sometimes to make mistakes, especially in reference to matters of history. If I am mistaken I will make the correction and put it in the RECORD. I have not thought of it until this discussion came up for some years.

I want to say I am not wholly committed to this proposition in its entirety. I want more information. The improvement at Muscle Shoals was before the River and Harbor Committee before I became a member of it—before I entered Congress.

The CHAIRMAN. The gentleman has consumed 15 minutes.

Mr. TAYLOR of Alabama. At this point permission was given to revise and extend my remarks. I promised, if mistaken in my memory of the history of Michigan, to make a correction and put it in the RECORD. I searched for and found the case to which my memory was indebted, and here insert extract

from the case of The Attorney General *v.* Pingree (120 Mich., 550, 556, and 557). The italics are mine:

For the period between 1835 until the financial panic of 1837 occurred the State of Michigan had a wonderful growth. The opening of the Erie Canal and the facilities for travel furnished by the Great Lakes made it comparatively easy for the residents of New York, New Jersey, and New England who were seeking to better their condition to reach our borders. The climate was good and the soil was fertile. The example of New York in constructing works of internal improvement was thought worthy of imitation. The constitution adopted upon the admission of the State into the Union provided—

"Internal improvement shall be encouraged by the government of this State; and it shall be the duty of the legislature, as soon as may be, to make provision by law for ascertaining the proper objects of improvement in relation to roads, canals, and navigable waters; and it shall also be their duty to provide by law for an equal, systematic, economical application of the funds which may be appropriated to these objects." (Const. 1835, art. 12, sec. 3.)

The governor of the new State, in a message to the legislature, called its attention to its duty to act under the constitutional provision. The legislature was not slow to respond. A canal was projected from Mount Clemens to the mouth of the Kalamazoo River and one around the Falls of the St. Mary. A number of State railroads were surveyed and their construction entered upon. To meet the expense, the governor was authorized to borrow, upon State bonds issued for the purpose, $5,200,000. These bonds were all negotiated; though, owing to the failure of one of the companies and one of the banks which undertook to negotiate them, the amount for which they were negotiated never found its way into the State treasury.

It became evident the amount of the loan would not begin to complete the internal improvements already begun. Then came the financial panic. Bankruptcy and financial ruin were upon every hand. The State, at a great sacrifice of its property, made an arrangement with its creditors which left its credit good, but left it very badly in debt. (Cooley, Hist. Mich., 279; Camp., Hist. Mich., 495.)

As the result of this experience, the State had the canal at the St. Marys River, which was afterwards taken over by the Federal Government, and is now one of the most important improvements upon the Great Lakes; a short section of a canal, which has never been of any use, except to furnish water power to private parties; and some uncompleted railroads, which the people were glad enough to have sold to private corporations. Justice Cooley states the situation in detail. (Cooley, Hist. Mich., 289; Attorney General *v.* Pingree, 120 Mich., 550, pp. 556, 557.)

In addition to some smaller debts, it was determined to borrow five millions of dollars, to expend in various public works. It was expected that by the aid of this sum, and such other donations as might be received from the United States, three trunk railroads could be built across the State, two canals made, several rivers improved so as to be navigable, some small railroads finished, and a ship canal opened around the falls of the St. Marys River. (Outlines of the Political History of Michigan, by J. V. Campbell, p. 495.)

I turn the challenge of the gentleman from Michigan [Mr. MAPES] over to Judge Moore, who rendered the opinion above cited, and Mr. Justice Cooley, a most distinguished and honored American jurist, and perhaps Michigan's greatest and most-approved citizen, also a great historian, and to the historian J. V. Campbell, both of whom have the indorsement of Judge Moore in his opinion.

With this I leave the question whether or not my memory was at fault. I had no intention to say aught against that great State, or speak a word that could justly offend one of her citizens.

It was just about this time, owing to the experience of Michigan and other States, that conservation, or internal improvement—not obstruction—by States played out. Afterwards the Nation took up the work. The locks on the Great Lakes have multiplied and will continue to multiply until American energy decays, and American enterprise becomes effete—"which it ne'er will." May the work of the Nation never cease. Result—a splendid development of our common country everywhere.

Navigation on the Tennessee River proper, in the river through Muscle Shoals, not around it, as is the present utterly insufficient and inadequate canal, is what the engineers after years of earnest study and deliberation have recommended. It is further considered that such a canal can be and should be built as will develop 500,000 and more horsepower. If this be true and feasible and a dam is projected of 100 feet in height, surely the foundations should be carefully surveyed and examined. For such a result would be worth ten times the value of the great canal around the Falls of the St. Marys River. Water power has been developed on the St. Marys River under grant to private parties, as I understand it.

In the report, Document No. 20, pages 1 and 2, the Chief of Engineers recommends a project combining navigation and water-power development in the following words:

Bids were invited by the special board for cooperation by water-power interests in the proposed development. Two bids were received, that of the Muscle Shoals Hydro-Electric Power Co. being deemed the more advantageous to the United States. The cost of providing 6-foot navigation, under a plan contemplating a water-power development satisfactory to this company, is estimated by the special board at $18,701,000. Of this approximately $8,575,000 may properly represent the value of the proposed improvement to navigation, the remainder being chargeable to power development, and to be reimbursed to the United States with interest under a definite schedule of payments, the first to be a cash payment of $3,000,000 upon the completion of the structures at site No. 2, to be followed by 99 annual cash payments in amounts which, with the first payment, will return the entire part of the cost chargeable to power development with compound interest at 3 per cent. In addition, the company proposes to pay each year an amount equivalent to 35 cents per horsepower of installed capacity, beginning as soon as this exceeds 200,000 horsepower, and in any case not later than 20 years after first power is developed. The lease period proposed is 100 years.

The expense of between eight and nine millions ought not to create a panic for what the opponents declare will be of incalculable value as a franchise, because every dollar expended for water power will be refunded to the Government, and more, under Document No. 20.

The time of 50 or 100 years should not offend or paralyze the investigator, because after 100 years the entire property rights become vested in the United States; and 100 years is but a day in the life of a nation, especially one provided, as is ours, with immortality.

Now, about the affiliations and individuals comprising the Hydroelectric Co. I know, as I have said, absolutely nothing. Document No. 20 gives all the information I have or care to have until a survey determines whether the foundations are sufficient for a 100-foot-high dam.

Anybody with the information provided in Document No. 20 can run down and obtain the character and standing of this corporation.

I know but one man connected with this corporation and proposed development, Mr. J. W. Worthington. I have known him personally since 1908 or 1909; by reputation several years longer.

Mr. Worthington is president of a bank and manager of several industrial establishments in good standing.

He is a man of brains and energy, courage, and intelligence. He is a worker and does things, and tries to do more. He is a plain, blunt man, brusque perhaps; bravely, truly loyal, always loyal—a man of whom his State may well be proud.

So far as my memory will respond, I do not know the names of any of his associates beyond what is mentioned in Document No. 20.

A complete conservation project is before you, and the first combining "navigation and water-power development," as stated in Document No. 20, on page 2:

After due consideration of the above-mentioned reports, I concur with the views of the special board and the Board of Engineers for Rivers and Harbors. Attention is particularly invited to the general comments made by the latter board in the final paragraph of its report relative to the economic questions involved in the financing of joint navigation and water-power developments, of which the one herein proposed is the first to be recommended on a very large scale.

DAN C. KINGMAN,
Chief of Engineers, United States Army.

Hon. S. M. SPARKMAN,
Chairman Committee on Rivers and Harbors,
House of Representatives.

Mr. LENROOT. Mr. Chairman, I yield five minutes to the gentleman from Minnesota [Mr. ANDERSON].

Mr. ANDERSON. Mr. Chairman, the total stretch of river to be improved by the project to which this item is preliminary is 82 miles, and the total amount to be expended on the improvement for navigation and water-power purposes together is something over $18,000,000, of which amount $8,000,000 is said by the Board of Engineers to be properly chargeable to the interests of navigation. It is not claimed by the board or claimed by anyone, so far as I have heard, during this debate, or, so far as I am able to ascertain by reading the reports, that the commerce to be accommodated by this improvement warrants the expenditure of any such amount.

The report of the Board of Engineers says that the existing commerce of the section as well as the increase which might reasonably be expected to be created as a result of power development is insufficient to justify so great an expenditure for improvement for navigation alone, but that in determining the worthiness of the project there are other criteria that should be considered. What are those criteria? The report goes on to state that it is known that the section of the United States lying within a moderate distance of the Muscle Shoals is in a state of retarded development and that it is rich in mineral resources, which, when fully exploited, will add greatly to the general prosperity.

In other words, the project to which this item is preliminary is intended primarily not for the interests of navigation, but for the development of certain local territory surrounding the project. The proposition does not differ in any particular from the proposition of subsidizing the Pacific railroads. It is a development proposition pure and simple. All that is proposed by the project is that the Government shall provide the funds for the development of a water-power project which in its turn will develop, for the benefit of the local citizens, the resources of the section. The project might be justified if it could be shown to be one of general concern to the United States, but no such claim is made or can be sustained. The benefits to be derived from it are purely local, and, as I have shown, they are

not primarily the interests of navigation. The people who live in that locality, if the project is undertaken at all, should be required to contribute to it. It is claimed here that this proposition of $150,000 at the present time does not commit the Government to the project. That is true. But if the Government does not intend to undertake this project, then it must be obvious to anyone that the spending of this $150,000 is a mere waste of money. If the Government does intend to undertake this project, then it is equally obvious, from the report of the engineers, that the expenditure will only inure to the benefit of the water-power company.

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. LENROOT. Mr. Chairman, if the controversy upon the evidence that has been presented this afternoon were a matter in court and a jury case, I would ask the court for a direction of a verdict in my behalf, and it would be granted without any question. What were the issues that I presented in my opening? First, that this was an $18,000,000 water-power project, to be paid out of the General Treasury. That is not denied. Second, that it is to go to a water-power monopoly. That is not denied. Third, it is to go to a company that refused to divulge publicly the names of its backers. That is not denied. That it involved a 100-year lease of this water power to this company, and that is not denied. The only other proposition that was urged was that this is not a survey at all, but is a preliminary step, a part of this water-power project itself, and that has not been denied in such terms or in such a way as to afford any foundation for the opposition. The gentleman from Alabama [Mr. TAYLOR] says that I presented nothing but what was contained in Document No. 20. I admit that. That is an official document. He says that the Board of Army Engineers stands at the very top. For the purpose of this argument I admit that, and therefore he must admit that when the Board of Army Engineers say that no further surveys are necessary, then the purpose of this $150,000 appropriation is not for further information of Congress, but only to hasten the work when the project is adopted. The only defense of the gentleman, the eminent chairman of the committee, is that Congress would require this information when it shall finally adopt the project.

Mr. SPARKMAN. When it finally is called upon to act upon it; I do not know whether it will act upon it or not.

Mr. LENROOT. Well, when called upon to act upon the project. The gentleman has stood here day after day when assaults have been made upon various items of this bill and has relied upon the reports of the Army engineers with reference to various projects, and the Army engineers have reported with reference to this project that no further surveys are necessary in order to enable Congress to act intelligently upon the subject. That the gentleman will not deny. I have also read——

Mr. SPARKMAN. We are not asking, however, the information of the engineers on that point, because we are asking this information, at least so far as I am concerned, for the benefit of Congress.

Mr. LENROOT. Let us see about that. I read with care, sir, the hearings before the gentleman's committee. They were lengthy. There was not a single intimation, there was not a single syllable, in those hearings that any further information was necessary or needed to enable Congress to act upon this project, and I undertake to say that the gentleman must have had in mind in putting in this $150,000 appropriation the purpose for which the Board of Army Engineers asked the appropriation, which is not for the information of Congress, but to hasten the work when Congress adopts the project.

Mr. SPARKMAN. The gentleman is mistaken about that, I will say to him, so far as I am concerned.

Mr. LENROOT. I have read and formed my conclusions from the report of the Army engineers, from the proceedings had before the gentleman's own committee, and, I repeat, there is not a syllable before the gentleman's committee that any further information is needed in the way of survey or otherwise before Congress shall act or be called upon to act upon it. Now, Mr. Chairman, my colleague from Wisconsin asked me the question, How it came that this Muscle Shoals Hydro-Electric Co. refused to divulge the names of its financial backers? The circular issued by the Board of Army Engineers had this provision:

> Bidders should inclose with their bids sufficient evidence to show what financial backing they have, in order to enable the board to give proper weight to their proposal.

And this was their reply. I read it in my opening and I want to read it again:

> The board has asked that each bidder shall inclose with his proposal sufficient evidence to show what financial backing he may have, in order to enable the board to give proper weight to his proposal. The financial interests which are the support of the Muscle Shoals Hydro-Electric Power Co. and the owners of its securities are engaged on a large scale in the development and operation of water powers in South America, Mexico, the United States, and Canada, and are large investors in industries requiring large amounts of hydroelectric energy. Their developments of this nature going forward at the present time involve an investment of about $15,000,000. Representatives of the company will be pleased to state verbally to your board, on presentation of this proposal, such additional definite information as can not properly be conveyed in a document of more or less a public nature.

Why could not they have given the names of their financial backers, unless it was because they were members of a great monopoly and the divulging of their names would prevent this Congress, now or at any future time, from making a 100-year contract with them?

Mr. COOPER. If the gentleman will permit, I notice that they said they would give such information as could properly be given. Will the gentleman state what there could have been in the names of the backers which could not properly be given in a public document?

Mr. LENROOT. From their standpoint the only possible reason would be that it would disclose that the names of those gentlemen were the names of men who are trying to monopolize not only the water-power interest in this section of the country but all the water-power interests in the United States. And, gentlemen, to get back to the original proposition, it has been conclusively shown that it is not a proposition for a survey for further information of Congress, but is an appropriation of $150,000 that will be absolutely wasted unless Congress shall enter upon this $18,000,000 improvement; and if it does not, the sole beneficiary of it will be such water power company as may hereafter secure the franchise to build a dam at this point. Now, I am sure that if the question were squarely presented as an independent proposition the Members of this House would not vote to take the first step in granting to a great monopoly one of the greatest water powers that exists in this country, a company that has refused to divulge the names of its financial backers. But, Mr. Chairman, I want to say this in closing: I predict that if this item remains in the bill it will open up a discussion in another place that when the 4th day of March comes this river and harbor bill will still be pending and not become a law. Mr. Chairman, I have such confidence in the members of this committee and the Members of this House to say that, notwithstanding this is an item placed in a river and harbor bill, this House this afternoon is not going to say by a vote, by retaining it, that it is in favor of an $18,000,000 expenditure out of the Treasury and a 100-year lease to a water-power monopoly that refuses to give to the public the names of its financial backers. [Applause.]

I insert the report and recommendation of the Board of Engineers upon this proposition:

WAR DEPARTMENT,
BOARD OF ENGINEERS FOR RIVERS AND HARBORS,
Washington, D. C., May 5, 1914.

From: The senior member, the Board of Engineers for Rivers and Harbors.
To: The Chief of Engineers, United States Army, Washington, D. C.
Subject: Report on Muscle Shoals of the Tennessee River.

1. The following report is submitted in response to a committee resolution of the House of Representatives dated June 14, 1910, as supplemented by resolution dated February 24, 1912, as follows:

"Resolved, by the Committee on Rivers and Harbors of the House of Representatives, United States, That the Board of Engineers for Rivers and Harbors created under section 3 of the river and harbor act approved June 13, 1902, be, and it hereby is, requested to review its report of January 11, 1909, on the survey of the Muscle Shoals in the Tennessee River as submitted in Rivers and Harbors Committee Document No. 14, Sixtieth Congress, second session, and to submit as soon as practicable a revised report and estimate of the cost of the construction of the necessary locks and dams for the improvement of said river and the development of water power in connection therewith as proposed by the Muscle Shoals Hydro-Electric Power Co., together with a detailed plan of cooperation between said company and the United States, such report and plan to state the equitable amount that the Government of the United States ought to contribute to such work.

"Resolved, by the Committee on Rivers and Harbors of the House of Representatives, United States, That in lieu of the request made by committee resolution dated June 14, 1910, the Board of Engineers for Rivers and Harbors, created under section 3 of the river and harbor act approved June 13, 1902, be, and is hereby, requested to review all previous reports on the survey on that reach of the Tennessee River in the State of Alabama from Browns Island to the railroad bridge below the city of Florence, Ala., and to submit as soon as practicable a revised report and estimate of the cost of the necessary locks and dams for the improvement of said river for navigation and the development of water power in connection therewith, considering not only the case of no cooperation on the part of the United States with any corporation or water-power company whatsoever, but also the cases of cooperation with any and all such companies; and to inquire into and report the probable amount and value of water power that can be developed in this reach of the Tennessee River under conditions of both minimum and maximum flow; and to take such steps as may be advisable, by advertising for bids or otherwise, to ascertain as definitely as practicable the fair value of the water power which can be developed, submitting estimates separately for each dam and reporting also upon the probable cost of supplying foundations and other under-water facilities at each one of the locks and dams in connection therewith whereby power can be later generated and developed; all these investigations and reports to be made with a view to providing for an

immediate slack-water navigation of 6 feet, capable of later deepening to 9 feet.

"The purpose of the foregoing resolution is—

"1. To allow, if desired, of an absolute elimination of any or all cooperation with any corporation in the work of improving the Muscle Shoals reach of the Tennessee River.

"2. If any private proposition for this improvement is considered by the board, to report upon all which may be offered or secured, giving the estimate of the construction cost of each, having in view the preservation of all the water power that can be developed in this reach of the Tennessee River.

"3. In estimating the water power which can be developed at the dams of such slack-water navigation, to take into consideration the annual flow of the river with its variation for the past 25 or 30 years if data can be had, so as to be able to report the minimum flow as well as the probable maximum flow of the river, and the probable amount of primary and secondary or other fluctuating power which can be developed."

2. To secure and compile the necessary data for the full consideration of this subject, a special board was appointed by the Chief of Engineers, and it conducted surveys, held hearings, corresponded and consulted with power interests, and advertised for and received bids for franchises for water-power development at Muscle Shoals. The special board's report, with its appendixes, is full and comprehensive and attention is invited thereto for details.

3. In considering an improvement which will provide for a navigable depth of 6 feet throughout this reach, capable of development later to 9 feet, study has been made of a number of different plans, including lateral power canals and power dams varying in height from 20 to 100 feet. The plan first adopted by the board as best suited for the combined uses of navigation and water power provides for four dams, with locks, and foundations at three of them for power plants.

4. The lower dam is intended only to provide navigation facilities between the Florence Bridge and the downstream power dam. For reasons stated, it is not deemed advisable to have the lower dam across the river, and it is proposed to construct a low lift lock at or near the Florence Bridge in the chute back of Pattons Island, connected to the island by a concrete overfall dam. The island end of the dam is to be connected with the river wall of Lock No. 2 by a concrete wall. This lock and dam will be out of service at and above a 16-foot stage, at which time navigation can pass over the dam. Dams Nos. 2, 3, and 4 are to be power dams, the lifts being, respectively, 58.5 feet, 35 feet, and 40 feet. Each of the four dams is to be of concrete, with gravity section. The chamber dimensions of the locks are 60 by 288 feet, corresponding with the completed Hales Bar Lock. Lock No. 2 is to have a double life, or a flight of two chambers, the other locks having single lifts.

5. The estimates of cost, including flowage damages, are:

Lock and Dam No. 1	$850,000
Lock and Dam No. 2	5,628,000
Lock and Dam No. 3	4,700,000
Lock and Dam No. 4	5,657,000
Total	16,835,000

To increase the 6-foot navigation to 9 feet would require an additional cost of $410,000.

6. With reference to the proportion of cost chargeable to navigation, the special board estimates that of the above total approximately $8,575,000 may properly represent the value of the proposed improvement to navigation interests. The remainder, $8,260,000, would represent the amount chargeable to power development.

7. The special board estimates the primary switchboard power for the three dams at 113,000 horsepower. With the proposed power plant there would also be secondary power amounting to 90,000 horsepower available 8.5 months each year on the average.

8. Based upon these plans of the special board, bids were requested by advertisement under date of March 24, 1913, to be opened June 24, 1913. Upon representation that the time given in the advertisement was too short, bids were again requested by advertisement under date of August 28, 1913, to be opened December 11, 1913. Two bids were received under the first advertisement and only one under the second, this being from the Muscle Shoals Hydro-Electric Power Co., one of the original bidders. For reasons given by the special board, favorable consideration is given only to the last bid of this company.

9. The plans of the company provide for a modification of the plans of the special board by increasing the height of Dam No. 2, with an additional lock chamber, and omitting No. 3 entirely, but otherwise the projects are practically the same. Under the company's plan Dam No. 2 will have a crest elevation of 500, the maximum head at the power house being 99.5, while the combined lift of the flight of three locks will be 93.5 feet.

10. The company estimates its plan will cost, including $1,000,000 for a contingent fund, $17,349,100. This estimate does not, however, include the work below Dam No. 2. Revised figures by the company give the cost of its project as follows:

Lock and Dam No. 1	$752,600
Lock and Dam No. 2	9,931,800
Lock and Dam No. 4	6,587,100
Contingencies	1,124,000
Total	18,395,500

The special board's estimate of the power company's plan is $18,701,000.

11. The plans of the company will provide for practically the same navigation facilities as those of the special board, and they are considered better from the standpoint of power development. The additional estimate of the power company for the complete development of its plan, including power houses, transmission lines, etc., is $35,205,000, the estimate for the initial installation of 210,000 horsepower being $25,428,000.

12. The Muscle Shoals Hydro-Electric Power Co. has interests in other power developments on the Tallapoosa, the Coosa, and the Little River. Connecting these developments with the proposed Muscle Shoals development will make up deficiency in power at the latter place during the seasons of low water. This fact alone enables the power company to plan for an ultimate installation at Muscle Shoals of 680,000 horsepower, measured at the switchboards. The special board states that such a combination of power plants, if suitably regulated by State or Nation, will be of far greater public benefit than a number of independent power plants, with incomplete development at each plant.

13. The company proposes to make a cash payment of $3,000,000 upon the completion of the structures at site No. 2 and to make 99 annual cash payments thereafter, in amounts which the special board believes will, with the first payment mentioned, return the entire part of the cost chargeable to power development with compound interest at 3 per cent. In addition the company proposes to pay each year an amount equivalent to 35 cents per horsepower of installed capacity, beginning as soon as this exceeds 200,000 horsepower, and in any case not later than 20 years after first power is developed.

14. The invitations to bid requested that proposals be made based on lease periods of 20, 50, and 100 years. No bids were received for any but the 100-year period. The reasons for this are given by the power company and recited by the special board. The special board's study of the question of the proper length of time for power lease at Muscle Shoals leads it to the conclusion that a 20-year lease is wholly out of the question, that a 50-year lease would prevent the development unless coupled with a provision of renewal of the lease for another 50-year period, and that in this case the lease period should properly be placed at 100 years. The special board then gives its views as to the proper procedure at the end of the leased period.

15. After its exhaustive study and full discussion of this subject, the special board concludes with the recommendation that the United States undertake this improvement in connection with the Muscle Shoals Hydro-Electric Co., under certain conditions specified.

16. One member of the special board submitted a minority report, advocating the view that by reason of special benefits enjoyed by local interests, they should be required to furnish to the United States free of cost all necessary lands and flowage rights, estimated to cost about $1,750,000. The majority of the special board, while in general sympathy with the adoption of such a policy on river and harbor work, considered it inadvisable to make the innovation in this case, as it would doubtless lead to considerable delay and would be apt to defeat the present opportunity to make this improvement on favorable terms.

17. All former investigations of combined navigation improvement and water-power development at Muscle Shoals have ended with the conclusion that under the conditions then existing such a project was financially impracticable because the total cost was considerably greater than the sum of the amounts that the United States and the power interests were justified in expending for navigation and power purposes, respectively. A plan is now presented, however, that provides not only for returning to the United States with compound interest at 3 per cent all expenditures in excess of the amount estimated by the special board as properly chargeable to the interests of navigation, but also for the payment of an annual rental for power developed that will at least partly compensate the United States for its expenditures in behalf of navigation.

18. The Board of Engineers for Rivers and Harbors has carefully considered this plan and is in general accord with the views and recommendations of the special board. The project contemplates primarily the conservation of one of the great natural resources of the Nation by the development of power in large amount and incidentally the improvement for navigation throughout the year of a reach of about 82 miles of the Tennessee River. An expenditure by the United States of $18,701,000 within a period of 5 years is contemplated. Of this total, $8,575,000 is estimated as the cost of the portion of the work which properly may be considered as an improvement of navigation.

19. The existing commerce of the section, as well as the increase which might reasonably be expected, apart from what may be created as a result of the power development, is insufficient to justify so great an expenditure for improvements for navigation alone. But in determining the worthiness of the project there are other criteria that should be considered. It is known that the section of the United States lying within a moderate distance of the Muscle Shoals reach of the Tennessee is in a state of retarded development. It is endowed with mineral, forest, and agricultural resources, which when fully exploited, will add greatly to the general prosperity. It is the belief and expectation of those interested in this project that the development and utilization of the power now wasting in the Tennessee River will cause the establishment of manufacturing industries which will utilize the raw materials found in the immediate vicinity. For example, with electric power provided at low cost, metallurgical processes can be employed in the reduction of ore deposits of the region otherwise unavailable for use. Further, that the fertilizers needed for the profitable production of cotton and now brought from great distances can be made at low cost in the close neighborhood of the fields in which it is to be used.

20. To secure the installation of such industries more is required than the mere production of power. There must be an assurance that the power supply will be ample, continuous through and for an indefinite period of years, and that the rates charged shall be low. Due to the varying volume of flow of any stream, the assurance of an ample and continuous supply may require that the power shall be developed from several different watersheds and all combined into a single system for distribution, each reenforcing the others. To assure continuous availability of power long-term contracts with the various manufacturers will be necessary.

21. All this implies large investments of money. To secure such investments the entire project must be made attractive. Long-term concessions of power rights are required, on easy terms, together with such contract provisions as will give investors the assurance of a suitable annual income and of the ultimate return to them of their capital.

22. On the other hand, the streams are the property of the entire people. The benefits to be derived from their use must be returned to the people. Therefore due care must be taken to protect the public interests. Concessions of rights to use the streams should be made after open competition and to those who offer the most advantageous terms. Grants of rights should be for short terms or for longer terms, with a so-called recapture clause, in case the public interests should so require. The rates charged for the power should be regulated by a proper public commission. This regulation of rates is deemed essential for the protection of the public, as well as for the protection of investors. In enterprises of this character it is impossible to predict future values or to fix in the original grant terms of payment and rates to be charged for power which shall in the future meet the essential conditions of a fair profit to investors, and no more.

23. Applying the above conditions to the project presented, the Board of Engineers for Rivers and Harbors believes that while the exceptional difficulty of financing so great an enterprise would justify a long-term contract, the term of 100 years recommended by the special board is so long that changes in conditions might make the terms of the proposed contract disadvantageous to the public interests before its expiration.

or those interests might require a change of grantee. Therefore this board believes that there should be a condition imposed upon the 100-year term that the United States may at any time after the period of 50 years terminate the lease and take possession of all the property used for the generation and distribution of power upon payment to the power company of its value as a going concern. As it is essential that the users of the power should be assured of its permanent availability, provision should be made for the United States taking over all fair contracts for power in force at the time the lease is terminated, and this requires that all contracts extending beyond the first period of 50 years, as well as all those made thereafter, before being executed should be submitted to the United States for approval in order to make them valid after a possible termination of the lease.

24. The board therefore reports that, in its opinion, it is advisable for the United States to adopt the project recommended by the special board for combined navigation improvement and power development on the Tennessee River at Muscle Shoals, Ala., in cooperation with the Muscle Shoals Hydro-Electric Power Co., at a total estimated cost of $18,701,000, under the conditions specified by the special board and with the additional provisions suggested above for possible recall of the franchise after the lapse of 50 years. The first appropriation should provide at least $1,000,000 in cash and contract authorization for the balance, with a view to completion of the work in 5 years.

25. The Board of Engineers for Rivers and Harbors concurs with the special board in the recommendation that in case Congress does not adopt the project at once, it is at least advisable to make an appropriation of $150,000 to provide for completion of the detailed surveys, foundation borings, and preparation of plans in collaboration with the engineers of the Muscle Shoals Hydro-Electric Power Co., so that there need be no unnecessary delay in active prosecution of the work whenever it is authorized.

26. As this is the first project recommended for cooperation of the United States with power interests in river work on a very large scale, the board invites attention to the unusual demands such work will make upon public funds. The development and utilization of the power of the streams of the United States will require an investment of great sums of money, and to insure the required continuity of action through successive lease periods other large sums must be available from time to time. There is little doubt that such investments are justifiable and wise, and that the utilization of this power of the streams now being wasted will increase prosperity in a measure hard to be determined. If the United States is to have full control and is to guarantee continuity of operation, it is apparent that at times it will be called upon, for longer or shorter periods, not possible of being foredetermined, to make expenditures comparable with the original sums invested by corporations, and that these expenditures will be returned only after considerable delays, perhaps of years. Whether the annual income of the United States is great enough to supply such large sums, and whether justice to the present generation would warrant such a use of income, are economic questions requiring legislative determination.

For the board:

W. M. BLACK,
Colonel, Corps of Engineers.

The CHAIRMAN. The gentleman from Alabama [Mr. TAYLOR] is recognized for five minutes.

Mr. TAYLOR of Alabama. Mr. Chairman, there is no such proposition as this before you. The proposition before you is simply to make a survey, to spend $150,000——

Mr. BUTLER. Let me ask the gentleman, Who are the real backers of this concern? Tell some of us innocent people who they are. Are they good people?

Mr. TAYLOR of Alabama. I have not the slightest idea but the people, as far as I know, are good people.

Mr. BUTLER. I mean the people to whom the gentleman from Wisconsin [Mr. LENROOT] referred?

Mr. TAYLOR of Alabama. I have not the slightest idea. That is utterly no concern of mine.

Mr. BUTLER. Does anybody know who they are?

Mr. MONTAGUE. Will the gentleman from Alabama permit an interruption?

Mr. TAYLOR of Alabama. I do not want to, but I will have to do so.

Mr. MONTAGUE. This concern is a corporation, is it not?

Mr. TAYLOR of Alabama. Yes, sir.

Mr. MONTAGUE. Does not its charter show who are its board of directors and its president?

Mr. TAYLOR of Alabama. I presume it does.

Mr. MONTAGUE. They are public documents from which any information can be obtained?

Mr. TAYLOR of Alabama. They are public documents from which any information can be obtained at any time.

What I desire to say is that the situation is not understood, I think, even by my friend from Wisconsin [Mr. LENROOT]. The real situation, so far as I am concerned, is navigation. The last order to the engineers was to so make their investigation that they could eliminate any water-power company or any private interest and report on navigation.

Mr. LENROOT. I was relying upon the report of the Army engineers.

Mr. TAYLOR of Alabama. You had a right to do that, but not as to this proposition. At least I think not. I do not know what you were relying on, to be candid about it. I want to state the facts as to this.

There is an obstruction in the Tennessee River, at Muscle Shoals. It is an obstruction of navigation in the first instance. The first intimation I ever had in reference to this obstruction was a canal built there 30 or 40 years ago, and that canal is utterly inadequate. It can not do any business for this river, which is 1,300 miles long, and those obstructions must be removed. When that canal was built the question of water power was not known in the United States, and it is only of late years that such a proposition has come to the attention of the people of the United States. So the question now is a question of navigation. The engineers say they think $8,000,000—so this report tells you—is as much as navigation ought to bear if any cooperation is to be had with anything else other than navigation. The same engineers tell you it will take $9,000,000 to make that whole canal serviceable as a connecting link between the upper and lower rivers. I do not want to spend $9,000,000 for a canal that goes outside of the main body of the Tennessee River, because if that is done, and you make that canal a $9,000,000 canal, capable of doing that particular work, you end the Tennessee River as a possibility hereafter of developing the water power that is there. I would like to see the navigation confined to the river, and let that canal go to pieces if it is worthless, and it certainly is now. Everybody familiar with it knows that it does not do the work, and that it costs, I believe, $56 a ton—and I am trying to quote from the Senator from Ohio on the subject—to carry the tonnage on the canal, known as the Muscle Shoals Canal, that surrounds this Muscle Shoals obstruction. My purpose is—and my sole purpose when I first undertook, under the direction of this committee, to consider the water-power proposition in 1908 was—to turn it down. I did not ask you to turn it down. I did not give Mr. FREAR, or any other gentleman who is inclined to get information to study the question and waste his time about it, any information. It was there for me, and I turned it down myself because I did not approve of it. They were then asking $32,000,000, and it was a proposition initiated by a water company, and I did not want to do the work of the United States in that way. The proposition was not to give the General Government control of it. I believe in the General Government having control of the operation of all the waters on all the navigable rivers in this country.

In 1911 your distinguished leader of the minority on this floor [Mr. MANN] taught me in two or three hours more than I had known before on the subject in his opposition to a bill brought in here from the Senate to give a company called the Alabama Power Co. rights in the Black Warrior River, and it was from his remarks and his amendments offered to that bill that this new instruction was given to the engineers so as to call for that information that has come to us now.

The CHAIRMAN. The time of the gentleman from Alabama has expired.

Mr. TAYLOR of Alabama. Mr. Chairman, I ask unanimous consent for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. TAYLOR of Alabama. What happened then? The engineers in adopting that project changed Lock No. 17 from a lift of 21 feet to 63 feet upon a preliminary survey that gave foundations sufficient for a lock with a 21-foot lift. They went to work on the preliminary survey they made before and had not been at work more than six months before the foundations were found at fault, and Congress had to pay $250,000 for a mistake made in the matter of foundations when the inquiry was for foundations for the 21-foot lift. And it was changed to a 63-foot lift. Now, what do the engineers say to you here? Read it frankly. I do not know anything about it except from that report and the previous reports of the engineers. They have proposed now two locks instead of having four locks, as it was at first thought; instead of a 63-foot lift, 100-foot lift. They tell you they have made borings, not on the particular page from which the gentleman there read, but on page 18, section 18, and they tell you that they have made these examinations; and, while they believe that that would be sufficient, if they are going to go into the river they would rather know what those foundations were. And when they are going to raise it to 100 feet, why, it is necessary they should know.

Congress two years ago appropriated $200,000 for an examination of the proposition to extend the work of the Mississippi Commission up above Cape Girardeau—I think that is the name of the southern point. There is in the bill $200,000 for the examination in regard to that matter before they would go into it. This is not necessarily an $18,000,000 proposition. If the result of that investigation shows they can make navigation in the Tennessee River at Muscle Shoals for $8,100,000, or $9,000,000, I would rather have that than to have the old canal at $9,000,000. And that question is before you, I will say to my friend from Wisconsin, as well as the other.

Mr. LENROOT. The gentleman is aware that the board itself states that except for this high dam those borings would not be necessary, and borings are only at this particular point?

Mr. TAYLOR of Alabama. No; I am not aware of that.

Mr. LENROOT. Read the report.

Mr. TAYLOR of Alabama. I did, but I did not understand it as you read it. That is perhaps my fault. I am sure the gentleman did not misread. His emphasis might have been different, according to the way he felt. You know we sometimes do it that way. When I read this paper it does not say that to me. They say that while the indications are that the foundations are satisfactory, they will have no difficulty in obtaining cut-off flow in the dam, but it must be remembered that the work can not begin on these completed structures until an investigation is made of the conditions of the bedrock. It does not make any difference whether they go into the river proper for navigation purposes or into the other, or both. I am anxious to leave it on that proposition of the Muscle Shoals proper, where the proposition is on the part of the engineers to take $9,000,000 to make that canal a success, where it is now a failure in these days of better facilities.

I have no connection in the world with a water-power company, not the slightest. When my attention was first called to this matter——

The CHAIRMAN. The time of the gentleman from Alabama has expired. All time has expired.

Mr. UNDERWOOD. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. LENROOT. Mr. Chairman, I make the same request.

Mr. FOSTER. And I, Mr. Chairman, make the same request.

Mr. AUSTIN. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

Mr. TAYLOR of Alabama. I ask permission, Mr. Chairman, to revise and extend my remarks and insert some authorities that I used.

The CHAIRMAN. Is there objection to any of these requests?

There was no objection.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Wisconsin [Mr. LENROOT], striking out the paragraph.

The question was taken, and the Chairman announced that the ayes seemed to have it.

Mr. SPARKMAN. A division, Mr. Chairman.

The CHAIRMAN. The gentleman from Florida [Mr. SPARKMAN] demands a division.

The committee divided; and there were—ayes 86, noes 62.

Mr. SPARKMAN. I ask for tellers, Mr. Chairman.

Tellers were ordered, and the Chairman appointed Mr. SPARKMAN and Mr. LENROOT to act as tellers.

The CHAIRMAN. The question is on agreeing to the amendment of the gentleman from Wisconsin [Mr. LENROOT] to strike out the paragraph.

The committee again divided; and the tellers reported—ayes 77, noes 62.

So the amendment was agreed to.

The CHAIRMAN. The motion to strike out is sustained, and the paragraph is stricken out. The Clerk will read.

The Clerk read as follows:

Big Sandy River, W. Va. and Ky.: For completing guide wall below Lock No. 1, $25,000.

Mr. FREAR. Mr. Chairman, I move to amend by striking out the paragraph, lines 9 and 10.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amend, page 26, by striking out lines 9 and 10.

Mr. FREAR. Mr. Chairman, I desire to say that this is the last of a number of small items that I care to bring to the attention of the committee. I desire to present the facts shown by the engineers' reports. On this project of 57 miles, Big Sandy River, there has been expended by the Government $1,626,125. The main river is navigable from the mouth to Louisa, 57 miles in length.

The commerce is what I would like to call attention to. In 1913 the commerce amounted to 172,403 tons. Of that amount timber, poles, and ties amounted to 172,126 tons, leaving a net amount, after deducting the timber, poles, and ties, that float or go with a slight depth of water, 227 tons that averaged 38 miles. Interest and depreciation on this item would amount to $65,045, according to the average method of estimating. Maintenance on this item last year amounted to $31,998, or a total of $97,043 at Government expense last year for 227 tons of freight, after deducting the floatable timber, amounting approximately to $300 a ton of cost to the Government that furnishes the waterway.

In this connection, Mr. Chairman, I wish to refer to some figures that have been given by the senior Senator from Ohio [Mr. BURTON] to the press, in which he stated that on the Arkansas River, deducting timber, the cost to the Government has been $95 a ton for the year 1912. I find that in Red River the cost, deducting timber, was $68 a ton to the Government. On the Black Warrior River the average is about $73, as near as can be estimated, on an appropriation of nearly $10,000,000. On the Muscle Shoals, that we have just passed, the cost to the Government last year was approximately $25 a ton on $3,000,000, which was put through at this point. On the Big Sandy River, which we have just read, the cost to the Government per ton last year has been approximately $300, after deducting floatable timber. And I suggest that while it may be true, as was stated a few moments ago, at the beginning of the session to-day, that not an item in this bill can be subjected to any criticism, in view of the vote just had on the last amendment and in view of the facts presented on the Big Sandy River, it seems to me that criticism can be abundantly leveled at many of these items.

Mr. MURDOCK. Mr. Chairman, will the gentleman yield there?

The CHAIRMAN. Does the gentleman from Wisconsin yield to the gentleman from Kansas?

Mr. FREAR. Yes.

Mr. MURDOCK. I want to verify the gentleman's figures. Does he say that the report shows that on the Muscle Shoals proposition the cost has been $25 a ton, and that on this Big Sandy proposition it is $300 a ton?

Mr. FREAR. Yes; after deducting floatable timber.

Mr. HUMPHREYS of Mississippi. Mr. Chairman, will the gentleman yield?

Mr. FREAR. Yes.

Mr. HUMPHREYS of Mississippi. In ascertaining that, the gentleman takes all the appropriations that have been made for the river since the Government has appropriated for it—in the case of the Arkansas River, for instance, for more than 60 years—and charges that against the river, and then credits it with the commerce that floated in one year?

Mr. FREAR. That is because this is all the commerce that has floated during the year. The interest charges and cost of maintenance are considered for the year, and the traffic for the same year shows the result stated. It is the only practicable way to ascertain the cost to the Government and the one generally adopted for ascertaining the cost of maintaining such waterways.

Mr. HUMPHREYS of Mississippi. But you do not credit it with the commerce that floated upon it during all those 60 years.

Mr. FREAR. No; but it has never decreased down to 227 tons before. According to the report last year it was 400 tons and some odd after deducting the timber. There has been a net loss during the last year of about 50 per cent in the net commerce, deducting the timber. I have endeavored to fairly determine the cost to the Government of carrying on the traffic that floats on this stream.

Mr. HUGHES of West Virginia. Mr. Chairman, I just want to say that the gentleman from Wisconsin [Mr. FREAR] makes an objection to this small item without knowing that the whole amount of $1,600,000 that has been spent on this river is made ineffective for the lack of this $25,000 that we ask for in this bill; so that if the Big Sandy River can have the benefit of this small appropriation, the whole amount which has been expended before will be made available. They should have continued the improvement of the Big Sandy the same as they should have continued the improvement of many other rivers which this Congress has not continued. I want to say that this river goes into the greatest coal field in the world. If this improvement had been continued as it should have been, but has not been on account of such obstructionists as the gentleman from Wisconsin [Mr. FREAR], coal could now be put into Cincinnati for 25 cents a ton, whereas it costs $1.10 a ton by rail. This is one of the most meritorious improvements that there is in the bill in proportion to the amount of expense that it carries. But the gentleman from Wisconsin does not look at these projects as meritorious propositions at all. He simply objects in a general way, and thinks that his objections ought to be looked upon as a great thing on account of the number of them. If the gentleman knew of any propositions in this bill that were not meritorious, and made his speeches against them, they might have some weight with this House and with the country; but the objections that he makes will have no weight with this House and are having less weight with the country, because the people know why he is making these objections.

Mr. FIELDS. Mr. Chairman——

Mr. SPARKMAN. How much time does the gentleman from Kentucky desire?

Mr. FIELDS. Five minutes.

Mr. SPARKMAN. I ask unanimous consent that all debate on this paragraph and amendments thereto end in five minutes.

The CHAIRMAN (Mr. BYRNS of Tennessee). The gentleman from Florida asks unanimous consent that all debate on this paragraph and amendments thereto conclude in five minutes. Is there objection?

There was no objection.

Mr. FIELDS. Mr. Chairman, there have been five dams constructed in the Big Sandy River. Dam No. 1, near the mouth of the river, is about 1,200 feet from the channel of the Ohio. The engineers who made the report favoring the construction of the first dam foresaw the danger of sand banking below the dam, which would obstruct navigation except in time of tidewater and recommended that a wall 1,200 feet in length be constructed from the dam to the channel of the Ohio River for the purpose of flushing out the sand and preventing an obstruction by a sand bar. Seven hundred feet of the wall were completed, but for lack of funds the work was stopped. This appropriation is for the purpose of completing the balance of the 1,200 feet as recommended by the engineers. So far as the 700 feet extends there is no sand in the way, but immediately below the end of the present wall a sand bar has formed since the construction of the dam that absolutely prevents navigation of the river except on tidewater. With this condition the money expended in the Big Sandy River is not only an absolute loss, but had better not be spent, because before the construction of the lock we could use the Big Sandy River in ordinary water, but as it is now packet boats can only enter the channel on tidewater, which renders the river practically useless.

This river empties into the Ohio in a jobbing center. The gentleman from West Virginia [Mr. HUGHES] has pointed out the advantages to be derived from navigation on the Big Sandy River by the coal fields of the upper Big Sandy, but I want to point out a few advantages to be derived from navigation by the jobbing cities of that section of the country at or near the mouth of the river.

Huntington, W. Va., the home of the gentleman from West Virginia [Mr. HUGHES] ships thousands of dollars' worth of merchandise up the Big Sandy River by boat when there is an opportunity to do so. The cities of Kenova, W. Va.; Catlettsburg, Ashland, and Greenup, Ky.; and Ironton and Portsmouth, Ohio, ship thousands of dollars' worth of merchandise up the Big Sandy by boat when the boats can get into the Big Sandy River; but they can not get into that river now except on tidewater on account of the sand bar that has formed below the dam. The completion of the wall provided for by this item will confine the current to the main channel of the river, giving it sufficient force to carry out the sand, thereby keeping the channel open, which will enable boats to run on the river practically all or a goodly portion of the year. I therefore hope that the amendment of the gentleman from Wisconsin to strike out the paragraph may not prevail.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin to strike out the paragraph.

The question was considered, and the amendment was rejected.

The Clerk read as follows:

Ohio River: Continuing improvement and for maintenance by open-channel work, $684,000.

Mr. FOWLER. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 26, at the end of line 18, add the following:
"*Provided*, That $50,000 of said sum, or so much thereof as may be necessary, may be used for the repair and maintenance of the harbor and levee at Shawneetown, Ill."

Mr. FOWLER. Mr. Chairman, I ask unanimous consent to proceed for 10 minutes.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent to proceed for 10 minutes.

Mr. SPARKMAN. I ask, Mr. Chairman, that all debate on this paragraph close in 12 minutes.

Mr. FREAR. Mr. Chairman, I would like to have five minutes, not on the amendment but on the paragraph.

Mr. SPARKMAN. Mr. Chairman, I will withdraw my request.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent that he be allowed to proceed for 10 minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. FOWLER. Mr. Chairman, it will be observed that this amendment does not add anything to the appropriation in this bill. I presume that many of you will remember that I have been making an effort for the purpose of securing relief to Shawneetown for the last two years. That it is a meritorious proposition goes without saying. Shawneetown lies on the Ohio River about 75 miles below the city of Evansville. It is the oldest town in the State of Illinois, having been laid out in 1807 and 1808. The Government laid out the town and sold the lots. It is a place where the land office of the United States was located; the place where the Government of the United States sold out all of the lands lying in and about that territory. It now forms one of the best harbors on the Ohio River from Evansville to Cairo.

The town has some superior qualities over any other harbor on the Ohio River, in that it gives a harbor during high water, which is not afforded by any other railroad town from Mount Vernon, Ind., to Paducah, Ky., a distance of something like 100 miles or more. That being the case, it affords an advantage to river men which can not be had in any other way or in any other place.

The Government of the United States began to construct a levee in front of the city of Shawneetown more than 50 years ago. It is an old project, as old as any other project on the Ohio River. The gentlemen who compose this good committee can not say or interpose that this appropriation ought not to be made because it is a new project, for it is not a new project; it is an old project, a continuing project, because the Government from time to time has expended $80,000, whereas the citizens of Shawneetown have spent nearly $300,000 to maintain and keep up the levee. I dare say that there is no other place on the Ohio River, or any other river in the United States, that has a more meritorious proposition than this. The good chairman of this committee gave me an assurance at the last session of Congress that a strong effort would be made for the purpose of including an appropriation to take care of this harbor at this session of Congress. Now he opposes it.

The only matter which has intervened between the committee and this appropriation, as I understand, is because there is a levee proposition connected with it. I want to say that the levee itself is the very essence of this harbor, and for a distance of 100 miles there is no place on the Ohio River during high water that a steamboat can land at a railroad station for the purpose of taking on commerce or giving to the country commerce that is brought from other places. That being true, it becomes one of the most essential points on the Ohio River. To my mind, it is one of the cases wherein there ought to be relief. Now I call your attention to the fact that if this harbor is not kept up, if this levee, which is the essence of the harbor in time of high water, is not maintained, then an important landing place will be destroyed. If the levee should break, the town is flooded and every family in Shawneetown is compelled to flee to other quarters for homes.

The floods of 1913 inundated the city, compelling the entire population to flee to the hills in midwinter and take shelter in tents. You gentlemen in your generosity, pregnant with the idea of relief to the suffering, came forward during that year and appropriated liberally for the purpose of taking care of those unfortunates. I say it is far better to take care of this harbor, to take care of this levee while we are in sober moments before the extreme happens and our sympathies are aroused to the highest pitch for relieving the suffering. I say it is far better for us to make a liberal appropriation for the purpose of maintaining this harbor and helping to keep up this levee while we may do it in time of peace than to wait until we meet the war of angry floods in its devastation and destruction of life and property, and then to be compelled to appropriate large sums for charity. Congress has done this more than once. Good business sense demands that this amendment should be adopted, thereby making it impossible for a repetition of these heartrending disasters.

Mr. LOBECK. It extends out on the farm lands?

Mr. FOWLER. Indeed, the Ohio River at that point when the floods are up is something like 5 miles wide, extending out over a territory in Illinois and the territory in Kentucky. It is an exceedingly fertile territory on both sides; one of the greatest corn belts not only in America, but one of the greatest in the world, and the levee that is to protect and keep up this harbor is about 5 miles long. I want to say to you, my friends, that if you will come with me and assist me in getting this $50,000 appropriation I will warrant that Shawneetown will put up $50,000 by the side of it, so that there may be all of the assurance that is necessary in order that this preparation in time of peace may be made ample and secure.

The CHAIRMAN. The time of the gentleman from Illinois has expired. The question is on the amendment offered by the gentleman from Illinois.

The question was taken; and on a division (demanded by Mr. FOWLER) there were—ayes 11, noes 45.

So the amendment was rejected.

The Clerk read as follows:

Ohio River: Continuing improvement by the construction of locks and dams with a view to securing a navigable depth of 9 feet, $2,500,000: *Provided*, That the Secretary of War may enter into a contract or contracts for such materials and work as may be necessary to prosecute the said project, to be paid for as appropriations may from time to time be made by law, not to exceed in the aggregate $2,500,000, exclusive of the amounts herein and heretofore appropriated.

Mr. FOWLER. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Page 27, at the end of line 2, insert:

"For improving the harbor at Maumee, Ill., on the Wabash River, $10,000."

Mr. MANN. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. MANN. This is offered as a new paragraph?

Mr. FOWLER. Yes.

Mr. MANN. The gentleman from Wisconsin [Mr. FREAR] desires to discuss the paragraph that was just read. I suppose there will be no objection to his doing that after this is disposed of?

Mr. SPARKMAN. I think there will be no trouble about that, after we dispose of this.

Mr. FOWLER. Mr. Chairman, Maunie is a thriving town on the banks of the Wabash River, a few miles above its mouth. It lies in one of the richest corn belts in southern Illinois. The banks in front of Maunie are sandy and easily washed and cut away. That the Wabash River is one of the greatest rivers of this country I suppose no one will deny. While its commerce is *not as great as it might* have been, it is because but little or no improvements have been made upon it within the last 15 or 20 years. At Mount Carmel, above Maunie, is a lock and dam, built about 25 years ago, which of itself is one of the best dams in that section of the country and is the only one on the Wabash River. If the Wabash were properly taken care of by locks and dams, it would far exceed the expectation of the gentlemen who are now in favor of the improvements of the Brazos and Trinity Rivers; but unfortunately there has been but little attention given to this river within the last few years. The harbor at Maunie ought to be preserved and taken care of. If you do not do that, I want to warn you now that you will neglect one of the best rivers in the world, and you are going to miss one of the greatest opportunities of your life, because if that harbor is not taken care of the river will cut out the banks gradually and not only destroy Maunie but will widen the bed of the river so that navigation will be destroyed. A stitch in time saves nine is an old proverb, and I recommend it in this instance, and I trust that this committee will profit by adopting its virtues, because the Wabash River is destined to play an important part in the commerce of the great Mississippi Valley. The time will come when the Wabash, the beautiful Wabash, will be improved, and your cities will find a rich harvest of wheat, corn, cattle, sheep, and hogs coming from southern Illinois to the sunny South by cheap water transportation to feed your hungry people. You ought to support this amendment.

The CHAIRMAN. The time of the gentleman from Illinois has expired. The question is on agreeing to the amendment.

The question was taken, and the amendment was rejected.

[By unanimous consent, leave was granted to Mr. FOWLER to extend his remarks in the RECORD.]

Mr. FREAR. Mr. Chairman, I move to strike out the paragraph with reference to the Ohio River, from line 19, page 26, down to and including line 2, page 27.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Strike out the paragraph beginning with line 19, page 26, and ending with line 2, on page 27.

Mr. FREAR. Mr. Chairman, the preceding item agreed upon without opposition was for improving and maintaining open-channel work, Ohio River, $684,000, to which there can be no possible objection by any Member; but there may be some question as to this item of $5,000,000. I want to call the attention of the committee to the status of the Ohio River, on which over $16,000,000 has already been appropriated for the slack water; over $18,000,000 toward a new system of dams; leaving about $45,000,000 more to be appropriated for this system of 53 locks on the Ohio River. I have spoken on this subject once or twice before in the House, and I do not intend to repeat anything along that line at this time, because I realize it is too large a proposition to even touch upon. I wish, however, to answer, or, rather, call the attention of the committee to the remark of the distinguished gentleman from Pennsylvania [Mr. BARCHFELD] the other day, wherein he said:

To-day we have a cheaper rate from Pittsburgh to New Orleans by rail than they have from Birmingham, Ala., to New Orleans by rail, only made possible by the great and mighty Ohio.

Believing there might be something to it, although it was a surprising condition of affairs, I called up the Interstate Commerce Commission and ascertained from the traffic department that on soft coal—we were discussing soft coal at the time—the rate from Pittsburgh to New Orleans is $4.45 per ton, which of course is prohibitive, whereas the rate from Birmingham to New Orleans is $1.25. We find that about 1,000,000 tons of coal were shipped down the Ohio River to New Orleans and several hundred thousand tons to St. Louis last year. That is in the last report we have, which goes to show that about 1,000,000 tons, or a little less than that, went to New Orleans, but all the rest of the coal used at New Orleans came from Birmingham and other adjacent points. We have spent about $10,000,000 on the Black Warrior River and its connecting links which bring coal to New Orleans from Alabama. The question for us to determine is whether or not there is any object in having the Government improve the Ohio River for the purpose of making increased competition between Pittsburgh to New Orleans and Birmingham to New Orleans when the Government is the party in interest at all times and pays the bills. Coal can be brought from Pittsburgh 2,000 miles down the Ohio and Mississippi Rivers through 53 locks which are proposed to be put into operation by the $80,000,000 to be expended, and which makes it practically prohibitive on that traffic, according to river men. Coal can not be profitably put through 53 locks, according to such authority. I wish to call attention to the expensive obstacle we are building through these 53 locks, and in addition to show where the coal from Pennsylvania does go. This last year something over 11,000,000 tons were shipped across the State of Ohio to Ashtabula, or one of the Lake ports, and from there up to the Duluth-Superior Harbor and from there distributed throughout the upper country, first across the State of Ohio by rail, over to the lake, and then on an 800-mile haul up to Duluth and Superior. In that country they depend very largely upon the coal which comes from the Pittsburgh district. The proposition was presented to us the other day by the gentleman from Pennsylvania that the people of Pittsburgh proposed to put through a $60,000,000 canal from Pittsburgh to Lake Erie. I take it we need have no apprehension that private parties will enter into such a proposition. That will be another project for the Government to prosecute. I have been unable to ascertain from any of the reports in reference to this $60,000,000 canal, but the Government surely will be called upon to make that appropriation if it ever goes into operation——

The CHAIRMAN. The time of the gentleman has expired.

Mr. FREAR. I ask for five minutes more. I explained to the Chairman I did not intend to talk on the preceding item for that reason.

The CHAIRMAN. The gentleman from Wisconsin asks unanimous consent to proceed for five minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. FREAR. At the present time we are building 53 locks, according to the report. Thirty-one locks have been commenced; 22 more locks are to be built. If there is traffic upon that river sufficient to warrant the expenditure of $80,000,000 or $100,000,000, of course no man can question but that that is a proper expenditure. The question of traffic does enter strongly into this problem. I have examined, so far as I have been able, all the engineers' reports; and I have consulted with river men familiar with the Ohio, and I have a number of letters to the effect that I am right in my position that this is an extravagant project. I have consulted with men who run on the Ohio River, and they express to me substantially the same opinion expressed by the reports as to the actual commerce on the Ohio. The traffic that goes through the Portland & Louisville Canal and through the open river at that point is a little over a million tons annually, and passing out of the Ohio at Cairo is a little over a million tons, so the through traffic amounts to about 1,000,000 tons. The engineer says that the river commerce reaches over 8,000,000 tons in the total, which amount is presumably arrived at by duplications. There is no criticism of the engineers for their failure to get exact data. All the reports are unsatisfactory, and after all the expenditures we have made on the Ohio—already reaching over $33,000,000—it occurs to me we ought to know what we are going up against. If we are going to ship only a million tons of coal annually on this river, and this coal will have to go through 53 locks, we had better build a railroad down to New Orleans, if the coal has to go there, and ship the coal at Government expense. It would be far more economical.

Mr. CALLAWAY. What on earth do we want to prepare to ship coal from Pittsburgh to New Orleans for, when it is cheaper for them to ship it from Birmingham? They say they can get it cheaper than in any place on earth there, and now they prefer to ship it down from Pittsburgh.

Mr. FREAR. The gentleman is right. My purpose in bringing this before the House is to show the questionable character of the proposition.

It was suggested to me a few moments ago by the gentleman from West Virginia [Mr. HUGHES], on a preceding item, that I was standing alone on these propositions. I will suggest to him in that case that if he will read from the congressional reports he will find that the Big Sandy River has been repeatedly criticized by men in this and the other House. I do not stand alone. I am using the engineers' report to ascertain what the facts may be.

I am not going to take the time of the committee further. I have discussed the Ohio River question before. I am not going to worry you with statistics, as I realize it would be useless. I present this brief statement to the House in order to have a vote on it.

Mr. SPARKMAN. Mr. Chairman, I wish to take up sufficient time of the committee to get in the RECORD a letter I received a few months ago from Gen. Kingman, Chief of Engineers of the United States Army, in regard to commerce on the Ohio River. I do not care to take up the time of the committee to read the entire letter at this time, but will only refer to the second paragraph. It says:

As to the reason for reporting the statistics at only six locks, it may be stated that the particular locks were selected with a view to obtaining as complete statistics as possible—

It appears they only report the statistics at six locks, and not at the entire number of locks on the river.

And at the same time to eliminate duplication as much as practicable. Boats with through tows are required to report only at the first lock through which they pass. The item for open river commerce is the local commerce carried on between the various locks and dams.

That will explain some of the questions that have arisen when this matter was up for discussion. I ask unanimous consent to print the entire letter with my remarks just here.

The CHAIRMAN. The gentleman from Florida [Mr. SPARKMAN] asks unanimous consent to print the letter referred to as a part of his remarks. Is there objection?

There was no objection.

Following is the letter referred to:

WAR DEPARTMENT,
OFFICE OF THE CHIEF OF ENGINEERS,
Washington, July 27, 1914.

Hon. S. M. SPARKMAN,
Chairman Committee on Rivers and Harbors,
United States House of Representatives.

SIR: 1. Referring to the statement of the commercial statistics of the Ohio River, telephoned to you sometime since, I have the honor to inform you that a report just received from the district officer states that the commercial statistics which he reported by telegraph have been found upon careful check to have contained some duplication. A corrected tabular statement of the statistics is herewith.

2. As to the reason for reporting the statistics at only six locks, it may be stated that the particular locks were selected with a view to obtaining as complete statistics as possible, and at the same time to eliminate duplication as much as practicable. Boats with through tows are required to report only at the first lock through which they pass. The item for open river commerce is the local commerce carried on between the various locks and dams.

Very respectfully,

DAN C. KINGMAN,
Chief of Engineers, United States Army.

Ohio River tonnage, calendar year 1913.

[Through lock and open river.]

	Tonnage.	Valuation.	Passengers.
Lock No. 1	1,982,257.5	$3,720,794.36	86,518
Lock No. 8	224,080.5	1,095,666.92	5,005
Lock No. 18	374,945.0	2,336,645.31	9,421
Lock No. 26	796,629.0	2,926,918.65	17,266
Lock No. 37	1,988,434.0	9,953,466.24	104,078
Lock No. 41	1,537,146.5	6,318,567.53	11,767
Open river	1,509,111.5	14,088,452.70	1,086,897
Ferries	1,401,519.5	36,086,390.07	2,949,834
Total	9,814,123.3	77,026,901.78	4,270,786

Mr. LIEB. Mr. Chairman, as a member of the Committee on Rivers and Harbors I wish to voice my approval of the bill which is up for consideration. I concur in the remarks of my colleague [Mr. SPARKMAN], chairman of this committee, who has very ably set forth the worthy features of the bill. As he has stated, the committee drew up a very conservative bill, it being the desire not to ask for any legislation calling for expenditure of Government money which is not absolutely necessary. Having in view the European war, which has had its effects in this country, the committee provided in its report for no new projects. The proposed expenditure calls only for continuing work already authorized and inaugurated by Congress.

It is my intention to speak in particular in regard to the Ohio River, but before proceeding to this phase of the question I want to mention a certain ridiculous contention of ill-informed critics of this legislation. In addition to calling the bill "pork," they go so far as to assert that there is a national lobby, as if to say there are dark and unseen plots being concocted; that there is a vicious propaganda of some sort; that supporters of river and harbor legislation are enemies of real safety and of navigation itself. These are pretty rash statements, but they are unfounded and designed as a cheap method of diverting the attention of well-meaning persons from a worthy cause.

DIFFERENCE BETWEEN "LOBBY" AND MERITORIOUS SUPPORT.

Once every year there is a meeting of the National Rivers and Harbors Congress and the Ohio Valley Improvement Association, as well as other organizations whose purpose is purely to boost the cause of improvement. Taken into a collective body, the members of these organizations would represent the great majority of the congressional districts of the country. Take, for example, my district. The people down there are interested in the improvement of the Ohio River. They select delegates to these annual conventions, who travel sometimes a thousand miles to assert their interest in the Government's fixed policy for river and harbor improvement. At the last meeting there came from Evansville, the metropolis of my section of the Ohio River, the mayor, city engineer, city attorney, the editor of the leading Democratic newspaper in Indiana, besides two delegates representing the Evansville Business Association and the Evansville Manufacturers' Association. Now, it is an annual custom for the city municipality of Evansville and the various commercial organizations to foot the bill for traveling expenses and hotel bills of these delegates, and while this custom has been in vogue for many years there never has been a dissenting voice raised by anyone. Why? Because they consider the money is well spent, as do the people of other localities who realize that the improvement of rivers and harbors is bound to bring prosperity and business to the doors of the manufacturer, laborer, merchant, and professional man. Since I have been in Congress and a member of the Rivers and Harbors Committee I have never had a protest from one of my constituents; and in this connection I want to say that two of my six counties do not touch upon a navigable river.

CRITICS JUGGLE FIGURES AND WHITTLE WOOD.

Mr. Speaker, I am willing to stake my judgment on the opinions of the business and other men of my community who foresee vast benefits from river improvement rather than give heed to the silly arguments of critics who juggle figures to suit their lame arguments and whittle wood when there is no river and harbor bill up for consideration. I venture to say some of these critics never saw a real steamboat plying one of our rivers and could not give a description of a coal barge without consulting an encyclopedia. And yet some of these men will go out to their districts and applaud the Panama Canal without stopping to think that one of the principal objects of the canal was to promote our commerce and that our greatest river system will carry thousands upon thousands of tons of commerce annually, with the Panama Canal and Pacific coast the goal. It might also be well for me to repeat what I said in the last session of Congress, and that is that the tonnage of freight shipments on the Ohio River is equal to what it will be through the Panama Canal when it is in full operation and with world-wide business on a normal basis.

Mr. Chairman, worthy things in this country have always been the subject of ridicule; our greatest inventions and innovations have been laughed at; and it is but history repeated when critics rise up to oppose the completion of works already begun and in which has been invested too much to warrant our withdrawal.

The steamboat back in 1807 was known as the "fool's fire ship," and became the butt of all sensible people in Europe as well as in America. Victor Hugo remarks that—

In the year 1807, when the first steamboat of Fulton, commanded by Livingston, furnished with one of Watt's engines sent from England and maneuvered, besides her ordinary crew, by two Frenchmen only—André Michaux and another—made her first voyage from New York to Albany, it happened that she set sail on the 17th of August. The ministers took up this important fact, and in numberless chapels preachers were heard calling down a malediction on the machine and declaring that this number 17 was no other than the total of the 10 horns and 7 heads of the beasts in the apocalypse. In America they invoked against the steamboat the beast from the Book of Revelation; in Europe, the reptile of the Book of Genesis. The savants had rejected steamboats as impossible, the priests had condemned, and religion consigned them to perdition.

A local preacher selected for his discourse the question of "whether man has the right to make fire and water work together when God had divided them."

There are those who are so outspoken against river and harbor appropriations that the next thing we know they will be calling the locks and dams firebrands and declaring that the 17 members of the Rivers and Harbor Committee who survive the Sixty-third Congress as none other than the total of 10 horns and 7 heads of the beasts in the apocalypse.

Getting back to the Ohio River, I desire to explain that I represent a district which extends on its southern border for 113 miles along the Ohio River.

PROJECT 30 PER CENT COMPLETED.

In 1910 Congress adopted a plan for improving the Ohio River at a cost of about $63,000,000 with the support of President Taft and a board of Army engineers. The act also contained a provision that the work be undertaken with a view to the completion of such improvement within a period of 12 years, and $1,150,000 was appropriated for purchasing sites for locks and dams. This money has all been spent, as authorized for sites, and on most of them construction work has been started. So here we have a cohesive project, started less than five years ago. If the river is to be canalized as specifically authorized in 12 years, or by 1923, there must be consent to annual appropriations in the river and harbor bill to allow the work to proceed. The amount carried in the pending bill for the Ohio River is $5,000,000 in addition to $684,000 for open-channel work. The amount is not excessive, and I believe everyone will admit it would be poor business policy to abandon an extensive project like this when so much has already been invested. In fact, the Government engineers have reported that the project for a 9-foot stage on the Ohio River is a little over 30 per cent completed. Every person should be willing to give a fair trial to the scheme of river canalization, and here is a particular opportunity to show an inclination to see the results and benefits we claim will accrue. Then after the Ohio is canalized, it would be proven whether other projects of a similar nature could be undertaken. If the result should be discouraging it would be well for us to know it. As yet no one can consistently criticize the Ohio River scheme, as it can not be given the acid test until a perpetual navigation is established from the headwaters to the mouth. There are a number of links yet to be welded together, and all criticism directed at the Ohio River now has no true logic capable of serious defense. But there is no pork in the Ohio River and no such construction can be placed, because the project is already authorized, contingent, of course, upon annual appropriations which are necessary. A discontinuance of annual appropriations would not only invalidate our past investments on the project, but undermine the very foundations upon which our business it built; it would leave thousands of dollars' worth of machinery and engineering equipment to rot away on the river banks. Confidence that the Government will carry out that which it has promised has led to a great boom in the Ohio Valley. Such large commercial centers as Cincinnati, Louisville, and Evansville are growing at a phenomenal rate, and this growth began in unusual proportions immediately after Congress had sanctioned a 9-foot stage on the Ohio. Later on I will produce some evidence of the confidence displayed by Evansville, the second largest city in Indiana and fourth city of the Ohio River system, with a population of 100,000.

ENGINEERS MADE EXHAUSTIVE INVESTIGATION.

The Board of Army Engineers which reported favorably on the Ohio River project came to the conclusion that a very extensive traffic in agricultural produce, in lumber, coal, building stones, raw materials of all sorts, and in general manufactures would unquestionably be assured if the Ohio were given a depth of 9 feet throughout the year. These conclusions were reached after many years of exhaustive research, and the Government engineers deserve great credit for the thorough manner in which they investigated the project before reporting to Congress.

Finally they came to the conclusion that if the Ohio were given more reliable navigation there would develop a considerable traffic in the heavy products of iron and steel manufacture. Replies to questions sent out to iron and steel manufacturers along the route by the Board of Army Engineers which investigated the project indicate that they would use the river for the transport of iron, 20 to 25 per cent of their product. Plants in the Pittsburgh district furnish the supply of structural materials to many cities along the Ohio and the lower Mississippi, and the river would be well adapted to the handling of such traffic. Again, the export trade in iron and steel products with the West Indies, Mexico, Central and South America will furnish traffic which will use the Ohio and the lower Mississippi.

TONNAGE FIGURES JUGGLED.

An opponent of the Ohio River has pointed to the tonnage of freight shipments, and by a jugglery of figures has endeavored to create the impression that there has been a decline. The ridiculous impression is given that traffic has fallen off 34 per cent in a few years. Now, I do not know how such figures could be secured, as I have no less authority than the Army engineers for the statement that a contention of this sort is absurd. In making a comparison of the tonnage the critic referred to compares the year 1912 with 1905. In other words, he has taken the last-named year for comparison because it happened to be an unusually busy year on the river—much above the ordinary—which is a poor jugglery of figures. Why not compare 1913 with 1912, when the freight tonnage was 9,814,123 and 8,618,396, respectively? That shows an increase of 13 or 14 per cent, does it not? No; there is no spirit of fairness in this, and when the true facts are brought to light the whole bottom if deceitful contention falls out.

There is a great fluctuation in river tonnage figures from year to year. It is like a wheat crop or cotton crop. Comparisons of annual products do not give evidence of prosperity, but it indicates the condition of weather, whether conducive or nonconducive to large crops. The same with river tonnage. If navigation is permissible for a total of seven months in the year, the tonnage will be greater than if navigation were possible only five or six months in the aggregate.

I wish in this connection to quote a prominent authority, who says:

The Ohio is unusual among American rivers in that it alone has retained a large traffic in recent years. The statistics of water traffic in coal at Cincinnati show that there has been an increase of 6,137,293 bushels in 13 years, the total during the past year being 62,572,000 bushels. Though this increase is comparatively slight, and though the railway tonnage had increased relatively very much faster, the showing of the Ohio as compared with other rivers has, nevertheless, been remarkably good.

Again, the possibilities of an extensive future development of traffic on the Ohio appears much better than it does on any other American river. At its headwaters is situated the great industrial region known as the Pittsburgh district, and along its banks and those of the lower Mississippi are a large number of industrial centers, which carry on an immense trade with the Pittsburgh region. The Ohio, therefore, lies in the direction of a heavy existing traffic and in a region that is certain to develop rapidly in the future. These two reasons—the existence of a large water tonnage at present and the excellent location of the river in reference to trade routes—account for the preference that is being shown the Ohio River project. It may indeed safely be said that if an experiment had to be performed in water transportation the Ohio River was well chosen for the purpose.

In a former address in Congress I stated that business men and the people in general would feel the injurious effect of suspension of improvement for a 9-foot stage from Pittsburgh to Cairo. I can go further than this and say that a serious blow would be dealt the preparations now in progress to accrue immediate benefits from canalization of the river. For instance, in Evansville the business men and others interested in the welfare of the city have such faith in the project that they have set afoot steps to provide enormous terminal facilities to meet the demands that will follow a rejuvenated river traffic. The following article clipped from the Evansville Daily Courier is significant of the current activities for preparing for a revival of river trade:

REVIEW PORT PLAN OF MAYOR—COMMITTEE TO-MORROW WILL CONSIDER POSSIBILITY OF MUNICIPALITY BUILDING TERMINAL.

The plans of Mayor Bosse for the city will be taken up at a meeting of the port commission committee Saturday afternoon at the E. B. A. Building. Chairman W. S. French yesterday notified the committee. At the last mass meeting the mayor announced that he believed the matter might be handled through the city, or at least that the city might appoint a preliminary commission to investigate the subject. The committee will listen to the suggestions of the mayor and consider them with reference to further action in the movement to secure port facilities.

At the meeting a call will be issued for volunteer delegates to attend the conference at St. Louis January 19, at which plans for getting ready to meet the coming river improvement will be discussed by representatives from every city on the Ohio River from Pittsburgh to Cairo and from Minneapolis to New Orleans on the Mississippi.

"The question of how cities may best handle port construction will be the principal topic of discussion at this conference, and the experience of other cities will be fully reported as a means to future plans," said Mr. French last night. "It is to be hoped that Evansville boosters will attend in considerable numbers, for the conference will be of the utmost value."

Mr. French declared that confidence in the port-commission bill as the best means of port establishment for Evansville has been in no way diminished.

With a deep and uninterrupted river the number of steamboats and barges will multiply a hundredfold, according to a recent statement issued by the Louisville (Ky.) Board of Trade. The cost of a steamboat is large and people will not at present invest money to a great extent in a property that can work only one-half of the time. With open river the year round

the boats and barges would quickly come, and shippers would patronize them, for contracts could be made for future deliveries with a knowledge that the river would be open and delivery made. With deep water and uninterrupted navigation from Pittsburgh to New Orleans and the opening of the Panama Canal, Louisville and the whole Ohio Valley can send the products of their factories and fields into good foreign markets.

Uninterrupted river navigation will also undoubtedly bring good results to manufacturers and shippers generally in reducing railroad rates, which in many cases are now too high.

The Ohio alone of all navigable rivers in the United States carries tonnage from its source to its mouth. It drains the richest valley in the civilized world, and the river might be of the greatest possible benefit not alone to the commercial, manufacturing, mining, and agricultural industries of the six States, but of the greatest possible value to the trade and commerce of the United States, and unquestionably the greatest of all feeders to the Panama Canal.

The manufactures of Pennsylvania, West Virginia, Ohio, Kentucky, Indiana, and Illinois in 1910 amounted to $6,948,734,000 in value. Of that total Pennsylvania contributed $2,626,742,000; Illinois, $1,919,277,000; Ohio, $1,437,936,000; Kentucky, $233,754,000; Indiana, $579,075,000; and West Virginia, $161,950,000. The crops of corn, wheat, and hay in one year were of the total farm value of $646,090,621, with other crops in proportion. The wealth of the six States was $25,941,897,242, distributed as follows: Pennsylvania, $9,315,140,116; Illinois, $6,976,476,400; Ohio, $5,019,004,453; Indiana, $2,606,493,004; Kentucky, $1,365,130,718; and West Virginia, $659,652,551. The total wealth of the United States was $88,517,306,775; the six Ohio River States contain approximately one-third of the entire wealth of the country, while the remaining members of the Union, 40 States and Territories, contributed the remaining two-thirds.

HALF OF NATION'S WEALTH IN OHIO RIVER TERRITORY.

During the fiscal year ending June 30, 1913, according to the report of the Commissioner of Internal Revenue, the six Ohio River States paid into the Federal Treasury not only one full half of all internal revenue collected but $9,000,000 in excess of that full half.

It is a magnificent stream, which during the fiscal year ending June 30, 1914, carried, according to official reports, 4,270,786 passengers and 9,814,123 tons of freight; a river on whose waters, not always navigable in their unimproved state, the steamer *Sprague*, the leviathan of western waters, took in safety from Pittsburgh to Cairo and from Cairo to New Orleans in one tow of coal no less than 70,000 tons—a tow of freight which would require not less than 2,333 coal cars, making a train 15 miles in length, not including the locomotive engines required to draw it. It is a river which as much as any other river in the country has demonstrated that it is not present tonnage carried that determines its merits or its standing before the authorities of navigation, but that it is the tonnage-bearing capacity of a stream improved that determines its standing.

RIVERS IN FOREIGN COUNTRIES.

As an indication of the benefits that come from improvement I cite the River Main, of Germany. Founded by the Romans about A. D. 150, in after years the residence of Charlemagne, Frankfort, by the slow growth of centuries, had reached a population in 1880 of some 140,000. Something happened to make a wonderful change in the rate of growth, for Frankfort gained more in the next 20 years than in all the centuries before, and to-day, with the suburbs which lie close around her borders, has a population of nearly 500,000.

The "something" that happened was the canalization of the river, completed in the fall of 1886, which made the Main a part of the Rhine navigation system, and which, while it did not allow ocean vessels to come direct to Frankfort, did enable that city to ship goods all the way by water to or from any port on all the seven seas. The locks have since been lengthened and other improvements made, so that much larger boats can use the river, and Frankfort, which spent some $2,000,000 back in 1886 to equip her harbor, is now spending $17,600,000 on a new and greater harbor to properly care for her swiftly growing trade.

I also refer to the reorganization of the waterway system in Germany from 1875 to 1900, which included, besides the Main, the canalization of the rivers Lower Spree, Fulda, Upper Oder, and the Lower Weser.

Following the inauguration of the new policy traffic rapidly developed from 2,900,000,000 ton kilometers in 1875 to 11,500,000,000 ton kilometers in 1910. Encouraged by this increase of water tonnage the administration passed two important laws in 1904 and 1905 for a still further extension of the waterway net of the country. These laws provide for an outlay of $116,430,200 upon rivers and canals, an amount almost equal to Prussia's entire expenditures upon waterways up to 1904.

RIVERS WOULD BE WAR PROBLEM.

There is a great deal being said nowadays about our preparedness for war. Most of the discussion has been directed to the size and strength of our Army and Navy and our coast defenses; but we hear nothing at all about our inland facilities for transportation in time of a possible war. Should we be plunged into war to-morrow, a week or a month thereafter the fact would unquestionably be brought home, "Our inland waterways have been neglected by the National Government; the Ohio and sometimes the Mississippi Rivers are not navigable during certain seasons of the year." I can now well foresee the suddenness with which this state of affairs would dawn upon the average person. The uses of our rivers during the Civil War and their influence as means of transportation and communication are still fresh in our memories. These uses in a modern war, however, with a foreign nation would not be manifest, for the reason that the circumstances would likely prove vastly different because of more stringent requirements of warfare of to-day, such as the necessities contingent with the use of the Panama Canal and the great western half of the country, which took very little part in the Civil War. The country as it is now constituted never engaged in a war with a world power, and while as a people and nation we are doubtless as well prepared as we ever were, no one can accurately foresee just what an important factor our inland waterways would play in a deadly conflict, which I hope will never come to pass. The subject is at least well worth our serious consideration, and not to be overlooked in connection with our navigation propaganda.

I do not wish to appear to be deviating from my subject, but it would not be amiss to call attention to one particular sidelight of the long struggle in the United States for the reinforcement of our waterways. I refer to Abraham Lincoln, who fought for two great principles. One was for the abolishment of slavery and the other was for river improvement.

Most of Lincoln's early life was interwoven with the pioneer history of our rivers and their commerce. Much of his knowledge was obtained from travel thereon and observation thereof, and, as has been said by one of his biographers:

> All that Abraham Lincoln saw of men and the world outside of Gentryville and its neighborhood until after he was 21 years of age he saw on these rivers. His legislative experience had been of great benefit to him. He had always favored the policy of developing the rivers and the resources of the State by the fostering aid of the local government. His speech in Congress shows he understood the waterway problem, was fully alive to its interests, and realized its needs. Had he lived longer, there is no doubt our rivers and harbors would have found in him a worthy champion.

It was as a youth, while engaged on the river in the humble capacity of flatboat man, that he was brought face to face with the slave question, and it was then that he formed those opinions which in after years became such a potent factor in shaping his life and the destiny of our country.

LINCOLN'S FIRST SPEECH FOR RIVER IMPROVEMENT.

Lincoln made his first dollar on the Ohio River, while a resident of the county in which I have lived the greater part of my life. In 1830 Lincoln made his first speech, and in it he discussed waterways. His subject was "Navigation of the Sangamon River." In his first experience as a candidate for office, in 1832, his printed announcement card was devoted mostly to river improvement. He was the pilot who guided the first boat from Cincinnati, via the Ohio, Mississippi, and Illinois Rivers, up the Sangamon. Lincoln was an ardent advocate of all internal improvements, especially the improvement of rivers.

Mr. Speaker, I am positive that if Abraham Lincoln were on the floor to-day he would be fighting for this bill. In support of this contention I quote parts of Lincoln's speech before Congress on June 20, 1848, while he was a Member of the House. I urge that close observation be made of his pertinent remarks, as the criticism to which he made reply was the same criticism that is now being directed against the river and harbor bill. Lincoln defended what some are now inclined to call "pork" in these later days. Lincoln said, in part:

> Do nothing at all lest you do something wrong, is the sum and substance of this message—

Lincoln referred to a message of President Polk against river improvement—

> and this, with the exception of what is said about constitutionality, applying as forcibly to making improvements by State authority as by National authority. So that we must abandon the improvements of the country altogether by any and every authority or we may resist and repudiate the doctrines of this message. Let us attempt the latter.

The first position is that a system of internal improvement would overwhelm the Treasury.

That in such a system there is a tendency to undue expansion is not to be denied. Such a tendency is founded in the nature of the subject. A Member of Congress will prefer voting for a bill which contains an appropriation for his district to voting for one which does not; and when a bill shall be expanded till every district shall be provided for, that it will be too greatly expanded is obvious. But is this any more true in Congress than in a State legislature? If a Member of Congress must have an appropriation for his district, so a member of a legislature must have for his county; and if one will overwhelm the State treasury, so the other will overwhelm the National Treasury. Go where we will, the difficulty is the same. Allow it to drive us from the Halls of Congress and it will just as easily drive us from the State legislature.

Let us, then, grapple with it and test its strength.

But suppose, after all, there should be some degree of inequality. Inequality is certainly never to be embraced for its own sake, but is every good thing to be discarded which may be inseparably connected with some degree of it? If so, we must discard all government. The Capitol is built at public expense, for the public benefit; but does anyone doubt that it is of some peculiar local advantage to the property holders and business people of Washington? Shall we remove it for this reason? And if so, where shall we set it down and be free from the difficulty? To make sure of our object, shall we locate it nowhere and leave Congress hereafter to hold its sessions as the loafer lodged "in spots about"?

I make no special allusion to the present President when I say there are few stronger cases in this world of "burden to the many and benefit of the few"—of "inequality"—than the Presidency itself is by some thought to be. An honest laborer digs coal at about 70 cents a day, while the President digs abstractions at about $70 a day. The coal is clearly worth more than the abstractions, and yet what a monstrous inequality in the prices! Does the President for this reason propose to abolish the Presidency? He does not and ought not. The true rule in determining to embrace or reject anything is not whether it have any evil in it, but whether it have more of evil than good.

WHY MAGNIFY OBJECTIONS AND REFUSE TO SEE GOOD?

There are few things wholly equal or wholly good. Almost everything, especially of Government policy, is an inseparable compound of the two, so that our best judgment of the preponderance between them is continually demanded. Of this principle the President, his friends, and the world generally act on most subjects. Why not apply it, then, upon this question? Why, as to improvements, magnify the evil and stoutly refuse to see any good in them?

Mr. Chairman, for the purpose of reviewing this message in the least possible time, as well as for the sake of distinctness, I have analyzed its arguments as well as I could and reduced them to the propositions I have stated. I have now examined them in detail. I wish to detain the committee only a little while longer with some general remarks on the subject of improvements. That the subject is a difficult one can not be denied. Still, it is no more difficult in Congress than in the municipal districts which everywhere exist. All can recur to instances of this difficulty in the case of county roads, bridges, and the like.

One man is offended because a road passes over his land, and another is offended because it does not pass over his; one is dissatisfied because the bridge, for which he is taxed, crosses the river on a different road from that which leads from his house to town; another can not bear that the county should get in debt for these same roads and bridges, while not a few struggle hard to have roads located over their lands, and then stoutly refuse to let them be opened until they are first paid the damages. Now, these are no other than the very difficulties against which and out of which the President constructs his objections of inequality, speculation, and crushing the Treasury. There is but a single alternative about them—they are sufficient out of Congress as well as in it, and there is an end. We must reject them as insufficient or lie down and do nothing by any authority. Then, difficulty though there be, let us meet and overcome it.

"Attempt the end, and never stand to doubt;
Nothing so hard but search will find it out."

Determine that the thing can and shall be done and then we shall find the way. The tendency to undue expansion is unquestionably the chief difficulty. How to do something and still not do too much is the desideratum. Let each contribute his mite in the way of suggestion. The late Silas Wright, in a letter to the Chicago convention, contributed his, which was worth something, and I now contribute mine, which may be worth nothing. At all events, it will mislead nobody, and therefore will do no harm. I would not borrow money. I am against an overwhelming, crushing system. Suppose that at each session Congress shall first determine how much money can for that year be spared for improvements; then apportion that sum to the most important objects. So far all is easy; but how shall we determine which are the most important? On this question comes the collision of interests. I shall be slow to acknowledge that your harbor or your river is more important than mine, and vice versa. To clear this difficulty, let us have that same statistical information which the gentleman from Ohio [Mr. Vinton] suggested at the beginning of this session. In that information we shall have a stern, unbending basis of facts—a basis in no wise subject to whim, caprice, or local interest. The prelimited amount of means will save us from doing too much, and the statistics will save us from doing what we do in wrong places. Adopt and adhere to this course and, it seems to me, the difficulty is cleared.

One of the gentlemen from South Carolina [Mr. Rhett] very much depreciates these statistics. He particularly objects, as I understand him, to counting all the pigs and chickens in the land. I do not perceive much force in the objection. It is true that if everything be enumerated a portion of such statistics may not be very useful to this object. Such products of the country as are to be consumed where they are produced need no roads or rivers, no means of transportation, and have no very proper connection with the subject. The surplus, that which is produced in one place to be consumed in another; the capacity of each locality for producing a greater surplus; the natural means of transportation and their susceptibility of improvement; the hindrances, delays, and losses of life and property during transportation; and the causes of each would be among the most valuable statistics in this connection.

From these it would readily appear where a given amount of expenditure would do the most good. These statistics might be equally accessible, as they would be equally useful, to both the Nation and the States. In this way and by these means let the Nation take hold of the larger works and the States the smaller ones; and thus working in a meeting direction, directly, but steadily and firmly what is made unequal in one place, may be equalized in another, extravagance avoided, and the whole country put to that career of prosperity which shall correspond with its extent of territory, its natural resources, and the intelligence and enterprise of its people.

Our congressional appropriations for the betterment of inland navigation seem to have been conservatively small when we consider that the United States has spent during the past hundred years in regulating, improving, and extending our system of natural waterways only 4¼ per cent of the amount private capitalists have invested in the construction of railways.

PRICES OF MINERALS GOVERNED BY TRANSPORTATION FACILITIES.

Another phase of river improvement is the possibility—and it is an extremely feasible supposition—that inland transportation on a canalized basis will in the near future assist more materially than we now imagine in our competition with foreign markets. Take, for example, the commodity of fluorspar used extensively in the iron and steel industries. The Kentucky-Illinois district adjacent to the Ohio River is not only the main American source of fluorspar, but is the only one from which spar reaches the general market. Since 1882 the district has produced approximately 350,000 tons of spar, having a total value of $2,000,000.

A statement recently issued by the Geological Survey tends to prove that should a deep waterway facility be provided from these fluorspar fields to Pittsburgh, which is now the greatest market for it, our domestic production would be able to compete with foreign imports. The spar is shipped in part by the Illinois Central Railroad and in part on the Ohio River. Prices are fixed by Pittsburgh quotations, less freight and commission. At Pittsburgh the American spar comes in competition with English and German material imported through New York. The American mines supply the western trade and about half the Pittsburgh demand. The importers control the eastern trade and determine prices at Pittsburgh. Importers have now a slight advantage in the Pittsburgh market on the grade of ore. It is not to be denied that when a steady supply of fluorspar at the present or slightly lower prices can be guaranteed in steel-making centers—and this condition will be assured with the canalization of the Ohio River—the market can be rapidly expanded, and this affords the most hopeful outlook for spar producers. In many ways fluorspar has advantages over other fluxing materials now used.

River business under proper conditions is susceptible of enormous expansion, which must come with increased demand. The simple multiplication of people multiplies demand. "Teeming millions" is a favorite expression of speaker and writer on favorite subjects, and speaking of it as the future population of the Ohio Valley is not hyperbole. The most careless look into the future reveals what an enormous population there is to be served. All past experience teaches that congested centers of population are only possible near waterways of some kind or other. Given slack water on the Ohio River and the city until overlapping enlarged borders cover up the lines of sections and one social and commercial empire comes into existence. This development can, however, only take place after continuous water communication is established. When used in connection with navigation the word "continuous" is one to conjure with. It is the one essential element of future development.

As I have already pointed out, the Ohio Valley is on the alert and is in no way stagnant, and this condition has been manifest in the past five years or so to a particular degree. Evansville is the largest city in my district and is peculiarly susceptible to the influences exerted by the Ohio River. And the great industrial impetus which has taken hold of Evansville in the past five years, and since canalization of the river was authorized by an act of Congress, is a fair sample of the process of rejuvenation fast becoming apparent in other important industrial sections of the river. [Applause.]

Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. SWITZER. Mr. Chairman, just to correct one inaccuracy, as I take it, on the part of the gentleman from Wisconsin [Mr. FREAR], I desire to say that in this compilation of statistics of tonnage on the Ohio River since April 1, 1912, there are no duplications, especially so far as the transportation of coal is concerned. The coal that passes down the Ohio and the Mississippi Rivers is taken notice of and the amount reported only at one of those six places that are designated by the Board of Engineers to obtain statistics. There is no duplication whatever under the new system. The duplications that were

referred to the other day were those that occurred prior to April 1, 1912, and not since.

On Saturday last I made a brief statement of the result of the investigation by the Government engineers of 354 improved rivers and harbors of the country, with a view of ascertaining whether the commerce thereon was increasing or decreasing, and the cost of such commerce per ton at a reasonable interest charge on the original investment, plus the annual maintenance cost of such improved waterways.

My statement of the result as to the cost per ton is inaccurate in that I used the term "ton-mile" at so many mills, when I should have stated "tons" regardless of the number of miles transported, at so many cents per ton. I therefore desire to restate the result of this investigation so as to have my statement read:

"Of 354 rivers and harbors investigated by the Government engineers, the improvement of which cost $506,671,600, on a 3 per cent investment would give a cost of 2$\frac{1}{10}$ cents per ton for freight transported thereover. The maintenance charge against these waterways for the year 1912 was $9,248,900, or an annual maintenance charge of 1$\frac{8}{10}$ cents per ton, thus making a total cost of 3$\frac{9}{10}$ cents per ton for all the commerce borne on the waterways investigated for the year 1912, regardless of whether the same was transported one mile, a hundred miles, or a thousand miles.

"The original tonnage of these waterways when their improvement was first commenced amounted to 278,460,700 tons annually. The tonnage of the same for the year 1907 was 648,026,900 tons, and for the year 1912 it was 722,885,400 tons, showing a large increase of tonnage in place of a decrease, so far as the Government engineers have been able to investigate. The 354 improved rivers and harbors do not include some of the largest commerce-bearing harbors—for instance, Boston and New Orleans."

The CHAIRMAN. The question is on agreeing to the motion of the gentleman from Wisconsin [Mr. FREAR] to strike out the paragraph.

The question was taken, and the amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows.:

St. Marys River, at the falls, Michigan: Continuing improvement by the construction of a fourth lock, $500,000: *Provided*, That so much as may be necessary of the unexpended balance of appropriations heretofore made for the construction of the new third lock may, in the discretion of the Secretary of War, be applied to the construction of the fourth lock and to the deepening and enlargement of the tailrace of the United States power plant, in order to increase the capacity of said plant.

Mr. MAPES. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Michigan [Mr. MAPES] moves to strike out the last word.

Mr. MAPES. Mr. Chairman, a short time ago, in the discussion of the motion of the gentleman from Wisconsin [Mr. LENROOT] to strike out a paragraph, the gentleman from Alabama [Mr. TAYLOR], referring to the State of Michigan and its experience with the building of the Sault Ste. Marie Canal, said, in substance, that the State of Michigan became bankrupt on account of it, and that it had to be taken over by the Federal Government. Upon interruption, the gentleman from Alabama said he was basing his statement about the bankruptcy of the State upon his memory of something that he had read a number of years ago. I questioned the statement at the time.

Since then I have taken occasion to review my history of Michigan and the connection of the State with the building of the canal. I find that the State of Michigan never attempted to construct a canal where the Sault Ste. Marie Canal now is on its own responsibility and with its own capital except in the early history of the State. At that time it authorized a survey, but was prevented from going ahead with the project by Federal officers. Its contractors were driven off of the territory by a detachment from the Federal Army under an order of the War Department. The Federal authorities questioned the right of the State to construct the canal, claiming that the United States had jurisdiction over the territory on account of having a military reservation there.

That was soon after the State was admitted into the Union. After that the Representatives in Congress and the Senators from the State of Michigan took the question up from time to time. They introduced several bills in the National Congress, trying to get the Federal Government to take the project over and make an appropriation to build the canal. Finally in 1852 the National Government gave the State 750,000 acres of land within the boundaries of the State. From the proceeds of the sale of that land the State was to build a canal. The State legislature accepted the grant, appointed a commission of five, made a contract with private parties to construct the canal, and the canal was constructed by those parties in the time specified in the grant and from the proceeds derived from the sale of the land. At no time was the credit of the State of Michigan brought into question on account of the building of the canal.

Mr. Chairman, in the work entitled "Jubilee Annals of the Lake Superior Canal, the World's Greatest Artificial Waterway," compiled by Sarah V. E. Harvey, I find this interesting statement of the history of the building of the Sault Ste. Marie Canal:

The earliest promoting measure dates back to 1837, and the progress of the same for the next 15 years is briefly stated in a folder recently published by the Citizens' Association of Sault Ste. Marie, Mich., from which the following extracts were made:

"The first official action on record with regard to the canal on the American side of the outlet of Lake Superior was that of the governor of Michigan in his message to the first legislature convened in 1837—the State having been admitted into the Union the previous year—wherein he advocated the building of the canal by the State, with the result that a law was passed at that session providing for a survey of the same.

"The engineer in charge reported to the governor, recommending dimensions for the canal to be 75 feet wide and 10 feet deep, and for two locks of same depth, each with 9-foot lift, 32 feet wide, and 100 feet long, and estimating the total cost at $112,544. In 1839 a law was passed authorizing certain State commissioners to contract for the canal of the size mentioned, and work was commenced during the spring of that year. But as the canal traversed a United States military reservation, and the Federal authorities had not approved of the undertaking, the officer in command, acting under orders from Washington, marched a detachment of soldiers onto the ground, ejected the contractors, and caused all further canal work to cease.

"The Legislature of Michigan at its next session passed a resolution protesting against the ejectment and demanding reparation from Congress, but without result. In 1840 a bill was introduced into Congress in accordance with a memorial from the Michigan Legislature, asking for an appropriation of 100,000 acres of land, but Henry Clay, the famous orator and leading statesman, made a speech against it as, to quote his words, 'a work beyond the remotest settlement in the United States, if not in the moon,' and the measure was defeated.

"In 1843 the Michigan Legislature by resolution invoked the aid of the Legislatures of New York, Pennsylvania, Ohio, Illinois, and Wisconsin in jointly promoting favorable action by Congress for the canal, but without avail. Similar proceedings followed in 1844–1848–49, but proved futile. Finally, as the result of the strenuous efforts by prominent citizens in the Great Lakes region, stimulated by the profitable development of mining enterprises on the south shore of Lake Superior, Congress passed an act on August 21, 1852, granting 750,000 acres of land to the State of Michigan to aid in building the canal."

The building of the canal was started in June, 1853, and completed in May, 1855.

Mr. Chairman, I did not want the statement of the gentleman from Alabama [Mr. TAYLOR] to go unchallenged. I desired to call the attention of the committee briefly to the history of the building of this canal and to the fact that the credit of the State of Michigan was never called in question on account of it. [Applause.]

The CHAIRMAN. The gentleman from Michigan asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. SPARKMAN. I withdraw my request, Mr. Chairman.

The Clerk read as follows:

Harbor at Ashland, Wis.: Continuing improvement and for maintenance, $20,000.

Mr. FREAR. Mr. Chairman, I move to strike out the last word. Last year when we were discussing the river and harbor bill it was frequently stated that in our State we had very little water traffic and that I knew little about the subject, all of which, so far as it related to myself, I am willing to admit; but in regard to the water traffic of the State, there are several items here, and if any of them are not warranted in staying in the bill it is up to the committee to defend them. I have no defense I feel impelled to offer to anything. But to show the character of some of these items briefly I call attention to the one which has just been read. In 1913 the commerce of Ashland carried by water was 5,623,309 tons, carried for a distance of about 600 miles. In addition to that commerce was 18,131,000 feet of lumber that was not included. The engineers do not include lumber, logs, or things of that kind which are rafted in. They are not considered with the commerce apparently, nor do the engineers include them in their report. With that Ashland commerce there were 57,000 passengers carried to or from this particular place.

Wisconsin has a large number of harbors, and three of them contribute the following commerce to the country: Superior and Duluth, one harbor, 46,875,000 tons; Milwaukee, 8,647,000 tons; Ashland, which has just been read, 5,623,000 tons; a total of 61,245,000 tons for these three harbors, which are only a few of the harbors of the State.

It has been suggested that there was no river of any importance up in that country. I have stated before that the greatest river in the world flows past my district for 100 miles. A large river, averaging over half a mile in width, and capable of floating at all seasons of the year, when it is open, the

largest boats on the Mississippi River, is opposite my home. Years ago we had more traffic there by far than there is on the Ohio River to-day; in fact, more than was carried on the Mississippi. To-day we have practically no traffic at all. There were shipped last year 219,000 tons at a valuation of $1,170,000. That looks big. It is just as large as the average Florida project, but a gentleman who sat at the table with me at my home is the man who ran practically all that commerce, which consisted of logs and timber that was rafted. We do not count traffic which floats down in rafts. It is not like other traffic. It floats on the present stage of water.

One other thing: Gentlemen say, "You have no projects which you have been importuned not to oppose." That is a mistake. Since I have been here a gentleman who is a member of a State waterway commission, the only one appointed in my State, came here in behalf of an $8,000,000 proposition to go past my own home along this river; the chairman of that waterway commission, appointed by the governor of Wisconsin, was from my home town. But I would not be inconsistent. The Army engineers refused to approve the project. I said, "Let them determine after a thorough investigation." It has been suggested frequently, Mr. Chairman, that I do not know what pressure is brought to bear on Members. I surely do, and we all do. It all comes back to this, that we are continually pressed on these projects, and I have been asked to give way, just as other Members are continually pressed to give way, and have refused to be placed in an inconsistent position. I believe the engineers should be relieved from political pressure and that projects should be determined on their merits.

Mr. MONTAGUE. Will the gentleman yield?

Mr. FREAR. I will.

Mr. MONTAGUE. I would like to ask the gentleman whether there are any items in this rivers and harbors bill for Wisconsin that he objects to?

Mr. FREAR. I do not know; I am going to speak of one or two.

Mr. MONTAGUE. Does the gentleman seek to evade my question by saying that he does not know, but that he is going to speak on one or two?

Mr. FREAR. I have not made a careful investigation except in one case, and that I shall speak about.

The CHAIRMAN. The pro forma amendment is withdrawn, and the Clerk will read.

The Clerk read as follows:

Harbor at Racine, Wis.: For maintenance, $10,400; continuing improvement in accordance with the reports submitted in House Document No. 62, Fifty-ninth Congress, first session, and in the Annual Report of the Chief of Engineers, United States Army, for the fiscal year ending June 30, 1909, $167,400; in all, $177,800.

Mr. COOPER. Mr. Chairman, I move to strike out the last word. I do not know just what is the intention of my colleague [Mr. FREAR] in regard to this particular proposition, but as his attitude has been a little bit threatening I thought I would anticipate any hostile effort that he might be disposed to make, by calling the attention of the committee to the facts.

The first harbor project for Racine was adopted in 1843. Like all—I think, all—projects for harbors on the west shore of Lake Michigan, it contemplated simply two piers extending from the mouth of the river, parallel with each other, out into the lake. From the first time work was done on that project there was serious trouble with the harbor, storms from the northeast driving the water between the piers and up the river, often making it impossible for vessels to remain anchored in the stream or fastened to the docks along its sides. Congress tried to prevent this recurring trouble by making various modifications of the project of 1843, which project as thus modified was completed in 1905. But the trouble still continued, the water being driven up the river with such violence during storms that vessels unloading at wharves nearly a mile from the harbor entrance would pound up and down, break hawsers, tear out piling, and smash docks. Finally, in 1907, Congress adopted a new project—the existing project—which provides for the tearing out of both the north and the south pier and the building of what is known as an arrowhead harbor, to consist of a north breakwater and a south breakwater, having their lake ends about 200 feet apart and opposite from and 2,000 feet from the mouth of the river, and from these points extending to the shore. Two years later Congress, on the recommendation of the Government engineers, provided for the construction of only the north half of this new project—that is, for tearing out only the north pier and building only the north breakwater. This Congress did, as the act expressly declared, because it desired to see whether, on the completion of the north half of the arrowhead project, experience would not demonstrate that there was no necessity for constructing the other half. Accordingly the north pier was torn out and the north breakwater completed; but in December, 1913, the first severe storm demonstrated that the harbor was in the very worst condition it had ever been in. I was at home during that storm and saw some of its effects along the river.

Here is a letter written to me shortly after the storm by the captain of a vessel:

RACINE, WIS., *November 12, 1913.*

Hon. H. A. COOPER,
Washington, D. C.

DEAR SIR: I wish to state that on November 6 I arrived in Racine at 4 a. m. loaded with 2,826 tons of hard coal consigned to the Carroll Coal Co. The weather being fine I arrived at the Carroll Coal Co. dock at 7.30 and ready to start unloading. I started unloading at 8 a. m. and continued unloading Thursday, Friday, and Saturday, and on Saturday noon it started to blow quite hard from the northeast, and continued increasing. At 4 a. m. Sunday all hands were called on deck to get out more lines as considerable sea had made and steamer started parting her lines, caused by the undertow. We worked continually from that time until Monday afternoon when the wind shifted to the westward, which caused the sea to moderate.

We parted every working line we had several times, then we got out our 9½-inch brand new hawser. We got two parts out of each end of the boat, in which she snapped like shoestrings. After using up 1,000 feet of our hawser or, in fact, the whole line, we could do nothing but start working our engine. We had made junk of $650 worth of lines and we had no more, so we started working our engine ahead and astern. About every five minutes, as our steamer would rush ahead, we would back the engine, and when she would rush astern would work ahead.

Remember, Mr. Chairman and gentlemen, that this occurred at a point in the river, up in the city, nearly 1 mile from the end of the harbor piers.

All this time we lay in the middle of the river and did not know what moment our steamer would rush into the bridge ahead of us. All this time our anchor was down on the bottom, but would drag wherever she went. I must also say that the Carroll Coal Co. dock is three-fourths of a mile from the mouth of the river and around a bend, and that at normal stage of water their docks are between 4 and 5 feet above water, and must say that the sea rolled at least 2 feet over the docks, causing our steamer to roll and pound, in which we were afraid that our rudder and shoe would be damaged. On Monday morning, while we were still in the midstream, I called Mr. George T. Caystile, manager of the Carroll Coal Co., and asked him to call our agent, D. Sullivan & Co., Chicago, on long-distance phone and ask him to send us 120 fathoms of 6½-inch new line by express in order to have something to tie our steamer up to the dock with. This arrived at 3 p. m. Monday afternoon and cost us $145 more. By 6 o'clock Monday afternoon we were once more alongside of the dock.

Under the conditions at Racine at present I hope I never will be asked to fetch another load there, and think that after our owner received my letter stating conditions here I am satisfied they will not send us here again unless conditions are improved.

(Signed) GEO. A. MONTGOMERY,
Captain of the steamer "Nyanza."

I have here also two other letters, one from the captain of one of the Goodrich Line of steamers, the other from the captain of the steamer *J. H. Wade*. Both of these letters I will insert in the RECORD.

Mr. HUMPHREYS of Mississippi. Will the gentleman yield?

Mr. COOPER. Certainly.

Mr. HUMPHREYS of Mississippi. I want to ask if a provision for this harbor was not carried in the bill that was fought to its death in the Senate or in the House, several Members claiming credit for defeating the bill?

Mr. COOPER. Yes; this provision for Racine passed the House and went to the Senate. It was included in the bill presented as a substitute to the Senate by Senator BURTON, the senior Senator from Ohio, who fought without mercy some items in the House bill. It was also included in the bill reported to the Senate by the chairman of the committee, the Senator from North Carolina, Mr. SIMMONS. Never on the floor of either Senate or House has there been a word said against the provision for the harbor of Racine.

Racine has a populatfon of about 45,000 people. No city of its size in the Nation surpasses it as a manufacturing center. Its products go to all parts of the world. The receipts of the post office at Racine last year were more than $400,000. The business in and out of its harbor amount to about $7,000,000 annually. Its harbor is in miserable condition, and the provision for its completion ought to be enacted into law with the least possible delay.

RACINE, WIS., *November 11, 1913.*

W. C. RICHARDSON & Co., *Cleveland, Ohio.*

DEAR SIRS: On November 9, 1913, steamer *J. H. Wade*, lying at Racine Gas Co.'s dock, well moored, wind northwest fresh, 4 a. m. same date. *Wade* began to race or range at moorings when all hands were called on deck to watch lines and main engine ordered ready for immediate use. At 7 a. m. the ship's hawser was put out with long lead and bights and main engine started ahead slow to hold steady strain on lines. Wind veering alternately from northeast to north, blowing gale. *Wade* laboring hard at lines, piles, and dock, and I went up the river to investigate conditions, if it became necessary to move, and found channel badly congested with steamer *Nyanza*, barges, derrick scows, tugs, etc., all laboring hard at their moorings, and no piles on dock and no place for us to lay, and I realized it would be hazardous for us to start up river, so decided to hang on at Gas Dock if possible. About noon the ship started to raise and dip with the swells and bump the bottom, when I decided to try and flood her and sink her to the bottom, but after

filling all water compartments, including forepeak and booby tank, the seas would still lift her and cause her to bump and range, and after going through all our lines, including our 9½-inch lake hawser and breaking piles on dock, I had to move some place, and started up river at 4.30 p. m. with intention of going through the east draw at Fourth Street Bridge and shoving her on the bottom just as far as she would go, navigating the congested channel as slowly as possible. Reaching the approach of Fourth Street Bridge without any mishap, when I blew signal for draw two different times upon approach to same, bridge tender saying to me I couldn't get through the bridge and he wouldn't open the draw, when I said "I wanted the draw, and I might have to open it for you." There being a loose derrick scow, unmanned, bumping by my stern so I couldn't handle the ship to the best advantage, and in effort to keep off the bridge, with scow bumping by stern and riding onto us, and two tugs *Alice* and *Hyttle* lay at Pugh's dock, I could not work her into the approach at starboard draw, so the derrick scow of Grieling Bros. Co., *Green Bay City*, drove out stern over on C., M. & St. P. R. R. dock, crushing the dock. Our stern overhanging the dock and blocking traffic on railroad track, I then got red lantern and stood by to signal trains and blew danger signal and distress signal for help and sent a man down for harbor master and life-saving crew, latter responding, and I asked them to see if they could get the draw open and get the two tugs out of the way and I would try to hang on to the derrick scow alongside of us and hold him from going through the bridge. After the tugs were moved from Pugh's dock and *Louise M* from starboard approach to bridge, and I couldn't get bridge open, I worked the derrick scow around our stem and on port side of us and hung onto him all night and until noon Monday, being necessary to watch the lines continually so she wouldn't go through them. I worked our nose up to starboard approach of bridge and again filling forward compartments and forepeak with water so we wouldn't get into bridge, and kept main engine working from slow to nearly full speed ahead continuously and steering ship to keep stem in midstream, also having one line out aft to help hold until 3 p. m. November 10, when the seas subsided enough to stop the engine, and at 7 a. m. November 11 I backed down to unloading dock, getting there at 10.30 a. m.

Damage done and sustained. Damage *Wade* suffered by bumping on bottom unknown; damage to lines and hawser, a thousand feet parted, strained, and chewed up. Stern rammed several times by scow, apparently little damage done; port quarter fender wale chewed off and plate indented.

Wade stemed Fourth Street Bridge closed draw, breaking one 1 foot by 2 inch pine joist under walk and loosening three sidewalk boards.

Chicago, Milwaukee & St. Paul Railway Co. dock sustained damage from our port quarter, caused by derrick scow of Grieling Bros. loose and unmanned, ramming our stern, and causing us to override the dock, breaking one dock stringer, oak 12 feet by 10 inches by 12 inches, and 12 retainer timbers, pine 12 feet by 12 inches by 12 inches, spiked on top of piling. At gas dock we pulled up or broke off one pile entirely, broke one more, loosening several others, and ripped off 36 feet of dock stringer, oak 12 feet by 8 inches by 10 inches.

Damage done to fish tug *Louise M*, owned by Louis Krueger, who I asked to move from his moorings, and he did, and in moving or after he moved he bumped or overrode the dock, doing damage to his rail, for which he claims damage from city for not opening the draw so *Wade* could have gotten on through other draw, thereby not disturbing him from his moorings.

There was much other damage done to craft and docks, one barge sinking in river from pounding on docks, steamer *Nyanza* loosening piles and chewing up $650 worth of lines; fish tugs rammed and docks tore up; scows battered and punctured; docks undermined by backset; and much property loss.

The conditions of the inside of the harbor here in a north gale are quite unbelievable and not a safe harbor for craft.

Yours, truly,

C. W. WILLETT, *Master.*

—

OFFICE OF THE GOODRICH TRANSIT CO.,
Chicago, Ill., January 20, 1914.

Hon. HENRY A. COOPER,
House of Representatives.

MY DEAR MR. COOPER: The Goodrich Transit Co., owning dock property at Racine, Wis., operates steamboats between Chicago, Milwaukee, and Racine, two boats making the harbor at Racine daily; in other words, they go in and out of Racine Harbor 600 or more times every year.

It has often happened when a gale was blowing and heavy sea running, that after going into Racine Harbor and making landing at their dock, boats are unable to discharge or receive cargo on account of the severe undertow which makes the boats range up and down the dock, breaking piles and lines, endangering lives of freight handlers, and destroying gangplanks.

The foregoing conditions make it necessary to leave Racine Harbor without accomplishing the purpose of discharging and receiving cargo. In such event it becomes necessary for boats to carry Racine cargo to Chicago or Milwaukee, returning to Racine and landing the goods when weather conditions permit.

The writer is familiar with the plans for proposed extension of Arrowhead Breakwater, and sincerely hopes that appropriation be authorized and work proceed at earliest possible date.

Yours, respectfully,

GOODRICH TRANSIT CO.,
By DAVID M. COCHRANE, *Supt.*

That storm convinced the United States engineer in charge that the arrowhead project for Racine Harbor ought forthwith to be completed. Accordingly, in 1913 that engineer recommended the prompt building of the south half, and that recommendation was approved by the Chief of Engineers. A similar arrowhead project was completed a few years ago at Manitowoc in my State and has proven a perfect success.

The Clerk read as follows:

Fox River, Wis.: Continuing improvement from Depere up to Portage, including maintenance of improvement of Wolf River and of the harbors heretofore improved on Lake Winnebago, $20,000. And the Secretary of War is hereby authorized to convey, by quit-claim deed, to the State of Wisconsin, or to the city of Portage free of cost, all the right, title, and interest of the United States in and to the "Portage Levee," including the right of way on which it is built, whenever the proper authorities of said State, or of said city, shall satisfy the Secretary of War that they are empowered by law to accept the same.

Mr. FREAR. Mr. Chairman, I move to strike out the last word. I desire to state in passing, in reference to the project which I was asked to support, and in the discussion of which I refused to take part, which I mentioned a while ago, I believe that project is far more advantageous to the Government than many of those that we have been discussing, but the projects that we have here represent almost eighteen million tons, and they receive only $277,000. On this item the question has been asked as to the character of the project, and I happen to know a little bit about it and will state what it is, although it is not for the purpose of defending it. If you have any questions to ask, let the gentleman who comes from that district look after it. That is the usual procedure—not for the committee, but for the one who is more particularly interested in the project to look after it. One hundred and thirty-four thousand six hundred and forty-eight tons is the amount of commerce on the Fox River project, which calls for $20,000, but the part to which I wish to address myself particularly, is that which refers to the Portage Levee.

Many years ago the Government gave to the Green Bay & Mississippi Canal Co. a right of way, and a land grant with it, for the purpose of building the canal at that point. It had the effect of taking out some of the very finest timberland over in my own county, 200 miles distant from the Fox River. They took some of the finest timberland in the State under the Government land grant, and they built this canal. There was some traffic on it for a time and then it was abandoned. There is practically no use for this upper canal. The lower Fox River has a large business, of course, for on it there are all of the great paper mills of the Northwest. But the canal proper stands there, elevated away above the surrounding country, built by that private company with moneys which came from the sale of the lands received by land grant, and the Government desires to turn over to the State this canal. For six years I was the chairman of the State commission that would have had to take the deed, and we refused to take it. We do not want it notwithstanding the Government has put it there. The State is now asked to take care of it, and as I said the embankments are far above the level of the surrounding country. The State is appropriating money constantly to keep up those levees. It is a continual menace to that part of the country. That is the situation and that frequently is the case with these canals. No one wants them, and they are of no value to anyone so far as that part of the country is concerned. The State does not want to take it, and if you refuse to give the power I am sure there will be no regrets expressed.

I withdraw the pro forma amendment.

Mr. MONTAGUE. Mr. Chairman, I move to strike out the last two words. I desire to call the attention of the House to the fact that the gentleman from Wisconsin [Mr. FREAR] has not objected to a single item embraced in the bill covering his own State.

Mr. FREAR. Is there anyone on the floor who does? They are all meritorious. I said they represent a commerce of 14,000,000 tons. I should be very glad to answer——

Mr. MONTAGUE. The gentleman suggested, when he was first asked the question whether or not they were meritorious, that he was not thoroughly apprised of their merits or demerits.

Mr. STAFFORD. Mr. Chairman, will the gentleman yield?

Mr. MONTAGUE. I am not saying that they are not meritorious.

Mr. STAFFORD. Does the gentleman object to the item of $15,000 for maintenance of the outer harbor at Milwaukee, which has a commerce of more than 8,600,000 tons? Does the gentleman object to these other items of maintenance?

Mr. MONTAGUE. I am not objecting to any of them.

Mr. STAFFORD. They are all meritorious.

Mr. MONTAGUE. And I am not saying that they are not meritorious. I am calling the attention of this House to the basis of the criticism of the gentleman from Wisconsin [Mr. FREAR]. He objects to nearly every item in every other State, but does not object to a single item in his own State. [Applause.] I call further attention to the fact that the only objection he made was a pro forma one, when he moved to strike out the last word of the last sentence, in order that he might voice his approval of the items of his own State.

Mr. STAFFORD. Will the gentleman yield further?

Mr. MONTAGUE. I can not.

Mr. STAFFORD. I am very sorry the gentleman can not.

Mr. MONTAGUE. I have no controversy with the gentleman who has just risen, and I do not mean to be discourteous to him. I have only five minutes and I very seldom occupy the floor of this House. Taking the Fox River, Wis., appropriation, for ex-

ample—not that I disapprove of it, but I am applying to it the logic which the gentleman from Wisconsin applies to very many of the items in this bill. What is "sauce for the goose is sauce for the gander." Wisconsin receives under this bill $278,300, as against $116,000 for the State of Virginia. The total commerce of Wisconsin in tonnage in 1913 was 18,031,869, a very considerable commerce, as against the commerce of Virginia of 36,558,608 tons, ranking fifth in the States of the American Union, New York, New Jersey, Michigan, and Ohio alone exceeding Virginia. The report of the engineers shows that Fox River for 1912–13 had a commerce of 145,890 tons; for the year 1913–14, 134,638 tons, of the value of $724,942. Congress has already expended upon that river nearly $4,000,000, with the result of a decreasing commerce. Now, this river is subject to the objections which the gentleman from Wisconsin has urged against other rivers, and yet he maintains the strictest silence when this and other items in his own State are considered.

Mr. STAFFORD. Oh, no.

Mr. MONTAGUE. Well, I will not testify; the House has witnessed Exhibit A itself. [Applause.] I do not wish, gentlemen, to take up your time. I wanted at some time to submit in a consecutive way some observations upon the subject of river improvements so far as respects my own State. I do not desire to detract from the industry and energy of the gentleman from Wisconsin. I rose a few minutes since to question the gentleman, and I did it with some diffidence because I did not wish to break the continuity of his self-laudation when he asseverated with what indefatigable energy and judicial fairness he had investigated all of these projects.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MONTAGUE. Mr. Chairman, I would ask for one minute more.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. MONTAGUE. And yet when it comes to his own State he is as silent as the tomb. Now let me say to the residue of the delegation from Wisconsin that I do not question the merits of the projects in this bill affecting their State, but it is but candor for me to say that other projects of other States, which I believe to be meritorious, have met the objections of the gentleman from Wisconsin, while projects in his own State, standing upon identical grounds of those which he has criticized, receive no word of condemnation, but meet his warm approval. His palpable inconsistency I wish at this time to accentuate. [Applause.]

The CHAIRMAN. The gentleman withdraws the pro forma amendment, and the Clerk will read.

The Clerk read as follows:

Zippel Bay, Lake of the Woods, Minn.: For maintenance, $1,000.

Mr. STEENERSON. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The Clerk will report it.

The Clerk read as follows:

At the end of line 25, page 29, insert: "Improving Baudette Harbor and River, Minn., completing improvement in accordance with the report submitted in House Document No. 109, Sixty-third Congress, first session, $2,750."

Mr. STEENERSON. Mr. Chairman, this is the same item which was included in the bill of last year, which was defeated in the Senate.

Mr. SPARKMAN. This is a new project.

Mr. STEENERSON. I believe this is a new project but a very meritorious one. This is a point on the Rainy River, and one of the most important points along the international boundary. During 1911, 4 steamers and 29 launches touched at Baudette on regular trips; 104 foreign vessels entered and cleared; and freight and passenger traffic amounted to 164,927 ton-miles and 788,300 passenger-miles, respectively; 71,188 tons miscellaneous freight and 94,710 passengers entering and leaving the port. The timber floated to and from Baudette and Spooner amounts to hundreds of millions of feet, board measure, annually. The Rainy River is navigable for 90 miles to International Falls and Fort Francis, Ontario, where the largest paper and lumber mills in the country are located. It is 10 miles from Lake of the Woods.

These are international waters, and the commerce is very large; and the main river, the Rainy River, at this point is about 1,500 feet wide and is a very deep river, but it is occupied very largely by timber and log booms. It is one of the biggest logging streams in the world. Hundreds of millions of feet are floated down to the Lake of the Woods, and the steamers have only a small space left them by these lumber industries. There are some of the largest sawmills in the world located at Baudette and Spooner, and this Baudette River comes in at this point and flows into the Rainy River. The banks along the Rainy River are very high and precipitous, so that it does not afford a suitable landing, and the place where it is proposed to construct this harbor is at the entrance of the junction of the Baudette River with the Rainy River, only half a mile or so from the main Rainy River. The villages of Baudette and Spooner, located on either side of the Baudette River just above the junction with the Rainy River, have already built wharves on either side, and it is really the only place for the steamers to turn. This small appropriation for a turning basin was recommended by the Board of Rivers and Harbors and by the Chief of Engineers at $2,750. The commerce, as I say, is very extensive and amounts into the hundreds of thousands of tons. It seems to me that, seeing how modest we are up there in Minnesota, and this being the only appropriation for northern Minnesota—it seems to me the fact that it is a new project ought not to condemn it. It seems to me from the arguments I have heard here to-day that there is not a strict adherence to the rule to the effect that only projects in the course of construction should be covered by this bill; and, therefore, I hope that the rule will not be so strictly applied. I appeal to the committee to relax that rule and allow this small $2,750 project at this place, that is so important for navigation, to be provided for, and not to wait another year. If there is anything else I could say, I would cite the fact that Baudette and Spooner, in this big forest region, were swept by the forest fire of 1910–11 and were wiped out, and yet they were rebuilt in a very short time; and they spent over $1,000 on these municipal wharves and have shown wonderful enterprise and public spirit. I hope that you will make an exception to the rule not to include new projects, and thereby include this one.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Minnesota [Mr. STEENERSON].

The question was taken, and the Chair announced that the noes seemed to have it.

Mr. STEENERSON. Division, Mr. Chairman.

The CHAIRMAN. The gentleman demands a division. Those in favor of the amendment will rise and stand until they are counted.

Mr. STEENERSON. Mr. Chairman, I withdraw the demand for a division.

Mr. SWITZER. Mr. Chairman, I would like to extend my remarks made awhile ago, by correcting an error which I made last Saturday in some remarks made then.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none. The Clerk will read.

The Clerk read as follows:

Harbor at Chicago, Ill.: Continuing improvement, by the construction of a breakwater to form an outer harbor, $374,000: *Provided*, That of the amount now on hand and available for rebuilding superstructure of existing breakwaters, $200,000, or so much thereof as may be deemed advisable, may, upon the recommendation of the Chief of Engineers, be transferred by the Secretary of War and made available for extension of the outer breakwater.

Mr. GALLAGHER. Mr. Chairman, I have an amendment which I wish to offer to the paragraph.

The CHAIRMAN. The gentleman from Illinois offers an amendment which the Clerk will report.

The Clerk read as follows:

Page 30, line 12, after the word "breakwater," insert the following: "*And provided further*, That the Secretary of War may enter into a contract or contracts for such materials and work as may be necessary to construct the breakwater, to be paid for as appropriations may from time to time be made by law, not to exceed in the aggregate $1,490,300, inclusive of the amount herein appropriated and made available, and amounts heretofore appropriated."

Mr. GALLAGHER. Mr. Chairman——

Mr. SPARKMAN. Mr. Chairman, I would like to inquire of the gentleman how much time he wishes to consume on this amendment.

Mr. GALLAGHER. Mr. Chairman, I will state that I do not imagine there is going to be any serious objections to the amendment. [Laughter.] Of course, if there is objection, we will have to make some arrangement as to time.

Mr. SPARKMAN. I will say to the gentleman there will be very serious objection to the amendment, and my purpose in rising was to see if we could agree on time. I understood that the gentleman probably wanted 15 or 20 minutes himself, or something like that.

Mr. GALLAGHER. I will state for the benefit of the House that if there is going to be any serious objection there may be some other members of the Illinois delegation who would like to be heard with reference to this matter, and I imagine that they will want a little time. I may want 15 or 20 minutes myself.

Mr. GOODWIN of Arkansas. Mr. Chairman, I will state to the gentleman that there might be some objection to the paragraph as well as to the amendment.

Mr. GALLAGHER. We can include that in the time if there is any objection to the paragraph.

Mr. MADDEN. I wish to suggest that I would like to get 20 minutes on this.

Mr. GOODWIN of Arkansas. I would like about 15 minutes on this myself.

Mr. MADDEN. I will say that this is no laughing matter. I notice that the chairman of the committee is laughing.

Mr. SPARKMAN. I will say to the gentleman that I was smiling at something else.

Mr. GALLAGHER. Time has been granted indefinitely and without limit to everybody who has wanted to speak on questions that had no more significance than this all day. I consider this one of the most important items in the bill, not only to the city of Chicago but to the traffic of the Great Lakes, and I think it ought to be considered with seriousness and not made a joke.

We really consider this to be of great importance. We are serious about it, and we propose to discuss it with seriousness and to call the attention of the country to the importance of the question that is involved in it.

Mr. HUMPHREY of Washington. Can we not fix some time? Will the gentleman from Illinois indicate?

Mr. MADDEN. I would like to have 20 minutes myself. I am not speaking for anybody else.

Mr. GOODWIN of Arkansas. Mr. Chairman, I would like to have 15 minutes on this amendment.

Mr. GALLAGHER. Is the gentleman for or against it?

Mr. GOODWIN of Arkansas. I am in opposition to the amendment.

Mr. HUMPHREY of Washington. Mr. Chairman, I want to state that at this stage I shall object to any agreement. Let the gentleman from Illinois [Mr. GALLAGHER] proceed. He is a member of the committee.

The CHAIRMAN. The gentleman from Washington [Mr. HUMPHREY] objects to any agreement.

Mr. GOODWIN of Arkansas. Mr. Chairman, this amendment carries an appropriation of $1,500,000, lacking only about $10,000, and I consider it of some importance not only to the city of Chicago but also to the Treasury of the United States.

Mr. GALLAGHER. Mr. Chairman, that statement may mislead the House. It is not a fact. The gentleman is mistaken. That will come out in the argument. If that is what the gentleman from Arkansas wants his 15 minutes for, he will waste the time of the House.

Mr. GOODWIN of Arkansas. I may find something else to say about it.

Mr. MANN. Mr. Chairman, I ask that the gentleman's request be put.

Mr. GALLAGHER. The gentleman wanted time from the other side.

Mr. MANN. I ask that the gentleman from Illinois [Mr. GALLAGHER] have 10 minutes.

Mr. GALLAGHER. I want 15 minutes.

Mr. MANN. Well, make it 15 minutes.

The CHAIRMAN. The gentleman from Illinois [Mr. MANN] asks unanimous consent that his colleague [Mr. GALLAGHER] may have 15 minutes. Is there objection?

Mr. EDWARDS. Reserving the right to object, Mr. Chairman, I ask unanimous consent that the debate on this paragraph and all amendments thereto may end in 40 minutes.

Mr. MADDEN. Oh, you can not do that. I want 20 minutes myself. I may get along with 15.

Mr. EDWARDS. Let us fix it at 45, then.

Mr. GALLAGHER. Oh, no. That will not do. Forty-five minutes are wanted on this side already, and there may be more time wanted.

Mr. SPARKMAN. Mr. Chairman, I understand that 30 minutes will be taken up on that side.

Mr. GALLAGHER. No; 40 minutes. My colleague from Illinois [Mr. THOMSON] wants some time.

Mr. HUMPHREY of Washington. Mr. Chairman, I do not want to be unreasonable, but it does seem to me that in the present situation there ought not to be unlimited debate on a proposition of this character. It is something unusual, especially after we have been here for three or four days. An unlimited amount of debate on this question ought not to be asked for at this late hour.

Mr. GALLAGHER. I do not think those contentions ought to enter into it.

Mr. MADDEN. The lateness of the hour in the day takes nothing away from the importance of the question.

Mr. HUMPHREY of Washington. I know; but you took some of the time away to-day.

Mr. MADDEN. I did not take any time away. I simply demanded that a quorum be present when there were only 25 Members here.

Mr. HUMPHREY of Washington. Yes; you have done that twice.

Mr. MADDEN. And I will reserve the right to do it again if necessary. No such proposition has arisen with respect to any other proposition in this bill as now arises in regard to this. We are not unreasonable. We want to be heard. We think we have a provision here of great importance to the American people. We want to present our side of the case. We can not present it in 10 minutes. The gentleman from Washington speaks whenever he wants to. Nobody objects to him. I am not going to object when he wants to speak again. We are here asking for an opportunity to speak on behalf of the people of our State. We ought not to be cut off from the exercise of that right.

Mr. MANN. Mr. Chairman, I ask that the Chair put the request I made that my colleague [Mr. GALLAGHER] may have 15 minutes.

The CHAIRMAN. The gentleman from Illinois [Mr. MANN] asks unanimous consent that his colleague [Mr. GALLAGHER] may have 15 minutes. Is there objection?

Mr. EDWARDS. Reserving the right to object, Mr. Chairman, I think we can get together on an agreement as to time.

The CHAIRMAN. Is there objection?

Mr. GALLAGHER. Mr. Chairman, I can not understand why there are several objections to our occupying a little time in the House to-night on the most important item in this bill.

Mr. EDWARDS. The objection does not seem to be as to occupying time. We are trying to arrange so that the gentleman can have the time.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois [Mr. MANN]?

Mr. DONOVAN. What is the request?

The CHAIRMAN. The request of the gentleman from Illinois is that his colleague be permitted to proceed for 15 minutes.

Mr. DONOVAN. Reserving the right to object, I want five minutes at some stage of these proceedings.

Mr. MANN. I do not think the gentleman will have any trouble in getting it.

The CHAIRMAN. Is there objection?

Mr. DONOVAN. Mr. Chairman, I want to be considered in this affair, and I must have five minutes at some stage of these proceedings. I do not often get it.

The CHAIRMAN. Is there objection?

Mr. DONOVAN. I must insist upon having five minutes here somewhere.

The CHAIRMAN. The Chair will recognize the gentleman for five minutes when the opportunity presents itself. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The CHAIRMAN. The gentleman from Illinois [Mr. GALLAGHER] is recognized for 15 minutes.

Mr. GALLAGHER. Mr. Chairman, I am somewhat surprised at the excitement that the introduction of this amendment has caused in this House. I am astonished at the statement of the chairman of the committee that there will be serious objection to it. I am also surprised at the statement of the gentleman from Arkansas [Mr. GOODWIN] that he wants some time to oppose it. Now, what is the cause of this undue excitement? What is the reason for this serious objection?

The very first item in this bill, the appropriation for Portland, Me., was objected to on the ground that the city of Portland had no municipal harbor or docks. The city of Chicago is providing a municipal harbor and docks for the benefit of the city of Chicago and lake shipping of every character, paying for it out of moneys that have been raised by a city bond issue of $5,000,000, and is proceeding to build this harbor. The municipality has expended up to date in the neighborhood of $4,000,000 for the harbor that it is constructing on the lake just north of the entrance to the Chicago River. This amendment is introduced for the purpose of making the appropriation for the Chicago Harbor a continuing authorization. What are the facts? We have appropriated and authorized an expenditure of $1,250,000 for the breakwaters at Chicago Harbor. Two hundred and fifty thousand dollars of that money has already been made available for the work. This bill carries an appropriation for $574,000. We want you to adopt the amendment so that we can have a continuing authorization for the work. That is done at the request of the Army engineers and at the request of the local engineer. The reason they want the continuing appropriation is because they can save money to the United States Government by making it a continuing authorization. They are not saving any money to the city of Chicago. It is for

the express purpose of saving the money to the people of the United States. For that reason we come here with the amendment at the request of the officials of the city of Chicago to ask you to insert it in this paragraph.

Mr. GOODWIN of Arkansas. Will the gentleman yield?

Mr. GALLAGHER. Yes; I yield to the gentleman for a question.

Mr. GOODWIN of Arkansas. I do not care to be captious, but is it a fact that it is a condition precedent to the appropriation of the $1,250,000 or any other amount of money that the city of Chicago herself must build five piers for the purpose of creating a great harbor at that place?

Mr. GALLAGHER. Yes.

Mr. GOODWIN of Arkansas. Has that condition been complied with yet?

Mr. GALLAGHER. Yes.

Mr. GOODWIN of Arkansas. Has she built the five piers?

Mr. GALLAGHER. She has not built the five piers that we intend to build, but that is not the question. The question was that none of this money should be made available until the Secretary of War was satisfied that Chicago was going to proceed with the work.

Mr. GOODWIN of Arkansas. How many piers——

Mr. GALLAGHER. Hold on until I answer the question. The Secretary of War is satisfied with what the city is doing, and has released the money, and now we are proceeding to build the harbor.

Mr. GOODWIN of Arkansas. How many——

Mr. GALLAGHER. Now, let me say to you—because you are trying to create a wrong impression by the fact that you ask about the five piers——

Mr. GOODWIN of Arkansas. No; I am not. I am merely seeking information.

Mr. GALLAGHER. Chicago does things in pretty good shape. Everybody will admit that. From a village on the prairie that men now living recollect we have built one of the greatest cities in the world, the second greatest city in the new world. [Applause.] We do business in Chicago, and we are doing business in this particular. Why, the city of Chicago has never come here before for any particular amount of money. You have given us only a little over $3,000,000—less than $3,500,000—in the whole history of the city; but the city of Chicago is now building a harbor that will cost $5,000,000 for preliminary work. There is no telling what it will spend before it is through.

They are spending $6,000,000 now to improve the Chicago River for harbor purposes by removing the center pier and constructing in place of the pier the new jackknife or bascule bridge in the interest of navigation. We are spending and have spent between $66,000,000 and $70,000,000 to build a ship canal, the connecting link in the proposed waterway that you intend to construct from the Lakes to the Gulf. That is money paid out by the city, and we now have the State bonded for $20,000,000 to prosecute that work. We do not come here begging anything. Chicago Harbor is one of the greatest harbors in this country, with a tremendous tonnage. You talk here about little creeks and streams that you want improved and waste the time of Congress discussing them when here is a great enterprise that ought to engage the earnest attention and serious consideration of every business man in this Hall. Every man who knows anything about the conditions of this immense harbor, one of the greatest harbors in the world, ought to be in favor of this amendment.

Now, Mr. Chairman, I will reserve the balance of my time for the express purpose of answering the various objections, with a view of convincing Members here that this is a meritorious amendment designed for the purpose of saving the money of the Government, and not for the city of Chicago.

Mr. GOODWIN of Arkansas. Will the gentleman yield?

Mr. GALLAGHER. Yes.

Mr. GOODWIN of Arkansas. I want to be enlightened about this, for I know little about it.

Mr. GALLAGHER. I thought the gentleman did not by the statement that he made that we had spent $1,400,000 on it. The whole improvement does not cost over $1,400,000.

Mr. GOODWIN of Arkansas. The gentleman is mistaken; I made no such statement. I said that $1,250,000 was asked for. I hold in my hand a copy of the Chicago Tribune of the 13th instant, which gives the picture of a great convention hall when completed, and a picture of the harbor as it will appear when the convention hall shall have been completed, and it shows one pier. I do not put all the faith in that unless there is some better evidence of it. There are two columns of matter on the first page descriptive of the hall, as well as the whole output. I should like to know if that picture reflects the ultimate purpose of the backers of this movement?

Mr. GALLAGHER. Will the gentleman state to the House how his attention was drawn to that article?

Mr. GOODWIN of Arkansas. I think the gentleman's colleague and mine, Mr. FOWLER, has a copy of that paper. I am acting in good faith. If this is a meritorious proposition, I want to be for it.

Mr. GALLAGHER. Of course, we do big things in Chicago. But that has nothing to do with this matter here at all. It is not connected up with it, and only shows what may possibly be done. That has nothing to do with the work of the city, and I do not know whether it is connected up with it. The amendment we are interested in refers solely to the building of the harbor.

Mr. GOODWIN of Arkansas. I will ask if the railroad terminals, as well as the warehouses which were in contemplation, are to be abandoned?

Mr. GALLAGHER. No; it has not come to that stage yet.

Mr. GOODWIN of Arkansas. Is it not a fact that a great park is about to take this space that otherwise might be kept for the purpose of utility?

Mr. GALLAGHER. There is nothing to that. If the gentleman has ever been in Chicago, he knows that we have the greatest system of parks in the world. We have miles of parks, parkways, and boulevards. The city of Chicago has expended $300,000 to get additional ground at this point for harbor purposes. But that has no relation to this proposition of building a harbor.

Mr. GOODWIN of Arkansas. I was asking not only for my own information, but for the information of other Members who want it. All the queries I have propounded have been in good faith. I do not want to be captious, but I want enlightenment.

Mr. GALLAGHER. That has no connection with the proposition before the House. Now, Mr. Chairman, I wish to reserve the balance of my time.

The CHAIRMAN. The Chair does not think the gentleman is entitled to reserve any time under the permission of the committee that he have 15 minutes. The Chair may recognize the gentleman again.

Mr. GALLAGHER. I do not care to take up any more time until I know what will be said against the proposition.

Mr. THOMSON of Illinois. Mr. Chairman, if I may have the attention of my friend from Arkansas, I would like to answer some of the questions that he has asked the gentleman from Illinois [Mr. GALLAGHER]. For five years before I came to this House I was a member of the city council of Chicago. During most of that time I was a member of the committee on harbors, wharves, and bridges, and it was during the time that I was a member of the city council that this arrangement affecting these piers was consummated and that the council took action on behalf of the city of Chicago with reference to them. As my colleague, Mr. GALLAGHER, has explained, the money that was appropriated some time ago by this body was to be released by the Secretary of War whenever he became satisfied that the city was going to carry out its agreement with reference to these piers. He has become so satisfied, and he has released the money. The gentleman from Arkansas [Mr. GOODWIN] asked whether these piers had been constructed. In the first place, he was in error in mentioning five piers, for there are three piers involved in the proposition, not five. One of these piers has been constructed. It is practically complete. It is all complete with the exception of some superstructure.

The concrete work for a full thousand feet out into the water is complete, and the reason why the gentleman from Illinois [Mr. GALLAGHER] is pressing this amendment is in order that we may be assured that shipping may use this pier that is finished. There must be some extension both to the northeast and the south of the breakwater that is there now and that has been there for some years. This pier juts out in an easterly direction, and boats must tie up either on the south or the north side of it. Both sides are without protection at this time except at the very outer end. There it comes out to a point where it is practically inside of this breakwater that runs in a northwesterly and southeasterly direction; but the two sides are without protection, and the very purpose of this amendment is to afford protection that will enable shipping to use the one pier that the city has already constructed and paid for. The other two piers are authorized, as I understand, and will be provided.

Mr. GOODWIN of Arkansas. When the other two shall have been constructed, will the appropriation as carried by this amendment, if passed, be enough to protect the three piers?

Mr. THOMSON of Illinois. Yes. The three piers that are contemplated are within what we call Chicago Harbor district No. 1, and are all within the protection contemplated in this amendment and in this paragraph; and when these piers are

constructed nothing beyond the work that is provided for in this paragraph, with the amendment that is proposed, will be needed to afford all three of the piers protection.

As to the convention hall that my friend inquired about, I assure him that is not connected with this project at all, as my colleague from Illinois stated. In connection with this construction of the harbor district No. 1 the city of Chicago acquired a right from the State of Illinois to create some made land by filling in a part of this area; and if this convention hall is erected, it is proposed by some citizens of Chicago that it be placed there. This is purely a tentative project at this time. Nothing definite has been done in respect to the matter. It does not enter into the question before us at all. As I understand, the Association of Commerce proposed that it would be well to put it up in that neighborhood, and if it should go there it would go upon made land; and if it should be placed where it is suggested now, it so happens that it will be in the vicinity of the shore end of this first pier that has been completed.

Mr. GOODWIN of Arkansas. I gather from the location of the proposed convention hall, owing to its proximity and, I might say, juxtaposition to the pier already constructed, that the convention hall itself would usurp the ground and the space that should properly belong to the harbor.

Mr. THOMSON of Illinois. I understand the gentleman's point. That is not correct, for this reason: In the first place, let me reiterate that this is merely a suggestion by some of the citizens of Chicago. It may never be placed there. The city may not consent to it; but the suggestion, if agreed to, would not interfere with the use of the pier, because it would be to the south of the pier. I understand from the Commissioner of Public Works of the city of Chicago, who has recently been in the city of Washington, that the work of constructing the tracks out onto this pier that has been completed, is now going on, so that the pier may be serviceable at the earliest possible moment for the conduct of traffic in the way of freight. This pier is a thousand feet long and, I think, 300 feet wide. It provides 7,000 feet of dockage, and is available for freight dockage. There is a plan in contemplation by the city to create a superstructure on certain parts of this pier, which will not interfere in any way with the use of the ground surface of the pier as it may be called, and this superstructure is to be used, to some extent, for passenger traffic; but that is all above the freight level of the pier, which is the street level.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. GOODWIN of Arkansas. Mr. Chairman, I ask that the time of the gentleman be extended for 10 minutes.

The CHAIRMAN. The gentleman from Arkansas asks that the time of the gentleman from Illinois be extended for 10 minutes. Is there objection?

Mr. THOMSON of Illinois. I do not want any more time than is necessary to answer such questions as may be asked, and I will ask that I be given five minutes.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent that he may proceed for five minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. GOODWIN of Arkansas. I had understood that as an aid to the harbor there, in the way of railroad terminals and facilities as well as the plat for warehouses, that this now, in a large measure, has been abandoned.

Mr. THOMSON of Illinois. What has been abandoned?

Mr. GOODWIN of Arkansas. That the railroad terminals and warehouse facilities had been abandoned and in their place a pleasure park, that is a very necessary thing sometimes in large cities, and a driveway had occupied some part of this ground which could be utilized for a number of business purposes. I just call attention to it——

Mr. THOMSON of Illinois. The gentleman has not been correctly informed in that regard. That is not correct at all. Now, if I may have the attention of my friend from Arkansas, I would like to answer his question. There is contemplated in the city of Chicago what we call our boulevard link connecting the boulevard system on the north with the south side. That link might pass this point somewhere near the inner end of the pier or some distance inside of it. This plan, if finally carried out in that way, will not interfere with the use of this pier commercially because the level of the boulevard link will be carried either above or below the tracks, which will be at the pier level.

Mr. MANN. I think what the gentleman from Arkansas has reference to is the boulevard drive on the south side where there is no harbor at all and in another part of the city entirely away from this.

Mr. THOMSON of Illinois. It may be that that is what the gentleman had in mind, but that is miles away from this point.

Mr. GOODWIN of Arkansas. I am not acquainted with the exact location of the proposed harbor or driveway. As my information has been gathered in a rather fragmentary way, I am only asking for enlightenment, and some other Members of the House are of the same opinion I am, and that is the reason I am asking these questions.

Mr. MANN. This harbor is on the north side of Chicago, north of the Chicago River, and the boulevard is way over on the south of the river, on the south side.

Mr. THOMSON of Illinois. Mr. Chairman, the plans of the city of Chicago for the improvement of its parks and driveways will not interfere in the slightest degree with the use of the pier which has been completed or with the two others in contemplation as freight terminals. As has been said by my colleague from Illinois, some objection was made, and I think the point was well taken to some of the items in this bill, due to the fact that large sums of money had been appropriated for the improvement of harbors in which there were no public terminal facilities, in which the terminal facilities already there were in the hands of private interests and where it was not possible to provide public terminal facilities. That objection can not be made in the case of this proposition affecting the harbor of Chicago. Chicago was asked in connection with previous appropriations to assure the Federal Government that the city would expend a large sum of money, running into the millions, to provide public piers, and we agreed we would do that; and, as I say, that proposition happened to be up in the city council when I was a member of that body on the committee on harbors, wharves, and bridges, and we agreed to provide three piers, each 1,000 feet long, in this harbor district No. 1, which is immediately north of the mouth of the Chicago River. We assured and convinced the Secretary of War that we were going ahead with our plans, and he released such money as had been appropriated in the past, and we have gone ahead and completed the first pier, 1,000 feet long and 200 or 300 feet wide.

Mr. COX. At what cost?

Mr. THOMSON of Illinois. At a cost of about $4,000,000. I believe that is the amount that has been expended on that improvement. Now, the point is just this——

The CHAIRMAN. The time of the gentleman has expired.

Mr. THOMSON of Illinois. May I have two minutes more?

The CHAIRMAN. The gentleman from Illinois asks unanimous consent to proceed for two minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. THOMSON of Illinois. The point is just this: If this pier, in building which the city of Chicago has spent millions, and the other two piers, in the construction of which the city of Chicago is going to spend other millions, are to be used by shipping, and are to be put to the use to which they were intended by the city of Chicago and by the Government, the Government must provide the protection facilities that it was understood it was going to provide when this proposition was originally brought up, and it must provide the protection facilities which are contemplated in this paragraph that is now before the House and in the amendment which has been offered by my colleague [Mr. GALLAGHER].

These three piers run out in an easterly direction in the lake. Some distance beyond the end of those piers—the one that is there, and the other two that will be put there—is a breakwater that runs in a northwesterly and southeasterly direction, but it does not come to the shore within half a mile at the north end. Those piers will be exposed to northeasterly storms and southeasterly storms, and the result will be that the shipping can not tie up to those piers upon which we have expended millions unless the Government provides the protection that we were given to understand would be provided at the time this proposition was entered into and the agreement made between the Government and the city; and all that we are asking in the amendment of my colleague [Mr. GALLAGHER] is that the Government shall carry out its part of the program. We have carried out our part.

Mr. KENT. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Illinois yield to the gentleman from California?

Mr. THOMSON of Illinois. Certainly.

Mr. KENT. I would like to ask the gentleman as to the relative importance of this particular project in terms of tonnage. We have been discussing all sorts of small problems, but this one seems to me to be of immense importance in the matter of tonnage.

Mr. THOMSON of Illinois. In answer to my friend from California I will say that the water freight traffic at Chicago runs

into millions of tons in quantity and hundreds of millions of dollars in value annually.

It is of vast importance. We have, during the summer months there, tremendous traffic from the east shore of the lake in perishable fruits, and we want to use these piers to tie up these fruit boats and get that perishable fruit from the boats to this pier, so that it can go from the boats directly into the cars and be carried to its destination with the least possible delay. These tracks are now being laid down on the pier which has been completed. This pier would be available for use this summer if that protection were there. It is not there now, and I presume, therefore, that except in weather that is very favorable and at times when it looks as though it were going to continue so for a matter of 12 hours at least—except at such times, that pier will not be available for use by shipping unless this protection is provided.

This [indicating] is the breakwater, as shown on the map here. This is the breakwater I have tried to describe. The kind of breakwaters we must have are these two pieces here [indicating]. If these extensions are not made these piers will be exposed to storms from two directions. We want the Government to put this protection [indicating] in so that the shipping on the lake will have the benefit of the public pier that we have put up there and the ones which we are going to put up there.

The important element of the pending amendment is that it authorizes the letting of a continuing contract. It does not increase the appropriation made in this paragraph, but it makes certain the continuance of the Government's part in the construction of this harbor—namely, the protecting breakwaters to their completion.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MADDEN. Mr. Chairman, is anybody going to speak on the other side of this question?

Mr. SPARKMAN. Yes; I propose to close.

Mr. MADDEN. Is anybody else going to speak?

Mr. MANN. The gentleman from Connecticut [Mr. DONOVAN] wanted to speak.

Mr. MADDEN. Then, Mr. Chairman, I ask for recognition. I ask unanimous consent that I may be allowed to speak for 20 minutes.

The CHAIRMAN. The gentleman from Illinois [Mr. MADDEN] asks unanimous consent to speak for 20 minutes. Is there objection?

There was no objection.

The CHAIRMAN. The gentleman from Illinois [Mr. MADDEN] is recognized for 20 minutes.

Mr. MADDEN. I have thought this matter of sufficient importance to reduce what I have to say to writing in order that I might be able to state the case fully to the committee, but it is unfortunate that this item in the bill comes up at an hour when everybody seems to be hungry, and there is nobody in the House but the enemies of the item. It is hardly fair to be called upon to present to the benches a case as important as this, and it seems to me if this matter is to be considered upon its merits we ought to have a quorum of the committee here.

Mr. RUBEY. Will the gentleman yield?

Mr. MADDEN. I will.

Mr. RUBEY. I suggest to the gentleman that I, for one, have been here all day.

Mr. MADDEN. And so have I.

Mr. RUBEY. And a great many Members are here that have been here most of the day. If the gentleman desires at this time to make a point of no quorum, I shall object to extending remarks in the future during the consideration of this bill.

Mr. MADDEN. I do not want to insist upon it, but I think it is unfair to a great project such as the one we have to present to be called upon to present the case when there is nobody in the House. I have been here all the time, not only all day to-day but every day.

Mr. DONOVAN. Mr. Chairman——

The CHAIRMAN. Will the gentleman from Illinois yield to the gentleman from Connecticut?

Mr. MADDEN. Yes, sir.

Mr. DONOVAN. Why does not the gentleman move to rise and consider it on another day?

Mr. MADDEN. I have not the power to get the committee to rise, but my time is going on, and therefore I shall ask to go on.

Mr. MANN. Mr. Chairman, I ask unanimous consent that further consideration of this paragraph be passed over for one hour.

The CHAIRMAN. The gentleman from Illinois [Mr. MANN] asks unanimous consent that further consideration of this paragraph be passed over for one hour. Is there objection? [After a pause.] The Chair hears none.

Mr. MADDEN. And I hope that I may have my time then.

The CHAIRMAN. The Chair will recognize the gentleman. The Clerk will read.

The Clerk read as follows:

Calumet River, Ill. and Ind.: Continuing improvement and for maintenance, $30,000.

Mr. MANN. Mr. Chairman, I offer an amendment, to come in after the last paragraph.

The CHAIRMAN. The gentleman from Illinois offers an amendment, which the Clerk will read.

The Clerk read as follows:

Page 30, after line 16, insert the following:

"That the portion of the old channel of the Calumet River in the north quarter of fractional section 7, township 37 north, range 15 east, of the third principal meridian, south of the Indian boundary line, in Cook County, Ill., which lies outside of the new channel lines as established by the United States and shown on 'Map of the Calumet River, Ill., from Lake Michigan to Calumet Lake, to accompany report of W. G. Ewing, United States attorney, to the Attorney General, respecting cession of right of way for improvement of said river, under act of Congress approved July 5, 1884,' is hereby abandoned as navigable water."

Mr. FOWLER. Mr. Chairman, I reserve a point of order on that.

Mr. SPARKMAN. We have no objection to that amendment. I was going to offer the same amendment myself as a committee amendment, but was temporarily out when the paragraph was read. But I have no objection to it. So far as the committee is concerned, we will accept it.

Mr. ADAMSON. Mr. Chairman, I hope no objection will be made to it. The provision was brought before the Committee on Interstate and Foreign Commerce and reported favorably by them, but there was no hope of recognition to pass it. It is meritorious and it ought to go in, and therefore I hope no point will be made against it.

Mr. FOWLER. Mr. Chairman, I reserve a point of order against it.

Mr. SPARKMAN. It is a meritorious amendment, and ought to be adopted.

Mr. MANN. It is subject to a point of order. If my colleague will reserve a point of order on it, I will make a very brief statement. I do not desire to detain the committee long. Twice before a similar provision has been passed as to other parts of the Calumet Channel. Calumet River used to be a very winding stream, and in 1884 Congress provided that if the owners of the property should donate the property necessary to make the channel 200 feet in width and make it straight that that project should be adopted. That was done. The new channel has been constructed. In the deeds which were made to the Government and which the Government accepted it was provided—

That the shore or dock lines of said river as were established and shown on said plat shall hereafter for all purposes be taken as the true meander lines of said stream.

The new channel is there, but the owners of the property on both sides of the old channel can not make any use of the new channel because there is not space without crossing the old narrow channel of the river, and there has been no definite statement by the Government that the old channel is abandoned as navigable water. We have not been willing in the past to abandon all the old channel as navigable water, because portions of the old channel were desired for turning basins. Portions of the old channel have been used, and have been reserved for turning basins. But whenever the property owners have asked that a particular piece of the old channel be abandoned as navigable water—and it has not been needed for turning basins or for any other purpose in connection with the new channel—we have twice passed similar provisions, and this is one which is recommended by the Army engineers. It is subject to a point of order.

The CHAIRMAN. The point of order is sustained.

Mr. ADAMSON. Nobody made any point of order, Mr. Chairman.

Mr. FOWLER. I did.

Mr. ADAMSON. I beg the gentleman's pardon. I did not hear him.

The CHAIRMAN. The gentleman from Illinois [Mr. FOWLER] made the point of order.

Mr. SPARKMAN. I do not think myself that it is subject to the point of order, but the Chair has ruled.

Mr. MANN. I think it is subject to the point of order.

The CHAIRMAN. The point of order is sustained. The Clerk will read.

The Clerk read as follows:

Mississippi River from Head of Passes to the mouth of the Ohio River, including salaries, clerical, office, traveling, and miscellaneous

expenses of the Mississippi River Commission: Continuing improvement with a view to securing a permanent channel depth of 9 feet, $5,000,000, which sum shall be expended under the direction of the Secretary of War in accordance with the plans, specifications, and recommendations of the Mississippi River Commission, as approved by the Chief of Engineers, for the general improvement of the river, for the building of levees, and which may be done, in the discretion of the Secretary of War, by hired labor or otherwise, between Head of Passes and Cape Girardeau, Mo., and for surveys, including the survey from Head of Passes to the headwaters of the river, in such manner as in their opinion shall best improve navigation and promote the interests of commerce at all stages of the river: *Provided*, That of the money hereby appropriated so much as may be necessary shall be expended in the construction of suitable and necessary dredge boats and other devices and appliances and in the maintenance and operation of the same: *Provided further*, That the watercourses connected with said river and the harbors upon it, now under the control of the Mississippi River Commission and under improvement, together with the harbor at Vicksburg, Miss., which is hereby transferred to and placed under the control and jurisdiction of such commission, may, in the discretion of said commission, upon approval by the Chief of Engineers, receive allotments for improvements now under way or hereafter to be undertaken, to be paid for from the amount herein appropriated.

Mr. FREAR. Mr. Chairman, I assume that it is proper to submit amendments to this paragraph, although the next paragraph has relation to it.

The CHAIRMAN. Yes.

Mr. FREAR. I move to strike out the figures "$5,000,000," in line 23, page 30, and to substitute "$1,000,000."

The CHAIRMAN. The gentleman from Wisconsin offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 30, line 23, strike out the figures "$5,000,000" and substitute therefor "$1,000,000."

Mr. FREAR. Mr. Chairman, I do not assume to be a better judge than the engineers of the necessities of the lower Mississippi River. In view, however, of the fact that we are spending large sums of money at this time, I do believe it is well for us to economize, if possible, in some of these large appropriations. It appears from the engineers' report that in October last $4,556,387 was on hand for further use on this project. If any portion of that money is to be used at this time, it appears it might relieve the situation which confronts us at the United States Treasury.

On several occasions I have spoken on the subject of the Mississippi River, and have given the opinions of critics, of engineers, of people who live on the river, and of newspapers from New Orleans and at Vicksburg and at Memphis criticizing the character of the appropriations on the Mississippi River and the improvements now being made. There is a well-grounded opposition, apparently, in the minds of many reputable people against the large appropriations that are being made at the present time for the Mississippi River. The complaint, largely, is lodged against the system of improvements. For that reason some time ago I introduced a resolution asking that a complete investigation of the present system be had and that the President appoint a high-class board, if necessary, for the purpose of making the investigation. In response to that I received many letters from engineers and others throughout the country urging that my proposal was good, in view of the many criticisms which have been lodged against the work now being conducted by the Mississippi River Commission.

The present system is declared by experts and by people living along the river to be a patchwork system of levees here and there. It is also charged, and charged very forcibly, that the Mississippi River levee proposition is largely one for the reclamation of lands, as was stated on the floor a day or two ago, and that a great many acres of land are to be reclaimed by this system of levee construction. If so, it is not primarily for the purpose of navigation. I believe it is improper to pay Government funds for such purposes, or at least there ought to be a liberal contribution, and it ought to be published, so that the people of this country whose money we are paying out on the Mississippi will know what is being paid by local communities toward the reclamation of lands.

Mr. GOULDEN. Will the gentleman yield?

Mr. FREAR. Yes.

Mr. GOULDEN. Can the gentleman tell how much money is on hand as of date January 1 and available for this improvement?

Mr. FREAR. I stated that over $4,000,000 was available in October last. That was after the allotment was had.

Mr. Chairman, I do not care to discuss this to any extent, because I realize that I have taken the time of the committee and of the House on this Mississippi River item heretofore, but I do wish to say this: We all know that the traffic on the Mississippi River has rapidly decreased—I think something like 80 per cent—within the last 15 years or thereabouts, and that this appropriation is primarily for the building of levees.

We are placing in the hands of this commission a great deal of money, $77,000,000 or $80,000,000, as nearly as I can ascertain from the engineers' report on the lower branch of the Mississippi River. No one knows what this great scheme will cost. It is for us to handle the matter intelligently, knowing that we will have to face the results and be responsible. We can go along in this reckless way under pressure that comes from one part of the country or the other, but eventually you have got to meet it. There are people in that district who claim that the money is being thrown away in this matter of patchwork construction.

Mr. HUMPHREYS of Mississippi. Mr. Chairman, the $4,000,000 on hand has been contracted for and is on hand no longer. There is none on hand now. There was $3,750,000 allotted out of the $20,000,000 bill passed last year. Complaint has been made by citizens in the Mississippi Valley ever since the beginning of the Government against whatever system was in vogue. There are those there now who are bitterly opposed to levees, as the gentleman from Wisconsin has stated. Of course, there are very few of them. The Government in 1822 appointed a Board of Engineers to investigate the question, and that board declared that the only way to control the floods, and that is what this money is largely used for—was to build levees. In 1850 another commission was appointed, and they reported the same way.

In 1851 another commission examined it for 10 years and made the most extensive examination ever made of any river on the face of the earth, and their report, the report of Humphreys and Abbott, two of the most distinguished engineers that we ever had, was the same way. Gen. Humphreys was a very distinguished general in the Union Army, and after that Chief of Engineers. Gen. Abbott was one of the greatest engineers we ever had, and by the way, I am happy to say, is still living, nearly 100 years old. That commission reported that the only way to protect the deltas from flood was by levees. Congress has appointed numerous commissions itself to make investigations, and every commission that ever investigated it has, after investigation, reported that the only way to control the floods was by levees.

It 1879 we created the Mississippi River Commission. It was composed of officers from the Army, the Coast and Geodetic Survey, and from civil life. The personnel, of course, is changed every few years. Gen. Benjamin Harrison, afterwards President of the United States, was at one time a member of that commission. Capt. James B. Eads, one of the most famous of all the civil engineers the country has produced, was at one time a member of it. That commission has been at work ever since 1879 and has been studying the question all the while, and after the most exhaustive examination has reported that the only way to control the floods is by levees. Always there have been some men who have said that that was not the right way, but there has never been a time since the creation of the Mississippi River Commission in all the volumes of their reports and after innumerable investigations when the commission was not of the opinion that the only way to control the floods was by the construction of levees. Others have taken the opposite view, but of course they are very few and far between.

The people along the lower Mississippi in various levee districts have contributed since the Civil War, including what has been put in this year, about $75,000,000 for the construction of levees.

The congressional district that I have represented since 1884—the total assessed value of all taxable property was then $29,000,000—has contributed $25,000,000 to build these levees. It would be charging these people with lunacy to presume that after all these years of experience they would still continue to subject themselves voluntarily to the tremendous tax which they have to pay in order to build levees if they did not know that that was their salvation.

All political parties and nearly all the prominent men in all political parties have insisted that the Federal Government ought at least to contribute. The Federal Government has since 1879 contributed $33,000,000, while we have put up $75,000,000.

The CHAIRMAN (Mr. Cox). The time of the gentleman from Mississippi has expired.

SEVERAL MEMBERS. Go on; go on!

Mr. HUMPHREYS of Mississippi. Mr. Chairman, this is a subject that I must cease talking about, because I have discussed it for so many years——

Mr. BOOHER. Mr. Chairman, I ask unanimous consent that the time of the gentleman from Mississippi be extended for five minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. HUMPHREYS of Mississippi. Mr. Chairman, as I was about to say, as the membership of the House knows, I have devoted 12 years to the study of this subject, to the exclusion practically of all other subjects, and I have become somewhat enamored of the sound of my own voice whenever I take up the subject, and am therefore apt to abuse the privilege of the House by talking about it too much. The Members will note that at the bottom of the map that is before them the expression "the process by which the country above is relieved is the process by which the country below is ruined." That is an expression of Lieut. Elliot in his report in 1850 on the improvement of the territory north of this great delta. When these great States in here [indicating] to the north were being improved, were being cleared, when the farms were being drained, and the ditches were being dug, and the creeks straightened, and eventually the farms undertiled, the water was rushed into these tributaries so precipitately that it was utterly impossible for the people in the lower valley to raise their levees as fast as the increase in the volume of water pouring upon them required they should be raised. Congress, therefore, realizing that it was a duty that the Federal Government owed, has contributed liberally heretofore.

To show the thoroughness of the investigation, let me say to the gentleman from Wisconsin [Mr. FREAR] that along my district for a stretch of 200 miles, in order to refute the very popular fallacy that the building of levees causes the river to fill up, extensive experiments and investigations were made. That is a very popular and an almost universal belief. It is one of the remarkable things how so many people have heard it and how all believe it. In order to demonstrate that it is not true, in one reach of that river extending for 200 miles along the front of my district the Mississippi River Commission has taken 41,000 soundings. In 1881 they established bench marks, to which all levels could be referred, and they have made these 41,000 soundings, and have also subjected the whole river to the same test, and they report that there is no truth in the theory at all. They agree that there is but one thing to do, and that is to build levees. Otherwise we would not tax ourselves for levees. We tax all of our property. We put a tax on everything that is produced—on a bale of cotton, on a bag of rice, on a ton of hay, on a gallon of molasses. We tax the oysters that are taken out of the ocean. We put a levee tax on every man who does any sort of business for profit, for the privilege of doing it, be he merchant or the man who drives a dray, and then we levy an ad valorem tax. My taxes on my property where I live are 4 per cent. We have done that to raise money, and we have raised money enough, according to the statement of our engineers, more than enough to build the levees there high enough to keep off the floods but for the increased volume that comes on us, due to the improvement of the States to the north of us. To illustrate: In 1858 the record flood volume was 1,475,000 cubic feet a second. The value of farm property then in here [indicating] between the Missouri and the Ohio River was $800,000,000. In 1880 this property was assessed at $5,000,000,000. In 1882, the flood volume had increased to 1,800,000 cubic feet, and in 1910 these farm values—and I am speaking only of farm values—had increased to the inconceivable sum of $20,000,000,000, and—mark the truth of this prophecy here, that "the process by which the country above is relieved is the process by which the country below is ruined"—the flood volume of 1912 was 2,300,000 cubic feet.

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. HUMPHREYS of Mississippi. Mr. Chairman, I shall not address the House longer. I am very much obliged.

The CHAIRMAN (Mr. COX). The question is on agreeing to the amendment of the gentleman from Wisconsin.

The question was taken, and the amendment was rejected.

Mr. FREAR. Mr. Chairman, I move to strike out from the same paragraph the provision beginning with line 10 and ending with the word "same" on line 14.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 31, line 10, strike out the following:
"*Provided*, That of the money hereby appropriated so much as may be necessary shall be expended in the construction of suitable and necessary dredge boats and other devices and appliances and in the maintenance and operation of the same."

Mr. FREAR. Mr. Chairman, ordinarily I realize that there must be a certain power vested in the commission or in any board that is required to perform a certain act.

But where we are placing so many millions in the hands of these men as we are now doing I am not prepared to believe that we ought to leave in their hands the entire power of determination as to how that money shall be used. They can build a fleet of 100 vessels if they choose, send them anywhere along this river or wherever they have jurisdiction, and the money is being continually added to the fund under their control by the Government, growing constantly. I have heard a great many criticisms as to the methods pursued by the commission. I believe that the more we yield to any board or any commission the power to handle money in this manner the more we are liable to have profligate waste in public affairs. This is a tremendous large sum of money and these men are very eager to get it. Their report last year demanded $14,000,000 for the Mississippi River, but the committee cut it down. They are anxious to get money, and they wish to use it for all specified and unspecified purposes, much like the engineers pursue in the improvement of the Mississippi River. I concede the gentleman from Mississippi is very well informed and I have the very highest appreciation of his knowledge on this subject.

The gentleman stated that in Northern States, where this drainage area exists, the lands have improved, whereas lands along the river have suffered. The north lands have improved, but not because of any drainage system that has been evolved by the Government, but because the country has become settled, northern lands have been improved and increased in value; but there seems to be no relation between that increase and this delta system as far as I can gather, but the money which the gentleman says is taxed on his people is to be returned a great many fold, as I understand it, when the levee system is perfected. It will amount to billions of dollars when all these millions of acres of land are reclaimed. This, of course, will return through any tax investment if the projects are intelligently handled; but there is nothing in the record, so far as I have been able to find in the engineer's report, to show what contributions are made in those localities. What we get in the report is what the Government is expending, that is all. I have read with a great deal of interest the work of the gentleman from Mississippi on this subject, but what has been privately contributed does not appear in the engineer's report—at least I have not run across it in the investigations I have made. It is generally conceded on the flood question that there ought to be something done. I believe everybody concedes that; but when it comes to the question of land reclamation, which seems to be a large element entering into this appropriation every year, I can not believe it is right for the Government to contribute. We have the Feather River proposition; we have other river propositions where floods occur, and we will, of course, have to determine what contribution shall be made on this and every other river for land reclamation if we begin this policy. I understand there is no system of required contributions, but it just depends upon how much will be given by the localities. If the gentleman can give me any information on the point as to these contributions, I will be obliged to him.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HUMPHREYS of Mississippi. Mr. Chairman, I move to strike out the last word—or, rather, I will rise to oppose the amendment offered by the gentleman from Wisconsin. The contributions now, including the amount raised to be expended during the coming season by the various levee districts, since the Civil War have been $75,000,000. There are numerous documents, I will say to the gentleman——

Mr. FREAR. Government works?

Mr. HUMPHREYS of Mississippi. On this question; and if the gentleman will read the report I made on the bill last year he will find it fully set forth in detail. Now, the gentleman understands that all political parties have declared in their platforms that they favor this appropriation for the purpose of controlling the floods.

Mr. FREAR. Well, I have said to the gentleman, they have not declared for any particular amount or for any particular system.

Mr. HUMPHREYS of Mississippi. But they are in favor of it——

Mr. MANN rose.

Mr. HUMPHREYS of Mississippi. In just a moment I will yield to the gentleman—and the engineers have estimated, after the most careful examination, after the last big flood, when they felt they did have data upon which they could base an estimate, that $60,000,000 would complete the system. I now yield to the gentleman from Illinois.

Mr. MANN. The gentleman said that all political parties had declared in favor of this proposition.

Mr. HUMPHREYS of Mississippi. Had done that; yes.

Mr. MANN. Does the gentleman mean to intimate that the Democrats feel bound by anything in the last Democratic platform?

Mr. HUMPHREYS of Mississippi. Mr. Chairman, I will let the gentleman make answer to his own facetious inquiry. But this is not of recent date—this conviction. Mr. Garfield said:

The wisdom of Congress should devise some plan by which that river should cease to be a terror to those who lived upon its banks.

This has been conceded by all the Presidents who have succeeded him, particularly by Republican Presidents—to their great credit, in my opinion. Mr. Roosevelt said that—

The Nation must build the levees and build them better and more scientifically than ever before.

Mr. Taft said—and I am sorry the gentleman from Wisconsin [Mr. FREAR] in the remarks he printed in the RECORD criticizing this expenditure did not quote this part of Mr. Taft's speech, because one judges from reading the gentleman's printed speech that Mr. Taft was opposed to it. Mr. Taft said:

I am strongly in favor of expending the whole $50,000,000 to save that part of the country from floods, in a reasonable time, and to provide a proper levee system.

The Democratic platform declared for it, and the Republican platform declared for it, and the Progressive Party's platform declared for it, and so far as we can be bound by platform declarations—and each man must decide that for himself—our parties have committed us to it. Now, I wrote this book before there was any serious controversy in this country as to the binding force of party platform declaration, and, fortunately for me, I stated in this book that I believed that while these declarations were persuasive, that gentlemen who propose legislation and who attempt to commit the Government to large expenditures should go further than simply to quote platform pledges and give good reasons upon which the Congress could base its action; that while the platform declaration might persuade the will, it was the duty of the proponents of legislation to go further and convince the judgment. I attempted to do that in my book, and I hope I have succeeded.

Mr. RUSSELL. Mr. Chairman, I move to strike out the last word. I do not want to consume more than a minute or two of the time, but upon the suggestion made by the gentleman from Wisconsin [Mr. FREAR] I want to say that the district which I represent has five counties bordering upon the Mississippi River, the first, at Cape Girardeau, being the head of the levee system provided for under this bill, and those five counties have provided by local taxation and paid, so the levee boards inform me, $6 for every dollar the Government has expended in the construction of levees. I understood the gentleman from Wisconsin [Mr. FREAR] to say that he desired to have some information upon that point.

Mr. FREAR. Will the gentleman yield?

Mr. RUSSELL. I yield.

Mr. FREAR. I say that I find no record anywhere that is an official record of those contributions. At least, there is nothing that appears in the engineers' report, and nothing unless it may appear in a publication like that of the gentleman from Mississippi [Mr. HUMPHREYS's]. That is the reason I think it ought to be given, so that we may know what contributions have been made.

Mr. RUSSELL. The Government engineers, I suppose, make no report upon this. However, I believe, if I am not mistaken, that there were full detailed statements made by the different speakers at the levee hearings before the River and Harbor Committee about a year ago. I think several of the parties at that time, representing levee boards in Missouri and other States, made statements of the amount of money that had been expended by levee districts in the several States. The exact amount I am not now able to give, because I have not given special attention to it for the purpose of giving information at this time, but I do recall that the different levee boards have stated that from local taxation they have collected and expended $6 for every dollar that the Government has expended in the construction of levees.

Mr. FREAR. Will the gentleman yield?

Mr. RUSSELL. I will yield.

Mr. FREAR. That would amount to something like $200,000,000?

Mr. RUSSELL. I am speaking of five Missouri counties that are in my district.

Mr. FREAR. The Government has spent, as I understand, over $80,000,000 on the Mississippi River, but only a portion for the levees.

The CHAIRMAN (Mr. COX). The question is on the amendment offered by the gentleman from Wisconsin [Mr. FREAR].

The question was taken, and the amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Mississippi River from the mouth of the Ohio River to and including the mouth of the Missouri River: Continuing improvement and for maintenance, $500,000.

Mr. FREAR. Mr. Chairman, on this part of the river—this 200-mile stretch of the river—I understand from the engineer's report that $17,223,000 has already been expended. That is according to the last report. I do not find the amount that was available.

Mr. Chairman, I move to strike out the paragraph, if I have not already moved that.

The CHAIRMAN. The gentleman from Wisconsin [Mr. FREAR] moves to strike out the paragraph.

Mr. FREAR. I do not find the amount that was available for use, although $250,000 was allotted after the last appropriation.

Mr. SPARKMAN. Mr. Chairman, the amount on hand on November 1 was $376,000, in round numbers.

Mr. FREAR. Yes; $376,000. It would appear to me, then, that there is a large balance available, unless that has already been distributed.

Mr. SPARKMAN. I have not the figures myself, but I have no doubt that a great deal of that sum has been expended since November 1.

Mr. FREAR. I wish to state this in regard to this 200-mile project, that it is probably the most expensive project that we have in the country to-day, according to reports. We have lost 30 per cent of the traffic on the Mississippi River in the last two years, according to the statement that has been furnished by the engineer's report.

Mr. CALLAWAY. Mr. Chairman, will the gentleman yield?

Mr. FREAR. Yes.

Mr. CALLAWAY. You say there has been a loss of 30 per cent in the traffic within the last two years?

Mr. FREAR. I understand so; a loss from 435,040 tons to 304,538 tons, as shown by the St. Louis receipts and shipments.

Mr. CALLAWAY. And we had lost about 97 per cent prior to that?

Mr. FREAR. Yes; about 80 per cent.

Mr. CALLAWAY. And we have lost 30 per cent of that 3 per cent that we had left? [Laughter.]

Mr. FREAR. Now I wish to quote from a gentleman who stands high in this Government, namely, the senior Senator from Ohio [Mr. BURTON], given to the press some months ago.

Mr. CALLAWAY. Have you any figures on how much freight was carried on this river?

Mr. FREAR. I have it as 258,209 tons in 1914.

Mr. CALLAWAY. Is there any through traffic on the river at all between St. Louis and New Orleans?

Mr. FREAR. There is very little information that comes from the report.

I wish, Mr. Chairman, to read briefly from a gentleman who knows a great deal about the waterways of this country, and whose judgment we may accept. He says the following in regard to this particular project. I quote from Senator BURTON of Ohio:

We have expended more money on this stretch of the Mississippi that the Prussian Government has spent on the whole Rhine. While they carry an average of 45,000,000 tons a year, nearly 200 times the traffic on the Mississippi River on this 200-mile project, the fact is that the Mississippi has to-day a sufficient channel to handle the traffic of the Rhine, 200 times the present amount, and despite that fact, waterway commerce on that historic river falls each year to a lower level.

Mr. Chairman, in view of that statement that we have spent more on that 200-mile stretch than has been expended on the whole river Rhine and have less than 1 ton conveyed on that stretch as compared with 200 tons on the river Rhine, I say, Is it not time for us to inquire what we are doing, and how fast we are appropriating money? We have have appropriated over $17,000,000 on that 200-mile project.

Mr. CALLAWAY. Do you reckon the committee intends to bring back the traffic to the river?

Mr. FREAR. I would not attempt to assert or predict as to that.

Mr. CALLAWAY. You say the traffic in the last two years has fallent off, and they have expended enormous sums on it in the last two years in dredging and all kinds of work, and instead of the traffic coming up it is going back all the time. Does not that prove that the river transportation in this country is playing out?

Mr. FREAR. It would seem so. That is my judgment.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Wisconsin.

The question was taken, and the amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Mississippi River from the mouth of the Missouri River to Minneapolis, Minn.: Continuing improvement and for maintenance, $1,200,000.

Mr. ESCH. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Wisconsin [Mr. ESCH] offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. ESCH: After the figures "$1,200,000." on page 32, line 15, strike out the period and insert a colon, and add: "*Provided*, That the Chief of Engineers may use such amount of said sum, not to exceed $50,000, as in his judgment may be necessary, to make such experiments in the transportation of heavy freights on said Mississippi River between the mouth of the Ohio River and St. Louis and between Dubuque, Iowa, and St. Paul, Minn., at all stages of water in said river, with the experimental floats described in House document No. 857, Sixty-third Congress, second session, as will fully demonstrate the economy or lack of economy in the transportation of such heavy freights, and particularly upstream in parts of said river in which said improvement has been completed or practically completed."

Mr. ESCH. Mr. Chairman, in the river and harbor appropriation act of June 25, 1910, there was inserted this provision:

The Chief of Engineers, under the direction of the Secretary of War, is hereby authorized to design and construct two experimental towboats of modern but different types, with a complement of suitable barges and necessary loading and unloading facilities for towing and delivering supplies along the Mississippi River and its tributaries, and in making designs for such boats the said Chief of Engineers shall investigate and consider types of boats in use for similar purposes on nontidal rivers in this and other countries, and for the purposes of such investigation, designs, and construction there is hereby appropriated the sum of $500,000.

The language of that proviso would not permit the Chief of Engineers to use any money in demonstrating the utility or inutility of the models of towboats and barges recommended by the commission appointed under this provision. The language does not authorize the use of any part of the $500,000 to demonstrate the value of these types recommended. Moreover, even if the language did so allow, there will not, in my opinion, be anything left of the $500,000 with which to make the demonstration; for under this report, a copy of which I have in my hand and which is referred to in the amendment, the cost of the 2 towboats, the 12 barges, and the 2 barges for the unloading and loading devices, together with the expenses of the commission up to date, will practically exhaust the $500,000. Therefore my amendment has for its purpose the diverting of a sum not exceeding $50,000 of the $1,200,000 for the improvement of the upper Mississippi, to make a complete and thorough demonstration of the two types of towboats and of the 12 barges, and of the 2 unloading devices recommended by the Army engineers.

It is not necessary to secure data with reference to the utility of barges and towboats for downstream traffic. We have data enough for that already. The Ohio furnishes us the data for that. What we want to demonstrate is the availability of these two towboats, the one of the double-tunnel type and the other of the stern-wheel type, for upstream navigation with a heavy load. We want to know whether these two types of towboats will do the work expected. If they do not, then the question may come to us as to the wisdom of increasing appropriations for the upper river or any of its tributaries. I wish to have this demonstration made in those sections of the river where we have already attained the appropriate depth, the stretch from the mouth of the Ohio up to St. Louis, a very difficult stretch of the Mississippi, because of the rapidity of the current.

I wish also to have the demonstration made in the section of the river between Dubuque and St. Paul, much of which has already been completed to the 6-foot-channel standard. I wish to have these towboats determine whether or not they can take up six barges loaded at a maximum of 880 tons or whether they will have to reduce the number to five barges, or four barges, three barges, two barges, or one. This demonstration can not be made unless we make the funds available for that purpose. From reading this report I assume that the Government engineers wish to make the demonstration in the course of construction work or improvement work on the river, in the haulage of brush and of rock.

The CHAIRMAN. The time of the gentleman has expired.

Mr. ESCH. I ask unanimous consent that I may proceed for two minutes.

The CHAIRMAN. The gentleman from Wisconsin asks unanimous consent that he may proceed for two minutes. Is there objection?

There was no objection.

Mr. ESCH. The use of these towboats and barges in the improvement work on the river, in hauling brush and rock, would not be a complete demonstration for commercial purposes, because the brush and rock would be hauled only in the uncompleted sections of the river. I wish the demonstration made where the river is already completed to the required depth. I wish to have it tested in order to determine whether these new towboats, the tunnel type and the stern-wheel type, can make schedule time or not; whether they can meet the cross currents that occur in our upper river because of the construction of our wing dams. Why not have a complete and thorough demonstration made, so that the results may be published to the world and private business can judge whether or not to invest its capital?

Mr. BORLAND. Will the gentleman yield?

Mr. ESCH. Yes.

Mr. BORLAND. I do not know whether the gentleman is aware of the fact, but there are two of these tunnel-type, twin-screw towboats in use on the Missouri between St. Louis and Kansas City. They have been in use for three seasons and are used very successfully, and they take two steel barges and a lighter with them. There is also one stern-wheel boat in use. There are three towboats in use now during the present season.

Mr. ESCH. That may meet the conditions on the Missouri, but the conditions are vastly different from what they are in the upper sections of the Mississippi.

Mr. BORLAND. If they can meet the conditions on upstream work in the Missouri, they can do it on the upper part of the Mississippi.

Mr. ESCH. What objection can there be to making the most complete test of these boats and barges which the engineers have recommended?

Mr. BORLAND. It seems hardly worth while, when they are on a commercial basis now in the country.

Mr. SPARKMAN. Mr. Chairman, I only rise for the purpose of saying that we have already a provision of law in force to make the very experiments the gentleman from Wisconsin is seeking to make by his amendment. It covers the entire river. I want to say that in 1910, after most thorough consideration of that question, it was determined to try such an experiment, and the large sum of $500,000 was appropriated for the purpose. The provision is as follows:

The Chief of Engineers, under the direction of the Secretary of War, is hereby authorized to design and construct two experimental towboats of modern but different types, with a complement of suitable barges and necessary loading and unloading facilities for towing and delivering supplies along the Mississippi River and its tributaries; and in making designs for such boats the said Chief of Engineers shall investigate and consider types of boats in use for similar purposes on nontidal rivers in this and other countries, and for the purposes of such investigation, designs, and construction there is hereby appropriated the sum of $500,000.

After that became a law the Chief of Engineers proceeded to carry out the provision, and to that end formed a commission to investigate and pass upon the subject. That commission either made or is about to make a final report on the subject.

Mr. ESCH. The report is already made. I read from the report of the engineers that were sent abroad.

Mr. SPARKMAN. I made inquiry several days ago—within the last 10 days—about the progress they were making, and was led to believe they had not yet finally determined just what sort of boats to recommend or construct.

Mr. ESCH. Their report was made on the 20th of February, 1914, and it has been indorsed by the Secretary of War. They have had a year in which to make their plans and determination.

Mr. SPARKMAN. I understood that they had not as yet finally determined the matter; but the point I make is that there is a provision of law equally as comprehensive as that contained in this amendment.

Mr. ESCH. Will the gentleman yield?

Mr. SPARKMAN. Yes.

Mr. ESCH. The language which the gentleman read in that provision of the act of 1910 does not authorize the board to expend any money in demonstration work. That is the point I am making.

Mr. SPARKMAN. Oh, I think it does; I differ with the gentleman about that.

Mr. ESCH. It is for designs.

Mr. HUMPHREY of Washington. Will the gentleman yield?

Mr. SPARKMAN. Certainly.

Mr. HUMPHREY of Washington. I understand there is money appropriated for this purpose already.

Mr. SPARKMAN. Yes; $500,000, and it has not all been expended.

Mr. BORLAND. Mr. Chairman, I want to call the attention of the committee to one or two facts.

Mr. SPARKMAN. Mr. Chairman, I ask unanimous consent that all debate on this paragraph and amendments thereto close in five minutes.

Mr. FREAR. I desire to offer an amendment and I want five minutes. This is the only project that touches my district.

Mr. SPARKMAN. I ask unanimous consent, Mr. Chairman, that all debate close in 10 minutes.

The CHAIRMAN. The gentleman from Florida asks unanimous consent that all debate close in 10 minutes. Is there objection?

There was no objection.

Mr. BORLAND. Mr. Chairman, I want to call the attention of the gentleman from Wisconsin, and all the gentlemen from Wisconsin, to the fact that there is now, and has been for the last three years, in successful operation in Kansas City a navigation company with the stock owned by the merchants and jobbers of that city. This corporation has in cash capital a million and a quarter dollars. Of that they have used approximately four hundred to five hundred thousand dollars, and have about $800,000 still on hand. When this company began the navigation of the Missouri River between Kansas City and St. Louis they knew that if they spent their entire capital in Texas deck boats they might wreck the whole proposition, because we had reached that stage where those boats would not do the work. So they began this experimental work on their own behalf to provide the most practical type of boats. They sent abroad, and they sent to all of the rivers in this country to study the best types of boats. The result is they have put in commission three boats, two of them of the tunnel type, twin-screw steamers, and the other is a stern-wheeler. One of the two twin-screw steamers is a packet boat; that is, it carries passengers as well as freight. The other two are towboats. They tow covered steel barges, one usually in front and one usually behind. In the low stages of water, the improvements not having been finished through to St. Louis, the boats must carry a lighter, to which to transfer a part of their freight in order to lighter when they get to a place where there is a low stage of water. I will put into the record a statement of the eight barges that they own, runing from fourteen hundred tons down to 200 tons. It is very difficult to make headway upstream up the Missouri River, for it has as powerful a current as any river in the world, and yet these tunnel-type boats have made headway, and they make schedule time. They run on schedule. If the gentleman from Wisconsin will come there at any time, I shall be very glad to show him the fleet of boats in operation. They have been in successful operation now for three years.

Mr. ESCH. What is the horsepower of the tunnel-type boat?

Mr. BORLAND. The *Advance* is 600 horsepower; the *A. M. Scott*, twin screw, tunnel type, is 600; and the *Chester*, twin-screw packet, is 700 horsepower.

Mr. ESCH. The gentleman will probably remember that the types recommended by the Army board were double that in power.

Mr. BORLAND. Yes; I know that the type is larger than that, but we have found this type successful. It may be that they do not feel quite safe in investing their money in larger boats, but inasmuch as these men are risking a million and a quarter dollars of their own money in this kind of navigation they are doing it in a businesslike way. They are making this experiment, and they are making it successfully, and if they lose every dollar of the $350,000 they would still have left $800,000 with which to make further experiments. It is their purpose to make a success of navigation on the inland waterways of the United States.

Mr. SMITH of Minnesota. Mr. Chairman, I desire just one minute for the purpose of offering an amendment to the amendment. I move to strike out the words "St. Paul" and insert the word "Minneapolis." I do that for the reason that in the stretch of river from St. Paul to Minneapolis we have a condition peculiar to that particular portion of the river.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment to the amendment offered by the gentleman from Minnesota [Mr. SMITH]: Strike out the words "St. Paul" and insert in lieu thereof the word "Minneapolis."

The CHAIRMAN. The question is on agreeing to the amendment to the amendment.

The question was taken, and the amendment to the amendment was rejected.

The CHAIRMAN. The question now is on agreeing to the amendment.

The question was taken, and the amendment was rejected.

Mr. FREAR. Mr. Chairman, I move to substitute the figures "$600,000" in place of the figures "$1,200,000," appearing in line 15, page 32.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 32, line 15, strike out "$1,200,000" and insert "$600,000."

Mr. FREAR. Mr. Chairman, this is the only project in which I may fairly be charged to be concerned. I have made a motion to divide the amount appropriated, because I believe in these times we ought to economize, and the amendment is offered to that end unless we have greater need for this appropriation on the project than has been shown. This river flows 100 miles along my district, and its tributaries flow farther than that. There is not a single boat line so far as I know, with the exception of two or three months in the year, that goes through from St. Paul to St. Louis. There is very little traffic upon this river. Taking the engineers' estimate of the distance, where they have made the completed improvement, instead of a 6-foot channel, as they propose, it would be impossible to get more than 2 feet of water, because the water is not there and in all probability never will be except for short periods.

It is reported in the engineers' report as 2,145,315 tons, and I wish to give the character of that commerce. The brush used in the construction work, 82,450 tons; gravel, 398,178 tons; rocks, 708,000 tons; sand, 562,000 tons, aggregating 1,750,000 tons. In addition to that they have logs, 98,268 tons; lumber, 30,408 tons; wood, 34,000 tons, aggregating 1,912,000 tons. All of this, understand, is not carried by raft. It does not require a 6-foot channel for that character of traffic, and it leaves a balance of a little over 200,000 tons. Referring again to the engineers' method of giving to the public the character of traffic upon a stream, they report here 6,000 automobiles, at $945,950, or making it practically one-half, as I remember, very nearly, of the total valuation of that commerce. I was interested to find out where those automobiles ran, and I found they ran 3 miles across the river, ferried across, and that appears as one of the items of commerce upon that river. Now, Mr. Chairman, I was asked why I did not move to strike out the entire amount. There was $962,625 available October last. That is a very small proportion compared with the five million on the lower stretch of the river, but at the same time with that amount of money on hand here, by dividing this amount and saving $600,000 to the people of this country, it would benefit my people, who will be saved in taxation, and it will benefit the people of the whole country, even if we strike out only one-half of one item, and I am sure out there they will applaud you for it, because there is practically no traffic or very little traffic along the river at that point.

Mr. GOULDEN. Will the gentleman yield?

Mr. FREAR. I will.

Mr. GOULDEN. What portion of the gentleman's district borders this river?

Mr. FREAR. About 100 miles.

Mr. GOULDEN. What important ports has the gentleman upon the river?

Mr. FREAR. There as several places, but there is no important port along the river in Wisconsin except two or three, such as Alma and Prescott, but there is practically very little traffic along the river at that point.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin.

The question was taken, and the Chairman announced the ayes seemed to have it.

Mr. HUMPHREYS of Mississippi. Mr. Chairman, I ask for a division.

The committee divided, and there were—ayes 42, noes 48.

So the amendment was rejected.

Mr. COLLIER. Mr. Chairman, I ask unanimous consent to go back to another section of the Mississippi River to which I desire to offer an amendment.

The CHAIRMAN. The gentleman asks unanimous consent to recur, to what page?

Mr. COLLIER. To page 31.

The CHAIRMAN. To page 31 for the purpose of offering an amendment. Is there objection?

Mr. STAFFORD. Mr. Chairman, reserving the right to object, I would like to have the amendment reported.

Mr. HUMPHREY of Washington. Mr. Chairman, reserving the right to object, if the gentleman will ask unanimous consent that debate be limited to five minutes, which the gentleman is to have, I will have no objection. I understand that is satisfactory to the gentleman.

Mr. STAFFORD. Mr. Chairman, I have not waived objection to the amendment until it is reported.

The CHAIRMAN. The gentleman from Mississippi asks unanimous consent to return to page 31 for the purpose of offering an amendment and that debate be limited to 5 minutes on the amendment. Is there objection?

Mr. STAFFORD. Mr. Chairman, reserving the right to object, I would like to hear the amendment read first for information.

The CHAIRMAN. The Clerk will report the amendment for information.

The Clerk read as follows:

Amend, page 31, line 19, after the word "commission" insert the following: "Whose recommendation approved by the Chief of Engineers as appears from House document 667, second session, Sixty-third Congress, is hereby adopted."

The CHAIRMAN. Is there objection to the request?

Mr. COLLIER. Mr. Chairman and gentlemen, I desire to state at the outset that the committee is familiar with this item.

It has been discussed on several occasions. It was discussed and voted on two years ago, and there was considerable discussion and three votes taken on this particular item in the last session of Congress.

However, for the benefit of those who were not present at that time, I will say that some work made by the Federal Government is causing an erosion of the harbor at Vicksburg, which has been there for 75 or 100 years. This harbor, in a short time, will be destroyed. Now, as to the fact of whether or not this project is meritorious, I will say that the district engineer stated it was meritorious, the Chief of Engineers and Board of Engineers stated it was meritorious, the Mississippi River Commission stated it was meritorious, and on three votes in this House it was decided it was meritorious, and when it went to the Senate it was inserted in one of the substitute bills that was offered there by a distinguished Senator who was fighting the rivers and harbors bill, but who accepted the Vicksburg amendment and made a special exception too. And I want to say this, that when the lump sum was made in the Senate last year—I hope I am not violating any traditions when I say it—one of the Senators who was fighting the bill generally, stated that an objection to the proposed lump-sum bill was that it would work an injustice in some instances, and notably that of the Vicksburg Harbor.

Now, gentlemen of the committee, this is not a new project, because this Vicksburg Harbor was put under the jurisdiction of the Mississippi River Commission two years ago. It does not require one more dollar than is now appropriated in this bill. There are $5,000,000 appropriated in this bill to be spent under the supervision of the Mississippi River Commission, and this simply asks that of that $5,000,000, according to the report made by the Mississippi River Commission, according to the report made by the Chief of Engineers, and according to the report made by the Board of Engineers, that $125,000 of this sum be spent—for what? For a new project? No. To improve commerce and trade relations around Vicksburg? No; but for the purpose of stopping the damage caused by work done by the Federal Government, which is now going on and which has gone on for some time. This is not a new project. I do not want money for improvement, but what I really need and what I really ought to have is an injunction. I want to say to you that there is not a corporation in the land, there is not a private individual, who, if they had inflicted as great a damage upon the city of Vicksburg as that city has had inflicted on it by the Federal Government, and is still inflicting upon it, an injunction would lie against them and a suit for damages would be incurred. We are not increasing the cost of this bill one cent. We are simply asking, in accordance with what this House did last year on three separate votes—in the Committee of the Whole on two occasions and then on a separate vote in the House—to carry out the recommendation of the engineers and of the Mississippi River Commission and stop this damage. I am appealing to you, gentlemen, for the harbor that we have out there; a harbor we have had for 100 years. It is my home town. I live there and am familiar with the conditions, and I heard one of the Government engineers state that he believed that in less than 12 months, unless something was done, and that will be before we can bring in a new river and harbor bill—he believed that all the railroad communication of Vicksburg with the West will be destroyed, as that harbor is being gradually washed away. Compresses, warehouses, and other buildings are going into the river, and all on account of work done by the Federal Government. I want all you who believe in economy to bear in mind that we are not increasing this bill one cent, because this $125,000 will simply come from the $5,000,000 appropriation given to the Mississippi River Commission. This harbor is a part of the jurisdiction and under the control of the Mississippi River Commission. It was placed there two years ago. The banks of the canal at Vicksburg should be revetted. It is only fair and just that this money should be appropriated to take care of a damage, a continuing damage, caused by work done by the Government. There are $3,000,000 worth of property on those banks which are being destroyed through no fault of the people of Vicksburg, and the passage of this amendment will remedy those conditions. [Applause.]

The CHAIRMAN. The time of the gentleman has expired. The question is on the amendment offered by the gentleman from Mississippi [Mr. COLLIER].

The question was taken, and the Chair announced that the noes seemed to have it.

Mr. COLLIER. Mr. Chairman, I ask for a division.

The committee divided; and there were—ayes 48, noes 45.

Mr. HUMPHREY of Washington. Mr. Chairman, I ask for tellers.

Tellers were ordered.

Mr. SPARKMAN and Mr. COLLIER took their places as tellers.

The committee again divided; and the tellers reported—ayes 51, noes 55.

So the amendment was rejected.

The CHAIRMAN. Under the unanimous-consent agreement the time has now arrived when the committee determined to return to the Chicago Harbor item, on page 30 of the bill. The gentleman from Illinois [Mr. MADDEN] is recognized for 20 minutes.

Mr. HAWLEY. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. HAWLEY. What length of time was agreed on for debate on this item?

The CHAIRMAN. There was no time agreed on for debate, except that the gentleman from Illinois [Mr. MADDEN] was recognized for 20 minutes.

Mr. MADDEN. Mr. Chairman, I shall endeavor to present this case to the intelligence of the committee. On the part of Chicago I shall ask no favors. All I shall ask is justice. I want no man to vote for this proposition to whom it does not appeal. But I believe that we have a case that will justify every man in this House in voting for the amendment of my colleague, Mr. GALLAGHER, to authorize continuing contracts for a breakwater to protect the harbor which Chicago has constructed from the storms of the lake.

We are asking Congress for nothing in the way of cash. We are proposing that you give us the right to let a continuing contract to protect the investment already made by the city of Chicago.

Chicago's population, more than that of any other American city, comes from every section of the globe, but every impulse that moves its people is strictly American.

Chicago is an ever-moving, ever-shifting panorama where the life of the whole world is epitomized and in which all the forces of humanity are to be met.

London's streets are thronged with a busy multitude, but it has not so much of the rush and roar of busy life as has our own imperial city of the Central West, for there the hoof beat of the iron horse is continuous.

Over the 39 great trunk lines of railway which have their terminus in Chicago, representing over one-half the railroad mileage of America, running into every section of the Nation, more than 4,000 trains arrive and depart daily and carry to and from Chicago more than 500,000 people every 24 hours, enabling Chicago to keep its hand on the traffic of the continent and to note every pulse beat of the world.

Chicago is no ordinary city. Its commerce by water and by rail reaches fabulous figures. Chicago is in the geographical center of the Nation, on the borders of Lake Michigan, surrounded by the great bituminous coal fields of the Central West, in close proximity to the iron ore which is brought by water into the mills and sent by rail to every section of the Nation as finished product. It is the best labor market in America.

With this combination of advantages and the enterprise of its people, Chicago has forged ahead as no other city in all the world's history has.

It is surrounded by the richest agricultural region in the world. It is the distributing point for all America. Its population has grown to 2,500,000. Its people are aggressive, forceful, and patriotic. They ask the Government for nothing which they can do themselves. They have expended $60,000,000 in the construction of a great waterway 160 feet wide and 24 feet deep, on the banks of which there are 60 miles of municipally owned docks. The dock fronts in the heart of the city for three-fourths of a mile are owned by Chicago, and wharving privileges may be had along the face of these docks on equal terms by everybody who wishes to use them.

Chicago is constructing a great outer harbor, and this is the proposition that is before you to-night—a great outer harbor, not in the river but on the lake, beyond the confines of the river. On this great outer harbor the city of Chicago has already expended $4,000,000, and its plans contemplate an expenditure of $15,000,000 more of its own money. We ask nothing from the Government of the United States toward the con-

struction of the harbor. The Government of the United States is asked only to protect the harbor from the storms on the lake by the construction of a breakwater.

It is the business of the Government to protect harbors built in cases like the one I have described, and this harbor can not be protected from the storms except by the construction of the breakwater which the amendment of my colleague [Mr. GALLAGHER] provides for. Can there be less cooperation expected of the Government than the construction of this breakwater? And is it just that the Committee on Rivers and Harbors should fail to appropriate the money required for the purpose in this bill? True, the bill as reported appropriates $200,000. But, mark you, this $200,000 which this bill appropriates was appropriated in 1910, when I was a member of the Committee on Rivers and Harbors, for the purpose of repairing the Government-owned piers out on the lake at the base of Chicago's harbor, and for some unaccountable reason this money has never been used for the purpose for which it was appropriated in 1910, and the result is that the piers, built and owned by the Government, have been allowed to rot away, whereas if they were protected by the expenditure of this money which was appropriated for their repair they would be in as good a state of preservation to-day as they were on the day they were constructed. What excuse can be given for the failure to use this money I know not.

In addition to this $200,000 cash, so called, reappropriated from another fund, the committee authorizes a continuing contract for $374,000, to do what? To build a part of the breakwater to protect the harbor on which Chicago has expended $4,000,000, and in the completion of which it is likely to spend $15,000,000 more. Ah, that $374,000 might just as well be thrown in the lake, for it will not accomplish the object intended. There is only one way to protect the money expended by the city of Chicago and to protect the pier already constructed, and that is by adopting the amendment offered by my colleague [Mr. GALLAGHER], a member of the Committee on Rivers and Harbors.

Ah, you say, "We do not want amendments adopted to the bill," and none have been adopted to the bill so far. We are not asking for any money. This amendment provides for no money in this bill. It provides for authority to let a continuing contract to keep the faith of the Government with the State of Illinois and the city of Chicago, and that is all. What we need is the right to construct this breakwater, not part of the breakwater, but all of the breakwater, to protect 7,000 feet of dockage that we have by the expenditure of our own money made, so that ships that come to those docks may not be driven up on the wharves by the storms.

We are not asking this as a matter of favor, as I said before.

Mr. SHERWOOD. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Illinois yield to the gentleman from Ohio?

Mr. MADDEN. I am sorry to say I can not yield. I would be glad to yield if I had time.

Mr. SHERWOOD. I wanted to know what the entire breakwater was estimated to cost?

Mr. MADDEN. One million four hundred thousand dollars. We are asking the adoption of this amendment as a matter of right. Why the money was not used for the purpose for which it was appropriated, I am not able to say. Now comes the committee and recommends that it be diverted from the purpose for which it was originally appropriated, pretending to say that they are giving Chicago an appropriation of $200,000 for the construction of a breakwater to protect the harbor now in course of construction by the city.

What we need is the right to let the contracts for the construction of the breakwater—for all of the breakwater, not for part of the breakwater—for we have already constructed 7,000 feet of dockage at the point where the pier is to be protected, and unless the breakwater is constructed this 7,000 feet of dockage and the $4,000,000 that has been expended in its construction will be destroyed.

We are not asking this as a matter of favor. We are asking it as a matter of right. Chicago, with its 2,500,000 people, with its great harbor, its 13,275,320 tons of domestic water-borne commerce, and its 834,800 tons of foreign water-borne commerce, valued at hundreds of millions of dollars, ought not to be neglected, but should be given the protection to which its importance entitles it. It should be encouraged in its effort to facilitate the movement of the products of the factory and the farm by the creation of facilities which will reduce the cost of their movement.

Chicago is not asking the Government of the United States to create these facilities. Not at all. It is simply asking the Government to protect from the storms on the Lakes the facilities which Chicago itself and its people have willingly taxed themselves to create.

During the fiscal year of 1914 the State of Illinois paid into the Treasury of the United States $3,152,000 in corporation income tax and $2,076,000 in individual income tax, making a total net revenue from the State of Illinois from these two sources alone of $5,228,000, while its appropriation for rivers and harbors in this bill, including the continuing-contract provision, amounts to the sum of $734,000.

The State of Florida has $988,000 in this bill, and in 1914 it paid into the Treasury of the United States $92,958 in corporation income tax and $108,482 in individual income tax, making a total of $201,440.

The State of Louisiana has $122,000 in this bill, and it paid into the Treasury in 1914, $290,569 in corporation income tax and $148,151 in individual income tax, making a total of $438,720.

The State of North Carolina has $552,400 in this bill, and it paid into the Treasury in 1914, $173,267 in corporation income tax and $46,566 in individual income tax, making a total of $219,833.

The State of South Carolina has $125,500 in this bill, and it paid into the Treasury in 1914, $82,282 in corporation income tax and $25,751 in individual income tax, making a total of $108,033.

The State of Georgia has $707,500 in this bill, and it paid into the Treasury last year $247,774 in corporation income tax and $115,874 in individual income tax, making a total of $363,648.

The State of Texas has in this bill $2,103,500, and it paid the Government last year $551,241 in corporation tax and $360,927 in dividual income tax, making a total of $912,168.

The State of Arkansas has $186,000 in this bill, and it paid into the Treasury, in 1914, $95,796 in corporation income tax and $42,035 in individual income tax, a total of $137,831.

The State of Tennessee has $752,000 in this bill, and it paid last year $226,143 in corporation income tax and $98,274 in individual income tax, a total of $324,417.

The State of Mississippi has $992,500 in this bill, to say nothing whatever about the great Mississippi River appropriation, which ought not to be taken into account; and the State of Alabama, from which comes the great Democratic leader of the majority side of this House, has $1,053,000 in the bill, while the income tax from corporations and private individuals for the States of Mississippi and Alabama combined only amounted in 1914 to $324,417.

It will be seen that the corporation and individual income tax paid by the State of Illinois to the Federal Government in 1914 amounted to $5,228,000, while the combined amount paid by the States of Florida, Mississippi, Louisiana, Texas, Arkansas, Tennessee, North Carolina, South Carolina, Georgia, and Alabama was but $3,131,100. [Applause.]

The total appropriation in this bill for rivers and harbors in the State of Illinois, including the $374,000 continuing-contract item, amounts to but $734,000—listen to this, gentlemen—while the appropriation for the States above enumerated amounts to $7,467,150. So that it will be seen that while the State of Illinois pays one-fourteenth of all the corporation and individual income tax of the United States it has but one-fiftieth of the amount recommended for appropriation in this bill, while the States of Florida, Mississippi, Louisiana, Texas, Arkansas, Tennessee, North Carolina, South Carolina, Georgia, and Alabama, combined, pay but one twenty-fifth of the corporation and income tax of the United States and have one-fifth of the entire amount appropriated in this bill.

Do you claim that to be justice? Truly the evidence is at hand that those who pay the most to maintain the Government are given the least consideration, no matter what their need.

Items without merit are lavishly provided for in this bill, while the item for the Chicago Harbor, with all its great commerce and the expenditure of fabulous sums by the municipality, is given scant consideration.

It might be added, for the information of the House, that Illinois, in addition to the income tax heretofore enumerated in my remarks, pays annually into the Treasury of the United States $55,000,000 in internal revenue, $11,000,000 customs duties, and $20,000,000 of a surplus over and above the expenses of its post office.

And yet we are told that the project presented by Chicago has no merit and ought not to be considered as worthy by the men on the Rivers and Harbors Committee, who represent 10 States that pay only one twenty-fifth of the income tax and have

one-fifth of all the money appropriated in this great bill, while the State of Illinois pays one-fourteenth of the income tax and has but one-fiftieth of the money appropriated in the bill.

I tell you, gentlemen, the people of America are not going to stand for this sort of thing. They want justice. We propose to fight for justice. We come here to ask for no favors. We present the case to you on its merits. We ask you in the name of the honor of America to do justice to the greatest city on the American continent. [Applause.]

Mr. HUMPHREY of Washington. Mr. Chairman, we all like to hear the gentleman from Illinois [Mr. MADDEN] speak, and we are all personally very fond of him, especially the members of the Committee on Rivers and Harbors, for he used to be a member of that committee. We admire him because he is one of the most attentive men to his duties in the House. We admire him because he is a good fighter, and if it had been possible to give him what he desires and to treat his project as we treated other projects throughout the country we would have given him what he asked for Chicago. The whole thing is summed up in this: There are a number of projects where continuing contracts have been asked for by the engineers. Chicago was one of them, and there are several others.

Mr. SPARKMAN. Will the gentleman yield?

Mr. HUMPHREY of Washington. Yes.

Mr. SPARKMAN. The Chief of Engineers in his report asked for no continuing contract for Chicago.

Mr. HUMPHREY of Washington. I thought he did, but it seems I was mistaken to that extent. The Chief of Engineers asked for other continuing contracts. For instance, he asked for a continuing contract for a million dollars for the Delaware River. At Philadelphia is a commerce comparable with the great commerce of Chicago. If we are going to grant a continuing contract at Chicago, why should not we give it to the Delaware River? At the mouth of the Columbia River the engineers asked for a continuing contract of $2,316,000. Why should not we give that to them? The people of Portland pay a half a million dollars annually toward keeping the Columbia River navigable. The work for which they ask a continuing contract is, according to the engineers, the most difficult work in the country. We refused them. Why should we give it to Chicago? Why should Chicago be treated with more consideration than these people? We refused a continuing contract for Cape Lookout harbor of refuge of $2,136,000.

Now we have given Chicago every dollar that the engineers said they could spend in the next year. [Applause.] Is not that fair? My distinguished friend said that he wanted nothing in the bill but what is fair. We have given him every dollar that the engineers said that they could expend. We have done everything that they asked us to do. Why should we go ahead and take Chicago and make it an exception and favor it over every other project? I can not understand why. We took this matter up before the committee. We considered it carefully and we decided that there was no reason why the amendment of the gentleman from Illinois [Mr. GALLAGHER] should be adopted.

Now, a word in regard to the argument that has been made about the vast amount of money that has gone to some States and the small amount that has gone to others. It seems to me that that must strike every man here as an unfair argument. You might as well argue that the State of Washington should not receive any more money for coast defenses than the State of Iowa. It would be no more ridiculous than that the river and harbor appropriation should be made according to States and population. You are supposed to spend river and harbor appropriations where there are rivers and harbors to improve, and you might as well say that the coast States get too large an amount out of the naval bill for navy yards. Some men might as well when the Navy bill is being considered come in and say that they have not been used fairly because they have a navy yard in Washington and they have none in Indiana.

Now, I want to impress upon you the fact that we have treated Chicago as we have treated every other project. We recognize the greatness of that city and we are doing everything we can to help it. We have given them every dollar they asked for.

Mr. CRISP. Will the gentleman yield?

Mr. HUMPHREY of Washington. Certainly.

Mr. CRISP. The gentleman states that the committee has given the city of Chicago all the money the engineers asked for. Are they erecting these improvements that the gentleman from Illinois spoke about? Is the money being used?

Mr. HUMPHREY of Washington. Yes; they are erecting it and completing it as fast as they can.

Mr. CRISP. All the gentleman from Illinois wants is a continuing project to complete the work that is now going on?

Mr. HUMPHREY of Washington. They want a continuing contract. In other words, they want to obligate the Government to that contract and have an advantage over every other project. They are not willing to take their chances with the other great projects in the country. [Applause.]

Mr. SPARKMAN. Mr. Chairman, I will only detain the committee a few minutes. I am sorry that my friend, Mr. GALLAGHER, a member of the Rivers and Harbors Committee, has offered this amendment, because, among other reasons, it is something entirely unnecessary, as far as the prosecution of work on the project is concerned. We have allowed in this bill the sum of $574,000 in cash.

Mr. MADDEN. Not cash?

Mr. SPARKMAN. Yes; in cash.

Mr. MADDEN. Mr. Chairman, will the gentleman yield?

Mr. SPARKMAN. Yes.

Mr. MADDEN. Three hundred and seventy-four thousand dollars is for continuing contracts. Two hundred thousand dollars is $200,000 that was appropriated in 1910.

Mr. SPARKMAN. Oh, not at all.

Mr. MADDEN. Two hundred thousand dollars appropriated in 1910.

Mr. SPARKMAN. I will explain that. There is nothing for a continuing contract. When we came to consider this matter we found that the Chief of Engineers had recommended as follows:

> Of the balance available, less the amount covered by uncompleted contracts, to wit, $619,146.02, but $275,700 is available for the work of extending the exterior breakwater; the remainder, $343,446.02, is available for maintenance only, and it is probable that of this last amount $200,000 will not be required for maintenance during the next two years. Legislation is suggested which will make this $200,000 available for the extension of the exterior breakwater.

So, recommending as they did, that $374,000 be appropriated in cash and $200,000 of the amount already appropriated for another purpose but available for work on the Chicago Harbor be made available, we did that very thing, making in all $574,000 in cash for work to be done there during the period covered by the estimates furnished us by the War Department for this bill.

Now, Mr. Chairman, in furnishing that amount, as I said a moment ago, we have furnished the entire amount recommended as sufficient. The Chief of Engineers recommended no continuing contract. And let me say right here that not a soul appeared before our committee when we were considering the provisions of this bill in behalf of Chicago Harbor. We did have the matter up before us, however, on the estimates furnished, but there was no request coming from anyone except the member of the committee from Illinois, who requested that this cash sum be appropriated; and in face of the opposition by another person, a citizen of Chicago—who by the way was the only person who appeared before our committee opposing any item in the bill—in the face of the opposition by that person we did allow the entire amount recommended by the engineers. After it was all over, after this bill was reported to the House, after it had lain here quite a time, there appeared before us parties for the first time asking this continuing contract. I then again consulted the Chief of Engineers, who said finally that no more money was needed to carry on the work for the period covered by the estimates.

Now, Mr. Chairman, if we vote this in, we will vote in a sum of money that the engineers say they do not need. It, of course, would be on hand as an authorization, but they say they do not need it. If we are going to have another bill in the next Congress, as we expect to have——

The CHAIRMAN. The time of the gentleman from Florida has expired.

Mr. SPARKMAN. Mr. Chairman, I ask unanimous consent to proceed for two minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. SPARKMAN. Furthermore, if we allow this amendment, we will be doing something for this harbor that we have not done and are not proposing to do for any other harbor or any other project in the country. Why should we do it? There is absolutely no justification for such action. There is, Mr. Chairman, no intention to discriminate against that great harbor and we are not doing so. Another thing. They are not proposing just at this time to build all five of those docks, but let me say what our conclusion was as to that.

Mr. POWERS. Mr. Chairman, will the gentleman yield?

Mr. SPARKMAN. Just one moment. There was a question before us as to whether the city of Chicago proposed to complete all her proposed improvements. The gentleman who came before us in opposition said the city did not intend to do so. He contended that they did not intend to build but one pier where they had proposed to build five. But we thought that should

make no difference. We thought that if they built even one pier there at a cost of $4,000,000, as they tell us they will, we would be justified in going ahead with the work. That independent of the pier, the harbor was worth protecting even at the cost of the proposed work.

Mr. POWERS. Will the gentleman yield?

Mr. SPARKMAN. I will.

Mr. POWERS. Is it not a fact that the Rivers and Harbors Committee has not in any instance given more than the amount of the recommendation of the engineers?

Mr. SPARKMAN. We have not, and often have fallen much below the estimate.

Mr. GALLAGHER. Mr. Chairman——

Mr. SPARKMAN. How much time does the gentleman desire? The committee has the right to close.

Mr. GALLAGHER. We are not closing yet.

Mr. SPARKMAN. How much time does the gentleman want?

Mr. GALLAGHER. About four or five minutes; five minutes. I just simply want to correct some statements which have been made here.

Mr. BURGESS. Mr. Chairman, who has the floor?

The CHAIRMAN. The Chair recognized the gentleman from Illinois.

Mr. SPARKMAN. Mr. Chairman, I want to ask unanimous consent to close debate if we can. I ask unanimous consent, Mr. Chairman, that all debate on this paragraph and all amendments thereto close in 12 minutes?

The CHAIRMAN. The gentleman from Florida asks unanimous consent that all debate on this paragraph and all amendments thereto end in 12 minutes. Is there objection?

Mr. MANN. Mr. Chairman, I understood the gentleman from Connecticut was to have five minutes if he wanted it.

Mr. DONOVAN. Why, Mr. Chairman, what sort of legerdemain is going on? [Laughter.] Will there be any doubt about my position on this matter?

Mr. SPARKMAN. I asked the gentleman a civil question but did not receive a civil answer; perhaps, however, it is as good as he can do, and I, for that reason, will excuse him.

The CHAIRMAN. The gentleman from Florida asks unanimous consent——

Mr. SPARKMAN. If the gentleman from Connecticut wants any time I will include him in the request. I asked him if he wanted any time.

Mr. MANN. Make it 17 minutes and that will give the gentleman from Connecticut 5 minutes.

Mr. SPARKMAN. Mr. Chairman, I ask unanimous consent that all debate on this paragraph and amendments thereto end in 17 minutes, 5 minutes to go to the gentleman from Illinois, 5 minutes to the gentleman from Connecticut, 3 to the gentleman from Texas, and 3——

Mr. MANN. That makes 16 minutes.

Mr. SPARKMAN. Three minutes to myself or anyone to whom I may yield. I will reserve three minutes to myself.

The CHAIRMAN. The gentleman from Florida asks unanimous consent that all debate on this paragraph and all amendments thereto close in 16 minutes, 5 minutes to the gentleman from Illinois, 5 minutes to the gentleman from Connecticut, 3 minutes to the gentleman from Texas, and the chairman reserves 3 minutes. Is there objection? (After a pause.) The Chair hears none.

Mr. GALLAGHER. Mr. Chairman, as my friend and colleague [Mr. MADDEN] stated, we in Illinois pay into the Treasury of the United States annually more than twice the aggregate of all the appropriations provided for in this rivers and harbors bill. The chairman was correct when he stated that there was no one here from Chicago who appeared before the committee asking for an appropriation for this proposed improvement. We have, however, built a pier projecting 3,000 feet into the lake, and we have expended $4,000,000 upon it up to date. The storms of Lake Michigan are at times terrific. The city authorities in Chicago became alarmed at the menace of these storms and were fearful that the pier might be washed away. The heads of all the city departments of Chicago did come to Washington and, with myself, waited upon the chairman, asking that this amendment be included in the bill for a continuing contract so that this work could be protected from the elements. We do not ask that anything be added to the bill. We are not raising the total amount of the bill. We are here asking simply for a continuing authorization. The chairman of the committee, my good friend [Mr. SPARKMAN], would not misrepresent us intentionally, but he stated that the engineers have not asked for this continuing appropriation.

Mr. SPARKMAN. I said the Chief of Engineers had not.

Mr. GALLAGHER. Well, here is the report of the Chief of Engineers, part 2, and I am reading from page 2923.

Mr. SPARKMAN. I will call the attention of the gentleman to the fact that part 1 is where the recommendation of the Chief of Engineers appears.

Mr. DONOVAN. A point of order, Mr. Chairman.

The CHAIRMAN. The gentleman will state it.

Mr. DONOVAN. The gentleman from Florida has no business to interrupt the gentleman who has the floor without his permission or addressing the Chair.

The CHAIRMAN. The gentleman from Illinois is not objecting, and as long as the gentleman from Illinois does not object——

Mr. DONOVAN. It does not belong to the gentleman from Illinois; it belongs to any gentleman to raise a point of order.

The CHAIRMAN. The Chair recognizes the gentleman from Illinois.

Mr. GALLAGHER. Mr. Chairman, I am reading from the report of the engineers, United States Army, 1914, on page 2923 of the report, and this is what I am going to call attention to. What he says:

> Attention is also invited to the desirability of a continuing-contract authorization.

The Chief of Engineers is speaking of this particular work—this very breakwater proposition. Now, listen:

> It is not enough to be reasonably sure that sufficient annual appropriations will follow one another. No contractor can do the work most economically, and therefore at least cost to the United States unless he can provide a proper plant and amortize it, or a large part of it, in the execution of a contract for the entire job. If no continuing contract be authorized the next appropriation should be relatively large, inasmuch as the caisson method of construction requires a relatively large preliminary outlay for plant, of course with correspondingly smaller expenditures later.

Now, that is the report of the engineer——

Mr. BURGESS. Who signed that report?

Mr. GALLAGHER. That is the report of the Chief of Engineers.

Mr. BURGESS. That is, the district officer?

Mr. GALLAGHER. Oh, no; that is the report on which we have been building this bill. Now, Mr. Chairman, we are not asking any favor. We are not seeking additional money for this work; but we want to be sure that this harbor which is being built for the people of our city shall be amply protected. One of the greatest troubles with all of the appropriations for river and harbor purposes is the lack of provision by the Government or by local authorities for sufficient harbor space to accommodate boats which do not belong to steamboat and shiping combinations, and thus relieve these independent boats from charges which amount practically to a confiscation of the profits on their cargoes. That is what we are trying to do in Chicago by the construction of municipal docks.

Now, there is not any question as to the necessity for this amendment to protect the work that we are doing, and I hope the Members of this House will at least encourage us in setting an example to the rest of the country to build municipal harbors. [Applause.]

The CHAIRMAN. The time of the gentleman has expired. The gentleman from Connecticut [Mr. DONOVAN] is recognized for five minutes.

Mr. DONOVAN. I do not want to speak on the amendment, but I want to speak on the main proposition.

The CHAIRMAN. The gentleman from Connecticut is recognized for five minutes if he wants it. If he does not, the Chair will proceed.

Mr. DONOVAN. I did not want to speak to the amendment after it was disposed of. I want to speak to the main proposition.

The CHAIRMAN. The unanimous-consent agreement does not apply to that. The gentleman from Texas [Mr. BURGESS] is recognized for three minutes.

Mr. BURGESS. The report which the gentleman from Illinois [Mr. GALLAGHER] read is the report of Col. Judson, the district officer, and he invites the attention to the desirability of a continuing-contract organization. But here is what the Chief of Engineers says:

> Of the balance available, less the amount covered by uncompleted contracts, to wit, $619,146.02, but $275,700 is available for the work of extending the exterior breakwater; the remainder, $343,446.02, is available for maintenance only, and it is probable that of this last amount $200,000 will not be required for maintenance during the next two years. Legislation is suggested which will make this $200,000 available for the extension of the exterior breakwater.

And then he goes on and sets out the different amounts and winds up with the amount that can be profitably spent in the fiscal year ending June 30, 1915, for works of improvement, $574,000. The bill is in exact accord with the recommendations of the chief. It appropriates $374,000 straight out, and diverts

the $200,000, according to his suggestion, to the construction of the breakwater. I will read it:

Harbor at Chicago, Ill.: Continuing improvement, by the construction of a breakwater to form an outer harbor, $374,000: *Provided*, That of the amount now on hand and available for rebuilding superstructure of existing breakwaters, $200,000, or so much thereof as may be deemed advisable, may, upon the recommendation of the Chief of Engineers, be transferred by the Secretary of War and made available for extension of the outer breakwater.

Now, the question is simply this: Chicago is a great city. She has a great people and has great Representatives here, but she is not entitled to any better treatment than any other place. And the income-tax size-up of the situation is all beside the question. If we made up a river and harbor bill according to the income-tax assessments, we would be laughed at and ridiculed all over the country, and we ought to be.

The CHAIRMAN. The time of the gentleman has expired. The gentleman from Florida [Mr. SPARKMAN] is recognized for three minutes.

Mr. SPARKMAN. I yield my three minutes to the gentleman from Mississippi [Mr. HUMPHREYS].

Mr. EDWARDS. Mr. Chairman, I would like to ask unanimous consent if the gentleman from Connecticut is not going to use his five minutes, that I may have the time.

The CHAIRMAN. The gentleman from Georgia asks unanimous consent that, if the gentleman from Connecticut does not desire to use his five minutes, he be permitted to use the same. Is there objection?

Mr. JOHNSON of Washington. I object, Mr. Chairman.

Mr. HUMPHREYS of Mississippi. Mr. Chairman, I dislike to oppose anything proposed by my friend from Chicago, the distinguished gentleman with whom I served many years on the River and Harbor Committee, but I hope this amendment will not be agreed to. There is no special reason why it should be. The project is going to be prosecuted just as rapidly without the amendment as it would be with the amendment. We have provided all the cash that is necessary to carry it on for a year, and that is all the cash he wants, and at the end of the year we will provide cash enough to carry it on to completion.

As suggested by my colleague from Texas [Mr. BURGESS], the question of income-tax receipts has nothing to do with it. If we should apportion these appropriations according to the income-tax receipts, we would have a "pork hogshead" instead of a "pork barrel," with New York, perhaps, and Chicago getting all of it. But we appropriate money not according to States, but according to the project.

The Committee on Rivers and Harbors did not build or locate the rivers and harbors of this country. God did that. He put them wherever we find them. We appropriate money for the boll weevil, but we do not appropriate any of it for expenditure in Illinois. We appropriate money for the reclamation of arid lands in the West, but none of it is used in New England. We appropriate money for the extermination of the gypsy moth in New England, but none of it is expended in Mississippi. We appropriate for these things where the money can be profitably and sensibly expended for the benefit of the whole people, and when a gentleman tells us how much Chicago has already of this world's goods I suppose he intends to invoke the text contained in the Good Book, to the effect that: "Unto him that hath shall be given, and from him that hath not shall be taken even that which he hath." [Laughter and applause.]

I hope this committee will take no such view as that, because if we followed that there are sections of the country in which I am interested that I fear would not fare any too well. I think gentlemen should be contented with what they are entitled to, and that is what is provided in the bill. [Applause.]

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. DONOVAN. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. DONOVAN. I will be entitled to my five minutes on the main proposition after this amendment is decided, will I not?

The CHAIRMAN. No, sir. The gentleman is entitled to no time now under the agreement.

Mr. DONOVAN. Mr. Chairman, a further inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. DONOVAN. Under the rules it is required that those who address the House shall speak on the subject matter. Of course no one can speak here properly unless he speaks to the amendment. Is not that true?

The CHAIRMAN. Yes; if a point of order is made.

Mr. DONOVAN. Exactly; and therefore my time should go to the main proposition after the amendment is decided.

The CHAIRMAN. By agreement the gentleman from Connecticut was awarded five minutes' time on this paragraph, which he did not take. All time has expired.

Mr. EDWARDS. Mr. Chairman, I ask unanimous consent that the amendment may be again reported.

The CHAIRMAN. The Clerk will again report the amendment.

The Clerk read as follows:

Page 30, line 12, after the word "breakwater," insert the following: "*And provided further*, That the Secretary of War may enter into a contract or contracts for such materials and work as may be necessary to construct the breakwater, to be paid for as appropriations may from time to time be made by law, not to exceed in the aggregate $1,490,300, inclusive of amounts herein appropriated or made available and the amounts heretofore appropriated."

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Illinois [Mr. GALLAGHER].

The question was taken, and the Chairman announced that the noes seemed to have it.

Mr. GALLAGHER. A division, Mr. Chairman.

The CHAIRMAN. The gentleman from Illinois calls for a division.

The committee divided; and there were—ayes 43, noes 75.

So the amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Mississippi River from St. Paul to Minneapolis, Minn.: Continuing improvement, $235,000.

Mr. FREAR. Mr. Chairman, I move to strike out the paragraph.

The CHAIRMAN. The gentleman from Wisconsin [Mr. FREAR] moves to strike out the paragraph.

Mr. BLACKMON. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Alabama [Mr. BLACKMON] moves to strike out the last word.

Mr. BLACKMON. Mr. Chairman, it has become apparent to the Members of this House that this bill is going to pass. It strikes me, in so far as I am able to see, that the bill has been well considered by the committee. I want to make this suggestion that the industrious Members of this House who see fit to take up so much time in pointing out various objections to this bill should be allowed to extend their remarks in the RECORD. [Applause.] They should be allowed from now until March 4 to extend their remarks, and the rules should be waived so as to permit the insertion of "loud, long, and continuous applause."

Mr. LOBECK. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Alabama yield to the gentleman from Nebraska?

Mr. BLACKMON. Yes.

Mr. LOBECK. Does the gentleman suggest that they be allowed to revise and extend their remarks?

Mr. BLACKMON. Yes.

Mr. LOBECK. Will you allow the gentleman from Connecticut [Mr. DONOVAN] to come in on that?

Mr. BLACKMON. Yes; I would like to see the gentleman come in as often as he chooses. This bill is going to pass, Mr. Chairman, and I hope Members will agree with me, and that my suggestion may be adopted. [Applause.]

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn.

Mr. GOODWIN of Arkansas. Mr. Chairman, I send up an amendment.

The CHAIRMAN. The gentleman from Arkansas offers an amendment. The Chair will state that the committee have passed the paragraph to which the gentleman's amendment is offered.

Mr. GOODWIN of Arkansas. I desire to revert to line 9, page 32.

Mr. MANN. Ask unanimous consent.

Mr. GOODWIN of Arkansas. I ask unanimous consent to revert to line 9, page 32, for the purpose of offering an amendment.

Mr. POWERS. I object to that.

Mr. MANN. Will the gentleman reserve his objection a moment?

Mr. POWERS. Yes.

Mr. MANN. I do not know what the amendment is, but it is only fair to say that Members generally thought that a certain amount of time would be taken on the Chicago Harbor item, and possibly they were taken advantage of by the fact that we postponed that and read this portion before anyone had a right to suppose we would reach it. Hence I think it is fair to give the gentleman an opportunity to offer his amendment.

Mr. SPARKMAN. I want to say that the gentleman from Arkansas was not taken by surprise, because his attention was called to the matter, and he was asked if he had anything to say.

Mr. GOODWIN of Arkansas. I beg the gentleman's pardon. It is now 5 minutes after 9 o'clock. I came here this morning at 11 o'clock, and I was not out of this Hall, except to get a little lunch about 3 o'clock, until I was called out of the Hall when this paragraph was read, but returned as soon as I could.

Mr. MANN. I think the gentleman, in all fairness, ought to be permitted to offer his amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from Arkansas?

Mr. SPARKMAN. Let his amendment be reported first, then we can tell.

The CHAIRMAN. The amendment may be reported for information.

Mr. GOODWIN of Arkansas. I ask unanimous consent to have it reported for information.

The CHAIRMAN. If there be no objection, the amendment will be reported for information.

The Clerk read as follows:

Page 32, line 9, after the word "river," insert a semicolon and the following:

"*Provided further*, That the said Mississippi River Commission is hereby authorized to close the gap in the levees between the Mississippi River levee in Arkansas and the Arkansas River levee at Cypress Creek, at a cost not to exceed $125,000, out of the money herein appropriated."

The CHAIRMAN. Is there objection to returning to this paragraph of the bill for the purpose of offering the amendment?

Mr. EDWARDS. I object.

The CHAIRMAN. The gentleman from Georgia objects.

Mr. MANN. Oh, do not object.

Mr. EDWARDS. I withdraw it.

The CHAIRMAN. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. GOODWIN of Arkansas. Mr. Chairman, this proposed amendment does not carry one dollar additional in the bill. It merely authorizes the Mississippi River Commission to expend the sum of $125,000 out of the $5,000,000 lump sum set aside to the commission to use as it sees fit. The cost of this levee will be about $225,000. This gap in the levees is in the line between my district and that of my colleague [Mr. TAYLOR of Arkansas]. The people of these two districts will themselves pay the additional $125,000. To-day they are paying a tax of about 4 per cent, as I recall. They are paying for protection which they do not receive.

Now, what are the facts? The Mississippi Levee and the Arkansas River Levee approach within about a mile and a quarter of each other. Between these two levees flows Cypress Creek. If the Mississippi River reaches a flood stage great torrents of water, a veritable flood, flow through this gap, overflowing a great part of Desha County in Mr. TAYLOR's district, and all of Chicot County in my district, and likewise about five or six parishes in the State of Louisiana. All this is backwater from the Mississippi River going up Cypress Creek and around the Mississippi Levee system.

As I have just stated, this appropriation does not carry one dollar of additional money as set forth in the bill, but is a part and parcel of the $5,000,000 lump sum set aside to be expended by the commission. When you go before the Mississippi River Commission, as Senator CLARKE and I did a year ago last summer, going from here, and a great number of people coming from Mr. TAYLOR's district and my district, the Mississippi River Commission say, as they said then, substantially, "If Congress would specifically authorize this to be done, we would do it"; but the commission are called upon, here and there and yonder, to make appropriate expenditures; not that this is inappropriate at all, but it seems they have never been able to reach this particular gap.

Now, I submit that the Mississippi River channel is the proper artery through which this water should flow. The people in that vicinity have constructed at great cost an artificial channel to divert the water coming down Cypress Creek, and are willing and prepared to care for this water; but what they object to is this backwater which comes from the Mississippi River through the gap and around their levees.

In 1913, when the Mississippi was at flood stage, although the gauge at Arkansas City did not show the river to be nearly so high as during the overflow period of 1912, the water coming through this gap did as much or more damage in this section than the awful Panther Forest break in 1912. A delegation of citizens from my district testified as to these conditions before the Rivers and Harbors Committee last December, and members of the committee will doubtless recall the statements of Judge H. C. Cook, of Chicot County; Mr. C. Warfield, president of the levee board; and Mr. J. P. Breckenridge, the levee engineer.

I know my good friend from Mississippi, Mr. HUMPHREYS, will oppose this amendment. I would not charge him with any selfish interest in the matter because, generally speaking, he is fairly altruistic, to say the least, and way down in his heart he might think that if this great volume of water went into the channel of the Mississippi River instead of flowing over the homes, farms, and plantations of Arkansas and Louisiana it might create some pressure against the levees on the Mississippi side, although the levees on the Arkansas side would share a like pressure.

I submit, gentlemen of the House, that the Mississippi River is the proper channel through which this water should flow. It should go down that stream and not over the farms and plantations of Arkansas and Louisiana. I think I have fairly stated the case. I am not a member of the committee; I am not as potential with the committee as my friend and neighbor across the river, the gentleman from Mississippi, who is a member of this committee. I am not powerful enough to have the committee do anything. The committee, I suppose, feels a little sore because I have criticized some of the items of the bill; but in doing so I am a better friend to proper river legislation than those whose silence is the price of favoritism.

Now, Mr. Chairman, I stand for river improvement. I made my first campaign not in the bottom counties of my district alone, for I have not many of these counties, but I emphasized the importance of river improvements over the whole country. I make no proud boast, as do some gentlemen, of having great reputation anywhere, but I am known in my State to be extremely in favor of proper river improvements. I submit that when this vote is taken I want you to remember that the Mississippi River is the channel through which the water should flow and not over the plantations and farms in Arkansas and Louisiana. This is not a new item, but is a levee item to be properly cared for by the Mississippi River Commission.

Mr. HUMPHREYS of Mississippi. Mr. Chairman, I might state for the benefit of the gentleman from Arkansas that I never went before the Mississippi River Commission in my life and asked them to allot a dollar to my district, and I never expect to as long as I remain in Congress.

I insist that if we are going to create a commission of engineers and give them $5,000,000 to spend we ought not to tell them where the money is to be spent. If we did, we ought to abolish the commission. We give the commission $5,000,000 and tell them to go down on the Mississippi and spend the money where, in their judgment, it ought to be expended. Arkansas, Mississippi, and Louisiana and all other States must take their chances.

They do not build levees on the Yazoo; that flows into the Mississippi River, but they require my constituents to take care of that themselves. The Arkansas flows into the Mississippi. Why should it have preference? We appropriate $5,000,000, a large part of which is to protect the Arkansas delta. My judgment is that the people of Arkansas ought to build these auxiliary or lateral levees, or at least, to let the commission exercise its discriminating judgment. That is what we have to do in my district. The Mississippi River Commission has the authority to do this work now. It is authorized to do it, but what the gentleman wants and what he hopes the Mississippi River Commission will construe his amendment as meaning, is that the commission, whether it meets with their judgment or not, whether it is in the interest of the flood protection or navigation, is hereby directed to expend the money on the Arkansas River at the point indicated. How many Members of this House know whether it ought to be expended there or not? Here we have a commission composed of officers of the Army, from civil life, and from the Coast and Geodetic Survey, who have studied this question for years, and who go up and down the river constantly to see where it should be properly expended. The gentleman wants Congress, in the fullness of its ignorance of the subject, to tell these experts where and how to spend the money.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Arkansas.

The question was taken, and on a division (demanded by Mr. GOODWIN) there were 28 ayes and 37 noes.

So the amendment was rejected.

Mr. FREAR. Mr. Chairman, I move to strike out lines 16 and 17 on page 32.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 32, strike out lines 16 and 17.

Mr. FREAR. Mr. Chairman, this is a project that has had in appropriations $254,600. We are proposing to give $235,000 in addition to the amount available last October, $216,624. I wish to present briefly a statement from a letter which I received, coming from a former editorial writer on the Pioneer Press, the largest newspaper in the northwestern country for many years, and also editor of other papers:

2219 KNAPP STREET,
St. Paul, Minn, December 9, 1914.

Hon. JAMES A. FREAR,
Washington, D. C.

DEAR SIR: I want to thank you for the copy sent me of the CONGRESSIONAL RECORD.

For many years I have recognized in "pork-barrel" methods the very worst obstruction to the progress of national waterway improvement. When the people see vast sums wasted on "fake" improvements, like that in "Dam No. 2" in the Mississippi at this point, they naturally lose faith in waterway improvement as a whole.

I want to suggest the following as an effective mode of testing the sincerity of those Congressmen who are asking big appropriations for insignificant streams and harbors in their respective States:

Let every appropriation by Congress for such improvement be conditioned on the appropriation, by the State in which it is located, of at least one-half as much as is to be paid from the National Treasury. If they really believe the improvement will be worth as much as is claimed for it the Congressmen interested can hardly refuse to accept so liberal a condition.

I believe, in fact, that almost all river and harbor improvements should be carried through by cooperation between States and nations. The example of Illinois in appropriating $20,000,000 for the Lakes to the Gulf scheme, and of New York in voting $120,000,000 for the enlarged Erie Canal, should shame into silence those who would place upon the Federal Treasury the entire burden of improvements, the benefits of which are purely local.

Very truly, yours, C. R. BARNS.

I wrote practically all the waterway editorials which appeared in the Pioneer Press for nearly 14 years.

I do not know the gentleman personally, but upon the receipt of the letter I have some knowledge of this project, which is not far from my own home. I wish to call attention to the engineer's report, on page 935, giving a justification for this expense, which already has amounted to $2,354,000. It is for building a dam between St. Paul and Minneapolis 30 feet high. The engineer says:

The construction of the lock and dam may develop passenger traffic between St. Paul and Minneapolis, and it is expected to reduce the freight rate on flour and grain shipped from Minneapolis.

That is the project to which the gentleman refers in the letter. I will say in regard to the passenger traffic—this is written by the engineers, so that Members here can determine for themselves the value to be placed upon the report—St. Paul and Minneapolis are only 10 miles apart. Traveling on a street car, it takes about half an hour or a little more. The street cars are great, large cars, two or three times as large as those on the streets here, and they run every five minutes on two different lines; and there are eight trunk lines running between the two; yet the engineers say that it is for the purpose of developing passenger traffic. And it would ordinarily take half an hour to get to the boat and half an hour to get back from the boat in order to make the trip. It would take nearly half an hour to go through the locks and half to three-quarters of an hour to travel up the current of the river. Yet the engineers say to us seriously—with 8 trunk lines and 2 street car lines with 50,000 people going to and from every day at 10 cents each—that there is a hope of developing a passenger traffic.

Mr. MOORE. Mr. Chairman, will the gentleman yield?

Mr. FREAR. Yes.

Mr. MOORE. I have heard the gentleman make this statement several times about the railroads being accessible. If I understand the waterway movement, it is for the purpose of affording competition with the railroads—not necessarily against them, but competition with them. Do I understand the gentleman, from what he has just said and from what I have heard him say before, to mean that he would prefer to see no waterway competition at all because the railroads can carry the freight?

Mr. FREAR. No; certainly not. I am endeavoring to show to the gentleman and to the committee that it is the greatest absurdity that has ever been presented to say that any possible passenger traffic can exist for this reason. The street cars carry the passengers from one city to the other for 10 cents. In order to take the boats you would have to pay 5 cents to go down to the boat and 5 cents to get back from it, losing all the time in transferring on the boat.

Mr. MOORE. Let us take freight, bulky matter.

Mr. FREAR. I am speaking of this passenger traffic first. I am going to refer to the other.

Mr. MOORE. The gentleman has raised a very important question and I do not want him to be misunderstood. I do not take it that the gentleman is an advocate of the railroads as against water competition.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. FREAR. Mr. Chairman, I ask unanimous consent to proceed for five minutes more. I have only one or two small items to which I desire to direct attention.

Mr. SPARKMAN. Mr. Chairman, I ask unanimous consent that all debate on this paragraph and amendments thereto close in 10 minutes. I understand the gentleman from Minnesota [Mr. STEVENS] would like some time.

Mr. STEVENS of Minnesota. Yes; I have something to address to this item and to the previous item. I would like to have 10 minutes, at the suggestion of the gentleman from Mississippi [Mr. HUMPHREYS].

Mr. HUMPHREYS of Mississippi. And I hope the House will hear him.

Mr. SMITH of Minnesota. Mr. Chairman, I would like to have five minutes.

Mr. SPARKMAN. I want to say to the gentleman that if we are going to get through this bill to-night, and we are going to stay here until we do, we are taking up a good deal of time.

Mr. MANN. This is reasonable debate.

Mr. SPARKMAN. Mr. Chairman, I ask unanimous consent that all debate on this paragraph and amendments thereto close in 20 minutes—5 minutes to the gentleman from Wisconsin, Mr. FREAR, 10 minutes to the gentleman from Minnesota, Mr. STEVENS, and 5 minutes to the gentleman from Minnesota, Mr. SMITH.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. MOORE. Mr. Chairman, the gentleman's statement would seem to indicate that where there are railroads he would prefer there should be no water competition.

Mr. FREAR. No, Mr. Chairman, I have shown the utter absurdity in this case of any possible competition by water in passenger rates with street cars, where it only costs 10 cents to go between the two towns. Naturally, we desire reduced rates wherever possible to secure them and wherever the traffic warrants such expenditures. It is a waste of time of the House to discuss it further, I fear. Of course, the gentleman does not mean that seriously.

Mr. MOORE. It would apply to a river like the Hudson where the railroads parallel the river on either side. Would the gentleman say there should be no improvement of the river to afford water competition?

Mr. FREAR. No; I did not oppose the Hudson River appropriation. I do question the proposed surveys covering the two projects, one a 27-foot depth and the other a 30-foot depth, for the Hudson River, which would involve an expense of possibly ten to thirty million dollars, to be ascertained if both projects were put into force. There is only one other thing. I spoke of the absolute absurdity of the engineers' recommendation on this matter. I believe there can be no passenger traffic there.

I have occasionally gone up to Minnehaha on the boat, and, as far as any business is concerned, it is impossible to compete between the cities by waterway traffic. On the question of freight rates on flour and grain, I would not care to express an opinion, because that is in the future. No one can tell; but I will say this, Mr. Chairman, that last year there was brought from New Orleans to the city of St. Paul a boat, traveling the whole length of the Mississippi River. The gentleman who had the boat was entertained by a committee of business men at St. Paul. I recollect quite well the character of his remarks at that time. He brought his boat from New Orleans, and he was feasted, and the banqueters expressed the hope that he would continue in the business. They were very kind to him, but they did not give him business, and he said to them in a speech, "You have done everything except the one thing that is necessary—you have not given me any return cargo." Now, that is the only case to my knowledge of a boat going from New Orleans to St. Paul in recent years, and I doubt if any boats have gone down the entire length of the river. Of course, we have hopes of the future, but we have a 30-foot dam and lock, and, as I said, it is a matter of speculation. We are going on with it, and we have to look to the future. I presume we ought to finish it as long as we have gotten so far along with it, but it is an absurdity and absolutely ridiculous from present prospects to speak of passenger traffic, because there is none.

Mr. MURDOCK. Will the gentleman yield?

Mr. FREAR. I will.

Mr. MURDOCK. Did the gentleman state that the Government had spent on this stretch of river some $2,000,000?

Mr. FREAR. Two million two hundred and fifty-four thousand six hundred dollars has been appropriated.

Mr. MURDOCK. What is the tonnage on that stretch now?

Mr. FREAR. There is absolutely nothing. The only traffic is by an excursion steamer to Minnehaha Creek. The engineer's report says:

The statistics of the excursion business done could not be obtained. The rafting of logs below Minneapolis has ceased.

That is found on page 2483 of the engineer's report. I have made the motion in order to present the facts set forth by the report on this project. As I stated at the outset, the Government has made large expenditures at this point, and I have presented all the facts that appear from the engineer's report.

The CHAIRMAN. The gentleman from Minnesota [Mr. STEVENS] is recognized for 10 minutes.

Mr. STEVENS of Minnesota. Mr. Chairman, I am glad to have an opportunity briefly to discuss the item now before the committee and the one previously considered by the committee concerning the $1,200,000 for the improvement of the upper Mississippi River, and I think the committee should realize the seriousness of the situation and the great importance of this item to the North Central States at the present time. Three years ago the Interstate Commerce Commission considered the subject of transcontinental rates in connection with the intermountain rate cases, and in the course of its decision Commissioners Prouty and Lane set forth the fact that 75 per cent of the goods in the competitive territory between the Mississippi Valley and the Pacific coast was furnished from the Central West or the Mississippi Valley and 25 per cent of that freight and goods was furnished from the Atlantic coast. The Panama Canal is now open. In August last the freight rates from coast to coast were reduced from 20 to 50 per cent upon this competitive traffic by the American Hawaiian Co., which has 23 first-class ships in commission. The transcontinental railroads find themselves unable to and have refused to meet those rates, because they can not meet those rates and exist under existing traffic conditions. The commission held in these intermountain rate cases that of that competitive freight 93 per cent was capable of being carried by water and only 7 per cent was necessarily carried by land. So that the great bulk of that competitive traffic can be produced on the Atlantic coast, transported through the Panama Canal, and distributed throughout the competitive territory eastward from the Pacific coast in preference to competitive goods of the Central West, because such goods can be laid down cheaper because of the cheaper rates through the Panama Canal than overland by the transcontinental lines. Similar conditions necessarily will arise in the distribution of Pacific coast products. They can be shipped cheaper by the canal and from the Atlantic coast than they can be had over the railroads. This course of business will diminish the distributing territory of the cities of the Central West and give a corresponding advantage to the coast and eastern competitors.

You are aware that very recently the Interstate Commerce Commission have made a 5 per cent increase on class rates in eastern territory. There is also pending right now before the Interstate Commerce Commission another proceeding in which an additional increase of rates is sought on class freight from eastern points to the north Mississippi River points, and I think a hearing was had this week. The railroad owning the Lake freight lines for package goods have increased the lake and rail rates so that no longer can the North Central States receive the advantage that they formerly had and properly should have by reason of the Lake rates and the large public expenditures upon Lake improvements. Under these circumstances it is to be expected that the former 75 per cent of the competitive traffic which the Central States have enjoyed in the competitive States between that region and the Pacific coast, will be reduced from 75 per cent to 25 per cent, while the Eastern States—the coast States—probably will increase their percentage from 25 to 75. That is rather to be expected, because of the tremendous decrease of rate on account of the Panama Canal. The result will be that the industries and interests of the Central West, on account of cheap rates from coast to coast and the inability of the transcontinental railroads to meet those rates, will be injured, and tremendously injured, as to that competitive traffic.

I neglected to state that the railroads from Chicago west have already initiated and that there is now pending a readjustment of rates to the Pacific coast so that they can compete through that western territory with the Panama Canal rates. That matter is now pending before the commission, and upon it is the hope of many industries in the Central West.

But the difficulty is that the fourth section of the interstate-commerce act—the long and short haul clause—will probably control, and if strictly construed may not enable the Central West territory to compete with the eastern territory. The intermediate country and its people will probably bitterly complain of any reductions of through freight in which they can not participate and that may influence the commission. The result will be that the territory from Pittsburgh eastward will have rates not to exceed 45 or 46 cents a hundred first class to the Pacific coast, and Chicago and Mississippi River territory will have rates of 60 cents a hundred on corresponding traffic to the Pacific coast. There now seems to be only one possible method of relief to the Central West, and that is by the use of the Mississippi River. [Applause.]

So I wish to call the attention of the gentleman from Wisconsin [Mr. FREAR], who has done his best to throttle his own territory, to decrease the value of the lands of his own people, to prevent the extension of its own resources, and prevent the development of the industries of his splendid people, to what will happen. Unless we can get an improvement and a reduction of rates by way of or on account of the Mississippi River, we no longer can compete as we formerly have in the territory in the Intermountain States or the Pacific coast. That means a reduction of our business, a deterrent to our growth, and a failure to well utilize the wonderful resources of our favored region.

Now, what is the reason that we can not? Years ago there was a splendid traffic on the Mississippi River. Last winter a year ago a subcommittee of the Interstate and Foreign Commerce Committee had an interview with the captains of the Mississippi River steamboats in the hearing concerning the dam at Keokuk, and I asked those men why they did not carry freight on the Mississippi River. They told me—and I think the members of the committee heard it—that much freight was offered them, but they were compelled to refuse it. There were two reasons for it. In the first place, the steamboats had not the capacity to carry it. In the second place, there were no proper terminals in the cities on the river.

The gentleman from Wisconsin [Mr. FREAR] spoke of the barge going up the Mississippi River from New Orleans to St. Paul and that no return cargo was provided. It did go up the river—an open barge with tarpaulin cover. It did not protect any perishable goods; so that it was impossible to get insurance on any freight, and merchants did not dare to ship valuable goods in that way on the river unless they could get insurance on them and have them properly protected against the elements. The kind of traffic from that region requires such protection. It was not a modern barge; it was an old open barge. The committee well knows that last October the Engineer Corps submitted a report on a modern system of barges for use upon the Mississippi River. Five years ago the National Waterways Commission made a trip to Germany, and there we investigated—and the chairman of the committee will well remember it—the kind of barges used in Germany and the splendid experimental system there by which is produced the best possible type of barge for traffic. And Congress directed that experiments should be made upon the Mississippi as to the sort of barges that would be best suited for use on the Mississippi River that could be produced and described.

A report was made last October—a very valuable one—and forms of barges were submitted to Congress, for the benefit of the country, that would result in the cheapest and best kind of transportation on that river. That report further showed that by the use of those barges the rates can probably be reduced to about a mill and a half up to about 4 mills per ton per mile. This is the hope you realize. The average rail rate in that valley is 7⅞ to 8 mills or so per ton per mile. Of course, the water rate must be increased by terminal charges, haulage, insurance, and the like, which will thus at least approximate the rail rate.

Now, if the engineers' estimates on those experimental barges can be justified, freight can be carried from New Orleans to St. Paul and Minneapolis, from Pittsburgh to St. Paul and Minneapolis, and enable those cities and that great stretch of country to compete with the Pacific coast rate and business. The Mississippi points are not the only ones so affected. That great stretch of territory, covering more than seven States, covering probably several hundred thousand square miles, and containing 7,000,000 or so of people, and with thousands of millions of business annually, is greatly affected by the use of this river, by this possible reduction of rate, and by the consequent improvement in transportation facilities.

Why, gentlemen, the reasons the Mississippi River has not been used for the past few years are several in number: First, because business methods have not been adopted in the handling of river traffic as compared with the superb system of the railroads. A new corporation is under formation in New Orleans, and a new corporation has been formed in Kansas City, and a new corporation is being formed in Minneapolis and St. Paul to use these barges and other means of transportation which I have described to you.

These men mean business, because it is their life to have their business carried on in a proper way and to the best possible advantage.

Again, river traffic has been compelled to frequently transfer; traffic has been compelled to shift from water to rail and from rail to water, and this has been destructive. These barges will have through traffic from Pittsburgh and New Orleans to the headwaters of the Mississippi and upper points on the Missouri. In that way by proper business methods, through shipments, and first-class terminals, a great saving can be effected. Insurance can be had, and the minor charges can be reduced or eliminated. Congress has already provided two things, first, that railroads can not reduce rates in order to throttle this traffic, because if they do they will be compelled to so maintain those rates when so reduced, unless other causes intervene; and, second, railroads must make through rates and connections with water lines where business warrants. The Interstate Commerce Commission has full authority to compel this.

The city of Minneapolis last year manufactured over 18,000,000 barrels of flour. It is the largest primary market for flour in the world. In the adjacent country tributary to the Twin Cities there is probably manufactured 10,000,000 barrels more. There is consumed in those cities many million tons of coal, which can be brought up that river. Vast amounts of raw materials and heavy, bulky products are used in these populous centers. For that reason our people are confident that the river ought to be used, and can be used, and will be used if Congress will give it a chance. [Applause.]

Now, just a word about that dam which has been criticized. I am responsible more than any other man for its present situation, and the Committee on Rivers and Harbors has kindly supported and put into legislative form the efforts that our people have made. That system of dams, formerly embracing two dams, was started 20 years ago, before I entered Congress. It was soon found that one dam of 30-foot lift would furnish much better navigation and in addition would furnish valuable water power, sufficient to pay for the project. Accordingly Congress, after considering the matter carefully, did discard the upper dam, at a loss of several hundred thousand dollars, and the lower dam will be increased in height and completed by the expenditure of the $235,000 which this bill carries.

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. STAFFORD. Mr. Chairman, I ask unanimous consent that the gentleman from Minnesota may proceed for five minutes.

Mr. STEVENS of Minnesota. If the committee will allow me two minutes I will be glad to proceed.

Mr. SMALL. Mr. Chairman, I ask unanimous consent that the gentleman be allowed to proceed for two minutes longer.

The CHAIRMAN. The gentleman from North Carolina [Mr. SMALL] asks unanimous consent that the gentleman from Minnesota [Mr. STEVENS] may proceed for two minutes. Is there objection?

There was no objecion.

Mr. STEVENS of Minnesota. This dam will be completed next September if this money be furnished. When completed it will carry navigation to Minneapolis. My colleague, Judge SMITH, will describe what the city of Minneapolis is doing for its navigation. That dam can be used for water power, and in the course of years every single cent will be paid back to the Treasury. It would be provided now if Congress had passed the bill which I presented years ago, the substance of which passed the Senate and which this House refused to consider.

I described to the House at the last session the use to which these dams would be put. The cities of St. Paul and Minneapolis and the State of Minnesota through a public corporation will be mighty glad to take this work off the hands of the United States and pay 3 per cent on this additional cost, so that the money will be all paid back into the United States Treasury. This can be arranged as soon as Congress will give us the chance. It is not our fault it has not been already provided. It is the fault of Congress, that this has not already been provided for. In this way we furnish practically this dam free of cost to the Government. This improvement takes care of millions of people. It will upbuild that great central territory. It will develop new means of competition. It will aid in the development of one of the most prosperous portions of the country, and the committee is to be congratulated on the provisions they have made for this great improvement in this bill. [Applause.]

The CHAIRMAN. The time of the gentleman from Minnesota has again expired.

Mr. SMITH of Minnesota rose.

The CHAIRMAN. The gentleman from Minnesota is recognized.

Mr. SMITH of Minnesota. Mr. Chairman and members of the committee, I want to congratulate my colleague [Mr. STEVENS] for the able statement which he has made at this juncture of the proceedings. He has had more to do with the development of the upper Mississippi than any other man in Congress to-day. I am only a novice, as is my friend from Wisconsin [Mr. FREAR]. [Applause.] I ask no credit for what has been done, and I want to give credit to this Committee on Rivers and Harbors and to my colleague, who has worked for 18 years for the advancement and building up of our river transportation on the upper Mississippi River. [Applause.]

The gentleman from Wisconsin states that there is no tonnage on the river between Minneapolis and St. Paul and wishes the committee to therefore conclude that it is a useless and extravagant waste of funds to make an appropriation for the completion of the project between the Twin Cities. His statement is grossly misleading. However, I am quite confident the gentleman did not intend it to be so.

Col. Charles M. Porter, the engineer in charge of this district, in a report made to the Chief of Engineers, United States Army, 1913, said:

> Speaking of this stretch of the river, there is no navigation other than logs, and there will not be any until improvements in the river are completed.

Navigation will follow improvement, not improvement navigation. A fair test is not the present tonnage but, What are the prospects of developing a reasonable tonnage after improvements are in? This is especially true where the river is not navigable at all, as in the present case. The section of the river under discussion extends from the Chicago, St. Paul, Minneapolis & Omaha Railway bridge in St. Paul to the Washington Avenue Bridge in Minneapolis, a distance of nearly 12 miles. The rapids and the velocity of the stream are such as to prevent navigation until, as Col. Porter says, the improvements are completed.

In the light of these additional facts, the fact that there is no commerce on this stretch of the river does not appear to be very material, but standing alone and unexplained might readily lead to a wrong conclusion. Likewise the construction attempted to be placed by my colleague on the statement that "construction of the lock and dam may develop passenger traffic between Minneapolis and St. Paul, and it is expected to reduce the freight rates on flour and grain from Minneapolis," in the report of the Chief of Engineers, is, to say the least, facetious. The gentleman from Wisconsin knows, or ought to know, as everybody else knows who is at all familiar with the local conditions at the Twin Cities, that the passenger traffic referred to in the report of the Chief of Engineers is such as will develop in connection with the passenger traffic that now exists between St. Paul and St. Louis, which is considerable. This will be increased as soon as it can be extended to Minneapolis. It was the extension of this general traffic and not the local traffic between St. Paul and Minneapolis that the engineer referred to.

It is evident from the foregoing that the reasons the gentleman assigns for objecting to the $235,000 item for completion of the lock and dam between the Twin Cities are not well founded. Moreover, they show that he is hard pressed for something substantial to sustain his position, else he would not resort to the ridiculous.

Again, the gentleman from Wisconsin says, in speaking of the appropriation of $1,200,000 for improving the river from St. Louis to Minneapolis, a distance of 668 miles, that the people of the whole country will be greatly benefited, even if this item is reduced only one-half, and that Members of Congress will be applauded for taking such action. If this be so, then by striking out the whole item the Members of this House should be proclaimed in glaring headlines as the patriots of the twentieth century, the saviors of the national credit, the exterminators of the "pork barrel" from our body politic. But by taking the position that no appropriation should be made for the improvement of this stretch of the river the gentleman places himself in opposition to the improvement of any of our inland waterways.

We are not at all surprised at the position taken by the gentleman, for we know there exists an organized opposition to the development of our inland waterways by a school of economists who contend that the present and prospective needs of commerce and industry can best be met by the further extension and development of railways, and that the expenditure of money upon waterways is therefore unwise and unnecessary, and that the demands of supplying the necessary transportation should be left entirely to the railways.

It is a well-known fact that managers of railways, as a general rule, are and have been hostile to waterways, and have resorted to various practices and schemes to destroy water traffic, and have been successful in many instances. Therefore it is quite as easy to get the public to believe that those opposing waterway improvements are in league with the railways as it is to convince them that those that believe in and favor the improvement of inland waterways are seeking to secure for themselves political advantage. However, the people who are vitally concerned in this question, since they will reap the profits if water transportation is a good thing or will have to pay the losses if it is not, are not interested in personal accusations, but want to know what the facts are, so that they may decide for themselves whether or not it is advisable to abandon water transportation to the railways. The people of the Central West, and particularly those of the Twin Cities, are deeply interested in the improvement of the Mississippi River, and more especially that portion of it known as the upper Mississippi.

HISTORY OF LEGISLATION.

Permanent and systematic work was begun on this portion of the river in 1878. At that time the condition of the channel was such that at low-water stages large boats were able to proceed upstream no farther than La Crosse or Winona, and it often occurred that they were unable to get upstream even that far, while now, due to the work that the Government has done since the adoption of the original project, the condition of the channel from St. Louis to St. Paul is such as to permit the passage of very large river boats at low-water stages to St. Paul. The original project proposed the making of a channel from St. Louis to St. Paul of a depth of 4½ feet at low water, to be eventually increased to 6 feet. In 1894 a separate project was adopted for the Mississippi River between St. Paul and Minneapolis. It provided for two locks and two dams—No. 1, just above the Minnehaha Creek, and the other, No. 2, 2.18 miles below the Washington Avenue Bridge, in Minneapolis—each lock to be 80 by 304 feet, and the depth of the lower miter sills to be 5 feet at low water. Congress in 1907, for the purpose of securing a channel of 6 feet deep on the upper Mississippi, adopted the report of the Chief of Engineers, which, in all essential features except the proposed deepening of the channel, was the same as the 1897 report, and fixed the upper limits of the 6-foot channel at Minneapolis. The Chief of Engineers, pursuant to a request made by Congress to cause an estimate to be made of the cost of securing a channel 6 feet deep in that portion of the river between the mouth of the Missouri River and St. Paul, placed the cost at $20,000,000, to be completed in 10 years. The change in the depth of the channel necessitated an increase in the lift of the two locks and an increase in the depth of the lower miter sills of Lock No. 1 to 6 feet at low water in the project between Minneapolis and St. Paul. This project was further modified in 1910, in accordance with the recommendations of the Chief of Engineers, based on the report of special board of officers of the Corps of Engineers, who had made a personal examination and a comprehensive report on the Mississippi River from St. Paul to Minneapolis, with a view to modification of the project to provide for the increased depth of the channel from 5 to 6 feet, as per the 1907 report, and the utilization of the surplus water for development of power.

In his recommendations to Congress the Chief of Engineers said that a single dam with a lift of approximately 30 feet would have many advantages over the present system of two locks and dams. It would give a depth of 9 feet at the head of navigation at Minneapolis, which would probably meet the needs of all future navigation; it would be easier and cheaper to maintain and operate, would provide better facilities for the passage of vessels, and would create a valuable water power, which could be utilized to pay the cost of construction as well as future maintenance and operation and produce a perpetual surplus revenue for the Government, and at no time in the future could such a change be accomplished so economically. And the additional expense could be recovered in a short time from the utilization of the water power which would be incidentally created by the proposed change in the project. "Moreover the creation of water power at this locality would be of special advantage to the governmental interests other than those of navigation; that the water power resulting from the plan proposed could be applied to meet the additional expense either directly, by means of a Government plant, or indirectly through leases to municipal or private corporations, and aside from the question of an improved navigation there would seem to be no doubt of the wisdom" of making a change from the two-dam project to the single-dam project. The Chief of Engineers further recommended that since the cities of St. Paul and Minneapolis are deeply interested in the construction of a high lock and dam and naturally would be the most desirable lessees of the surplus power that might be created thereby, negotiations be had with the proper agencies of these municipalities with a view to securing free of cost the flowage rights owned by the cities and entering into a suitable lease with them for the water power thus to be created.

Great changes had taken place since the adoption of the original plans for improvement of this section of the river. The agricultural and industrial production of the surrounding country had increased far beyond the expectation of anyone, and the ability to use water power several hundred miles from the dam, through the discovery of electrical transmission and the consequent increase in the value of water power, both combined, convinced Congress of the advisability of providing better navigation facilities and at the same time of developing water power. Besides, the citizens of both Minneapolis and St. Paul urged upon Congress the wisdom of making a change in the plans of the project so as to meet new conditions.

Satisfied in the end that it would be to the interests of the Government, Congress adopted the one-dam project, which is expected to be completed this fall. In the new scheme of development Lock and Dam No. 2 became unnecessary and has been abandoned.

Some criticism has been leveled at the officials having to do with this project for the loss of the money invested in Lock No. 2. However, I am confident that if the parties who are disposed to criticize will familiarize themselves with the history of this project they will come to the conclusion, as I have, that there is no just ground for criticism.

When this project was started, in 1894, water power had been nearly supplanted by steam, and was of little value. Cheap fuel was abundant. The transmission of electric energy had not been discovered. The volume of commerce was small, and there was no indication that it would increase rapidly. Who can say, in the light of these facts, that the originators of this great contribution to navigation should have combined with that enterprise the development of water power, and because of their neglect to do so should now be condemned? If this be the attitude we are going to assume toward public-spirited officials, why not heap derision upon the heads of the founders of St. Paul for their failure to anitcipate the future growth of that city, making it necessary at this time to expend millions of dollars in widening the streets, so as to take care of the ever-increasing traffic of that magnificent city. Even here at the very door of the National Capitol millions are being spent by the Government in the purchase back at high prices of property given away or sold at a nominal price by the Government in its early history. These and many similar instances go to substantiate the proposition that no constructive work has been carried on without some loss, and no man or set of men, however wise and honest they may be, can anticipate what the future may bring, and this is especially true in this age of invention, discovery, development, and rapid progress along all lines of human activity.

RIVER AND HARBOR IMPROVEMENT.

In almost all cases this work is carried on by hired labor under the immediate supervision and direction of the Corps of Engineers of the United States Army. These engineers are especially well qualified to prosecute work of this character. They are trained to take charge of this class of work by four years of mathematical, mechanical, and civil engineering study at our Military Academy at West Point, a year of inspection of the best type of river and harbor construction and other field practice, another year or two of special study of explosives, electricity, and civil engineering specialties. Besides, these men hold life positions, which makes them free from local bias and local interests. They have no interest to serve save that of the Government. This system of handling the river and harbor work has been in vogue since 1824. The wisdom of placing the same under the Army engineers has long since been demonstrated, and I believe there is no complaint on the score that the work of this trained body of experts has not been of a high character and generally satisfactory. It will be remembered that Col. Goethals, the builder of the Panama Canal, is a member of this corps.

THE COORDINATION OF RIVER AND RAIL TRANSPORTATION.

Inland waterways are a mere link in our transportation system. Their improvement, where the physical conditions make it feasible, is necessary, even though the cost seems high in some instances. Of course, there are many streams that should not be improved, because the cost would be out of all proportion to the benefits to be derived, but in the majority of cases this fact can be readily ascertained. Therefore all river improvements should not be condemned because some projects have no

prospect of ever becoming commercially profitable. It may be possible at a slight expense to improve the channel of a river so as to convey large boats, but if it has no present or prospective tonnage along its course it would be very unwise to improve it even at a slight cost. On the other hand, the improvement of a certain river or the construction of a canal may be quite expensive, still it would be good business to make the improvement if tonnage, either present or prospective, that it will secure or affect is of sufficient value to yield a fair return, either directly or indirectly, on the investment. The Mississippi River, as well as a great number of other rivers of this country, is in this latter class. There are several substantial reasons why it is wise to improve such rivers. First and foremost, traffic can be carried by water much cheaper than by rail; secondly, by the direct saving through the reduction of railway rates due to the competition of water routes.

While it is true that water rates are lower than rail rates, the amount of this difference largely depends upon whether it is by canal, river, lake, or ocean, and the physical characteristics of the waterways employed and the number and size of vessels that can be used thereon. In the Great Lakes traffic this difference is so great on some commodities as to make it impossible for the railways to compete. This condition also applies to coastwise traffic, and under some conditions it applies to inland river commerce, which varies according to the length of the navigable route, depth of channel, wharfage facilities, and so forth. For instance, coal and lumber are carried on the river route from Pittsburgh to New Orleans by way of the Ohio and Mississippi Rivers at a cost of $2 per ton, or less than 1 mill per ton-mile. Moreover, it is claimed that the actual cost does not exceed $1 per ton, or less than one-half mill per ton-mile. The cost by rail for this same service is from 7 to 8 mills per ton mile.

As soon as Lock and Dam No. 1 are completed similar routes can be established from Pittsburgh to the Twin Cities by way of the Ohio and Mississippi Rivers; from Peoria, Ill., to the Twin Cities by way of the Illinois and Mississippi Rivers; from Riverton, Ala., to the Twin Cities by way of the Tennessee and Mississippi Rivers; from Nashville, Tenn., to the Twin Cities by way of the Cumberland and Mississippi Rivers; from Omaha and Kansas City to the Twin Cities by way of the Missouri and Mississippi Rivers; and from New Orleans and St. Louis to the Twin Cities by way of the Mississippi River. Also, all coast towns would be accessible to the Twin Cities by way of the Panama Canal and the Mississippi River.

My colleague [Mr. STEVENS], who is an authority on transportation, contends that—

> By the use of modern barges and the erection of suitable terminals traffic can be handled on the upper Mississippi for about 1½ mills per ton-mile and not to exceed 4 mills per ton-mile. The average rail rate in this valley is 7.8 to 8 mills per ton-mile.

Even with the present antiquated transportation equipment and facilities the water rates between St. Louis and St. Paul are only about 66 per cent of the rail rates.

The fact that the river is prepared to carry tonnage will have a wholesome effect on freight rates, not only at river points but for several hundred miles on either side of the river, as is shown by the report of the Chief of Engineers:

> It is well known that wherever water transportation exists, whether by river, canal, or lake, its effect on freight rates is always beneficial to the public, and so long as navigation of the Mississippi River is feasible, and largely in proportion to its feasibility, such benefits will accrue, even if but little river commerce is actually carried on.

Further proof of this statement is evidenced by the commercial and industrial growth of sections of our country that are situated not on a river but in such relation to it that their produce and manufacture have had convenient and ready access to river transportation. Hence, not only Minneapolis and St. Paul and other river towns will be benefited, but South and North Dakota, Iowa, Montana, Wisconsin, Illinois, and the whole of Minnesota will derive a direct benefit from river traffic on the upper Mississippi.

The future agricultural and industrial growth of this splendid section of the United States depends now more than ever before upon its ability to float its commerce on the Mississippi and its tributaries, for the reason that the favored conditions which these North Central States have heretofore enjoyed in the way of nondiscriminatory rail rates are about to be destroyed by a readjustment of those rates to meet, it is alleged, the new condition created by the opening of the Panama Canal. Since the opening of the canal freight rates have been reduced 35 to 60 per cent by ocean carrying companies. Transcontinental railroads claim they can not meet these rates. It has been determined that 93 per cent of competitive freight from coast to coast points could be carried by water; hence the bulk of that competitive freight may be produced at the seaboard and shipped by way of the Panama Canal to the Pacific coast, and there sent eastward to compete with goods from Mississippi River and other Central West points, because these goods, on account of the combined water and rail rates, can be laid down in those localities cheaper than goods shipped from central interior points. By reason of the advantage given to coast towns by water transportation, the distributing territory of our Central West cities will be greatly decreased and the sales territory of the coast towns will be in like proportion increased. Therefore, in place of the Central West furnishing 75 per cent of the merchandise, as at present, for the territory between the Mississippi River and the Pacific coast and the Atlantic coast furnishing only 25 per cent, the Atlantic coast will furnish the 75 per cent and the Central West but 25 per cent. The loss of this competitive traffic to the Central West will be tremendous, and this loss can be retrieved only in one way, and that is by putting the Mississippi River in shape to give this section of the country water transportation.

WHY TRAFFIC ON WATERWAYS HAS DECLINED.

The opponents of inland waterways improvements contend that these once great highways of commerce are no longer possible or necessary transportation agencies and, as proof of their contention, point to a decline of navigation on them. While we must admit that there has been a decline of traffic on waterways we believe there is a satisfactory explanation for it. The Inland Waterway Commission found that railway interests, in a great many instances, conducted a successful campaign against waterway traffic by control of waterway fronts and terminals, purchase of competing vessels, discriminating tariffs, adverse placement of tracks and structures, and other unneutral acts and practices. A campaign waged along the foregoing line, together with legitimate competition, caused a decline in river traffic. While water traffic is confined to the channel, railways extend their operations over large territories, and thus can readily make up in receipts for reductions made at river points. The lack of properly constructed boats and modern terminals, such as the terminal at St. Louis with its up-to-date loading and unloading devices, and the one now being constructed at Minneapolis, which will contain every device and accommodation known to engineering skill for the economic handling of freight, handicaps river traffic as much as the opposition from the railroads, if not more. The Government, through a board of engineers created for the purpose of investigating the subject of river barges and terminals, has designed and is constructing an experimental barge of a type especially designed to take care of river traffic economically and safely, and municipally owned modern terminals are either being constructed or planned for in all important towns along the Mississippi River. European countries have had wonderful success in developing inland waterway transportation in connection with their railway systems, and their success is due in a large part to a recognition of the fact that up-to-date public terminals and harbors must be maintained. In some instances the amount expended for river and harbor facilities exceeds the amount expended on the channel itself. The expenditure of the different States along the Rhine for this purpose amounts to nearly $25,000,000.

Fortunately, all the difficulties in the way of developing river traffic, as heretofore pointed out, can be overcome. Railway rates and service are now subject to public control. The roads can be compelled, under existing laws, to make physical connections with water terminals, make through bills of lading, and to prorate charges with water transportation companies. Furthermore, under section 4 of the interstate commerce act, a railroad in competition with a water route is prohibited under certain conditions from reducing its rates to and from competitive points.

While waterways will continue to act as competitors and regulators of railroads in the most part, they will furnish greatly needed additional transportation facilities, in cooperation with those furnished by the great and extensive railway systems. The railroads recognize that in order to properly handle the rapidly increasing traffic of the country the present transportation facilities must be largely increased, but they claim they are powerless to meet this almost imperative demand unless they are permitted to materially increase railroad rates. In the eastern railway district the roads have been permitted to increase their rates 5 per cent, and petitions are now pending before the Interstate Commerce Commission asking for increased rates in other districts. Thus it is plainly seen that the public must foot the bills for increased railway facilities. Therefore would it not be good business to divide this contribution between the railways and waterways, and especially since waterways are natural highways and can in the majority of cases be put in condition to carry freight for

less money than it takes to build a railway and construct necessary additional terminals.

If bulky traffic could be restored to the waterways "where it economically belongs," so aptly stated by the Inland Waterways Commission, "and leave the railway equipment available for traffic properly moving by land, at the same time making possible a reduction of the other rail rates by cutting off business done at a loss and by increasing the volume of profitable business on the railroads," the same amount of traffic could be carried with a much smaller original investment of capital, which would redound to the advantage of the public and at the same time would enable the railroads to more efficiently handle traffic peculiarly adapted to that form of transportation.

There is no doubt but what an advantageous reciprocal relation could be established between railroads and waterways if all parties, including the Government, would come together in the spirit of mutual help and assistance. At least the demand that something be done to cheapen, and not increase, present traffic rates is so great that the parties concerned should make an honest effort to so reconcile any past differences they may have had and cooperate wherever cooperation is possible.

TONNAGE PROSPECTS.

It is pointed out by those who do not favor making further improvements in the upper Mississippi that there is not sufficient tonnage either present or prospective, to warrant the outlay. As soon as river improvements on this section of the river are completed water traffic will for the first time be accessible to the traffic of Minneapolis, and, through Minneapolis and St. Paul combined, to that wonderfully productive and growing territory comprising the States of Minnesota, South and North Dakota, Montana, northern Nebraska, northern Iowa, and western Wisconsin, as well as the rapidly expanding Canadian Northwest.

No other section of our country of like size can match the upper Mississippi Valley in variety and extent of natural resources or surpass its people in thrift, enterprise, stamina, and nobility of character. Within a generation, assisted by the blessing of Divine Providence, they have transformed a wilderness and a plain into magnificent fields and pastures and settled it with happy, vigorous, and prosperous citizens, and developed a commerce capable in the beginning of being carried in the pack sack or oxcart to one that now requires 9 railway systems representing 48,591 miles of track connecting 8,065 communities by bands of steel with the Twin City, the metropolis of the Northwest. The valuation of these roads within the bounds of only three States was as follows:

South Dakota (1908)	$106,494,502
Minnesota (1907)	360,961,548
Wisconsin (1909)	296,803,322

Making a total valuation in these three States in 1907, 1908, and 1909 of $764,259,372.

In 1912 the States of Minnesota, South and North Dakota, and Montana produced an aggregate of 928,000,000 bushels of grain and potatoes and 4,618,000 tons of hay, having an aggregate value of $455,000,000; dairy products, $75,000,000; live stock, $110,000,000; poultry and eggs, $25,000,000; and minerals, $150,000,000, making a grand total of annual production from the farm and mine in these three States in 1912 of $815,000,000. It is safe to say that Nebraska, Iowa, and Wisconsin's production of farm products was as great, if not greater, than the States named. The Twin Cities are the natural centers for all the agricultural and commercial interests of this great producing section, and by having combined rail and water transportation facilities at their door they can serve the people of this section better than they have been able to do heretofore by affording them cheaper transportation to the markets of the world. As a result of the strategical position of the Twin Cities they have grown by leaps and bounds and are destined to hold their position as the great marketing center of this rapidly expanding section of the United States; their combined population of about 600,000 is increasing rapidly; their commercial growth has not been impeded even by the European war; the banking institutions of the Twin Cities in 1913 had a combined capital and surplus of $32,394,000 and deposits of $170,647,000. In 1898 the total deposits of all the banks in Minnesota and South and North Dakota were $78,192,000, while in 1913 the deposits of Minnesota alone were $379,013,000, and the total deposits for the three States in 1913 were $559,869,000. In 1909 the Twin Cities manufactured products of the value of $244,339,598; had engaged in manufacture 59,920 persons, and paid out for salaries, services, and wages $75,000,000. The freight traffic of Minneapolis-St. Paul in 1913 amounted to 1,174,367 cars.

Minneapolis citizens are entitled to special credit from the whole country for having done some big things. They have built up the largest manufacturing center in the world for flour and linseed oil, and have developed the largest spring wheat market in the world, the greatest lumber center in the United States, the greatest jobbing center in the Northwest, and the greatest agricultural implement distributing center in the Northwest.

Mr. Chairman, with such a prospect before us, can it be said that this rapidly growing section of our country could not furnish sufficient freight of at least a bulky class to warrant the investment necessary to complete the channel and harbor work of the upper Mississippi? We find a situation not only making it wise that this investment should be made, but which demands that it should be done. The railroads, it is true, have contributed a great deal toward the great agricultural, industrial, and commercial growth of this section of the country, but they are reaching the limit of their ability to continue without the investment of vast sums of money, and this central Northwest demands increased transportation facilities, and if traffic can be established on the Mississippi River it will lend a great stimulus to the further development of the almost inexhaustible natural resources of this section and to the activity of its millions of inhabitants.

Manufacturing is becoming one of the chief industries and requires the oak and the yellow pine from the South; mahogany, circassian walnut, and other important woods from all parts of the world; coal and iron from Pennsylvania; coal from Illinois; rubber, coconut, and other tropical products from Mexico and Central and South America. Also, coffee, tea, rice, and sugar are imported in great quantities to this section of the country, as well as to the Canadian northwest. These articles of commerce could be brought to us over the river, and for the return trip we could furnish flour, grain, livestock, building material, machinery, millstuff, structural iron, electric equipments, linseed oil, and oil cake. It is self-evident that unless the merchants and manufacturers of the Central West are able to obtain as favorable transportation rates as the seaboard towns their operations must be limited to a very narrow field; therefore, in order to bring about and maintain favorable rates, it is necessary to supplement our railway systems with a comprehensive system of waterways. Cheap transportation is one of the chief factors in building up and maintaining agriculture, industry, and commerce.

FALSE ECONOMY.

Mr. Chairman, those opposed to the pending river and harbor bill contend further that even though it may be wise to improve the inland waterways of the country this is not the time to do it, because the Treasury is depleted. If this question could be set apart, as it were, so as not to bear on any other social or economic question, the force of logic would support the contention of the opposition. However, the fact is that the question of whether or not river improvements shall be stopped because the Treasury receipts, on account of an unwise fiscal policy and the European war, are not equal to the normal expenses of the Government can not be separated from the commercial and industrial interests of the country and the welfare of the people employed in this class of work and their families and those with whom they trade. Public business and private business are so interwoven that the slackening of one, however slight, will immediately injuriously affect the other. When times are good and labor is well employed, men thrown out of work by the closing down of either a public or private plant soon find work in other plants, and the whole economic system goes on as before with little, if any, jar. But in times of industrial stress, like the present, when private plants are idle and the Government refuses to take on new projects these men will be thrown on the street and their families left to suffer in want, and financial ruin and bankruptcy will overtake their grocer and butcher.

If the very existence of the Government depended upon the stopping of necessary public improvements, then in a spirit of patriotism we would have to yield to the will of the Government for the Government's own protection and safety. Can it be said that the United States, with 100 millions of energetic, frugal, honest, and intelligent people, producing ten billions of new agricultural wealth each year and a commerce of thirty billions and having nearly $18,000,000,000 in banks and savings institutions has reached the point that, in order to save itself from bankruptcy, it must stop work on necessary public improvements?

I am satisfied that the gentleman who is the most active in his opposition to this bill after mature reflection will be one of the first to oppose such an asinine policy on the part of the Government. Bread lines have again been established in our large cities, and we should have a watchful care that no act of ours will have a tendency in any way to increase the num-

ber that are forced to depend on this obnoxious though apparently well-meant charity.

The prosperity and welfare of the whole people are as much the concern of the Government as it is to secure them in their person and their property. The Government proposes to spend $249,000,000 on the Army and Navy for the ensuing year, which is used for the purpose of protecting the person and property of its citizens, and if those who believe that no appropriation should be made for necessary public works or any improving, repairing, and caring for public property are to have their way, not a dollar will be spent for the welfare and happiness of the people, and as a result a great number of laborers will be thrown out of employment and partially finished public works and public buildings will be ruined by delay either in their completion or in neglect in their care and protection.

When public and private business is at a standstill is not the time to adopt a policy that will tend to increase stagnation, misery, and want, but, on the contrary, is the time for Representatives of the people to rise to the occasion and adopt such measures and such policies as will tend to relieve such unnecessary conditions. National, State, and municipal governments should continue to carry on necessary public improvements that employment may be furnished to those who depend solely upon their labor for their livelihood and that business men may be encouraged in the pursuit of their various enterprises, to the end that activity and not stagnation may be abroad in our land. This is no time for false prophets nor would-be economists, but the day demands courage and foresight of our public officials and recognition by the Government and those who are charged with conducting its affairs of the responsibility that the Government owes to its citizens not only in the protection of their property and persons, but in the securing to them of a right to earn an honest living, and not to throw them upon the cold charity of well-meaning citizens.

Gentlemen, let us not be afraid to assume our portion of the responsibility, even though there will be an attempt by the chronic critic to misinterpret it. I should feel like a hypocrite if I did not stand by this committee when I know it is right.

Mr. FREAR. Mr. Chairman, on the argument of the gentleman from Minnesota [Mr. STEVENS], I desire to withdraw my amendment. [Applause.]

The CHAIRMAN. The gentleman withdraws his amendment, and the Clerk will read.

The Clerk read as follows:

Missouri River: Continuing improvement and for maintenance, with a view to securing a permanent 6-foot channel between Kansas City and the mouth of the river, $1,200,000.

Mr. FREAR. Mr. Chairman, I move to strike out the last word in order to present the facts briefly. In order to anticipate whatever may be said in opposition regarding the commerce on this river, I desire to refer to page 2513 of the engineer's report, wherein it is stated that there were 347,235 tons of commerce in 1913. Of that amount 312,090 tons were sand and gravel hauled 1 mile. That is about nine-tenths of the commerce. Then there was cordwood, and there were building materials and other articles hauled 10 miles, making 323,249 tons out of the 347,235 tons, leaving a net balance of 23,986 tons. This is a $20,000,000 project. We have spent over $7,000,000 since it was undertaken, making $27,000,000. I do not intend to discuss the merits of it beyond reading a brief statement. This comes from a man who, in my judgment, knows more about this project possibly than anyone on the floor, unless it is those who live in the immediate vicinity. This is what he says:

The proponents of this monumental folly quote the general commerce carried on this river last year (referring to 1912) of 185,110 tons; and yet of this amount the official statistics show that 155,420 tons consisted of sand and gravel carried an average distance of 1 mile and worth less than 40 cents a ton. The engineers declare it will cost half a million dollars a year to maintain a channel on the Missouri from Kansas City to St. Louis, approximately the cost of maintaining the harbors of Boston, New York, Baltimore, Norfolk, and Charleston combined, with 5,000 tons to every single ton of actual commerce on the river.

I have been quoting from Senator BURTON'S statement some time ago. I only moved to strike out the last word, and I will let it go at that. Mr. Chairman, I withdraw the pro forma amendment.

The Clerk read as follows:

Missouri River: For improvement and maintenance from Kansas City to Sioux City, $75,000, of which amount at least $50,000 may be expended for such bank revetment as, in the judgment of the Chief of Engineers, may be in the interest of navigation; continuing improvement and for maintenance from Sioux City to Fort Benton, $75,000, of which amount at least $50,000 may be expended for such bank revetment as in the judgment of the Chief of Engineers may be in the interest of navigation; in all, $150,000.

Mr. LOBECK. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 33, in line 12, after the word "navigation," insert:
"*Provided*, That $10,000 of said $50,000 shall be expended at or near Florence, Nebr., upon receipt of the Secretary of War of the sum of $10,000 from the Metropolitan water district of the city of Omaha, Nebr., the total sum of $20,000 to be expended at or near Florence, Nebr., as directed by the Secretary of War."

Mr. LOBECK. Mr. Chairman, I wish to state there has been an amount of work done by the Government in keeping the channel of the Missouri River in proper shape at Florence. Florence is a suburb of the city of Omaha. The city of Omaha owns its own water plant and has $8,000,000 invested in it. The pumping plant is at Florence. This water plant or water district supplies about 250,000 people, residents of Omaha and suburban towns, including Fort Omaha and the Federal buildings at Omaha. In keeping this channel in proper bounds it is absolutely necessary to protect the work that has been done heretofore and that about 2,000 feet of revetment work be continued and added to the present protection or work done.

Last year the Government expended at this point of the river about $5,000, and the Omaha city waterworks added to this sum $5,000, all of which except about $800 has been expended, and nearly 900 feet of revetment work was constructed and finished, but it is necessary to extend the work. Now, we ask that of the $50,000, which does not increase the appropriation in this bill, that the engineers be directed to use $10,000 of this money, namely, $50,000, to take care of the river banks at this point and keep the channel in its place, provided the city of Omaha through its water district shall put up $10,000 and thereby increase the sum to be expended to $20,000, which will approximately construct an additional 2,000 feet of revetment.

Every improvement that has been made near the city of Omaha along the banks of the Missouri River or by the corporations that have been interested in this protection work, the city or corporations have expended a dollar for every dollar the Government has expended; it has been a joint expenditure. This is not an increase of appropriation in this bill. My object in offering the amendment is so that the engineers shall be directed to do this work immediately, for the improvement is necessary.

Now, the good chairman of the committee [Mr. SPARKMAN] has told me that he would tell the engineers to do this, but he is a very busy man; he has to listen to all of our complaints and all of our suggestions, and I think at this time that the committee ought to accept this amendment and allow this improvement, and should direct the Government engineers to do the work. The city of Omaha through its water company is ready to place $10,000 at the Government's disposal for construction of this needed improvement.

I heard the gentleman from Minnesota [Mr. STEVENS] a few minutes ago talk so interestingly about navigation, saying that St. Louis, Kansas City, and St. Paul and other cities on the Mississippi and Missouri Rivers were engaged in building municipal-owned docks for river navigation. We are interested in Omaha in the same way. Large meetings have been held by business men within the last month in the city of Omaha, and docks will be constructed and boats built for navigation on the Missouri River from Omaha to points up and down the river. Omaha's people are intensely interested. We handle 60,000,000 bushels of grain in Omaha annually and over 30,000,000 bushels go to the South and could be shipped by boat down the Missouri River and the Mississippi just as well as by railroads, and cheaper. I would respectfully ask the committee to accept this amendment, but if it does not I shall ask the House to accept the amendment.

Mr. BOOHER. Mr. Chairman, I hope the House will not grant the request of my friend from Nebraska. This provision written in the bill provides that the engineers may use out of this appropriation $50,000 for bank revetment. Now, this is bank revetment. The House should not tell the engineers where they should use it. The city of Kansas City, Kans., wants it to say that a part shall be used there. Atchison, Kans., wants a part used there and a place south of St. Joseph wants a part used there. Omaha wants a specific sum used there. If you are going to parcel it out Sioux City will not get anything, but it will all be parceled out in places where we do not know whether it ought to go or not.

Mr. LOBECK. Will the gentleman yield?

Mr. BOOHER. Yes.

Mr. LOBECK. Do these cities offer to put up a sum equal in amount to the sum they want used?

Mr. BOOHER. Yes. The gentleman states that last year the water company gave $5,000 and the Government gave them $5,000.

Has he any right to say if the water company gives $10,000 this year the Government will not give them $10,000? The bill leaves it to the judgment of the engineers, and if they believe that work there is in the interest of navigation, they certainly will do this year as they did last year. The bill ought not to carry any such provision directing the engineers where it shall be expended. The engineers say that to put $10,000 there is simply for temporary purposes and will not be permanent work, and it ought not to be done. Here is what they say about it in a letter addressed to my friend. Gen. Kingman says:

The district officers report that the locality in question is one where, in the winter of 1913–14, 875 feet of revetment was constructed jointly by the United States and the metropolitan water district, the latter having contributed $5,000 for the purpose and the Government $5,000.

Bear in mind that it had $10,000 to construct 875 feet of revetment work. To continue:

Of the funds then made available there is a balance on hand at present of $880.04, which is being held for repairs or possible extension. With the further joint expenditure of $10,000 suggested by Mr. Howell, an additional 1,000 feet of revetment could be built.

It would take $20,000 to build 1,000 feet of revetment.

Mr. LOBECK. Oh, no; $20,000 will build 2,000 feet.

Mr. BOOHER. No. It says:

With a further joint expenditure of $10,000, as suggested by Mr. HOWELL, an additional thousand feet of revetment can be built—

And here is the point of this letter—

but it would afford only temporary protection, as it would probably be flanked by the river—

That is, cut out by the river—washed away.

Permanent protection would require extension of revetment from the present work to Boyer Creek, a distance of 16,000 feet. There are not sufficient funds on hand at the present time to undertake this work.

I want to call attention to the fact that the engineers have made no survey, have made no estimate of the cost of that improvement, and why direct this commission to put $10,000 of this $50,000 anywhere when it is to be only temporary—and that will be flanked by the river, cut out, unless you extend it 16,000 feet?

Mr. LOBECK. Mr. Chairman, will the gentleman yield?

Mr. BOOHER. Yes.

Mr. MURDOCK. Does the gentleman mean to imply that the $5,000 was wasted?

Mr. BOOHER. Oh, no. I mean to imply this—that it is not going to be a great while, I hope, until the Government improves the Missouri River as far west and north as Omaha, and they do not want to continue this other improvement until this one is done.

Mr. MURDOCK. I understand the Government has already expended $5,000 on this work.

Mr. BOOHER. Yes; and it is only temporary, and unless the balance of this is done——

Mr. MURDOCK. And has nothing to do with navigation?

Mr. BOOHER. Oh, yes; it does have to do with navigation. I believe revetment of the banks of these rivers has all to do with navigation, because you confine the river within its channel.

Mr. MURDOCK. Would not a further expenditure of $10,000 further navigation?

Mr. BOOHER. Yes; but the engineer says that will only be temporary. My objection to this whole thing is that this Congress ought not to direct the engineers where they should spend any part of this sum at any particular place, but should leave it to their judgment to expend it where it will do the most good to improve the navigation of the river, as this provision says. We have given them $50,000 for that, and why direct them?

The CHAIRMAN. The time of the gentleman from Missouri has expired.

Mr. LOBECK. Mr. Chairman, I move to strike out the last word. The gentleman says it will take $20,000 for 1,000 feet. It is a matter of record by that letter that about ninety-two hundred dollars put up a solid revetment for 1,000 feet last year, $5,000 of which the city of Omaha put up, and about forty-two hundred dollars of which was put up by the Government. They have $800 on hand. This amendment calls for $20,000 total—$10,000 from the city of Omaha and $10,000 from the Government—and it would construct 2,000 feet revetment, and it would also protect a large amount of territory that is covered by manufacturing plants in the north part of Omaha.

I will tell you what is the matter with you men down in Kansas City and St. Joseph. When we want any work done at Omaha we have to go on our knees to the engineers at Kansas City. I laid a map before the committee which showed how this work should be done, and which the engineers stated should be done for extension.

Mr. BOOHER. Will the gentleman yield for a question now?

Mr. LOBECK. We have got $8,000,000 worth of property to take care of. Yes.

Mr. BOOHER. Now, Gen. Kingman said that the $10,000 spent there built 875 feet of revetment. Now, where do you get the 2,000 feet?

Mr. LOBECK. The gentleman stated $20,000 would only build 1,000 feet.

Mr. BOOHER. I say so now.

Mr. LOBECK. Not according to the letter. It would pay for construction of 2,000 feet.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Nebraska.

The question was taken, and the amendment was rejected.

Mr. BORLAND. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD on the Missouri project.

Mr. BOOHER. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

Mr. LOBECK. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

Mr. SMITH of Minnesota. Mr. Chairman, I ask unanimous consent to extend and revise my remarks.

The CHAIRMAN. Is there objection to any of these requests? [After a pause.] The Chair hears none, and the Clerk will read.

The Clerk read as follows:

Sacramento and Feather Rivers, Cal.: Continuing improvement in accordance with the recommendations of the California Débris Commission in its report dated June 30, 1907 (printed in the Annual Report of the Chief of Engineers, United States Army, for 1907, pp. 2262 to 2269, inclusive), $140,000: *Provided*, That no part of this sum shall be expended until the State of California shall have appropriated and made available for the prosecution of said project a sum which, together with that heretofore furnished by said State, shall equal the total amount appropriated by the United States for said work.

[Mr. DONOVAN addressed the committee. See Appendix.]

The Clerk read as follows:

SEC. 2. That for examinations, surveys, and contingencies for rivers and harbors for which there may be no special appropriation, the sum of $250,000 is hereby appropriated: *Provided*, That no preliminary examination, survey, project, or estimate for new works other than those designated in this or some prior act or joint resolution shall be made: *Provided further*, That after the regular or formal reports made as required by law on any examination, survey, project, or work under way or proposed are submitted no supplemental or additional report or estimate shall be made unless ordered by a concurrent resolution of Congress: *And provided further*, That the Government shall not be deemed to have entered upon any project for the improvement of any waterway or harbor mentioned in this act until funds for the commencement of the proposed work shall have been actually appropriated by law.

Mr. FOSTER. Mr. Chairman, I move to strike out the paragraph.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 37, strike out all of the paragraph beginning with line 22, down to line 12, on page 38.

Mr. FOSTER. Mr. Chairman, this paragraph provides for surveys on new projects and some existing old ones. I will state——

Mr. MANN. Will the gentleman yield?

Mr. FOSTER. Yes.

Mr. MANN. This is not the paragraph that provides for new projects. This is a paragraph placing limitations upon surveys.

Mr. FOSTER. It provides there shall not be more than $250,000 expended. I want to strike this out, and if this should prevail, which I very much doubt, then I shall follow it up by striking out all the paragraphs that follow.

Mr. MANN. That is all right. It is the next paragraph that provides for surveys, and it would be very unfortunate to strike out this paragraph and leave the others in, because this is a limitation.

Mr. FOSTER. I expect to take out the next one, too, if I can get it. This provides for the expending of not more than $250,000 for these surveys.

Now, I do not know whether the committee proposes to go ahead with a lot of these new surveys or not, when we already have authorized and appropriated for $250,000,000. There is also provided for surveys which have been approved by the board of engineers a little more than $100,000,000. So if these projects should be adopted, or any considerable number of them, it will make from $350,000,000 to $450,000,000 of obligations on the Government. And I submit, Mr. Chairman, that at a time like this, when we have authorized the improvement of every creek, river, and harbor throughout the land, we ought not to put on a lot of insignificant creeks and harbors from Maine to Alaska, as provided in this bill. And I, for one, believe in the proper improvement of the proper rivers and

harbors of the country. But I tell you it is time that we should call a halt until we can catch up and pay for some of the things that we have already authorized in this bill and those that we have passed before. [Applause.]

So, if the motion should prevail to strike out this paragraph, I propose to carry it forward and strike out every item from this bill that provides for a new survey for other and further improvements. There are 172 surveys provided in this bill besides all those that have been authorized. No man lives today that can look back and see when some of these improvements first began that have not yet been completed. Let us complete them instead of taking on a lot of these insignificant streams that they want to put on the map and that no man on earth who lives in the particular community knows exists. So, Mr. Chairman, I believe it is good business to strike out these items. If it can be shown that there is some particular item on which it is necessary to make the survey, it should be made and the money provided for it; but to make this indiscriminate lot of surveys provided in this bill is a ridiculous thing, and it makes a river and harbor bill ridiculous before the country. And I for one want to strike them out and get rid of them, and complete the legitimate, honest, and fair projects that we have now under consideration and that we are appropriating for year after year. [Applause.]

[Cries of "Vote!" "Vote!"]

Mr. HUMPHREY of Washington. Mr. Chairman, the remarks of the gentleman from Illinois show how a good man often makes a mistake when he does not know definitely what he is talking about.

Now, he wants to convey the impression that these projects for which we are going to make these surveys are all new projects, and he assumes that all of them are bad. Now, just let me give him one illustration of what the result would be as to one particular project if his motion prevailed and we had no surveys in this bill. There is one survey called for in the bill for the Lake Washington Canal. It will cost the Government perhaps not to exceed $50. I doubt if it will cost that much. All the necessary information is in the office of the engineer. He is ready to furnish it at any time, but unless you get that information and unless you have that survey that will cost the Government practically nothing, you will have a project that has cost over $6,000,000 practically useless. Now, certainly the gentleman does not want to do a thing of that kind.

Mr. FOSTER. If they already have the information, what is the use of this?

Mr. HUMPHREY of Washington. You can not do any new work without a survey and authorization according to law. Now, it so happens, and I will not undertake to say where the fault lies, that just below that great lock in that canal there has to be some excavation made before a large ship can get in that lock. The canal is practically completed. The lock will be finished in a few days, and we will have a great canal and a great commerce waiting for it, but there is a little work that has to be done down below, between that and deep water in Puget Sound before you can make use of it, and the engineer has money ready to expend. But you can not do anything until you get a survey.

Now, such contingency frequently arises. For instance, there may be a caving in of the work, so that it is necessary to do some revetment work and make some changes. Therefore you have to have a survey. I want to say this to the gentleman also in conclusion, that a great majority of these surveys are only preliminary, and the engineer goes to look at it, at practically no cost, and reports adversely on half of them in that way. And the expense is small. I think the members of this committee will agree with me that this is money well expended, where a community is insisting that its Member of Congress get river and harbor improvement. They send delegations after you. They are all the time working and insisting that an improvement be made. You get a survey, and two-thirds of the time, by the expenditure of a few dollars you get a survey, the engineer often makes an adverse report, and that ends the agitation. And I think from that standpoint alone it is well worth while, and I think it would be a mistake to strike out the paragraph.

The CHAIRMAN. The question is on the amendment of the gentleman from Illinois [Mr. FOSTER].

The question was taken, and the Chair announced that the noes seemed to have it.

Mr. FOSTER. Mr. Chairman, I ask for a division.

The committee divided; and there were—ayes 32, noes 95.

So the amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

The Secretary of War is hereby authorized and directed to cause preliminary examinations and surveys to be made at the following-named localities, and a sufficient sum to pay the cost thereof may be allotted from the amount provided in this section.

Mr. FOSTER. Mr. Chairman, I move to strike out the paragraph.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Illinois [Mr. FOSTER].

The Clerk read as follows:

Page 38, strike out the paragraph between lines 13 and 17.

Mr. FOSTER. Mr. Chairman, this is the paragraph that authorizes the survey of all these little creeks and rivulets throughout the country, and I dare say that the Committee on Rivers and Harbors, and its membership, with all the wisdom that they have and with the many years' service that they have had upon that great committee, would not be able to tell, if they would go to the communities where many of these little streams are located, what many of them were.

The gentleman from Washington [Mr. HUMPHREY] a little while ago talked about the survey that was to be made of a canal connecting two lakes with the Sound in his particular State, close to Seattle, and it was impossible, he said, unless this survey was made or unless the authorization was made here in this particular item, to open that canal. I hope that the business of the Government is not in such condition at this time and that the laws are not such that the hands of Congress are tied so that they are unable to get a little survey that costs $50 without authorizing in this bill a lot of these projects that are worthless and of no account and that ought not to be in the bill.

Now, Mr. Chairman, there are some worthy projects in these surveys that are proposed to be authorized by this legislation, but I dare say that 95 per cent of them will never prove worth anything to the commerce of the United States.

Mr. HUMPHREY of Washington. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Illinois yield to the gentleman from Washington?

Mr. FOSTER. Yes.

Mr. HUMPHREY of Washington. How are we to ascertain whether or not they are worthy projects if we do not get a report on them?

Mr. FOSTER. I take it that the gentleman, who has served so long and ably on that committee, would not find it necessary to go through all this program before he would be able to discover that surveys should be made of these little creeks throughout the country at Government expense. I notice that one of these surveys proposed to be made is of Mud Creek, Butler County, Ky. [Laughter.]

Mr. THOMAS. Mr. Chairman, will the gentleman yield for a question?

Mr. FOSTER. Yes.

Mr. THOMAS. I would like to ask the gentleman what he knows of Mud Creek?

Mr. FOSTER. I see the name is here in the bill, and I suppose the item is for aid to navigation.

Mr. THOMAS. That is all I expect you know about any of these things. [Laughter.]

Mr. FOSTER. That may be true, but I dare say Mud Creek will never be made navigable, even if you were to spend money on it for 100 years. I do not pick out that item invidiously any more than any other of the 100 items of the same kind in the bill; but this particular item, it seems, had to be designated and described by the county where it happened to be located. I suppose that Mud Creek could not be located unless it was stated to be in Butler County, Ky. I am not finding fault with any particular one of these items, but I am finding fault with a lot of these surveys that we are proposing to authorize in this bill that ought not to be here. This item is no different possibly from a hundred others, and it may be better than some; and I think, Mr. Chairman, we ought to strike from this bill these items that will never amount to anything and thus get rid of them. [Applause and cries of "Vote!" "Vote!"]

Mr. THOMAS. Mr. Chairman, it is true that Mud Creek, in Butler County, Ky., is in this bill by name. I presume the gentleman from Illinois [Mr. FOSTER] is not very much acquainted with geography, and I wanted to make it plain just where this creek is situated. It is not the purpose of this survey of Mud Creek to make that creek navigable. Mud Creek empties into Green River, which is a navigable stream, and the deepest stream in the world, according to its width. [Laughter.] Large steamboats navigate that stream all the year round.

In 1832 the State of Kentucky locked and dammed that river. [Laughter.] In 1886 that river was ceded to the Government. After that cession a few years back the Government repaired those locks and dams and added to the height of them. The result of that was that the water above the lock and dam at Rochester backed up to such an extent into the creeks that empty into Green River as to nearly ruin the farming lands along those creeks. And Mud Creek is one of these streams where the farming lands along it are practically ruined because this dam was made higher. Now, the purpose of this survey is not to make this stream navigable, for that would be impossible, even for Illinois steamboats, and they are the smallest in the world. [Laughter.] But the object of it is to see if some means can be found to lower that dam at Rochester and put a movable cap upon it, so that the backwater will not back up those streams and ruin the farming lands. That is the object of it, and not to make the stream navigable. [Applause.]

I do not know whether that can be done or not, but I want this survey authorized to see what the Government engineers think about it; and that is the reason this survey is authorized in this bill. And I presume if the gentleman from Illinois [Mr. FOSTER] would examine into the real reasons for these other surveys, by asking the Members of this House who have had these surveys put in this bill, he would be enlightened to a much greater extent upon this subject than he now seems to be. [Applause.] He has simply shot at random in the dark, and if he has missed the mark all along as he has in regard to Mud Creek, he has missed it in every one of them. It shows, Mr. Chairman, that a man ought to know what he is talking about in this House before he begins to talk. [Laughter.] He ought to get the proper information upon these subjects.

I do not know anything about the reasons for any of these other surveys in the bill, but I take it that the Members who have had them placed in this bill could, if that were possible, enlighten the gentleman from Illinois upon these subjects; and I hope, Mr. Chairman, that these projects will all be kept in this bill, including Mud Creek, in Butler County, Ky. [Applause and laughter.]

Mr. HUMPHREYS of Mississippi. Mr. Chairman, I hope this motion will not prevail. I should like to state some reasons. My friend from Illinois [Mr. FOSTER] has spoken of these "insignificant" and "worthless" new projects that have been put on. All the surveys are not to locate new projects that exist in the country. They are frequently for the amplification and enlargement of important projects. For instance, one of the surveys is for New York Harbor, which carried last year $2,000,000,000 of commerce. There is an improvement desired there. I submit that it is worth while to have the engineers examine into it.

Another item for which a survey is provided is for the Hudson River Channel, which last year floated a commerce of nearly $3,000,000,000. Another is for Buffalo Harbor, which last year floated a commerce of $416,000,000. Another is for the channel at Baltimore, which last year floated a commerce of $439,000,000. Another is for the harbor of Savannah, Ga., which last year floated a commerce of $360,000,000, and another is for Duluth-Superior Harbor, which last year floated a commerce of $352,000,000.

Now, if this tremendous commerce that is already developed in these various harbors throughout the country—and I have just taken them in different parts of the bill—is worth while, if it is desirable to have a greater depth, or a wider channel, or a turning basin, or some other amplification of the facilities that are now furnished, certainly it is worth the while of this Congress to have the engineers of the Government go and visit these harbors and make an examination and report back to us, and then we can pass judgment on them.

The gentleman from Kentucky [Mr. THOMAS] has spoken of Mud Creek, and I have endeavored to give just a few instances of the great projects that are involved in this section. I hope this House will not do the unwise thing of striking out all of these investigations. [Applause.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois.

The question was taken; and on a division (demanded by Mr. FOSTER)—there were 48 ayes and 110 noes.

So the amendment was rejected.

Mr. JOHNSON of Washington. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Washington asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

The Clerk read as follows:

Sebethe River, Conn., from its mouth to a point at or near the city of Bristol, Conn., and canal from a suitable point on the Sebethe River to New Britain, Conn.

Mr. BURGESS. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 40, after line 16, insert:

"Housatonic River, Conn.: To head of navigation with a view of securing a channel 20 feet deep."

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

Buffalo Harbor, N. Y., with a view to securing a width of 400 feet in the inner harbor entrance channel, including consideration of any proposition for cooperation on the part of local interests.

Mr. MOORE. Mr. Chairman, I move to strike out the last word. I notice there are 172 projects to be surveyed, and in 10 instances provision is made to include propositions for cooperation on the part of local interests. That means that in 162 cases the Government is to pay for the improvement if the project is approved, and in the remaining 10 instances the local interests are expected to cooperate in the matter of expense. If it is to be the policy of the Rivers and Harbors Committee to require localities to participate in the expense of some projects only, we ought to know it, in order to provide for the future. Take this item of the Buffalo Harbor, N. Y.; are they to bear a portion of the expense of the project merely because they have the means to pay? How are we to determine which community shall sustain the expense and which shall not?

I raise the question now, in the hope that some member of the committee will explain whether it is to be the policy of the committee hereafter to require local interests to contribute to the expense of the improvement when surveys are granted.

Mr. HUMPHREY of Washington. Mr. Chairman, I will say in reply to the gentleman from Pennsylvania that the fact that it is not required here is not conclusive that it may not be required before we make the improvement. The committee takes into consideration the particular surroundings and circumstances in each case. I have been one of those who insisted in a great many cases in cooperation, but in some places it can not be done.

Mr. SMITH of New York. Mr. Chairman, I will state in this particular case the Lackawanna Railroad Co. expects to pay a part of this improvement and the city of Buffalo may also join in paying the expenses, so that in this instance it is entirely proper to have the provision in.

Mr. MOORE. The gentleman from New York is familiar with this and says it is satisfactory to his people. I call attention to the fact that a survey is granted for New York Harbor just above, with a view of removing Craven Shoals, and no cooperation on the part of local interests is asked. All through the bill it is the same way. There are only 10 cases in which cooperation is required.

As to Buffalo, however, the gentleman informs us, there is a mutual understanding with the people, and part payment is to be made by a railroad.

Mr. SMITH of New York. It was entirely agreeable to us.

Mr. MOORE. Mr. Chairman, I withdraw the pro forma amendment.

The Clerk read as follows:

Shrewsbury River, N. J., with a view to constructing works to prevent the sea from breaking through and destroying the navigable channel, including consideration of any proposition for cooperation on the part of local or State interests.

Mr. MOORE. Mr. Chairman, here is another case in point, and I shall ask the gentleman from Texas [Mr. BURGESS] if he will explain why the condition is put in here that the local interests shall contribute to the expense? Why is it provided that consideration shall also be given to any proposition of cooperation on the part of the local or State interests? Why is that made necessary when it is not required in so many other cases? Before the gentleman answers I will say this: There have been very heavy storms along the New Jersey coast, and not very far from where this improvement is contemplated there has been great damage. Property has been destroyed and the value of land has been affected. As a matter of fact, the flood conditions are relatively the same as they are on the interior, where relief appropriations are made. Why, when no condition for participation in the expense by the local interests is made in other cases, is it made in respect to the Shrewsbury River?

Mr. BURGESS. Mr. Chairman, because the gentleman interested thought that perhaps the local authorities would want

to participate. That is all. He thought that was the best way to make the survey.

Mr. MOORE. That was the best way to induce the committee to accept the project?

Mr. BURGESS. No; not that. There was no disposition on the part of anybody on the committee to force contributions from any community. It never has been done.

Mr. MOORE. To save time I am going to ask the gentleman now, because I shall do it when we come to it if he does not answer now, why the same condition is imposed in respect to the Delaware River on the item succeeding this one, which is as follows:

Delaware River, from mouth of Cooper River to Fishers Point Dike on the New Jersey shore, including consideration of any proposition for cooperation on the part of local interests.

The city of Camden has made large contributions for the improvement of the water front, and it ought to have a deeper channel, but why before the survey is granted is the condition imposed that the local interests shall also make arrangement with engineers for joint expense. Why is it done in this case when it is not done in so many other cases?

Mr. BURGESS. Mr. Chairman, the gentleman is mistaken. There is no disposition on the part of the committee to force contribution, but to consider any proposition that may be made by the locality. If the gentleman will read the language he will see that.

Mr. MOORE. Do I understand the gentleman to say that it is not intended as conclusive at all?

Mr. BURGESS. Oh, no.

Mr. MOORE. Merely a suggestion that the community can contribute if it desires to?

Mr. BURGESS. That is all.

Mr. MOORE. And it is without prejudice?

Mr. BURGESS. That is true.

The Clerk read as follows:

Smith Creek, Md.

Mr. BURGESS. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Amend, page 43, by inserting after line 11 the following:
"Nanjemoy Creek, Md."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

Little Wicomico River, Va.

Mr. BURGESS. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Amend, page 43, by inserting after line 18 the following:
"From small boat harbor at Newport News, Va., to York River, with a view to connecting by canals Newmarket Creek, Back River, and Poquoson River with York River, in order to provide a safe inland passage for small boats between Newport News and York River."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

Savannah River at Augusta, Ga., with a view to determining what improvements are necessary in the interests of navigation between the upper line of the city limits of the city of Augusta and the mouth of Butlers Creek, by way of enlarging and extending the project authorized by the river and harbor acts approved June 25, 1910, and March 4, 1913.

Mr. VINSON. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Amend by striking out lines 22, 23, 24, and 25 on page 44, and by striking out lines 1, 2, 3, and 4 on page 45 and inserting in lieu thereof the following:
"Savannah River at Augusta, Ga., between the upper lines of the city limits of the city of Augusta and the mouth of Butlers Creek, for the purpose of ascertaining the effect upon navigation of the river of the flood-protection work now being constructed and maintained by local authorities, and to further ascertain the probable cost and value of the extension of such work over such territory."

Mr. MANN. Mr. Chairman, I reserve a point of order on the amendment.

Mr. VINSON. Mr. Chairman, I am informed that but once in the history of the River and Harbor Committee has its bill been amended upon the floor of the House. This therefore causes me to come to one or two conclusions. Is there a tentative agreement among the Members whose districts are affected by this bill to vote down all amendments; or has the committee made such a careful investigation and so exhaustive a study of all the hearings had before it as to cause Members of the House to conclude that the amendments are lacking in merit or else they would have been incorporated in the report of the committee?

Charity and justice to the membership of this committee, among whom are some of my warmest friends, cause me to conclude the latter. But I sincerely trust that this committee and the House will not harden their hearts on this amendment.

I am fully convinced that it is most difficult for me to have the amendment ingrafted on this bill, but that fact, Mr. Chairman, does not deter me from the effort; for I well know that it is the true soldier who fights when he knows his battalions are weak. Any soldier can fight when he knows his battalions are strong. Believing as I do, my voice shall always be heard in behalf of the people of my district when their interests are affected. I present this amendment with all the force of my being to the membership of the House for their consideration, for in my opinion it is just and right and should be adopted.

The object of this amendment is to order a survey for the purpose of ascertaining between given points the effect upon navigation on the river of the flood-protection work which is now underway, and to ascertain the probable cost and value of the extension of such work on said territory. I well know that objection will be raised to the verbiage of this amendment. It will be contended that the committee does not think that the protection of private property against floods is one of its prerogatives, and that this amendment goes beyond the function of the committee. For this reason they will seek to urge the House to defeat the same, as the proposed amendment calls for a survey, not only of the navigation of the river but also for an estimation of the value and the cost of the construction of levees along certain points of this river to protect the city of Augusta from disastrous floods.

I am seeking to have this amendment adopted, because it will do for the citizens who live in that locality the same thing that the Government has repeatedly heretofore done, and spent millions upon millions of dollars on this kind of work for the citizens who live along the Mississippi. Some Member may rise and say that the authority to spend millions of dollars on this work for the Mississippi River has the approval of the Baltimore platform, which contained a plank on that subject.

In reply to such a criticism, I want to know where is a Member of this House who will contend that because the Mississippi River was mentioned in the Baltimore platform, in view of the fact that a great national calamity had occurred there, and the attention of the whole country and the party was directed to it, that it prohibited humanitarian work of similar character from being done in other portions, and that the Congress would disapprove of it, because no reference was made as to other such calamities in other portions of the country.

It may be that the interests of my constituents at home has made me partial to their cause, but when it is boiled down to its last analysis I can not see any way but that you have built the levees and maintained them upon the Mississippi River, and spent millions and millions of dollars to accomplish the same; and the proposition set forth in my amendment is just as strong and just as pressing, and just as humanitarian as any project that was ever presented pertaining to the Mississippi. I can not see, to save my life, why fish should be made of one and fowl of another; why this Government should lend its powerful aid to protect the people in one section from floods and destruction of their property on account of the same, and deny it to the citizenship of another portion of the country. My amendment does not seek at this time to have one dollar appropriated from the coffers of the Government, but merely prescribes that a survey in the interest of navigation should be made between certain points on this river, and that the value of flood-protection work be estimated and reported. But I say to you, here and now, that at the next session of Congress I shall introduce a bill urging that Congress extend to the people who live in the valley of the Savannah River and in the city of Augusta the same protection from floods that it has done in the past to the citizens who live in the Valley of the Mississippi.

There is not a single city located on the Mississippi River or in its valley where the danger to life and property is not a great deal less than the people I represent here. Here you have a city whose taxable value is over $40,000,000, and hundreds of thousands of lives are in peril in this one place; and I do not think that the House should deny to the citizens of this city the same protection that you have heretofore extended to the citizens along the Mississippi River.

Shall favoritism be practiced in the preservation of the property and lives of the citizens of this Republic? Do not the citizens who live in Augusta and that territory bear equally with the citizens in other portions of the country the burdens of this Government? Their interests, their property, the preservation of their lives and the lives of their loved ones should not be discriminated against, and I shall never rest content until this Government, by and through Congress, extends to them the

same protection from floods it has heretofore given to cities and people in other sections.

Is it not, Mr. Chairman, in the interests of navigation to keep this river from overflowing its banks and spreading over a vast territory? When the flow recedes it brings back into the channel sand, trees, trash, and such like, which, as you readily know, lessens the navigation and causes the main channel to be filled up, when, if the water was held within its banks by levees, in its wild rush to the sea it would dig the channel deeper and drive before it all of the débris in the river. This readily shows to my mind that it is to the best interests of navigation to have levees built upon the banks of this river, as a lesser burden will be caused to the Government in keeping the channel deep, as the mighty flood flowing in the main channel will lend powerful aid to the accomplishment of the same.

Or, sir, when the dogs of war were loosened upon the European Continent this Government placed at the disposal of the globe-trotters and pleasure seekers of this country not only the Navy but the Treasury, to bring them back to America from the danger of the war zones. The Government reasoned that it was in duty bound to protect the lives and property of its citizens from danger by removing them. Are not the lives and property of the citizens of Augusta in a greater danger than were the lives and the property of the globe-trotters and pleasure seekers? Yet the Government thought the danger was so imminent as to spend the taxpayers' money for that purpose. Shall you deny to my people aid in protecting their lives and their property from a danger that is ever confronting? Should not a portion of the tax money that they pay into the Treasury of this country be spent to protect their lives and their property from destruction?

The cost of levees, to protect the city and its people as planned, will be approximately $2,000,000, and of this amount that city has issued bonds and raised and expended a million dollars. The city has gone as far as it can, and the Government should now come to their aid and cooperate with them in this undertaking. Let me briefly call your attention to the magnitude and the destruction of the flood at Augusta in 1908.

Mr. Chairman, from the headwaters to Augusta the river and its tributaries flow through a mountainous country, the highest point being 4,600 feet above sea level and falling to 103 feet above sea level at Augusta. The total area of watershed for Augusta is 7,285 square miles. The city of Augusta is at the foot of the hills, and from this point to the ocean the Savannah River flows through the coastal plain.

The extreme low flow of the river at Augusta is 2,300 cubic feet per second. Ordinary low flow is 5,000 cubic feet per second. At certain intervals, when there is a heavy rain over any considerable portion of the watershed, this flow is enormously increased, and in times of greatest floods the river has a volume at Augusta of 300,000 feet per second. When these floods come the water is kept within or near the river banks, on account of the high hills on each side, until it reaches Augusta, which is located on a plain on the Georgia side of the river. On the South Carolina side the foothills continue for some miles below the city, but on the Georgia side the hills stop abruptly at the upper limits of the city, and there is no high ground for a point 11 miles farther down the river. This makes a gap through which the water pours, and these floods come at recurring intervals. The first one of which there is any definite records was in 1797.

After the river reaches a stage of 34 feet it overflows the south banks and flows directly through the business and manufacturing section of the city of Augusta, passing to the low ground south of the city. The record shows that the depth of the overflow and high water varies from 3 to 15 feet, according to the locality. There is no way to keep it out, as the water flows in along the entire water front of the city, which is 3 miles. The destruction caused by each of these floods is beyond calculation.

The flood in the year 1908 was a typical one, and the loss of life and property can be taken as a guide in determining the total losses. It is impracticable, even with all data at hand, to cover these, as there are a great many intangible losses which can not be figured in dollars and cents. It is true that these floods are of short duration, but the rise of water is so swift that it is impossible to guard against loss. At 6 p. m. of August 5 the river stage was 19 feet; at 8 a. m., August 6, or 14 hours after, the stage of water was 35 feet, and in a few hours this had reached 39 feet. The entire business section was covered and practically all of the best residence section. In the low ground, where the poor people live, the flood water went to the eaves of the one-story houses, and the ocupants had to be reached through the roof. The large residences on high ground had water on the first floor from 3 to 8 feet deep. All stores were, of course, flooded. The depth of water on office floors of hotels was from 5 to 8 feet. Seven cotton warehouses, 2 grain mills, 3 ice plants, 20 other manufacturing plants, street-railway power house, electric-light plant, waterworks, the union passenger station, 6 railroad terminals, and in fact everything that goes to make up a city was put entirely out of business. The power canal, by which the city furnishes water power to all industries, was torn up for 3 miles; one railroad bridge and one wagon bridge across the Savannah River were washed away entirely, and one span of another wagon bridge was destroyed; 480 stores and over 2,000 residences were under water, and many of the buildings collapsed. By the destruction of the city's water-power development 6,000 factory employees were out of employment for two months, and the city was without water for 40 days.

A table has been prepared showing the damage to the physical property, based on actual expenditures, which, Mr. Chairman, I ask leave to have incorporated in the RECORD as a part of my remarks. This table shows that the total loss caused by this one flood was $2,181,000.

Now, in addition to that, there was a loss of wages to mill and factory operatives for eight weeks of $144,000. A loss to merchants and manufacturers due to the interruption and loss of business which is incalculable. The table refers to the flood of 1908, and is typical of all others. Since 1840 there have been 10 such floods.

The city is now powerless to go further to help itself on account of the large cost of protection, but, however, after the 1908 flood they, realizing that the lives of the community depended upon some sort of relief, decided to make a determined effort in that direction. Gen. Kingman, the engineer then in charge of that district, made a thorough examination and reported that the only possible means of protection was by building levees along the water front from high-water ground above the city to high ground below. The city council also called in Mr. B. M. Howard, of New Orleans, who has spent most of his life on the Mississippi River work. His report agreed with that of Gen. Kingman. To be further satisfied, the city engaged A. L. Dabney, of Memphis, and H. T. Croy, of San Francisco. Each of these engineers, acting entirely independently of each other, recommended the construction of levees as the only practical means of protection. The only feasible route was along the river bank, and owing to the caving banks it was necessary first to pave or riprap the banks from the bottom of the river up. A special act of the Georgia Legislature was passed authorizing this city to go beyond the constitutional limits and issue bonds for its protection by building levees, and $1,000,000 worth of bonds was issued, and that sum has already been expended by the citizens on this work.

I challenge any Member of this House to show me a single city along the Mississippi that has spent as large a sum as this city for levee work in proportion to its population. I trust that no one will misunderstand me. I am not complaining about what the Government has done for the protection of the lives and property of the people in other sections of the country, but I do say that fair play and square dealing demands that the same protection be accorded to citizens in this portion of the country, whose lives and property are jeopardized by floods.

I appeal to you gentlemen to adopt this amendment. They ask for nothing more than what it is the duty of the Government to give—protection of their lives and their property. [Applause.]

City of Augusta loss.

Repairs water-power canal	$120,000
Replacing steel bridge across river at Fifth Street	55,000
New span at Thirteenth Street river bridge	21,000
Repairs to waterworks	26,000
Repairs to sewers	12,000
Repairs to streets and replacing bridges over canal	110,000
Repairs to cemeteries	17,000
Repairs to river wharf and warehouses	8,000
	369,000

Repairs to property of railroad and public-service corporations.

Repairs to street railway power house and tracks	$25,000
Repairs to electric lighting plant, telephone and telegraph companies' pole lines, and underground conduits	35,000
Repairs to passenger depot	8,000
Repairs to Charleston & West Carolina Railway freight depot and tracks (this property was on river bank)	60,000
Repairs to Atlantic Coast Line yards	12,000
Repairs to Georgia Railroad yards	2,000
Repairs to Southern Railroad yards	30,000
Loss railroad bridge across river (not replaced)	45,000
Repairs to Augusta-Summerville tracks	4,000
Repairs to Augusta-Southern yards	5,000
	226,000

Losses by industrial plants.

Singleton Silk Mill (loss of stock and damage to machinery flooded)	$5,000
Sibley Manufacturing Co. (cotton mill), loss of stock	10,000
King Manufacturing Co. (loss of stock)	16,000
Interstate Ice Co., loss in damage to buildings	12,000
Southern Cotton Oil Co., damage to buildings, damage to stock, meal, and other by-products	55,000
Riverside Compress:	
Damage to buildings	8,000
Loss of cotton (floated down river)	14,000
Augusta Warehouse & Banking Co. cotton warehouse:	
Damage to building	15,000
Damage and loss of cotton	8,000
Riverside Mills (cotton waste), factory occupied two blocks:	
Damage to buildings	60,000
Damage and loss to stock	80,000
Augusta Compress Co. and allied warehouses, loss and damage to cotton, 4,000 bales lost or practically destroyed	170,000
Enterprise Cotton Manufacturing Co	8,000
Augusta factory (cotton)	18,000
Sutherland Cotton Manufacturing Co	5,000
Globe Cotton Mills	12,000
Lombard Iron Works (damage to buildings)	4,000
Georgia Iron Works	2,000
Augusta mattress factory	15,000
Georgia-Carolina Chemical Co	40,000
Southern States Fertilizer Co	25,000
Perkins Manufacturing Co., lumber, sash, doors, and blinds (plant covers 3 city blocks)	35,000
Clark Milling Co. (grain)	12,000
Nixon & Co., mill grain	8,000
Augusta Lumber Co	9,000
Augusta Gas Co	6,000
Augusta Brewing Co	2,000
B. S. Dunbar Brick Co., Electric City Brick Co., Hankinson Brick Co., Merry Bros. Brick Co., McCoy Brick Co., McKenzie Brick Co., and Standard Brick Co	35,000
National Biscuit Co	18,000
	707,000

Losses by fires during flood which could not be controlled by the fire department.

Five large buildings	$180,000
Repairs to public-school property (1 large brick building collapsed, 4 others damaged)	38,000
Repairs to church property (11 churches)	26,000
Repairs to store buildings, pumping water from cellars, and cleaning up	75,000
Damage to merchandise (in the 482 stores, from a few dollars in the small shops to $22,000 in the largest wholesale houses) the total being	240,000
Repairs to residences (60 destroyed, large number damaged)	70,000
Damage to household furniture, carpets, etc	150,000
Loss on 6,000 acres hay and grain south of the city (estimate made by the farmers)	100,000
Total	879,000

Total losses.

By municipal corporation	369,000
By railroads and public-service corporations	226,000
By industrial plants	707,000
By stores, residences, and miscellaneous	879,000
Total	2,181,000
Loss in wages to mill and factory operatives for 8 weeks	144,000
Loss to merchants and manufacturers due to interruption and loss of business, incalculable.	

Mr. MANN. Mr. Chairman, I make a point of order against the amendment.

The CHAIRMAN. The Chair thinks the point of order ought to be sustained.

Mr. BYRNES of South Carolina. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. BYRNES of South Carolina: Page 45, line 4, after the word "thirteen," insert "Savannah River at North Augusta, S. C., with a view to improving the banks on the South Carolina side of the river in the same manner and upon the same terms that the banks on the Georgia side of the river are being improved under the project authorized by the river and harbor acts approved June 25, 1910, and March 4, 1913."

Mr. MANN. Mr. Chairman, I reserve a point of order on the amendment. I would like to ask the gentleman, Is this in connection with the improvement of a stream for navigation or is this just to protect some private property?

Mr. BYRNES of South Carolina. I will answer the gentleman frankly. Under the act of 1910 the engineers decided that it was in the interest of navigation, and because they have so decided I want to ask that under that same act the banks on the South Carolina side of the river be investigated with a view of improvement in the same direction and in the same manner.

Mr. MANN. Well, I accept the gentleman's statement, which is not very strong, and I will withdraw the point of order.

Mr. BYRNES of South Carolina. Mr. Chairman, I will not detain the committee but one or two minutes. I do not ask the committee to do for the South Carolina side of the Savannah River what is done on the Mississippi River in the way of protection against floods, but I ask it to do for the South Carolina side of the river only that which is done for the Georgia side of the river. Opposite to the city of Augusta, to which my good friend from Georgia has just referred, is located the city of North Augusta, S. C. Whenever a flood has occurred and the city of Augusta, Ga., has suffered damage, the city of North Augusta, S. C., has been damaged likewise, the difference being only in the amount of damage done, because less property is located at North Augusta, S. C. Now, under the act of 1910 the Government cooperated with the city of Augusta in constructing certain improvements to protect the city of Augusta, Ga., against the floods of the Savannah River. Water must find an outlet, and the only result of the construction of the revetment work upon the banks on the Georgia side will be to increase the flood waters on the South Carolina side whenever a flood occurs. The people of North Augusta, S. C., whose property is injured whenever there is a flood, can not understand, if in the interest of navigation the Georgia side of the river can be improved, why in the interest of navigation the South Carolina side of the river can not be improved. If there be any engineering reason it can only be ascertained by an examination and survey, such as I now ask for. If there is any reason other than an engineering reason I would like to know it. You can not discriminate against the banks on the South Carolina side in favor of the banks of the river on the Georgia side, and I trust that this committee will allow this authority for a survey to be inserted so that the Congress may be informed by the engineers of the War Department whether there is any reason why the same improvements should not be made on both banks of the Savannah River.

The CHAIRMAN. The question is on the amendment offered by the gentleman from South Carolina.

The question was taken, and the Chairman announced that the noes seemed to have it.

Mr. BYRNES of South Carolina. Mr. Chairman, I ask for a division.

The committee divided; and there were—ayes 40, noes 55.

So the amendment was rejected.

The Clerk read as follows:

Cane River, La., from Grand Ecore to Colfax.

Mr. BURGESS. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Texas offers a committee amendment, which the Clerk will report.

Mr. BURGESS. There are two committee amendments.

The CHAIRMAN. The Clerk will report the first amendment.

The Clerk read as follows:

Amend, page 46, by inserting after line 15 the following:
"Little River and tributaries, Castor and Dugdemonia, from the mouth of Little River to Winnfield, La., on the Dugdemonia, and to Olla, La., on the Castor."

The CHAIRMAN. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

On page 46, strike out lines 16 and 17 and insert in lieu thereof the following bayous: "Courtableau, Boeuf, and Cocodrie, La."

The CHAIRMAN. The question is on agreeing to the committee amendment.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

Intracoastal waterway from the Arroyo Colorado to Point Isabel, Tex.

Mr. BURGESS. Mr. Chairman, I desire to offer an amendment.

The CHAIRMAN. The gentleman from Texas offers a committee amendment, which the Clerk will report.

The Clerk read as follows:

Amend, by inserting after line 18 on page 47:
"Galveston and Sabine section of the inland waterway, Texas:
"(1) A channel 5 feet deep and 40 feet in bottom width from the Sabine River along the proposed route to East Bay Bayou; thence within the shoal line to the northward of west Galveston Bay to Robinsons Bayou; and thence via Robinsons Lake and Whites Lake to upper Galveston Bay."

(2) The saving, if any, by the construction of a 5-foot channel along this route in the ultimate cost of a 9-foot channel, should such 9-foot channel be adopted.

(3) The best and most economical route as well as the one best adapted for the service of all commercial interests for such 9-foot channel, and whether or not the construction of such a 9-foot channel is now advisable.

Mr. FOSTER. Mr. Chairman, I reserve a point of order on that amendment. I would like to ask the gentleman if that is a survey for a canal?

Mr. BURGESS. No. That is a survey for adjusting a waterway that has been approved and not included in the bill. This is to determine between two routes, Houston or Galveston.

Mr. FOSTER. It is not for a canal?

Mr. BURGESS. Oh, no.

Mr. FOSTER. Or pertaining to an intercoastal canal?

Mr. BURGESS. No, sir.

Mr. FOSTER. Mr. Chairman, I withdraw the point of order.

The CHAIRMAN. The question is on the committee amendment offered by the gentleman from Texas.

The question was taken; and the Chair announced that the noes seemed to have it.

Mr. BURGESS. Division, Mr. Chairman.

The committee divided; and there were—yeas 90, noes 11.

So the amendment was agreed to.

Mr. BURGESS. Mr. Chairman, I offer another committee amendment.

The CHAIRMAN. The gentleman from Texas offers another committee amendment, which the Clerk will report.

The Clerk read as follows:

Amend by inserting, after paragraph at end of line 18, page 47, the following two paragraphs:

"The L'Anguille River, with a view of ascertaining whether locks and dams should be built to afford slack-water navigation to Madison on the St. Francis River.

"The St. Francis River, from Madison, St. Francis County, in Clay County, Ark."

The CHAIRMAN. The question is on agreeing to the committee amendment.

The question was taken, and the amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Port Clinton Harbor, Ohio.

Mr. BURGESS. Mr. Chairman, I desire to offer a committee amendment.

The CHAIRMAN. The Clerk will report the committee amendment.

The Clerk read as follows:

Page 48, after line 7, insert:

"South Fork of Kentucky River, Ky., with a view to constructing an additional lock and dam."

The CHAIRMAN. The question is on the adoption of the committee amendment.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

Port Clinton Harbor, Ohio.

Mr. WHITE. Mr. Chairman, I offer an amendment, which I send to the Clerk's desk.

The CHAIRMAN. The gentleman from Ohio [Mr WHITE] offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 48, line 12, after the word "Ohio," insert: "Cheat River in Pennsylvania and West Virginia; Tygarts River, West Fork River, Kanawha River, and its tributaries, all in West Virginia; Muskingum River and its tributaries, Scioto River and its tributaries, Miami River and its tributaries, all in the State of Ohio; Maumee River and its tributaries, Ohio and Indiana; Kankakee River, and the Wabash River and its tributaries, Illinois and Indiana, with a view to devising plans for flood control and determining the extent to which the United States should cooperate with the States and other communities and interests in carrying out such plans, its share being based upon the value of protection to navigation and promote the interests of commerce at all stages of the river."

Mr. MANN. Mr. Chairman, I make a point of order against the amendment.

Mr. BURGESS. Mr. Chairman, I reserve a point of order against that.

The CHAIRMAN. The gentleman from Illinois and the gentleman from Texas both reserve a point of order against the amendment.

Mr. MANN. I make it.

The CHAIRMAN. The gentleman from Illinois makes a point of order.

Mr. MANN. Does the gentleman from Ohio want to be heard?

Mr. WHITE. Yes; I would like to be heard on it.

Mr. MANN. Then I will withhold while the gentleman makes his statement.

[Mr. WHITE addressed the committee. See Appendix.]

The CHAIRMAN. The gentleman from Illinois [Mr. MANN] makes a point of order against the amendment; also the gentleman from Texas [Mr. BURGESS].

The Chair thinks that the point of order should be sustained. The flood protection along the Mississippi River and the building of levees there are authorized and provided for by this bill on account, as the Chair understands, of a certain act passed in 1872 or thereabouts, authorizing the creation of the Mississippi River Commission, which is given jurisdiction over levees along the Mississippi River; and this present bill extends jurisdiction over flood protection to the Mississippi River Commission. The cases are not analogous, and the Chair is compelled to sustain the point of order against the amendment. The Clerk will read.

The Clerk read as follows:

Muskegon River, Mich., from the head of Muskegon Lake to Newaygo, or to the Grand Rapids-Muskegon Power Co. dam.

Mr. BURGESS. Mr. Chairman, I offer a committee amendment.

The CHAIRMAN. The gentleman from Texas [Mr. BURGESS] offers a committee amendment, which the Clerk will report.

The Clerk read as follows:

On page 48, after line 24, insert the following: "Saugatuck Harbor and Kalamazoo River, Mich., with a view to securing increased depth to the town of Douglas."

The CHAIRMAN. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Missouri River, from Kansas City, Kans., to the western limits of St. Joseph, Mo.

Mr. BURGESS. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Texas offers a committee amendment, which the Clerk will report.

The Clerk read as follows:

Page 49, after line 19, strike out the words "western limits of St. Joseph, Mo.," and insert "northern limits of Florence, Nebr."

The amendment was agreed to.

The Clerk read as follows:

Lake Washington Ship Canal, Wash., from the lock to deep water in Puget Sound.

Mr. BURGESS. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The gentleman from Texas offers a committee amendment, which the Clerk will report.

The Clerk read as follows:

Strike out, on page 51, in lines 16 and 17, the words "from the lock to deep water in Puget Sound."

The amendment was agreed to.

The Clerk read as follows:

Umpqua River, Oreg., bar and entrance.

Mr. BURGESS. I desire to recur to the bottom of page 50.

The CHAIRMAN. The gentleman asks unanimous consent to recur to the bottom of page 50. Is there objection?

There was no objection.

Mr. BURGESS. I offer the following amendment.

The CHAIRMAN. The gentleman from Texas offers at this point a committee amendment, which the Clerk will report.

The Clerk read as follows:

Page 50, at the end of line 22, insert:

"Napa River, Cal., from the city of Napa to the head of navigation, with a view to straightening the channel and making necessary cut-offs, including the consideration of any proposition for cooperation on the part of local interests.

The amendment was agreed to.

The Clerk read as follows:

Mouth of Snake River and Nome Harbor, Alaska.

Mr. FREAR. Mr. Chairman, I desire to offer an amendment at this point.

The CHAIRMAN. Where does the gentleman want his amendment to go?

Mr. FREAR. I understood that it was proper to present it at this time as a substitute amendment.

Mr. MANN. It is a substitute for the bill, and I think it should come in after the end of the last section. It should not be offered until the reading of the bill is finished.

Mr. FREAR. Then I will ask the Clerk to withhold it.

The CHAIRMAN. The Chair thinks it should come in at the end of the bill.

Mr. FREAR. I will offer it later.

The Clerk read as follows:

SEC. 6. That the act of Congress approved March 4, 1909, providing that all tugboats using the Potomac River, where the same is spanned by the new railway and new highway bridges, be equipped with devices for lowering their smokestacks, is hereby amended to include "power boats," meaning any boat, vessel, or craft propelled by machinery, whether the machinery be only principal or auxiliary power of propulsion; and the provisions and requirements of the said act are hereby made applicable to "power boats" as herein defined.

Mr. MOORE. I reserve a point of order on that.

The CHAIRMAN. The gentleman from Pennsylvania reserves a point of order.

Mr. MOORE. I think the point of order was made to this paragraph last year for some reason or other, and it went out of the bill.

Mr. SPARKMAN. I think that is correct, but I hope no point of order will be made against it this time.

Mr. MOORE. Will the gentleman explain the reason for it? It will require a lowering of the smokestacks on steam vessels.

Mr. SPARKMAN. The gentleman from North Carolina [Mr. SMALL] is prepared to explain it.

Mr. MOORE. It would seem to impose an unnecessary hardship upon the owners of small boats. That is the reason I would like to have it explained.

Mr. SMALL. Mr. Chairman, by a prior act, tugboats navigating the Potomac River and passing through the draw of this bridge were required to have provision for automatically lowering their smoke stacks. The object of this amendment is to make the same act applicable to small motor boats. These boats can comply with the same provision of law that has been complied with by tugboats at even less expense and with less burden. In the opinion of the War Department it is an unnecessary burden upon the operation of this bridge to have the draw opened so frequently for small-sized motor boats, when they could easily and inexpensively be equipped with smokestacks that could be lowered, without requiring the opening of the draw.

The committee were unanimous in the recommendation, it was approved by the War Department, and I hope the gentleman will withdraw the point of order.

Mr. MOORE. Is this not for the convenience of the bridge tender, who does not want to open the draw?

Mr. HULL. No; it is not for the convenience of the bridge tender. It is for the convenience of the public who travel over the bridge.

Mr. MOORE. It applies only to Potomac River?

Mr. HULL. It applies only to the Potomac River.

Mr. MOORE. If it applied generally, I am frank to say that I should make the point of order, because one of the grievances of the public is that the bridge tenders are sometimes indifferent to their duties.

Mr. STAFFORD. One of the grievances of the public is that they are obliged to open the draw for every little motor boat.

Mr. MOORE. But navigation has the right of way.

The Clerk read as follows:

SEC. 7. That the Secretary of War is hereby authorized, empowered, and directed to define and establish anchorage grounds for vessels in all harbors, rivers, bays, and other navigable waters of the United States whenever it is manifest to the said Secretary that the maritime or commercial interests of the United States require such anchorage grounds for safe navigation and the establishment of such anchorage grounds shall have been recommended by the Chief of Engineers, and to adopt suitable rules and regulations in relation thereto; and such rules and regulations shall be enforced by the Revenue-Cutter Service under the direction of the Secretary of the Treasury: *Provided*, That at ports or places where there is no revenue cutter available such rules and regulations may be enforced by the Chief of Engineers under the direction of the Secretary of War. In the event of the violation of any such rules and regulations by the owner, master, or person in charge of any vessel, such owner, master, or person in charge of such vessel shall be liable to a penalty of $100; and the said vessel may be holden for the payment of such penalty and may be seized and proceeded against summarily by libel for the recovery of the same in any United States district court for the district within which such vessel may be and in the name of the officer designated by the Secretary of War.

Mr. CALLAWAY. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 55, line 5, after the word "war," insert: "*Provided*, That no part of the moneys herein appropriated by this bill shall be expended except to maintain existing projects in their present condition."

Mr. SMALL. Mr. Chairman, I reserve a point of order against the amendment.

Mr. CALLAWAY. Mr. Chairman, I want to call the attention of the committee to the fact that this amendment if adopted will cut out everything except the maintenance items, and according to the report of the committee the maintenance items amount to $4,760,540.

Mr. Chairman, under present conditions we are facing a deficit in the Treasury. The prospect is that we shall have to issue bonds in time of war abroad. We should cut these expenditures down as much as possible. Certainly there is no Member of the House who has heard the discussion throughout this bill who will deny that there are a lot of items that could be done without. Certainly no Member of this House who has heard the discussion on this bill from start to finish will deny that a lot of expenditures in it will be wasted.

According to the gentleman from Massachusetts [Mr. TREADWAY], in his speech at the outset of the consideration of this bill, if we had cut $15,000,000 out of the $20,000,000 appropriated at the last session of Congress we would have saved to the people of the country $15,000,000. I think, Mr. Chairman, that by cutting out $33,000,000 by the filibuster in the Senate we saved the people of the United States $33,000,000.

I believe as Mr. TREADWAY says, and as the minority leader said in his argument on the motion made by the gentleman from Washington [Mr. HUMPHREY], that if we had cut the $20,000,000, which the bill finally carried, down to $5,000,000, we would have saved in addition to the $33,000,000, $15,000,000 more. I believe, Mr. Chairman, by adopting this amendment which I have offered here we will save to the people of this country at this time $30,000,000 on this bill that is now before the House.

Mr. MOSS of West Virginia. Will the gentleman yield?

Mr. CALLAWAY. No; I have not the time. Now, I want to read what the leader of the minority said on that motion that was offered by the gentleman from Washington at the last session:

Mr. MANN. That is better. We appropriated $16,000,000 in 1899, nothing in 1898, nothing in 1900, nothing in 1901, and in 1902 we appropriated $26,000,000, and we had made no further appropriation up to the time that the Democratic convention met in 1904. That convention, foreseeing the future, foreseeing that in the Sixty-third Congress the Democratic Party would appropriate $41,000,000 last year and try to appropriate $53,000,000 this year—and even if it appropriates $20,000,000 this year it will appropriate $63,000,000 in two years, where the Republicans have appropriated $26,000,000 in four years—in one of its planks adopted this language:

"Large reductions can easily be made in the annual expenditures of the Government without impairing the efficiency of any branch of the public service, and we shall insist upon the strictest economy and frugality compatible with vigorous and efficient civil, military, and naval administration as a right of the people too clear to be denied or withheld."

Think of it! A Democratic national convention said that $16,000,000 in two years was gross extravagance; that $26,000,000 in four years was a wanton expenditure, and the country has not changed very much since then, as far as any river and harbor improvements are concerned. And now last year this Congress having appropriated $41,000,000, as much as a Republican Congress had appropriated in six years, you insist upon appropriating another $20,000,000 in the face of the platform of the last Democratic national convention. I know you want to forget it, but I am going to read it to you. I do not blame you for wishing you could tear it out of the platform:

"We denounce the profligate waste of the money wrung from the people by oppressive taxation through the lavish appropriations of recent Republican Congresses, which have kept taxes high and reduced the purchasing power of the people's toil. We demand a return to that simplicity and economy which befits a democratic government and a reduction in the number of useless offices, the salaries of which drain the substance of the people."

[Cries of "Vote!" "Vote!"]

Mr. CALLAWAY. Oh, no; do not vote yet. Wait and hear what you have been saying to the country through all these years. [Applause on the Republican side.] Listen! I am repeating this because it is one of the times that the minority leader hit the bull's-eye; but he will not do it on this bill, I am afraid, for he does not keep the same track long at a time. I wish the minority leader would follow the speech that he made then through this bill.

Mr. MANN continues:

I am glad to note that a few gentlemen on the Democratic side can still applaud that utterance in that platform without blushing. [Laughter on the Republican side.] Most of them can not do it. [Applause on the Republican side.] What is the situation confronting us?

Mr. Chairman, I ask for three minutes more. [Cries of "Vote!"]

Mr. HUMPHREYS of Mississippi. Mr. Chairman, I ask unanimous consent that the gentleman may be permitted to extend his remarks in the RECORD.

Mr. CALLAWAY. Mr. Chairman, I do not ask to extend my remarks in the RECORD. I am going to finish the reading of this, and you can give me the time now to read it or I will take it later.

Mr. MANN. How much more time does the gentleman want?

The CHAIRMAN. The gentleman from Texas asks unanimous consent that he may be permitted to proceed for three minutes more. Is there objection?

There was no objection.

Mr. CALLAWAY. Mr. Chairman, I continue the reading:

The ink is hardly dry on the signature of the Clerk of this House transmitting to the Senate a bill to increase the taxes of the people and now you propose, in the face of the record of the past, in the face of the fact that no Congress preceding the last Congress has ever appropriated or passed two rivers and harbors bills in any one Congress, you propose to reverse all the policy of the Government in the past, at this time when we are laying new burdens of taxation upon the people, and appropriate the money, which is not needed, for present maintenance of projects. Every man who signs a promissory note will contribute to these river and harbor improvements which might wait over without damage; every man who sends an express or freight package will contribute to these river and harbor expenditures; every man who sends a telephone or telegraph message will contribute to these river and harbor expenditures; every man who signs a deed will pay 50 cents on each $500 of value that it may be sunk in river and harbor improvements; every man who takes out life insurance will pay 8 cents on each $100 of insurance to contribute to these river and harbor expenditures; every man who takes out fire insurance will pay 5 mills on each $1 of premium to the same end; every man who is hard up and mortgages his property will contribute 25 cents on each $500 of mortgage above $1,000 to this end. Is it worth the while? Do you think on the Democratic side of the House that you want to go to the country upon the proposition that you propose to appropriate now $20,000,000 for river and harbor improvements while you are in the meanwhile adding to the taxes of the people?

Do you think now that you want to place a burden of an extra $34,000,000 in addition to that upon the backs of the people; that you will saddle them with this additional tax? Every man in this country now who has to renew his note goes up and pays an additional burden upon it to be put into the river and harbor appropriations, when we can, if you adopt this amendment I have offered, save the rivers and harbors in the country in the condition that they are in now—and Lord knows there is not going to be much crowding of traffic on them with conditions as they are at present [applause and laughter on the Republican side]—you can leave them as they are for another year, and then, if our traffic conditions get so congested and crowded that we need these rivers, you can begin to use them by scraping the bottoms of some of them with some of these dredges that they explained about, not that we needed them to clean out the Arkansas River, but that we had them and did not know what else to do with them, and now we think they ought to be put to work.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas.

The question was taken; and on a division (demanded by Mr. CALLAWAY) there were—ayes 57, noes 120.

So the amendment was rejected.

The Clerk read as follows:

SEC. 8. That for the necessary traveling, clerical, and miscellaneous expenses of the American section of the Permanent International Association of Navigation Congresses in connection with its attendance on the thirteenth convention of said association to be held at Stockholm, Sweden, in 1915, $5,200 is hereby appropriated, this amount to be in addition to the annual appropriation of $3,000 provided for the support and maintenance of said association by the act of June 28, 1902, and to remain available until expended.

Mr. FREAR. Mr. Chairman, I now offer the substitute which I send to the Clerk's desk.

The Clerk read as follows:

Mr. FREAR offers as a substitute for the bill:

"That the sum of $5,000,000 be, and the same hereby is, appropriated, out of the moneys in the Treasury not otherwise appropriated, to be immediately available and to be expended under the direction of the Secretary of War and the supervision of the Chief of Engineers, for the preservation and maintenance of existing river and harbor works: *Provided*, That allotments for maintenance from the amount hereby appropriated shall be made by the Secretary of War upon the recommendation of the Chief of Engineers: *Provided further*, That allotments for the Mississippi River, from the Head of Passes to the mouth of the Ohio River, shall be expended under the direction of the Secretary of War in accordance with the plans, specifications, and recommendations of the Mississippi River Commission as approved by the Chief of Engineers: *And provided further*, That at the beginning of the next session of Congress a special report shall be made to Congress by the Secretary of War, showing the amount allotted under this appropriation to each work of maintenance."

Mr. FREAR. Mr. Chairman, I have offered the same substitute amendment that was voted upon at the last session of Congress, in substantially the same language. It provides, generally speaking, for $5,000,000 in place of the amount stated in the bill. I do not know what the effect of the amendment of the gentleman from Texas [Mr. CALLAWAY] would have been, but this amendment provides for $5,000,000 to be distributed by the Army Engineers, as was proposed at the last session and rejected.

Mr. Chairman, I have made frequent objections throughout the consideration of this bill and I have offered many amendments. I have endeavored not to take any unnecessary time, and I do not propose to do so now. I just want to say this: I believe we are as anxious to save money now as we were then, and as the Members of this side of the House voted almost unanimously in favor of the substitute at that time, I hope they will do so now.

Mr. GOODWIN of Arkansas. Mr. Chairman, will the gentleman yield?

Mr. FREAR. Conditions have not changed, so far as the finances of the Government are concerned, and we are practically in the same situation. In view of that fact I appeal to those Members of the House who believe that we ought to provide a drastic limitation on these bills to vote at this time for the substitute which I have offered.

Mr. GOODWIN of Arkansas. Mr. Chairman, will the gentleman yield?

Mr. FREAR. Yes.

Mr. GOODWIN of Arkansas. I have followed the reading of the substitute. It leaves out the enacting clause of the bill.

Mr. FREAR. It is the identical substitute which was offered at the last session.

Mr. GOODWIN of Arkansas. But it is the present law without the enacting clause.

The CHAIRMAN. The question is on agreeing to the substitute offered by the gentleman from Wisconsin.

The question was taken; and on a division (demanded by Mr. FREAR) there were—ayes 68, noes 109.

So the substitute was rejected.

Mr. SPARKMAN. Mr. Chairman, I move that the committee do now rise and report the bill with amendments to the House, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. RAINEY, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 20189, and had directed him to report the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

Mr. SPARKMAN. Mr. Speaker, I move the previous question on the bill and amendments to final passage.

The question was taken, and the previous question was ordered.

The SPEAKER. Is a separate vote demanded on any amendment? If not, the Chair will put them in gross.

The question was taken, and the amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading.

The bill was ordered to be engrossed and read a third time, was read the third time.

Mr. CALLAWAY. Mr. Speaker, I move to recommit the bill.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. CALLAWAY. Yes, sir. [Laughter.]

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. CALLAWAY moves that this bill be recommitted to the Committee on Rivers and Harbors, with instruction to that committee to report it back to the House at once with all items struck out except those providing for maintenance of existing projects and appropriate $4,760,540 only to maintain present existing river and harbor projects.

Mr. SPARKMAN. Mr. Speaker, I move the previous question on the motion to recommit.

The question was taken, and the previous question was ordered.

The SPEAKER. The question is on the motion to recommit.

The question was taken, and the Speaker announced the noes seemed to have it.

Mr. CALLAWAY. Mr. Speaker, I demand the yeas and nays.

The SPEAKER. The gentleman from Texas demands the yeas and nays on the motion to recommit. Those in favor of ordering the yeas and nays will rise and stand until they are counted. [After counting.] Twenty-nine gentlemen have risen in the affirmative, not a sufficient number, and the yeas and nays are refused.

Mr. CALLAWAY. Mr. Speaker, I make the point of order that there is no quorum present.

Mr. FOSTER. Mr. Speaker, I demand the other side.

The SPEAKER. The other side is demanded.

Mr. MANN. The gentleman from Texas has made the point of no quorum, and it is too late to demand the other side.

The SPEAKER. The gentleman is correct. The Chair will count. [After counting.] Two hundred and forty Members are present. [Applause.] The question is on the passage of the bill.

Mr. CULLOP. Mr. Speaker, I demand the yeas and nays.

The SPEAKER. The gentleman from Indiana demands the yeas and nays. Those in favor of ordering the yeas and nays will rise and stand until they are counted. [After counting.] Seventy-one gentlemen have risen, a sufficient number, and the Clerk will call the roll.

The question was taken; and there were—yeas 164, nays 81, not voting 179, as follows:

YEAS—164.

Abercrombie	Candler, Miss.	Eagan	Greene, Vt.
Adamson	Cantrill	Edwards	Hamlin
Alexander	Caraway	Estopinal	Hardy
Allen	Casey	Farr	Harrison
Aswell	Church	Fergusson	Hawley
Baker	Clark, Fla.	Ferris	Hayes
Baltz	Collier	Fields	Heflin
Barchfeld	Connolly, Iowa	Finley	Hensley
Barkley	Cooper	Floyd, Ark.	Hill
Bell, Cal.	Cox	Fordney	Hinds
Blackmon	Cramton	Francis	Holland
Booher	Crisp	Gallivan	Houston
Borland	Curry	Garner	Hughes, Ga.
Brockson	Davenport	Garrett, Tenn.	Hughes, W. Va.
Brodbeck	Dent	Gill	Hull
Brown, N. Y.	Dershem	Gilmore	Humphrey, Wash.
Browning	Dickinson	Gittins	Humphreys, Miss.
Bryan	Dies	Godwin, N. C.	Igoe
Buchanan, Tex.	Dixon	Goodwin, Ark.	Jacoway
Burgess	Donohoe	Goulden	Johnson, Wash.
Burnett	Driscoll	Graham, Ill.	Kelley, Mich.
Byrns, Tenn.	Dupré	Greene, Mass.	Kent

Kettner	McGillicuddy	Phelan	Stephens, Cal.
Knowland, J. R.	McKellar	Porter	Stevens, Minn.
Konop	McLaughlin	Quin	Sumners
Korbly	Maguire, Nebr.	Rainey	Sutherland
Langham	Manahan	Raker	Switzer
Langley	Miller	Rayburn	Talcott, N. Y.
Lazaro	Mitchell	Reilly, Conn.	Taylor, Ala.
Lee, Ga.	Moon	Russell	Taylor, Ark.
Lee, Pa.	Moore	Scully	Ten Eyck
Lenroot	Morgan, La.	Shackleford	Thomas
Lesher	Moss, W. Va.	Sherwood	Treadway
Lever	Mott	Sinnott	Underwood
Lieb	Mulkey	Small	Vaughan
Lloyd	Nolan, J. I.	Smith, Idaho	Vinson
Lobeck	O'Brien	Smith, Minn.	Walker
Loft	Oldfield	Smith, N. Y.	Watkins
Logue	Padgett	Smith, Tex.	Watson
Lonergan	Park	Sparkman	White
McClellan	Parker, N. Y.	Stedman	Williams

NAYS—81.

Adair	Cullop	Helm	Prouty
Aiken	Decker	Helvering	Reilly, Wis.
Anderson	Dillon	Johnson, Ky.	Rubey
Ashbrook	Donovan	Keating	Rucker
Bailey	Doolittle	Key, Ohio	Seldomridge
Barnhart	Doughton	Kinkaid, Nebr.	Sells
Beakes	Esch	Kreider	Sloan
Borchers	Fairchild	McAndrews	Smith, J. M. C.
Britten	Fess	McKenzie	Stafford
Brown, W. Va.	FitzHenry	Madden	Stephens, Miss.
Browne, Wis.	Foster	Mann	Stone
Bulkley	Frear	Mapes	Stringer
Burke, S. Dak.	Gallagher	Morgan, Okla.	Taylor, Colo.
Burke, Wis.	Gard	Morrison	Temple
Byrnes, S. C.	Gardner	Moss, Ind.	Thompson, Okla.
Callaway	Goeke	Murdock	Thomson, Ill.
Campbell	Good	Neeley, Kans.	Towner
Cary	Gray	Nelson	Young, N. Dak.
Cline	Green, Iowa	Norton	
Connelly, Kans.	Hamilton, N. Y.	Parker, N. J.	
Crosser	Helgesen	Platt	

NOT VOTING—179.

Ainey	Flood, Va.	Lafferty	Sabath
Anthony	Fowler	La Follette	Saunders
Austin	French	L'Engle	Scott
Avis	Garrett, Tex.	Levy	Sherley
Bartholdt	George	Lewis, Md.	Shreve
Bartlett	Gerry	Lewis, Pa.	Sims
Barton	Gillett	Lindbergh	Sisson
Bathrick	Glass	Lindquist	Slayden
Beall, Tex.	Goldfogle	Linthicum	Slemp
Bell, Ga.	Gordon	McGuire, Okla.	Smith, Md.
Bowdle	Gorman	MacDonald	Smith, Saml. W.
Broussard	Graham, Pa.	Mahan	Stanley
Bruckner	Gregg	Maher	Steenerson
Brumbaugh	Griest	Martin	Stephens, Nebr.
Buchanan, Ill.	Griffin	Metz	Stephens, Tex.
Burke, Pa.	Gudger	Mondell	Stevens, N. H.
Butler	Guernsey	Montague	Stout
Calder	Hamill	Morin	Taggart
Cantor	Hamilton, Mich.	Murray	Talbott, Md.
Carew	Harris	Neely, W. Va.	Tavenner
Carlin	Hart	Oglesby	Taylor, N. Y.
Carr	Haugen	O'Hair	Thacher
Carter	Hay	O'Shaunessy	Townsend
Chandler, N. Y.	Hayden	Page, N. C.	Tribble
Clancy	Henry	Paige, Mass.	Tuttle
Claypool	Hinebaugh	Palmer	Underhill
Coady	Hobson	Patten, N. Y.	Vare
Conry	Howard	Patton, Pa.	Vollmer
Copley	Howell	Peters	Volstead
Dale	Hoxworth	Peterson	Wallin
Danforth	Hulings	Plumley	Walsh
Davis	Johnson, S. C.	Post	Walters
Deitrick	Johnson, Utah	Pou	Weaver
Difenderfer	Jones	Powers	Webb
Dooling	Kahn	Price	Whaley
Doremus	Keister	Ragsdale	Whitacre
Drukker	Kelly, Pa.	Rauch	Wilson, Fla.
Dunn	Kennedy, Conn.	Reed	Wilson, N. Y.
Eagle	Kennedy, Iowa	Riordan	Wingo
Edmonds	Kennedy, R. I.	Roberts, Mass.	Winslow
Elder	Kiess, Pa.	Roberts, Nev.	Witherspoon
Evans	Kindel	Rogers	Woodruff
Faison	Kinkead, N. J.	Rothermel	Woods
Falconer	Kirkpatrick	Rouse	Young, Tex.
Fitzgerald	Kitchin	Rupley	

So the bill was passed.

The Clerk announced the following pairs:

For the session:

Mr. BARTLETT with Mr. BUTLER.

On this vote:

Mr. BELL of Georgia (for the bill) with Mr. BARTON (against).

Until further notice:

Mr. WILSON of Florida with Mr. DUNN.

Mr. GEORGE with Mr. KAHN.

Mr. BUCHANAN of Illinois with Mr. HAMILTON of Michigan.

Mr. FLOOD of Virginia with Mr. KENNEDY of Rhode Island.

Mr. UNDERHILL with Mr. WALLIN.

Mr. TAVENNER with Mr. KIESS of Pennsylvania.

Mr. PRICE with Mr. JOHNSON of Utah.

Mr. RAGSDALE with Mr. KEISTER.

Mr. RAUCH with Mr. KELLY of Pennsylvania.

Mr. REED with Mr. PETERS.

Mr. RIORDAN with Mr. PLUMLEY.

Mr. ROUSE with Mr. SCOTT.

Mr. SABATH with Mr. POWERS.

Mr. SAUNDERS with Mr. ROBERTS of Massachusetts.

Mr. SHERLEY with Mr. VARE.

Mr. SIMS with Mr. ROBERTS of Nevada.

Mr. SISSON with Mr. ROGERS.

Mr. SLAYDEN with Mr. RUPLEY.

Mr. STEPHENS of Nebraska with Mr. SHREVE.

Mr. STEPHENS of Texas with Mr. SAMUEL W. SMITH.

Mr. TAGGART with Mr. STEENERSON.

Mr. STOUT with Mr. VOLSTEAD.

Mr. TALBOTT of Maryland with Mr. WINSLOW.

Mr. BATHRICK with Mr. AINEY.

Mr. CAREW with Mr. ANTHONY.

Mr. CARLIN with Mr. AUSTIN.

Mr. MAHER with Mr. AVIS.

Mr. CARTER with Mr. BARTHOLDT.

Mr. COADY with Mr. BURKE of Pennsylvania.

Mr. CONRY with Mr. CALDER.

Mr. DALE with Mr. CHANDLER of New York.

Mr. DOOLING with Mr. DANFORTH.

Mr. DOREMUS with Mr. EDMONDS.

Mr. EAGLE with Mr. DAVIS.

Mr. FAISON with Mr. DRUKKER.

Mr. FITZGERALD with Mr. GILLETT.

Mr. GARRETT of Texas with Mr. FALCONER.

Mr. GLASS with Mr. SLEMP.

Mr. GOLDFOGLE with Mr. FRENCH.

Mr. GORDON with Mr. HAUGEN.

Mr. GORMAN with Mr. HINEBAUGH.

Mr. GREGG with Mr. COPLEY.

Mr. GRIFFIN with Mr. GUERNSEY.

Mr. HART with Mr. GRIEST.

Mr. HAY with Mr. GRAHAM of Pennsylvania.

Mr. HAYDEN with Mr. KENNEDY of Iowa.

Mr. HENRY with Mr. LA FOLLETTE.

Mr. HOWARD with Mr. LEWIS of Pennsylvania.

Mr. JONES with Mr. LINDBERGH.

Mr. KENNEDY of Connecticut with Mr. LINDQUIST.

Mr. KITCHIN with Mr. MARTIN.

Mr. LINTHICUM with Mr. MCGUIRE of Oklahoma.

Mr. MURRAY with Mr. MACDONALD.

Mr. NEELY of West Virginia with Mr. MONDELL.

Mr. OGLESBY with Mr. MORIN.

Mr. O'SHAUNESSY with Mr. PAIGE of Massachusetts.

Mr. PAGE of North Carolina with Mr. PATTON of Pennsylvania.

Mr. PATTEN of New York with Mr. HOWELL.

Mr. POU with Mr. HULINGS.

Mr. WEBB with Mr. WOODS.

Mr. WHALEY with Mr. WALTERS.

Mr. YOUNG of Texas with Mr. WOODRUFF.

The result of the vote was announced as above recorded.

On motion of Mr. SPARKMAN, a motion to reconsider the vote by which the bill was passed was laid on the table.

ADJOURNMENT.

Mr. SPARKMAN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 37 minutes a. m.) the House adjourned until to-day, Wednesday, January 20, 1915, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. Letter from the Secretary of the Treasury, transmitting copy of communication of the Secretary of War submitting a supplemental estimate of appropriation required for the service of the Panama Canal for services expected to be rendered by it in caring in its hospitals for members of the military establishment on duty in the Canal Zone during the fiscal year ending June 30, 1916 (H. Doc. No. 1506); to the Committee on Military Affairs and ordered to be printed.

2. Letter from the Secretary of the Treasury, transmitting copy of communication of the Secretary of War submitting a supplemental estimate of appropriation required for the service of the fiscal year ending June 30, 1915, to pay the Panama Canal for services expected to be rendered by it in caring in its hospitals for members of the military establishment on duty in the Canal Zone during that year (H. Doc. No. 1507); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. SAUNDERS, from the Committee on the Merchant Marine and Fisheries, to which was referred the bill (H. R. 18685) to repeal penalties on foreign-built vessels owned by Americans, reported the same without amendment, accompanied by a report (No. 1299), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. GOEKE, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 20818) to authorize the Brunot Island Bridge Co. to construct, maintain, and operate a bridge across the back channel of the Ohio River, reported the same with amendment, accompanied by a report (No. 1302), which said bill and report were referred to the House Calendar.

Mr. SAUNDERS, from the Committee on the Merchant Marine and Fisheries, to which was referred the bill (H. R. 18686) to provide for provisional certificates of registry of vessels abroad, and for other purposes, reported the same without amendment, accompanied by a report (No. 1303), which said bill and report were referred to the House Calendar.

Mr. DENT, from the Committee on Military Affairs, to which was referred the resolution (S. J. Res. 196) to authorize the Secretary of War to grant permission to the Southern Commercial Congress to place a tablet at Gamboa, Canal Zone, as a memorial to the late Senator John T. Morgan, reported the same with amendment, accompanied by a report (No. 1300), which said resolution and report were referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. MOTT, from the Committee on Claims, to which was referred the bill (H. R. 15686) for the relief of William W. Fineren, reported the same with amendment, accompanied by a report (No. 1293), which said bill and report were referred to the Private Calendar.

Mr. POU, from the Committee on Claims, to which was referred the bill (H. R. 16166) for the relief of James F. Gorman, reported the same with amendment, accompanied by a report (No. 1294), which said bill and report were referred to the Private Calendar.

Mr. STEPHENS of Mississippi, from the Committee on Claims, to which was referred the bill (H. R. 18038) to carry out the findings of the Court of Claims in the case of Louis Landram, administrator of William J. Landram, deceased, reported the same without amendment, accompanied by a report (No. 1297), which said bill and report were referred to the Private Calendar.

Mr. EDMONDS, from the Committee on Claims, to which was referred the bill (S. 1058) for the relief of Dommick Taheny and John W. Mortimer, reported the same without amendment, accompanied by a report (No. 1298), which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill (H. R. 18474) for the relief of William J. Blake, reported the same with amendment, accompanied by a report (No. 1295), which said bill and report were referred to the Private Calendar.

Mr. EVANS, from the Committee on Claims, to which was referred the bill (H. R. 16650) for the relief of Thomas P. Darr, reported the same with amendment, accompanied by a report (No. 1296), which said bill and report were referred to the Private Calendar.

Mr. RUSSELL, from the Committee on Invalid Pensions, to which was referred the bill (H. R. 21037) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war, reported the same without amendment, accompanied by a report (No. 1301), which said bill and report were referred to the Private Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Pensions was discharged from the consideration of the bill (H. R. 20463) granting an increase of pension to C. L. Belknap, and the same was referred to the Committee on Invalid Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. EDWARDS: A bill (H. R. 21033) providing for an appropriation of $30,000 for dredging, repair, and other improvements at the quarantine station at Savannah, Ga.; to the Committee on Appropriations.

By Mr. KAHN: A bill (H. R. 21034) to prohibit the importation into the United States of any goods, wares, or merchandise, the property of Americans and other foreigners in Mexico, which have been confiscated by Mexican authorities; to the Committee on Interstate and Foreign Commerce.

By Mr. PARK: A bill (H. R. 21035) to place Thomas County, Ga., in the Valdosta division of the southern district of Georgia; to the Committee on the Judiciary.

By Mr. STEPHENS of Texas: A bill (H. R. 21036) to establish and maintain an Indian military training school at Carlisle, in the State of Pennsylvania, and to discontinue the present Indian school at that place; to the Committee on Indian Affairs.

By Mr. FLOYD of Arkansas: A bill (H. R. 21057) to reinstate certain homestead entries in the Ozark and Arkansas national forests and to confirm titles to the lands embraced therein in the original claimants, and for other purposes; to the Committee on the Public Lands.

Also, a bill (H. R. 21058) providing that any person who has heretofore made a homestead entry or entries and has failed from any cause to perfect his title to any lands embraced in such entry or entries may make a further homestead entry; to the Committee on the Public Lands.

Also, a bill (H. R. 21059) to relieve the governor of the State of Arkansas from accountability for certain funds under section 1661 of the Revised Statutes, as amended; to the Committee on Military Affairs.

By Mr. BARTHOLDT: Joint resolution (H. J. Res. 405) providing for world organization to secure permanent peace; to the Committee on Foreign Affairs.

By Mr. CARY: Resolution (H. Res. 705) authorizing the Interstate Commerce Commission and the Attorney General to investigate the quality of coal sold to consumers; to the Committee on Interstate and Foreign Commerce.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. RUSSELL: A bill (H. R. 21037) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war; to the Committee of the Whole House.

By Mr. ASHBROOK: A bill (H. R. 21038) granting an increase of pension to Mary A. Shannon; to the Committee on Pensions.

By Mr. BRUCKNER: A bill (H. R. 21039) granting an increase of pension to William H. Terwilliger; to the Committee on Invalid Pensions.

By Mr. CALDER: A bill (H. R. 21040) granting an increase of pension to Ernest Dichman; to the Committee on Invalid Pensions.

By Mr. CARLIN: A bill (H. R. 21041) for the relief of L. C. Reid and Fannie B. Betts, heirs at law of George G. Barton; to the Committee on War Claims.

By Mr. COX: A bill (H. R. 21042) granting an increase of pension to James Irvin; to the Committee on Invalid Pensions.

By Mr. DONOVAN: A bill (H. R. 21043) granting a pension to John T. McCarthy; to the Committee on Invalid Pensions.

By Mr. DOOLITTLE: A bill (H. R. 21044) granting an increase of pension to William Evans; to the Committee on Invalid Pensions.

By Mr. GUDGER: A bill (H. R. 21045) granting a pension to Emma Woodard; to the Committee on Invalid Pensions.

By Mr. GUERNSEY: A bill (H. R. 21046) granting a pension to Diana R. Pierce; to the Committee on Invalid Pensions.

By Mr. HUGHES of Georgia: A bill (H. R. 21047) for the relief of the heirs of James I. Fountain; to the Committee on War Claims.

By Mr. KIESS of Pennsylvania: A bill (H. R. 21048) granting a pension to Anna Harleman; to the Committee on Invalid Pensions.

By Mr. MURDOCK: A bill (H. R. 21049) granting a pension to Harriet J. Brown; to the Committee on Invalid Pensions.

Also, a bill (H. R. 21050) granting a pension to Jennie B. Burr; to the Committee on Invalid Pensions.

Also, a bill (H. R. 21051) granting a pension to Lucy N. Burr; to the Committee on Invalid Pensions.

Also, a bill (H. R. 21052) granting an increase of pension to Mary E. Lewis; to the Committee on Invalid Pensions.

Also, a bill (H. R. 21053) granting an increase of pension to Andrew M. Murray; to the Committee on Invalid Pensions.

By Mr. PLATT: A bill (H. R. 21054) granting an increase of pension to Oliver P. Gillson; to the Committee on Invalid Pensions.

By Mr. ROUSE: A bill (H. R. 21055) granting an increase of pension to Susanna Gaines; to the Committee on Invalid Pensions.

By Mr. VARE: A bill (H. R. 21056) granting a pension to Elizabeth R. Foster; to the Committee on Invalid Pensions.

By Mr. EAGAN: A bill (H. R. 21060) granting an increase of pension to Emily Schwartz; to the Committee on Invalid Pensions.

By Mr. FLOYD of Arkansas: A bill (H. R. 21061) granting an increase of pension to William R. Fisher; to the Committee on Invalid Pensions.

By Mr. MAGUIRE of Nebraska: A bill (H. R. 21062) granting an increase of pension to Francis M. Beezley; to the Committee on Invalid Pensions.

By Mr. PETERSON: A bill (H. R. 21063) granting a pension to Sarah L. Hammerton; to the Committee on Invalid Pensions.

By Mr. RUBEY: A bill (H. R. 21064) granting an increase of pension to Andrew J. Patterson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 21065) granting an increase of pension to William H. Scott; to the Committee on Invalid Pensions.

By Mr. CASEY: A bill (H. R. 21066) granting an increase of pension to Samuel R. Laphy; to the Committee on Invalid Pensions.

By Mr. NEELEY of Kansas: A bill (H. R. 21067) to increase the limit of cost of the United States post-office building at Garden City, Kans.; to the Committee on Public Buildings and Grounds.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Memorial of St. John's Episcopal Church of Lodi, Cal., on the subject of legislation on marriage and divorce; to the Committee on the Judiciary.

By Mr. ASHBROOK: Memorial of German-American Alliance of Mansfield, Ohio, favoring the passage of House joint resolution 377; to the Committee on Foreign Affairs.

By Mr. BAILEY: Petitions of J. C. Eichelberger and Stolers & Little, of Saxton; B. Gross, of Cresson; Barton & Winslow, Spot Cash Store, Mrs. F. Bruneau, G. K. Christoff, G. H. Springer, E. M. Smale, and James Commons & Sons, of Patton; O. D. Blair, M. H. Kramer, William H. Sheavhy, G. C. Kinton, John Sides, A. G. Crabbe, E. W. Light, and J. H. Wagner of Hyndman, all in the State of Pennsylvania, for the passage of House bill 5308, a bill providing for the taxation of mail-order houses for local purposes; to the Committee on Ways and Means.

By Mr. BOOHER: Petition of Paul F. Limerick and 365 other citizens of the fourth district of Missouri, asking for the passage of House bill 5308, to tax mail-order houses; to the Committee on Ways and Means.

By Mr. CARY: Petition of George F. Lewandowski, B. Siebl, Ernest Schraeder, Herman Sohmetz, Willy Schmidt, Charles J. Orth, L. J. Mueller, John Eckert, and 400 others, all residents of Milwaukee County, Wis., urging the passage of House joint resolution 377; to the Committee on Foreign Affairs.

By Mr. DOOLITTLE: Petitions of 41 citizens of Alma and 171 citizens of Harington, Kans., favoring passage of House joint resolution 377, relative to shipment of war material; to the Committee on Foreign Affairs.

By Mr. ESCH: Memorial of Polish Association of America, urging that Polish people driven from their own soil by political persecution be exempted from the literacy test of the immigration bill; to the Committee on Immigration and Naturalization.

By Mr. GERRY: Petition of Annabel Ledlie Berry, of Newport, and James L. Jenks, of Pawtucket, R. I., favoring passage of the Palmer-Owen bill relative to child labor; to the Committee on Labor.

Also, petitions of Polish National Alliance of Rhode Island, Sons of Poland and Lithuania Society of Providence, R. I., protesting against the passage of the Smith-Burnett immigration bill in its present form; to the Committee on Immigration and Naturalization.

Also, petition of George W. Payne, of East Providence, R. I., urging the passage of the Stevens bill; to the Committee on Interstate and Foreign Commerce.

By Mr. KENNEDY of Iowa: Petition of the St. John's Benevolent Society, of Burlington, Iowa, representing a membership of 185, protesting against the exportation of arms to the countries now engaged in war; to the Committee on Foreign Affairs.

Also, petition of the Burlington Liedertafel Society, of Burlington, Iowa, representing a membership of 200, protesting against the exportation of arms to the countries now engaged in war; to the Committee on Foreign Affairs.

Also, petition of the Schnabenberein Society, of Burlington, Iowa, representing a membership of 115, protesting against the exportation of arms to the countries now engaged in war; to the Committee on Foreign Affairs.

Also, petition of German Militair Society, of Burlington, Iowa, representing a membership of 75, protesting against the exportation of arms to foreign countries; to the Committee on Foreign Affairs.

Also, petition of the Burlington Turn Society, representing a membership of 250, protesting against the exportation of arms to the countries now engaged in war; to the Committee on Foreign Affairs.

By Mr. LONERGAN: Protests of Edmund Lamparski, Bristol; Polish National Alliance, Hartford; and M. A. Wotoaski, Collinsville, all in the State of Connecticut, in re Smith-Burnett immigration bill; to the Committee on Immigration and Naturalization.

By Mr. McCLELLAN: Petition of Andrew Van Berger, of Jeffersonville, and Richard M. Keloch, Thomas L. Kelly, W. H. Holtz, of Kingston, all in the State of New York, urging passage of bill to prevent the exportation of munitions of war; to the Committee on Foreign Affairs.

By Mr. MAHAN: Petition of citizens of Norwich, Conn., favoring House joint resolution 377, to prohibit export of arms; to the Committee on Foreign Affairs.

By Mr. MOORE: Memorial of the Manufacturers' Club, of Philadelphia, Pa., relative to an amendment to the Underwood tariff law for the protection of the so-called coal-tar chemicals and dyestuffs; to the Committee on Ways and Means.

By Mr. NEELY of West Virginia: Papers to accompany House bill 17161, for the relief of Andrew King; to the Committee on Invalid Pensions.

By Mr. J. I. NOLAN: Communications from sundry citizens of San Francisco, Cal., favoring the passage of House joint resolution 377, to prohibit the exportation of munitions of war from the United States; to the Committee on Foreign Affairs.

By Mr. PAIGE of Massachusetts: Evidence in support of House bill 20765, for pension for Arthur Murphy; to the Committee on Pensions.

By Mr. PATTEN of New York: Memorial of members of Kosciusko Society, Group 49, of the Polish Alliance, of New York City, protesting against the passage of the Smith-Burnett immigration bill; to the Committee on Immigration and Naturalization.

By Mr. REILLY of Connecticut: Petition of Court of Common Council, Meriden, Conn., favoring Hamill civil-service reform bill; to the Committee on Reform in the Civil Service.

Also, memorial of members of White Eagle, Meriden, Conn., protesting against the passage of the Smith-Burnett immigration bill; to the Committee on Immigration and Naturalization.

Also, memorial of Cosmopolitan Club of South Manchester, Conn., favoring passage of bill to regulate interstate commerce in convict-made goods; to the Committee on Interstate and Foreign Commerce.

By Mr. ROBERTS of Massachusetts: Evidence in support of H. R. 21026, granting an increase of pension to Justin B. Lynch; to the Committee on Invalid Pensions.

By Mr. VOLLMER: Petition of 83 American citizens of Muscatine, Iowa, to lay an embargo upon all contraband of war; to the Committee on Foreign Affairs.

Also, petition of Evangelical Lutheran Salem's congregation of Andrew, Iowa, comprising a membership of 245, to lay an embargo upon all contraband of war; to the Committee on Foreign Affairs.

Also, petitions of 1,109 American citizens for the adoption of House joint resolution 377, prohibiting the export of war materials; to the Committee on Foreign Affairs.

Also, petition of German Benevolent Society of Clinton, Iowa, comprising a membership of 246, to lay an embargo upon all contraband of war; to the Committee on Foreign Affairs.

SENATE.

WEDNESDAY, *January 20, 1915.*

(Legislative day of Friday, January 15, 1915.)

The Senate reassembled at 11 o'clock a. m., on the expiration of the recess.

THE MERCHANT MARINE.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 6856) to authorize the United States, acting through a shipping board, to subscribe to the capital stock of a corporation to be organized under the laws of the United States or of a State thereof or of the District of Columbia to purchase, construct, equip, maintain, and operate merchant vessels in the foreign trade of the United States, and for other purposes.

Mr. BURTON. Mr. President, on yesterday I spoke of the delay of ships in foreign ports as one reason for the present condition and also as a ground for increase of rates. In the minds of some this constitutes the most serious feature of the condition which now exists. I have received a letter from the vice president and manager of the International Mercantile Marine Co. which is so apposite to this subject that I will read it to the Senate:

INTERNATIONAL MERCANTILE MARINE CO.,
OFFICE OF THE VICE PRESIDENT,
No. 9 Broadway, New York, January 19, 1915.

Hon. T. E. BURTON,
United States Senate, Washington, D. C.

MY DEAR SENATOR: Your favor of the 18th instant received, and I expect to write you to-morrow giving the information which you desire regarding the Liverpool Cotton Exchange.

The shipping situation to-day is very seriously complicated by the terrible congestion which exists in ocean traffic at all the principal European ports, including London, Liverpool, Genoa, and Havre, and the result is that steamers are being delayed many weeks in port there instead of being dispatched in not over one week, so that you will readily understand it takes many more steamers to do the same work than under normal conditions.

In the case of our London service, we have 10 steamers to-day doing the work of 5 in ordinary times, and the cost of operation is therefore tremendously increased, without any proportionate advantage to either the shipper or shipowner.

The facilities of the ports are being taxed to their very utmost, and I can see no reason to hope that conditions will materially change as long as the war lasts, as labor of all kinds is very scarce in Europe on account of the drain of the war.

Meanwhile steamers are being detained at Havre and London for six weeks, and longer in many cases, and the whole situation is causing us the most grave concern.

Yours, very truly, P. A. S. FRANKLIN.

There is a reference in the letter to the resolution or other action taken by the Liverpool Cotton Exchange about which, when I receive more complete information, I shall again address the Senate. I think this is one serious factor in the cotton situation. As I understand, at the very beginning of the war the Liverpool Cotton Exchange decided not to make any further purchases. As this is one of the principal sources of the demand for this staple, such action must have inevitably caused a decreased demand and a lowering of the price.

I have already taken up in the list of questions the first five. They are given on pages 1863 and 1864 of the RECORD of Monday's proceedings. I now take up question No. 6:

"6. Will it be the policy to operate the boats on a profit or no-profit basis? If on a no-profit basis, will it not drive all American shipping off the routes invaded? If on a profit basis, can you demonstrate on what routes and by what economic saving this can be accomplished to better advantage than by private shipping?"

In a way this question is the most vital of all. What is intended? How are we to know about this? How is the country to know? Will these boats be purchased and operated at a great loss, or will they be operated in the same manner in which private enterprises are conducted? It goes without saying that if they are operated at a loss this bill is merely an indirect means of providing a subsidy to some, and a subsidy which will not be of general benefit to the people at large, for no such line could carry more than a comparatively insignificant fraction of the exports of the United States. This can not be too clearly understood. These boats acquired by the Government would not carry more than a twentieth of the foreign trade of the United States. If it is the policy to carry this proportion of exports or imports at a loss, some special interest or locality will gain the benefit.

I wish to call attention again to the incongruous, the awkward, the unprecedented method that this bill proposes for entering into the shipping business. The Government of the United States does not buy these boats direct. There is the device of a corporation. That corporation is to be organized under the laws of any State of the Union or of the District of Columbia or under the Federal law. As was pointed out by the Senator from Minnesota [Mr. NELSON] yesterday, there is no Federal law of a general nature under which there could be an incorporation. I suppose we might enact a special statute which would authorize the incorporation of a shipping company. That is a very unusual thing to do, but it might be done.

Now, let us examine the other provisions of the bill. Fifty-one per cent of the capital stock is to be subscribed by the Government of the United States; 49 per cent by private subscribers, if they will take it.

Mr. NELSON. Mr. President——

The VICE PRESIDENT. Does the Senator from Ohio yield to the Senator from Minnesota?

Mr. BURTON. I do.

Mr. NELSON. I think the Senator is in error. He stated that these vessels would be purchased by the corporation.

Mr. BURTON. I perhaps should not have said that. They are to be operated by the corporation. They are to be purchased and turned over to the corporation.

Mr. NELSON. In the substitute which will be pressed here the very first line reads as follows:

That the President is hereby authorized to acquire, by purchase or construction.

It is the President himself, not even the board that is provided for in the bill, not the corporation but simply the President.

Mr. BURTON. That is correct. Eventually, however, they are to be turned over to the corporation for operation.

It is improbable that any considerable private subscriptions will be made. There will be such doubt as to cause hesitancy in this regard. But it is a corporation, like any of the corporations of the country, which is expected to conduct this business and operate these ships. At least, calculations should be made of what would happen in case there should be private subscribers. Possibly some might subscribe for a sinister purpose. Others might subscribe in order that they might have an opportunity to control the operations. Others possibly might subscribe in the hope that it will be profitable.

Mr. NELSON. Mr. President——

The VICE PRESIDENT. Does the Senator from Ohio yield further to the Senator from Minnesota?

Mr. BURTON. I do.

Mr. NELSON. Has the Senator any idea that anyone will subscribe outside of the Government for this stock?

Mr. BURTON. I think they may. Even though they do not subscribe from the ordinary motives which actuate investors.

Mr. NELSON. Necessarily there will have to be enough subscribers to qualify the directors under the State law or under whichever law the corporation is incorporated. The directors and officers will probably have to own some stock to be qualified.

Mr. BURTON. Even those who are acting in the interest of the Government will have to acquire stock.

Mr. NELSON. Outside of that, does the Senator believe that anyone else will subscribe for the stock?

Mr. BURTON. As I have said, I think they may for a sinister motive, if for no other.

Mr. KENYON. Could there be any other purpose than a sinister one? Here is 51 per cent of stock which represents a proposition of not making money. The 49 per cent would represent the proposition of making money, and who would subscribe for stock where a majority of the stock represented a proposition of not making money, but merely for the public interest? I think the Senator from Minnesota [Mr. NELSON] is right; there would not be anyone who would subscribe unless it should be for a sinister purpose. But what would be the sinister purpose?

Mr. BURTON. I am coming to that in a minute. Of course, if they were actuated by the ordinary motives which induce persons to subscribe to the stock of corporations we would not expect that a dollar of the 49 per cent would be taken except under this very absurd and incongruous condition, which would make it necessary for those who represent the Government to subscribe to a part of the 49 per cent.

Mr. KENYON. Had we not as well face the proposition and take all the stock?

Mr. BURTON. So far as the financial backing is concerned.

Mr. KENYON. That is the practical question.

Mr. BURTON. Under the incorporation laws of all the States there are two classes of corporations recognized; corporations for profit and corporations not for profit. The former class includes the ordinary business corporation which is organized in order to provide larger capital and secure the superior advantages which naturally belong to an incorporated company as compared with an individual or partnership.

Corporations not for profit are formed for a variety of purposes, benevolent, educational, and the like. In my own State, and I think in many others, the directors of corporations not for profit are personally liable for debts, but I take it this corporation would necessarily be classed as a corporation for profit.

Now, in answer to the question of the Senator from Iowa [Mr. KENYON], let me call his attention to what might happen—and, in fact, has happened—under the form of incorporation in vogue in the States. A few persons—possibly for the sake of defeating the very objects of this bill—would take stock. They might subscribe in such a way that no one could foresee their motives; but they would be stockholders. They would be entitled to representation on the board of directors. I think the Government of the United States would be the very last organization to deny to minority stockholders representation on the board of directors. That might be very well in some big trust or monopoly, but it would not do for the United States. The corporation would begin to do business with one or more minority directors. It might decide upon purchasing a boat at a very high price or upon contracting for the construction of a boat at an enormous figure; then the minority director might protest and say: "This is a wasteful method." Suppose we pass over that contingency, however, on the ground that this bill is intended to meet an emergency. The corporation begins to do business, and shippers say: "What did you organize this corporation for? Was it not to give us cheaper rates?" Suppose cheaper rates are fixed from the ports of the United States to foreign countries than the prevailing rates in the shipping market and that such rates were unprofitable. What would then happen? Immediately the minority directors or the minority stockholders go into the courts and say: "We object to this method of procedure. This corporation is not established for altruistic purposes; it was established as a business enterprise. As minority stockholders we are entitled to a reasonable profit on our investment. Though our holdings be small, you can not confiscate our property."

If that proposition were to be taken into the courts, it is not difficult to see what the result would be. The courts ever guard with the utmost sacredness the rights of the minority. Suppose some district attorney comes in and says, "Oh, these subscribers came here as trouble makers. They did not come in good faith." In the first place, it would be very difficult to prove that fact. Again, it might not be true. There is a great variety of motives which lead men to make investments. Nothing is more manifest from an examination of investments than that some persons invest without consideration. As Mr. Bagehot says in explaining the cause of a crisis, "a great many stupid people have a great deal of stupid money," and the glamor which pertains to a Government corporation might lead a considerable number of investors to place their money in the venture.

Now, I should like to have an explanation from some one defending this bill how a court would rule in such a case. Would the corporation answer, "We are running this corporation not for the benefit of the stockholders, not in the ordinary way in which corporations are managed, but with a view to accomplishing a broad general purpose in the lowering of freight rates on transoceanic traffic"?

Why, Mr. President, that answer would not hold. The conclusive reply to such a position would be, "If you are entering the shipping business for the purpose of lowering freight rates, why does not the Government do it directly with its own money and with its own agencies? They are abundant for the purpose."

Mr. KENYON. Mr. President——

The VICE PRESIDENT. Does the Senator from Ohio yield to the Senator from Iowa?

Mr. BURTON. Certainly.

Mr. KENYON. The Senator from Ohio has answered my question and has confirmed the thought that was in my mind. This scheme of having the public buy any of this stock while the Government is to control 51 per cent of it is an utterly nonpractical scheme.

Mr. BURTON. Yes.

Mr. KENYON. And, as the Senator suggests, nobody would buy any of this stock except for some ulterior purpose. If they did, they would be candidates for the insane asylum, I should think, or should have a guardian appointed. Now, what ought to be done, if anything is done? Is it not true that the Government ought to take hold of it, and not by subterfuge, such as is contained in this bill, try to deceive the public into the impression that they are to have an opportunity to buy something that is worth something, when in fact it is not?

Mr. BURTON. Yes.

Mr. KENYON. The fault I find with this section is that it is in the nature of a subterfuge. It is not frank when we come to analyze it. I should like to see the Government take hold of the matter and control it entirely. Of course, I know the Senator from Ohio, and I do not agree on that proposition. But, so far as that paragraph is concerned, we might agree that that would be the only way that it could be done, and that this paragraph is not at all feasible.

Mr. BURTON. As the Senator from Iowa has suggested, this is in reality a subterfuge. It is proposing that nearly half of the stock of this corporation may be open to subscription by citizens of the United States; and yet, if I can interpret what is in the minds of the advocates of this bill, it is an invitation to them to throw away their money, saying to them, "The Government, rich as it is, wants to go into a venture that will surely be a losing one; but we only wish to bear 51 per cent of the loss. We wish the good people who have the money to bear the rest of it, and thereby perhaps lose all that they have."

Mr. BRISTOW. Mr. President——

The VICE PRESIDENT. Does the Senator from Ohio yield to the Senator from Kansas?

Mr. BURTON. Certainly.

Mr. BRISTOW. Let me inquire of the Senator from Ohio if the Government did not find it desirable to purchase the outstanding shares of the stock of the Panama Railroad Co., so as to get complete control of that corporation, finding that a minority stockholder would be embarrassing to the Government in the operation of the corporation and really a menace to its proper administration?

Mr. BURTON. Certainly; that was a transaction of that character.

I want here to call attention to a fact suggested by the question of the Senator from Kansas. Under this bill you are seeking to create a condition which the Government in its management of that corporation sought to terminate; that is, in this bill you are reaching out for private subscribers, while in the practical management of the Panama Railroad the effort of the Government, after a trial, was to do away with private subscribers. It would be to utterly ignore the lesson taught in the management of that corporation. Of course, it is the general impression that private individuals will not subscribe to the stock, but I do not know whether that will prove entirely true.

Is it best, even so, to leave the management of this corporation entirely to a system of bureaucracy? Would it not be better to have an infusion of private ownership as a check upon wasteful or extravagant management? The proposition is one that is startling in the extreme. It is a proposition to give to the executive department of the Government the right not only to subscribe $10,000,000 of stock to be paid from the Treasury of the United States, 51 per cent in the first instance and 49 per cent additional if the private subscribers do not take it, but that is not the end of it. The Government can go on until the subscriptions aggregate twenty millions, forty millions, one hundred millions, or any other amount, until the day when Congress should raise its hand and say, "This whole project is wrong, and we will repeal the law."

Suppose, on the other hand, this enterprise is to be conducted on a profit basis, as corporations are expected to be operated. To what conclusion will that bring us? In the first place, you will be putting in control of this corporation men either without any experience at all or men of far less experience in the business than those now engaged in it. You will be introducing into the freight trade across the ocean men who have no affiliations with shippers, men who have not the capability or the opportunity to obtain freight charters as those have who are already engaged in this occupation.

Still further, as I suggested a day or two ago, the mere running of ships does not constitute freight traffic. It is necessary to have wharves and warehouses and terminals where the freight can be loaded and unloaded. When ships have been purchased and the line started there immediately arises a necessity for the accessories of the shipping business, and oftentimes they are not only an important part, but the most important part of the business.

The proposed shipping board would also be confronted with the condition that Government management always costs more than does private management. I ask the proponents of this measure what would be the advantage over privately owned ships? You can search far and wide and find no advantages, but manifold disadvantages.

Mr. NELSON. Mr. President, I desire to ask the Senator from Ohio a question. I find, on examining the corporation laws of the various States and of the District of Columbia, that they all contemplate that a corporation must be formed by persons. They say such and such persons may form a corporation.

Does the Senator from Ohio believe that under such laws one government can step into the jurisdiction of another government and organize a corporation? Instead of individual effort, is not this a corporation to be formed by the Government of the United States under the laws of a State? Does the Senator know of any instance where that has been done, where one government has sought to create a corporation under the laws of another government?

Mr. BURTON. Such as the United States going into the State of Pennsylvania and forming a corporation, or the State of Pennsylvania going into the State of New Jersey and forming a corporation?

Mr. NELSON. As individuals we will assume that the Senator and I and other Members of this body could, provided we were otherwise qualified, go into any State and form a corporation, signing articles of incorporation as individuals. That is one condition. But here is a case where it is proposed to have individuals, not in their own right or in their own behalf, but as representatives of another Government, the Government of the United States, go into a State and form a corporation, the Government to hold a majority of the stock. Does the Senator believe that that can be done or that it ought to be done?

Mr. BURTON. It certainly ought not to be done.

Mr. SMITH of Georgia. Mr. President——

Mr. BURTON. I will yield to the Senator in a moment. The usual method is for a certain number of persons resident in a State to sign articles of incorporation.

Mr. NELSON. Now, will the Senator allow me further?

Mr. BURTON. In just a moment. Those articles of incorporation are filed with the secretary of state or other official at the capital of the State. Then the signers of the articles of incorporation advertise for stock subscriptions. Fancy the United States Government signing one of those articles.

Mr. NELSON. If the Senator will allow me, the law of the District of Columbia relating to the incorporation of companies, in section 605, provides:

> Any three or more persons who desire to form a company for the purpose of carrying on any enterprise or business—

And so forth.

Mr. BURTON. What number of persons is specified?

Mr. NELSON. It says "any three or more persons who desire to form a company." Could the Government of the United States, under that law, form a corporation?

Mr. BURTON. I think not. In the first place the law does not contemplate that the initial steps shall be taken by any except individuals. In the next place it does not contemplate that any Government, State or National, desires to enter into any such enterprise or is qualified to do so.

Mr. SMITH of Georgia. Mr. President, the Senator from Minnesota [Mr. NELSON] has called the Senator's attention to the very subject to which I was going to call his attention.

Mr. FLETCHER. Mr. President, does the Senator think there would be any objection to the members composing the shipping board forming such a corporation? That board will be made up of three persons residing in the District of Columbia, and why could they not take out articles of incorporation under the laws of the District of Columbia, the United States taking 51 per cent of that stock, and such stock being voted by the members of the shipping board as trustees? Would there be any objection to that sort of an organization?

Mr. BURTON. Perhaps there would be no insuperable objection, Mr. President; but while I have no prejudice against industrial corporations, I do not think it is an appropriate or justifiable field of activity for the Federal Government.

Mr. VARDAMAN. Mr. President——

The VICE PRESIDENT. Does the Senator from Ohio yield to the Senator from Mississippi?

Mr. BURTON. Certainly.

Mr. VARDAMAN. I have listened with great interest to the very exhaustive discussion of this question by the Senator from Ohio. I should like to have him explain the difference between the measure under consideration and the system under which the Panama Railroad and Steamship Line is operated.

Mr. BURTON. I am not sure that I am familiar with the management of the Panama Railroad and Steamship Line. The Senator from Kansas [Mr. BRISTOW] no doubt can furnish the information.

Mr. BRISTOW. Mr. President, all of the stock of the Panama Railroad Co. is owned by the Government of the United States. It is held in trust by the Secretary of War for the Government. It is managed by a board of directors, of which the Secretary of War is the chairman, or formerly was. The board of directors elect officers, including a general manager, and that general manager, who is also vice president, attends to the executive business of the corporation. He charters or purchases ships upon the authorization of the board of directors; but, as I have said, the Government owns all the stock of the corporation.

Mr. VARDAMAN. I understand that it is a corporation organized under the laws of the State of New York.

Mr. BRISTOW. Yes; it is organized under the laws of the State of New York. Under the law each director must have a share of stock in his name; so the directors nominally do have stock, a share being transferred to each of them, which they hold in trust for the Government. In this way they are qualified under the laws of the State of New York to act as directors.

Mr. BURTON. But, Mr. President, it is desirable to call attention to the very essential difference between the Government's participation in that transaction and the one proposed by this bill. The Government proceeded with the construction of the Panama Canal. In such construction it was necessary to have a railroad paralleling the proposed canal route. That railroad was necessary for the carriage of supplies; it was especially required for the carrying away of material excavated in the numerous cuts. The Government of the United States could have built another railway at its own expense as a part of the means of constructing the Panama Canal, but there was a railroad already there which it was thought desirable to acquire.

Mr. VARDAMAN. Mr. President, I understand that the work contemplated by the shipping bill is very different. The Panama Railroad and steamships have been operated by the Government for the purpose of carrying out a Government project.

Mr. BURTON. Yes.

Mr. VARDAMAN. To facilitate the Government's own business. Under the shipping bill the Government is to enter upon an enterprise designed to serve private interests, and, I might add, an enterprise which is expected to be a losing venture from the start and the taxpayers to bear the loss.

Mr. BURTON. Certainly.

Mr. VARDAMAN. I see the difference, but if the Government can operate the one by means of a corporation organized under State law, I should like the Senator to explain why it can not with equal facility operate the other.

Mr. BURTON. I suppose it could do so. I question whether it will appear that the management has compared in efficiency and economy with that of privately owned lines.

Mr. BRISTOW. Mr. President——

The VICE PRESIDENT. Does the Senator from Ohio yield to the Senator from Kansas?

Mr. BURTON. I do.

Mr. BRISTOW. In order that the RECORD may be accurate I desire to state that when the Government acquired from the French company the Panama Canal property among the assets of that company was the Panama Railroad. It had been constructed by the old French company for the purpose, of course, of constructing the canal. The railroad company was among the assets of the French corporation. The question occurred to the President at the time this property was acquired, What should be done with the railroad? That was one of the questions which Mr. Roosevelt had to settle.

There were three propositions made, if I am not interrupting the Senator too far.

Mr. BURTON. No, indeed.

Mr. BRISTOW. One was that it should be sold to private interests and that the Government should then employ this privately controlled, owned, and operated railroad to do the business which was necessary, supplementing the construction of the canal. Another proposition was that the Government should still own it and lease it. The third proposition was that it should retain it and operate it as the French company had.

Mr. Roosevelt finally determined that it was best to keep complete control of the corporation, to acquire all of its stock—Mr. Taft was then Secretary of War and had control of the construction of the canal—and operate it in connection with the construction of the canal, since it was necessary to have the railroad, and while it was not necessary to have the steamships, it was thought desirable to have the steamships. Then, in addition to the Government's own business, which was very heavy, it was thought advisable to continue to operate it as a commercial line, so as to keep open during the period of construction the commercial route of transportation by way of Panama.

So the railroad has been operated by the Government for something like 10 years now, and I think with success. There have been some mistakes made and some things done that I do not think have been justified, but that has not been the fault of the managers of the corporation, but due to political influences, which in my opinion originated in Congress, and not with the administration of the corporation or the canal.

Mr. VARDAMAN. Mr. President, I understand the difference between the work which these companies are designed to perform; and in the case of the Panama Canal I very heartily approve the principle underlying the Government ownership of the ships and the railroad for the purpose of perfecting a great Government scheme. It was in no way similar in that regard, however, to the measure that is now before the Congress. The Government was simply using its own railroad and its own ships to dig the canal, which was thought at that time to be for the benefit of the people of the United States, and to carry on the work necessary to its completion. It seems to me it ought to have been done very much more cheaply than it could have been done if owned by a private company. I do not think it is at all in a class with the measure now being considered by the Congress.

I arose only to ask the Senator a question. I think, however, that notwithstanding the fact that the measure under consideration is intended to build up and promote private interests at Government expense—a scheme which I regard wrong in principle and necessarily disappointing in results—at the same time I can see no reason why it could not be operated and managed under a corporation organized under a State law, just as the Panama Co. is organized and operated. The pernicious principles involved in the general scheme would not affect the practicability of the development and operation of the company.

Mr. BURTON. Mr. President, the Senator from Mississippi has clearly stated the distinction between the two transactions, namely, the acquisition and control of the Panama Railroad and Steamship Line on the one hand, and this proposed corporation for a Government line on the other hand. The supplemental statement of the Senator from Kansas also throws light upon the subject, because it shows how this line came to be acquired, namely, that at least a controlling interest in the stock then belonged to the French New Panama Canal Co., which in 1904 sold its interest to the Government of the United States. So, in acquiring the rights and franchises of that company in the canal, it was found that among their possessions was this railroad, or a majority of the stock. What share of the stock did they possess?

Mr. BRISTOW. They had a very large majority. There were a number of American stockholders and some European stockholders; but there were only about 400 shares that it was difficult to acquire. For quite a time some of the small shareholders hesitated to dispose of their holdings, but finally they were all obtained.

Mr. FLETCHER. Mr. President, may I interrupt the Senator in order to state that the stock was acquired in 1904?

Mr. BURTON. It was acquired in 1904, but under the act of 1902.

Mr. FLETCHER. It was all acquired under what is called the Spooner Act.

Mr. BURTON. That was passed in June, 1902, I believe.

Mr. FLETCHER. That act provided—

That the President of the United States is hereby authorized to acquire, for and on behalf of the United States, at a cost not exceeding $40,000,000, the rights, privileges, franchises, concessions, grants of land, right of way, unfinished work, plants, and other property, real, personal, and mixed, of every name and nature, owned by the New Panama Canal Co., of France, on the Isthmus of Panama, and all its maps, plans, drawings, records on the Isthmus of Panama and in Paris, including all the capital stock, not less, however, than 68,863 shares of the Panama Railroad Co., owned by or held for the use of said canal company, provided a satisfactory title to all of said property can be obtained.

That is the act.

Mr. BURTON. I understand those shares of capital stock were included in the $40,000,000, were they not?

Mr. FLETCHER. Precisely.

Mr. BURTON. They were not in addition to that?

Mr. FLETCHER. No, sir.

Mr. BURTON. The reference to that act suggests many interesting reminiscences of a historical nature relating to the act of 1902 and the act of 1899 that I feel tempted to digress, except that it would interfere with the sequence of my remarks.

Mr. FLETCHER. I apologize for mentioning it.

Mr. BURTON. Oh, no apology is necessary. I remember in the House the conference report on the Spooner Act was adopted by an overwhelming majority, although a large majority of the Members of the House favored the Nicaraguan route.

Mr. WEEKS. Mr. President——

The VICE PRESIDENT. Does the Senator from Ohio yield to the Senator from Massachusetts?

Mr. BURTON. I do.

Mr. WEEKS. As the cost of operation has been referred to, it may be of interest at this time to insert the percentages of cost of operation since the Panama Railroad came under Government control. Of course, it is impossible to make comparisons which will be absolutely accurate in every instance without knowing the conditions that surround each transaction, but it may be depended upon without any question—at least, that is the history of the world—that in the case of a Government operation politics will enter in and the operating expenses will increase, while the rates which will be charged to the public will be decreased, preventing successful net results.

In the case of the Panama Railroad, the property was operated as a private corporation in the year 1904, and the percentage of operating expenses to earnings was 62 per cent. In 1905, the first year it was operated by the Government, the operating expenses jumped to 77½ per cent and the next year to 79½ per cent. In 1907 they were 74½ per cent; in 1910 they were 71.4 per cent; in 1911, 70.8 per cent. They have averaged, under Government operation, about 75 per cent of the gross earnings, against 62 per cent when under private operation, and this notwithstanding the fact that the earnings have greatly increased on account of the building of the canal. That is, they have increased 84 per cent since the Government took over the railroad, while the operating expenses have increased 105 per cent.

Mr. BURTON. I will suggest to the Senator from Massachusetts that it is impossible to derive any inference from those figures without carefully analyzing them. It is true, on the bald statement, that the percentage of operating expenditures to earnings was much greater under Government operation than under private enterprise; but is not that a mere matter of bookkeeping? The main part of the work of that railway was hauling away dirt from the Culebra Cut and other places where excavating was done. If the price charged for hauling away that dirt was high, that would mean one percentage of operating expenses to income, while if the price was low, it would mean an entirely different percentage. Thus it is really, after all, a matter of bookkeeping.

Mr. BRISTOW. Mr. President, I desire to state to the Senator that the Panama Railroad Co. did not do the excavating work.

Mr. BURTON. Oh, no; but they hauled away the dirt.

Mr. BRISTOW. No; that was done by the Canal Commission. The Isthmian Canal Commission did that. The Panama Railroad Co. operated the steamship line, operated the railroad line across the Isthmus, hauled the freight of the Government to the various stations along the route, and also operated the commissary department; and the canal company bought from the railroad company the supplies that fed the men that worked on the canal. The railroad company also operated the hotels.

Mr. BURTON. The railroad company operated the hotels?

Mr. BRISTOW. The railroad company constructed and operated the hotels. Its operations were kept entirely separate; and when the Isthmian Canal Commission employed the railroad company to do anything it paid the railroad the same as it would have paid any other corporation. The actual work of excavation, however, was not done by the railroad company.

Mr. BURTON. Oh, no; of course not; but how about hauling away that dirt?

Mr. BRISTOW. The hauling away was done by engines and cars owned by the commission itself.

Mr. BURTON. Did not the railroad charge for hauling away that dirt?

Mr. BRISTOW. The railroad company was not employed to do the excavating.

Mr. BURTON. Oh, no.

Mr. VARDAMAN. Did they not use the railroad tracks?

Mr. BRISTOW. No; they put in their own tracks.

Mr. BURTON. Part of the way.

Mr. BRISTOW. There might have been some part of this excavation done by the railroad; but the great mass of the excavation was done by means of tracks which the Isthmian Canal Commission itself laid, independent of the railroad.

Mr. BURTON. That is, separate and additional tracks on the main line?

Mr. BRISTOW. Not on the line, but in the canal. Of course the Senator will remember that the canal was excavated from the channel of the canal, while the railroad ran around the canal, and did not run in it at all.

Mr. BURTON. Yes; I have seen that. I visited the canal, and saw that the larger part of the work done by the railroad, or in connection with it, was in hauling that dirt. Did they make any charge for hauling that dirt? That is the question.

Mr. BRISTOW. The hauling of the dirt was very largely done by the Isthmian Canal Commission. If any of it was done by the railroad, it was only incidental. The hauling of the dirt

was done by the Isthmian Canal Commission, with equipment which it owned, independently of the Panama Railroad.

Mr. BURTON. In special cars?

Mr. BRISTOW. Yes.

Mr. WEEKS. I think the Senator will find that in some places the cars of the canal commission did pass over the track of the railroad in going to the point where they dumped the dirt; but that was all the connection the railroad had with the excavation, which was entirely under the direction of the canal commission; and the work was done with equipment furnished by the commission, over tracks laid by the commission. I prefaced what I stated in inserting those figures with the statement that one must know every condition surrounding an operation before coming to a definite conclusion, and yet that is the trend of the result in all Government operations. It does not differ from the results obtained in every other country where a Government operation has been undertaken.

Mr. BRISTOW. Mr. President, if the Senator will yield further to me, in regard to the figures which the Senator from Massachusetts has put in the RECORD, I do not question their accuracy. I think the result they show is easily accounted for. The Panama Railroad Co., after it became the property of the United States, did increase operating expenses by paying its employees better wages. It also very materially reduced the rates that had been charged, and therefore reduced the percentage of income as against the percentage of expenditure of the corporation.

Mr. BURTON. One question in this connection. If you include the investment of the railroad company, has it not been run at a loss?

Mr. BRISTOW. I think not. I think it has been run at a fine profit.

Mr. BURTON. One thing is certain. They have had a great abundance of business. There is no trouble on that score.

Mr. BRISTOW. Of course you can not compare the Panama Railroad Co. and its line of steamships with any other enterprise on the earth, because the United States Government gave it an enormous amount of business, and it was retained and operated because of the influence it would have upon the rates which the Government would have to pay for that business. We shipped hundreds of thousands of tons of cement to the Isthmus, and the tonnage of freight was very great. The Panama Railroad Co. was a competitor for that business. Occasionally, however, a private corporation would underbid it and it would lose the business.

Mr. BURTON. In what way does the Senator mean that it was a competitor?

Mr. BRISTOW. It competed for the business with every other company.

Mr. BURTON. For what business?

Mr. BRISTOW. The Government's business.

Mr. BURTON. What branch of the Government's business?

Mr. BRISTOW. Freight and passengers.

Mr. BURTON. The Senator means the steamship line, not the railroad company?

Mr. BRISTOW. Yes. The railroad had no competitor, of course. It could not have. I refer to the steamship line. Take the steel that was used in the locks; I do not remember exactly, but I know that the Panama Railroad Co. had to bid for the traffic against competitors, foreign and domestic. Sometimes it would underbid, and again it would overbid and lose the business.

Mr. BURTON. We passed a statute, did we not, leaving the field of transportation by boat to the Canal Zone open to foreign vessels as well as domestic vessels?

Mr. BRISTOW. Yes.

Mr. CUMMINS. Will the Senator yield to me for a moment?

Mr. BURTON. Yes.

Mr. CUMMINS. I ask for information largely, although I have an impression about the matter. I speak now of the Panama Railroad as a railroad, not reckoning the steamship operation. It is true, is it not, that the movement of all the Government material across or over any part of the Isthmus was upon the railroad, and it is true, is it not, that the charge for that service by a system of bookkeeping was credited to the Panama Railroad? That is true, is it not? My recollection is that the charge credited to the Panama Railroad for that service was a very large charge as compared with the rate for similar service in the United States. I was rather surprised when I visited Panama to learn something about the rates that were credited to the Panama Railroad for the transportation on the Isthmus itself. I think if it were inquired into it would be found that that rate gave to the Panama Railroad Co. a larger credit than it should have had, considering the service that it rendered.

Mr. BRISTOW. Mr. President, I do not doubt that the rates in many instances were higher than the rates would be on certain great lines in the United States, but I think the conditions were entirely different, so that you could not make a satisfactory comparison. First, the line is only 47 miles long, and then there are difficulties of operation at the terminal facilities; there was the necessity for short hauls, and the nature of the service was such that there could not be any comparison made that would be, in my opinion, equivalent to it.

Mr. CUMMINS. Under and through the construction of the canal it was very easy to make the Panama Railroad Co. a profitable corporation. All that the Government had to do was to give it credit for the service that it rendered upon the Isthmus in a sufficient amount to make the company a profitable enterprise.

Mr. BRISTOW. I desire——

Mr. SMITH of Georgia. Mr. President, I rise to a point of order. I do not object to colloquies between Senators and the Senator from Ohio, but I make the point of order that the Senator from Ohio can not retire from the active control of the debate and leave it to a colloquy between two other Senators.

The VICE PRESIDENT. The Chair will be compelled to sustain that point of order if it is insisted upon.

Mr. BRISTOW. Mr. President——

Mr. BURTON. I yield. I think it is only fair after this inquiry that I should yield to the Senator from Kansas to answer the inquiries which have been propounded to me by the Senator from Iowa and have been repeated to the Senator from Kansas. I think there is no question but what that is in order.

Mr. BRISTOW. I desire to say——

The VICE PRESIDENT. The Chair has doubt about that.

Mr. FLETCHER. I make the point of order that the Senator from Kansas is not in order.

The VICE PRESIDENT. The uniform ruling has been that a Senator may speak twice on any one day. The Chair has heretofore ruled, and he has been sustained by the Senate in the proposition, that it is not yielding the floor to permit a Senator to make an inquiry, but it is yielding the floor for the Senator on the floor to permit somebody else to talk on the subject. The Chair does not believe that it is conducive to the orderly practice of the Senate to permit a Senator to ask a Senator on the floor a question about which he does not know anything and then have him call on somebody else to answer it. The Chair thinks that is simply evading the rule of the Senate.

Mr. BURTON. Well, Mr. President, it has certainly been the custom of the Senate to secure all the information possible on a subject under discussion. The course of procedure outlined by the Chair is certainly in entire conformity with our usual practice. However, I will not insist on that point.

Mr. BRISTOW. Do I understand the Chair to hold that the Senator from Ohio can not yield to me to answer a question which has been propounded?

Mr. SMITH of Georgia. My position is that if the Senator from Ohio yields to the Senator from Kansas to make the explanation the Senator from Ohio loses the floor. I am very much interested in the speech of the Senator from Ohio; I am watching it closely; and I object to interruptions in that way.

Mr. BRISTOW. Mr. President——

Mr. BURTON. I yield to the Senator from Kansas to ask a question.

The PRESIDING OFFICER (Mr. KERN in the chair). The Senator from Ohio yields to the Senator from Kansas for a question.

Mr. BRISTOW. I would like to answer a statement made by the Senator from Iowa in his interrogatory of the Senator from Ohio, because I do not believe that the Senator's statement was fully explanatory of the question that has been asked. If I can do so under the rules without depriving the Senator from Ohio of the floor, I would be glad to proceed.

The PRESIDING OFFICER. Does the Senator from Ohio yield for that purpose or for a question?

Mr. BURTON. For either, provided it does not deprive me of the floor. I suggest to the Senator from Kansas that it would be entirely in accordance with the rules of the Senate to present his answer in the form of a question to me.

Mr. SMITH of Georgia. Mr. President——

The PRESIDING OFFICER. As the present occupant of the chair understands the ruling of the Vice President—and it is a little embarrassing to the present occupant of the chair, who has just been called to it—the Senator from Ohio can yield only for the purpose of having a question asked or hearing a ques-

tion. The Chair does not understand that he can yield for any other purpose without losing the floor.

Mr. NELSON. Mr. President, I do not understand the rule——

Mr. BURTON. Is this a parliamentary inquiry? Otherwise, I wish to proceed.

Mr. NELSON. I wish to address myself to the Chair.

Mr. BURTON. Is it a parliamentary inquiry?

Mr. NELSON. No; I want to address myself to the point of order.

The PRESIDING OFFICER. The Senator from Ohio has the floor. Does he yield to the Senator from Minnesota?

Mr. BURTON. I yield to the Senator from Minnesota for a question or a point of order.

Mr. NELSON. The question that occurs to me is this: I understand an objection was made by——

Mr. BURTON. One minute. I do not wish, of course, to yield my right to the floor.

Mr. NELSON. When a point of order is made——

Mr. BURTON. If a point of order is made——

Mr. NELSON. If one Senator has a right to make a point of order, certainly another Senator has a right to reply to that point of order.

The PRESIDING OFFICER. The point of order has been disposed of, and it is not debatable.

Mr. NELSON. The last point of order was not disposed of.

The PRESIDING OFFICER. The Chair will hold that it was disposed of. The decision of the Chair was not appealed from, and the Senator from Ohio had proceeded after the point of order was disposed of. The Chair will hold that the Senator from Ohio can yield the floor only for the purpose of a question, unless he yields it altogether.

Mr. BURTON. Then has anyone any question to ask me?

The PRESIDING OFFICER. The Senator from Ohio will proceed in order.

Mr. BURTON. Mr. President, I think it is now clear to the Senate that the transaction pertaining to the ownership of the Panama Steamship Co. is altogether different from the one proposed here. In the first place, the circumstances of the acquisition differentiate it. The French New Panama Canal Co. owned the franchise and had made very considerable excavations; it also owned a fleet of dredges and material for continuing the work of constructing the canal. In that connection they owned the Panama Railway, or rather a majority of the stock. When the purchase was made for $40,000,000 it vested title in the United States and brought with it the ownership of the Panama Steamship Co.

Another very vital difference is this: The Government was engaged in a colossal engineering enterprise, the construction of the Panama Canal. For the construction of that canal it was necessary to have ready means for the moving of the dirt away from the points of excavation. It was also necessary to have an enormous amount of material brought from the United States or other localities in the form of cement, structural material, and otherwise.

It was desirable that the company bringing the freight should be immediately under the control of the canal commission or officials of the United States. President Roosevelt had, as stated by the Senator from Kansas [Mr. BRISTOW], three courses before him: One to dispose of this railway, which would have subjected the canal commission and the builders of the canal to very considerable embarrassment; another, not to part with the ownership, but to lease it, which would have had a somewhat similar effect; the third, to retain it. I think he decided wisely in adopting the third course. But it is perfectly evident that both the railway and steamship line were mere adjuncts or incidents to this great governmental work. It is true that as an incident freight was carried across the Isthmus by the railway, and freight was carried in the boats; but that does not change the general nature of the transaction.

Now, what are you seeking here? Without any incidental justification it is proposed that the Government go into a business that from time immemorial has been conducted by private parties. There is no comparison between the two enterprises. They are as far apart as night and morning.

I want to suggest to the Senators that it will be difficult, without very accurate analysis, to derive any conclusions from the operations of the Panama Railroad as to the desirability of Government ownership. It was too largely used merely as an instrument of service in the construction of the canal to be any criterion.

If, as it was suggested by the Senator from Iowa [Mr. CUMMINS], there was a high charge for moving that dirt, that is one thing. If there was a low charge, that is another. In the one case the percentage of operating expenses, if it was large, as indicated under Government ownership, carries with it some inference that the enterprise was carelessly or wastefully managed. If the price charged for hauling the dirt was low, it carries an entirely different inference from that first suggested.

There is an interesting field for study in the operation of this railroad and this steamship line. The Senator from Kansas [Mr. BRISTOW] thinks it was managed successfully, and that its defects, such as there were, arose from the influence of politics. If politics could be interjected into this service, into the construction of a canal, and that, too, by the Government, and where everything else was merely incidental, how would it be possible to avoid the interjection of politics into a Government owned or operated steamship line?

At Panama the railroad was engaged merely in transporting material to be used by the Government in the construction of the canal. If politics could there juggle rates and exert a baneful influence, how much greater would be its opportunity for injury in such an enterprise as is contemplated by this measure now before us.

Mr. President, they would be coming here from every State and district in the Nation to juggle figures and obtain favors. Such influences would be exerted to determine the rates on cargoes, say, from a port on the Gulf of Mexico to some European market. These men, with merchandise to ship, would say, "I know Senator Blank very well" or "I am acquainted with Representative So-and-So, and I will write him and see that a certain rate is fixed." We all know that this interjection of political considerations is the bane of enterprises conducted by any government.

Mr. McCrosky, one of the most ardent advocates of socialism and Government ownership, says that the reason why they can not rely upon Government ownership in Great Britain is that they lack proper administrative bodies to conduct the business. Mr. President, I do not believe the time will come when we in this country will possess the proper administrative bodies to settle these questions impartially.

If there is any one thing with which a man in public life is impressed, it is the fact that the influence of an interested, though selfish, few is far more effective than that of the great multitude who are inert and apparently indifferent. I can not look with any complacency upon the idea of either a Government line of ships or a Government-owned railroad. Their management will be so allied to our political life, so certain to fall under the control of a more or less competent bureaucracy, that I do not believe the best interests of the people could possibly be subserved by such an organization.

Probably other Senators who have considered this matter more carefully than I will discuss the question of Government ownership and its relation to this bill.

I repeat, though, that public ownership does not alarm me as it does many. When there is or should be a monopoly, as, for example, in the case of a public lighting plant, a public gas plant, or possibly even a street railway, or when some consideration of public health or morals is involved, as in the inspection of articles of food, I do not fear public ownership. But when you come to apply it generally to this enormous country, with its varied interests and its colossal enterprises, you face a very different situation.

A new municipality might well adopt public ownership in some of its activities; public ownership might serve well within a small area, as in the case of some of the countries of Europe; it may work well in other countries like Germany, with a trained bureaucracy, though in that country public ownership was adopted not because of economic considerations but for reasons of military exigency. The same is true of Russia. There they had first public ownership, then private ownership, and then they returned to public ownership again. Does anybody contend that this was because the Government of Russia, absolute as it is, thought that public management was better? Far from that. They regarded the railways as an agency for carrying troops in time of war. Both in their construction and operation the railroads were deemed such important agencies for both offensive and defensive military movements that the Government insisted upon retaining absolute control of them.

To return now to another phase of the discussion, suppose the Government contemplates running this proposed line of boats for profit. Does anyone here believe for a moment that the cost will not be greater under Government operation than under private management? I do not think anyone will assert that it will not be greater. You would start then with your corporation under that disadvantage. I wonder whether that feature of the bill will not be eliminated. I wonder whether an attempt will be made to conduct the business in this indirect way or whether it will be done directly, with larger expenses

and at greater cost, so that if it is run for profit the charges to the shipper must be greater than those of private concerns.

It may be said that the private owner would ask an unreasonable profit or that the Government, despite the greater cost of operation, would make the rates lower. Now, it is an economic law of universal application that where free competition exists in any field, when considerations of risk and the attractiveness of the business are taken into consideration, profits seek a certain level. If the business of carrying goods by sea is more profitable than that of building of houses and renting them, or if it is more profitable than the manufacture of steel, a larger amount of capital will go into the shipping business and more boats will be constructed. When there is an unusually profitable line of enterprise, capital tends to enter it in excessive amounts.

The existence of monopoly may prevent the application of this principle. But if there is any one business which capital is free to enter and in which men of various nations may engage, it is that of shipping. I do not place much stress on the testimony and the reports relative to conference agreements that boats of different lines shall sail at stated intervals from the same ports and on the same routes, because manifestly that is absolutely essential for the profitable conduct of the business, and, instead of promoting excessive profit, it promotes reasonable rates and gives the shipping public opportunities to send their goods to their destination at favorable times and under favorable circumstances. There is really nothing in that argument. If there should be profit in any other line of business, it is just as likely the argument would be advanced here that the Government must enter that field.

Mr. SHERMAN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Illinois?

Mr. BURTON. I am glad to yield to the Senator for a question.

Mr. SHERMAN. I should like to inquire of the Senator from Ohio where the Government will get the first $5,100,000, which is the 51 per cent? I have been examining the reports of the Secretary of the Treasury, and I find that the Government is about $16,000,000 short on the receipts over the expenditures.

Mr. BURTON. Oh, a little thing like that did not influence those who were framing this bill. I really do not myself see where it is to come from.

Mr. SHERMAN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Ohio yield further?

Mr. BURTON. Certainly.

Mr. SHERMAN. I want to follow that up by stating in the form of a question——

Mr. BURTON. I am willing to yield for a question.

The PRESIDING OFFICER. Does the Senator from Ohio yield for any other purpose than for a question?

Mr. BURTON. I yield for a question only, as I desire to keep within the ruling of the Chair.

Mr. SHERMAN. I will keep within the ruling of the Chair by making an inquiry as a seeker for information.

The PRESIDING OFFICER. The Chair has put the matter in the usual form. Does the Senator from Ohio yield to the Senator from Illinois?

Mr. BURTON. I yield for a question. I am very anxious, Mr. President, to observe the rules as they have been enunciated.

Mr. SHERMAN. I will use my utmost endeavors to do so. I have noticed in the bill—I have to make this preliminary statement in order to render my question intelligible—that it uses the language:

> Such corporation may begin business as soon as 51 per cent of such stock has been subscribed and paid for by the United States.

I inquire whether, in view of that language, the bill does not seem to contemplate that there will be some difficulty in the Government making the payment and that the credit would not be extended, because this payment is required to be made in cash?

I desire to follow that up with a further inquiry. In the event the Government could not lay its hands upon the ready money, so to speak, what is the Senator's interpretation of the paragraph of the President's message on page 7, which was delivered on December 8, 1914, referring to the shipping bill, which is as follows:

> It should take action to make it certain that transportation at reasonable rates will be promptly provided, even where the carriage is not at first profitable; and then, when the carriage has become sufficiently profitable to attract and engage private capital and engage it in abundance, the Government ought to withdraw.

Having that in mind, the Government having paid the original $5,100,000 in cash, which it is required to pay previous to the corporation beginning business, after the operations shall have been put upon something like a paying basis—not that dividends might be paid, because the 49 per cent that might possibly represent private ownership would scorn the thought of sordid profits where a great public benefit is to be conferred—but after the business is put upon a self-sustaining basis, simply paying expenses, if immediately upon reaching that desired point the United States is to withdraw from the business, I wish to inquire what the Government would do in withdrawing? Would it place its interests, the 51 per cent, either of the initial $10,000,000 or of the $30,000,000, which is contemplated to be advanced by the sale of bonds under the Panama Canal act, making a potential $40,000,000, of which the Government would hold 51 per cent—having reached that desired point of self-sustaining operation would the Government in disposing of its holdings put up the stock at public auction, or would it sell through the shipping board its stock? If so, who would the probable purchasers of that stock be? Would they be a favored coterie of those holding the 49 per cent, or some shipping company that might survive governmental competition in this form, or what? Finally would it not wind up with the entire ownership of the public interest in the hands of the representatives of the 49 per cent? If that be so, has not the Government contributed its 51 per cent of the potential $40,000,000?

Mr. SMITH of Georgia. Mr. President, I make the point of order that the Senator from Illinois is simply presenting a series of questions argumentatively and is not really propounding a question for information to the Senator from Ohio.

The PRESIDING OFFICER. Does the Senator from Ohio yield further to the Senator from Illinois for a question?

Mr. BURTON. I am frank to say that the questions already propounded by the Senator from Illinois are somewhat complex, and there is a considerable number of them. I would prefer that they be given one at a time.

Mr. SHERMAN. I was going on the idea, Mr. President, if I may be allowed to explain to the Senator from Georgia, as he is familiar with court practice, that when the opinion of an expert is required——

Mr. BURTON. Oh, I do not claim to be an expert.

Mr. SHERMAN. Sometimes it is necessary to ask a very long question. I have seen them last half a day when doctors of different sciences were testifying on the stand.

Mr. SMITH of Georgia. I insist that the Senator from Illinois is out of order.

The PRESIDING OFFICER. The Senator from Ohio, as the Chair understands, declines to yield further to the Senator from Illinois.

Mr. BURTON. I should prefer that questions be asked separately.

Mr. SHERMAN. I will comply with the ruling of the Chair and will wait until the Senator from Ohio answers the first question I have asked before requesting the privilege of asking another.

Mr. BURTON. What was the first question?

Mr. SHERMAN. Where the Government would get the $5,100,000 required to initiate the enterprise?

Mr. BURTON. I suppose they would take that $5,100,000 out of the Treasury. But there is a provision in the bill that I would like to have the advocates of the measure explain in that connection. It is said that as soon as the $5,100,000 is subscribed——

Mr. LODGE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Massachusetts?

Mr. BURTON. I will ask the Senator to allow me to get through with this. It is said that as soon as the $5,100,000 is subscribed the Government may begin business. How will you do it? I ask the lawyers who are favoring this measure to tell me. This $5,100,000 would have to be subscribed by the United States Government before this corporation could take one single step. Also before this corporation could begin doing business it would have to have its organization and directors; the United States Government can not be a director; there must be persons to act as directors. A part of the additional $4,900,000, at least, would have to be subscribed by individuals before you could perfect your organization.

The Senator from Illinois has made a valuable suggestion in what he has said. He read from a document—Senators know the source from which it came—to the effect that when this business becomes profitable then private capital in abundance will go into it, but everybody tells us here that we are going to carry freight at a loss. Suppose the Government of the United States embarks on this business, and for a year or six months or any other time conducts the business at a loss, will that bring out capital in abundance to take the place of the

public capital? That shows the kind of calculation or motive that is behind this bill.

Mr. SHERMAN. Mr. President——

The PRESIDING OFFICER (Mr. BRYAN in the chair). Does the Senator from Ohio yield to the Senator from Illinois?

Mr. BURTON. Certainly; for a question.

Mr. SHERMAN. I should like to inquire if the Senator can distinguish any difference between the proposition contained in the President's message and a subsidy in effect?

Mr. BURTON. In form only; in its far-reaching effect it is altogether worse than any proposition for a subsidy that has ever come in here. In the first place, it will cost a great deal more; and, in the next place, it will inure to the benefit of certain commodities or localities. That is absolutely certain.

You can not establish a Government line which can carry only a part of the traffic without favoring certain parts of the country and certain classes of products. Just think what would happen before an election with the pressure brought from different portions of the United States, with the demand made insistently: "We know you, Mr. Commissioner. We have been your friends in the past. Our products are rotting in our ports, and we want a Government ship sent there. We want it sent there quickly, and we want our crops carried to a foreign port at a low price."

I do not wish to subject any bureaucrat of the United States Government to that temptation. It may be they would resist, but I am afraid not. On the other hand, if you leave this to private enterprise it will work itself out in a thoroughly normal manner.

Whatever course you pursue, this enterprise is sure to encounter obstacles at almost every step. As I have pointed out, if it were run on a no-profit basis, the owner of a single share of $100 could go into the courts and say: "This corporation is not being properly managed. It is not being managed to create a legitimate profit. My property interests are being disregarded," and there would be trouble.

Should the Government acquire all the stock, which is certainly not contemplated by the terms of this bill, it would amount to direct and complete Government ownership. Should the Government seek to run it on the profit basis, then and in that case the charges would be higher than they would be if private enterprise had control of the business.

In all that I am saying, Mr. President and Senators, I do not wish to be understood as opposing the operation by the Government of Army transports or naval auxiliaries. There is no denying that there is an emergency now created by war. If those hulls are capable of carrying any freight at this time, let that be done; but that can be done without any such measure as this. It would be the natural outgrowth of a plan such as that suggested by the junior Senator from Massachusetts [Mr. WEEKS] in a bill which he introduced, and which, as I understand, has passed both Houses.

Mr. LODGE. Mr. President, would it interrupt the Senator if I asked him a question?

Mr. BURTON. Certainly not.

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Massachusetts?

Mr. BURTON. I yield for a question.

Mr. LODGE. I want to ask the Senator this question. He referred to a clause in this bill. Do I understand him to be speaking to the bill or to the substitute?

Mr. BURTON. I have not examined the substitute with the care with which I examined the original bill. What is the clause to which the Senator refers?

Mr. LODGE. It was not so much in reference to the clause. It was the clause to which the Senator from Illinois [Mr. SHERMAN] referred.

Mr. BURTON. The 51 per cent clause?

Mr. LODGE. Yes.

Mr. BURTON. That is certainly in both bills. I certainly am not in error in that.

Mr. LODGE. But of course the pending motion is to substitute.

Mr. BURTON. Yes.

Mr. LODGE. And, under our rules, where the motion is to strike out and insert there are two subjects presented, because we are at liberty to amend the substitute for perfecting purposes or to amend the bill for perfecting purposes. Therefore, we have two subjects before the Senate instead of one under our rules. As we are living in an era of rigid and—if I may say so—sometimes novel parliamentary procedure, I thought it was well that we should be careful to define precisely what we are talking about.

Mr. BURTON. Mr. President, the Senator is unquestionably right in regard to the exceptional parliamentary situation. As a matter of fact, my examination has been given to the original bill. I should like, however, as a parliamentary inquiry, to ask this question: May I not speak to either proposition?

The PRESIDING OFFICER. The Senator may not know it, but he is discussing the substitute, because that is now pending.

Mr. LODGE. Mr. President, if I may, I should like to be heard for a moment on that point of order.

If this were not a motion to strike out and insert, undoubtedly the only question before the Senate would be the amendment; but this is a motion to strike out and insert, and under our rules it is open to amend both the substitute and the original bill, so that there may be four amendments pending at the same time. That presents two subjects, Mr. President. I think it has always been our practice—and certainly it is clear from that rule—that the two subjects being presented, a Senator who is trying to perfect the substitute or sustaining the substitute addresses his remarks to the substitute. Those who prefer the part that it is proposed to strike out, who prefer the original bill, address themselves to the original bill. I think that has been the invariable practice.

The PRESIDING OFFICER. There is no motion pending except the motion to strike out and insert.

Mr. LODGE. Certainly.

The PRESIDING OFFICER. That is the question now before the Senate.

Mr. LODGE. But that presents two subjects instead of one. There being one amendment pending, if we could not further amend the original bill then I would agree with the Chair, of course.

The PRESIDING OFFICER. Of course that could be done.

Mr. LODGE. That is the only question.

The PRESIDING OFFICER. But the Senator must bear in mind that there is no amendment offered to the original text.

Mr. LODGE. Not yet; but when the motion is to strike out and insert the rules provide that in the case of that one motion, and that alone, there are two subjects before the Senate and not one, as is the universal rule in other cases. In other words, this motion takes it out from the rule which the Presiding Officer has correctly stated.

The PRESIDING OFFICER. When an amendment is offered to the text proposed to be stricken out, then the question which the Senator from Massachusetts raises will be before the Senate; but at present there is but one question pending, and that is the motion to strike out and insert.

Mr. LODGE. Yes; that is quite true. There is but one question before the Senate; but, owing to the peculiarity of the motion, there are two subjects.

Mr. FLETCHER. Mr. President——

Mr. NELSON. In connection with the point of order, Mr. President——

The PRESIDING OFFICER. To whom does the Senator from Ohio yield?

Mr. NELSON. I am not asking a question. It is in reference to the question of order that I am addressing the Chair.

Mr. FLETCHER. Mr. President——

Mr. BURTON. The Senator from Minnesota can certainly state his point of order.

The PRESIDING OFFICER. There is no question of order before the Senate now. The Chair will perhaps pass upon that question of order when it properly comes before the Senate.

Mr. NELSON. What I wanted to say, Mr. President, was that, while the committee has reported a substitute, it has not yet been offered.

Mr. BURTON. I do not know that I can yield to the Senator from Minnesota for a statement. He knows that I would be glad to yield to him if it did not perhaps interfere with the parliamentary procedure.

It may be conceded, Mr. President, on the question of rates, that the present schedule is high; but I especially deprecate the exaggerated figures that have appeared in the public press and, I am compelled to state, have also been given out by some officials of the Government. It has been stated that in some cases rates are ten times as high as they were formerly. If such advances have occurred, they are sporadic and readily explained. I desire to state again the situation at present existing, the like of which was never known before, which has caused an increase of rates. When this condition, growing out of the war, is carefully examined, I ask Senators to show what there is that is abnormal or unusual in an enormous—I use the word "enormous" advisedly—increase in rates.

In addition to the ordinary insurance risk which is carried by shipping companies there is a war risk, varying from three-eighths of 1 per cent per voyage up to—in some instances, I think—as high as 8 per cent. Bear in mind that that is not for the year, as a man insures his house, but for one voyage. On the routes

where the higher rates of insurance are charged, that in itself is enough to justify the doubling or trebling of freight rates. Indeed, the insurance rate for one voyage would be sufficient to wipe out all profits under normal circumstances. A shipowner is confronted with that condition—that if the return on his investment in normal times is 5 or 6 or 7 per cent a year, he will have to pay a larger amount in insurance on a single voyage—since he not only insures his ship but also his cargo—than would be sufficient for a reasonable profit from the 1st of January until the 31st of December. Moreover, $750,000 is the total amount that will be carried as a war risk on both ship and cargo.

Then there is the great number of ships interned or detained within the ports of countries which do not control the seas at the present time. That includes Germany, Austria-Hungary, and Turkey, and to a partial degree it includes Russia, whose boats can not sail without danger of capture, or at least almost certain destruction from mines, except from the ports of Archangel and Vladivostok. To this must be added, under the head of mercantile marine withdrawn from the service, boats in neutral waters which do not dare venture to sea because of the danger of capture. I have a list of German and Austro-Hungarian ships in the harbors of the United States which I will either present or ask to have inserted at a later time. Their number is very large. Under this general head there is also a third class of boats, which sail on established lines belonging to countries having an alleged mastery of the sea—that is, the allies—which are likely to be captured by cruisers or privateers of the enemy. This includes British and French ships, which are unable to sail with the regularity of the days before the beginning of the war. For instance, a boat of the Lamport & Holt Line, plying between New York and Rio de Janeiro—the *Van Dyck*—has been captured by a German cruiser, and English boats on the Pacific coast have also been captured. Indeed, quite a formidable number of British and French ships have been captured by German warships.

There are those three classes of that subject—boats actually interned in home ports, boats interned in foreign ports belonging to Germany, Austria-Hungary, and so forth, and boats belonging to the allies—exposed to danger of capture or destruction. Then we must add to that an element which is very important on certain routes, and that is the scattering of mines near ports.

The constant dread of the mariner is a hidden obstacle. If there is any one cause of accidents which have brought destruction and death, it is a rock hidden below the surface, upon which the boat strikes and goes to destruction. But far worse than any rock is a hidden mine in the sea. In the first place, mines are located in the most unexpected localities. In the next place their enormous explosive power brings quick destruction. Boats sink almost instantly upon striking them. This danger is especially applicable to shipments to ports on the North Sea and in a measure around the Baltic Sea. These mines are even in evidence elsewhere and have caused the destruction not only of boats of the merchant marine but of battleships as well.

Now, there is a fourth reason, which I suggested at the beginning of my remarks this morning and which many familiar with the subject regard as the most serious of all, and that is the detention of boats in the harbors of the countries of Europe and elsewhere by reason of congestion. Instead of making accurate calculations a boat may enter a foreign port with no assurance at the time when it can either unload or take on a new cargo. The delay amounts frequently to weeks and even months. I do not need to enlarge further upon this point. The boats of the country in which the port is located are there for shelter; there are many boats at the docks being used for governmental purposes and having the first rights; but, worse than that, there is an unprecedented scarcity of men available for loading, unloading, and making repairs.

To all these must be added another feature, the requisition of so considerable a share of the merchant marine, especially of England, by the Government for its own uses.

I am not sure that these five reasons exhaust the whole subject. Of course, there is also the derangement in exchanges, which at the beginning of the war threatened to become the most serious feature of the whole situation, and that factor is still of the utmost importance in relation to our shipments to South America. I ask those who are complaining of these high rates to consider these questions.

Would a Government-owned marine make rates any lower unless the boats were run at a great loss? There is no sanctity about a Government vessel or one owned by a corporation formed by the Government when it approaches a mine. Indeed, the pilots who would be employed for this purpose, who would be enlisted by the Government probably from other lines and subjected to new discipline, presumably more lax than that to which they had been accustomed, would be more likely to meet with disasters of this nature than the pilots on private vessels.

In line with what I have been saying, it appears that rates to South America, to South Africa, to Hongkong, and to other localities have risen not more than 25 per cent above those which prevailed before the war commenced, and the same is true of charters to New Zealand and to Australia. Let us take a rational view of this situation. Is there, after all, anything abnormal or unusual in regard to it, and especially is there any talismanic influence in a Government-owned line which would cure in the least that situation?

I wish now to pass to another branch of this inquiry. I am painfully conscious of having treated the subject without thoroughly exhausting it, but I trust whatever deficiency I may have shown will be supplied by those who will follow me in the debate. I have sought to show that there would be no advantage whether these boats were operated on a profit basis or without the expectation of profit.

Before passing from this subject I may say that if the Congress of the United States desires to frame certain regulations for control over rates and agreements—though I believe any rate control is impracticable—it is certainly in line with legislation which we have adopted to give supervision over these conferences and agreements.

In this connection I desire to ask if it is the intention of the Government to enter into conference agreements with private lines. Such seems to have been the policy in the past. We hear attacks, fulminations indeed, against these so-called gentlemen's agreements, and, indeed, other agreements, but let us see what the Government of the United States has done regarding this.

I call attention in the first instance to the hearings before the Committee on Interoceanic Canals of the United States Senate, taken in April of last year. Much of that testimony bears on this subject. Dr. Huebner, the expert chosen by the United States to make an investigation, is testifying. Senator THOMAS, of the Committee on Interoceanic Canals, asked this question:

Senator THOMAS. Suppose that the Government of the United States should construct a line of vessels for commercial purposes through the canal and should operate it for the public benefit. Do you not think that that would result in benefit to the consumer?

Dr. HUEBNER. Why, of course, if a Government line deliberately cuts rates, and has the Treasury of the United States behind it, it can do things that no doubt will lead to a reduction in freight rates. As to whether the consumer will get the reduction, or the middleman get it, is another question.

Senator THOMAS. From what you say, I assume it may be your opinion at least that the opening of the canal, whether it is operated free or whether tolls are charged, will make no difference in regard to the reduction of cost to the consumer? In other words, there is to be no competition on the ocean because it admits of universal competition? There will be no competition on land because there combination is comparatively easy? Is there any way to break that except that the Government itself shall build a line of ships to go into the freight business?

Dr. HUEBNER. Of course the Government line is in the freight business, and the Government line is a party to various conferences at the present time.

Senator BRISTOW. Do you say that the Panama Steamship Line has gone into these conferences to fix rates according to those?

Dr. HUEBNER. The Government line's tariff has been accepted——

Senator BRISTOW. When was that done? Let us have the details of it.

Senator THOMAS. I should like to have the time stated when that arrangement was made.

Dr. HUEBNER. I can furnish that later.

Senator THOMAS. About what year?

Dr. HUEBNER. I will not venture a guess.

Senator THOMAS. I was told it was done between 1909 and 1911, some time.

The CHAIRMAN. What is your best impression about the time?

Dr. HUEBNER. It would be a mere guess, Senator.

The CHAIRMAN. We want that for what it is worth. What is your guess, if that is the best it is?

Dr. HUEBNER. I should say somewhere around 1908 and 1909.

Senator BRISTOW. Do you not know, as a matter of fact, that the general manager of the Panama Railroad Steamship Co. Line refused to go into the conference and refused to make his rates in harmony with the agreements?

Dr. HUEBNER. A conference, Senator BRISTOW, is not necessarily outlined on paper. Most of the conference arrangements are nothing more than gentlemen's agreements. For instance, in the trade to the west coast of South America, via the United Fruit Co., the Hamburg-American Line, the Royal Mail Steam Packet Co., and the Government line, the four lines are acting in absolute harmony. They adopt the same freight tariff. All of the lines have sent us their tariffs, and while the title-page is different, the rest, I think, has come from the same press. The same is true with reference to the traffic to the Pacific coast in connection with the California-Atlantic Line and the Pacific Mail Line. These lines, supported by the Government line, charged the same rates; and the American-Hawaiian Line, which goes via the Isthmus of Tehuantepec, refused to join with the Government, although there is a great deal of testimony to show that the matter was talked over, and that the Government was anxious in a way to get the

American-Hawaiian Line to make some arrangement as to what its rates would be as compared with the rates of the California-Atlantic Line and the Pacific Mail Line.

Senator BRISTOW. Do I understand that the Government tried to get the Hawaiian Steamship Line to go into this agreement, and it refused?

Dr. HUEBNER. It refused to do anything definitely.

Senator BRANDEGEE. What did it do about its rates?

Dr. HUEBNER. I will give you the summary as I have it in the report.

Senator THOMAS. While you are looking for that, can you state the name of the manager of this Government line?

Dr. HUEBNER. No, sir; but I can furnish that very easily.

Senator BRISTOW. Mr E A. Drake, of New York, is the business manager?

Dr. HUEBNER. Yes.

The CHAIRMAN. Doctor, did not the House committee, as a result in part of your investigation and report, recommend that the jurisdiction of the Interstate Commerce Commission be extended to water transportation?

Dr. HUEBNER. Yes, sir.

The CHAIRMAN. If that becomes a law, and the Interstate Commerce Commission regulates the rates on the Panama Canal, will not the Interstate Commerce Commission be influenced in the rates it will fix by the fact as to whether the shipper pays $1.20 a ton to the Government or not?

Dr. HUEBNER. I am inclined to think that in case we have governmental regulation, and if the Government will wait until the steamship companies have fixed their schedules of rates—voluminous schedules of 60 or 70 typewritten pages—fixing the rates on the basis of what the traffic will bear and then say, "Gentlemen, we have your rates, but remember you are exempt from tolls, and we insist that you mark down every rate proportionately," I believe, then, you will accomplish something for the shippers, but it will be done by force.

The CHAIRMAN. Do you think that the Interstate Commerce Commission performs its duty in that intelligent manner you have just described?

Dr. HUEBNER. I had no intention to reflect on anyone.

The CHAIRMAN. Of course, I do not know that you intended really to give us your view as to the efficiency or lack of efficiency of the Interstate Commerce Commission, but if the Interstate Commerce Commission were as inefficient as one might imply from your reference to it, I would vote for its abolition.

Senator THOMAS. I want to say that I do not understand the inference was made by tois witness as the chairman does.

The CHAIRMAN. I understand the witness to indicate that all these shipping companies might be permitted in their own way and to suit their own purpose to agree upon certain schedules, and not until then would the Interstate Commerce Commission interpose, and even then the only recommendation to be made by the Interstate Commerce Commission would be to reduce their rates $1.20 per ton.

Senator THOMAS. I understood the witness to be stating a supposititious situation. Possibly my understanding was incorrect.

Dr. HUEBNER. Of course, at the present time we have no regulation.

The CHAIRMAN. Yes.

Dr. HUEBNER. There is absolutely no control over port-to-port traffic. Regulation of water transportation also must differ in some respects from regulation of land transportation. There are peculiar factors that require a difference to be kept in mind, and the recommendations of the Committee on the Merchant Marine and Fisheries have in mind the regulation of the tariffs of a boat line after they have been promulgated. It is utterly impossible to require a steamship line to serve 30 days' notice before it can change a rate. You must allow a steamship line to make its rate, and then to require that rate to be changed if it is unreasonable We would, for instance, greatly damage our foreign trade if we required foreign steamship lines to serve 30 days' notice before they could alter a rate.

Mr. President, I read this for the light it throws on two phases of this subject. First, the feasibility of control by the Interstate Commerce Commission or any official rate-fixing body, and, secondly, the participation of the Government of the United States in these gentlemen's agreements or conferences.

This was the testimony of Dr. Huebner in relation to the Panama Canal and routes shipping in that locality. I read from the second volume of the hearings on the investigation of shipping combinations under House resolution 587, page 873:

Mr. HARDY. It seems also that all the parties interested talked the matter over about the rates.

Mr. SCHWERIN. A European conference has controlled these coffee rates and has handled them for 20 years, and has made them for 20 years, absolutely.

Mr. HARDY. And then they came in to talk with you about it?

Mr. SCHWERIN. We sent a representative to London; the Panama Railroad sent a man to London. The Government sent Gen. Edwards. He went over as the representative of the Panama Railroad Co. to this London conference, as a party to the London agreement.

The CHAIRMAN. Who are the parties to that London conference?

Mr. SCHWERIN. The Royal Mail, the Hamburg-American Packet Co., the Pacific Mail Steamship Co., the Panama Railroad Co. Steamship Line—

Which is a Government-owned and Government-controlled line—

those are the principal carriers. I do not remember the names of the others, and the Tehuantepec Railroad.

The CHAIRMAN. And the Panama Railroad?

Mr. SCHWERIN. The Panama Railroad and the Panama Steamship Co.

Mr. POST. And the United States Government?

Mr. SCHWERIN. Yes, sir.

The CHAIRMAN. The United Fruit Co.?

Mr. SCHWERIN. The United Fruit Co.

The CHAIRMAN. In that conference the rates were fixed?

Mr. SCHWERIN. The rates to Europe were fixed.

The CHAIRMAN. And the rates to New York?

Mr. SCHWERIN. The rates to New York were practically adjusted, based upon the European rates.

The CHAIRMAN. But they were not fixed to San Francisco?

Mr. SCHWERIN. No; we declined to be governed in our San Francisco rates by the European conference.

The CHAIRMAN. On this question we have information from the consul at Salvador, Central America, to this effect:

"The Pacific Mail Steamship Co., the Kosmos Line, and the steamers of the Salvador Railway Co. are cocarriers with the West Indian and Atlantic combine, mentioned on page 9 of the report of the Royal Commission on Shipping Rings (ed. 4669), 1909, issued by the British Government, and consequently grant rebates, but this is done only under certain circumstances on coffee exportations. There are no other kinds of rebates or special privileges granted. Every year the Pacific Mail Steamship Co. and the Kosmos Line form an agreement for the purpose of fixing rates and tariffs, particularly on coffee exportations, and these rates and tariffs are conformed to by the steamers of the Salvador Railway Co. It may be seen that competition is destroyed by agreement by the first two companies mentioned, which operate steamers between Salvadorian and American ports, and that competition could exist, but does not, between these two companies and the companies last named, which is engaged in the foreign carrying trade of the United States between Salvadorian ports and Salina Cruz, Mexico, because it chooses to conform to the fixed rates and tariffs."

A little later, toward the bottom of page 874, in the testimony of Mr. Schwerin:

The Tehuantepec Railroad is a member of that conference, and the Salvadorian Railroad is the west coast connection of the Tehuantepec Railroad as we are of the Panama Railroad. The Kosmos Line handles this coffee via the Straits of Magellan, and has always been looked upon as a differential route; for instance, if the coffee rate was made 80 shillings, the Kosmos Line would demand that their rate would be, say, 60 shillings, or 20 shillings less than the conference rate, on account of their longer haul. In that conference in London the Tehuantepec Railroad represents the Salvadorian Steamship Co., so if the Tehuantepec Railroad agrees to these rates to Europe, naturally the rates quoted by the Salvadorian Steamship Co. would be exactly the same rate as the representative of the Panama Railroad Co. would agree to in London, and which would be our rate via Panama, we serving Panama, the Salvadorian Railroad serving Tehuantepec. Those rates would be exactly the same, though the Salvadorian hauled the coffee north and we hauled the coffee south. The United States is a party to that, and the United States fixes our rate. They go over to London, and have gone over to London every year.

A little later, on page 875:

Mr. HARDY. The Government, then, of the United States is not a party to any agreement fixing rates to the United States, but is a party fixing rates to Europe?

Mr. SCHWERIN. The Government is a party to the agreement fixing the rates to the United States, so far as business may originate on the west coast of Central America and be destined to New York City, carried over the Panama Railroad and the Panama Steamship Line.

Mr. HARDY. The Government now enters into agreement with these various companies as to rates from South American ports to New York?

Mr. SCHWERIN. Yes; and with us to New York.

Mr HARDY. And with you to New York?

Mr. SCHWERIN. Yes.

Mr. HARDY. So that your rates are agreed on except to San Francisco?

Mr. SCHWERIN. Yes.

Mr. President, I concede the possibility of oppressive tactics and high rates as the result of these conferences, and no doubt the effort to prevent monopoly might be aided by subjecting these agreements to official supervision.

However, agreements of some kind are absolutely necessary in order to conduct the business for the advantage of the public and to prevent destructive competition among carriers by water. Destructive competition would not only affect the carriers, but it also would affect the shippers as well. It is very easy to see the reason for that. A steamship line provides for sailings according to the traffic. There are, of course, numerous daily, weekly, fortnightly, and monthly lines. On nearly all the great routes of the world there is a plurality of lines available for the carrying of the freight.

Suppose there is a certain quantity of freight to be carried, which may be represented by the figure 100, per month, and each boat carries or has a capacity to carry 10 of those units, and there are available 10 ships. What is the sensible thing to do? Manifestly, to have them leave at intervals of three days. Suppose they are managed on a competitive basis, that fierce competition which so many persons worship and think is the essential condition of fair prices and the better accommodation of the public, what would the 10 boats do? Instead of sailing at intervals of 3 days so that in 30 days each one of the 10 sails, making an interval very convenient for the transaction of business, each boat would wait at its wharf until it could snatch enough of the traffic to make up a full cargo. Instead of regularity of sailings and full cargoes for all the boats there would be irregular departures, and some boats would have sufficient loads and others would depart leaving cargo on the dock. In the long run the public would have to pay for this uneconomic conduct of business.

The authors of this report and the advocates of this bill, in the utmost good faith, inveigh against these conference agreements; but tell us, pray, how can you manage this in any other way and meet the demands of the public? If the Government goes into the business, is it going to run a line that will be altogether outside of these arrangements? If so, disaster will confront it at the very start. Not only does this necessity for some concert of action exist on boat lines between the same ports, but it is even more required in providing for the various ports of the world with which there is no established line service.

Suppose, again, there are 10 ships which are available for the South American trade; will they all run between New York

and Rio de Janeiro? That being the case, Rio de Janeiro will be over supplied and other important ports, such as Montevideo and Buenos Aires will have no shipping at all. Take another feature of the situation. There are certain minor ports, on the way where there is enough trade offered to make profitable an occasional call, but boats would be run at a very serious loss if all of them regularly stopped at each of these ports. So owners of the lines come together and make an agreement that one line will stop its boat at one port and another line will stop its boat at another port. There is no other way in which this business can be managed, and managed to meet the demands of the shipping traffic, and conduct the business economically.

So, instead of raising this outcry against these agreements, it is desirable that we, without any preconceived ideas or theories in regard to competition or no competition, should face the facts. The Government has faced the facts, and has itself entered into consultation with the divers lines. That has been a feature of the management of the Panama Steamship Co. The Government, having itself engaged in these conferences, ought not those who favor this bill to revise their arguments as stated in the report in which they placed this sweeping condemnation of all arrangements of this kind?

I find the language I have referred to on this subject in volume 4 of the report of the Committee on the Merchant Marine and Fisheries, a document to which I have already referred The report is the result of an investigation of shipping combinations, made under House resolution 587. I think I am not making an extravagant statement when I say that at least a very large majority of the members of that committee entered upon this investigation with the belief that these conferences were altogether wrong and should be abolished root and branch. The recommendations, beginning on page 415, are as follows:

The facts contained in the foregoing report show that it is the almost universal practice for steamship lines engaging in the American foreign trade to operate, both on the inbound and outbound voyages, under the terms of written agreements, conference arrangements, or gentlemen's understandings, which have for their principal purpose the regulation of competition through either (1) the fixing or regulation of rates; (2) the apportionment of traffic by allotting the ports of sailing, restricting the number of sailings, or limiting the volume of freight which certain lines may carry; (3) the pooling of earnings from all or a portion of the traffic; or (4) meeting the competition of nonconference lines. Eighty such agreements or understandings, involving practically all the regular steamship lines operating on nearly every American foreign-trade route, are described in the foregoing report. (For a full classification of these agreements see pp. 281 to 295 of the report.) The report also presents the economic advantages and disadvantages of steamship agreements and conference arrangements as presented to the committee by steamship-line representatives and the exporting and importing interests of the United States. (For a full classification of the advantages and disadvantages see pp. 295 to 307 of the foregoing report.)

In formulating its recommendations it became apparent to the committee, in view of all the facts presented, that only two courses of action were open for adoption. Either the agreements and understandings, now so universally used, may be prohibited with a view to attempting the restoration of unrestricted competition, or the same may be recognized along lines which would eliminate existing disadvantages and abuses. It is claimed that the adoption of the first course—the prohibition of cooperative arrangements between practically all the lines in nearly all the divisions of our foreign trade—would not only involve a wholesale disturbance of existing conditions in the shipping business but would deprive American exporters and importers of the advantages claimed as resulting from agreements and conferences, if honestly and fairly conducted, such as greater regularity and frequency of service, stability and uniformity of rates, economy in the cost of service, better distribution of sailings, maintenance of American and European rates to foreign markets on a parity, and equal treatment of shippers through the elimination of secret arrangements and underhanded methods of discrimination. (A classification of the advantages claimed as resulting from the aforementioned factors is presented on pp. 295 to 303 of the foregoing report.)

These advantages, the committee believes, can be secured only by permitting the several lines in any given trade to cooperate through some form of rate and pooling arrangement under Government supervision and control. It is the view of the committee that open competition can not be assured for any length of time by ordering existing agreements terminated. The entire history of steamship agreements shows that in ocean commerce there is no happy medium between war and peace when several lines engage in the same trade. Most of the numerous agreements and conference arrangements discussed in the foregoing report were the outcome of rate wars and represent a truce between the contending lines. To terminate existing agreements would necessarily bring about one of two results—the lines would either engage in rate wars which would mean the elimination of the weak and the survival of the strong, or, to avoid a costly struggle, they would consolidate through common ownership. Neither result can be prevented by legislation, and either would mean a monopoly fully as effective, and it is believed more so, than can exist by virtue of an agreement.

Mr. FLETCHER. I ask the Senator from Ohio from what page of the report he is reading?

Mr. BURTON. I am reading from page 416, of volume 4, near the bottom of the page. The report continues——

Mr. SUTHERLAND. Mr. President, will the Senator from Ohio permit me to ask him a question?

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Utah?

Mr. BURTON. Certainly.

Mr. SUTHERLAND. I came into the Chamber in the midst of the statement which the Senator from Ohio is now reading. I should like to inquire what report it is from which the Senator is reading?

Mr. BURTON. It is the report of the Committee on Merchant Marine and Fisheries of the House of Representatives on the investigation of shipping combinations. This report was made in year 1913–14. Some of the volumes are printed in 1913 and some in 1914.

Mr. SUTHERLAND. Does it purport to be a unanimous report from the committee?

Mr. BURTON. I think so. At any rate, if there is a minority report, it favors, I think, more liberality in the making of these agreements than does the majority report.

Mr. SUTHERLAND. Let me ask the Senator from Ohio a further question. Do I understand that the report of the committee favors these agreements?

Mr. BURTON. Yes; it regards them as inevitable and favors them.

Mr. SUTHERLAND. To that extent it favors them?

Mr. BURTON. Yes. I will restate what I have already said for the benefit of the Senator from Utah, that it is my understanding the committee entered upon the consideration of this subject with an almost unanimous opinion against this class of agreements, but they nevertheless came to the conclusion stated.

Mr. SUTHERLAND. Let me ask the Senator if the agreements spoken of in the report apply to the fixing of rates, dates of sailing, and so on?

Mr. BURTON. Yes; to the whole subject.

Mr. SUTHERLAND. That is, do I understand that this committee in its report is in favor of allowing agreements to be made between the shipping companies fixing uniform rates which they shall charge?

Mr. BURTON. It favors allowing them to do nearly all the things which they are now doing under governmental supervision by the Interstate Commerce Commission or some such board as that.

Mr. SUTHERLAND. Does the Senator mean governmental supervision on the part of the United States over the rates to be fixed?

Mr. BURTON. I take it that would be the case at least on lines which have regular schedules. I think their recommendation in that particular will appear in the course of the reading.

Mr. SUTHERLAND. Of course, that would only apply to ships departing from ports in the United States?

Mr. BURTON. That is all it could apply to.

Mr. SUTHERLAND. It could not affect the rates on imports?

Mr. BURTON. I think not, except on American lines.

Mr. SUTHERLAND. Does the committee take the view that that could be done as well?

Mr. BURTON. That will all appear in the further reading of the report; the report goes into that subject quite fully. It continues:

Moreover, steamship agreements and conferences are not confined to the lines engaging in the foreign trade in the United States. They are as universally used in the foreign trade of other countries as in our own. The merchants of these countries now enjoy the foregoing advantages of cooperative arrangements, and to restore open and cut-throat competition among the lines serving the United States would place American exporters at a disadvantage in many markets as compared with their foreign competitors.

That is an illustration of the extreme complication of this question. If we forbid such agreements and other countries permit them, it will inure to the benefit of foreign merchants and to the disadvantage of our own. The report continues:

Steamship line representatives, as well as the patrons of the lines, were almost a unit in emphasizing to the committee the importance and necessity of the aforementioned advantages of agreements and conferences and in asserting that these advantages can only be effected by permitting the several lines in a given trade to cooperate in the regulation of their rates and the expeditious handling of their business. Very few of the many exporters and importers who communicated with the committee were opposed to agreements and conferences in themselves, provided they are fairly and honestly conducted. Many, however, objected to the secrecy with which agreements and conferences are now conducted, and they stated that while the advantages must be admitted they have no assurance and no means of knowing whether the conditions claimed for agreements and conferences are always fulfilled. A considerable number of complaints were also filed with the committee objecting to excessive rates, discrimination between shippers in rates and cargo space, indifference to the landing of freight in proper condition, the arbitrariness in the settlement of just claims, failure to give due notice to shippers when rates were to be increased, refusal to properly adjust rates as between the various classes of commodities, and the unfairness of certain methods—such as fighting ships, deferred rebates, and threats to refuse shipping accommodations—used by some conference lines to meet the competition of nonconference lines. Unfortunately the truth of many of these complaints could not be ascertained because of the confidential nature of the information furnished. As pointed out in the report (p. 306), it seemed to be the general impression among shippers who filed complaints with the committee that the conference lines "so completely dominate the shippers with whom

they deal that these shippers can not afford, for fear of retaliation, to place themselves in a position of active antagonism to the lines by openly giving particulars of their grievances."

It must of course be recognized, Mr. President, that any investigation conducted in that way is exceedingly unsatisfactory. The secret complaints that are sent in can not be verified or disproved, and the conclusions derived from such an investigation are necessarily more or less unsatisfactory.

While admitting their many advantages, the committee is not disposed to recognize steamship agreements and conferences unless the same are brought under some form of effective Government supervision.

Mr. SUTHERLAND. Mr. President, right at that point——

The PRESIDING OFFICER (Mr. MARTINE of New Jersey in the chair). Does the Senator from Ohio yield to the Senator from Utah?

Mr. BURTON. Certainly.

Mr. SUTHERLAND. Do I understand the Senator from Ohio to take the position and to state the position of the committee from whose report he is reading to be that if these agreements are permitted they should only be under governmental supervision, and that that supervision would include the regulation and perhaps, to some extent, the fixing of rates?

Mr. BURTON. I would not go so far myself as to advocate the fixing of rates for ocean carriage, unless it be on certain prescribed lines which are in an exceptional position. If you seek to control the rates, for instance, on tramp vessels, difficulties immediately arise. It would be impossible to meet by fixed rulings the conditions which exist in this trade.

Mr. SUTHERLAND. Now let me ask the Senator——

Mr. BURTON. Let me conclude this first, if the Senator please. It would be especially impracticable to fix rates with permanency. Let me give the Senator from Utah an illustration: Suppose an effort is made to fix a rate from New York to Cape Town. It is fixed at a certain figure, and the public and the shippers adjust themselves to that rate. A tramp boat comes from Cape Town to New York with a very profitable cargo—indeed, they make the trip because of that profitable rate—and on the return voyage, if they can get a cargo, they can afford to carry it for very much less than the usual rate; it would be a profitable transaction to do so. The freight might be of a class that could be shipped to Cape Town provided it were carried at a certain figure, but it would be unprofitable to send it if the rate were above that figure. Would any rational system dictate that there should be a fixed rate in such a case as that?

Now, take the other side of the case. Suppose, in the expectation that freight from Cape Town to New York is abundant, a boat sails for New York with a cargo. It could afford to carry that freight at a very low rate, but would you say that on the return voyage, the object of the round trip being practically to make that return voyage, the boat must comply with a specified rate? There are so many ramifications in the business that it is not only impracticable to fix the rates as well as to fix them in advance, but to do so would not inure to the benefit of trade or to the benefit of the shippers, either. I think it is very clear that that would be the result.

Mr. SUTHERLAND. The Senator from Ohio is opening up a very interesting phase of the subject; and I want, in connection with what he has been saying, to ask him this question: Does the Senator recognize that in sea traffic charges must either be permitted to adjust themselves by the play of competition, which, theoretically at least, will bring the charges down to a reasonable amount, or that they must be regulated by governmental interposition?

Mr. BURTON. Yes; I think that is the case. In fact, there has been practically no governmental interposition even in domestic traffic. Governmental control has been exercised only when the traffic is part water and part rail. There is no regulation of mere port-to-port traffic. I think the time may come when some form of Government regulation will prove desirable.

Mr. SUTHERLAND. If I correctly understand the Senator from Ohio, he leans toward some degree of governmental regulation of shipping rates?

Mr. BURTON. I think there should be at least a reasonable public supervision of conference agreements.

Mr. SUTHERLAND. That brings me to the question which I had in mind to ask the Senator from Ohio from the beginning; but, as I understand, under the ruling which we have had I am not permitted to indulge in very much of a statement, I shall ask the Senator, first of all, as preliminary to the question I finally desire to ask him, whether or not he agrees with the statement which was made by Mr. McAdoo recently in a speech delivered before the Commercial Club at Chicago, Ill., on January 9, 1915, that—

Some timid people have argued that if the Government is interested as a stockholder in a shipping company, and a ship of such company should be seized by a belligerent and brought into a prize court, the sovereignty of the Government would be involved. There is no ground whatever for this view. If the Government operated ships outright, just as it operates the vessels of our Navy, an awkward situation of this character might arise; but where a nation is merely a stockholder, or the sole stockholder, in a private corporation, its sovereignty is not and can not be directly involved if the ships of such a corporation become the subjects of litigation in a prize court concerning any issue which does not involve the Government itself. The Government would stand in relation to such a corporation exactly as any individual stockholder does to a corporation in which he is interested. A suit against the corporation does not necessarily involve the shareholders.

In other words, I ask the Senator from Ohio if he agrees with what seems to be the view of the Secretary of the Treasury that, if the Government goes into this business as a stockholder of a corporation, the corporation would then have no different legal standing than any other private corporation engaged in the same business?

Mr. BURTON. Mr. President, it seems to me we must go to the essence of things rather than to the form. You can not say that a steamship line organized on such a plan as this is the same as a private corporation; there is a very material difference.

Mr. SUTHERLAND. But assuming, for the sake of the argument, that the position of the Secretary of the Treasury with reference to this matter is correct—to which, I understand, the Senator from Ohio does not care to commit himself—then I ask the Senator from Ohio whether, in his judgment, the Government of the United States would not be in a very peculiar situation, to say the least, if it undertook to regulate rates, being itself an owner of a corporation vitally interested in the business?

Mr. BURTON. It certainly would.

Mr. SUTHERLAND. And attempting to regulate rates that must govern its competitor, and, in substance and effect, itself?

Mr. BURTON. Certainly, because the United States would be an interested party, whether it owns steamships exclusively or whether it is the predominant stockholder in a company that owns steamships. No judge should sit in his own cause.

To continue reading the report—

To permit such agreements without Government supervision would mean giving the parties thereto unrestricted right of action. Abuses exist, and the numerous complaints received by the committee show that they must be recognized. In nearly all the trade routes to and from the United States the conference lines have virtually a monopoly of the line service.

In reading this report I do not wish it understood that I concur in it in its entirety.

"All monopolies," as pointed out in the foregoing report (p. 304), "are liable to abuse, and in our foreign carrying trade the monopoly obtained by the conference lines has not been subjected to any legal control. While carriers by land are supervised and must conform to statutory requirements in the matter of rates and treatment of shippers, steamship companies, through private arrangements, have secured for themselves monopolistic powers as effective in many instances as though they were statutory. Even granting the advantages claimed for steamship conferences and agreements, all may be withdrawn in the absence of supervisory control without the shippers having any redress or protection. The lines are under no legal obligation to continue these advantages. They exercise their powers as private combinations and are apt to abuse the same unless brought under effective Government control."

The committee believes that the disadvantages and abuses connected with steamship agreements and conferences as now conducted are inherent, and can only be eliminated by effective Government control; and it is such control that the committee recommends as the means of preserving to American exporters and importers the advantages enumerated, and of preventing the abuses complained of.

"The consensus of opinion (see pp. 307 to 308 of the report)," as expressed in the testimony of witnesses and in the numerous communications received by the committee from shippers, "is overwhelmingly in favor of some form of Government regulation of steamship carriers engaged in this country's foreign trade. Nearly all the steamship line representatives who appeared before the committee expressed themselves as not opposed to Government supervision which is reasonable and which is limited to the requirements of full publicity and approval of all agreements or arrangements which steamship lines may have entered into with other steamship lines, with shippers, or with other carriers and transportation agencies. On the other hand, the shippers who appeared as witnesses or otherwise submitted recommendations for proposed legislation were in the great majority of instances favorable to a comprehensive system of Government supervision sufficiently broad to embrace the regulation of rates without actually fixing them, the approval of contracts, agreements, and arrangements, and the general supervision of all conditions of water transportation which vitally affect the interests of shippers. While few of the shippers who communicated with the committee by letter (and the same may be said of witnesses) attempted to specify the details of their recommendations, they are almost a unit in stating that they are convinced of the desirability of having the Interstate Commerce Commission, or a similar commission, exercise a general supervisory power over foreign water carriers and enforce among the conference lines at all times the various contentions which they have claimed for themselves during the hearings before the committee. It is noteworthy that only five of the many communications received by the committee, which were unfavorable to steamship agreements and conferences as now conducted, display an attitude of hostility toward Government regulation. In fact, many of the communications received from shippers make it clear that the writers regard the contentions of the conference line representatives as advantageous to shipper and shipowner if they are honestly and fairly carried out, but state that their experience has been to the effect that once the combination of lines is established it is apt to be used in an

arbitrary and unfair way by favoring some large corporation or friend to the detriment of other shippers. Such discriminations and arbitrary treatment, it is believed, can only be eliminated by the establishment of some legally constituted authority which is empowered to hear complaints and to order the discontinuance of abuses."

Relative to such supervisory control by the Government of steamship carriers in the foreign trade of the United States, the committee offers the following recommendations:

I ask especial attention to these recommendations:

(1) That navigation companies, firms, or lines engaged in the foreign trade of the United States be brought under the supervision of the Interstate Commerce Commission as regards the regulation of rates, the approval of contracts entered into with other water carriers, with shippers, or with American railroads and other transportation agencies, and such other conditions of water transportation as affect the interests of shippers. The committee has had under consideration the recommendation of a separate commission for this purpose, but believes that in view of the close relations existing between rail and water transportation it would be best to intrust the supervisory control to the Interstate Commerce Commission. If found necessary in view of the added duties involved in the extension of the Interstate Commerce Commission's jurisdiction to water transportation in accordance with the recommendations to follow, the committee further recommends that the membership of the commission be enlarged.

(2) That all carriers engaged in the foreign trade of the United States, parties to any agreements, understandings, or conference arrangements hereinafter referred to, be required to file for approval with the Interstate Commerce Commission a copy of all written agreements (or a complete memorandum if the understanding or agreement is oral) entered into (1) with any other steamship companies, firms, or lines engaged directly or indirectly in the American trade, or (2) with American shippers, railroads, or other transportation agencies. All modifications and cancellations of such agreements or understandings as may be made from time to time should also be promptly filed. The commission should be empowered to order canceled any such agreements, or any parts thereof, that it may find to be discriminating or unfair in character or detrimental to the commercial interests of the United States.

(3) That the Interstate Commerce Commission be empowered to investigate fully complaints charging the unreasonableness or unfairness of rates or to institute proceedings on its own initiative and to order such rates changed if convinced that the rate under consideration is unreasonably high or discriminating in character as between shippers or ports or between exporters of the United States and their foreign competitors, and to order restitution to shippers of all sums collected in excess of reasonable rates. This recommendation is also intended to extend to the supervision of freight classifications used by the lines, and the investigation of complaints charging refusal on the part of any carrier to properly adjust the rates between classes of commodities.

The committee realizes that the steamship business differs essentially from that of the railroads (for those differences see pp. 309 to 311 of the report), and that it might prove injurious to both shipowners and American exporters to require the lines to file their rates and not be permitted to lower the same until after a stipulated period of notice to change rates had been given. On the other hand, the committee feels that, in the absence of Government control, steamship combinations may in many instances have it within their power to arbitrarily raise rates to an unreasonable degree, both as regards the general level and in the case of particular commodities; or, if they so desire, to fail in maintaining rates from the United States to foreign markets on a parity with those from other countries. It is not the purpose of this recommendation to prevent steamship lines from promptly lowering their rates to meet competitive conditions and thus to favor American exporters, who, in competing with foreign markets, often find it necessary in order to close their contracts to have quoted an immediate and favorable rate; but the purpose of the law should be to protect the shipper against any unreasonably high rate which the combination lines may have within their power, by virtue of their agreements and conference arrangements, arbitrarily to impose in the absence of Government supervision and control.

(4) That rebating of freight rates to shippers be made illegal and that, with due regard to the proper loading of the vessel and the tonnage available, discrimination between shippers or ports, in the matter of rates and space accommodations, be prohibited. In this connection it is the belief of the committee that water carriers should be required to charge equal rates to all shippers, irrespective of the volume of freight offered for shipment.

(5) That the Interstate Commerce Commission be empowered to investigate fully all complaints (or to undertake such investigation on its own initiative) charging (1) failure on the part of any carrier to give reasonable notice of increase in rates, (2) unfair treatment of shippers in the matter of cargo space and other facilities, (3) the existence of discriminating or unfair contracts with certain shippers, and (4) unfairness in the settlement of claims and indifference to the landing of freight in proper condition. In this connection the commission should be empowered to order the discontinuance of all unfair or discriminating practices which it may find to exist, and to adopt whatever measures it may deem necessary to protect the complainant against retaliation.

(6) That the use of "fighting ships" and deferred rebates be prohibited in both the export and import trade of the United States. Moreover all carriers should be prohibited from retaliating against any shipper by refusing space accommodations when such are available, or by resorting to other unfair methods of discrimination because such shipper has patronized an independent line or has filed a complaint charging unfair treatment, or for any other reason.

(7) That adequate penalties be provided to correct and prevent the abuses hereinabove set forth.

That which follows pertains to the domestic trade, and so is not applicable here.

I do not believe all the recommendations of this committee would prove practicable. I think what they propose involves a minuteness of control over shipping, based on the analogy of control over railroads, which will be found to be impossible without seriously hampering the business. I have read this, as an expression of the views of a committee of the House of Representatives, to show that there is another way than that proposed by this bill of taking care of conference agreements and providing fair rates. I have read it, also, as a contradiction of the sweeping condemnation of conference agreements contained in the reports and speeches in favor of this bill. It may be all very well in theory to oppose them, but it has proved utterly impracticable; and the Government of the United States, through its officials, has sent its representatives to London, and has engaged in conferences with other lines.

Why, Mr. President, I wonder what would happen if this Government went into the business on the scale proposed by this shipping bill? I am afraid it would be working at cross-purposes; that, side by side with the unanswerable, the powerful arraignment of "big business" which we so often hear, much of which is deserved, we should find the Government itself in "big business," doing the same things, following the same paths which have been so frequently denounced in the Hall of the Senate and the Hall of the House of Representatives. Save us, Mr. President, from that day. Let these denunciations go on in full force, colored with eloquence. Let us not have a situation under which it would be possible for some one to rise in his place and say, "Why, your Government is doing just the very things you are denouncing."

I say this because many of us are fond of that type of oratory, and I am not endeavoring to stop its flow. The Government has gone and will have to go into conference agreements, otherwise it would be unable to do business profitably for itself or for the benefit of shippers.

Passing from this inquiry, Mr. President, I now come to another.

Mr. TOWNSEND. Mr. President——

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Michigan?

Mr. BURTON. I shall be glad to yield for a question.

Mr. TOWNSEND. For a question; yes.

Mr. BURTON. Of course, that is understood. The Senator from Michigan may not understand that there seems to be in vogue to-day a certain degree of strictness in the enforcement of the rules, which has not been the recognized custom in the past.

Mr. TOWNSEND. I understand; and my object is to ask a question, which I shall endeavor to make as clear as I can.

As I understand, one of the objects of the advocates of this bill is to enlarge our merchant marine, the President's message stating that we are lacking in ships for carrying abroad the commerce of the country. I should like to ask the Senator if he thinks, considering everything, that if this bill is passed it will increase our merchant marine, having this fact in view: Either the Government will have to go into all of the carrying business or else ships will have to be built sufficient to carry the commerce. In other words, the object is to encourage shipbuilding. Does the Senator believe that the great capital which is necessary in the construction of ships could be obtained from any source for private enterprise if that capital understood that the Government was to enter into competition with the boats after they were constructed, understanding, further, that the whole object of Government ownership of the boats is to reduce the rates, which the President insists are unduly high at the present time? Does the Senator believe, I say, that ships could be built outside of those constructed by the Government, and, therefore, would the merchant marine of this country be enlarged, as indicated by the proponents of the bill?

I ask this question because it seems to me that it really goes to the vitals of the whole project; for, as I understand, the President and those who advocate this measure do not intend that we shall continue permanently in the shipping business, but that we are to get out of it at some time. The question comes up, Who will take the ships that the Government owns if, as the Senator says, and as I believe to be true, they will have to be operated at a loss if operated at all?

Mr. BURTON. Mr. President, I have already dwelt somewhat upon that subject; but perhaps it can not be too frequently discussed, because it is of the most vital importance.

I feel sure that the threat of this bill has brought a paralysis upon private investment in the building or the purchasing of ships, and that it will continue until the question is decided, and that if the Government does go into the building of ships there will be a cessation of investment by private enterprise in shipping property. The greatest source of discouragement will be the uncertainty. We take it for granted here that rates are going to be lowered. Perhaps they will be; I presume they will be even at the expense of the taxpayer; but suppose they are not. How does any private owner know what the Government is going to do? Suppose capitalists at Savannah thought of putting on a line to carry the cotton of Georgia and the South to Europe. They might estimate the cost and find that it would be profitable. Possibly they would conclude to add the carrying of passengers, so as to give to the city new advantages and

new distinction. But along comes this proposition. Here is the Government of the United States proposing to go into the shipping business, and they do not know but that the boats will run right along parallel with the line they are projecting. No man would feel safe either as to the scale of rates or the route such boats would establish.

I can not too often bring to the attention of the Senate what I have already said, that the effect of this proposition has already been felt in the country. Something like 101 boats entered American register soon after the passage of the bill of last August providing more favorable terms. Are any of those boats being taken over now? How many, as compared with the 101, have been given American register in the last two months, since the agitation for this bill began, and especially since it has been known that the administration seems to insist upon it more than upon any other measure before this Congress? When people feel that a reckless competitor may enter the field, with the Treasury of the United States behind it, and engage in a business which heretofore has been left to private enterprise, who is going to invest? Who has invested? That is the practical test. I think, if all the facts were brought out—indeed, I know, Mr. President—that options would have been sought upon shipping that would cost as much as $40,000,000, the amount initially provided in this bill, which would be brought under American register if there were any assurance that this bill would not be passed. That is the situation.

I think that answers the second branch of the Senator's question as to what would result.

Mr. DU PONT. Mr. President——

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Delaware?

Mr. BURTON. I yield for a question.

Mr. DU PONT. I should like to ask the Senator from Ohio what, in his opinion, would be the effect on the present situation, assuming that there is a dearth of ships to carry our products abroad, as claimed, if the Government were to guarantee for a term of years a reasonable subsidy to private individuals for carrying the mails?

Mr. BURTON. For carrying the mails alone?

Mr. DU PONT. For carrying the mails, or possibly for other purposes. That would depend largely upon the amount of the subsidy or the particular conditions involved.

Mr. BURTON. The carrying of the mails is one thing and the carrying of freight is another. For carrying the mails good-sized boats of high speed are needed that ply on established lines between certain ports.

The assistance of boats for the carriage of mail means one thing. It means, of course, an improvement in the passenger communication between the two countries. It means an improvement in quickness of communication. It may facilitate the transportation of the higher grades of freight. But that is not the problem which is troubling us just now. The problem is how to supply boats of a carrying capacity of, say, 10,000 tons, of 10 or 12 knots' speed, for the carriage of ordinary freight, which can be operated at far less cost than the faster boats. For instance, with the most improved type of quadruple-expansion engines a boat of this character can be operated on a consumption of 25 tons of coal a day. That amount would hardly kindle the fire under the boilers of the *Mauretania*. What we want is that class of carriers, not expensively built, which can be operated cheaply.

I do not say that there might not be an improvement in mail communication. I think perhaps the greatest need in that regard is on the Pacific coast. There is fairly good provision already on the Atlantic coast to South America and to other countries. There is pretty good communication from San Francisco, directly or indirectly, to New Zealand, Australia, China, and Japan. So, to come to an answer, I am not ready to concede that a subsidy to mail steamers is required.

Mr. BRISTOW. Mr. President——

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Kansas?

Mr. BURTON. Yes.

Mr. BRISTOW. Let me inquire of the Senator if it is conclusive, as the Senator seems to demonstrate, that these lines could not be profitable as an investment, and, if there are already available sufficient ships to carry the available commerce, what interest is to be served primarily by the purchase of these ships, in the opinion of the Senator?

Mr. BURTON. Under present conditions there is perhaps not sufficient shipping to carry the commerce of the country, for the perfectly obvious reasons so often stated. But as to the other part of the Senator's inquiry, as to how they are going to get any additional ships, the only way, so far as I am able to judge, is by taking chances on questions of neutrality.

Mr. BRISTOW. Mr. President, again, if there are not a sufficient number of ships to carry the commerce now available, wherein does this bill help that condition? It does not provide for the construction of any additional ships.

Mr. BURTON. I do not see that it does in any particular whatever.

Mr. BRISTOW. Mr. President——

The PRESIDING OFFICER. Does the Senator from Ohio yield further to the Senator from Kansas?

Mr. BURTON. Certainly.

Mr. BRISTOW. In view of the fact that 49 per cent of the stock of the company which owns the ships is to be held by private individuals, and that stock may be in the hands of foreigners as well as Americans, as I understand it, in what way will that avoid the violation of any laws of neutrality that can not now be avoided? Does not the 49 per cent make these ships subject to all the laws of neutrality that will apply to any line in private ownership?

Mr. BURTON. I think it certainly would. They would have the same rules applied plus a very great embarrassment, because it would appear, if one of these ships owned by this corporation carried contraband, that the Government itself was in complicity and a sort of partner. No advantage, but a further disadvantage, arises from the greater possibility of complication.

No question in connection with this whole bill causes me quite so much perplexity as that of the status of a line owned by the Government in relation to questions of neutrality. The framers of the bill, recognizing this situation, have proposed amendment to the effect that they be regarded as private ships. But you can not by writing into the bill a declaration of that kind relieve it of its substantive reality.

Mr. BRISTOW. Mr. President——

The PRESIDING OFFICER. Does the Senator from Ohio yield further to the Senator from Kansas?

Mr. BURTON. For instance, if the Senator will permit me, if a private shipowner carries contraband out of the United States to a port in Europe, he takes his chances. If he is captured, he forfeits his cargo, at least; but the act of a private individual in carrying contraband does not imply an act of hostility on the part of the Government. If, however, the Government of the United States should do anything of that kind, it would be an act of hostility. There is a very wide distinction between the neutral duty of a State and that of a private individual.

Mr. BRISTOW. Now, let me inquire again. Suppose one of those ships is under suspicion by one of the belligerent powers and violates, according to its interpretation, the laws of neutrality, and is taken. What would be the obligations of our Government so far as that ship is concerned?

Mr. BURTON. If we are to accept the declaration that these ships would have the same status as private ships, there is no distinction in the course the Government would pursue. That there would be a practical difference involving the sovereignty of the United States it seems to me nobody can deny.

Mr. BRISTOW. Let me inquire again: Suppose one of these ships should be found to have on board contraband material, and that it should be taken into a prize court and be confiscated and sold, that would be the property of the United States; at least 51 per cent of it. What, then, would be the policy of our Government in regard to that transaction?

Mr. BURTON. The cargo, as the Senator from Kansas knows, might be confiscated and not the ship. A condition of irritation at least between our country and the country making the capture would be created which would not be created in case of a mere private ship.

Mr. BRISTOW. Suppose the ship was confiscated and sold, what accounting would be made for the investment the Government has in that property?

Mr. BURTON. That depends on their system of bookkeeping; but the loss would fall on the taxpayer.

Mr. BRISTOW. And if a claim was made for indemnity, that would be made against the foreign Government?

Mr. BURTON. Against the foreign power that condemned it.

Mr. BRISTOW. Suppose that was resisted?

Mr. BURTON. We have, of course, now a treaty with England and France under which any matter of that nature must be referred to a commission of inquiry, and that commission of inquiry must make a finding. The finding of the commission of inquiry is not final on either of the parties, but there must at any rate be delay until it renders its decision. In any event, it would endanger our peaceful international relations.

Mr. BRISTOW As I understand the Senator, there are not now, in his opinion, a sufficient number of ships to handle the commerce?

Mr. BURTON. Not available.

Mr. BRISTOW. May I inquire further if the ships belonging to belligerent powers that have been driven off the seas because of this war were again put into the service, there would be abundant shipping?

Mr. BURTON. There would no doubt be abundant shipping.

Mr. BRISTOW. Does the Senator understand this to be a scheme, then, by which it is sought to evade the laws of neutrality by involving our Government in this controversy between European powers?

Mr. BURTON. I have no exceptional means of judging of the motives of the framers of the bill. That may have been the purpose.

Mr. BRISTOW. Then, if the Senator will permit another inquiry, if it is not for the purpose of evading the laws of war which have driven these merchant ships off the sea and thereby bringing them back into activity, what is the purpose of this legislation?

Mr. BURTON. To be fair to the other side, I suppose they had hoped in some way to lower freight rates.

Mr. BRISTOW. But, if the Senator will pardon me——

The PRESIDING OFFICER. Does the Senator from Ohio yield further?

Mr. BURTON. Certainly.

Mr. BRISTOW. The Senator does not answer the question I am getting at. If there are not sufficient ships now available because of the war, this is a means sought to bring into active commerce ships that can not engage in commerce now?

Mr. BURTON. The interned ships, you mean, which have been driven from the sea?

Mr. BRISTOW. Driven from the sea. Is it not the purpose of this bill to bring those ships out and put them into the commerce of the world, a commerce which they can not now engage in? If that can not be done without violating the laws of neutrality, then how is this bill to secure any additional ships?

Mr. BURTON. In no other way. There is no way to secure ships which private owners could not secure; at least I see no other way. If anyone should think of another way, I would be glad to have him state it. Practically every available ship except those interned is engaged in trade now.

Mr. GALLINGER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from New Hampshire?

Mr. BURTON. Certainly.

Mr. GALLINGER. I will ask the Senator if it is not in contemplation that the Government may build ships, but inasmuch as private parties can not build ships in competition with those built in foreign shipyards, as it notoriously costs the Government more to build them than it costs private parties, is there any probability of the Government building them?

Mr. BURTON. That proposal does not seem to me practical; certainly not as a means of meeting an emergency. In the first place, a year would be a short time in which to build any ship that would be suitable for this trade. It is more likely that it would take 18 months. Who knows but that the war will come to an end before that time? Events might occur which would release all the ships that are interned.

Then, again, as the Senator from New Hampshire [Mr. GALLINGER] has suggested, if the Government goes into this business of building ships it must do it on an immense scale, because private parties are not going to build contemporaneously with them.

Mr. President, I am speaking earnestly on this subject, and I am afraid I am speaking so long as to weary the Senate, but it is because I have very decided convictions that this measure is wrong. The reason that was given for it in the first instance—empty markets in South America, lack of shipping to South America—has been proven to be based on an absolute misconception of conditions there. There are no empty markets. It is not lack of shipping, it is lack of finance, lack of credit, lack of means for conducting exchanges.

I will now take up another branch of this inquiry, and I may say, I have already spoken on it, and I will refer to it only briefly:

"7. Will boats be required to follow definite routes; that is, will the plan be to establish a line of steamers with regular schedules, or will the steamers be left free to accept charters at will? If so, will they not engage in the world's random trade and not offer any definite assurance of promoting American exports and imports?"

Is the Government going to put on a line of tramp steamers or is it going to put boats on regular lines? How can the Government go into this business unless it goes to all the ports of the United States and makes arrangements for terminal facilities? Everybody knows that that would be practically impossible. If these boats are put on regular lines, say, between New York and Liverpool, what would happen? The chances are that under present conditions they would not have anything to do. They would find that business fully provided for, that ships are available. Possibly the plan would be adopted of putting down the rates and making them unprofitable; but even all the ships that could be purchased with $40,000,000 could not furnish facilities for freight and passengers between the United States and the United Kingdom; and the effect of such a line would be almost nil.

Now, suppose you do not do that. Suppose they ply here and there, wherever a port may be selected. It is unthinkable to me, in the first place, that the Government of the United States is going into the business of managing tramp steamships. But suppose, with watchful eye, this shipping board undertakes to look all over the United States to determine where ships are needed and send them where the trade requires. When you come to the practical management of that undertaking it will not prove easy. Suppose there is a boat at New York and the demand for tonnage is most pressing at Seattle. Will you send your boat from New York around to Seattle? More and more boats tend to run along established lines. I made reference a few days ago to ships which are termed "glorified tramps," which were originally wont to take charters and freight wherever they could obtain them, from one port to another, and go on the next voyage with no certainty, but which finally developed certain routes and approximate to the condition of regular lines.

If it is impractical to operate tramp boats, again I ask along what regular lines will they be operated, for it is perfectly manifest that only a small part of the trade can be cared for. Will the administration favor one part of the country to the exclusion of others? Are you going to leave the Pacific coast alone and provide lines of Government boats from the Gulf to the Atlantic ports? Are you going to pick out Portland or Norfolk or some favored port and send your boats out from that port? Will it not be true that every other port in the country will have reason to complain?

Under normal laws of trade boats will go in accordance with the demand and supply and the problem will settle itself. But with a political board subject to the importunity of communities, of business men and politicians of influence, I can not conceive how such a line could be managed.

Mr. SHERMAN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Illinois?

Mr. BURTON. I do.

Mr. SHERMAN. I inquire if the Senator has any information as to the tonnage from south Atlantic and Gulf ports as compared with north Atlantic and Pacific ports?

Mr. BURTON. I do not believe I could give that. It may be found, however, in the Statistical Abstract. Of course New York in its foreign tonnage, especially in value, is far ahead of any of the others. I should suppose that tonnage shipped out of Norfolk would come next on the Atlantic coast, although I do not know. Philadelphia may be almost up to New York.

Mr. SHERMAN. May I make a further inquiry?

The PRESIDING OFFICER. Does the Senator from Ohio yield further?

Mr. BURTON. In fact, I have not the figures for foreign tonnage in mind.

Mr. SHERMAN. That could be ascertained very readily by refering to the reports?

Mr. BURTON. Yes. The tonnage is much larger, of course, on the north Atlantic than it is on the south Atlantic or the Gulf. That does not mean, however, that the south Atlantic and the Gulf tonnage is not very important, because it is largely of cotton, a valuable product.

Mr. SHERMAN. May I inquire——

The PRESIDING OFFICER. Does the Senator from Ohio yield further?

Mr. BURTON. Certainly.

Mr. SHERMAN. In the event of the close of the European war there would be a very great release of export cotton. That would call for considerable carrying capacity outward bound for the Old World. Does the Senator think that a shipper in Philadelphia or New York would be likely to get any of the Government carrying capacity for merchandise as against cotton in this administration?

Mr. BURTON. I really do not know. I presume the loudest complaint has come from cotton shippers. If there is anyone who is gifted enough to manage such a shipping board without complaint, not merely loud but deep, coming up from all over the United States, that man is entitled to admiration. It simply can not be done, and it shows the absurdity of trying to

settle by a Government board what the custom of generations has left to the great law of supply and demand. What is the reason why a cotton cargo is so scarce? It is not so much the lack of boats. There is a very general misapprehension on that subject, because at the beginning of the war the German and Austrian demand for cotton was shut off, and the English spinners got together and decided they would not purchase any. That is one reason.

I have a letter here showing that a vessel was waiting down at Galveston for a cargo. She could not get it, and went off elsewhere. This information comes from a shipping agent at Galveston. In this connection I will read from a letter written in the form of questions and answers as follows:

Q. Will you kindly advise me to what extent the exportation of cotton and grain has been interfered with by the war, and whether it has been possible had the demand existed to send out greater quantities of cotton than have gone?

A. The exportation has been materially interfered with by the war, but we believe principally through the disorganization of financial channels in August and September. Infinitely more could have been sent out had the demand existed. We may cite the case of steamers which left here in ballast because no cargo was to be had, although they offered to take cargo at rates lower than current in July before the war broke out. The steamship *Barrington Court* proceeded in ballast through the Panama Canal to Portland, Oreg., to load a cargo of wheat for Europe.

It was there in Galveston ready to take on wheat or cotton or any other cargo that presented itself, but this disposition of the English buyers not to buy cotton and the closing of the German market prevented her from making the trip. Since then German buyers have been eager to purchase, but there exists a mined water route, a fact to which I have frequently referred; and I do not see how a boat could carry a cargo of cotton to Genoa and then ship it by rail, owing to the expense of the rail shipment.

Mr. KENYON. I wish to ask the Senator from Ohio—I know he dislikes to have his time taken up by questions——

Mr. BURTON. I am glad to yield to a question at any time, either from the Senator from Iowa or from any of my colleagues.

Mr. KENYON. The argument the Senator was making as to localities and the difficulty involved in this matter because of the political aspect seems to me a very powerful argument. I should like to ask his opinion as to substituting for this board, consisting of the Secretary of the Treasury, the Postmaster General, and the Secretary of Commerce, some kind of a nonpartisan board to handle the matter, such as the Interstate Commerce Commission. Would that to any extent minimize the dangers which the Senator has pointed out?

Mr. BURTON. I do not think it would at all change the international phase of the question. As to the working conditions of the board, the Senator from Iowa can tell just as well as I. It is that old question between a nonpartisan board or a bipartisan board and a strictly political board made up of officials of the Government, such as Cabinet officers. There are certain advantages both ways.

Mr. KENYON. The Interstate Commerce Commission, at least until recently, has been supposed to be safe from any influences of any character. It has been my thought that there might be a board similar to that, which would be nonpartisan, that could deal with this matter without some of the objections to which the Senator from Ohio has alluded.

Mr. BURTON. So far as the domestic question is concerned, I think it would be less likely to be subject to political influences, because presumably neither they nor anyone who would appoint them is liable to be a candidate for office. They would not then be under supreme obligations for political favors; but it does not seem to me that a change in the board from three Cabinet officers to a nonpartisan commission of four would make any very vital difference in this proposition.

Mr. KENYON. Would it not be better, in the Senator's opinion, than the present plan suggested in section 6?

Mr. BURTON. As between two evils, I would be inclined to prefer the lesser. I do not say that either of these boards would be an evil; I should have the highest esteem for those whom this bill contemplates for appointment and for such other board as might be chosen. But the system is wrong; the bill is vicious, and you can not cure its defects by creating a nonpartisan board to enforce it.

Of course the Senator from Iowa knows that that very same question arose in regard to the Federal Reserve Board. Some desired a majority representation of one party and a minority representation of another party; but, after full consideration, it was decided that it would be best to entirely eliminate the question of politics and appoint men because of their qualifications. That is somewhat different from this, because here these three Cabinet officers, who are proposed——

Mr. JONES. Mr. President——

Mr. BURTON. I yield to the Senator from Washington.

Mr. JONES. Is it not true that already very serious charges have been made against the Federal Reserve Board on account of politics?

Mr. BURTON. I am not yet ready to believe those charges.

Mr. JONES. I do not ask the Senator to say whether or not he believes them. I simply asked, Have not charges been made, and some of them from quite responsible sources, too?

Mr. BURTON. Yes; I think that is so. Some one has written me saying that that board assessed one of the regional banks $50,000, and they could not see what good the $50,000 had done. I suppose it was to pay the expenses incident to organization.

Now I come to another question which is most vital. From what source is the Government to secure these ships? If by construction, can they be secured soon enough to relieve the so-called emergency? If by purchase, then from whom?

Where will the Government get these ships? If there are any foreign ships that can be obtained without the violation of neutrality, every one of those is available for purchase by private capital, and options have been taken not only on single boats but on whole lines of boats—which have not been accepted because this bill is pending.

Talk about stimulating our merchant marine—stimulating it and making it easier for the farmer. Instead of helping the American flag on the seas, instead of helping the farmer and the exporter, you have put the worst obstacle in the way of them all by proposing a system of ownership which frightens away private enterprise, which promises inefficiency, and to which apply all of the deficiencies of public ownership and public operation. Where are you going to get the ships? If they are available anywhere, private enterprise will take them or their owners will bring them here.

The first day I made some remarks on this subject I sought to show the effect of one very important factor in this situation; that is, the reluctance of steamship owners, even in the face of the promise of higher rates and larger cargoes, to withdraw their ships from established routes, such as the lines to China, to Japan, and to India. Probably there is now a surplus of boats plying on those routes; there are probably more boats going to Cape Town than are needed, and some boats running to South America have not yet decided to withdraw from that trade in order to engage in traffic with Europe; but if conditions there continue private owners will likely transfer their ships to other routes. Suppose, however, you went to one of those private owners and said: "We want to buy your boat; you have a ship that is plying to South Africa, and we wish to buy it," what would he immediately do? The bullish side of the shipping market is now apparent. He would ask an enormous price for it, charging perhaps double what he would have charged six or eight months ago.

There are a certain number of ships in the world. The question is how to get them into operation. Will the Government, with its red tape and its bureaucracy, make these shipping units more effective than can the men who have made it a life work to manage them? The question suggests its answer.

Shipping is not like a business in which the Government has been engaged and which it has controlled for years, as it has the post-office business. Here, in the winking of an eye, it is proposed to enter this field and to place officials who have never engaged in the shipping business in charge of a $40,000,000 corporation created to buy and operate ships. Whoever knew a great enterprise of that kind to succeed when placed in untried hands? When I say this I am not speaking disparagingly of the Secretary of the Treasury or of any of the other Cabinet officers. They simply would be called upon to assume a responsibility which they never ought to be asked to assume. They must enter, without either training or experience of any kind, upon the management of a business, highly specialized, requiring particular skill and experience.

And if they secure the ships, how are they going to operate them more efficiently than those who have made it a life work?

Remove the threat of this bill, either by defeating it here or by its withdrawal, and that energy manifested by the purchase of more than a hundred boats will be again enlisted. The investors who are driven from the field now will enter it a second time. Those men who went to shipyards and asked, "At what price can you build boats?" and who were intending to make contracts, but who have given up the project, will go back to the shipyards and renew their negotiations.

You will never restore the American flag to the seas by any such artificial measure as this. I feel that I can speak with peculiar frankness, because I have always opposed a ship subsidy. Several times there have been close votes on that proposition in the House and in the Senate, and I believe one time a

subsidy bill actually passed both Houses, but did not become a law.

Mr. GALLINGER. Mr. President——

Mr. BURTON. Sometimes such a bill passed the Senate but did not pass the House. I really regret that in speaking of this matter I have touched a sensitive nerve of my friend from New Hampshire [Mr. GALLINGER], for whom we all have the highest esteem.

Mr. GALLINGER. No; I was simply going to call the attention of the Senator to the way in which the bill to which the Senator has reference was defeated after it came back from the House with an amendment; but I will not take the time now to do so.

Mr. BURTON. I believe it was near the close of a session. The Senate deliberated for some little time on the subject, and the bill failed. That, I think, is the fact.

Mr. SUTHERLAND. Mr. President——

Mr. BURTON. Nor are you going to restore the American flag to the seas by this measure, which is infinitely worse than the other. Under a subsidy plan you at least know who your beneficiaries are. It is a plain, honest, straightforward method of attempting to do something though, I think, in the wrong way. You know who will get the benefit of what your Government is doing. Under this plan of buying boats, fixing charters, sending them to this or that port of the country, and with this or that kind of a product, nobody knows who are the beneficiaries. It is all under the control not of a general law but of a corporation, and about the nearest to a fake corporation of any of which I have known in a long time. Now I shall be glad to yield to the Senator from Utah.

Mr. SUTHERLAND. Mr. President, I wanted to ask the Senator from Ohio, in connection with what he has been saying as to the difficulty of securing ships, whether or not he thinks if the Government of the United States, through the instrumentality of the corporation which is to be organized, secures ships to go into the foreign trade, the Government would have any less difficulty than private owners are now having in securing facilities in foreign ports for unloading the ships? In connection with that I should like to ask the Senator another question so that he may answer them both together.

Mr. BURTON. First, let me answer that. On the contrary, the Government would have rather more difficulty, because private owners already have contracts with the harbor boards or the authorities in charge of the ports at Bremen, Hamburg, and other places. I fancy the greatest difficulty in securing wharfage facilities, if such a Government plan should be organized, would be in this country and in France. There would be less trouble in England and least of all in Germany and in Holland; but in this country the difficulty would be very serious.

Mr. SUTHERLAND. In that connection I want to ask the Senator, because I think he regards this as one of the vital matters in this debate, whether or not he agrees with the statement which I find in the New York Times of this morning in an editorial, which I would be glad to have the Senator read and incorporate in his remarks? This is the statement to which I desire to call the Senator's attention, and ask him whether or not it agrees with his own views:

> Twenty-one vessels arrived at Liverpool last Thursday, and not one of them was able to get a berth to discharge its cargo. Sir Norman Hill, in an official report of the situation, said:
> "The main cause, beyond question, is the shortage of labor, not only on the quays but in the transport services, by which the quays are cleared."

That is the statement of Sir Norman Hill. The editorial continues:

> It would be idle to add to such congestion by providing more ships.

Mr. BURTON. Mr. President, I think that is decidedly so. It has been pointed out here again and again that one of the principal reasons for increasing freight rates has been the delay in foreign ports and the inability to secure skilled labor for loading and unloading vessels.

Mr. SUTHERLAND. I suggest that the Senator read the editorial; it is a very illuminating statement of that question.

Mr. VARDAMAN. Mr. President, I should like to ask the Senator from Ohio a question right at this point. Does the Senator think that Government-owned ships or ships owned by the proposed corporation, of which the Government would own the larger part of the stock, would be accorded immunity or any special favors that would not be given to private-owned ships and would have permission to go where the private-owned ships now find difficulty in going?

Mr. BURTON. Mr. President, I stated a little while ago that the question of the status of those ships perplexed me more than almost any other feature. I can not believe that the ships owned by the proposed shipping corporation would be on the same footing in the eyes of foreign powers, belligerent or neutral, as private ships; but it has undoubtedly been the endeavor of the framers of the bill to give them the status of private merchant ships.

Mr. SUTHERLAND. The Secretary of the Treasury takes a different view of that matter.

Mr. BURTON. What does he say about it?

Mr. SUTHERLAND. I will hand the extract to the Senator.

Mr. BURTON. Very well; I will read it:

> Some timid people have argued that if the Government is interested as a stockholder in a shipping company, and a ship of such company should be seized by a belligerent and brought into a prize court, the sovereignty of the Government would be involved. There is no ground whatever for this view. If the Government operated ships outright, just as it operates the vessels of our Navy, an awkward situation of this character might arise; but where a nation is merely a stockholder, or the sole stockholder, in a private corporation, its sovereignty is not and can not be directly involved if the ships of such a corporation become the subjects of litigation in a prize court concerning any issue which does not involve the Government itself.

I can not agree with that, although I dislike to differ——

Mr. VARDAMAN. From what is the Senator reading?

Mr. BURTON. From Secretary McAdoo's address. Let us assume that John Smith, an American citizen, buys or owns a boat, that it takes aboard a cargo of contraband and is caught in the English Channel by an English or French ship and taken into a prize court. John Smith is a citizen of the United States. It is a well-recognized principle of international law that no Government is responsible for the acts of its citizens in the matter of trade save in extreme cases, such, for example, as the harboring of vessels, as in the case of the Alabama. A citizen is allowed to carry contraband if he can escape capture, and the Government of the United States is not responsible for letting him sail. But Mr. John Smith is not the Secretary of the Treasury or the Secretary of Commerce or the Postmaster General. He is plain Mr. John Smith. On the other hand, here is a corporation 51 per cent of the stock of which is owned by the United States Government and controlled by three Cabinet officers. Their control extends to the minutest detail, and it is inconceivable that a boat in this time of war could carry cargo unless this shipping board approved of its character. They would vote the Government stock. This corporation, it might well be said in a prize court, is a mere mask, ingeniously put up, but it is a fiction. The Government of the United States owns all this stock except a few shares. The Government of the United States borrowed $30,000,000 to buy these ships. The Government of the United States chose the managers of the line, the cargo, the date of sailing; everything is under the control of the officials of the United States. Is not that rather different from the case of plain Mr. John Smith?

Why, the difference is even greater than that. This enterprise was conceived for a specific purpose—to promote American trade, to restore our mercantile marine. If the Government is going into the business of restoring the American mercantile marine, does it not have a peculiar responsibility for all these boats, not merely by reason of control of the corporation, but by reason of the very purpose of this measure? As I said a few moments ago, the authors of the bill assume that the status would be the same, because it is a corporation; but it would be most embarrassing if one of these boats were caught carrying contraband. It would look as if the Government of the United States, whose carriage of contraband would constitute an act of hostility, was responsible for this action.

I do not wish to witness a boat owned by a corporation of this nature caught red-handed loaded with contraband. It would mean excitement in the country offended, and in our own country as well, that would test the discretion and the earnest efforts of the coolest heads in both countries. It would mean that a corporation, the special creature of the United States, controlled by its officials, had been carrying munitions of war to aid the enemy.

In this connection I noted a newspaper paragraph a few days ago tending to show whether the people think that ships owned, as proposed by this bill, would have the same status as ships owned by a private individual. Some one, perhaps unduly patriotic, proposed that when the ships were acquired they should be convoyed by our warships, so that no nation could overhaul them. That does not look very much as though they were in the same position as private ships. Of course, that may have been a mere random suggestion, but it shows what our people are thinking.

But first of all it is desirable for a proper understanding of this plan to know where the Government is going to secure the ships.

We have studied the utterances of officials of the Government, and they have treated a great variety of subjects, but I do not recall that they have anywhere said anything about the sources

from which they are going to secure their ships. Is it not time that we found that out? If there are no sources from which they are to be obtained by purchase, then you must await the slow course of construction. If there are sources from which these ships are purchased, what can you promise the American people that would not be promised by their present owners or by some active and alert American citizen who would take charge of them?

I sincerely hope that we shall soon hear something from somebody about where you are going to buy those ships. Is it in Asia, Africa, or in Europe, in some hidden inlet in the sea—where are the ships that are not now in use that you purpose to buy?

"Oh, but there are a lot of German ships in our harbors," we are told. I have here a list of boats interned in American waters. This list was published in the New York Herald less than a week ago. I have a list based upon this and revised to a later date, but I think this is accurate, and I ask that it be printed in the RECORD at this point in my remarks.

The matter referred to is as follows:

Name of steamer.	Gross tons.	Net tons.	Passengers.	Crew.	Speed.	At—	Owner.
Vaterland	54,282	23,548	2,264	923	24	New York, N. Y.	Hamburg-American Line.
George Washington	25,570	15,379	2,755	525	19	do	North German Lloyd.
Amerika	22,622	13,637	2,567	541	17½	Boston, Mass.	Hamburg-American Line.
Kronprinzessin Cecilie	19,503	6,584	1,576	650	23½	do	North German Lloyd.
Kaiser Wilhelm II	19,361	6,353	1,593	655	23½	New York, N. Y.	Do.
President Lincoln	18,168	11,171	2,751	305	14½	do	Hamburg-American Line.
President Grant	18,072	11,112	3,303	292	14½	do	Do.
Cincinnati	16,339	9,733	2,449	370	15½	Boston, Mass.	Do.
Pennsylvania	13,433	8,527	2,671	222	13½	New York, N. Y.	Do.
Grosser Kurfurst	13,102	7,881	1,965	260	15½	do	North German Lloyd.
Bulgaria	11,440	7,218				Baltimore, Md.	Hamburg-American Line.
Barbarossa	10,984	6,462	1,838	215	14	New York, N. Y.	North German Lloyd.
Prinzess Irene	10,893	6,443	1,930	235	15½	do	Do.
Friederich Der Grosse	10,771	6,585	1,827	215	14½	do	Do.
Hamburg	10,531	6,420	1,382	232	16	do	Hamburg-American Line.
Rhein	10,058	6,398	2,080	155	13	Baltimore, Md.	North German Lloyd.
Neckar[1]	9,835	6,200	1,920	170	14	do	Do.
Konig Wilhelm II	9,410	5,764		172	15½	New York, N. Y.	Hamburg-American Line.
Bohemia	8,414	5,248			13	do	Do.
Martha Washington[1]	8,312	5,379	1,101	250	17	do	Unione Austriaca.
Koln	7,409	4,666	656	105	12½	Boston, Mass.	North German Lloyd.
Dora[1]	7,037	4,536			13	New York, N. Y.	Unione Austriaca.
Rhaetia	6,600	4,141		81	12½	Philadelphia, Pa.	Hamburg-American Line.
Erny[1]	6,515	4,171			13	Boston, Mass.	Unione Austriaca.
Prinz Oskar	6,026	3,777	1,045	104	13	Philadelphia, Pa.	Hamburg-American Line.
Wittekind	5,640	3,607	1,265	90	12	Boston, Mass.	North German Lloyd.
Ockenfels	5,621	3,452		69		do	Hansa.
Armenia	5,464	3,386	978	44		New York, N. Y.	Hamburg-American Line.
Arcadia	5,454	3,412		44		Norfolk, Va.	Do.
Adamsturm	5,000	3,159		66		New York, N. Y.	Hansa.
Pisa	4,967	3,148	1,148	42	12	do	Hamburg-American Line.
Himalaia[1]	4,948	3,152				do	D. Tripovich S. S. Co.
Morowitz[1]	4,795					Galveston, Tex.	Atlantica Sea Navigation Co
Willehad	4,761	3,012	1,071	91	12	Boston, Mass.	North German Lloyd.
Prinz Joachim	4,760	2,981		96	13	New York, N. Y.	Hamburg-American Line.
Serapis	4,756	3,068		43		San Francisco	Kosmos Line.
Prinz August Wilhelm	4,733	2,975		101	13	New York, N. Y.	Hamburg-American Line.
Ida[1]	4,730	3,093			12	do	Unione Austriaca.
Prinz Eitel Friedrich	4,650	2,921		62	12	do	Hamburg-American Line.
Franconia[1]	4,637	3,019				Philadelphia, Pa.	D. Tripovich S. S. Co.
Allemannia	4,630	2,915		82	13	New York, N. Y.	Hamburg-American Line.
Harburg	4,472	2,837				do	Deutsche-Australische.
Saxonia	4,424	2,782		48		Seattle, Wash.	Hamburg-American Line.
Clara[1]	3,932	2,541				New Orleans, La.	Unione Austriaca.
Nassovia	3,902	2,475		44		New York, N. Y.	Hamburg-American Line.
Teresa[1]	3,769	2,381				New Orleans, La.	Unione Austriaca.
Budapest[1]	3,651	2,321				Norfolk, Va.	Atlantica Sea Nav. Co.
Campania[1]	3,551	2,267				Galveston, Tex.	D. Tripovich S. S. Co.
Sibiria	3,535	2,246				Baltimore, Md.	Hamburg-American Line.
Sarnia	3,402	2,168		52		New York, N. Y.	Do.
Georgia	3,143	2,022		51		New Orleans, La.	Do.
Hohenfelde	2,974	1,887		37		Savannah, Ga.	Nissle-and Gunther.
Portonia	2,778	1,744		28		New York, N. Y.	Reed Horn Atk.
Maia	2,555	1,635		20		do	Holm and Molsen.
Clara Mennig	1,685	1,005				do	Otto Zelch.
Anna[1]	1,575	989				New Orleans, La.	Unione Austriaca.
Neptun	197	131				San Francisco, Cal.	Joliet.
Total	483,678	276,065	42,135	7,787			

[1]Austrian steamers.

Mr. BURTON. First of all, among these interned ships is the *Vaterland*, of 54,282 gross tons, interned at New York City. I do not believe the Government would buy that boat. She is one of the two largest vessels in the world. She would cost about $10,000,000. She is suitable only for a route where there is an immense passenger travel and heavy mails. Her value lies in her large passenger capacity and in her speed.

Mr. WEEKS. Mr. President, is it not true that this ship and her sister ship, although running on a thoroughly established route, were losing money rapidly when the war broke out, and is it not also true that they have not made money since they were put into the service?

Mr. BURTON. I believe the Senator is correct, although I do not know positively. Of course, a boat of that type makes a profit for only about four months of the year. When the war commenced the profitable season for trans-Atlantic steamers had not closed. No doubt but for the war she could have returned to Hamburg—or Cuxhaven, which is the port of Hamburg—and made one or two more profitable trips, but during the balance of the year she would have been run at a loss. The *Imperator*, as I recall it, had been running less than a year when the war broke out.

Mr. WEEKS. Less than six months.

Mr. BURTON. Next is the *Amerika*, 22,622 tons; the *President Lincoln;* the *President Grant;* the *Cincinnati*. All these are passenger boats. Then there is the *Pennsylvania*, which is a passenger boat, but also suited for carrying freight; the *Bulgaria;* the *Kaiser Wilhelm II*—that is a fast passenger boat—the *Hamburg;* the *Bohemia*. Looking over this list, the number of boats that could be utilized for the purpose now desired is comparatively small. I see here on this list the *Dacia*, for this gives all the harbors—Seattle, Baltimore, Galveston, and so forth. There are, in all, some 40 or 50 boats, with a total capacity of approximately 450,000 tons.

First of all, only a small fraction of the tonnage would be suited for the trade which we need to have developed. Most of them are high-grade passenger boats. In the next place, they are boats interned in our harbors belonging to one of the belligerents. And there is to-day a controversy as to whether one of these boats, which belonged to a German or Austro-Hungarian owner, can sail through to her destination free from seizure.

Mr. President, I do not think it is desirable for the Government of the United States to become involved in that question. Is the shipping board going to buy these boats? Persistent rumors have been circulated over the country that a potent in-

fluence for the passage of this bill proceeded from the fact that these boats were tied up in our harbors, and that their owners were extremely anxious to sell them. Is it contemplated that these boats will be bought with your $40,000,000? That is a part of this question.

Mr. SMOOT. Mr. President——

The VICE PRESIDENT. Does the Senator from Ohio yield to the Senator from Utah?

Mr. BURTON. Certainly.

Mr. SMOOT. I wish to ask the Senator if he knows whether there is any truth in the report which is so common that there has been formed in Germany a corporation for the purpose of taking over the boats that are interned in the harbors of our country?

Mr. BURTON. I do not know as to that. I know there has been some talk in this country of forming a corporation, and indeed some progress made toward the formation of a corporation to take over these boats.

Mr. SMOOT. I asked the Senator the question because I understood that a company had been formed, and that the Hamburg-American Line had turned these boats over to this company just as soon as they were interned in our harbors; and I wanted to know if the Senator knew anything definitely with relation to that.

Mr. BURTON. No; I do not. I do not think anyone on this side of the water could answer that question, unless possibly some one having special knowledge because of his position as a diplomat or foreign representative. Suppose it were true, it would certainly be kept a secret from the people of this country. Only those who would be called upon to take part in the management of the corporation would be likely to know anything about it.

Suppose this matter were pending here in this Congress and a proposition was advanced to buy ships and Congress were debating the appropriation bills and we should run across an item of $10,000,000 or $40,000,000 for the purchase of ships. Would not that item be attacked? Would not Senators on both sides of the Chamber rise and ask, "What are those boats? Where are they to come from? How much are you going to pay for them? Because of the war is there not some danger that you will get into trouble by the purchase of them?"

In times of war we have given broad authority to the executive officers for the maintenance of the military strength of the country or for our defense. At one time I voted with a unanimous House of Representatives to set aside $50,000,000 to be used by President McKinley when war with Spain was impending; but where is there another instance in which it has been proposed to spend immediately $40,000,000 and to add to that unlimited authority to spend for the purchase of vessels hundreds of millions more, without Congress knowing anything about what is to be done? Is this a government by representatives of the people or is it a government by bureaucracy?

Mr. VARDAMAN. Mr. President——

The VICE PRESIDENT. Does the Senator from Ohio yield to the Senator from Mississippi?

Mr. BURTON. I do.

Mr. VARDAMAN. I wanted to ask the Senator what he thought of the practicability of the suggestion made, that possibly through diplomatic negotiations it might be arranged with the English Government that these interned ships could be purchased, with the understanding that the money would not be paid until after the hostilities ceased; and whether he thought possibly the English Government would not object to America enlarging her mercantile marine for the convenience and good of the world generally?

Mr. BURTON. As I understand it, there have already been negotiations on that subject, with the general conclusion that perhaps neither England nor France would object to Americans taking over these boats, provided payment was not made until the close of the war. Perhaps at one stage of the negotiations it was expected that they would not be used for trade with Germany. Of course one reason for that is perfectly obvious. They would go into German ports and restore the old relation that formerly existed and that would exist in case there was no blockade. But suppose that is true. What do you need this bill for? Private owners will very quickly take whatever ships can be used. Indeed, in view of the nature of these boats, I should look with suspicion upon any proposition to take the question of the purchase of those boats away from private parties and give it to public authorities, because the question would immediately be raised, "Why do you want to pay extravagant prices for these great ships, which at this time are absolutely useless?"

Are you willing to face the possibilities of corruption when there is such a tremendous stake as that? It would be far better to leave this matter to contract or bargain between the present owners and private citizens of the United States. When you state the facts fully, it is not fair to leave to an official of the United States the decision as to how much should be paid for vessels; the transaction would be open to criticism. Will you pay for the *Vaterland* the $8,000,000 or so that she cost? If so, you would be making a very bad bargain.

Mr. KENYON. Mr. President——

The VICE PRESIDENT. Does the Senator from Ohio yield to the Senator from Iowa?

Mr. BURTON. Yes; for a question.

Mr. KENYON. Where were the ships secured out of this appropriation of $50,000,000 that the Senator speaks of at the time of the Spanish War?

Mr. BURTON. They were bought by the Secretary of War, and an infinite amount of scandal grew out of the transaction.

Mr. KENYON. That was the next question I was going to ask—whether there was any scandal growing out of it.

Mr. BURTON. Of course, I have always felt that perhaps we visited too much blame upon Government officials because of those Army transports, since there was an emergency. A great many people were nervous. We were entering upon a war, and in the midst of war expenses can be justified which would not be justified at other times.

Mr. KENYON. Did the scandal arise by reason of the alleged payment for the boats of more than they were worth?

Mr. BURTON. Exactly. Some extremists went so far as to say that we picked up every old tub that was offered and paid the owners the reproduction price. I mean, not the ordinary reproduction price, but what it would cost to build each boat.

Mr. KENYON. Where did those boats come from? There was no particular trouble, was there, in getting the boats?

Mr. BURTON. Some of them were foreign, and some domestic. The choice, of course, was given to domestic shipping.

Mr. KENYON. I should like to ask the Senator, too, if I am not violating the rule, whether it is not true that there have been some failures of contractors in England since the war commenced, and whether there are not boats that could be purchased there now?

Mr. BURTON. I think there are. I have seen statements in the newspapers that there were boats on the ways over there that could be purchased, which are, if not entirely finished, nearly finished; and, in view of the vexed situation, those who have contracted for the vessels are not able or ready to take them.

Mr. KENYON. I have before me a letter, addressed not to me but to another party, which was shown me on the very question which I raised when discussing it with him, saying that the writer had taken up this matter in England, and found there were a number of other boats, one of which was named the *Ohio*, which might be acquired.

Mr. BURTON. That ought to be a good boat.

Mr. WARREN. Mr. President, while the Senator is examining the papers I should like to say in regard to the purchase of boats, about which the Senator from Iowa has just inquired, that the occasion, as the Senator from Iowa states, was very extraordinary. I recall the time very well; and there was such a hue and cry and such a pressure from outside that the War Department felt that they must make immediate purchases, and of course they had to make purchases of such vessels as were fit to carry troops.

Mr. MARTINE of New Jersey. Mr. President, this may be a highly interesting conference, but the Senators on this side of the Chamber are utterly unable to hear the purport of it.

Mr. KENYON. There are very few Senators over there.

Mr. BURTON. I am sure we should all like to hear the Senator from Wyoming on this question which has been raised.

Mr. WARREN. Mr. President——

Mr. BURTON. I yield, though I do not wish to yield the floor.

Mr. WARREN. Mr. President, I have no desire to take the floor from the Senator from Ohio.

Mr. SIMMONS. Mr. President, I wish to make an inquiry. Does the Senator from Ohio yield the floor to the Senator from Wyoming, or does the Senator from Wyoming——

Mr. WARREN. Mr. President, I might ask how the Senators have the floor who are now attempting to use it—certainly not by right of inquiry of the Senator from Ohio.

Mr. SIMMONS. I asked the question in good faith.

Mr. BURTON. I have not yielded the floor. I am perfectly willing to yield to the Senator from Wyoming for a question.

Mr. SIMMONS. Mr. President, I make the point of order that if the Senator suspends his remarks in order that some other Senator may proceed, he does, as a matter of fact, yield the floor. Of course, if the Senator rises merely for the purpose

of interrupting or asking a question, that is a different thing; but if the Senator yields in order that the Senator from Wyoming may proceed to discuss the pending bill or some other bill, then he undoubtedly yields the floor.

The VICE PRESIDENT. "The letter of the law killeth, but the spirit giveth life." The Senator from Ohio did not yield. The Senator from Wyoming was proceeding, and the Chair did not hear what he was saying, and probably nobody else heard what he was saying, unless it was the Senator from Ohio. The ruling has been uniformly the same—that the Senator occupying the floor can not yield it to another Senator for the purpose of discussing the question at hand, but the Senator from Ohio did not yield.

Mr. WARREN. Mr. President, I was about to ask a question. It is not material, however.

The VICE PRESIDENT. If the Senator from Ohio desires to yield in order to permit the Senator from Wyoming to ask a question, it is perfectly in order.

Mr. BURTON. I will yield for that purpose.

Mr. WARREN. I was laying the foundation for a question. I am very sorry I did not speak loud enough. It is rather a new complaint to be lodged against me, and I thank the Senators for wishing to hear what I say.

Mr. SIMMONS. Mr. President, I hope the Senator from Wyoming will not intimate that I would interfere with his right to ask a question.

Mr. WARREN. Oh, no.

Mr. SIMMONS. I did not understand that that was the purpose of his interruption.

Mr. WARREN. I was about to ask if the Senator does not believe that any scandal that arose from the vessels used by the War Department as transports in the late War with Spain——

Mr. SMITH of Georgia. We still can not hear the Senator.

Mr. WARREN (continuing). Arose from the sale of them later on in the condition they were in, and a comparison of the price that was paid with the price that was received for them? Of course, those vessels were bought under great pressure, and were of a character that could be most readily adapted to the purpose, and were sold in the condition of use without repairs, and so forth. I want to ask the Senator whether he assumes that there was any scandal of a nature that hinted at fraud or corruption, or whether it was the circumstances surrounding the transaction that were criticized?

Mr. BURTON. Of course, that was 16 years or more ago. According to my recollection, it was charged that the matter had not been properly handled. Of course, the great disparity between the prices paid for certain boats and the prices realized for them was the feature which brought the question most prominently before the public. Some newspapers made serious charges, alleging that the matter had not been profitably handled, and there were at least suspicions of corrupt influence. But, Mr. President, while I presume that was in a measure incident to the conditions of the time, it goes to show that a Government should hesitate a long time before it goes into the business of buying boats.

Mr. WARREN. The Senator is right about that.

Mr. BURTON. I note that the letter handed to me by the Senator from Iowa [Mr. KENYON] contains some most important material. This letter is dated December 23 and was forwarded to Mr. B. N. Baker, who has been somewhat prominent in this connection. Would the Senator object to my reading it?

Mr. KENYON. I have no objection at all to the Senator reading it. It contains interesting information.

Mr. BURTON. I may want to comment on it in a few words after reading it. [After reading a part of the letter.] That is the trouble about this whole proposition. The first vessel is only about ready for delivery and the sister ship will be ready in about six or eight months. Three were contracted for before the war. The contractors failed and the builders offered them at a slight profit over the contract price. I have not had time to thoroughly examine this letter, but if there is no objection, I should like to have at least a portion of it printed in the RECORD. Then, it can be examined by all Members of the Senate and remain as a contribution to this discussion.

Mr. KENYON. I think there will be no objection to it. I ask unanimous consent to have the Baker correspondence printed in the RECORD.

The VICE PRESIDENT. Is there objection? The Chair hears none.

Mr. BURTON. It will throw some light on this discussion. The matter referred to is as follows:

[Copy of cable sent Dec. 23, 1914.]

BERNADINE, *Baltimore:*

Can offer, if unsold, steamer completing, *St. Nazaire*, 12,000 ton, 11 knots, Lloyds class 100A1; sister ship ready 6/8 months; 90,000 each. *Andreas*, built Doxford, 10,300 tons, 10 knots. Returning maiden voyage New York; could deliver February; 85,000. Would five 8,000-ton, 10 knots, single deck, building, interest? Might get them 75,000 each; first about ready; all delivered six months.

FEILD.

BERNARD N. BAKER, *Baltimore.*

LONDON, *December 23, 1914.*

B. N. BAKER, Esq.,
Baltimore, Md., U. S. A.

DEAR BERNARD: I confirm cable sent to-night, offering you the three boats, particulars of which I mailed you yesterday.

As stated in my letter yesterday, all available tonnage is in great demand here at present, and up to this evening I have been unable to get anything else to offer. At the same time I shall continue my search.

I included in my cable an inquiry as to whether five 8,000-ton, 10-knot boats would interest you.

I know of five boats of these dimensions which are being built for one company.

The first one is just completing, and they say all five of them will be completed within six months.

The builders inform me that they think they could get the owners to sell them for £75,000 each; and it occurred to me that possibly five sister boats, though they were 2,000 tons below the capacity you want, might be attractive to you, and I await your reply before further considering them.

Unfortunately, I learn that the steamer *Andreas* has already left New York returning from her maiden voyage. She belongs to a Greek, who is simply willing to sell her for cash at something more than he paid for her. She, of course, is a new steamer, completed in November.

I was very much in hopes you could see her while she was in New York, but the owner has just informed me that she has left New York. She could be delivered on this side, however, in February, or possibly sooner if she has finished discharging.

If you must have 10,000 tonners, she strikes me as being a suitable boat. She was built by Doxford & Sons, of Sunderland.

The two steamers which I offer you, built at St. Nazaire, ought to be attractive to you.

They are not dear at £90,000.

The first one is about ready for delivery, and has been named *Ohio.*

Her sister ship, they say, will be ready in about six or eight months.

There were three contracted for before the war. The contractor has failed, and the builder is offering them at a slight profit over the contract price.

The builders, Chantiers & Attellers, are reputable people.

I hope in your letter you will give me some definite information as to what the ships are wanted for.

If they are wanted to run from New York to Frisco, I think the Government here could easily be induced to allow them to go under the American flag, while if they are intended for regular tramp business, and possibly to carry cargo to belligerent countries, they might possibly place some difficulties in the way of the builders exporting them to a neutral country. At the same time, I believe this difficulty might be overcome.

The possibility of this difficulty of course would not arise with either the French or the Greek boats.

I believe I can offer you any available boats to be had, and sincerely hope we may be able to do some business.

Of course when it comes to final business, all of these prices might be subject to counter offers.

Owing to the condition of the market, however, owners will not make firm offers until they are satisfied it means business.

Yours, sincerely,

THOMAS L. FEILD.

Mr. BURTON. I shall be inclined to think on a first examination that it shows a certain number of boats in England for which contract has been made by persons hoping to own them, but which were thrown on the market by reason of the failure of the prospective buyers. It is true that one of them is not quite ready for delivery and the other will be ready in six or eight months, which, in a way, prevents using this transaction as an illustration to throw any light on present conditions; but it merely goes to confirm what I repeatedly said in this discussion—that prospective buyers, private individuals, and corporations are holding back because of the pendency of this bill. Why should the Government pursue this kind of a policy? Since August, when the bill was first brought in, it has served as a threat which has restrained the purchase of boats by private persons. Of course I do not think this bill was at first taken very seriously. It was the general opinion throughout the country that it would not be favorably regarded, but it seems to have gathered strength; and here, in the last half of January, we are told that it is more important than any other legislation, more important than rural credits, more important than appropriation bills. Indeed, there is an intimation that if all the rest of the session is necessary to pass it, this must be put on the statute books of the United States. It is not only the method, but it is the bill that I oppose. It is in violation of every business principle. Even if Government ownership is a good thing, this is not a good place to try it; perhaps the very worst where it could be tried.

I think, Mr. President, I can safely say that if vindication is what the opponents of this bill were seeking for they would be entirely willing to have the bill passed. Time vindicates the man whose course is not approved, whose opinions are not accepted if they are right. It is very safe to wait on this measure should it go into operation.

There is an editorial in the New York Times of this morning on this subject. This paper has published several able editorials in relation to this bill. I will read it as a part of my

remarks. New York Times, Wednesday, January 20, 1914, page 8, column 2:

"FINISHING" THE SHIPPING BILL.

Washington dispatches say that the Senate committee is putting the "finishing touches" upon the Government shipping bill. That seems superfluous for two reasons: The action of the caucus was almost fatal, and the trade returns published yesterday ought to be quite so. An increase of exports in December, 1914, over the figures of December, 1913, by $13,070,419 indicates no such deficiency of shipping that the Government should intervene to supply it at the cost and risk of the taxpayers.

Mr. President, for the week ending last Saturday the exports from the city and port of New York were still further increased, being $30,000,000, a larger amount than ever before in the history of the port. Why do you need to go into the shipping business under such circumstances as that?

That is true also of the year's total exports, which have been exceeded but twice. The excess of exports over imports by the great sum of $131,863,077 surpasses every previous December, and has been equaled only in a single month in the Nation's history. The fact is that only one considerable class of exports might have been increased by shipment in Government boats. A Government line might have carried contraband in ships acquired from belligerents more freely than privately owned shipping. But that way of making trouble will hardly be proposed as a reason for proceeding with the Government line. Those who have our moral approval of their contentions are in control of the seas and can get all the contraband they need. To supply contraband at a profit to those who on the merits we think ought not to win this war, questions of friendship apart, is not a duty of government.

I can hardly conceive, Mr. President, that any consideration of this nature as a preference between nations should come into the calculations of any Government official. To me that is unthinkable. I do not know that there is more than a mere hypothetical case stated here.

It is especially fatuous to provide Government shipping, or private shipping with Government aid, when the necessity of the case is not so much shipping as facilities for loading and unloading. To the facts on this point as given by carriers' spokesmen on this side of the ocean may now be added incontestable evidence from the other side. Twenty-one vessels arrived at Liverpool last Thursday, and not one of them was able to get a berth to discharge its cargo. Sir Norman Hill, in an official report on the situation, said:

"The main cause, beyond question, is the shortage of labor, not only on the quays but in the transport services, by which the quays are cleared."

It would be idle to add to such congestion by providing more ships. The trouble is not one of trade, but of war. Some ports are closed, throwing more business upon others than they could do in favorable times. Many dock laborers have enlisted and others are earning such high wages that they are independent. Commerce is not running in accustomed lines. Strange boats are on unfamiliar routes and require more attention than liners running on routine. If any Government should intervene, it is not ours. We are shipping full volumes of goods at our own prices, and the freight is paid by the buyers—

I tried to establish that point yesterday, but now I have at least the very potent approval and sanction of this very able newspaper—

and the freight is paid by the buyers. They should worry, not we. We should worry only if those who are more eager than wise—

This is an important contribution in this day when persons are reproached as uninformed and ignorant—

They should worry, not we. We should worry only if those who are more eager than wise should thrust us into an experiment which is not only unnecessary in a commercial sense but is obnoxious politically. No Democrat can keep the name and support a subsidy scheme concealing Government ownership and operation. In proportion as the "finishing touches" meet these objections the bill will lose attractiveness to those who now support it because of these defects.

Mr. President, one might think this language is from some antiadministration paper, some stand-pat, reactionary, Republican newspaper, as terms bandied about. This is a paper that supported the President most strenuously in the campaign of 1912, and it seems to support him yet, though recently apparently with some reservations and some apprehensions that it can not continue long in the course which it has thus far pursued.

Here is another editorial from the New York Evening Post of yesterday:

Last night's caucus of Democratic Senators was ominous for the ship-purchase bill. A final decision was not reached, and there is to be another meeting to-night; but so many—

I have no doubt, Mr. President, this does not contain any news to those who took part in the caucus. They knew all about it when they went there. They called it a conference, a term which is very carefully applied to these gatherings when our friends on the other side get together. Indeed, if you ask them if they are going to a caucus, they say, "Oh, no," like some one who has given the wrong password, "it is not the caucus, but the conference." I desire to apologize for the Evening Post, as well as myself, that it called this meeting Monday night a caucus.

Last night's caucus of Democratic Senators was ominous for the ship-purchase bill. A final decision was not reached, and there is to be another meeting to-night; but so many strong objections were made to the bill as it stands, so many important amendments were referred to the Committee on Commerce, and there was such a lack of hearty indorsement of the whole measure, that it seems to be doomed to failure at this session. It certainly will fall if the Republicans put up the stout fight against it which they promise to make. With appropriations struggling for right of way and less than seven weeks of working time left, no bill of this contentious nature can be passed before March 4, if full advantage is taken of the rules of the Senate to prevent it.

This feeling that they are engaged in a hopeless undertaking may have had something to do with the want of enthusiasm shown by the Democratic Senators last night.

Of course, this statement is open to contradiction. It may be said that the caucus or conference was wild with enthusiasm instead of lacking in enthusiasm. So it is perfectly possible to correct this article.

And they may also have been influenced by other things. They may have had before them the figures of the American export trade for December. These show a total higher than ever before reached in that month except once. The full details are not yet at hand. If it be said that the abnormally high prices of wheat must have swollen the money value of the exports, it can be replied that the abnormally low prices of cotton were at least a partial offset. Anyhow, there stand the big figures strongly tending to refute the underlying contention of the Government ship purchasers, that American goods can not be sent abroad because there are not enough ships to carry them. Much to the same purport is the reported interview yesterday between Mr. Morgan and the President. The banker told Mr. Wilson that the sudden leaping up of American exports had so changed the whole foreign-exchange situation that it was no longer necessary to keep the gold pool in existence.

All this necessarily gives the ship-purchase bill the look of a superfluous lagger on the stage. Its original professed intent was to meet an emergency. But that emergency has largely passed away. This is so generally admitted that the ground has been shifted now, and it is argued that the bill gives us a fine chance for making a beginning of an American merchant marine. But the bill must be one thing or the other. If it is absolutely necessary in order to surmount a crisis, the country might condone in it some features which seem ill-considered and full of danger. But if it is a bill of a large and far-sighted kind to restore the American flag to the ocean, then the discussion of it must be on another basis. It can not any longer justify its dubious provisions as emergency measures. The whole thing is up for searching debate. And as soon as that begins it appears, as was abundantly manifest at the Democratic caucus, that the bill is full of holes.

Closely related to this entire question is the matter of the war risks to which our export trade is subject. The delays and uncertainties due to the exercise of the British right of search have been a real grievance. But this, it is plain, is in a fair way to be largely got rid of. The friendly protest by our Government has already had its effect. One of the most marked effects was upon English public opinion. The cable gave us the run of newspaper expressions, which were conciliatory enough. But we had to wait for the mail to get the views of weekly publications of special significance like the London Economist and the Shipping World. The former sharply criticized the British Government for its whole course in the matter of contraband and the right of search. It pointed out the vascillation in regard to the lists of contraband articles published from time to time and argued that this proved a lack of ordinary business ability and even business information in the foreign office. And the Shipping World of January 6 is most considerate as regards the American position. In this it sees "nothing unreasonable," and even goes so far as to favor the view "that the search of an American ship or a ship with an American cargo should be concluded when such a ship is stopped on the high seas and that further delay for the purpose of examination should not be practiced in the way of taking such ship and cargo into a British port for further examination." Of course if the preliminary search showed the presence of contraband goods, then seizure and the delay of being taken into port for further examination would naturally follow. Quoting from the Evening Post in regard to the need of having it clearly established under what risks of detention or seizure our goods are sent abroad, the Shipping World says: "Surely American exporters and shippers are entitled to that."

Both ways, then, the American export trade is getting into better shape. Sufficient tonnage is being found, even if the freight rates are still made high by war risks. And on the diplomatic side it is evident that the British Government will meet our own half way in the matter of contraband and of the right of search. With these, be it noted, the case of the *Dacia* has nothing to do. The question about that ship is simply the validity of her change of registry.

Mr. President, I have read these two editorials—which are perhaps the first editorials from newspapers that I have ever presented in the Senate—because of their clear statement of the case, because they are entitled to special consideration, both as proceeding from journals which, at least in the past, have supported the administration, and I think they throw very material light on this controversy. In the strongest terms they condemn the shipping bill. If there was an emergency, they say it has passed. They point to the fact that, with one or perhaps two exceptions, December showed larger exports than I believe ever were sent out from this country; and it can further be said that last week showed greater exports from New York than any week in its history.

Mr. KENYON. Mr. President, I should like to inquire of what these increased exports consisted? Have they been munitions of war?

Mr. BURTON. I do not think they have been analyzed. Probably there is a considerable amount of munitions of war. Of course, the shipments of wheat have been very large. Wheat exports have been larger, or at least of greater value, during this year than for a long while.

Mr. KENYON. Have most of the boats in which these exports have been carried been English vessels?

Mr. BURTON. I think so, with some exceptions. I really could not state with definiteness how that is. I know that some

boats in the coastwise trade have been turned aside to foreign trade.

Mr. KENYON. Has the Senator from Ohio any figures to show what proportion of this increase which we are sending over there has been munitions of war?

Mr. BURTON. I have not, I will say to the Senator; but I regard all those questions as important, and before this discussion is finished I shall try to give information on all of them.

I think I have already touched on this further branch of the question sufficiently. If the Government is to secure these boats by construction, can they be secured soon enough to relieve the so-called emergency? It would require an unsual efficiency to finish any boats suitable for this trade in less than nine months, and the normal time would be a year or more. Even so, does not everyone who is familiar with Government work know just what would hapepn? Government inspection would be asked to oversee the building; the construction would be infinitely slower than in case a private individual made the inspection, because of the difference in Government methods. I have sometimes, when talking with my constituents, most earnestly defended the methods of the United States Government in requiring thorough construction, and apologized for the slowness, for the long time between beginning and completion, for the reason that any property of the Government—any public work, any building—should be substantial in its character and built to stay. We all know that when provision is made for a public building it is a long while before the plans are approved and the construction commenced. Oftentimes after that it is still longer before the building is completed. However, we are face to face with the fact that if promptness is desired Government methods are not the best way of securing it.

The next question is, If the purchase of interned vessels is contemplated, will it not prejudice the quality of our neutrality? If such purchase were at all feasible, could it not be accomplished with less prejudice by private capital than by public capital? On that question, in answer to questions of Senators, I have already dwelt at considerable length. I should very much fear the day, Mr. President, in which a ship owned by such a corporation as the one contemplated should be seized and haled before a prize court on the charge of carrying of contraband.

Now, suppose a ship owned by the Government through this corporation should be seized by France or England and treated as if it were a private ship. Just think of the excitement that would be aroused in this country. On the other hand, if it were a private-owned ship, all the excitement would be stayed. It would be said that one of our citizens had endeavored to get contraband over to Germany, that he had been caught, and that he would have to take his chances. If the position is taken that the Government-owned ships would be freer from search or seizure, I should like to know upon what principle that contention is based. If this Government chooses to go into private business, why should it not take the risks of private business? The point that I want to make and emphasize is this: That while in every aspect of international law a boat owned by a corporation sustained by the Government might be subject to the same rules as a private boat, its status, the interest of the Government in it, would give it a quality peculiarly embarrassing to us.

Mr. KENYON. Mr. President, will the Senator allow me to interrupt him?

Mr. BURTON. I yield to the Senator from Iowa.

Mr. KENYON. Right in that connection I should like to ask the Senator's opinion as to the effect upon belligerent nations of the transporting of munitions of war manufactured in this country by boats owned by the Government to one of the belligerent powers across the water?

Mr. BURTON. Boats owned by our Government?

Mr. KENYON. Yes; under this bill. Would that produce a very happy frame of mind on the other belligerent nations? I notice in the New York World——

Mr. BURTON. Let me see if I understand the Senator. The question is, What would be the status of a boat of the United States, flying the United States flag, carrying munitions of war?

Mr. KENYON. One of the boats provided for under this bill carrying munitions of war, for instance, to England?

Mr. BURTON. Suppose it were caught by a German boat, or even if it were not caught but it were known that such a boat had sailed carrying such a cargo?

Mr. KENYON. What would be the situation?

Mr. BURTON. It would be a hostile act; there is no question about that. An individual living in one country can carry munitions of war to a belligerent, but a Government can not do so without the interpretation being placed upon it that it is an act of hostility.

Mr. KENYON. Is there not a specially great danger, then, in this plan at the present crisis of the world?

Mr. BURTON. I think so.

Mr. KENYON. I notice in the New York World an interesting article——

Mr. BURTON. Of course in that connection I may say that some are arguing that these ships are on an entirely different basis—I dwelt on that some time ago—that they are of the same status as private ships, but I do not see how that can be successfully maintained.

Mr. KENYON. I do not know how the Senator feels about this country manufacturing and transporting to foreign nations engaged in war munitions with which they assist in killing each other and then setting aside Sundays to pray for peace. I notice in an article in the New York World that in the month of November there were $2,425,745 in munitions of war exported from the United States. Now, the point that is troubling my mind a little is this: If we had Government ships and they transported munitions of war, would we not commit a hostile act toward one of the belligerents?

Mr. BURTON. It seems to me so; at any rate, it would create the feeling that we were hostile. Is anybody going to think that setting up a man of straw to do the Government's business makes it other than the business of the Government itself? If you are going to have any Government ownership, let us tackle the problem bravely and buy ships, so that they will not belong to the United States Export & Import Association (Ltd.), but to the United States of America. I do not say that I shall favor any such proposition as that, but that at least would have the virtue both of frankness and of convenience.

Mr. SUTHERLAND. Mr. President, if I may ask a question at that point, does not the Senator from Ohio think that we would be in a less embarrassing position, so far as foreign Governments are concerned, if we had out and out Government ownership than if we occupied this doubtful status, particularly in view of the fact that the Secretary of the Treasury, who will be himself a member of this board, has already stated that when the Government becomes a stockholder in this corporation it lays aside its sovereignty? In other words, does he not think that we would be in a better position if our sovereignty were undoubted?

Mr. BURTON. Mr. President, it would clarify the situation and remove these doubtful questions.

Mr. SUTHERLAND. Now, I ask the Senator the further question whether or not he is familiar with the decision of the Supreme Court of the United States rendered at quite an early day—I have forgotten the exact time—which, in substance, held that when a State entered into private business, it took substantially the status of the private individual?

Mr. BURTON. A decision to that effect—perhaps an earlier one was also rendered—was announced by the Supreme Court within a comparatively few years in the South Carolina dispensary case.

Mr. SUTHERLAND. That was a later case.

Mr. BURTON. The State of South Carolina took to itself the selling of liquor. Along came the Government officials and told them that they must pay the internal-revenue tax. They said: "No; it is the State that is selling this liquor." The question was carried to the Supreme Court of the United States, and the Supreme Court said that if a State engages in private business it must be subject to all the taxes and all the responsibilities and liabilities of those engaged in private business.

Mr. SUTHERLAND. I ask the Senator this further question: The Senator has already commented upon the difficulties that would arise if some of these ships occupying this doubtful status were carrying contraband articles. Does the Senator doubt that that question is quite likely to arise, in view of the fact that the present Government has already issued an order which holds up the publication of manifests for 30 days, with the apparent object of facilitating the trade in contraband articles?

Mr. BURTON. It would certainly arise, and under circumstances that would threaten the peace of the world. These belligerent countries that control the sea would very properly say, "These two things together constitute an evasion—in the first place, the withholding of the manifest; in the next place, this most peculiar form of incorporation or organization."

In some way I anticipate that the corporation feature will be stricken out of the bill. It is never safe to prophesy as to what amendments will be offered. In the first place, I do not see how we can do business in that way, and, in the next place, it is such a clumsy device for doing something that could be much more readily done in other ways.

Mr. BRANDEGEE. Mr. President——

The VICE PRESIDENT. Does the Senator from Ohio yield to the Senator from Connecticut?

Mr. BURTON. Yes; for a question.

Mr. BRANDEGEE. I want to ask the Senator from Ohio if he does not think there would be more warrant for a foreign Government to consider the operation of ships in the carrying trade under the provisions of this bill, because there is no provision in our Constitution distinctly authorizing the Government to go into it, and the burden upon us to show that it was a governmental function would be all the greater on that account?

Mr. BURTON. In other words, "you are going into something that was not contemplated when your Constitution was framed, and there must be some strange or ulterior purpose in it." When you get a bill so singular as this in so many of its features that point would be in line with its peculiar and very exceptional qualities.

There is this further branch of the question: If such purchase were at all feasible, could it not be accomplished with less prejudice by private than by public capital?

That introduces the whole subject of comparisons of public and private capital. If the Government went into the market to buy, there would immediately be a movement to sell the ships only at the very highest figure. Extravagant prices, no doubt, would be paid, as in 1898. Private parties, through the ordinary course of business negotiations, could succeed much better. If the aim of the measure is to build up an American merchant marine, will not this bill defeat its own purpose by driving private capital out of the business? Will not a larger amount of private capital be kept from investment in ships by this bill than the bill contemplates that the Government shall spend?

Is it not true that private capital has been driven out of the business and that this bill has prevented the investment of further amounts? What do you deduce from the figures of foreign boats already taken over in this country? When was the largest number taken over under the act of last August? Are boats being taken over now? Is that because there are no boats in the market? If there are no boats in the market for private owners to buy, where will the Government secure any? If there are boats in the market which have not been transferred to American register which could be transferred, is it not because private owners do not wish to buy them with this bill pending?

The eleventh question is, Should the seemingly impossible happen and the Government-owned line prove profitable, to whom would it be sold?

Mr. President, that is hardly a reasonable assumption. But the answer to this question will throw light on the whole project. There seems to be an idea with some that this line will be profitable; that the business will be transacted, and will attain such a degree of prosperity that private owners will desire to purchase it.

What will happen then? Will it be sold by public auction? Will it be sold in the ordinary way in which a corporation disposes of its property? Will somebody get a controlling interest in the stock of this corporation? Do you believe it possible, as stated in one of the communications which we have received, that the time is coming when this corporation will be so profitable that private individuals will wish to take the stock or the property away from the Government?

Twelfth. Will the managers of this Government line enter into conferences or agreements with existing lines?

I have already taken up this point. There is abundant evidence to show that in the one line that the Government acquired conferences have been held, and the Government has pursued the same course as would have been pursued by a private owner.

If, instead of acquiring a line to carry out a great work that the Government has under construction, boats should be purchased for the mere sake of carrying freight in competition with other lines, will not the Government again be compelled to enter into conferences? If so, is that in accordance with the antitrust laws? In what kind of a position will it place this Government or its agent if it joins in these gentlemen's agreements or conferences?

Or, take the other side of the question: Suppose you do not go into these conferences. In view of the necessity of regular sailings, supplying all ports with shipping facilities, dividing up the boats among the different routes of the world, how would any Government-owned line succeed unless it entered into these agreements with other shippers?

Mr. GALLINGER. Mr. President——

The VICE PRESIDENT. Does the Senator from Ohio yield to the Senator from New Hampshire?

Mr. BURTON. Yes.

Mr. GALLINGER. The Senator speaks of conferences. I am not very well informed on that subject; but would this be along the same line as the European conferences and combinations which have been so severely condemned by one branch of Congress as the result of an investigation?

Mr. BURTON. That is the question I am propounding. The report made within a year or so by the Committee on the Merchant Marine and Fisheries seems to favor these conferences under proper Government supervision.

Mr. GALLINGER. I knew they had been investigated.

Mr. BURTON. Will boats be acquired for special services, such as carrying fruit, meat, or oil? In the normal development of the business special types of boats have been built for all these purposes. Just as there is subdivision and specialization in the different branches of manufacture, so there are now subdivisions in the types of ships; the United Fruit Co. having a large number of ships for carrying fruits from Central and South America to the United States; the Standard Oil Co. has a large fleet of tank boats to carry oil; and there are also refrigerator boats for carrying meat. If the Government is going to go into the business, then it must have boats for all these different lines of business. If it does not, what will be the situation? Will the boats of these types already in existence have a monopoly of the trade? Or will the different interests subserved by this class of boats be neglected in this general Government scheme?

This all tends to show the difficulties which would arise if the Government entered into a line of business so thoroughly developed.

Will the Government operate the boats through the proposed corporation, or will it charter them to private parties? It has been stated in the press that the proponents of this bill intend to offer an amendment to this bill providing that when the boats are bought by the Government they shall be chartered to private parties. That shows the shifts to which this measure is likely to be subjected. One proposition is that they shall be leased at 4 per cent on their value. Why, Mr. President, there is a deterioration account in every boat which must be taken into consideration in the management of such a business. It is not a question of 4 per cent on the amount invested; it is a question of a reasonable income on the boats and in addition a provision for deterioration. Then there are other complications. Constant replacement is necessary, and it would be impossible, without expert consideration, to determine the amount that would have to be so expended at the end of a year. Indeed, the computation could not be made with accuracy for a year in advance.

Then, still further, it opens the way for playing favorites. It furnishes a precedent for the Government buying other things. I should like to know if the Democratic Party is going to vote for a bill that proposes Government ownership such as this. What a spectacle it will be for the party of Thomas Jefferson!

Mr. GALLINGER. Mr. President, if the Senator will permit me, I wish to ask the Senator if he has noticed that in the amendment proposed by the Senator from Georgia [Mr. SMITH], in addition to the 4 per cent, it is provided that there shall be a charge of 5 per cent per annum for depreciation and full insurance?

Mr. BURTON. Well, of course that is an estimate on depreciation; but let us put ourselves in the place of shipowners. Suppose the Government buys six ships. One is a new steamer, built with the latest equipment; another is a wooden steamer that has been in use for 30 years. What kind of an arrangement would it be to lease both of those boats, the iron or steel steamer that probably will not deteriorate much during the year, at 5 per cent for deterioration, and the other one, that is almost ready to go to the junk heap, at the same figure?

That all shows the futility of the Government attempting to go into business in this sort of a way. I take it that there might be, after the boat has been used, some effort made to determine just what was the diminished value during the year, but it would be difficult if not impossible to arrange that in advance. The fact is that the majority of ship charters are made either for a comparatively short time or under terms as to the repairs that are provided for by the person who takes the use of the boat. I make this statement with some slight hesitancy, because that may not always be the arrangement. I do not believe that in any event a successful attempt could be made to fix a definite percentage of deterioration within a year.

Mr. LODGE. Mr. President——

The VICE PRESIDENT. Does the Senator from Ohio yield to the Senator from Massachusetts?

Mr. LODGE. I rise to a question of order.

The VICE PRESIDENT. The Senator from Massachusetts will state the point of order.

Mr. LODGE. I make the point of order that there is not a quorum present.

The VICE PRESIDENT. Does the Senator from Ohio yield for that purpose?

Mr. BURTON. I yield for that purpose.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Gallinger	Myers	Smith, Ariz.
Brady	Gore	Norris	Smoot
Brandegee	Gronna	O'Gorman	Sterling
Bryan	Hardwick	Oliver	Sutherland
Burton	Hitchcock	Overman	Swanson
Camden	Hollis	Page	Thomas
Catron	Hughes	Perkins	Thornton
Chamberlain	James	Pittman	Tillman
Clapp	Johnson	Poindexter	Townsend
Clark, Wyo.	Kenyon	Robinson	Vardaman
Colt	Kern	Saulsbury	Warren
Culberson	Lippitt	Shafroth	Weeks
Cummins	Lodge	Sheppard	White
du Pont	Martin, Va.	Shively	Williams
Fletcher	Martine, N. J.	Simmons	

Mr. ROBINSON. I was requested to announce that the Senator from Tennessee [Mr. LEA] is detained from the Chamber on account of official business.

Mr. SHAFROTH. I desire to announce the absence of the senior Senator from Missouri [Mr. STONE] and the junior Senator from Missouri [Mr. REED] on business of the Senate.

Mr. KERN. I wish to announce the unavoidable absence of the senior Senator from West Virginia [Mr. CHILTON]. He is detained on account of sickness.

Mr. CATRON. I desire to announce the necessary absence of my colleague [Mr. FALL], who is detained by serious sickness in his family.

The VICE PRESIDENT. Fifty-nine Senators have answered to the roll call. There is a quorum present.

During the delivery of Mr. BURTON's speech,

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House had passed a bill (H. R. 20189) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, in which it requested the concurrence of the Senate.

RIVER AND HARBOR APPROPRIATIONS.

Mr. FLETCHER. I desire to ask the Senator from Ohio a question. I desire to ask that the river and harbor bill which has just been received from the House of Representatives be laid before the Senate and that it be referred to the Committee on Commerce.

Mr. BURTON. Will that change the status of things here in regard to my right to the floor?

Mr. FLETCHER. I think not if it is done by unanimous consent. It is a privileged matter anyway.

Mr. BURTON. I do not wish Senators to feel that I am exceptionally insistent on this question, but I have not finished my remarks.

Mr. FLETCHER. I will not raise the question now.

Mr. BURTON. It has seemed to me that there was possibly a manifestation of some desire to bring my remarks prematurely to an end.

Mr. FLETCHER. I withdraw the request.

Mr. BURTON. I want to say to the Senator from Florida that I am entirely willing to accommodate him in this regard, although I do not wish to take any chances.

The PRESIDING OFFICER (Mr. WHITE in the chair). The Chair holds that it will not change the status of the Senator from Ohio to have the message from the House of Representatives laid before the Senate.

Mr. BURTON. The Chair, I understand, refers to the message in regard to the river and harbor bill?

The PRESIDING OFFICER. Yes. The Chair lays before the Senate a bill received from the House of Representatives, the title of which will be read.

H. R. 20189. An act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, was read twice by its title.

The PRESIDING OFFICER. The bill will be referred to the Committee on Commerce.

After the conclusion of Mr. BURTON's speech and the calling of the roll,

PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. Latta, executive clerk, announced that the President had approved and signed the following acts and joint resolution:

On January 15, 1915:

S. J. Res. 218. Joint resolution to provide for the detail of an officer of the Army for duty with the Panama-California Exposition, San Diego, Cal.

On January 16, 1915:

S. 6039. An act for the coinage of certain gold and silver coins in commemoration of the Panama-Pacific International Exposition, and for other purposes.

On January 20, 1915:

S. 5168. An act for the relief of the King Theological Hall, and authorizing the conveyance of real estate to the Howard University and other grantees.

PETITIONS AND MEMORIALS.

Mr. SHIVELY presented a memorial of the Chamber of Commerce of Kokomo, Ind., remonstrating against all military agitation in the United States, which was referred to the Committee on Foreign Relations.

Mr. ROBINSON presented petitions of the Board of Trade of Batesville, Ark., praying that an appropriation be made for the construction of seven locks and dams on the upper White River, above Batesville, for the improvement of navigation, which were referred to the Committee on Commerce.

Mr. POINDEXTER presented a petition of the Whatcom County Medical Society, of Washington, praying for the enactment of legislation granting a fair and impartial hearing to Dr. Frederick A. Cook on his polar claims, which was referred to the Committee on the Library.

He also presented petitions of the Woman's Christian Temperance Union of Endicott, of Charles E. Meyers and sundry other citizens of Davenport, and of Miss Alma Scott and sundry other citizens of Ritzville, all in the State of Washington, praying for the adoption of an amendment to the Philippine bill to prohibit the sale of intoxicating drinks and drugs in the Philippine Islands except for medicinal purposes, which were referred to the Committee on the Philippines.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. MARTIN of Virginia:

A bill (S. 7333) granting an increase of pension to Sarah Rebecca (Taylor) Jones; and

A bill (S. 7334) granting an increase of pension to Sophie M. Walker; to the Committee on Pensions.

By Mr. JAMES:

A bill (S. 7335) granting an increase of pension to Sarah T. Wright (with accompanying papers); and

A bill (S. 7336) granting a pension to Katherine Walker (with accompanying papers); to the Committee on Pensions.

By Mr. SHIVELY:

A bill (S. 7337) granting a pension to Joseph Phillips;

A bill (S. 7338) granting a pension to Minnie Kinder;

A bill (S. 7339) granting an increase of pension to William C. Fickas; and

A bill (S. 7340) granting an increase of pension to John J. White; to the Committee on Pensions.

By Mr. SHIELDS:

A bill (S. 7341) granting a pension to Sue C. Barton; and

A bill (S. 7342) granting an increase of pension to Madison T. Trent; to the Committee on Pensions.

By Mr. MARTINE of New Jersey:

A bill (S. 7343) granting an increase of pension to John R. Lindaberry (with accompanying papers); to the Committee on Pensions.

By Mr. NELSON:

A bill (S. 7344) granting a pension to Rose Barnes (with accompanying papers); to the Committee on Pensions.

By Mr. HUGHES:

A bill (S. 7345) granting an increase of pension to William Husk;

A bill (S. 7346) granting an increase of pension to Mary E. Foster; and

A bill (S. 7347) granting a pension to Elizabeth McCaveny; to the Committee on Pensions.

By Mr. LIPPITT:

A bill (S. 7348) granting an increase of pension to Nelly Cole; to the Committee on Pensions.

By Mr. SMOOT:

A bill (S. 7349) granting an increase of pension to Lewis A. Huffaker (with accompanying papers); to the Committee on Pensions.

By Mr. OLIVER:

A bill (S. 7350) granting a pension to Lusetta Weary; to the Committee on Pensions.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. JONES submitted an amendment proposing to increase the appropriation for the investigation and improvement of cereals and methods of cereal production, etc., from $139,505 to $142,005, so that $2,500 of the same shall be used in connection with the experiment station at Waterville, Wash., intended to be proposed by him to the Agricultural appropriation bill (H. R. 20415), which was referred to the Committee on Agriculture and Forestry and ordered to be printed.

He also submitted an amendment proposing to increase the appropriation for the purchase, propagation, testing, and distribution of new and rare seed from $119,920 to $122,420, so that $2,500 thereof shall be used at the experiment station, Waterville, Wash., intended to be proposed by him to the Agricultural appropriation bill (H. R. 20415), which was referred to the Committee on Agriculture and Forestry and ordered to be printed.

Mr. SAULSBURY submitted an amendment proposing to appropriate $6,500 for an additional force of five special examiners in the Pension Office for one year at $1,300 each, etc., intended to be proposed by him to the legislative, etc., appropriation bill (H. R. 19909), which was referred to the Committee on Appropriations and ordered to be printed.

THE JUDICIAL CODE.

Mr. WARREN submitted an amendment intended to be proposed by him to the bill (H. R. 15578) to codify, revise, and amend the laws relating to the judiciary, which was referred to the Committee on the Judiciary and ordered to be printed.

THE MERCHANT MARINE.

The Senate as in Committee of the Whole resumed the consideration of the bill (S. 6856) to authorize the United States, acting through a shipping board, to subscribe to the capital stock of a corporation to be organized under the laws of the United States or of a State thereof or of the District of Columbia, to purchase, construct, equip, maintain, and operate merchant vessels in the foreign trade of the United States, and for other purposes.

Mr. GALLINGER. Mr. President, what is the question before the Senate?

The VICE PRESIDENT. The Chair was trying to find out. The question is on the amendment in the nature of a substitute offered on behalf of the Committee on Commerce by the Senator from Florida [Mr. FLETCHER].

Mr. LODGE. I ask that the amendment be read.

The VICE PRESIDENT. The Secretary will read the amendment.

The SECRETARY. Strike out all after the enacting clause and insert:

That the United States, acting through the shipping board hereinafter created, may subscribe to the capital stock of any corporation now or hereafter organized under the laws of the United States or of any State thereof or of the District of Columbia which shall have for its object the purchase, construction, equipment, maintenance, and operation of merchant vessels to meet the requirements of the foreign commerce of the United States, or to charter vessels for such purposes, and to make charters or leases of any vessel or vessels owned by such corporation to any other corporation, firm, or individual to be used for such purposes: *Provided*, That the terms and conditions of such charter parties shall first be approved by the shipping board, the initial capital stock of which corporation shall not be over $10,000,000, of the par value of $100 per share.

SEC. 2. That the United States shall subscribe to 51 per cent of the initial capital stock of such corporation at par and the remainder thereof shall be offered for public subscription at not less than par, and the United States may then further subscribe at par for any amount of such stock not taken by public subscription, but such corporation may begin business as soon as 51 per cent of such stock has been subscribed and paid for by the United States. The shipping board, with the approval of the President, may consent to or may cause an increase of the capital stock from time to time as the interests of the corporation may require, but the United States shall subscribe for 51 per cent of each and every such increase.

SEC. 3. That the United States, through the shipping board and with the approval of the President, is authorized to purchase or construct vessels suitable, in the judgment of the shipping board, for the purposes of such corporation, with a view to transferring them to such corporation, and for this purpose the Secretary of the Treasury, upon the request of the shipping board and the approval of the President, may issue and sell or use for such purchases or construction any of the bonds of the United States now available in the Treasury of the United States under the act of August 5, 1909, the act of February 4, 1910, and the act of March 2, 1911, relating to the issue of bonds for the construction of the Panama Canal, to a total amount not to exceed $30,000,000 for the purpose of purchasing or constructing such vessels: *Provided*, That the bonds issued and sold or used under the provisions of this section may be made payable at such time after issue as the Secretary of the Treasury, in his discretion, may deem advisable and fix, instead of 50 years after date of issue, as in said act of August 5, 1909, not exceeding 50 years: *Provided further*, That payments for such purchases or construction from proceeds of sales of bonds, or delivery of bonds in payment thereof, shall be made only as ordered and directed by the shipping board.

SEC. 4. That the shipping board is authorized to transfer the vessels purchased or constructed as herein provided to any such corporation in which the United States has become a stockholder as hereinbefore provided, and such corporation shall issue to the United States in payment thereof its gold bonds bearing interest at not less than 4 per cent per annum, and upon such further terms and conditions as may be prescribed by the shipping board, such bonds to constitute a first and paramount lien upon such vessels thus transferred and upon all the property of such corporation: *Provided*, That the amount of bonds received by the United States in payment for such vessels shall not be less at the then par value than the total amount expended by the United States in the purchase or construction of such vessels, and the same may be sold by the Secretary of the Treasury, in his discretion and with the approval of the President, to reimburse the Treasury for expenditures made in the purchase or construction of vessels. Such corporation shall make suitable provision for sinking fund and for the depreciation charges under the rules and regulations to be prescribed by such shipping board; and all vessels acquired under this act, or in which the United States shall otherwise be interested as owner in whole or in part, or upon which the United States shall have or hold any mortgage, pledge, lien, or other security, shall, when and while employed solely as merchant vessels, be in all respects subject to the rules, regulations, and liabilities governing merchant vessels under the principles of international law, in like manner and to the same extent as merchant vessels in private ownership when duly registered under the laws of the United States.

SEC. 5. That vessels purchased or constructed by such shipping board and conveyed to such corporation as herein provided shall be entitled to registry under the laws of the United States and shall be deemed vessels of the United States and entitled to the benefits and privileges appertaining to such vessels, except such vessels shall engage only in trade with foreign countries or with the Philippine Islands, the Hawaiian Islands, and the islands of Guam and Tutuila. Such vessels shall be subject to the navigation laws of the United States except as herein provided.

SEC. 6. That the Secretary of the Treasury, the Postmaster General, and the Secretary of Commerce are hereby constituted a board to be known as the shipping board, with full power, subject to the approval of the President, to vote the stock of the United States in said corporation, either as a body or by one or more of its members duly authorized by a majority, and to do all things necessary, whether specifically enumerated or not, to carry out the purposes of this act and protect the interests of the United States.

SEC. 7. That, with the approval of the Congress, such shipping board may at any time sell the stock of such corporation owned by the United States.

SEC. 8. That the President of the United States is hereby authorized to charter, lease, or transfer such naval auxiliaries now belonging to the Naval Establishment of the United States as are suitable for commercial use and which are not required for use in the Navy in time of peace, and vessels belonging to the War Department suitable for commercial uses and not required for military transports in time of peace and to direct or cause to be chartered, leased, or transferred vessels now owned and operated by the Panama Railroad Co., to any corporation now or hereafter organized as in this act provided upon such terms and conditions as the shipping board, with the approval of the President of the United States, shall prescribe. The vessels purchased or constructed by the United States through the shipping board, with the approval of the President of the United States, shall be of a type, as far as the commercial requirements of the foreign trade of the United States may permit, suitable for use as naval auxiliaries in the Naval Establishment of the United States.

SEC. 9. That the President of the United States, upon giving to any such corporation in which the United States shall be a stockholder, through its president, vice president, secretary, or manager, notice in writing for such reasonable length of time as in his judgment the circumstances require and will permit of his intention so to do, may take possession, absolutely of temporarily for use as naval auxiliaries, of any vessel or vessels owned or leased by or otherwise in the possession of said corporation, and said corporation shall be entitled to a reasonable price or rental therefor, to be fixed by the shipping board with the approval of the President: *Provided*, That if in the judgment of the President an emergency exists requiring such action he may take possession of any such vessel or vessels without notice.

SEC. 10. That the shipping board shall make to Congress, at the beginning of each regular session, a report of expenditures and receipts under this act and of the operations of any corporation in which the United States may have become a stockholder hereunder.

SEC. 11. That for the purpose of carrying out the provisions of this act there is hereby appropriated, out of any money in the Treasury of the United States not otherwise appropriated, the sum of $10,000,000. But the corporation in which the United States shall become a stockholder as herein provided shall pay all necessary expenses of the shipping board in this behalf.

SEC. 12. That the President is hereby authorized and empowered to designate from time to time such ports of the United States as he may for the purposes of this section deem advisable at which the several collectors of the ports so designated shall for such periods of time as the President may prescribe inspect all goods, wares, and merchandise of whatever description offered for shipment from any such port to any foreign port upon any vessel directly or indirectly owned in whole or in part by the United States or in which the United States may have a proprietary interest, when employed solely as a merchant vessel, or upon any vessel whatsoever when duly registered under the laws of the United States. It shall be, and is hereby made, the duty of the collector of the port at each of the ports so designated, and authority is hereby granted to such collector for that purpose, to make such inspection and examination before the same shall be loaded and stored aboard ship of all goods, wares, and merchandise of whatever description offered for shipment from such port to any foreign port upon any vessel defined by this section as may be necessary to inform him as to the exact character and description of the goods, wares, and merchandise so offered for shipment. It shall be unlawful for any person, whether as principal or agent, to load and store aboard ship, or attempt to load and store aboard ship, any goods, wares, or merchandise subject to inspection under this section before the same have been duly inspected and examined as herein required; and it shall be unlawful for the master or other chief officer of any vessel defined in this section to receive and store aboard ship any goods, wares, or merchandise subject

to inspection under this section before the same have been duly inspected and examined as herein required. Any person who shall knowingly violate the provisions of this section shall be guilty of a misdemeanor, and upon conviction before any court of competent jurisdiction shall be sentenced to pay a fine of not more than $5,000, and shall be committed to prison until such fine and the costs of the prosecution shall be paid; and clearance shall not be granted to any vessel whose owners or chief officers shall knowingly violate the provisions of this section: *Provided*, That the Secretary of Commerce may upon hearing and for satisfactory reasons permit and direct the clearance of any such vessel, stating his reasons therefor in a written opinion to be filed as a public document in the Department of Commerce.

It shall be, and is hereby made, the duty of the collector of the port from which any such vessel clears to inspect the manifest or cargo invoice of each vessel subject to the provisions of this section to ascertain whether the manifest or cargo invoice sets forth a true exhibit of all goods, wares, and merchandise aboard ship at the time of sailing; and if the collector of the port shall be satisfied that the manifest or cargo invoice does set forth a true exhibit of all goods, wares, and merchandise received aboard ship at the time of sailing, he shall in every such case attach to the manifest or cargo invoice his official certificate under seal, setting forth that he has inspected and examined the goods, wares, and merchandise aboard such ship, and that the manifest or cargo invoice sets forth a true exhibit of the same. No such vessel shall be granted a clearance at any such port until after the certificate, herein required to be issued under his official seal by the collector of the port, has been issued and delivered by him to the chief officer or other proper officer of such vessel.

It shall be the duty of the Commissioner of Navigation, with the approval of the Secretary of Commerce, to make and promulgate all needful and proper rules and regulations for administering the provisions of this section; and for the purpose of carrying out the provisions of this section the sum of $500,000 is hereby appropriated out of any money in the Treasury of the United States not otherwise appropriated.

SEC. 13. That this act shall take effect from its passage.

Mr. LODGE. Mr. President, may I ask if there is any amendment pending to the original bill?

The VICE PRESIDENT. To the substitute?

Mr. LODGE. No; not to the substitute, but to the original bill. Is there any perfecting amendment pending?

The VICE PRESIDENT. The Chair has some difficulty in answering, because he has to rely entirely upon the Secretary. The Secretary says that all the original amendments were withdrawn.

Mr. LODGE. I desire to offer as a perfecting amendment to the part proposed to be stricken out the following amendment.

The VICE PRESIDENT. The Senator from Massachusetts offers an amendment to the original bill which will be read.

The SECRETARY. At the end of the bill, insert the following——

Mr. FLETCHER. The substitute itself is a proposed amendment to the bill, and it is in order to offer an amendment to the substitute.

Mr. LODGE. The Senator has had long experience and knows that it is in order to perfect the original text.

The VICE PRESIDENT. There can be no question about it. This is to strike out and insert. Of course, it is always in the power of the Senate to perfect a bill, to move to strike out, before a motion to strike out and insert is submitted. There can be no question about the right to present amendments to the text of the original bill. The Secretary will read the amendment proposed by the Senator from Massachusetts.

The SECRETARY. At the end of the bill it is proposed to insert:

Provided, That no vessels shall be purchased under this act which are the property, in whole or in part, of or which are in any manner controlled or subsidized by any of the nations now at war, nor shall any vessels be purchased under this act which are the property of any of the subjects or citizens of said belligerent nations.

Mr. WEEKS. Mr. President, there is no difference of opinion among those who have given this subject any consideration as to the desirability of our being represented in the over-seas traffic by ships flying the American flag and manned and officered by Americans. The question which has disturbed this country for 30 or 40 years has been how to bring about that result. When we look back a hundred years and find that we were then carrying in American bottoms 90 per cent of our over-seas traffic, that that had decreased one-half by the period of the Civil War, and that it has not increased at all since that time, we as a people, I think, should feel embarrassed and ashamed of the result of our legislation or of our enterprise.

Naturally we are a seafaring people. In the early days a large portion of the people of this country were engaged in seafaring pursuits. Many of the immigrants who had come to this country had come from those parts of the world which even now are active in everything pertaining to seafaring life, and yet we have not developed, but have constantly, in proportion to our foreign trade, decreased our merchant marine.

We pay for the transportation of the products of American soil more than $200,000,000 a year. That is one of the great items which enter into making up the balance of trade which stands against this country or which may stand in favor of this country at the end of the fiscal year. There has never been a year for a generation during which there would not have been a large balance of trade in favor of the United States if it had not been necessary for us to pay to foreign shipowners and foreign nations this very large amount of money which is required for the transportation of our products.

There seem to me, Mr. President, to be three possible ways of bringing about a rehabilitation of our merchant marine. I am not going to discuss them in detail, but simply to mention them. We might repeal everything pertaining to the navigation laws of this country. That would mean reducing the pay of seamen, reducing the cost of ships, and lessening every safeguard which we have placed about men engaged in seafaring pursuits. I very much doubt if there is any real sentiment in this country in favor of adopting such a course. Indeed, there is a bill now pending in conference which has to do with increasing the safeguards of not only those who are traveling at sea but increasing the insurance of every quality which surrounds those who follow the sea for a livelihood. If we are to adopt that bill, or anything like it, it will be little short of ridiculous for us to consider lowering the standard which we have already set as desirable to surround those who follow the sea.

I have before me an editorial taken from the Boston Herald, resulting from a letter written by a correspondent of that paper, asking what changes would be necessary if we were to lower the standard of seafaring life. An editorial was written by one of the best-posted men concerning nautical pursuits, and I am going to take the time to read it. The letter which was written to the Herald is as follows:

ONE GREAT QUESTION OF THE HOUR.

131 STATE STREET, *January 12, 1915.*

To the EDITOR OF THE HERALD:

I believe it would interest many of your readers if you would take occasion to inform us just what the burdens are, imposed by legislation, which prevent our having a merchant marine.

This information would be of assistance in forming one's conclusions as to the merits of the President's scheme for Government lines.

E. M. PARKER.

The reply is as follows:

Until August 24, 1912, no foreign-built ship could secure American registry, though owned by American citizens. It was earnestly contended by Mr. Wilson's political associates that the repeal of this provision and the adoption of a free-ship policy would bring a great fleet of foreign-built, American-owned vessels beneath the Stars and Stripes. Up to the outbreak of the European war, on August 1, 1914, it had not brought one. Then the free-ship policy, through an emergency act of August 18, 1914, was further broadened by relieving such foreign-built vessels from the requirement of carrying American officers and complying with our inspection and measurement laws. The war, of course, supplied a powerful motive for seeking the protection of a neutral flag, and since August 18 last no fewer than 111 foreign-built vessels, of an aggregate tonnage of 396,990, have applied for and received American registry for the purpose of engaging in the foreign trade. Nearly all of these ships were either British or German, and nearly all were owned and controlled by American capital before the war began.

President Wilson and his colleagues now urge that this result is altogether inadequate and disappointing; that a great many more foreign-built vessels must be secured to serve our commerce, and that as free ships have failed immediate resort must be had to the expedient of Government purchase, ownership, and operation.

It should be borne in mind that the navigation laws of the United States were revised and liberalized by the act of August 18, 1914, so far as foreign-built vessels are concerned. They do not have to carry American officers or crews—they can be manned throughout by foreigners; they do not have to meet the demands of our rigid inspection laws, and their foreign figures of measurement, on which tonnage dues and port charges are based, are accepted without question by our Government.

I want particularly to call attention in reading this statement—which I think is very accurate and illuminating—to the number of things which we have done in the last two or three years, commencing with the act of August 24, 1912, to relieve the situation, many of which, it was contended by those who had made some examination of the question, would be sufficient to bring about the development and building up of our own merchant marine:

The only legislative disadvantage to which these foreign-built vessels are subjected when they hoist our flag is that they have to provide the American food scale or its equivalent, but this is not of itself a heavy exaction, for there has been a marked advance in recent years in the food-scale requirements of foreign shipping laws.

In other words, under our present policy American merchants can acquire a foreign-built ship with its foreign officers and crew complete, and operate it, so far as laws are concerned, as cheaply as before, except for a little more variety and abundance in provisioning. But let us emphasize the phrase, "so far as laws are concerned"—for it has been found in practice that the British or German or Scandinavian officers on these foreign-built ships coming under American registry have immediately demanded and received the higher wages paid to American officers on ships of American construction. Presumably the entire crews will do, or are doing, the same. This involves, of course, a considerable increase in the cost of ship operation. It is, however, not an increase for which American laws are responsible in any way. There is no American law, as the Herald said the other day, that requires that British or German or Scandinavian immigrants coming into the shops and factories of Massachusetts should receive the same

wages as American citizens, but as a matter of fact they usually do receive them.

These increased wages for foreign officers and crews would be demanded and paid on foreign-built ships purchased and owned by the Government, exactly as they are being demanded and paid on foreign-built ships owned by American merchants. Such increased wages and perhaps an increased cost, because of the greater variety and abundance of food, would undoubtedly make the maintenance of Government-owned vessels higher than that of similar vessels of foreign flags and foreign ownership. Moreover, some of these foreign vessels would receive subsidies, bounties, or similar favors from their Governments.

A Government-owned fleet under the American flag will be at precisely the same disadvantage as compared with cheap-wage, perhaps subsidized, foreign ships as a like private-owned fleet under the American flag. Indeed, the disadvantage will unquestionably be greater for a Government-owned fleet, because all human experience shows that the Government can not operate shipping or any business as economically or efficiently as a trained private management.

It has been the Republican plan to offset this disadvantage of the American flag, which is a matter of wages or of wages and foreign subsidies combined, by a frank, duly restricted, and accounted-for subsidy or subvention from the National Treasury. The President's plan would in effect secure the same subsidy in the guise of an appropriation to purchase and maintain a Government-owned fleet, which, according to the President, when securely established in trade is to be disposed of, a few years hence, to private shipowners.

Thus a subsidy or its equivalent is involved in either case. We think that the Republican plan is the better and the cheaper one. It is substantially what other Governments have done, and it is manifestly preferred by responsible men of business, who know whereof they speak.

Now, I want to put into the RECORD, Mr. President, the reasons which have been assigned many times by those who have discussed this question why we can not compete with foreign vessels. The first reason is that we are handicapped in the higher cost of labor, which is frequently 50 per cent higher than in other countries.

The second handicap is the higher cost of material, which is from 20 to 25 per cent higher. That, of course, is overcome by the purchase of foreign-built ships.

The third handicap is the cost of money, which is certainly from 1½ to 2 per cent higher in this country than elsewhere. If we are going into Government ownership and Government development, of course the money borrowed by the Government hereafter is going to cost nearer the commercial rate than has been the case in the past. The only reason why this Government and other Governments have been able to borrow cheaply was because their debt has been comparatively small; but as their debt increases, especially as it will in Europe resulting from the war, it may be depended upon that the European Governments will be paying substantially as high rates for money as are charged the best commercial industries, and if we are going into railroad construction in Alaska, if we are to undertake the running of steamship lines, and if we are going into other pursuits, where we shall have to indulge in large capital outlay, we will gradually see the rate for money borrowed by the Government increasing.

The fourth handicap is the higher cost of wages and salaries, running from 50 to 100 per cent. As I have just pointed out, the men who come over in foreign vessels which have been transferred to American registry, English, Norwegians, Swedes, and others, demand the same wage when they come under our flag which is demanded by our own citizens.

Mr. PAGE. Mr. President, may I ask the Senator a question?

Mr. WEEKS. I yield to the Senator for a question.

Mr. PAGE. In the discussion last year with reference to the comparative cost of labor on foreign vessels and American vessels, I think Capt. Dollar, who is so largely interested in shipping on the Pacific coast, stated that the cost of American employees as compared with those on the Japanese lines was more than three to one in favor of the Japanese lines. Has the Senator any knowledge in regard to that?

Mr. WEEKS. I think that is substantially a correct statement. Although I have no figures before me, that is my impression.

The fifth handicap is the higher cost of fuel, it being about 25 per cent higher in this country than it averages abroad.

The sixth handicap is the higher cost of repairs—1 per cent higher per annum.

The seventh handicap is in the fixing of freight rates. When once an American freight rate is fixed, an American vessel can not change the rate under 30 days.

It should not be overlooked that the fixing of ocean rates is an entirely different matter from the fixing of rates in any other form of transportation. It is true that on the well-established passenger routes between this country and Europe the rates only vary with the seasons; but in all other cases rates are dependent on the amount of trade or traffic offering at the time. The tramp steamer comes into an Atlantic port with a cargo from some place in Europe. It finds a lack of offerings for transportation in any direction. It hears, possibly, of a demand for cargo-carrying ships in Rio. In order to get to Rio it will take anything that happens to be available at a greatly reduced price, in order to pay the expense of the run to Rio, rather than to go in ballast. At Rio it may find an overstocked market for the shipping offered, so that it will be able to pick up a very high rate. Coming around to the Pacific coast, it may go from one coast and one port to another, sometimes happening in a port at a time when there is great pressure for tonnage, and under such circumstances fixing a very high rate; at other times happening in a port where there is a great oversupply of tonage, under which circumstances the rate materially falls and becomes only nominal, to enable the ship to get to a point where rates may be better or where there may be less tonnage offered. So that the question of ocean rates can not be considered from the standpoint which obtains in the case of other rates.

There is to-day something like forty-six or forty-seven million tons of shipping on the high seas, of which about 7,000,000 tons is engaged in our own coastwise trade. It is well to call attention, I think, to the difference in the way we have treated our over-seas trade and our coastwise trade and the different results which have been obtained from that treatment. Ever since the organization of this Government we have made a monopoly of coastwise shipping. I know the views which some gentlemen have of that monopoly, based on a report which I think has not been carefully analyzed; but, in my judgment, the coastwise shipping of this country is effectively handled by the cargo carriers and the lines which are established, and the business is done at reasonable rates, very nearly always better equalized than are the rates for over-seas traffic. If anyone thinks that this trade is not being conducted under reasonable conditions—in other words, if he thinks it is more profitable than it should be—all he will have to do will be to go to the several owners of lines of steamers and he will find that in many cases under present conditions he can buy the steamers of those lines at very much less than it would cost to reproduce them, with such reductions as should be made on account of depreciation during the life of the steamers.

We have provided in the Panama Canal act that ships owned by railroads can not pass through the canal; and under the provisions of that act the Department of Justice has ordered the New Haven Railroad to sell the steamers which it has owned for many years, connected with the New England Navigation Co. and the Merchants & Miners' Line, which runs from Baltimore to the New England coast. Those steamers and others owned by the New York, New Haven & Hartford Railroad, being for sale as a result of this order of the Department of Justice, can be bought in some cases at one-half what they cost the railroad. There is no bidder for them. The business is not profitable under present conditions. The statement of the Merchants & Miners' Line, which I have not before me, bears out the assertion I have just made as to that line, which has a well-established business which for many years was reasonably profitable, but which under the conditions which have developed in recent years is not now profitable. It owns a considerable number of very excellent ships, and if anybody thinks there is a mint in the coastwise traffic of this country there is an opportunity for him to test his belief by buying ships at very much less than their reproduction value less what should be charged off for depreciation and running them on a line which has been in operation for a great many years.

Mr. VARDAMAN. Mr. President——

The PRESIDING OFFICER (Mr. HOLLIS in the chair). Does the Senator from Massachusetts yield to the Senator from Mississippi?

Mr. WEEKS. I yield for a question.

Mr. VARDAMAN. I should like to ask the Senator whether those ships are suited for the overseas business?

Mr. WEEKS. Mr. President, generally speaking, I think they are not. I think none of the ships of the New England Navigation Co. are suited for over-seas traffic. While the vessels of the Merchants' & Miners' Line do go outside, and might be possibly, under some conditions, available for this service, they are not, in my judgment, ships well suited for overseas traffic. The result of our protective system, however, has been the development of 7,000,000 tons of coastwise shipping; and the result of our failure to protect our overseas shipping has been the decrease of that shipping from more than 2,000,000—nearly 3,000,000 tons 100 years ago—to less than 1,000,000 tons to-day.

Of course, there is something wrong with this system. There must be some way in which we can do our own carrying at sea. We provided in the act of March, 1891, for a mail subvention; and I want to call the attention of the Senators on the other side, who have resolved any number of times in their conventions against subsidies, to the fact that there is a mail subvention law, which is in effect a subsidy, now in operation, and

if it were not in operation there would not be a single American ship on established lines engaged in overseas traffic on the Pacific Ocean, with the Caribbean ports on the northerly side of South America or from the Atlantic coast to Europe. I believe every American ship engaged in that trade on any established line is a beneficiary of the mail subvention act of 1891.

Mr. POMERENE. Mr. President——

The PRESIDING OFFICER. Does the Sentor from Massachusetts yield to the Senator from Ohio?

Mr. WEEKS. I yield for a question.

Mr. POMERENE. A moment ago the Senator pointed out the disadvantages at which we were placed growing out of the difference in the cost of construction, of material, of wages, of interest charges on money, and so forth. I take it that in the judgment of the Senator those objections would apply to American shipping whether it was engaged in by the Government or by private enterprise?

Mr. WEEKS. Undoubtedly, except as to the rate of interest on money which it would cost the Government to undertake the business. The Government, of course, could borrow its money cheaper.

Mr. POMERENE. The Government could do that at a less rate, so that the advantage would be with the Government, as far as that is concerned?

Mr. WEEKS. The advantage would be with the Government.

Mr. POMERENE. Is it the Senator's opinion, then, that because of this handicap which American shipping must endure we should leave that field entirely to European capital?

Mr. WEEKS. Not at all. I shall point out during my remarks what I would do, though it is not my purpose to discuss the question of subsidies or matters relating to anything else than the present bill; but while the Government would have a benefit, as compared with the private owner, in the rate of money, it would have a serious handicap from almost any other standpoint, as I think I can show before I finish.

Mr. OLIVER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Massachusetts yield to the Senator from Pennsylvania?

Mr. WEEKS. I do, for a question.

Mr. OLIVER. I will ask the Senator this question: Conceding that the Government would have the advantage of being able to obtain money at a lower rate of interest for the purpose of running ships, would they not have the same advantage if they wanted to go into the manufacture of shoes or into the wholesale grocery business or any other business which heretofore has been left to the domain of private enterprise?

Mr. WEEKS. The Senator is quite right about the inference which may be drawn from his question. The Government will always have an advantage until the time comes, as I have suggested, when the Government indebtedness becomes so large in proportion to the indebtedness of the private borrower that the interest rates which money will cost either the private borrower or the Government will become very nearly equal.

As I have said, we may either remove these handicaps placed against us by our navigation laws, most of which have been removed, and the balance of which I doubt if there is any sentiment in favor of removing—I certainly am not in favor of it—or we may take one of two other courses. One alternative is to provide a mail subvention, as has been done in the act of March, 1891, to which I have referred. Such a measure has very nearly passed Congress two or three times. Once such a bill passed the Senate and came within two or three votes of passing the House of Representatives. In my judgment, if that bill had passed, it would have provided for a large number of ships coming under the provisions of the act, so that quite likely there would not be the demand which exists to-day to do something for our merchant marine under the emergency conditions which exist. Senators on the other side of the aisle must take very largely the responsibility for the condition which exists to-day. While it is true that they have not been in power, yet they have unitedly and unanimously, as far as I know, voted against every attempt to do anything for our shipping during all these years, when it has been perfectly apparent that it was losing, comparatively, year after year. As the Senator from Utah [Mr. SMOOT] suggests, they filibustered against legislation of that kind. I think I recall at least one instance since I have been in Congress when a filibuster was carried on for that reason.

The other method to pursue is some such course as is suggested in the pending legislation, which I think is unwise. I think it will be ineffective. I think it will start us on a policy which will mean more harm to this country than almost anything that we can do. It is a dangerous policy, in the first place. We are likely to develop conditions which will embarrass our relations with foreign countries. True, we do not know exactly what the results are going to be from any purchase which we may make. I think I once submitted to the Senate an instance that happened during the Civil War days which has a direct bearing on the possibilities which may come from this bill. An American ship was trading in the Indian Ocean region. The *Alabama*, commanded by Commodore Semmes, appeared in that vicinity. It was, of course, dangerous for the American ship to be flying the American flag, so she was transferred to British registry. As far as her papers were concerned, it was a bona fide transfer. Her name was changed from the *Texas Star* to a local name. She was loaded with a British cargo and sailed from the British port of Penang for the British port of Shanghai. On the way she fell in with the *Alabama*. A boarding officer was sent to the ship. He came back, reporting that the ship's papers were regular in every respect; that as far as her papers indicated she was a British ship, but there was every other indication that the ship was an American ship; that she had the lines of an American ship and the officers and men looked like Americans. Commodore Semmes sent a boat to the ship, took off the officers and the crew, and sank the ship without any more ado. Here was a ship in the British service, as far as her papers indicated, flying the British flag, sailing from one British port to another, and carrying a British cargo, yet she was sunk on the theory, I assume, that there was something about her transfer which was open to suspicion. The English Government never made a protest against that act.

What are we likely to come against under these conditions? Suppose we do buy a ship that is now under a belligerent flag, and a belligerent man-of-war follows Semmes's example, the results would be most serious. I do not know where the ships are that can be purchased to-day which do not belong to a belligerent. I am perfectly frank to say that there are some ships lying in ports of belligerents which might be purchased under the present circumstances, simply because the conditions as to manning those ships have changed on account of the war. For instance, there are some English ships in the ports of Great Britain which are not in use. The reason they are not in use is because they have not the men and the officers to man them. The volunteering for this war by British subjects for service at sea has been very much more general than for service on shore. I do not know why that is; but the fact remains that in one instance, for example, that one of the English railroads, which has a marine department, 60 per cent of the men in the marine department have volunteered for service in the British Navy, while less than 25 per cent in the other departments of the railroad have volunteered for service in the army.

The result is that there are not enough seafaring men left in Great Britain to man the ships which are in actual operation. I am told that the Atlantic liners are not completely manned, and in some cases that they have not more than two-thirds of a crew, because it is impossible to get the men to man them. That has resulted in the inability of the owners of many English ships to keep them in commission; and, undoubtedly, those ships are for sale; but exactly the same condition would obtain relating to them which obtains in the case of German ships which are interned in our own ports.

I should like to ask some one in charge of this bill—the question has been asked by the Senator from Ohio [Mr. BURTON] several times in my presence—where the ships are that we are going to buy. It must be that some one has some ships in view which it is the intention to purchase if this bill passes, and I wish some one on the other side who is connected with the passage of this bill would tell the Senate and the country what are the ships and to what nation they belong that are to be purchased in case we adopt this legislation. It would make a vital difference in my vote whether we are to purchase the ships belonging to a belligerent or whether we are to purchase ships belonging to a neutral nation. I wish some one would answer that question.

Mr. SMITH of Georgia. Mr. President, the Senator from Florida [Mr. FLETCHER], in charge of the bill, is not here at present. He has information on the subject.

Mr. WEEKS. I simply yield for a question. I do not yield the floor.

The PRESIDING OFFICER. The Senator does not ask to have the question answered now.

Mr. WEEKS. I hope during the debate some one on the other side who is responsible for this legislation will take occasion to tell the Senate and the country what ships are in contemplation for purchase under the provisions of this act.

Mr. VARDAMAN. Mr. President——

Mr. WEEKS. I yield to the Senator from Mississippi.

Mr. VARDAMAN. I hope the Senator will keep the question open, to be answered at any time during the debate on this measure.

Mr. WEEKS. I do not wish to be taken from my feet, Mr. President.

The PRESIDING OFFICER. The Senator from Massachusetts has the floor.

Mr. WEEKS. Now, I want to devote a little time to the question of subsidies, because we fail frequently in not taking advantage of the experience of other people. We even fail in our own personal affairs in not taking advantage of the experience of those about us. I recur once more to the question of subsidy to show how generally, not to say universally, the merchant marines of other nations have been built up as the result of the subsidy policies which they have adopted.

Mr. CUMMINS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Massachusetts yield to the Senator from Iowa?

Mr. WEEKS. I yield for a question.

Mr. CUMMINS. My question is this: The Senator from Massachusetts recited a few minutes ago a series of handicaps under which our ships labor. Suppose that we had our proportion of the world's ships—that is to say, the same proportion of ships that we have of the world's business—how much annually would be required to be given to our ships in order to overcome the handicaps which were mentioned by the Senator from Massachusetts?

Mr. WEEKS. Mr. President, I can not answer that question in definite terms. The appropriation which is provided in this bill would furnish an amount of shipping which would be almost negligible compared to the total shipping engaged in the commerce of the world. As I have suggested, there are some 47,000,000 tons. The lowest price at which any kind of a reasonably well-built steel or iron ship could be purchased or built would be at least $50 a ton. It is therefore easy enough to figure out how much tonnage could be obtained for $30,000,000, if we were to spend the entire amount which this bill provides shall be invested in shipping. But there are many other things which must be taken into consideration, and which will cost more or less money if we are going to establish ship lines.

One of the most important is providing the lines of steamers with wharf privileges. I do not know, there may be wharves in New York, in the down-town business district, which are available for lease under present conditions, but the last time I made any inquiry about it there was no wharf on the East or the North Rivers which could be engaged near the wholesale district of New York.

One of the benefits which the New Haven Railroad has had in its handling of the traffic between New England and New York is in being able to transfer its freight from rail to steamers and landing the goods down town in New York instead of landing them at the freight yards north of the Harlem River. The profits which the railroad has made in this class of transportation would probably have been more than exhausted in the cost of transferring them from the Harlem River freight yards to the down-town district where they were destined.

This question of wharves is so important that I have heard shipping men say that they believed certain transportation lines might be made valuable and profitable if the lines owned, or controlled by long lease, their wharves at both ends, and that they would not think of investing their money in such a line unless the company did own or control its wharves at both terminals.

I am now going to refer briefly to what other nations have done in the way of paying subsidies:

For the year 1910 Austria and Hungary paid in subsidies for the use of the Suez Canal alone $472,500, and until the year 1907 those countries had paid for East African service an additional bounty varying in amount, but which did not in any one year exceed $300,000.

In 1911 France spent $6,670,000 for bounties for construction and navigation purposes alone and $5,533,000 for mail subvention alone, a total of more than $12,000,000. Of the mail subvention payment $2,220,000 was paid to lines using the Suez Canal, the purpose being to put them on all fours with English lines not having to pay the canal tolls.

Germany paid, in the year 1912, $1,750,000 to the German East African lines and the North German Lloyd for postal service through the Suez Canal. In addition, the German East African lines received an indirect bounty of largely reduced rates furnished by the German railroad companies on goods exported from inland States of Germany to East Africa.

I ought to say that the whole system of the development of the German railroads and German transportation lines has been based on making rates favorable to their steamship lines. More than two-thirds of all the rates on the Prussian railroads, for example, ten-elevenths of which are owned and operated by the Government, are special rates made for the purpose of developing some locality or some business or some other trade than that of the railroad itself. If a coal mine, for instance, is developed in east Prussia, and there is a necessity for that coal in central Germany, the rate is made very materially lower than it would be from some other point in order to develop the mine. If, for example, there is a possibility of that being——

Mr. POMERENE. All of which means in order to show favoritism to that one particular locality as against some other locality in the country.

Mr. WEEKS. That is the result. That is the system.

Mr. POMERENE. The Senator would not contend for one minute that the public here in the United States would ever indorse a method of that kind.

Mr. WEEKS. Oh, no; I do not think it would. I do not think we could do it under the political conditions of this country. I think it would be hopeless.

Mr. POMERENE. It is to be hoped so.

Mr. WEEKS. It would be a hopeless thing to undertake. Yet that is the basis of the German system, and I am pointing it out to show that while the direct subsidies made to German steamship lines have not been as great as in some other countries, they have received benefits indirectly from the Government operation of railroads which would be very much greater than the direct subsidy which is paid by other countries.

Mr. STONE. Will the Senator from Massachusetts yield for a motion to proceed to the consideration of executive business, retaining the floor?

Mr. WEEKS. With the understanding that I retain the floor. I presume the Senator means to-morrow morning after the recess. With that understanding I will yield.

Mr. STONE. As the Senator yields for that purpose, with the right and without prejudice to resume the floor to-morrow morning——

Mr. SMOOT. He would have it anyhow.

Mr. STONE. I think he would have it anyhow.

Mr. SMOOT. After either an adjournment or a recess.

Mr. STONE. It would be the same thing if it was an adjournment or a recess.

Mr. WEEKS. I yield under the circumstances.

Mr. SHEPPARD. I wish to ask unanimous consent to introduce some amendments to the river and harbor bill.

The PRESIDING OFFICER (Mr. HOLLIS in the chair). Is there objection?

Mr. OLIVER. Mr. President——

The PRESIDING OFFICER. The Senator from Texas asks unanimous consent to offer amendments and have them printed. Is there objection?

Mr. OLIVER. I object.

Mr. CLARK of Wyoming. I object.

The PRESIDING OFFICER. Objection is made, and the amendments can not be received.

Mr. KERN. Mr. President——

Mr. OLIVER. If the Senator from Indiana will allow me, I will state that I base my objection upon the idea that such business ought to be transacted in the morning hour.

Mr. KERN. I move that the Senate take a recess at not later than 7 o'clock until 11 o'clock to-morrow.

The PRESIDING OFFICER. The Senator from Indiana moves that at not later than 7 o'clock the Senate shall take a recess until 11 o'clock to-morrow.

Mr. GALLINGER. I move to amend by making it 6.30. It would accommodate certain Senators who have made engagements.

Mr. KERN. The only purpose is to transact some business in executive session.

Mr. GALLINGER. And the recess will be taken when we get through?

Mr. KERN. Yes; after half an hour or so.

Mr. BRISTOW. The nomination of Mr. Hall can not be disposed of within that short time, and if it is the purpose to take that up, of course it would be useless to stay here until 7 o'clock. If the purpose is to transact ordinary business, I do not object.

The PRESIDING OFFICER. Without objection, the Senate will, not later than 7 o'clock, take a recess until to-morrow morning at 11 o'clock. The Chair hears no objection, and it is so ordered.

PAN-AMERICAN CONVENTION.

Mr. STONE. Before moving to go into executive session I desire to report a resolution from the Committee on Foreign Relations.

From the Committee on Foreign Relations I submit a report (No. 920), accompanied by a joint resolution authorizing the

President of the United States to extend invitations to Central and South American Governments to be represented at a conference looking to the improvement of the financial relations between the United States and these nations. I ask that the report be received, and that for further consideration the joint resolution and the report be referred to the Committee on Appropriations.

The joint resolution (S. J. Res. 228) authorizing the President of the United States to extend invitations to Central and South American Governments to be represented at a conference looking to the improvement of the financial relations between the United States and these nations was read twice by its title.

The PRESIDING OFFICER. The Senator from Missouri asks that the joint resolution and the report be referred to the Committee on Appropriations. That order will be made, without objection.

Mr. OLIVER. I object.

The PRESIDING OFFICER. Objection is made.

Mr. STONE subsequently asked that the joint resolution lie on the table, and it was agreed to.

ORDER OF BUSINESS.

Mr. SHIVELY. I ask unanimous consent to submit a report from the Committee on Pensions.

The PRESIDING OFFICER. The Senator from Indiana asks unanimous consent to submit a report from the Committee on Pensions.

Mr. OLIVER. Is it a pension bill?

Mr. SHIVELY. Yes.

Mr. OLIVER. I do not feel that I can object to a report upon such a bill.

Mr. SMOOT. I am a member of the Committee on Pensions, and as long as objection has been made to the reception of other business I object to this report being received.

The PRESIDING OFFICER. Objection is made.

EXECUTIVE SESSION.

Mr. STONE. Mr. President, as we are having a filibuster against pensions and everything else, I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 10 minutes spent in executive session the doors were reopened, and the Senate (at 6 o'clock and 25 minutes p. m., Wednesday, January 20, 1915) took a recess until to-morrow, Thursday, January 21, 1915, at 11 o'clock a. m.

NOMINATIONS.

Executive nominations received by the Senate January 20 (legislative day of January 15), 1915.

COMMISSIONER FOR THE DISTRICT OF COLUMBIA.

Louis Brownlow, of the District of Columbia, to be a Commissioner for the District of Columbia for a term of three years, vice Frederick L. Siddons, resigned.

UNITED STATES ATTORNEY.

Edwin S. Wertz, of Wooster, Ohio, to be United States attorney for the northern district of Ohio, vice Ulysses G. Denman, resigned, effective March 1, 1915.

PROMOTIONS IN THE REVENUE-CUTTER SERVICE.

Second Lieut. Frank Lynn Austin to be first lieutenant in the Revenue-Cutter Service of the United States, to rank as such from September 13, 1914, in place of First Lieut. Leonard Taylor Cutter, retired.

Third Lieut. Wilmer Hake Eberly to be second lieutenant in the Revenue-Cutter Service of the United States, to rank as such from September 13, 1914, in place of Second Lieut. Frank Lynn Austin, promoted.

Third Lieut. Russell Lord Lucas to be second lieutenant in the Revenue-Cutter Service of the United States, to rank as such from September 19, 1914, in place of Second Lieut. Howard Eugene Rideout, promoted.

Second Lieut. Howard Eugene Rideout to be first lieutenant in the Revenue-Cutter Service of the United States, to rank as such from September 19, 1914, in place of First Lieut. William Edwin At Lee, deceased.

CONFIRMATIONS.

Executive nominations confirmed by the Senate January 20 (legislative day of January 15), 1915.

REGISTER OF THE LAND OFFICE.

Dallas C. Weyand to be register of the land office at Glenwood Springs, Colo.

REAPPOINTMENT IN THE ARMY.

JUDGE ADVOCATE GENERAL'S DEPARTMENT.

Brig. Gen. Enoch H. Crowder to be Judge Advocate General with the rank of brigadier general.

APPOINTMENT IN THE ARMY.

CHAPLAIN.

Rev. Adolf John Schliesser to be chaplain with the rank of first lieutenant.

POSTMASTERS.

ILLINOIS.

Harold M. Oakford, Walnut.

KANSAS.

W. L. D. Hagan, Newton.
John A. Lindahl, Enterprise.

KENTUCKY.

William P. Kirtley, Horse Cave.

MICHIGAN.

John D. Burgess, West Branch.
William Grant Howard, Marion.

NEW JERSEY.

Robert L. De Camp, Westfield.

OHIO.

Frederick M. Bushnell, Mansfield.
Mrs. Mary K. Long, Medina.
James E. Sullivan, Lima.

PENNSYLVANIA.

David V. Hays, Burgettstown.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, *January 20, 1915.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Our Father in heaven, as the shadows lengthen and we feel the touch of time, we are altogether reassured that Thy providence has shaped and guided our lives and brought us in thought and deed closer to Thee in the broader, truer faith, in the brighter, clearer hope, in the stronger ties of love for Thee and our fellow men. Continue thus, we pray Thee, to lead us "Till we all come in the unity of the faith, and of the knowledge of the Son of God unto a perfect man, unto the measure of the stature of the fullness of Christ," and all praise be Thine forever. Amen.

The Journal of the proceedings of yesterday was read and approved.

HOUR OF MEETING TO-MORROW.

Mr. UNDERWOOD. Mr. Speaker, at the request of the chairman of the Committee on Military Affairs, in order to expedite the passage of the Army appropriation bill, which is in his charge, I ask unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock to-morrow morning.

The SPEAKER. The gentleman from Alabama asks unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock to-morrow morning. Is there objection? [After a pause.] The Chair hears none, and it is so ordered.

S. W. LANGHORNE AND H. S. HOWELL.

Mr. EVANS. Mr. Speaker, I ask unanimous consent for the present consideration of the resolution which I send to the desk to be read by the Clerk.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

House resolution 706.

Resolved, That the Senate be requested to furnish the House of Representatives a duplicate copy of the bill (S. 2334) for the relief of S. W. Langhorne and the legal representatives of H. S. Howell, the same having been lost or destroyed since its reference to the Committee on Claims of the House.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

Mr. STAFFORD. Mr. Speaker, does that provide for a duplicate engrossed copy?

The SPEAKER. If it does not, it ought to. Without objection, the word "engrossed" will be inserted in the resolution before the word "copy."

There was no objection.

EXTENSION OF REMARKS.

Mr. FARR. Mr. Speaker, I ask unanimous consent to extend in the RECORD certain facts and figures on the food question, furnished by the Department of Agriculture to Chairman LEVER, of the Committee on Agriculture, in response to a resolution offered by me on January 9.

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent to extend his remarks in the RECORD by printing certain statements and facts and notes submitted by the Department of Agriculture to Mr. Chairman LEVER. Is there objection?

There was no objection.

Mr. PARK. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the necessity of an appropriation for the improvement of the Flint River, Ga.

The SPEAKER. The gentleman from Georgia [Mr. PARK] asks unanimous consent to extend his remarks in the RECORD on the necessity of an appropriation for the improvement of the Flint River, Ga. Is there objection?

There was no objection.

Mr. LINDBERGH. Mr. Speaker, I rose yesterday to a question of personal privilege. There was some objection yesterday on account of the time it would take up. Now I wish to ask this morning, in order to avoid all questions on personal privilege, unanimous consent that I may extend my remarks in the RECORD, inserting therein the letter of the party which I presented to the Speaker yesterday, my answer to that letter, the resolution upon which that letter was practically based, and that I may discuss in connection therewith the system that is involved in the resolution pending before the House, which I introduced, known as resolution 696, I think, and that I may have now 5 or 10 minutes in which to explain what the line of my discussion will be.

The SPEAKER. The gentleman from Minnesota [Mr. LINDBERGH] asks unanimous consent——

Mr. ADAMSON. Mr. Speaker, reserving the right to object——

The SPEAKER. Wait until the Speaker states it. The gentleman from Minnesota [Mr. LINDBERGH] asks unanimous consent to extend his remarks in the RECORD by printing the letter to which he referred yesterday, and his answer to it, and the resolution which he offered, which seems to be the basis of the letter of which he complains, and also that he have now 5 or 10 minutes in which to indicate the line of his extended remarks.

Mr. ADAMSON. I have no objection, Mr. Speaker, to the gentleman's printing, nor have I any objection to his speaking, except at this particular time. There is a gentleman here who has to take the 1 o'clock train for New York, and I would like for him to make a few remarks before 1 o'clock, when we get into Committee of the Whole, and I will have no objection to the gentleman speaking in Committee of the Whole.

Mr. UNDERWOOD. Mr. Speaker, reserving the right to object, I stated the other day—and I might as well state it again—that I do not want to play any favorites, and I do not want to interfere with the personal desires of Members of the House, except where their desires interfere with public business.

Now, when a Member rises to a matter that is personal to him I feel that he is entitled to a reasonable time, if it is a question of personal privilege, or of that nature, and I would not object. The question involved here is not a question of personal privilege; it is a question of disagreement about legislation; and I think at this late time in the session we can not afford to have a discussion by unanimous consent when we have so much important business to attend to. I have told gentlemen on this side of the House that if they made a request of that kind I should have to object to it, and I shall have to object to such requests on the other side of the House. When we go into Committee of the Whole, when we have something before the House, I shall not raise any captious objection; but if we make an exception in one case we will have to make it in another. I hope the gentleman will not press his request to speak at this time.

Mr. LINDBERGH. Since objection has been made, I do not wish to be technical. I will ask if I can not have some time later in the day.

Mr. UNDERWOOD. The gentleman from Georgia is in charge of the bill, and I have no doubt that he will grant the gentleman time.

Mr. LINDBERGH. Will the gentleman from Georgia give me some time?

Mr. ADAMSON. I have no objection to the gentleman's taking some time.

Mr. LINDBERGH. Then, Mr. Speaker, I ask leave to print in the RECORD my remarks as stated.

The SPEAKER. The gentleman from Minnesota asks unanimous consent to extend his remarks in the RECORD as stated. Is there objection? [After a pause.] The Chair hears none.

Mr. GLASS. Mr. Speaker, I desire to ask unanimous consent that I may print in the RECORD a letter that I had occasion to write to Henry B. Joy in connection with the same matter referred to by the gentleman from Minnesota [Mr. LINDBERGH].

The SPEAKER. The gentleman from Virginia asks unanimous consent to extend his remarks in the RECORD by printing a letter that he wrote to Henry B. Joy about the same matter that the gentleman from Minnesota refers to. Is there objection?

Mr. MOORE. Reserving the right to object, I would inquire if this is a letter from Mr. Joy to the gentleman from Virginia or a letter from Mr. GLASS to Mr. Joy?

Mr. GLASS. It is a letter I wrote to Mr. Joy in response to a letter which Joy wrote to Mr. Delano, of the Federal Reserve Board, a copy of which was sent to every Member of the House and Senate.

The SPEAKER. Is there objection?

Mr. McLAUGHLIN. Reserving the right to object, I would like to ask if Mr. Joy's letter will also be printed.

Mr. GLASS. If the gentleman cares to have it printed. I do not ask for it.

Mr. McLAUGHLIN. Would it not be better to have Mr. Joy's letter printed with the others? I do not ask for it.

Mr. GLASS. I think so, and then perhaps my reply would be more intelligible.

Mr. McLAUGHLIN. It is suggested that the gentleman from Minnesota [Mr. LINDBERGH] proposes to print Mr. Joy's letter, and there is no necessity of its being printed twice.

Mr. GLASS. I do not care who prints Mr. Joy's letter, but I hope it will be printed.

The SPEAKER. The gentleman from Minnesota [Mr. LINDBERGH] asked in his request to print the Joy letter. Is there objection to the request of the gentleman from Virginia? [After a pause.] The Chair hears none.

Mr. BAILEY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the river and harbor bill.

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent to extend his remarks on the river and harbor bill. Is there objection?

There was no objection.

Mr. KENT. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the river and harbor bill.

The SPEAKER. Is there objection to the request of the gentleman from California? [After a pause.] The Chair hears none.

TO CREATE THE COAST GUARD.

The SPEAKER. This is Calendar Wednesday, and the Clerk will call the committees.

The Clerk called the Committee on Interstate and Foreign Commerce.

Mr. ADAMSON. Mr. Speaker, by direction of the Committee on Interstate and Foreign Commerce I call up the bill S. 2337, an act to create the coast guard by combining therein the existing Life-Saving Service and Revenue-Cutter Service.

The SPEAKER. This bill is on the Union Calendar.

Mr. ADAMSON. Mr. Speaker, if it is in order in the operation of the automatic rule I want to ask unanimous consent to agree upon some time for general debate.

The SPEAKER. The Chair thinks it is in order.

Mr. ADAMSON. I would like to ask the gentleman from Minnesota if we can agree on a time.

Mr. STEVENS of Minnesota. I have had no application for time, but I think it would be wise to reserve some time. I would suggest 30 minutes on a side.

Mr. ADAMSON. Does not the gentleman think that under the five-minute rule it would be more satisfactory than to have it in general debate?

Mr. MANN. I want a little time on it, and I shall object to any agreement as to time at present.

The SPEAKER. The House will resolve itself into Committee of the Whole House on the state of the Union, and the gentleman from California [Mr. RAKER] will take the chair.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union, with Mr. RAKER in the chair.

The CHAIRMAN. The House is now in Committee of the Whole House on the state of the Union for the consideration of the bill, of which the Clerk will read the title.

The Clerk read as follows:

S. 2337. An act to create the coast guard by combining therein the existing Life-Saving Service and Revenue-Cutter Service.

Mr. ADAMSON. I ask unanimous consent, Mr. Chairman, to dispense with the first reading of the bill.

The CHAIRMAN. Is there objection to the request of the gentleman from Georgia?

Mr. STAFFORD. I think the bill ought to be read; it is a short bill.

Mr. ADAMSON. The gentleman from Minnesota [Mr. MILLER] is to take the train at 1 o'clock. If the bill is to be read, I ask unanimous consent that I may yield to him now and have the bill read later.

Mr. STAFFORD. If that is the case, Mr. Chairman, I withdraw the objection.

The CHAIRMAN. Is there objection to dispensing with the first reading of the bill?

There was no objection.

Mr. MILLER. Mr. Chairman and gentlemen of the committee, I thank the chairman of the committee and the gentleman from Wisconsin for the courtesy. I desire to express to the House in the very few moments at my disposal my sincere and deep conviction that this is one of the most timely pieces of legislation that we have been or will be called upon to enact at this session of Congress. It contemplates a reorganization in a sense of the Coast-Guard service and the Life-Saving Service, combining them into one department, giving them a legitimate standing and a proper protection in their services. I will not at this time say anything respecting the Coast-Guard service. I appeal now at this time particularly in behalf of the Life-Saving Service. The storms which blow over the deep waters of the sea and the Lakes put constantly in jeopardy the property and lives of the people of the United States. The men who in those times of stress when the storm is on the deep and death is in the air serve their fellow men and their country belong to the Life-Saving Service. I have seen men of this service time out of mind go literally down into the jaws of death that they might save a sailor, that they might save a passenger, that they might aid a vessel in distress. I recall distinctly on one occasion when a boat was wrecked at the western extremity of Lake Superior I saw a life-saving crew rescue 25 men, every one of whom had his life hanging in the balance. After four hours of work in that storm and cold I saw them move to another boat in distress and perform deeds of heroism that put almost into insignificance the heroic deeds now being done on the battle fields in another arena, and yet I found upon inquiry that those men, called upon for this hazardous service were only given employment for a few months in the year and at a very low salary, and that through the remaining months—three or four—they were obliged to find a livelihood any way they could, and many of them had great difficulty in doing so.

It seems to me that this service, important as it is, justifies it should receive a recognition at the hands of our Government; that these men should be given steady employment; that these men should be given opportunity after 30 years' service to retire the same as is given now to members of the Coast Guard Service. What would anybody think, Mr. Chairman, if we had firemen employed on a pay roll of our cities only during certain seasons of the year and let them scatter abroad to earn a livelihood in other ways, trusting when the winter season comes we can reorganize them again; and therein lies the necessity of this legislation. While many of them do come back, a great many of them do not, and therefore it is impossible to keep the organization, the drill, and efficiency up to that high point to which it should be kept when you are continually dissipating the system by which your organization is composed. Now, I recognize it will be replied that in some portions of our country, where they do not have a cold winter season, men are employed in the Life-Saving Service the year around, and that is true, but that does not apply to the Great Lakes, one of the most important of all the maritime parts of the Nation. And so, in behalf of scores of life-saving organizations of the Great Lakes, I ask you to pass this bill. And may I say one thing further before my time expires? While it may be we differ or could differ a little respecting some of the details of the bill, yet it seems to me that the bill has been worked out with the utmost care, and it is the evolution of experience——

The CHAIRMAN. The time of the gentleman has expired.

Mr. ADAMSON. Does the gentleman desire more time?

Mr. MILLER. One minute.

Mr. ADAMSON. I yield another minute or two to the gentleman, if he desires it.

Mr. MILLER. It is the evolution of experience, of the experience of the service, of the experience of the officials, of the experience of the great public-spirited people who are interested in these heroes who are doing this work, and it seems to me we can better afford to pass this bill without substantial amendment than to amend it at all. We know what some of the results are of serious amendments at this time of the session, and I sincerely trust it will be the good judgment of this committee to recommend that this bill, substantially in its present form, shall pass the House, and that the life-saving men who are performing this extremely meritorious service at least will be given the dignity—at least will be given the position in the governmental service to which they are entitled. [Applause.]

Mr. ADAMSON. Mr. Chairman, the gentleman to whom I wish to yield is not in at this time. There are so many gentlemen who desire time to discuss the bill, it has so many friends, I wish to be as liberal as possible, although I do not care to consume much time myself, and in order that I may be able to do that I will ask unanimous consent to extend my remarks in the RECORD by printing a statement which has been prepared setting forth the bill.

The CHAIRMAN. Is there objection to the request of the gentleman from Georgia? [After a pause.] The Chair hears none.

The statement is as follows:

THE COAST GUARD BILL AT A GLANCE.

EXISTING CONDITIONS SOUGHT TO BE REMEDIED.

"1. Owing to insufficient pay and lack of a retired list practically one-third of the life-saving stations are now either undermanned or manned with inefficient men.

"2. An average of 11 men a year die in the service from disease or exposure incident to the hazardous duties.

"3. In addition an average of 29 men are discharged annually before the expiration of their enlistments on account of physical unfitness developed as incident to exposure and their hazardous duties.

"4. The Revenue-Cutter Service and the Life-Saving Service, both devoted in the main to the saving of life and property from the ravages of the sea, are now operated as distinct organizations, although formerly administered by one executive head.

WHAT THE COAST GUARD BILL CONTEMPLATES.

"1. Great increase in the efficiency of the Life-Saving Service by—

"(a) Combining both services under one executive head.

"(b) Providing a retired list for the men on account of age or after 30 years' service.

"(c) Giving the men of the Life-Saving Service longevity pay for reenlistments.

"(d) Giving the men of the Life-Saving Service clothing allowance and medical attention from the Public Health Service.

"(e) In lieu of a pension list for the dependents of those who lost their lives in the service, a sum of money equivalent to two years' pay is given. This is much more economical for the Government than a pension.

"2. It creates a naval reserve of about 4,100 trained and highly efficient officers and men ready at a moment's notice to operate under the Navy Department whenever the President directs.

"3. The coast guard constitutes a naval reserve without any additional cost to the Government as such, as the saving of life and property at all times is worth much more to the people than its cost of maintenance.

"4. It places on the retired list at three-quarters pay Sumner I. Kimball, now 80 years of age, the man who founded the life-saving system and who has devoted the best years of his life to its upbuilding. A fitting tribute to one the effects of whose humanitarian efforts will last for ages.

WHAT THE COAST GUARD BILL DOES NOT DO.

"1. It does not create nor inaugurate in any manner a civil retired list, as this bill especially provides that the coast guard shall be distinctly a branch of the military forces of the Government.

"2. It does not in any way increase the number of employees of the Government.

"3. It raises no basic salaries. All increases in pay are due to length of service only.

"4. It does not increase the pay or allowances of any commissioned officer of the Revenue-Cutter Service.

WHAT IT WILL COST.

"All the advantages of this bill, both to the Government and to the men, will be brought about at a maximum total increased cost of but $400,000 per annum, which is less than 8 per cent of the present annual cost for the entire maintenance and operation of the two existing services.

ADDITIONAL COST DURING FIRST YEAR UNDER COAST GUARD.

Life-Saving Service:		
Retirements for age (77)	$67,095.00	
Retirements, 30 years' service (42)	34,545.00	
Longevity pay increase, all grades	263,500.00	
		$365,140.00
Revenue-Cutter Service:		
Retirements for age (10)	9,570.60	
Retirements, 30 years' service (7)	10,851.00	
Retirements for disability (7)	6,241.32	
Longevity increase	7,557.98	
		34,220.90
Total		399,360.90

Number to be retired during first year under the coast guard.

LIFE-SAVING SERVICE.

Grade.	Number 64 years and over.	Number served 30 years and over.	Retired pay per annum.	Total cost first year.
Superintendents	4	.....	$2,310	$9,240
Keepers	32	20	1,050	54,600
Keepers houses of refuge	1	.....	630	630
No. 1 surfmen	7	7	735	10,290
Other surfmen	33	15	560	26,880
Total	77	42	.....	101,640

REVENUE-CUTTER SERVICE.

Grade.	Number 64 years and over.	Number served 30 years and over.	Number now disabled.	Total cost first year.
Commissioned officers	.....	2	.....	$6,000.00
Warrant officers	5	5	6	17,023.32
Enlisted men	5	.....	1	3,639.60
Total	10	7	7	26,662.92

Total, Life-Saving Service 119
Total, Revenue-Cutter Service 24

MEMORANDUM IN REGARD TO COAST GUARD BILL.

THIRTY-YEAR RETIREMENT CLAUSE.

"One of the provisions of the pending bill is that—

"A commissioned officer, warrant officer, or enlisted man who has served 30 years may, upon suitable application, be placed on waiting orders and receive 75 per cent of the pay of his grade or rating.

"Existing law provides this 30-year retiring feature for all military branches of the Government service. It should also apply to the coast guard, which also is to be a military branch of the public service.

"The reason for its enactment for the Army, Navy, and Marine Corps was to retire certain members of the personnel of those arms of the public defense who before reaching the statutory age for retirement, and through no fault of their own, and because of the nature of their duties, do not possess the physical vigor so necessary for the efficient performance of their duties in the supreme moment of war, when success in battle ofttimes depends upon the highest state of mental and physical ability of every unit in the personnel of the Nation's defenders.

"While this reasoning will apply to all members of the coast guard in times of war, it applies with much greater force in times of peace, when 'supreme moments' of physical and mental endurance are likely to be met with at any time in the performance of the day's work of these guardians of life and property.

"After 30 years of service in the coast guard, with its frequent calls for maximum efforts in the most strenuous duties known to mankind, it must follow that some few of its personnel will, because of that service, lose that state of mental and physical alertness and agility which will unfit them for maximum efficiency in the active performance of their duties.

"It must be borne in mind that the 30-year retirement herein proposed is not a question of voluntary withdrawing from the service, as it will be entirely discretionary with the department, and naturally will only be resorted to when it is necessary to maintain the efficiency of the coast guard, without discharging its members because the service they have rendered has caused their physical deterioration.

"Furthermore, this bill provides that officers and men thus retired may be retained in service for the performance of such duties of a less active character as they may be physically able to perform.

REASONS FOR GRANTING TWO YEARS' PAY TO WIDOWS OR DEPENDENTS OF COAST GUARDSMEN WHO DIE IN SERVICE.

"Congress has made no provision for a pension to widows or dependents of the officers and enlisted men in the coast guard. Provision is now made for the application of the pension laws to widows and dependents of the officers and men of both the Army and Navy who die from disease or injury incident to service.

"In addition to this pension, provision is now made to pay to the widow or other dependent of officers and men of the Army and Navy a sum of money equal to six months' full pay of the deceased.

"It is more economical for the Government to provide for the dependents of the coast guardsman in the manner presented in the pending bill than the gratuity and pension system combined, as now exists for the Army and Navy.

"Thus, to quote a finite instance, suppose a surfman getting a salary of $60 per month should be drowned. Under the system proposed in this bill his widow would be paid the sum of $1,440 and all the Government's obligations would be discharged at once. Under the Army and Navy system she would be given the sum of $360 in cash and placed on the pension roll at $12 a month, or $144 per year. The difference between the cash payments under the two systems is $1,080. A payment of pension at the above rate would amount to $1,008 in seven years. All records will show that the average length of time widows draw pensions from the Government after the decease of their husbands is greatly in excess of that period.

VALUE OF THE LIFE-SAVING SERVICE AS A NAVAL AUXILIARY IN WAR.

"During the Spanish-American War Congress found it necessary to pass a special act (reported by Congressman MANN, of Illinois) on June 7, 1898, to keep the life-saving stations upon the Atlantic and Gulf coasts open throughout the months of June and July for the purpose of forming a part of the Coast Signal Service. This was done at the request of the Secretary of the Navy and with the approval of the Secretary of the Treasury.

"The entire resources of the Life-Saving Service on the Atlantic and Gulf coasts, including 1,443 men, were at once transferred to the Coast Signal Service, under the direct supervision of Capt. John R. Bartlett, United States Navy.

"That officer, in making his official report to the Navy Department at the close of the war, made the following statements concerning the value of the Life-Saving Service as a military adjunct:

"The necessity of covering the long stretch of coast between these isolated stations was at once apparent, and the value of the Life-Saving Service became self-evident. These crews constantly patrol the beaches from Maine to Texas, and no vessel can approach within sight of the coast and escape their attention.

"The result of my experience leads me to believe that the Coast Signal Service should be an integral part of a naval coast-defense system, as it is most intimately connected with it, and should be in closer relation than that of an allied branch. * * *

"Another valuable result of the experiment has been to demonstrate the great usefulness of the life-saving stations for the purposes of observation and international code signaling. * * *

"In concluding his report he made a number of finite recommendations to the Secretary of the Navy, the first one of which follows:

"That each life-saving station should be made a coast signal station, for the reason that they are all connected with each other by telephone, and their system of the patrol of the beach places almost the entire coast line under constant observation. Moreover, the men in this service are trained to see everything that floats within the range of vision, are trustworthy and well disciplined, and are already excellent signalmen with the international code.

THE COAST GUARD AND NATIONAL DEFENSE.

"While the question of national defense now more than ever before is brought into prominence, it is well to consider the advantages of the coast guard from a strictly military standpoint.

"The added efficiency which will be given to the Life-Saving Service under the terms of this bill will make available in the coast guard, for immediate service in connection with the defense of our seacoasts a corps of approximately 4,100 trained officers and men, all in the best physical condition and all accustomed to life on the seas. The very nature of their emergent duties in peace times will make them quick of action, resourceful, and disciplined, all of which, it must be admitted, are absolutely essential to success in modern sea fighting.

"Aside from the fact that the coast guard will be worth more to the country by its saving of the lives and property of its citizens than it actually costs, its value as a part of any scheme for the national defense can not be overestimated. Simply by a stroke of the pen the President can transfer this highly efficient corps of men, armed, trained, and disciplined, into the regular Naval Establishment at any time, whether in peace or in war. In strictly warlike pursuits it can not be denied that they will be the equal of any similar number of men in the regular Naval Establishment. This asset of military preparedness must therefore not be overlooked when appraising the value of the coast guard to the Government.

CASUALTIES IN THE LIFE-SAVING SERVICE.

"Since the organization of the Life-Saving Service up to January 1, 1914, there have been 320 deaths directly incident to the exposure and hazards of duty along the coasts. In the past decade there has been an average of 11.7 deaths each year. The causes of these losses are principally drowning and pulmonary diseases incident to exposure in the lifeboats or from patroling the beaches in severe weather. There have been three deaths due to lightning striking the surfmen while out on patrol on desolate beaches, they being the only objects in the vicinity projecting above the level of the beach.

"The average given is not representative of the actual losses of life incident to exposure, as the men in the Life-Saving Service are enlisted every year, and at each reenlistment they are examined and must be found physically sound or else they are rejected. Hence there are many instances where surfmen have contracted diseases on account of exposure while in the service, have been rejected when applying for reenlistment, and have died subsequently. Such cases have not, of course, been included in the list of deaths.

"By far the most regrettable procedure incident to the existing conditions in the Life-Saving Service is the fact that during the past 10 years it has been found necessary to discharge an average of 29 of the enlisted men of the service before the expiration of their term of enlistment on account of physical disability incurred in line of duty.

"It is on account of such severe conditions as the above that it is impossible to obtain and keep efficient men to man the various stations.

COMPARISON OF THE UNITED STATES LIFE-SAVING SERVICE WITH THE COAST GUARD AND ROYAL NATIONAL LIFEBOAT INSTITUTION OF GREAT BRITAIN.

"In Great Britain there is a coast guard maintained by the Government. On June 30, 1913, there were, in addition to the coast guard but connected with it, 399 life-saving companies, numbering in all 4,529 volunteers and 5 brigades, with a total membership of 346. The coast guard and these companies all engage in life-saving operations, not in boats, but with the rocket and breeches-buoy apparatus.

"In addition to the coast guard there is the Royal National Lifeboat Institution of Great Britain. This is purely a volunteer organization authorized to accept donations from the public. All throughout Great Britain, in railroad stations and other public places, will be found miniature metal lifeboats, each with a sign thereon soliciting subscriptions for the life-savers, which gives the institution somewhat of an eleemosynary character.

"As to the relative value of the paid Life-Saving Service of the United States and the volunteer organizations of Great Britain, the following results for the year 1913 will bear evidence:

Description.	Number of stations.	Number of persons rescued.	Number of persons rescued per station.
Royal National Life-Boat Institution of Great Britain	273	574	
Coast guard	399	250	
Total	672	824	1.33
United States Life-Saving Service	285	4,202	14.78

"From 1874 to 1880 the United States tried to carry on its Life-Saving Service on the volunteer system, giving each man $10 for his services on each occasion when they were required. The results were so unsatisfactory that in 1880 Congress found it necessary to authorize the employment of regular crews.

"The late Admiral Ward, of the British Navy, one-time chief lifeboat inspector of Great Britain, once made the following statements after investigating the United States Life-Saving Service:

"The Lifeboat Service in the United States has an advantage over our own, in that the men being permanently employed during the open seasons are accustomed to act together, and are more frequently afloat, both for practice and on service, than at the greater number of our own lifeboat stations, where the boats are manned by volunteers from the local boatmen, and are only employed on the occasions when their services are required.

"It should also be mentioned that at the life-saving stations (in the United States) bedding and clothing for shipwrecked persons are kept in readiness in case of being required, and also medicine chests, restoratives, and all necessary appliances for restoration of the apparently drowned, exhausted, or frostbitten amongst wrecked persons, whence it will be apparent this invaluable public service fulfills the functions undertaken severally in this country (Great Britain) by the board of trade, the National Lifeboat Institution, and the shipwrecked mariner's and humane societies, and apparently in the most efficient manner.

"The report of the International Life-Saving Congress, held at Toulon, France, in 1890, after reviewing the methods and equipment of the several life-saving institutions in existence, pronounced that of the United States the best and most complete.

"In conclusion, it is very apparent that a volunteer service in this country is wholly impracticable. In Great Britain, with its comparatively dense population along the coasts, it is comparatively easy to summon a volunteer crew to go to wrecks on almost any part of its coast line. In the United States, however, the most dangerous parts of its coast are usually at very remote places, far from human habitation of any kind, so that it would be absolutely impossible to get volunteers for this humane work of rescue.

SERVICE OF THE LIFE-SAVERS ON INTERIOR WATERS.

"The benefits of the coast guard will not be confined to the coasts of the Atlantic, Pacific, Gulf, and Great Lakes.

"At all times when practicable the life-savers have been sent to interior waters whenever great floods have worked havoc with lives and property along the banks of our great rivers. Within only the past 18 months two notable examples of these beneficial effects have arisen.

"The great floods which inundated the Ohio Valley during the months of March and April, 1913, are fresh in the memories of all. The whole country was horror-stricken at the appalling results of the raging waters in portions of West Virginia, Kentucky, Illinois, Missouri, and Tennessee. The calls for help did not go unheeded by the United States Life-Saving Service. Seven crews were immediately dispatched to the scenes of distress, and other crews were held in readiness for immediate response in case the conditions grew worse.

"In spite of almost insurmountable difficulties of transportation the crews arrived at the localities where their services were most badly needed, and immediate steps were taken to relieve suffering humanity. People were taken from housetops to places of safety, food and clothing were distributed to those in need, and in every conceivable way within the limit of their resources assistance was rendered to the stricken people. One of the many notable incidents was the rescuing of all the occupants of an orphan asylum at Fort Wayne, Ind., under most trying circumstances without a single mishap.

"The net result of the efforts of the seven life-saving crews during this particular flood was the rescuing and succoring of 3,509 persons and the saving of property valued at $30,000, which otherwise would have been lost.

FLOODS IN TEXAS.

"In the early part of December, 1913, the overflowing of the Brazos and Colorado Rivers in the south central part of Texas almost entirely inundated several counties. At once three life-saving crews and the revenue-cutter *Windom* were sent to the flooded districts. Many of the unfortunate inhabitants were in a starving condition and in danger of being drowned. After many hazardous experiences quantities of food and clothing were distributed to the beleaguered people, and many of them were rescued and taken to places of safety. In all, 803 persons were either saved from drowning or given succor.

"Many commendatory letters from prominent citizens and relief committees were received, testifying to the very valuable assistance rendered by these coast life-savers. The Galveston central relief committee, through its chairman, wrote the Secretary of the Treasury that 'their work was performed under the greatest difficulties and, we are very glad, indeed, to add, cheerfully and willingly.'

EQUIPMENT AND RESULTS.

"As at present constituted, the combined Revenue-Cutter and Life-Saving Services, when merged into the coast guard, will embrace the following:

Number of ships:	
Seagoing	25
Harbor tugs and launches	19
Total	44
Number of coast guard stations	279
Total authorized personnel, including commissioned officers, warrant officers, and enlisted men	4,093

RESULTS.

"As indicative of the work which will be performed by the coast guard, the following results of the operations of the two services when acting independently during the fiscal year ending June 30, 1914, may be taken to show the great importance of the proposed coast guard to the public:

Number of persons actually rescued from peril	5,238
Number of vessels to which assistance was rendered	2,147
Number of persons on board vessels assisted	10,983
Derelicts or obstructions to navigation destroyed or removed	31
Value of vessels assisted, including cargoes	$24,386,191
Cost of maintenance and operation for year 1914	4,781,949

"It will thus be seen that for the expenditure of each dollar for the coast guard there can be expected a conservation of not

less than $5.09 worth of property of the public from the perils of the sea.

"With the added efficiency which will undoubtedly follow the passage of this act, even greater returns than this can reasonably be expected, and this without taking into consideration the humanitarian feature of the thousands of lives saved every year."

Mr. ADAMSON. Mr. Chairman, I yield five minutes to the gentleman from North Carolina [Mr. SMALL].

Mr. SMALL. Mr. Chairman, there are two humane activities of the Government which are conspicuous in their lines of duty. One is the Life-Saving Service, the other the Revenue-Cutter Service. The Life-Saving Service, as authorized by law, saves life and property from the land side, while the Revenue-Cutter Service is devoted to the saving of life and property upon the seas. The purpose of this bill is to unite these two activities or organizations, both of which are under the Treasury Department, into one organization to be known as the coast guard. There are at least two reasons which I might name which not only justifies but emphasizes the necessity of the coordination and organization of these two services into one. In the first place it is proper because their duties are consistent. The Revenue-Cutter Service was organized in 1790, and was the first legally organized arm of defense of the Federal Government. The Life-Saving Service grew out of the Revenue-Cutter Service, as I remember, in 1878, and in the early years of its existence was administered through and as a part of the Revenue-Cutter Service. Afterwards for reasons of efficiency, which seemed then to be proper, the Life-Saving Service became a separate organization. From a volunteer service it became a service with various stations along the Gulf, the Atlantic, the Pacific coast, and the Lakes, with men employed for the manning and the rendering of service at those stations.

From time to time the personnel of the service has been improved, and the number of months each year in which the life-saving stations have rendered active duty have been increased until to-day the Life-Saving Service is recognized all over the United States, is recognized all over the world, as the most efficient organization for the saving of life and property from stress and storm at sea of any civilized country in the world.

There is one more potent reason, Mr. Chairman, why these two services should be united into one. Since my service in this House in 1908 there have been to my knowledge at every session insistent efforts upon the part of the membership of this House to enact some legislation which should provide a retirement fund adequate in cases of disability incurred in line of duty in the Life-Saving Service. It has been universally recognized that so far as casualties and dangers to life and limb are concerned it is the most dangerous of all the activities of the Government, and in that I include for a series of years even the men enlisted in the Army and the Navy. In times of peace the dangers to the men in the Life-Saving Service are infinitely greater than to the men in the Army and the Navy, because during their months of active duty there is not a season which passes when these men, exposed to the elements and the storms, to all the conditions which try men's souls, to all the conditions which affect life and limb, are not exposed to greater dangers than any men in the service of the Federal Government.

The CHAIRMAN. The time of the gentleman has expired.

Mr. ADAMSON. Mr. Chairman, I yield three minutes more to the gentleman.

Mr. SMALL. But in spite of the efforts of a reasonable proportion of the membership of this House to enact some law which would make adequate provision for these men, exposed as they are, they have been met with the objection that they were in the civil service of the Government; that up to this time Congress had provided no form of retirement or pension for any except those enlisted in the Army and in the Navy, and that if we should make an exception in favor of the Life-Saving Service, no matter how meritorious the conditions or the reasons might be, it would open the doors, and we would have an avalanche of other bills to include other branches of the civil service within such provisions of law.

This bill, Mr. Chairman, avoids any such objection. In it are distinct provisions by which in time of war the men in the Life-Saving Service are temporarily transferred to the Navy and are put under the jurisdiction of the Secretary of the Navy. They are subject to the same service and to as great dangers and casualties as are the men in the Army and Navy. Therefore, being on a parity with the men in these two branches of the service, in the Army and the Navy, the objections which have been heretofore urged have been eliminated, and no Member of the House need fear to support this bill because it will open the doors to pensions or retirement fund to any other organization or branch of the Federal service.

As the gentleman from Minnesota [Mr. MILLER] well said, the men in this service from every standpoint are entitled to the generous consideration and care of the Federal Government. Why, in every city of respectable size which maintains a fire department provision has been made for retirement for the men who have become disabled or who have served for a sufficient length of time in that service. On the great railroads of the country a form of pension has been provided for the employees. Yet in this service, distinguished for heroism and devotion to duty, this great and generous Government has made no provision for the life-savers in their disability and old age. We now have the opportunity to do so. [Applause.]

Mr. ADAMSON. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. RAKER, Chairman of the Committee of the Whole House on the state of the Union, reported that the committee had had under consideration the bill (S. 2337) to create the coast guard by combining therein the existing Life-Saving Service and Revenue-Cutter Service, and had come to no resolution thereon.

Mr. ADAMSON. Mr. Speaker, I wish to see if we can arrive at some arrangement about time for general debate. Have the gentlemen on the other side anything to suggest?

Mr. STEVENS of Minnesota. I have had quite a number of applications since the House met. Half a dozen gentlemen have requested time, and I should think it would require about an hour. And the gentleman from Illinois [Mr. MANN] states that he desires an hour.

Mr. ADAMSON. I suggest to the gentleman that we make an agreement to limit the time, with the understanding that the gentleman from Illinois [Mr. MANN] may have his hour any time he chooses under the five-minute rule.

Mr. MANN. I do not want it under the five-minute rule. I want to discuss the bill. Nobody has referred to the bill yet.

Mr. STEVENS of Minnesota. I shall be obliged to ask for an hour on account of the requests that have been made to me, in addition to the time requested by the gentleman from Illinois [Mr. MANN].

The SPEAKER. What has the gentleman from Georgia [Mr. ADAMSON] to say?

Mr. ADAMSON. Mr. Speaker, I do not desire to abridge debate unnecessarily, but this is a long bill, and will take a long time under the five-minute rule. We are perfectly disposed to be liberal under that rule. I have used 14 minutes. I am willing to allow for that, and I am willing to allow the gentleman from Illinois to have his hour if I can agree with the gentleman from Minnesota [Mr. STEVENS] as to additional time.

Mr. STEVENS of Minnesota. I have received requests which will require very nearly an hour, so that I would rather insist, Mr. Speaker, that an hour be allowed in addition to the time of the gentleman from Illinois [Mr. MANN].

Mr. ADAMSON. If I remit any further yielding on this side, and be satisfied with the 14 minutes, would not the gentleman be satisfied with less than an hour?

Mr. STEVENS of Minnesota. Of course, the gentleman knows that I am anxious to accommodate him and expedite the consideration of the bill; but these requests have been made to me, and I do not feel like neglecting them, and I do not think it will assist the passage of the bill any to do so.

Mr. ADAMSON. Mr. Speaker, I am perfectly willing; and I will ask unanimous consent that general debate close in two hours, one hour on a side, counting the 14 minutes I have already used and which are chargeable to me, the other hour to be controlled by the gentleman from Minnesota [Mr. STEVENS].

Mr. STEVENS of Minnesota. Mr. Speaker, do I understand an hour will be allotted to the gentleman from Illinois [Mr. MANN] and an hour shall be controlled by myself?

Mr. ADAMSON. I think we ought to confine the general debate to two hours entirely.

The SPEAKER. The gentleman from Georgia [Mr. ADAMSON] asks unanimous consent that general debate be limited to two hours, one hour to be controlled by himself, charging up the 14 minutes he has already used, and the other hour to be controlled by the gentleman from Minnesota [Mr. STEVENS]. Is there objection?

Mr. STEVENS of Minnesota. Mr. Speaker, I must object, under the circumstances.

Mr. ADAMSON. Mr. Speaker, I move that general debate close at the end of two hours.

Mr. MANN. I make the point of order that there is no quorum present. The gentleman will not make any time by this, I can assure him.

Mr. UNDERWOOD. Mr. Speaker, we have got to the point where it is necessary to expedite legislation. The President of the United States has written me a letter——

Mr. MANN. Mr. Speaker, I made a point of order that there is no quorum present.

Mr. UNDERWOOD. I was trying to submit——

Mr. MANN. No; the gentleman was making a speech. He was not trying to submit anything.

Mr. ADAMSON. I hope the gentleman will withhold his point of order.

Mr. MANN. I am willing to withhold it; but not for a speech.

Mr. UNDERWOOD. Mr. Speaker, the gentleman from Illinois makes a good many statements that are out of order, which we are perfectly willing to listen to, in order to expedite business. My purpose was to try to reach an agreement for the expedition of business. If the gentleman does not want to hear my statement we can go along and transact business anyhow.

Mr. MANN. I do not care whether I hear it or not. If the gentleman wants to discuss the bill and tries to prevent me from discussing the bill, I am not willing that he should.

Mr. UNDERWOOD. I do not want to discuss the bill.

The SPEAKER. Does the gentleman from Illinois withdraw his point of order?

Mr. MANN. I withhold it for a moment.

Mr. UNDERWOOD. Mr. Speaker, the purpose of my statement was to try to indicate to the House why it is necessary to act upon this bill speedily. I think it is perfectly proper to have reasonable debate, and I have no objection to having reasonable debate; but we can not take up this bill and dispose of it and at the same time dispose of the public business that is on the Wednesday Calendar before the end of the session unless we intend to do business. If the gentlemen on that side of the House are willing to take one hour and a half and divide it up among themselves, I think we can reach an agreement inasmuch as the gentleman on this side has indicated that he wants only 45 minutes more. I think that is reasonable.

Mr. ADAMSON. I shall be satisfied with 30 minutes if the gentleman from Illinois and the gentleman from Minnesota can get along with an hour and a half between them.

Mr. MANN. I will not be satisfied with less than an hour's time. Of course, the gentlemen have the power to prevent my getting any time. That is their liberty.

Mr. STEVENS of Minnesota. Mr. Speaker, the requests made of me will call for more than 30 minutes; but it is possible, by eliminating anything I might want to say myself on the bill, to get along with 40 minutes.

Mr. ADAMSON. I think I shall be able to give the gentleman from Minnesota 10 minutes.

Mr. STEVENS of Minnesota. I will consent if I can get 40 minutes.

Mr. MANN. Does the gentleman from Georgia think of the time that we wasted on the printing bill and the codification bill? I could see no anxiety on that side of the House to hurry through at that time. Now, when we have a real bill before us, does the gentleman think we ought not to have any debate on it?

Mr. ADAMSON. Mr. Speaker, the reason I assume this position on general debate is that gentlemen do not stay here to listen to long general debate, but they will stay here for debate under the five-minute rule; and it is made effective, and it is listened to by the Members present. I think we can reach a conclusion.

The SPEAKER. What is the gentleman's request?

Mr. ADAMSON. My request is that the gentlemen on the other side have an hour and a half and that I may have 30 minutes, and I will give the gentleman from Minnesota [Mr. STEVENS] 10 minutes.

The SPEAKER. The gentleman from Georgia asks unanimous consent that the general debate on this bill be limited to two hours—one hour and a half to be controlled by the gentleman from Minnesota and 30 minutes to be controlled by himself, with the further agreement that he will yield 10 minutes of his time to the gentleman from Minnesota. Is there objection?

There was no objection.

The SPEAKER. The gentleman from Illinois withdraws his point of order, and the House resolves itself into Committee of the Whole House on the state of the Union for the further consideration of the bill S. 2337, with the gentleman from California [Mr. RAKER] in the chair.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union for the further consideration of the bill (S. 2337) to create the coast guard by combining therein the existing Life-Saving Service and Revenue-Cutter Service, with Mr. RAKER in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of Senate bill 2337.

Mr. ADAMSON rose.

The CHAIRMAN. The gentleman from Georgia is recognized.

Mr. ADAMSON. Mr. Chairman, I have only 30 minutes and I have used 14, and I ask that the gentleman on the other side use some time.

Mr. STEVENS of Minnesota. Mr. Chairman, I yield five minutes to the gentleman from Washington [Mr. BRYAN].

The CHAIRMAN. The gentleman from Washington [Mr. BRYAN] is recognized for five minutes.

Mr. BRYAN. Mr. Chairman, I would be the last man on this floor to put any blocks in the way of the Life-Saving Service. We are too deeply interested out in my country, on Puget Sound, and at the entrance of the Straits of San Juan de Fuca and on all that coast line of Washington and Alaska and on to the south in the Life-Saving Service for me to object to anything that has the good of that service in view or anything that involves the good of that service. But I want, in the five minutes that has been allotted to me, to call attention to the rather awkward way in which we go about legislating for the saving of life.

We arrange the laws so that the ships can go out from the straits into the ocean and go down and sink everybody on board except those that are saved by these heroic defenders and preservers of human life in the Life-Saving Service, but we relieve the ship from every form of liability, financial or otherwise, to the dependents of those whom they have destroyed. If there is any realm in which injustice prevails in our law, if there is any branch of our enactments that carries the grossest form of inhumanity, it is the laws that we have safeguarding against loss of life on the sea by requiring shipowners to see to it that wrecks do not occur. We even provide that a shipowner can insure his vessel and insure his cargo and pocket the money, and unless the owner himself is privy to the worst kind of negligence on the part of the captain and the master of the vessel no liability whatever maintains.

We did not limit that alone to the ocean. They said that it was for the sake of our merchant marine that we did it, but we extended it to our rivers and bays and lakes; and the other day, when we had up a matter that somewhat indirectly involved this question, this House passed an amendment to a bill which provides for relief not under American laws but we passed an amendment that permitted American men who are wrecked on an English vessel, for instance, the real boon of resorting to the English liability laws to save themselves. That was a good amendment. Why should an English vessel pay American passengers less for injuries than it pays English passengers.

If that law is enacted over in the Senate and is really put on the books, the result will be that if an American citizen wants to go abroad and wants the protection of law for his dependents in case he goes down, he had better take an English vessel, because there is protection there. His children will have some means of recovering if his life is lost. But on an American vessel and in our coastwise shipping he has no such protection as exists, for instance, under English law. That is what promotes wrecks. That is what causes trouble for our Life-Saving Service. That is what makes it necessary for them more often than otherwise to go out into the perils of the deep in dangerous weather, because shipowners have no inducement to make their ships safe.

If they go too fast and run into one another and one of the vessels goes down, they escape, because their ships are insured, and they tell the claimants to go out there in the ocean and get the ship. She is at the bottom, and all they are liable for is the value of the ship and fares at the destination of the trip, and the end of the trip is in the bottom of the sea. They tell the claimants to go and take the "trimmings," what is left of the wreckage. That is not square; that is not honest; that is not the right way to handle a problem of this kind. Yet Congress has enacted the law; Uncle Sam stands for it. It is not the right procedure; and while it is all right for us to encourage men to assume these risks in going to save the lives of those who are wrecked, I think the better and more honorable way and the more American way would be to begin at the other end and require the ships to be safe, and require some kind of liability on the part of those who own ships, those who make the money out of ships. It is to me an astounding proposition that we have to resort to foreign laws to protect ourselves and our people. English juries made the *Titanic* owners pay up long ago to the claimants. Lucky the passenger if he was an Englishman or brought suit under English law. They had juries; they had laws. But the unfortunate who loves the

Star and Stripes is told to go out in the ocean and find the ship. "Take the whole thing, we don't want it," say the owners in America. In England they pay for their negligence. In England they have juries; in America they have no jury; and they have an unconscionable law and a trial before a judge in admiralty.

Mr. STEVENS of Minnesota. Mr. Chairman, I yield to the gentleman from Illinois [Mr. MANN] one hour.

Mr. MANN. Mr. Chairman, I have not carefully examined the provisions of this bill during the last few days, but I did at the time it was reported and practically before that.

The Life-Saving Service is one of the great services of the Government. The Revenue-Cutter Service is one of the great services of the Government. I do not think any other nation possesses a revenue marine service which equals our Revenue-Cutter Service as now established. I do not believe that any other nation has a life-saving service equal to our Life-Saving Service as now established. There are intimate relations between the Revenue-Cutter Service and the Life-Saving Service, and have been from the start.

The officers of the Revenue-Cutter Service do certain work in connection with the Life-Saving Service in the way of training, drill, inspection, and so forth. And though I have nothing but a friendly feeling toward these great services, having become more or less familiar with them in a legislative way, at least, by long service on the Committee on Interstate and Foreign Commerce, which has legislative jurisdiction over both of the services, I realize, on the other side, that the Life-Saving Service extends clear around the coast of the United States, up the rivers to some degree, and on the Great Lakes, and that there has been a more powerful propaganda or lobby in behalf of this bill than any other bill, I think, brought before Congress since the oleomargarine bill was passed. Most of the men in the Life-Saving Service, not being very busily employed—their work being erratic; not continuous—they have had plenty of time and some opportunity not only to write directly to Members of Congress but to secure other people to write to Members of Congress, and every gentleman here probably, or nearly every one from a coast district where there is a life-saving station, will be for this bill, not because Members have studied the bill, but because of influences at home. I myself regret that I feel it my duty to say a word against the bill; because even in my small district I have two life-saving stations, and I think they have been at times friendly to me, but doubtless from now on will be on the other side, although I do not think they have any political influence one way or the other. [Laughter.] But they have great influence in this House. Not only have they reached the Members of this House, but they have gone up until they have reached the President of the United States, who, I believe, in his annual message recommended the passage of this bill, without any intimate knowledge of what it contained or what it proposed.

During my service in the House we have several times increased the compensation of the men in the Life-Saving Service. They now receive $65 or $70 a month, if I remember correctly. I may be mistaken. During the months that they work they receive in addition a ration of 30 cents a day. That is not high pay, but it is a great deal higher than we pay in the Army or Navy, or even in the Revenue-Cutter Service itself, and we propose in this bill to leave the pay as now fixed, and with an increase of longevity pay in many cases, and in addition provide for retired pay at three-fourths of the regular pay and allowances. If this bill becomes a law, these men in the Life-Saving Service will receive higher pay than is given in any corresponding service in this Government, and higher pay than is given in any kind of service in any other nation of the world. We do not give the Army or the Navy high pay. Many of the warrant officers in the Navy do not receive one-half the pay that a surfman—an enlisted man—will receive in the Life-Saving Service under the terms of this bill. Paying moderate salaries to the enlisted men and the noncommissioned officers of the Army and Navy, we provide for their retirement under certain conditions, first, because the service is hazardous, and, second, because the pay is small.

When you take a man into the enlisted Army and pay him $15 or $16, or even $20 a month, there is some reason for giving him retired pay after 30 years' service. He does not receive much compensation while in the active service. In the Revenue-Cutter Service, where the enlisted men do not receive more than $30 or $40 a month, even if they receive that much, there is some reason for placing them on a retired-pay list at the end of 30 years' service. But the same reasons do not apply to the men who receive high pay as compared with these services, and have a less hazardous service to perform. Now, we furnish the food and the clothing for the men in the Army and the Navy. Well, we furnish the food now for the men in the Life-Saving Service, and this bill proposes to furnish their clothing in addition. How can we justify taking a civil service, like the Life-Saving Service, hazardous though it may be, and putting the men in the retired-pay class as against the Army and Navy, where we pay only moderate compensation to begin with during the service. I personally have always been in favor and am now in favor of telling the life-saving men, "When you start out in a boat on the water to save life you can go with the assurance that if you are injured the Government will take care of you during your life; and if you lose your life, the Government will grant a pension to your widow and your minor children." But there is no such proposition here. We do now grant two years' pay to the widow or dependent family of a life-saving surfman who loses his life. I would be perfectly willing to say to the man when he is injured or loses his life in the performance of a hazardous duty that the Government will protect him if he lives or his family if he dies.

But under the terms of this bill a young man goes into the Life-Saving Service at the age of, say, 20, receives a fair compensation and ration during his service, and at the end of 30 years he is retired for the balance of his life on three-quarters of his pay and allowances. That is very high retired pay. That is too high a pension to pay. It is not fair to expect the Government to pay such high compensation on a retired list.

It is true that the Secretary of the Treasury reports that this bill will cost an additional $390,000 now. Most of the men in the Life-Saving Service now can not be retired—only some of the officers. They will receive the fogy pay, but in course of time, under the terms of this bill, instead of having young men in the service from 20 to 30 years of age, the proper age for boys to go out in the life-saving boat in a time of stress, you will have the service filled up with men 40 and 50 years of age, who will have remained in the service because they could not make as much money anywhere else as they could by staying in the service, and knowing that from 50 years of age on the Government will support them without their doing any work. That will vastly increase the additional expense of this bill by increasing, first, the amount of retired pay and, second, the amount of the fogy pay.

The Secretary of the Treasury reports that the total increase involved is $397,700. That is where they figure it down just as fine as possible. The Life-Saving Service and the Revenue-Cutter Service now cost the Government in the neighborhood of $5,000,000 a year. That is the most expensive service of the kind by any Government of the world. This bill will increase the cost of the service in the course of a few years' time by at least a million dollars, in my judgment. Probably it will increase it more than that.

Is this a very good time, I will ask my friends on the Democratic side of the House, to increase unnecessarily the expenses of the Government? When the President read his address to the House last summer in favor of the stamp-tax bill he said that he did not think that the Government ought to withdraw from the banks the $75,000,000 in money which the Government then had in the banks. At that time the Government had in the Treasury free money to the extent of about $125,000,000 for immediate current expenses. By the Treasury report which reached us yesterday morning this free fund in the Treasury is reduced to less than $60,000,000. That is a decrease from the time the President addressed this body last September—if that was the date—of $65,000,000.

Now, you can not economize, each time when the question is presented, by appropriating more money than you did before. The only way to economize is when you have the question before you. Will you increase or decrease the expenditures of the Government? These things come in items and not in hundreds of millions of dollars at a time; and if we keep on, if we pass all the bills which this great Committee on Interstate and Foreign Commerce, with its great and distinguished chairman, Judge ADAMSON, now has on the calendar, we will increase the deficit next summer by at least a number of million dollars more than would be the case if we did not pass the bills. I believe the Government ought to be conducted with a reasonable degree of economy. I know very well that wherever there is a large class of public officials drawing pay from the Government they consider it their duty, first, to perform their public duty—I think they place that first—and, second, to get any increase that they can for themselves out of the Government. They consider it their duty first to protect the public interests as involved in their respective service, and they expect us to take care of the Treasury. It is not the duty of the Life-Saving Service to protect the Treasury; that is the duty of Congress.

Of course they would like more pay. Of course they would like to go on the retired list. Why, this House, if it could never be known how any Member voted, if they could arrange

to have 10 vote against it, and no one know who the 10 were, would provide retired pay for themselves when they go out of office. But, as they can not do that, they feel that they must protect the Treasury as against themselves. The Life-Saving Service does not have to protect the Treasury; that is our duty.

Why should a man in the Life-Saving Service receive retired pay and have three-quarters pay and allowances, which will amount to at least $50 a month? Why should he be placed on retired pay after 30 years' service, which will probably end when he is 50 years of age, for the balance of his life? We do not do it for anyone else at such a high rate.

Mr. TRIBBLE. Mr. Chairman, will the gentleman yield?

Mr. MANN. In just a moment. The man in the Army of the United States who goes on the retired pay does not get more, if he is an enlisted man, than $20 a month, or about that. I yield now to the gentleman from Georgia.

Mr. TRIBBLE. The gentleman saw the naval service come here and demand retired pay, and then longevity pay, and get it. Does the gentleman not think that the Life-Saving Service will be here next, as the Navy was, asking for a plucking board, in order that they may retire more of them and get them on pay without being on duty?

Mr. MANN. Undoubtedly. In the course of time they will have to cut out lots of men in the Life-Saving Service who are between 40 and 50 years of age.

Mr. TRIBBLE. And they will need a plucking board.

Mr. MANN. A man who is my age—and I am over 50—may feel as though he can stand any kind of hardship, but other men know that the man who is 50 years of age is not the best suited for the temporary strenuous service which for a few hours a life-saving surfman must undergo when he is attempting to save lives from a wreck. The older men can not stand it, and in the end they will have to put them out in some way, and they will say that it is for disabilities incurred in the service, and they will retire them at three-quarters pay when the are 35, 40, or 45 years of age.

Mr. GORDON. Mr. Chairman, will the gentleman yield for a question?

Mr. MANN. I yield.

Mr. GORDON. I would like to ask, for information, whether or not the gentleman does not believe that the Life-Saving Service is very much more hazardous than either the Army or the Navy service? I refer, of course, to the regular service.

Mr. MANN. I should say not.

Mr. GORDON. I would like to ask further whether or not the gentleman is advised that there has been great difficulty in securing proper kind of men and keeping them in the service because of the low pay? I have been so informed by the superintendent of the service. He states that that is the fact, that it is difficult to get competent men and keep them after they get them because of the low pay.

Mr. MANN. That statement is made by the superintendent of the service and those connected with the service. Let us analyze that for a moment. The life-saving man does not serve the year around. On the Great Lakes they serve eight months of the year and along the Atlantic and the Gulf coast they serve 10 months a year.

Mr. THACHER. And on the Pacific coast they serve by the year.

Mr. MANN. That does not disagree with my statement.

Mr. GOULDEN. Mr. Chairman, will the gentleman yield?

Mr. MANN. I would like first to finish this statement. Of course, many of these men during these months go into some other occupation. Many of them do not return. The difficulty with getting men in the Life-Saving Service is one wholly owing to the fact that they are admitted through the Civil Service Commission. I am an advocate of what its proponents call the merit system, the appointment of public officials through the Civil Service Commission, but how many boys along the coast are going to take the trouble to take a civil-service examination for an appointment in the Life-Saving Service, which may never come to them, where their examination papers, as a rule, will not be examined for three or six months after they take the examination, and the appointment may not come to them for nine months or a year after their papers have been marked up?

If they would remove the Life-Saving Service from the civil-service examination and permit the superintendent or the keepers to pick up the young men who would like to go into the service at the salary which is paid them, they could fill the service ten times over without any difficulty. How many men do you think you could get into the Army through the Civil Service Commission? How many men do you think you could get into the Revenue-Cutter Service through the Civil Service Commission? How many enlisted men do you think you would get into the Navy if the men had to make application and take a civil-service examination for an appointment the year after next? How do they get them in all these services? They get somebody who wants to go in at the moment, not some one who wants to go in in a year or 15 months' time. That is a matter that the President of the United States can correct by Executive order in five minutes' time, but as yet no President has had the nerve or the knowledge, I do not know which it is, to do it. That is the only way that will be remedied. This bill does not purport to remedy that, I believe, though I am not sure about that.

Mr. GOULDEN. Mr. Chairman, will the gentleman yield?

Mr. MANN. Yes.

Mr. GOULDEN. Mr. Chairman, I am in sympathy with this measure and hope it will become a law. I desire to ask the gentleman a question, but before doing so, I simply want to say that I heartily indorse his position with regard to the civil service, as applied to this branch of the service. Living, as I do, on the coast, I know something about it, and I know there are plenty of young men who wait six months or a year for their papers to come back from the Civil Service Commission, and who in the meantime become disgusted and go and get some other job.

Mr. MANN. They have to get another job.

Mr. GOULDEN. They have to, and the better class of young men will not take the examination. I think it is a great mistake. While I am heartily in favor of the civil service, as applied to all branches of the Government, yet I think it would be well not to apply it to this particular service. The question I was about to ask the gentleman is whether he could tell us the average age of the 4,093 people to-day in the two services, which this bill proposes to regulate?

Mr. MANN. I could not; I do not know.

Mr. GOULDEN. My colleague [Mr. TALCOTT] says it is given as about 57 years of age.

Mr. MANN. Given by whom?

Mr. GOULDEN. I will ask him to answer the question.

Mr. TALCOTT of New York. By the report of the Secretary of the Treasury.

Mr. MANN. Where is it? I know enough about the service to know that that is not correct.

Mr. TALCOTT of New York. The gentleman will find it, I think, on page 4 of the report, next to the last paragraph:

> It appears from the above that the men in the Life-Saving Service will have completed 30 years' service at an average age somewhere between 57.7 and 60 years of age.

Mr. MANN. The average age for entrance into the service being 45 years? Is that what the gentleman refers to?

Mr. HOWARD. What the gentleman from New York read applies to those who have completed 30 years of service.

Mr. MANN. I do not think they have among the enlisted men in the service any number, outside of the keepers or surfmen No. 1, who have been in the service 10 years, or who are 40 years of age.

Mr. HOWARD. The question I would like to ask the gentleman is this. As a matter of fact, the gentleman stated a while ago, and I think the gentleman is correct about it—in fact, I agree with the gentleman—that it does not make any difference about the age of these men; that they can retire them for rheumatic troubles or disabilities that are incurred in or incident to the service; and the gentleman stated a while ago they will be retired long before 50 years, and anybody who knows anything about the service ought to know it.

Mr. MANN. It is a question in reference to the classified service to which I had not intended to refer. I have great respect for the civil service. They insist that they shall have control in the selection of surfmen for the Life-Saving Service. They insist that all of these services of the Government shall remain under them so far as application for appointments are concerned, and I notice the President the other day excepted some lady or somebody from the classified service, as it was stated, contrary to the opinion or the expressed desire of the Civil Service Commission. They are always insistent upon keeping the powers which they have and extending them.

Mr. GORDON. So does everybody.

Mr. MANN. And some time ago, when Congress provided for examining the efficiency of men in the departments at Washington and authorized the Civil Service Commission to make the examination for efficiency, did they go to their methods in order to get a man to do that? No; not on your life. Did they advertise an examination for a man for the head of that bureau of efficiency? Well, you can be sure they did not. Did they apply their methods, which they insist shall be applied to all Government officials in the civil service outside of the Civil Service Bureau, in the selection of their officials? Well, not on your tintype. [Laughter.] They selected a man for the bureau

without examination, without making the ordinary form of application, and without paying any attention whatever to any of the requirements for the selection of their own officials of the Government. They rule themselves to be higher than any other department of the Government. Well, doubtless they would object to letting the Government secure good life-saving surfmen in the only method by which we can secure them; but when it comes to themselves, they have got sense enough to try to select a good man whom they believe is capable, without putting him up against a high-school pupil to see which knows the most about geography or the sun.

Mr. FITZGERALD. Does the gentleman think they would not get a head of the efficiency bureau by an examination?

Mr. MANN. I think they could have gotten one better than the one they have without half an examination.

Mr. FITZGERALD. I am not talking about the individual, I am asking the gentleman if as a matter of fact there are not many positions in the Government service where it is impracticable to go to the extreme in selecting men by examination.

Mr. MANN. I was trying to show to the House that was the situation as to selecting men for the Life-Saving Service; that if they would adopt the sensible method there would be no longer any possible excuse for this pending bill, so the gentleman and I quite agree.

Mr. COOPER. Will the gentleman permit an interruption?

Mr. MANN. Certainly.

Mr. COOPER. Does the gentleman understand that the civil-service examination, if you call it that, for appointment as surfman is confined to geography and the sun, as the gentleman intimates?

Mr. MANN. I did not intimate anything of the kind.

Mr. COOPER. Well, very near it. The subjects the gentleman mentioned were geography and the sun.

Mr. MANN. I mentioned that in connection with the selection of a man in the civil-service office.

Mr. COOPER. Well, does the gentleman mean to imply that the examination for surfmen is anything like that? As I understand, it is confined, 95 per cent of it, to the physical and mental characteristics of the man; that is, to his physique, his courage, and so forth.

Mr. MANN. Well, I do not recall; but I dare say the gentleman himself has never seen one of the application blanks. I do not recall just what the examination is, although I went into that some years ago. I thought the examination at that time was somewhat grotesque; but still that is not the point I was seeking to make. It is that if a young man who wanted to go into the Life-Saving Service to-day should make an application, and his application was not marked up or examined for three or six months, and then he went on the eligible list, from which he could not be selected for a year, that a capable young man does not do that, but he would go to some other job. [Applause.]

Mr. COOPER. Mr. Chairman, will the gentleman permit an interruption?

Mr. MANN. Certainly.

Mr. COOPER. That objection would apply to any civil-service examination. The gentleman might as well say that a man would not take an examination and get his name on the eligible list for a clerkship in the Treasury Department because he might not be appointed for six or eight months, whereas the fact is that many a man is very glad to get on the eligible list and wait an indefinite time for an appointment in the Government service, knowing that while waiting he is free at any time to accept employment elsewhere and leave the Government position for some other person on the list.

Mr. MANN. That is the gentleman's opinion. I do not think the two cases are at all similar. Here is a life-saving station on the Virginia coast and a number of young men are living there and growing up, familiar with the water, accustomed to swimming, and familiar with that particular water. Here is a Government office. There is a vacancy, and the head keeper says to some young fellow, "Come in here and we will take you on," and he will go; but now, with no vacancy, they will say to a young fellow, "You make an application and 12 or 15 months from now we may possibly be able to appoint you. But God only knows when." He does not make his application. That is the difficulty, if he is bright minded at all. That does not apply to the clerical work in Washington. I will ask my friend from Wisconsin how many men he thinks we would get enlisted in the Army if we would take them in through the Civil Service Commission in the way we take other men into the other services of the Government now?

Mr. COOPER. In reply to the gentleman, I will say that I see only the very slightest resemblance or analogy between the two cases. There are comparatively very few of these life-saving stations. I have one in my city. I do not wish it so that I can go to the keeper of the station and say that I want this man or that man to have a place on the life-saving crew, and then, when there is storm and wreck with people facing death and clamoring for help, have the man I recommended, because he was a political wirepuller for me, show himself totally unfit to be a member of such a crew.

Mr. MANN. I do not, either. I do not think that would happen.

Mr. COOPER. I do not want such crews to be under the old spoils system, because their business is to save lives, not to save politicians.

Mr. MANN. Whatever may be the comparative merits of the old spoils systems and the present merit system, the people connected with the Life-Saving Service have all repeatedly stated that under present conditions they did not and could not get as good men as they used to have. I do not know what the conditions may be, but that is what they have repeatedly stated to us in the committee.

Mr. MOORE. We do not now pay pensions to the members of the life guard, as I understand it?

Mr. MANN. The men in the Revenue-Cutter Service go on the retired list. Men in the Life-Saving Service do not get a retired list; but if they are injured in the service they get two years' pay; or if they die their widows or minor children get two years' pay.

Mr. MOORE. The gentleman has spoken of the three-quarters pay that this bill provides. Would the gentleman object to a provision for pensioning those men who actually go out in boats and are injured in the service or for taking care of the widows or orphan children of those who lose their lives in the service?

Mr. MANN. I do not think that can be done in this bill. I have always been an advocate of that. I think as to a man who goes out to sea in time of storm and who knows that if he dies he will leave a wife and minor children the Government ought to support them; or if he himself breaks a leg the Government will pay him a pension.

Mr. MOORE. Does this bill meet that condition?

Mr. MANN. No.

Mr. MOORE. Can this bill be amended so that that condition could be met?

Mr. MANN. I suppose so; but I could not amend it.

Mr. THACHER. The gentleman spoke about the civil-service examination. How is it that men are willing to take the examination for rural free delivery as other carriers? How does the civil service keep them out of the service?

Mr. MANN. That is a different thing. If the gentleman can not see the difference, I can not explain it. Of course, the gentleman represents a district on the coast, and his vote is controlled in advance.

Mr. THACHER. I am a Member of Congress of the United States.

Mr. MANN. But he is representing the life-saving stations, and I hope properly, in his district. I have great regard for the gentleman.

Mr. Chairman, how much time have I remaining?

The CHAIRMAN. The gentleman has used 25 minutes.

Mr. BARKLEY. Does the gentleman from Illinois admit that the Life-Saving Service is practically as hazardous as the Revenue-Cutter Service?

Mr. MANN. On the average it is not.

Mr. BARKLEY. But practically it is, is it not? It is almost as hazardous.

Mr. MANN. I have answered the questions according to my information. Of course, if the gentleman is seeking to say that it is not, in order to get my opinion, I am willing that he should do so.

Mr. BARKLEY. For which I am duly thankful. I want to ask the gentleman why there is any reason for discrimination between the Revenue-Cutter Service and the Life-Saving Service?

Mr. MANN. That is not hard to answer. The Revenue-Cutter Service is given a retired list, and so forth, because it was placed as an arm of war in time of war Now, it is true that the Life-Saving Service says that it ought to be under the Secretary of Navy in time of war, and that it has been. In 1898, at the time of the Spanish War, when the Life-Saving Service closed up during July and August, the very last day or two of June, when nobody knew where the Spanish fleet was, and the people along the Atlantic coast were in tremors all the time for fear the Spanish fleet might land at Portland or New York or some other place——

Mr. MOORE. There were some reverberations of that tremor——

Mr. MANN. I am making the statement, and I hope the gentleman will not interrupt me in the middle of a sentence. At that time I brought into the House a bill, and got it passed, to keep the life-saving stations open on the Atlantic and Gulf coasts during July and August, so that the life guard might patrol the coast, so that if they saw the smoke arising from any of the Spanish Fleet they might notify their brothers and sisters along the coast in time to let them get inland. That is the only military service they ever performed. There is nothing to do, as a rule, along the coast during July and August. All they had to do then was to walk up and down in nice weather. That has nothing to do with the military service that actually was rendered by the Revenue-Cutter Service.

Mr. BARKLEY. Now, in times of peace, the only service rendered by the Revenue-Cutter Service is to rescue property and life?

Mr. MANN. That is not correct.

Mr. BARKLEY. That is practically true.

Mr. MANN. Well, the gentleman makes the statement. Do not put it in my mouth.

Mr. BARKLEY. I make the statement.

Mr. MANN. I have an intimate acquaintance with the Revenue-Cutter Service. They have a great many duties to perform, and that is only one of the incidents.

Mr. BARKLEY. Is that any reason why the Revenue-Cutter Service should be a member of the military service of the country any more than the coast guard should, and join with the Revenue-Cutter Service for the purposes of defense or such other service as they may be called upon to render?

Mr. MANN. Well, it is a part of the military service. Let me be frank with the gentleman. I was not in favor of making it a part of the military service when it was done; but it is.

Mr. BARKLEY. If they are both part of the military service——

Mr. MANN. They are not both a part of the military service.

Mr. BARKLEY. I understood the gentleman to say that they were.

Mr. MANN. I am sure the gentleman did not hear me say that.

Mr. BARKLEY. The gentleman said they were during the Spanish-American War.

Mr. MANN. They were during the Spanish-American War.

Mr. BARKLEY. Of course, one belongs to the Navy and the other belongs to the military, but they are both——

Mr. MANN. The Life-Saving Service has never belonged to the Navy. It has nothing to do with the Navy.

Mr. BARKLEY. Under the bill as now proposed, if it is converted into a coast guard, it will become a part of the armed forces of the United States.

Mr. MANN. Yes; under the bill it would be. The gentleman said it had been. That is another proposition.

Mr. BARKLEY. If the Revenue-Cutter Service during times of peace—whether it be mainly so or not, very largely its duties are the saving of property at a distance from the coast at sea, going to the rescue of people in distress, and things of that kind—and if the Life-Saving Service is maintained for the purpose of saving life and property close to shore, what is the objection to combining both these services under one head so as to bring about more efficient service in one department?

Mr. MANN. They are both under one head now. They are both under the same control. They are both under the Secretary of the Treasury.

Mr. BARKLEY. Practically they are, but technically they are not.

Mr. MANN. Technically they are. They are both under the Secretary of the Treasury, and this bill provides for two division chiefs. That is all they have now. They are both under the Secretary of the Treasury.

Mr. BARKLEY. But the two services are to be coordinated more than they are under the present system.

Mr. MANN. I doubt that. They would still be the Life-Saving Service and the Revenue-Cutter Service, one having a Chief of the Life-Saving Service and the other a Chief of the Revenue-Cutter Service. There is no corelationship between them in the work they have to do, and there will not be any more than now exists.

As I said, I was opposed to the bill placing the Revenue-Cutter Service with the military branch of the Government, with retired pay, and I said then—and I do not give myself the credit of being a prophet for saying it, because it was too plain—that the next step would be to put the Life-Saving Service in as a part of the military service, with retired pay, and the next step would be to put the Lighthouse Service on the same basis with retired pay. I do not know what the next step will be, but it would be some service which was claimed to be hazardous.

Now, one of the most hazardous branches of the service is the Railway Mail Service. More men lose their lives in the Railway Mail Service than in connection with the Life-Saving Service. There are more injuries in the Railway Mail Service than in the Life-Saving Service. We thought we were quite liberal when, last year or the year before, we provided for two years' pay on account of loss of life of a man in the Railway Mail Service or injury in the Railway Mail Service incapacitating the person.

Yet you say this service is hazardous. Let us be perfectly frank about it. If you know anything about the Life-Saving Service, you will know that the average crew in the Life-Saving Service does not go out to perform hazardous service twice a year. Of course the time may come when it is extremely hazardous for them to go out. That is the case with all military service. But ordinarily their time is occupied in drilling and training.

Mr. TALCOTT of New York. Mr. Chairman, will the gentleman yield?

Mr. MANN. Yes; I yield to the gentleman.

Mr. TALCOTT of New York. Is it not true that the life is hazardous in another respect, that the exposure is such that it produces pulmonary diseases and rheumatism and diseases of that kind to a very large extent?

Mr. MANN. It is not true, because it is an outdoor service. Outdoor service everywhere prevents pulmonary diseases. What is the use of saying that a man who lives outdoors is specially subject to pulmonary diseases?

Mr. TALCOTT of New York. That is the testimony adduced before the committee.

Mr. MANN. Oh, I know more about pulmonary diseases, unfortunately, than those who testified before you concerning the Life-Saving Service.

Mr. TALCOTT of New York. They spoke of the results of the service they have witnessed. They refer only to the surfmen; and in that connection I referred to the average age in the service, after 30 years of service.

Mr. MANN. Yes; but incorrectly.

Mr. TALCOTT of New York. Yes; incorrectly as to the average age in the service. I referred to the average age after 30 years in the service.

Mr. MANN. How many surfmen are there who have been there 30 years?

Mr. TALCOTT of New York. I should say very few now.

Mr. MANN. Does the gentleman know?

Mr. TALCOTT of New York. The evidence shows that only 279 are in the service who have been there 20 years. The period of service is very short.

Mr. MANN. I do not suppose there is one who has had 30 years' service, and there ought not to be one; but this bill proposed to keep them there when they are old or else retire them at three-fourths pay. What you want is young men to pull an oar and turn a boat over and do work in connection with wrecks on the high seas. This bunch of men here, all put together, would not be able to do it well, because they are too old.

Mr. Chairman, I reserve the balance of my time. How much time have I remaining?

The CHAIRMAN. The gentleman has seven minutes.

Mr. ADAMSON. Mr. Chairman, I yield to the gentleman from New Hampshire [Mr. STEVENS] eight minutes.

The CHAIRMAN. The gentleman from New Hampshire [Mr. STEVENS] is recognized for eight minutes.

Mr. STEVENS of New Hampshire. Mr. Chairman, I agree with the gentleman from Illinois that this is not a good time to increase Government expenditures. I believe this is a good time to economize. But economy means a wise expenditure of money and not merely cutting down necessary expenses or depriving any necessary part of the Government service of money enough to do its work and do it well.

I will join with the gentleman from Illinois [Mr. MANN] in cutting down unnecessary expenditures. I have voted and will vote to cut out nearly $400,000 of money expended to scatter garden seeds over the country, two-thirds of which is probably wasted. I will vote to cut down mileage to actual traveling expenses once here and back. The cost of the garden seeds alone comes to as much as this bill involves. It is good business and good economy for the Government to pay money enough for any service to get efficient service. Anything less than that is poor economy and anything more than that is extravagance.

It is admitted by the gentleman himself and by everybody else that appeared before this committee that had this bill in its charge that it had been a difficult matter for a long time to get efficient men for the Life-Saving Service, and it had been

difficult to keep those men in the service after you have got them. To-day there is a lack of men; many stations are undermanned, and many of the men in the service are undesirable. That condition arises because the inducements and the pay given by the Government are not sufficient to attract the right men. The pay ought to be sufficient not only to attract men to that service but to keep them in it. The men who actually do the work, the surfmen, receive to-day $65 a month, and 30 cents a day additional allowed for food, and they work only 10 months in the year on an average. So the annual income of these men whose business and duty it is to protect property and life from storm and peril at sea get an annual wage to-day of less than $600. I know little about the Army and Navy, but it must be apparent that if men go into the Army and Navy, where the pay is less, there are many other inducements besides the pay that attract them into those branches of the service. There are no inducements except the pay and benefits they receive from the National Government to attract men into the Life-Saving Service and keep them there. The work is not attractive or pleasant. It is practically continuous service, one night a week off and the rest of the time continuously on duty.

Mr. HULINGS. What is the pay?

Mr. STEVENS of New Hampshire. A No. 1 surfman gets $70 a month, but there is only one No. 1 surfman in a station. The rest are ordinary surfmen, and they receive $65 a month and 30 cents——

Mr. HULINGS. How much for subsistence?

Mr. STEVENS of New Hampshire. Thirty cents a day.

Mr. HULINGS. Are they furnished with uniforms?

Mr. STEVENS of New Hampshire. I understand they have to furnish their own clothing and their own food, and pay their own expenses, for which they get an allowance of 30 cents a day.

Mr. ROGERS. In the course of the hearing, was there any indication of any kind that the present personnel of the Life-Saving Service is inefficient?

Mr. STEVENS of New Hampshire. It was the testimony of the men in charge that of late years the character of the men they are getting in the service is not as satisfactory as it used to be.

Mr. ROGERS. Character or efficiency?

Mr. STEVENS of New Hampshire. The character and efficiency of the men. It is difficult to get efficient men into that service.

Mr. PLATT. Is not that because they have to wait so long before they know whether they are going to get into the service or not? I have men who have been waiting a year.

Mr. STEVENS of New Hampshire. No; the testimony was that the reason why they do not stay in the service is because they do not get money enough. Let me say further, that while the gentleman from Illinois [Mr. MANN] seems to lay all the trouble to the civil-service rules, I understand that it was the desire of the department to get good men and keep them there that made the department demand years ago that the Life-Saving Service be put under the civil service. The men in charge did not want to be dictated to by Members of Congress and politicians as to what men they should hire. If there is any difficulty in the civil-service rules, they can be amended. But if this bill passes, this service will come under the regulations of the Navy Department, and will be filled by enlistment, and will not be under the civil service.

Mr. MANN. Will the gentleman yield?

Mr. STEVENS of New Hampshire. Yes.

Mr. MANN. Does the gentleman say that the Navy will have anything to do with this service under this bill if it passes, except in case of war? Will the Navy have anything to do with the enlistment of the men?

Mr. STEVENS of New Hampshire. I believe it will be done in the same way it is done in the Navy. I do not say the Navy will directly have anything to do with the enlistment of the men.

Mr. MANN. I do not want the gentleman to be in error about it, because the Navy has nothing to do with it.

Mr. POWERS. You say that the efficiency of the service is not as great now as it was formerly. What about the pay of the men under the old system?

Mr. STEVENS of New Hampshire. I understand the pay has been increased from time to time in recent years, until to-day it has reached the magnificent sum of about $600 a year.

Mr. POWERS. It is more now than it was before they were put under the civil service?

Mr. STEVENS of New Hampshire. I think the pay has been increased.

Now, just a few words as to the importance of this particular service to the American people. By its importance we can judge whether it is wise to skimp the service and not pay enough to get proper men in it. During the year 1913 the Life-Saving Service rescued from peril over 4,000 men, women, and children, and it assisted from danger ships and cargoes valued at over $6,000,000 in money. It is a peculiar service and unlike any other that I know of in the Government. It seems to me, Mr. Chairman, that it is the duty of this House and the duty of the Government not only to pay these men good pay while they work, but to protect them when they are disabled and when they have reached years when they can no longer be of service. To my mind the chief advantage in granting the increased pay which is necessary, by their retirement pay and longevity pay, is that it will tend to keep good men in the service after they get there.

Mr. ADAMSON. Will the gentleman from Minnesota [Mr. STEVENS] yield some of his time?

Mr. STEVENS of Minnesota. Yes; I yield five minutes to the gentleman from Illinois [Mr. MADDEN].

Mr. MADDEN. Mr. Chairman, I just want to tell a little experience that I had with the Life-Saving Service men during the serious floods a year ago last summer. I happened to be in Chicago at that time, and I saw the appalling number of deaths that were occurring everywhere, especially in Indiana and Ohio, and I took it upon myself to call the Chief of the Life-Saving Service of the Great Lakes over to my office by telephone, and I asked him if he would be willing to assemble all his lifeboats in that region and all the men that he could gather together and volunteer to go into the flood district to save life. He said he would not only be willing to do it, but that he would gladly do it. Then I called the commandant of the naval training station of the Great Lakes, and I asked him the same thing, and the commandant of the Naval Militia of our State. But the man at the head of the Life-Saving Service of the Great Lakes was the one man who appealed to me as worthy of the greatest consideration that could be given to men anywhere. And that applied to every man under him, because they were not only willing to work night and day but put their own lives at the service of the lives of other people who were in danger. Late one afternoon we received a telegram to the effect that an orphan asylum at Fort Wayne, Ind., was surrounded by the flood; that the water had risen as high as the second story of the building; that the local people had attempted to take a boatload of those children out of the building to a place of safety, but that the eddies and currents of the flood were so great that the boat was lost and every one of the children drowned.

At 7 o'clock that evening this man at the head of the Life-Saving Service at the Great Lakes, understanding the situation, loaded two lifeboats on a car and started over the Chicago & Pittsburgh for Fort Wayne at 7 o'clock. He reached Fort Wayne with his boats at 11 o'clock, and before 1 o'clock in the morning had all the 72 children still remaining in the building, not only out of the building but to a place of safety. [Applause.]

That was not all, he took his men everywhere throughout the flooded district. He did it on my request, without orders from headquarters. He said to me that to do what I wanted might require an expenditure of funds. I told him I would place $15,000 for him to draw against until I could be reimbursed. The money was placed at his disposal, and I went to the Association of Commerce in Chicago and told them what the situation was. They said that the $15,000 would be placed in a special fund and he could draw against it without vouchers of any kind. He never drew a cent against that money placed at his disposal. He worked night and day for nearly a month, and all of his men did the same thing. They were not required to do this work. It was out of their line of service, but, having accepted my invitation to do it, I proceeded to obtain a ratification of the order which I had given to these men from the proper authorities in Washington. They said they were glad I had undertaken the work.

Now, if men who are in the Life-Saving Service will do such things as I have feebly described, there is nothing on earth that the Government can do for them that it ought not to do. [Applause.]

Mr. STEVENS of Minnesota. Mr. Speaker, I yield five minutes to the gentleman from Massachusetts [Mr. GREENE].

Mr. GREENE of Massachusetts. Mr. Chairman, I have but 4 miles of Atlantic coast line in the district which I have the honor to represent. When I first came here as a Member of the House, I represented the Cape Cod district, which had a large coast line on both sides of Cape Cod and which also contained the islands of Nantucket and Marthas Vineyard; and

there were a large number of life-saving stations in the district. I recollect that on the 17th day of March, 1902, at noonday, while all was calm and peaceful in this House, there was a terrible storm on the Atlantic coast, which came up very suddenly, and the life-saving station at Mononomy Point discovered a vessel in distress. These men of the Life-Saving Service were called to their duties so suddenly that they were unable to put on the life jacket which the department requires they shall put on before they go out to perform their duties in their perilous service. These men took their lives in their hands and braved the dangers of the perilous trip for the relief of the crew of the vessel that was in distress. Although these men were accustomed to the dangers of the sea and were undaunted by the hardships and perils that awaited them, they entered the seething waters to save the lives of men unknown to them personally, but recognized by them as members of the human family who had displayed signals of distress. Heroic and self-sacrificing as is the work of the soldier as he enters the field of battle and perils his life to maintain the honor of his country, what can compare with the sacrifice and heroism of these men of the Life-Saving Service, who entered upon their dangerous undertaking, not for the purpose of destroying human lives, but these men risked their own lives for the sole purpose of saving the lives of others.

I have known of the work done by these men in that service many years before I had ever expected I should be called to render to them by any public duty the gratitude which I know my countrymen recognize is due them. With a long experience in public life and a knowledge of the sacrifices of my fellow men in the performance of their duties in the Army and the Navy, even before I came to this House, and since, I want to say that I believe there is no service anywhere that compares with the service of the men who follow the sea and brave its dangers in the Life-Saving Service. [Applause.]

With regard to the lobby that has been referred to in connection with these men in the Life-Saving Service, I desire to say that if there is a lobby—and I have no doubt men have been interested—but if there is an organized lobby I think they would have been likely to have called upon me, either at my home or in this city. No one has spoken to me regarding the pending legislation during the last 7 years. I have during the 16 years of my service in this House seen some men who have been connected with the service, who know of its dangers and of its requirements, who believe that it is essential that some provision should be made for these men in the service and for their families in case of their injury or loss of life when on duty. These men perform patrol duty at night, and it is not an agreeable duty. They have to perform a service and have to render a report when they have completed their tour of duty. They are on duty whether the storm comes to them or whether the coast is clear and the moon shines to illumine their lonely pathway. But when any surfman in the Life-Saving Service does the required duty exacted by the Government along the shores of Cape Cod, they will find that a large proportion of the time they are in the service they are upon a duty that means danger to their lives, and requires constant vigilance in the performance of the duties that the regulations of the department demand.

Allusion has been made to the widows drawing two years' pay when the men lose their lives in the service. Widows draw two years' pay in case their husbands are killed or are permanently injured in the service. I have had something to do with obtaining the money for the widows of some of these men who have been in the service, and it required a great deal more information to be filed and a great deal more of detail to be prepared to secure the money for those widows than it does to secure the money for a widow where a soldier or sailor has lost his life in the service of his country. [Applause.]

I have not examined the pending bill in all its details. The great Committee on Interstate and Foreign Commerce have given the bill patient consideration, and they have held many hearings for a long term of years.

I believe this bill should be enacted into law. When final action is taken an advanced step in humane and righteous legislation will be recognized by the people of the country regardless of their party affiliations.

Mr. STEVENS of Minnesota. Mr. Chairman, I yield three minutes to the gentleman from West Virginia [Mr. Moss].

Mr. MOSS of West Virginia. Mr. Chairman, I think as a rule a man goes wrong in differing from the distinguished leader of the minority. He is usually right, but in this instance I feel compelled to differ from him, because I believe that to the service of life-saving the greatest consideration should be shown. I can not agree with him that these men receive to-day what they should receive, considering the risk they run—the hazardous nature of their employment. It seems to me that there are four things which prevent sufficient enlistment of the right kind of men in this service: First, the delay incident to their civil-service application; second, their small pay and hazardous employment; third, the fact that they work only a part of the year and receive small pay only a part of the year, and that loafing period has a tendency to disorganize and demoralize and to destroy the steady character of those connected with the service; lastly, the fact that they know that when they reach a little beyond middle age they are to be kicked out of employment. I think all of these conditions are wrong. I think that this bill is a good bill, because it does away with these things and also provides for uniting the two services—the Revenue-Cutter and Life-Saving Services—which certainly will save expense and will promote efficiency. In addition, Mr. Chairman, there is another thing accomplished by this bill which I do not believe has been mentioned. It is a fact that in the service of the Army and of the Navy and of the Marine Corps, as I am informd, the enlisted men and the officers all have the retirement privilege except the officers of the Revenue-Cutter Service, and for some unknown reason they are deprived of that privilege. I understand this bill will correct that, and that constitutes another reason for my approval.

The CHAIRMAN. The time of the gentleman has expired.

Mr. ADAMSON. Mr. Chairman, I yield to the gentleman from Tennessee [Mr. HULL].

Mr. HULL. Mr. Chairman, I am in favor of the principle embraced in this bill. I do not desire to consume the time of the House at this time, however, except to ask permission to extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Tennessee asks unanimous consent to extend his remarks in the RECORD. Is there objection?

Mr. MANN. Mr. Chairman, I shall object. When you cut off debate on a bill of this kind, I do not propose that the RECORD shall show there has been long debate.

Mr. HULL. I desire to extend my remarks on a tax item.

Mr. MANN. I have no objection to the gentleman extending his remarks on some other subject.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. ADAMSON. Mr. Chairman, I yield to the gentleman from Massachusetts [Mr. THACHER].

Mr. THACHER. Mr. Chairman, the sixteenth Massachusetts district, which I have the honor to represent in the Congress, contains on its extensive coast line many life-saving stations. A large number are located on Cape Cod, where I was born and have lived, as have my people before me. This is one of the most dangerous portions of our Atlantic coast, and well do the hardy men of Cape Cod know its dangers. From time immemorial Cape Cod has produced many experienced sailors and fishermen, and there has never been a better maritime race than these sturdy sons of the sea. To-day there are more fishermen on the Cape than sailors. It is, however, from the above type of worthy men that the New England life-saving stations have been largely manned.

No true son of Cape Cod can help being interested in the welfare both of the men "that go down to the sea in ships, that do business in great waters" and those whose duty it is to rescue ship-wrecked mariners. My interest in legislation for the life-savers dates back nearly a quarter of a century, to 1892, when my father, Henry C. Thacher, of Yarmouth, as the Democratic candidate for the Cape Cod congressional district advocated legislation for the life-savers. I resolved then that if the time ever came I would do all in my power for the life-savers.

Moreover, there are other reasons, sentimental ones I will confess, why my heart beats in sympathy with those connected with the sea. Over 50 years ago my two uncles, Bartlett and Chandler Bray, were boys at Yarmouth. The elder, Bartlett, at the age of 14, went as cabin boy on the bark *Mimosa*, owned by my father, who was engaged in the Mediterranean business. The *Mimosa* made a successful trip from Boston to Smyrna and back. Just as the *Mimosa* was on the point of sailing with Bartlett on a second voyage to Smyrna, his younger brother, Chandler, aged 10, was accidentally drowned in Yarmouth Harbor. My grandfather telegraphed to Bartlett at Boston not to sail, but the message arrived too late. The *Mimosa* sailed for Smyrna, and on her homeward voyage she was lost with all on board. I was named after my uncle Chandler and my brother Louis after my uncle Bartlett.

I could other tales unfold, but rest assured, gentlemen, the men of Cape Cod well know the dangers of the sea and appreciate the work of the life-savers, who risk their lives to save others.

Mr. Chairman, before I discuss the coast-guard bill I wish to dwell briefly on the United States Life-Saving Service, its early history, the duties performed and pay received by the men to-day, and the necessity for this piece of legislation.

The Massachusetts Humane Society, originally founded in 1786, was a private benevolent society organized to furnish relief to shipwrecked sailors by building huts with life-saving equipment on the coast of Massachusetts, and it originated its coast service 36 years before England. In 1847 Congress made its first appropriation, $5,000, for rendering assistance to those shipwrecked on the coast, and in subsequent years further appropriations were made for lifeboats and houses on the New England and New Jersey coasts and the coasts of North and South Carolina, Florida, and Texas, and on the Great Lakes.

Dependence was placed upon volunteers to make use of a very inadequate equipment, and as there were no regular crews stationed at the few life-saving stations then established, and no responsible custodian in care of the equipment and property, the inefficiency of the Life-Saving Service as it then existed was soon apparent to all. In spite of many wrecks and disasters, Congress refused to make adequate provision. In 1853 a bill which provided for the increase and repairs of the stations and guardianship of the lifeboats passed the Senate, but did not pass the House. In 1869 a bill providing for regular crews of surfmen was defeated in Congress, which passed an inadequate bill. It was not until 1871 that, after the passage by Congress of a bill with an appropriation of $200,000, the present United States Life-Saving Service may be said to have had its birth.

Capt. Sumner I. Kimball, the present very able general superintendent of the United States Life-Saving Service, and at that time in charge of the Revenue-Cutter Service, immediately took steps to organize and put on as good a basis as possible the Life-Saving Service, which at first was a part of the Revenue Service.

Between 1874 and 1880 the United States tried to carry on its Life-Saving Service on the Great Lakes on the volunteer system, giving each man $10 for his services on each occasion when they were required. The results were so unsatisfactory that in 1880 Congress found it necessary to authorize the employment of regular crews. That this Life-Saving Service has paid for its cost many and many times over will be shown by the statistics which I shall cite later on. To-day the United States Life-Saving Service has 279 stations, to be found in these States: Maine, New Hamphire, Massachusetts, Rhode Island, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina, Florida, Texas, Ohio, Kentucky, Michigan, Indiana, Illinois, Minnesota, Wisconsin, Washington, Oregon, California, including one in Alaska.

What is the urgency for the passage at the earliest moment possible of this meritorious bill known as the coast-guard bill, which the Senate passed last March? Let us examine the conditions of service of these men. At present the life-saving stations on the Atlantic and Gulf coast are open for 10 months of the year and on the Great Lakes about 8½ months, and the surfmen receive $65 per month while on active duty and nothing while the stations are closed. Although they receive 30 cents a day for rations, they must provide out of their own pockets their uniforms, rubber boots, and oilskins, which cost about $45 the first year of service. The allowance of 30 cents a day, or 10 cents per meal, for rations for these men, who must live at the stations away from their families, is not a large sum. Moreover, on $65 per month for 8 or 10 months these surfmen are supposed to bring up their families and to set aside a fund to provide for illness and old age. This is plainly impossible. The No. 1 surfman receives $70 per month; the keepers, $1,000 per annum; and the district superintendent, $2,200 per annum.

This service requires picked men, sound in body, and quick in mind, with thorough knowledge of the sea and boatmanship, and they are tested by a thorough examination before they can be appointed. They are required to patrol the coast by day and night to warn vessels away from danger, go to the rescue of any vessels, her crew and passengers, or anyone else who is in danger. They must be prepared to launch their boats in the teeth of a bitter gale and storm, with the wind blowing 50 miles an hour and the thermometer perhaps below zero, and row hours at a stretch to rescue some one in distress. They must be ready at any moment of the night or day when duty calls them to risk their lives to save others. They must understand the currents and tides and be experts at handling their boats, for the slightest mistake by an inexperienced man means loss of life both to the crew and those whom they are endeavoring to rescue. Every night, whether vessels are in sight or not, they must patrol the beach for a watch of four hours. On Cape Cod and elsewhere where the stations are but 5 or 10 miles apart the solitary surfman who starts on his nightly patrol of four hours is required to walk until he meets another surfman from the nearest life-saving station, with whom he exchanges a check.

I give here an extract from the weekly transcript of journal used by the life-saving stations, showing the patrol work required of these men:

Weekly transcript of journal.

——— ——— Station. District No. ———

Sunday, ——— ———, 191—

Condition of the surf.

Midnight.	Sunrise.	Noon.	Sunset.
Smooth	Smooth	Smooth	Smooth
Light	Light	Light	Light
Moderate	Moderate	Moderate	Moderate
Strong	Strong	Strong	Strong
Rough	Rough	Rough	Rough
High	High	High	High
Very high	Very high	Very high	Very high

Weather conditions at—	Wind.		State of weather.	Barometer.	Thermometer.
	Direction.	Force.			
Midnight					
Sunrise					
Noon					
Sunset					

PATROLS AND WATCHES.

[In the blank spaces below enter the names and numbers of men on patrol and watch duty, the time of each, and direction patroled. The patrols from all stations in a district (except as otherwise specifically authorized) shall be made in the same direction at the same time.]

Patrol.			Period of time.[1]	Station and day watches.	
No.	Name.	Direction.		No.	Name.
			Midnight to .....a. m.		
			..... a. m. to 4 a. m.		
			4 a. m. to sunrise.		
			Sunrise to 8 a. m.		
			8 a. m. to noon.		
			Noon to 4 p. m.		
			4 p. m. to sunset.		
			Sunset to.....p. m.		
			..... p. m. to 8 p. m.		
			8 p. m. to ..... p. m.		
			.....p. m. to midnight		

[1] Where a schedule other than that indicated is used, the time should be written in nearest corresponding spaces, beginning each day with first watch after midnight.

Answer such questions as apply to your station:

Have all patrol checks been properly exchanged?———

Do patrol clock dials show indentations at the proper times?———

Were telephonic reports made from patrol limits and properly recorded by station watch?———

RECORD OF ABSENCES AND SUBSTITUTES.

Member of crew absent. (Including keeper.)	Exact period of absence. (Hours and dates.)	Cause of absence.	Name of substitute.

Vessels sighted from station this day:	General remarks. (Under this head are to be stated all transactions relating to house or service.)
Ships	
Barks	
Brigs	
Schooners	
Steamers	
Sloops	
Barges in tow	

(If more space is needed, use letter paper.)

Each year these men must pass a thorough medical examination before they can sign for the ensuing year, for they must continue to be physically sound in order to remain in the service. Frequently, as rheumatic or heart symptoms become apparent from the performance of their duty, or perhaps weakness of the eyes from exposure in stormy weather on the nightly patrol to the biting sand and shore, these men are dropped without consideration except a maximum pay of two years to themselves or to their widows should they be killed while on duty.

If time and space permitted, I could cite many deeds of heroism performed by the life-savers of my district, and also some sad cases which have been brought to my personal knowledge when men have been obliged to quite the service owing to physical infirmities contracted in the service. Broken down in health, without sufficient money to pay for medical aid or to provide for their families, these cases were truly pathetic. Sometimes these men have died in the poorhouse.

To show that this service, under the present conditions, is suffering for want of men, I will quote from the public hearings held on this bill.

TESTIMONY BY THE SUPERINTENDENTS.

Capt. Kimball, General Superintendent of the United States Life-Saving Service, testified before the House committee:

We have great difficulty in getting competent men. In some of the districts we have no names on the eligible list from which to make certifications. As the matter stands now, the men grow old in the service at a rate of pay that barely supports them and their families, if, indeed, it does that at all times, and when these men become disabled in the line of duty or by age, they have to leave the service with nothing to live upon.

Capt. Dominy, superintendent of the fourth district, testified before the Senate committee:

We can not get men.

Capt. Chapman, superintendent of the tenth district, testified:

My own district averages from 25 to 30 per cent of vacancies in the crews, which are filled constantly by temporary men, who, to a large degree, are unskilled. The cry to-day from the keeper is, "Give me men; give me skilled men." The Buffalo crew last year had one enlisted man and seven temporaries. The Cleveland crew has about the same.

Capt. Kiah, superintendent of the eleventh district, testified:

I have trouble in not getting enough men. We are short, and have been.

Capt. Bowley, superintendent of the second district, testified:

We can not get good men to enter the service. There is nothing to care for them if they are disabled on patrol or regular work, and they simply will not come in.

Capt. Cole, superintendent of the fifth district, testified:

The personnel of the service is deteriorating rapidly.

Capt. Tunnell, superintendent of the sixth district, testified:

I am losing good men in my district—No. 1 men, very valuable fellows—because they don't see any prospect of advancement in the future, and they are going into commercial business.

Capt. Harding, superintendent of the first district, testified:

Our service is getting impaired. We can not get men, and why? You hold out no inducement for promotion. You hold out no reward. * * * I feel if you are going to pass the bill it should take effect immediately on its passage. Some of us may be dead before it becomes effective. We have sent men to their graves broken-hearted because the United States Congress, on their part, has not done something for us.

I wish we had the eloquence with which to go before the United States Senate and tell something of what has been done in the trying work of saving human lives.

Senator NELSON. Why does it require a brave man to be an efficient man in this service?

Mr. HARDING. The men who would be willing to lay down their lives and die with those they are trying to save—which should be the characteristics of every man in the service—are the men we want.

Senator NELSON. Are they called upon to do that, to do those things whereby they practically lay down their lives?

Mr. HARDING. Called upon! They are expected to do it, and that is why we are all to-day begging to get such men.

Gentlemen, I trust you will excuse me. I know I have been taking up too much of your time, but I would like to have these men come and tell you what it is to patrol the beach at night, alone and far away from human habitation. If a man falls and breaks a leg, or is injured in any way, it is death unless he has a signal in his pocket or some one hears his cries. It has happened, to my knowledge, and I know it has happened within the knowledge of the other gentlemen. The signal which gives light to warn vessels of danger is the means of saving his life. When some of you gentlemen would hesitate to go out in a storm to post a letter we, gentlemen, are patrolling the beach—north, east, south, and west—only 2 or 3 miles, perhaps, down the beach, but when you are coming back it seems like 10. We have been on the beach with a pocket handkerchief across our faces, and the sand cutting our eyes and getting into our ears, listening for what? The cry for help; and there is a great difficulty before you get there, Mr. Senator. A trained man, an experienced man, possesses instinct. Oftentimes they will hear a vessel which something tells them is in distress when a green hand will be whistling the latest song from an opera. He does not care as long as he gets his pay and 24 hours' leave. But the trained man is the man who always manifests the greatest human interest when he sees a wreck offshore.

Capt. Morgan, superintendent of the seventh district, testified:

We have had some trouble in getting men, and a good many of them are leaving the service. They find occupations that will pay them better.

STATEMENT OF THE SECRETARY OF THE TREASURY.

The Secretary of the Treasury, Hon. W. G. McAdoo, in a letter dated August 25, 1913, to the Senate Committee on Commerce, stated—

That the officers and men of the Life-Saving Service are entitled to the benefits of retirement seems to be generally conceded, the principle being based upon the public sentiment which created retired lists for the Army, Navy, Marine Corps, and Revenue-Cutter Service, because of the extra hazardous duty connected with the work performed.

The Secretary of the Treasury, in his annual report, published on December 7, 1914, states:

It is again earnestly recommended that the coast guard bill, contemplating the consolidation of the Revenue-Cutter Service and the Life-Saving Service, be enacted into law. The measure has already passed the Senate and is now pending in the House of Representatives. This will greatly increase the efficiency of these two valuable arms of the Government.

The House Report No. 682, which accompanies the coast guard bill, states:

During the past fiscal year about 11½ per cent of the total force have either been discharged for physical disability or declined to continue in the service under existing conditions. In several of the districts it appears to be impossible to secure sufficient men to fill the current vacancies, and in one district particularly there are 58 vacancies and not a man on the eligible list. It is believed that the organization of the coast guard as proposed will remedy the existing evils and save this highly meritorious branch of the public service from decadence, inevitable unless the service is made more attractive.

The same report also gives the history of the Revenue-Cutter and Life-Saving Services, as follows:

HISTORY.

The Revenue-Cutter Service was founded in 1790, and was the first regularly organized armed maritime service of the Government. It has taken a conspicuous part in every maritime war in which this country has been engaged, and its military status has been fixed by Congress. Its officers and men have the benefits of retirement, military titles, courts-martial, and they rank with officers of the Army and Navy.

The Life-Saving Service was originated in the Revenue-Cutter Service, as hereinbefore stated, and for several years after its inception was operated under its direction. It became a separately organized service in 1878, but since that time officers of the Revenue-Cutter Service have been detailed as the inspectors and drillmasters of the Life-Saving Service.

During the Spanish-American War the Life-Saving Service along the Atlantic and Gulf coasts was temporarily transferred to the jurisdiction of the Navy Department, and operated as a coast patrol and signal service. As such an auxiliary to the Regular Navy its services were found to be of great value from a military standpoint.

"GIVE US MEN."

All along the coast of our country the story is the same. It is the same cry, "Give us men." The service is deteriorating. The young men of the type described refuse to enlist, and seek better-paid employments, such as fishing, operating motor boats, and other pursuits, and the older men, broken down sometimes in body, mind, and purse are leaving the service. These facts are indisputable. Let us examine the conditions which the Life-Saving Service faces to-day and the provisions of relief to be furnished by the coast guard bill:

EXISTING CONDITIONS SOUGHT TO BE REMEDIED.

1. Owing to insufficient pay and lack of a retired list, practically one-third of the life-saving stations are now either undermanned or manned with inefficient men.

2. An average of 11 men a year die in the service from disease or exposure incident to the hazardous duties.

3. In addition an average of 29 men are discharged annually before the expiration of their enlistments on account of physical unfitness, developed as incident to exposure and their hazardous duties.

4. The Revenue-Cutter Service and the Life-Saving Service, both devoted in the main to the saving of life and property from the ravages of the sea, are now operated as distinct organizations, although formerly administered by one executive head.

WHAT THE COAST GUARD BILL CONTEMPLATES.

1. Great increase in the efficiency of the Life-Saving Service by—

(a) Combining both services under one executive head.

(b) Providing a retired list for the men on account of age or after 30 years' service.

(c) Giving the men of the Life-Saving Service longevity pay for reenlistments.

(d) Giving the men of the Life-Saving Service clothing allowance, and medical attention from the Public Health Service.

(e) In lieu of a pension list for the dependents of those who lost their lives in the service a sum of money equivalent to

two years' pay is given. This is much more economical for the Government than a pension.

2. It creates a naval reserve of about 4,100 trained and highly efficient officers and men, ready at a moment's notice to operate under the Navy Department whenever the President directs.

3. The coast guard constitutes a naval reserve without any additional cost to the Government as such, as the saving of life and property at all times is worth much more to the people than its cost of maintenance.

4. It places on the retired list at three-quarters pay Sumner I. Kimball, now 80 years of age, the man who founded the Life-Saving System and who has devoted the best years of his life to its upbuilding—a fitting tribute to one the effects of whose humanitarian efforts will last for ages.

WHAT THE COAST GUARD BILL DOES NOT DO.

1. It does not create, nor inaugurate in any manner, a civil retired list, as this bill especially provides that the coast guard shall be distinctly a branch of the military forces of the Government.

2. It does not in any way increase the number of employees of the Government.

3. It raises no basic salaries. All increases in pay are due to length of service only.

4. It does not increase the pay or allowances of any commissioned officer of the Revenue-Cutter Service.

WHAT IT WILL COST.

All the advantages of this bill, both to the Government and to the men, will be brought about at a maximum total increased cost of but $400,000 per annum, which is less than 8 per cent of the present annual cost for the entire maintenance and operation of the two existing services.

WHAT THE COAST GUARD BILL PROVIDES.

Mr. Chairman, the coast guard bill combines the Life-Saving Service with the Revenue-Cutter Service in the coast guard, operating in times of peace under the Secretary of the Treasury, as at present, but in time of war the coast guard shall be under the orders of the Secretary of the Navy or the direction of the President.

The officers and enlisted men of the coast guard will be entitled, as a part of our naval forces, to certain benefits due those engaged in an extra hazardous service, which, briefly, are these:

The surfmen will receive—

First. Retirement at 64 years of age, or after 30 years of service or for disability, on a retirement allowance of 75 per cent of their active-duty pay.

Second. Longevity pay, amounting to $1 per month increase for each three years of service.

Third. Clothing allowance of $45 for the first year and $20 for each subsequent year.

Fourth. Free treatment in the Government hospitals.

Fifth. Rations as at present.

The superintendents, keepers, and No. 1 surfmen will receive—

First. Longevity pay at the rate of 10 per cent increase for each five years of service up to 20 years of service and retirement and other provisions as provided for surfmen.

While I should like to see the pay of the surfmen increased in corresponding amount, and also a more liberal provision in case of death while in the service, yet I realize that the sum of $397,700 estimated by the Treasury Department as the annual expense required under the bill, including about $40,000 additional to the Revenue-Cutter Service, is all that reasonably can be asked for of Congress, and I believe it will accomplish the desired results at this time.

VALUE OF THE LIFE-SAVING SERVICE AS A NAVAL AUXILIARY IN WAR.

During the Spanish-American War Congress found it necessary to pass a special act—reported by Congressman MANN, of Illinois—on June 7, 1898, to keep the life-saving stations upon the Atlantic and Gulf coasts open throughout the months of June and July for the purpose of forming a part of the Coast Signal Service. This was done at the request of the Secretary of the Navy and with the approval of the Secretary of the Treasury.

The entire resources of the Life-Saving Service on the Atlantic and Gulf coasts, including 1,443 men, were at once transferred to the Coast Signal Service, under the direct supervision of Capt. John R. Bartlett, United States Navy.

That officer, in making his official report to the Navy Department at the close of the war, made the following statements concerning the value of the Life-Saving Service as a military adjunct:

The necessity of covering the long stretch of coast between these isolated stations was at once apparent, and the value of the Life-Saving Service became self-evident. These crews constantly patrol the beaches from Maine to Texas, and no vessel can approach within sight of the coast and escape their attention.

The result of my experience leads me to believe that the Coast Signal Service should be an integral part of a naval coast-defense system, as it is most intimately connected with it, and should be in closer relation than that of an allied branch. * * *

Another valuable result of the experiment has been to demonstrate the great usefulness of the life-saving stations for the purposes of observation and international code signaling. * * *

In concluding his report he made a number of finite recommendations to the Secretary of the Navy, the first one of which follows:

That each life-saving station should be made a coast signal station, for the reason that they are all connected with each other by telephone and their system of the patrol of the beach places almost the entire coast line under constant observation. Moreover, the men in this service are trained to see everything that floats within the range of vision, are trustworthy and well disciplined, and are already excellent signalmen with the international code.

THE COAST GUARD AND NATIONAL DEFENSE.

While the question of national defense now more than ever before is brought into prominence it is well to consider the advantages of the coast guard from a strictly military standpoint.

The added efficiency which will be given to the Life-Saving Service under the terms of this bill will make available in the coast guard for immediate service in connection with the defense of our seacoasts a corps of approximately 4,100 trained officers and men, all in the best physical condition and all accustomed to life on the seas. The very nature of their emergent duties in peace times will make them quick of action, resourceful, and disciplined, all of which, it must be admitted, are absolutely essential to success in modern sea fighting.

Aside from the fact that the coast guard will be worth more to the country by its saving of the lives and property of its citizens than it actually costs, its value as a part of any scheme for the national defense can not be overestimated. Simply by a stroke of the pen the President can transfer this highly efficient corps of men, armed, trained, and disciplined, into the regular Naval Establishment at any time, whether in peace or in war. In strictly warlike pursuits it can not be denied that they will be the equal of any similar number of men in the regular Naval Establishment. This asset of military preparedness must therefore not be overlooked when appraising the value of the coast guard to the Government.

CASUALTIES IN THE LIFE-SAVING SERVICE.

Since the organization of the Life-Saving Service up to January 1, 1914, there have been 320 deaths directly incident to the exposure and hazards of duty along the coasts. In the past decade there has been an average of 11.7 deaths each year. The causes of these losses are principally drowning and pulmonary diseases incident to exposure in the lifeboats or from patrolling the beaches in severe weather. There have been three deaths due to lightning striking the surfmen while out on patrol on desolate beaches, they being the only objects in the vicinity projecting above the level of the beach.

The average given is not representative of the actual losses of life incident to exposure, as the men in the Life-Saving Service are enlisted every year, and at each reenlistment they are examined and must be found physically sound or else they are rejected. Hence there are many instances where surfmen have contracted diseases on account of exposure while in the service, have been rejected when applying for reenlistment, and have died subsequently. Such cases have not, of course, been included in the list of deaths.

By far the most regrettable procedure incident to the existing conditions in the Life-Saving Service is the fact that during the past 10 years it has been found necessary to discharge an average of 29 of the enlisted men of the service before the expiration of their term of enlistment on account of physical disability incurred in line of duty.

It is on account of such severe conditions as the above that it is impossible to obtain and keep efficient men to man the various stations.

In three important particulars the statistical record of the operations of the Life-Saving Establishment for the last fiscal year, ending June 30, 1914, shows larger totals than are to be found in any similar annual enumeration of results in the history of the service, namely, the number of vessels reported as having suffered accident or disaster, the number of persons on board said vessels, and the value of the property (vessels and cargoes) exposed to damage or loss.

A summary of the year's casualty record of the service follows:

Number of vessels involved	1,937
Vessels totally lost	82
Persons on board	9,296
Lives actually saved	4,762
Lives lost	38
Persons succored	1,920
Days' succor afforded	1,234

Value of vessels involved	$17,304,840
Value of cargoes	4,203,020
Total value of property involved	21,507,860
Value of property saved	18,783,200
Value of property lost	2,724,660

SERVICE OF THE LIFE SAVERS ON INTERIOR WATERS.

The benefits of the coast guard will not be confined to the coasts of the Atlantic, Pacific, Gulf, and Great Lakes.

At all times when practicable the life savers have been sent to interior waters whenever great floods have worked havoc with lives and property along the banks of our great rivers. Within only the past 18 months two notable examples of these beneficial efforts have arisen.

The great floods which inundated the Ohio Valley during the months of March and April, 1913, are fresh in the memories of all. The whole country was horror stricken at the appalling results of the raging waters in portions of West Virginia, Kentucky, Illinois, Missouri, and Tennessee. The calls for help did not go unheeded by the United States Life-Saving Service. Seven crews were immediately dispatched to the scenes of distress, and other crews were held in readiness for immediate response in case the conditions grew worse.

In spite of almost insurmountable difficulties of transportation the crews arrived at the localities where their services were most badly needed, and immediate steps were taken to relieve suffering humanity. People were taken from house tops to places of safety, food and clothing were distributed to those in need, and in every conceivable way within the limit of their resources assistance was rendered to the stricken people. One of the many notable incidents was the rescuing of all the occupants of an orphan asylum at Fort Wayne, Ind., under most trying circumstances, without a single mishap.

The net result of the efforts of the seven life-saving crews during this particular flood was the rescuing and succoring of 3,509 persons and the saving of property valued at $30,000 which otherwise would have been lost.

FLOODS IN TEXAS.

In the early part of December, 1913, the overflowing of the Brazos and Colorado Rivers in the south-central part of Texas almost entirely inundated several counties. At once three life-saving crews and the revenue cutter *Windom* were sent to the flooded districts. Many of the unfortunate inhabitants were in a starving condition and in danger of being drowned. After many hazardous experiences quantities of food and clothing were distributed to the beleaguered people, and many of them were rescued and taken to places of safety. In all, 803 persons were either saved from drowning or given succor.

Many commendatory letters from prominent citizens and relief committees were received testifying to the very valuable assistance rendered by these coast life-savers. The Galveston central relief committee, through its chairman, wrote the Secretary of the Treasury that "their work was performed under the greatest difficulties, and, we are very glad, indeed, to add, cheerfully and willingly."

EQUIPMENT AND RESULTS.

As at present constituted the combined Revenue-Cutter and Life-Saving Services when merged into the coast guard will embrace the following:

Number of ships:		
Seagoing	25	
Harbor tugs and launches	19	
		44
Number of coast-guard stations		279
Total authorized personnel, including commissioned officers, warrant officers, and enlisted men		4,093

RESULTS.

As indicative of the work which will be performed by the coast guard the following results of the operations of the two services when acting independently during the fiscal year ending June 30, 1914, may be taken to show the great importance of the proposed coast guard to the public:

Number of persons actually rescued from peril	5,238
Number of vessels to which assistance was rendered	2,147
Number of persons on board vessels assisted	10,983
Derelicts or obstructions to navigation destroyed or removed	31
Value of vessels assisted, including cargoes	$24,386,191
Cost of maintenance and operation for year 1914	$4,781,949

It will thus be seen that for the expenditure of each dollar for the coast guard there can be expected a conservation of not less than $5.09 worth of property of the public from the perils of the sea.

With the added efficiency which will undoubtedly follow the passage of this act even greater returns than this can reasonably be expected, and this without taking into consideration the humanitarian feature of the thousands of lives saved every year.

President Wilson indorses the coast-guard bill.

WHITE HOUSE,
Washington, December 19, 1914.

Hon. OSCAR W. UNDERWOOD,
House of Representatives.

MY DEAR MR. UNDERWOOD: I hope that you will not think I am unduly burdening you if I write to express my very great interest in the bill which has been passed by the Senate and is pending in the House which provides for the consolidation of the Revenue-Cutter and Life-Saving Services. It is of the highest consequence for the efficiency of both services that this bill should pass, and I hope that some chink may be found for it even in the rush hours of the House Calendar.

With warmest regards,

Faithfully, yours, WOODROW WILSON.

Mr. Chairman, are not the statements and evidence submitted by the superintendents of the Life-Saving Service and the Treasury Department conclusive? Shall we not join together in the support of this meritorious bill? Mr. Speaker, whatever I may have accomplished in the two brief years I have had the honor of serving in this Congress, I have the satisfaction of knowing that I have served with many patriotic and distinguished men. I have tried to do my duty as I saw it and to give the best that was in me for the people of my district and country. I am glad to have had the opportunity of working with other distinguished men for this splendid piece of legislation. We have many heroes and heroines in our country, but there are no greater heroes than these life-savers, the heroes of peace.

I ask the Members of the House to give their hearty indorsement to the coast-guard bill.

Mr. STEVENS of Minnesota. Mr. Chairman, I yield three minutes to the gentleman from Wisconsin [Mr. COOPER].

Mr. COOPER. Mr. Chairman, I did not intend to occupy any time, but have asked for a few minutes because I have just been informed that before I came into the Chamber the distinguished gentleman from Illinois [Mr. MANN] said something about a great lobby which he alleged has been at work to promote the passage of this bill. I never heard even so much as an intimation of this alleged lobby until I was told of that statement having been made by the gentleman from Illinois. I come from a city which has one of these life-saving stations. If any member of that crew or any friend of any member of the crew has written me one word in advocacy of the pending bill, I do not now recall it. The only person who has ever spoken to me on the subject, as I now remember, is the gentleman from Massachusetts [Mr. THACHER]. He said to me in a letter, and he has said to me two or three times in person, that it is a good bill. I told him that I was of the same opinion. I have seen life-saving crews go out in storms, and $65 a month is slight compensation for men whose life work it is to face such dangers.

Mr. THACHER. Mr. Chairman, will the gentleman yield?

Mr. COOPER. Yes.

Mr. THACHER. I suppose that the gentleman is aware that I crossed Lake Michigan many, many times, and knew the lake and something about the dangers that men incur on the Great Lakes, and I spoke to the gentleman for that reason.

Mr. COOPER. If there be any lobby, I am not a victim of its contaminating touch. The whole proposition that there is a lobby organized by a lot of poor men, nine-tenths of whom work for $65 a month, a lobby organized to influence the Congress of the United States, would have seemed to me, if uttered by anyone else than the distinguished gentleman from Illinois, to be so preposterous that I should have labeled it utterly ridiculous.

The reasons for the enactment of this bill into law are stated with force by the Secretary of the Treasury in his letter, which appears in the report of the committee. If the statements made by him are true—and of course they are—then I see no valid objection to the bill, but, on the contrary, every reason why it should become a law. He tells of stations where there are 58 vacancies and not a man on the cligible list. I wish to relate a little experience. I heard a man at the station in my city——

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. COOPER. Mr. Chairman, I will ask the gentleman from Minnesota to yield me one minute more.

Mr. STEVENS of Minnesota. Mr. Chairman, I yield one minute more to the gentleman.

Mr. COOPER. I have not been to the station in my city for the last four or five years. The members of that crew are not political workers for me. All I wish of them is that they shall be strong enough and courageous enough to save men's lives and property. As I said, I once heard a man at that station say that the strong men of the service were often picked up by the managers of big corporations. In their large plants there is constant need for men of robust physique, men of great physical strength, and those managers know that on the aver-

age the members of life-saving crews must be such men. Accordingly these big corporations pick them out from time to time at better wages. That is one of the reasons why the Life-Saving Service can not keep them. The other reasons are advanced by the Secretary of the Treasury in his letter, and these seem to me unanswerable.

Mr. SLAYDEN. Does not the gentleman think it would be better to pay them better wages than to create a retired list with a permanent pension?

The CHAIRMAN. The time of the gentleman has expired.

Mr. STEVENS of Minnesota. Mr. Chairman, I yield to the gentleman from Pennsylvania [Mr. MOORE].

Mr. MOORE. I do not wish to discuss the bill further than to say that both the Revenue-Cutter Service and the Life-Saving Service are entitled to all praise for the special services they perform. Both of them are familiar to those of us who live along the coast line, and we are proud of their work. I have here the views of the Maritime Exchange of Philadelphia, approving the pending bill, and this I shall incorporate in my remarks:

PHILADELPHIA, *April 2, 1914.*

To the Interstate and Foreign Commerce Committee of the House of Representatives, Washington, D. C.:

At a meeting of the executive committee of the Philadelphia Maritime Exchange held the 2d day of April, 1914, the following preamble and resolution was unanimously adopted, and is respectfully submitted for your information:

"Whereas action on bill S. 2337, entitled 'An act to create the coast guard by combining therein the existing Life-Saving Service and the Revenue-Cutter Service,' is now pending in the National House of Representatives; and

"Whereas this proposed measure has received the earnest indorsement of the Secretary and Assistant Secretary of the Treasury; and

"Whereas the Revenue-Cutter and Life-Saving Services, since their organization as separate bureaus, have worked in conjunction and the officers of the former service have been detailed to instruct, drill, and inspect the crews of the various life-saving stations; and

"Whereas the provisions of the proposed bill appertaining to retirement and pensions are in direct accord with views previously expressed by this exchange: Therefore be it

"*Resolved*, That the Philadelphia Maritime Exchange, believing that maritime commercial interests will be conserved by the consolidation of the Revenue-Cutter and Life-Saving Services as proposed in bill S. 2337, hereby indorses the measure and respectfully asks the cooperation of the Members of Congress from Philadelphia to assist in the enactment of the same into law."

THE PHILADELPHIA MARITIME EXCHANGE,
By J. S. W. HOLTON, *President.*

Attest:

E. R. SHARWOOD, *Secretary.*

Mr. STEVENS of Minnesota. Mr. Chairman, I yield five minutes to the gentleman from Oklahoma [Mr. MCGUIRE].

Mr. MCGUIRE of Oklahoma. Mr. Chairman, we have not any storms at sea in my district, yet we sometimes see storms. This is a service to which ordinarily I have never given any attention. I am always willing to leave matters of this kind to the good judgment of Members immediately concerned and who have immediate general and detail knowledge, but I had occasion not long ago to observe the dangers to which these men are exposed, and while there has been some effort to put them upon all fours with the service in the Army and the service in the Navy, if I were to attempt to select the most hazardous service of the Government I should certainly say that it is that of these life-savers. Why, their very business is exposure of some kind almost every hour, almost every minute that they are employed. There is a retired list in the Army and a retired list in the Navy; then we come to a service, always exposed, always in danger, always hazardous, and yet there is no retirement provision. I confess, gentlemen, that I do not quite understand why we should not want to retire these men. They must be men of the best physical attainments, and ought to be men—and I presume generally are—of good judgment. You take them during the best portion of their lives, when they could be preparing a business foundation to keep them after they are unable to sustain themselves longer. They are employed by the Government, no opportunity to build for the future, and it seems to me under those circumstances we ought to retire them on sufficient pay to keep them. This would keep them in a meager way, that is all.

Mr. POWERS. Will the gentleman yield?

Mr. MCGUIRE of Oklahoma. I will.

Mr. POWERS. The gentleman says they are engaged in a hazardous service. So are engineers on interstate trains. What would the gentleman think of retiring them on three-quarters pay at certain ages?

Mr. MCGUIRE of Oklahoma. I am speaking now of this service as a hazardous service. If there is any other service of the Government of equal hazard, then I would retire that service in the same way. [Applause.]

Mr. MONTAGUE. Will the gentleman yield?

Mr. MCGUIRE of Oklahoma. I yield to the gentleman.

Mr. MONTAGUE. The question propounded by the gentleman from Kentucky was in reference to engineers employed on interstate railways. I desire to suggest to the gentleman that they are not under a Government service. The gentleman is addressing himself to employees under a Government service.

Mr. MCGUIRE of Oklahoma. I realize the force of the suggestion of the gentleman from Virginia, and, I take it, that answers the inquiry of the gentleman.

Mr. POWERS rose.

Mr. MCGUIRE of Oklahoma. I have only five minutes—I yield to the gentleman for a question.

Mr. POWERS. Is there any special reason for putting men on the retired list with pay because they are in Government service over other men engaged in other services?

Mr. MCGUIRE of Oklahoma. For this class of service we are responsible in respect to its proper control and proper remuneration. Our obligation does not extend to private service, as suggested by the gentleman from Virginia. Now, here are two services, I understand, partially separate. Here is what the Secretary of the Treasury had to say. He seems to be for this bill——

The CHAIRMAN. The time of the gentleman has expired.

Mr. ADAMSON. Mr. Chairman, I yield to the gentleman from New York [Mr. BROWN].

Mr. BROWN of New York. Mr. Chairman, some months ago I had the privilege of presenting to the House some remarks in connection with this bill now under consideration. Since those remarks are available to the membership of this House, I shall address myself to what has just been said by the distinguished gentleman from Illinois [Mr. MANN]. It is with some temerity that I match my inexperience in this House against his many years of active service here as a member of the Committee on Interstate and Foreign Commerce, which has jurisdiction over the questions involved in this debate, as chairman of that committee, and as minority leader; and yet I venture to state that I have been in a lifeboat a great many more times than the gentleman from Illinois, and I happen to know something about the service.

The gentleman from Illinois described the work of the Life-Saving Service as being "erratic, not continuous." This it undoubtedly is, because, as has been stated here, the surfmen are employed perhaps 8 or 8½ months, depending upon the seasons, on the Great Lakes; for 10 months on the Atlantic and Gulf coasts; and for 12 months on the California coast. Certainly this is not the fault of the Life-Saving Service; it is their misfortune.

The gentleman from Illinois stated that the men in the Life-Saving Service had not only reached the Members of this House, but had gone up until they reached the President of the United States, who, he believed, in his annual message recommended the passage of this bill "without any intimate knowledge of what it contained or what it proposed." Now, I do not pretend to know whether the President of the United States did or did not know what this bill contained when he advocated its passage, but I wish to suggest to this committee that unless the gentleman from Illinois can produce the proof that he did not know what he was advocating, the presumption is certainly in favor of the view that the President of the United States did know what he was doing. A glance at the elaborate report made in advocacy of the passage of this bill by one of his Cabinet officers, the Secretary of the Treasury, Mr. McAdoo, certainly places the presumption on the side of the President and not on the side of the gentleman from Illinois.

The gentleman suggests that the pay of the surfmen in the Life-Saving Service, which is $65 per month for the time they are employed, with 30 cents a day for rations, while perhaps not very high pay in itself, is high as compared with the Army, the Navy, and the Revenue-Cutter Service. This is true; but it seems to me that this service is, in a sense, like a glorified war the whole time, because it is a war with the elements. In times of peace the Life-Saving Service, under this bill, will remain under the Secretary of the Treasury, and they will have to fight the elements, while in time of war they will be under the Secretary of the Navy, and then they will have to fight somebody else besides the elements. Furthermore, we have been so fortunate—and I hope may so continue—as to keep out of war most of the time, so that a man enlisting in the Army or the Navy presumably does not face the immediate prospect of a war.

The gentleman asks if this is a very good time to increase unnecessarily the expense of the Government. I would state to the gentleman that the increased expense to the taxpayers by reason of the adoption of this measure, as figured by the Actuary of the Treasury Department, is $397,700 a year. This is equivalent to an added burden of 4 mills per capita, assuming

a population of 100,000,000 people in the United States. I have talked to a great many people who object to paying taxes for almost every reason conceivable, but I have yet to find a person who objects to paying his share of the $397,700 tax which this bill would impose. While $397,700 is a large sum of itself, yet it is only four one-hundredths of 1 per cent of the thousand million dollars or more which we annually appropriate for the maintenance of this Government.

The gentleman from Illinois states that the difficulty of getting men in the Life-Saving Service is wholly owing to the fact that they are admitted through the Civil Service Commission, and he wishes to know how many boys along the coast are going to take the trouble to take a civil-service examination for appointment in the Life-Saving Service which may never come to them; where the examination papers, as a rule, will not be examined for three or six months after they take the examination. Now, I can not speak for the whole Life-Saving Service on this particular point, but I have often heard the district superintendent of the Long Island district, in which I live, state that he would not for anything in the world return to the old method by which appointments in the Life-Saving Service were susceptible of political influence. While it is true that the Civil Service Commission has of late been so busy that the papers can not be marked in a less time than three months, yet the very fact that an examination is held makes it impossible to appoint men to the regular service who are not physically qualified to perform their difficult and arduous duties. The gentleman from Illinois refers facetiously to questions asked by the Civil Service Commission which are not pertinent to the occupations for which the candidate is being examined. The civil-service examination which must be passed by each surfman requires a physical examination just preceding the filing of his application, and a second physical examination within the five days next preceding his entrance upon his duties, which second physical examination must be made by a medical officer of the Public Health Service.

The examination further provides that the applicant—

(a) Must be a citizen of the United States.
(b) Must not be under 18 nor over 45 years of age.
(c) Must not be less than 5 feet 5 inches in height.
(d) Must weigh not less than 135 nor more than 205 pounds without clothing.
(e) Must reside within the district in which he seeks employment.
(f) Must be able to read and write the English language.
(g) Must not have passed an examination for surfman within approximately one year next preceding.
(h) Must be a good swimmer.
(i) Must have had at least three years' experience as a surfman; sailor, with incidental experience as row boatman; or row boatman: *Provided*, That where an applicant has had at least one year's experience in the handling and operating of motor boats in rough water, two years' experience as surfman; sailor, with incidental experience as row boatman; or row boatman shall be considered sufficient: *Provided further*, That no credit shall be allowed for experience of any kind obtained before the age of 15 years.

The following elements shall be considered in the examination:

(1) Experience; (2) physical ability. These elements shall be weighted as follows in the examination: Experience, 6; physical ability, 4.

I have quoted the above from the regulations of the United States Civil Service Commission. It is found therefore that the examination consists of two physical examinations and a statement properly vouched for of the experience of the applicant. While I admit the annoyance of a delay in receiving a rating, yet I believe that this delay is more than offset in the certainty of receiving into the service only such persons as are abundantly qualified to be part of the crew where the mistake of one may mean the destruction of all, both rescuers and rescued.

The gentleman from Illinois gives the impression that only very young men are sufficiently robust to stand the extraordinary strain to which surfmen are occasionally subjected in attempting to save lives from a wreck. If a life-saving crew consisted of only one man, who rowed the boat and rescued shipwrecked sailors and passengers from vessels, I should agree with him; but the fact of the matter is, as developed in the hearings before the Senate Committee on Commerce—which hearings I not only attended but read with great care—that the efficiency of a crew is determined in very large part by their ability to work together, and this result, of course, can only be obtained by continued practice. As I have stated before, one of the principal reasons for the urgency in passing this bill lies in the fact that under present conditions good men can not be persuaded to remain in the Life-Saving Service for the reason that the present rate of pay, with no retirement, offers them no inducement as compared with private employment. I would especially refer the gentleman to the hearings before the Senate Committee on Commerce, 1914, Part 1, pages 9 to 21; Part 2, pages 23 to 42.

In conclusion, Mr. Chairman, I would state that I am sure that there is no Member of this House who has a higher regard for the opinion of the gentleman from Illinois than myself, and yet, as I have said before, I feel constrained to state my opinion to the members of this committee concerning this particular bill with the earnest hope that it may shortly become a law.

Mr. ADAMSON. Mr. Chairman, how does the time stand?

The CHAIRMAN. The gentleman from Georgia has 6 minutes, the gentleman from Illinois 8 minutes, and the gentleman from Minnesota 13 minutes.

Mr. ADAMSON. I hope the gentlemen will use their time, as I contemplate only one speech in conclusion; and I will ask the gentleman from Minnesota if he desires to utilize the entire 10 minutes that I put at his disposal, or, if not, will he let me have part of it?

Mr. STEVENS of Minnesota. I will yield just a few minutes and then I will use what remains after these gentlemen have concluded.

Mr. ADAMSON. I hope the gentleman will not stint himself. I desire to have the gentleman from Minnesota discuss this bill.

Mr. STEVENS of Minnesota. Mr. Chairman, I yield two minutes to the gentleman from Washington [Mr. JOHNSON].

Mr. JOHNSON of Washington. Mr. Chairman, I represent a district which has the entire Pacific Ocean shore line of the State of Washington, the entire shore line of the Straits of Juan de Fuca, in all a very large shore line on the north Pacific coast, where many shipwrecks occur and where the Life-Saving Service is extremely limited. We read in the newspapers every few months most thrilling accounts of life-saving in the far Northwest, where these life-savers have gone far out in their boats and remained out for 24 or 36 hours, taking men off of ships and saving many lives. Sometimes that section is spoken of as the graveyard of the Pacific. It would not be so with more lighthouses, more live-saving stations, and larger crews. I believe this bill will greatly perfect the service. A letter was written to me by the wife of one of these captains, who has been at an isolated point for 12 years. To add to their slender income she established, some few years ago, a post office, which is a real benefit of the neighbors and which pays her the small sum of $12 a quarter. In this letter she appeals for a horse for the life-saving crew, extremely limited in numbers, in order to haul the lifeboat over the long stretches of sand when the small crew is exhausted. At that station many thrilling rescues have been made—several within the past year. If some of the gentlemen far from the oceans and the lakes could see some of the great storms that prevail, and realize the desperate work done by the live-saving crews in terrific emergencies, they would not stand against retirement after 30 years' service at small pay.

Mr. STEVENS of Minnesota. Mr. Chairman, how much time did the gentleman from Washington use?

The CHAIRMAN. The gentleman consumed one minute and a half.

Mr. STEVENS of Minnesota. Mr. Chairman, I yield two minutes to the gentleman from Oregon [Mr. LAFFERTY].

Mr. LAFFERTY. Mr. Chairman, I ask leave to extend my remarks in the RECORD, and I yield back the balance of my time to the gentleman from Minnesota.

The CHAIRMAN. The gentleman from Oregon asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. ADAMSON. Mr. Chairman, I hope the gentleman from Minnesota will consume his time. I would rather hear him speak than to speak myself, and I will reserve all I have left for conclusion.

Mr. STEVENS of Minnesota. Mr. Chairman, I had not intended to occupy any time in the general debate, but at the suggestion of the chairman, and perhaps occupying a somewhat unique position as a convert to the cause, I will use the remainder of my time.

For several years, while I have been a member of the Committee on Interstate and Foreign Commerce, with the gentleman from Illinois [Mr. MANN] and the honored chairman of the committee, the gentleman from Georgia [Mr. ADAMSON], I opposed this sort of legislation. And I admit that I opposed it for two particular reasons. One was that in former years there was a lobby which infested the committee and besought the members for the passage of such a measure. This year not one person has been about the committee rooms talking to the members about it or spoken to me, that I know of, outside of the committee room, and the fact that a lobby was not here and has not attempted any influence has in part converted me.

Quite often I think one of the uses of a lobby is to prevent the passage of legislation which it may desire.

I have reached a conclusion, not without some difficulty, that the substance of this bill is for the public welfare. The substance of this bill is the retirement feature for the life-saving crews, and the rest of the bill is comparatively insignificant. There are some changes made in the law applicable to the Revenue-Cutter Service in the way of retirement, and I am not altogether certain that such changes ought to have been made or that such rules should be amended now. Indeed, I may suggest an amendment later as the bill is read under the five-minute rule. The principal feature, then, is the provision as to the retirement and increase of longevity pay as to the life-saving force.

I was rather amused at the statement made by my friend from Illinois [Mr. MANN] as to the comparative danger between the Life-Saving Service and service in the Army and the Navy. I served with great pleasure and profit to myself for quite a number of years on the Committee on Military Affairs, and I have some knowledge of conditions in the Army. The danger in the service in the Army is well illustrated by an incident which occurred while I was calling upon a commander of one of the military departments as they existed several years ago. An orderly came into the general's office upon some errand, and he was a very fine looking, intelligent man. I suggested to the general that it was rather strange that a man of that intelligence should seek service in the Army. So the general asked him how long he had been in the Army, and he replied that he had been in the Army for four or five years. Then the general asked him what service he had previous to his enlistment, and he said that he had been a locomotive fireman. The general said, "Why did you leave the service of locomotive fireman to enlist in the Army?" He said, "I wanted to get a good, safe place." [Laughter.] And I think that illustrates the comparative danger between those who enlist in the Army and those who engage in the Life-Saving Service.

Now, if the facts be true which the department stated and which were laid before the committee in the hearings, there is a deficiency of safe, reliable men in the Life-Saving Service, and it is impossible to secure the services of proper men to the number necessary for the proper performance of the service. As I have seen live-saving crews in my limited experience with them, and I confess it is not large, I have noticed there are some men in the crews, in every one I have seen, who ought not to be there on account of excessive age and physical inability to properly perform the work. The presence of such a man in the crew is a menace to the safety of the crew and a menace to the life and safety of those whom they try to help in the extremities they meet. Those life-saving crews ought to be composed of the best, strongest, and soundest men, and for that reason the authorities of the Treasury Department sought for the passage of this bill, because they believed it would attract that class and so would help preserve the life of the men in the service and the life of the people whom the service is designed to serve. This is the main reason that I believe it should be acceptable. I did not take much stock in the theory that the joining of these two services in one bureau will make for economy. I think that logically they should be in one service, and, in fact, they never should have been separated as they were, I think, in 1878. I think Congress made a mistake then, and it is only rectifying that mistake now. But it is a logical thing to do, not that it will make for economy particularly, but it ought to make for coordination and the improvement of the service of the Treasury Department so far as this bureau and these two divisions are concerned. So this bill does contribute that mite to the public welfare, and that is desirable.

Now, the additional cost of this measure will be divided into two parts: First, the cost of longevity pay and, secondly, the cost of retirement pay. The additional cost of longevity, as I gathered from the report, would be about $214,000, including longevity pay as a part of the retirement pay.

The benefit which would come by reason of the longevity pay would be that it would make professional life-saving men, skillful, courageous, and reliable as long as their service is good for anything, and they will render it to the limit, and when it is no longer good for anything they would be placed on the retired list. This makes for just such service as the country needs in emergencies of commerce and war.

Now, the gentleman from Pennsylvania [Mr. MOORE] rather objected, and I think the gentleman from Illinois [Mr. MANN] objected that the system provided in this bill for retirement of men in the Life-Saving Service is not a just and proper system. There are some objections to it, and some of their criticism was well founded. But at the same time the system provided in this bill, I think, would work out as much or possibly greater economy to the public service than the system of a life pension. Those gentlemen conveyed the idea that they preferred the granting of a life pension to those who were injured.

This provision in the pending bill instead of allowing any pension provides for two years' pay for the heirs of those who lose their lives in the service, and, of course, a retirement pay for those who may be injured. The men in the service seem to be satisfied with that provision, and so far as those men are concerned and their families it is a distinct saving to the Government. So far as those who are not injured and are retired are concerned, it is for the efficiency of the service that such a provision is made.

When the bill came from the committee there was a suggestion from those who are interested in it that the House committee should make no amendment. We made such amendments as we thought necessary. I have no doubt that others will occur when the bill is taken up for discussion under the five-minute rule. Considering the whole subject it seems to me that, first, it does make a service which can be used as a part of the naval defense, because it is always under military discipline. It can be of some use without waiting for the separate establishment of a part of the military service, and can be easily made a branch of our military defense; secondly, it is an improvement to an important part of our commercial public service. Our Nation now does very valuable work along that line, more than does any other nation on earth, but since we assume the responsibility, it ought to be done in the best way possible, and this increase in the appropriation will be met by a greatly increased efficiency on the part of those whom we enlist in this important service.

Mr. BUTLER. Mr. Chairman, will the gentleman yield?

Mr. STEVENS of Minnesota. Yes.

Mr. BUTLER. Will the gentleman tell me what sort of naval service these men will render? I am not opposed to the bill, but I would like to know what sort of military service these coast guards would render. I have lived with these men for 25 years, and I know them well. I would be glad to know what military service they would perform.

Mr. STEVENS of Minnesota. The gentleman is well acquainted with the naval service. He knows well that the Revenue-Cutter part of this naval system will go into storms and waters where naval vessels never go and would not dare to go.

Mr. BUTLER. That is right as to the first. Now come to the second.

Mr. STEVENS of Minnesota. I will do it in my own time. Secondly, these life-savers will always patrol the shore. They will furnish an efficient means of communication, so that if any means is necessary for detecting the approach of a hostile fleet or the approach of light hostile craft, or anything like that, sufficient information will be obtained. They cover the entire coast, know how to do it most completely, and that is worth something to have such an organization always at hand——

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. MANN. Mr. Chairman, I yield three minutes to the gentleman from Texas [Mr. SLAYDEN].

The CHAIRMAN. The gentleman from Texas [Mr. SLAYDEN] is recognized for three minutes.

Mr. SLAYDEN. Mr. Chairman, I think the proponents of this measure have made out a fairly good case for these Life-Saving Service people in the matter of pay. They ought not to be underpaid, but it seems to me the common-sense remedy for the difficulty is to give them better monthly pay and not to swell the already swollen pension system by adding materially to it. But to do it in the way proposed, it seems to me, would be vicious; that is, to give them 10 per cent increase of pay for every five years of service, not to exceed 40 per cent of the pay of their grade. To do that and then to retire them will be to retire them at a much higher rate of pay than any of the enlisted soldiers or sailors of the Government now get.

Then the suggestion made by the gentleman from Kentucky [Mr. POWERS] that railway locomotive engineers undergo as much hardship as these people is altogether pertinent and not so absurd as some gentlemen seem to think. We have authorized the construction of railways in Alaska. The locomotive engineers on those roads will be servants of the Government, and they can use this precedent plausibly and apply for retirement pay; and if certain other legislation that has been proposed in this House is to become a law, it will not be very long until we shall have the Government engaged in transporting products across the seas, and then masters of ships, captains, and first and second officers, and seamen generally will be in the Government service and will be entitled to three-quarters pay, or

should be entitled to it, under this as a precedent, when they are compelled by old age or physical breakdown to retire.

Now, there is another great element in our country which contributes as much, and, in my judgment, vastly more, to the public good than do these people, worthy as they are and commendable as is their work. I mean the farmers. They are exposed to the elements. They labor in the heat, and they labor in the cold; and if we are to establish a pension system generally, if we are to spread it until it covers all branches of the public service, how can we deny the farmers and the mechanics the right to share in this largess of the Government?

Mr. Chairman, I think we ought to call a halt on pension legislation. I shall gladly vote for an increase of pay for these men, if that is proposed, but I shall certainly vote against the measure as it is presented.

Mr. MANN. Mr. Chairman, my distinguished friend from Minnesota [Mr. STEVENS], in endeavoring to prove that service in the Army was safe, gave an instance which came under his observation where a man who had been a locomotive fireman, receiving pay of from $100 to $150 a month, left that job and enlisted in the Army at $16 a month because it was safer. I can explain that easily enough: The man simply lied. That was not the reason he went into the Army. [Laughter.]

Now, this bill provides for men who left the Army going into the Life-Saving Service. I would not say they left the Army to go into the Life-Saving Service because it was safer. At the time of the Indian wars the Army was a very dangerous proposition. It may be at any time. Either service may be hazardous.

My friend from Wisconsin [Mr. COOPER] thinks the suggestion that there was any lobby in connection with this bill is ridiculous. Why, of course they did not go to my friend from Wisconsin. They found out how he would vote and lined him up long ago. They do not have to ask him now. They knew how he would vote. Speaking immediately before him was the gentleman from West Virginia [Mr. Moss], and immediately following him was the gentleman from Oklahoma [Mr. MCGUIRE]. Neither one of these gentleman has any occasion to know anything about this bill unless somebody has called his attention to it. Both made speeches in favor of it. Why? Presumably because somebody had called their attention to it in a legitimate way.

Mr. COOPER. Will the gentleman permit an interruption?

Mr. MANN. I will yield for a question.

Mr. COOPER. Does the gentleman remember that I said the only person who had spoken to me on the subject was a Member of the House, Mr. THACHER?

Mr. MANN. Oh, I know that; but the gentleman probably will not know that the life-savers in his district knew how he stood on this bill, and he admitted that he had neither read the bill nor the report until to-day. Lobbies do not come to Washington any more. They never did very much. Lobbying is done from home. The lobby in favor of the oleomargarine bill was the most powerful lobby that ever affected a bill in Congress; but that lobby was not in Washington. It was at home. Chambers of commerce and other associations in all the cities along the coast have passed resolutions in favor of this bill. Why? How did they learn about it? Well, it was not by second sight. They have been working on this thing for years. I served for a long time on a committee that dealt with the matter, and have received many letters from men scattered all over the United States and copies of resolutions passed by people who did not know what was in the bill, and did not pretend to, but who favored it. Now, I do not take any exception to that. I think that is perfectly legitimate. I am not condemning their methods, but they ought not to be too influential. Yet I realize that in this House—the most profligate in the wasting of the public money that ever assembled in this building—there is no hope of defeating any proposed expenditure of money which goes into the pockets of the constituents of Members. The other side of the House is the most extravagant body of legislators that ever met at this end of the Capitol, and this side of the House is not so very much better. We do not have the same responsibility, but we seem to have the same desire to get money for our constituents. I hear men on the floor denouncing every method to increase taxes and every proposition to prevent expenditures. I would like to see men bold and brave enough when they want to increase expenditures to say also: "We favor a method of increasing taxes." [Applause.]

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. ADAMSON. Mr. Chairman, the policy of special benefits conferred by government upon organizations or individuals originated when Horatius kept the bridge so well, in the brave days of old.

They gave him of the corn land
That was of common right,
As much as two strong oxen
Could plow from morn till night.

Since that time when the governments would confer either pensions or retirement privileges they made the test military service. Business institutions outside organized pension and retirement plans, and thus helped to draw away from the Government service, which is not so desirable, the men the Government service needs.

The Revenue-Cutter Service and the Life-Saving Service grew up in one organization, and that was a military service. It was fighting for the country before the Navy was born. It has done military service in every war. It has acted as a signal corps. The gentleman from Illinois [Mr. MANN] has acknowledged that by his own procurement the Life-Saving Service, even in its present state of separation from its associate, the Revenue-Cutter Service, acted as a signal corps with great success and glory during the Spanish War. The two services were in one up to about 1878, when Mr. Kimball, the present venerated head of the Life-Saving Service, was the superintendent of the joint organization, up to that time undivided, the Revenue-Cutter Service. It was thought that by separating the two arms of the service the life-saving branch could be more efficiently organized and made more successful. It has been successfully organized, and, as the gentleman from Illinois [Mr. MANN] acknowledges, it is the best life-saving service in the world; but they can not secure nor hold their men.

For 14 years that the gentleman from Illinois [Mr. MANN] and I were on the Interstate and Foreign Commerce Committee together there came every Congress from the Senate to our committee the Frye bill to provide for the Life-Saving Service the right of retirement. That bill was met by the objection that it proposed a civil pension. I and other members of the committee said, and the gentleman from Illinois did not object to it, "Go back into your fighting organization, go back into your military service, and ipso facto you will become entitled morally and legally to these retirement fees." They finally took us at our word. We objected to their becoming the vanguard and entering wedge for a great civil pension list. Finally Mr. Foss, of Illinois, introduced a bill while he was in Congress and chairman of the Committee on Naval Affairs to reunite the two services that originally operated together as a military service. It was not done then, but since then it has been indorsed by two administrations. Secretary MacVeagh during his administration caused the two branches of the service to agree on the terms of this bill, and he approved it. When the Republicans went out of the administration of the Government the present Secretary of the Treasury, Mr. McAdoo, indorsed the same bill, and the President of the United States indorses it and urges its passage. It is not true that it is retirement for a civil institution. It is the opposite. It opposes that idea. It removes the life-savers from the vanguard of the civil-pension people, restores them to their old place in a military organization, in which they will be entitled to retirement, and makes no precedent for civil pensions or retirement. It retires them after their position in the fighting organization, as a part of it, shall have been restored, and then only, but as such they will become entitled to this retirement. [Applause.]

The young men of the country are called on to go into the service, and in their old age, after serving 30 years in the service against enemies, elemental and human, are then kicked out, and like the celebrated cardinal they can cry, "Had I but served my God with half the zeal I served my (king) country, he would not in mine age have left me naked to mine enemies." [Applause.]

The consequence is that before these men become emaciated and feeble in the service they seek better employment in some other way.

One more word. If we are to be met at every juncture with the cry of economy when we come in to support the institutions of the Government, we can not get along decently. It is all right to spend $40,000,000 for a railroad, $300,000,000 for the Post Office, $35,000,000 for rivers and harbors, $30,000,000 for public buildings, two or three hundred millions for the support of the Army and the Navy, but when you come to talk about the organization which supports the civil system, collects the customs, defeats the pirates, catches the smugglers in time of peace, as well as saving the lives and property of the people, and fights our battles in time of war, they say you must not increase the expenses of the Government by $400,000. [Applause.]

This is the service absolutely essential to the Government to collect its revenues and protect it against disease, the public enemies, and the elements. True, we are levying heavy taxes, and I deplore the necessity for it and the hardship on our people, but the prime purpose of levying any tax is to support and operate the necessary functions of government. The present bill deals with the most valuable and most necessary service of the Government.

The CHAIRMAN. The time of the gentleman from Georgia has expired. All time has expired. The Clerk will read.

The Clerk proceeded with the reading of the bill, as follows:

Be it enacted, etc., That there shall be established in lieu of the existing Revenue-Cutter Service and the Life-Saving Service, to be composed of those two existing organizations, with the existing offices and positions and the incumbent officers and men of those two services, the coast guard, which shall constitute a part of the military forces of the United States and which shall operate under the Treasury Department in time of peace and operate as a part of the Navy, subject to the orders of the Secretary of the Navy, in time of war or when the President shall so direct. When subject to the Secretary of the Navy in time of war the expense of the coast guard shall be paid as a part of the Navy Department: *Provided*——

The following committee amendment was read:

Provided, That no provision of this act shall be construed as giving any officer of either the coast guard or the Navy military or other control at any time over any vessel, officer, or man of the other service except by direction of the President.

Mr. ADAMSON. Mr. Chairman, I offer that amendment, and I want to say in offering it that I think it is already the law. It is in the Revenue-Cutter Service law, and by a subsequent provision in this bill, if adopted, would be held as the law governing the joint organization. But out of abundant caution some members of the committee thought we had better repeat it here.

Mr. BUTLER. Will the gentleman yield?

Mr. ADAMSON. Yes.

Mr. BUTLER. I find this provision in the bill:

When subject to the Secretary of the Navy in time of war the expense of the coast guard shall be paid as a part of the Navy Department.

Do you mean to give them the same pay that they get in the Navy?

Mr. ADAMSON. Oh, no; that is already the law. It is the law of the Revenue-Cutter Service that we repeated. We do not change the phraseology.

Mr. BUTLER. Very well; what does this mean?—

Provided, That no provision of this act shall be construed as giving any officer of either the coast guard or the Navy military or other control at any time over any vessel, officer, or man of the other service except by direction of the President.

Mr. ADAMSON. I have already stated, if the gentleman from Pennsylvania was listening——

Mr. BUTLER. I was listening, but I did not understand the language.

Mr. ADAMSON. That is already in the Revenue-Cutter law.

Mr. BUTLER. I do not care if it is in the Bible.

Mr. ADAMSON. I do not know whether the gentleman would understand it then or not.

Mr. BUTLER. I presume that I would try to understand it, and I think that I would believe. That language does not to me mean anything:

Provided, That no provision in this act shall be construed as giving any officer of either the coast guard—

I can get along that far—

or the Navy military—

What is the "Navy military"?

Mr. ADAMSON. It may not be punctuated right.

Mr. BUTLER. Would it not be well to have it read so plain that the blind, like me, could understand it?

Mr. ADAMSON. The military is separate from the Navy. I had not observed the omission of a comma.

Mr. BUTLER. I do not want to offer so important an amendment.

Mr. COOPER. Will the gentleman yield?

Mr. ADAMSON. Yes.

Mr. COOPER. I would like to ask the gentleman from Georgia if it would not be well to strike out the words "military or other"?

Mr. ADAMSON. It would mean the same thing. It is a repetition of existing law not necessary to be repeated at all, and I should think the restoration of the comma, as suggested by the gentleman from Pennsylvania, would make it all right.

Mr. SMALL. Will the gentleman from Georgia permit me to read the language in the act approved April 12, 1902, to promote the efficiency of the Revenue-Cutter Service?

Mr. ADAMSON. Certainly.

Mr. SMALL. In that act is this provision:

Provided further, That no provision of this act shall be construed as giving any officer of the Revenue-Cutter Service military or other control at any time over any vessel, officer, or man of the naval service. Nor shall any naval officer exercise such military or other control over any vessel, officer, or man of the Revenue-Cutter Service, except by direction of the President.

Mr. ADAMSON. Mr. Chairman, I ask unanimous consent to modify my amendment by inserting the comma after the word "Navy."

The CHAIRMAN. The gentleman asks unanimous consent to amend his amendment, and the Clerk will report it.

The Clerk read as follows:

Page 2, line 5, after the word "Navy," insert a comma.

The CHAIRMAN. Is there objection?

There was no objection.

OPPOSING NEW PENSION ROLL FOR MEN NEVER ENLISTED IN ARMY OR NAVY ON RETIRED LIST.

Mr. TRIBBLE. Mr. Chairman, this bill seems to meet with considerable favor, and there may be no record vote. I want the RECORD to show that there is one man who opposed this bill. I have resisted all measures increasing retired pay for Army and naval officers. This bill goes farther than any bill I have ever seen before this House or any bill that has ever passed this House on the question of retired pay and longevity pay. This bill proposes to cover into a branch of the naval service 4,374 men of the Life-Saving Service with officers having rank of captains and other naval rank of naval officers, with pay of naval officers and retired pay of naval officers. It goes farther than privileges extended to men in naval and Army service by providing that all persons employed now or in the future in the Life-Saving Service shall be retired on a salary equal to 75 per cent of the service salary after a term of 30 years' enlistment. The employees of no other department of the Government are retired on salary. So far as the principle is concerned, I am just as much opposed to retiring the officers provided for in this bill on salary as I am to the other employees. I am seriously opposed to the principle involved as well as to the bill. Furthermore, it increases every five years the salary of the men 10 per cent, thus paying them in a few years more than this House should grant for service rendered.

If the gentleman will read with me the next section of the bill as follows:

That in the coast guard there shall be a captain commandant, senior captains, captains—

Mr. ADAMSON rose.

Mr. TRIBBLE. I have the floor, Mr. Chairman.

Mr. ADAMSON. I was about to ask the gentleman if this was the section——

Mr. TRIBBLE. I am discussing this bill. If I do not discuss the bill and the section, the gentleman can call me down on a point of order.

Mr. ADAMSON. Oh, I have no disposition to do that.

Mr. TRIBBLE. To continue:

Captains, first lieutenants, second lieutenants, third lieutenants—

And so on.

All of these offices are created by this bill and not now existing. Many years this Life-Saving Service has been trying to get this bill before this House, and now a Democratic committee presents it at a time when the country is financially paralyzed and the people are groaning under the load of a special tax.

Mr. BUTLER rose.

Mr. TRIBBLE. I will answer my colleague on the Naval Committee, the gentleman from Pennsylvania [Mr. BUTLER], who has been trying to get information from the chairman. I can tell my colleague [Mr. BUTLER] what this bill means. It means the creation of officers who have never been to the Naval Academy and who have not equipped themselves for service and who can not take charge of battleships and submarines, but it places them in the same rank in order that they may receive the same pay. That is what it does, and I am here to say to you that this is not the time, when the people are burdened with stamp taxes, when they are burdened with all kinds of taxes to carry on the expenses of the Government, to create new offices and put new men on the retired list with pay. There is one man who will cast his vote against it.

Mr. TALCOTT of New York. Mr. Chairman, will the gentleman yield?

Mr. TRIBBLE. I hope to do so, but I have a great deal I want to say and I will not yield at this time. That is what this bill means. Read it for yourself. You did not read far enough, Brother BUTLER. Read it all. There is much objectionable legislation in this bill. We are about to take an unprecedented step. It is proposed to start a pension roll for all employees. There is over a million dollars to start with in this bill, and where will it lead us? The gentleman from New

Hampshire refers to the farmers' seed as an item of economy that could be cut out of appropriations. Surely he does not mean this seriously, thus taking this little pittance of seed to make funds for retired pay. When the news goes to Georgia that a gentleman on the floor of this House said that this bill should be passed and the seeds should be taken from the farmers, if necessary, to furnish the funds, I want the farmers in my district to know that their Representative rose in his place and said they should have their seeds and that these men should not be retired on salaries to bask in the sunshine of retirement on their seed pay. [Applause and laughter.]

Mr. STEVENS of New Hampshire. Mr. Chairman, will the gentleman yield?

Mr. TRIBBLE. Not at this time. I call attention to the fact that this report admits that these men work only five or six months in the year. The average pay of the men is $840 for five months as a minimum time, with an average of nine months, and they get food from the Government. They reach down into the Treasury of the Government, and in addition to their salary they take out the food they eat and clothes they wear. They possess no superior qualifications to the ordinary enlisted men of the Army or Navy and get more than double the pay. They do not have to have buggies and mules or any expense as rural carriers do, and they do not work 12 months in the year as the rural carriers do. They work only five or six months in the year, and now it is proposed to make them officers and give certain selections among them rank and pay with the men who graduate at the Naval Academy and retire them after a few years' service. The official rank of captain provided herein carries the pay of $5,000 per year, and to that is added commutation, heat, and light in the sum of $1,311.30, making a total of $6,311.30 to this newly created official, who is to be retired to private life after 30 years' service on salary. There are now over 1,000 retired naval officers who render no service whatever to the Government, and many of these draw salaries each of over $10,000. Now, it is proposed to create new avenues for new officers to retire, that they may bask in the sunshine and enjoy the pay of a retired officer rendering no service. In addition to this, every man in the service may retire on salary and give the Government no service whatever.

I yield now to the gentleman from New York.

Mr. TALCOTT of New York. Mr. Chairman, I would like to call the attention of the gentleman to the fact that these officers enumerated in the first part of section 2 are the various officers now provided for the Revenue-Cutter Service.

Mr. TRIBBLE. I will answer that by saying that I was not here when the Revenue-Cutter Service bill was passed, and if I had been here I would have opposed it. [Applause.]

Mr. TALCOTT of New York. And they are subject to retirement now.

Mr. TRIBBLE. That does not make any difference to me. The law should be repealed. That answers your question completely. That Revenue-Cutter Service provision should be repealed, and if I could repeal it I would do it immediately.

Mr. TALCOTT of New York. Of course the bill is open to an amendment of that character.

Mr. TRIBBLE. But the revenue-cutter bill is not before the House. There is no use to undertake to cut anything out of this bill. It is going to be passed. It is staged to be passed; but I think the advocates of the bill know there are one or two men here who are opposing it. When a farmer makes a contract in this period of financial distress he must buy a Government stamp, and yet it is proposed by the gentleman from New Hampshire to take his agricultural seed money and apply it to increased pay of officers and employees of the Life-Saving Service and retire them on pay to do nothing but enjoy that agricultural seed money of the farmers. Yes; take his agricultural seed and call on him for stamp tax. Why this hurry about passing this bill of so much importance? I never heard of this bill until it was called up only a few minutes ago.

Mr. BUTLER. Mr. Chairman, will the gentleman yield?

Mr. TRIBBLE. I yield to the gentleman.

Mr. BUTLER. Does my friend understand from the section that he is speaking about that the military service which these men might perform makes it possible for them to have their grades increased so as to receive the pay of officers of the Navy?

Mr. TRIBBLE. Certainly it means that.

Mr. BUTLER. I asked the gentleman from Georgia [Mr. ADAMSON] that question. Certainly none of them will get the pay of captains in the Navy, $5,000 a year.

Mr. TRIBBLE. Read this report, and you will find that these officers get the pay of the rank of captain and other ranks of naval officers. No one can say that a captain will not get the pay of a captain. He will get the pay if you give him the rank. The committee has presented an amendment prohibiting a captain created by this bill from being placed in charge of a battleship. That was necessary to keep these officers, some of whom have never been on a battleship, from having the legal right as a captain to command on a war vessel. Why does not the committee add to that amendment also they shall not get the pay of a captain?

No; of course the committee will not add such a provision, because it is the purpose of the bill to give the officers herein created the same pay as naval officers.

Mr. BUTLER. Mr. Chairman, I move to strike out the last word, if that is in order, in order that I may ask the gentleman from Georgia a question. He and I agree on most things.

Mr. TRIBBLE. Yes. We did not agree on the plucking board, but we may come together on this, although I believe my friend did vote to knock out the plucking board last week in the Naval Committee. At last, after four years of hard fighting, I can announce to this House that my bill to repeal the plucking board has received favorable action by the committee; only two or three votes for the plucking board when the committee acted.

Mr. BUTLER. We agree on many things, and I want to see if we can not agree on this. I asked the gentleman from Georgia [Mr. ADAMSON], the gentleman's colleague, the meaning of this provision of the proposed law at the top of page 2:

When subject to the Secretary of the Navy in the time of war the expense of the coast guard shall be paid as a part of the Navy Department.

I asked him whether that does not simply mean that they shall be paid along with the other men who are serving in the Navy. It does not in any way increase the pay of this service, does not give them the same pay as regular officers and enlisted men in the Navy have, but it provides that they shall be paid as a part of the Naval Establishment. I understand I am correct about that.

Mr. ADAMSON. That is my understanding.

Mr. BUTLER. The answer of the gentleman from Georgia [Mr. TRIBBLE] was that it is a part of another bill, and that the bill was passed before he came to Congress.

Mr. TRIBBLE. Yes; and if I had been here before it was passed I would have opposed it.

Mr. BUTLER. I do not think the language of this section means to confer permanent grades in the Navy upon any of these men who are mentioned.

Mr. ADAMSON. Mr. Chairman, will the gentleman yield?

Mr. BUTLER. Yes.

Mr. ADAMSON. When I answered the gentleman's question before I did not finish the answer.

Mr. BUTLER. The gentleman has had plenty of time to think it up in the meantime, and I yield to him.

Mr. ADAMSON. Oh, I thought it up long ago. The object of that language in the original law was to prevent that friction which is sometimes found in such profusion in military circles, and to see that each commander of a vessel would keep his own vessel and not be interfered with by the other service.

Mr. BUTLER. That is one of the pieces of patchwork to which I am used, and I know something about that; but that is not the part of the bill to which I directed the gentleman's attention, which says "shall be paid as a part of the Navy Department." I am not used to framing bills, but it seems to me a little awkward and it also struck the attention of the gentleman from Georgia [Mr. TRIBBLE], as well as mine.

Mr. ADAMSON. They are not getting naval pay at all; they are simply paid their salary by the Navy.

The CHAIRMAN. The question is on the committee amendment.

The question was taken, and the committee amendment was agreed to.

The Clerk read as follows:

SEC. 2. That in the coast guard there shall be a captain commandant, senior captains, captains, first lieutenants, second lieutenants, third lieutenants, engineer in chief, captains of engineers, first lieutenants of engineers, second lieutenants of engineers, third lieutenants of engineers and constructors, cadets and cadet engineers, warrant officers, petty officers, and other enlisted men, all of said offices, respectively, corresponding to the present offices of the Revenue-Cutter Service, which are transferred to the coast guard, and all the present incumbents, officers and enlisted men, are also transferred to corresponding positions in the coast guard; a general superintendent, assistant general superintendent, district superintendents, keepers, and surfmen, which offices and positions shall be transferred from the corresponding positions in the existing Life-Saving Service and be made like positions in the coast guard, and all the incumbent officers and surfmen shall be transferred to such corresponding positions in the coast guard, in which the superintendent shall be commissioned as such, keepers shall be warrant officers, and surfmen shall be enlisted men, of which enlisted men the No. 1 surfmen shall be petty officers.

There shall be in the administrative service of the coast guard two chiefs of division, one from each service, to be appointed by the Secretary of the Treasury, with annual salary of $3,000 each, together with such clerical and technical positions and the incumbents therein

as it may be necessary to transfer from the two existing organizations to the coast guard. There may be such other clerical and technical assistance as may from time to time be authorized by Congress.

Except as herein modified all existing laws relating either to the present Life-Saving Service or the present Revenue-Cutter Service shall remain of force as far as applicable to the coast guard and the offices, positions, operations, and duties shall in all respects be held and construed to impose the same duties upon the positions and their incumbents in the coast guard as are now imposed upon the corresponding positions and incumbents in the said two existing organizations.

All duties now performed by the Revenue-Cutter Service and Life-Saving Service shall continue to be performed by the coast guard, and all such duties, together with all duties that may hereafter be imposed upon the coast guard, shall be administered by the captain commandant, under the direction of the Secretary of the Treasury, and all funds and appropriations now provided by law for the Revenue-Cutter Service and all funds and appropriations now provided by law for the Life-Saving Service shall be available for like purposes under the coast guard hereby created.

The committee amendments were read, as follows:

Page 3, in line 6, amend, by striking out after the word "division" the words "one from each service."

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

Amend, on page 3, by inserting after the word "organizations," in line 22, the following: "The provisions of the act entitled, 'An act to regulate enlistments and punishments in the United States Revenue-Cutter Service,' approved May 26, 1906, shall apply to and govern the coast guard."

The question was taken, and the amendment was agreed to.

Mr. SLAYDEN. Mr. Chairman, I would like to ask the gentleman from Georgia, the chairman of the committee, another question or two. Under certain conditions the persons who are incorporated into the coast guard—officials and enlisted men—become a part of the United States Navy, and are paid, as I understand it, out of the Navy fund, at least they are paid by the Navy.

Mr. ADAMSON. They are paid out of the Navy money.

Mr. SLAYDEN. Very well, there is not much difference between money and funds.

Mr. ADAMSON. I misunderstood the gentleman; I thought he meant the Navy pay.

Mr. SLAYDEN. This paragraph provides for captains commandant, senior captains, first lieutenants, second lieutenants, third lieutenants, engineer in chief, and so on. Now, I want to ask the gentleman, Are these officers of the present coast guard now provided by law?

Mr. ADAMSON. Down to the word "guard," line 19, are incorporated all the present officers in the Revenue-Cutter Service.

Mr. SLAYDEN. But not of the coast guard.

Mr. ADAMSON. They are already provided for. After that word then follows an enumeration of all the officers at present in the Life-Saving Service. It enumerates all of them and places all in the coast guard.

Mr. SLAYDEN. Now, are these titles of rank, such as captains and senior captains, first and second lieutenants, and so forth, analogous to the rank that goes by the same name in the Navy, and do they, while serving as part of the Navy, get the same rate of pay as men who have similar title in the Navy?

Mr. ADAMSON. As to those who are now in the Revenue-Cutter Service that is true, but that is already provided for in the existing revenue-cutter law.

Mr. SLAYDEN. Does a captain in the Revenue-Cutter Service get the same pay as a captain in the Navy?

Mr. ADAMSON. My recollection is approximately.

Mr. SLAYDEN. Because he gets about $5,000 a year, if that is so.

Mr. ADAMSON. I do not remember the exact figures. This law does not change that at all. It is just as it was before.

Mr. SLAYDEN. What I want to find out is if these people get the pay of naval officers and whether they enjoy the pay and rank of officers of the same title in the Navy?

Mr. ADAMSON. I have not the figures now in my mind, but when we improved the efficiency of the Revenue-Cutter Service 10 or 12 years ago I think we left very little difference between them.

Mr. SLAYDEN. My recollection is there was considerable difference, and that a captain of the Revenue-Cutter Service does not get the pay of a captain in the naval service.

Mr. ADAMSON. I will refer that question to the gentleman from Wisconsin [Mr. ESCH], if he is on the floor, if he remembers those figures.

Mr. SLAYDEN. As I understand it, a captain in the Navy corresponds to a colonel in the Army.

Mr. ADAMSON. I will ask the gentleman from Wisconsin if he can answer the gentleman from Texas, who desires to know the present salary of officers in the Revenue-Cutter Service. I do not remember the exact figures, but I do not think there is very much difference between them and the corresponding officers of the Navy.

Mr. ESCH. We sought to assimulate the rank and pay in both services when Congress passed the act of 1902.

Mr. SLAYDEN. Does a captain of the Revenue-Cutter Service get the pay of a captain of the Navy, which is about $5,000 a year and which corresponds, as the gentleman knows, approximately to those of a colonel in the Army, because if they do you are providing an extraordinary——

Mr. ADAMSON. If the gentleman will permit, down to line 19 and the word "guard" is an enumeration of the Revenue-Cutter officers, those already fixed in the law, and it is not changed. It is only from there down that it is changed, and I know they do not receive the salaries of naval officers.

Mr. STEVENS of Minnesota. Mr. Chairman, if the gentleman will allow me I have the law here and I will read from the act of 1902, section 2:

That the said commissioned officers shall rank as follows: Captains with majors in the Army and lieutenant commanders in the Navy; first lieutenants with captains in the Army and lieutenants in the Navy; second lieutenants with first lieutenants in the Army and lieutenants (junior grade) in the Navy; third lieutenants with second lieutenants in the Army and ensigns in the Navy.

Mr. SLAYDEN. Let me ask my friend: A lieutenant commander in the Navy corresponds with the grade of captain in the Army, does it not?

Mr. STEVENS of Minnesota. I assume a major.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SLAYDEN. Mr. Chairman, I ask unanimous consent for five minutes. I shall not use all of it, but I desire to ask another question.

The CHAIRMAN. There is nothing before the committee. The Chair presumes the gentleman desires to strike out the last word.

Mr. SLAYDEN. I do.

The CHAIRMAN. The gentleman from Texas asks unanimous consent to proceed for five minutes. Is there objection?

Mr. SLAYDEN. The reason I asked the question, I will say to the chairman of the committee, is that this bill specifically provides that the coast guard, which is now not a part of the Navy, shall become a part of the Navy, and under certain circumstances it is to be paid from the naval fund or money, as the chairman calls it. And then it provides for certain titles. Now, those titles when applied to the men in the Navy carry very large pay. At least, some of them do. The captain in the Navy has a very handsome pay, indeed, and ranks with the colonel in the Army. I was puzzled, and I wanted to know of the gentleman whether or not these transfers of the coast guard to the Navy and the transfer of these senior captains and captains, and first, second, and third lieutenants, and so on, when transferred to the Navy, enjoy the pay and privileges of the officers of the Navy with a like title?

Mr. ADAMSON. They are given their titles in the Revenue-Cutter Service law. They do not take the titles of the Navy. It was intended, however, that they be paid out of the Navy funds, which was the word the gentleman used. I did not understand it, or I would not have corrected it. The gentleman from South Dakota [Mr. MARTIN] has just suggested to me that we can clear up the difficulty of the two gentlemen, from Texas and Pennsylvania, by striking out the words "as a part of the Navy Department" and say "by the Navy Department."

Mr. MARTIN. Mr. Chairman, I ask unanimous consent to return to page 2, line 3, for the purpose of offering an amendment to strike out the words "as a part of" in that line, inserting in lieu thereof the word "by."

Mr. SLAYDEN. I think that will improve the bill very much.

The CHAIRMAN. The gentleman from South Dakota asks unanimous consent to return to the first section in order to offer an amendment. Is there objection? [After a pause.] The Chair hears none.

Mr. MARTIN. Mr. Chairman, I move to amend by striking out, on page 2, line 3, the words "as a part of" and inserting the word "by."

The CHAIRMAN. The gentleman offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amend, on page 2, line 3, by striking out the words "as a part of" and inserting in lieu thereof the word "by."

Mr. MARTIN. Mr. Chairman, this language has been in the law for some time, but, as I understand, has never been interpreted, and I think there is grave doubt, with this service coming under the Navy direction, that it might be interpreted, if we leave the language "as a part of" that they should receive like compensation. I think, to save any doubt, the amendment should be adopted.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from South Dakota.

The question was taken, and the amendment was agreed to.

Mr. GOOD. Mr. Chairman, I move to strike out the last word.

I am satisfied there is need for some amendment to the law with regard to our Life-Saving Service and also the Revenue-Cutter Service. I am inclined to think the plan to unite the two services is a good one, but this ought to be accomplished without any increase in the cost of the service; in fact, the change ought to lessen the expense. But I have wondered whether or not this bill saves all of the good features of the existing law governing these two services. I would like to inquire of the chairman of the committee whether or not the enactment of this bill into law will permit the use of the vessels engaged in this new service, enlarged as it will be, and the cost of which is increased, for private purposes, or only for public purposes?

Mr. ADAMSON. I do not know what it means, and I do not know whether I heard the expression in church or at the theater. I do not play cards; but I use the expression I have heard somewhere, and say, "I pass."

Mr. GOOD. I would like to ask the gentleman, then, whether Members of Congress can use this service if this bill should become a law? Could they go onto these revenue cutters or these boats and use them for private purposes?

Mr. ADAMSON. Mr. Chairman, if the gentleman from Iowa will excuse me, I do not wish to get into a political discussion on this bill. I want to go ahead with it.

Mr. GOOD. I want to know what the effect of the bill will be, as a matter of fact.

Mr. ADAMSON. If the gentleman really means in good faith to ask that question for information, I will state that the statute on that subject remains unchanged.

Mr. GORDON. It is still illegal.

Mr. GOOD. I will say to the gentleman that some months ago I had a little exchange of ideas with the Secretary of the Treasury on this subject.

Mr. GORDON. And you got the worst of it, too.

Mr. GOOD. No; I did not. The next day after the discussion on this subject had taken place on the floor of the House I received what purported to be a copy of a radiogram sent from the Office of the Secretary of the Treasury of the United States asking the commander of the revenue cutter *Gresham* to take on board young McAdoo, the son of the Secretary, and his party and convey them to the Harvard and Yale boat races at New London, and after they had visited the boat races to then convey them to Mattapoisett, Mass., which was the summer home of the Secretary of the Treasury. I do not vouch for the correctness of this message, but I believe it to be correct. If this bill does not prohibit things of that kind, then by some amendment I think we ought to make it clear that the present Secretary of the Treasury or any Secretary of the Treasury that may follow him, or any other Government official, can not use the vessels in this service for private purposes. No official of the Government should be permitted to turn the vessels employed in this service at great expense to the people into steam yachts for their private comfort and benefit. [Applause.]

Mr. ADAMSON. Mr. Chairman, without passing on the correctness of the gentleman's position or the merits of the controversy between him and the Secretary of the Treasury I beg to state that there is a statute prohibiting the use of these vessels for private purposes. They are to be confined exclusively to public purposes, and that law is expressly made applicable to the coast guard by language in this bill.

Mr. GOOD. The gentleman will recall, though, that the Secretary of the Treasury based his use of the revenue cutter for private purposes on the ground that the Secretaries of the Treasury who occupied the position before him had violated the law.

Mr. ADAMSON. I may have done the gentleman an injustice, and if I did I apologize, because I thought that was a political tilt he was indulging in, and I did not treasure it in my memory very sacredly.

Mr. GOOD. I will say to the gentleman that if this bill does not prohibit for all time to come that sort of practice, I want to offer an amendment that will prohibit it.

Mr. ADAMSON. It prohibits it. I do not know whether for all time to come. A future Congress may repeal it.

Mr. GOOD. I mean as long as the law remains on the statute books?

Mr. ADAMSON. That law is preserved.

Mr. GOOD. Will it be observed?

Mr. TRIBBLE. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Georgia asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. JOHNSON of Kentucky having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. Tulley, one of its clerks, announced that the Senate had passed bill of the following title, in which the concurrence of the House of Representatives was requested:

H. R. 19424. An act to extend the time for the completion of the municipal bridge at St. Louis, Mo.

The message also announced that the Senate had disagreed to the amendments of the House of Representatives to the bill (S. 5295) to amend existing legislation providing for the acquisition of a site and the construction of a building thereon for the accommodation of the post office, United States courts, customhouse, and other governmental offices at Honolulu, Territory of Hawaii, and for other purposes, asked a conference with the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. SWANSON, Mr. MARTINE of New Jersey, and Mr. WARREN as the conferees on the part of the Senate.

The message also announced that the Senate had agreed to the amendments of the House of Representatives to bills of the following titles:

S. 4012. An act to increase the limit of cost of the United States public building at Grand Junction, Colo.;

S. 5614. An act for the improvement of the foreign service; and

S. 6309. An act to establish the Rocky Mountain National Park in the State of Colorado, and for other purposes.

TO CREATE THE COAST GUARD.

The committee resumed its session.

The Clerk read as follows:

SEC. 3. That all existing laws affecting rank, pay, and allowance in the present Life-Saving Service and the present Revenue-Cutter Service shall apply to the corresponding positions in the coast guard and the officers and men transferred thereto and their successors. This shall include all laws and regulations which now give to the enlisted men of the existing Revenue-Cutter Service increased pay of $1 per month for each three years' service, allowances for uniforms, and all other allowances or gratuities due to enlisted men, which are hereby made applicable to the enlisted men of the coast guard who were formerly surfmen in the Life-Saving Service.

The provisions of sections 3, 4, 5, 6, 7, 8, and 9 of the act of April 12, 1902, in so far as they provide for the retirement of officers of the Revenue-Cutter Service, are hereby extended to include commissioned officers, warrant officers, and enlisted men of the coast guard. A commissioned officer, warrant officer, or enlisted man who has served 30 years may, upon suitable application, be retired from active service and receive 75 per cent of the duty pay, salary, and increase of his grade or rating: *Provided*, That such commissioned officer, warrant officer, or enlisted man may be assigned to such duties as he may be able to perform. The commissioned officers, warrant officers, and petty officers of the coast guard shall receive 10 per cent increase of pay for five years of service, such increase not to exceed 40 per cent of the pay of their grade or rating subject to the limitations of existing laws governing longevity pay: *Provided further*, That in computing length of service for any purpose all creditable service in the Army, Navy, Marine Corps, Revenue-Cutter Service, and Life-Saving Service shall be included, counting part of a year as a whole year where stations were operated only part of a year: *And provided further*, That no person shall receive for the same time retired pay and the extra pay allowed under section 7 of the act of May 4, 1882. The provisions of section 3 of the act of March 26, 1908, increasing the efficiency of the personnel of the Life-Saving Service shall apply to the death of any officer, warrant officer, or enlisted man on the active list in the coast guard: *Provided*, That no pension shall be allowed or paid to any commissioned officer, warrant officer, or enlisted man in the coast guard either on the active or retired list.

Mr. ADAMSON. Mr. Chairman, there is a committee amendment.

The CHAIRMAN. The Clerk will report the committee amendment.

The Clerk read as follows:

Amend, page 4, by inserting, after the word "affecting," in line 13, the word "rank."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The CHAIRMAN. The Clerk will report the next amendment.

The Clerk read as follows:

Amend, page 5, by striking out the word "providing," in line 3, and inserting the words "in so far as they provide."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The CHAIRMAN. The Clerk will report the next one.

The Clerk read as follows:

Amend, page 5, by inserting, after the word "service," in line 20, the words "for any purpose."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. STEVENS of Minnesota. Mr. Chairman, there are some errors in the bill which should be corrected. On page 4, line 14, the word "allowance" should be plural. I move to add an "s" to the word "allowance."

The CHAIRMAN. Without objection, the correction will be made.

There was no objection.

Mr. STEVENS of Minnesota. Mr. Chairman, I offer an amendment, which I send to the Clerk's desk.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Minnesota [Mr. STEVENS].

The Clerk read as follows:

Amend, page 5, line 8, after the word "years," by striking out the word "may" and inserting, in line 9, before the word "be," the word "may."

Mr. STEVENS of Minnesota. Mr. Chairman, all this does is to take "may" from line 8 and place it before the word "be" in line 9. That makes a better grammatical construction of the sentence, as will be evidenced when the remainder of the section is read.

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. STEVENS of Minnesota. Mr. Chairman, I have another amendment.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Minnesota.

The Clerk read as follows:

On page 5, in line 9, after the word "application," insert "and as to commissioned officers, on approval by the Secretary of the Treasury."

Mr. STEVENS of Minnesota. Mr. Chairman, the chairman of the Committee on Military Affairs, for whom we all have such great respect, called the attention of the committee to the fact that the provision in this bill is more liberal as to the retirement of officers in the Revenue-Cutter Service than it is with respect to officers of the Army. Officers of the Army may be retired after 30 years' service upon approval of the President. We in this bill allow them to have the absolute right, upon their own motion, of retirement after 30 years. This amendment provides for the retirement upon application and upon the approval of the Secretary of the Treasury, thereby putting the commissioned officers of the coast guard in exactly the same condition and on the same basis as to retirement with officers of the Army. The retirement of enlisted men is a little more severe in this bill, because they can only retire after 30 years' service, whereas in the Army they may retire after 28 years' service. But this puts the officers of the coast guard on the same basis as to retirement with officers of the Army.

Mr. ADAMSON. We accept that amendment, Mr. Chairman.

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. HOWARD. Mr. Chairman, I have an amendment which I wish to offer. On line 8, page 5, after the word "years," add: "*Provided*, That he shall have attained at that time the age of 60 years." I also offer another amendment in this connection, that, in line 10, page 5, we strike out "seventy-five" and insert "fifty."

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Georgia.

The Clerk read as follows:

Amend, on page 5, by inserting, after the word "years," in line 8, the following: "*Provided*, That at the time he shall have attained the age of 60 years."

Mr. HOWARD. Mr. Chairman, those are two separate amendments. I desire to address myself briefly to both of those amendments.

Mr. Chairman, there has been throughout the country quite a great deal of criticism of the creation of retired lists in the Army and in the Navy. From my casual investigation of these retired lists I believe that the criticism is justifiable; that a great many men are retired now in the Army and in the Navy who are perfectly capable of rendering to the country efficient service. I believe the retirement privilege is being abused to a larger extent than any other privilege allowed to the ordinary Government employees and those who go to make up the working force of the Government.

Now, Mr. Chairman, the expenditures of the Congress are mounting higher and higher every year. Very recently we have seen brought into this House and passed an urgent revenue measure, wringing out of the people's pockets $100,000,000 annually. The people in my country and in my section of the country to-day are disposing of their chief crop at from 2½ to 3½ cents per pound less than it costs to produce it. On the other hand, the foodstuffs that they are compelled to buy are mounting higher and higher every day on account of certain conditions abroad. If there ever was any time in the history of American legislation when a bill of this sort ought not to be in this House, that time is now.

This is not the time to increase the ordinary expenses of this Government $397,000. As was aptly said by the gentleman from Illinois [Mr. MANN], $397,000 without a man on this retired list; and the minute that this retired list is created I have no doubt there are 300 or 400 men in this service who, this very day, are waiting, with their mouths watering, for this piece of legislation to be passed so that they may be put as a charge on the Government of the United States because of the fact that they have been in the service 30 years. Thirty years is an arbitrary time. A great many young men now in the service will be perfectly capable of doing a good day's work in that particular class of service that is not so very irksome after they have served 30 years. So far as I am concerned, if this amendment is not adopted I am going to vote against this bill, I do not care who wants it passed. I do not say what I would do if this country was in a condition to stand all of these new-fangled ideas that because a man once gets a Government job he ought to be perpetually on the pay roll of the Government for life. I am looking every day for some man to have the temerity and the unmitigated gall to get up on the floor of this House and offer a bill putting Congressmen on retired pay at three-fourths of their pay—and it would be as meritorious as this bill is. There is no justification for putting these men on three-fourths pay, with their longevity pay and the other perquisites incident to a Government job. Why, people are clamoring all over the country now that the civil-service employees be put on the pension roll, which would mean the spending of all the money that we could raise for an army of men to wring money from the taxpayers of this country while sitting idly by in the shade and watching poor Uncle Rube dig it out of the ground.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HOWARD. I ask for three minutes more. I have two amendments, and I will let my speech apply to both of them.

The CHAIRMAN. The gentleman asks unanimous consent that he may proceed for three minutes longer. Is there objection?

Mr. GORDON. I ask that the gentleman's time be extended five minutes.

The CHAIRMAN. The Chair hears no objection, and the gentleman's time is extended three minutes.

Mr. HOWARD. I am very grateful to the committee for giving me this opportunity to say what I am going to say. I say that this is no time to be bringing in these new-fangled retirement bills. Where is the very great necessity for it? Where is the necessity to go down into the pockets of the people of my district, who are already overburdened with taxation, and wring from them $397,000 additional above any expenditure we have ever had? Show me, if you please, and if you can, where you have saved anything this year in your appropriations. Give me some idea, if you can and if you please, where the annual appropriations for the coming year are going to be reduced. I went all over my district in 1910 and I proclaimed with unction that the Republican Party was not only spending money outrageously but it was almost bordering on criminal extravagance the way they were spending money, that there could not possibly be any excuse for it; and here we are, charged with a commission from the great people of this country, and supposed to have at least some economic tendencies, trying to go around and dig out of the ground and get hold of some highfaluting fellow to work up some new scheme to get money out of the Public Treasury. Then, after doing that, you propose to saddle these fellows on us, not for a year, not for two years, but as long as they live, at three-fourths pay. I say there is no justification for any such thing. I might stretch my conscience. I might be able——

Mr. CALLAWAY. Will the gentleman yield?

Mr. HOWARD. Yes; I yield to my good friend.

Mr. CALLAWAY. Do you not think that after a man has had hold of the public teat for a number of years and has learned to live in luxurious ease it is an undue hardship to rip him suddenly away from it?

Mr. HOWARD. Yes; it is an undue hardship to rip him away from it. The other day the gentleman from Washington [Mr. BRYAN] was cautioning us over here that the people were going to rip some of us from our little part in this general program, and I happened to admonish him that the people had already choked him off, and that it would not be long probably before some others of us would go.

Mr. MONTAGUE. Will the gentleman from Texas permit me to ask him a question?

Mr. HOWARD. I yield for that purpose.

Mr. MONTAGUE. Does the gentleman think that the men in the Life-Saving Service at $600 a year, with the great risks that they take, are filling Government positions of luxury and ease?

Mr. CALLAWAY. I hope I will have time to answer.

The CHAIRMAN. The time of the gentleman has expired.

Mr. STEVENS of Minnesota. Mr. Chairman, I think the amendment which I submitted a few moments ago, and the observations I made upon that amendment, practically answer the argument of the gentleman from Georgia [Mr. HOWARD]. The bill now provides for 30 years' service before retirement as to the petty officers and enlisted men. The law now provides for retirement of enlisted men after 28 years' service in the Army. Consequently this bill already provides for two years' longer service in this branch of more dangerous public service than is provided now in the Army. Some of us think that this service is more arduous, more apt to cause physical disability, and to prevent a man being able to do any subsequent work for himself and family than in the Army. If so, the man will already have done his life work, and have exhausted himself for the public good. Some reasonable period should be fixed, so as to satisfy the judgment of reliable, sensible men whom it is desired to retain in the service. The provision in the bill is satisfactory.

Now, as to the age in which a man would probably finish the 30 years. On page 4 of the report of the committee there is an estimate submitted by the department as to the age when men enter the service and when the 30 years would expire. I will read from the text of this report:

> Of the 14 keepers, 12 will complete 30 years' service at the average age of 56 years, or, for the 14, an average of a little more than 58 years. Of the 102 surfmen, 90 will have served 30 years at the average age of 58.7 years, and the whole number at the average age of 60.25 years. Taking the keepers and surfmen together, they will be eligible to retirement at the average of 60 years. A tabulation of 326 surfmen who have entered the service during the preceding two years, distributed among the 13 districts, shows the average age at entrance to be 27.7 years—54 per cent were between the ages of 18 and 27 years; 87 per cent under 36 years. This shows a somewhat lower age at entrance than that indicated by the tabulation of the first district, but it is higher by over two years than that shown by a similar tabulation made six years before.

The point is that the amendment of the gentleman is superfluous; that the proper age for retirement and usefulness is practically covered now; that the limit of service of 30 years is longer than other limits of service in similar military departments; and that is the best way and the fairest way to work it out. Some few will gain a year or two and others will be obliged to serve until they are older than 60 years. The average may be slightly less, and it is not well to make an arbitrary age limit, because physical qualifications may require an earlier separation. But the best way, as experience has already indicated, is to fix a flat limit of 30 years' service, and give the men a chance, if there be a chance, although I think there are very few of them.

Mr. HOWARD. That is exactly what my amendment sought to do—to put all the men on an equal footing. The trouble is that none of the men are to be retired unless they attain the age of 60 years.

Mr. STEVENS of Minnesota. Your amendment prevents them from being put on a level, because some, as the report shows, enter at the age of 36, and those men would not be retired until they were 66 years old. The only way they can be put on an equal footing is to require an equal time and length of service, and that is exactly what the bill provides and other branches of the military service provide. The gentleman seeks to put them on an unequal footing, some performing more than others, and that is what we object to.

Mr. BARTLETT. Mr. Chairman, I did not anticipate taking any part in this debate. I served on the Committee on Interstate and Foreign Commerce for quite a number of years. It is the committee that has charge of the matters affecting the Life-Saving Service. I voted for the bill that increased their pay and allowances. I heard the testimony before that committee of the men who came before us who were officers and men engaged in that service.

I am not in favor of pensions for civil employees, nor did I vote for the bill to place the Revenue-Cutter Service under the Navy, where they could draw a pension. I may have been mistaken in that vote, but I propose to vote for this bill, Mr. Chairman. If I err in my convictions at all, I will err in behalf of the people whose duty it is to save life and property and not to destroy it. [Applause.]

"Peace has its victories no less renowned than war," and there are heroes in peace as well as heroes in war. While the heroes in peace may not wear swords and epaulets, they perform deeds of heroism entitled to be remembered, in my judgment, long after those who perform deeds of daring in war have been forgotten.

I do not cheerfully vote for war measures or war supplies. I have seen the naval bill grow from $29,000,000 in 1895 to $150,000,000 now. That is not for the saving of life, but, if occasion arises, to destroy it. I have seen the Army bill grow from $26,000,000 in 1895 to over $100,000,000 in time of peace. I have seen the pension roll grow from a little over $100,000,000 to $180,000,000—men pensioned not because of wounds and disease, but men pensioned now merely because they enlisted for 90 days and were on the rolls. They are men whose duty it was not to save life but to destroy it.

I have no fears but that my people will approve when I shall go back and tell them that even in the stress of financial trouble that we are in I voted to increase the pensions of servants of the Government to the extent of $397,000, to men whose duty it was in all stress of weather and storm not to destroy life but to save it. [Applause.]

Mr. Chairman, as I stated, I do not heartily favor pensions in the civil list. I am not prepared to vote for it, and do not think I ever will be; but these men can not speak for themselves. True, they are civil employees, and this bill makes them a part of the Navy. They are men who in storm and all kinds of weather face great dangers, who do not count the life or memory of their loved ones, but go to save the life of anyone, and they are entitled to more consideration than those men who simply work in an office. They are entitled to the same consideration, in my judgment, as the soldier in time of war who risks his life on the field of battle. [Applause.]

Mr. GRAY. Mr. Chairman, I move to strike out the last word. Mr. Chairman, while I am in favor of the principle of the service provided in this bill, I am constrained for other reasons to oppose it. It is true there are some reasons why these men are entitled to even more consideration than the men who enlist in the Army or the Navy. The man who enlists in the Army or the Navy encounters the dangers and hazards of the service in the event of war, but the men in this service perform the dangerous and hazardous undertakings even in time of peace, and by this bill they are made a part of the Army and the Navy, and will assume the same dangers and the same hazardous service as a soldier or a sailor in the time of war. Yet this will not justify the broad policy of retirement provided for in this bill and covering more than those actually performing dangerous and hazardous service and whether actually performing military duty or not.

Mr. Chairman, the militarism of the world to-day is costing the people in the high billions of dollars annually, a sum so vast as to bewilder the human mind—a sum going far to feed all the people of the world, or to clothe all the people of the world, or to house the people of the world, or to educate the people of the world—and this sum is growing annually. Out of every dollar of taxes paid into the Public Treasury of this country it has been estimated we are expending directly and indirectly in time of peace from 65 to 71 cents as a consequence of war and to maintain the military and preparedness for war. And it will continue to grow from year to year.

Mr. Chairman, I am not encouraged to believe it will be possible to stop this increase of the Army and the Navy, by reason of the policy of rivalry dominating the nations to-day. As apparent as is the folly of war, as great as is the reproach upon our civilization, and as exhausting as is the drain upon the resources of the world, all efforts at retrenchment in military expenditures appears useless and unavailing.

The only relief I see from this ever-exhausting drain upon human resources and diversion from the arts of civil life is the employment of the powerful and efficient agencies of the Army and Navy to a service useful to mankind, in transforming the Army into a great engineering department directing operations, constructions, and works, and the Navy into a great department for navigation, world communication, and transportation, in time of peace and for military defense in time of war. The Panama Canal and other great engineering projects are examples of the possibilities of the high organization and efficiency of the Army, and the technical training and scientific knowledge carried to the highest state and perfection in the Navy may be likewise employed on the high seas in time of peace to win even greater glory and renown than in human slaughter in time of war. On this principle and to this extent I am in favor of this bill.

The CHAIRMAN. The time of the gentleman has expired.

Mr. ADAMSON. Mr. Chairman, I ask unanimous consent that debate on this section and all amendments thereto close in five minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. MANN. Mr. Chairman, if it were proposed in another bill to increase the salaries of a number of officials of the Government at this time from $2,200 a year to $3,080 a year, and at the same time to give to those officials for the first time rent, light, and heat, or commutation of quarters, and somebody should say that that suggestion would be agreed to, the rest of us would feel like falling dead. If somebody proposes to increase the salary of a capable, competent official of the Government, say, $200 in one of the appropriation bills, we have the blind staggers, and I do not say that we ought to pass it by lightly; but this proposition as to certain officers is to increase their compensation from $2,200 a year, which it now is, to $3,080 a year at once, and to give them in addition an allowance for rent, light, and heat. Well, it will go through. What can you expect of a Democratic majority in this House, with a deficit in the Treasury staring us in the face? The gentleman from Indiana [Mr. GRAY] says he looks at the appalling growth of the expenditures, but sees no way to stop it. That is Democracy. They see no way to stop it—they propose to vote to increase it. The growth of expenditures is appalling—every time we talk about it we add to it. [Laughter and applause on the Republican side.] That is Democracy. But when the gentlemen on the Democratic side of the House meet here next December with the stamp tax expiring by limitation of law at the end of the year, and they have either to renew it while it is in operation or provide some other way of raising taxes to meet these extravagant expenditures which we are making, they will not have such a pleasant smile on their faces as some of them have to-day. The stamp-tax act was not so popular, even with the Democrats, after it went into operation as it was when they voted for it, and it is not very popular now with the fellows who are paying it. There are a good many druggists throughout the country who are sticking knives into the Democratic Party because of the stamp-tax law, and when you propose to extend it or to put some other tax in its place next December you will wish you had taken my advice and cut out some of these extravagant increases in salaries and some of these useless appropriations. [Applause on the Republican side.]

Mr. UNDERWOOD. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The Chair will state to the gentleman from Alabama that debate is exhausted on this section and all amendments thereto. The question is on agreeing to the amendment of the gentleman from Georgia.

Mr. HOWARD. Mr. Chairman, I ask unanimous consent to have the amendment again reported.

The CHAIRMAN. Without objection, the Clerk will again report the amendment.

There was no objection, and the Clerk reported the amendment, as follows:

On page 5 amend by inserting, after the word "years," in line 8, the following: "*Provided*, That at that time he shall have attained the age of 60 years."

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Georgia.

The question was taken; and on a division (demanded by Mr. HOWARD) there were—ayes 37, noes 48.

Mr. HOWARD. Mr. Chairman, I demand tellers.

Tellers were ordered, and Mr. ADAMSON and Mr. HOWARD were appointed to act as tellers.

The committee again divided; and the tellers reported—ayes 42, noes 63.

So the amendment was rejected.

The CHAIRMAN. The vote now recurs on the second amendment of the gentleman from Georgia, which, without objection, the Clerk will report.

The Clerk read as follows:

Amend, on page 5, by striking out, in line 10, "seventy-five" and inserting "fifty."

Mr. HOWARD. Mr. Chairman, I would like to address myself to this amendment for a moment.

Mr. ADAMSON. Debate has been closed on all amendments.

The CHAIRMAN. That is the understanding of the Chair.

Mr. HOWARD. Mr. Chairman, I did not so understand it. There were two separate and distinct amendments, coming in at two separate and distinct places in the bill, and I did not in my former speech make any explanation of the effect of this amendment.

The CHAIRMAN. The committee, by unanimous consent, closed debate.

Mr. HOWARD. Mr. Chairman, I ask unanimous consent that I may proceed for five minutes, to explain this amendment so that we may vote intelligently upon at least one proposition.

The CHAIRMAN. The gentleman from Georgia asks unanimous consent to proceed for five minutes. Is there objection?

Mr. ADAMSON. Mr. Chairman, I am willing to divide five minutes with the gentleman.

Mr. HOWARD. Mr. Chairman, I modify my request to that effect. I ask unanimous consent that I may proceed for two minutes and a half and that the gentleman from Georgia [Mr. ADAMSON] may proceed for two minutes and a half.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. LINTHICUM. Mr. Chairman, I ask unanimous consent to have the amendment again reported.

The CHAIRMAN. Without objection, the Clerk will again report the amendment.

There was no objection, and the Clerk again reported the amendment.

Mr. HOWARD. Mr. Chairman, this amendment strikes out "seventy-five" and inserts "fifty." It does occur to me that men being retired at the age of 50 upon their own motion, after 30 years of service, ought not to be permitted, and there is nothing in this bill to prevent that. If a young man 20 years of age goes into the service and serves for 30 years, he has the right to make application for retirement at the age of 50 years, and there is nothing to prevent it.

Now, then, he is 50 years old, in full possession of every faculty that God gave him, because a man who is a man is generally in his prime at the age of 50 years. Now, then, may we not set an example that was set the other day by one of the highest ranking officers in the American Army, by receiving from the hands of his Government $6,000 a year as a retired officer of the Army and accepting a position with a great State at $10,000 a year, and he is drawing $16,000 a year to-day, and he is in possession of every faculty with which he was born and could render efficient service to the Government. Yet he is retired. Now, you propose to retire and saddle on the American people a lot of young men in their prime at three-quarters of their pay, counting in longevity pay, and 50 per cent of their original salary received by anybody is enough to at least satisfy the ordinary man with ordinary proclivities for begging, and not ask for 75 per cent, and especially when you increase the salary nearly $900 a year under the provisions of this bill. Do what you please with this amendment; vote it down if you want to, and, if you can, justify your conduct, as was aptly said by the gentleman from Illinois, in voting nearly $900 increase, and then vote three-quarters of the pay, counting in longevity pay.

The CHAIRMAN. The time of the gentleman has expired.

Mr. ADAMSON. Mr. Chairman, I have no doubt that officers in this service—and I know it is true in the Army and Navy, where they do not do much in time of peace—may be in working condition after serving 30 years, but when the surfmen go out, when the men in the ranks go out and stand the shocks and exposure of this work for 30 years they are generally physical wrecks. It is already the law in the Revenue-Cutter Service that they are retired at three-quarters pay. This proposition would undo all of that. It is already the law in the Army and Navy that the generals and admirals and rear admirals and front admirals may retire in good health and good looks on three-quarters pay, who have worked and fought gallantly in time of war, it is true, and had a good time in times of peace on shore. Does the gentleman from Georgia [Mr. HOWARD], who is so anxious to please the farmer vote, desire to go back home and say——

Mr. HOWARD rose.

Mr. ADAMSON. I withdraw that remark.

Mr. HOWARD. I desire to say to the gentleman he has got more farmers in his district than I have in mine.

Mr. ADAMSON. And I am for every one of them, and I have farmed with them and worked for them, and am working for them and expect to work for them, and this is to promote a service that is taking care of them—that protects our coasts, that collects the revenue to run the Government, and every farmer in my district will have sense enough to stand up and justify my vote. [Applause.] I do not pander to any mistaken notion of what would be an erroneous idea for popularity. I represent a district of intelligent people, who know that the institutions of the Government must be maintained. [Laughter and applause.] The proposition here is to retire the aristocrats on three-fourths pay, but that the men who work for the country in time of peace and fight for it in time of war shall be cut off

with half rations. I hope and trust the committee will defeat this amendment overwhelmingly.

Mr. TRIBBLE. I understood the gentleman to refer to me as one favoring the retirement of these aristocrats. I have always opposed it, and every man in this House knows it.

Mr. ADAMSON. I withdraw that.

Mr. TRIBBLE. I do not desire the gentleman to withdraw it. [Laughter.] One of the aristocrats the gentleman proposes to retire here is retired on a salary of $3,000, and I will ask the gentleman if he knows he gets a commutation of quarters at $1,311.30 and lights——

Mr. ADAMSON. Who is that?

Mr. TRIBBLE. Thirteen hundred and eleven dollars and thirty cents, so the gentleman proposes to retire an aristocrat with $5,000 a year with commutation and light and fuel and all. The gentleman does not know they get $1,311.30, commutation, light, and fuel.

Mr. ADAMSON. Mr. Chairman, I would say I do not take stock in what the gentleman states.

Mr. TRIBBLE. I quote from the book; there it is.

The CHAIRMAN. The time of the gentleman has expired. All time has expired.

Mr. HOWARD. Mr. Chairman, I ask unanimous consent that the gentleman may have three minutes more in order to settle this dispute.

Mr. ADAMSON. Mr. Chairman, I am ready for a vote.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Georgia.

The question was taken, and the Chairman announced the noes seemed to have it.

Mr. HOWARD. Division, Mr. Chairman.

The committee divided; and there were—ayes 40, noes 75.

So the amendment was rejected.

The Clerk read as follows:

SEC. 4. That hereafter, whenever a vacanacy occurs in the grade of keeper of a life-saving station or house of refuge, it shall be filled by promotion and appointment from the grade of surfman, and whenever a vacancy shall occur in the grade of district superintendent the vacancy shall be filled by promotion and appointment from the grade of keeper: *Provided*, That the district superintendents shall be the chief officers and first in authority in their respective districts.

When the organization of the coast guard shall have been perfected the President is authorized to retire the general superintendent on 75 per per cent of his present salary, and no further appointment shall be made to such office. At the same time the office of assistant general superintendent shall be abolished.

The Clerk read the following committee amendment:

Page 6, after the word "district," in line 19, insert, "subject to the authority of the captain commandant."

The question was taken, and the amendment was agreed to.

Mr. CALLAWAY. Mr. Chairman, I believe under the five-minute rule I have five minutes. I move to strike out the last word, and in that five minutes I desire to talk about this bill. Mr. Chairman, I see over here on page 5—I got in late on this proposition, because I did not know they really had up a pension question to-day or I would have been here earlier—I have some aversion to the way money is wasted on rivers and harbors, but as compared with my feelings toward the way they spend it on pensions the river and harbor feeling is very gentle, tame, and complacent. Good God Almighty! the way the House goes on, when you get to pensions, about somebody who has had hold of the public teat for some years is absolutely frightful to a man who wants to see this Government live and knows it can not with everybody on the pension rolls. On page 5 this bill says:

A commissioned officer, warrant officer, or enlisted man who has served 30 years may, upon suitable application, be retired from active service and receive 75 per cent of the duty pay, salary, and increase of his grade or rating.

Now, what do these fellows receive? Why, I see a table No. 2, grade, keepers; present pay, $1,000; retired pay, $750; after they have served 20 years with longevity increase—40 per cent—$1,400 a year; retired pay, $1,050 a year. Mr. Chairman, I come from a territory and have been part and parcel of a people that had to go out, not by the aid of any governmental help, and work out of the soil, and work out of the mines, and work out of the factories, and work out of their business their compensation. And a thousand dollars a year to those men would be a princely salary—and it is an enormous salary. But here is not only a salary of that amount, but they have their care and keep, their clothing, their feeding, their housing, and their warming through the year. And then after they have had this munificent place, according to my experience, according to the daily experience of the voters of this country who have to bear this burden of taxation, after they have been fortunate enough during a lifetime to hold this kind of a job for 30 years, then they go out on a retired salary, after 30 years, of $1,050 a year, and go into whatever business they want to go into. And do what? Saddle the burden of paying it on the backs of the men, women, and children in your district and my district, that go through the winter's cold and the summer's heat trying to feed and clothe themselves. These fellows have been clothed and fed through all these years and, in addition to that, they have had this salary, and our people have been struggling to clothe and feed themselves, and delighted if able to do it. How many men and businesses, what is the per cent of them, that come out at the end of their lives with anything saved?

They say these fellows in the public service, in these departments, and in other avenues of the public service have not been able to save anything. I go down here and see them come out of the departments at 4.30 in the evening. Doing what? Going to spend their day's salary. What do your constituents and mine, that have to dig out of the mines or dig out of the ground in agriculture or in stock-raising pursuits, or mercantile business, do? Do they go out and spend their salary at 4.30 in the afternoon? No; they stagger home under the load of their day's work after dark to go to bed.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. CALLAWAY. Give me a minute longer.

The CHAIRMAN. The gentleman from Texas [Mr. CALLAWAY] asks unanimous consent for one minute. Is there objection? [After a pause.] The Chair hears none.

Mr. ADAMSON. Mr. Chairman, I would like an agreement for debate on this section. I ask unanimous consent that all debate on this section and amendments thereto close in 20 minutes.

The CHAIRMAN. The gentleman from Georgia [Mr. ADAMSON] asks unanimous consent that all debate upon this section and amendments thereto close in 20 minutes. Is there objection?

Mr. DONOVAN. Reserving the right to object, does that provide for the gentleman from Texas having five minutes?

Mr. ADAMSON. It gives him one minute.

Mr. CALLAWAY. Give me two minutes.

Mr. ADAMSON. I yield two minutes to the gentleman.

The CHAIRMAN. Is there objection to this request? [After a pause.] The Chair hears none. The gentleman from Texas [Mr. CALLAWAY] is recognized for two minutes.

Mr. CALLAWAY. They do not understand that a man can do anything except pander to a prejudice or appeal to the passions for votes. The gentleman from Georgia says his constituents have sense enough to understand the proposition. If the farmers, the miners, the business men, and those generally who earn their bread in the sweat of their faces understood the way this Congress spends money, and they could see these retired officers parading, and they knew the kind of salaries they were drawing and the retired pay that you provided for them, and did not kick you out of office, they would be a set of imbeciles. The gentleman from Georgia [Mr. ADAMSON] says that these fellows who rest in time of peace have these benefits. Why not give them to the men who work? Why does not the gentleman have the courage on the floor of this House to bring in a bill taking the "pap" away from those fellows who are doing the resting? Why add this other bunch also? That is the same argument that is being made in reference to civil-service employees that are knocking at the doors of this Congress now for civil pensions. They are going to get civil pensions if you do not turn back. And when they do get it I am going to move that people from one end of the country to the other, as near as I can move it, that every farmer, every washerwoman, every railroad employee, and every other person who has been bearing the burden of taxation through the years until it has made him flat-footed and bow-legged, shall go on the pension roll, so they will all look alike. You have overworked the soldier-pension business until you have broken the barriers down and all classes are coming in. Heaven save the day!

The CHAIRMAN. The time of the gentleman has expired. The gentleman from Indiana [Mr. GRAY] is recognized for five minutes.

Mr. GRAY. Mr. Chairman, I want to disabuse the apprehensions of my friend from Illinois [Mr. MANN]. I stated in my remarks, or I tried to state, that while I was agreeable with the principle of the dual service provided for in this bill, I was opposed to other policies comprehended by its provisions.

And I am contending for another principle embodied in the bill. I believe that the policy of this Nation should be for defense, and not for aggression, and this service is for defense. It is for these reasons that I support these principles in the bill, but I am opposed to the measure as a whole, and I am therefor constrained to vote against it.

Mr. HOWARD rose.

The CHAIRMAN. The gentleman from Georgia is recognized for five minutes.

Mr. HOWARD. Mr. Chairman, I ask that the Clerk report the amendment that I offered, to which I wish to address myself. It was, in line 22, page 6, to strike out the word "seventy-five" and insert "fifty."

The CHAIRMAN. The Clerk will report it.

The Clerk read as follows:

Amend, page 6, by striking out, in line 22, the word "seventy-five" and inserting "fifty."

Mr. HOWARD. Mr. Chairman and gentlemen of the House, I have offered another amendment, which I presume will meet the same fate as my former amendments to this bill, because these amendments are in the interest of economy. I understand that this officer, whom the President has the power under the provisions of this bill to retire immediately upon the passage of this bill, now receives a salary of $4,500. His commutation is $1,080 and his allowance for light and fuel is $311.30, making a total of $5,891.30.

Now, Mr. Chairman and gentlemen of the House, my distinguished colleague, Judge ADAMSON, awhile ago referred to the fact that my allusion to the farmers in my former presentation of my views on this question was tainted with demagogy, and said that he represented an intelligent district and that he could justify his position before his constituents. I hope that my distinguished colleague can justify his position. He should justify his position, because I do not know of an abler Representative in Congress now, or before, or coming hereafter, than my good friend. [Applause.]

I want to say to him that I represent a very intelligent district; in fact, the center of intelligence in the South is in the great city of Atlanta, which I have the great honor to represent. [Applause.] Besides the farming constituency, which is the most intelligent and industrious in the great empire State of the South, we have, in the city of Atlanta, some 6,000 or 7,000 union-labor men. About 2,500 of those good fellows, so I am reliably informed, are to-day walking the streets of the great city of Atlanta looking for work.

Mr. KELLEY of Michigan. Why?

Mr. HOWARD. Oh, why? You know why. [Laughter and applause on the Republican side.] But you have not got the honesty to admit it, or the courage, either.

Mr. JOHNSON of Washington. It is psychological? [Laughter on the Republican side.]

Mr. HOWARD. Oh, let me answer one at a time. You know that you are trying to lay it on the reduction in the tariff, when you have a higher tariff now than you ever had in the history of the Republican Party, to wit, no competition at all. [Applause on the Democratic side.] You know it is attributable to the horrible European conditions, the most horrible in the recorded history of the world; but you are demagoging and trying to lay in on the tariff and a Democratic President. [Renewed applause on the Democratic side.]

But that is merely a side remark. I say that these men are out of work.

It is because everybody is scared to death. And I want to say a word here and now to the American business man. I think they are the weakest-kneed crowd of fellows on the face of God's earth. If the Germans or English had the same opportunities and were surrounded by the same environments that the American manufacturers are surrounded by, they would have money in every pocket and every loom and spindle would be running full time, because they have got the courage to go out and get the business and supply the demand of a clamoring world market.

But that is aside from the subject. I will deliver myself fully on the tariff and other conditions later. Here is what I am driving at: You propose to retire a man who is drawing $4,500 a year, immediately after the passage of this bill, with three-fourths pay, counting his longevity pay. Now, how many thousands and thousands of citizens are just as worthy as he? Take the volunteer firemen in the great cities. Do you mean to say they do not risk their lives? They do, and yet they do not get a penny, but they risk their lives as often as these fellows you talk about as going out and saving so many lives.

I venture the assertion that many of them in the service never get their feet wet from one year's end to the other, but still you want to put them on the retired list at three-fourths pay. How many men in your district would be delighted to get one-tenth of the pay this man is going to get for doing nothing the balance of his life? I say 50 per cent of the pay he is now receiving would be ample pay for him to receive for the balance of his days for doing nothing. It is a far greater pension than any of the old soldiers who faced the bullets of the Civil War are drawing to-day, because it is considerably over $3,000 a year; and I hope, Mr. Chairman, that in this particular case, as this bill provides for the retirement of this particular person immediately after the passage of this bill—although I do not know who he is, and I take it that his present pay is more than sufficient—I hope the bill will not pass.

Mr. FESS. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Ohio [Mr. FESS] asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. ADAMSON. Mr. Chairman, I yield all of my time except five minutes to the gentleman from North Carolina [Mr. SMALL].

Mr. SMALL. Mr. Chairman, I yield five minutes to the gentleman from Illinois [Mr. FOWLER].

The CHAIRMAN. The gentleman from Illinois [Mr. FOWLER] is recognized for five minutes.

Mr. FOWLER. Mr. Chairman, I would probably have had nothing to say in connection with this bill had not a certain question been raised concerning its report on the floor of this House. That question, Mr. Chairman, is of such vital interest to every decent legislative body that when raised it becomes the duty of every Member of that body to purge from the bill the foul stench of such a question.

The idea that the American Congress has been influenced by a lobby, either for the reporting of a bill in either branch of Congress or for the passage of such a bill, is of such importance that no decent Member can afford to allow such a challenge to go unanswered, and it is the duty of the honorable committee that has reported this bill to purge from it that foul stench surrounding it now on account of the question which has been raised by the minority leader, that it was influenced and brought out here on the floor of this House by a lobby. Mr. Chairman, there is no more serious question that can hang about the public conduct of any official than the charge that he has been influenced by a lobby, because a lobby, under the common acceptation of the term, means a jack pot or its brother. And if the gentleman from Illinois means that either a jack pot or a kindred influence has been brought to bear in order to influence the reporting of this bill upon the floor of this House or its passage herein, it becomes the duty of every Member of this House to see and know whether that charge is true. If it came from some man who was half in jest and who did not have the responsibility of being a leader, then the question might have been passed unnoticed, but when it comes from a man who claims to be a leader of men and of his party, then it becomes his duty to establish every word of the charge, and it becomes the duty of this side of the House to meet that charge and to cleanse this bill of every scent of putrefaction that hangs about it like a buzzard over a carcass. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. SMALL. Mr. Chairman, I wish to address myself very briefly to the amendment offered to this section, to strike out 75 per cent and insert 50 per cent.

The CHAIRMAN. The gentleman is recognized for three minutes.

Mr. SMALL. I think I have five minutes.

The CHAIRMAN. The Chair thinks the gentleman from Georgia agreed to yield two minutes to the gentleman from Texas [Mr. CALLAWAY].

Mr. ADAMSON. No; I added that in the calculation.

The CHAIRMAN. The Chair did not understand it that way; but if the committee did, and if there is no objection, the gentleman will be recognized for five minutes.

Mr. ADAMSON. I was trying to save five minutes for these two gentlemen over here, and so announced.

Mr. MANN. I understood that my friend from Georgia wanted five minutes in which to close on that side.

Mr. ADAMSON. I beg the gentleman's pardon. I distinctly stated that I wanted to reserve five minutes for myself.

Mr. BUTLER. You said you gave it to your friend.

Mr. ADAMSON. But I wanted to reserve five minutes——

The CHAIRMAN. If there be no objection, the gentleman from North Carolina will be recognized for five minutes.

Mr. SMALL. I will ask the Chair to advise me when I have consumed three minutes.

I wish to address myself to the amendment to this section. Presumably the gentleman from Texas [Mr. CALLAWAY] and the gentleman from Georgia [Mr. HOWARD], who tore passion to tatters, were speaking with reference to the proposed retirement of the superintendent of the Life-Saving Service, Mr. Sumner I. Kimball. I favor this retirement provision just as it is contained in this section, and in order that it may be known of all that there is no partisan reason for my favoring Mr. Kimball's retirement except upon merit, I will state to the

gentlemen who do not know it that he is a native of the State of Maine, and I have always understood that in sympathy he was a Republican.

Mr. Kimball deserves well of his country. He was at the head of the Life-Saving Service at its inception. As a man he has the qualities which make for genuine manhood, in character, in sincere devotion to duty, in loyalty to the Government which he represents, and in fostering the service at the head of which he has been general superintendent he is a model of civic virtue.

Mr. ADAMSON. He is 80 years old.

Mr. SMALL. He is now nearly, if not quite, 80 years of age, and in the course of nature this retirement fund can not be enjoyed by him for many years. Mr. Chairman, whatever the Life-Saving Service is to-day, the pride of our country and the pride of the world, in the saving of life and property, is due to the genius and the consecration to duty of Sumner I. Kimball. [Applause.] And if we shall adopt this section, which will authorize the President to retire him, it will demonstrate that at least in this instance one Republic is not ungrateful. I hope the amendment will be defeated. [Applause.]

Mr. STEVENS of New Hampshire. Mr. Chairman——

The CHAIRMAN. For what purpose does the gentleman rise?

Mr. STEVENS of New Hampshire. I think I have two minutes, Mr. Chairman.

Mr. SMALL. I asked the Chairman to advise me when I had consumed three minutes. That leaves two minutes to the gentleman from New Hampshire.

The CHAIRMAN. The gentleman from New Hampshire is recognized for two minutes.

Mr. STEVENS of New Hampshire. Mr. Chairman, some of the men who have criticized this bill have created a very false impression, I do not suppose intentionally, as to its effect. To-day officers in the Revenue-Cutter Service have retirement pay, and this bill adds nothing to that expense. The men who would be chiefly affected and benefited by retirement pay are the men in the Life-Saving Service. I want to call the attention of the gentleman from Texas to the fact that these men who, to use his own classical language, "Have been sucking the Government teat in luxury all their lives," have been receiving $65 a month for 10 months in the year for patrolling the coast of this country. Those are the men who will be chiefly benefited by this legislation.

Mr. CALLAWAY. Will the gentleman yield?

Mr. STEVENS of New Hampshire. Yes.

Mr. CALLAWAY. Do not they get in addition board and clothing?

Mr. STEVENS of New Hampshire. They do not get their board and clothing or other expenses; they are allowed 30 cents a day for food in addition to the $65 a month.

Mr. CALLAWAY. Do they get anything in the way of clothing and the heating of the house?

Mr. STEVENS of New Hampshire. Nothing; they get 30 cents a day for food and $65 a month, and they are employed only 10 months in the year and are only paid for those 10 months. That is the Government teat they have been sucking in luxury.

Mr. CALLAWAY. Under this bill they will get clothing and food.

Mr. STEVENS of New Hampshire. They will get something, and I wish it was more, and so would the gentleman from Texas if he knew about the facts of this service.

The CHAIRMAN. The time of the gentleman has expired, and all time has expired.

Mr. HOWARD rose.

The CHAIRMAN. For what purpose does the gentleman from Georgia rise?

Mr. HOWARD. I want to withdraw my amendment on the statement made by the gentleman from North Carolina [Mr. SMALL].

Mr. MANN. The gentleman must ask unanimous consent to withdraw his amendment in Committee of the Whole; he can not withdraw it except by unanimous consent.

Mr. CALLAWAY. And I object to its being withdrawn.

The CHAIRMAN. The gentleman from Texas objects to the withdrawal. The question is on the amendment offered by the gentleman from Georgia.

Mr. HOWARD. Mr. Chairman, I understand under parliamentary procedure that I have the right to withdraw my amendment.

The CHAIRMAN. Not in Committee of the Whole House on the state of the Union. The question is on the amendment.

The question was taken; and on a division (demanded by Mr. CALLAWAY) there were 17 ayes and 65 noes.

So the amendment was lost.

The Clerk read as follows:

SEC. 5. That the captain commandant of the coast guard shall submit to the Secretary of the Treasury, for transmission to Congress, an annual report of the expenditures of the moneys appropriated for the maintenance of the coast guard and of the operations of the coast guard during the year.

Mr. GOOD. Mr. Chairman, I offer the following amendment as a new paragraph.

The Clerk read as follows:

At the end of line 6, page 7, insert a new section as follows:

"Any person using any vessel in the coast guard service for private purposes in violation of law shall upon conviction therefor be fined $1,000."

Mr. ADAMSON. Mr. Chairman, I reserve a point of order on that.

Mr. GOOD. I want to be heard on the point of order.

Mr. MANN. What is the point of order?

Mr. ADAMSON. That it is not germane to this part of the bill, or to any other part of the bill.

Mr. GOOD. Mr. Chairman, if it is germane to the bill at all, it is germane to this section of the bill providing in the first place that there shall be established in lieu of the existing Revenue-Cutter Service a life-saving service or coast guard. And then, on page 3 of the bill, line 14:

All existing laws relating either to present Life-Saving Service or the present service shall remain in force.

On the 7th of July, 1884, in enacting the sundry civil bill, Congress enacted this law:

And hereafter the revenue cutters shall be used exclusively for public service and in no way for private service.

Mr. ADAMSON. Mr. Chairman, if the gentleman will permit, I have already explained that we have a provision making it illegal to use these vessels for private purposes. I do not think that we will admit that it has been done by adopting this provision, and I will accept the amendment of the gentleman from Iowa and withdraw the point of order.

The CHAIRMAN. The Clerk will again report the amendment.

The Clerk read as follows:

At the end of line 6, page 7, insert a new section, as follows:

"Any person using any vessel in the coast-guard service for private purposes in violation of law shall, upon conviction thereof, be fined $1,000."

The CHAIRMAN. The question is on the amendment.

The question was taken; and on a division (demanded by Mr. GOOD) there were 47 ayes and 15 noes.

So the amendment was agreed to.

Mr. ADAMSON. Mr. Chairman, the gentleman from Minnesota [Mr. LINDBERGH] desires to be recognized, but unless there is some amendment to be offered to this section I suggest that the next section be read.

Mr. HOWARD. Mr. Chairman, I desire to offer an amendment to section 6.

Mr. ADAMSON. I suggest that the Clerk read section 6.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 6. That all acts or parts of acts inconsistent herewith are hereby repealed.

Mr. HOWARD. Mr. Chairman, I move to strike out the last word. I desire to make this statement. When I offered the amendment I did a moment ago to section 4 of this bill, to reduce the pay of this officer of whom I knew nothing to 50 per cent of his pay, I did it for the purpose of trying to stop an abuse of putting people upon the retired list when they have no business there; but after I heard the statement of the distinguished gentleman from North Carolina [Mr. SMALL] about the extreme age of this gentleman and his distinguished public service, I thought that as the committee had voted down the other amendment it was only proper that I should withdraw that amendment. I am very glad that I did withdraw it, and I am very glad that the committee voted it down.

Mr. LINDBERGH. Mr. Chairman, I would like to be recognized for 10 minutes, if that is agreeable.

Mr. ADAMSON. Mr. Chairman, we agreed this morning that the gentleman from Minnesota should have 10 minutes.

Mr. MANN. Oh, there was no agreement of that kind.

Mr. ADAMSON. I agreed not to object.

Mr. MANN. The gentleman agreed to yield to him in general debate, but he was not here to get it.

Mr. ADAMSON. I told the gentleman afterwards that I would not object to his having an opportunity under the five-minute rule.

Mr. MANN. But this has nothing to do with the bill, as I understand it, and the gentleman tried to cut me off from talking on the bill to-day.

Mr. ADAMSON. Mr. Chairman, I desired to give the gentleman all he wanted.

Mr. MANN. I had to take what I could get.

Mr. LINDBERGH. Mr. Chairman, I ask unanimous consent to proceed for 10 minutes.

The CHAIRMAN. The gentleman from Minnesota asks unanimous consent that he may proceed for 10 minutes, out of order. Is there objection?

Mr. CARLIN. Mr. Chairman, reserving the right to object, I would like to know what he is going to talk about.

Mr. LINDBERGH. I am going to discuss a letter that was written concerning me personally on the subject of a resolution I introduced.

Mr. CARLIN. I shall not object.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. LINDBERGH. Mr. Chairman, certain false statements have been published about me in my official work. If the false things published were about the particular work I am doing, I would not answer but let the work itself be the answer. But a man of straw was built up, and then they proceeded to burn it. That being the case, my answer will be to show what I was really doing. Since there is not time to give my entire speech on the floor, I wish now to outline some of the particular features of it.

I shall show—

That the bankers monopolize the money and credit of this country and use it to suit their own selfish interests.

That the people place over $19,000,000,000 of deposits in the banks, on about half of which the banks pay no interest and pay from 2 to 4 per cent on the rest—an average of about 1½ per cent on all their deposits. That this $19,000,000,000 is really the basis on which the so-called Money Trust operates, which in effect amounts to the people furnishing their own funds to maintain the Money Trust, and that is why the cost of living to the consumer is so high and the return to the producer is so low.

That whenever the "interests" allied with the Money Trust wish to borrow they are given preference over the plain people who wish to borrow, and that the latter are forced to pay the highest rates of interest that the banks can collect, examples of which are being furnished by the foreign loans that are being made and the refusal of the banks to furnish reasonable credit and rates to the plain borrowers in this country.

That under the old banking system the Money Trust banks had a real monopoly because of the conditions they created, as well as the fact that the laws extended to them special privileges, and that they speculated with the use of the people's deposits till they expanded the system to the straining point and then brought on a panic to form the basis for an excuse to obtain from Congress an absolute legal monopoly for the Money Trust.

That in pursuance of that plan they devised a plan for the formation of so-called citizens' and other leagues to educate the public to their way of thinking, and that the final outcome of the campaign they started was that they secured the Federal reserve act, now in incubation.

That that plan was drafted in Wall Street for Wall Street greed by Paul M. Warburg in about 1902 and placed in cold storage till just before the panic of 1907; but even then its real purpose was disclosed only to those in the secret.

I shall show that all along, from 1906 to the present time, the Money Trust forces have adroitly managed the campaign for the building up of this Federal reserve act and putting it into operation, and it will appear that the President selected for the Federal Reserve Board members who have been schooled in the Money Trust system and that a majority of them are pupils of that system.

I shall further show by facts and figures that can not be successfully disputed—in fact, that the conditions themselves already prove—that there is no chance at all for material improvement in the conditions of the plain working people of this country so long as the Federal reserve act, as it now stands, is the only available source from which the finances of the country are operated.

Those who control it can and may bring on temporary activity at different times; but its main effect will be to give employment at the lowest possible wages for subsistence for the workers and to accumulate vast capital for the trusts, on which to increase their "vested rights" to collect a so-called "reasonable return."

I shall show that the only way to get without this most unfortunate condition is to give to all the legitimate industries of this country, when so organized as to make the securities ample, the same privileges that are now exclusively given to the banks. I shall show how the Government should aid in their organization as it has in the organization of the banks.

I shall show that it is absolutely essential to the people of this country, if we are to continue along our present general business ways, to give the people the privilege of depositing, without limit, their funds with the Government in the postal savings banks, and that these funds may be used by the Government to finance the other business interests of the country rather than giving that exclusive power to the banks. I do not advocate the giving of any privilege to any business greater than that which is given to the banks now, and while I do not believe in the present plan, even if it were extended to all the legitimate business without discrimination, I am not discussing any other general plan of finances than that which we have, and my special reason for not doing so is that it seems reforms can only be secured in installments.

I will show that the same old game is being played in the same old way to postpone the consideration of this law, its operation and effect. That is one of the ways that is always used to postpone action when the "special interests" put one over on the people. They wish the people to wait till they have been skinned and the holdings of the "interests" have been heaped up higher and higher, so that when the people finally say "Stop, thief!" by that time their newly acquired wealth will have become "vested rights," and then the courts will come in with a decree enforcing a levy upon the overpatient people for a "reasonable profit" on their new holdings in favor of the "special interests."

The high cost of living to the consumer and the small return to the producer can not both exist at the same time in a well-governed country. Both these conditions do exist in this country at this time, and because of that fact I have used every minute of time that I could spare to discover and point out the reasons for their existence. It happens that in pointing out the principal cause and explaining how it could be remedied I trod upon the toes of the Money Trust. From that time on, as was to be expected, I have met opposition from this source. It has defrayed the expenses of several campaigns made against me in my district. Its agents and that portion of the press which it controls circulate falsehoods about me and try at all times to make me appear ridiculous. They make false reports of how I vote in Congress, and have even had the nerve to cite the record of my acts in Congress, falsely pretending that it showed things of me that are not there.

They are bold to do this, knowing that comparatively few people ever see the RECORD, and they therefore hope that people will not find out the real facts and catch them at their game.

All this performance of theirs is of no general importance, and I do not mind it. But a recent performance of one who seems overquick on the trigger in defense of the downtrodden trust appeals to me as worthy of a few moments' attention.

On January 6, 1915, I introduced House resolution 696, which I ask unanimous consent to include in my remarks without reading. I also ask that a letter from Mr. Henry B. Joy, of Detroit, Mich., dated January 7, 1915, and addressed to Hon. F. A. Delano, vice governor of the Federal Reserve Board, a copy of which was mailed to each Member of the House, together with my reply thereto, may be inserted in the RECORD without reading.

My resolution, together with certain articles which appeared in the Chicago Tribune, apparently provoked the outcry from Mr. Henry B. Joy, who is a director of the Federal reserve bank of Chicago. It was mailed by copy to all Members of the House and, I am informed, to Senators, governors, and other State officers, and to banks, bank examiners, business firms, and corporations throughout the Nation, and has been printed in many newspapers. I first received notice of it several days after its date, when a copy came to me through the mail and I replied to it under date of January 13, 1915.

The copy of Mr. Joy's letter was printed on the office stationery of a company whose business it is to manufacture a high-priced automobile. I would like every Member who has not already done so to read this letter very carefully, and see if you can find one word in it of solicitude for the farmer, for the laboring man, or for the consumer of this country. See if you can find anything in it that holds out to the unemployed the promise of a job; anything that looks like lowering the high cost of living. And, while we are on this subject, I want to say that you will not find any of these things in any utterance that has emanated from any member of the Federal Reserve Board that has been appointed by the captain of the Democratic team to preside over the financial destinies of this country.

What does Mr. Joy care for the farmer or the laboring man, for the producer or the consumer? No laboring man, at $1.50 to $4 per day, and mighty few farmers are going to invest $7,500 in one of his cars. I will tell you who is going to invest that amount of money in "Joy" rides, if you want to know. It is

the man who lives without work—the man who wants the rates of interest and dividends kept just as high as possible, in order that he may not be compelled, against the dictates of fashion, to ride this year in last year's model buzz wagon.

Why should Mr. Oh Be Joyful try to prevent me from working effectively for the establishment by this Government of a proper rural credit system, such as has been adopted and put in working order by nearly every other civilized country, and for financial aid to all the industries of the country and to people generally, when their necessity requires and the security offered is acceptable, upon equal terms with the banks? No other reason in the world, except that he is in favor of the discrimination shown by the Federal reserve act, which gives a monopoly of Government credit to the banks controlled by the "Money Trust." There is neither fairness nor zeal for the public interest in those who favor monopoly.

Mr. Joy is a fair sample of the kind of men who, quite generally, have been selected to control the Federal reserve banks. He manufactures an article which only the rich can buy. He need not mind how high interest rates are. The higher, the better for him. Like all great corporations, he simply adds interest, dividends, rents, and profits to the cost of his product, and the people who are rich enough to buy, in their turn, charge the cost of his product up to whatever business they are engaged in, and it is all finally paid by the plain producers and consumers. He says that he has not opposed Messrs. Forgan and Reynolds in any act they have taken with reference to the management of the Chicago reserve bank, and, if so, and if the charges of the Chicago Tribune are true, he supported them in their efforts with the Federal Reserve Board to keep the rates of rediscount so high that the country banks were compelled to do business with the banks they controlled instead of making use of the reserve bank.

It seems to me high time that all the people begin to understand a fact which is inevitably true in the final analysis. It is that all interest, dividends, rents, and profits are nothing more nor less than a tax, falling upon both the producer and the consumer, for the benefit of capital. Whether that tax be high or low is regulated by the prevailing rate of interest. Which, think you, is the worse practice for a Government to engage in—to farm out the Government credit for "vested rights" to make a profit on at the expense of all the people, or to provide a just and equitable protective tariff on imported goods, equal to the difference in cost of manufacture here and abroad, for the benefit of American labor? Can you reduce the high cost of living by adding to the profits of the idle rich, to be consumed by them in riotous living and "joy" rides? Why is it that the President and those he has appointed can see only one way to relieve the distress which the railways complain about, and that is to raise the rates which the railways charge to the people? They say, "We must get higher rates in order to make expenses and pay interest and dividends." Why not fix it so they will have to pay less interest—put them on the same footing, as to Government credit, with the banks—and then they can lower the rates?

Now that the banks have been given unlimited opportunity to avail themselves of the Government credit at low rates, it is my purpose to fight as long as I am able in an endeavor to obtain from that same Government, which belongs rightfully to all the people, the same privileges, on the same terms, for all industries, whether upon the farm or in other work or business, and to the railways also—since whatever interest charges they pay are charged back to the people in cost of service—in order that the excessive tax now levied upon all the people through the medium of usurious interest rates may be lowered to the level of a reasonable burden imposed justly and equitably upon the industrious many. When all kinds of legitimate business have equal opportunity with the banks, then the cost of living to the consumer and the return to the producer will be relatively just and fair. Both will receive the advantages due them.

If there is anything wrong in this; if what I am fighting for has any measure of injustice in it or lack of appreciation for the welfare of the human race; if there is any virtue in the system that has been established, giving to the banks the entire control of the industrial affairs of our country for their sole use and benefit, regardless of the wrongs they may choose to inflict on the rest of us; if there is anything holy in the Federal reserve act or the reserve banks established under it, which renders them so immaculate as to constitute them, as my friend, the director of the Federal reserve bank of Chicago, seems to suggest, immune from criticism, then "On with the dance; let 'Joy' be unconfined."

There was a sinister purpose involved in the wide circulation of this letter. Mr. Joy and those associated with him knew that I was on the job and would probably expose the purpose of the Federal reserve act more completely than I had been able to do before; that I would be able to show that Congress was deceived in order to get that act and certain amendments to it enacted into law; that it is the most outrageous piece of legislation ever enacted by any legislative body on earth, giving, as it does, the power to one class to enslave and oppress the balance of the people; and that the Underwood Tariff Act, bad as that piece of legislation is, will not do one-hundredth part as much damage as the Federal reserve act will do if allowed to remain in force, unless so amended as to give other industries equal advantages with the banks.

Nothing in my resolution nor any act or word of mine was in any way responsible for the mention in the Joy letter of the gentleman from Virginia [Mr. GLASS]. Every Member of the House has profound respect for the ability and integrity of the able chairman of the committee. If he had not been under constant pressure from the "titular" head of his party and bound and gagged by the caucus, it is my candid opinion that the Federal reserve act would have been a heap better than it is. No more am I responsible in any way for his bringing in the name of the Senator mentioned by Mr. Joy.

That is all I wish to say, Mr. Speaker, about the Joy letter. I had a far more important purpose in arising to address the House, and will now proceed to carry out that purpose.

The high cost of living to the consumer and the small return to the producer can not both exist at the same time in a well-governed country. Those conditions do exist here, and I propose to discuss its principal cause. I shall point out—

That far-seeing speculators have gotten control of the banking and currency system and are raiding the industries and the people of this Nation;

That the principal owners of the stocks in the large banks also own the controlling interest in the trusts;

That the deposits in the banks belonging to the people have been used to form the Money Trust, and by speculators to control the markets while at the same time they have been withheld from those of the people themselves who must borrow unless they pay usurious interest. That by depositing their money in the banks, thus surrendering its control, the people have given the trusts the very means with which they themselves have been robbed; and

That when the people found economic conditions were becoming worse they demanded of the officials whom they had placed in charge of public affairs remedial legislation, but without defining any plan, it having been supposed by them that the officials would do that; that immediately the Money Trust, seeing what was up, framed a plan which would give it greater power than it had ever had before, and that it succeeded in getting its plan enacted into law; that most of the so-called "reform legislation" thus far enacted by this administration is buncombe, and that no existing law or any that is at present contemplated that has any prospect of passage will destroy the root of existing evils.

I propose also to discuss some plans that if followed would really provide a remedy.

THE PUBLIC BEHIND TIME.

Private greed, unobstructed, has appropriated the forests, the valuable minerals, the water powers, the most valuable patents, the transportation systems, and the other most valuable agencies to mankind. It was brought about by the bad banking and currency system. As long as that remains the exclusive means for financial dealings it will be impossible for the masses to succeed. The old politicians did not dare to speak, so greed got the prize and went away with it. But are we to surrender our rights to correct the evils of the present system? Certainly not. Now is the time to fight greed and recover the control as a means of restoring the people to the exercise of their rights.

As I stated in opening, the high cost of living to the consumer and the small return to the producer can not both exist at the same time in a well-governed country. It is because it does exist that a state of uncertainty also exists as to what should be done to correct government, and since nothing tangible has been done to overcome this wrong universal dissatisfaction prevails and manifests itself in many ways in many places. In Europe it has produced war, but war does not solve economic problems. It creates more problems.

IMMENSE WEALTH.

This Nation is vast; so are its resources. The improved inventions and new methods employed cause immensely increased production over what was formerly possible. The increase is so great that under fair management all might have success in the realization of the ideals of life. Formerly wealth consisted mostly in the ownership of land and animals. Now it

consists in the ownership of the tools of production, the means of transportation, and in the control of money and credit. The few who have this control possess the means of levying tribute upon the owners of the land and animals. As many of the people as they require they employ to operate their systems and fix the prices in all cases, so that the toilers receive merely what is required to give them a bare subsistance. Even a small profit off each toiler and each consumer is in the aggregate an enormous sum and gives the few proprietors the wealth with which they control industry. It is not only the accumulation of wealth that burdens the toilers, it is the use of the wealth to control the expenditure of human and mechanical energy, forcing the production of what comparatively few are able to make use of.

PRIVATE CONTROL OF MONEY AND CREDIT.

On June 30, 1914, there was $1,630,000,000 money in the 26,765 reporting banks and $1,772,000,000 out amongst the people. Of this last sum a small undetermined amount is held by banks not reporting. The money held by the people outside the banks is paid from person to person and covers probably less than 3 per cent of all business, while the banks handle the rest. On the same date the individual deposits in the reporting banks were $18,517,732,879—eleven times the actual money held by them. This was before they began to operate under the new system. That is wonderful expansion over the actual cash and shows its credit elasticity.

In 1907 the bankers found that they had stretched the old system to its limit, and as commerce and speculation had developed more rapidly than the banks could sell credit to accommodate, the Money Trust presented a new scheme for further expanding credits, which finally resulted in their getting the Federal reserve act, now incubating.

GOING TO RUIN ON THE BANKING SYSTEM.

The annual cost of operating the Federal Government is several times less than it costs to run the banks. The Government annually appropriates what it proposes to expend and taxes the people for that sum only, and thus it ends. The banks, on the other hand, are run solely for private gain. Not only are the people charged for the cost of operating them, which, including profits, exceeds the entire cost of operating the Federal Government, but in addition the people are forced to pay for building up of enormous fortunes that the owners of the banks acquire from the use of other people's money. At short intervals their profits and dividends are set aside as new capital for the banks and the stockholders, upon which they collect additional dividends and profits. This is repeated one or more times annually, while the Government, on the other hand, collects no dividends or profits.

That explains the difference in the cost of the Government doing business for the public and the cost of the banks doing the public business for the benefit of the banks. The Government charge is for the expenses alone, while the banks' charge, in addition to covering expenses, is for the private fortunes of the bankers.

THE WAY THE BANKS DO IT.

The capital of the banks is approximately $2,000,000,000. Only a small part of that represents original capital. They usually start with small capital. In addition to the usual dividends, they collect from borrowers annually a surplus, and this has been used to increase the capital and to accumulate surplus of which they have now nearly $2,000,000,000.

People having money deposit much of it in the banks, because that is now the only convenient place to put it, unless in the postal savings banks, and when they do that the Government turns it over to the banks, so the banks get it anyway. Now, while everybody knows all this, not many of us stop to consider its effect. It gives the banks $18,517,000,000 of the people's money to use. By including the banks not reporting it is $19,100,000,000. My figures are taken from the report of the Comptroller of the Currency for June 30, 1914. Upon the most of it they pay no interest. Upon a part of it they pay from 2 per cent to 4 per cent, but pay 4 per cent upon only a small part. It gives the banker that $18,517,000,000 belonging to the people to speculate with.

No one ever started a bank merely to handle his own money. It is the depositors money the bankers want, and they want it to speculate with. It is not the first year's interest that the banks collect from the people that taxes us the most. Great as that is, it is small when compared with what it becomes after it has been put into business or reloaned and interest and dividends compounded from year to year. From the compounding of interest and profits principally comes the so-called "vested rights," which would, if properly named, be called "privileges to rob."

Legislatures, courts, Congress itself, have established a rule that "vested property" must have a "fair return." But the rule which they have fixed bears no relation with what men and women receive or should receive for their work in creating and conserving this so-called "vested property." The rule that has been fixed compares more with what the different speculators make off their respective schemes for scalping profits from the products of labor. The farmer strives year in and year out, the wageworker toils till he becomes too feeble to work more, but no rule was ever fixed by legislatures or courts, nor by Congress, to give either to the farmer or to the wageworker a fair return for creating the property—the very property to which the "vested-rights" privilege attaches.

If either has controversy regarding what he shall receive, it is settled by fixing the price at what others in his class obtain for the like, which price has been previously fixed by the "privileged class." It bears no relation to the cost of living or its true relative service to mankind.

SO-CALLED "VESTED RIGHTS."

What do vested rights, as now interpreted by Congress, legislatures, and courts, mean? It is that dividends, rents, interest, and profits are recognized as having a superior claim upon the lives of men and women who possess no income property, but must work to get a living. I shall give a table to show how the different rates accumulate in 100 years in order to show what is happening to us because of the accumulated capital of the past, and how much worse fate will befall our children if the same rule continues to be applied. But I wish, for present application, to consider it in another way.

In order that there may be "reasonable" return—and I use the word "reasonable" in the sense of its application in present business practice—under the so-called "vested right" rule, it is claimed that there is approximately $90,000,000,000, including debts owing by corporations and others, upon which the public is forced to pay interest, dividends, and profits. Including all the ways that are in vogue by means of which the toilers are skinned, it is rather understating than overstating the fact to say that the average rate of profit for the use of capital is 7 per cent above expenses. This nets an annual return to capital of $6,300,000,000. Including expense the annual cost of use of capital would be well over $10,000,000,000. Now, while I do not claim that these figures are very nearly accurate, for there is no way of getting the exact amount, I do claim that they are not far out of the way and they fairly demonstrate the principle that I want to make clear. It is this: That the cost to the people of maintaining the so-called "rule of reasonable return" for the use of capital, as it is now applied, means that the toilers upon the farms, in the shops and elsewhere, mental and manual, are forced to pay approximately $10,000,000,000 annually for that which to them is not bread; in other words, a tax. This is an average of $100 for every man, woman, and child, and is increasing in exact proportion to the increase of "vested property." If you will examine the table that I will give, you will understand what a calamity it will be to our children to carry this load. It is the working people who are compelled to pay it. It is deducted from their wages, or from the products they sell, if they are farmers or others who do not work for wages. The $100 average, understand, is for all people in the United States, including children, people without work, and those who can not or will not work. It can not be deducted from their earnings because they have none. Therefore it means that very much more than $100 must be deducted from the earnings of the actual toilers for the support of "vested capital." That is what the present financial system means to the toilers.

But lest some one may still not understand, let us make the statement in another form. This $90,000,000,000 owned by just a few persons the courts decree and "society" accepts that when it is employed, as all this is supposed to be, is entitled to a "reasonable" return, which now averages in practice more than 7 per cent above cost of upkeep. There are not to exceed 30,000,000 people who do any work. Not nearly so many as that work full days. The rest are children, people so old that they do not work, or people who live without work; so the burden of keeping up the interest, dividends, and profits falls upon the 30,000,000 directly. The 10 per cent cost for interest, profit, and upkeep is equivalent to a charge of $300 per annum upon each of the 30,000,000 workers. Thus a man who is paid $600 a year for his labor or for his farm products and the wife who does the work at home have had as their wages or income $600, the sum paid the husband, whereas if it were not for the profits to capital it would be $1,200. But we will say that capital is entitled to a reasonable return, and that is 2 per cent with 1½ per cent more for upkeep, or 3½ per cent. That is about the rate the Government furnishes it to

the banks for. On that basis the husband and wife depending on their work would get $400 per annum more than they do now.

I have paid during my few adult years more than twice as much interest for borrowed money as the property I own is worth. I would be worth more than twice as much as I am now if I had paid only 3½ per cent interest. Those who owe no debt for borrowed capital are paying interest. It is added to what they must buy to live on and to use. We can not get away from the interest. I can now probably show what the "kernel" in the "nut" on the compound-interest table means.

We have $90,000,000,000 of debts, which is massed centralized income-producing property owned by the few. The interest is to be paid by all who work. Including profit on speculation as well as legitimate income, the people undoubtedly pay the equivalent of 10 per cent annually upon this huge sum. If this were to be compounded annually, as to some extent is done, it would double itself in eight years and amount to an additional income-producing hoard of $90,000,000,000. In 16 years it would amount to $180,000,000,000, in 24 years to $360,000,000,000, and in 32 years to $720,000,000,000. This impossible sum represents a capitalization greater than all the property in the world is worth. It represents, however, the toll that would be levied, if it were possible to endure it, upon toil under the principles laid down by the courts of this country with the acquiescence of Congress and the State legislatures.

The only reason that income-producing capital does not or has not attained these huge proportions is that a portion of the debt is being constantly liquidated by failures to pay and bankruptcies, and by the toilers depriving themselves of many of the necessities of life in a vain endeavor to keep pace with the enormous accumulations of greed. But even though it does not pile up with the celerity that would be produced by complete compounding, it does increase at a much faster rate than can be met by the forces of production, and unless something be done by Congress and the legislatures to remedy the drain on production widespread bankruptcy will, and must be, the inevitable result. How long will this thing go on? That question may only be answered by the further question, How much can the people endure? But this ought not to be. There ought to be enough patriotism and statesmanship in the White House and in Congress to grapple with and solve this problem in the very near future and thus avert the catastrophe that is impending over this country. Of one thing I am absolutely sure—there can be no material reduction in the cost of living so long as this condition exists. There may be temporary prosperity as compared with present conditions, but it will be only temporary, and will be used to forge more strongly the bonds that already sink into the flesh of the helpless masses of mankind to press down more cruelly upon the brow of labor this "crown of thorns."

RESERVE DEPOSITS.

The $18,517,000,000 individual deposits does not include the banks' deposits with each other and in reserve banks. There are billions of these deposits also. If they were made principally for exchange purposes, they would serve a need, but they serve the purposes of speculation principally. It was these reserve deposits, together with the savings of life insurance holders and the deposits of wage workers and others living in the large cities, that formed the "nest egg" for greedy speculators. They employed them to form the "Money Trust" and buy up the best of the forests, the valuable minerals, the useful patents, the railways, and other properties. Therefore it is seen that the effect of the people placing $18,517,000,000 in the banks and the use of the reserves by the "Money Trust" banks was to let the speculators get it to secure a control of the commodities and the instruments of service that the people must be supplied from. That accounts for the high cost of living to the consumer and the small return to the actual producer, which could not be if the people did not themselves aid by the very system that I am describing.

New York City alone got reserve deposits from other places, sums that grew from $94,394,210 in September, 1898, to $451,050,573 in September, 1911, and kept it climbing, which is one item alone in only one city. The system was cleverly devised to give the "Money Trust" the use of the people's deposits, for one thing, but in another way it served the "Money Trust" a still greater purpose, because it deprived the people of the use of their own money to finance business for themselves. Therefore the trusts had no competitors.

Originally the bankers themselves were less interested in speculation, and this is true of many of the country bankers still. But the great city speculators discovered that they would have it their own way if they owned the banks, because then they would control the people's savings left in them. It was then that the principal speculators, the big stockholders and officers in corporations, started new banks and bought controlling interests in many of the old reserve city banks. These banks not only got the city people's deposits, but the country banks also gave them a part of their deposits. Thus the speculators obtained complete control of finances, which no power on earth can wrest from them except the Government, and it can do that only by giving aid to the farmers, the industrial and transportation systems, and others when properly organized, and by direct Government loans to them.

Now, the ones to make the fight for this are the farmers, the laboring people, and all others who earn their living principally from their manual and mental work. As long as the corporations are backed up by legislatures and by Congress and supported by court decrees in charging all their expenses, including interest and the dividends, as well as the water in the stocks, to the people by increasing the price of the goods they sell and the services they render, just that long they do not care to lower the cost of living and will be tied to the Money Trust. Instead, they send their attorneys to the Government commissions, and the railway presidents and bankers will call on the President of the United States, as they did lately to get the passenger and freight rates increased, and it will be granted and charged to the people, as they were.

THE BANKS MADE USE OF THEIR OPPORTUNITIES.

By using the people's deposits and discounting their future earnings the banks built up an arbitrary credit system more than eleven times greater than the money they hold, and as much of that as they do not use for themselves and their allied interests they loan at usury rates. But they used the people's credit and money so rapidly in the formation of trusts and for entering into speculation generally that it soon became absorbed to such an extent that honest business enterprises were left without sufficient support.

Bank deposits are supplied generally from the plain people, among which are those in ordinary business, but still the plain borrowers were not given an even chance with the speculators to secure credit. It was then that honest business and plain people demanded more money and credit, but they offered no plan for a remedy. They believed that Congress would make a plan. This was just what the Money Trust had been waiting for, because it had expanded and manipulated watered stock and bond operations and carried on other schemes to the limit that the old system would bear. Now, they wished more, but would have to find some excuse for asking it.

This was at a time when the country had produced the best crops and natural conditions were right for great prosperity, but to take advantage of this the Money Trust planned the panic of 1907. It was made the excuse to present a plan to Congress to give the money kings the additional power they wished. Of course, the public was made to believe it was a plan in its interest. In 1908 they secured the act that paved the way for later acts, which would not only give them greater control in the United States, but would also give them a world-wide field for speculation. The Money Trust was and still is the invisible government, possessing greater and greater power as the years succeed each other.

At the same time the trust agents raised a large sum of money to secure the formation of so-called "citizens' leagues" in most of the States. Secretly it was managed to get officers in control of them who would serve the trusts, and as pay for their service they were given high positions in the new Federal reserve system and in other places. Only such literature was used and speakers sent out as the trusts had secretly provided. To give color to the pretense that the leagues were nonpartisan and at the same time had no private greed to serve, the source of their principal support was kept from public knowledge, and citizens with the best of intentions were induced to join, not knowing the sinister motives of the promoters.

Mr. James Laurence Laughlin is a professor in Chicago University, an institution endowed by Rockefeller with near $50,000,000. I believe the professors there are supposed by Mr. Rockefeller to teach the students to think as he wishes them to think. Mr. Laughlin was given a year's vacation to work for a new banking system. A newspaper was also published and lecturers sent out for the same purpose. Prof. Laughlin was an unwilling witness in the Money Trust inquiry. He testified that the Mortgage & Trust Co., of New York City, alone gave $1,036 to the fund. Here is an expense account which Prof. Laughlin swore to, showing how money was used to influence public sentiment and to get the people to work for the Money Trust and against themselves.

NATIONAL CITIZENS' LEAGUE FOR THE PROMOTION OF A SOUND BANKING SYSTEM.

[Total disbursements, June 1, 1911–May 25, 1912.]

Salaries:	
Chicago office (including seven speakers)	$58,736.29
New York office	43,729.45
Traveling and lectures	13,399.21
State organizations (including salaries, postage, traveling, rent, clerk hire, etc.)	50,547.94
Printing (including book Banking Reform, fortnightly journal Banking Reform, pamphlets, etc.)	16,915.36
Rent	3,200.00
Furniture and fixtures	2,373.37
Postage and freight and express charges	4,121.52
Press clippings, books, and periodicals, etc	1,333.20
Telephone, telegrams, laundry, water, light, etc	763.11
Sundries	89.70
Working funds	14,088.60

There is much more, not only of what Prof. Laughlin swore to of this account, for that does not show all that was expended. The funds to campaign for the adoption of this bill were raised by the big banks and trusts. Prof. Laughlin wrote a book for the very purpose of deceiving the people into believing that the so-called "citizens' leagues" were inspired to have it done in the interest of the public, when in fact it was intended to educate the people as Wall Street wanted them to be educated. Since the passage of the Federal reserve act they have gotten very bold and defiant. Now they have the "bird in hand which is worth two in the bush," and they do not need so-called "citizens' leagues." A notable instance, which is but one among hundreds, is the new book written and published by C. W. Barron, who also publishes the Wall Street Journal for Wall Street. This new book attempts to educate the people to submit to the Federal reserve act, and remain the bonded slaves of the greedy. Of course, it does not do so in the terms that I express it, for I speak of the effect. Prof. Laughlin's testimony is on pages 96 to 106 of the Money Trust Investigation Reports. They fooled the country and got what they asked, to wit:

THE FEDERAL RESERVE ACT.

Congress was again deceived, and extended to the banks a greater gift than they themselves expected; but, just the same, they worked for and accepted it and grumbled because they were not given more. The Money Trust made it appear that the banks opposed it, and because of certain promises the President made many people supported it. Very few knew that it was designed to serve the speculators only. It was purposely made to appear that it was forced upon the banks, whereas all the time the Money Trust bankers were secretly working for it, and it was practically, though not entirely, as they wished it. The people have already learned that they were trapped by this Federal reserve act. The vise is tightening.

SPRINGING THE TRAP.

This Federal reserve act deprived the banks of no material advantage secured to them by the old system for which it did not immensely overcompensate them by new and special privileges; nor did it confer any benefit whatever upon the people. It permits the banks to loan approximately $500,000,000 which heretofore was held in their vaults as reserve for the protection of depositors. Another huge sum will be added to this when State banks become members. It makes the Federal reserve banks, which are solely banks for banks, fiscal agents for the United States; that is, they are to receive and disburse the Treasury funds. I call attention to this feature, for it is quite certain that they will be used as the Government fiscal agents, because the act authorizes it, and we have seen how ready this administration is to surrender everything to the banks.

The President has frankly admitted in his Indianapolis speech and on other occasions that politics sway him, and even went so far as to claim that his party might be played as a college "team" plays football or baseball; and, should the exigencies of politics require, no one knows how much more he will be ready to yield to the Money Trust banks, who are the captains of his Federal reserve bank team. The situation is all the more unfortunate in view of the fact that the President too often does not claim to act as the President of the United States, but only as the "titular" head of a party, and the bedrock fact of grave importance is that he does not even act as the head of that party, but only as leader of its bosses who have usurped control and are operating to defeat the real purposes of the honest Democratic voters.

This nefarious act has opened the door to give the administration a pull on the banks for campaign funds and for other favors by offering as a bait the money in the Treasury to be used for the bankers' private gain, and when they have once secured the Treasury funds and they have been absorbed in speculation, then, by a threat to withdraw suddenly, the banks are at the mercy of the politicians in power. On the other hand, the bankers may use it as a club over the administration in times of stress. This they did last fall, when they had $75,000,000 of Treasury funds. They made the President appeal to Congress for an act to levy a war tax on the people when we had no war, and now we have the ridiculous farce of paying a war tax in times of peace, not for any war of our own, past or present, but in order to let the bankers continue their speculation with the $75,000,000 Treasury funds while the European war goes on.

How much worse it will be when the several hundred millions of dollars in the Treasury is turned over to the banks. Oh, for a President of the United States instead of a "titular" head to preside over the destinies of an oligarchy for the distribution of political patronage. What an opportunity President Wilson had! But, oh, what a rank injustice he perpetrated when, with whip and spur, supplemented by gag caucus rule, he got the Federal reserve act passed for the benefit of the Money Trust.

The Federal reserve act expressly favors the banks to the public detriment; but greater than all of the gifts for the banks that appear in the express terms of the act are the advantages that accrue to the Money Trust banks by reason of the intimate knowledge that they obtain from facts forced from the other member banks when they apply to their respective Federal reserve banks for rediscount. With the official facts thus obtained, the Money Trust is enabled to discount conditions far in advance of public knowledge and thus gouge the people by their speculations. It was for this purpose and one other, neither of which appeared on the face of the act, that the Money Trust made supreme efforts to secure the passage of the Federal reserve act.

The other unexpressed but secret purpose secured by the act was to give the Money Trust banks and their allied interests the fullest freedom, without danger to themselves, to exploit the people not only of America but of the entire world, which the Federal reserve act permits, and reenforces them with a guaranty that if they should miscalculate and become so deeply entangled in speculation as to be unable to extricate themselves, then the Government would be forced to aid them.

It was because of these two unexpressed and secret purposes that the Money Trust banks seek to conserve the credit of the United States exclusively for the use of their Federal reserve banks. Because of that, and for other selfish reasons, they oppose Government aid to a farmers' rural-credit system, and likewise oppose any plan that would give Government aid directly to a credit system for financing railways and other industrial institutions.

The Money Trust managers and their agents in a majority of cases were selected to control the Federal Reserve Board and the 12 Federal reserve banks, and because of their mutuality of interest they form a natural as well as a legalized trust. Because of the peculiar provisions of the act the country banks with $25,000 capital and upward and the banks in large cities with more than $200,000 capital are forced to become a part of this trust, and those with less capital are to be squeezed to death.

The people's deposits in the banks are absolutely under the control of the banks. The banks, at their own option, may or may not contract or expand loans and currency by forcing borrowers in the one case to pay, and in the other by freely extending loans and making use of the Government to supply funds to them to loan.

The President in creating the Federal Reserve Board appointed men who had been educated by the Money Trust system, believed in it, and knew no other. The Federal reserve act gives a power to the Federal reserve banks that makes the Government impotent to protect the people until further legislation shall be had. It is not within the power of President Wilson to repair the damage to the Nation that he has brought upon it by championing this Federal reserve act, and by selecting a Federal Reserve Board the individual members of which a majority have been educated to believe as the Money Trust operators believe; that is, that they have a right to the exclusive control of the finances of the country and of the world, and in its administration to secure the greatest possible private gain and when in trouble to come to the Government for help.

PERSONNEL OF THE FEDERAL RESERVE BOARD.

We must be perfectly fair in this consideration, as well as in all others. In my opinion the President has betrayed the Nation in the selection of the members of the Federal Reserve Board, yet I do not question that the members of the board intended to do what in their opinion is right. But as previously suggested, they were educated in a false system and believe in a plan that makes success for the masses impossible and a plan which is principally to blame for the high cost of living to the consumer and the small return to the producer. It stands between the producer and the consumer, robbing them both.

Take the case of Paul M. Warburg. He is not only a member of the Federal Reserve Board, but I believe he absolutely dominates it. That is not because of lack of intelligence, ability, or character in the other members. It is because of the peculiar relations held by Mr. Warburg to the great Money Trust interests, whose influence dominates the new system. That influence is represented by Mr. Warburg in the training that he underwent from childhood up to taking his place on the Federal Reserve Board. It controls him absolutely, as does the religion of any devoted member to a particular church, and as the southern planter had been trained from childhood up to believe that slavery was right and just. I respect Mr. Warburg as a man of extraordinary ability, and with intentions to do what he believes in, and therefore very dangerous to the people. The fault is with the system for which the man stands and not with the man himself.

Who is Mr. Warburg? That is best explained by his own statement printed in a Senate report, on pages 1 and 2, made August 1, 1914, before the Senate Banking and Currency Committee. That statement, parts of which I shall read, shows the kind of man the President has selected to take a most prominent part in the domination of the people's finances. Mr. Warburg's statement shows that he was the scion of a great banking house in Hamburg, Germany, trained in Hamburg, London, and Paris. He came to this country, married a daughter of a member of the firm of Kuhn, Loeb & Co., of New York, and became a partner in this firm, engaged in international banking, and found by a committee of this House to be a constituent part of the Money Trust.

During the past 50 years it has been the business of such firms as Kuhn, Loeb & Co., J. P. Morgan & Co., Lee, Higginson & Co., Kidder, Peabody & Co., and a large number of firms and bankers which all together make up the Money Trust, and of whom the ones named are only the leaders; I repeat, it has been their business to make and market stocks and securities of American railways and industrial corporations. At this trade they have worked industriously, so industriously, in fact, that when, in 1907, they began to take stock of what they had done they found that an overfeast of "melons" had been cut—that is, watered stocks and securities issued and distributed—so great that the world could scarcely digest it. It was the late Mr. Morgan who correctly described the situation when he named the cause of the 1907 panic "undigested securities."

Quantities of those securities had been sold abroad by the Money Trust firms. It has been currently stated that the sales to foreigners were approximately $6,000,000,000, but several times that amount had been worked off in one way and another on our own people.

Corporations having good credit, wherever these Money Trust firms could obtain control, were plunged into debt and waterlogged to purchase securities of other corporations having little or no credit. Any excuse and no excuse was alike sufficient to pile up debt for the American people, ultimately, to pay. They discounted the future, gambling on the boundless production, enormous natural resources and expanding necessities of the Nation which, though still in its beginning, had a population of 90,000,000 souls. Mr. Warburg, as appears by his statement to the Senate committee, was a partner in a firm, one of those promoters. But there was one thing that this set of promoters failed to discount, and that was their rapacious greed to stack up and profit by their stock and security issues. Mr. Warburg said in his statement that there was competition among these people, and I believe him, for it plainly appears that each was trying to make and market more watered stocks and securities than the other. None of them seemed to think of the future, therefore the future was overdiscounted.

THE FOREIGNERS.

These Money Trust firms must keep the field for foreign speculation open. That was a part of their game, and finally a time came when the farther-sighted of them awoke to the fact that they must save the foreign branch of their trade and give the foreigners protection from loss because of the overdiscount. It was not necessary to sit down and figure out with a pencil to those fellows that if the holders of $6,000,000,000 securities abroad should get scared and demand payment at once there was not money enough to stand the drain, and certain bankruptcy would ensue. They knew that and they knew their own danger if it occurred.

BUT WHAT WAS TO BE DONE?

The Money Trust firms had the idea well fixed in their heads. It was the credit of the Government that must be invoked. They knew that nothing else was strong enough to weather a storm such as the unloading of $6,000,000,000 securities would bring. So they figured to get the right to use the Government credit in order that a storm might be averted. Right here the idea of the Federal reserve act had its birth. Paul M. Warburg in his statement said he originated the idea. It was matured and fostered by him for the speculators. He is the father of the Federal reserve act.

All Members should read Mr. Warburg's statement made before the Senate committee. It may be hard to get it, because not many were printed. If it had been testimony to show the poor how to cook scraps of meat that the rich would not eat, a thousand copies for each Member of Congress would have been printed for his constituency. But this important document, which would show that the President had named a "Money Trust" man to dominate the Federal Reserve Board—a board which will hold the destinies of this Nation in its fist as long as the Federal reserve act controls our finances—this important document, I assert, is hard to get. There are 99 closely printed pages in the document that contains Warburg's statement. I take time to quote only a few of his answers to the chairman and other members of the Senate Banking and Currency Committee. He said, page 4:

When I came here—

Meaning to this country—

I was at once impressed with the lack of system by the old-fashioned nature of the system that prevailed here, and I got immediately into one of those periods of high interest rates, where call money went up to 85 and 100 per cent, and I wrote an article on the subject then and there for my own benefit * * * and I kept that article till the end of 1906, shortly before the panic.

Members will please notice the time, and remember that the panic of 1907 was brought on by the speculators in order to force Congress to enact the kind of currency legislation they desired.

THE MAN AND THE PLAN HAD ARRIVED.

Mr. Warburg was the man, and it was his plan, framed to serve the great "Money Trust" coterie of firms. Remember also that the same old gang, in the same old way, ever since, whenever they have wanted something, have been frightening the President and Congress with a threat of a panic.

In 1908, when the first emergency currency act was passed, I stated to this House facts which Mr. Warburg's statement to the Senate committee corroborates. I have reiterated it in my speeches every year since, in the hope that Members would awaken to the danger that this country is in. But never before had I any such direct evidence that Wall Street was drafting the bills for Congress to pass. I knew that it had done so, because many of the important bills passed by Congress were framed in the interest of the "Money Trust." They could not be drawn in the form that they appeared except under the direction of Wall Street agents. But to get back to Mr. Warburg's statement. Page 4, he went on to say:

I kept that article till the end of 1906, shortly before the panic, when those conditions arose again, when one newspaper wanted for the issue, at the end of the year, an article dealing with the conditions in our country. Then I took that article, touched it up again, and brought it up to date; and it was the first article of mine that was published. It was called "Defects and needs of our banking system."

You see Mr. Warburg was educated in Europe's high financial circles, in the Old World, where the masses live in poverty. He had never associated with the real producers of Europe, nor had he associated with those of America. He knew what the defects and needs of our banking system were, so far as they did not suit the big speculators. He knew that as soon as he came here.

Is it any wonder that Mr. Warburg saw the thing from the standpoint of one whose duty and purpose it was to protect his foreign investors? After he had stated that it was needless to issue more notes and that the most important thing was to get a liquid form of commercial paper and cease decentralizing reserves, he went on, page 5:

That was, however, the first time that I know of that the question of the discount system and the concentration of reserves was really brought out, and I got a great many encouraging letters asking me to go on and explain my ideas.

Mr. Warburg stated that after that he was quite active in writing pamphlets and articles in newspapers and magazines and delivering lectures explaining his idea. To impress upon the Senate committee how important it is that Congress hastens to obey the beck and nod of Wall Street, he said, page 5, in connection with the extended emergency currency bill that had just been passed:

And if you had not had prompt action last night, I think we would be in a very dangerous situation.

This was the day after the Senate passed the bill. Bear in mind that Mr. Warburg had been named by the President for a position on the Federal Reserve Board, and that for a long time he refused to allow the Senate to question him; but Wall Street needed this man on the Federal Reserve Board, so finally, when the Senate refused to confirm him without his answering

the questions, expediency made him submit to the indignity, as I suppose he thought it to be, of allowing the Senate to find out something of his past.

It might occur to some whose minds are not unduly impressed with the idea that it is necessary for this country to lend its public credit to make good to domestic and foreign holders the watered securities which the "Money Trust" had printed and sold to them that we might just as well have a panic first as last, in order to squeeze the water out of these securities in order to save the people paying interest on them, and also to get them down to a bedrock basis of actual value, instead of deferring the time of settlement until these men had an opportunity to make and market more under a guaranty of the United States, which will be the ultimate effect of the Federal reserve act if it is allowed to stand. But I will hasten on.

I am now showing the part played by Mr. Warburg in securing the adoption of his plan in the Federal reserve act passed by this Congress under whip and spur applied by President Wilson. Excusing the banks for that especial feature of the "Money Trust," the system of interlocking directorates, Mr. Warburg said in his statement, page 33:

While I do not agree with the conclusions of the Pujo committee—I think they are vastly exaggerated—still I do not believe in the system which we had, which was a decentralized banking system, which was disconnected throughout because we had no Federal reserve system, no central-bank system, no discount houses, and we had no branch houses as they have in Europe. Consequently, in order to have some kind of self-protection, the banks had to do this; they had, on account of the lack in our system of cooperation, to find some cooperation by which they could protect themselves in cases of emergency and also exchange views about the commercial credit situation.

Now that we have a Federal Reserve System, they have worked out a plan to exchange views about the commercial credit situation by compelling every bank applying for a rediscount at a regional reserve bank to answer, in writing, many questions in regard to the business and credit situation in that community in general and of the bank itself and of the makers of the paper offered in particular.

Mr. Warburg, as was to be expected, early attracted the attention of ex-Senator Aldrich, who was at the head of the Monetary Commission. In this connection the Senate report shows that Mr. Warburg had the following colloquy with Senator BRISTOW, page 78:

Senator BRISTOW. Were you connected with the Monetary Commission?

Mr. WARBURG. No; not directly. The only connection I had with it was that I was asked to write a pamphlet on the discount system of Europe, with which you are familiar, which I did.

Senator BRISTOW. Yes. Were you consulted in regard to the report of the Monetary Commission in any way?

Mr. WARBURG. Yes. Senator Aldrich consulted with me about details and I gave my advice freely.

Senator BRISTOW. And in regard to the bill which was prepared by Senator Aldrich in connection with the commission, were you consulted in regard to that?

Mr. WARBURG. Yes.

Senator BRISTOW. Yes. What part did you have in the preparation of that bill, directly or indirectly?

Mr. WARBURG. Well, only that I gave the best advice that I could give.

Senator BRISTOW. Yes.

Mr. WARBURG. Very frankly, and I did not agree with all parts of it either.

Senator BRISTOW. What did you think of the bill as a whole?

Mr. WARBURG. I think, on the whole, the bill proceeded on fundamentally sound principles.

Senator BRISTOW. Yes.

Mr. WARBURG. As far as the idea of centralizing reserves and of creating discount markets was concerned. That is the same principle that our present—or rather, it is the same object that our present bill achieves. I did not quite agree with the construction of it; but on the whole, so far as the fundamental ideas are concerned, I thought it was a good bill.

Senator BRISTOW. Yes. Do you think it was a better bill than the present law?

Mr. WARBURG. No; I do not. In some respects I may prefer some features of that, and in other respects I think this is a better one.

Now, for the purpose of emphasis, I want to interpolate right here this thought: That it is now well known that the Money Trust was active through the public press in promoting the Aldrich plan, while they made it appear that they were opposed to the present law right up to the time of its passage. Knowing the affiliations of Mr. Warburg and his activity in promoting this sort of legislation, does it not look as though the pretended hostility of the Money Trust banks to the enactment of the present law was a play to the galleries? The colloquy continues on pages 78 and 79:

Senator BRISTOW. What are the fundamental differences between the two?

Mr. WARBURG. Well, the Aldrich bill brings the whole system into 1 unit while this deals with 12 units and unites them again into the Federal Reserve Board. It is a little bit complicated, which objection, however, can be overcome in an administrative way.

Please note, my Democratic friends, how this representative of the "Money Trust," appointed by your President to the Federal Reserve Board, proposes to nullify a provision of an act of Congress which you passed and have advertised to the country as a distinct improvement of the Aldrich plan, made by your party. In the following language he went on to show how he will do that—page 79:

And in that respect I freely criticized the bill before it was passed. I think that this present law has the advantage of dealing with the entire country and giving them different rates of discount, whereas as Senator Aldrich's bill was drawn it would have been very difficult to do that, as it provided for one uniform rate for the whole country, which I thought was rather a mistake.

Note that Mr. Warburg thought it would be a mistake to have a uniform rate of interest all over this country. Why discriminate? Can you see any good reason why Minnesota or any other State should not have the same advantages of access to the public credit as New York, or why the farmers should not obtain Government currency as cheaply as the speculators of Wall Street? Watch the discount rates that have already been established by the Reserve Board and to be established in the future. It will show the discrimination, varying from time to time and place to place to meet the conditions framed by the "Money Trust" and in its interest.

I repeat Mr. Warburg's statement, that "it is a little bit complicated, which objection, however, can be overcome in an administrative way." The Federal Reserve Board is at it "in an administrative way" now, and has been for several months. Last fall the Federal Reserve Board, through the influence of Mr. Warburg, induced the Senate to pass a bill to compel the banks to keep all their lawful money reserve in the Federal reserve banks. In that form the bill came to the House Banking and Currency Committee, of which I am a member. The House committee amended the bill to make it optional with the banks for a period of 36 months. I made an adverse report to the bill, as follows:

Mr. LINDBERGH submitted the following minority views [to accompany S. 6505]:

To that paragraph of the bill relating to the Secretary of the Treasury being authorized to provide a system of clearances I concur with the majority members of the committee in recommending its being enacted into law; but I can not join with the committee in recommending that the member banks of the Federal reserve banks be authorized to remove from their own vaults any portion of reserves now required of them to be kept in their vaults. I was first to suggest in our original committee meetings the reduction of the reserves required to be kept. That reduction was adopted, I supposed, in the interest of the localities where deposits are made. But this amendment proposes to let the banks remove all the reserves from their vaults. It is admitted to be the purpose, practically stated by Mr. Warburg, a member of the Federal Reserve Board, that all the lawful money be taken from the country generally and placed in the 12 Federal reserve banks. He stated to the committee, with reference to the proposed amendment, that, if adopted, "with the pressure we could place upon them, it would be done."

I took down that statement and later asked Mr. Warburg what he meant by "the pressure we could place upon them." His answer indicated that, through the Federal Reserve Board, pressure would be brought to bear on the banks which would practically force them to remove the lawful money from their own vaults and place it in their Federal reserve banks. While the banks themselves own the Federal reserve banks and would profit thereby, I do not believe that the smaller country banks would be so disloyal to their localities as to take all the lawful money of their depositors and centralize it into the 12 Federal reserve cities.

I was opposed to the original bill. I know that many Members voted for it under protest, but I doubt that these would have voted for it if the bill then had given to the Federal reserve banks all the lawful money. Of course, anyone owning any money that is in circulation can get it redeemed. Any bank will accommodate its customers, and also courteously exchange it for others than customers, as things now are, but if the bank would be required to ship currency to the reserve centers and have these ship back lawful money, it would incur expense. The people may not generally observe whether they have lawful money or not, as long as it all passes at par, but if they find out, as they will and have a right to, that the money left to circulate among them is not the best, you may find that they will seek the best for the very purpose of hoarding. If the Federal reserve banks are going to set the example of hoarding the lawful money, not even the bankers could "peep" if the people followed the example.

Congress has given to the bankers the exclusive privilege to inflate the currency several billion dollars. Nearly one and one-half billions of dollars are granted to them in the act of August 4 last. If this amendment is passed, allowing the banks to be put in a position where the Federal Reserve Board can "with the pressure" it "could place upon them," force all the lawful money into the Federal reserve banks, they will be able to secure from Uncle Sam the issue of still more bank currency. What would happen if the whole system were to break down? Who would get the lawful money? Do you think it would be the plain people, who have no time to study the different kinds of money? Would they be the first to get into the vaults of the reserve banks, which belong to the other banks? No answer is needed. We all know who would get it.

The very purpose of accumulating all this lawful money in the central banks is to make it the basis for further inflation of credit for one thing, and another to enable certain speculators to pluck a prize that will be ready when the readjustment from the effect of the European war begins. This is the credit that the bankers sell, and is in effect backed by Uncle Sam. The plans are laid to sell that credit to an enormous extent in order to reap interest returns from the borrowers to enrich the professional speculators. We are approaching the limit—the falling-off place. It is utterly impossible to keep the pace. Practically all of us will suffer when the break comes. If it should come while the European war is on, the interests, as well as those responsible for this kind of legislation, will have the good fortune of being able to make the war the goat. But in reality the only thing the war has to do with it is to hasten the day of reckoning. No country can long withstand this

drain upon the general population caused by centralized wealth through this process of pyramiding credits on which to collect interest, and in payment seize the products of the toilers. After the war there will be a readjustment of world-wide influence. The New York bankers and their affiliated interests everywhere are preparing to make a "ten-strike" in that readjustment. They wish to use the capital of the country—that is, the people's deposits—to accomplish that. That is the purpose of their pressing for this amendment. They want to gather all of the lawful money into their 12 reserve banks. They want the kind of money they can use to buy out the Europeans, and make the enormous profits that will result. That capital may be used by the speculators to make us pay dividends and profits on. It will be just that much more to offset against the labor of the toiling millions—the "reasonable profits," as the courts term it. These people figure far in advance; so in anticipation of the great rake-off that they hope to secure in the near future, they now seek to centralize the aggregate deposits of the lawful money belonging to the people in order that it may be within their control when the prize is ready for plucking. If it were merely a question between our speculators and foreign speculators, we might prefer the success of our own, but why permit them to gather in all of the people's lawful money to make the speculation on? The move to secure this amendment was not originated by the bankers generally, but was started by the large speculative interests who control the largest banks.

C. A. LINDBERGH.

The above was my minority report. Fortunately, later, the other members of the committee abandoned their report, and the House killed the bill. But the important thing about it is that the "Federal Reserve Board," as Mr. Warburg says, intends to overcome some of the real purposes of the Federal reserve act, as most of the Members of the Senate and House understood it.

I quote further from the colloquy between Mr. Warburg and Senator BRISTOW, page 79:

Senator BRISTOW. That is, you can charge a higher rate of interest in one section of the country, under the present law, than you charge in another section, while under the Aldrich plan it would have been a uniform rate?

Mr. WARBURG. That is correct.

Senator BRISTOW. In that respect you think the present law is superior, do you?

Mr. WARBURG. In that respect I think this law is superior.

Senator BRISTOW. And the centralization of the control in the Aldrich bill was more desirable than under this law?

Mr. WARBURG. Well, I will not say quite that. I think the Aldrich bill made a mistake in centralizing the control too much in the hands of the bankers themselves and gave the Government too little influence in that.

Now, that was a clever way to put it, and doubtless Mr. Warburg was perfectly innocent in stating it that way. Under the Aldrich plan there would have been no opportunity for the President to appoint Mr. Warburg on a Federal Reserve Board. Much as that plan would have given to the Money Trust, it did not have this one objectionable feature; that is, of giving an opportunity or allowing an administration that could be manipulated or bulldozed by threat of panic to show favoritism to that section of the country which could do most harm to the party by sandbagging business or do most good for the "titular" head and political generals of an oligarchy of office seekers calling themselves a political party by way of campaign funds.

Again quoting the colloquy, still on page 79:

Mr. WARBURG. While the system that I had planned provided for a mixed administration, checking one thing up by the other.

Note this remark—"While the system I had planned." This was Mr. Warburg, of Kuhn, Loeb & Co., a constituent firm of the Money Trust. He planned the "Federal reserve act." How do you like it, my Democratic friends? Most of you were led to believe that it was the plan of your "titular" head, who pressed you for its passage. But to resume the colloquy:

Senator BRISTOW. Now, what are the weaknesses of the present law that you think can be overcome by administrative agencies?

Mr. WARBURG. Well, the weakness is that, of course, the Federal Reserve Board has got to have very large powers in order to overcome the decentralization.

He is alluding, remember, to that feature of the present law which you Democratic leaders and your "titular" head claimed as the distinctive advantage of your law over the Aldrich plan. Mr. Warburg is going to overcome that. He goes on, in the statement before the Senate committee:

The Federal Reserve Board must bring about cooperation. I think with a good Federal Reserve Board that is possible. With a strong Federal Reserve Board, and leaving myself out of consideration entirely, I believe we are getting one * * *. But what I had in mind was that in the future there might be conditions where you might get the wrong kind of men into the Federal Reserve Board, and then, of course, it would be very difficult.

Here Mr. Warburg sees danger. Danger from his viewpoint. Fancy, if you please, the distress that would ensue to the associates and backers of Mr. Warburg upon the election of a President who would serve all of the people of the United States. That is, be President of the United States as contrasted with being the "titular" President of a party, one who would appoint a Federal Reserve Board, for instance, having at heart the best interests of the farmers, laboring men, and consumers of the country and not the money lenders alone, one who could not be influenced by threats of panic or considerations of patronage and the "frying of fat" for campaign funds. But I resume the colloquy, page 79:

Senator BRISTOW. You think by administration that you could so organize the present system as to make it conform to the desirable features of the Aldrich bill so far as centralization and control are concerned?

Mr. WARBURG. I think so.

Now, in the light of this testimony, again I ask my Democratic friends to review what has been done already by the Federal Reserve Board and see if Mr. Warburg is not playing hob with your decentralizing provision, just as he intended to do and said he could do. He has defeated the one provision in your act that you bragged most about.

Mr. Warburg claims he made great sacrifices of a personal nature to accept a position on the Federal Reserve Board. On this point he says, in the Senate report, in a colloquy with Senator Reed, pages 55 and 56:

Senator REED. If you are going to sever your banking connections and break them all off, it must be at a tremendous financial sacrifice?

Mr. WARBURG. A sacrifice; yes; I think it will be a bigger sacrifice than any of these gentlemen around the table has any idea of.

Senator REED. Well, may I ask what your motive is or your reason for making that sacrifice?

Mr. WARBURG. My motive is that I have, as you know, taken a keen interest in this monetary reform since I have been in this country. I have had the success which comes to few people—of starting an idea and starting it so that the whole country has taken it up and it has taken some tangible form * * *.

When President Wilson asked me whether I would take this thing and put it up to me in a very kind way and asked whether I was willing to make the sacrifice, because he thought I was the man for it, I felt that I had no right to decline it, and I will be very glad to make the sacrifice, because I think there is a wonderful opportunity for bringing a great piece of constructive work into successful operation, and it appeals to me to do that.

It is worthy of note that, while Mr. Warburg came to this country and engaged permanently in business here as a partner of Kuhn, Loeb & Co. in 1902, he did not make up his mind to become an American citizen until just about the time it was found that his services would be of material importance in an official way in connection with the Money Trust plan to obtain control of the public credit for the benefit of all his clients and their partners and associates.

He took out his first papers in 1908, and his second, or full citizens papers in 1911. In answer to a question of Senator BRISTOW as to why he waited so long, he said this, after stating that he reluctantly concluded to sever his former allegiance to Germany (p. 77):

Mr. WARBURG. I may add this: That a thing which had a great deal of influence on my making up my mind to remain in this country and work here and become a part and parcel of this country, was that monetary reform work, because I felt I had a distinct duty to perform here; and I thought I could do that; and in fact I have been working on it since 1906 or 1907.

And, by virtue of the present administration, he is working on that duty right now, and some of the effects of the working out of his duty to the foreign customers of the Money Trust are becoming frightfully apparent in the complaints that are pouring in from all over the country from banks and business men in regard to the abuses which they now plainly see were the inevitable effect of the passage of that bill and its administration by a board dominated by a man who does not hesitate to say to a committee of the Senate that, with a proper board of associates, it will be both feasible and desirable to nullify the provisions of an act of Congress by an adroit application of its administrative features. All this and much more of material interest is given in the Senate report.

The United States issues currency exclusively to the Federal reserve banks, and the banks which own the Federal reserve banks have the exclusive privilege of getting it from them. To these the borrowing people must go, on bended knee, in suppliant submission, to obtain credit and pay high rates of interest for the use of what they—that is, the Government—create and which is made good by the product from the daily toil of the people. Furthermore the very paper they sign to show their debt to the banks is pledged as security to the Government. The banks, which furnish nothing, take the profits. Those officeholders responsible for that condition have a terrible thing to answer for.

The individual who would manage his own affairs that way would find himself under guardianship—unfit to manage his own business, but the chains of bondage to the banks have been fastened upon the people by this act of Congress, urged to do it by the President.

Is it any wonder that the high cost of living is appalling to all who live by honest industry? The currency and credit system is the most important of all the agencies of trade, but Congress and the President made a present of it to the banks, and the people will remain in abject bondage until a remedy is provided.

The "special interests" supported by this false system, may inaugurate a brief period of busy days, and thereby enable those who earn their living by daily toil to get a little more work and secure the small fraction of their earnings that is left after the banks and speculators have taken out their expenses, interest, dividends, and profits.

This act gives the banks a remedy against panics, but the people have no remedy against poverty.

George M. Reynolds, the greatest banker in Chicago, and as great as any in the world, and the man who said that less than a dozen men—he one of them—control the finances of the country, published in October, 1914, over his signature, this:

The new Federal reserve banks, one of which will be established in this city, are banks for banks. By which I mean that banks only which are members of the Federal reserve association can deposit or do business with these banks. Individuals can not, therefore, either deposit or borrow money direct from them. * * * The plan as covered by the law is not calculated to lower the normal or reasonable rates which have heretofore prevailed, but, rather, it is expected that the new system will stabilize rates through giving to the banks an ability to rediscount their customer's paper, and thereby giving to the public the assurance that credit to the extent of all reasonable requirements will be obtainable.

G. M. REYNOLDS,
President Continental and Commercial National Bank.

Thus a man of the highest authority in banking circles, and now a director of the Chicago Federal reserve bank, published to the world that "the plan as covered by the law is not calculated to lower the nominal or reasonable rates which have heretofore prevailed." Take particular notice of the clause "which have heretofore prevailed." Thus it appears that the people will have to go on paying the interest rates that have been driving them to poverty. This new Federal reserve act makes it practical for the banks to tax the people hundreds of millions of dollars annually more than they have done heretofore. Is it any wonder that Secretary Bryan would say, it having been reported that he said it, that it was the greatest gift ever presented to the banks? In fact, it is the greatest gift that ever was made to greed. The act established and legalized the most gigantic trust on earth, such as the Sherman Antitrust Act would dissolve if Congress had not by this act expressly created what by that act it prohibited.

The voters in the Democratic Party, I do not believe, would knowingly sanction the action of the leaders in Congress and the President for placing the finances of the Nation and of the people in the hands of greedy private speculators. And when I so express it I do not distinguish between the selfishness of a banker and the selfishness of others, for I recognize that whoever is in business, if he follows the usual practice and expects to succeed, will take all the profits that he can get. But it is because of that universal practice, which it seems that all observers ought to know, that the President and Congress are culpably to blame. That these leaders meant to give them this privilege appears to have been their intention, for in the selection of the Federal Reserve Board the President selected one member from a firm which, according to the Money Trust investigators, selected by the Democratic leaders, was one of the five that controlled the "Money Trust," and had, by a system of manipulations, and was shown to have exercised his power to the injury of the country. The President also attempted to select another of the same kind, but this one the leaders in the Senate could not get their colleagues to join them in confirming. The Federal Reserve Board is dominated by men who believe that the banks have a right to charge the rates that are driving the people to bankruptcy.

This administration has given the banks the greatest of all special privileges, to wit:

(a) The exclusive privilege of securing from the Government over a billion dollars emergency currency, of which they have already used $369,558,040, paying 3 per cent and collecting from the borrowers from 6 to 10 per cent.

(b) Permits the banks to keep $75,000,000 to $80,000,000 of the United States funds at 2 per cent, they loaning it at 6 and 10 per cent, while the administration "team" levies a war tax when we are at peace, thus permitting the banks to retain that money and make a new tax collection instead of making the banks pay.

(c) Permits the national banks (Sept. 12, 1914) to loan for their own exclusive profit $464,919,076 additional deposits belonging to the people, which will be supplemented by another large sum when the State banks become a part of the "team."

(d) Gave the banks a clutch on the United States Treasury by making them the fiscal agent of the Government, thus permitting the banks to loan the Treasury funds for their own private gain.

(e) Created a new United States currency to be loaned exclusively to the banks, and takes as security the obligations of those who borrow from the banks.

(f) Permits the establishment of banks in foreign lands, thus involving danger, not only to the United States Treasury, but to the people's deposits in the banks as well.

These are but a few of the many gifts made by the administration to the banks. The rest of the alphabet could be exhausted in naming others, and still this administration pretends to be acting in the interest of the people. Whether knowingly or not, this administration in providing the new Federal reserve act has betrayed the people beyond the possibility of words to describe its awful ultimate influence in subjecting them to the domination of the Money Trust.

It is not what the Federal reserve act upon its face gives to the banks that will draw most heavily upon the people, but it is what incidentally follows, for it might be called trifling compared with the wrong that will be perpetrated by greedy speculators on the outside because of information they secure from the inside.

This act welded the banks into a gigantic trust. The fact that there are 12 districts does not keep the information secured by any of them from the officials of the other 11, as we have already observed. They are sure to learn, for human nature has undergone no radical change because of the Federal reserve act. The members of the Federal Reserve Board were tied to the Money Trust. They were all in a business the success of which depended on the Money Trust. The same is true of most of the members on the Federal reserve bank boards. Does anyone think they will speculate no more? Certainly, no one thinks that.

No one can finance any enterprise without its being open to the scrutiny of one or the other of these boards, and known to them all, if important. This set of men will have knowledge of the business affairs of all the people and an advantage over them. Those who have such information take advantage of it. It will make Morgans and Rockefellers of those on the inside. Consider this enormous indirect advantage, and at the same time realize that the banking system will soon have approximately $25,000,000,000 of the people's money and credit under its control, with the privilege of loaning it or withholding it, as they like, and for what they loan receive not less than 6 per cent, which alone will cost the people billions of dollars. These billions, however, will be less by far than what the speculators clear off the people because of using information which they secure from the banking business.

Compounding profits by the banks and speculators is eating out the vitals of the people. One bank alone in New York City paid back to its stockholders 172 times its capital in 50 years. Besides it paid enormous salaries to its principal officials.

All this, of course, came from the people. But in the 50 years there was more made in speculation on the outside by those who controlled that bank than they made directly from the bank's profits. It was through the information that they got in the bank, because of the bank finding out the business of its customers, that this could be done. Now, when all the banks are joined it will be still worse.

Let us carry the calculation of the way people are robbed to the farmer for an illustration. In 1880 a certain farmer in Morrison County, Minn., my home, borrowed $600 upon his 160-acre farm. He renewed the mortgage for $900 in 1885; renewed again for $1,200 in 1893; renewed again for $2,000 in 1898; paid all the time annually 10 per cent. In 1903 he renewed again for $3,000 at 8 per cent. In 1912 he renewed for $3,500 at 6 per cent. Each time except the last he paid bonuses in addition to the interest, and every time paid the expenses of recording and drawing new papers. Several times, in order to pay the interest, he borrowed money on chattel mortgages, and this sometimes cost him at the rate of 24 per cent. What would become of the farmers of the country in 100 years at even 6 per cent and up to 24 per cent is shown by a table of compound interest on $1 for that period. It is as follows:

Compound interest on $1 for 100 years.

6 per cent amounts to	$340
8 per cent amounts to	2,303
10 per cent amounts to	13,808
12 per cent amounts to	84,075
18 per cent amounts to	15,145,007
24 per cent amounts to	2,551,798,404

The money loaners have not had 100 years under full sway against our own farmers, but they have been getting down to it effectively in the last 50 years.

Since 1880 the Morrison County man to whom I referred has paid $5,200 in interest for the use of the money borrowed on his farm, and, in addition, bonuses, recording, and extra interest on chattel mortgages, given in order to get the money, which he said amounted to about $2,000, making his expense and interest cost more than $7,000.

But this does not represent the total loss to the community, for the different sums which he paid the lender reinvested. Assuming that they were compounded annually at the rates mentioned, the lender got $14,182 interest alone, which does not take into account the other expenses.

This sum which I named was the draft upon one man only, now living in my home town. He and his sister both have until lately lived upon the farm; dragged their lives in toil to keep the farm going on the mortgage; but finally gave up the struggle and sold it for a little margin, that will not support them for five years. There were, on an average, probably 3,000 cases of that character in my county alone. The people of that county have undoubtedly paid $15,000,000 in interest on money borrowed on farms and homes in excess of what would have been required if a proper rural credit system had been operated with the aid of the Government. It means that if there had been, the people of my county would be worth $15,000,000 more than they now are, or an average of $600 for every man, woman, and child. The county itself paid 10 per cent annually for 30 years upon $30,000 and frequently borrowed money to pay the interest, and at the end of 30 years borrowed money at a lower rate to pay the principal. There never was a time that there was any doubt that the county was abundantly good and certain to pay.

One of the northern counties in my district is paying 6 per cent on several hundred thousand dollars now, and is at the present time unable to sell its 6 per cent bonds. That county is absolutely good and could pay ten times all of its obligations, and the unfortunate thing of it is that under the present system of semiannual compounding of interest by the banks that county is likely to pay ten times its present debt, even if it never borrows another dollar except to pay on its present promises with the interest. And I refer now only to the public indebtedness of that county. The farmers, small business men, and workingmen, borrowing on their homes, most of them up there and in several of the other counties pay 10 per cent, and frequently a bonus in addition. But the boundless natural resources there, together with the activity and thrift of the people, enable them to do this and still be quite prosperous. But the mere fact that they can do what would be impossible in most places does not justify the Government granting to the banks the monopoly which enables them to force this burden upon those people.

From nearly every State I am getting letters from farmers and small business men saying that they are unable to borrow money except at very high rates of interest, from 6 to 10 per cent, and that in many places can not get it at any price. In connection with that, let me call attention to what the Money Trust is doing with the people's deposits that are in the banks and the $75,000,000 belonging to the Treasury of the United States which President Wilson had Congress vote a war tax on the people in order that he might let the Money Trust banks keep it at 2 per cent. I want you to notice the 2 per cent rate of interest, because I shall never let up in this fight till the farmers and other legitimate business get aid from the Government at the same rates that the bankers do. Now, I repeat, I wish to call attention to what the Money Trust is doing with all this money. The press has been publishing, from time to time, what is happening with some parts of it. I give you the following, taken from one of the New York City dailies, as one of the examples of it:

RUSSIA GETS LOAN OF $12,000,000 IN UNITED STATES—MORGAN AND OTHER BANKERS NEGOTIATE ARRANGEMENT WITH PETROGRAD GOVERNMENT.

PETROGRAD, *January 13.*

A group of New York bankers, including J. P. Morgan & Co., have agreed to loan the Russian Government $12,000,000, according to an official announcement made here to-day.

This amount is subject to draft by Russia at one, two, or three months at 4½ per cent, with a half of 1 per cent additional for acceptance.

Prominent Petrograd bankers say that this is a forerunner of further credits to be extended Russia by American financiers.

The president of an important Petrograd bank has left for New York, where he expects to confer with financiers and Government officials with the idea of perfecting Russian exchange facilities.

—

NEW YORK, *January 13.*

J. P. Morgan & Co. confirmed to-day the dispatches from Petrograd in respect to a loan to the Russian Government by stating that a group of New York banks and bankers had made a "purely banking" arrangement with Russia by undertaking to accept short-term drafts of the Russian Government.

It is understood that the National City Bank is one of the members of this group.

Other cases of the same character could be cited if I had the time.

What can the people think of the President of the United States, who has boasted of the Federal reserve act, which gives the worst monopoly on earth to a set of Money Trust banks who are loaning in foreign lands for war purposes while our own people can not obtain loans at near as low rates?

What show have the farmers, small business men, those wishing to buy homes, and other plain people in this plan? They furnish, so to speak, all the oil to run the whole business, but themselves are left without. What show, I repeat, have they in this plan?

The President said in a message to Congress that the farmers did not ask and should not have financial aid from the Government, and in another message in this session reasserted his position in that respect. But the President did not need to advise Congress what his position was in that respect, for every act of his shows that he will not, till forced by the people, use his influence to get Government aid for the farmers and other legitimate business. Even if they force it, if they do not get on the job themselves to see that the act is properly shaped, the President will give them a plan to be controlled by the Federal Reserve Board, made up of men who believe in the Money Trust rule.

In this connection it is worthy of note that in a careful perusal of 98 pages of Mr. Warburg's statement before the Senate committee I find no word showing how the Federal reserve act could be used in any way for the benefit of the farmer, laboring man, manufacturer, or anybody except the bankers and money lenders. The bankers and money lenders are to use it to widen the gap in the price that the consumer pays and the producer receives. But what about the other members of the Federal Reserve Board, also selected by the President? How do they stack up toward the plain people and what care have they for the toilers?

HERE THEY ARE.

William G. McAdoo, Secretary of the Treasury. He was admitted to the bar. Removed to New York City, 1902. Was president and director of the Hudson & Manhattan Railway Co. He completed the first tunnel under the Hudson River in 1904 in New York City and built other tunnels later. Several hundred million dollars was required to do that.

John Skelton Williams, Comptroller of the Currency. He was the organizer of the Seaboard Air Line Railway from 1899 till 1904; president of the Trust Co., section of American Bankers' Association, in 1901; organizer and president of several banks and trust companies. His confirmation by the Senate as Comptroller of the Currency was fought by every progressive Member of the Senate.

Charles S. Hamlin, practiced law in Boston in 1886. Assistant Secretary of the Treasury 1893 to 1897 and in 1913. Also an author of several financial pamphlets and a digest.

Frederick A. Delano, manager at Chicago of the Burlington & Quincy Railway from 1901 to 1905. President of Wabash Railway 1905 to 1911 and one of the receivers. President Monon Route (Railway) 1913. Trustee of the Chicago University (a Rockefeller institution).

William P. G. Harding, a banker and director of several small railways, and so forth.

Adolph C. Miller, an economist. Professor at Harvard 1890 to 1892. Professor in the University of Chicago (a Rockefeller institution) and in University of California.

These six men and Mr. Warburg constitute the Federal Reserve Board. I have given a few of the former associations of these men. No personal criticism should be made of these gentlemen because of their former associations. They undoubtedly came by them in a natural way and were men of good standing in their work. But, as before suggested, these men, with perhaps one exception, depended upon the Money Trust system to make them successful. They could not otherwise have occupied the places they did and succeeded in a financial way. They were educated by the Money Trust system, believe in it, and know no other. What show have the mental and manual workers of this country, who make up the rank and file of the plain people, with Mr. Warburg and his associate members of the board?

The public press lauded the President to the skies in the beginning of his administration, and the people followed in their admiration of their President. Everybody joined to make of President Wilson a great and useful President. None ever had the opportunity to do as much for the people with as little effort as President Wilson had, but to the misfortune of all he saddled on them this nefarious Federal reserve act. He took the responsibility, a responsibility which he and his friends will regret to the last. But bad as the act itself is the country might charge it to his ignorance of its effect, because before his election it is reported that he claimed he had not given study to the financial problems, and certainly could not have had time since. But as against this unfortunate situation he has shown his opposition to giving Government aid to anyone but the banks

and money lenders, and to them he has given the absolute control. He could not have been innocent, even on the ground of ignorance, as to his selection of the Federal Reserve Board. He certainly intended to select a board educated in the "Money Trust" ways, and one of them an organizer of it.

Since this matter has come to the front I have received a great many letters from all parts of the country, all complaining of the failure on the part of banks under the new system to take care of the business of the country. You all know well how the country was promised, when the plan was under discussion, that it would be a help to business and that no worthy borrower would need to be refused. Listen to this, which is a fair sample of the letters I am receiving, and I especially commend it to my Democratic friends:

MILLER, NEBR., *January 13, 1915.*

Mr. C. A. LINDBERGH.

DEAR SIR: I am just reading your defense of the farmers in Congress. The farmers in the West and South are in a pitiable condition. The farmers of the West have had several years of failure of crops and partial failures, and have borrowed large sums of money to carry them through the bad years at 10 per cent and up. Now the banks refuse to lend any money at any rate. The people have no money in their pockets. Stores and business houses are beginning to stop credit. Lumber yards, meat markets, stores, etc., are looking up, saying no demand for the goods at a cash basis, and this condition is widespread. In New York State and all over the New England States they report conditions not good. We are large farmers, have our own valley farms free of debt, and have plenty of money in the bank. We loan money at 6 per cent and cancel all interest in bad years. It is the millions of those who have not got money that I am pleading for. I have questioned many bankers in the South and West in regard to the correct amount of money in the different reserve banks, and they all say they would not take out a dollar of it, so you see the Glass-Owen bill is a humbug. It is very common now, when farmers whose crops were dried out talk about the tight money market, some one will say, "Just like Cleveland times." Bankers are telling that these are Democrat times; that the Democrats have Wilson, Bryan, Senate, and Congress, and they are to blame for low tariff, free trade, etc., and thousands are beginning to believe it; and if something is not done to get some money in circulation amongst the people this Nation will soon have the worst panic this Nation ever saw. The banks now have absolute control of the people's money. Not a dollar of the billion dollars now in our Treasury can get out amongst the people if the banks do not want them to have it. The prices of cattle and hogs are going down until many farmers will not raise them. Millions of men and women are not eating meat, for they can not get money to buy it. All over Nebraska and Kansas and the South one will find many strong men begging for a meal. All building is shutting down. Skilled workingmen can not get work at any wage; they and their families suffering. Something must be done. If you are Democrat and friend of common people, call President Wilson's attention to this and save the country, for the banks are organized to bring hard times and discredit him and his party.

Respectfully,

T. J. QUAIL.

Many things in Mr. Quail's letter particularly appeal to me, and especially the latter portion of it; yet I submit that I have not had much influence with President Wilson or his party, for I have from the very beginning fought this law.

Here is another letter on the same subject—a business man's letter. I am getting them from all parts of the country:

[JAMES A. MARTIN, manufacturer and wholesale dealer in lumber of all kinds.]

JOHNSON CITY, TENN., *January 8, 1915.*

Hon. Mr. LINDBERGH,
Washington, D. C.

DEAR SIR: I have just clipped and read from the daily papers a statement of your resolution to investigate the legalized Money Trust.

It is a great pleasure to me to commend you in your effort to show up this trust and to thank you for your honest effort to get into the workings of this greatest of all money hoarders.

I want to tell you that I wrote Mr. McAdoo a letter on this subject some several weeks ago and he failed to answer it, but his Assistant Secretary tried to do so.

I have written our Senator three letters on this subject, and he writes as though he had a good opinion of my complaints, but at last refers me to the "proper officers."

I intend to write him again and see if he will not take this matter up himself, as he is certainly our representative in the United States Senate.

While it is true that laws have been enacted to reduce the national-bank requirements for reserves, it is also true that something near to $300,000,000 has been abstracted by legal enactment from these same banks to build up these reserve banks and that this money is now carried as a great money hoard.

The board of managers have kept the loaning rates so much higher than other money centers that this hoarded money does not circulate, but has really decreased the volume of money in this country that is or should actually be in circulation.

They have made lower rates for 30-day loans than for 3 and 4 months' loans, and as you quite well know that such loans are only beneficial to the money sharks of Wall Street and are but little better than call money, as the business of this country is done on 3 and 4 months' commercial paper.

The plutocrats of this country certainly have charge of this system of banks They do not want an increased volume of money and they are not going to allow any increase.

Here in the South, where the conditions are appalling and where money costs 8 and 10 per cent, and no practical relief for cotton growers, it is astounding to think that this board of managers hold the rate for three and four months' loans at 6 to 6½ per cent.

No bank can pay this rate and loan money at less than 8 to 10 per cent.

I am glad to recall that this is Jackson Day, and what a pity that he is not now alive, so that he could handle this momentous question of withholding this money from circulation to be hoarded.

December 31 I noticed that the Philadelphia Reserve Bank was making but few loans, but at rates one-half per cent lower than in the West and South.

Why should one part of this United States have to pay these banks higher rates than any other section?

From their statement of December 26 I note that they had "resources of $271,683,000," and that of this amount they held a hoarded fund, withdrawn from banks and from circulation, of the enormous sum of $258,316,000.

Pray tell me what use is this money to the southern cotton planters or to the farmers of the West, who are the mighty bulwark of our Government?

I again want to refer to this three and four months' commercial paper and ask, Why should it not be discounted at 4 per cent, as it is the real basis of all business and commercial transactions in this country?

At this rate the banks could then discount paper and loan money at 6 per cent interest.

I would be glad that you can have a talk on this matter with Senator SHIELDS, of Tennessee, as I propose to fight this matter through to a finish.

The people of this country are absolutely indignant.

Yours, very truly,

(Signed) JAS. A. MARTIN.

HOW THE RESERVE BOARD HANDLES THE ACT.

I have already shown the business character of the members of the Federal Reserve Board who were selected by the President. The act gives them unlimited power over the business of this country. That board could send out a circular any day that would instantly bring a panic. No board should have such power, for it may be used to direct business to the advantage of some and against other sections of the country, and favorable to certain kinds of business and antagonistic to others. This board has not been in action long, but it is worthy of our thoughts to see what it has thus far produced.

One of its first acts was an attempt—and it almost succeeded—in getting Congress to take and place in the Federal reserve banks all the lawful reserves of the member banks. This, in my judgment, was for the purpose of putting the Federal reserve banks in a position to aid the speculators in financing certain speculative enterprises that are sure to grow out of the European war.

The board has issued a number of circulars preparatory to getting the system down to where it will have the control where it wants it. On my request the board furnished me copies of these circulars. Some of them are important to show the working plan of the board. From circular No. 2 I quote the following clause, taken from the Federal reserve act:

The Federal Reserve Board to have the right to determine or define the character of the paper thus eligible to discount within the meaning of this act.

Circular No. 3 I quote in full, as follows:

FEDERAL RESERVE BOARD,
Washington, November 10, 1914.

Whenever a member bank shall offer for rediscount any note, draft, or bill of exchange bearing the indorsement of such member bank, with waiver of demand notice and protest, the directors or executive committee of the Federal reserve bank may, until January 15, 1915, accept as evidence that the proceeds of such note, draft, or bill of exchange were or are to be used for agricultural, industrial, or commercial purposes (and that such notes, drafts, or bills of exchange in other respects comply with the regulations of the board), a written statement from the officer of the applying bank that of his own knowledge and belief the original loan was made for one of the purposes mentioned, and that the provisions of the act and regulations issued by the board have been complied with.

CHARLES S. HAMLIN, *Governor.*

Circular No. 4 I also quote in full:

FEDERAL RESERVE BOARD,
Washington, November 10, 1914.

From and after January 15, 1915, all notes, drafts, or bills of exchange offered for rediscount shall show on their face, or by indorsement, a statement substantially to the following effect:

Eligible for rediscount with Federal reserve banks under regulations of the Federal Reserve Board circular No. 13—

Credit file No._____
District No._____
Name of member bank_____

The credit file number shall refer to evidence in possession of the member bank that the proceeds of such notes, drafts, or bills of exchange, under the terms of the loans made or to be made, were, or are to be, used for agricultural, industrial, or commercial purposes, as required by section 13 of the Federal reserve act and as imposed by regulation No. 2 of the Federal Reserve Board, and such credit files shall be open to inspection by any examiner appointed by the Comptroller of the Currency or selected by the Federal reserve bank discounting same, and copies of such files, or any part thereof, shall be furnished to the officers of the Federal reserve bank upon request.

The credit files referred to should contain not only evidence of the purpose or purposes for which such loans are made but also full and complete information as to the financial responsibility of the borrower, including a short general description of the character of the business, balance sheet, and profit-and-loss account of the borrower. Assets should be divided into permanent or fixed investments, slow assets, and quick assets. On the liability side should be shown capital, long-time loans, and short-term loans. Short-term loans should be in proper proportion to quick assets, and the statement should contain satisfactory evidence that short-term paper is not being sold against permanent or slow investments. The statement should, furthermore, show the maximum aggregate amount up to which the concern supplying this paper expects to borrow on short credit or sale of its paper, and

the individual, firm, or corporation giving the statement should obligate himself or itself to obtain the member bank's consent before exceeding the agreed limit. The affixing of the stamp stating such paper to be eligible for rediscount will be considered a solemn and binding declaration by the member bank that the statement has been examined from this point of view, and that the paper bought complies with all the requirement of the law and of the regulations hereby imposed.

CHARLES S. HAMLIN, *Governor.*

The board sent out the following notice relating to circular No. 4:

The governors of the Federal reserve banks have expressed the desire that the operation of regulation No. 4, which under its terms was to go into effect on January 15, should be deferred for the present. This regulation relates to statements that member banks would be required to receive from their customers in the future, and the unanimous opinion expressed by the governors was that it would be desirable and helpful, particularly to the country banks, in many districts to allow ample time for both member banks and their customers to adjust their methods to these new requirements.

The board has therefore decided that regulation No. 4 shall not go into effect on January 15, but that it will be held in abeyance for several months. A definite announcement will be made in due course. It is the desire of the board to facilitate the operations of the reserve banks in any way consistent with the law.

Circular No. 6 I quote. It is as follows:

FEDERAL RESERVE BOARD,
Washington, November 10, 1914.

Whenever bank acceptances are offered for rediscount it must appear on the face of such acceptances that the proceeds thereof were used or are to be used in connection with a transaction involving the importation or exportation of goods; that is to say, it must appear that there has been an actual bona fide sale which involves the transportation of goods from some foreign country to the United States or from the United States to some foreign country.

CHARLES S. HAMLIN, *Governor.*

Circular No. 13 is important to show the work of the board as it develops. I quote it, as follows:

FEDERAL RESERVE BOARD,
Washington, November 10, 1914.

To all Federal reserve banks:

In view of the impending opening of the Federal reserve banks, the Federal Reserve Board deems it proper to outline in this circular, in broad, general terms, the discount policy which it believes might be pursued to advantage by the Federal reserve banks at the outset.

While the most acute stage of the recent financial emergency appears to have passed, the conditions in other countries make it necessary that the United States should, to the utmost degree of efficiency, organize and make available its own resources, in order that it may provide for its own needs and replace the facilities suddenly destroyed by the closing of so many of the accustomed channels of credit and trade.

The directors and governors of the Federal reserve banks at a conference in Washington on October 20 and 21 recommended that the banks be opened without attempting at the outset to perform all the functions and duties contemplated in the act, but that they be prepared to accept deposits of reserves payable in lawful money, to discount bills of exchange and commercial paper, and to accept the deposit (after the reserve payments had been made) of checks drawn by member banks on any Federal reserve bank or member banks in the reserve and central reserve cities within their respective districts. It was the opinion of the conference that arrangements for the exercise of the additional powers granted by the act to the Federal reserve banks be completed as rapidly as the establishment of safe and efficient organizations would permit. The Federal Reserve Board is in accord with these suggestions.

It should be borne in mind that, although our exports are showing a gratifying increase, there is still a large cash balance due to European countries for which gold may be demanded, and that a large quantity of American securities held abroad may be returned to the United States; while on the other hand more than $300,000,000 of emergency currency must be gradually retired. No one can estimate the duration of the war or predict what will be the financial and commercial conditions when peace shall be restored. Our own industrial development has been greatly facilitated by foreign capital, and we have been accustomed to borrow large sums annually in Europe and to sell American securities there, which attracted foreigners because of their higher rate of return as compared with European investments. It is probable that at the end of the war interest rates in Europe will be higher than they have been in the past and greater investment returns will be yielded. The tremendous destruction of property and waste of capital will not only check the flow of European savings to the United States, but may dispose foreign investors to return us the securities they now hold. Lower money rates in this country would be likely to accentuate this tendency, while, on the other hand, higher interest rates and larger investment returns on our side would check it.

The function of the Federal reserve banks is, therefore, of a twofold character. They should extend credit facilities, particularly where the abnormal conditions now prevailing have created emergencies demanding prompt accommodation; and, on the other hand, they must protect the gold holdings of this country in order that such holdings may remain adequate to meet demands that may be made upon them. While credit facilities should be liberally extended in some parts of the country, it would appear advisable to proceed with caution in districts not in need of immediate relief and to await the effect of the release of reserves and of the changes which the credit mechanism of the country is about to experience before establishing a definite discount policy.

Commercial paper: The Federal Reserve Board, under section 13 of the Federal reserve act, has the right to determine or define the character of paper eligible for discount, to wit, "notes, drafts, and bills of exchange arising out of actual commercial transactions; that is, notes, drafts, and bills of exchange issued or drawn for agricultural, industrial, or commercial purposes, or the proceeds of which have been used or are to be used for such purposes."

Bearing in mind the requirements of the present situation, the Federal Reserve Board believes that it would be inadvisable at this time to issue regulations placing a narrow or restricted interpretation upon the section defining the character of paper eligible for discount. It has, therefore, been decided not at this time to enter upon the discussion of the question of single or double name paper, but to admit both forms of bills to rediscount with the Federal reserve banks.

The Federal Reserve Board proposes, however, to prescribe the following basic principles for the guidance of Federal reserve banks and member banks:

(a) No bill shall be admitted to rediscount by Federal reserve banks the proceeds of which have been or are to be applied to permanent investment, and regulation No. 2 has been formulated with the intention of giving effect to this principle, and is herewith inclosed.

(b) Maturities of discounted bills should be well distributed. It is the well-established practice of European reserve banks to invest only in obligations maturing within a short time. It is a general rule not to purchase paper having more than 90 days to run. The maturities of these notes and bills are so well distributed as to enable those banks within a short time to strengthen their hold on the general money market by collecting at maturity or by reinvesting at a higher rate a very substantial proportion of their assets. Acting on this principle, the Federal reserve banks should be in position to liquidate, whenever such a course is necessary, substantially one-third of all their investments within a period of 30 days. Departure from this principle will endanger the safety of the system. It is observance of this principle that affords justification for permitting member banks to count balances with Federal reserve banks as the equivalent of cash reserves.

(c) Bills should be essentially self-liquidating.

Safety requires not only that bills held by the Federal reserve banks should be of short and well-distributed maturities, but, in addition, should be of such character that it is reasonably certain that they can be collected when they mature. They ought to be essentially "self-liquidating," or, in other words, should represent in every case some distinct step or stage in the productive or distributive process—the progression of goods from producer to consumer. The more nearly these steps approach the final consumer the smaller will be the amount involved in each transaction as represented by the bill, and the more automatically self-liquidating will be its character.

Double-name paper drawn on a purchaser against an actual sale of goods affords, from the economic point of view, prima facie evidence of the character of the transaction from which it arose. Single-name notes, now so freely used in the United States, may represent the same kind of transactions as those bearing two names. Inasmuch, however, as the single-name paper does not show on its face the character of the transaction out of which it arose—an admitted weakness of this form of paper—it is incumbent upon each Federal reserve bank to insist that the character of the business and the general status of the concern supplying such paper should be carefully examined in order that the discounting bank may be certain that no such single-name paper has been issued for purposes excluded by the act, such as investments of a permanent or speculative nature. Only careful inquiry on these points will render it safe and proper for a Federal reserve bank to consider such paper a "self-liquidating" investment at maturity.

Turning now to the question of procedure, it is not thought necessary to impose upon the banks the observance of methods which would involve needless difficulty or delay. It is therefore not deemed essential that a statement of condition be attached to each bill when sold to a Federal reserve bank. It is, however, thought advisable by the board to require that on and after January 15, 1915, no paper shall be discounted or purchased by Federal reserve banks that does not bear on its face the evidence that it is eligible for rediscount under the principles and definitions above outlined and as expressed in regulation No. 2, and that the seller of the paper has given a statement to the member bank. A rubber stamp stating, in substance—

ELIGIBLE FOR REDISCOUNT WITH
FEDERAL RESERVE BANKS
UNDER REGULATIONS OF
FEDERAL RESERVE BOARD CIRCULAR NO. 13.
CREDIT FILE NO. ———
DISTRICT NO. ———
(Name of Member Bank.)

is considered sufficient evidence to that effect at this time. It would be understood that the Federal reserve bank could at any time call for the appropriate credit file, and it may well be expected that the data thus gathered—particularly the files of more important firms and of those rediscounting in larger amounts—will be so catalogued as to furnish the nucleus of an effective credit bureau which in turn may eventually develop into a central credit bureau for the benefit of all the Federal reserve banks of the system.

For the time being certified accountant's statements will not be required. This matter is reserved for regulation at a later date. The required statement as outlined above should be signed under oath and should contain a short general description of the character of the business, the balance sheet, and the profit-and-loss account. Assets should be divided into permanent or fixed investments, slow assets, and quick assets. On the liability side should be shown capital, long-term loans, and short-term loans. Short-term loans should be in proper proportion to quick assets, and the statement should contain satisfactory evidence that short-term paper is not being sold against permanent or slow investments. The statement should, furthermore, show the maximum aggregate amount up to which the concern supplying this paper expects to borrow on short credit or sale of its paper, and the concern giving the statement should obligate itself to obtain the member bank's consent before exceeding the agreed limit. The affixing of the stamp stating such paper to be eligible for rediscount will be considered a solemn and binding declaration by the member bank that the statement has been examined from this point of view and that the paper bought complies with all the requirements of the law and the regulations hereby imposed.

The board appends two additional regulations: No. 3, covering discount transactions on or before January 15; No. 4, discount operations on and after January 15.

Six months' paper: The law provides that the Federal Reserve Board shall fix the percentage of its capital (by which is understood that portion of the capital paid in) up to which a Federal reserve bank may discount "notes, drafts, and bills drawn or issued for agricultural purposes, or based on live stock, and having a maturity not exceeding six months." The law permits the Federal Reserve Board to deal with each Federal reserve bank individually in fixing this limit.

The Federal Reserve Board has determined to fix this limit generally and until further notice at 25 per cent of the capital that shall have been paid in from time to time. For those districts in which, during certain seasons, six months' paper is particularly required to carry

through agricultural operations the limit will be increased from time to time upon requests made by Federal reserve banks to the Federal Reserve Board.

Regulation No. 5, relating to six months' paper, is appended hereto.

Regulation No. 6, relating to bank acceptances, is likewise appended.

CHARLES S. HAMLIN, *Governor.*

The board has been very prompt and courteous in furnishing me with these circulars. It was currently reported that many questions were being asked of the banks applying for loans and as to the makers of paper offered for discount. In order to know whether the Federal Reserve Board was connected with those I directed an inquiry to the board, and in asking for further information I received the following answer:

FEDERAL RESERVE BOARD,
Washington, January 14, 1915.

HON. CHARLES A. LINDBERGH,
House of Representatives, Washington, D. C.

MY DEAR MR. LINDBERGH: In reply to your letter of January 12, I write to say that Circular No. 13 and the accompanying regulations are absolutely all that has been sent out by this board with respect to the matter you refer to, viz, "questions * * * asked of member banks of the Federal reserve banks when they applied for rediscount, both as to the applying bank and the makers of the paper offered as a security." As to what questions the various reserve banks may have asked, we are not informed. Doubtless the officers of those banks asked such questions as they thought in each case that the requirements of the applicant for a loan demanded, and this, it is fair to say, would vary widely as between different districts and different banks. I have no idea that there have been any stereotyped lists of questions even within a single district; but if there were, I do not know of it, and I do not think that anyone here has any knowledge of it.

Further, as I stated in my letter to you the other day, there have as yet been no amendments to original Circular No. 13 and its attached regulations, although, as I have stated, such a revision is under consideration and, in fact, the revised draft is in the press at this time. As soon as it is ready to issue I shall gladly send it to you. Just how the several banks will put the new regulations into operation, or what questions they will ask for the purpose of satisfying their own minds that it has been complete, we can not, of course, predict.

Very truly, yours,

H. PARKER WILLIS, *Secretary.*

I have no doubt that the board and its officers are pursuing the whole plan as they believe right, but they are all working to high finance, and not to the needs of the plain people. The latter may struggle in any way they can, but it must be without the consideration of the help from the Federal Reserve Board. Therefore they are left, as we have seen, to the mercy of the money lenders.

Let us examine the circulars and letters. I again quote the clause in No. 2:

The Federal Reserve Board to have the right to determine or define the character of the paper thus eligible to discount within the meaning of this act.

Then, in No. 13, I quote the following from it:

It is probable that at the end of the war interest rates in Europe will be higher than they have been in the past and greater investment returns will be yielded. The tremendous destruction of property and waste of capital will not only check the flow of European savings to the United States, but may dispose foreign investors to return us the securities they now hold. Lower money rates in this country would be likely to accentuate this tendency, while, on the other hand, higher interest rates and larger investment returns on our side would check it.

The function of the Federal reserve banks is, therefore, of a twofold character. They should extend credit facilities, particularly where the abnormal conditions now prevailing have created emergencies demanding prompt accommodation, and, on the other hand, they must protect the gold holdings of this country in order that such holdings may remain adequate to meet demands that may be made upon them.

The statement should, furthermore, show the maximum aggregate amount up to which the concern supplying this paper expects to borrow on short credit or sale of its paper, and the concern giving the statement should obligate itself to obtain the member bank's consent before exceeding the agreed limit.

This Circular No. 13 and the letter of H. Parker Willis should be studied by Members with the object in view of understanding the powers of the board. It will be observed that the board may, if there is a drain of gold for export to foreign lands, cause a raise in the rates of interest to induce gold to remain at home. The banks may, without hindrance, ship gold for the very purpose of creating a drain to force higher rates of interest. J. P. Morgan & Co. and others are making loans in foreign countries—in Europe and South America.

Have Members given any thought to who gets the benefit of an arbitrary raise of the rates of interest? Just think of the Federal Reserve Board and the Federal reserve banks causing a raise of interest rates to stop an outflow of gold. It becomes a tax upon the people to stop what they are not to blame for and to give the benefit to the banks, which, in nearly every case, themselves will be to blame. A certain number of our people spend hundreds of millions of dollars in traveling abroad. Speculators in this country speculate abroad and the Federal reserve act authorizes the banks to go to it, and whether it be the travelers, the speculators, or the banks that ship or take money to other countries, the payments are made in gold; and if they travel, speculate, too hard or create too many foreign banks and the gold goes too fast, they raise the rates of interest to our people to keep the rest of the gold at home. It is, in effect, a fine to be collected from the toilers of this country and kept by the banks.

The particular thing I wish you to observe about these circulars is in paragraph (b) in Circular No. 13. See how strict the rule is for keeping the paper collectible within from 30 to 60 days, and at least one third within 30 and another third within 60. That serves a certain purpose very well; that I shall not discuss, because the purpose is served, and in some respects it is a good thing. But it was pretended and the attempt was made to make the farmers believe that this act was good enough for the farmers, and the President refuses to support a rural-credit system with Government aid to the farmers, partly claiming that this act will do. There is nothing in this act compelling the banks to loan to the farmers, and if they should care to there is no limit on the charge that they may make. The banks are given everything by the act, but they are not required to do anything, and the truth is that the banks are not and never will take care of the farmers' business without overcharging.

This whole act is intended simply to handle liquid paper, which means handling the commerce on which the speculators of this country are reaping their harvests. It expressly avoids taking care of the fixed indebtedness. No farmer can go on and improve his farm with 30-to-90-day money. Farmers need the money, if they require any at all, even longer than that to handle their crops. Anyone who claims that this act is in the interest of the farmers is either ignorant on that subject or dishonest.

As a matter of fact, we shall have to have some way to take care of the fixed indebtedness, if we are forced to stay upon the present general way of doing business. We shall have to have very low rates of interest or a general breakdown. The banks and money lenders are extremely selfish. They have been given everything that could be given to them by any government; still, without themselves paying more for deposits, they raised the rates of interest when more of the deposits were released for loans by the Federal reserve act. I wish to exhibit something of how selfish they really are. I shall quote you four instances out of the many thousands of cases that show how selfish they are. My purpose is to show that any government that lets the banks have the exclusive control of finances is not a well-governed country. Now, I name the cases. Here is the first one. It was sent out by the money lenders during the Civil War. It was known as the Hazard circular, having been drafted by a lobbyist for the banks and sent to bankers. This is it:

Slavery is likely to be abolished by the war power and all chattel slavery abolished. This I and my European friends are in favor of, for slavery is but the owning of labor and carries with it the care of the laborers, while the European plan, led on by England, is that capital shall control labor by controlling wages. The great debt that capitalists will see to it is made out of the war must be used as a means to control the volume of money. To accomplish this the bonds must be used as a banking basis. We are now waiting for the Secretary of the Treasury to make this recommendation to Congress. It will not do to allow the greenback, as it is called, to circulate as money any length of time, as we can not control that. But we can control the bonds and through them the bank issues.

The second one to which I call your attention was sent out by authority of the Associated Bankers of New York, Philadelphia, and Boston in 1877. It was signed by James Buel, secretary, from 247 Broadway, New York, and reads as follows:

DEAR SIR: It is advisable to do all in your power to sustain such prominent daily and weekly newspapers, especially the agricultural and religious press, as will oppose the greenback issue of paper money, and that you also withhold patronage from all applicants who are not willing to oppose the Government issue of money. Let the Government issue the coin and the banks issue the paper money of the country, for then we can better protect each other. To repeal the act creating bank notes, or to restore to circulation the Government issue of money, will be to provide the people with money, and will therefore seriously affect our individual profits as bankers and lenders. See your Congressman at once and engage him to support our interests, that we may control legislation.

In 1893 the American Bankers' Association sent out the following circular:

DEAR SIR: The interest of national banks requires immediate financial legislation by Congress. Silver, silver certificates, and Treasury notes must be retired and national bank notes upon a gold basis made the only money. This will require the authorization of five hundred millions to one thousand millions of new bonds as the basis of circulation. You will at once retire one-third of your circulation and call in one-half of your loans. Be careful to make a monetary stringency among your patrons, especially among influential business men. Advocate an extra session of Congress to repeal the purchasing clause of the Sherman law and act with other banks of your city in securing a large petition to Congress for its unconditional repeal, per accompanying form. Use personal influence with your Congressman, and particularly let your wishes be known to your Senators. The future life of national banks as fixed and safe investments depends upon immediate action, as there is an increasing sentiment in favor of Government legal-tender notes and silver coinage.

The Secretary of the Treasury was quoted by the press in September and October, 1914, as claiming that letters were sent out from large banks to some of the smaller banks, which letter the press quoted in the following language:

DEAR SIR: Absolutely shut down on any more loans. Now is the time for collecting in and not for putting out. This until money here shall become easier, by reason of the selling of cotton, etc., and the consequent increase of deposits and paying of notes.

Do not, under any circumstances whatever, make any further loans to your customers to pay notes and accounts to the wholesalers. Let the latter do their own toting.

It also includes lending on cotton warehouse receipts of one form or another, and also the lending of small amounts to farmers and others in order to keep from selling cotton.

Stop this "lending" money in the shape of overdrafts. When you allow a party to overdraw, and he then takes the position that he can not pay and can cover only by a note, he's "got" you. Cut out persistent overdrafts, not only with cotton accounts, but with all.

Collect up the notes falling due from now on, to the very best of your ability. Do your very utmost to get in every dollar that you can on your present loans.

Do not consent to renew any of your present notes without special authority in each case from our office.

I have not given these quotations to prejudice you against the bankers. Speculators make all the money they can as a rule. Bankers are no worse than others. The only difference between the bankers and the other speculators is that the people take their money to the banks, and the Government has turned its prerogatives to the banks, and the banks use other people's money, including that of the Government, to speculate with. I would probably do the same if I was a banker; so would you; and many of you are bankers. But we are not here to represent the bankers. They do not pay us our salary, and therefore there was no reason to give them the exclusive right to get Government loans and the exclusive privilege of keeping the people's money in their banks. The latter the act does not in express terms give, but the conditions force it, so it amounts to the same thing.

Selfish as the banks are, and much as I would like to see the Federal reserve act repealed, that is not my purpose in making this speech. Let the banks for the time being—since you would not repeal the act, anyway—have the act stand. But do not let it stand as the exclusive law governing finances. Give to the people a law that will permit them to deposit with the United States money, checks, and other proper evidences of credit without limitation as to amount, and fix the rates of interest which the Government will pay therefor at from 2 per cent to 3 per cent, depending on the conditions of deposit, and authorize the organization of the farmers, the railways, the industries, and make direct loans to them when they give the security that justifies it upon terms as favorable as the Federal reserve act gives to the banks. If that is done, the Money Trust will at once dissolve and the business of this country will flourish as it never has before, and all people will then prosper.

I would draft such a bill myself, but the majority of this House does not wish to have an act of importance bear the name of one who is not a member of the majority party. Therefore, I have simply indicated the principles upon which it should be drawn to break the struggle of the Money Trust banks, by means of which they are raiding the people and the industries of this Nation. I will help you draft a bill and let you have the name for yourself. You drafted the Federal reserve act in secret behind closed doors and would admit no one but Democratic members of the Banking and Currency Committee. I am sure no one will long envy you this distinction. I never did.

This subject is enormous in its scope when considered from present methods. It is complicated, and one would need to use much more time than one speech can occupy to go into many phases of the problem. If finances were treated and practiced scientifically instead of arbitrarily, they would be very simple. But that would not suit the money lenders, and they have it their way at present.

We must be practical and consider things as they are, even if they are different than they should be.

Capital has a place in economies, not a theoretical place, but a practical one. If men and women would cease being personally selfish and all would acquire the habit of industry, then we would be prepared for pure socialism. But all admit that most men and women are personally selfish and that under existing conditions some personal selfish action is necessary to sustain existence. We also admit that not all of us are industrious. So far as we admit those two things—that is, so far as they are facts—we are not prepared for complete socialism. But we have socialism in a limited way in some divisions of human affairs, and as we improve the field of socialism will be enlarged. Evolution will eventually bring us to it in the same way that we have gradually taken on socialism in some of our work. In those fields where socialism is not now applied we must deal with capital as it relates to men and women. The proprietors of capital have been given a special privilege that enables them to levy upon the industry of the people generally an unfair advantage, and they have not hesitated to use it.

I wish to offer a warning to the farmers of this country, and that is to beware of the Federal Reserve Board and present no rural-credit plan that gives the Federal Reserve Board any control over it. When proper rural-credit and proper industrial-credit plans are enacted, let them be governed by their friends. I have repeatedly proclaimed that the Federal reserve act was drafted in Wall Street for Wall Street, and long before it had taken concrete form that that very thing would be done. I was safe in saying so, because I knew the conditions under which it was framed, and I have shown enough to-day to convince anyone who is not unduly prejudiced.

What the people of this country should observe to know whether they are successful or not is not the stock market, nor the balance of trade, nor the amount of work that can be found by the toilers to do, or any other business activity, but the test is this: Do the people obtain from their employment such compensation as will give them advantages suited to their needs? In other words, is the net return from employment—the difference between what the toiler receives for his labor and what he pays for the necessaries of life—what it fairly ought to be? This and this only is the true test of a nation's prosperity. It has been demonstrated over and over again that a leisure class is not the most productive of even the finer things. Statesmen, jurists, poets, painters, and musicians—all the greatest come from the humbler walks of life.

I have said considerable about the President favoring the trusts. I realize that he is not alone to blame. Congress has the power as well as the responsibility to act when it comes to legislate. But whether the people are to blame for not taking notice of it, or what the cause is for the President dominating Congress and getting legislation of so vicious a character as the Federal reserve act, I leave it to your intelligence to answer in your own conscience. I, for one, am willing to take my "medicine," since I fought this vicious act which the President has secured with appointments to public offices as the bribe stakes.

This may be plain language—at least I intend it to be—but so long as the "Money Trust" can control all the advantages and make the rest of the people work for that trust and give them in pay only enough for a bare subsistence, I am willing to at least express the truth about it. It has seemed strange to me, if the White House and Congress can make the people believe that this is a well-governed country when the consumers are forced to pay so much and the producers receive so little.

If it were not so serious and one did not care for his constituents, it would be amusing to watch the proceedings down here in Washington. There is no such other farce in this country. That is because the stakes are larger, and therefore the game seems to those who play it for the stakes to be worth more.

Of course, all the Members who spend their time in Washington know something about the game. I am sorry for any Member who thinks that he must have the office, or even needs it, because that places him between two fires. He thinks that he must fool the people on the one hand and the selfish interests on the other. Really, I think there are mighty few whose hearts are not actually with the people, but there are many who believe that the people do not keep well enough informed to find it out, and it is because of that fact that they secretly let the selfish interests get control. These "interests" control a large part of the public press and see to it that those who support them are given praise and favorable publicity and their proportion of patronage and favors. Furthermore, they are taken care of in their campaigns with funds and helpers. On the other hand, they believe that if they do not do this that they will have to fight their campaigns without help, and that that portion of the press that is subsidized by greed will publish all kinds of lies and try to make the people believe what is not true of them.

It is between these two fires that Members who think they must have or need the office find themselves. Therefore, if they see some great injustice perpetrated upon the people, such as the Federal reserve act is—though many Members did not know that, because they took the President's word that it was good—I say, while they often see the injustice, still they do not protest because of the attack that would be made upon them by the "special interests" if they did.

It has seemed strange to me that the people have seen private greed, unobstructed, appropriate the forests, the minerals, the water powers, the most valuable patents, the transportation systems, and the other valuable agencies, even including the

banking and currency, without proper protest. It is strange that they reelect the same old officeholders that let private greed appropriate all these valuable agencies of mankind.

But the day is not far distant when it can be done no more. The enormous advantages that did exist have most of them passed from the plain people. We can no longer go to the West as we formerly did to grow up with the country. The West is also appropriated, and we struggle there as elsewhere. The resources that are capable of monopoly have been taken, incorporated into stock holdings to make the people pay for them, which I described before. Things are getting down to hardpan. We can hardly expect those who held office while greed appropriated without their protest the best of the natural resources will be able to get back what they let them take. For them to pretend now to be progressive is in most cases mockery and insult to the intelligence of the people.

I warn fellow Members that what is happening over in Europe is not alone the fight of kings. They struck the spark that exploded the war magazines of the nations; but there is a deeper social intelligence in this world now than there was in the times of other great wars, and a different condition will come out of it. You need not think that the people who are fighting the mighty battles at a cost of many billion dollars are going to pay very many more billions of interest on top of it. When the war closes and peace terms have been signed a light will appear and the fake money systems of the world will be forever foreclosed and the false speculative commercial greed which breeds wars will be supplanted by natural commerce.

Oh, what a pity that the United States did not have a statesman in the White House whose word would have been taken for a good law, a thousand times better than for Wall Street's Federal reserve act. I do not hesitate to say that the country can not safely rely upon the President, and that now is a time that Congress should come to its own and look with scorn upon the patronage bait. This and the Congress soon to be should divorce itself from the domination of the President and only listen with wisdom to the advice he offers, and then weigh it in the scales of justice for all mankind and enact laws that will take from the "special interests" the power to levy tribute upon the toiling millions.

I am gratified with the very first results of my resolution. It recited facts that could not be ignored. It recites the truth about the President being on the side of the "Money Trust," and that when questions arise in which it becomes necessary for the President to choose whether to favor the people or the "Money Trust" he favors the latter, and because the resolution gave notice of that fact and was published by the press it became expedient for the President to get some action; therefore the governors of the Federal reserve districts were called together to take action. So the rates of interest had to be lowered, and they have been lowered slightly, and probably will be lowered more, and efforts will be made to start up business and put the unemployed to work. They might even bring on a little boom; but it will all come back to the same grind as a still further charge upon the masses if the people accept without question what greed has and, it seems, can put over.

The "Money Trust" has complete control of the Federal political machine in Washington. Members will have to fight for the public as against the administration, which has been proved false to its trust. This fight may be long and severe, for money has a power that is potent, and the Government itself, under the act that has been pushed through Congress by this administration, furnishes the "Money Trust" with the money to fight the people. Every State should, for the protection of its own people, provide methods by which its people may organize its agricultural and industrial forces to conserve the finances of its own population for their own use. The best power for handling credit is in the Federal Government, but the States nevertheless are not impotent and should make laws that will enable the agricultural and the industrial forces to make use of their own local resources instead of allowing their resources to be spirited away for the use of greedy speculators. The States can, by proper laws and regulations, bring it within the power of the people of the States to use in a safe and sane way their own resources; but it could be done more effectively and with greater celerity by the Federal Government; yet when the Federal Government fails to perform its function, then the States should act individually, within the Constitution, for their individual populations.

I can not, of course, discuss financial problems in very much detail in a single speech. We have the experiences of business to guide us, but we do not all seem to take notice of them. They prove conclusively that our financial system is not natural, but a created one for the speculators, and causes enormous injustice and hardship. Outside of—that is, except the exercise of—the functions of government itself there is no other problem of such importance as having a just system of exchange between the people wishing to deal with each other for their goods. I was recently impressed with a great work, brought down to date, by T. Cushing Daniels, 1416 F Street NW., Washington, D. C. Mr. Daniels has made a life study of the subject and wrote two books—one "High Cost of Living—Cause, Remedy"; the other, "Daniels on Real Money." Members feeling that they have not time to dig to the bottom for themselves would be interested in reading these.

Often as I have examined the politics of the country and reflected how men alone have run them, and see the result both in business and politics, I have wondered if they really wanted that result, and if that is the reason why they prevent the women from having a hand in politics. I noticed that it was those who support this administration, principally, who voted against the resolution to let women exercise a right which they really have but are prevented from exercising. If the women of this country had been given the same responsibility in government that men have had, a remedy, I believe, would have been applied long ago. The women see, feel, and have intuition as well as judgment. We men see but have but little intuition and fail to exercise our judgment in a proper administration of laws.

It is because of the conditions that exist that I introduced the resolution which created the disturbance among the Federal reserve banks. I carefully weighed everything I put in that resolution, and I now quote it as a part of my speech. Here it is:

Resolution (H. Res. 696).

"Whereas it appears that banks are the only available depositaries for people's savings, business, and community accounts; also that they are the only agency for financing business, and that independent of bank control there are not funds enough to finance 5 per cent of all business;

"That the largest banks compose the Money Trust and finance business in the interest of their principal stockholders; that by operation of the banking system the smaller banks have been forced to become the feeders to the Money Trust banks by transferring to them a part of their deposits;

"That by reason of the banks being the only available depositaries for the people's finance accounts, and therefore the only agency for financing business, the banking system has long been the real Money Trust power, separating the owners of deposits from the borrowers of the deposits, and thereby also separating the producers from the consumers by making each pay charges for excessive interest, dividends, and profits, thus making it impossible for the masses to succeed;

"That the people's deposits in the banks approximate $19,000,000,000; that the people owe to the banks approximately $21,000,000,000 and to those allied with the banks a still greater sum; that the banks pay no interest on a majority of the deposits and small interest in proportion to what they collect on the residue; that the aggregate difference between what the banks pay for deposits and what they collect for loaning deposits is enormous; that, in addition, those controlling the Money Trust banks secure even greater profits from investments they make on the outside because of information borrowers in securing loans are forced to disclose, and they use the depositors' funds to make the investments; that all these profits collected from the people give to the banks a constantly increasing selfish control over the people and their affairs;

"That in 1907, a year of great production and well-nigh perfect physical conditions, the Money Trust banks forced a panic, under cover of which Congress was induced to pass the emergency currency act, by which was created a committee to formulate a plan for later legislation on banking and currency; that a plan was formulated and leagues formed in the States, officered by the Money Trust agents, to advocate legislation on banking and currency; that to allay suspicion of their being influenced by the Money Trust these leagues did not advocate a specific plan, but merely urged legislation; that in the meantime the Money Trust had adroitly managed to have appointed to all important Government offices having to do with finances persons who had been educated in the Money Trust ways and knew no other, and thus secured the formulation of their plan, while at the same time they adroitly made it appear to the public that the Money Trust was opposed to it;

"That in 1913 Congress enacted the new banking and currency law known as the 'Federal reserve act'; that under its provisions the United States is divided into 12

districts, each with a Federal reserve bank; that the public can have no stock or property interest in them and is prohibited from doing business with them; that these banks are owned by the other banks subscribing for the capital and are exclusively banks for banks; that no provision whatever was made for the people to make deposits nor for the people borrowing other than that heretofore existing, and therefore the people are forced to deposit and borrow in the same old way; that no limit is made in the act on the interest that the banks may charge borrowers;

"That nothing of material advantage secured to the banks by the old system has been taken away by the Federal reserve act for which they have not been immensely overcompensated by new and special privileges, nor have any benefits or privileges accrued to the people from the passage of the act; that among the many new special bank privileges, figuring the national-bank deposits alone, they are permitted to loan approximately $500,000,000 more than heretofore, to which will be added another huge sum when the State banks become members; that they are also privileged to act as the fiscal agent of the United States and to obtain a clutch upon the Treasury funds and may use them for private gain; they may also pledge to the United States the debts of the people and secure new currency; they may establish banks in foreign lands, thereby involving, as the European war has shown, a risk to the United States Treasury funds, as well as to the deposits of the plain people; that the gifts of the Federal reserve act to the banks thus referred to are expressly supplemented by many others to the public detriment, but that greater than all of the gifts to the banks that appear in the terms of the act are the advantages that accrue to the Money Trust banks by reason of the intimate knowledge that they obtain from facts forced from the other member banks when they apply to their respective Federal reserve banks for rediscount; that with the official facts thus obtained the Money Trust is enabled to discount conditions far in advance of public knowledge and thus gouge the people by their speculations; that for this purpose and one other, neither of which appeared on the face of the act, the supreme efforts of the Money Trust were made to secure the passage of the Federal reserve act; that the other unexpressed but secret purpose secured by the act was to give the Money Trust banks and their allied interests the fullest freedom, without danger to themselves, to exploit the people, not only of America but of the entire world, which the Federal reserve act permits, and reenforces them with a guaranty that if they should miscalculate and become so deeply entangled in speculation as to be unable to extricate themselves, then the Government would be forced to aid them; that because of these two unexpressed and secret purposes the Money Trust banks seek to conserve the credit of the United States exclusively for the use of their Federal reserve banks; that because of that, and for other selfish reasons, they oppose Government aid to a farmers' rural credit system, and likewise oppose any plan that would give Government aid directly to a credit system for financing railways and other industrial institutions;

"That Money Trust managers and their agents were selected to control the 12 Federal reserve banks, and because of their mutuality of interest they form a natural as well as a legalized trust; that because of the peculiar provisions of the act the small banks are forced to become a part of the trust; that the people's deposits in the banks are absolutely under the control of the banks; that the banks, at their own option, may or may not contract or expand loans and currency, by forcing borrowers in the one case to pay and in the other by freely extending loans and making use of the Government to supply funds;

"That Congress, by the passage of the Federal reserve act, put into the control of the banks not only the means by which they may obtain information in regard to the financial standing of every subsidiary bank, railway, and industrial corporation, and use such information for purposes of speculation to their enormous advantage over others not having access to the same means of information, but it has placed it in the power of the Money Trust to make and determine prices of speculative and other commodities at its will. To cause high prices, all it will have to do will be to lower the rediscount rate so that the associated banks will more generally apply for and receive the Federal reserve notes, producing an expansion of credit and a rising stock market; then when business and business men have adjusted to these conditions it can check world-wide prosperity in midcareer by arbitrarily raising the rate of discount; it can cause the pendulum of a rising and falling market to swing gently back and forth by slight changes in the discount rate, or cause violent fluctuations by a greater rate variation, and in either case it will possess inside information as to financial conditions and advance knowledge of the coming change, either up or down; that this is the strangest, most incomprehensible, and dangerous advantage ever placed in the hands of a special privileged class by any Government that ever existed; that this act makes it not only possible but ridiculously easy for the Money Trust to control absolutely every bank and bank official. Should any bank or officer of a bank refuse to submit to its dictation in business or in its support of candidates favored by it for President, Senators, Members of the House, governors, judges, members of legislatures, and others, all it will be necessary to do to mete out condign punishment to such bank will be for the trust to withhold from it the information that it will be in a position to bestow upon its more subservient competitors;

"That the President in creating the Federal Reserve Board appointed men who had been educated by the Money Trust system, believed in it and knew no other; that the Federal reserve act gives a power to the Federal reserve banks that makes the Government impotent to protect the people until further legislation shall be had;

"That already the Federal reserve banks have cornered the gold and gold certificates, so that these are no longer in circulation among the people; that finances generally are absolutely in the control of the banks by authority of the Federal reserve act;

"That the whole banking system is a private institution conducted for the sole purpose of obtaining the greatest possible profits for the use of other people's money and in the interest of the stockholders and those allied with them; that it is inconsistent with free government to subject every industry and enterprise in the country to the domination of the banks which have been granted the exclusive privilege to control the people's finances;

"That the banks have power to create panics when they please by making demand for payment of even as low as 10 per cent of the obligations owing to them and by refusing to make new loans or extend old ones; that by insidious means the Money Trust banks control legislation, and by that means have secured the special and exclusive privileges they now possess; that under existing conditions the people not having formulated a plan on which the general public has been able to make a specific demand on Congress, it has been impossible to secure the action of Congress to enact the proper legislation for the people; that the Nation confronts a crisis and action must at once be taken to extend to the farmers a proper rural-credit system with aid from the Government, and also proper means must be provided to finance the railways and industrial institutions with aid from the Government; that by extending such aid to the farmers, the railways, and to other useful industries, it will prevent the Money Trust from despoiling them with the usury charges to which they are now subjected;

"That the farmers, most of all, are defenseless under the present system because of the inability of the banks to make long-time loans in sufficient amounts, even at their usurious rates, to meet the farmers' demands, and because the banks do not aid the farmers even to the extent the laws permit; and for the further reason that the Money Trust banks have intentionally kept the farmers from securing proper relief, which is especially evident by the acts of the present administration and of the present Congress, the President himself having expressed in messages his opinion that the Government should not grant aid to the farmers, while at the same time he urged and demanded of Congress that it grant unlimited aid to the banks; that at the breaking out of the European war Congress and the administration were frightened by the Money Trust, and thereupon extended to the banks a special privilege to secure from the Government, at 3 per cent, over a billion dollars, if they should need so much for the use of speculators to save them from loss, and of this authorized sum actually advanced to the banks $369,558,040, and was ready to advance the balance on demand of the banks, while at the same time the farmers of nine States appealed in vain to the President of the United States and to Congress for Government aid to save them from $400,000,000 loss; that to divert the farmers the administration, in conjunction with the Money Trust banks, urged the farmers not to seek Government aid, but to let the banks make up a $250,000,000 pool with which to aid these farmers; that as soon as Congress

had adjourned and action could not be had the administration and the banks were freed from the farmers' efforts to secure legislation then, and the $250,000,000 pool fizzled and the farmers were left to their loss and lasting distress;

"That the railways, because of the unreasonable rates of interest that they are forced to pay to the bankers and money loaners, have been in distress and forced to ask the Interstate Commerce Commission to advance freight and passenger rates; that the presidents of the railways appeared before the President of the United States and asked him in the same way the farmers did, for his influence to get the Interstate Commerce Commission to increase their railway rates, and that the President lent his aid to that end and this relief to the railways was granted;

"That every important country in the world has long since provided a rural credit system for its agricultural interests and that the United States is the only country that has failed to perform this important duty; that the Money Trust has secretly formulated a scheme to have enacted into law a fake rural credit system for the purpose of making the farmers believe that they will be provided for; that it is their scheme to delay the passage of any rural credit system as long as possible, but when the farmers become too persistent, then to bind their proposed rural credit system to the present Federal reserve act or make it largely dependent thereon and not possible to be operated except under the influence of the Money Trust, and to effect but a small reduction of interest to the farmers, whereas not only the farmers, but all legitimate borrowers, are entitled to have the interest rates reduced at least one-half, even under a moderately fair system; that unless Congress acts forthwith to inaugurate a proper rural credit system suited to reduce the rates of interest to farmers generally at least one-half, and provides for proper means of financing the transportation and industrial companies, the Money Trust will manipulate to make it more and more difficult to accomplish;

"That in view of these circumstances it is becoming more and more apparent to the country, if not to the administration, that something should be done immediately to break the strangle hold which the Money Trust has secured upon the finances, the agricultural, transportation, and industrial systems, and the politics of the country: Therefore be it

"*Resolved*, That a special committee of five Members of the House be appointed by the Speaker to inquire into the influences that have been exercised by the Money Trust in the organization of the Federal reserve banks, and the extent, so far as practical, of the control the Money Trust exercises in the same, and to report to the House as soon as possible.

"*Resolved further*, That the full Committee on Banking and Currency is authorized and directed to immediately hold meetings, and to continue such meetings from time to time, and sit in meetings during sessions of Congress as well as during recess, for the purpose of formulating a plan and reporting a bill for the organization and cooperation of rural credit associations and aid to the farmers by Government loans to them.

"*Resolved further*, That the said committee is authorized and directed to formulate a plan and report a bill for the organization and cooperation of the transportation systems and aid to them by Government loans, in order that the rates of interest may be lowered so as to makes lower freight and passenger rates possible.

"*Resolved further*, That the said committee is also authorized and directed to formulate a plan and report a bill for the organization and cooperation of the industrial companies which are producing the common necessities, so as to reduce the cost of production and the cost of living, and to aid them by Government loans;

"*Resolved further*, That the said committee is authorized and directed to formulate a plan and report a bill for permitting the people to make deposits of money, checks, and proper evidence of credit, without limitation as to amount, and fix rates of interest which the Government shall pay therefor and the manner in which such funds may be invested in order to reduce the rates of interest generally to the people and to promote the several purposes to be accomplished by the several bills which said committee is authorized and directed by this resolution to report; that all of said purposes may, if it seems practical to the said Committee on Banking and Currency, be reported in one bill; the intent and purpose of such legislation being to enable the agricultural, industrial, and transportation systems to obtain, when necessary, credit and financial assistance from the Government on an equal footing with the banks."

The following is the Henry B. Joy letter:

DETROIT, MICH., *January 7, 1915.*

Hon. F. A. DELANO, Vice Governor,
Federal Reserve Board, Washington, D. C.

DEAR MR. DELANO: I certainly am so thoroughly disgusted at the dragging of the Federal reserve bank of Chicago into the limelight by Congressman LINDBERGH, of Minnesota, and others, that I feel warranted in writing you. I have to-day also written to Mr. Hamlin, of which letter I have sent you a copy. Of course we business men and bankers all felt that the Federal reserve bank would become the football of politicians and of a certain class of newspapers, but it has come so much sooner than I expected.

In the Chicago Tribune of January 6 is again a long article by the staff correspondent giving interviews by Congressman LINDBERGH, of Minnesota, and Congressman GLASS and Senator OWEN, etc.—a lot of pure, unadulterated sensational slush to stir up prejudice and trouble. This, I have no doubt, is a very laudable object from somebody's point of view and probably pays or they wouldn't do it. I do feel that it is one of the prerogatives of the Federal Reserve Board to demand that politicians and newspapers allow the business of the Federal reserve bank to pursue its course under the direction of the Federal Reserve Board and work out its own salvation as best it may. Such gratuitous and unnecessary disturbing of conditions—which, so far as I know from any stockholding banks within district No. 7, are working out just as well as it is possible to do and just as fast as it is possible to do under the circumstances—is entirely unwarranted. I have kept closely in touch with every stockholding bank in Michigan, and I have not heard one single unfavorable comment on the work of the Federal reserve bank of Chicago. If there are any unfavorable comments from any source, it would be, indeed, most gratifying if they would be permitted to reach members of the directorate in an authoritative manner from the Federal Reserve Board in Washington, if they have any such complaint filed with them. But that the Federal Reserve Board in Washington should allow itself to be undermined and the Federal reserve system brought into disgrace by ambitious politicians and sensational newspapers is utterly criminal in effect, unless there is some warrant in fact for such sensational political criticism; and even in that case, then it should be required by the Federal Reserve Board, I venture to suggest, that criticisms of a district bank should be made to the Federal Reserve Board, so that it might itself be informed, and that it might in turn inform the directors of the district bank which are being attacked for their methods and results obtained.

Is it anything less than criminal for a politician, who can enlist the columns of a newspaper of the character of the Chicago Tribune, to put out the following statement? The Chicago Tribune prints the following as the words of Mr. LINDBERGH,

"To cause high prices all the trust, as typified by the control of the Chicago bank by Mr. Forgan and Mr. Reynolds, will have to do will be to lower the rediscount rate so that the associated banks will more generally apply for and receive the Federal reserve notes, producing an expansion of credit and a rising of the stock market.

COULD EASILY CREATE PANIC.

"Then when business men have adjusted themselves to these conditions the trust can check world-wide prosperity in midcareer by arbitrarily raising the rate of discount. It can cause the pendulum of a rising and falling market to swing gently back and forth by slight changes in the discount rate, or cause violent fluctuations by a greater rate variation."

Now, whatever Mr. Forgan and Mr. Reynolds may have done they will have to be responsible for. They could have done nothing or taken no action as the executive committee or as directors without the sanction and approval of the other members of the executive committee or of the other directors. If any act has been taken by the executive committee, the record of it is on file in the minutes of the meetings of the executive committee, which minutes are submitted to the regular monthly directors' meeting for the approval of the board itself. So far as I know and am able to ascertain, the work of Mr. Forgan and the work of Mr. Reynolds has been diligent, ceaseless, and unfailingly in the interests of the promotion of the welfare of the Federal Reserve System and of the Federal Reserve Board in Washington and of the Federal reserve bank of Chicago, district No. 7.

Every act which has been done by the executive committee has had the approval of the board of directors, and though I have been unable for various reasons to attend myself every board meeting, yet I should have voted for everything done there had I been present. So far as I know the only negative vote ever recorded at a meeting of the directors of the Federal reserve bank of Chicago was my personal vote recorded in opposition to the small compensation which the other members of the board voted as being proper and adequate for their services. I voted "no" because I thought the compensation was ridiculously small, and did not begin to dream of paying in any way for the time necessarily spent on the affairs of the bank as a director. I favored $100 a meeting as the fee to each director and $100 a month for incidental expenses, correspondence, and time devoted to keep educated on the current affairs of the Federal reserve bank. The Federal Reserve Bank Board in Washington has, however, overruled even the small compensation which I felt was too small, and has granted a still smaller compensation to Federal directors. I am sure, therefore, that Mr. Forgan and Mr. Reynolds can not be charged with grabbing exorbitant fees. The fees are ridiculous and not adequate and will not ultimately prevail, and should not.

I myself to-day am on my way to Chicago from New York, having left New York yesterday when I greatly desired to remain there, in order to attend the meeting at Chicago on account of the political disturbances and turmoil injected into the affairs of the bank by Congressmen and Senators above enumerated.

Whatever the directors of the Federal reserve bank of Chicago have done they will have to be responsible for, and I am one of them, and I do not propose, without picturing the iniquity of it, to permit such slush to be fed to the public by anybody, attacking the sincere work of the directors of district No. 7 toward the working out of the Federal Reserve System and the sincere work of the Federal Reserve Board in Washington in aiding and controlling and regulating under the Federal reserve act the actions taken by the Chicago district bank directors.

Any person almost, with the sense of a chicken, would know that what Mr. LINDBERGH states as being within the possibilities for Mr. Forgan and Mr. Reynolds to do in the way of fixing the rate of interest up and down in the Chicago district is utterly false in every particular and totally impossible, because whatever rate of interest is recommended by the directors of the Federal reserve bank must first be approved

under the provisions of the Federal reserve act by the Federal Reserve Board in Washington before it is put into effect. All the rest of the articles and interviews in the Chicago Tribune are on a par with the sensational slush which I have quoted.

If we are going to save the Federal reserve bank and make the most of it which it is possible to do in the interests of business, I most urgently appeal to the Federal Reserve Board in Washington to save those gentlemen who are serving their time as directors on the Federal reserve bank in Chicago without compensation, practically, and who are sacrificing their own interests to attend to the affairs of the bank, hoping to upbuild it and aid in its evolution, from just such newspaper and political attacks as that being fomented in this instance.

If there are any acts done by Chicago district No. 7 bank which are to be criticized by the bankers of the district who own the stock in the bank as member banks, and who own and supply its capital as member banks, or by the business men of the district who do business with the banks of the district, whether member banks or nonmember banks, the business-men directors and the Government directors and the bank directors are here on the job in the district to hear any complaints and criticisms. I have heard none, nor do I know of any so far. It is indeed with deep regret that I find a newspaper or politician willing to thrust the Federal Reserve Bank System into the mire of pothouse politics and newspaper sensationalism.

Very truly, yours,

HENRY B. JOY,
Director Federal Reserve Bank of Chicago.

The following is the reply that I made to the Henry B. Joy letter:

WASHINGTON, D. C., *January 13, 1915.*

Mr. HENRY B. JOY,
Detroit, Mich.

DEAR SIR: I beg to acknowledge receipt of yours of 7th instant, which is a circular copy addressed to all Members of Congress—and I am informed has also been sent to bankers and large business concerns—of a letter from you to Hon. F. A. Delano, vice governor Federal Reserve Board, Washington, D. C., in which you rather emphatically undertake to call me to account for a recent action which I took in my representative capacity as a Member of the House. On January 6 I introduced a resolution, a copy of which is inclosed for your information, and it was in reference to that resolution that the article appeared in the Chicago Tribune to which you refer.

The burden of your criticism of me appears to consist in this, that you seem to feel that no newspaper, official, or citizen has any right to criticize either the act creating the Federal Reserve Board or the conduct of that board or of the officials of the reserve banks organized under it in anything they may do or undertake to do. It goes almost without saying that your specific criticism of me does not apply to what I said. No remark or utterance of mine would imply that I thought the directors of the Federal Reserve Bank of Chicago had or now have the power to raise and lower the discount independent of the Federal Reserve Board. A careful reading of the quotation you have made from the Chicago Tribune shows that I did not say that. What I did say was that the Money Trust, now in control of the Federal Reserve Board, and the entire system for that matter, can raise and lower interest rates at its will, with the attendant consequences which I pointed out.

Your general criticism of my action deserves more careful attention. It reminds one so completely of the complaints that used to be made years ago by the common carriers of the country when it was suggested that governmental agencies, both the State and Nation, had the right to regulate rates and conditions of transportation. Do you not remember how the railway barons who had, as they thought, the destinies of the Nation in their hands used to say:

"Why, we own these railways. It was our money that built them and it is our money that is now invested in them. It is none of the public's business how we run them or what rates we charge."

Surely you remember that? But the courts have held that the public has an interest, even in railways owned by private corporations, and may criticize the management and even control rates, stopping only short of actual confiscation.

But, you will say, the case of the Federal reserve banks is different. Quoting your own words, you "feel that it is one of the prerogatives of the Federal Reserve Board to demand that politicians and newspapers allow the business of the Federal reserve bank to pursue its course under the direction of the Federal Reserve Board and work out its own salvation as best it may."

Though how the Federal Reserve Board would operate under that prerogative to make good its demand is more than I can understand, and you have failed to say. Under our system of government, Members of Congress can not be called in question in any other place—not even in the Federal Reserve Board—for what they do or say on the floor of the House, and even newspapers are allowed quite wide latitude in free America as to their utterances in regard to questions of a public character. So, in view of this immunity granted both to "politicians"—as you are pleased to call me—and the press, and in view of what I know, both as to the inception and proposed operation of the Federal Reserve System, I am very much inclined to believe that your worst fears as to the Federal reserve bank becoming the "football of politicians and of a certain class of newspapers" are more than likely to be realized, because as soon as the true purposes of the system are clearly understood the people will rise in their might and kick it all over the lot.

Had not the Money Trust demanded and received as a component part of the Federal reserve system a monopoly of the use of the public credit of the United States to bolster up and reenforce its speculative schemes and the almost free use of the Treasury funds, as well as a monopoly of the banking and private credit interests of the country, you might, with far less effrontery than you are now in a position to do, demand that the public, and even a Representative in Congress, refrain from all criticism of its affairs. But it did demand and receive all these things, and what else can you now expect than that a Representative of the people in Congress who wishes to do his duty not only to his constituents, but to his country as well, will feel it incumbent upon him to watch as carefully as he can to see if that public credit and the Treasury funds are going to be used to oppress the people or for their benefit? Believing, as I firmly do, that it is the purpose and intention of the Money Trust to use both this credit and those funds to oppress the people, you may be very sure that so long as I remain in Congress I shall take a very lively interest in all the affairs of the Federal Reserve Board and the various organizations under its jurisdiction, and shall not hesitate to criticize the conduct of any of them whenever I find it necessary to the public welfare to do so.

One other suggestion in your letter deserves attention from me. You intimate that such criticism of the Money Trust and the Federal reserve system as I have indulged in "is a very laudable object from somebody's point of view and probably pays or they wouldn't do it." It has never paid me in the way in which you seem to infer. It is true that there is a certain satisfaction in knowing that one has faithfully performed a public duty, but my observation has been that if one wanted to profit, either financially or in the way of political preferment, from his public acts it is rather safer to take the other side than the one I have identified myself with. For instance, such criticism as yours of an official act of a Representative in his representative capacity, coming in the way yours did from a director of a reserve bank, but on the other side of the question, would probably be taken by the Federal Reserve Board as a just and proper cause for dismissal from further service as such director. I do not know how they would regard your criticism of my representative action and am too busy just now to find out, but will say to you this, that if you think I have introduced my resolution because I thought it would "pay" me to do so, you were never more mistaken in your life.

Sincerely,

C. A. LINDBERGH.

Mr. ADAMSON. Mr. Chairman, I move that the committee do now rise and report the bill with the amendments to the House, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. RAKER, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill S. 2337 and had directed him to report the same to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

Mr. ADAMSON. Mr. Speaker, I move the previous question on the bill and all amendments to final passage.

The question was taken, and the previous question was ordered.

LEAVE OF ABSENCE.

By unanimous consent, Mr. RUSSELL was granted leave of absence, for two days, on account of sickness.

TO CREATE THE COAST GUARD.

The SPEAKER. Is a separate vote demanded on any amendment? If not, the Chair will put them in gross.

The question was taken, and the amendments were agreed to.

The SPEAKER. The question is on the third reading of the Senate bill.

Mr. MANN. Mr. Speaker, I ask for a reading of the Senate bill.

The SPEAKER. The gentleman from Illinois [Mr. MANN] demands a reading of the Senate bill.

Mr. MANN. That would be the Senate bill with amendments, of course. Well, I do not know myself how it ought to be done, and I do not know whether anybody else does, so I withdraw the demand.

The SPEAKER. Does the gentleman demand the reading of the engrossed copy of this bill?

Mr. MANN. Yes; I am demanding the reading of it. We know the Senate engrossed copy is there, of course, but it would have to be read with the amendments.

The SPEAKER. The Clerk will read the bill.

Mr. MANN. I said that I would withdraw the demand. I do not think the Clerk can do it.

The SPEAKER. The question is on the passage of the bill.

Mr. THOMPSON of Oklahoma. Mr. Speaker, I make the point that there is no quorum present.

Mr. UNDERWOOD. The House is dividing. I think it would be an automatic call.

Mr. MANN. Will not the gentleman from Oklahoma raise the point on the vote?

Mr. UNDERWOOD. He was making it on the vote.

Mr. MANN. The question was not put.

Mr. UNDERWOOD. The Speaker was putting it.

The SPEAKER. The question is on the passage of the bill.

The question was taken, and the Speaker announced that the ayes seemed to have it.

Mr. THOMPSON of Oklahoma. Mr. Speaker, I make the point of no quorum.

The SPEAKER. The Chair will count. [After counting.] One hundred and sixty Members are present, not a quorum. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll. Those in favor of passing the bill will answer "yea," and those opposed will answer "nay."

The question was taken; and there were—yeas 212, nays 79, answered "present" 3, not voting 130, as follows:

YEAS—212.

Abercrombie	Alexander	Aswell	Barchfeld
Adair	Allen	Austin	Barkley
Adamson	Anderson	Avis	Bartholdt
Aiken	Ashbrook	Baker	Bartlett

Bathrick	Esch	Kelly, Pa.	Parker, N. Y.
Beakes	Farr	Kent	Patten, N. Y.
Bell, Cal.	Fergusson	Kettner	Peters
Blackmon	Ferris	Key, Ohio	Phelan
Booher	Fess	Kiess, Pa.	Plumley
Britten	Fields	Kinkaid, Nebr.	Price
Brockson	Foster	Kirkpatrick	Prouty
Broussard	Francis	Kitchin	Rainey
Brown, N. Y.	Frear	Knowland, J. R.	Raker
Browne, Wis.	Gallagher	Konop	Rauch
Browning	Gallivan	Korbly	Rayburn
Bryan	Gardner	Lafferty	Reilly, Conn.
Buchanan, Ill.	Garner	La Follette	Roberts, Mass.
Buchanan, Tex.	Gerry	Lazaro	Rogers
Bulkley	Gillett	Lee, Pa.	Rubey
Burgess	Gilmore	Lenroot	Scully
Burke, S. Dak.	Gittins	Levy	Seldomridge
Burke, Wis.	Glass	Lindbergh	Sherley
Burnett	Godwin, N. C.	Lloyd	Sherwood
Butler	Goeke	Lobeck	Shreve
Byrnes, S. C.	Good	Loft	Sims
Carlin	Gordon	Logue	Sinnott
Cary	Graham, Ill.	Lonergan	Slemp
Casey	Greene, Mass.	McAndrews	Small
Chandler, N. Y.	Greene, Vt.	McGillicuddy	Smith, Idaho
Church	Gregg	McGuire, Okla.	Smith, N. Y.
Clancy	Gudger	McKellar	Stafford
Coady	Guernsey	McLaughlin	Stanley
Connolly, Iowa	Hamilton, N. Y.	Maguire, Nebr.	Stedman
Cooper	Harris	Mapes	Steenerson
Cramton	Harrison	Martin	Stephens, Cal.
Crosser	Hawley	Mitchell	Stephens, Nebr.
Cullop	Hayden	Montague	Stevens, Minn.
Curry	Hayes	Morgan, Okla.	Stevens, N. H.
Danforth	Helgesen	Moss, W. Va.	Stone
Deitrick	Hensley	Mott	Stout
Dent	Hinds	Murdock	Switzer
Dershem	Holland	Neeley, Kans.	Talcott, N. Y.
Dickinson	Houston	Neely, W. Va.	Tavenner
Dixon	Hughes, Ga.	Nolan, J. I.	Taylor, Ark.
Donohoe	Hughes, W. Va.	O'Brien	Temple
Donovan	Hulings	Oglesby	Thacher
Doolittle	Humphrey, Wash.	O'Hair	Thomson, Ill.
Doremus	Humphreys, Miss.	Oldfield	Treadway
Driscoll	Igoe	Padgett	Tuttle
Drukker	Johnson, Wash.	Page, N. C.	Underwood
Dupré	Jones	Paige, Mass.	Volstead
Eagan	Keating	Palmer	Watson
Edwards	Kelley, Mich.	Parker, N. J.	Young, N. Dak.

NAYS—79.

Anthony	Floyd, Ark.	Kreider	Sloan
Bailey	Fordney	Lesher	Smith, J. M. C.
Baltz	Fowler	Lieb	Smith, Minn.
Borchers	Garrett, Tenn	Linthicum	Smith, Tex.
Byrns, Tenn.	Gill	McKenzie	Stephens, Miss.
Callaway	Goodwin, Ark.	Manahan	Stephens, Tex.
Candler, Miss.	Graham, Pa.	Mann	Sumners
Caraway	Gray	Mondell	Sutherland
Claypool	Green, Iowa	Moon	Thompson, Okla.
Cline	Hardy	Morrison	Towner
Collier	Haugen	Moss, Ind.	Tribble
Connelly, Kans.	Heflin	Norton	Vaughan
Cox	Helm	Park	Vinson
Crisp	Helvering	Peterson	Watkins
Davenport	Hill	Platt	Webb
Dillon	Howard	Powers	Williams
Doughton	Howell	Quin	Wingo
Eagle	Jacoway	Reilly, Wis.	Witherspoon
Finley	Johnson, Ky.	Sisson	Young, Tex.
FitzHenry	Kindel	Slayden	

ANSWERED "PRESENT"—3.

Gard	Hull	Lee, Ga.

NOT VOTING—130.

Ainey	Fairchild	Lever	Scott
Barnhart	Faison	Lewis, Md.	Sells
Barton	Falconer	Lewis, Pa.	Shackleford
Beall, Tex.	Fitzgerald	Lindquist	Smith, Md.
Bell, Ga.	Flood, Va.	McClellan	Smith, Saml. W.
Borland	French	MacDonald	Sparkman
Bowdle	Garrett, Tex.	Madden	Stringer
Brodbeck	George	Mahan	Taggart
Brown, W. Va.	Goldfogle	Maher	Talbott, Md.
Bruckner	Gorman	Metz	Taylor, Ala.
Brumbaugh	Goulden	Miller	Taylor, Colo.
Burke, Pa.	Griest	Moore	Taylor, N. Y.
Calder	Griffin	Morgan, La.	Ten Eyck
Campbell	Hamill	Morin	Thomas
Cantor	Hamilton, Mich.	Mulkey	Townsend
Cantrill	Hamlin	Murray	Underhill
Carew	Hart	Nelson	Vare
Carr	Hay	O'Shaunessy	Vollmer
Carter	Henry	Patton, Pa.	Walker
Clark, Fla.	Hinebaugh	Porter	Wallin
Conry	Hobson	Post	Walsh
Copley	Hoxworth	Pou	Walters
Dale	Johnson, S. C.	Ragsdale	Weaver
Davis	Johnson, Utah	Reed	Whaley
Decker	Kahn	Riordan	Whitacre
Dies	Keister	Roberts, Nev.	White
Difenderfer	Kennedy, Conn.	Rothermel	Wilson, Fla.
Dooling	Kennedy, Iowa	Rouse	Wilson, N. Y.
Dunn	Kennedy, R. I.	Rucker	Winslow
Edmonds	Kinkead, N. J.	Rupley	Woodruff
Elder	Langham	Russell	Woods
Estopinal	Langley	Sabath	
Evans	L'Engle	Saunders	

So the bill was passed.

The Clerk announced the following pairs:

On the vote:

Mr. BARNHART (for) with Mr. DIES (against).

Mr. KAHN (for) with Mr. GARD (against).

Until further notice:

Mr. BELL of Georgia with Mr. MILLER.

Mr. WILSON of Florida with Mr. DUNN.

Mr. CANTRILL with Mr. AINEY.

Mr. CARTER with Mr. BURKE of Pennsylvania.

Mr. CLARK of Florida with Mr. DAVIS.

Mr. CONRY with Mr. EDMONDS.

Mr. DALE with Mr. CAMPBELL.

Mr. DOOLING with Mr. COPLEY.

Mr. ESTOPINAL with Mr. FAIRCHILD.

Mr. FITZGERALD with Mr. CALDER.

Mr. FLOOD of Virginia with Mr. GRIEST.

Mr. GARRETT of Texas with Mr. HAMILTON of Michigan.

Mr. GOLDFOGLE with Mr. JOHNSON of Utah.

Mr. GORMAN with Mr. KEISTER.

Mr. GRIFFIN with Mr. KENNEDY of Rhode Island.

Mr. HAMLIN with Mr. KENNEDY of Iowa.

Mr. HAY with Mr. LANGHAM.

Mr. HENRY with Mr. MADDEN.

Mr. JOHNSON of South Carolina with Mr. MOORE.

Mr. LEE of Georgia with Mr. MORIN.

Mr. LEVER with Mr. NELSON.

Mr. MORGAN of Louisiana with Mr. LANGLEY.

Mr. O'SHAUNESSY with Mr. LINDQUIST.

Mr. POU with Mr. PATTON of Pennsylvania.

Mr. RAGSDALE with Mr. PORTER.

Mr. ROUSE with Mr. SCOTT.

Mr. RUCKER with Mr. SELLS.

Mr. RUSSELL with Mr. SAMUEL W. SMITH.

Mr. SABATH with Mr. ROBERTS of Nevada.

Mr. SPARKMAN with Mr. WOODS.

Mr. TALBOTT of Maryland with Mr. WINSLOW.

Mr. WHALEY with Mr. VARE.

Mr. FAISON with Mr. WALLIN.

Mr. GARD. Mr. Speaker, may I ask if the gentleman from California [Mr. KAHN] voted?

The SPEAKER. He did not.

Mr. GARD. I am paired for this occasion with Mr. KAHN. I wish to withdraw my vote of "no" and answer "present."

The SPEAKER. The Clerk will call the gentleman's name.

The Clerk called the name of Mr. GARD and he answered "Present."

The result of the vote was announced as above recorded.

The SPEAKER. A quorum is present, and the Doorkeeper will open the doors.

On motion of Mr. ADAMSON, a motion to reconsider the vote whereby the bill was passed was laid on the table.

RESIGNATION FROM A COMMITTEE.

The SPEAKER. The Chair lays before the House a letter of resignation from a committee, which the Clerk will report.

The Clerk read as follows:

HOUSE OF REPRESENTATIVES, UNITED STATES,
Washington, D. C., January 19, 1915.

Hon. CHAMP CLARK,
Speaker of the House of Representatives,
Washington, D. C.

MY DEAR SPEAKER CLARK: Having been assigned to service on the Committee on the Judiciary, I beg leave to tender my resignation as member of the Committee on Military Affairs in the House of Representatives.

Very truly, WARREN GARD.

The SPEAKER. Without objection, the resignation will be accepted.

There was no objection.

EXTENSION OF REMARKS.

Mr. BAILEY. Mr. Speaker, I ask unanimous consent to extend my remarks on the bill just passed.

The SPEAKER. The gentleman from Pennsylvania [Mr. BAILEY] asks unanimous consent to extend his remarks on the bill just passed. Is there objection?

There was no objection.

ENROLLED BILLS SIGNED.

The SPEAKER announced his signature to enrolled bills of the following titles:

S. 6309. An act to establish the Rocky Mountain National Park in the State of Colorado, and for other purposes; and

S. 4012. An act to increase the limit of cost of the United States public building at Grand Junction, Colo.

ADJOURNMENT.

Mr. ADAMSON. Mr. Speaker, I believe it is too late to call up another bill to-night, and I therefore move that the House adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 49 minutes) the House adjourned, in conformity with the order previously made, until to-morrow, Thursday, January 21, 1915, at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and refered as follows:

1. A letter from the Secretary of War, transmitting letter from the Chief of Engineers, United States Army, with copies of reports and map, on preliminary examination and survey of Black Walnut Harbor, Md. (H. Doc. No. 1508); to the Committee on Rivers and Harbors and ordered to be printed, with illustrations.

2. A letter from the Secretary of War, transmitting letter from the Chief of Engineers, with copies of reports and map, on preliminary examination and plan and estimate of cost of improvement of Wicomico River, Md. (H. Doc. No. 1509); to the Committee on Rivers and Harbors and ordered to be printed, with illustrations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. WITHERSPOON, from the Committee on Naval Affairs, to which was referred the bill (H. R. 20694) to repeal section 9 of the naval personnel act of March 3, 1899, and to transfer certain classes of officers from the retired to the active list of the Navy and Marine Corps, reported the same with amendment, accompanied by a report (No. 1304), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. LA FOLLETTE, from the Committee on the Public Lands, to which was referred the bill (S. 4146) granting certain lands to school district No. 44, Chelan County, Wash., reported the same without amendment, accompanied by a report (No. 1305), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. ESTOPINAL: A bill (H. R. 21068) to provide homes for Confederate veterans of the Civil War; to the Committee on Military Affairs.

By Mr. EDWARDS: A bill (H. R. 21069) providing an appropriation of $30,000 for dredging, repairs, and other improvements at the Savannah, Ga., quarantine station; to the Committee on Appropriations.

By Mr. LOGUE: A bill (H. R. 21070) to further regulate the purchase of sites and the erection of public buildings thereon and the making of appropriation therefor; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 21071) to provide for the protection of subcontractors and material men engaged in doing work or furnishing material for the erection of Government buildings; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 21072) to provide for the establishment of a bureau of public buildings, and for other purposes; to the Committee on Public Buildings and Grounds.

By Mr. BARTHOLDT: A bill (H. R. 21073) for the better protection of aliens and for the enforcement of their treaty rights; to the Committee on the Judiciary.

By Mr. ALEXANDER: A bill (H. R. 21074) increasing the limit of cost of the United States post-office building at Excelsior Springs, Mo.; to the Committee on Public Buildings and Grounds.

By Mr. CARY: Joint resolution (H. J. Res. 406) authorizing the Sergeants at Arms of the House and Senate to supply each Member of Congress with an identification insignia; to the Committee on the Judiciary.

By Mr. WITHERSPOON: Resolution (H. Res. 707) for the consideration of H. R. 20694; to the Committee on Rules.

Also, resolution (H. Res. 708) to make it in order to consider certain paragraphs of the bill to make appropriations for the naval service, and for other purposes; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BAILEY: A bill (H. R. 21075) granting an increase of pension to Susannah Ditterline; to the Committee on Pensions.

By Mr. BROWN of West Virginia: A bill (H. R. 21076) for the relief of George T. Goshorn; to the Committee on Claims.

By Mr. BRYAN: A bill (H. R. 21077) for the relief of W. F. Crawford; to the Committee on Claims.

By Mr. CURRY: A bill (H. R. 21078) granting a pension to Thomas F. Tierney; to the Committee on Pensions.

By Mr. HAMILTON of New York: A bill (H. R. 21079) granting an increase of pension to Mary A. Wallace; to the Committee on Invalid Pensions.

By Mr. HAWLEY: A bill (H. R. 21080) granting an increase of pension to George Van Nortwick; to the Committee on Invalid Pensions.

By Mr. HOWELL: A bill (H. R. 21081) for the relief of Truman G. Peters and others; to the Committee on Claims.

By Mr. LANGLEY: A bill (H. R. 21082) granting an increase of pension to Disia Stamper; to the Committee on Invalid Pensions.

By Mr. O'SHAUNESSY: A bill (H. R. 21083) authorizing the Secretary of the Navy to reenlist Roger S. Culp, a chief gunner's mate, in the United States Navy; to the Committee on Naval Affairs.

By Mr. SHACKLEFORD: A bill (H. R. 21084) granting a pension to John H. Campbell; to the Committee on Invalid Pensions.

By Mr. SLOAN: A bill (H. R. 21085) for the relief of William H. Phillips; to the Committee on Military Affairs.

Also, a bill (H. R. 21086) granting an increase of pension to Thomas Armstrong; to the Committee on Invalid Pensions.

By Mr. TAYLOR of Alabama: A bill (H. R. 21087) granting a pension to Gertrude S. Kessler and her three minor sons; to the Committee on Pensions.

By Mr. WALSH: A bill (H. R. 21088) granting a pension to Thomas Travers; to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Petition of the board of trade and citizens of Put-in-Bay Island, Lake Erie, Ohio, protesting against the passage of the seamen's bill in its present form; to the Committee on the Merchant Marine and Fisheries.

Also (by request), memorial of West Liberty Iowa Christian Church, relative to the Mormon Church in the United States; to the Committee on the Judiciary.

By Mr. ASHBROOK: Memorial of city council of Mansfield, Ohio, favoring the passage of the Hamill bill, H. R. 5139; to the Committee on Reform in the Civil Service.

Also, evidence to accompany H. R. 21038, for the relief of Mary A. Shannon; to the Committee on Pensions.

By Mr. BAILEY: Petitions of W. L. Stewart, of Johnstown, Pa., and Albert W. Wharton, of Altoona, Pa., protesting against amendment to Post Office appropriation bill relative to freedom of the press; to the Committee on the Post Office and Post Roads.

By Mr. BALTZ: Petitions of sundry citizens of St. Clair, Ill., protesting against passage of Senate bill 6865; to the Committee on the District of Columbia.

Also, petition of citizens and members of St. Mary's Church, of Alton, Ill., protesting against export of munitions of war; to the Committee on Foreign Affairs.

By Mr. BROWNE of Wisconsin: Petition signed by August L. Buettner, William Engel, and other residents of Shawano, Wis., asking that House joint resolution 377, which prohibits the export of arms, ammunition, and munitions of war of every kind, be enacted into law; to the Committee on Foreign Affairs.

Also, petition signed by Rev. F. Brockmann, George Stolze, and other residents of Wausau, Wis., asking that laws be passed which will enable the President of the United States to place an embargo on all contraband of war, save foodstuffs only; to the Committee on Foreign Affairs.

Also, petitions signed by Rev. G. H. Schilling, jr., John M. Johnson, and other residents of Embarrass; August Bonke, Alb. Gomoll, and other residents of Clintonville; Will Thiel, William Boehm, and other residents of Weyauwega; H. Belter, A. A. Graichen, and other residents of Coloma; George W. Lippert, Herman Habeck, and other residents of Athens; Otto Bartel, August H. Raatz, and other residents of Waushara County; H. W. Marquardt, Emil Hoffmann, and other residents of Marathon County; R. C. Hennig, William Braun, and other residents

of Athens; John Ulmer, F. Pamperin, and other residents of Marshfield; Fred Kuhn, William F. Beyer, Rudolph Schlender, Fred Knoke, August Miller, August Zietlow, F. W. Retzlaff, August Beversdorf, Rev. E. R. Kraeft, W. P. Nichols, Rev. E. C. T. Sterbenooll, Richard Tews, William Brown, Fred Grimm, Ernst Kruger, Martin Mussack, and other residents of Shawano County; and William F. Becker, F. William Strohschoen, and other residents of Marion, all in the State of Wisconsin, asking that House joint resolution 377, which prohibits the export of arms, ammunition, and munitions of war of every kind, be enacted into law; to the Committee on Foreign Affairs.

By Mr. BURKE of Wisconsin: Resolutions adopted by Home Order of Foresters, Court No. 1, of Sheboygan, Wis., and Schiller Lodge, No. 68, Independent Order of Odd Fellows, of Sheboygan, Wis., asking for the passage at this session of Congress of a law to enable the President to levy an embargo upon all contraband of war save foodstuffs only; to the Committee on Foreign Affairs.

By Mr. CALDER: Memorial of St. Wojiecha B. M. No. 211, of south Brooklyn, N. Y., and Abraham Goldfaden Lodge, No. 505, Independent Order B'rith Abraham, of New York, protesting against the passage of the immigration bill, H. R. 6060; to the Committee on Immigration and Naturalization.

By Mr. CARY: Petition of Richard Jaehnigen, William Rasche, Frederick Zahm, J. H. Thiesen, Gustav Kerlin, Eugene Schmidt, Frank Roth, G. Frohberg, C. Schubert, A. Wenzel, Helmuth Gotwald, Max Drews, and 300 others, all residents of Milwaukee County, Wis., urging the passage of House joint resolution 377; to the Committee on Foreign Affairs.

By Mr. DILLON: Petition of citizens of Wakonda, S. Dak., and vicinity, protesting against shipment of war supplies by United States; to the Committee on Foreign Affairs.

Also, petition of citizens of South Dakota, favoring passage of House joint resolution 377, relative to shipment of munitions of war; to the Committee on Foreign Affairs.

By Mr. DONOVAN: Petition of citizens of Danbury, Conn., favoring House joint resolution 377, to forbid export of arms; to the Committee on Foreign Affairs.

By Mr. EAGAN: Petition of Consistory of the G. E. Church, of Hoboken, N. J., protesting against shipment of munitions of war by United States; to the Committee on Foreign Affairs.

By Mr. ESCH: Memorial of Anthony Piotrowski, president of Branch No. 6, Polish Alliance of America, and Martin Burzynski, president of Polish Alliance of America, Thorp, Wis., protesting against the literacy test in the immigration bill; to the Committee on Immigration and Naturalization.

Also, petition of Rev. C. F. W. Voges and 28 other citizens of Ridgeville, Monroe County, Wis., favoring passage of House joint resolution against shipment of munitions of war by United States; to the Committee on Foreign Affairs.

By Mr. GILMORE: Petition of Men's Bible Class of the Congregational Sunday School, of Sharon, Mass., relative to admission of Japanese immigrants; to the Committee on Immigration and Naturalization.

Also, petition of priests of diocese of Scranton, Pa., favoring exclusion of certain publications from the mails; to the Committee on the Post Office and Post Roads.

By Mr. HOXWORTH: Petition of citizens of the fifteenth Illinois district, favoring passage of House joint resolution 377; to the Committee on Foreign Affairs.

By Mr. KENNEDY of Rhode Island: Petition of Polish Falcons, of Central Falls, and To Po Sw Mi Ar 1180, Y. N. P., of Woonsocket; T. and W. Rycerze Polsy Wladyslow Kozlowski, of Providence; and Union Club, of Jamestown, all in the State of Rhode Island, protesting against the passage of the immigration bill; to the Committee on Immigration and Naturalization.

By Mr. KINDEL: Petition of Pueblo (Colo.) German and Austrian Widows and Orphans War Sufferers' Society, favoring bill to forbid export of arms; to the Committee on Foreign Affairs.

By Mr. KONOP: Petition of citizens of Florence, Wis., protesting against prohibition in District of Columbia; to the Committee on the District of Columbia.

Also, petitions of citizens of the ninth congressional district of Wisconsin, favoring passage of House joint resolution 377, relative to shipment of munitions of war by United States; to the Committee on Foreign Affairs.

By Mr. LEVY: Petition of citizens of New York City, favoring Palmer-Owen child-labor bill; to the Committee on Labor.

By Mr. LONERGAN: Petition of Andrew Oberz, president of Polish National Alliance Society, Glastonbury, Conn., protesting against the Smith-Burnett immigration bill; to the Committee on Immigration and Naturalization.

By Mr. MADDEN: Petition of citizens of Chicago, Ill., against Senate bill 6865, to prohibit sale of liquors in the District of Columbia; to the Committee on the District of Columbia.

By Mr. MAGUIRE of Nebraska: Petition of sundry citizens of Nebraska, favoring passage of Senate resolution 6683, relative to export of munitions of war; to the Committee on Foreign Affairs.

By Mr. MAHAN: Petition of sundry citizens of Norwich, Conn., and vicinity, favoring House joint resolution 377, relative to export of munitions of war; to the Committee on Foreign Affairs.

By Mr. METZ: Memorial of Holy Name Society of Our Lady of Lourdes parish, Brooklyn, and Brooklyn Diocesan Branch of the American Federation of Catholic Societies, and citizens of the tenth congressional district of New York, favoring legislation to bar from the United States mails publications that slander the Catholic Church; to the Committee on the Post Office and Post Roads.

By Mr. MURDOCK: Petition of citizens of Garden Plains, Kans., favoring the passage of House joint resolution 377; to the Committee on Foreign Affairs.

By Mr. J. I. NOLAN: Petitions of sundry citizens of San Francisco, Cal., favoring the passage of House joint resolution 377, prohibiting the export of munitions of war; to the Committee on Foreign Affairs.

By Mr. O'HAIR: Petition of citizens of Iroquois county, Ill., favoring House joint resolution 377, to forbid export of arms; to the Committee on Foreign Affairs.

By Mr. REILLY of Connecticut: Petition of citizens of the State of Connecticut, favoring the passage of House joint resolution 377, relative to export of munitions of war; to the Committee on Foreign Affairs.

Also, petitions of citizens of Wallingford, Conn., protesting against the passage of the immigration bill (H. R. 6060); to the Committee on Immigration and Naturalization.

By Mr. STEPHENS of California: Petition of board of supervisors of San Diego County, Cal., favoring plan of an appropriation for construction of a military road from Yuma; to the Committee on Roads.

Also, petitions of Emily G., Ella M., and Elizabeth W. Hunt, of Pasadena, Cal., protesting against shipment of American horses to European battle fields; to the Committee on Foreign Affairs.

Also, petition of San Francisco Camp, No. 4, National Indian War Veterans, San Francisco, Cal., favoring passage of the Keating bill to place Indian war veterans who served between 1865 and 1891 on regular Indian war veterans' pension roll; to the Committee on Pensions.

Also, petition of California Associated Societies for the Conservation of Wild Life, favoring passage of Rocky Mountain Park bill; to the Committee on the Public Lands.

Also, petition of Kullman, Salz & Co., of Benicia, Cal., relative to amendment to present tariff law; to the Committee on Ways and Means.

By Mr. VOLLMER: Petitions of 524 American citizens for the adoption of House joint resolution 377, prohibiting the export of war materials; to the Committee on Foreign Affairs.

Also, petition of the Clinton Turn Verein Vorwaerts, of Clinton, Iowa, comprising a membership of 312, to lay an embargo upon all contraband of war; to the Committee on Foreign Affairs.

Also, petition of the Vorwaerts Turn Verein, of Muscatine, Iowa, comprising a membership of 43, to lay an embargo upon all contraband of war; to the Committee on Foreign Affairs.

Also, petition of the Muscatine Mannerchor, Muscatine, Iowa, comprising a membership of 59, to lay an embargo upon all contraband of war; to the Committee on Foreign Affairs.

SENATE.

THURSDAY, *January 21, 1915.*

(*Legislative day of Friday, January 15, 1915.*)

The Senate reassembled at 11 o'clock a. m., on the expiration of the recess.

THE MERCHANT MARINE.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 6856) to authorize the United States, acting through a shipping board, to subscribe to the capital stock of a corporation to be organized under the laws of the United States or of a State thereof or of the District of Columbia to purchase, construct, equip, maintain, and operate merchant vessels in the foreign trade of the United States, and for other purposes.

Mr. SMOOT. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Chamberlain	Lea, Tenn.	Reed	Stone
Clapp	Lee, Md.	Robinson	Swanson
Culberson	Lippitt	Root	Thomas
Dillingham	Lodge	Saulsbury	Thornton
Fletcher	Martine, N. J.	Sheppard	Vardaman
Gallinger	Norris	Sherman	Warren
Gronna	Owen	Simmons	Weeks
Hollis	Page	Smith, Ariz.	White
Jones	Perkins	Smith, Ga.	Williams
Kern	Ransdell	Smoot	Works

Mr. GRONNA. My colleague [Mr. MCCUMBER] is unavoidably absent from the city. He is paired with the junior Senator from Kentucky [Mr. CAMDEN].

Mr. CLAPP. The senior Senator from Arizona [Mr. ASHURST] and the senior Senator from Wisconsin [Mr. LA FOLLETTE] are absent on official work of the Senate.

The VICE PRESIDENT. Forty Senators have answered to the roll call. There is not a quorum present. The Secretary will call the roll of absentees.

The Secretary called the names of the absent Senators, and Mr. BRANDEGEE, Mr. BURTON, Mr. CAMDEN, Mr. CATRON, Mr. CRAWFORD, Mr. JOHNSON, Mr. KENYON, Mr. LANE, Mr. MARTIN of Virginia, Mr. OVERMAN, Mr. STERLING, Mr. SUTHERLAND, Mr. THOMPSON, and Mr. WALSH answered to their names when called.

Mr. BRISTOW, Mr. MCLEAN, Mr. BRADY, Mr. CLARK of Wyoming, Mr. ASHURST, Mr. HITCHCOCK, and Mr. LA FOLLETTE entered the Chamber and answered to their names.

The VICE PRESIDENT. Sixty-three Senators have answered to the roll call. There is a quorum present. The Senator from Massachusetts [Mr. WEEKS] is entitled to the floor.

Mr. MARTINE of New Jersey. Mr. President——

The VICE PRESIDENT. Does the Senator from Massachusetts yield to the Senator from New Jersey?

Mr. WEEKS. I yield to the Senator from New Jersey for a question only. I can not yield the floor.

Mr. MARTINE of New Jersey. I have no desire to take the Senator from the floor, but I desire to make a statement of an occurrence which happened in my Commonwealth yesterday wherein a most horrible crime was committed.

Mr. WEEKS. Mr. President, I yielded for a question.

Mr. MARTINE of New Jersey. This is a question as to the right of humanity in this land of freedom.

Mr. WEEKS. I answer that by saying it is not a question put to me.

Mr. MARTINE of New Jersey. I wish to take the time of the Senate but a moment. I ask unanimous consent that I may be permitted to make the statement I desire, which will take but a few minutes, and I trust in the interest of humanity, decency, and justice no Senator will object.

The VICE PRESIDENT. Is there objection?

Mr. SMITH of Georgia. Regular order!

Mr. MARTINE of New Jersey. I regret that the Senator from Georgia has seen fit——

The VICE PRESIDENT. There is a call for the regular order, and the Senator from Massachusetts has the floor.

Mr. MARTINE of New Jersey. I trust the Senator from Georgia may be induced to withdraw his call for the regular order.

The VICE PRESIDENT. The Senator from New Jersey is certainly aware of the fact that when the regular order has been called for he has no right to proceed.

Mr. MARTINE of New Jersey. I realize that I have no right to proceed, and I am only requesting the Senator from Georgia to withdraw his demand for the regular order.

The VICE PRESIDENT. The difficulty is that when the Senator has no right to proceed he does proceed. The Senator from Massachusetts has the floor.

Mr. GRONNA. Mr. President——

The VICE PRESIDENT. Does the Senator from Massachusetts yield to the Senator from North Dakota?

Mr. WEEKS. I yield to the Senator from North Dakota for a question only.

Mr. GRONNA. I wish to ask unanimous consent to submit a report.

Mr. WEEKS. That is not a question to me.

The VICE PRESIDENT. The Senator from Massachusetts has refused to yield the floor for any purpose save for a question.

Mr. GRONNA. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator from North Dakota will state his inquiry.

Mr. GRONNA. My question is if the Senator from Massachusetts should yield to me to make a report and unanimous consent is given, would it take the Senator from Massachusetts from the floor?

The VICE PRESIDENT. The Chair would rule that if there were unanimous consent given for that purpose, it would not take the Senator from Massachusetts from the floor nor should it count against the two addresses he is entitled to make upon this question. But the Chair thinks that the Senator from Massachusetts having refused to yield save for a question, that that is an objection to the reception of the report.

Mr. WEEKS. My only purpose in declining to yield is not to give up my right to the floor. I am quite willing that the Senator from North Dakota should make a request, if it does not in any way affect my right to continue my first speech.

Mr. GRONNA. Then, Mr. President, I ask unanimous consent to make a report from the Joint Commission on Federal Aid in the Construction of Post Roads.

The VICE PRESIDENT. Is there objection?

Mr. SMITH of Georgia. Mr. President, I did not hear the request.

The VICE PRESIDENT. The request is for unanimous consent to make a report.

Mr. SMITH of Georgia. I object, Mr. President.

The VICE PRESIDENT. There is an objection. The Senator from Massachusetts has the floor.

Mr. WEEKS. Mr. President, I notice in the press from day to day, in referring to the proceedings of the Senate, the general suggestion that a filibuster is being engaged in by Republican Senators. Speaking for myself alone, and I think perhaps I may properly speak for others, I want to say that Republican Senators are not engaged in a filibuster. This bill comes to the Senate under unusual circumstances and conditions. No hearings have been given on the bill, or at least no hearing since this particular measure was proposed. No opportunity has been given to the business organizations of the country to express their opinion either to the Senate or to committees. Those who have expressed their opinion, as I shall try to demonstrate later, have done so adversely to the legislation.

So Republican Senators are forced to take an unusual course in this matter, not on their own volition, but because of the narrow and technical position in which they are placed by the recent construction of the rules. It is not a fair and it is not a public-spirited way to discuss a great public question to impose upon Senators the necessity of talking for many hours. The way to discuss this question and get the facts would be to do it in the usual orderly way which has been followed in the Senate. Comparatively young Senators, like the senior Senator from Ohio and the junior Senator from Massachusetts, may be able to undergo the severe strain which is being imposed upon us; but it is not fair to those Senators who are not in as firm health, and it is not a businesslike way to proceed to insist that men who are not in firm health or who are not as young as some of us shall undertake to discuss this question under the conditions which are now being imposed.

What we are seeking to do is to call to the attention of the country legislation which we believe will be inimical to the best interests of the country. Speaking for myself and myself alone, there are two propositions in the pending bill which as long as I can interpose an objection will not be adopted by the Senate. One of them is the possibility of purchasing ships belonging to a belligerent nation and the other is the possibility of putting this Government into a transportation business of any kind.

I am entirely opposed to those two propositions. One of them is temporary, to be sure, and it may not get us into serious trouble. I do not know, and no Senator knows, what might result from the possibility of conflict in our foreign interests by purchasing the ships of a belligerent nation. That will be incident simply to the continuation of the European war; but the other is a question that will return to plague us as long as we are a Government. That is the precedent which is now being deliberately set, to put the Government into the ownership and the conduct of transportation companies.

We are not filibustering at all. We are trying to save the Democratic Party from itself under the conditions which exist, but more broadly we are trying to save the country from a policy which we believe will not only be ineffective in its results, disappointing to those who are contending for it, but which we also believe will possibly lead to a manner of conduct of affairs of transportation lines and other operations which will be very detrimental to the best interests of this country.

With that preliminary suggestion and with the positive denial that there is any attempt to do anything more than to get before the public the facts bearing on this case, I wish to take

up the matter which I was discussing when the Senate took a recess last night.

At that time I was suggesting that there were three possible ways of restoring our merchant marine. One by a very radical modification of the navigation laws. Personally I do not think very much more can be accomplished along those lines. We have been modifying them since 1912, and we have obtained no real result in a permanent way which is going to be beneficial to this cause. The only direction in which we have not modified the navigation laws is in those ways which will apply directly to the seafaring man who is going to sea, and personally I am not in favor of in any way modifying the standard which we have established. If anything, the standard should be raised rather than lowered. So, in my judgment, any further attempt to modify our navigation laws will not only be ineffective, but I do not think it can be done without injustice to those who are engaged in the conduct of such affairs.

The second proposition—the one I was discussing last night—relates to a subsidy in some form, either a subsidy pure and simple, or a mail subvention, or in some other way. I prefer a subsidy made directly to somebody, so that there is an absolute record of what the Government is doing, how much it is going to cost the Treasury, who is going to get the benefit of it, if anyone, rather than an indirect subsidy which, in effect, in my judgment, will be very much greater if any such scheme as that which we are now considering is put into operation.

I intend, Mr. President, to try to demonstrate that Government operation is not successful anywhere under any conditions. It is admitted by those who are the sponsors for this legislation that this operation is to be undertaken at a loss for a considerable time, and ten millions, as I understand, is being set aside really as a subsidy, but to make good any loss which is incurred. I do not think there will ever be any change in that condition. I do not think it will be possible to undertake Government operation and produce a profit under the conditions which will exist, so that the subsidy of $10,000,000 will be continued until the end of the experiment which is being undertaken.

The way the world has dealt with this question, however, is entirely different. We are disinclined in every way to take the experience of others and apply that to our own needs. Why should we fly in the face of the experience of every nation which has developed a merchant marine anywhere at any time? No man can indicate an instance where there has been any other method followed in the development of a merchant marine than that of, in effect, a subsidy, though it may not be that in name or in form.

I was speaking last night of the conditions in Germany. Except in the east African service and the eastern service generally through the Suez Canal the German Government does not pay direct subsidies to its shipping; but the German Government pays greater subsidies to its shipping in many other ways than does any other nation that has developed great maritime interests. Its railroad rates are so constructed and arranged that the bringing of products of the German colonies to Germany in German ships and transporting them to the interior, if they are brought in German ships, is done at such a rate by the railroads of Germany that the methods provide a distinct, even a great, handicap on the products of any other nation delivered in the interior of Germany in the same way by the same general route, except in coming from German colonies or in German ships, and discriminations are made in a multitude of other ways.

I suggested last night as to the management and operation of the German railroads, and especially of the Prussian railroads, that they have been so conducted as to promote the purpose of the German nation in building up its harbors, its wharves, its docks, its shipping, its coal mines, its manufacturing industries by a thorough system of cooperation, not to say reciprocity, between these operations, which I do not advocate for this country, because I think it would produce all of the things which we have overcome as a result of our railway laws; but it has brought about a system of cooperation under Government direction which has been the means of making Germany one of the great maritime powers of the world.

Mr. HITCHCOCK. Mr. President——

The VICE PRESIDENT. Does the Senator from Massachusetts yield to the Senator from Nebraska?

Mr. WEEKS. I yield for a question.

Mr. HITCHCOCK. I have heard the statement made that it was possible to ship from one of the manufacturing centers of Germany to a point west of Chicago in the United States at a lower freight rate than prevails from New York to that same point in the United States. Does the Senator from Massachusetts know anything about that—whether there is any such plan of subsidy or discrimination in the German railroads and with the German maritime service as to make that possible?

Mr. WEEKS. Mr. President, I have heard that statement; I have seen it frequently made, and undoubtedly it is true. In just what way I can not tell in any particular instance; but, as I suggested, two-thirds of the rates of the Prussian railroads are special rates; the general rate applies to a very moderate part of the traffic of those roads. The whole purpose has been in the case of foreign trade to develop the docks, the wharves, the harbors, and the shipping of Germany.

Now, I wish to take up the course followed by other nations. I referred last night briefly to Austria and to France and was discussing Germany. Italy pays the following subsidies under present conditions: To the National Co. of Maritime Service, $1,840,000 annually. This line runs from Italy to India and to China. It pays to the Venetian Navigation Co. $200,000 annually. This line runs from Venice to Calcutta. Those are subsidies that apply directly to the traffic through the Suez Canal, to put the shipping of this country on all fours with the shipping of Great Britain. In addition, there are navigation bounties, amounting to $470,715, which are very largely paid to the National Co., to which I have just referred.

There are also construction bounties, fixed at a maximum of $440,000 a year, and I think the maximum substantially is paid every year. Last year $959,880 was allowed for construction bounties and losses due to customs dues on account of the remission of dues to various lines, a part of which applied to the National Co., to which I first referred, these lines all using the Suez Canal.

Japan in the year 1911 allowed $1,617,440 as subsidies to steamers employed in the European service, in addition to which there are various kinds of bounties for construction, repairs, and so forth, which I will enumerate later.

The Netherlands in 1911 appropriated $125,000 to the Java-Japan line, operating through the Suez Canal.

Portugal pays $20,000 to a line plying between Lisbon and Portuguese East Africa. It will be noticed that all of these apply to Suez Canal traffic.

Russia in 1912 appropriated $3,670,000 for the encouragement of its mercantile marine. Of this amount, between $395,000 and $445,000 was paid to Russian vessels using the Suez Canal, this being intended to be and confessed to be a sufficient amount to pay the tolls of those vessels through the canal. This is not, however, the entire amount which Russia pays to ships passing through the canal, because part of it is covered by navigation and other bounties.

Spain in the year 1911 paid a subsidy, based on speed, displacement, and mileage covered, to ships engaged in the Asiatic trade. The total bounty paid for service of this character by Spain in 1911 amounted to $580,000, in addition to which $148,650 was paid on account of shipbuilding bounties, some portion of which went to vessels engaged in trade through the Suez Canal.

Sweden has a considerable number of methods of encouraging its shipping trade, including postal subventions to steamship lines, bounties on shipbuilding, and other forms of giving assistance. In 1907 there was an authorized subsidy not to exceed $102,000 to the Swedish East Asia Co. to meet the expenditures incurred by the company in payment of the Suez Canal dues. This has been reduced to $83,330, the amount paid last year.

In Great Britain a similar method is followed as applied to those vessels using the Suez Canal. The Peninsular & Oriental Steamship Line, which runs a large number of ships to the East, is receiving at present $1,650,000 in bounties, and it has had liberal assistance ever since the year 1840.

This method of assisting traffic through the Suez Canal is applicable to the traffic to other parts of the world as well as in general subsidies. For instance, Austria pays $165,000 a year subsidy to a Brazilian line of steamers. In addition, the Austrian Lloyd, which has a fleet of about 70 vessels engaged in various trades, received a total, including mail subventions and subventions of various other kinds, in the year 1910 of $1,750,000. The Belgian Government has another method of procedure——

Mr. BRISTOW. Mr. President——

The VICE PRESIDENT. Does the Senator from Massachusetts yield to the Senator from Kansas?

Mr. WEEKS. I yield for a question.

Mr. BRISTOW. I should like to inquire of the Senator why Austria would pay a subsidy to a Brazilian line? What would be the object of such a governmental policy as that?

Mr. WEEKS. Mr. President, the Senator misunderstood me. It is not a Brazilian line; it is a line from Austria to Brazil, owned and controlled by citizens of Austria. I may not have the exact facts at hand, but I think there are one or two in-

stances in which countries pay a subsidy to a line which is owned and controlled by citizens of some country of South America. I may come across the details of that, but there are few such instances.

Mr. BRISTOW. Mr. President——

Mr. WEEKS. I yield for a question.

Mr. BRISTOW. The Senator a few moments ago stated that one of the European nations was paying a subsidy of some character to a Japanese line. Do I understand that to be a line that runs to Japan, but not a line belonging to the Japanese people?

Mr. WEEKS. That is correct; it is a line in the Japanese trade, but controlled by the people of the country paying the subsidy.

Belgium has a different method of procedure. In one instance at least the Belgium Government remits all pilotage and other dues to vessels of what is known as the Cosmos Line, which is engaged in the South American trade.

The Brazilian Government has a contract, entered into on September 12, with certain Italian steamship lines—this may be the instance to which I wanted to call attention—the subsidy for this service being fixed at approximately $20,000 per round trip, two-thirds of which is paid by the federal Government and one-third by the State government at Sao Paulo.

The Chilean Government pays a Chilean line of steamers $40,000 a year for service along the west coast of South America, and gives the Pacific Steam Navigation Co., which is an English company, valuable facilities for the discharge of cargo at the Government wharves in Valparaiso.

I hope I will not overlook one of the conditions which is embarrassing the trade of to-day much more than not having sufficient tonnage at some particular port to carry the cargo which may be offered, and that is the lack of facilities to discharge cargo when vessels reach their destination. I have had called to my attention within two or three days the fact that one day last week, at Genoa, which is the most important of the Italian ports, every grain warehouse was filled with grain, every dock was occupied by grain-carrying ships, and there were 47 ships lying at anchor in the harbor waiting to discharge. Senators must not overlook the fact that the great cost of transportation is not alone due to the dangers incurred in the service, the possibility of a ship being blown up or of being delayed for search purposes or otherwise, but is due to the delay in loading and unloading.

Perhaps at this point I may as well refer to that a little more in detail. This is an editorial from the New York Times of yesterday, which reads as follows:

> Washington dispatches say that the Senate committee is putting the "finishing touches" upon the Government shipping bill.

I am glad to see progress being made in putting touches on this bill, which will make it, I hope, a measure which everyone on both sides of the aisle who desires to build up a merchant marine may be able to support. I hope the conferences of the Senators who control this legislation may be continued and that they may be led to see the light by continuing to put on these "finishing touches," to make it not only a reasonable measure but one which will produce the results which every American citizen desires.

To go on reading from this editorial:

> That seems superfluous for two reasons: The action of the caucus was almost fatal, and the trade returns published yesterday ought to be quite so. An increase of exports in December, 1914, over the figures of December, 1913, by $13,070,419 indicates no such deficiency of shipping that the Government should intervene to supply it at the cost and risk of the taxpayers.
>
> That is true also of the year's total exports, which have been exceeded but twice. The excess of exports over imports by the great sum of $131,863,077 surpasses every previous December, and has been equaled only in a single month in the Nation's history. The fact is that only one considerable class of exports might have been increased by shipment in Government boats. A Government line might have carried contraband in ships acquired from belligerents more freely than privately owned shipping. But that way of making trouble will hardly be proposed as a reason for proceeding with the Government line. Those who have our moral approval of their contentions are in control of the seas and can get all the contraband they need. To supply contraband at a profit to those who on the merits we think ought not to win this war, questions of friendship apart, is not a duty of government.
>
> It is especially fatuous to provide Government shipping, or private shipping with Government aid, when the necessity of the case is not so much shipping as facilities for loading and unloading. To the facts on this point as given by carriers' spokesmen on this side of the ocean may now be added incontestable evidence from the other side. Twenty-one vessels arrived at Liverpool last Thursday, and not one of them was able to get a berth to discharge its cargo. Sir Norman Hill, in an official report on the situation, said:
>
> "The main cause, beyond question, is the shortage of labor, not only on the quays but in the transport services, by which the quays are cleared."
>
> It would be idle to add to such congestion by providing more ships. The trouble is not one of trade but of war. Some ports are closed, throwing more business upon others than they could do in favorable times. Many dock laborers have enlisted and others are earning such high wages that they are independent. Commerce is not running in accustomed lines. Strange boats are on unfamiliar routes and require more attention than liners running on routine. If any Government should intervene, it is not ours. We are shipping full volumes of goods at our own prices, and the freight is paid by the buyers. They should worry, not we. We should worry only if those who are more eager than wise should thrust us into an experiment which is not only unnecessary in a commercial sense but is obnoxious politically. No Democrat can keep the name and support a subsidy scheme concealing Government ownership and operation. In proportion as the "finishing touches" meet these objections the bill will lose attractiveness to those who now support it because of these defects.

I have more evidence, which I will offer later, about the incompleteness of the facilities for handling traffic at both ends of the line. It is an important element to consider, quite as important as the question of ships, and would not be in any way remedied if we bought all the ships in the world.

I now continue the statement about the subsidies paid by European nations:

France pays for the Brazil and River Plate service $260,000 annually for postal subventions, and $995,600 annually for postal subventions to the West Indies, in addition to which $80,000 is added for the Mexican postal service. This includes a speed bounty. It pays $2,215,000 annually for the New York and West India service. This is in addition to construction and other bounties which are paid, a portion of which should apply to the vessels in this North American service.

The German lines' preference to Central and South American ports is included in preferential railway rates on German State railroads for all classes of goods.

Italy pays the Genoa-Central American Line $100,000 annually, in addition to which there are large bounties paid for navigation, construction, and repairs; the total bounties for these purposes paid in the year 1912 being $4,065,000.

I wish to emphasize the conditions under which the Japanese have developed a very great tonnage in a few years by what seems extravagant bounties. Japan paid, in 1911, $2,330,000 direct bounties for North American lines, and $372,560 bounties to South American lines, in addition to large amounts in other forms of subsidies, which included, in 1911, $5,584,000 for the extension of steamship routes, $840,000 for the encouragement of navigation, $563,000 for the encouragement of shipbuilding, $2,500 for the training of seamen, and $10,000 for subsidy to lifeboats, a total in the year 1911 of more than $7,000,000. Taking into account the relative resources of Japan and the United States, with similar encouragement, we would pay three or four times that amount of bounty annually, which would be sufficient to buy all the ships which are being considered under the provisions of this bill.

The Mexican Government paid for subsidies to steamship lines in the year 1911 a total of $275,000, which includes $100,000 for service between Canadian and Mexican ports on both coasts; $96,000 to the Pacific Navigation Co., an English company; and other smaller amounts to different steamship lines.

The Netherlands Government pays a direct subsidy to the Royal West Indian mail service of $30,000 annually.

The Peruvian Government pays $150,000 per annum to the Peruvian Steamship & Dry Dock Co. for various services, including the use of the company's steamers as auxiliaries in case of war.

That is one of the propositions that is pending before the Senate, and in a tentative way before the House—the necessity of providing our Navy with suitable auxiliaries to be used during war.

Mr. BRISTOW. Mr. President——

The VICE PRESIDENT. Does the Senator from Massachusetts yield to the Senator from Kansas?

Mr. WEEKS. I yield for a question.

Mr. BRISTOW. Will the Senator please state the difference between the pending measure and the bill which he introduced, and which was finally passed some time last year, providing for additional ships for our Navy to be used in commerce?

Mr. WEEKS. Mr. President, the bill to which the Senator from Kansas refers was a general proposition to take those ships of the Navy which might be available for the purpose, and establish a line from the east coast of the United States first to the west coast of South America, with the hope of gradually supplementing that line by the construction of merchant ships, ships which would be available for cargo carrying, and at the same time available for use by the Navy in case of war. That is a very different proposition from putting the Government directly into the transportation business. That was a temporary measure, the purposes being to develop auxiliaries for the Navy in the first place, and to encourage those shippers engaged in the transportation business to take up

this question with the Government, and try to have provided suitable ships for the two purposes to which I have referred.

Mr. BRISTOW. Mr. President, if I understand the Senator correctly, I should like to make a further inquiry about the bill which the Senate passed something like a year ago, and to which he has referred, providing for the construction of ships and the acquiring of ships for the Navy to be used for the purpose of developing commercial routes. While the method is different, if that bill had been enacted, and the Government had proceeded under its provisions, would it not have accomplished what is sought to be accomplished by the present measure?

Mr. WEEKS. It would have been a step in that direction, without any doubt. That bill is lying dormant in the Naval Affairs Committee of the House.

Mr. BRISTOW. Does the Senator know whether the same committee that reported this bill has that bill now in its possession?

Mr. WEEKS. No; it has not; because that bill went to the Naval Affairs Committee. The committee that reported a bill similar to this—the Alexander bill, as it is called—is the Merchant Marine Committee of the House. They are entirely different committees.

Mr. KENYON. Mr. President, does the Senator remember about when that bill was passed?

Mr. WEEKS. It was about a year ago, I should say.

Mr. KENYON. It has been lying dormant about a year?

Mr. WEEKS. I should think so; just about a year.

Spain pays two lines of steamers—the North of Spain, sailing to Cuba and Mexico, and the other sailing from Mediterranean ports to New York, Cuba, and Mexico—a subsidy based on sailings, speed, distance, and displacement of ships, in addition to which it pays shipbuildings bounties in various forms.

Great Britain pays to the Royal West India Service or Steamship Co. $400,000 annually; to the Pacific Co., operating to Central and South American ports, $162,000 annually, to which additions have been recently made to cover the west-coast service on the opening of the Panama Canal. Furthermore, Great Britain has aided its shipping in many other ways, incidentally in loaning to the Cunard Line the money necessary to build the *Lusitania* and the *Mauretania* at 4 per cent, I think, which enabled the construction of those great steamers, of course, with the proviso that they could be withdrawn from the Cunard service at any time in case of war, when they might be needed for the purposes of the Government.

I have taken some time to give some details relating to subsidies which are paid by European nations to show that there has been no variation in the methods followed by all other countries, our commercial rivals and others, in developing such merchant marines as they have. I take it for granted that every Senator is desirous of doing something which will be effective, businesslike, and reasonable in the way of aiding our merchant marine. What I am contending is that we are throwing away the experience of the rest of the world; that we are undertaking a policy which was never undertaken under the sun; that there is no precedent of any kind for it; that no one has had an opportunity to appear before the committees of the Senate and the House and express his views on this bill; that the opinion of those who are entitled to have their opinion considered in such matters has not been asked; and that there is no evidence, either before the Senate or before any committee of the Senate, which warrants the passage of this bill. On the other hand, Mr. President, I am going to try to demonstrate that there is universal criticism and objection to what we are about to do.

I do not know where the proposal for making this kind of an appropriation originated, but I want to quote from the President on that subject.

Mr. BRISTOW. Mr. President——

The PRESIDING OFFICER (Mr. HARDWICK in the chair). Does the Senator from Massachusetts yield to the Senator from Kansas?

Mr. WEEKS. I yield for a question.

Mr. BRISTOW. Before the Senator goes into that subject I wish to make an inquiry of him. I can not get out of my mind the bill that we passed about a year ago. Has the Senator any information as to why that bill which we passed and which provided that the Government might build these ships or acquire them for naval purposes and use them in commerce, has been permitted to sleep for a year without any action being taken on it by the committee?

Mr. WEEKS. I do not know.

Mr. BRISTOW. Can the Senator tell us why he thinks no attention should be paid to a measure that has already passed the Senate and another measure such as the one we have now brought forward and its passage insisted with such impetuous haste as is being demanded now?

Mr. WEEKS. One of the purposes I had in introducing the bill to which the Senator refers was to have the moral effect of a line of American steamships from the Atlantic coast to the west coast of South America in operation the day the canal was opened. I believed that it would be something which would appeal to the pride of Americans to feel that we were really going to do something besides talk in developing trade with South America; and while I did not believe, and I do not believe now, that there are on the Navy Register ships that would conduct that traffic at a profit, there are a considerable number of vessels which could be used temporarily for that purpose, and those vessels are, most of them, tied up at the docks and of little service in ordinary times.

One of the best features of the general proposition, which I think the Senator from Kansas favors and which I do, the building up of auxiliaries for the Navy, is that those auxiliaries instead of being idle nine-tenths of the time—I hope for all time, as far as war is concerned—may be turned over to private management to help out the trade of the world. It would not be idle capital. Even if the return were a minimum received by the Government, they could be put to some useful commercial purpose.

Now, to go on with the Senator's general suggestion, I think no doubt that there is great pressure being brought by those who own or control the ships belonging to or flying the flag of a belligerent power to sell ships. You can hear rumors any day about the prices at which the ships interned in New York can be purchased. I have heard it said that there were three prices, and that when the trade was made, if the Government bought any of those ships it would be paying the maximum of the three prices; that there was a large commission to be paid to somebody in some way if that were undertaken.

I confess that this is all rumor. I do not know that there is anything definite about it, but it is natural when a proposition appears which is going to put $30,000,000 in the hands of somebody to spend for some purpose that there should be pressure to promote that proposition, and the pressure would naturally come from those who had something to sell.

Mr. BRISTOW. Mr. President——

The PRESIDING OFFICER. Does the Senator from Massachusetts yield to the Senator from Kansas?

Mr. WEEKS. I yield for a question.

Mr. BRISTOW. Will the Senator please state what those three prices were and the basis upon which they were alleged to be made?

Mr. WEEKS. I can not name the prices. I am not in the secret of those, if there are such, who have options on those steamers; but the intimation was made here that there was a price at which the owners of the ships were willing to sell, that they were to be transferred to somebody and a commission paid, and then the hope that the Government would buy them and another commission be paid.

Mr. BRISTOW. Does the Senator think that could account for the failure to enact into law the bill which the Senate passed something like a year ago providing that our naval auxiliaries and others to be constructed should be put into this commerce, there being no commissions involved in that case, and that that is the reason why that bill is permitted to sleep while the one fruitful of commissions is pushed forward to passage?

Mr. WEEKS. The Senator's experience and his imagination are as great as my own. That is a conclusion that would be reached if we followed previous conduct in such transactions. It may be possible that it is so.

But I want especially now, while I think of it, to call the attention of the Senate to this fact: If the Government is going to buy ships under present conditions, it is either going to buy the ships of belligerents with the possibility of foreign complications at the same time or else it is going to buy shipping which is now engaged at its maximum capacity in the trade of the world.

There is no ship of a neutral power to-day which is not employed to its limit. It is not going to add one single ton to the carrying capacity of the world's traffic. It goes without saying that this shipping being employed and there being a great demand for ships of neutral nations the rates are high. They are high for very many reasons, but because they are high those who have ships undoubtedly are reaping a harvest under the conditions which prevail.

Now, Mr. President, does any one think under those conditions the Government can go into the general market and buy ships at a reasonable price, at a normal price, or at a price at which those ships might sell if it desired to transfer them six

months or a year after the war had been ended? Of course we are going to buy at excessive prices. The Government always pays enough for things, but under these circumstances we will pay extraordinary prices, and there will be great depreciation resulting as soon as the emergency has passed. Now, to illustrate that——

Mr. BRISTOW. Can the Senator inform the Senate as to what prices were paid for the ships which we had to have during the Spanish-American War, and what those ships were afterwards sold for?

Mr. WEEKS. That is what I have in my hand as an illustration.

Mr. SUTHERLAND. Mr. President——

The PRESIDING OFFICER. Does the Senator from Massachusetts yield to the Senator from Utah?

Mr. WEEKS. I yield for a question.

Mr. SUTHERLAND. Before the Senator passes to that, I wish to ask him a question. I understood the Senator to intimate a moment ago that options are in existence for the purchase of some of these interned ships.

Mr. WEEKS. I want to make that clear. I said there were rumors that there are such options. I have heard from two or three sources that there are individuals who hold options on the interned ships.

Mr. SUTHERLAND. I understand the only ships which are interned are German and Austrian ships?

Mr. WEEKS. German ships very largely; I presume there are some Austrian ships.

Mr. SUTHERLAND. As I understood the Senator, the option is held by individuals?

Mr. WEEKS. Yes.

Mr. SUTHERLAND. For the purchase of those ships?

Mr. WEEKS. That is what I have been told.

Mr. SUTHERLAND. And very likely in anticipation of a bill of this character?

Mr. WEEKS. That would seem to be a natural conclusion.

Mr. President, in 1898, when we suddenly found ourselves in a state of war with Spain, it was necessary to transport our troops to Cuba and it was necessary to furnish supply ships to accompany our fleet. We had no transports at that time worthy of the name. We had no supply ships, no fuel ships, no repair ships. All of those necessities had to be supplied.

I was personally familiar with the methods which were followed by those who had to do with the purchase of suitable ships. I know they made a great effort to protect the Government's interest and to buy vessels that would be of use to the Navy after the war was over. I have in my hand a complete list of the ships which were purchased at that time. I will put the list in the RECORD, with the permission of the Senate, but I want to comment on it before doing so.

Among the 113 vessels purchased was the *Alicia*, renamed the *Hornet*. The purchase price was $117,500. She was sold within a few years of the termination of the war for $5,100. I hope Senators will pay attention to the depreciation in the prices paid for these ships which were purchased under those circumstances.

The *Niagara*, a commerce carrier, purchased for $200,000, sold within two or three years of the close of the war for $75,563.

The *Zafiro*, a yacht, I think used as a converted yacht; purchase price, $87,597; sold for $3,300.

The *Fearless*, her Navy name was the *Iroquois;* purchase price, $150,000; sold for $4,653.86.

The *Vulcan;* purchase price, $350,000; sold for $175,750.

Mr. FLETCHER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Massachusetts yield to the Senator from Florida?

Mr. WEEKS. I yield for a question.

Mr. FLETCHER. I will ask the Senator if he can specify the dates of those sales?

Mr. WEEKS. I can not give the exact dates, but every one of these sales was made before 1907, within nine years of the termination of the war, and most of them very soon after the war ended. But I have not the dates.

The *Chatham;* purchase price, $350,000; sold for $175,750; a good ship.

The *Scindia*, renamed the *Ajax;* purchase price, $267,657; sold for $20,521.27.

The *Governor Russell;* purchase price, $71,000; sold for $25,000.

East Boston, purchase price, $57,500; sold for $38,091.

The *Scipic*, purchase price, $85,769; sold for $41,550.

The *Inca*, purchase price, $35,000; sold for $1,800.

The *Eugenia*, renamed the *Siren*, purchase price, $40,000; sold for $2,352.50.

Mr. NELSON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Massachusetts yield to the Senator from Minnesota?

Mr. WEEKS. I yield for a question.

Mr. NELSON. Were those vessels purchased by the Government?

Mr. WEEKS. Those vessels were purchased by the Government at the beginning or during the Spanish-American War.

Mr. NELSON. How many did we purchase?

Mr. WEEKS. One hundred and thirteen, I believe.

Mr. NELSON. Vessels?

Mr. WEEKS. Yes.

Mr. NELSON. And have we disposed of all of them?

Mr. WEEKS. No. There are at this time some of them on the Navy list. Many of them are on the Navy list. A few of them were transferred to the Army for transport service.

Mr. NELSON. Has the Senator the figures showing the aggregate amount of those which have been sold, what we paid for them, and what we lost in the sale?

Mr. WEEKS. I am going to put into the RECORD some information on that subject.

Mr. BRISTOW. Mr. President——

The PRESIDING OFFICER. Does the Senator from Massachusetts yield to the Senator from Kansas?

Mr. WEEKS. I yield for a question.

Mr. BRISTOW. May I ask the Senator to give the date of the sale and purchase, as nearly as can be done, when he puts the list in the RECORD?

Mr. WEEKS. All the purchases were made during the summer of 1898, probably between the 1st of March and the 1st of September.

The *Bristol*, renamed the *Cheyenne*, purchase price, $20,000; sold for $1,690.

The *Shearwater*, purchase price, $26,000; sold for $1,536.

The *Pedro*, renamed the *Hector*, purchase price, $200,000; sold for $65,150.

Curiously enough, Mr. President, more of these vessels have foundered at sea than all other classes of vessels in the recent history of the Navy, indicating that they were not very seaworthy craft.

Mr. NELSON. Will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Massachusetts yield to the Senator from Minnesota?

Mr. WEEKS. I yield for a question.

Mr. NELSON. From whom were those vessels, as a rule, purchased?

Mr. WEEKS. They were very largely—almost entirely—vessels that were engaged in the coastwise trade, although quite a number of them were yachts and were converted. For instance, the *Gloucester*, which was distinguished at the battle of Santiago, was a converted yacht.

Mr. NELSON. Were any of them purchased from foreign owners or foreign Governments?

Mr. WEEKS. Only in two instances, and those vessels are still on the Navy list. They were men-of-war. One was purchased from Brazil and the other was purchased from England. I was saying that there has been a strange fatality in the case of these vessels which would seem to indicate that they were not overseaworthy at best. For instance, the *Nezinscot*, which was a tug, foundered at sea. The *Yankee*, which was formerly the *El Norte*, of the Morgan Line, a large ship used as an auxiliary cruiser during the war, costing $575,000, foundered at sea.

The *Yosemite*, formerly the *El Sud*, of the Morgan Line, purchased at the same price, foundered at sea.

The *Marcellus*, formerly the *Titania*, renamed the *Marcellus*, a large ship, foundered at sea.

I think there were one or two others, but certainly there are four or five such on the list. I have not the figures before me, but at one time I figured the percentage of loss on the vessels which were purchased under those conditions and later sold.

It will be noted from what I have read that hardly one of them was sold for 50 per cent of its cost, and in many cases they did not bring 25 per cent of the cost. So if the total amount that was paid for these vessels, aggregating something like $17,000,000, had been realized when sold and vessels built for the purpose for which these vessels are being used had been constructed, we undoubtedly would have saved in the transaction as many as $10,000,000. That shows conclusively the effect of undertaking something as an emergency measure to meet a condition which existed at that time. The condition now is temporary, and will not be in evidence when any ships that can be provided now are ready for service.

Mr. BRISTOW. Mr. President——

The VICE PRESIDENT. Does the Senator from Massachusetts yield to the Senator from Kansas?

Mr. WEEKS. I yield for a question.

Mr. BRISTOW. May I ask the Senator how many of these vessels now belonging to the Navy or the Army could be used for commercial business in the event that that was desired?

Mr. WEEKS. Mr. President, all these vessels are now comparatively old. It is 17 years since the Spanish War. If the charge-off for depreciation had been made in these cases from 3 to 5 per cent a year—it should be 5 per cent probably for vessels of this character—17 years would make 85 per cent.

Mr. BRISTOW. May I ask the Senator how many vessels now owned by the Navy or the Army that are not in use could be used for commercial purposes? How many does the Government own now that could be used for that purpose?

Mr. WEEKS. It owns about 90 of the vessels that were purchased at that time. I will put into the RECORD the complete list. The Navy Register shows the list, their tonnage, and the purposes for which they are used. Some of them are tugs. Some of them were converted yachts and are laid up much of the time, and some of them were cargo-carrying ships and are used as auxiliary cruisers to-day.

Mr. BRISTOW. How many of these ships would be suitable for the over-seas trade?

Mr. WEEKS. I think very few of them. As I was saying a moment ago, these ships are now at least 17 years old, and if the Government had followed the course pursued by private companies and had charged off 5 per cent a year, that would be 85 per cent of the total cost. Of course they are not worth to-day anything like the price which was paid for them. Even assuming that they have been kept in good condition, they have depreciated on account of age.

Mr. BRISTOW. How many of the vessels that the Government owned, either those or any others, could be equipped and put in the service as cargo-carrying vessels?

Mr. WEEKS. Mr. President, under the head of fuel ships in the Navy list there are 23 vessels having a displacement of from 4,000 to 19,000 tons. I think it would be fair to say that those 23 vessels, or at least most of them, might be useful as cargo carriers, or might be used; I will not say usefully or effectively.

Mr. BRISTOW. Would the ships which have been under lease, which have been chartered, and which have been lying around the ports, for which I understand the Government has been paying $100 or $200 a day, or something like that, be available for a commercial line?

Mr. WEEKS. Will the Senator name one ship of the kind to which he refers?

Mr. BRISTOW. I do not know the names of the ships. The Senator from Massachusetts will remember that during the controversy here over an appropriation bill it was alleged that a large number of ships were tied up, that they were not being used, for which the Government was paying charter charges. My inquiry is, could those ships be used commercially; that is, could the President use those ships to establish a commercial line as well as charter them and not use them?

Mr. WEEKS. I do not know about that, Mr. President. I do not recall the vessels, and I do not recall the purpose for which they were chartered.

Mr. BRISTOW. I was inquiring as to the vessels chartered in connection with the Mexican trouble.

Mr. WEEKS. I recall now that there were some vessels chartered at that time; I do not know whether or not they are now under charter; I presume they are not; but they were provided for transport purposes and were used, I think, in transporting our troops from Texas to Vera Cruz.

Mr. BRISTOW. The Senator doubtless does not remember. I was inquiring about the number of vessels which were chartered that had not been used. The statement was made that a large number of such vessels were chartered and not used. My inquiry was whether the President would have authority to use for this purpose the vessels which were chartered and were not being used, instead of asking Congress to provide for the purchase of vessels.

Mr. WEEKS. If there are such vessels, I have no doubt the President would have the right to use them for these purposes at this time or for some purpose that would be useful; but I am not informed about their names or their capacity. I will, however, put the list to which I have referred into the RECORD. It is an excellent example of what will happen if we undertake to buy cargo-carrying vessels under the conditions which now exist.

The VICE PRESIDENT. Without objection, the list referred to by the Senator from Massachusetts will be inserted in the RECORD. The Chair hears none.

The list referred to is as follows:

List of vessels purchased for use during War with Spain, purchase price, final disposition of each, and selling price where sold.

Name before purchase.	Renamed.	Purchase price.	Disposition.
Columbia	Wasp	$895,000	Still in Navy.
Alicia	Hornet	117,500	Sold, $5,100.
Almy	Eagle	110,000	Still in Navy.
Hermione	Hawk	50,000	Do.
D. C. Ivins	Nezinscot	30,000	Foundered at sea.
P. H. Wise	Sioux	25,553	Still in Navy.
Winthrop	Osceola	100,000	Do.
El Toro	Accomac	40,000	Do.
Wilmet	Potomac	125,300	Do.
Edward Luckenback	Tecumseh	45,000	Do.
Walter Luckenback	Uncas	75,000	Do.
Atlas	Wompatuck	65,000	Do.
Josephine	Vixen	150,000	Do.
Mayflower	Mayflower	430,000	Do.
Sovereign	Scorpion	300,000	Do.
Creole	Solace	600,000	Do.
Diogenes	Topeka	170,327	Do.
(Not named)	Manly	24,250	Do.
Do	Somers	72,997	Do.
Saturn	Saturn	290,000	Do.
Lebanon	Lebanon	225,000	Do.
El Norte	Yankee	575,000	Foundered at sea.
El Rio	Dixie	575,000	Still in Navy.
El Sol	Prairie	575,000	Do.
El Sud	Yosemite	575,000	Foundered at sea.
Nitcheroy (El Sid)	Buffalo	575,000	Still in Navy.
Amazonas	New Orleans	1,429,215	Do.
Almirante Abru	Albany	1,205,000	Do.
Merrimac	Merrimac	342,000	Sunk, Santiago, Cuba.
Niagara	Niagara	200,000	Sold, $75,563.
Sterling	Sterling	190,000	Still in Navy.
Enterprise	Modoc	30,000	Do.
No. 18	No. 18	2,800	Lighter.
Nanshan	Nanshan	155,728	Still in Navy.
Zafiro	Zafiro	87,597	Sold, $3,300.
Alice	Alice	19,000	Still in Navy.
C. G. Coyle	Choctaw	82,500	Do.
Penwood	Powhatan	42,500	Do.
Fearless	Iroquois-Ionie	150,000	Sold, $4,663.86.
Vigilant	Vigilant	60,000	Still in Navy.
Active	Active	75,000	Do.
Hercules	Hercules	40,000	Do.
Southery	Southery	100,000	Do.
Venezuela	Panther	375,000	Do.
Yumuri	Badger	367,000	Transferred to War Department.
Yorktown	Resolute	475,000	Do.
T. P. Fowler	Mohawk	44,000	Still in Navy.
Tespia	Hist	65,000	Transferred to War Department.
Restless	Restless	29,000	Still in Navy.
Illawara	Oneida	60,000	Do.
Viking	Viking	30,000	Transferred to War Department.
Chatham	Vulcan	350,000	Sold, $175,750.
Penelope	Yankton	125,000	Still in Navy.
Right Arm	Pontiac	30,000	Do.
Philadelphia	Peoria	100,000	Do.
Corsair	Gloucester	225,000	Do.
Nememsha	Iris	145,000	Do.
John Dwight	Pawnee	25,000	Do.
Justin	Justin	145,000	Do.
Hortense	Takoma-Sebajo	28,000	Do.
Aileen	Aileen	55,000	Do.
Scindia	Scindia-Ajax	267,657	Sold, $20,521.27.
Comanche	Frolic	115,000	Transferred to War Department.
Illinois	Supply	325,000	Still in Navy.
Kingtor	Caesar	175,194	Do
Dorothea	Dorothea	187,500	Do.
Gov. Russell	Gov. Russell	71,000	Sold, $25,000.
East Boston	East Boston	57,500	Sold, $38,091.
W. H. Brown	Piscataqua	130,000	Still in Navy.
J. D. Jones	Apache	54,510	Do.
Celtic King	Celtic	340,900	Do.
Rhaetia	Cassius	160,594	Transferred to War Department.
A. W. Booth	Massasoit	30,000	Still in Navy.
Joseph Holland	Hannibal	147,941	Do.
Atala	Alexander	206,826	Do.
Eliz. Holland	Leonidas	147,941	Do
Harlech	Pompey	111,929	Do.
Abarenda	Abarenda	175,000	Do.
(Not named)	Scipio	85,769	Sold, $41,550.
Peter Jebson	Brutus	215,000	Still in Navy.
No. 55	Water barge No. 1	21,000	Do.
Whitgift	Nero	215,000	Do.
Norse King	Rainbow	176,576	Do.
Enquirer	Enquirer	80,000	Transferred to War Department.
Inca	Inca	35,000	Sold, $1,800.
Huntress	Huntress	27,500	Still in Navy.
Stranger	Stranger	75,000	Do.
Kate Jones	Seminole	25,000	Transferred to War Department.
Bristol	Cheyenne	20,000	Sold, $1,600.
Eugenia	Siren	40,000	Sold, $2,352.50.
Elfrida	Elfrida	50,000	Still in Navy.
No. 295	Sylph	50,000	Do.
Shearwater	Shearwater	26,000	Sold, $1,536.
Sylvia	Sylvia	25,000	Still in Navy.
Hercules	Chickasaw	15,000	Do
Confidence	Waban	20,000	Do.

List of vessels purchased for use during War with Spain, etc.—Contd.

Name before purchase.	Renamed.	Purchase price.	Disposition.
Kanawha	Kanawha	$50,000	Transferred to War Department.
Pedro	Hector	200,000	Sold, $65,150.
Port Chalmers	Glacier	340,550	Still in Navy.
Titania	Marcellus	90,000	Foundered at sea.
Refrigerator ship	Culgoa	247,704	Still in Navy.
Lucilene	Arethusa	218,992	Do.

Mr. WEEKS. A little time ago I was referring to the reasons for this legislation.

Mr. FLETCHER. May I ask the Senator a question at that point?

Mr. WEEKS. I yield for a question.

Mr. FLETCHER. The Government would not be under the necessity that it was at that time for hastening the acquisition of ships with which to transport troops. Any cause for hurry like that would have passed; there would be no occasion of that sort for being pressed immediately into the necessity of acquiring ships; and no such advantage could be taken of the situation by others who might desire to sell ships to the Government.

Mr. WEEKS. Mr. President, I understand there are two reasons assigned for the passage of this legislation—one is to establish a permanent policy, which is bad, and the other is to provide for an emergency. The emergency exists in but two possible kinds of traffic—one is the transportation of grain to European ports and the other is the transportation of cotton. I think Senators must have overlooked the fact that the emergency in both of those cases will probably have passed before there will be any possibility of making suitable purchases of ships for the carriage of such cargoes.

We have shipped 54,000,000 bushels more grain up to a date within two or three days this year than we shipped last year, and substantially that amount more than we have ever shipped, which shows that there has been a very considerable amount of carrying capacity. By the middle of March—that is, within six week, and I hope before this bill can be passed—the necessity for the transportation of last year's crop of grain will have entirely passed, because the present transportation facilities afforded by the ships which are now engaged in that service will have carried to the other side every bushel of grain that we shall have to export.

The only other emergency is the carrying of cotton. The ships which will be released from the grain-carrying trade as soon as about 75,000,000 bushels more grain have been transported will be available for the carrying of cotton. In the meantime cotton is moving pretty freely, and within two or three months even that emergency will have passed. Before we can possibly provide any kind of fleet, even by purchase, the emergency which is supposed to now exist will have passed. So we may eliminate any excuse for the passage of this bill for that reason.

I will merely say, in addition to that, Mr. President, that, in my judgment, there will be a very considerable amount of idle tonnage as soon as the wheat and the cotton which we have to send to the other side shall have been delivered to its purchasers; that there will be more shipping than is required for the trans-Atlantic service; and, in any case, this bill, as an emergency proposition, is not going to add, as I have said before, one ton of additional shipping to the amount which now exists.

Referring once more to the reasons for urging this legislation, I want to quote from the President's Indianapolis speech. In referring to the minority Senators he said:

> These self-styled friends of business, these men who say the Democratic Party does not know what to do for business, are saying that the Democrats shall do nothing for business.

Incidentally I want to say in passing, Mr. President, that I do not believe there is a Senator on this side of the Chamber who is not in favor of doing what he believes will really inure to the best interests of the business of this country; but Senators are not going to be deluded into doing something which they believe will be inimical to business under the guise of benefiting it. They must use their own judgment as to what will be really beneficial when the legislation is submitted to them.

> I challenge them to show their right to stand in the way of the release of American products to the rest of the world.

Well, I have just referred to the shipping of American products, and have stated that we have exported more than ever before of one of the great products, and we are in the way of shipping more of another product. Nobody wishes to stand in the way of a reasonable proposition to relieve those conditions.

> Who commissioned them, a minority, a lessening minority?

Well, Mr. President, our States have commissioned us and have sent us here to use such judgment as we have relating to the business of the country, and we are going to continue to follow our judgment about what is best for those whom we represent.

> For they will be in a greater minority in the next Senate than in this. You know it is the peculiarity of that great body that it has rules of procedure which make it possible for a minority to defy the Nation.

Mr. President, under the up-to-date construction of the rules of the Senate I do not think there is any reasonable possibility of defying anybody's right to act. The rules are, and should be, so constructed that they will allow reasonable debate. This is the place which the American people have had in their minds as a possible vent for exposure of what they believe to be legislation which is not for their best interests, and I conclude that the rules of the Senate are as liberal in that respect as anyone who is familiar with them thinks they should be.

> And these gentlemen are now seeking to defy the Nation and prevent the release of American products to the suffering world which needs them more than it ever needed them before.

Yes; we have sent 54,000,000 more bushels of grain abroad since the harvest of the last crop than we did last year. We are defying the Nation by shipping more than has been shipped in other years; and I will submit some figures to indicate the volume of trade, which show that the world's commerce is being pretty well cared for under the conditions which exist.

> Their credentials as friends of business and friends of America will be badly discredited if they succeed.
>
> If I were speaking from a selfish, partisan point of view, I could wish nothing better than that they could show their true colors as partisans and succeed. But I am not quite so malevolent as that. Some of them are misguided; some of them are blind; most of them are ignorant. I would rather pray for them than abuse them. But the great voice of America ought to make them understand what they are said to be attempting now.

Well, Mr. President, the great voice of America is the press, at least that is the greatest voice with which I am familiar, and I am going to submit to the Senate in great detail samples of the expressions of the press in every section of the country. I ask the Senators on the other side who have charge of this legislation to submit any evidence, either in the press or elsewhere, in favor of this legislation. They will have an opportunity to do so, and I challenge them to compare in any way the character and the qualifications of the witnesses who will testify in favor of this pending bill with those who are protesting against it.

Whether one agrees with his public utterances, since President Wilson took the oath of office, it must be admitted that he has displayed poise and good taste previous to the Indianapolis speech, and it continues to be an increased cause of wonderment to the people of this country, if the press correctly represents their sentiments, how the President could have so far lapsed as to go to the other extreme by indulging not only in questionable taste but the unfounded statements with which his whole address is filled. He refers with words of praise to the "independent," which, if it means anything, is the man who thinks for himself and who generally comes to his own conclusions on public questions which are honest, if not sound, but in the very next breath he attacks in a bitter way those who are opposed to a legislative measure unprecedented in its character in the legislative annals of the world. Those who are opposed to it are not entirely on this side of the Chamber, Mr. President, they can be found in every class and in every political party, and I am not sure that a great majority of them are not in the political party to which the President belongs.

Before any new idea of such character is to be put on the statute books it should have public sanction and approval. The President assumes it has this approval, but his statement is a mere assumption, not in any way borne out by the facts. I want to believe that he made it thinking that he was stating a fact which is without question, but, if that is true, the charge made that he seldom seeks advice, but comes to his own conclusions, and believes that they are public sentiment, is an explanation of his statement in this case.

The first evidences of public sentiment are always found in the press, and as far as that evidence goes there is almost universal condemnation of the project which the President says must be passed and against the opposition to which he warns Senators of any party who may come to a different conclusion than that held by himself. Could there be given a more violent

wrench to popular government than to have the head of the Nation, speaking to the whole country, asserting that those who do not agree with him are misled, ignorant, self-assertive, and misrepresentative?

The way to determine whether this legislation is at all in accord with public desire is to thoroughly discuss it, and as a result of that discussion Senators and Representatives will be sure to hear from their constituents whether or not the bill has the approval of those thinking people who have an opportunity to give it any suitable consideration. This process is sometimes a long one, but in this case, as the idea which the President is urging is new, is entirely outside our experience and the experience of other nations, there is no other course to follow for those who doubt its effectiveness, who hesitate at the dangers of complication with other nations which it may involve, those who believe that it is economically unsound and unwise, than to give it such thorough discussion that the country may understand what it actually means, and the results which will come from its passage.

As one of those opposed to this legislation I deprecate the President's declaration not because I have any desire to oppose the legislation which originates with an administration with which I am not in political sympathy, for I have, as have many other opposition Senators, already shown my independence on that subject; indeed, it may be said that no President in our recent history has had as much support on strictly administrative matters from opposition Senators as has the present incumbent of the White House, and in one case, that of the tolls bill, affirmative action could not have been obtained if it had not been for the assistance of some of those Senators who are now being attacked by him because they are going to vigorously oppose this measure. I believe that there are the possibilities of the gravest international complications involved in the passage of this bill; that if it passed it would be ineffective, utterly failing to carry out the wishes of its sponsors; that it is economically unsound, ill advised, and dangerous; that the sentiment in its favor among those who have given it consideration in or out of Congress is almost negligible; that if it is passed by this Congress or any other Congress, it would be done not because those who vote for it, generally speaking, favor the legislation, but as a result of the most flagrant political pressure, and, speaking for myself, I consider it a duty, which I am going to perform, to throw every possible obstacle in the way of its passage by discussing not only the objections which I have just named, but every other phase of the question involved in establishing a suitable merchant marine. This can not be done by me in an hour or in a day. I want to have what I have to say, feeble and ineffective as it may be, given a chance to reach those who should be informed on the subject, and as the first phase of this discussion I am going to take up at this time the President's statement that "the minority in the Senate are seeking to defy the Nation," and his intimation that the public is demanding the passage of this bill by showing, as far as I am able to show, that there is no public sentiment in favor of the passage of this legislation.

For that purpose I am going to turn first to the report of the merchant-marine committee of the Boston Chamber of Commerce, made to the directors of the chamber of commerce and adopted unanimously by that body. The Boston Chamber of Commerce is one of the largest commercial organizations in the United States. There are more than 3,000 members. It includes a very large percentage of the larger of the business interests of Boston, of all classes and all grades. It is as representative as any organization can be of the business in its locality. It has on its marine committee men who have devoted their lives to the marine industry. They are among the men who, if a proper procedure had been followed, would have been called before the committee of the Senate and inquiry made of them as to the practicability of carrying out this project. Many of the men in a great port like Boston who belong to a commercial body are those who are familiar with seafaring life and seafaring methods; so that this report, which as I said was unanimously adopted by the chamber, should have, I think, the weight to which it is justly entitled. In order that it may have that weight I am going to read from it and make some comments on the suggestions which are made:

To the executive committee and board of directors:

There is some precedent, in the practice of other nations, for Government ownership of railroads; there is none whatever for Government ownership of a merchant marine.

The only instances I have been able to find where a Government has done anything in the way of the ownership or control of merchant-marine lines are one or two instances of river steamers owned by the Balkan States, and one or two instances of river steamers on the Kongo owned or controlled by the Belgian Government; but they are so few that they may be neglected, so that the general statement made in this report is correct.

Mr. NELSON. Mr. President——

The VICE PRESIDENT. Does the Senator from Massachusetts yield to the Senator from Minnesota?

Mr. WEEKS. I yield for a question.

Mr. NELSON. Are not the instances which the Senator cites instances where the boats that are employed are connected with some special commercial enterprise?

Mr. WEEKS. Undoubtedly. I think I know one steamer or one small line of steamers on the Danube which might not come under that head; but, substantially speaking, that is correct.

Mr. NELSON. In the Kongo case to which the Senator refers, is not the steamer service maintained for the purpose of exploiting the special interest of the Belgian Government in commercial and producing transactions engaged in by the Government in that country?

Mr. WEEKS. Undoubtedly. It has the same general function, I think, that the steamers belonging to the Panama Railroad Co. have had in connection with the construction of the canal—incident to the construction and primarily not operated for other reasons.

Such experience in this direction as exists is either an accident or a fragment. The United States bought a small steamship line from New York to Colon as a part of the assets of the old French Panama Canal Co., and has operated that line as an incident of canal construction, at a nominal bookkeeping profit of about 2 per cent for 10 years, with insurance, depreciation, and interest disregarded—imperative charges of a regular steamship concern, which if paid by the Government line would have involved a huge deficit and bankruptcy. The government of Western Australia has owned and operated a small coastwise steamship line for two years, with a loss of $114,000 the first year and of $96,000 the second. It is now believed that this enterprise will be abandoned.

That statement is taken from a report of the attorney general of Western Australia.

This is the net experience in government ownership which the world affords—two lines, both of them financially failures. Yet the ocean steamship business as a whole, in private hands, is and has been reasonably prosperous—as prosperous, on the average, as other industries, or it could not have procured capital for its great and constant growth. Twenty-five years ago the tonnage of all nations recorded by Lloyds was 22,151,000; 10 years ago it was 36,000,000; now it is 49,089,000.

A very rapid growth, and one which conforms, I think, with the growth of the business the world over.

There has been almost no increase in the over-seas tonnage of the United States in this period, but the causes are well known; this is not the place for their discussion at length, and they can not be remedied by a mere expedient of Government ownership. Steamers of a Government-owned line would, if built in the United States, cost more than competing foreign-built ships, or if bought abroad, would cost no less than such competing ships and would cost considerably more to operate. They would, of course, equally with private-owned American ships, be debarred from the subsidies of foreign Governments. A half a century of actual trial proves that under such conditions and with only such exceptions as serve to prove the rule American ships can be maintained in over-seas commerce only at an annual loss that finally becomes prohibitive.

That is borne out by the experience of the two ships, originally called the *Tremont* and the *Shawmut*, which were purchased by the Government for the canal service. They were built at a cost of about $1,000,000 apiece and were put into service to run from Seattle to the Orient. They were operated for six years as economically, I think, as possible. They were well-constructed ships and were suitable for the purposes for which they were constructed, and yet they never earned a dollar of net profit during that six years. They were purchased by the Government at their cost price, less an estimated depreciation of 6 per cent a year, or 36 per cent. The ownership of those ships was largely distributed because there was a desire on the part of citizens of Boston and vicinity to try the experiment of putting on an independent line of steamers under natural conditions and seeing what the result would be. It was almost a patriotic act on their part. The result of that experiment was a loss of interest for six years and a loss of 36 per cent of their principal, the Government buying the ships for the purpose, as is well known, of transporting cement to the Canal Zone, with a provision in the bill that they should be turned over to the Navy for auxiliary purposes when that service was terminated. That is an experience which bears out the conclusions stated in this report from the Chamber of Commerce.

The report goes on to say:

MORE COSTLY THAN A REGULAR SUBSIDY.

This inevitable loss under these bills will have to be made up out of the Treasury of the United States through appropriations for the maintenance of the Government-owned steamship service. There is no proof or suggestion that a Government-owned line under the American flag can be operated at any less expense than a private-owned line.

I shall undertake, Mr. President, before the completion of this discussion, to prove that a Government-owned line can not be operated as economically as a privately owned line; that it will cost very much more than the cost of operation of a privately owned line, so that if a privately owned line is a failure the Government line is sure to be. In that event, the loss must be made up by taxing the people, many of whom are not interested in the operations conducted, which really means the payment of subsidies, and indefinite subsidies at that.

In fact, the expense of a Government-owned line would certainly be greater, for it has been established again and again that the Government can not conduct any business so economically as private individuals trained from youth in that business and dependent on it for profit or for livelihood.

Experience has shown that it costs about 20 per cent more to build battle ships in Government navy yards of the United States than in private yards under like systems of accounting, and it is a fair assumption that there would be at least an equal contrast in the cost of ship operation. Therefore it is a reasonable expectation that if a subsidy of a given amount were required for the profitable maintenance of a private-owned merchant marine, a Government-owned merchant fleet would demand a subsidy at least 20 per cent, and probably much more than 20 per cent, greater, in the form of appropriations from time to time for the Government steamship corporation, of whose stock the Government holds 51 per cent, while private capitalists may own the remainder.

I am going to discuss later the question whether private capitalists would own the remainder. My judgment is that a person who subscribed for any of that stock, hoping that it would be a profitable investment, would be a fit subject for St. Elizabeth's.

Without entering on a consideration of the expediency or justice of a subsidy system, it is indisputable that this Government ownership project involves a particularly wasteful form of subsidy expenditure, inasmuch as trained and responsible private shipowners would be able to provide a given service at a lower cost, or for the same amount to render a more efficient and comprehensive service.

SHIP OWNING A SPECIALIZED BUSINESS.

The proposed bills hold that the Government-owned merchant marine shall be managed by a shipping board, composed of the Secretary of the Treasury, the Postmaster General, and the Secretary of Commerce, not one of whom, probably, would have had the slightest experience in or knowledge of the ocean shipping business, which is a profession by itself, complex and difficult, requiring intense application and exceptional aptitude.

We seem to be prone to pile onto department officers responsibilities of the character which are suggested in the pending bill. My judgment is, and I think it is the judgment of those who have served in Cabinet positions—and their opinion should be worth much more than mine—that they should devote, there is ample opportunity for them to devote, their entire time to the conduct of their departments; and yet there is hardly a commission provided under our recent legislation of which some Cabinet officer is not made a member, which means that the work is going to be done by some other person than he, or it means that he is going to neglect the administrative duties for which he has been appointed. The Secretary of the Treasury is especially subject to these selections for commission places. I submit to the Senate the suggestion that they examine the qualifications of the Secretaries of the Treasury and Secretaries of the Navy during the recent decade, as probably suitable officers, based on experience, to manage an ocean transportation line.

I am informed—I do not know whether it is true or not—that one of the conferences which have been recently held has seriously considered adding two civilians to this board. If they will add competent civilians and take off the Cabinet officers and make a real shipping board of it, they will remove one of the very objectionable features of this bill, in my judgment, and they will provide, as far as may be done, for efficient management. It is not necessary for somebody immediately connected with the Government to be on these commissions. Men who are more competent and have more time than they can be found for such service; and, in my opinion, it is a mistake to put any Cabinet officer on a technical board such as the shipping board provided for in this measure.

I hope the majority will not only carry out the suggestion which I have seen reported in the press of adding two civilians to the board, but I hope they will take every one of the Cabinet officers off the board and put men who are trained for such service on it, so that we may have the best results obtainable under what I believe will be a bad system at best.

It is not to be expected that Cabinet ministers, even of the highest general abilities, could compete in this highly specialized calling with men who had made it the one thought and effort of their lives.

The Panama Canal line is a conspicuous case in point. Its president is and has been Col. George W. Goethals, the distinguished builder of the canal. This Government line, though favored in the transportation of officials and employees, supplies and materials, has failed to earn a sum equivalent to its insurance, depreciation, and interest, which must be regularly met by all private steamship companies.

"Does an emergency exist?" is the question in the report.

It is said that an emergency exists because of the great European war, and that this emergency justifies a disregard of all precedents and demands immediate and extraordinary legislation. We deny that there is any such extreme emergency. Chartering is active; vessels long idle are being employed; freight rates have advanced. But these higher rates are due in chief part to risks incident to the war, to higher insurance rates, and to an increased cost of coal, supplies, and wages. Shipowners and merchants who have been questioned state that there is ample tonnage offering in the world in general for the reduced amount of trade that is being transacted.

I have been told, Mr. President, within a day or two that there are some 20 vessels on the Pacific coast belonging largely if not entirely to the Pacific Co. which are not now being used, and which are available if anyone needs their services by bringing them to the Atlantic coast to carry on the trade which is just now under a pressure.

In South American commerce especially, on which stress is laid by the proposed bills, there are said to be more ships than cargoes. A widespread business depression, due to the war and other causes, has suddenly reduced the purchasing power of the South American Republics.

That is not peculiar to the South American Republics alone. The only pressure for the purchase of anything under present conditions is those munitions and supplies which are incident to war. We are having spurts of good business in the United States, but in every instance where there is relatively good business it is due to the demand from Europe on account of the necessity of furnishing the contending armies with supplies, either munitions or the other equipment which is necessary for military service. Some branches of the woolen trade, some shoe manufacturers, some makers of lathes and other machinery used in the manufacture of ammunition are the branches of business in this country which are even normally active; but in other instances the purchasing power of the world has been crippled and is less than in normal times. That, of course, is true as applied to Europe outside of the war necessities. It is stated here that it is true of South American countries, and it is true of the United States itself. Every person in the United States is to some degree economizing in his expenditures. The President, in his Indianapolis speech, made some happy remark about getting over the 1st of January this year because the financial conditions were such that not so many dividends are being paid as heretofore. There were not any dividends being paid in many cases, and anyone who is familiar with securities will find that there has been a very material reduction in the incomes of Americans, and necessarily as a result a reduction of the expenditures which they make. Therefore when this war pressure is over we are almost certain to see an amount of tonnage available for the over-seas traffic which will be greater than its requirements.

A new American freight steamship line has recently been established to Brazil. Other American steamships naturalized under the new free-registry law are scheduled to sail at frequent intervals for Argentina, Uruguay, Chile, and Peru. There is and long has been an American line to Venezuela, and there are two or three American lines, one the Government-owned service, to the Isthmus of Panama, aside from the six American lines regularly plying through the canal in the coastwise trade between the Atlantic and Pacific seaboards. The managers of the lines to the further countries of South America state that because of the prevalent business dullness they are finding it difficult to load their ships and maintain their sailings without the additional handicap of having the Government of the United States as a competitor. (The United States & Brazil Steamship Line, under the auspices of the United States Steel Corporation, operates three American freight steamers from New York to Rio de Janeiro and Santos. Norton, Lilly & Co. operate three American freight steamers from New York to Montevideo, Buenos Aires, and Rosario. W. R. Grace & Co. (Merchants' Line) and the New York-South American Line both operate American freight steamers from New York to Chile and Peru. The Red D Line operates four American mail, passenger, and freight steamers under ocean mail pay to Venezuela. The United Fruit Co. operates several American mail, passenger, and freight steamers from New York to the Isthmus of Panama and Colombia. The Panama Railroad Steamship Line operates several American mail, passenger, and freight steamships from New York to the Isthmus of Panama, connecting at Balboa for ports on the west coast of South America.)

AS TO LACK OF COTTON SHIPS.

There is some difficuluty in securing a sufficient number of ships on the route from the southern cotton ports to Bremen. But it should be understood that because of mines and other conditions this is an extra-hazardous service. British and French ships, of course, are not available for the carrying trade to Germany, and the German Government has stipulated that cotton shall be brought to German ports only in ships of American register, which are also preferred for the export of German dyestuffs and chemicals. Twelve or more American steamers from the coastwise service have accepted charters in the Bremen cotton trade during the few weeks since that trade was opened.

The information of the committee is that the real difficulty in the Bremen trade is not lack of ships, but lack of marine insurance on hulls and cargoes. A Federal war insurance board has already been instituted for temporary service through the European war. Proposals to extend the authority of this board, so that it can assume marine risks for the time being, while conditions remain as abnormal as they are now, are already before Congress.

I wish to suggest that in one case a merchant ship constructed of wood, a ship about 20 years old, was undertaking a trip to South America. She could carry a cargo having a value of about three-quarters of a million dollars. But the marine insurance companies, considering the character of the ship and her age, would take only two-thirds of the cargo in insurance. That is one of the conditions which the insurance department

of the Government could very well take under consideration and possibly provide suitable insurance to carry on that line of traffic. It was submitted to the department having charge of our insurance methods, and the last time I had any information on the subject no decision had been reached. In the meantime the cargo and the sailing of the ship has been delayed. A delay in the sailing of a ship with such a substantial cargo as three-quarters of a million even for a day is a measurable loss in the probable profits which might be obtained from the cruise.

Such an expedient—

Speaking of insurance—

Such an expedient would solve the problem without any need of resort to the costly and dangerous expedient of Government ownership. If proper insurance can be had, more ships will be available. There are still suitable American steamships not yet chartered. From this fleet, with return cargoes practically assured, enough tonnage should be had to carry all the cotton required for direct import by Germany. In addition to these steamships there is a large fleet of seagoing sail vessels capable of carrying cotton or other cargoes with reasonable safety if insurance can be had. Indeed, several American sailing craft have been chartered in the past few days for lumber freights from the Gulf of Mexico to the Mediterranean.

A HAZARD TO NEUTRALITY.

There are large considerations of national prudence why any American ships employed to carry cotton or other goods to German ports should be private-owned ships instead of the property of our National Government. Hon. Robert Lansing, the counselor of the Department of State, recently emphasized before a subcommittee of the House Committee on Naval Affairs the grave risks that would be run in the transportation of conditional contraband to a belligerent port in a public ship of the United States. Raw cotton is regarded as noncontraband, but the very appearance of a national-owned ship in belligerent waters is fraught with a peculiar hazard to neutrality that does not attach to the voyage of a private-owned vessel.

An accident or affront to a Government-owned ship would be a vastly more serious affair than a similar happening to an ordinary commercial vessel not of a public character. A Government-owned merchant marine, created in the stress of war, would be a potent agency for the embroiling of the United States in the terrible catastrophe now convulsing Europe.

GOVERNMENT OWNERSHIP WILL NOT INCREASE TONNAGE.

No considerable increase in the amount of tonnage actually available for the carrying of our over-seas trade in any direction can be anticipated from this proposed expedient of Government ownership. All the American ships and all the neutral ships that could be bought and utilized for this purpose by the Government can be had equally well for charter for export, at current rates, on application to their present owners. Government ownership has no magic power to increase the tonnage of the world. New ships can not be constructed in either American or foreign yards in a period less than 7 months; 9 or 10 months or a year would be required for the largest cargo vessels.

That statement simply adds to the evidence which I have submitted, that as an emergency measure this proposition will be entirely futile and without any appreciable effect. It will not add to the tonnage of the world, and the vessels which might be available for purchase can be better used by private individuals than under public ownership.

The British Government on December 23 proclaimed an embargo on the transfer of British ships to foreign flags without the assent of the British Board of Trade, which, in present circumstances, would hardly be forthcoming. Dutch, Scandinavian, Spanish, Italian, and other neutral steamers are in such active demand and are earning such unusual rates of freight that it is not probable that our Government could purchase them now without the payment of inordinate prices. A scheme of Government ownership and operation, hazardous and difficult at any time, could be effected at the present juncture only by a prodigious expenditure.

I have illustrated the possibilities under that statement by illustrating with the purchase price paid for the ships we bought when we had an emergency at the time of the Spanish War and the prices obtained for those which were not needed for naval purposes after the termination of that war.

Thirty or more German steamships, some of them of large tonnage, are interned at present in ports of the United States. The Hamburg-American Co., the larger of the concerns owning them, has recently declared that its ships were not for sale. Moreover, last August a rumor that these German steamers might be bought by the American Government immediately drew a notification from both Great Britain and France that the purchase and operation of these belligerent vessels under the American flag would be regarded as an unfriendly act and as a violation of neutrality.

The committee is deeply interested in the real revival and restoration of the American merchant marine in overseas trade, but is profoundly convinced that an ambitious scheme of Government ownership would discourage and delay and not promote this great object, dear to the hearts of the entire Nation. Shipowners and shipbuilders state that the introduction of these proposed bills has had the unfortunate result of halting private enterprise and defeating important plans for the extension of steamship services and for new construction. No business man, no business corporation, however resolute and resourceful, desires to have as a possible competitor the Government of the United States.

MENACING THE COASTWISE TRADE.

The proposed bills profess, in general language, to provide Government-owned ships only for "the foreign trade," but this profession is thrown to the winds by an amendment adopted in the Senate Committee on Commerce, which includes Hawaii among the regions to which a Government-owned fleet shall operate. Hawaii is not a foreign country. It is not a dependency like the Philippines or Guam. It is a regularly organized Territory of the United States, and its ports are ports of the United States, exactly as are Boston and New York and Philadelphia and San Francisco. Trade with Hawaii is and has been since 1900 American coastwise trade, in which none but American vessels may lawfully participate. There has not been a word of suggestion or complaint that the war in Europe affected in any way the transportation of merchandise between Hawaii and the American mainland, for which a large, new, and increasing American fleet is available.

As a matter of fact, the trade of Hawaii is very much less than it has been in the past, due largely to the legislation which has been adopted by the Democratic Party. It gave the sugar industry in Hawaii not perhaps its deathblow but a blow which would discourage any development of it, and would induce those engaged in it to seek some other means of using their capital.

The inclusion of Hawaii among foreign ports in foreign trade is without a shadow of excuse. All interested in the American merchant marine will rightfully regard it as an ugly menace, as an "entering wedge" to Government competition in the entire great coastwise commerce of this country, reserved for more than a hundred years to American ships and American owners and now employing a vast shipping of upward of 7,000,000 tons. Any plea that the help of the Government is needed in this mighty trade is wholly baseless and indefensible.

THE LEASING CLAUSE.

The amendment added to the bill in the Senate Committee on Commerce, authorizing the Government to charter, lease, or transfer its ships to private corporations, is a frank recognition of the force of the criticism which the original plan has met with everywhere from the representative mercantile bodies of the United States.

I want especially to call that to the attention of the Senator in charge of this bill. Speaking entirely for myself, if the possibility of Government operation of these steamers were removed under any and every circumstance, if it were not launching into a policy which I believe will be one of the most dangerous we have undertaken, I should view this legislation with much more complacency. It would remove, as far as I am concerned, one of the great objections, and I hope before the conferences which are now being indulged in are concluded the majority of this Chamber will reach the conclusion that it is unadvisable under any circumstances for the Government to operate these ships in over-seas or any other trade.

Mr. FLETCHER. May I inquire of the Senator if he would support the bill if the provision for operating ships were stricken out of it?

Mr. WEEKS. Mr. President, I want to answer the question frankly. That is not my only objection to the bill, but it is one of the principal objections I have. I am not opposing this bill, and I am not going to vote against it because it originates with a Democratic administration or because it is favored by the majority of this Chamber. I will vote for the bill when it is finally completed if it appeals to my judgment that it is going to in any way relieve, temporarily or otherwise, a condition which every American citizen believes ought to be relieved.

Mr. FLETCHER. May I ask the Senator a further question?

The PRESIDING OFFICER (Mr. HARDWICK in the chair). Does the Senator from Massachusetts yield to the Senator from Florida?

Mr. WEEKS. I yield for that purpose.

Mr. FLETCHER. If the Government should decline to operate these ships, and there should be no provision giving the Government the power to operate them, then would not the Government simply be put in the position of buying ships which would be used for the benefit of those engaged in the shipping business, and wherein would that differ from the Government guaranteeing the bonds of some private individuals or corporations that would build the ships themselves if the Government would guarantee the bonds? Is there much difference between the Government buying the ships and being compelled to charter or lease them and the Government undertaking to guarantee the bonds of some corporation that would build its own ships?

Mr. WEEKS. Mr. President, other nations have furnished the capital to build ships for privately owned companies. That is one of the forms of subsidy that has been adopted, as I instanced, in the case of the building of the *Lusitania* and the *Mauretania*. But I will say to the Senator from Florida that, in my judgment, if there is a real demand for additional tonnage at any time the Government will have no difficulty in chartering any vessels that it may have available for effective and efficient transportation service. It is not going to mean, because the Government can not lease them, that there is any prejudice against those particular ships. If they are efficient ships they can be leased easily enough and operated much more cheaply than can be done by the Government.

Speaking of the amendment for leasing:

But this modified proposal also is essentially unsound. So long as merchant ships cost more to operate under the American flag than under foreign flags, no Government-owned ships will be chartered by

experienced shipowners unless the amount of this additional cost of operation is subtracted from the charter price, leaving that price merely nominal. Under such conditions the Government, of course, will actually be paying a concealed subsidy, which might much better be a frank, open, and stated one.

I differ somewhat from the conclusion reached in that instance, Mr. President, because I believe chartering can be obtained for ships of that character and that we owe it to our military and our naval services that we provide them with suitable ships for auxiliary purposes. We sent our fleet around the world accompanied by coal carriers flying the flags of other nations, a most humiliating spectacle, in my opinion, and we ought to have a sufficient number and tonnage of ships of this character to make homogeneous naval equipment, whether it is used for any other purpose or not. But I have not any desire personally to have money invested in an equipment of that kind which, under the kind of pressure which exists to-day, may not be made available for commercial purposes.

Mr. KENYON. From what is the Senator reading?

Mr. WEEKS. I am reading from the report of the Boston Chamber of Commerce.

The conclusions reached by the committee which prepared the report from which I have been quoting are as follows:

(a) It is a sound principle that the Federal Government should not engage in a business which under suitable conditions can be conducted to equal or better advantage by private enterprise.

(b) Such an undertaking would be an unwise departure from the traditional policy of the American people, which would involve a wasteful expenditure of public money, and would imperil our neutral position in the great European war.

(c) No present emergency justifies the Government in embarking in the ocean shipping business; increased governmental facilities for marine insurance will largely solve the immediate problem of the cotton trade; Government ownership could not immediately add to the number of ships afloat upon the seas, and whenever there is a real need for vessels they can be as easily supplied by other means without resorting to this unsound and hazardous experiment.

(d) The proposed legislation would discourage private capital and personal initiative and thereby indefinitely defer the development of an American ocean shipping industry, so vital to the commercial progress of Boston, of New England, and of the whole United States.

We make the following suggestions as to methods for the creation of a strong and enduring merchant marine, which would be preferable to Government ownership and operation as proposed in the pending bills, and urge their consideration by Congress:

The suggestions are as follows:

SUGGESTIONS.

1. The establishment in the Department of Commerce of a shipping board of five members after the example of the British Board of Trade and similar organizations of other maritime Governments; such a shipping board to be composed of the Commissioner of Navigation, a representative of the shipowning interests, of the shipbuilding interests, and of the shippers in water-borne trade, and an expert in marine insurance; this board to have general supervision of the American merchant marine.

I hope the Senator from Florida will make particular note of the first suggestion which this committee offers. It is so entirely different in its character from the proposition in the pending bill, and appeals to me as so much more likely to bring efficient results, that I hope the Senator and those associated with him will not neglect it, but will carefully consider the propriety of substituting such a shipping bill as this for the one the bill proposes.

2. A prompt revision and modernizing of our navigation laws and regulations, so far as they unnecessarily increase the cost of operating American ships as against foreign vessels.

As I stated this morning, in my judgment the modification of our navigation laws has been carried substantially as far as can be done under the legislation which has passed Congress since 1912. Any further modification, except in some minor detail, would be to lessen the protection which we have provided for those who are following a seafaring career; and I am not disposed to consider that, and I do not think it ought to be considered by anyone.

3. An amendment of the ocean mail law of 1891 so that the compensation now paid to 20-knot ships to Europe can be paid to ships of less speed, of the second class, suitable to establish regular mail, passenger, and fast-freight services in naval reserve ships on the longer routes to South America, Australasia, and the Orient.

Mr. FLETCHER. May I interrupt the Senator to make an inquiry before he leaves that last suggestion?

Mr. WEEKS. Certainly.

Mr. FLETCHER. What does the Senator believe was in the mind of the chamber of commerce with reference to the modification of the navigation laws? What were they intending to convey there? I do not know whether the Senator understands their position or not.

Mr. WEEKS. I have not any information as to what was in the mind of the committee, but I presume the committee, in making that recommendation, had overlooked the action taken by Congress in the legislation passed last year modifying the purchase of foreign ships, the age at which they can be purchased, the carrying of foreign officers and crews on ships flying the American flag, and other similar modifications. As I tried to point out yesterday, it has not lessened the cost of the operation of those ships, because the foreign officers who come into our service under such conditions immediately demand the increased wages which are paid under the American flag.

Mr. FLETCHER. Can the Senator state whether the chamber of commerce would recommend admitting to the coastwise trade those ships admitted to American registry and now allowed to engage in foreign trade?

Mr. WEEKS. I am confident that no man who has considered the results of our coastwise laws and of our over-sea laws would be in favor of letting down the bars and let into our coastwise trade foreign shipping. I pointed out yesterday, and I think the Senator heard me, that the coastwise trade is now conducted on a reasonable basis. If anybody thinks it is not, he can easily find out the results that may be obtained by buying some one of the several lines of steamers which are for sale, and for sale at less than their reproduction cost. That is a complete answer to the statement which has been made that there is a monopoly in our coastwise trade and that somebody is making more money out of it than he should. It is not true, and nobody of any experience, I think, will so state. I wish to suggest to the Senator from Florida that in order to get the final judgment of those gentlemen who are responsible for this report, who know navigation and who know over-seas trade, that they be called before his committee, and let them tell as experts what they think should be done in this very important matter.

4. In place of an investment of $40,000,000 in Government ownership and operation, a Federal fund of the same amount, to be administered by the shipping board above referred to for the purpose of guaranteeing mortgages examined and approved by the board, or for careful loans upon shipping built or purchased for over-seas trade and fitted for auxiliary naval service.

The purpose of that is that construction shall be entered into or purchases shall be made for naval purposes primarily—that is in accord with the substitute which will be offered by the Senator from Iowa [Mr. CUMMINS]—and that, in order to provide for that shipping with certainty and have it under the control of private operators, loans shall be made under reasonable conditions, taking the ships as a mortgage. In that way the Government would be absolutely protected, the most economical operation would be provided, and the ships at the same time would be certainly available for naval purposes.

The sum of $40,000,000 devoted to ownership and operation of a Government-owned fleet would produce only a relatively small fleet, but a proper use of a Government fund in the manner indicated would provide a large one, of far greater value to the commerce of the Nation.

Of course it is not intended to spend $40,000,000 in part in building or buying ships; it is only proposed to spend $30,000,000 under this act. That does not take into consideration the very important problem which I have suggested of providing suitable docks and wharves, the termini of the routes which are to be followed by these lines of steamers, and the many other incidentals, which will cost a very considerable amount of money. It is not possible that anything like $30,000,000 could be properly invested in the purchase of ships without taking into consideration other matters incident to traffic of that kind.

Mr. FLETCHER. Would not those matters be provided for by the capital stock of $10,000,000. The amount to begin business with, required to be paid up, being 51 per cent, or $5,100,000, could be used for acquiring terminals, and possibly also for purchasing some of the ships.

Mr. WEEKS. I think that would be sufficient for a year or two. I have not figured out just how long, but it would certainly be lost inside of two or three years. Then the corporation would be under the necessity of borrowing money or selling some of its ships or of its other property. It would not be safe, in my judgment, to undertake to carry on business for any considerable time with only $10,000,000 surplus, because I can see how that might be dissipated in a comparatively short time under Government management.

5. Annual retainers of a proper amount to citizen officers and men of merchant vessels of the United States, after the practice that has proved so successful, particularly in the British mercantile marine, and special compensation to steamships not under contract for carrying mails, but built on designs approved by the Navy Department and pledged to the service of the Government as fuel ships, supply ships, or transports, so that the Government may be able to control an adequate American auxiliary fleet and a naval reserve of officers and men in time of need.

That is a general provision which has been incorporated in all of the mail subvention laws which Congress has had under consideration during the last 10 or 15 years. It is an extremely important consideration, in my opinion, because we are losing a larger part of the effectiveness of our Navy by not having a sufficient and proper reserve. This is one of the ways of providing a reserve. I do not think it is the only way, but it is one of the ways of adding to the effectiveness of our Navy without

materially adding to its expense; and there should be no loss of time, in my judgment, in adopting a suitable naval reserve policy as well as a suitable Army reserve policy, both of which will inure directly to our benefit without increasing our expense.

6. To meet a present condition, an extension of the powers of the existing Bureau of War Risk Insurance to cover marine insurance on hulls and cargoes, with the understanding that this bureau shall be discontinued when the war has ended.

That is simply a recommendation to extend the power of Government insurance which was provided by Congress last year. At that time I did not think, I am frank to say, it was necessary or desirable to do that; but the limitations placed around the insurance business, which can be conducted under the act as it now stands, might, I think, be temporarily relieved—that is, until the end of the war—and it would increase very materially the carrying capacity of some of our American ships.

The opposition to this legislation does not come entirely from organizations interested directly in seafaring life, but it comes from every available source. It is not located entirely on the seaboard; it is not located in any one section of the country; but the universal belief is, so far as I have been able to learn, that it is impracticable and dangerous. I am going to submit some evidence of that general statement.

Here is an editorial from the Chicago Tribune of January 12, 1915. It can not be charged that the Chicago Tribune has been unfriendly to this administration or that it has any particular prejudices that might possibly go with a newspaper published on the Atlantic or the Pacific coast. This is what it says of the pending bill:

WHAT IS BEHIND THE SHIP-PURCHASE BILL?

Secretary McAdoo's address in this city on the ship-purchase bill may have been intended to be direct and pointed, but as a matter of fact it was evasive and superficial. It failed to deal with the most fundamental objection to the measure; it did not attempt to justify what all intelligent critics regard as its inherent and incurable defect or vice.

That vice is this—that the bill rests on no definite, acknowledged theory. Its sponsors can not agree on any defense of it. The President gave us one theory in his message, and Secretary McAdoo hinted at another one in his speech, but neither adhered to his theory and both contradicted themselves.

If the bill is an emergency proposal called forth by the great war, then it should frankly be advocated as a makeshift and stop-gap, and, moreover, as Senator BURTON has said, the alleged emergency should be demonstrated by relevant facts and figures. This demonstration is not forthcoming; certain misleading figures have been cited, but the shipping and transportation experts have repudiated the interpretation put on the figures by the sponsors of the bill. No business authority has been or can be quoted in its favor.

If, on the other hand, the bill is not an emergency proposal, but a serious and constructive piece of legislation designed to give impetus to the development of a merchant marine, then the very worst time has been unhappily and absurdly chosen for the introduction and passage of such a measure. A time of stress and uncertainty, of unprecedented disturbances in trade and shipping, a time altogether anomalous from every financial and business viewpoint, is assuredly not the time to try to take a momentous step toward the establishment of a merchant marine. We have waited 50 years, says Mr. McAdoo, forgetting that he has advanced the emergency view of the bill. Well, if we have waited 50 years, we can wait another year or two; we can wait till peace has been reestablished and normal conditions have been restored. The sensible man does not during a baffling crisis sit down to deliberate on lines of policy to be pursued under ordinary and normal conditions.

What alternative course do you propose? ask the defenders of the bill. Alternative to what theory, in what sense—as an emergency measure or normal and permanent one?

The simple truth is, neither Secretary McAdoo nor Senator FLETCHER nor anybody else has considered or met the many objections to their bill that the minority of the Senate committee or the chambers of commerce have advanced in reports and circulars. They have dealt in mere generalities and charged "partisanship." Mr. McAdoo "deplored" the fact that "great men" will fight a good bill solely because it is "sponsored by an opposite party." Before deploring that alleged fact he should have answered the arguments—the facts, figures, and reasoning—of the minority and the business men just referred to. He did nothing of the kind. Those arguments remain unanswered, as we shall show, and the charge of partisanship is gratuitous and totally unwarranted. The stubborn insistence of the administration respecting this dubious departure is in direct proportion to the feebleness of the arguments advanced for it. As the debate proceeds and this fact develops, curiosity is aroused.

Why is this bill being pressed so vigorously? What is the pressure behind it?—

I hope the Senator is noting this article and will answer these questions—

Certainly not the pressure of overwhelming facts and cogent reasoning, for they would be brought forward.

It is not cynicism but common sense, therefore, that asks for more light.

What is behind the ship-purchase bill?

Mr. MARTINE of New Jersey. Mr. President——

The PRESIDING OFFICER (Mr. HOLLIS in the chair). Does the Senator from Massachusetts yield to the Senator from New Jersey?

Mr. WEEKS. I yield for a question.

Mr. MARTINE of New Jersey. I am prompted to ask the meaning of the particular sentence which the Senator from Massachusetts has read—"What is behind the ship-purchase bill?" To whom can that refer?

Mr. WEEKS. These questions were asked by an editorial writer in the Chicago Tribune.

Mr. MARTINE of New Jersey. I should like to ask whether the Senator from Massachusetts is himself able to answer just what that expression refers to?

Mr. WEEKS. I have heard rumors that there were very large commissions to be paid in case of the purchase of certain lines of ships.

Mr. MARTINE of New Jersey. Surely the Senator from Massachusetts does not for an instant believe that those who are pressing this bill have been prompted by such venal and selfish motives as the commission which might be paid on the purchase of the vessels?

Mr. WEEKS. I do not believe that the President of the United States has had anything to do with it or that Senators on this floor have had anything to do with it, but that does not exclude everyone who may be urging the passage of the pending bill.

Mr. MARTINE of New Jersey. I will myself say that I can not believe that those who are prompted by any such purpose would have or have had any influence whatsoever.

Mr. WEEKS. Well, I do not know that they have; but I hope the Senator from New Jersey will not take me from the floor by making a speech, and I know he does not want to do so.

Mr. MARTINE of New Jersey. No; I do not want to do that. I have the greatest admiration and respect for the Senator and for his ability, but, without any thought of taking him from the floor, I want to say that I am in favor of a shipping bill providing for a Government-owned marine. There are many features of this bill that I hope to see corrected, but I shall be glad to see the day come when the Government will own shipping facilities without any thought of leasing the privilege to any private corporation.

Mr. WEEKS. Mr. President, I assume my right to the floor has not been affected. There is much in common between the Senator from New Jersey and myself. We are both extremely anxious to develop a merchant marine, but I want to do it under methods that have been approved by the experience of the world. I did not ask those questions myself, but I hope they will be authoritatively answered, and that we may have an answer to a question which I have asked several times and which I am going to ask several more times: What ships are under contemplation for purchase? Who owns the ships? Is there an option held on those ships by anyone for any purpose? Are we going to buy ships of belligerents or are we going to buy neutral ships? I hope those questions will be answered before this debate is concluded.

Mr. MARTINE of New Jersey. Mr. President, it will be impossible for me to answer the questions propounded by the Senator. Although I am not a lawyer, I can understand how there might be very grave——

Mr. WEEKS. Mr. President, I want to warn the Chair that I am not yielding the floor for a speech.

Mr. MARTINE of New Jersey. I have no purpose of inflicting a speech on the Senator. I say that, while I am not a lawyer, I can understand how very grave and serious complications might ensue from the purchase of the ships of a belligerent; but there are many other sources from which we can purchase ships. As I said the other day in the Senate, Norway and Sweden present a most inviting opportunity, and then, thank God, we have shipyards and there are perhaps a million men who would like to engage in the construction of ships.

Mr. WEEKS. Mr. President, I presume the Senator in making the statement was asking my opinion of that proposition. I want to say that if we are going to buy ships of Norway and Sweden when they are earning more than they have probably earned at any one time for a long period, if not for all time, we we are going to pay very exorbitant prices for them.

Mr. MARTINE of New Jersey. I will say in answer to that particular suggestion——

Mr. WEEKS. I do not ask the Senator to answer it.

Mr. MARTINE of New Jersey. I merely want to answer that suggestion, if the Senator will permit me. A gentleman, a Norwegian, of large interests and very signal ability, stated to me that notwithstanding the fact that they were quite busy Norway had vessels entirely adequate for the service, which they would be very happy to sell us at reasonable prices.

Mr. WEEKS. Mr. President, I think the Senator's friend will be a philanthropist of an international character if, when his shipping is earning 25 or 30 or 40 per cent, he would sell it for the price that he would be willing to sell it for if it were laid up half the time for want of cargo.

Mr. KENYON. Mr. President——

Mr. WEEKS. I yield to the Senator for a question.

Mr. KENYON. It seems to me that the statement of the Senator from Massachusetts to the effect that options had been

secured on boats which might be purchased by the Government, while not a charge, is sufficient to arouse a great deal of interest in a man's mind on this proposition.

I confess I should like to support a shipping bill to relieve the present emergency, but if there is any truth in the statement which has been bandied around the Senate, that ulterior forces are at work and that options are being secured on boats which are to be turned over to the Government at unwarranted prices, I do not want to vote for anything that is going to get us in that situation. Does not the Senator feel that there is some way of getting at the facts, either through a committee or in some other way, and does he not feel that the Senate ought really to know whether or not the statement is true?

Mr. WEEKS. Mr. President, the Senator is well aware that I did not make the statement and that I did not ask the question. I was reading from an editorial in the Chicago Tribune. The Senator is as familiar as I am with the methods of procedure to obtain facts of that character. If anybody has any such facts he might very properly be called before the committee, together with experts and others, and given an opportunity to explain to the committee whether or not there is anything in the allegation.

Mr. KENYON. I think the Senator indicated that he had heard such rumors in the city of New York and in other places.

Mr. WEEKS. I have heard them in the city of Washington.

Mr. KENYON. In the city of Washington.

Mr. FLETCHER. Mr. President, I do not care to interrupt the Senator——

Mr. WEEKS. I yield to the Senator from Florida for a question.

Mr. FLETCHER. But while on that point, it might be well to ask, if the Senator thinks it would be worth while to inquire into the suggestion that there are influences behind those who favor the bill, what influences there are behind those who oppose the bill, and to inquire whether there is truth in the statement made to me by a person who seems to understand the situation precisely, to the effect that—

> The opposition to the shipping bill comes chiefly from two sources, namely, the steamship interests and the so-called Wall Street interests.
>
> The steamship interests are opposed to the bill because they do not want additional competition, either governmental or private.
>
> Wall Street interests are opposed to the bill for two reasons: First, because of the steamship interests which they own or control; second, because they fear that the success of this Government enterprise—and a great success it is bound to be—may result in Government ownership of telegraph, telephone, railroad, and other public-service corporations.

Mr. WEEKS. Mr. President, I do not know from what the Senator was reading. I wish he would state from what he was reading.

Mr. FLETCHER. I have read from a letter written to me by a gentleman in New York, and I will have occasion to refer in some detail later on to the contents of that letter. The gentleman is of high standing and character; he evidently possesses excellent ability and is thoroughly informed on this subject.

Mr. WEEKS. It sounds like Mr. Samuel Untermyer.

Mr. FLETCHER. His name is Mr. Phillip Manson, and his address is 290 Broadway, New York.

Mr. WEEKS. Mr. President, I do not know of my own knowledge anything about pressure for this bill, but I know that pressure against the bill is all pervading; it comes from every conceivable source. It is one of the stocks in trade of the Democratic Party whenever they have a bad cause to say that Wall Street is opposing it. There are some members of the Democratic Party who have had some pretty intimate associations in Wall Street in recent years, and it might properly be asked, if that question were going to be pressed, whether those particular members were influenced by their Wall Street connections or otherwise?

Mr. President, another evidence against this bill comes from the Boston Marine Society, an organization of very high standing and one which has been in existence for many years. A statement made by it in New England would carry weight, and I think it should do so here. I have received the following letter from that society:

> BOSTON MARINE SOCIETY,
> SECRETARY'S DEPARTMENT,
> *Boston, Mass., January 13, 1915.*
>
> Hon. JOHN W. WEEKS,
> *Washington, D. C.*
>
> DEAR SIR: At a meeting of the board of trustees of the Boston Marine Society, of Boston, Mass., held on the 12th instant, a quorum being present, it was unanimously voted:
>
> "That this board protests against the passage of bill H. R. 18666, now before Congress, and that the secretary is hereby instructed to so notify our State Senators and Representatives in Congress."
>
> A true copy—attest:
>
> ABERDEEN H. CHILD, *Secretary.*

The Journal of Commerce and Commercial Bulletin is one of the leading papers which has had to do with mercantile-marine matters for many years—perhaps for a hundred years, for it is a very old paper. Its information is carefully scrutinized by those who are interested in nautical matters, and it is an authority in a general way on such subjects. I quote an editorial from that journal headed "Stupid shipping legislation," as follows:

> [From the Journal of Commerce and Commercial Bulletin.]
>
> STUPID SHIPPING LEGISLATION.
>
> War has caused a sharp awakening to the deplorable situation of our mercantile marine. According to a statement carefully prepared by this paper, not less than 5,800,000 gross tons of ocean-going ships have been withdrawn from service since the war began. About 3,500,000 tons represent German and Austrian shipping, and 1,700,000 tons British vessels chartered by that Government. In addition, over 600,000 tons are known to have been destroyed or captured. This sudden withdrawal of such a vast amount of tonnage approximating 13 per cent of the world's total, has created a temporary ocean freight famine. This is one of the exigencies of war that can not be avoided, and would have occurred even had we already possessed a respectable merchant marine. The difficulty, though temporary, is a real one, and warrants any rational and effective means of relief that can be devised.
>
> One of the most puerile proposals that has yet been offered is that of Government ownership. A bill has been introduced at Washington which the administration is expected to support, authorizing the creation of a $10,000,000 shipping corporation, of which the Government shall own a controlling interest. The Government is also authorized to issue bonds to the extent of $30,000,000, making a total available capital of about $40,000,000.
>
> How much relief would a plan of this sort afford? There is good reason for estimating the cost of building a 10,000-ton ship in the United States at about $425,000, compared with $325,000 in an English shipyard. At present the cost of building in a British yard ranges from $45 to $75 per ton. If we take $50 per ton as the cost of a good freighter, this would allow investment in about 800,000 tons, or about 23 per cent of the amount already withdrawn. But where are these 800,000 tons of ocean vessels to be procured? It would be sheer folly to attempt to build such a fleet, even in part, because the war would probably be over before such ships could be put into commission, and they would enter the market at a time when transportation would be depressed by exhaustion from the war and when the supply of tonnage would already be excessive. In other words, if the Government built such ships it could not provide the relief immediately needed, but would only aggravate a bad situation later on, not to speak of incurring a heavy loss to the Government. The only means of relief possible would be for the Government to purchase foreign vessels now lying idle in various portions of the world. This involves grave risks; risks that private capital is not willing to undertake, and that if assumed by the Government might easily involve us in serious international disputes. Besides, the German ships are probably not for sale. The whole proposal of Government ownership in ships is so visionary, inadequate, and dangerous as to be utterly unworthy of an intelligent administration. The situation does not warrant such paternalistic and socialistic methods. As a precedent, it is highly dangerous, and as a cure for a bad situation it can only be classed as stupid.
>
> There is still a lamentable amount of ignorance about American shipping. The urgent necessity for its revival is beyond question; and when Congress repeals the laws which deny American shipowners a fair chance and prevent them from entering the business under the same terms and conditions as their rivals, then we may expect a genuine and permanent restoration of our prestige on the seas, and not before.

Nobody can charge that the New York Times, a great newspaper, has been unfriendly to the present administration or anything which has been indorsed as a part of the policies of the President. On the contrary, that paper has been a staunch supporter of the administration, I think, in most of its activities during the past two years. This is an editorial under date of January 6, 1915:

> The administration's ship-purchase bill has been put upon the Senate's calendar of unfinished business. That is the best place for it, next to the discard. As unfinished business it will give Senators opportunities to talk, to wave the flag, and promise the Treasury to the next on the national bread line, to worry the President, and particularly to obstruct the other legislation which the country is to get without asking for it. It will serve these purposes better than even the "pork bills," and it will thus accomplish the only good it ever will do. The reason is too simple to mention were it not that so many overlook it for reasons more elaborate but not more convincing. Whatever else is promised for the bill it is not promised that it will add a single vessel to the world's cargo boats. The utmost within the possibilities of the case is that the intervention of Government will divert existing tonnage from the uses to which it is put upon commercial considerations. Any such diversion must be detrimental, since commerce manages itself better than it can be managed by those unfamiliar with it and managing it for other than business reasons not commercial. A proposal so uneconomic must be justified on other than commercial grounds, if at all. But uneconomic considerations are suspect and should be examined with care.
>
> Senators support the bill on the theory that we lack trade because we lack shipping, and that the provision of shipping will supply the trade. As a matter of fact, trade follows profit, not the flag, and shipping follows trade. The supply of shipping will not supply profits, except by Treasury disbursements. Trade at the expense of the taxpayers is not the kind they want. The fate of the bill might well be allowed to rest upon a comparison of the lists of those who oppose the bill or who would be more hurt than helped by it with those who are asking for it. There are some who would be glad to unload shipping made idle by the war and others who would be glad to get from the Government even more than they now are getting by trade. All these classes together are not numerous or influential.
>
> On the other hand, the list of those opposing the bill is impressive. Senator BURTON is a host in himself. Supporting him are Republicans like ROOT and LODGE, who give him the best of Democratic reasons for opposing the bill upon principle. There are Governments which give subsidies, but none which run shipping lines. There are Governments that run various monopolies, because they are such by nature, and

therefore are suitable for Government operation in the common interest. There are other Governments which take over some forms of private enterprise in order to substitute profits for taxes. In such cases the service is generally bad and dear, and in no case is this done for shipping. The reason lies on the surface. The carriage of goods on the sea is open to all with moderate capital, and Government can not compete on terms of equality with private operation. If the Government is to make a place for its shipping venture it must take a monopoly by law or it must underbid. If the terms are fair, the Government's line can not succeed, as appears from the fact that even private operation has failed in this line of effort. It has failed because the Government has enacted uneconomic conditions of operation, and now proposes to operate itself because it has made private profits impossible. Such reasoning is irritating. If there is a debit on the balance sheet of American shipping, the remedy is not to create a balance with Treasury funds, but to reduce costs sufficiently to allow a profit. That would not be acceptable to those supporting this bill. They would create other costs and would balance the business by larger takings from the Treasury. If there were any prospect that the venture would be confined to placing a $30,000,000 mortgage upon another Government enterprise itself unprofitable commercially—that is, by issuing Panama Canal bonds for supplying shipping—little harm might be done. But there would be other greedy applicants for easy money. And the threat of Government competition would extend far beyond the immediate direct effects. It would blight private enterprise in the same manner that unfair Government competition has robbed the express companies and the mails for the benefit of the parcel post. The manner in which the Government has earned profits in the domestic carrying trade is worthy only of the requisition of a pirate. And it is proposed now for the open seas by the party traditionally devoted to the principle that that government is best which governs least.

Next, Mr. President, I submit to the Senate a letter from the National Metal Trades Association written by its secretary:

NATIONAL METAL TRADES ASSOCIATION,
Boston, January 11, 1915.

Hon. JOHN W. WEEKS,
Senate Chamber, Washington, D. C.

MY DEAR SENATOR: You probably will be interested to know that the Boston branch of the National Metal Trades Association is unqualifiedly opposed to H. R. 18666, the so-called Alexander bill, and I sincerely trust that you may see your way clear to use all legitimate means to oppose the passage of this bill.

If there is any way that you can suggest that the members of this branch can be of assistance in preventing this legislation, I shall take great pleasure in presenting to them any suggestion that you might offer.

I have written Senator LODGE a letter along similar lines, a copy of which you will please find inclosed.

Yours, very truly, W. W. POOLE, *Secretary.*

This is an editorial on Government-owned ships from the periodical called American Industries—the manufacturers' magazine:

Judged by the standards of sound business the proposed Government-owned line of merchant ships is foredoomed to failure. There is no pressing demand for ships to carry American cargoes to justify the entry of the United States Government into the marine carrying trade, as President Wilson urges in his recent message to Congress. A sincere policy of economy in national affairs would dictate caution in investing the money of the people in an enterprise which is so very uncertain in its results that private capital, proverbial in its wise timidity, hesitates to enter it under present laws. And if the bill now pending in the Senate is passed and a line of Government-owned ships established, it is certain, in the light of past experience, that they will only add unnecessarily to the increasing cost of government with no adequate compensation to the taxpayers for the expenditure.

After reviewing the trade conditions occasioned by the war, President Wilson, in urging the passage of the shipping bill, premises his demands upon the assumption that there is a dearth of bottoms available for the transportation of American products to foreign lands, and that this dearth must immediately be removed if the United States is not to be outstripped in the race for foreign trade. He said:

"How are we to carry our goods to the empty markets of which I have spoken if we have not the ships? How are we to build up a great trade if we have not the certain and constant means of transportation upon which all profitable and useful commerce depends? And how are we to get the ships if we wait for the trade to develop them? To correct the many mistakes by which we have discouraged and all but destroyed the merchant marine of the country; to retrace the steps by which we have, it seems almost deliberately, withdrawn our flag from the seas, except where here and there a ship of war is bidden to carry it or some wandering yacht displays it, would take a long time and involve many detailed items of legislation, and the trade which we ought immediately to handle would disappear or find other channels while we debate the items."

The President has evidently been misinformed as to the bottoms available for the transport of American goods. In war times freights are always unusually high, and despite the 5,000,000 tons of belligerent shipping now idle, the high rates of which shippers complain have attracted many small craft to American waters which are anxious but unable to obtain charters.

The Boston Maritime Association reports that there are tied up in Boston four steel steamships for which cargoes can not be found, and the association has a list of 200,000 tons of shipping available at rates high enough to warrant a round trip. It is reported that a French line is sending 18 small boats to American harbors for grain cargoes, because these boats can not operate on their usual routes abroad. A great number of Scandinavian tramps have been attracted to our neutral ports, and shippers experience little difficulty in obtaining ships at prevailing rates.

Obviously the Government could not profitably cut the prevailing freight rates. It would be forced to compete with private shipowners on an equal footing or literally throw into the sea the money of the taxpayers. If President Wilson desires to establish a permanent American merchant marine to compete with the ships of other nations, let him urge the repeal of those laws which in his message he admits have driven our flag from the seas.

It should be written as the first axiom of economics that no business will thrive unless it be profitable. It matters not whether that business be conducted by the Government or by private individuals, unless it be profitable it will die. If the pernicious labor laws with regard to American ships are repealed and that business freed from Government restrictions, aided instead of oppressed, the American flag will again be restored to the seas. Other expedients are useless.

Other reasons are not wanting to argue against the President's proposition, and among them, as we have said before, is that out-and-out socialism has no place in our national life.

I am going to try to demonstrate before I finish, Mr. President, that in every instance the general statements made in that article from American Industries of this month can be substantiated by showing the results of Government operation in competition with privately conducted corporations in substantially every country in the world.

It has been suggested by the Senator from Florida [Mr. FLETCHER] that there may be some question about the motives or the reason for opposing this legislation. That, I assume, means that somebody is interested in shipping and does not want additional competition, or that somebody is financially interested in transportation lines and is afraid of Government ownership. I do not know anyone who has investigated the question of Government ownership, and who has any regard for the financial integrity of the results obtained, who is not afraid of it. I am; and I am frank to confess that the more I investigate it the more fearful I am of any attempt on the part of the Government to conduct any business. The Government was organized not for conducting business operations but for those particular purposes which are inherent in government organization. The minute you stray from that, I do not care in what direction, you are going to increase operating expenses, you are going to decrease the returns which come on account of pressure, and you are going to make the net returns negligible if not absolutely a minus quantity. That is the result of all, or substantially all, Government operations which I have examined, and I am going to consider them in great detail before I complete my remarks.

To indicate that there is no section which is not antagonistic to the pending measure, I want to read into the RECORD the resolutions adopted by the New Orleans Association of Commerce:

Resolution adopted by the merchant-marine committee of the New Orleans Association of Commerce and approved by the board of directors of the New Orleans Association of Commerce at a meeting held on January 6, 1915.

That it be the sense of this committee that they recommend to the board of directors of the New Orleans Association of Commerce that they go on record as being opposed to the Government ownership or participation in the ownership of steamship lines to engage in the foreign trade of the United States, for the reason that we do not consider such action necessary, but, on the contrary, unnecessary; and, on the other hand, such ownership and operation of vessels by the Government will create unfair competition with its own citizens.

This committee therefore requests the Association of Commerce, through its board of directors, to oppose the Alexander bill, known as H. R. 18666, amended by Senate bill 6856, which action, the committee is informed, has been taken by a special committee of the Chamber of Commerce of the United States, who have considered this proposed legislation and the restoration of the American merchant marine.

It is the further sense of this committee that the New Orleans Association of Commerce inform the President of the United States, the President of the Senate, the Speaker of the House of Representatives, the chairman of the Senate Committee on Commerce, the chairman of the Merchant Marine Committee of the House of Representatives, the Senators and Representatives from Louisiana in Congress, and the United States Chamber of Commerce of the action taken in this matter.

THOMAS J. FREEMAN,
President New Orleans Association of Commerce.

Attest:

WALTER PARKER, *General Manager.*

Here is a canvass that was recently taken of American exporters. It would be presumed that if any class of citizens were in favor of increasing the capacity of our merchant marine under the conditions which prevail, it would be the exporters of the country, those who are directly involved in the business which must be completed through the facilities offered by a merchant marine; so a canvass has been made of these exporters by the organ—I presume, of an association—called the American Exporter:

As a result of a canvass just completed by the American Exporter of 2,447 leading exporters of the country, 559 replies were received, of which 85 expressed approval of the Government ship-purchase bill—

I think, very likely, many of those approved it because they had no hope of obtaining anything else—

20 were in favor under certain conditions, 229 were opposed, while the balance who answered excused themselves from expressing an opinion because of unfamiliarity with the bill, a desire not to go on record, or because their export shipping is handled for them by others.

That clause, "a desire not to go on record," attracts my eye. We have been passing the kind of legislation here, and particularly the legislation that passed the Senate last summer under the title of the Trade Commission bill, which has put the business man of this country in such a position that he does not want to face the possible antagonism of a Government bureau by expressing disapproval of the administration which may be in power. We have exactly the same condition under our banking laws to-day, and exactly the same result. Except

under pressure, you can not get a national banker or a member of the Federal reserve association to express any public opinion regarding the Federal reserve law or anything pertaining to Government operations. It should be kept in mind at all times that a large percentage of the business men of this country under present conditions, with the possibility of having a Government bureau placing in their path restrictions and obstacles which will imperil or at least injure their business operations, will not express opinions that are unfriendly to the administration. I propose at some time, when I have the time, to put into the RECORD some of the activities of the comptroller's office in connection with certain banking interests during the last year's time, and in my judgment it will astonish the American people to see the extent to which bureaucracy is trespassing on the reasonable and proper rights of business organizations. Why, the Comptroller of the Currency has even gone so far as to recommend in his annual message this year that an infringement upon the regulations of that bureau by any citizen engaged in the banking business shall subject the offender to a fine, to be imposed by the comptroller himself—and this under a mere regulation, not a law at all.

Mr. BRISTOW. Mr. President——

The PRESIDING OFFICER (Mr. SHEPPARD in the chair). Does the Senator from Massachusetts yield to the Senator from Kansas?

Mr. WEEKS. I yield for a question.

Mr. BRISTOW. Let me inquire of the Senator if, in his opinion, the administrative policies to which he refers—of the comptroller's office and of the Federal Reserve Board—are not very similar to the administrative policies of the Czar of Russia, and just as tyrannical and unreasonable and undemocratic in their methods?

Mr. WEEKS. I think they are more so, Mr. President. I regard the Czar of Russia as a mollycoddle compared with them. [Laughter.]

I ask permission, Mr. President, to insert in the RECORD the rest of the article from which I was quoting, as part of my remarks, without reading.

The PRESIDING OFFICER. Without objection, it is so ordered.

The matter referred to is as follows:

The canvass was made by mail beginning December 17 and ending January 4, thus being completed before the debate on the measure began in the Senate. Those asked to express their views were 1,196 manufacturers known to be engaged in or seeking export trade, and 1,257 export commission houses, manufacturers' export agents, New York buying offices for foreign firms and corporations, and foreign freight forwarders, and included all members of the American Manufacturers' Export Association, the American Exporters and Importers' Association, and a large portion of the Merchants' Association. It included firms in practically every State of the Union, and among manufacturers makers of everything from toothpicks to locomotives.

None of those invited to express their views were shipowners. The terms "shipping" and "exporting" are often confused in discussing over-sea trade, hence emphasis is laid on the fact that the views gathered are those of the men who pay the freight and depend on the shipping facilities offered and not those of the owners or agents of ships. Those who were asked to give their views were the very people who would supposedly benefit from the operation of the bill, and their indifference and actual opposition by a vote of more than two to one is considered significant.

Five questions were asked in an endeavor to learn whether exporters consider shipping facilities to Latin America have been inadequate or not, as in the opinion of the administration they have been, and whether exporters in general approved of the bill.

As the vote shows, the experience of shippers is that the 13 lines to South America and the numerous lines to Central America have provided and do provide ample facilities. Nevertheless, many who testify to that fact state that they are in favor of the bill. In addition to those who favored the bill, there were those who gave qualified approval to Government ownership.

Mr. WEEKS. Mr. President, the paper of largest circulation in New England is the Boston Post, which has been a Democratic paper for 50 years—I think since it was established. It has one of the largest circulations in the United States. I do not recall any instance when it has even moderately criticized a great policy of a Democratic administration; and yet this is an editorial from the Boston Post under date of January 9:

THE SHIP BILL.

As evidences multiply that the administration leaders in Congress are determined to push for the passage of the ship-purchase bill, so do the outspoken protests of many Democratic newspapers against the measure. The Post has felt compelled to range itself with those who oppose the bill, and it has as yet seen no arguments sufficient to change its opinion that the plan is inadvisable and would not do what it is intended to do.

In the first place, the Government would have to spend a good many million dollars in the purchase of ships in order to have the movement amount to anything. Does anybody need any argument to convince him that the national finances are in no condition to launch forth into any expense that is not absolutely necessary?

I am going to take the time a little later, Mr. President, to indicate the condition of the national finances. I am not an alarmist, but the deficiency tax, known as the war tax, which is intended to provide $100,000,000, is not going to be sufficient to provide this Government with revenues to carry out the purposes and the appropriations which have already been undertaken. We will have another deficiency tax of some kind within one year, or else the condition of the Treasury will be such that it will cause universal alarm.

Mr. SHERMAN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Massachusetts yield to the Senator from Illinois?

Mr. WEEKS. I yield for a question.

Mr. SHERMAN. Does the Senator know whether any material portion of the $35,000,000 appropriated for the Alaskan railway has been withdrawn from the Treasury yet, so as to be added to the expenditures?

Mr. WEEKS. Mr. President, I understand that practically nothing has been done yet, so that that appropriation does not affect the Treasury balances as they now stand.

Mr. SHERMAN. May I inquire, further, whether that $35,000,000 is not a continuing liability, to be drawn against any existing receipts?

Mr. WEEKS. It is a continuing liability, Mr. President, as far as the $35,000,000 is concerned, and then it will be a continuing liability after it is spent. I never heard of a business man who knows the loose way in which that appropriation was made and in which it is to be expended who would give fifty cents on the dollar for the investment that is going to be made in the Alaskan railway. If the railroad is ever started, if it is ever in operation, it is going to lose money from the day it commences to operate, and that will make it a continuing liability on the Treasury.

Mr. SUTHERLAND. Mr. President——

The PRESIDING OFFICER. Does the Senator from Massachusetts yield for a question?

Mr. WEEKS. I yield for a question.

Mr. SUTHERLAND. I ask the Senator in that connection—that is, in connection with the expenditure of the $35,000,000, which is a continuing liability and the probability of a renewal of the war tax of $100,000,000—whether or not he has taken into consideration the fact that in 1916 there will go into operation the provision of the tariff bill which we passed a year ago which entirely repeals the sugar tax and which will result in a net loss to the Treasury of upward of $50,000,000?

Mr. WEEKS. Mr. President, at our present rate of expenditure, without some other source of revenue, there will be no balance in the Treasury by 1916, if we take into account the loss on account of the sugar tax to which the Senator has just referred.

Mr. SUTHERLAND. Does not the Senator think that in view of that fact, instead of there being a mere renewal of the war tax, there will be more likely a tax to raise $200,000,000?

Mr. WEEKS. There is not any question but that it will have to be increased.

To continue the reading of this editorial from the Boston Post:

Our customs receipts from imports have dropped almost to nothing. We are taxing various articles and documents to make up for this loss. Are we ready to place on the taxpayers the burden of establishing a huge fleet of commercial steamships in the foreign trade, which, it is admitted by the President, would probably not earn its expenses soon, if at all?

Further than this, however, and more significant, we think, is the truth that a Government-owned merchant marine would be the most discouraging thing to American carrying industry that could possibly be devised. Private interest could not stand Federal competition, and would not try to. The business would be killed in short order and nobody would be the gainer.

Lastly, it has not been shown that there is any shortage of ships when there are cargoes to fill them. When trade increases we shall need more; but the immutable law of meeting demand with supply will provide the carriers. It is not Uncle Sam's business and he ought to keep out of it.

That, as I said, is from the Democratic Boston Post; but Democratic papers in New England are not the only Democratic papers that are saying things of a similar character about this bill. Here is the Lexington (Ky.) Herald, edited by a cousin of the present Assistant Secretary of War, a member of the well-known Breckinridge family. The title of the editorial is:

THE MISGUIDED, BLIND, AND IGNORANT REQUEST LEADERSHIP, LIGHT, AND INFORMATION.

In the striking speech delivered by President Wilson at Indianapolis on Jackson Day, which is well worth perusal by those who wish to become acquainted with the thoughts of the President and to understand his purposes, he states: "Many of those who are fighting the ship-purchase bill now before Congress are misguided; others are blind, but most of them are ignorant."

There is an old story that a man away from home received a telegram saying, "Your mother-in-law is dead. Shall we embalm, cremate, or bury?" Promptly answered the living son-in-law, "Take no chances. Do all three."

We feel somewhat as did that son-in-law. We know the President, as always, is accurate in his statement that those who oppose the ship-purchase bill are misguided, blind, or ignorant, and our opposition to that bill is so strong that we plead guilty to being all three—mis-

guided in our belief that it is in violation of every Democratic principle and tenet, blind in our inability to see how it will benefit American commerce, ignorant of the purposes of those who advocate such a bill instead of frankly advocating subsidies, from which greater benefits would come.

We have been utterly misguided in our study of history if such a bill is in accord with any principle enunciated by a Democratic platform or approved heretofore by a Democratic President or a Democratic Congress.

We know of nothing in any handbook of Democratic principles that justifies the Government entering into competition with private capital. We are unable to understand or to appreciate that conception of Democratic policy that thinks it proper to blaze the way for the Government to enter into business in competition with private enterprise, and that, too, in a business that requires expert knowledge and long training.

We are blind, utterly blind, to the advantages that will come from this bill. No reasonable man can advocate the use of Government-owned ships in European trade. No man who appreciates the temper of the American people can contemplate the possibility of the seizure of a Government-owned ship by the warships of a foreign nation without realizing the imminent danger of involving us in war with the country making the seizure.

The President saw fit to protest to England, which is in fact a protest to all of the allies, against the seizure, examination, and detention of ships carrying goods to neutral countries. In the papers of Sunday, the day after the publication of the President's speech, there were accounts that the allies would probably seize a ship that after the declaration of war had been purchased and transferred to American register, upon the ground that the purchase was not bona fide.

Is the United States Government to purchase ships that are now interned and pay to the citizens of the warring countries millions of dollars without protest from the other countries involved in this war? Are we to use such ships in the European trade with the practical certainty that we will become involved through the seizure, search, and detention of those ships? We do not believe that one even so blind as we admit ourselves to be can face with equanimity such a prospect.

There has been no revelation of a method by which we can promptly use such Government-owned ships for the purpose of developing the South American trade, about which we hear so much, and which will eventually be of so great value, but which must be developed along the lines that have been laid through the centuries by the prejudices and the customs of the residents of South America.

There is no intimation of the plan of the Government to secure warehouses and docking privileges in the South American Republics. The bagatelle of $30,000,000 proposed in the bill, which is but a fraction of the ultimate amount that would be required, for the ostensible purpose of creating a navy of merchant ships, would not in any appreciable way relieve conditions as they now exist.

Admitting, as we frankly do, and always shall, that the President is accurate and just in branding those who disagree with him as misguided and blind, we admit also that we are ignorant and plead with all earnestness that we be enlightened. From whom are the ships to be purchased? What plans have been made for the purchase of ships? To the citizens of what country is the money for the purchase to be paid? What is the plan for the handling of the ships? How are we to secure warehouse and docking privileges? Why does the bill provide that the Secretary of the Treasury shall be the virtual dictator of the purchase, management, and operation of these Government-owned ships? Why is it that the Secretary of the Interior and the Secretary of Commerce, under one or the other of which surely such a traffic should be operated, are overlooked and the Secretary of the Treasury is chosen as the one to operate a commercial enterprise?

There are many other questions about which we are ignorant, but we at present are intensely anxious to be enlightened as to these. And with all the deference possible we suggest most humbly that the President would be more apt to win the approval of the country by giving reasons than by uttering denunciation of those who disapprove this bill and question the plan that has been proposed.

Mr. MARTINE of New Jersey. Mr. President——

The PRESIDING OFFICER. Will the Senator from Massachusetts yield to the Senator from New Jersey?

Mr. WEEKS. I will yield to the Senator for a question.

Mr. MARTINE of New Jersey. I shall not delay the Senator's discussion. I have no desire to deprive the Senator of any rights. I think he quoted from the Boston Globe a moment since, and he referred to the Journal of Commerce.

Mr. WEEKS. I did not quote from the Boston Globe. I quoted from the Boston Post.

Mr. MARTINE of New Jersey. Well, it was a Boston paper, anyhow. I have here the Journal of Commerce of to-day, and it says:

TAKE VESSELS FROM PACIFIC FOR COTTON—SHIPPERS CHARTER WESTERN STEAMERS FOR THIS TRADE—AVAILABLE SUPPLY ON ATLANTIC COAST HAS BEEN EXHAUSTED—REGULAR LINES CAN NOT SPARE MORE BOATS—"MATANZAS" AND "NECHES" RECHARTERED—UNDERWRITERS KEPT BUSY.

The whole line of the Senator's argument was that there was much available material or bottoms in which to ship from here. The Journal of Commerce for to-day says:

Finding the Atlantic coast depleted of available and suitable tonnage, attention has been turned to the chartering of steamers on the Pacific coast. It is understood that Pacific coast steamers will receive slightly higher compensation than the Atlantic steamers, in view of the fact that many of these steamers will have to sail some 3,000 miles without cargo before reaching the loading port on the Atlantic.

SEVERAL PACIFIC STEAMERS ALREADY.

Having exhausted the supply of available vessels on the Atlantic coast for the transportation of cotton to Germany, shippers are turning their attention to American steamers on the Pacific coast, and according to information secured yesterday several Pacific coast vessels have already been chartered to come to Galveston to take cargoes of cotton to Germany.

There is other matter here that I will not read. Then it says——

Mr. WEEKS. I am assuming that this does not take me from the floor.

The PRESIDING OFFICER. Certainly not.

Mr. MARTINE of New Jersey. I have no thought of doing that.

The PRESIDING OFFICER. The Chair so understands.

Mr. MARTINE of New Jersey. If so, I would cease instanter. This article says:

Prospective shippers of cotton to Germany are negotiating for the use of any American steamer that will meet with the approval of the insurance underwriters, who have been kept busy during the past five weeks in passing on applications for permission to use vessels hitherto employed in the coastwise trade for trans-Atlantic voyages.

It is estimated that fully 25 Atlantic coast steamers have already been chartered by German cotton shippers, and when the fact is taken into consideration that nearly all of these vessels are in normal times employed in regular services, it can readily be seen that the coastwise American lines are unable to spare any more of their vessels, in spite of the attractive chartering rates that are being offered.

This and other matter in the Journal of Commerce, the great trade journal of the great metropolis of this country, proves conclusively that the statements of the Senator from Massachusetts, unfortunately, are incorrect and that there is not an available supply, and hence they are seeking the Pacific coast.

Mr. WEEKS. Mr. President, I hope that will all be included in the RECORD. That is a question which I am glad to discuss. The Senator from Massachusetts has not made the statement that there is not a dearth of tonnage at some points for some purposes. That would be the height of folly, because everyone knows that there is. What the Senator from Massachusetts has said, if it can be construed along that line in any sense, is that there is no dearth of shipping at some points; and I made the statement earlier in the day, which is referred to in the Journal of Commerce, that there were said to be 20 ships belonging to the Pacific Co. on the Pacific coast, for which there was no business, and that those ships could be or would be brought around to this coast for that purpose. But I demonstrated conclusively that the great demand in the northern ports to-day is for cargo carriers to transport our grain to European markets; that we have shipped since the harvesting of the grain crop last fall, up to and including the 15th of this month, 54,000,000 bushels more wheat than we did in the corresponding period last year; that we have but 75,000,000 bushels more to export; that that is the limit of our possibilities; and that that 75,000,000, with the shipping that is now available for the purpose, will be entirely transported by the middle of March. So, even if this bill were passed to-day and it were possible to buy ships and have them transferred to the Government service without any delay whatever, we could not get any ship in operation before the urgency for the grain-carrying purposes would have terminated. That is not entirely true as applied to cotton, but it is absolutely true and final as applied to grain.

I will say this for the benefit of my friend from New Jersey, that if he will have patience for three or four months after the urgency has expired for carrying grain and cotton to European markets he will find a large oversupply of ocean-carrying shipping. Any number of ships, in my judgment, will be ready for that kind of business just as those ships on the Pacific coast are ready now because there is no business there for them to carry on. Why is there not business there just as on this coast? Because we are transporting the grain and cotton which we have produced, and substantially that covers the unusual demand. There is a greater demand for both those products than heretofore, but there is a limit to those products, and when they have been transported there will be no further demand until next November or next December, when the next crop is harvested.

Mr. FLETCHER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Massachusetts yield to the Senator from Florida?

Mr. WEEKS. I yield for a question.

Mr. FLETCHER. I ask the Senator if he thinks that the going out of commission of the German and Austrian ships withdraws nothing from the tonnage of the world?

Mr. WEEKS. Yes; I think that they withdraw something from the tonnage of the world, but I think the ocean-carrying trade is reduced to a greater amount than the withdrawal of tonnage which has come as a result of the war to those two nations.

Mr. FLETCHER. But the withdrawal of the tonnage of belligerent nations, the requisitioning and taking out of commerce, utilizing as transports, and so forth, of English vessels heretofore engaged as merchant vessels, does undoubtedly cut quite a figure in the way of reducing the tonnage. Then the experience in all the past, I believe the Senator will admit, is that after a war like the one pending, or any war in fact between two great countries, ceases commerce has been augmented, that trade has

increased following the cessation of hostilities. So we need not look for any falling off of trade, even after the war is over.

Mr. WEEKS. Mr. President, I do not think it is very profitable to attempt to prophesy, but if my judgment is worth anything, when this war is over there is going to be a great falling off in the trade of the world. My judgment is that the buying power of the world is going to be crippled and that we are going to feel the results of the war for the next 25 years. The buying power, especially of European countries, is going to be crippled to such a degree that we will be the dumping ground of everything that they can produce or which they have to sell. I do not expect to see any great business resulting from this war, but I expect to see depression and the crippling of industries. But, as I said, prophesying on such matters may not be borne out by the future.

Now, Mr. President, a few more quotations from newspapers entirely friendly to the administration, located in the sections of the country where there can be no possibility that there is any prejudice against the administration or against any of its undertakings. This is from the Charleston News and Courier, Charleston, S. C.:

President Wilson's Indianapolis address was especially disappointing in what it did not say with reference to the pending ship-purchase bill. He was exceedingly scornful of those who have declared themselves in opposition to the measure. But the only thing which he himself said in its favor was to point to the soaring ocean freight rates, with the declaration that "The merchants and the farmers of this country must have ships to carry their goods, and just at the present moment there is no other way of getting them than through the instrumentality that is suggested in that shipping bill."

Then, the Charleston News and Courier goes on to comment:

We are satisfied the country is predisposed to support the President in this business as in most others. But as matters now stand the confidence of those who do so is subjected to a very severe strain.

This is from the Ohio State Journal:

We note very little support for President Wilson's ship-purchasing scheme in the newspapers, and they no doubt represent the business opinion upon the subject. There are two objections to the proposition: (1) It launches the Government into a private business, with all the unpleasant and perilous vicissitudes attending such a venture; and (2) there is plenty of shipping capacity already at command for all needs of our export trade.

I commend that to the Senator from Ohio [Mr. POMERENE].

This is from the Richmond News-Leader, Richmond, Va.:

As the News-Leader has shown in previous discussion of the subject, the proposition that the Government go into the ship owning and operating business involves the rankest sort of ship subsidy in disguise. The disguise is a specious and confusing provision that the business shall be conducted by a corporation controlled by the Government, thus by indirection levying a ship-subsidy tax on the people in lieu of a direct one in the shape of a flat, open ship-subsidy congressional appropriation.

The roundabout and the straight way are equally obnoxious to a time-honored and oft-iterated Democratic principle. They amount to the same thing in the end, with the balance in favor of the latter, if a Democratic Congress is to repudiate or abjure that principle. Democratic support of the proposition is no less support of ship subsidy because it is given under cover and the result sought to be attained is veneered with the plea of emergency.

I submit that to the Senator from New Jersey [Mr. MARTINE]. I hope when he gets the floor in his own time he will comment on Democratic principles and how they are being violated in this legislation.

This is from the Seattle Post-Intelligencer:

Some most singular and illogical arguments are advanced by the supporters of the administration's grotesque plan for the appropriation of some thirty or forty millions of public money for the purchase of merchant ships to compete with privately owned ships in the carrying trade of the country.

These advocates of the public ownership of ships, to be operated without regard to the necessity of earning expenses, as a means for reviving American shipping, are now busily engaged in pointing out the alleged shortage of tonnage for the carrying trade and the alleged high rates which are being charged for the carrying as arguments for the Government to enter the shipping business.

It does not seem to have occurred to those who bring forward these arguments that the passage of the proposed bill will not add one single ship to those now afloat and available for the carrying trade.

The Boston Globe is a good old-time Democratic paper. It has been Democratic in its politics, I think, for a hundred years. It very seldom strays from the straight and narrow path, but here is what it says about the shipping bill. I think it is now sticking to Democratic principles a good deal closer than the supporters of the measure.

Mr. MARTINE of New Jersey. I will say that the Boston Globe——

Mr. WEEKS. I yield for a question.

Mr. MARTINE of New Jersey. The Boston Globe can not rival the Senator from New Jersey in sticking to that which will inure and accrue to the benefit of the people of America. I do not care whether you call it Democratic, Republican, or Progressive, I will stand for that which I think will lighten the burdens and bring benefits on humanity.

Mr. WEEKS. I think the Senator intends to do that, but I suspect that once in a while he is mistaken.

Mr. MARTINE of New Jersey. Oh, I may be mistaken at times.

Mr. WEEKS. This is the title of the editorial to which I have just referred in the Boston Daily Globe of Wednesday, January 6:

NOT THE TIME NOW FOR GOVERNMENT-OWNED MERCHANT MARINE.

The "Government"—

Government is in quotations—

has its teeth so firmly set in the idea that it should own and operate merchant ships that it will not let go.

One of the first effects of the war in this country was to bring home to the American people as years of agitation on the platform and in the press have not brought home the vitalness of our merchant-marine problem.

The public knew in a general way that our foreign shipping had been falling behind year after year until only a very small fraction of the American foreign trade was carried in American bottoms. Just what this meant in practice it did not understand, and as there appeared to be plenty of foreign ships for our imports and exports it did not much care.

Still less did the public understand the reason for the decline of our shipping, though the prevalent idea was that our strict navigation laws and the high cost of shipbuilding in this country were to blame.

With the outbreak of the war, however, the problem became acute. The shipping of England's foes was driven from the seas, and a large part of British shipping was summoned to the service of the Government. Needed imports did not come to port; goods for export piled up on docks and in warehouses.

Then arose a loud cry for relief, especially in the form of admitting foreign ships to American registry. That, it was confidently believed, would save the day, since foreign owners must be only too glad to put their endangered or useless vessels under the safe American flag.

A long step toward free ships had been made in the Panama Canal act of 1912, and last August this act was enlarged to admit to registry for the foreign trade foreign-built ships without distinction of age. They were, moreover, exempted from compliance with American measurement and inspection laws and from the requirement that the officers should be Americans.

But as the first act had had no results, so the new one had very little. No real increase was made in our foreign shipping, and nearly all the ships that were brought under the American flag had been previously owned by American corporations. The proposed wholesale purchase of German liners found vigorous opposition from Germany's foes.

Yet still the need of more ships and better service continued, and a new expedient was proposed—that the Government should control and operate steamship companies, leaving a minority interest for private investment. Since the Government could not induce its citizens to become shipowners, it would become a shipowner itself for the public good.

It can not be denied that some good results could be secured in this way. There undoubtedly would be new American ships, possibly new trade routes and better service for exporters. There would be the needed auxiliary fleet in time of war.

The real question, however, problems of constitutionality aside, is whether the gain would be worth the cost and whether that method of attaining the desired end is the best. American capital, estimated at from $100,000,000 to $200,000,000, is invested in the ocean trade under foreign flags, where a reasonable profit can be counted on. It has not been invested in American ocean trade evidently because it is not profitable.

The reasons are the higher wage level, certain restrictions imposed by our laws, and the fact that American shipping must compete against the subsidies and aids granted by foreign Governments to their liners.

Where private business can not make a profit, the Government certainly could not do so. When the Government enters business it is to render services which the public requires and can not otherwise get, and to render them whatever the cost. Nobody expects Government operations to be economical; if they result in a deficit, as with the post office, the public accepts it because the public benefits by the service.

It is highly probable that Government ships, if they were able to get the trade, would handle it only at a loss. But it would not be for a service rendered to the whole people, but to the exporters and importers; in practice it would be taxing the whole people for the good of a part.

I refer that to the Senator from New Jersey—

In practice it would be taxing the whole people for the good of a part.

More than this, it would force private enterprise out of foreign shipping instead of drawing it in, and so would defeat its own ends. The outcome would be a Government merchant marine, uneconomically managed, and nothing else. From any viewpoint the question of Government ownership of ships could not be fairly tested at this time.

Better than this now is an open policy of Government subsidy. Better still a tariff discrimination in favor of American-carried goods. Either or both, coupled with free ships, should see a speedy growth in our shipping. And, if less speedy than the acquisition of a Government fleet, it would be of more enduring value.

Mr. THOMAS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Massachusetts yield to the Senator from Colorado?

Mr. WEEKS. I yield for a question.

Mr. THOMAS. If my memory serves me right, the Senator voted for the marine war-insurance bill. I should like to ask him if he does not regard that as using a part of the money raised by general taxation for the benefit of a few?

Mr. WEEKS. But, Mr. President, I took no particular unction to myself on account of the theory which was being advanced by the Boston Globe. I think in many instances we do use money raised by taxation which directly or indirectly benefits a few at the expense of all the taxpayers. I have voted for the legislation to which the Senator refers, and other legisla-

tion since the serious troubles which now embroil the world, not entirely because I approved of it or because I thought it would be as effective as its sponsors hoped, but because I wanted to put myself in a position where it could not be charged that I was doing anything whatever to embarrass the administration in trying to carry out policies which it seemed best to the administration to propose.

Mr. POMERENE and Mr. THOMAS addressed the Chair.

The PRESIDING OFFICER. To whom does the Senator from Massachusetts yield?

Mr. WEEKS. I will yield further to the Senator from Colorado.

Mr. THOMAS. I do not wish to be understood as criticizing the Senator for his vote upon that bill and upon similar measures. I think the fact that he supported it is to his credit; but I do not believe the argument as to the use of a part of the public fund in a particular direction not for the general benefit of all is in itself an argument or even a statement that should be considered seriously as a reason why we should not proceed with a given line of legislation.

Mr. WEEKS. The Senator knows——

Mr. POMERENE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Massachusetts yield to the Senator from Ohio?

Mr. WEEKS. Just one word first. The Senator from Colorado knows perfectly well that Democratic platforms and Democratic orators without end have declared against taxing the many for the benefit of the few. I was reading the editorial to indicate that in this matter the Democratic Party was once more departing from its platform pledges.

Mr. THOMAS. I think that that principle is a sound one, generally speaking, but I do not think it is applicable to measures like this, where it is intended that the Government of the people, a great public agency, shall itself be the medium through which these benefits are to be sought.

Mr. WEEKS. I yield to the Senator from Ohio [Mr. POMERENE] for a question.

Mr. POMERENE. Is it not the Senator's opinion that the establishment of the merchant-marine insurance bureau helped very greatly to reduce the rates of insurance?

Mr. WEEKS. I do not think it had any material effect upon the rates, but I think that it has had some indirect benefit; and I am rather inclined to think that the benefits could be increased by liberalizing methods in the manner which I indicated earlier in the day. I am not criticizing that legislation. I voted for it.

Mr. POMERENE. My information is that it has very greatly helped to keep down the insurance rates.

Now, then, let me ask another question along that line. Assuming that this bill is passed and we do make this investment in a line of vessels, and so forth, could we not expect reasonably that it would have a good deal of influence in keeping freight rates on the ocean at a reasonable mark?

Mr. WEEKS. The amount of shipping that would be provided under this bill is so small compared with the total amount of shipping on the ocean that it is impossible that it could have any material effect on ocean freight rates.

I was reading an editorial in a Democratic newspaper taking the Democrats to task for violating the traditional policies of the Democratic Party, and, in addition, trying to foist on the country a proposition which was economically unsound. It was simply a quotation from the paper.

Now, Mr. President, I have a few more extracts here which I wish to read into the RECORD. I am sorry I can not use all I have, but if I used every source of criticism of the bill which I have at my disposal here it would take until the 4th of March to complete my remarks.

This is from the Providence Journal, an active supporter, generally, of the administration:

It is no argument to say, as the President does say, of the critics of the administration: "Some of them are misguided, some of them are blind, most of them are ignorant." He "would rather pray for them than abuse them," he tells us. Why doesn't he, then?

The whole speech gives the impression of Executive irritation and impatience. Mr. Wilson has lately been pictured as impervious to criticism, but this Indianapolis utterance is an indication quite to the contrary. One can not help wondering how it looks to him in cold type.

From the New Haven Journal-Courier—an independent paper, I think—I read an editorial entitled "Leaves Friends Wriggling." It is as follows:

"LEAVES FRIENDS WRIGGLING."

In his announcement that he intends to be the captain of the team absolutely and in his sharp raps at the Republican Party it is doubtful if he made as many friends as he lost. And yet such results were to have been expected. His attitude on the shipping bill could not be called convincing; in the white light of facts unadorned it is doubtful if his remarks in that direction would get him anywhere worth arriving. His pronouncements concerning the future of Mexico left him open to criticism and put his friends in the position of having to exercise their imagination in explaining his real position on the Mexican situation and the motives from which his conclusions proceed. Finally, the Jackson Day speech of the President leaves an impression of partisanship and egoism which is the food upon which his political enemies thrive and which leaves his friends wriggling a bit in their seats.

Not the only opponents of this project are the Democratic newspapers from which I have quoted, the trade journals, which know more about this question than do any others—the people who are directly interested in the shipping business—but all classes of people are opposed to it. In the Journal of Commerce of January 7 I find a long statement. The headlines are:

Exporters oppose Federal ship bill—Favor $50,000,000 marine credit plan instead—Foreign trade factors unanimous in declaring that Federal owned and operated steamship line is a step in wrong direction toward reviving our merchant marine—Say law of supply and demand is responsible for prevailing high rates—Offer substitute plan.

Mr. SIMMONS. Mr. President——

The VICE PRESIDENT. Does the Senator from Massachusetts yield to the Senator from North Carolina?

Mr. WEEKS. I yield for a question.

Mr. SIMMONS. I want to ask the Senator from Massachusetts if he will explain to the Senate what is that $50,000,000 credit scheme that the article from which he is reading says the shippers prefer to the pending bill? I am not familiar with that $50,000,000 credit scheme that the shippers are so much in favor of. If the Senator has any information in regard to it, I should be glad if he would give it to the Senate.

Mr. WEEKS. The only information I have on that subject, Mr. President, is the information I have already put into the RECORD to-day in a report, with recommendations by the Boston Chamber of Commerce. As it is in the RECORD, I think I will not repeat it; but that is the only evidence I have on that particular subject.

Mr. SIMMONS. Is that the proposition that the Government shall issue bonds to that extent and loan it to shipping companies to enable them to buy ships?

Mr. WEEKS. That was the proposition—that, under certain proper restrictions and regulations, on a certain percentage of the value of the property the Government should make loans.

Mr. SIMMONS. The shipping interests of the country are in favor of the Government doing that, but the shipping interests do not think that the Government in issuing $50,000,000 in bonds and loaning it to them to buy ships will be in any way infringing upon the legitimate functions of government. They say they think if the Government buys some ships and owns them itself, instead of buying them and presenting them to the shipping interests, that it will be traveling upon untried and new and revolutionary grounds.

Mr. WEEKS. Mr. President, I am not entirely in sympathy with the suggestion made in the recommendation; I think it has very doubtful value; and yet, when the merchants of this country see the Democratic Party appropriating $35,000,000 for building a railroad in Alaska and proposing to go into business in other directions, I think it must be admitted that the suggestion which they make in the recommendation is ultraconservative. They do at least provide in that suggestion that these vessels shall be available for naval purposes in time of need, and they do provide that the Government shall not be the entire stakeholder, but shall hold the first mortgage on the property, and that the vessels themselves shall have the benefit of the economies which go with private management rather than with Government management. So from any standpoint, whether one indorses it or not, it is preferable to the plan proposed in the pending bill.

I find in another column of the paper to which I have just referred—the Journal of Commerce, of January 7—this statement:

Experts condemn Government shipping bill—not practical as an emergency or permanent measure.

Of course, it is not practicable as an emergency measure. I expect to see those who are sponsors for this proposed legislation abandon the contention that there is any benefit whatever to come from this legislation as an emergency measure. It is not going to add a ton of shipping to the commerce of the world; and the available shipping that could ordinarily be purchased at reasonable prices, while an emergency is on would cost so much that, in my opinion, it would make it prohibitive. The headline of the article continues:

Creates no new tonnage, while at present all tonnage is being worked to the full limit—B. N. Baker's plan for chartering the Government ships—vessels could not be built in time for the present emergency.

Mr. B. N. Baker is a man who has had very much experience in the conduct of the mercantile marine. He was interested years ago in the International Co., and his judgment should be of considerable value. I understand that in the series of conferences which are being held night after night Mr. Baker's plan for providing for this expenditure of money is being

given consideration. It is better than the pending bill; it could not be worse. It is better than the pending bill, because it does not essentially put the Government into the operation of a transportation business. Under its provisions possibly we might avoid that unfortunate contingency.

Mr. MARTINE of New Jersey. Will the Senator permit me to interrupt him?

The VICE PRESIDENT. Does the Senator from Massachusetts yield to the Senator from New Jersey?

Mr. WEEKS. I yield for a question.

Mr. MARTINE of New Jersey. The Senator views as a calamity the Government going into the transportation business?

Mr. WEEKS. I certainly do.

Mr. MARTINE of New Jersey. For one I can not share the Senator's view. I believe that it would be one of the greatest blessings that ever came to us if we should go into the transportation business.

The same arguments which are now advanced by the Senator were advanced when the parcel post was being advocated. It was said the parcel post was going to ruin the express business; that it would be a total failure; that disaster was sure to come; and many other prophesies of that kind were made. The reverse has been true. I believe that the United States Government is as entirely competent to engage in the transportation business as it was to engage in the post-office business, as it was to undertake the construction of the Panama Canal. I trust to live to see the day when the Government shall control the telegraph, when it shall control the telephone, and all such great public utilities. I realize, and I think the Senator from Massachusetts, coming from his splendid, progressive State and with his magnificent intellect and position there must realize, that the American people move, and that the world, too, is moving. Things which were regarded as heresy 20 or 25 years ago to-day are not only tolerated, but we all delight to engage in them and laud them to the skies.

Mr. WEEKS. Mr. President, if the Senator from New Jersey will honor me with his attention——

Mr. MARTINE of New Jersey. I have given strict attention to the Senator from Massachusetts, for I am always delighted to listen to him.

Mr. WEEKS. Before I complete this discussion I think I can demonstrate to his satisfaction that government management anywhere, under any circumstances, is the opposite of economical. I believe I can demonstrate to him that in only one or two instances anywhere in the world where there has been government ownership have profits resulted from government management. I will demonstrate, I believe to his satisfaction, that wherever there is government management, in comparison with the same conditions with private management, the private management is invariably more economical than is the government management.

Mr. MARTINE of New Jersey. I suppose government management may be carried down even to the result of municipal management, and I can cite many instances to controvert the Senator's proposition. New York, the city of my birth and only 35 or 40 minutes from my home, as I can very well remember, used to have ferryboats across the East River. There was a great howl when it was proposed to build a municipal bridge; but a municipal bridge was built. The suspension bridge across from the city of New York to Brooklyn was a municipal or city owned, or government-owned, if you choose—not owned by the United States Government, but a city-owned bridge. The result was that, though the charge, I think, was at first 5 cents for pedestrians to cross the bridge, in two or three years the pedestrians traveled across it free. We have built a dozen bridges since that time across the Hudson and East Rivers, every one being free to pedestrians. Had such bridges been owned by private corporations, old Tom Platt or the Vanderbilts would up to this time have been charging 15 cents for walking across them. I can cite the Senator from Massachusetts to myriads of instances of that kind.

Mr. WEEKS. I assume that this is a question. [Laughter.] I am very glad that the Senator from New Jersey instances the city of New York and its ferryboats in the suggestion that I might be wrong in the declaration that I have made. I have here before me the report of the department of docks and ferries of New York.

Mr. MARTINE of New Jersey. There is only one ferryboat running there, and that has been quite recently.

Mr. WEEKS. The Senator is wrong in that respect as he is in others.

Mr. MARTINE of New Jersey. I am not wrong as to that municipal ferry.

Mr. WEEKS. There are two municipal ferries in New York; their reports are before me; and they are the only ferries in New York which are not operated successfully and profitably.

Mr. MARTINE of New Jersey. Well, I should like to ask the Senator, Mr. President, what constitutes "successfully and profitably"? It is a horrible thought that everything must be measured in dollars. I can imagine profit to the people without reference to dollars if a service facilitates intercourse and facilitates trade and commerce. Whether it will be productive in dollars and cents appeals to me but little, if the community is made better industrially and happier and if the general welfare is enhanced. I say advisedly that every instance of municipally owned utilities, so far as I know, has resulted in lower rates to the consumer, better wages and shorter hours to the laboring man, and better results in general. The Senator may point me to the case of the gas works in Philadelphia, but that is obnoxious in the eyes of every fair-minded man.

Mr. WEEKS. There is one other thing, Mr. President, that the Senator failed to mention that has resulted from all this, and that is the taxation of the many for the purpose of making up the deficit caused by municipal operation.

Mr. MARTINE of New Jersey. God knows, any such suggestion as that comes with ill grace from a high-protective tariff monger.

Mr. WEEKS. Mr. President, I was pleased and somewhat amused to have the Senator refer to the operation of the Post Office Department in connection with this matter. I happen to have here the report of the Postmaster General, a good Democrat himself, and here is what he says about the economical management of the post office. I hope the Senator will listen and bear with me while I read it.

> The importance and value of the Rural Mail Service is unquestioned. It improves the condition of farm life, tends to check the movement of the rural population to the congested urban communities, and is therefore a recognized economic necessity for the best interest and development of the entire country.

We all agree to that.

> The inauguration of this service and its rapid extension have been justified on the ground of public policy. However, I deem it my duty to direct the attention of Congress to the fact that this service is entailing upon the Public Treasury an annual expense of $40,000,000 in excess of the revenues produced by the service.
>
> The methods employed in providing these necessary and desirable facilities have been subjected by me to a rigid examination with a view to ascertaining whether an equally satisfactory rural service can not be provided at a less cost. House-to-house delivery and collection of mail in rural districts is now provided in two ways—first, by letting contracts to the lowest responsible bidders for specified performance over certain routes between post offices, and, second, by employing carriers at salaries fixed by law. The contract method is known as "star-route" service, the other method as Rural Delivery Service. "Star-route" service is designed primarily for the transportation of mail between post offices, and can not under existing law be extended to routes other than those leading from one post office to another or from a post office to a railroad station or steamboat landing; hence the route traveled by the "star-route" carrier is determined not by the density and distribution of population in rural districts, but by the location of post offices. Rural Delivery Service, on the contrary, is designed primarily for the house-to-house delivery and collection of mail and is used only incidentally in some instances for the transportation of mail in closed pouches between post offices. The cost of the service on the "star routes" averages 9.96 cents per mile traveled, compared with 14.77 cents per mile for the Rural Delivery Service, a difference in favor of the "star-route" service of 4.81 cents per mile. Applied to the entire rural service, this would make possible a saving of from $15,000,000 to $20,000,000 annually. Furthermore, as shown elsewhere in this report, the annual cost of Rural Delivery Service is increasing rapidly.

Now, Mr. President, I want to call to the attention of the Senator from New Jersey the fact that that is the invariable result of Government operation.

Mr. MARTINE of New Jersey rose.

Mr. WEEKS. Just a moment. There is always the pressure for more service, always the pressure for increased pay, always the pressure for a greater number of employees, and invariably the pressure for lower rates to be charged for conducting the traffic, invariably bringing about a deficit in the service, to make up which all the citizens are taxed.

Mr. MARTINE of New Jersey. Mr. President, if the Senator will permit me——

Mr. WEEKS. I yield for a question, Mr. President; I do not wish to be taken from the floor.

Mr. MARTINE of New Jersey. I do not desire to take the Senator from the floor, but I want to know whether the Senator does not believe, even admitting that the Rural Delivery Service entails a cost, as the Senator alleges, of $40,000,000 a year, that it is worth every penny of its cost, and whether the Senator from enlightened Massachusetts would cut off that service even if it cost twice $40,000,000? We have a hundred million people in this country who have been blessed by the parcel post delivery and who have been blessed by the general Postal System of this country, and even though rural delivery may cost $40,000,000, I would vote to-day to decrease the postage rate, if pos-

sible, to 1 cent instead of keeping it at 2 cents. I believe the greatest civilizer, the greatest machine for the advancement of the well-being of every man, woman, and child in this country is the opportunity through mail facilities of free communication, whether in the shape of printed matter or that which may be written. I am familiar with the proposition leading up to the suggestion of the Postmaster General in regard to a contract system, but I can not agree with him. He has given the question very great study, but I do not believe that it would be wise or that it would be advantageous. For many years I have been in favor of municipal, State, and Government control, and every instance that I have seen of such control has resulted in the betterment of the people. The question narrowed down to dollars is hateful to me.

Mr. WEEKS. Mr. President, it may be hateful to the Senator, but that does not remove the fact that economy in management is a necessity, or bankruptcy will follow the conduct of governmental affairs.

Mr. MARTINE of New Jersey. I agree to that.

Mr. WEEKS. We are near enough serious trouble with our revenues to indicate to the Senator from New Jersey and to every other responsible man that the time has come when we must look to the side of economy as well as to that of development.

Mr. MARTINE of New Jersey. I am thoroughly appreciative of that fact, and I will use every reasonable means to economize, provided the economy is not to the detriment of the welfare of the people.

Mr. WEEKS. Mr. President, the Postmaster General, representing this administration, tells the Senator that he can get more service for $20,000,000 less than it is now costing. What is he going to do about that?

Mr. MARTINE of New Jersey. It depends upon the channels through which he proposes to get this service. I would not permit the United States Government, if I could help it, to get that service $20,000,000 cheaper by adopting a method that would result in making the official letter carriers of the United States advertising agents for any private corporation.

Mr. WEEKS. Now, Mr. President, I will resume reading some of the clippings in criticism of the pending bill that I have here from newspapers friendly to the administration. This is from the Brooklyn Eagle, of Brooklyn, N. Y., a Democratic paper:

EASY ENOUGH TO ANSWER.

With what may be called his customary inflexibility, the President will push his merchant marine bill. And with even more than his customary warmth, not to say heat, he assails those who are opposing it. He asks who commissioned them to stand in the way. Charging them with defying the Nation, he warns them that their credentials will be badly discredited, if they succeed. Contemptuously, he dismisses them as the self-styled friends of business.

Answers to this vigorous bombardment will not long be delayed. Part of the answers will or should be that Senators who object to the bill hold unimpeachable credentials or commissions. Another part of it will or should be that their right to believe the merchant marine measure to be harmful, to be detrimental to the interests of the country, and to say so, is as indisputable as that of the President to fight for its passage. It does not follow that Government ownership and operation is wise because the President declared it to be so.

From the New York Evening Post I desire to read a brief extract. The matter I am reading is from selected papers, which are not indulging in invective but in argument; and I believe I may say with confidence that it will add to the knowledge of any Senator to listen to what I am trying to lay before the Senate. This, as I have said, is from the New York Evening Post, a paper which has heretofore been a supporter of the administration since it came into power:

SPEAKING WITHOUT KNOWLEDGE.

With reference to the shipping bill we feel bound to say that, both in tone and substance, the President's remarks—

Referring to his address at Indianapolis—

were utterly unbefitting the issue with which he was dealing. It may be that if the shipping bill could be submitted to the decision of the American people they would show themselves to be in favor of it, but to speak of the men who in the Senate are opposing the passage of this bill as a minority which dares "to defy the Nation" is to speak without the warrant of knowledge and to attempt to exercise a kind of pressure which those gentlemen would be thoroughly justified in resenting. As for the situation which Mr. Wilson alleges to exist, and to justify the rushing through of the bill as an emergency measure, what could be more fantastic than his description of it on the very day when the price of wheat at Chicago was passing the $1.40 mark and beating all records for a generation? If the farmers are not getting any profit out of wheat at present prices it must be from taking in each other's washing that they are earning the money with which to buy their automobiles and grand pianos.

From the New York Sun I read the following:

HIS FIRST ESSAY IN BUSINESS.

In his speech at Indianapolis, President Wilson said:

"I want to ask the business men here present if this is not the first January in their recollection that did not bring a money stringency for the time being because of the necessity of paying out great sums of money by way of dividends and the other settlements which come at the first of the year?"

Mr. President, that is one of the most remarkable statements that ever was made by a public man. Why there should be rejoicing by anyone or an intimation of rejoicing because the returns on capital in the great corporate interests in this country were lower this year than in some other year is beyond the comprehension, I believe, of anyone.

Mr. SHIVELY. Mr. President——

The PRESIDING OFFICER. Does the Senator from Massachusetts yield to the Senator from Indiana?

Mr. WEEKS. I yield for a question.

Mr. SHIVELY. What is there about that statement to justify the Senator in placing any such construction upon it as he has seen fit to place?

Mr. WEEKS. I read the statement which is a quotation of what the President said.

Mr. SHIVELY. That is just what makes it appear astonishing that the Senator should put that construction on the President's words.

Mr. WEEKS. I do not mean to say that the President rejoices, but that he should cite a lessening of the prosperity of the country as a reason for getting over what has ordinarily been a critical period borders on the grotesque, in my opinion.

Mr. SHIVELY. Mr. President, I do not care to interrupt the Senator further, if he does not care to be interrupted.

Mr. WEEKS. I am quite willing to be interrupted for a question.

Mr. SHIVELY. The President's statement was quite the reverse; that theretofore there had been stringency, harmful stringency, at a certain time of the year when these settlements were made——

Mr. WEEKS. Due to the fact that large dividends were being paid.

Mr. SHIVELY. Not due to the fact that large dividends were being paid, but due to the fact that dividends were being paid; that that was the time of the year when certain financial transactions had to take place; and that it was a matter of rejoicing if it were true that the same embarrassment was not felt at that time of the year because of the changed financial system and not because of the changed or depressed conditions.

Mr. WEEKS. Mr. President, I hope the Senator will take the trouble to read that paragraph and I think he will come to the conclusion which I have indicated.

Mr. SHIVELY. I have read it.

Mr. WEEKS. This editorial from the New York Sun goes on to say:

Does the President recollect any January in many years when there was so little need of money to pay dividends because there were so few and such scant dividends to pay?

The President reiterates in plain speech what he once turned into a neat epigram:

"There is nothing the matter with American business except a state of mind."

Psychology, of course. It is the President's contribution to the relief of the situation. By the way, in the next breath he added:

"I never was in business."

He is manifestly in business now, and means business in 1916.

Mr. President, I want to refer briefly to the report of the committee on American merchant marine in the foreign trade of the New York Chamber of Commerce. I happen to know a majority of the members of that committee, and I know they are thoroughly qualified experts on the subject of foreign trade and the merchant marine. They are the kind of men who, if the Senate Committee on Commerce had seen fit to summon them, could have been brought to Washington and would have given the committee a good deal of useful information which could be employed in this debate and which, in my judgment, would have brought about a better bill than the one we are now considering. I want to refer very briefly to two or three of the contentions which they make in their report.

To the Chamber of Commerce:

The war in Europe has centered attention in this country upon our lack of a merchant marine. The problem, while present in the public mind to some extent for years, had not been brought home forcibly to all parts of the country as has been done by the partial tying up of the commerce of the world, and the consequent inability of this country to find neutral tonnage to carry its products to foreign markets. This sudden shortage of vessel tonnage resulted in an abrupt advance in freight rates, making it possible for the first time in years for American vessels to engage profitably in foreign trade.

The conditions to-day are recognized by all to be abnormal, and to some extent unsafe, as a permanent basis for the reestablishment of our merchant marine; but they are certain to continue, so long as a state of war exists in Europe, and probably, because of the wastage of vessel property during the conflict, for several years after it ends.

The return to normal conditions in Europe must be gradual. Industries, to-day prostrate, must be reconstructed. Cities which have been laid waste must be rebuilt. The products of Europe will not equal the demands of that Continent; and the cost of shipbuilding which has already advanced 20 per cent in England, will continue for some time upon a higher level than has been normal in the past. It seems, there-

fore, that the immediate future affords an opportunity that ought to be availed of to reestablish our foreign merchant marine and the shipbuilding industry of this country.

The problem under the most favorable conditions is difficult; but it is rendered less difficult by the unusual conditions which now exist. That a merchant marine is to-day desired by the American people can not be denied. There are some who, while recognizing all of the difficulties, believe that our shipping should be reestablished by Government aid, no matter what the cost may be. There are others who think that the industry should be left to work out its own future and be reestablished only if it can be done without Government aid. A third element, representing perhaps the greater part of the people of the country, believe that reasonable Government aid should be extended to reestablish so important an industry, and are willing that substantial Government assistance be extended during the development period, if a wise method can be suggested.

Your committee, while sharing to the fullest extent the desire of all citizens to see the American flag and American shipping again upon the high seas, recognizes that the problem is one of business; and that an American merchant marine to be permanent must justify itself in competition with ships of foreign nations. Your committee believes that American shipping can justify itself upon this basis, once the development period has been passed, and feels that advantage should be taken of the present exceptional opportunity to place American vessels in competition for the commerce of the world.

Before proceeding to a discussion of the methods which seem practicable, we desire to place ourselves on record as opposed to Government ownership and Government operation of vessels. We do not base our opposition to this principle upon the ground that a Government department can not operate vessel property as cheaply as private owners, although we have grave doubt of the ability of the Government to meet the economic standards of successful private enterprise. We base our objections on the much more fundamental principle in this instance that Government competition in this field of industrial effort will, in our belief, defeat the ends which it is sought to attain.

The American people desire not only to see the American flag upon the high seas, but to see American commerce restored to a position of supremacy. England alone has over 4,000 steamers engaged in foreign trade, *and to meet*, and ultimately outdistance, competition of this character, will require an enormous investment of American capital and energy. It is impossible to conceive that Government ownership and operation can be successfully extended to cover so vast a field; and the moment it is invaded by the competition of public capital, American private capital and energy, so essential to the successful restoration of our merchant marine on any adequate scale, will decline to enter the field. We have in New York City an example of the operation of this principle. The municipality has begun the construction of wharves and piers, for the accommodation of freight vessels. Private enterprise has refused to meet the competition of public capital and untaxed property, and the construction of wharf property through private effort has ceased. The city has been unable to keep pace with the demands of shipping, and commerce is already beginning to suffer from a shortage of pier property.

That is one matter which I have indirectly called to the attention of those in charge of this bill—that one of the first and most essential requirements in establishing shipping lines is either to own the piers at either end of the route of transportation or to control them for a long period of years. It would be extremely hazardous to undertake to establish a business without either ownership or an extremely long lease, and yet these members of the New York Chamber of Commerce are saying that it is extremely difficult to get pier locations within the district which would naturally be served by shipping engaged in foreign commerce.

Mr. MARTINE of New Jersey. Mr. President, I trust the Senator from Massachusetts is not unmindful of the fact that the municipality of New York have built the most superb dock system, known as the Chelsea Docks, at Twenty-third Street and thereabouts that there is in existence in this country or elsewhere. Of course, the whole water front of New York has not been encompassed at once; but that which has been done, a very considerable amount of it, is the most superb that has been created, and it is a success so far as merchandise and transportation are concerned.

Mr. WEEKS. Mr. President, I have not seen the financial statement——

Mr. MARTINE of New Jersey. O Lord, money! [Laughter.] I do not know what it may have cost, but it is there, a monument, and will prove a blessing to the trade and commerce of the great city of New York.

Mr. WEEKS. Mr. President, I shall take occasion, before I resume my remarks at another date, to look over in detail the statement of the dock system. I did look at the figures somewhat casually. I have them before me. I should exceedingly dislike to see any community in which I am interested engage in an enterprise which showed such material losses as a result of operation as does the department of docks and ferries of New York City.

To continue my reading:

The present administration has suggested that $30,000,000 be invested in Government-owned vessels. If this be done, a small fleet will be created; but the feeling that the Government may from time to time add to this fleet and enter more extensively into competition for the ocean-carrying trade will prevent the participation of private enterprise in solving this problem.

Your committee submits that the same sum, if set aside as a guarantee fund and invested in Government bonds or other income-bearing securities, to be administered by a central board, having the same fostering relationship to the building up of our commerce and shipping as the Federal Reserve Board has to our finance and banking, will accomplish infinitely greater results. This guaranty fund could be administered along lines which have been in successful operation in a different field for a hundred years, namely, in relation to mortgages upon real estate. The Credit Foncier in France and other companies which guarantee mortgages upon property in the Argentine, Canada, and elsewhere, are well known; but the best illustrations for local purposes are the various mortgage-guaranty companies of this country. A loan is perhaps made at 5 per cent. The mortgage is guaranteed by the company and sold upon a 4½ per cent basis, the guaranteeing company making one-half of 1 per cent annually upon each mortgage as a compensation for its guarantee and its services. Its services consist in collecting the interest, seeing that taxes and assessments are paid, and that the insurance is maintained.

An example of the successful operation of such a company is the Bond & Mortgage Guarantee Co. of this city. That company began its operations 22 years ago with $1,000,000 capital and a small surplus. It has guaranteed within that period about $750,000,000 of mortgages, many of which have, of course, been paid off. It has outstanding approximately $250,000,000 of guaranteed mortgages. Its present capital is $5,000,000 and the combined capital and surplus exceeds $10,000,000.

That is not entirely along the same lines as a suggestion in the report of the Boston Chamber of Commerce, to which I have referred. I do not entirely indorse it. I do not know that I would indorse it at all if I had thoroughly investigated it; but that shows the folly of attempting legislation of this kind, or even of substituting suggestions made by others for what is now pending, without the fullest investigation, based on the authority of those men who have had experience with its operation and can give us expert testimony.

Among other items which should receive its consideration is the maintenance of standards for the personnel of the officers and men of the merchant marine. The school ships maintained by Massachusetts and New York are educating officers for the merchant marine. They are doing a most useful and necessary work. Thousands of young men throughout the country are ready for the call of the sea, and are animated by the same spirit which filled the forecastle and quarterdecks of the American vessels 50 years ago. Other ships of this character should be established and the course of training amplified to make the graduates fit both for the merchant marine and the Navy. There are discharged from the Navy each year about 4,000 young men who have enlisted from all parts of the country. These men have had a most valuable training in the Navy, and should be encouraged to go into the merchant marine service. Many foreign nations encourage the creation of such a naval reserve by paying a small additional wage to men honorably discharged from the Navy, who continue a seafaring life and hold themselves in readiness as naval reservists. This practice is worthy of serious consideration.

The second step in reestablishing our shipping consists in creating conditions which will attract steamship men to make use of the credit machinery thus established and to create the vessel property so urgently desired. This again divides itself into two parts—regular lines carrying passengers and mails, and freight steamers.

It goes on, Mr. President, discussing the various phases of the two steps to be taken relating to those different classes of transportation facilities. I think, without reading more, I shall ask permission to insert the balance of this report in my remarks.

The VICE PRESIDENT. Without objection, it is so ordered.

The matter referred to is as follows:

We will discuss the regular lines. Public attention seems centered at the moment upon trade with South America, and we will, therefore, take lines to that part of the world as a type for consideration, although a similar service may be established to many other countries with the same class of vessel.

We desire first to point out that there has been a general misunderstanding of the added cost of operating American vessels as compared with the same vessel under a foreign flag. It has been frequently stated and generally accepted that the operation under the American flag will cost from 40 to 50 per cent more. We believe this percentage should be applied to wages alone, for the cost of fuel, supplies, insurance, and upkeep is substantially equal for the same vessel in the same trade, regardless of flag.

On passenger ships, where the wage item may be a larger percentage of the total operating cost, the difference in favor of foreign vessels is somewhat greater, but with strictly freight carriers your committee is informed that the disadvantage under which American tonnage must labor is 5 and 10 per cent of the total operating cost. Even in passenger vessels of a type suitable for South American trade, the disadvantage probably does not greatly exceed 10 per cent. These estimates take no account of the difference in interest, if the American vessels be constructed in this country, for that subject will be treated under a separate heading.

This difference in operating cost, while less important than has been generally understood, is still sufficient to discourage the operation of American ships, and is frequently the margin between profit and loss. Your committee, therefore, is of the opinion that it is idle to expect that American lines, of passenger and mail steamers, can be established, even though credit machinery, to make easy their financing, be created, without some measure of Government aid. It must be borne in mind that the new lines must enter into immediate competition with long-established foreign-owned lines, with experienced agents at ports of call, and with contracts which can not be easily disturbed. The new lines must fight their way into the trade.

It seems desirable that as few changes in existing laws be made as is possible. The present ocean mail act permits the payment of $4 per mile to mail vessels of 20-knot speed. A speed of 20 knots is in excess of any yet established in the South American trade, and beyond present reasonable requirements. The cost of maintaining such speed upon long voyages is to-day prohibitive. A vessel capable of making 16 knots, and running regularly at 15, will meet all requirements and be slightly better than competing lines under foreign flags. In services of this character it is not so much extreme speed which is required but regularity of service.

We therefore suggest that the requirements be reduced to a trial speed of 16 knots and the compensation be left as at present. There are many countries to which an even less speed will answer all purposes, and we suggest that the speed requirements for vessels of the second class be reduced from 16 knots to 12 knots and the subvention

of $2 per mile left in force. It must be remembered that these subventions are not payable to all vessels, but only to lines operating under contract, a service asked for by the Government. We have been assured by steamship men of experience and standing that if this be done, there can be no doubt that advantage will be taken of the credit machinery before outlined and a number of lines established.

A reason for the extreme speed heretofore provided for has been the desire of those connected with the Navy to see constructed vessels of sufficient speed to be of use as commerce destroyers in time of war. Your committee would point out that if such vessels are necessary, it is not a sound economic policy to operate them in a trade for which they are not suited at a large annual loss. They should be either constructed for trans-Atlantic service, where such speed is necessary, or built and maintained by the Government for naval uses. Your committee expresses no opinion as to the necessity for such vessels, for it is not considered a part of the economic question under consideration. We desire to point out, however, that there is only one line of American mail steamers between this country and Europe. These steamers are approximately 20 years old and are rapidly wearing out. The time is not far off when the service must be discontinued or new vessels provided. If commerce destroyers are a necessity, it may be desirable to arrange for new vessels for a trans-Atlantic service. If this be done, your committee sees no other method to adopt than to provide for the payment of a sufficient subsidy to maintain in service such vessels as the Government may require. The construction of such vessels would assure the Government an American mail service to Europe, gratify national pride, and meet naval requirements. They are not, we repeat, a necessary part of the present problem.

In making these suggestions we are not unmindful of the apparently deeply rooted objection in the minds of many of the citizens of this country to the payment of subsidies. It is a practice susceptible of such abuse that we suggest, rather than recommend, the only method which seems to promise the immediate construction of passenger and mail steamers and at the same time conform to economic standards.

Your committee desires to make clear that it has endeavored to avoid the pitfalls of recommending radical legislation. It recognizes that there is a wide difference of opinion as to the best method to be employed to reestablish our merchant marine. It has given consideration to all methods which have been suggested, and the creation of preferential duties, under which our merchant marine flourished during the first half of the nineteenth century, has been carefully discussed. A preferential duty of 5 per cent has been authorized by Congress, and the question of the legality of the measure is now before the Supreme Court of the United States. In due course a decision will be rendered, and it seems useless to discuss such a measure until such decision has been handed down. We have also given earnest consideration to the arguments of those in favor of the Alexander bill as it now stands—January 1. We recognize that this bill is considered an administration measure and has been approved by President Wilson. For this reason we have endeavored to convince ourselves of its merit, but have been unable to agree that a sufficient crisis exists to warrant the enactment of a law which departs from established economic standards and may do grave injustice to those citizens who already own vessel property. It is stated that the people of this country are against taxing themselves in order to provide subsidies for steamship lines, and it is suggested that they tax themselves to operate Government-owned lines admittedly at a loss. We fail to see the difference, except that the latter plan carries with it evils far worse than a lack of American ships on the sea.

Government ownership of ocean lines can not bring to our aid a single vessel, except by building. Every steamship in the world is working to-day, except those interned in neutral ports. If these can be transferred to our flag without international complications, there will be no difficulty in financing the transfer of those suitable for freight carrying, for their earnings will justify the purchase. If they can not be transferred without trouble with England and France, it is certain we do not wish the United States to become their owner.

The construction of vessels designed to carry freight only is, we believe, attended with less difficulty than the establishment of regular passenger and mail lines. As we have pointed out, the item of wages on vessels of this character represents a smaller percentage of the total operating cost, and the disadvantage under which American vessels labor is in the neighborhood of 5 per cent of the total operating cost. Under conditions existing in the past even this difference would prevent the engaging in foreign trade of American tonnage, but it is the conviction of your committee that conditions will not again be normal for a number of years, and that if credit machinery be created to enable the steamship men to finance American steamship enterprise, sufficient inducements will exist to assure the construction of a substantial tonnage of freight vessels without the payment of subsidy.

In any event it is the opinion of your committee that it is not necessary at the present time to provide subsidies for freight vessels. Their earning power, so long as the war continues, will be more than ample, and the slight disadvantage in operating cost is at least partially offset by economies in interest made possible through an application of our plan to guarantee steamship bonds. There is, of course, a wide divergence of opinion as to how long the war will last and of the probable condition of foreign shipping at its close. A large tonnage has already been destroyed, and it is the opinion of some experienced steamship men that the operating cost of foreign vessels will be higher than it has been in the past for years to come.

Your committee has been advised of plans for the establishment of certain freight lines, which are already under consideration without subsidy. The difficulties which lie in the way of the immediate carrying out of these plans are two-fold: First, fear of Government competition, and, second, the difficulty in interesting American investors in the securities. If these two difficulties are removed, we feel confident a beginning will be made and the consideration of any subsidy for freight vessels may be safely postponed for a year at least, when the matter can be again taken up and judged from the standpoint of conditions existing at that time.

You will note that no reference has been made as to whether the proposed tonnage should be constructed in American or foreign yards. Discussion of this matter has been omitted for two reasons: First, amendments have already been made in shipping laws permitting the acquisition of foreign-built tonnage for a limited period, and, second, it is quite possible that a condition may arise in the near future which will make competition for vessel construction by the yards of this country much less difficult. If a substantial tonnage is to be created, it is idle to suggest that it be entirely constructed in this country, for the facilities do not exist for the work. The building up of a shipbuilding industry, like the construction of a fleet, will require time. If a large tonnage built abroad is placed under the American flag, the necessary repair work will be an important aid in establishing American yards upon a basis where they can compete with foreign shipbuilders. The inability of the American shipbuilder in the past to compete with foreign yards has been partially due to the fact that there has been but a limited demand, and only for vessels of special construction.

The American manufacturer in many fields of industry has shown his ability to compete and outdistance the foreign manufacturer of any article which can be standardized and produced largely by machinery. The automobile industry is a recent illustration of this principle. The raw materials needed for ship construction are all available, and it is the opinion of your committee that if a demand arises for the construction of a large number of freight vessels more or less of the same general type, and therefore standardized in character, the American shipbuilder will have less difficulty in competing for ship construction, the foreign cost of which, as we have already pointed out, is 20 per cent higher than at the beginning of the war.

Your committee is not unmindful of the fact that this view may be unduly optimistic, but in view of all the circumstances surrounding the present situation we are inclined to recommend that the specific provision that part of the tonnage to be operated under the American flag be constructed in American yards be deferred until the immediate future can be more clearly foreseen and we approach the time limit set by the recent amendments permitting the acquirement of foreign-built tonnage.

Many other phases of this question have also been considered and discussed by the committee, but we have kept always in mind our desire to present only practical suggestions for taking a substantial step forward.

Your committee moves the adoption of the following resolution:

Resolved, That the Chamber of Commerce of the State of New York approves these recommendations and authorizes the special committee on the American merchant marine in the foreign trade to urge upon Congress the enactment of legislation in accordance with the principles and methods outlined in the foregoing report.

IRVING T. BUSH,
WILLIAM HARRIS DOUGLAS,
GEORGE S. DEARBORN,
JACOB W. MILLER,
J. TEMPLE GWATHMEY,
Special Committee on the American Merchant Marine in the Foreign Trade.

NEW YORK, *January 4, 1915.*

Mr. WEEKS. Now I wish to discuss some phases of Government ownership and operation.

We have a distinct and definite policy in regard to our conduct relating to corporations—that of regulation and supervision—a policy which is not peculiar to our General Government, because it is found in many of our States and in most foreign countries, especially those where government ownership has not become a dominating policy.

In one department we do conduct a service which is commercial in many respects—the Post Office Department. But that is common to all countries of the world, the reason in all cases primarily having been the carrying of the Government's mail, and this has been extended from time to time to cover letter mail, newspapers, books, and other reading matter. Latterly we have increased the fourth-class service which heretofore we have given by adopting a general parcel-post law similar to the methods which have been followed by other countries, but there has always been the excuse in these extensions that we had established a service which was not being worked to its fullest capacity and that private companies operating in the same field produced a duplication which did not conform to general economy, although even in this case it should be noted that we have used the transportation facilities furnished by public-service corporations for transporting the article, the Government simply furnishing the employees and the methods for distribution.

Now it is suggested in this bill that we go into a transportation business, not in a field which we can control, but to enter a field where the competition in the past has been so keen that under the laws for which Congress is responsible we have been unable to effect a foothold, or possibly to go into competition with our coastwise shipping, a field which is now dominated by our own people and where a reasonably good service is furnished at reasonable rates. No other country, with a few exceptions like the river steamers on the Danube, which are controlled by one of the Balkan States, has attempted any such action, leaving this field to private capital, assisted by the Government either through subsidies, mail subventions, preferential rates, or in one case a direct loan to a company to build equipment; but in all of these cases of assistance the Government has based the reason for giving it not only on its desire to maintain such an industry as one of the industrial features of the country, but because it has given it a call on vessels which could be used for auxiliary cruisers, and thereby become efficient aids to the navies of their respective countries.

I propose to treat this question from the general standpoint of the propriety of a government engaging in business, which I deny, and to illustrate the failures in this respect, which failures would be tremendously emphasized in this country on account of our form of government. If it is desirable for us to engage as a Government in the shipping industry, it may be argued with some force that a similar course might wisely be taken in the case of railroads and other public-service cor-

porations, which, in my judgment, would produce a condition coming near to the destruction of personal initiative in business, and which would even shake our governmental system to its foundation. It would be the height of folly to undertake such a revolutionary course unless it has been completely demonstrated that the present methods of ownership of public utilities have failed, producing results which do not meet the transportation needs of our people.

Assuming that that can be demonstrated, then we should turn to the results of Government ownership in other countries, apply the conditions found there to our facilities, and try to determine whether such a change under those conditions would be a success. Have the rates of public-service corporations in the United States been higher than those abroad, other conditions being equal? Are there better methods for rate making in the cases of Government ownership than those which prevail in the United States. Are the wages of labor in other countries higher than our own? Is the cost of supplies greater than our own? Are railroad corporations in other countries maintained at a higher state of efficiency in their physical properties than ours? Do railroads in other countries provide and maintain a higher class of equipment? Do they pay the State higher or lower taxes? Is the interest on the indebtedness incurred in building the road at a higher or lower rate? These are all questions which must be taken into account in determining what course we should take, and not only these but many others, and especially one, which has been brought prominently to our attention in recent days—that is, the fixing of rates by the Interstate Commerce Commission, which will enable corporations to maintain their physical and financial integrity in periods of depression. Then, we must necessarily deal with the relative qualities of Government and corporation labor.

It must be apparent to all of us that the maximum wages in the Government are very much lower than those obtained in private employment, while the minimum wage in the Government employ is very much higher than that obtained in private employment. For example, there are many competent and industrious men in the Government service in Washington who, in my judgment, if they had the courage to cut loose from it, would be able to earn more money in private employment—of course, without the certainty of continual employment that they find with the Government, but in many cases a very large increase would result. Some of the highest-paid officials in the United States to-day are men who at one time had been in the Government service. That condition makes for a constant trend of the competent to pass from Government into private enterprise, while it makes a fixture of the mediocre, who either have not the initiative or the courage to take the step; then, it must be equally apparent to everyone that the longer such men remain in the Government service the more inclined they are to become fixtures, losing all of their initiative and developing an official inertia which is destructive to every element of individual enterprise. The civil service does not remove the bad features of this condition; in fact, it accentuates them, because it gives a permanency and certainty which was not found under the old spoils system, and there is therefore not the inducement for a Government employee to bring out the best there is in him which existed when his tenure in office depended on his activity and personal enterprise.

Then again, whenever we add to the permanent Government employment we add an element which is going to confound and, if followed sufficiently, is going to perplex our whole governmental operations. We see to-day the political pressure brought by any organization of Government employees sufficiently numerous to be found in many sections of the country. This is apparent in the case of governmental industries, like arsenals and navy yards, in the effect which it has on the action of those directly representing such institutions. However, it is more pronounced in the Post Office Service than in any other, because there are a greater number of employees, and one of the best illustrations that can be advanced, and one which it seems to me negatives very largely the force of the recommendations made by the President in this case, is that of the Rural Delivery Service. It was contended by those active in establishing this service and those who wished to limit the methods of its operation that there would be a constant pressure for higher salaries, and I recall that the chairman of the Post Office Committee of the House even held out as an argument against a general adoption of salaries rather than the contract system the fear that some day the employees in this service would be paid as high as $1,000 a year. Yet, in 15 years we have seen the salaries advanced from a very moderate and insufficient initial salary of $400 to $1,200 a year, and the desire, which is natural, I think, for even a higher salary than that is sufficiently pronounced so that Congress will have to meet that proposition in the near future. And to-day, Mr. President, the Postmaster General is telling Congress that if this service were contracted instead of being operated by the Government there would be a saving of more than $18,000,000 a year, or substantially 40 per cent of the entire cost of that service. Although he is recommending a change in the method of conducting the service, and he belongs to the dominant party, having a very large control of both branches of Congress, his suggestion has and will have substantially no support, because the whole weight of the influence of the organized body of rural-delivery carriers, numbering some 45,000, is opposed to it, and Representatives and Senators will not imperil their political future by taking action which they know will be likely to mean their retirement from political life.

If that is true in the case of comparatively a few bodies of men, what would be the result if we took over the railroads of the United States with their 1,700,000 employees and thoroughly organized? It goes without saying that there would be constant pressure on the part of everybody holding important office for increases in salaries, changes in location and operation, for better conditions here and there and everywhere, and the Representative who did not respond favorably to this demand, opposed by the demagogue willing to promise anything to get political position, without any regard to the integrity of the Government's operations or Treasury balances, would be almost certain to be succeeded by such a man, although the employees of our railroads are among the best types of our citizens. Personal gain or personal advantage, the hope of obtaining some reward from the Government does not stay the hand or the action of any class of citizens, except in individual instances, and the pressure in such cases would be such as to destroy not only the financial integrity of the operations of such a public-service corporation as a railroad, but would measurably affect the efficiency of the Government itself.

But even if this were not true, is there any probability that Government officials can be found to take the important places in managing large affairs at the moderate salaries which could be paid or will be able to solve any kind of a transportation problem better than the better paid private individuals who have spent a lifetime in such attempts? They must go to the same source of information for their knowledge; they have not and will have no peculiar or unusual facilities for obtaining it, and the problem of obtaining effective service would not be simplified, but, in fact, would be complicated, and the possibility of efficiency would be lessened by such change. As a general proposition, how would it affect the mercantile community, which is influenced by variations in business and by inflexible rates? It is necessary in governmental operations to prevent shortages, to make rules imposing conditions outside of which Government employees can not go. This very fact creates a system of red tape which means inflexibility, which in itself is destructive to the best business results.

Even in the systems of State railroads which have been most successful, notably in the case of Prussia, great pains have been taken to produce a system of boards in executive and advisory capacities, bringing to bear all of the varied knowledge of different classes of men in different occupations in order to make a flexible railroad rate which will bring about the best industrial results. I intend to point out in some detail the methods employed in this Prussian system and will endeavor to show from it not only the necessity of providing such combinations of boards but the impossibility of obtaining efficient results unless it is done and how nearly impossible it would be to develop such conditions under our system of government.

I use the Prussian railroad system because, in my judgment, it is the most effective Government owned and operated system in the world and is substantially the only one that shows results, either in the development of the country for the benefit of the people or in the financial results, which are in any degree satisfactory.

If the recent rate decision and the time it has taken the Interstate Commerce Commission to reach it is any criterion of what we might expect under similar conditions, how would it be possible to adjust rates to local needs under the varied conditions which we find? There has been no effective way of building up local industries or new and developing communities without establishing rates which would develop both the industry and the community. That has been done to a measurable extent in the United States with success, but under our present system of rate making any such policy is greatly hampered, and if the Government were alone responsible for making the rates I believe

it would be impossible, as a practical measure, to maintain a rate which would be beneficial to one community and apparently antagonistic to another; and I am not in favor of it, either.

We have removed many of the unfair methods employed in the operation of railroads, such as rebates, and yet to successfully operate the railway system of the United States so as to best conserve and build up the interests of the whole country it would be necessary to make rates which would apply to local conditions not only in normal but in abnormal times. For example, if there was a great failure of the crops in the section southwest of Kansas City, it would be desirable to provide a modified rate not only to take material into that section but to transport people from it who might temporarily desire to find employment elsewhere. That general policy has been carried out in some instances where there has been Government ownership, but it has invariably been done in countries where the military system of government has been its vital feature.

If under conditions which exist to-day a shipper objects to the rates charged or the methods employed he has an opportunity to make an appeal to some kind of governmental action, and in time he can obtain redress if he has a reasonably good case; but if there were Government ownership, he would be appealing directly to the maker of the conditions or rate against which he is protesting, and the difficulty of his obtaining satisfaction would be greatly increased. Under present conditions it is perhaps within reason to state there is sufficient prejudice against corporations so that an aggrieved shipper, other things being equal, is given all the satisfaction which his case warrants; but if he were appealing to a Government department, certainly nothing but the merits of his case would have any influence, and in many instances he would find that relief which he can obtain now would be denied him if the situation were changed.

Furthermore, he may find a condition where the department fails to take immediate or even early action. There are quantities of instances in our governmental service now in which obtaining a decision from a department is a long-delayed and difficult process. A decision which will be made by a responsible person in private employment in the course of a week or two weeks' time has been frequently held up for as many months and sometimes for a much longer period. There is not a Senator of experience on this floor who has not been appealed to, and frequently appealed to, by constituents to aid them in getting one of the departments not only to act but to act promply.

Could there be any better illustration of this condition than that found in Alaska, where there has been absolute stagnation of enterprise and upbuilding because of the hard and fixed rules which the Government has imposed? Men have gone there in good faith to develop mines and other industries, have invested their money, only to find their whole enterprise held up, if not destroyed by the policies of the Government, and frequently they have been unable to get a decision even on the merits of their cases until they have lost patience and much money in besieging the department directly interested for a final decision.

Suppose, for example, that a railroad had been badly located and on account of the rates imposed became insolvent or a burden on the community by the imposition of abnormally high rates. In order to keep it in operation under the system which has prevailed heretofore we have been able in such cases to reorganize the property—a drastic step, which has been exceedingly burdensome on the individual stockholder or bondholder, but which has been necessary for the public interest. There are innumerable such cases in our history. What would be the action in such an instance if the Government were the owner instead of the individual? Would all the people who owned the property be willing to have their interests scaled to a basis which would make the property self-supporting and of benefit to those living contiguous or tributary to it, who thereby would be able to get a lower rate and a more efficient service? The possibility of bringing about any such action seems to me would be a deterrent to governmental ownership.

Furthermore, in private management an attempt is made to obtain a fair and correct result, while if transportation facilities were turned over to the Government there would necessarily be a large number of laws passed to restrict and control the methods of operation, financing, and other matters connected with these properties. It is well known that many laws result from compromises, and that even as finally passed they are not satisfactory to any of the elements interested, and are not even right from the standpoint of anyone; yet they are the best results that can be obtained. Even that condition would be an element to be given consideration if such a step as the contemplated one is undertaken.

Any such step means a necessary increase in the machinery of government, the creation of new bureaus, and adding to the number of Government employees. There is pretty nearly a revolt in this country at this time against bureaucracy and the methods which always accompany it. It will necessarily increase our national debt; and if the policy is to extend to the railroads of the country, it will create a national debt aggregating billions, which would remove all possibility of obtaining Government credit on the low basis which now obtains and would mean substantially an equal interest charge to that now required. Furthermore, it would greatly embarrass the Government in financing itself in case of war. Then, again, there would be the possibility of quadrennial change in the higher officers connected with the operation of railroads similar to that found in all of our Government operations to-day, a condition which would mean in the end inefficiency and maladministration.

The fault found under present conditions with Government supervision is that its machinery is cumbersome and that the results obtained from it are much slower than those through private channels. If this is true in the case of supervision and regulation, how much more certain would it be to follow in the case of ownership?

The country which has made the greatest success of State railroads, taking everything into consideration, is Prussia. I do not mean Germany as a whole, because many of the smaller States have not been equally successful as Prussia. In Prussia the operation of State railroads commenced about 1850, and has been increased by purchase and construction until now there are about 22,000 miles of State-owned roads, while the private-owned roads are less than 2,000 miles, and these are generally short lines.

The military system which dominates every activity in Germany has had much to do with the successful development of the Prussian State railroads, and, while many changes have taken place in the manner of organization and conduct of these roads, they have now reached a basis which makes them probably as successful as it is possible for roads to be under such ownership and management. Their administration is primarily under the control of the Imperial Government, but directly under the control of the Prussian minister of public works, the royal railway directories, assisted by advisory councils—a system which has been in operation since 1895. There are 21 royal directories located at prominent points in Prussia. Each directory is a board of directors, having under its control the railway mileage in the district regulated by it. The fixing of rates, both passenger and freight, and administration questions of a general character are in the hands of the directories. Subordinate to each board of directors there is a traffic manager, an operating manager, a manager in charge of technical matters, and a manager in charge of machine shops.

There are, in addition to these organizations, a large number of men connected with the advisory councils and other administrative bodies. There are also general matters in charge of particular directories. For example, one of these will have charge of all car distribution in Prussia, another rolling stock, another the purchase of materials, another the workshop supplies, another all technical questions connected with railroading, like block signals, and so forth. Of the advisory councils there are nine. These councils are made up of representatives of the chambers of commerce, boards of trade, and other industrial organizations, supposedly having intimate knowledge of the particular trade with which they are connected.

There is a national council as well as the circuit councils. It has nine circuit councils. The national council consists of 40 members. In addition to the bodies to which I have referred, there is a general conference of German railroads, composed of members representing all the railways in the German Empire. There are more than 300 members in this council. It is a voluntary advisory body, and has to do with the railroads of the German Empire what the national council has in Prussia. In a word, the Prussian system is under the direct management of advisory councils, directories, and the minister of public works.

On April 1, 1905, there were 400,000 workmen and officials employed on the Prussian State railways. When we stop to consider that there were at that time less than 22,000 miles of road in operation, we find that that would mean about 18 men to a mile, which would mean, if there were the same number of employees on American railways, substantially 4,500,000 men, instead of the 1,700,000 now employed. The capitalization of the Prussian system was, in 1905, $2,225,000,000, or about $106,000

per mile. The net profits in the previous year were 7.12 per cent and in 1905 7.17 per cent on the capitalization. The earnings are distributed as follows: First, pay the interest on the railway debt; second, a small sum may be used to meet any deficit in the ordinary State budget; third, three-fourths of 1 per cent of the total railway debt for a sinking fund; fourth, any balance may be invested in new lines or paid to the Government for general expenses. From 1881 to 1899, $350,000,000 was turned over to the Government, and for the year 1905 this amounted to $158,000,000.

I have here a table showing the plan of operation of the Prussian railway system, which I think is of sufficient interest to ask that it be included in my remarks without reading.

The VICE PRESIDENT. It will be so ordered, without objection.

The table referred to is as follows:

OUTLINE OF PRUSSIAN RAILWAY ADMINISTRATION.

1. Minister of public works, an under-secretary, and staff.	1. 21 royal directories, each directory having 4 departments.	(a) Traffic. (b) Operating. (c) Technical. (d) Machine shop.
	2. Construction in the hands of special construction departments appointed by the minister and usually under the control of the directory.	
	3. Certain directories have entire charge of special work for the whole system—car distribution, purchase of rails and ties, accounting, purchase of rolling stock, appointing minor officials, etc.	
2. National advisory council.	9 circuit councils, composed of representatives of commercial bodies, which make recommendations to directories.	A standing committee of the council prepares matter for its consideration.
3. Imperial and international advisory bodies.	1. General conference of German railways considers interstate matters with the help of its—	(a) Tariff commission. (b) Committee of shippers.
	2. Society of German railway managements considers international traffic questions, under Berne treaty.	
4. Imperial railway office at Berlin.	Has general supervision over foregoing bodies as far as they affect the German Empire as a whole.	

Mr. WEEKS. There are fundamental differences between the conditions which prevail in Prussia and in the United States. For example, the average length of haul in Prussia is 71 miles, in the United States 244 miles. The average shipment in the United States is larger than in Prussia. Wages, building material, and all other material used in operating the roads command substantially different prices in the two countries. While the passenger traffic is much denser in Prussia and averages a lower grade, it consists of three classes, and it is therefore difficult to make comparisons. The first-class fare is about twice as high as in the United States, the second class somewhat higher, while the third is materially lower; but before any comparison can be made which is in any sense reasonable we must take into account the difference in the political conditions which prevail in the two countries.

I ought to say of the average passenger rate in Prussia, taking everything into consideration and making the comparisons as nearly equitable as possible—that is to say, including the price paid for a ticket for going into a Prussian railroad station to see a friend or a member of the family off, taking into consideration the charge for carrying baggage on passenger trains, and many other differences which exist in the method of management—the average Prussian railroad passenger rate is about nine-tenths what it is in the United States. On the other hand, the freight rate is almost twice as high as it is in the United States. My investigations, which are somewhat complete along that line, which I intend to submit as an argument against the operation of transportation companies by governments, indicate that this is invariably the result of such operation. It does not make any difference whether it is in republican France or in autocratic Russia, the results are always the same. When the Government operates a system it always means an increased number of employees. It always means increased wages to employees. It always means in European countries a greatly increased sick list, where the rate of pay is maintained when the person is on the sick roll, and it invariably means a reduction in the passenger-traffic rate—not in the freight-traffic rate, because there are comparatively few people involved in that, but everyone is involved in the passenger-rate charge. In every case I have investigated there has been a resulting decrease in the passenger rate whenever the Government has undertaken the operation of the system.

The net result is that with the exception of the Prussian system to which I am referring, and possibly one or two railroad systems in Japan, I can not find a single instance of large operations by governments which are profitable under the conditions which are imposed. In most cases they impose a heavy tax on the people. As an example of that I will instance France, where there are seven main railway lines. Five of them are privately owned and two of them are owned by the Government and operated by the Government. In the case of the Government operation, at one time there were more than 40 per cent of the employees on the sick list receiving full pay. In the case of the Western Railroad, taken over by the Government, the operating expenses were about 65 per cent while under private operation; the operating expenses jumped to 88 per cent of the gross revenue in three years after the Government took control. Last year the Republic of France had to appropriate $16,000,000 to make up for the deficit on account of the operation of those two railroad systems, while every privately owned railroad system in France was reasonably successful and profitable.

Mr. HITCHCOCK. The Senator seems to have made a careful study of the Prussian system, but he is——

Mr. WEEKS. I have not finished. I am going on to discuss it.

Mr. HITCHCOCK. Yes; but I wanted to ask him this question: Is he not, however, at fault in drawing the conclusion that the freight rates are higher because it is a Government-owned institution? Is it not a fact that the freight haul is much shorter in Prussia than in the United States—less than one-half the length—and that the terminal charges in each case must inevitably be just as great? Is it not also a fact that the earnings of the Prussian roads constitute a part of the revenue of the Government and that the net earnings are therefore permitted to be larger than the net earnings of railroads in the United States? Is not that an answer to the statement that freight rates are higher?

Mr. WEEKS. Mr. President, the Senator's question has merit in it. There are features of that kind which must be taken into consideration before any fair comparison can be made.

The territory surrounding the section of the country in Pennsylvania, New Jersey, and Delaware is not different in most of its characteristics from Prussia in density of population and in other qualities. If a comparison were made of the railroads in Pennsylvania, New Jersey, and Delaware with the Prussian system it would be found that the Prussian rates were something like 50 per cent higher. What I wanted to point out particularly was that where the interests of a large number of people were involved there was invariably pressure so that the rates were reduced, and in the question of labor conditions the number of employees and wages paid were materially increased. So the Government operation, especially in a country like ours, would mean all the political pressure with which the Senator from Nebraska is familiar, and which, in my judgment, when a great body of employees became involved, could not be resisted.

The great advance which Prussia has made over other countries where there are State railroads is in arriving at a method of flexibility in making freight rates. The Prussian system is not materially simpler than our own; in fact, it does not seem to me to be as simple in many respects. There is a great variety of schedules, many of them special schedules; in fact, two-thirds of the freight rates in Prussia are based on special conditions which have to do with the industrial development of the Empire. These are arranged with the purpose of regulating industry and commerce through the agency of freight rates, and in many cases these rates are much lower than those prevailing in other countries, because they are intended as an encouragement to specified industry, such as protecting German railroads against foreign competition, to modify the severity of unusual emergencies or calamities, build up German shipping and seaports, as far as possible encourage and promote German foreign trade, and to discourage the importations of articles which are produced in Germany. Instead of giving a direct subsidy to many of their steamship lines, the railroads of Germany are used as an encourager of traffic, furnishing a rate to interior points so much lower than that given to ocean lines of other countries, that the method followed amounts to a very large subsidy compared with which probably no other country has ever contemplated.

Not only is this preferential rate given in the case of general locations to build up an industry like shipbuilding, but it is used in transporting raw materials to points where they are most needed, both to aid agriculture and manufacturing, and they are extended in an attempt to promote particular districts—to carry coal, for instance, from the point of production to certain definite ports. To carry a product from a point where it might be under normal rates sent to market by way of foreign railroads and through foreign ports, a rate so low that this can not be done is furnished in order to transport it over German railroads and through a German port. This method of counteracting ordinary conditions is used in the case of a crop failure or any other similar calamity.

"The building up of the German merchant marine and German harbors has been one of the marvels of the last quarter of a century. All German States have granted preferential rates to German ports, such as Hamburg and Bremen, at the expense of ports in all other parts of Europe. Preferential rates from the interior sections of Germany on many products, both imported and exported, are very common, and an attempt has been made especially in this way to build up the German northeast harbors and to take business away from the harbors of other countries, not only on the North Sea but on the Black and Adriatic Seas. A similar course has been followed in developing the German foreign possessions, very much lower rates being given on products from the interior of Germany to German possessions, however distant, than those charged by any competing transportation line. The rates charged for transporting to the interior of Germany foreign agricultural products are very materially higher than those charged for transporting agriculture products within the German Empire or to any other German Province, the whole scheme of conducting the German State railroads being to develop the industrial and agricultural activities of that Empire, to create and make profitable ocean steamship lines, and to build up the harbors of Germany.

There are four classes of passenger service for ordinary passenger trains and three for express trains, the fares ranging from three-fourths of a cent a mile to 3 cents a mile, with special rates on return tickets, and an especially low rate for workmen's tickets. Various groups and classes of people are given special rates, like Sunday travelers, visitors to educational institutions and bathing establishments, invalids who have been in war, German soldiers, the sick and blind, deaf and dumb, and those connected with orphan asylums, special provision being made for all such classes.

While it is difficult, and indeed practically impossible, to make a comparison between Prussian freight rates and those of other countries, in a comparison made in 1902 it was found that the charge per ton-mile in Prussia was 1.24 cents; in France, 1.33 cents; in Austria, 1.26 cents; in Hungary, 1.24 cents; and for the same year the charge per ton-mile in the United States was 0.76 cent. Yet even this is not a fair comparison, on account of the longer distances freight is hauled in the United States and its more bulky character; but it can not be denied that the average American freight rate is materially lower than the German rate. On the other hand, the American passenger rate is materially higher than the Prussian rate. In the United States it is almost exactly 2 cents a mile, while in Prussia it is about ninety-three hundredths of 1 cent a mile. But, as I have stated, taking all of the elements into consideration, it is about nine-tenths as high in Prussia as it is in the United States. This is undoubtedly due, however, to the fact that about fifteen-sixteenths of the Prussian travel is in the lower classes and is influenced by the great number of special fares that are given in Prussia and to the fact that much of the suburban travel in Prussian cities is carried on steam roads, while in the United States this travel very largely uses trolleys.

Financially the Prussian railways have been successful. In 1905 the passenger service yielded a gross income of 1,618,000,000 marks. The operating expenses were 983,000,000 marks, leaving a surplus of 634,000,000 marks, or about $150,000,000. After charging off interest, special funds, and other items in accordance with the arrangements made, there was a net profit to the State that year of $120,000,000. The railways of Prussia are still inferior to those of the United States in steel cars, terminal facilities, and many other technical improvements, but compared with other European railroads they are showing a distinct improvement from year to year.

The recommendation of the Postmaster General for the Government to purchase telegraph and telephone lines naturally leads us to turn to some other country where such a policy has been in operation for a considerable time to see what the results have been and if the conditions correspond relatively to conditions in this country. Telegraph and telephone systems would more nearly compare with those of other countries of equal density of population than would the railroads or other public-service corporations.

In the case of telephones it is impossible to make a comparison at this time, because the National Telephone Co.'s plant of Great Britain has so recently been taken over by the Government, at a cost of sixty-two and a half million dollars that the results of its operation, compared with its operation under a private company in this country, can not be made; but it is significant that already the Government has undertaken the expenditure of $2,000,000 to be spent in providing additional facilities, including material additions to underground and overhead wires; in other words, extending the service. That is one of the faults which may be charged to a governmental system in every case; and the disposition to extend the service to localities where it is not profitable is much more pronounced in the case of government than in the case of private service. If it were possible to earn reasonable returns on an extension of one-sixth of the service, it would seem reasonable to assume that the corporation which owned this company would have made the extension long ago. The probabilities are that the extensions will not be profitable and the service will have to be carried by earnings from some other source.

In the case of the telegraph systems, however, comparisons may be made. In the year 1912–13 the receipts from the telegraph system of Great Britain amounted to £3,113,894, to which should be added £53,516, the estimated value of the service to other departments of the Government. On the other side of the ledger, the salaries, wages, and so forth, paid amounted to £2,781,000, the percentage of salaries to total revenue being 87.82 per cent. This percentage of salaries to total revenue compares with 82.43 per cent five years ago, with 67.75 in 1900, with 61.30 in 1890, with 44.02 in 1880, and 39.13 in 1870. In the meantime superannuations and noneffective charges have increased from £19,000 in 1880 to £184,000 last year. Maintenance charges have, on the other hand, not increased materially, being £292,000 in 1880, £440,000 in 1890, £691,000 in 1900, and only £392,000 last year, the percentage of maintenance to total revenue being at the lowest point last year—12.38 per cent—since 1880, when it was 17.88 per cent. The total expenditures for all purposes last year were £4,124,000, showing a deficit of £957,566, without allowing any interest on the cost of the establishment. I want particularly to call attention to the figures. There was a loss of $5,000,000 in the operation of the system, because the operating expenses had increased from 39 per cent in 1870 to 87 per cent last year. Incidentally it may be remarked that there has been a deficit during the last five years of an average over a million pounds a year, and that the system has not shown a surplus in its operation since 1880 without, as I have said, figuring any interest on the original cost of the system.

Is there not almost a certainty that the proportional part of the labor cost of maintaining any public operation in a country like ours is sure to increase quite as rapidly as in the case of Great Britain, and does it not mean that we would be doing what is being done in Great Britain—that is, paying a large subsidy to those who send telegraph messages?—for the service shows a large deficit, as I have stated.

Mr. President, I now want to consider for a moment a few comparisons in this country between municipal and corporation organization ownership and management. I can not undertake very many of these to-day, but I will give a few instances.

Mr. SHERMAN. Mr. President——

The VICE PRESIDENT. Does the Senator from Massachusetts yield to the Senator from Illinois?

Mr. WEEKS. I yield for a question.

Mr. SHERMAN. In the account of the public ownership of the utility last mentioned is there anything written off for the depreciation of physical property or set aside for improvements, so as to keep the property in sound operating condition?

Mr. WEEKS. I have just stated that the maintenance charge, which would include what was intended for depreciation charges, was the lowest last year that it has been since 1880. It has been constantly decreasing, while the operating charge has been constantly increasing. In not a single year since 1880 has there been any net revenue from the system, without figuring any interest whatever on the cost of the investment. That is the result of the operation of the Government-owned English telegraph.

Mr. SHERMAN. Mr. President, may I inquire further, is there a privately owned system of like proportions successfully managed on the basis given in this public undertaking? Does the Senator from Massachusetts know of any such?

Mr. WEEKS. I think that the telegraph system and the telephone system of the United States would both be comparable. In both instances they are operated at rates which compare favorably with the foreign rates and have always earned some reasonable return on the capital invested. That matter I intend to go into in some detail later on to show the advantage of private ownership over public ownership. Incidentally, I think everybody admits that in this country the railroad service, the telegraph service, and the telephone service are better than is the service in European countries. I do not recall a single person who is familiar with the general service conducted under Government operation in Europe who does not come to that conclusion; I think it is universal.

We have in the city of Boston a privately owned ferry system, and parallel to it and running from practically the same wharf a municipally owned system. The municipally owned system is

shorter than that of the private company, being about half the length, but the two systems are parallel in their operations and serve the same classes of people. Their conduct would naturally be along the same general lines. The private company has been in operation since colonial days and has never failed to earn a dividend until the year 1910. The reason it has not earned a dividend since is because the city of Boston has constructed a tunnel, which has affected alike the privately owned and the municipally owned ferry; but up to 1910, for practically 150 years, it had always earned dividends on the capital invested.

The municipally owned ferry was purchased in 1870, and since then has been conducted by the municipality. It has never earned any return on the money. During the 44 years it has been so operated by the city it has cost almost twice as much as has been received from transportation revenues, including in that the cost of the original enterprise and a reasonable rate of interest on the money. It has never paid operating expenses.

The reasons are largely because of the methods of operation. For example, a crew on the municipal ferryboat consists of nine men, while a crew on the privately operated ferry consists of five men, the ferryboats being almost exactly of the same size. The executive officers in the municipal department outnumber private-company officers five to one. Expenses for employees, for overhead charges, and for every other purpose connected with the municipal ferry have been from 50 per cent greater to five times greater, as in the case of the administrative officers, and the tolls, in proportion to the distance run, have been greater on the municipal ferry than they have been on the privately owned ferry; and yet the statement which I have made relating to the comparative earnings is greatly in favor of the privately owned company.

The same general conditions apply as to the ferries in New York. There are two municipally operated ferries in New York City, one from the Battery to Staten Island and the other from Thirty-ninth Street to South Brooklyn. According to the statement made by the department of ferries of New York City last year the operating expenses of the municipal ferries were $1,360,266, while the receipts were $1,096,415; and for a long term of years the results have been substantially what they were last year.

In every case, as far as I can tell from the reports which I have in hand—and I shall ask at some time to put in the RECORD the tables involved—there has been a deficit in operation. In New York there are a considerable number of privately operated or corporation-operated ferries, some of them connected with the railroads, or in one or two instances operated independently of the railroads. Until the tubes were constructed in New York I understand all privately operated ferries were successful. Since the tubes have been constructed ferries operated in competition with them have not been successful, because they have lost very largely in passenger traffic; but they have carried the vehicle traffic as before, and it has been necessary to continue their operations substantially as was done before. I have here, however, two or three instances showing the comparisons which should be used in arriving at the economies resulting from Government operation. They show, almost exactly as they do in the case of Boston, a very much larger number of men employed on a ferryboat, a very much larger overhead charge, and somewhat lower rates in the case of the New York privately owned ferryboats than in the case of the municipally owned ferryboats; but in every instance that I have, while the municipal ferries have been operated unprofitably, the privately owned ferries parallel to them or operating in the same general field have resulted in financial success.

Mr. MARTINE of New Jersey. Mr. President, may I ask the Senator what the rates of fare, respectively, are in the two cases, the municipally owned and the privately owned ferries?

Mr. WEEKS. It would be impossible to make an exact comparison in the case of the Staten Island ferry, because it is much longer.

Mr. MARTINE of New Jersey. Yes; it is a longer ferry.

Mr. WEEKS. In proportion to the mileage, the fares on the privately owned ferries are lower than they are on the municipally owned ferries, but——

Mr. MARTINE of New Jersey. There is a difference in length, of course.

Mr. WEEKS. There is a difference in length, but the comparison is better in the case of the Thirty-ninth Street and South Brooklyn Ferry, which is a municipally owned ferry. In that location, where 9 men are employed on a privately owned ferryboat, 12 men are employed on a municipally owned ferryboat. I do not undertake to say that in one case the number is too great or that in the other too few men are employed, but I do undertake to say that I can not find a single instance where, in comparison, the number of men employed is not greater on the municipally owned ferry than on the privately owned ferry.

Mr. STERLING. Mr. President——

The VICE PRESIDENT. Does the Senator from Massachusetts yield to the Senator from South Dakota?

Mr. WEEKS. I yield for a question.

Mr. STERLING. The Senator has stated the greater number of men employed in the case of the municipally owned ferry as being a reason for additional cost of operation. I should like to ask the Senator if he has any showing with reference to the wages paid in either case and as to whether that has made a difference in the operating expenses?

Mr. WEEKS. I have not an exact comparison in either one of these cases, but, substantially speaking, the wages paid are somewhat higher on the municipally owned ferries than they are on the privately owned ferries. On the French railroads, for instance, in the case of the Government-owned roads, the wages are higher than they are on the privately owned and operated roads, and the number of employees is very much greater.

One of the most striking cases of change in that respect comes in the case of the Western Railroad, which was taken over in 1907. In three years' time the operating expenses jumped from 62 per cent to 88 per cent of the gross earnings, and almost entirely on account of the employment of more men. For instance, there were 97,000 men employed on the Western Railroad the year it was taken over. Three years after there were 138,000 men employed, and of those 138,000 men more than 40 per cent were on the sick list and receiving full pay. As I have stated before, the French Government, operating two of the seven systems in France, last year had to make up by general taxation a deficit in operation of $16,000,000.

Mr. STERLING. I will ask the Senator, then, if it follows that the public generally were benefited by the higher wages paid or the greater number of men employed under Government operation?

Mr. WEEKS. I think the universal testimony is that the operation is not beneficial to the public; that the public does not get better service as a result of this. It is beneficial to the men directly employed. I think there is no doubt about that.

Mr. ROOT. Mr. President, is the Senator sure about that? I ask the Senator whether he does not leave out of consideration the demoralizing effect upon the men themselves of securing their positions through political influence and pressure, instead of securing their opportunities to make their living as the great body of their countrymen do? Is it of benefit to the men who get their places and hold their places in that way?

Mr. WEEKS. Mr. President, I did not intend to take into consideration the moral results, the depletion of the moral fiber of the population as the result of such a system. I understood that the question of the Senator from South Dakota meant: "Does anybody receive any direct and immediate benefit in a pecuniary way?" I say that the employees, without any question, do receive some benefit, and that invariably a great many more people are employed.

During the delivery of Mr. WEEKS's speech,

Mr. OVERMAN. Will the Senator from Massachusetts yield to me to submit a conference report, not to take him off the floor?

Mr. WEEKS. I will yield to the Senator to submit the report, provided I am not taken off the floor.

Mr. OVERMAN. It is very important that the conference report should be agreed to. There is no objection to it, I think.

The VICE PRESIDENT. The Chair will take it by unanimous consent that the Senator from Massachusetts is not taken off the floor.

Mr. BRISTOW. May I inquire what is the conference report?

Mr. OVERMAN. It is on the urgent deficiency appropriation bill. I will state to the Senator the reason why I want to have it disposed of is because the farmers are complaining that they are not getting their money for the killing of their cattle infected with the foot-and-mouth disease. That is the principal item. Of course there are several other items, but they do not amount to much.

URGENT DEFICIENCY APPROPRIATIONS.

Mr. OVERMAN submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 20241) making appropriations to supply urgent deficiencies in appropriations for the fiscal year 1915 and prior years, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment numbered 3.

That the House recede from its disagreement to the amendments of the Senate numbered 1 and 5, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$100,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same with an amendment as follows: In lieu of the amended paragraph insert the following:

"For the emergency caused by the infectious nature and continued spread of the destructive disease of citrous trees known as citrus canker, by conducting such investigations of the nature and means of communication of the disease, and by applying such methods of eradication or control of the disease as in the judgment of the Secretary of Agriculture may be necessary, $35,000; and the Secretary of Agriculture is authorized to pay such expense and employ such persons and means, and to cooperate with such authorities of the States concerned, organizations of growers, or individuals as he may deem necessary to accomplish such purpose."

And the Senate agree to the same.

LEE S. OVERMAN,
N. P. BRYAN,
REED SMOOT,
Managers on the part of the Senate.

JOHN J. FITZGERALD,
C. L. BARTLETT,
F. H. GILLETT,
Managers on the part of the House.

The report was agreed to.

Mr. OVERMAN. I am much obliged to the Senator from Massachusetts.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House had passed the bill (S. 2337) to create the coast guard by combining therein the existing Life-Saving Service and Revenue-Cutter Service, with amendments, in which it requested the concurrence of the Senate.

The message also requested the Senate to furnish the House with a duplicate engrossed copy of the bill (S. 2334) for the relief of S. W. Langhorne and the legal representatives of H. S. Howell, the bill having been lost or destroyed since its reference to the Committee on Claims of the House.

ENROLLED BILLS SIGNED.

The message further announced that the Speaker of the House had signed the following enrolled bills:

S. 4012. An act to increase the limit of cost of the United States public building at Grand Junction, Colo.; and

S. 6309. An act to establish the Rocky Mountain National Park, in the State of Colorado, and for other purposes.

PETITIONS AND MEMORIALS.

Mr. KERN presented a petition of Typographical Union No. 266, of Elkhart, Ind., praying for the enactment of legislation to regulate the interstate commerce of convict-made goods, which was ordered to lie on the table.

He also presented a petition of the congregation of the Trinity Methodist Episcopal Church, of Elkhart, Ind., and a petition of the congregation of the Trinity Lutheran Church, of Elkhart, Ind., praying for the Federal censorship of moving-picture films, which were referred to the Committee on Education and Labor.

He also presented a petition of sundry citizens of Columbus, Ind., praying for the repeal of the present migratory bird law, which was referred to the Committee on Forest Reservations and the Protection of Game.

He also presented a petition of Local Union No. 1243, United Mine Workers of America, of Boonville, Ind., praying for a further extension of the work of Bureau of Mines, which was referred to the Committee on Mines and Mining.

Mr. NELSON presented petitions of sundry citizens of Minnesota, praying for the enactment of legislation to prohibit the exportation of ammunition, which were referred to the Committee on Foreign Relations.

He also presented a petition of sundry citizens of Minnesota, praying that anti-Catholic publications be excluded from the mail, which was referred to the Committee on Post Offices and Post Roads.

He also presented a memorial of the faculty of Macalester College, St. Paul, Minn., remonstrating against any increase of armament by the United States, which was referred to the Committee on Military Affairs.

Mr. ROOT presented petitions of sundry citizens of Rochester, Wainscott, Brooklyn, Saratoga Springs, Troy, Buffalo, Albany, Cohocton, Syracuse, Kingston, and Schenectady, all in the State of New York, praying for the enactment of legislation to prohibit the exportation of ammunition, which were referred to the Committee on Foreign Relations.

Mr. POINDEXTER presented petitions of Rev. H. F. Lange and sundry other citizens of Walla Walla; of A. Mierow and sundry other citizens of Tacoma; and of John O'Neil and sundry other citizens of Spokane, all in the State of Washington, praying for the enactment of legislation to prohibit the exportation of ammunition, etc., which were referred to the Committee on Foreign Relations.

He also presented petitions of the Harford Woman's Christian Temperance Union of Tacoma and of various organizations representing 500 people of Tweedie, all in the State of Washington, praying for national prohibition, which were referred to the Committee on the Judiciary.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. WILLIAMS:

A bill (S. 7351) granting an increase of pension to David Parker (with accompanying papers); to the Committee on Pensions.

By Mr. OLIVER:

A bill (S. 7352) granting an increase of pension to Frederick Ickley (with accompanying papers); to the Committee on Pensions.

By Mr. STONE:

A bill (S. 7353) granting an increase of pension to Thomas Brewer; to the Committee on Pensions.

By Mr. BURLEIGH:

A bill (S. 7354) granting an increase of pension to Roscoe B. Smith; to the Committee on Pensions.

By Mr. O'GORMAN:

A bill (S. 7355) granting an increase of pension to Louisa Smith Fletcher (with accompanying papers);

A bill (S. 7356) granting an increase of pension to Samuel H. Bingham;

A bill (S. 7357) granting an increase of pension to Peter S. McIntosh; and

A bill (S. 7358) granting an increase of pension to James H. Gallup; to the Committee on Pensions.

RIVER AND HARBOR APPROPRIATIONS.

Mr. SHEPPARD submitted five amendments intended to be proposed by him to the river and harbor appropriation bill (H. R. 20189), which were referred to the Committee on Commerce and ordered to be printed.

THE MERCHANT MARINE.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 6856) to authorize the United States, acting through a shipping board, to subscribe to the capital stock of a corporation to be organized under the laws of the United States or of a State thereof or of the District of Columbia to purchase, construct, equip, maintain, and operate merchant vessels in the foreign trade of the United States, and for other purposes.

After the conclusion of Mr. WEEKS's speech,

Mr. SMOOT. Mr. President——

The VICE PRESIDENT. Does the Senator from Massachusetts yield to the Senator from Utah?

Mr. WEEKS. I do.

Mr. SMOOT. I move that the Senate adjourn.

Mr. CHAMBERLAIN. I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Hitchcock	Owen	Stone
Brady	Hollis	Page	Sutherland
Bristow	Hughes	Pittman	Swanson
Bryan	James	Pomerene	Thomas
Burton	Johnson	Ransdell	Thornton
Catron	Jones	Reed	Tillman
Chamberlain	Kenyon	Robinson	Townsend
Clapp	Kern	Root	Walsh
Colt	Lee, Md.	Sheppard	Warren
Cummins	Lodge	Shively	Weeks
Fletcher	Martine, N. J.	Simmons	White
Gallinger	Nelson	Smith, Md.	Williams
Gore	Norris	Smoot	Works
Gronna	Oliver	Sterling	

Mr. THORNTON. I was requested to announce the unavoidable absence of the junior Senator from New York [Mr. O'GORMAN]. I ask that this announcement may stand for the remainder of the day.

Mr. KERN. I desire to announce the unavoidable absence of the senior Senator from West Virginia [Mr. CHILTON].

The VICE PRESIDENT. Fifty-five Senators have answered to the roll call. There is a quorum present.

Mr. LODGE. Mr. President——

The VICE PRESIDENT. The Senator from Utah has moved that the Senate do now adjourn.

Mr. SMOOT. Upon that I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. DU PONT (when his name was called). Has the senior Senator from Texas [Mr. CULBERSON] voted?

The VICE PRESIDENT. He has not.

Mr. DU PONT. I will withhold my vote, as I am paired with that Senator.

Mr. GALLINGER (when his name was called). I have a general pair with the junior Senator from New York [Mr. O'GORMAN], who seems to be absent, and I withhold my vote.

Mr. HOLLIS (when his name was called). I announce my pair with the junior Senator from Maine [Mr. BURLEIGH].

Mr. MYERS (when his name was called). Has the Senator from Connecticut [Mr. MCLEAN] voted?

The VICE PRESIDENT. He has not.

Mr. MYERS. I have a pair with that Senator, and in his absence I withhold my vote.

Mr. WALSH (when his name was called). I have a general pair with the Senator from Rhode Island [Mr. LIPPITT]. As he is absent from the Senate, I am compelled to refrain from voting.

Mr. WILLIAMS (when his name was called). Transferring my pair with the senior Senator from Pennsylvania [Mr. PENROSE] to the junior Senator from South Carolina [Mr. SMITH], I vote "nay."

The roll call was concluded.

Mr. TILLMAN. I transfer my pair with the Senator from West Virginia [Mr. GOFF] to the Senator from Illinois [Mr. LEWIS] and vote "nay."

Mr. SUTHERLAND. I transfer my pair with the Senator from Arkansas [Mr. CLARKE] to the Senator from Wisconsin [Mr. STEPHENSON] and vote "yea."

Mr. SMITH of Maryland (after having voted in the negative). I notice that the Senator from Vermont [Mr. DILLINGHAM], with whom I am paired, is not here. I transfer my pair with that Senator to the Senator from Alabama [Mr. BANKHEAD] and let my vote stand.

Mr. WALSH. I transfer my pair with the Senator from Rhode Island [Mr. LIPPITT] to the junior Senator from Georgia [Mr. HARDWICK] and vote. I vote "nay."

Mr. HOLLIS. I transfer my pair with the Senator from Maine [Mr. BURLEIGH] to the senior Senator from Nebraska [Mr. HITCHCOCK] and vote "nay."

Mr. DU PONT. I transfer my pair with the senior Senator from Texas [Mr. CULBERSON] to the senior Senator from Connecticut [Mr. BRANDEGEE] and vote. I vote "yea."

Mr. LEA of Tennessee (after having voted in the negative). I am just advised that the Senator from South Dakota [Mr. CRAWFORD], with whom I am paired, is absent. I therefore withdraw my vote.

The result was announced—yeas 25, nays 44, as follows:

YEAS—25.

Brady	du Pont	Perkins	Townsend
Bristow	Gronna	Root	Warren
Burton	Jones	Sherman	Weeks
Catron	Lodge	Smith, Mich.	Works
Clark, Wyo.	Nelson	Smoot	
Colt	Oliver	Sterling	
Cummins	Page	Sutherland	

NAYS—44.

Ashurst	Kern	Ransdell	Smith, Md.
Bryan	La Follette	Reed	Stone
Camden	Lane	Robinson	Swanson
Chamberlain	Lee, Md.	Saulsbury	Thomas
Clapp	Martin, Va.	Shafroth	Thompson
Fletcher	Martine, N. J.	Sheppard	Thornton
Gore	Overman	Shields	Tillman
Hollis	Owen	Shively	Vardaman
Hughes	Pittman	Simmons	Walsh
James	Poindexter	Smith, Ariz.	White
Johnson	Pomerene	Smith, Ga.	Williams

NOT VOTING—27.

Bankhead	Culberson	Kenyon	Newlands
Borah	Dillingham	Lee, Tenn.	Norris
Brandegee	Fall	Lewis	O'Gorman
Burleigh	Gallinger	Lippitt	Penrose
Chilton	Goff	McCumber	Smith, S. C.
Clarke, Ark.	Hardwick	McLean	Stephenson
Crawford	Hitchcock	Myers	

So the Senate refused to adjourn.

COAST GUARD.

The VICE PRESIDENT laid before the Senate the amendments of the House of Representatives to the bill S. 2337, entitled "An act to create the coast guard by combining therein the existing Life-Saving Service and Revenue-Cutter Service," which were, on page 2, line 3, strike out "as a part of" and insert "by"; on page 2, line 3, after "Department," insert "*: Provided*, That no provision of this act shall be construed as giving any officer of either the coast guard or the Navy military or other control at any time over any vessel, officer, or man of the other service except by direction of the President"; on page 3, line 2, strike out "one from each service"; on page 3, line 18, after "organizations," insert "The provisions of the act entitled 'An act to regulate enlistments and punishments in the United States Revenue-Cutter Service,' approved May 26, 1906, shall apply to and govern the coast guard"; on page 4, line 5, after "affecting," insert "rank"; on page 4, lines 5 and 6, strike out "allowance" and insert "allowances"; on page 4, line 19, strike out "providing" and insert "in so far as they provide"; on page 4, line 24, strike out "may"; on page 4, line 25, after "application," insert "and as to commissioned officers upon approval by the Secretary of the Treasury, may"; on page 5, line 11, after "service," insert "for any purpose"; on page 6, line 12, after "districts," insert ", subject to the authority of the captain commandant"; on page 6, after line 24, insert "SEC. 6. That any person using any vessel in the coast guard service for private purposes in violation of law shall, upon conviction thereof, be fined $1,000"; and on page 7, line 1, strike out "SEC. 6" and insert "SEC. 7."

Mr. RANSDELL. I move that the Senate concur in the amendments of the House of Representatives.

Mr. SMOOT. I notice from the bill and the amendments made by the House that there are more provisions proposed as amendments than there were in the original Senate bill. I do not believe the Senate ought to pass a measure of this kind without some kind of an examination. I ask the Senator from Louisiana if he will not allow the amendments to be printed and go over until to-morrow morning, so that we may see what they are?

Mr. RANSDELL. Certainly; I have no objection. I think the amendments will be found satisfactory, but I have not the slightest objection to having them go over.

Mr. SMOOT. I ask that the bill be printed with the House amendments numbered.

The VICE PRESIDENT. Without objection, it will be so ordered. The amendments can only be taken up by unanimous consent, anyway.

ORDER FOR RECESS.

Mr. KERN. I move that at not later than 6 o'clock this evening the Senate shall take a recess until 11 o'clock to-morrow morning.

The motion was agreed to.

THE MERCHANT MARINE.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 6856) to authorize the United States, acting through a shipping board, to subscribe to the capital stock of a corporation to be organized under the laws of the United States or of a State thereof or of the District of Columbia, to purchase, construct, equip, maintain, and operate merchant vessels in the foreign trade of the United States, and for other purposes.

Mr. LODGE. Mr. President, I desire to give notice that if I am fortunate enough to secure the recognition of the Chair to-morrow I shall address the Senate on the amendment which I presented to the ship-purchase bill yesterday with regard to the ships to be purchased under the act.

Mr. GALLINGER. I present a proposed amendment to the Post Office appropriation bill, which I ask to have printed and referred to the Committee on Post Offices and Post Roads.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

Mr. CHAMBERLAIN. I have a number of reports here——

Mr. SMOOT. I did not hear what was the last request.

The VICE PRESIDENT. It was a proposed amendment to the Post Office appropriation bill which the Senator from New Hampshire asked might be printed and referred to the committee, and the Chair said, without objection, that that action would be taken. Is there any objection?

Mr. SMOOT. I object to any kind of routine business being transacted unless we have a morning hour. I ask the Senator from New Hampshire if he will not withdraw the amendment.

Mr. GALLINGER. I have an impression that under the rule I can pass up the amendment.

The VICE PRESIDENT. The Chair will examine the rule.

Mr. GALLINGER. However, I will withdraw it for the present.

Mr. ROOT obtained the floor.

Mr. SHIVELY. Let me inquire of the Senator from Utah whether he will object to my putting in a favorable report from the Committee on Pensions?

The VICE PRESIDENT. The Senator from New York has been recognized.

Mr. ROOT. Mr. President, I hope I will be permitted to accomplish the purpose for which I rose. I rose for the purpose of giving notice that on the morning of Saturday the 23d, immediately after the conclusion of the routine morning business, or if the present oppressive and unjustifiable fiction of continuing the legislative day of Friday the 15th of January be continued over until the 23d of January, then as soon after the convening of the session as I can obtain recognition I shall make some observations upon the ship-purchase bill.

Mr. SHIVELY. I ask unanimous consent to present a favorable report from the Committee on Pensions.

Mr. ROOT, Mr. SMOOT, and Mr. LODGE. I object.

The VICE PRESIDENT. There is objection. The pending question is on the amendment offered by the Senator from Massachusetts [Mr. LODGE] to Senate bill 6856.

Mr. TOWNSEND. I move to take up for present consideration Senate bill 392, known as the bill to create in the War Department and Navy Department, respectively, a volunteer officers' retired list.

Mr. WILLIAMS. Regular order!

Mr. TOWNSEND. Upon that motion I call for the yeas and nays.

Mr. OVERMAN. Regular order!

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. DU PONT (when his name was called). In the absence of the senior Senator from Texas [Mr. CULBERSON], with whom I have a general pair, I will withhold my vote. If I were free to vote, I would vote "yea."

Mr. GALLINGER (when his name was called). I will again announce my pair with the junior Senator from New York [Mr. O'GORMAN] and withhold my vote.

Mr. HOLLIS (when his name was called). Transferring my pair with the Senator from Maine [Mr. BURLEIGH], as before, to the Senator from Nebraska [Mr. HITCHCOCK], I vote "nay."

Mr. SMITH of Maryland (when his name was called). I transfer my pair as previously stated and vote "nay."

Mr. SUTHERLAND (when his name was called). Again transferring my pair with the Senator from Arkansas [Mr. CLARKE] to the Senator from Wisconsin [Mr. STEPHENSON], I vote "yea."

Mr. TILLMAN (when his name was called). I have a general pair with the Senator from West Virginia [Mr. GOFF]. He being absent, I withhold my vote.

Mr. WALSH (when his name was called). I transfer my pair with the Senator from Rhode Island [Mr. LIPPITT] to the Senator from Georgia [Mr. HARDWICK] and vote. I vote "nay."

Mr. WILLIAMS (when his name was called). Repeating the announcement made upon the last roll call, I vote "nay."

The roll call was concluded.

Mr. DU PONT. I transfer my general pair with the senior Senator from Texas [Mr. CULBERSON] to the senior Senator from Connecticut [Mr. BRANDEGEE] and vote. I vote "yea."

Mr. LEA of Tennessee (after having voted in the negative). I am paired with the Senator from South Dakota [Mr. CRAWFORD], and therefore withdraw my vote.

Mr. GALLINGER. I transfer my pair with the junior Senator from New York [Mr. O'GORMAN] to the Senator from Washington [Mr. JONES] and vote "yea."

The result was announced—yeas 29, nays 37, as follows:

YEAS—29.

Brady	Cummins	Page	Sutherland
Bristow	du Pont	Perkins	Townsend
Burton	Gallinger	Poindexter	Warren
Catron	Gronna	Root	Weeks
Chamberlain	Kenyon	Sherman	Works
Clapp	Martine, N. J.	Smith, Mich.	
Clark, Wyo.	Nelson	Smoot	
Colt	Oliver	Sterling	

NAYS—37.

Ashurst	Lee, Md.	Saulsbury	Swanson
Bryan	Lewis	Shafroth	Thompson
Camden	Martin, Va.	Sheppard	Thornton
Fletcher	Overman	Shields	Vardaman
Gore	Owen	Shively	Walsh
Hollis	Pittman	Simmons	White
Hughes	Pomerene	Smith, Ariz.	Williams
James	Ransdell	Smith, Ga.	
Johnson	Reed	Smith, Md.	
Kern	Robinson	Stone	

NOT VOTING—30.

Bankhead	Dillingham	Lea, Tenn.	O'Gorman
Borah	Fall	Lippitt	Penrose
Brandegee	Goff	Lodge	Smith, S. C.
Burleigh	Hardwick	McCumber	Stephenson
Chilton	Hitchcock	McLean	Thomas
Clarke, Ark.	Jones	Myers	Tillman
Crawford	La Follette	Newlands	
Culberson	Lane	Norris	

So Mr. TOWNSEND's motion was rejected.

Mr. TOWNSEND. Mr. President, I made the motion to take up the Volunteer officers' bill for the reason that during all of to-day and all of yesterday the majority Members of the Senate have manifested absolutely no interest in the ship-purchase bill, so that for most of the time there were not to exceed two Democratic Senators in the Chamber, notwithstanding the fact that one of the most important bills that has been before the Senate in years was being discussed by some of the most distinguished and best-informed Senators in this body. Senators who spoke upon the question with the authority of ability and understanding. The majority Members can not in good faith declare that there has been an effort by the minority to filibuster during the discussion up to date, because the RECORD will disclose that nothing has been said that ought not to have been said in the hearing of Senators who are supposed to be deliberating upon this great new scheme which the President proposes to make the policy of the United States.

To me it seems strange and unwarranted that Democratic Senators should declare that a filibuster is being prosecuted by the minority, when the fact is that the filibuster lies with the majority. Before the debate is fairly open, before the real bill is in the Senate, Democratic Senators enter into an agreement that they will neither discuss the measure nor listen to its discussion. The Chair in obedience to the wish of the majority announces the monstrous doctrine that if a Senator who discovers that less than a half dozen Senators are in the Chamber and demands that a quorum be present, such demand shall terminate the speech of the Senator having the floor. Why, sir, the strength of the Senate is its powers of deliberation. Here in the past arguments for and against measures proposed for legislation have been presented without restriction, and the result has been of highest good to the country. But from now on arguments will be presented not for the purpose of winning a cause, not to produce conviction in the minds of Senators, but to empty seats, and bills must be defeated not by the conquest of reason but by the triumph of physical endurance.

Mr. President, I feel that this is a most serious question that is now before the United States Senate. I would have been pleased to have had the proponents of the measure present their arguments, rather than have them rely upon a speech of a Cabinet officer printed in the RECORD as their reason for its passage. Certainly there ought to be some reasons for enacting this legislation, and Senators who advocate it should stand up and present them to the Senate and to the country; but, Mr. President, it has been declared that the majority side have votes enough to pass the bill; and if rumor is correct, they do not propose to occupy any time of Congress in explaining it or in giving reasons for its passage.

There is another matter that I am going to present to the Senate now and upon which I am going to ask for a vote.

Mr. BRISTOW. Mr. President——

The PRESIDING OFFICER (Mr. BRYAN in the chair). Does the Senator from Michigan yield to the Senator from Kansas?

Mr. TOWNSEND. I yield for a question.

Mr. BRISTOW. Before the Senator from Michigan proceeds I should like to inquire what, in his opinion, can be the reason why Senators who are apparently in favor of this legislation refuse to give any reasons why it should be enacted into law?

Mr. SMITH of Arizona. We do not need to do so.

Mr. TOWNSEND. No; you act without reason.

Mr. President, I do not care to speculate on the reasons or lack of reasons which actuate Senators, but I think I am safe in saying—what, I believe, everybody knows—that not many of the Senators on the other side of the Chamber believe that this proposition is just or wise or that it will be of advantage to the country.

Mr. FLETCHER. Mr. President——

Mr. TOWNSEND. The only reason, therefore, that I can find for it is that the Executive has ordered that the bill shall be passed

The PRESIDING OFFICER. Does the Senator from Michigan yield to the Senator from Florida?

Mr. TOWNSEND. I yield for a question.

Mr. FLETCHER. I should like to ask the Senator if he has taken, or if he can ascertain whether the Senator from Kansas [Mr. BRISTOW] has taken, the trouble to read the report of the

committee on this bill, Report No. 841, giving reasons why the bill should be enacted?

Mr. TOWNSEND. Mr. President, that report means nothing; the committee itself was not satisfied with it, for after the bill had been reported a substitute was presented to the Senate and was read to the Senate for the first time at the request of a Republican Senator. Oh, the reasons! You do not dare to argue this bill. You have no reasons of your own. Your better judgment condemns the measure. You are supporting it without reason of your own, and silence is evidently less embarrassing than speech.

Mr. SUTHERLAND. Mr. President, will the Senator permit me to ask him a question?

The PRESIDING OFFICER. Does the Senator from Michigan yield to the Senator from Utah?

Mr. TOWNSEND. I yield.

Mr. SUTHERLAND. I ask the Senator from Michigan whether or not he thinks that one of the reasons for the majority side declining to debate this bill is that the bill upon which we are finally to vote is not yet before the Senate? I also ask the Senator whether or not he has seen in the public press a statement that the bill which is finally to be brought before us is now being formulated in the Democratic caucus?

Mr. GALLINGER. Incubated.

Mr. TOWNSEND. I am so informed; and I think no one will deny it. The bill itself, as the coercive action of the caucus shall finally determine, has not yet been decided upon. The majority do not know exactly what the President wants. They hope to find out later. They have, however, presented a bill; and yet, while it is being discussed by those who know why it should not be passed, Democratic Senators who assume responsibility for legislation refuse to listen.

But, Mr. President, I wish to present another matter to the Senate. I have been receiving letters from the constituents of certain Democratic Senators, stating that I am reported as standing in the way of the so-called war-claims bill. Nobody has asked that that bill be considered. A similar bill was passed in the last Congress by a Republican Senate, although it was largely for the benefit of the South. The House passed a different measure. A conference on the two bills was had, but the Democratic House refused to agree to the Senate bill and its death was the result. I have been receiving letters, as I have said, in which the writers state that their Senators and Representatives have written them that that bill could not be considered because of Republican opposition, and especially because of the objection of the junior Senator from Michigan.

Mr. President, the war-claims bill passed the House in December, 1913. It was placed upon the calendar of the Senate on the 20th day of March, 1914. There has been plenty of opportunity to take up that measure and consider it on its merits, but no effort has been made to pass it. I have not objected to it; I was one of the conferees on the bill in the last Congress and urged its passage. I have not objected to it since. It is a bill which, like the Volunteer officers' bill, to which you have refused consideration, represents the honor of the Government. Both are efforts to compel the Nation to pay its honest debts. Not gratuity, but justice, is demanded. Every claim in the bill which I shall propose has been favorably acted upon by the Court of Claims. They are just claims, just accounts against the Government, and in order that Senators may have an opportunity to vote for this measure, in order that their constituents may know that the junior Senator from Michigan does not stand in the way of its passage, I am going to ask for its consideration now. You can pass it if you wish. We shall see who stands in its way.

Mr. President, I move that the Senate proceed to the consideration of House bill 8846, Calendar No. 298, its title being "An act making appropriation for payment of certain claims in accordance with findings of the Court of Claims, reported under the provisions of the acts approved March 3, 1883, and March 3, 1887, and commonly known as the Bowman and the Tucker Acts, and under the provisions of section No. 151 of the act approved March 3, 1911, commonly known as the Judicial Code."

The PRESIDING OFFICER. The question is on the motion of the Senator from Michigan to proceed to the consideration of the bill, the title of which he has just stated.

Mr. TOWNSEND. On that motion I ask for the yeas and nays.

Mr. WILLIAMS. Mr. President, there is a right to debate that motion, is there not?

The PRESIDING OFFICER. The motion having been made after 2 o'clock, it is subject to debate.

Mr. WILLIAMS. Mr. President, the Senator from Michigan has just displayed, in a manner beyond any other recent illustration of the fact, the Republican contempt for the Democratic intellect. He expects us to be gudgeons to bite at artificial flies. He thinks he can appeal to this side of the House upon a purely sectional question—or one that he, at any rate, says is for the major part sectional—to lay aside an agreed program of business. Nothing could explain the Senator's conduct except the arrogant supposition on the part of the average Republican, unconsciously oozing out of him, that the average Democrat is a fool.

Mr. GALLINGER. Mr. President, I call attention to the rule. I do not think the Senator has a right to say that we on this side are arrogant.

Mr. WILLIAMS. Well, Mr. President, if I have not, then I have no right to refer to any historical fact at all. [Laughter.]

Mr. GALLINGER. Yes; the Senator has a right to keep in order in his discussion and to observe the rule.

Mr. WILLIAMS. Well, I am observing the rule; I have mentioned no particular Senator's name. I can refer to the Republican Party as being arrogant, of course.

Mr. GALLINGER. Yes.

Mr. WILLIAMS. You people always refer to the Democrats as being fools. I think the game is about equal.

Mr. GALLINGER. The Senator has shifted his ground.

Mr. WILLIAMS. Oh, no; just emphasized it. The Senator from Michigan [Mr. TOWNSEND] in a solemn, if not a funereal, tone of voice and in a most dignified manner has said that "up to this moment the majority can not declare that any filibuster has been going on upon this side." This falls from the Senator's lips after one man on that side has spoken nine hours and was nearly exhausted; after another one has spoken seven hours and was almost as badly off; after three or four Senators on that side were reported in the newspapers, and have never denied it, to have held a conference in which they said they would debate this matter until the 4th of March; after we have learned—whether it be true or not I do not know—that there was a conference held last night in which you on that side said that there should not be a vote upon this matter until the 4th of March.

Mr. GALLINGER. Mr. President——

Mr. WILLIAMS. I yield, and I should like to know whether any such conferences have been held by any Members upon the other side?

Mr. GALLINGER. No conference whatever was held by the Members on this side of the Chamber last evening, nor has any declaration ever been made that the bill would be debated until the 4th of March.

Mr. WILLIAMS. I did not ask whether any declaration had been made publicly. I asked whether any such agreement had been made.

Mr. GALLINGER. It has not been reached at all at any conference.

Mr. WILLIAMS. Then it seems that the newspapers, somehow or other, have gotten things wrong; and it seems that, so far as any conference or any agreement is concerned, there has been none; because if the Senator from New Hampshire says there has been none, that settles it, so far as I am concerned.

Mr. GALLINGER. Mr. President, the Senator from New Hampshire did not say that no conference had been held this afternoon. A hurried conference was held this afternoon and several questions were discussed, and that conference reached the conclusion that this bill—I mean, the unfinished business—would be debated at length.

Mr. WILLIAMS. At length?

Mr. GALLINGER. At length.

Mr. WILLIAMS. But was there any specific definition of what the indefinite term "at length" meant?

Mr. GALLINGER. Mr. President, that we will decide for ourselves when we get to it.

Mr. WILLIAMS. Of course you will, and I can not deprive you of that right. I am merely calling attention to the indefinite and unspecified length of promised debate—to the fact—and I want the country to understand the fact. Now I ask the Senator from New Hampshire what he means by "at length."

Mr. GALLINGER. I mean that the Senators opposed to this bill will discuss it in their own way until they have satisfied themselves that the country understands it.

Mr. WILLIAMS. Ah!

Mr. OLIVER. Mr. President, I rise to a question of order.

The PRESIDING OFFICER. The Senator will state it.

Mr. WILLIAMS. I beg the Senator's pardon; I have not yielded.

Mr. OLIVER. I am making a point of order.

The PRESIDING OFFICER. The Senator from Pennsylvania rises to a point of order, which he will please state.

Mr. OLIVER. My point of order is this: I wish to ask the Chair whether, under the rulings which have of late prevailed

in the Senate, the Senator from Mississippi has not already spoken more than twice upon the question?

Mr. WILLIAMS. He has not spoken at all upon this bill.

Mr. OLIVER. Perhaps it is a voice and nothing more.

Mr. WILLIAMS. If so, it is only one voice and in one speech. Moreover, this is not the ship-purchase bill at all upon which I am now speaking. This is upon a motion made by the Senator from Michigan to take up the omnibus claims bill.

Mr. OLIVER. Mr. President, my parliamentary inquiry is, The Senator from Mississippi having asked the Senator from New Hampshire two or three times to answer certain questions, and having been answered, whether each one of those interruptions did not constitute taking him from the floor. I believe that is the ruling that has prevailed in the Senate for the last two or three days. Under that ruling the Senator from Mississippi is no longer entitled to the floor.

Mr. WILLIAMS. Mr. President——

The PRESIDING OFFICER. The Chair thinks the Senator from Mississippi is entitled to the floor.

Mr. WILLIAMS. I was about to state why. When the Senator from New Hampshire interrupted me I consented that he should do so, and no other Senator objected. The Senator from New Hampshire could not have interrupted me without unanimous consent of the Senate, and the unanimous consent was given by the fact that nobody objected. The next time the Senator from New Hampshire desires to interrupt me, if the Senator from Pennsylvania will object to his doing so, then that will constitute something in line with the precedent.

Having begun this interrogation I should like to proceed with it a little bit further.

Mr. OLIVER. Mr. President, a question of order. The position of the Senator, I submit, is not accurate.

Mr. WILLIAMS. I do not yield to interruption, unless the Senator is making a point of order.

Mr. OLIVER. I am submitting a point of order.

The PRESIDING OFFICER. The Senator from Pennsylvania raises a point of order, which he will please state.

Mr. OLIVER. The position, as I understand it, is not as represented by the Senator from Mississippi. The Senator from Mississippi asked the Senator from New Hampshire repeated questions, to which answers were given by the Senator from New Hampshire. Under the ruling of the Vice President, as I understand it, when a Senator who is on the floor asks another Senator to respond to a question, and that Senator responds, it constitutes the termination of his speech. Under that ruling, I submit that the Senator from Mississippi has already spoken twice upon the subject now before the Senate and is not now entitled to the floor.

Mr. WILLIAMS. Mr. President, the trouble is that the Senator from Pennsylvania has not got his facts right. [Laughter.] That is frequently a trouble with Republicans. The Senator from New Hampshire interrupted me, and in reply to his interrogation I asked him some questions.

Mr. OLIVER. Yes; exactly.

Mr. WILLIAMS. And the Socratian method—the method which Socrates pursued of answering a question by asking a question—evidently is new to the Senator from Pennsylvania.

Mr. CLARK of Wyoming. Mr. President, I rise to a point of order.

The PRESIDING OFFICER. The Senator will state it.

Mr. CLARK of Wyoming. The point of order is not debatable.

The PRESIDING OFFICER. The present occupant of the chair does not believe anything has taken place during the time the Senator from Mississippi has been speaking that deprives him of the floor. The point of order is overruled.

Mr. WILLIAMS. Mr. President, I shall be very careful not to ask the Senator from New Hampshire further questions, even when he is on his feet and interrogating me, because I do not want to hurt the sensitive feelings of the Senator from Pennsylvania; but without asking the Senator from New Hampshire a question I will say that I have heard, I have read, that there was an agreement upon that side "to make 17 speeches"; and if each one of them were to be nine hours in length like the speech of the Senator from Ohio [Mr. BURTON], or if each one were to be seven hours in length like the speech of the junior Senator from Massachusetts [Mr. WEEKS], they would take quite a long time. I shall not ask the Senator from New Hampshire whether that is true or not, but if the Senator from New Hampshire wishes to interrupt me, either to confess it or deny it, I shall not object. Unless some other Member of the Senate does object, he may ask the question.

Mr. GALLINGER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Mississippi yield to the Senator from New Hampshire?

Mr. WILLIAMS. I do.

Mr. GALLINGER. The Senator from New Hampshire denies most emphatically that there has been any agreement that 17 speeches shall be made on this side of the Chamber on the unfinished business.

Mr. KERN. Eighteen, then. [Laughter.]

Mr. GALLINGER. Or any other number.

Mr. WILLIAMS. The denial may mean that 18 or 19 or 20 speeches are to be made, or it may mean that only 10 or 12 are to be made; but, at any rate, the denial as to 17 has been duly entered, and, of course, like every other statement of fact made to me—at any rate, by the Senator from New Hampshire—I accept it. I now disclaim positively that the definite number of 17 has been agreed upon, and I shall proceed with the discussion of the question.

Mr. President, the next thing said by the Senator from Michigan, in that peculiar revival tone of voice of his, as if men were being called up to the mourners' bench or a few sad words were being said at the bier of a friend who had become a corpse, was that we Democrats "had shown no interest in the subject matter." Great Heavens, Mr. President! We are showing so much interest in the subject matter that we are trying to get a vote on it. Does the Senator imagine because a man does not show an interest in a long-winded, nine-hour speech, absolutely without a new thing in it, or because a man does not show an interest in a long-winded, seven-hour speech, that therefore he is not interested in the subject matter? Does he not know that life is short?

Mr. TOWNSEND. Mr. President——

Mr. WILLIAMS. Wait one moment. If I wanted to make a speech upon George Washington, and wanted to hire a public hall and talk nine hours, would the fact that the Senator from Michigan declined to attend and listen to me while I was talking about George Washington for nine hours show that he had no interest in George Washington? [Laughter.]

Mr. TOWNSEND. Mr. President——

The PRESIDING OFFICER. Does the Senator from Mississippi yield to the Senator from Michigan?

Mr. WILLIAMS. I do.

Mr. TOWNSEND. The Senator has stated that he has so much interest in it that he is waiting anxiously to vote. Has the Senator been ready to vote on this bill at any time, or is he ready to vote to-night on this bill?

Mr. WILLIAMS. Mr. President, the Senator from Mississippi will test the sincerity of the Senator from Michigan in a few minutes by asking a unanimous-consent agreement; and by testing it he will answer the question just propounded.

The Senator says that a ruling of the Chair has violated an old rule of the Senate—to use his own language, "That a majority shall be present to listen to what a man says"—a rule of the Senate that a majority shall be present to listen to what a man says, regardless of what he says; regardless of whether or not what he says is worth listening to; regardless of the motive behind what he says; regardless of whether he is sincerely discussing the question or merely trying to take up time. Think of that proposition, now, ye that can think! The Senator does not mean that. Nobody means that. No man has a right to have a majority of this or any other body listen to him unless he speaks with sufficient interest and sincerity and information or novelty to justify the presence of a majority. There is no Senator in this body who has not spoken time after time to less than a majority, and that, too, very frequently, when the Senator was speaking sincerely and making an earnest argument and not merely occupying the floor to the detriment of his health and to the detriment of his own intellect. Where has the Vice President been guilty of any sort of tyranny in the ruling?

Why, the only good thing about belonging to the Senate, except the conspicuousness and the celebrity and the salary, is that we are not obliged to listen to one another when we are uttering nonsense or when we are merely consuming time or when we are merely reading something or when somebody is merely interrupting us to rest us and when we sit down and throw our legs over the chair while we rest during the interruption.

The Senator tells me that he would "like to have a better argument on this side than the speech of a Cabinet officer." Without denying the assertion that there has been no argument upon this side except the speech of a Cabinet officer—a denial easily made and established by the RECORD—I will call his attention to the old, time-honored proverb that "Enough is as good as a feast." The speech of the Cabinet officer is absolutely conclusive upon this point, is absolutely unanswerable, has not been answered, can not be answered, and will not be answered

by anybody upon that side. It is in the RECORD for the people themselves to read.

Mr. President, a very distinguished man in this country said the other day that the Republican Party had not had a new idea in 30 years. [Laughter.] I think he was wrong as to the time—and time is not of the essence of the charge—but certainly the Republican Party has not had a new idea since the year of our Lord 1912. It positively has not had a new idea since the nomination or election of Woodrow Wilson as President. Why, even all this funereal speech, in solemn tones and deep utterance, looking as if calling mourners to the bench, just pronounced by the Senator from Michigan, is not new. All of us have gone through that performance every now and then when we were filibustering. It is an old thing. I have heard Senators upon this side go through with it even in better form and with greater success and with the possibility of making a greater impression of being in dead earnest about it.

Mr. GALLINGER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Mississippi yield to the Senator from New Hampshire?

Mr. WILLIAMS. I yield to the Senator, provided the Senator from Pennsylvania does not object. [Laughter.]

Mr. GALLINGER. I should like to ask my good friend the Senator from Mississippi, who is always so interesting and so courteous, if he does not think the Republican Party had an idea at the election in November last?

Mr. WILLIAMS. Why, no. Mr. President, when we went in in 1912 we went in as a mere plurality minority party, as Abraham Lincoln did.

Mr. GALLINGER. Certainly.

Mr. WILLIAMS. When we carried the House last time we carried it as a majority party. Now, the Republican Party may have had a new idea that did not fruit. The idea was that they were going to carry the House, but they did not. When I say they have not had a new idea since July, 1912, I mean they have not had a new idea that fruited; they have not had a conception that was consummated, so far as I know, or one recognized by anybody else as being real.

Mr. President, when there is a real condition confronting a parliamentary body, and when there is a real condition confronting the people, all the solemnity of voice in the world can not make it nonexistent and create a fictitious condition. The Senator from Michigan might talk here until he was black in the face, he might talk here until it was his own funeral oration that he had just ceased to pronounce, but he can not convince a man in the United States with ordinary common sense, who has taken even a cursory view of the RECORD very lately, that the Senators who have spoken upon that side were not deliberately consuming time; and they themselves, upon their honors, will not deny it, because I know them both. They are not the sort of men who will deny a fact. I have served with both of them in other bodies than this as well as here. I know their honor, I know their integrity, I know their sincerity, and neither one of them will say that a part of the time used by him was not used solely for the purpose of consuming time.

Mr. President, I am reminded by a Democratic Senator of the fact that we have a program, and perhaps I myself am interfering with it to some extent. A few more sentences, then, and I shall conclude.

The responsibility of the government of this country at this time is upon us. You had it resting on you for twenty-odd years. You never showed us any great courtesy—I mean, in a parliamentary sense. Personally, we have all shown one another every courtesy. There never was a time when you wanted to put through a party program that you did not call attention to the fact that we were filibustering when we were, and sometimes we were. Whether men want to be honest with the people or not, that is one thing in a free Republic that they must be—they have got to be honest with them in the long run.

Now, one truth is, and the country ought to know it, that you have made up your minds and virtually agreed, many of you, to defeat this bill, if you have to talk until the 4th of March. Let the country know it. The other truth is that we have made up our minds to carry this bill through, even though we let you talk, and to save time make you do all the talking, until the 4th of March; and meanwhile we are going to try to stop you talking whenever under the rules we can.

Let us be honest with one another, and let us be honest with the country. What are you going to do? You are going to force every great supply bill over to an extra session, because you will not let the American Senate do what? Vote on this bill—vote; that is all. And now, to prove it, I ask unanimous consent that this day a week hence, so that you will have ample time for all serious and honest argument, there shall be a vote upon the pending bill and upon all pending amendments. I ask that unanimous-consent agreement.

Mr. GALLINGER. Let the roll be called, Mr. President.

The PRESIDING OFFICER. The hour of 6 o'clock having arrived——

Mr. WILLIAMS. I will renew the request in the morning.

The PRESIDING OFFICER. The Senate will stand in recess until 11 o'clock to-morrow morning.

Thereupon (at 6 o'clock p. m. Thursday, January 21, 1915) the Senate took a recess until to-morrow, Friday, January 22, 1915, at 11 o'clock a. m.

HOUSE OF REPRESENTATIVES.

THURSDAY, *January 21, 1915.*

The House met at 11 o'clock a. m.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

O Lord, be Thou our Shepherd, and lead us into green pastures and by the side of still waters. Restore our souls, and lead us into the paths of righteousness, that we may be profitable servants; not slothful in business; fervent in spirit, serving the Lord; rejoicing in hope, patient in tribulation; continuing instant in prayer; that we be not overcome of evil, but overcome evil with good; in the name of Him who taught us patience, forbearance, love, peace, and good will. Amen.

The Journal of the proceedings of yesterday was read and approved.

FEDERAL AID TO POST ROADS (H. DOC. NO. 1510).

Mr. MADDEN. Mr. Speaker, I present the report of the Joint Committee on Federal Aid in the Construction of Post Roads, and ask that it be filed and printed.

The SPEAKER. The gentleman from Illinois presents a report on the subject of aid in the construction of post roads, and asks that it be filed and printed. Is there objection?

Mr. GARRETT of Tennessee. Mr. Speaker, reserving the right to object, is that printed automatically under the law?

Mr. MADDEN. I think it is.

Mr. MANN. Printed as a House document.

Mr. GARRETT of Tennessee. What does it carry with it—maps?

Mr. MADDEN. Maps and recommendations and data, covering all the information that we could obtain, from all over the world.

Mr. GARRETT of Tennessee. Is this a privileged proposition?

Mr. UNDERWOOD. As I understand, this is the report of the commission that was heretofore appointed by Congress to investigate roads.

Mr. MADDEN. Yes.

The SPEAKER. Is there objection?

There was no objection.

BRIDGE ACROSS NIAGARA RIVER, LEWISTON, N. Y.

Mr. GITTINS. Mr. Speaker, I ask that the bill (S. 6121) to authorize the construction of a bridge across the Niagara River, in the town of Lewiston, in the county of Niagara and State of New York, be laid before the House. It is identical with a House bill reported by the Committee on Interstate and Foreign Commerce, which is on the calendar.

The SPEAKER laid before the House the bill (S. 6121) to authorize the construction of a bridge across the Niagara River, in the town of Lewiston, in the county of Niagara and State New York.

The bill was read, as follows:

Be it enacted, etc., That the Ontario-Niagara Connecting Bridge Co., a corporation created by the laws of the State of New York, being chapter 420 of the laws of 1914, is hereby authorized to construct, maintain, and operate a bridge and necessary approaches thereto across the Niagara River at a point suitable to public interests in the town of Lewiston, in the county of Niagara, State of New York, south of the southern boundary of the bridge and property of the Lewiston Connecting Bridge Co., to some point in Canada, on the west bank of said river, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906: *Provided*, That the offices of the Fine Arts Commission shall be obtained in connection with the consideration of the plans of said bridge, and that all power cables shall be permitted to cross the said bridge under equal rates for the privilege: *And provided further*, That the Ontario-Niagara Connecting Bridge Co., or its successors or assigns, shall at its own expense make such changes and install such accessories as may be necessary to cross any navigation canal which the United States may construct in that vicinity, and which may interfere with the approaches of the bridge.

SEC. 2. That this act shall become and be null and void if actual construction of the bridge herein authorized be not commenced before

the 31st day of December, in the year 1919, and completed within five years thereafter.

SEC. 3. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The SPEAKER. Is there objection?

Mr. STAFFORD. Reserving the right to object——

Mr. ADAMSON. There can not be any objection. It is privileged.

Mr. STAFFORD. I should like to have the gentleman yield to me at least. When the House bill that I assume is identical in terms was on the Unanimous Consent Calendar some weeks ago, I understood that there was some opposition to it on the part of one of the gentleman's colleagues [Mr. SMITH of New York].

Mr. GITTINS. Yes; I was absent on unanimous-consent day, and because of my absence my colleague asked that the bill go over.

Mr. STAFFORD. I inferred from his statement that he was not only raising an objection in order to accommodate the gentleman from New York [Mr. GITTINS], but also that he had objections to the consideration of the bill; and, as I recall, the report in this case there is serious objection to the putting of another bridge across the Niagara River at this place, it being represented that there are adequate bridge facilities at present for the carriage of power transmission cables, which it is intended that this bridge shall accommodate. Am I right in that understanding?

Mr. GITTINS. No; I think the gentleman is wrong. At the point where it is expected that this bridge will be located there are power-transmission wires strung across the Niagara River from great towers on each side. The War Department has suggested that if these wires are taken down and carried underneath the bridge, other wires of other power companies be carried also under the same bridge on the same terms as the wires of this company, and that provision is in the bill.

Mr. MADDEN. And that no other wires be placed overhead?

Mr. GITTINS. There is no provision in the bill that other wires shall not be placed overhead, but one of the purposes of the bill is to save stringing these wires out in the open, because they are by no means an ornament to the landscape.

Mr. STAFFORD. I wish to inquire of the gentleman whether there is not some opposition to the passage of this bill in its present form?

Mr. GITTINS. Not that I have ever heard.

Mr. STAFFORD. From local interests?

Mr. GITTINS. No; not that I have ever heard.

Mr. ADAMSON. The only suggestion was with reference to preserving the scenic beauty, and we are quite satisfied about that.

Mr. STAFFORD. Is the gentleman quite assured that his colleague [Mr. SMITH of New York] has not some constituents who are opposed to the construction of this bridge?

Mr. GITTINS. He has never said so to me, and I have not had a letter in opposition to the bill from any source.

Mr. STAFFORD. The bill in its present form, as I recall it, provides that they may begin operations within seven years.

Mr. GITTINS. No; they must begin before 1919.

Mr. ADAMSON. Four years.

Mr. STAFFORD. And complete it when?

Mr. GITTINS. Within five years after beginning.

Mr. STAFFORD. What is the idea of giving them the right at the present time to construct this bridge at this very desirable point when they are not to begin operations for so many years?

Mr. GITTINS. It is a big project. They should be given a reasonable time.

Mr. STAFFORD. In the opinion of some of the engineers who reported on this bill they are given an unusually long time, and I think it was their opinion that this is merely a promoter's scheme to obtain a very valuable privilege to cross an important stream.

Mr. GITTINS. There is nothing of the kind about this bill. The gentleman is entirely mistaken. This project is backed by the biggest men in western New York. There is absolutely no opposition to it that I have heard of. The committee investigated it thoroughly, and it has been extensively published in the papers.

Mr. STAFFORD. If it is backed by the big men of western New York, I should not think they would wish to wait four or five years before beginning operations, as this bill provides.

Mr. ADAMSON. Before they begin construction.

The SPEAKER. The question is on the third reading of the Senate bill.

The bill was ordered to a third reading, and was accordingly read the third time and passed.

On motion of Mr. GITTINS, a motion to reconsider the last vote was laid on the table.

By unanimous consent the corresponding House bill (No. 16640) was ordered to lie on the table.

ARMY APPROPRIATION BILL.

Mr. HAY. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 20347) making appropriations for the support of the Army for the fiscal year ending June 30, 1916, and, pending that motion, I ask unanimous consent that general debate be limited to eight hours to be divided equally—the gentleman from California to control one half of the time and I to control the other half.

The SPEAKER. The gentleman from Virginia moves that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of the Army appropriation bill, and, pending that, asks unanimous consent that debate be limited to eight hours—one half to be controlled by the gentleman from California [Mr. KAHN] and the other half by himself. Is there objection?

Mr. TAVENNER. I object to the unanimous consent.

Mr. MANN. Will the gentleman from Virginia yield?

Mr. HAY. Yes.

Mr. MANN. I understand there has been some agreement between the gentleman from Virginia [Mr. HAY] and the gentleman from California [Mr. KAHN] in reference to the time for general debate. Objection is made. Is it the intention of the gentleman from Virginia to allow general debate to run for that length of time, and then, when we go into committee again, to move that general debate be closed?

Mr. HAY. My purpose is to go into Committee of the Whole, and after five minutes move that the committee rise.

Mr. MANN. The gentleman can move to close debate when we go into Committee of the Whole to-morrow.

Mr. HAY. But my purpose is to get through with the general debate to-day.

Mr. MANN. I understand.

Mr. KAHN. Mr. Speaker, I understand it is the intention of the gentleman from Virginia to be liberal in the discussion of the bill under the five-minute rule.

Mr. TAVENNER. I want to say that I want an hour, because——

Mr. HAY. I call for the regular order.

The SPEAKER. The gentleman from Virginia moves that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of the Army appropriation bill.

The question was taken, and the motion was agreed to.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union, with Mr. GARRETT of Tennessee in the chair.

The CHAIRMAN. The House is now in Committee of the Whole House on the state of the Union for the consideration of the bill, of which the Clerk will read the title.

The Clerk read as follows:

A bill (H. R. 20347) making appropriations for the support of the Army for the fiscal year ending June 30, 1916.

Mr. HAY. Mr. Chairman, I ask unanimous consent to dispense with the first reading of the bill.

The CHAIRMAN. Is there objection to the request of the gentleman from Virginia?

Mr. BRYAN. Reserving the right to object, I want to say that the gentleman from Illinois [Mr. TAVENNER] wants time, and I understand he can not get the time.

Mr. HAY. I call for the regular order, Mr. Chairman.

Mr. BRYAN. Mr. Chairman, the gentleman from Illinois [Mr. TAVENNER] has notified several that he is anxious to have an hour's time, and several Members are anxious that he shall have it, even to the extent of going on the floor and either get the time or make trouble. [Cries of "Oh!" "Oh!"]

The CHAIRMAN. Whether the gentleman can get time or not will depend upon the committee.

Mr. CLARK of Missouri. Mr. Chairman, I would like to suggest to the gentleman from Washington, and all concerned, that objecting to a motion to dispense with the first reading of a long bill is not a very good way to get time.

The CHAIRMAN. Is there objection to the request of the gentleman from Virginia to dispense with the first reading of the bill? [After a pause.] The Chair hears none.

Mr. HAY. Mr. Chairman, I want to say that the gentleman from Illinois [Mr. TAVENNER] requested an hour's time. I told him that we were only to have four hours on a side, and that a good many members of the Committee on Military Affairs desired to speak, and that I had cut their time down

to 20 minutes; but I would put him on the same plane as the members of the committee and give him 20 minutes. I say that because I want the House to understand that I have no disposition to cut any gentleman off. But there are 435 Members of this House.

Mr. TAVENNER. I have spent considerable time investigating this subject. My information is of a different character than will be presented by the members of the committee and I desire an opportunity to present it to the House. I will take the chances of its being worth the amount of time I am requesting.

Mr. HAY. I have no doubt the gentleman has burned midnight oil and has a great deal of information, as have other Members; but we can not always, particularly in the short session of Congress, get all the time we want.

Now, Mr. Chairman, all I want to say for the present is that on page 1760 of the RECORD there is a table printed in an article which I wrote and which was published in the Sunday Magazine. There is a mistake in that table, and I am informed by the gentleman who got the table up in the War Department that it was a clerical error. I ask unanimous consent to print a table furnished me by the War Department which corrects that error.

The CHAIRMAN. The gentleman from Virginia asks unanimous consent to extend his remarks in the RECORD.

Mr. GARDNER. Reserving the right to object, Mr. Chairman, I take it that the gentleman is correcting an error on artillery ammunition and raising it to 1,700,000, in accordance with what I pointed out to the gentleman.

Mr. HAY. Yes.

Mr. GARDNER. Is it not true that the table is not prepared by the War Department, but by Gen. Crozier?

Mr. HAY. It was furnished me by Gen. Crozier.

Mr. GARDNER. It is not the War Department's table, but Gen. Crozier's?

Mr. HAY. Field Artillery.

Mr. GARDNER. It is his own table and not the table of the War Department. The War Department a week ago Monday got a resolution——

Mr. HAY. Mr. Chairman, I can not yield for a speech.

Mr. GARDNER. I am reserving my right to object; the gentleman has not the floor.

The CHAIRMAN. Is there objection to the request of the gentleman from Virginia? [After a pause.] The Chair hears none.

The following is the table:

	On hand.	Additional provided for by appropriation.	Total provided for.	Total in project.	Required to complete project.	Remarks.
Rifles	1,037,000	36,749	1,073,749	600,000		Of these, 347,000 are United States rifles, model of 1898 (Krag); the remainder are model of 1903.
Pistols and revolvers	140,392	31,622	172,014	172,378	75,702	Of these, 75,358 are Colt's revolvers, to be replaced.
Sabers	68,763	5,000	73,763	41,006	11,006	Of these, 43,763 are old model, curved sabers, to be replaced.
Ball cartridges, caliber .30, models of 1906 and 1898	[1] 196,000,000	[2] 45,000,000	241,000,000	196,000,000		
Pistol and revolver cartridges	[3] 31,196,227	11,500,000	42,696,227	31,942,600		
Personal equipments (sets)	476,161	27,839	504,000	504,000		
Horse equipments (sets)	55,122	3,200	58,322	94,349	36,027	
Machine guns	1,236	66	1,302	1,633	331	276 in coast defenses are without packs.
Field batteries, complete, 4 guns each	169	46	215	325	110	In addition, there are on hand 20 2.95-inch mountain batteries, to be replaced.
Ammunition trains		3	3	63	60	
Harness, wheel (sets)	2,808	527	3,335	7,500	4,165	
Harness, lead (sets)	5,412	1,071	6,483	16,000	9,517	
Ammunition for Field Artillery (rounds)	177,800	402,200	580,000	1,717,000	1,137,000	

[1] 35,000,000 are model of 1898 cartridges. [2] 45,000,000 are used annually. [3] Of these, 19,859,327 are for pistol.

Mr. TAVENNER. Mr. Chairman, I make the point of no quorum.

The CHAIRMAN. The gentleman from Illinois makes the point of no quorum, and the Chair will count.

Mr. TAVENNER. Mr. Chairman, I am going to withdraw the point of order for the time being, but if I do not get an hour's time I am going to make points of order.

Mr. HAY. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. GARRETT of Tennessee, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 20347, the Army appropriation bill, and had come to no resolution thereon.

Mr. HAY. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the Army appropriation bill, and pending that motion I move that general debate shall continue for four hours, two hours to be controlled by the gentleman from California and two hours by myself.

Mr. KAHN. Can not the gentleman make it eight hours?

Mr. HAY. Mr. Speaker, I am willing to give all reasonable time for general debate, but we are informed by the gentleman from Illinois [Mr. TAVENNER] that he proposes to filibuster unless he can get one hour's time.

Mr. TAVENNER. I deserve the hour, and that is the reason I ask for it.

Mr. HAY. The gentleman can print his information.

Mr. TAVENNER. I do not propose to print it.

Mr. HAY. Mr. Speaker, in order to meet the wishes of gentlemen upon the other side, I move, pending the motion to go into the Committee of the Whole House on the state of the Union, that general debate be confined to seven hours, three hours and a half to be controlled by the gentleman from California [Mr. KAHN] and three hours and a half by myself.

Mr. MANN. Mr. Speaker, I suggest to the gentleman that he can not include in the motion the control of the time.

Mr. HAY. That is true. On that motion to limit debate, Mr. Speaker, I move the previous question.

Mr. TAVENNER. Mr. Speaker, I desire to offer an amendment to that motion.

The SPEAKER. One moment. The gentleman from Virginia moves that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the Army appropriation bill, and pending that he moves that general debate be limited to seven hours, and on that motion he moves the previous question.

Mr. TAVENNER. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. TAVENNER. Mr. Speaker, I should like to know whether I can offer to amend the gentleman's motion by substituting eight hours for seven hours, with the understanding that I am to have one hour?

The SPEAKER. The gentleman can not. The only way that can be done is to defeat the motion for the previous question.

Mr. BRYAN. Mr. Speaker, I make the point of order that there is no quorum present. [Cries of "Oh, no!"] We want that time, and we are going to fight for it.

The SPEAKER. The gentleman from Washington makes the point of order that there is no quorum present. Evidently there is no quorum present.

Mr. UNDERWOOD Mr. Speaker, I move a call of the House.

The SPEAKER. The question is on ordering a call of the House.

The question was taken, and the motion was agreed to.

Mr. STAFFORD. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. STAFFORD. Was there not a question pending when the gentleman from Washington made the point of order of no quorum?

The SPEAKER. The question had not been put. We had not reached that point.

Mr. UNDERWOOD. Mr. Speaker, the House was not dividing, and I moved a call of the House.

The SPEAKER. That is correct. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll.

Mr. HAY. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. HAY. Did not the Speaker put the question on the motion to order the previous question?

Mr. MANN. No; the gentleman is mistaken.

Mr. GARNER. Mr. Speaker, the parliamentary situation, as I understand it, is that a call of the House only has been ordered on the point of order that there is no quorum present. There is no question before the House.

Mr. BRYAN. Mr. Speaker, I think the Chair put the question.

The SPEAKER. The Chair had not put the question. A call of the House has been ordered. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

Aiken	Driscoll	Keister	Price
Ainey	Dunn	Kennedy, Conn.	Ragsdale
Avis	Eagan	Kennedy, Iowa	Rainey
Barchfeld	Eagle	Kennedy, R. I.	Reed
Barkley	Edmonds	Kindel	Reilly, Conn.
Bartholdt	Elder	Kinkead, N. J.	Riordan
Bartlett	Faison	Kirkpatrick	Roberts, Nev.
Beall, Tex.	Falconer	Kitchin	Rupley
Bell, Ga.	Finley	Korbly	Russell
Borland	Flood, Va.	Lafferty	Sabath
Bowdle	Francis	Lee, Ga.	Scott
Brown, W. Va.	French	L'Engle	Scully
Bruckner	Garrett, Tex.	Lewis, Md.	Sells
Brumbaugh	George	Lewis, Pa.	Shreve
Buchanan, Ill.	Gill	Lindbergh	Sims
Burke, Pa.	Glass	Lindquist	Sisson
Burke, Wis.	Godwin, N. C.	Lobeck	Slemp
Calder	Gorman	Loft	Stevens, N. H.
Cantor	Goulden	Logue	Stout
Carew	Graham, Pa.	McClellan	Taggart
Carlin	Griest	MacDonald	Talbott, Md.
Carr	Griffin	Mahan	Taylor, N. Y.
Chandler, N. Y.	Hamill	Maher	Townsend
Clark, Fla.	Hamilton, Mich.	Metz	Underhill
Connolly, Iowa	Hardy	Miller	Vare
Conry	Hart	Morgan, La.	Walters
Copley	Helvering	Morin	White
Curry	Henry	O'Brien	Wilson, Fla.
Dale	Hinebaugh	O'Hair	Wilson, N. Y.
Davenport	Hobson	O'Shaunessy	Winslow
Davis	Hoxworth	Page, N. C.	Witherspoon
Decker	Humphreys, Miss.	Paige, Mass.	Woodruff
Difenderfer	Igoe	Palmer	
Dooling	Johnson, S. C.	Patton, Pa.	
Doremus	Jones	Pou	

The SPEAKER. On this call 287 Members, a quorum, answered to their names.

Mr. UNDERWOOD. Mr. Speaker, I move to dispense with further proceedings under the call.

The question was taken, and the Speaker announced the ayes seemed to have it.

Mr. BRYAN. Mr. Speaker, I demand a division on that.

The SPEAKER. The gentleman from Washington demands a division on dispensing with further proceedings under the call.

The House divided; and there were—ayes 183, noes 1.

Mr. BRYAN. Mr. Speaker, I make the point of order there is no quorum present.

Mr. UNDERWOOD. Mr. Speaker, I make the point of order that that is dilatory.

The SPEAKER. The roll call just ascertained shows the presence of a quorum, and there has been no intervening business. [Applause.] The question is on ordering the previous question.

Mr. BRYAN. Mr. Speaker, I make the point of order of no quorum. Now there has been intervening business.

Mr. GARNER. That is dilatory.

Mr. CRISP. Mr. Speaker, I make the point of order that the motion is dilatory. The roll call just had disclosed the presence of a quorum.

The SPEAKER. The Chair has uniformly refused to rule——

Mr. FOSTER. Upon a vote, I think the gentleman is entitled to know if a quorum is present or not.

The SPEAKER. That is what the Chair has always ruled and always will rule. [After counting.] Two hundred and thirty-nine Members are present, a quorum, and the Doorkeeper will unlock the doors.

The previous question was ordered.

The SPEAKER. The question is on the motion of the gentleman from Virginia [Mr. HAY] to limit general debate to seven hours.

The question was taken, and the Speaker announced the ayes seemed to have it.

Mr. BRYAN. Mr. Speaker, I demand a division. You had just as well get off the lid and let the gentleman from Illinois have his time.

The SPEAKER. The gentleman has a right to demand a division but no right to make remarks about it.

The House divided; and there were—ayes 218, noes 3.

Mr. BRYAN. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. The Chair just this instant counted a quorum—ayes 218, noes 3. The motion of the gentleman from Virginia prevails. The question is on the motion of the gentleman from Virginia to go into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 20347.

Mr. BRYAN. Mr. Speaker, now I make the point of order that there is no quorum present.

Mr. McKELLAR. Mr. Speaker, I make the point of order that the motion is dilatory.

The SPEAKER. There can be no question of the presence of a quorum, because it has been ascertained three times in the last 10 minutes. The ayes have it and the gentleman from Tennessee [Mr. GARRETT] will take the chair.

Mr. BRYAN. Mr. Speaker, a parliamentary inquiry. Did the Speaker rule that my point of no quorum is out of order?

The SPEAKER. The Chair does, because it has been less than 10 minutes since we had a roll call disclosing a quorum, and then by actual count, and the last time not less than 3 minutes ago, there was a quorum here. [Applause.] The gentleman from Tennessee will take the chair.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 20347, with Mr. GARRETT of Tennessee in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 20347, the title of which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 20347) making appropriations for the support of the Army for the fiscal year ending June 30, 1916.

Mr. HAY. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. HAY. I am recognized for one hour, I take it?

The CHAIRMAN. The gentleman from Virginia is recognized for one hour.

Mr. HAY. Mr. Chairman, I yield 20 minutes to the gentleman from Alabama [Mr. DENT] and reserve the balance of my time.

Mr. DENT. Mr. Chairman, the war now going on in Europe has revived the agitation of our so-called unpreparedness for war. I have never regarded this question as a partisan question. I do not believe that the question of the national defense should be treated as a partisan question. If, as a matter of fact, we are so utterly unprepared for war as some of the agitators upon this subject now tell us, then it must be admitted that the responsibility rests with the Republican Party, with its long lease of power. [Applause on the Democratic side.] However, as a Democrat—aye, Mr. Chairman, as a partisan Democrat—I am unwilling to lay any such charge at the door of the Republican Party. My experience on the Committee on Military Affairs for nearly three terms of Congress, under both Republican and Democratic control, convinces me that the committee has been fair, even to the point of generosity, in order to build up an army according to American ideals. In 1901 a law was passed limiting the strength of the Army to 100,000 men. The Hospital Corps and the Quartermaster Corps are exempt from this limitation. That law has been in operation now for nearly 14 years, and let us see what are the facts.

According to the report of The Adjutant General's Office, it appears that between February, 1901, and June 30, 1914, the largest number of enlisted men in the Army, including all branches, line and staff, at the end of any one month—and the returns are only taken at the end of the month—was 92,877 men on the 30th day of June of last year. The largest Army we have ever had was on the 30th day of last June. [Applause on the Democratic side.] The lowest number was 57,522, on September 30, 1907, and the average number during that period was 74,314 men. It is also shown by the records of this office that the largest number of enlisted men of the line of the Army, including the Philippine Scouts, in service at the end of any one month included in this period was 82,142, on May 31, 1914. The lowest number was 51,561, on September 30, 1907; and the average number was 67,903. Now, Mr. Chairman, I call attention to these figures for the purpose of showing that, notwithstanding the fact that 14 years ago Congress increased the authorized

strength of the Army to 100,000 men, at no period during that time has the authorized strength of the Army been reached. [Applause on the Democratic side.] I call attention to the further significant fact that during this period no Chief Executive, neither President Roosevelt nor President Taft nor President Wilson, has ever asked for the full quota authorized by law. [Applause on the Democratic side.]

I call attention to the further fact that even the quota asked for has never been filled.

Whence, then, Mr. Chairman, comes this cry for a tremendous army in this country? Certainly not from the young manhood of this country, who are seeking to enter the Army at the rate of pay of $15 a month and a loss to a large extent of their personal liberty.

If, Mr. Chairman, we propose to create a tremendous army in this country, we must do something to invite the private to enter into its service. In order to do this we must either increase the pay to, say, $50 or $100 a month, or we must conscript the young men of this country in time of peace. The expense of the one plan would be enormous, while the policy of the other would be odious. [Applause.]

We are told that for the last quarter of a century the nations of Europe engaged in war, including grief-stricken Italy, have spent $40,000,000,000 preparing for war. This, Mr. Chairman, is about the value of all the farms in the United States. But who is it, upon reflection, laying aside the question of expense, that is willing to see an army of one million or one-half of a million men in this country awaiting in idleness some imaginary conflict? [Applause.]

Ah, but we are told and often reminded of the old adage, "In time of peace prepare for war." I do not know, Mr. Chairman, who was the originator of that idea. Some claim it was the Roman author, Horace, while others assert it was originated by the Father of his Country; but whoever was its author, the fact is that he never left any specific legacy to any nation by which it could determine exactly what preparedness means.

After nearly six months of war in Europe it is apparent to all that neither England, nor France, nor Russia, nor even Germany, understood the problem. What shall we prepare for, for instance? Shall we prepare for a war with England, or a war with Germany, or a war with Japan? Shall we prepare to fight Germany in the event her arms are successful in the pending European conflict, or shall we prepare to fight the allies in the event of their success? Shall we prepare to invade Japan or shall we prepare against an invasion by Japan? These questions, Mr. Chairman, answer themselves to the effect that no one who talks of unpreparedness has ever yet given us any concrete idea upon the subject. [Applause.]

Why, it has been supposed that our isolation was of great value to us. But now it is even suggested that this is a matter of small consequence. Let us see what are the facts. From Liverpool to New York it is a distance of more than 3,500 miles; from Havre it is a distance of more than 3,100 miles; from Bremen the distance is more than 4,200 miles; and from Yokohama to San Francisco it is a distance of more than 4,100 miles. At the rate of 15 miles an hour, which is very much faster than any transport can travel even unmolested, it would take 10 days to go from Liverpool to New York, 9 days from Havre to New York, 12 days from Bremen to New York, and 12 days from Yokohama to San Francisco. The fact must not be overlooked, Mr. Chairman, that in order to prepare these transports, in order to equip them for travel, in order to provide a convoy of war vessels, in order to make all the necessary preparations, it would require weeks and months of effort.

Now, I have not been able to obtain, although I am investigating the subject, the number of transports owned by the great nations of the world. But we do know—and I have the data here before me—how long it took us to transport troops to the Philippine Islands after we had been successful in our war with Spain, and when the sea was absolutely open to us. What are those facts? I read from a letter to me from the Chief of the Quartermaster's Department, Gen. Aleshire:

The largest number of troops shipped from the United States to the Philippine Islands in any one day was 3,089, on November 20, 1899. The largest number of troops shipped to the Philippine Islands for any two consecutive days was 4,537, on November 3 and 4, 1899. The largest number of troops shipped to the Philippine Islands for any four consecutive days was 5,327, on November 20, 21, 22, and 23 of that year. The largest number of troops shipped to the Philippine Islands on any eight consecutive days was 8,281, on November 14 to 21, inclusive, 1899. The largest number of troops shipped in any one month was 14,730, in November, 1899, while the largest number of troops shipped for any three consecutive months was 30,804, in September, October, and November, 1899.

Now, I noticed some time ago that the English Government used 40 transports in order to convey 28,000 troops from Australia during this war. I call attention to the fact that it required 31 transports to convey 33,000 troops from Canada since this war in Europe began. So it is a fair statement, I believe, to make that one transport will average not exceeding 1,000 officers and men. It would then take, Mr. Chairman, 100 transports to bring into this country 100,000 soldiers, which is practically the strength of our Army, to say nothing of the 120,000 of trained militia that we have. Why, Mr. Chairman, those who talk about our unpreparedness speak as if this country is likely to be invaded as by a thief in the night [applause], while our very isolation itself is proof against burglary on the part of any nation.

Mr. HOBSON rose.

The CHAIRMAN. Will the gentleman from Alabama yield to his colleague [Mr. HOBSON]?

Mr. DENT. I will.

Mr. HOBSON. Would the gentleman, for our information, kindly tell us how many United States troops could be concentrated at any one point at this time?

Mr. DENT. Why, Mr. Chairman, the question is not appropriate to the subject which I was discussing. I understand, from the report of the Secretary of War and the Chief of Staff, that possibly we could not concentrate at any one particular point more than 25,000 or 30,000. I am not sure about that as I have not gone into these figures. But we do not need to concentrate any large army in this country; and what is the necessity for concentrating any larger army than that? [Applause.] There might arise some internal trouble which would necessitate the concentration of a considerable force, but our Army is sufficient for that purpose. I am speaking now, however, Mr. Chairman, and I am directing my thoughts at this particular time, against the necessity for a large Army to prevent a foreign invasion. [Applause.] And I think it is absolutely demonstrated by the facts that any larger Army is now unnecessary.

Now, I want to say right here, just to digress for a moment, on account of the question asked by my distinguished colleague from Alabama [Mr. HOBSON], that I met the other day an Army officer, a man whom I regard as one of the ablest men in the Engineer Corps. I was talking to him about the resolution offered by the gentleman from Massachusetts [Mr. GARDNER], and which the Military Committee adopted and reported favorably to the House the other day, relative to the range of the guns on the English ships and the range of the guns on our coast. This officer said that he happened to be dining with an admiral of the Navy, and he said, "Why, that is the most absurd proposition on earth, because no ship will stand off 18 miles in order to shoot at a target that it can not see."

Mr. GARDNER. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Alabama yield to the gentleman from Massachusetts?

Mr. DENT. Yes.

Mr. GARDNER. Is the gentleman aware of the fact that the Secretary of War has appointed a board to determine that very question?

Mr. DENT. That may be true; but I am simply giving the experience of an admiral in the Navy, and he said the ship would be below the horizon, and unless somebody believes that the world is flat there is no use in shooting from that distance. [Laughter.]

Mr. GARDNER. And does not the admiral know that a great deal of firing is now done when you can not see the object? Of course it is below the horizon. But what was the name of the admiral?

Mr. DENT. This was a personal conversation that I had, not with an admiral, but with an Army officer.

Mr. GARDNER. What is the name of the Army officer?

Mr. DENT. It was Lieut. Col. Judson.

Mr. GARDNER. Former commissioner here?

Mr. DENT. Yes; former District Commissioner here. [Applause.]

Now, Mr. Chairman, in conclusion I want to repeat that I believe the Army has been constantly and gradually improved for many, many years past. I am not so sure that there should not be some other changes made. So far as I am concerned, ever since I have been a member of the Committee on Military Affairs of the House I have advocated and voted for a militia pay bill, and I believe it is only a question of time when that law will have to be adopted by Congress. [Applause.] But I do not believe that it is necessary to make any radical changes in our regular military establishment at this time.

The CHAIRMAN. The time of the gentleman from Alabama has expired.

Mr. DENT. I would like to have three minutes more, Mr. Chairman.

Mr. HAY. Mr. Chairman, I yield to the gentleman five minutes more.

The CHAIRMAN. The gentleman from Alabama [Mr. DENT] is recognized for five minutes more.

Mr. DENT. Mr. Chairman, I have not been among that number who believe that there is any nation on earth willing to precipitate a quarrel with us. On the contrary, I believe that every nation in the world is anxious to seek and obtain our good will. [Applause.] I want to call attention to a fact which I believe those in authority in the balance of the world recognize—that there is a tremendous latent power in this country. We not only have an Army of ninety-odd thousand men and a militia of 120,000 men, but there are 16,000,000 stalwart men between the ages of 18 and 45 in this country as a reserve militia, many of whom now already know how to shoot and how to ride. [Applause.] And if this latent power is once aroused it will never stop short of punishing with the severest penalty any enemy that attacks it. [Applause.]

I believe, Mr. Chairman, that the time is likely to come—I am sure it is not impossible; yea, I believe it is highly probable—that the time will come when the good offices of this country, through its present Chief Magistrate, will be called upon to bring about peace in Europe and thereby grant to the world the greatest of human blessings. [Applause.] That the heart and the head of the present Chief Executive of the Nation is sensitive to and capable of affording this benefaction, I believe both friend and foe alike will admit. [Applause.] And may the great God of the universe, who presides over the destinies of men and of nations, speed the day when this consummation so earnestly desired will be happily realized. [Prolonged applause.]

Mr. HAY. Mr. Chairman, the gentleman yields back the remainder of his time.

The CHAIRMAN. The gentleman yields back three minutes. The gentleman from California [Mr. KAHN] is recognized for an hour.

Mr. KAHN. Mr. Chairman, I yield 20 minutes to the gentleman from Nebraska [Mr. SLOAN] and reserve the balance of my time.

The CHAIRMAN. The gentleman from California yields 20 minutes and reserves 40.

Mr. SLOAN. Mr. Chairman, this discussion is prompted by several considerations:

First. A friendly interest in the person involved.

Second. Character of our courts-martial as exemplified in this alleged typical and regularly conducted case.

Third. A statement recently published and attributed to the Secretary of War in which he says:

> What we need now is a thousand new officers; with intelligent and efficient officers much can be done.

Fourth. Yesterday's European dispatches quote the leading military authority of one of the great belligerent powers as saying:

> The * * * are good fighters, but an army without the necessary officers and noncommissioned officers is scarcely an army.

This great military appropriation bill for the fiscal year of 1916 involves one hundred and one millions of the Treasury funds. That sum provides for thousands of purposes, including the necessities, wants, comforts, and luxuries of our national military establishment. For the soldier it includes items for comfort, equipment, discipline, and protection. Hidden away somewhere within its terms an expert might find some small appropriation for the administration of justice before the courts of war, where it has been said "justice is meted out against the unfortunate officer or soldier upon whom a charge is laid."

The relatively meager available records of the war-court trials is a tribute to the discipline of the respondents, or, mayhap, their resignation to the inevitable. There have been but few reviews brought home to the public of these adjudications, which mean loss of rank, sometimes good name, and often means of livelihood.

The case I shall discuss having run the full course from original investigation to the tribunal of final resort and having been directed from Washington and approved throughout by the Department of War, may properly be considered as a fair exemplification of military jurisprudence. We are told it was entirely regular.

A little more than a year ago Fort Terry, lying at the east end of Long Island, with its smart soldiery and frowning guns, one of the points of our national defense, was under the command of Maj. Benjamin M. Koehler. Continued peace had some time before this relaxed rigid discipline; so the standard of fortress life, work, and morals were not par excellence.

Maj. Koehler, with a record which was the fair outcome of a youthful ambition to serve his country, a full course at West Point, service in many capacities in the United States, and actual service under fire in the Philippines, was selected to command this fort. It was expected that his ability, courage, tact, and experience would improve its condition and elevate its tone.

Suffice to say that during the period of his command the landscape was cleared and beautified, buildings cleaned and brightened, the home arrangements of the officers bettered, and the conduct and appearance of the soldiers improved.

That these changes would not meet universal approval among those whom it personally affected was not to be expected, nor did it occur. He was a devotee to discipline, which he exacted of all, and with almost religious devotion submitted to it himself. His work was not accomplished without admonition, rebuke, and punishment, which, in their effects, extended to the friends of the delinquents. Soldiers and officers in periods of peace have much time on their hands to consider fancied wrongs.

Pleased with the progress of his work, reassured by the commendations of his superior, and secure in the apparent devotion of the vast majority of his officers and men, he was in a paradise of noninformation as to his personal danger when, like a thunderbolt from a clear sky, one day upon his return to the fort, after seeing his brother, Maj. Lewis Koehler, off for his command in Porto Rico, he was arrested, deprived of his side arms, and held to a trial by court-martial. This was his first intimation that any person held or believed that he had committed a wrong or had been guilty of an indiscretion. Maj. Koehler was stunned by the charges presented. With characteristic devotion to duty and implicit reliance on the supposed justice and fairness of those who were to prosecute, and as he thought had been taught to preserve his rights, showed the absurdity of certain charges and the means of absolute defense which he had at hand. These frank statements were made use of by the prosecution to correct its case and, of course, weaken the major's defense.

The trial was had in the form such proceedings usually take. There was a general charge in the following language:

> Charge 1. Conduct unbecoming an officer and a gentleman in violation of the sixty-first Article of War.

Under this there were 17 distinct and separate specifications of fact. Each of these specifications, if established beyond reasonable doubt, would constitute a basis for the charge, which under the military law is a mere legal conclusion.

No two of the specifications where guilt was found had anything legally in common with each other, or with any other, either in point of time, circumstances, or parties involved.

Of these 17 specifications let me state no charge is made of any vile or criminal act consummated on the part of Maj. Koehler. Nor yet was there any charge that any proposition for any such act or attempt was made by the accused. Still further, there was no evidence whatever submitted to support a vile or criminal act consummated or attempted.

The charge contains no allegation of accused being a pervert or of improper habits or propensities.

The specifications related largely and generally to incidental conversations had with officers or men and certain acts, many of which, if clearly established, would and could bear either a harmless or an improper construction. Of course if the malign construction were placed on them it would establish the charge of conduct "unbecoming an officer and a gentleman."

In six of these specifications the evidence was so grossly inadequate and flagrantly false that failure to try the accusing witnesses for their perjury and other forms of mendacity is sufficient warrant for Maj. Koehler's complaint and to apprise him of the brand of injustice he received. In these he was acquitted.

My interest in this case arose from the fact that I knew him from the time he took a competitive examination to obtain our Congressman's nomination for West Point; learned of his exemplary conduct at the academy; heard of his creditable graduation; was pleased with his brilliant and gallant career in the Philippines, where he attracted the notice and received the warm commendation of Gen. Lawton. Later his service earned him rapid distinction and promotion. He is one of nine brothers, all of whom are clean, upright, successful men—manufacturers, bankers, grain men, ranchmen—one is my neighbor; three entered the United States military service; one other is a West Point graduate, now with his regiment on the Texas frontier. Another brother, Edgar C. Koehler, a lieutenant in the Philippines, yielded his life in an engagement to an insurrecto's bullet; he lies at Arlington; his grave is a part of that great national shrine where patriots visit and statesmen delight to be heard.

A civil jury imbued with the sole duty of trying the case, after hearing the accuser's testimony, would have placed an

innocent construction on the language and acts of the accused and acquitted him as to many of the specifications, even though the major had not denied them or had not submitted testimony in his own defense. But the major's defense had no such precarious foundation. Every allegation of accusing fact was met squarely by his denial, supported in every specification by clear and strong corroborating testimony, or circumstances, or both.

Out of the 17 specifications he was acquitted on 6, namely, 2, 3, 4, 6, 8, and 10. It should be remembered that each of these specifications, if established, constituted a sufficient basis for finding of guilty under the main charge. The consequence of this finding was dismissal from the Army—disgrace, degradation, and loss of means of livelihood.

Each of these specifications charge that which, in civil life, would when measured, not by its gravity but by its consequences, amount to a felony, because banished and excluded from the service is considered by an officer of rank in the Army as equivalent to incarceration of a civilian in the penitentiary. In this the term of punishment is for life. The accused had a right, therefore, morally and legally, to demand that each specification stand upon its own merits and proof. The prosecution certainly had a right to say though it should absolutely fail in proof in 16 of the 17 specifications because of lack of testimony, apparent prejudice, or interested testimony or downright perjury, yet if in the seventeenth two honorable witnesses contradicted the accused, or one corroborated by strong circumstances contradicted him, the prosecution would not fail. This view was right for the prosecution, it was right for the accused, and is in accord with the decisions and practices of all reputable American courts. The view taken by the prosecution reverses this. While the acquittal on several specifications did not aid the accused in weakening the other specifications, conviction on some specifications were held to uphold convictions on other specifications, although the specifications were not connected or related by time, circumstances, or identity of other parties involved.

Thinking that my friendship for the accused might prejudice me in weighing the evidence and reaching a conclusion there was submitted the several specifications upon which guilt was found to Members of this House or the Senate for consideration and opinion, one to each. I shall quote therefrom.

The opinions which I shall quote and my own were based upon the record made at the court-martial and after it had been certified to Washington.

Specification No. 1 charges accused with grasping Capt. Philip H. Worcester in an improper manner.

The evidence revealed that the time and place of the alleged act was in the immediate presence of about 25 persons; yet there was no corroboration from these persons of the testimony of Worcester. Capt. Worcester and Lieut. Smith were both vulgarly dressed as females and dancing the sensuous "hoochi-koochi." They were in like manner rebuked by Maj. Koehler. The major's act was construed by Worcester as improper; was construed by Maj. Koehler and Lieut. Smith as a properly intended rebuke. Similar acts were construed by Lieut. Frick as improper, and on these two specifications where Frick was involved the major was acquitted. Worcester had twice been reprimanded by Maj. Koehler.

Congressman BORLAND, a Member of long service from Missouri, and a lawyer of successful practice, and a law lecturer in one of our universities, examined the evidence submitted under this specification and said:

> The sole witness to this charge is Capt. Worcester. His testimony is absolutely uncorroborated except to the extent that the accused was at the party at the time and place named. Under the rules of law this is not corroboration at all, as it shows no more opportunity to commit the crime than is equally consistent with either guilt or innocence. On the other hand, the captain's testimony is specifically denied by the accused as to the main fact. The testimony of the accusing witness is weakened by the circumstances under which the act is alleged to have taken place. One act is said to have been in the supper room, in which there were possibly 25 persons within sight and hearing. The other act is alleged to have taken place in a small room adjoining, in which there were possibly 2 other persons and into which at any moment any one of the 25 persons in the adjoining room might have entered. * * * As to these charges, it seems clear that the finding should be set aside. No affirmance of the conviction can be made on this charge.

Specification No. 5 charges impropriety on the part of the accused in touch and language toward Sergt. Elvin Byers.

Alleged acts and language were said by Byers to have occurred in a small garden adjacent to Maj. Koehler's residence. It was in full view of anyone looking from part of the residence or anyone coming to visit the major and was in actual view of one Pvt. Lones. Accused absolutely denied every condemning statement of Byers. Lones corroborated accused in every particular to which he was cognizant, he being within full view, though not being close enough to hear what was being said. Accused was further corroborated on important circumstances by Emma Jones. Byers was not supported in any important particular by any witness. Yet Byers was proven and admitted to have spoken to Pvt. Zephy, who was friendly to Koehler, that if he would modify the statement which he had made to Col. Mills, he (Zephy) would be able to obtain a furlough, which he had sought from Capt. Ellis and been refused. Capt. Ellis had told Zephy when the furlough was requested, in substance, he had no use for him because he did not tell the colonel all he knew. These conversations were overheard by Corpl. Towler and not denied. Yet the unsupported word of Byers was accepted as establishing beyond a reasonable doubt the allegations of this specification.

Examination of this specification and all the evidence relating thereto was made by my colleague, Hon. M. P. KINKAID, of Nebraska. Congressman KINKAID was for more than 12 years on the district bench of Nebraska, to which he was elevated from the position of one of the leading practitioners in that part of the State. He has been for 12 years an able and honored Member of this body. I quote briefly from his opinion, rendered after examining the evidence:

> Instead of reasonable corroboration, the record furnishes strong contradictions of the testimony of Byers. He is squarely contradicted on every material fact in issue. Not only does the accused make positive denial of the essential parts, but the testimony of both Lones and Emma Jones squarely contradict him as to material, as well as immaterial, circumstances. * * * The testimony has irresistibly made me believe that the conviction has been produced largely by hearsay and suspicion rather than by proper evidence. On the whole, I respectfully submit the evidence falls far short of warranting a conviction on specification No. 5.

Specification 7 related to the improper language and improper acts said to have occurred in the cabin of a boat. Sergt. Moody was proven to have talked with Sergt. Byers, who was concerned in specification No. 5, and in which talk Sergt. Moody said to Byers: "You have got to stick to what we have said; we have got to stick tight." This Moody testified to improper language and acts on the part of the accused in the officers' cabin of a boat within a foot of the captain. The captain neither saw nor heard any of the alleged remarks or acts. The accused denied in detail the statements of Moody, and there was no corroboration whatever of Moody.

This specification and evidence were submitted to the Hon. JOSEPH TAGGART, of Kansas, a Member of this House, and long a leading lawyer in his State before becoming a Member. His examination called forth the following from him:

> Mrs. Kate Ewing states positively that she heard Sergt. Byers and Sergt. Moody in conversation, in which Byers expressed regret that he had anything to do with the matter, but urged and encouraged by Sergt. Moody to "stick to what we have said" and "we have got to stick tight" (p. 459). This woman testifies to the lewd conduct of both these sergeants (p. 462). The place charged was a public place, with the door open at all times. The testimony of Mrs. Ewing was not impeached, and, as far as I have read, was not even rebutted. The sergeant to whom the language was addressed neither resented it nor complained of it at the time. It would seem that this might tend to show that he did not regard it has having any sinister meaning.
>
> The conviction on this charge seems to be by the separate, uncorroborated testimony of the witness; but one witness testifies to the shocking language imputed to the major in the last sentence of the specification, and this witness is branded as a lewd and lascivious character by uncontradicted testimony.

That a conviction upon this specification was had passes the comprehension of any lawyer or judge who ever examined a charge and weighed the evidence.

Specification No. 9 relates to alleged improprieties at quartermaster's stable during September, 1913. One Pvt. John W. Barrett testified that the accused committed improprieties in act and language in and about the quartermaster's stables. The testimony of this witness, both as to probability and certainty, is unsatisfactory, and carries little probative force. General and special denial is made by Maj. Koehler, and shows that the acts did not and could not have occurred. This is shown not only by his testimony but by the testimony of a Mr. Fuller and First Lieut. John P. Smith, who contradict the statements of Barrett and are themselves uncontradicted. Sergt. Barrett had been reprimanded by accused in presence of First Lieut. Thomas O. Humphrey. First Lieut. Steese stated that Barrett had been removed as provost sergeant at his, Steese's request. The open, public character of the place itself would make improbable the story of Barrett. He had been removed from position by Maj. Koehler, refused appointment in another case, and reprimanded. Barrett had also been court-martialed and reduced to ranks for gambling with privates under his jurisdiction.

That the testimony of this witness was accepted as a basis for finding of guilty against Maj. Koehler is shocking to the intelligence of any man whoever considered a charge and weighed evidence in support of or against it.

Congressman GEORGE C. SCOTT, of Iowa, a Member of this House, a legal practitioner of long standing, and for several terms a public prosecutor, after examining this specification and evidence, said:

Generally observing witness Barrett, he appears to be a man who has been in the service 9 or 10 years; that he has held rank of sergeant and corporal; that he has been reduced on account of drunkenness and reduced in rank for gambling; that he has been relieved of his position for inefficiency, and again for deceitfulness to his superior. There is also considerable testimony indicating that his reputation for truthfulness and veracity is bad. At one point Barrett testifies that on being requested by the attendant he gave up the moving-picture show seat and left. He is squarely contradicted in this by Lieut. Humphreys. Upon a fair consideration it would seem that Lieut. Humphreys's testimony is the most credible and in all probability true. So, concluding, it is evident that Barrett deliberately lied at this point in his testimony.

Barrett's record taken as a whole, the type of man considered, it is evident that he is not such a man as would fairly appreciate the gravity of the accusations that he makes against Maj. Koehler. * * *

After more than 25 years' active practice of the law and observing courts and the considerations which have moved and controlled them, I have no hesitancy in expressing the opinion that ordinarily the testimony of the prosecution upon this specification when weighed against the evidence in opposition thereto would not be considered sufficiently weighty to justify the conviction before a magistrate of one of the minor offenses.

Specification 11 relates to an alleged episode of impropriety at what was to the fort practically a public telephone station.

The statement of the place, and the time being in or near the middle of the day, would suggest its improbability. The allegation is supported by L. R. Davis, a discharged man. This man said when first consulted by the prosecution that the occurrence was in August, 1912. The specification was based upon that statement. The accused, in his simplicity and with the belief that the facts were sought to be discovered rather than a prosecution conducted, immediately showed to the prosecuting officer that it could not have been at that time, as he was away at a distance from the fort. Then Davis was induced by some cause or person to change the year. It was then fixed at a time when the accused could not so clearly establish his continuous and precise whereabouts. Davis was not corroborated by anyone, save that some time after he had mentioned the fact to Brown, an electrician. Here the court, in direct contravention of all established rules of proper procedure, allowed Brown to relate the story told by Davis. This procedure was forced by a law officer from the Judge Advocate General's office when it would not have been permitted in any civil court in this land. The fact of immediate complaint, of course, would have been proper if the same had been made, but that was not the case here.

Davis was contradicted in full and in detail by Maj. Koehler. He further contradicted himself as to time. He was flatly contradicted by Lieut. Gorham as to time, and Gorham's presence at station, testified to by Davis, was circumstantially contradicted by Sergts. McDonald and Hess, Maj. McAndrew, and Pvt. Keene.

In addition to the impeachment of Davis by witnesses upon important facts, he was directly impeached as to reputation for veracity. Corpl. Dougherty said his reputation for veracity was bad and he would not pay his debts. Lieut. Steese said Davis's reputation for veracity was not good. It was shown by the evidence that he was a slanderer of the reputation of good women.

Davis's reputation was not defended by anybody. The prosecution recognized that he was indefensible.

The judge advocate, in his argument to the jury, said that he did not regard him as a very good soldier, but that his "story and the circumstances seem to indicate that he told the truth in this." Can it be that this is the measure of proof necessary to secure conviction of an act the penalty for which would be the same as for a heinous crime? Is this what is necessary to overcome the presumption of innocence which the law raises in every man's favor and which certainly attaches to a record of gallantry, truthfulness, and faithful service such as has been earned by the accused? Does conviction follow "mere indication"? If so, then the fundamental basis for personal security has been destroyed; the wisdom of centuries set aside without a precedent, authority, or reason.

Senator GEORGE W. NORRIS, of Nebraska, 10 years a Member of this House, many years a judge upon the Nebraska bench, and a prosecuting attorney before that, after examining this specification and evidence supporting it, said:

I am very much surprised that any tribunal could, on the evidence in support of specification No. 11, find Maj. Koehler guilty of the charge therein contained, and I do not see how any reviewing tribunal could review this evidence without being firmly impressed with the grave injustice of finding an officer of the United States Army guilty of such a charge upon the evidence submitted. There is very little evidence, if any, that tends to sustain this charge except the testimony of L. R. Davis; and his testimony is not only absolutely denied by the positive testimony of Maj. Koehler, but all the established circumstances tend very strongly to disprove every damaging statement that Davis has made. In addition to this, the character witnesses have, it seems to me, practically demonstrated that Davis was absolutely unworthy of belief, and common, ordinary decency and justice should not permit any conviction founded upon his uncorroborated testimony to be sustained.

Specification 12 relates to an alleged act of mild impropriety of the accused in the after cabin of the boat *Nathaniel Greene*, which boat plied between New London and Fort Terry. It was a most public place. Wilson was a deck hand. He says he had never seen accused before. What occurred made no serious impression on his mind, and he never told anyone about it until about the time of investigation. He made many conflicting statements as to the time. At one time alleged by Wilson Koehler was able to show absolutely he had not made the trip at all. As to the other, Koehler was corroborated by Sergt. Herbst, who was in a position to know. In the second statement it could not have been, because the date was subsequent to Wilson's discharge from the service of the *Nathaniel Greene*. Koehler in his complete and detailed denial was supported by the captain of the boat, who said Koehler had always ridden with him in the pilot house; and, further, that Wilson's reputation for veracity was bad. There was no evidence submitted to show how guilt could be predicated upon the evidence in this case. Congressman SCOTT, of Iowa, following his examination of this specification and the evidence thereunder, said:

The witness impresses one who examines his testimony as being one of those individuals who responds easily to suggestions, but lacks entirely that frankness and energy of statement which indicates that the witness speaks truthfully with respect to matters concerning which he has personal knowledge or recollection.

It is submitted that such testimony of such a witness utterly fails to support the charge against the accused by the degree of proof required under the law and the procedure of the court in question. It surely can not be possible that such a preposterous story and such a witness uncorroborated will overcome the testimony of the accused and the reasonable circumstances which he relates.

Specification 13 was certainly a maximum of accusation and was followed by a minimum of proof. The statement of Campbell the witness, after reciting events, was to the effect that the accused had always conducted himself as a gentleman toward him. Campbell placed no bad construction on the words and acts of the accused. Acts themselves were denied in full and detail by the accused and Campbell was not corroborated.

Congressman STEPHENS of Nebraska, after examining specification and evidence, said:

The evidence, therefore, upon which specification No. 13 must rest, even if accepted, seems to me to be ridiculous as a basis for a charge involving the discharge of an Army officer with an honorable service record.

But this charge is not supported by the evidence of any other witness, and is positively denied by the defendant, Maj. Benjamin M. Koehler. * * *

If the other specifications are no better supported by evidence of misconduct than is this one, I am constrained to believe that those responsible for this proceeding could have been better employed in some other service in behalf of the Army.

The same specification and evidence were submitted to the brilliant Senator T. J. WALSH, of Montana, long recognized as one of the ablest lawyers of the West. He said:

The testimony of the witness Campbell concerning the overt act charged is found on page 314 in answer to the question, "Did Maj. Koehler, etc.?" No right-minded person can attach any importance to the first part of the answer, and it is quite apparent that the witness did not. It is to be noted that touching the other acts the witness says "I believe." It seems scarcely credible that if the acts charged ever did take place and they had the significance attached to them in the charge the witness would find his recollection of the occurrence so feeble that he would be required to qualify what he had to say about the matter with the expression "I believe." So it will be noted by the testimony at the bottom of page 318 that he is not quite sure whether at the time he was standing up or sitting down. His answer is qualified in the same way—"Standing up, I believe." So it appears likewise from the testimony given at the bottom of page 317 and the top of page 318 that even the witness himself is not prepared to assert that the acts, on the occurrence of which he casts some doubt by the language in which he tells of them, had the detestable character or significance assigned to them by the charge. It seems unnecessary to canvass the testimony further. It would not support the charge in any court exercising civil jurisdiction, and ought not to be deemed sufficient for conviction in any tribunal, however constituted.

Specification No. 14 alleges an impropriety with Sergt. James T. Ward. This is a case where Ward makes a statement which was flatly contradicted by the accused. Ward is in no wise corroborated either by other witnesses or circumstantially. It is established by the evidence of Harry Reubens, civilian, that because Ward did not obtain a position which he desired the accused to aid him in securing, that he would "get even" with Maj. Koehler, and which from the tone of Ward's statement, Reubens regarded his threat as serious and fraught with intention to injure the major. Reubens and Ward were together a great deal, occupying the same apartment; that Ward selected as a basis of his charge a time when Reubens was not present. Ward complained to Lieut. Humphreys about Maj. Koehler

keeping him out of a job and in that connection using improper language, bordering upon insubordination and disrespect.

Corpl. Hall testified that Ward stated to him that he had enlisted as a single man, and he was in fact married. When Ward was asked on the witness stand as to whether or not he was married when he enlisted, he claimed that to answer would incriminate or degrade him. Ward was in that delicate position where he would be constrained to testify as would please those above him and who had the power to punish.

Ward was discredited by his own conduct upon the stand and his statements made to other witnesses. His enmity was shown by the statements of his associates and superior officer. His story is incredible and unreasonable. The evidence under this specification would not be sufficient to convict a Mississippi negro charged with chicken stealing.

This specification was submitted to a distinguished jurist Senator, who stated, after examining the evidence, there was no basis for the finding of guilt. His written opinion is not at present available.

Specification 15 alleged certain obscene language and familiar acts on the part of the accused. Precisely the same testimony was given to language as was given to familiar acts, yet the finding was not guilty as to the charge of obscene language, but guilty as to the act.

Witness Fairey asserted and Koehler denied. Koehler's denial was supported by direct contradictory evidence and testimony of First Lieut. Smith and Civilian Fuller. If they, or either of them, told the truth, Fairey was a liar. Both of these men were of good reputation. Fairey had importuned Koehler for promotion and was denied. Fairey was a stableman under Barrett, of Specification No. 9. There was the connection with specification 10, in which Pvt. Ensley testified that he also was a stableman under Barrett, and his testimony was so sensational and improbable that a finding of no guilt was entered. The finding of guilt in this specification was without any basic reason or probability, to say nothing of being supported by that evidence which was of so much force that it removed all reasonable doubt of guilt.

On this specification and evidence thereunder, I quote from Congressman ANTHONY, lawyer and editor and of long service in this House, as follows:

I have carefully examined the record of this court-martial and beg leave herewith to submit to you a brief summary of my conclusions thereon, and particularly upon specification No. 15. * * *

After such examination I am convinced that no civil jury in the United States would ever convict a man of such an offense upon the evidence submitted. There appears to be an entire lack of conclusive evidence tending to show the commission of any overt act. There also seems to be an entire absence of any corroborative evidence on any of the specifications. After reading the case the only explanation that I can arrive at as having actuated the court in reaching their verdict was that they were undoubtedly carried away with the atmosphere of guilt which was built up by the large number of specifications. Where a man is charged with an act of this kind the tongue of slander and gossip as it travels invariably increases and magnifies everything until to many otherwise innocent actions there is attributed questionable motives.

This is unquestionably the case in specification No. 15. In analyzing the evidence of Pvt. Fairey—and it is absolutely unsubstantiated and flatly contradicted by the accused—it is seen that it is purely a question of putting a construction upon an action and language which, even if true, would, in ninety-nine cases out of one hundred, be unsusceptible of a meaning which the court evidently placed upon it. * * *

The court undoubtedly was not warranted in making any finding whatsoever against the accused on the charge and the evidence in specification No. 15, and the fact that the court did so find is evidence to my mind that it permitted itself to be carried away under the influence of the general atmosphere of guilt and suspicion which the prosecuting officers of the Government endeavored to build up around the accused. * * *

In my opinion, the motive which unquestionably governed Pvt. Fairey in testifying against the accused was the disappointment caused by the failure of the accused to appoint him a sergeant, for which position the soldier had asked. * * *

All through this case there seems to run a motive, manifested by a majority of the witnesses, to conspire against the accused for revenge for real or fancied wrongs. Testimony from such witnesses should have been more carefully weighed by the court.

Another point that impresses me in a review of this case is that the trial of the case was undoubtedly prejudiced by the unusual publicity which was given it in the metropolitan newspapers, and from the further fact that newspaper interviews from high military authority undoubtedly tended to influence or prejudice the members of the court. * * *

It would seem to me that one in authority should require absolute proof and absolute evidence in order to convict a man of the offense with which the accused was charged. The moment the accused was ordered to trial he was damned, and therefore in reviewing the proceedings of this court-martial it would occur to me that the fact that not a single one of the specifications has been proven beyond a reasonable doubt, as would be required in any court of law with which I am familiar, should have great weight.

Congressman BARTON, of Nebraska, auditor of state for Nebraska for two terms, a man of business and affairs, after examining the specification and evidence, said as follows:

I have read the evidence of the witness Fairey, and noted what he said the accused had done, and also the conduct of the witness following that time up to the time he communicated with Capt. Mayes. The clear and explicit denial of the accused that he did the improper act alleged by Pvt. Fairey to my mind brought a distinct issue and demanded before conviction could be had corroboration of the testimony of Fairey. This is entirely lacking, and, on the contrary, I find First Lieut. Smith corroborating the statement of the accused. * * * The accused is further corroborated by John W. Fuller, a civilian. * * *

I claim no credit for ability for nice legal distinctions, but having had a great deal to do with public and legal affairs generally, and understanding that the military law as well as the criminal law require that the accused be found to have committed the alleged act beyond a reasonable doubt, I am at an entire loss to understand how a finding of guilty under the evidence in specification No. 15 could be made.

If an officer of the rank of major is to be at the absolute mercy of the word of any private, wholly uncorroborated and unsupported, I can not understand how any officer would be safe in his position or would dare exert any discipline.

Specification 16. This specification charges accused with improper familiarity with Sergt. Byers. This is a case where two majors and a sergeant were in a small room together transacting the business of the Government. Each within a few feet from and in full view of each other. Byers affirms acts by accused. Both Maj. Koehler and Maj. Moses positively deny statements, yet the jury found accused guilty. There was no complaint by Byers to anyone, and he was corroborated by no one or by any important circumstance.

Conviction on this count shows how regardless of the rights of the defense the court must have been as measured outside of a court-martial. It further demonstrates how helpless, however innocent the accused was before that body of men, who seemed to lust for his downfall and the destruction of his prospects and honor rather than to find and preserve justice.

This specification I submitted to the senior Senator from Iowa. He is known throughout the United States as one of the leading lawyers in that great body at the other end of the Capitol which has attracted to its membership great lawyers ever since the organization of the Government. Senator CUMMINS, after reading this specification and the evidence submitted in its support and after sketching the testimony of Sergt. Byers, said:

Against this testimony Maj. Koehler describes in a very clear and logical way the entire progress of the work, denying absolutely the charges of Sergt. Byers. Corroborating Maj. Koehler and squarely contradicting Sergt. Byers, Maj. Moses testifies that when they began the work he sat down at the desk with his list; that Maj. Koehler stood near him and in his plain view the entire time * * * that they both examined each and every article jointly, inspecting and passing judgment upon them; that Maj. Koehler was within his view and range of vision the entire time; that he stood up all of that time, and that nothing of the nature testified to by Sergt. Byers occurred. * * *

It is impossible to reconcile the testimony of Sergt. Byers and that of Maj. Koehler and Maj. Moses as to the method pursued in performing the work referred to. It is also impossible to reconcile the testimony of Sergt. Byers and Maj. Moses upon the issue as to whether Maj. Koehler squatted down with the sergeant over by the pile and practically performing the entire work of inspection, or as to whether he stood all the time by the desk and performed the work jointly with Maj. Moses.

An examination of all the evidence offered in support of this specification would suggest that one of three hypotheses must be true, either Sergt. Byers speaks the truth or he has willfully falsified the situation or has taken as a basis some slight and trivial act and designedly enlarged upon it until he has developed an entirely false situation.

Upon all of the testimony the problem is presented, Is the testimony of this witness sufficient when judged in accordance with the rules governing judicial tribunals to sustain the charge excluding all reasonable doubt?

It seems to me that the record of testimony is entirely insufficient to sustain this charge. In the first place the circumstances related by Sergt. Byers do not present rational conduct. It was broad day; there were three men together, each in plain sight of the others; these men were there for a specific purpose, to do work which was to be accomplished within a few minutes time. The sergeant was a practical stranger to Maj. Koehler. The conduct to which Sergt. Byers testifies, under the circumstances, is utterly irreconcilable with a rational mind.

Second, the testimony of Sergt. Byers is in irreconcilable conflict with that of the other two men, not only with respect to the act charged, but with respect to the method of the progress of the work.

It is a fundamental principle governing all trials involving charges of moral turpitude that the accused is presumed to be innocent; that that presumption continues until the close of the trial; and that the evidence must be such as, when weighed against the evidence offered in opposition thereto, to establish guilt beyond every reasonable doubt.

To convict an officer of the Army of this revolting conduct upon the evidence submitted under specification No. 16 would reverse all rules of law and shock the civilized sense of justice.

Specification No. 17. In this there is charged only improper conversation by the accused with Master Gunner King.

The only improper language related by King was a remark made by accused about King's furlough, then just ending. King in his testimony insisted upon placing an improper significance on the words used, and which was wholly unrelated to the usual and natural use of the words. Moreover, he said he and Koehler rode from New York to New London in a day-coach smoker. Koehler denies this absolutely. He said his only trip was made April 12, 1912, and not May 23, 1912, as testified to by King. That he, Koehler, rode home in a Pullman and King was not with him any part of the trip. He obtained his luncheon on the diner. In this he was corroborated by his sister, who prepared no lunch for him, as she knew he had

come home on a train having a diner and it was their custom to take their luncheon on that diner when making such trip; she, therefore, did not prepare any lunch for him and none was asked for. This certainly would have been done if he had not lunched in the diner.

King admitted that Koehler had denied him a personal letter of indorsement which King wanted very much. Further, Koehler had twice reprimanded him.

If the testimony of King had been established or admitted to be true, it would have been a most trivial basis for the specification. But under the rules of evidence it would not support a charge before an examining magistrate, if uncontradicted, to say nothing about establishing guilt before an impartial jury beyond a reasonable doubt. Congressman J. M. C. SMITH, of Michigan, now three times elected Member of this body, a legal practitioner for more than a quarter of a century, and for four years a public prosecutor, after examining this specification and the evidence thereunder, said:

> It will please be observed that, standing alone, this testimony is of the most trivial character. * * *
>
> The specification is supported by one witness alone, who had twice been reprimanded by respondent, a sufficient motive if one is sought. * * * The material testimony of complainant is specifically denied by respondent, corroborated by the circumstances. * * *
>
> That the good character of a respondent stands with him to the end. That respondent must be considered innocent until proven guilty not only by a preponderance of the evidence, but beyond a fair and reasonable doubt. That the testimony must be considered in the light of his innocence and he is not to prove himself not guilty before he is proven guilty. That the burden of proof rests with the prosecution. That the respondent can not be convicted on the unsupported testimony of one witness's position. Innocence instead of guilt must be inferred or denied when the construction of the language admits of two interpretations. That charges against superior officers must be clearly proven. * * *
>
> May I only add that my honest conviction is that the respondent is not guilty; that this charge or specification is not proven by the preponderating proof, let alone beyond a reasonable doubt; that frequently a man's character is his sole defense; that justice, morality, and good order will best be subserved by an acquittal on this specification; that the complainant shifted the date and so weakened his testimony. Complainant admitted he was twice disciplined by respondent; that there is reason to infer that the charge is founded upon an old grudge; that the respondent is not proven guilty by a preponderance of the proof, while the proof should be clear and convincing and beyond a fair and reasonable doubt.

Maj. Koehler was a necessary and proper witness under each of the 17 specifications. True, his interest in the result of the case must be considered in weighing his testimony. It should be said in his behalf that he was selected as a young man of clean morals, high ideals, physical perfection, and high mental endowment. That he had the opportunities which our great Military Academy, with its history and traditions hanging over it, with its faculty and equipment for its present conduct, with that emulation which arises among cadets, with 17 years' service in the Army, in barracks, fort, field, and battle, under all of which men are made better, stronger, more reliable, and hence more truthful. Especially is this last true where advancement has been gained for honorable service and for special bravery and gallantry where life has been in hazard. It has been well said that for fearless truth, even though to the witness's own hurt, "conduct me to a ripened soldier, with a successful career behind him, with honorable promotion before him." All of these can be said of Maj. Koehler, and no one has attempted to gainsay any of them, either in part or degree.

Into the scale for the determination of each of these specifications Maj. Koehler has thrown the weight of his good name, attested by good, brave, pure men who knew him throughout his career. These men knew the reputation he enjoyed. Moreover a number of them had lived with him and knew his conduct and every-day life. Some of them for years, and among them all some knew him all of his time in the Army. These were men who valued their own reputations and the reputation of the Army as they did their stainless swords.

Lieut. Terry, executive officer at the post, said he knew the accused intimately, officially, and socially, and that he was always gentlemanly, dignified, efficient, and refined. A firm disciplinarian.

Lieut. Smith knew the accused intimately during his whole service at the fort, never saw an ungentlemanly act, never heard him utter an improper or ungentlemanly word.

Lieut. Lee lived in the same tent with him; stated his conduct was always that of a gentleman.

Capt. Patton, next in seniority to Maj. Koehler in the post since 1911, who had been with the accused on distant trips, and occupied adjoining connected rooms, testified as to his constant propriety both in act and language.

Lieut. Humphreys, at the fort from 1909 to 1912, knew accused intimately. Never saw or heard an ungentlemanly or improper act or word by accused.

First Lieut. Steese was with the accused five days in the week for periods of from five minutes to several hours a day and never saw or heard an improper word or act by the accused.

Corpl. James E. Hall served with the accused in the Philippines and was with him in the battles in the island campaigns. The accused was fearless and painstaking and careful of his men; never heard the accused utter a vulgar or obscene word nor conduct himself unbecoming a gentleman.

Pvt. George Kronchonoskie was orderly for the accused at Fort Terry for 17 months, in constant attendance upon him, and found him always a gentleman.

Sergt. John Cashman had just completed 30 years' service and had been stationed for 4 months with accused, examining recruits numbering from 30 to 50 a day, and accused never used an improper word or act in all that experience with its opportunities.

Sergt. William T. Williams had known accused for two and one-half years, and his duties brought him into frequent association with accused at different places, and no word or act of impropriety occurred in his presence.

Sergt. William H. Williams, with special opportunities for meeting or seeing the accused, never saw an improper act or heard a vulgar or obscene word from the accused.

Capt. Proctor, master of the *Nathaniel Greene*, and in whose pilot house the accused had always ridden, had never heard a vile word or saw an improper act on part of the accused.

Sergt. Hoffman, on duty as provost sergeant, saw accused alone every day for a long time; never heard an improper word or saw an act of impropriety by the accused.

Sergt. Hess, for six years color sergeant at Fort Terry, alone with the accused for more than one hundred times, never heard him say anything of a vulgar nature.

Sergt. McDonald, for two years acting sergeant major, at headquarters for a year, was alone with the accused every day and never heard him use vulgar or obscene language or do an ungentlemanly act.

Second Lieut. Gorham, at Fort Terry since August 11 and many times alone with the accused at his office and home, never heard improper language or saw an improper act on his part.

Maj. McAndrew knew accused before he came to the post. Frequently at his home played golf with him; never heard or saw an ungentlemanly word or act.

Maj. Moses knew the accused for 20 years; never knew him to tell an improper story or anything suggesting vulgarity.

Col. Davis, in command of the post, has known the accused since he was a cadet in the Military Academy, had expressed his appreciation of the excellence of the work of the accused at Fort Terry, and attested to his professional efficiency, manliness, courage, and conduct becoming an officer and gentleman.

Col. H. L. Hawthorne has known the accused since 1898; was associated with him intimately; and slept by his side for three months in the Philippines. Never saw the slightest evidence of anything but that of a gentleman and officer of the highest ideals.

Lieut. Col. Peyton C. Marsh has known the accused since 1898; saw him every day while under the command in the Astor battery until December, 1898. Said accused was courteous, free from vulgarity, well disciplined as a soldier, and unquestionably a gentleman.

Lieut. Col. W. L. Kenly has known the accused since June, 1899; was associated with him 3½ years in New York City; during this time lived with him 9 months in an apartment, breakfasted daily, frequently dining together, used a common bathroom. During 15 years of acquaintance never saw a single symptom of anything that was not manly or anything that could not be said of a man of the highest type—a normal manly man, a gentleman in all respects always.

The prosecution in its investigation inquired of about 125 persons in or near Fort Terry. Out of this number it relied upon and presented 16 witnesses upon which the records of this case warrant absolutely the following classification—there were a few other minor witnesses heard, but the testimony of whom was unimportant:

Five witnesses whose reputations for veracity were proven to be "bad," namely, Lieut. Austin G. Frick, Sergt. Edison Kirkman, Pvt. Ensley, Pvt. L. R. Davis, Deck Hand Harry C. Wilson.

Three proven to have testified falsely by at least two contradicting witnesses: Sergt. C. Byers, Sergt. John W. Barrett, Pvt. H. C. Fairey.

Three had been reprimanded by Maj. Koehler—Capt. Phillip Worcester, Lieut. Frick, Gunner Harry E. King.

Two had been court-martialed or reduced in rank at instance of Maj. Koehler, namely, Sergt. John W. Barrett and Corpl. I. W. Spears.

Five were refused favors strongly solicited: Sergt. James T. Ward, Gunner Harry King, Pvt. H. C. Fairey, Corpl. I. N. Spears, and Sergt. Barrett.

Five specially interested in case or at enmity to Maj. Koehler, Capt. Worster, Lieut. Frick, Sergt. Elvin Byers, Sergt. Moody, and Sergt. Ward.

Witness convicted of gambling, John W. Barrett.

Witness in service, under statement of fact, the truth or falsity of which refused to say, as it might degrade or incriminate him, James T. Ward.

Two witnesses, defamers of good women, Lieut. Frick and L. R. Davis.

Witness intoxicated at time of alleged occurrence in specification, Isaac N. Spears.

NOTE.—Of the 16 witnesses in the above classification two remain:

First. Harvey Kernan testified as to the eighth specification, upon which Maj. Koehler was acquitted.

Second. Jacob Campbell was wholly uncorroborated and was trivial throughout.

Perhaps no more severe comment could be made than the fact that upon testimony of the foregoing witnesses conviction was had, and that these witnesses remain at Fort Terry in the service of the Government, to receive the advancement to which they are eligible; and, further, that none of them, so far as I am informed, have been tried for the part they took in this affair.

What an unwitting tribute this war court pays to the courage and discipline of Maj. Koehler in that his alleged indiscretions were with those whom he had refused favor, those whom he had reprimanded, those whom he had punished, and those unfriendly to him.

Further, Maj. Koehler interposed a stainless, brave, and gallant record, with the commendations of his superiors and the praise of his old commander, Gen. Lawton, the American fighting lion of the Philippines, while against him there was practically none who had faced an enemy in battle or been under the baptism of fire.

With this record, the question naturally arises, How was a conviction secured? There was sent from the War Department at Washington a special prosecutor, Capt. Mayes. To the tribunal which tried Maj. Koehler he represented the wish of Washington and centered in his person and dropped from his lips the supposed desires of those in authority. Further, his statement of the law was given weight beyond its deserts.

Further, there is an un-American feature of the court-martial procedure which should be reformed. After the evidence is all in, the accused must assume the burden of the opening argument and discover at haphazard what the important contentions of the prosecution are. The defense has not the advantage of having the issue fairly made by an opening argument of the prosecution, so that it can fairly meet and properly combat the statements of the prosecution both as to analysis of fact and declaration as to the law. After the defense has made its argument the prosecution then makes the closing speech, analyzing the facts and stating the law from its point of view, without opportunity, expectation, or fear of being contradicted. In this the Judge Advocate has the united power and prestige of prosecutor and judge.

Listen, lawyers, how this judge advocate used that privilege and power. He told the jury that one witness was enough to prove an act of the kind charged. He left it as if that was the generally accepted proposition of law. Every one of you know that the rule is to require corroboration of the evidence of the other party. That it is only in exceptional cases where corroboration may be dispensed with in the interest of justice, as where the other party were one of tender years or the place of such seclusion that corroborating evidence would become impossible, or other kindred special circumstances which might relax the rule.

Again, the judge advocate declared that one witness was sufficient in this case, because of the secret nature of the transactions. The record distinctly shows that the only specifications where the facts even partook of secrecy among the 17 were those in which the accused was acquitted; that in the other specifications where the guilt was found the place and time and circumstances marked them as either public or semipublic, with other persons present or within easy access whose appearances would be unheralded. Yet of all the 11 specifications where guilt was found the prosecution did not present two sets of eyes or two sets of ears which saw or heard any act or any word complained of.

Again, the judge advocate said:

When offenses are committed the liability of the person to commit that offense may be established by proof of commission of other offenses.

Every lawyer knows that is an incorrect statement of the law. The scope of this discussion will not permit of extended brief of the law. I submit the following as a statement of the general text:

Subject to certain general exceptions, evidence of other offenses than those involved in the indictment is inadmissible. (See Cyc. 22, p. 450.)

Again, among inferences which, except under certain conditions, the law will not permit to be drawn is that a person has done a certain act because he has done a similar act at another time. (Cyc., 17–279.)

In the case of Fields against The Territory of Wyoming the court held:

Evidence of a distinct substantive offense can not be admitted to aid in proving the commission of another offense.

The exceptions are only where two acts are related as between the same persons consecutively or closely related in point of time, neither of which obtain in this case. This, you will recall, was in the closing argument of the prosecution. There was no opportunity for contradiction or correction. The law seems to have been stated by the judge advocate following the motto of Aaron Burr, who is said to have defined the law as "that which can be boldly asserted and plausibly maintained."

But, even to grant the correctness of the statement, it would not apply to this case, because it would require an established case to aid in the proof of one that was under debate, and none of these specifications had been established.

In vain this young man early conceived an ambition to attend West Point, and fitted himself therefor, making an exemplary record in that great institution, where boys are molded into heroic men with purest ideals and loftiest ambitions. To no purpose was his soldierly and effective conduct in fort, at recruiting station, through drill and discipline of years. It mattered not that he deserved and had the good opinion of every officer whose good opinion was worth having, down through the years of service, and received the uniform commendation from his superiors. No advantage to him in the day of his trial was his career in the Philippines under fire and in council where, young as he was, he attracted the attention of the great fighting Lawton, of whom all Americans are proud. Gen. Lawton never did mere lip service, and his pen was not always used in praise. Gen. Lawton, on November 14, 1899, said:

Young and his cavalry, Ballance and his infantry, and Koehler with his mountain battery are deserving of all that can be said of them.

To Americans generally that tribute to Maj. Koehler had but one meaning. It seems by this tribunal to have been given a different construction. The language of Lawton is construed to be oracular. Most men, if the terse statement of Lawton was to be construed, would say "deserving of all that can be said of them" meant "deserving of all the best that can be said of them by the best of them." Maj. Koehler, before that tribunal, was subjected to the reverse construction, "deserving of all the worst that can be said of them by the worst of them."

In the legislative, executive, and judicial appropriation bill which has recently passed this House there was appropriated $40,000,000, of which $1,500,000 was set aside for the judiciary. That is for the enforcement of justice among the people affected under national law. I doubt if one-hundredth as much proportionately in this bill is to be used in the cause of justice among our military men. Yet the day will come when justice among our defenders will be given more and better consideration than it has heretofore. This bill provides for protection to our great cities, our private property, and the integrity of our national boundaries. Some of it should be used for the protection of our protectors.

Other bright, clean men are in the Army. If their duty has been performed, delinquents have been refused favors, given reprimands, and have suffered punishment. Other fortress riffraff may have been conspiring against honorable officers and, by reason of their numbers and organization, attempted to pave their way to ease and preferment. I hope that no dollar of that which we vote in this bill may be used to aid such a purpose. If some attention is paid hereafter to this branch of our service, the use of this time to-day may not have been in vain, or the cruel and unjust sacrifice of Maj. Koehler have been to the country a total loss.

But justice may not forever sleep. The time may come when this House will be the forum to rectify this manifest wrong.

MESSAGE FROM THE SENATE.

The committee informally rose; and the Speaker having resumed the chair, a message from the Senate, by Mr. Tulley, one of its clerks, announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 20241) making appropriations to supply urgent de-

ficiencies in appropriations for the fiscal year 1915 and prior years, and for other purposes.

The message also announced that the President had approved and signed bills and joint resolutions of the following titles:

On January 12, 1915:

S. J. Res. 58. Joint resolution authorizing the Secretary of the Navy to present the bell of the late U. S. S. *Princeton* to the borough of Princeton, N. J.

(To correct list of January 14, 1914, giving January 11 as date of approval.)

On January 15, 1915:

S. J. Res. 218. Joint resolution to provide for the detail of an officer of the Army for duty with the Panama-California Exposition, San Diego, Cal.

On January 16, 1915:

S. 6039. An act for the coinage of certain gold and silver coins in commemoration of the Panama-Pacific International Exposition, and for other purposes.

On January 20, 1915:

S. 5168. An act for the relief of the King Theological Hall, and authorizing the conveyance of real estate to the Howard University and other grantees.

ARMY APPROPRIATION BILL.

The committee resumed its session.

Mr. KAHN. Mr. Chairman, I yield to the gentleman from New Jersey [Mr. PARKER] 25 minutes.

Mr. PARKER of New Jersey. Mr. Chairman, I speak on this appropriation bill now before the House. My topic is that we should provide for the national defense and perform the duty imposed upon us by the Constitution by enlarged appropriations. Many propositions have been made which involve change of law, but such change takes time and discussion as to the kind of change that should be made. I urge upon this House action which is already provided for by law and appropriations that will enable us to perform an express injunction of the Constitution.

The Constitution says of Congress in another clause that we must provide for organizing, arming, and disciplining the militia. And the Constitution meant by militia the whole able-bodied free male population of the United States. It did not mean a select militia or national guard, as we now understand the word; it meant what we call the reserve militia of 16,000,000 men who are still enumerated as belonging to that reserve militia and who would have to be the final defense of this country as volunteers in time of war. I urge that arms should be provided which would be at their service if they be called out. It is undisputed that enough of such arms and necessary material is not now on hand and is not pretended to be on hand.

At the outbreak of the War with Spain I was on the Military Affairs Committee, and I asked a gentleman from the Ordnance Department how many rifles we had. He whispered to me as a secret that we had some 300,000 of the old Springfields. It is unnecessary to regard this as a secret now. We know that we have not the old Springfield breech-loading, black-powder rifles with which our volunteers went to Cuba. We know that there were then no Krags on hand except for a small force of some tens of thousands of Regulars. We know that all the better rifles, the magazine rifles, that we have now are those that have been made since then. All this is public knowledge. We tell no secrets and we ask none.

There has been about $20,300,000 appropriated since that time for the manufacture of magazine small arms.

(Here as in all other places any extension of Mr. PARKER'S remarks is printed in small type.)

The appropriation of 1898 for the fiscal year ending June 30, 1899, contained a provision that it shall be applicable to the manufacture of magazine arms recommended for trial by the board recently in session and approved by the Secretary of War. The appropriations for the various years, made in each case for the following fiscal year, were as follows:

1898	$400,000
1899	800,000
1899 (urgent deficiency)	200,000
1900	1,100,000
1901	1,100,000
1902	1,700,000
1903	1,700,000
1904	1,700,000
1905	1,700,000
1906	1,700,000
1907	1,700,000
1908	1,778,158
1909	1,700,000
1910	1,000,000
1911	750,000
1912	700,000
1913	600,000
Total	20,328,158

A rifle cost $17 in 1899 and it now costs about $15, so that these appropriations provided about 1,330,000 rifles. If we suppose that in 17 years some 300,000 have been worn out, there would be 1,000,000 left. We manufactured Krags for one-fourth of the time, and we manufactured Springfields for the rest of the time, and any foreigner that looks upon our appropriations knows that we have about 350,000 Krags and 650,000 of the others.

I saw in a statement that was made by the chairman of this committee, and printed on page 1760 of the RECORD, that my estimate was within 37,000 of the actual amount we have on hand—1,037,000 rifles. Gen. Crozier says that they have 343,000 Krags which are part of those on hand.

What is the use of secrecy? The world knows we have only about a million rifles. I think it would make for peace and harmony and the defense of this country that the whole world should know that instead of having arms for about one-sixteenth of the able-bodied population of the United States we had arms for every man. It only costs $15 a man, and we can spread it over 10 years at $1.50 a year.

Silence is good as to secret and new weapons, whether ships of sea or air or of the depths or fort or siege guns. We can not keep an army of a million men at a cost of one thousand million a year. The ultimate strength of our Nation is in the 16,000,000 reserve.

We may well wish the world knew that we had a rifle for every man and artillery to go with them; that our schoolboys were taught to use the rifle; and that larger military schools like West Point were filling our community with educated officers in civil life.

I mention this because I helped the situation somewhat in 1899, and I am sorry to say that I was to blame in not seeing that the improvement was kept up. When I found that we had so few rifles, I induced the Committee on Military Affairs to report $800,000 instead of $400,000 for the manufacture of arms, and some laughed and said that the House would never stand for an appropriation above the estimate. Mr. Chairman, we got our $800,000, and it gave courage to the War Department; they asked for more, and we gradually worked that appropriation up to $1,700,000, which gave us 100,000 rifles a year. This was kept up for 10 years, but since the year 1909 the amount has been gradually reduced, until instead of $1,700,000 this bill carries only $250,000, which will give us only 15,000 rifles, or enough to take care of what go out of commission every year, perhaps hardly enough. Certainly this is not providing for the common defense, and if men ask why we should provide more than our military experts request, I may say in all frankness that when a department finds that it can only have a certain amount of money, and there are men all over that department who depend for their living upon Army organization, that money will be expended preferentially, without looking ahead, in keeping up that organization. It costs on the average a thousand dollars a year a man to keep up the Army.

Mr. Chairman, with that thousand dollars a year we can purchase in 10 years equipment and arms for 100 men, and in addition provide for military schools whose graduates in civil life will be fit officers on a call for volunteers.

The very cheapest way to provide for war is to provide arms and equipment. They are so cheap that the first law passed under the Constitution to provide for arming the militia enacted that every man between 18 and 45 years of age should appear within six months with his own musket or firelock his own belt and bayonet, cartridges (not less than 24), cartridge box, and knapsack, or if he had a rifle, he could bring instead of a cartridge box and cartridges balls and powder. That put upon every man an expense of $20 or so. Of course this did not prove a wise requirement, because all men could not afford to comply; the poor did not do so, and only the better off did so. As a result the militia law of 1792 was not very successful. I can not go more into detail, because my time has been cut from 40 minutes to 25 minutes, but during all of the years from 1790 to 1797 the Father of his Country in almost every message was urging that the Congress should provide for arming the militia, and by that he meant every able-bodied freeman in this whole country. He was urging that we should establish manufactures of arms. In two separate messages he said that the best security for the preservation of peace was to be prepared for war. He urged the establishment of the academy at West Point to give us officers. Mr. Adams repeated the same statement about preparation for war; but, nevertheless, little was done. In 1798 an act was passed nominally to provide arms for the States, but it gave only 30,000 stand of arms for the militia. Then came the administration of Thomas Jefferson—he was a Democrat, remember—and when Thomas Jefferson came into the White House as President he said in the first message: "Nor should we now or at any time separate until we can say that we have done everything for the militia which we would do if an enemy were at our door."

Through his messages he urges this course. It is interesting to compare our present condition with that in which the United States found itself during the Napoleonic wars. Year after year our commerce was attacked, our ships were taken, our peace was threatened. Mr. Jefferson, in 1807, said that the moment our peace was threatened he deemed it indispensable to secure a greater provision of those articles of military stores with which our magazines were not furnished. He could not wait for a law. He did not hesitate to authorize engagements adequate to the emergencies. In March, 1808, he advised enlargement of the academy at West Point. In April, 1808, that great Democrat, John Randolph, of Roanoke, offered a bill which provided an annual appropriation to provide arms for the whole body of the militia. It had a blank for the amount to be appropriated annually. It contained a second section allowing the Government to put up manufactories and a third section allowing the arms to be distributed to the States to arm the militia; but when the bill came to be passed the Congress was very careful of its appropriations, and gave only $200,000. Mr. Randolph said that the bill was useless with $200,000; that that would not provide for the growth of the militia from year to year by birth, whereas he expected to have at least a million dollars a year in order to arm them all.

But in order to give you the view which should prevail when people talk of peace I will read from one message of Thomas Jefferson. All through these times reference was made to conditions which are like ours, and Mr. Jefferson, on November 8, 1808, said that, considering the extraordinary character of the times in which we live, our attention should unremittingly be fixed on the safety of our country; that for a people who are free and who mean to remain so a well-organized and armed militia is their best security, and that it is therefore incumbent upon us at every meeting to revise the condition of the militia and to ask ourselves if it is prepared to repel a powerful enemy at every point of our territory exposed to invasion. He continued, that under the acts of that year respecting arms the difficulty of procuring them from abroad during the present situation and dispositions of Europe induced him to direct his whole efforts to the means of internal supply; that the public factories have therefore been enlarged, additional machineries have been erected, and in proportion as artificers can be found or formed their effect, already more than doubled, may be increased so as to keep pace with the yearly increase of the militia; that the annual sums appropriated by the latter act have been directed to the encouragement of private factories of arms, and contracts have been entered into with individual undertakers to nearly the amount of the first year's appropriation.

Do we need arms now? Washington needed powder and shot in the Revolution and had to send for them to Pennsylvania and New Jersey, where the shot was cast in the New Jersey hills and sent across the Hudson at West Point up to Massachusetts. When the Mexican War took place we did better, because then in proportion to the population we had more graduates of West Point in civil life. When the Civil War came those who remember it, as I do, will remember how our troops had to go forward in batches, armed some with the Henry carbine, some with the Spencer, some with the Remington, some with this, and some with that, mostly old muzzle-loaders, and how we finally had to make enough Springfield muzzle-loaders for the Army. We could not afford to wait to do that now. There was the same trouble on both sides of the line at that time——

Mr. McKENZIE. Will the gentleman yield?

Mr. PARKER of New Jersey. Only for a short question; my time is limited.

Mr. McKENZIE. How many rifles does the gentleman think we ought to have?

Mr. PARKER of New Jersey. I will tell the gentleman in a moment. I think we ought to have 5,000,000. Really, we ought to have 16,000,000. I will deal now with your question, because I am afraid I will be out of time if I do not. There are other things I want to speak about, but I will now come to that. We once appropriated for 100,000 rifles a year. We can make on two shifts in our Government factories 1,500 a day, or 500,000 a year, and we could make from 750,000 to 820,000 with three shifts working every Sunday. I have the figures here, but I state it in that general way.

Mr. GARDNER. Will the gentleman yield?

Mr. PARKER of New Jersey. I do.

Mr. GARDNER. The gentleman is speaking of Field Artillery?

Mr. PARKER of New Jersey. Only of the arms, of rifles, nothing more.

Mr. GARDNER. Rifle ammunition?

Mr. PARKER of New Jersey. Of rifles. I said rifles; that these small arms can be made for 500,000 men in our present factories, and we could thus in 10 years get 5,000,000. I do not know what we can do as to ammunition. We ought to have ammunition for these rifles. The cost, as I say, of 500,000 rifles will be $7,500,000 a year. We ought to have the same amount for ammunition. Every military man states that modern magazine rifles use ammunition very fast. They want 100 rounds in the belt, 120 right by in the combat train, 120 in the ammunition supply train—that makes 340; and they want a like amount in reserve, so it makes 680 rounds. If we supply 600, at a cost of 2½ cents apiece, then for the 500,000 rifles we would have to appropriate $7,500,000. We need artillery. The reports of the War Department congratulate themselves that they have artillery for 350,000 men. I think that right, Mr. GARDNER, that the Secretary of War, or, rather, the War Department, congratulate themselves that they have field guns now for about 350,000 men.

Mr. GARDNER. Well, on the basis of 3.16 field guns for 1,000 men.

Mr. PARKER of New Jersey. I understand; it may not be enough——

Mr. GARDNER. But according to the last estimate they have not.

Mr. PARKER of New Jersey. We ought to have manufactured every year enough field guns for at least 500,000 men until we get enough for the Army, and they can not be made in a hurry. If you allow four guns to 1,000 men, or a battery, that battery will cost $70,000 fully equipped. I think that the tenders and the harness, and so forth, could largely be left to be made during an emergency. The cost of the gun and its carriage for a battery of four guns is estimated at $20,000, and if for the 500,000 men there will be $10,000,000 more to be provided every year for field artillery. The cost of the ammunition is large. I understand the provision should be 1,800 rounds per gun. If guns are to be fired all the while the men are in the trenches, the guns being fired over their heads, to keep up an artillery duel the Army is obliged to have ammunition, which can not be made in a hurry. It is a question whether we have sufficient factories to make it. It is certain that the cost of that amount of ammunition amounts to somewhere near $36,000,000 for 500,000 men.

Mr. GARDNER. Will the gentleman yield?

Mr. PARKER of New Jersey. If the gentleman will not take up too much of my time.

Mr. GARDNER. Only a moment. Eighteen hundred rounds for the 3-inch guns is the estimate before the war; the estimate since the war of the Chief of Staff is 5,000 rounds for each gun.

Mr. PARKER of New Jersey. Perhaps, however, all of that artillery is not likely to be fighting from the beginning. If we have sufficient factories, we might get along with smaller stores on hand. Ammunition may spoil in keeping, and I do not know about that; but if we appropriate $20,000,000 for ammunition, the total of the figures I have given is far below $50,000,000. With that $50,000,000, if we try to enlarge the present Army, we would only get 50,000 men, while that sum would arm 5,000,000 men at the end of 10 years. Is it not cheaper to provide arms and ammunition for 500,000 a year and in 10 years have arms and ammunition for 5,000,000 volunteers, which would be needed if they were called into a war? We have no right to refuse it. Are we to be governed in Congress by the views of those who look out for their organization, without thinking of what may come? It is our business to know what the dangers of the country are. It is our business to know what provisions should be made for the millions who would be called upon in case of war.

It is our business to make provision, and I implore this House at least to go back to the provisions that we had in 1909, long after the Spanish War. We then appropriated $1,200,000 a year for small-arms ammunition. They have reduced the estimate in this bill to $100,000. We then appropriated $1,700,000 a year for small arms and their manufacture, and they have reduced that amount to $250,000.

Mr. McKENZIE. Will the gentleman yield for one more question?

Mr. PARKER of New Jersey. I have only a minute or two more, but I will yield if I can.

We then appropritaed less for field guns. They have $3,000,000 for field guns. It is not one-seventh enough for the field guns needed for the increase of the Army, and which we would have to have in time of war. As to the ammunition, which ought to be $36,000,000, or at least $20,000,000, they are appropriating $2,000,000 for field-gun ammunition.

Now I yield to the gentleman from Illinois.

Mr. McKENZIE. I wish to ask the gentleman if he does not think it would be better policy to construct more plants for the manufacture of ammunition than to spend it all in ammunition?

Mr. PARKER of New Jersey. I agree with the gentleman; but that can not be done under this bill.

Mr. McKENZIE. I understand that.

Mr. PARKER of New Jersey. We are practical men. You know how hard it would be to pass any amendment to the military laws through this House or through the Senate. We have our opportunity to make some provision in the law to the best of our ability for what we can manufacture. Some might be bought outside.

Mr. DONOHOE. Will the gentleman yield?

Mr. PARKER of New Jersey. I will.

Mr. DONOHOE. The gentleman is aware that we have some Government workshops where we do manufacture ammunition?

Mr. PARKER of New Jersey. I am; but I do not think we have enough.

Mr. DONOHOE. What does the gentleman think of a policy of so hampering these workshops that they are obliged to work in times of peace three shifts a day?

Mr. PARKER of New Jersey. I would have them work three shifts a day until we could build more. We need ammunition.

Now, I am only going to say that everybody who has studied the subject agrees——

The CHAIRMAN. The time of the gentleman from New Jersey has expired.

Mr. PARKER of New Jersey. I only want to say that Mr. Taft and Mr. Root and President Hibben, of Princeton, and others from all quarters, call attention to our danger. [Applause.]

Under the leave to extend his remarks, Mr. PARKER of New Jersey adds the following:

EXTRACTS FROM MESSAGES, DEBATES, ETC.—OPINIONS OF WILLIAM H. TAFT AND THEODORE ROOSEVELT.

By the Constitution Congress was to provide for organizing, arming, and disciplining the militia.

Hamilton wished to discipline a select part of the militia severely. As to the rest he says:

[Federalist, XXIX, Hamilton.]

Little more can properly be aimed at with respect to the people at large than to have them properly armed and equipped, and to see that this be not neglected it will be necessary to assemble them once or twice in the course of the year.

—

[Washington, January 8, 1790.]

Among the many interesting objects which will engage your attention, that of providing for the common defense will merit particular regard. To be prepared for war is one of the most effectual means of preserving peace.

A free people ought not only to be armed but disciplined, to which end a uniform and well-digested plan is requisite; and their safety and interest require that they should promote such manufactories as tend to render them independent on others for essential, particularly military, supplies.

—

[Washington, December 8, 1790.]

The disturbed situation of Europe, and particularly the critical posture of the great maritime powers, while it ought to make us the more thankful for the general peace and security enjoyed by the United States, reminds us at the same time of the circumspection with which it becomes us to preserve these blessings. * * *

The establishment of the militia, of a mint, of standards of weights and measures, of the post office and post roads, are subjects which I presume you will resume, of course, and which are abundantly urged by their own importance.

—

[Washington, October 25, 1791.]

The first [militia] is certainly an object of primary importance, whether viewed in reference to the national security, to the satisfaction of the community, or to the preservation of order. In connection with this, the establishment of competent magazines and arsenals and the fortification of such places as are peculiarly important and vulnerable naturally present themselves to consideration. The safety of the United States, under divine protection, ought to rest on the basis of systematic and solid arrangements, exposed as little as possible to the hazards of fortuitous circumstances.

—

[Washington, December 3, 1793.]

I can not recommend to your notice measures for the fulfillment of our duties to the rest of the world without again pressing upon you the necessity of placing ourselves in a condition of complete defense and of exacting from them the fulfillment of their duties toward us. The United States ought not to indulge a persuasion that, contrary to the order of human events, they will forever keep at a distance those painful appeals to arms with which the history of every other nation abounds. There is a rank due to the United States among nations, which will be withheld, if not absolutely lost, by the reputation of weakness. If we desire to avoid insult, we must be able to repel it. If we desire to secure peace, one of the most powerful instruments of our rising prosperity, it must be known that we are at all times ready for war. The documents which will be presented to you will show the amount and kinds of arms and military stores now in our magazines and arsenals; and yet an eddition, even to those supplies, can not, with prudence, be neglected, as it would leave nothing to the uncertainty of procuring a warlike apparatus in the moment of public danger.

Nor can such arrangements, with such objects, be exposed to the censure or jealousy of the warmest friends of republican government. They are incapable of abuse in the hands of the militia, who ought to possess a pride in being the depository of the force of the Republic and may be trained to a degree of energy equal to every military exigency of the United States. But it is an inquiry which can not be too solemnly pursued, whether the act "more effectually to provide for the national defenses by establishing a uniform militia throughout the United States" has organized them so as to produce their full effect; whether your own experience in the several States has not detected some imperfections in the scheme; and whether a material feature in an improvement of it ought not to be to afford an opportunity for the study of those branches of the military art which can scarcely ever be attained by practice alone.

—

[Washington, November 19, 1794.]

In the arrangements to which the possibility of a similar contingency will naturally draw your attention, it ought not to be forgotten that the militia laws have exhibited such striking defects as could not have been supplied but by the zeal of our citizens. Besides the extraordinary expense and waste, which are not the least of the defects, every appeal to those laws is attended with a doubt on its success.

The devising and establishing of a well-regulated militia would be a genuine source of legislative honor and a perfect title to public gratitude. I therefore entertain a hope that the present session will not pass without carrying to its full energy the power of organizing, arming, and disciplining the militia, and thus providing, in the language of the Constitution, for calling them forth to execute the laws of the Union, suppress insurrections, and repel invasions.

—

[Washington, December 8, 1795.]

With the review of our Army establishment is naturally connected that of the militia. It will merit inquiry, what imperfections in the existing plan further experience may have unfolded. The subject is of so much moment in my estimation as to excite a constant solicitude that the consideration of it may be renewed, until the greatest attainable perfection shall be accomplished. Time is wearing away some advantages for forwarding the object, while none better deserves the persevering attention of the public councils.

—

[Washington, December 7, 1796.]

Congress have repeatedly, and not without success, directed their attention to the encouragement of manufactures. The object is of the much consequence not to insure a continuance of their efforts in every way which shall appear eligible. As a general rule, manufactures on the public account are inexpedient, but where the state of things in a country leaves little hope that certain branches of manufacture will for a great length of time obtain, when these are of a nature essential to the furnishing and equipping of the public force in time of war, are not establishments for procuring them on public account, to the extent of the ordinary demand for the public service, recommended by strong considerations of national policy as an exception to the general rule? Ought our country to remain in such cases dependent on foreign supply, precarious because liable to be interrupted? If the necessary article should in this mode cost more in time of peace, will not the security and independence thence arising form an ample compensation? Establishments of this sort, commensurate only with the calls of the public service in time of peace, will in time of war easily be extended in proportion to the exigencies of the Government, and may even perhaps be made to yield a surplus for the supply of our citizens at large, so as to mitigate the privations from the interruption of their trade. If adopted, the plan ought to exclude all those branches which are already, or likely soon to be, established in the country, in order that there may be no danger of interference with pursuits of individual industry.

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[Washington, December 7, 1796.]

The institution of a military academy is also recommended by cogent reasons. However pacific the general policy of a nation may be, it ought never to be without an adequate stock of military knowledge for emergencies. The first would impair the energy of its character, but both would hazard its safety or expose it to greater evils when war could not be avoided: besides, that war might often not depend upon its own choice. In proportion as the observance of pacific maxims might exempt a nation from the necessity of practicing the rules of the military art ought to be its care in preserving and transmitting by proper establishments the knowledge of that art. Whatever argument may be drawn from particular examples, superficially viewed, a thorough examination of the subject will evince that the art of war is at once comprehensive and complicated, that it demands much previous study, and that the possession of it in its most improved and perfect state is always of great moment to the security of a nation. This, therefore, ought to be a serious care of every government, and for this purpose an academy, where a regular course of instruction is given, is an obvious expedient which different nations have successfully employed.

—

[Washington, September 17, 1796.]

Taking care always to keep ourselves by suitable establishments on a respectable defensive posture, we may safely trust to temporary alliances for extraordinary emergencies.

—

[Adams, May 16, 1797.]

With the same view and as a measure which, even in time of universal peace, ought not to be neglected, I recommend to your consideration a revision of the laws for organizing, arming, and disciplining the militia to render that natural and safe defense of the country efficacious.

—

[Adams, March 19, 1798.]

Under these circumstances I can not forbear to reiterate the recommendations which have been formerly made, and to exhort you to adopt, with promptitude, decision, and unanimity, such measures as the ample resources of the country afford for the protection of our seafaring and commercial citizens; for the defense of any exposed portions of our territory; for replenishing our arsenals and establishing foundries and military manufactories; and to provide such efficient revenue as will be necessary to defray extraordinary expenses, and supply the deficiencies which may be occasioned by depredations on our commerce.

[Adams, December 8, 1798.]

After reciting the captures of our ships by France and the refusal to make redress, Mr. Adams continued:

But in demonstrating by our conduct that we do not fear war in the necessary protection of our rights and honor, we shall give no room to infer that we abandon the desires of peace. An efficient preparation for war can alone insure peace.

—

[Adams, December 3, 1799.]

At a period like the present, when momentous changes are occurring and every hour is preparing new and great events in the political world, when a spirit of war is prevalent in almost every nation with whose affairs the interest of the United States have any connection, unsafe and precarious would be our situation were we to neglect the means of maintaining our just rights. The result of the mission to France is uncertain; but however it may terminate, a steady perseverance in a system of national defense commensurate with our resources and the situation of our country is an obvious dictate of wisdom. For remotely as we are placed from the belligerent nations, and desirous as we are, by doing justice to all, to avoid offense to any, nothing short of the power of repelling aggressions will secure to our country a rational prospect of escaping the calamities of war or national degradation. As to myself, it is my anxious desire to so execute the trust reposed in me as to render the people of the United States prosperous and happy. I rely with entire confidence on your cooperation in objects equally your care, and that our mutual labors will serve to increase and confirm union among our fellow citizens and an unshaken attachment to our Government.

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[Adams, November 22, 1800.]

While our best endeavors for the preservation of harmony with all nations will continue to be used, the experience of the world, our own experience, admonishes us of the insecurity of trusting too confidently to their success. We can not, without committing dangerous imprudence, abandon those measures of self-protection which were adapted to our situation, and to which, notwithstanding our pacific policy, the violence and injustice of others may again compel us to resort. * * *

The manufacture of arms within the United States still invites the attention of the National Legislature. At a considerable expense to the public this manufacture has been brought to such a state of maturity as, with continued encouragement, will supersede the necessity of future importations from foreign countries.

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[Jefferson, December 8, 1801.]

Nor should we now or at any time separate, until we can say we have done everything for the militia which we could do were an enemy at our door.

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[Jefferson, December 3, 1805.]

In the meantime you will consider whether it would not be expedient, for a state of peace as well as of war, so to organize or class the militia as would enable us, on a sudden emergency, to call for the services of the younger portions, unencumbered with the old and those having families. Upward of 300,000 able-bodied men, between the ages of 18 and 26 years, which the last census shows we may now count within our limits, will furnish a competent number for offense in any point where they may be wanted, and will give time for raising regular forces after the necessity of them shall become certain; and the reducing to the early period of life all its active service can not but be desirable to our younger citizens of the present as well as future times, inasmuch as it engages to them in more advanced age a quiet and undisturbed repose in the bosom of their families. I can not, then, but earnestly recommend to your early consideration the expediency of so modifying our militia system as, by separation of the more active part from that which is less so, we may draw from it, when necessary, an efficient corps fit for real and active service, and to be called to it in regular rotation. * * * An immediate prohibition of the exportation of arms and ammunition is also submitted to your determination.

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[Jefferson, October 27, 1807.]

The moment our peace was threatened I deemed it indispensible to secure a greater provision of those articles of military stores with which our magazines were not sufficiently furnished. To have awaited a previous special sanction by law would have lost occasions which might not be retrieved. I did not hesitate, therefore, to authorize engagements for such supplements to our existing stock as would render it adequate to the emergencies threatening us; and I trust that the legislature, feeling the same anxiety for the safety of our country, so materially advanced by this precaution, will approve, when done, what they would have seen so important to be done if then assembled.

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In February, 1808 (Annals 1881), Mr. Burwell offered a resolution as to the expediency of authorizing the President to procure arms. He suggested that it would be useful to arm the militia; that every man must be impressed with our situation; our commerce attacked in every part of the globe, our peace menaced by the most powerful nations of the world; that, if attacked, arms will be indispensable, necessary to enable us to defend the country, but that if this country is possessed of a sufficient number of arms, we will be perfectly safe against the world.

Mr. Dawson, of the Committee on Military and Naval Establishments, found that the United States then had 130,000 stand of arms, and thought it not necessary to inquire into the means of procuring an additional supply.

Mr. Marion said arms could not be bought except from foreign nations.

Mr. Ely (1582) said 130,000 was not half what the United States ought to possess.

April 2, 1808. Congress authorized the President to sell arms to the United States, and Mr. John Randolph of Roanoke proposed a bill which made provision for arming and equipping the whole body of the militia, either by purchase or manufacture, authorized the President to build additional arsenals and manufactories of arms, and provided that all arms be distributed to the several States in proportion to their effective militia.

Mr. Randolph wished $1,000,000 appropriated, saying that if the militia were armed, it would be a perfect guaranty of free government (2175–2176).

Mr. Ely (2178) thought that we could not spend so much this year. Mr. Lloyd (2179) said the manufacture might be increased. Mr. Macon thought poor men ought not to be forced to provide their own arms. It is said no arms can be got. For God's sake, let us make the attempt ourselves, when we see the whole world is in arms against us.

After several speeches, Mr. Randolph said the way to obtain a supply was to create a demand. You authorized the raising of 6,000 men to be clad, fed, and paid for rusting in idleness, and incapacitated yourself from arming the militia. You have laid out your money in gold lace hats for the one, and you will not give the other bread. You have expended your treasure in gewgaws and military parade, and can not buy arms for the militia.

Mr. Nicholas (2186) said that if arms could be had, he pledged himself to vote money to arm the whole Nation. No people on earth have so much to defend. He thought we could not spend over $200,000.

Mr. Randolph (2186) was astonished. This sum was as one to ten to the sum voted to the Regulars, while the militia was in proportionate value to that army as one hundred to one.

Five hundred thousand dollars was negatived by a small majority, also four hundred and fifty thousand, four hundred thousand, and three hundred thousand, and two hundred thousand was agreed to.

Mr. Randolph said the bill's efficiency had been destroyed; that it was proposed to arm the whole body of the militia with a sum incompetent to keep pace with the annual increase of the militia, which would be as far from being armed in 20 years as they are now, and that $200,000 for arms a year would hardly make up for wear and tear.

The act was passed April 23, 1808. (See U. S. Stat., C. 65, Laws 1808.)

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[Jefferson, March 18, 1808.]

The scale on which the Military Academy at West Point was originally established is become too limited to furnish the number of well-instructed subjects in the different branches of artillery and engineering which the public service calls for. The want of such characters is already sensibly felt and will be increased with the enlargement of our plans of military preparation. The Chief Engineer having been instructed to consider the subject and to propose an augmentation which might render the establishment commensurate with the present circumstances of our country has made the report I now transmit for consideration of Congress.

The idea suggested by him of removing the institution to this place is also worthy of attention. Besides, the advantage of placing it under the immediate eye of the Government, it may render its benefits common to the naval department, and will furnish opportunities of selecting on better information the characters most qualified to fulfill the duties which the public service may call for.

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[Jefferson, November 8, 1808.]

Considering the extraordinary character of the times in which we live, our attention should unremittingly be fixed on the safety of our country. For a people who are free, and who mean to remain so, a well-organized and armed militia is their best security. It is, therefore, incumbent on us at every meeting to revise the condition of the militia and to ask ourselves if it is prepared to repel a powerful enemy at every point of our territories exposed to invasion. Some of the States have paid a laudable attention to this object; but every degree of neglect is to be found among others. Congress alone have power to produce a uniform state of preparation in this great organ of defense; the interests which they so deeply feel in their own and their country's security will present this as among the most important objects of their deliberation.

Under the acts of March 11 and April 23, respecting arms, the difficulty of procuring them from abroad during the present situation and dispositions of Europe induced us to direct our whole efforts to the means of internal supply. The public factories have, therefore, been enlarged, additional machineries erected, and in proportion as artificers can be found or formed, their effect, already more than doubled, may be increased so as to keep pace with the yearly increase of the militia. The annual sums appropriated by the latter act have been directed to the encouragement of private factories of arms, and contracts have been entered into with individual undertakers to nearly the amount of the first year's appropriation.

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[Madison, December 5, 1810.]

The improvements in quality and quantity made in the manufacture of cannon and small arms, both at the public armories and private factories, warrant additional confidence in the competency of these resources for supplying the public exigencies. * * *

The Corps of Engineers, with the Military Academy, are entitled to the early attention of Congress. The buildings at the seat fixed by law for the present acadamy are so far in decay as not to afford the necessary accommodations. But a revision of the law is recommended, principally with a view to a more enlarged cultivation and diffusion of the advantages of such institutions, by providing professorships for all the necessary branches of military instruction and by the establishment of an additional academy at the seat of government or elsewhere. The means by which wars, as well for defense as for offense, are now carried on render these schools of the more scientific operations an indispensable part of every adequate system. Even among nations whose large standing armies and frequent wars afford every other opportunity of instruction these establishments are found to be indispensable for the due attainment of the branches of military science which require a regular course of study and experiment. In a government happily without the other opportunities seminaries where the elementary principles of the art of war can be taught without actual war, and without the expense of extensive and standing armies, have the previous advantage of uniting an essential preparation against external danger with a scrupulous regard to internal safety. In no other way, probably, can a provision of equal efficiency for the public defense be made at so little expense or more consistently with the public liberty.

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[Madison, November 5, 1811.]

The manufacture of cannon and small arms has proceeded with due success and the stock and resources of all the necessary munitions are adequate to emergencies. It will not be inexpedient, however, for Congress to authorize an enlargement of them.

MODERN STATESMEN CONCUR.

[From the Washington Post, Saturday, January 9, 1915.]

William H. Taft says:

"We should have an efficient navy and an efficient coast defense. We should have sufficient ammunition, sufficient artillery, and adequate small-arms equipment.

"All of these things were recommended long ago, and we should see that the recommendation is carried out. We have a big ocean to the east of us and a big ocean to the west, and we should make it our duty to see that the integrity of our isolated position is preserved.

"The agitation in Congress at this time is an excellent thing, for it will undoubtedly result in placing the United States on a normal war basis. Nobody cares about appropriations for ammunition and small arms in times of peace, yet that is just the time when we ought to attend to such matters."

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[Everybody's, January, 1915, p. 127.]

Theodore Roosevelt says:

"But this is not enough. There should be at least ten times the number of rifles and the quantity of ammunition in the country that there are now. In our high schools and colleges a system of military training, like that which obtains in Switzerland and Australia, should be given. Furthermore, all our young men should be trained in actual field service under war conditions, preferably on the Swiss, but if not the Swiss, then on the Argentinean or Chilean model.

"The Swiss model would probably be better for our people. It would necessitate only four or six months' service shortly after graduation from high school or college, and thereafter only about eight days a year. No man can buy or substitute; no man would be excepted because of his wealth; all would serve in the ranks on precisely the same terms, side by side.

"Under this system the young men would be trained to shoot, to march, to take care of themselves in the open, and to learn those habits of self-reliance and law-abiding obedience which are not only essential to the efficiency of a citizen soldiery, but are no less essential to the efficient performance of civic duties in a free democracy. My own firm belief is that this system would help us in civil quite as much as in military matters. It would increase our social and industrial efficiency. It would help us to habits of order and respect for law.

"This proposal does not represent anything more than carrying out the purpose of the second amendment to the Federal Constitution, which declares that a well-regulated militia is necessary to the security of a free nation. The Swiss Army is a well-regulated militia; and therefore it is utterly different from any militia we have ever had. The system of compulsory training and universal service has worked admirably in Switzerland. It has saved the Swiss from war. It has developed their efficiency in peace."

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[From the London Spectator, reprinted in the Washington Post, December 18, 1914.]

At least, then, let America set her arms and munition factories to work, so that she may feel that if the need were to come she would not be faced with the worst tragedy that a great and strong nation could be faced with—that of having millions of men at her disposal, but all useless because they have no arms. We shall be accused, no doubt, of talking as if armed mobs made an army. We are fully alive to the fact that they do not. But we will say this: There is one thing essential to the soldier, and that is his rifle. If the rifles are not forthcoming, it is not worth while even to try to make an army. Any nation, however, that has rifles may, at any rate, attempt to defend itself, and who knows that it would not succeed, as Grant and Sherman and Sheridan succeeded, in hammering an army into shape as the war proceeded? Therefore, once again, we would warn the President of the United States and Congress not to trust to a chapter of accidents, but to see to it that if America is to defend herself she shall be in a position to do the work.

Mr. KAHN. Mr. Chairman, I reserve the balance of my time.

The CHAIRMAN. The gentleman reserves 14 minutes.

Mr. McKELLAR. Mr. Chairman——

The CHAIRMAN. The gentleman from Tennessee [Mr. McKELLAR] is recognized for one hour.

Mr. McKELLAR. Mr. Chairman, I desire to be interrupted at the end of 30 minutes.

So much has been said by a great many persons and newspapers in our country about our unpreparedness for trouble that I want to talk to the Members of the House to-day for a very short time about our preparedness for war. I want to deal as largely as possible with facts and figures as they have appeared in the hearings taken before the Committee on Military Affairs. I want to say in all frankness that I am not one of those who believe that our country ought not to be perfectly defended. I have voted for two battleships for our Navy whenever the opportunity arose. I have voted to keep our Army in good condition at all times. It can not be said that I am at all opposed to the establishments as we now have them. But I want to appeal to the good sense of this House at the present time. I want to say that I do not believe that we should at this time go out of our way to appropriate unusual sums for either our Military or Naval Establishments, and the reason I say that is this: That according to my judgment there never was a time in our history when there was so little likelihood of trouble with any foreign foe. And why do I say that? It is because all of the principal nations of the world are now engaged in troubles of their own, which are occupying all their time, and even if we wanted to go to war the worst kind, where would we pick the nation with which to do it? We would have difficulty, we would have a considerable difficulty, in finding a nation at this time to go to war with us. Germany, France, England, Russia, and Japan are the only countries that could possibly hope to enter into a contest with us under any circumstances. They are now engaged in the greatest war of any time, in the greatest war of all history. Their resources are being exhausted. Their national finances are being strained to the uttermost in their own fights. Their industries are being destroyed; they are being crippled commercially, industrially, and agriculturally. Why, there is not a chance of our getting into trouble for the next few years, because it takes money to carry on great wars, and any nation that gets into trouble with us will have a great war on its hands, as we all know. Now, they are spending money to-day, these great nations, at the rate of about $60,000,000 a day. Where are they going to get the money with which to finance a war with us within the next few years? They can not do it, and will not do it.

I mention these facts to show you the improbability of war and the utter lack of reason for our becoming excited at such a time about the danger of a foreign war. But it is claimed that, on the principle that all things are possible, we have no defenses. Now, let us see what some of these people who are afraid of war claim. Let us examine what their claims really are. The first claim is that we have no Navy; that we might be wiped off the face of the earth because our Navy is relatively small; that it is not well equipped; that our coast defenses are not in good condition; that our small arms and reserve ammunition therefor are not sufficient; that our field artillery is not sufficient; and that, lastly, we have neither the necessary officers nor men.

I want to take those questions up in order, but before doing it I want to make one or two suggestions that occur to me about where we are going to get an enemy to attack us. Assume that this proposed war is imminent and that Germany should wish to get into trouble with us; do you not think she would have a great deal of trouble in landing an army on these shores? In the first place, our Navy has got to be wiped off the face of the seas in order to permit Germany to get her navy over here; and she has to come over here to fight us. Then she has got to take her navy to act as an escort to the transports that bring her soldiers over here to attack us—first destroy our Navy and then take her navy away from home, because she would not want to allow those troops to come over here without being protected.

Now, what would happen? Have you any doubt but that almost every other nation in Europe would jump upon Germany 15 minutes after she got her navy out of her own waters?

Mr. DONOHOE. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Tennessee yield to the gentleman from Pennsylvania?

Mr. McKELLAR. Not now. First she has to destroy our Navy, and then she has to destroy our mines, and then she has to destroy our coast defenses. Now, let us see what sort of trouble, in the first place, she would have with our Navy.

Mr. DONOHOE. Mr. Chairman, will the gentleman yield?

Mr. McKELLAR. Not now. I regret I can not. In 1897, gentlemen, we had a Navy on which we expended $33,000,000 annually. In the following year—1898—the year of the War with Spain, we expended $148,000,000 on our Navy. A great deal of that money went into the purchase of ships and transports.

Mr. DONOHOE. Now will the gentleman yield?

Mr. McKELLAR. Not now. They say we are not prepared. We gave a fairly good account of ourselves in the war of 1898. Our Navy seems to have been able to protect our country fairly well.

Mr. KEATING rose.

The CHAIRMAN. Does the gentleman yield?

Mr. McKELLAR. I will yield in a few moments.

Mr. KEATING. A point of order, Mr. Chairman.

The CHAIRMAN. The gentleman will state it.

Mr. KEATING. I think the speech of the gentleman is very interesting, and we ought to have a quorum here to hear it. I therefore make the point of order that there is no quorum present.

The CHAIRMAN. The gentleman from Colorado [Mr. KEATING] makes the point that there is no quorum present. The Chair will count. [After counting.] Eighty-six gentlemen are present—not a quorum. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

Adamson	Bartlett	Brumbaugh	Callaway
Ainey	Beall, Tex.	Burgess	Candler, Miss.
Austin	Bell, Ga.	Burke, Pa.	Cantor
Avis	Borland	Butler	Carr
Barchfeld	Bowdle	Byrnes, S. C.	Cary
Bartholdt	Bruckner	Calder	Clancy

Clark, Fla.	Goldfogle	Lewis, Pa.	Rucker
Claypool	Gorman	Lindquist	Rupley
Connelly, Kans.	Goulden	Lloyd	Russell
Conry	Graham, Pa.	Lobeck	Sabath
Copley	Griest	Logue	Scott
Cramton	Griffin	McGuire, Okla.	Scully
Crosser	Hamill	MacDonald	Seldomridge
Dale	Hamilton, Mich.	Madden	Sells
Davenport	Hart	Mahan	Shreve
Davis	Hayden	Maher	Small
Dickinson	Hayes	Metz	Smith, Md.
Difenderfer	Henry	Miller	Sparkman
Dooling	Hinebaugh	Morgan, La.	Stanley
Doremus	Hobson	Morin	Stevens, N. H.
Dunn	Hoxworth	Neeley, Kans.	Stout
Elder	Hughes, W. Va.	O'Brien	Taggart
Estopinal	Johnson, S. C.	Oglesby	Talbott, Md.
Faison	Keister	O'Shaunessy	Taylor, Colo.
Falconer	Kennedy, Conn.	Page, N. C.	Taylor, N. Y.
Ferris	Kennedy, Iowa	Paige, Mass.	Townsend
Fitzgerald	Kennedy, R. I.	Patton, Pa.	Tuttle
FitzHenry	Kent	Peters	Watkins
Flood, Va.	Kiess, Pa.	Peterson	Whitacre
Frear	Kinkead, N. J.	Plumley	Wilson, Fla.
French	Kitchin	Post	Wilson, N. Y.
Gardner	Knowland, J. R.	Price	Winslow
Garrett, Tex.	Korbly	Reed	Witherspoon
George	Lee, Ga.	Reilly, Conn.	Woodruff
Gerry	L'Engle	Riordan	Young, Tex.
Glass	Lever	Roberts, Nev.	
Godwin, N. C.	Lewis, Md.	Rothermel	

The committee rose; and the Speaker having resumed the chair, Mr. GARRETT of Tennessee, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee having under consideration the Army appropriation bill (H. R. 20347), finding itself without a quorum, he caused the roll to be called, whereupon 278 Members answered to their names, and he presented the names of the absentees to be printed in the Journal and RECORD.

The SPEAKER. A quorum is present. The committee will resume its session.

The CHAIRMAN. The gentleman from Tennessee [Mr. McKELLAR] has the floor.

Mr. UNDERWOOD. Will the gentleman from Tennessee yield to me one moment?

Mr. McKELLAR. Certainly.

Mr. UNDERWOOD. Mr. Chairman, I merely desire to state to the committee that it is the desire and expectation of the chairman of the Committee on Military Affairs to conclude this debate to-day. It could have been concluded by 7 o'clock if the roll calls had not intervened.

It is absolutely necessary that we push these supply bills as fast as possible, and one day of general debate for a bill of this kind is all that we can afford to give to it and attend to the other business of the House. I hope the Members of the House are prepared to stay here to-night and finish this bill. The hour at which we will get away to-night will depend upon whether or not we will have to spend the afternoon in calling the roll to get a quorum or allow the general debate to continue. [Applause.]

Mr. MANN. Will the gentleman from Tennessee yield?

Mr. McKELLAR. Certainly.

Mr. MANN. I quite agree with what the gentleman from Alabama has said. I hope the committee will stay in session until it is able to conclude the general debate, although I do not know whether I shall be able to be here this evening myself. If I am not, I think I am entitled to a short leave of absence.

If we are going to avoid the necessity of an extra session of Congress, it is necessary that we do the business of the House and the country before the 4th of March. It is always to be expected that there will be some gentlemen in the House who, as the short session draws to a close, will, for personal advantage to themselves, attempt to hold up the rest of the House, and the House must meet that situation. I do not criticize the gentlemen who do that, but it is the duty of the rest of the House to do the business, and to stay long enough to do it, and I hope we shall be able to get through the appropriation bills—I know we will if we stay here and attend to business—so that no one can charge the House with having delayed business in order to cause an extra session of Congress. [Applause.]

The CHAIRMAN. The gentleman from Tennessee [Mr. McKELLAR] has eight minutes remaining.

Mr. TAVENNER. I would like to make a short statement, if I may.

The CHAIRMAN. Does the gentleman from Tennessee yield to the gentleman from Illinois for that purpose?

Mr. McKELLAR. Let the gentleman wait a few moments. I will yield to him later on.

Mr. Chairman, when I was interrupted awhile ago I was discussing the preparedness of our Navy to protect our country.

Mr. DONOHOE. Will the gentleman yield?

Mr. McKELLAR. I yield to the gentleman.

Mr. DONOHOE. Mr. Chairman, I have been very much interested in the picture that the gentleman has been drawing of the difficulties and disasters that Germany would experience in case she should attack our shores. Will the gentleman picture to us what might possibly happen in case Great Britain or Japan or both in alliance should attack us?

Mr. McKELLAR. I shall be glad to do that in just one moment.

As I stated before, the appropriations for our entire Navy in 1897 amounted to $33,000,000. We fought a war, and a very successful one, and that department cost us during that war, including all the ships and auxiliaries that we bought, only $148,000,000. From that day down to the present good hour we have been constantly increasing the size and efficiency of our Navy, and properly so in my judgment. Why, we now appropriate annually about $150,000,000 for our Navy, just ordinarily, and as much as we spent on our Navy the year of the Spanish War. Since 1899 we have spent for our Navy the enormous sum of over $1,800,000,000. And since the recent war has destroyed a number of German ships, I think I can say without fear of successful contradiction that the United States Navy is the second largest navy on the seas to-day. [Applause.] And if this country ever comes to a war with any nation, England or any other, our Navy will not only be able to protect our own country but will remove every other Navy from the face of all the seas. [Applause.] Such is my confidence in the ability and the efficiency of our Navy to-day. Under these circumstances it seems to me idle to talk about a foreign foe invading our shores or to talk about our not having a proper naval defense.

I have discussed the possible German effort to invade us. What about the only other two nations that might undertake it? Great Britain, of course, has a larger navy than we have. She has a larger use for a navy than we have. She has possessions all over the world to protect and look after. She has enemies all over the world. She has enemies at her own doors, and I venture to say that even with the enormous navy that England has, were she to get into a war with this country she could not remove enough of that navy to American waters to cope successfully with the American Navy. She would not dare remove all or even any great portion of her navy away from European waters.

But what could she do? She could not land any forces on American soil. She would have to undertake to bring them through Canada. And I want to call your attention to the fact that in ordinary times of peace England is in the same condition that we are. She has no compulsory military service. She has no immense standing army. Her army and her military service are along the same lines that we have ours. My recollection is that in times of peace she ordinarily has about 150,000 men, even with all of her colonies to police and look after and defend, while the United States has about 85,000. Our commercial interests and our racial kinship are so interwoven with England that it is almost impossible to conceive that we would ever get into a war with that country; and right here I want to predict that if ever England undertakes to engage in a war with us, there can be but one result, and that is that she will lose every vestige of her property on the American Continent. She will lose Canada just as certainly as she undertakes it, and nobody knows it any better than England, and England is not going to undertake it.

But what are we going to do with Japan, say the militarists? Well, it is true that Japan offers the only possibility of a war. She is 8,000 miles away. When we had a war over there it took us three months to convoy 30,000 troops to the Philippine Islands. How long would it take Japan to land a hostile force on our soil? Where would the great American Navy—much larger than that of Japan—be while she was doing it? Where would she get a naval base? Where would she plant her troops? Where would she have a line of communication? Why, gentlemen, when you come to look at it in the light of reason, there is not a particle of chance, there is not the remotest possibility of Japan undertaking to fight that war. Oh, they say, she may take the Philippine Islands. I want to say that I earnestly hope that the present bill for the independence of the Philippine Islands will soon pass, and in a few years we may stand by our cherished ideals with the fixed purpose that has always actuated our people to grant to those islands absolute and perfect independence. [Applause.] I want to say, further, that when they do it, we have absolutely obliterated every possibility of war with Japan, because no nation will undertake to bring an army 8,000 miles across the sea.

Mr. KAHN. Will the gentleman yield?

Mr. McKELLAR. Certainly.

Mr. KAHN. Of course the gentleman is placing Japan twice as far away from the mainland as Japan really is.

Mr. McKELLAR. I am talking about our continent.

Mr. KAHN. It is only about 6,000 miles from here to the Philippines and about 4,000 miles to Japan. But that is a matter of geography. Does the gentleman recall the fact that in 1898 this country became involved in war with an apparently decadent country, and that it was that country that declared war upon us. She handed the American minister his passports.

Mr. McKELLAR. I understand that; and when that war was declared we were not within 500—no; not within 1,000—per cent as well prepared for war as we are to-day.

Mr. KAHN. Does not that fact convince my friend that we ought to be prepared for any emergency that may confront us?

Mr. McKELLAR. The fact convinces me that the policy the United States insists on to-day is a rational, reasonable, excellent policy of slowly building up our defenses without any undue excitement in the light of reason, and it is the very best policy, and I am going to stand by it.

I will say to the gentleman that the mere fact that other nations are at war is no reason why we should be thrown off our base; no reason why we should become hysterical and undertake, as some gentlemen would do, to fasten an immense standing army on our people without any reasonable expectation of having a use for that army.

Now, I want to read, if the gentleman will permit me, to show you how far this hysteria has gone, what a recent Chief of Staff of our Army has recommended. A more remarkable recommendation I have never seen, in view of the facts. Listen to this:

> Careful consideration of our needs would indicate the advisability and necessity to have at all times available at home, and in addition to the necessities in our foreign possessions, in the first line of our Military Establishment, a mobile force of at least 500,000 thoroughly trained and thoroughly equipped fighting men, with adequate supplies for the operation of this force for a period of six months.

And he continues:

> This is the conclusion that seems to have been reached by all those who have given careful consideration to this question. It is also agreed that we should have as a second line a thoroughly equipped and trained force of Organized Militia of not less than 300,000 men, properly prepared as to its staff and armament, with stores and supplies for its operation for a like period of six months.

This was put in the report of the Chief of Staff of the Army last fall. Eight hundred thousand men, 700,000 additional men, with supplies for six months! To do what? In the name of God, where could we find an enemy for that kind of an army to fight to-day?

Mr. SAUNDERS. Will the gentleman yield?

Mr. McKELLAR. I will be glad to.

Mr. SAUNDERS. That is to assure us of our safety, to protect us against any nation. Will the gentleman translate into dollars and cents what that force would cost?

Mr. McKELLAR. I am coming to that. The average cost is a million dollars per thousand men, and the very lowest cost of increased taxation to the people of this country, if that recommendation of the Chief of Staff was carried out, would be $700,000,000.

Mr. SAUNDERS. Then the idea of our military guardians is that, in order that the country may be reasonably safe, our military budget should carry $700,000,000 a year and that we can not get safety short of that?

Mr. McKELLAR. According to the Chief of Staff, and possibly some scared ones will agree with him, that the only way we can get adequate military protection is for the immediate establishment of an additional 700,000 men and supplies for six months.

When I read that I wondered who we were going to fight and what country the Chief of Staff was afraid of. Is he afraid of Mexico? Is he afraid of Haiti—or what nation is he afraid of? All the great nations are at war. But he wants not only 700,000 additional men, but also six months' provisions for an additional 700,000 men. What does he want them for? I can not imagine. I do not believe there is a man in this House, whatever views he might have about the Army or the Navy, would give his consent to such a proposition as that.

Mr. SHERWOOD. Will the gentleman yield?

Mr. McKELLAR. Yes.

Mr. SHERWOOD. Does not the gentleman think that we ought to have a commission of lunacy on that officer?

Mr. McKELLAR. This report, which is so large a part of the support of our friend from Massachusetts [Mr. GARDNER] for his insistences, is not concurred in by our Secretary of War, Mr. Garrison. Secretary Garrison makes no such recommendations, and he is, in my judgment, one of the greatest Secretaries of War we have ever had. The difference in the recommendations of the then Chief of Staff and that of this distinguished, able, and alert Secretary of War is just 675,000 men. Such a difference is a mammoth condemnation of Gen. Wotherspoon's recommendation on this subject and robs it of any effect it should have.

Oh, I would not say anything unkind about any officer of our Army; but I do say, with all frankness and candor and without any ill feeling against any person on earth, that there ought to be a provision in the law somewhere where such foolish statements might be required to be censored and kept out of the public prints.

I might say here that my idea of an army is that it should be well trained, well governed, well equipped, and that there should be the strictest discipline. I have no sympathy with those Army officers who hunt the public press and give out these inaccurate and misleading statements to the newspapers.

I do not believe that any other well-informed officer in the Army has any such views. Certainly, no others—not even Gen. Wood—have gone half so far.

What our then Chief of Staff would do with these men after he got them I do not know. He does not impart in his communication the secret of what nation he is going to fight. Of course, it could not be one of the great nations, because they are already engaged in war, and I have a suspicion that they would not agree to fight us at this time. This establishment, if adopted by Congress at this time, would cost the American Government over a thousand million of dollars and probably two thousand millions of dollars. I have read the recommendations of this Chief of Staff and am a little in doubt about what he really means. It is perfectly apparent that he was very badly scared when he wrote it. There ought to be some regulation prohibiting the publication of these kinds of reports. I do not mean that any man's fancies should be suppressed, but there ought to be some board or other power constituted in the Army that should censor such articles and not inflict them on a suffering public.

The Chief of Staff who held that position when I first came here was constantly insisting upon a larger Army and the building up of reserves which would give us a military strength of about 450,000 men. He also wanted 1,292 pieces of field artillery and more ammunition. We are rapidly getting these field guns and ammunition, but we have not yet agreed to the increase in the Army. The fact that such an army would cost several hundred millions of dollars seems not to have been taken into account by our then Chief of Staff. But that Chief of Staff was modest in his demands in comparison with his immediate successor. And when the rule is transgressed to the extent that some of them have transgressed it recently there ought to be a way of disciplining such officers and dismissing them from the service without honor. There is nothing about our Army that authorizes such beliefs as those expressed by our late Chief of Staff.

I come now to our second defense. The statement was made by one of these militarists—and I do not remember whether they are officers or not—that Germany, France, or England could send an army over here, land on our shores, and take New York, Boston, and all the coast cities at any time. I do not know whether you gentlemen are familiar with our Coast Artillery service. We have a great number of forts up and down our coasts. We have 19,000 men properly officered in charge of that military service. Gen. Weaver, a capable and, as it appears to me, a most sensible officer, who knows what he is talking about, appeared before the committee, and his testimony has been taken on all of these subjects. I want to tell you what he said about our Coast Artillery service. He said that our forts are in a condition to defend our country. He said that a hostile force could not come into any of our harbors. He was asked especially about New York. He said that a hostile ship could never get by Sandy Hook or Fort Hamilton or Fort Wadsworth, that such a thing would be a physical impossibility. Then some gentleman came at him with this proposition, which has been heralded a great deal in the newspapers lately, and asked him whether or not the coast guns were not of shorter range than the great guns of the dreadnoughts of Great Britain. He said they were, but by a simple elevation of the aim of the guns from 15 degrees to 25 degrees that could be cured, and was going to be cured, and that the reach would be the same. Then he went on to explain that our shore guns are an absolute protection against the guns of any ship, for this reason: Ships are not made for the purpose of firing against forts, and no commander of a naval vessel is permitted to do so under the rules of naval warfare. Why? Because the forts, by reason of greater ability to get aim, will have the ships at a disadvantage. Gen. Weaver went on further to explain that there is no possibility of our forts being attacked by ships at sea. Gentlemen all know that a ship at sea is a perfect target

for a land force. On the other hand, it is almost impossible for those on the ship to take aim at a fort so as to do the fort any damage. In the words of Gen. Weaver, "If you went down the Potomac River to the sea, along which river we have a number of forts, and even if you knew where they were and you were looking for them, you could never find them."

I want here to quote Gen. Weaver and Gen. Crozier on this subject. Gen. Weaver testified as follows:

Therefore guns afloat, caliber for caliber, higher powered guns than those in our fortifications. But there is this to be said, the projectiles we use are heavier than the projectiles used on board warships. And it should also be said that our range-finding system is very much more accurate. If a little more elevation could be given by our carriages to our guns, we would get ranges equal to those of guns afloat, and, in my opinion, we would be able to meet a naval enemy in a shore and ship combat on fairly equal terms, our accurate range-finding system and better system of fire control offsetting the flatter trajectories of their guns. It therefore reduces to the question of our ability to give a little greater elevation to our guns; this is a mechanical detail which I believe the ordnance experts can accomplish satisfactorily. * * * I will explain what I mean about that. The guns aboard battleships have a maximum angle of fire of about 12° to 15°. With this elevation their high powered guns have a certain range. At present our carriages give our fort guns about the same elevation; that is, from 12° to 15°. If we could increase the elevation of our guns to, say, 25°, that would offset the advantage in range they now have in their favor. (Hearings, p. 615.)

In this connection I could not do better than to quote the evidence of Gen. Crozier on this subject as follows:

Mr. AVIS. Would not such guns, with such a range as that, less than the range of the guns on shipboard, be absolutely ineffective against any ships which might be attacking our coast?

Gen. CROZIER. No; I think not. You must remember that the coast gun has several very distinct advantages. In the first place, a ship is a *very plain* target. It is right out there on the water and you can see it very distinctly. The coast gun is behind fortifications, and with a very little art a fortification can be quite well concealed, so that it is impossible to pick it out. For instance, there are a lot of them on the river below Washington, and as you go down the river on a boat I do not think you can find them at all, even if you knew where to look for them. Not only that, but the fortification itself is not a vulnerable target as the ship is out on the water. It does not do a ship much good unless it can hit the gun itself or hit the interior crest of the parapet right under the gun, where some dangerous fragments might be sent down to the emplacement. There are one or two other points of advantage as between guns ashore and guns afloat. With regard to the effectiveness of the firing, the field firing, the coast firing, the naval firing, and all other kinds—the most troublesome sort of inaccuracy is through misjudgment of the range. On shore we have very accurate methods of determining the range of a ship or object on the water which we can plainly see. We use methods very similar to the surveyor's methods. Those methods involve a base line of considerable length. On board ship they can not use those methods, because the longest base line they can get is the length of the ship, and the length of the ship is not always presented at the target, so that they are driven to a much more inaccurate method of getting the range.

Then the ship itself is a vulnerable target almost anywhere. You are likely to damage it if you hit it almost anywhere. But if you hit a fortification anywhere, if you hit any part of the fortification, except the gun itself, or the parts I have already indicated, you do not do much damage.

Take these things together, the instructions always given to naval officers are that they must not put their guns up against fortifications. Their ships are built to fight one another; they are not built to fight fortifications, and therefore with a range greater than the range of our guns they would have only the slightest chance of hitting them.

Mr. AVIS. What I had more particularly in mind is this: Suppose a fleet attempted to bombard New York, what protection could our guns with a much less range give the city of New York as against vessels of a greater range?

Gen. CROZIER. We have the outlying fortifications at Sandy Hook, which is 17 miles from the Battery, and it would be impossible for anybody to get by Sandy Hook without encountering the fire of the guns of those fortifications.

Mr. AVIS. Is there any way in which they can bombard New York and be beyond the range of the fortifications?

Gen. CROZIER. If they could get by Sandy Hook they would then come in conflict with the fire of the guns of Fort Wadsworth and Fort Hamilton. There is a place near Rockaway Beach, where there is fairly deep water close to the shore, and I think vessels might get in there, and thus they would be out of the range of everything, except our mortars at Sandy Hook, which would cover the water and make it untenable. And even if that were not the case, the only thing they could do would be to throw projectiles into the outskirts of Brooklyn.

Mr. AVIS. Is that the case with any other city in the United States?

Gen. CROZIER. No; I think that San Francisco is even better protected than New York, and at Boston they have some fortified outlying island, so that they have very good protection there.

Gen. Weaver was asked about the ammunition, and a great hue and cry had been made that we have not enough ammunition for this purpose to last an hour, but Gen. Weaver made no request for additional reserve ammunition. Mr. Chairman, there is an army board that fixes the amount of ammunition that these guns should have in reserve, and they have fixed in continental United States upon the amount that they should have, which is enough to shoot all of the guns for one hour. The reason for that is this: That in continental United States they can move their ammunition from one fort to another. It is absolutely ridiculous, according to their views—and they are experts and know what they are talking about—to think that all of our forts would be attacked at one time, and that the guns would all have to be fired at one time. In our island possessions the amount of reserve ammunition is for two hours' firing. This is because of greater difficulty in transporting it from one fort to another.

When we look at this statement in the newspapers that our guns have just enough reserve ammunition to be fired for one hour, it seems very peculiar; but when you apply the reason of the experts, these men who know their business, it is perfectly apparent the experts are right. Gen. Weaver was asked about every feature of his system of coast defenses, and he said they were all right and that there was nothing necessary except to have a few more officers and a few more men, even in time of war. Under those circumstances are not these scare headlines which we see in the newspapers about our unpreparedness for war ridiculous? Bear in mind that to deliver a hostile force over here you have to obliterate the Navy of the United States, and I believe it to be the best Navy in the world, and you have to pass by our submarines and our mines planted in every harbor, and then have to pass by our coast defenses, which in the minds of the experts are the best in the world. Do any of you have any fears? Look down in your hearts and see if any of you have any fears that we are going to be attacked by a hostile force when we are in that shape. He was asked about San Francisco Harbor, and he said it was even better defended than New York City, and our Pacific coast as well as our Atlantic coast.

But they come back and say, We have not even enough rifles. Let us see what we have to say about that. We had experts testify upon that subject. These gentlemen know their business. Their testimony was taken down. We have in all 1,100,000 rifles, and my friend from New Jersey [Mr. PARKER] said that our rifle factory was not running full time, and that we ought to fix it so that it would run full time. If my friend had examined the hearings, it would have been perfectly apparent to him why they are not running full time. It is because they have already gotten all of the reserve rifles that they want, and they are just adding about 30,000 a year, a nominal number, in order to keep this Government plant going. There is no necessity for any more. We have rifles for over a million men, and we have an Army of over 85,000, with 120,000 of militia.

What about the small-arms ammunition? We have the full amount of small-arms ammunition required by our expert Army board. I should have said also that we have all of the pistols necessary and that our pistol factories are running in the same way, and we have all of the sabers and other kinds of equipment that are necessary. We have the full amount of ammunition for small arms, 195,000,000 rounds, as much as the board has estimated, but we are still running our ammunition factory along these lines.

That brings us to one other matter that I want to talk about, because there has been a great deal said about it. Great stress has been laid by gentlemen upon the fact that we have not enough field artillery. Did you gentlemen ever stop to think how much we have expended for field artillery? I think the Committee on Military Affairs spent about $3,000,000 last year, and we have $2,900,000 for this year—all that they can possibly use. Other committees also appropriate for this purpose. They could not make any more if we were to spend more money. The department has reduced the amount required for this year by $100,000 because we can not use the money. What is the use of appropriating money for this purpose if we can not use it? I want to say to you that a former Chief of Staff recommended it was necessary for us to have 1,292 pieces of field artillery. Well, we have been building it up regularly, and I say to you that I have never seen a more patriotic body of men on either side of this House than the gentlemen who compose the Committee on Military Affairs, irrespective of party. Now, I want to say further that we have appropriated practically everything for this purpose that has been asked; and, by the way, we have not been slow about it. Twelve hundred and ninety-two pieces now that our board says is necessary, and when this appropriation is through we will have 860 pieces already of field artillery——

Mr. SHERWOOD. Of what caliber?

Mr. McKELLAR. They are 6-inch for the most part, and, by the way——

Mr. KAHN. Three-inch guns. Some of the howitzers are 6-inch.

Mr. McKELLAR. I made a mistake there. By the way, that question arose whether we ought not to have 16-inch field guns, like those new ones they have in the German Army. Why, says Gen. Crozier, what could you do with them? What forts have we got to hammer down? He said the others we have got are manufactured to fit our needs and our necessities; that there are no forts in Canada, none in Mexico, that we have got to break down in order to get in there, and that they are wholly unnecessary. And if you will read the testimony you will find that what he said is actually so. Now, they say

we have not got enough ammunition for the field artillery. We have been appropriating for the ammunition for the field artillery in the same way we have been appropriating for the field artillery itself. We have already an accumulation of 50 per cent, and that is rapidly accumulating every day, every year, right straight along. Why this fright on the part of some citizens——

Mr. SHERWOOD. What amount of money has been appropriated for this useless ammunition up to this time?

Mr. McKELLAR. I have not figured it out independently, but it is simply an enormous sum, but we have done what our experts have told us and we are gradually building up, and in a period of six years we will have every particle of the ammunition, all of the field guns, all of the equipment that our experts say that we ought to have.

I want to say another thing about our Army appropriations. In 1897 we appropriated for our Army $25,000,000. In 1899, one year after the war, we appropriated about $100,000,000, and we have been appropriating about $100,000,000 ever since. We have appropriated in the last 10 years over a thousand million dollars for our Army alone for the purpose of our defense. Under those circumstances how can it be truthfully said by anybody having knowledge of the facts that this country is not prepared to defend herself against any foe? Well, they say we ought to have a larger standing army. You heard what I read from the report of the Chief of Staff a few moments ago. Now, gentlemen, let us see what we are going to draw on. We first have a well-trained standing army of 85,000 men. About 50,000 of those men constitute the mobile army. Nineteen thousand constitute the Coast Artillery. We have 9,000 men in the Philippines. We have 2,000 men at Panama. We have about 8,000 men in Hawaii. We have some men at the Military College. We have some men stationed here and there and we have a mobile army well seasoned, well trained, and well drilled of about 50,000. In addition to that we have a splendid militia of about 120,000 men. After 1915 there will be an annual number who go out of the service and who can be called into service at any time—trained soldiers—of about 15,000 men. There will be about 18,000 men who go out annually from the militia service, showing what a large reserve we have from these sources. In addition to that we have about 26,000 graduates from military institutions in this country every year, and this will give you an idea of what our military resources are and what we have to depend on in the event of trouble with any foreign foe.

I want to say one further word, if you will permit me, and it shows that I am no enemy of a proper army. There is one trouble we have always had in time of war, and that is in reference to officers. We have never had a list of reserve officers. We are going to remedy that. On yesterday the Committee on Military Affairs of the House reported out a bill that means that we will have a reserve officer corps in this country. It means the establishment, under the general auspices of the State and the Federal Governments, in each State of a military training college out of which 100 students will be graduated every year. It is put under the authority and control of a commission from the Federal Government. That will make it an effective system in which young officers of between 23 and 30 years will be graduated in every State in the Union, and they will be taken from every county in the State.

Now, the two governments take these young men, they give them this course, and the only requirement they have put on them is this, that they have to agree in writing to serve the United States Government whenever they are called upon within a period of seven years. That will be building up in seven years a reserve force of Army officers of about 30,000 men when these colleges are in operation. Our experts say that in the event of war we would not need over about 22,000 to 25,000 of these officers. So from these institutions, at a comparatively small cost, less than it costs to increase our standing army by 4,000 men, a comparatively small amount, we will have a body of well-trained reserve officers which will give us protection along that line.

Mr. CLINE. Will the gentleman yield?

Mr. McKELLAR. Yes.

Mr. CLINE. I understand the gentleman counts on 26,000 men released from the private military schools of the country?

Mr. McKELLAR. Yes, sir.

Mr. CLINE. Is there any relationship existing between those and the Federal Government that they can be counted on as a reserve force?

Mr. McKELLAR. None whatever; but we have recently passed in this House and in this Congress one of the most effective volunteer bills that has ever been enacted into law in this country, and they are all subject to duty, every one of them.

Mr. CLINE. The gentleman is depending upon them as part of the resources to be gotten into the Army?

Mr. McKELLAR. Yes; and, remember, there are 26,000 of them graduated every year, and when these 48 training schools are established in each State in the Union we will have not a reserve of 33,000 merely, but in 14 years that will be doubled and in 20 years it will be tripled, and within the best age they can serve their country under the volunteer law which we have.

Mr. Chairman, if there ever was a time and if there ever was a nation that should not lose its head over an imaginative war situation, now is the time and America is the Nation. When nearly all of the civilized world is at war, with practically all of the great nations at each other's throats in a death struggle, now of all times the United States should throw its every energy not into building up unusual war armaments, but into the building up of its commerce, extending its trade, reaching out for new business, and taking to itself the profits of being a peaceful Nation. Untold riches are ours if we but go out and seek them. Instead of appropriating vast sums for larger naval and military establishments, to my mind we should appropriate larger sums for furnishing our country ships whereby our producers and business men can sell their products abroad. We should have a larger number of Government agents in foreign countries to look after our business affairs and aid our merchants in selling their wares in these foreign countries. We should spend our money in advertising in foreign countries and in building up trade alliances. We should establish banking houses wherever we can in foreign countries so as to be better able to serve our citizens doing business abroad. We should be generous in our treatment of foreigners everywhere so that we might, as is our duty, fall heir to the trade and commerce that our European friends are throwing away by reason of their wars upon one another. There never was a time in our history when there was less necessity for greatly enlarging either our Army or our Navy.

Mr. SHACKLEFORD. Will the gentleman yield for a question?

Mr. McKELLAR. Yes, sir.

Mr. SHACKLEFORD. How large an increase of expenditure will that involve?

Mr. McKELLAR. Three million eight hundred and forty thousand dollars a year.

Mr. SHACKLEFORD. To start with?

Mr. McKELLAR. Yes, sir. And it will educate, outside of the question of giving them a training—it will give to 15,000 boys a year in this country the best educations that can possibly be obtained. Outside of its military features, as an educational measure it has every merit to commend it, in my judgment.

Mr. SHERWOOD. Is it not true that never since the adoption of the Federal Constitution has any country declared war first against the United States?

Mr. McKELLAR. It is entirely true. No country ever has and, in my judgment, never will, if it knows what is good for it.

Mr. SHERWOOD. Do you know of any officer of the Army with as much gray matter in his cerebrum as a gray goose who can see any danger anywhere now?

Mr. McKELLAR. Well, I would not like to put it that way, but I will say I think he must resort to his imagination if under the present existing conditions he can see any trouble ahead for the Nation. I believe that for at least 25 years after this awful European war has been closed America will be absolutely free from any possibility of war made on us by a first-class power. But if it should not, you gentlemen need not have the slightest fear but that with the splendid Army we have, controlled as it is by splendidly trained officers, and with the volunteers upon which we have always relied, we will be amply protected and able to protect ourselves against any foe that comes against us.

Gentlemen, I have already taken up entirely too much time. I thank you very, very much. [Applause.]

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The gentleman yields 10 minutes.

Mr. QUIN. Mr. Chairman——

The CHAIRMAN. The gentleman from Mississippi [Mr. QUIN] is recognized for one hour. [Applause.]

Mr. QUIN. Mr. Chairman, all of this discussion and newspaper agitation favoring a great standing army in this country is a matter that ought to concern every Member of Congress.

As a member of the Military Affairs Committee of this House I have given the subject much thought. I was amazed at the speech made on this floor in the early days of this session by the distinguished gentleman from Massachusetts [Mr. GARDNER].

I know the gentleman is an honest, patriotic man, and for that very reason I was surprised at his utterances touching the unpreparedness of the United States for war.

He seems to think that every other nation of this earth is going to engage in war at the same time against us, and proceeds to say that we are practically defenseless. I can understand why the special interests of this country are having headlines in many of the metropolitan newspapers, endeavoring to frighten the American people and create a false idea that we need a great standing Army in this Republic.

They make profits out of all the equipment for soldiers and war. They make enormous profits out of battleships and all of the necessary equipment. I can understand why the generals and admirals proclaim the necessity for a great army and the greatest lot of battleships the world ever saw.

The more Army and naval officers you have the greater the danger of this country being plunged into war.

Mr. Chairman, I do not know why the gentleman from Massachusetts is so much disturbed that he appeared before the Naval Affairs Committee and the Military Affairs Committee surrounded by newspaper reporters, and told these great committees organized by this body that this Republic is virtually defenseless by both land and sea.

We were all delighted to have our good friend appear before the committee and give us the benefit of his views. He failed to give us any information at all, as the committee was well acquainted with all of the information imparted by the gentleman from Massachusetts.

From my viewpoint all that the gentleman had on his mind was a commission of inquiry to ascertain if we are prepared for war.

It strikes me there is an obsession or hysteria that has overcome some few of our citizens that imaginary foes will invade our country.

Mr. Chairman, I maintain that we have no enemies who would dream of overrunning our land with armed forces, and it would be impossible for any three or four nations combined to successfully invade the United States. We have no enemies, and as long as Uncle Sam attends to his own business we are not likely to be involved with any country where it would be necessary to resort to arms to maintain our national peace, honor, dignity, and commerce. [Applause.]

Surely, I am against a great standing Army. I am unalterably opposed to compulsory military service in this country in time of peace. Gentlemen, this Republic was never intended to be the drill ground of great armies, and you shall never strap a soldier on the back of the farmer and laboring man, and make a military despotism of this Republic, as long as the people keep informed and vote their sentiments at the ballot box. [Applause.]

These farmers, these laboring people, and all other taxpayers of America have the right to know where all of this money goes to that you have been appropriating yearly for the Army and the Navy. Since the day war was declared against Spain in 1898, this country has yearly squandered great sums of money, both on the Army and Navy. Mr. Speaker, in 1897 the Army of the United States was composed of 2,179 officers, 25,353 enlisted men and petty officers, making a total of 27,532; and the sum of $48,950,268 was expended for the entire military establishment in the year 1897.

Unfortunately war was declared against Spain by the United States, and from that fatal day till now the militarists of this country have been reaching their hands deep into the pockets of the people.

In 1897 there were 11,750 petty officers and enlisted men and 62 midshipmen in the United States Navy, and during the year 1897 the sum of $33,661,467.81 was expended on the Naval Establishment.

In the year 1910 the United States Army had 4,273 officers, 70,893 enlisted men and petty officers, making a total of 75,166, and in that year the huge sum of $155,911,706 was expended on the Military Establishment of this country.

In that selfsame year the Navy of the United States had 47,500 petty officers and enlisted men and 292 midshipmen, and officers to the number of 2,896, and there was expended that year—1910—for the Naval Establishment $133,555,552.88.

In the year 1914 the Army of the United States had 4,701 officers and 87,781 enlisted men and petty officers, making a total of 92,482, and for the support of the Army that year there was appropriated $92,076,145.51, and the total amount appropriated for the Military Establishment for 1914 was $165,646,297.77.

In 1914 the United States Navy had 52,667 petty officers and enlisted men, with 3,821 officers, and there was appropriated for the Naval Establishment in the year 1914 the sum of $140,736,536.35.

You see, the aggregate sum for both the Army and Navy last year was $306,382,834.12, a sum of money staggering to the imagination. Gentlemen, this is not all. In that same year of 1910 you paid out of the pockets of the people to veterans, in the form of pensions, the stupendous sum of $159,974,056.08; and last year you appropriated in pensions $172,408,518.29.

For the Military and Naval Establishments and pensions for the year 1914 there was appropriated $478,791,352.41.

From 1901 to 1914, inclusive, there has been expended on the Military Establishment the sum of $1,942,931,915.77, and for the same period there has been expended on the Naval Establishment $1,595,609,107.94.

The aggregate amount expended for both the Army and Naval Establishments for that period is $3,538,541,023.71. What caused the vast increase in the Army and Navy, and the great sums of money spent on each annually? I have given you the figures for 1897 and the figures for 1910.

Can any man in the United States explain why we needed to spend any more for this purpose in 1910 than we spent in 1897? We were then at peace with all of the nations of the world, and still you had this great Army and Navy, the special interests howling for more.

If the gentleman from Massachusetts [Mr. GARDNER] contends that this country is unprepared for war, I ask him in the name of the great hosts of toilers of America what went with the $3,538,541,023.71? What is going to be done with the $146,223,332.07 for 1915, and the $175,962,773.81 for 1916 appropriated for the Military Establishment?

What will become of the $144,417,453.53 appropriated for the Navy for 1915? Do you not think the American people are now taxed to the very limit to maintain the present Army, Navy, and pension rolls? [Applause.] Some say that the pension roll is decreasing. Let us see about that. In the year 1914 you paid in pensions to veterans and their widows of the War of 1812 the sum of $27,532.40; for the Indian wars, $560,247.40; for the Mexican War, $1,060,529.74; for the Civil War, $163,777,551.53; for the Spanish-American War, when you did not have 350 men killed and wounded in battle, the sum of $3,907,509.53; and for the Regular Army Establishment, $3,475,147.69, making a total of $172,408,518.29 actually paid out of the pockets of the people for pensions last year.

Mr. SHERWOOD. Will the gentleman permit a correction?

Mr. QUIN. I will.

Mr. SHERWOOD. The number killed in the Spanish War was 247, according to the official records of the War Office.

Mr. QUIN. I am glad the gentleman has corrected me, because I thought possibly there had been a hundred more than that injured. But since that short war those veterans have drawn over $46,000,000 in pensions from this Government, and they are still hungry at the trough, and there has been an increase of one-quarter of a million dollars since 1913. God pity the people! [Applause.]

Do you not know that this Spanish-American War pension list is going to grow as fast as the other pensions decrease?

What advocate of increased pensions for the veterans of the Civil War 10 years ago, when $132,915,921.30 was paid out for pensions an account of that war, would have dreamed that as late as 1914 the sum of $163,377,551.53 would go out of the Treasury on account of the pensions for that war, which ended 50 years ago?

It is not unreasonable to assume that you will pay Civil War pensions for 120 years after 1865, and the same assumption will follow as to the Spanish-American War.

Mr. CLINE. Will the gentleman yield?

Mr. QUIN. I will.

Mr. CLINE. I would like to ask a question for information. How does the gentleman connect the expenses for the Spanish-American War and the Civil War with our unpreparedness? I see that the gentleman is discussing that proposition.

Mr. QUIN. I think that we are prepared to fight the world. I do not believe in going and buckling down and fastening the people of this country with ball and chain. [Applause.] And I tell you that what we are paying out in pensions for Navy and Army purposes is such a burden that it aggregates, lacking a few thousand dollars, one-half a billion dollars annually now; and with some of these alarmists howling for more money for Navy and Army purposes, and as we know that the pensioners are never going to cease to come to the trough, it will be bound to increase. It is a question of the burden that the taxpayers of this country will rebel against that I propose to argue. We know that the Spanish-American War pensions are going to increase, because they have increased every year since the war

started up until now, and this year there is an increase over last year.

Mr. CLINE. I take it that the gentleman is not in favor of civil pensions?

Mr. QUIN. I certainly never favor a man getting a pension unless wounded in battle or for disease contracted in the Army service. I do not think this Government owes a pension to a man simply because he followed the flag for a little while. He may be patriotic, but he owes patriotism to his country. Of course if he is distressed by wounds or disease contracted in the Army, his Government should provide for him. But the wealthy, the able-bodied, the strong are grabbing for pensions, and this Congress gives pensions to them.

Mr. BRYAN. Will the gentleman yield?

Mr. QUIN. Just for a question.

Mr. BRYAN. You have been yielded an hour. Will you agree to yield 20 minutes of your time to the gentleman from Illinois [Mr. TAVENNER]?

Mr. QUIN. I am sorry I can not do it. I promised the chairman to yield back my unused time.

Mr. BRYAN. You will save a lot of time by it.

Mr. QUIN. I can not help that. I never made a contract in my life that I did not stand by.

It has been over 100 years since the War of 1812, and this Government is still paying pensions on account of service in that war, for you know $27,532.40 was paid for that purpose last year.

As long as young women hardly out of their teens will marry old veterans on the brink of the grave there is no chance for the pension rolls to make any appreciable decrease.

As you increase your standing army and navy, so will increase your pension rolls from the Regular Establishment. As proof of this, exercise common sense. But I will cite you actual figures from the report of the Commissioner of Pensions.

In 1904 the sum of $2,287,924.99 was paid out in pensions for the Regular Establishment, and for this identical purpose in the year 1914 the sum of $3,475,147.69 was paid out of the Public Treasury. It follows, as the night follows the day, that as you increase the Army and Navy not only will there be a rapid increase in the expense of maintaining them, but the pension rolls will increase by leaps and bounds.

This Government has pensioners living in every civilized country of the world, and since this imperialistic idea took charge of our statesmen the Philippine Islands, many thousands of miles out in the Pacific Ocean, are a constant drain on the citizens of our country, maintaining a quasi-military government over that swarthy-complexioned people.

It is this same imperialistic and military spirit that is now endeavoring to build up a great standing army in this Republic. They know if they once get it started that it will grow and become a fixture, and could never be overthrown except through the forces of a revolution.

The first excuse that element had for increasing the Army was the Spanish-American War, in 1898, and gradually year by year the Army and Navy have grown in such proportions that they now feel safe in demanding a great increase all at once.

This Government has paid to veterans and their widows of the Civil War alone the stupendous sum of $4,457,974,496, and there is a crowd in Congress now endeavoring to have that roll increased by giving all the officers of the Union Army from 1861 to 1865 the pay of retired officers, which would increase the pension rolls several millions of dollars annually.

The taxpayers have groaned and sweated under this weary burden for a long time. Will they stand the increased burden that must inevitably follow the great increases in the Army and Navy?

There is a proposition on foot to add 25,000 enlisted men and 1,000 officers to the Army in addition to what we already have. There are those who advocate raising the Army to 800,000 men during these times of peace in this Republic.

In the light of all history and in the line of good common sense, what nation of this earth could have any motive or desire to invade this country, and where is the nation that would be fool enough to try it? What are these militarists and alarmists talking so much about? It strikes me that it is worse than foolishness and tommy-rot to try to frighten the American people into the idea that this Government should be run on the plan of a monarchy and build up a military and naval aristocracy, at which the people would rebel when the burden became too heavy to tote.

The alarmists proclaim from the housetops that we will be attacked by Germany, England, Russia, or Japan. Do not these militarists know that the people of the United States are reading for themselves? I submit, Mr. Chairman, there is not a well-informed schoolboy 18 years old in this country but that knows the United States has a Navy second to none, except Great Britain. There is not a man of any degree of intelligence but knows all of the countries now engaged in the European war are exhausting all of their resources, including soldiers and sailors, in the great conflict that is now in progress.

When that war is over some of those nations will have practically no navy, and their armies will be decimated, the treasuries of their Governments and the pockets of their people will be empty, with a great war debt hanging over the people, and the land filled with maimed soldiers, grief-stricken, pauperized widows and orphans, groaning under a great burden of taxation.

Sir, it will be at least 50 years before any of those nations would ever dream of war again. Yet we are told by a few military alarmists and those great interests that make big money out of big armies and navies that the United States is not prepared for war.

I contend this Government is prepared to meet any emergency. Whom should we be prepared to war with? The nations now at war have their hands full and would not court war with this country even if they thought they could overrun the United States.

As long as we have a representative Government there never will be any danger of any nation on this globe catching Uncle Sam unprepared to defend himself.

In order to maintain a representative Government in the United States, we must beware of the militarists and a big standing army.

Sirs, who believes that the present war in Europe would be in progress to-day if it had not been for the big standing armies in those countries? The very fact that some of them were so much overprepared for war, with some of their generals and soldiers impatiently scenting the battle from afar, is the real reason why there is not peace in Europe to-day. It is my prediction that if our people are ever plunged into a war with any other country, it will be done by some general or admiral. [Applause.]

The War with Spain was indeed unfortunate.

Our people are patriotic and courageous, and when they rally to the colors, be it said to their credit, they never ask what the war is about. Volunteers responded in every State of this Union to fight for the flag of the United States in the struggle that kept most of our troops in camp during the Spanish-American War.

A great mistake, in my judgment, was made as a result of that war, and I designate this mistake as the "acquisition of the Philippine Islands by the United States." What a pity that when Admiral Dewey fired his last shot in Manila Bay he did not say good-bye and sail away. [Applause.]

The Government of the United States paid Spain $20,000,000 for that white elephant, and our people are being taxed for many millions of dollars yearly to keep soldiers in those islands and prevent the Filipino people from exercising the rights of a free and independent people.

That unfortunate possession is a millstone around the neck of our Republic, and has been the chief argument of the militarists for a great Navy and a big Army.

May God speed the day when the American Congress will give the Filipino people independence and withdraw from the islands forever. There is too much greed and selfishness in this country. All last summer many Congressmen on the Republican side of the aisle were howling themselves hoarse because President Wilson followed a peace policy in the Mexican trouble.

Those gentlemen and certain interested metropolitan newspapers were criticizing, cartooning, and condemning the President, the Secretary of State, and the Democracy of Congress because war was not declared and an invading army sent by our Government into the Republic of Mexico.

Mr. KELLEY of Michigan. One was sent there.

Mr. QUIN. I have always thought the President pursued the proper and honorable course in all his dealings with Mexico.

Sirs, the real truth is that those parties who were so anxious to plunge the United States into war with Mexico really wanted our soldiers to come out of that conflict with Mexican soil on their muskets. [Applause.] Woe be unto the man that would throw this country into war for booty, plunder, land, and profits. Is it possible that the Government of the United States is not above that low ideal of barbarism?

A few years ago all of the advocates of big armaments and great standing armies based their excuse for exploiting and plundering the people on the promise that these powerful, expensive agencies of terror, death, and destruction would prevent war and maintain peace. Now, when they see all of the preparedness of Europe is evidence to the world that great navies and big standing armies do not maintain peace but bring on war, with all of its attendant horrors, this crowd must look

about for a new argument, a new excuse to fool the people into standing still, to be further robbed by excessive taxation for great armaments and powerful standing armies.

What is the name of the new horse they have jumped on and are now riding with whip and spur to fool us? Unpreparedness for war [applause], when every thinking man knows there is not a nation in all of the world that desires a war with this country, and I hope there is not a man in our Republic that courts war with any other nation.

These alarmists and advocates of the proposition of covering the deep sea with battleships and the land with soldiers at the expense of the people to make big fortunes for a few individuals, trusts, and corporations have been bellowing about the great navies of Germany and Japan.

Every expert knows that Germany is not in the same class as to naval equipment with the United States. Germany, the great hell-roaring demon that these alarmists say is going to come over to these shores and beat hell out of this country! [Laughter.] They all know that poor little Japan is not a menace to us.

These alarmists can not get away with such arguments. I give you the exact sum in dollars spent by both Germany and the United States on their Naval Establishments each year from 1904 to 1913, inclusive:

	United States.	Germany.
1904	$103,633,115.40	$50,544,000
1905	115,420,997.75	49,110,300
1906	104,508,719.83	54,918,000
1907	99,693,298.32	58,344,300

You will notice that the Germans never spend any cents. It is always even money. [Laughter.]

This Government has been expending these enormous sums for the Navy, while the Germans have been spending such relatively small sums, and still they hold up the German Navy as such a great terror to this country!

Mr. KELLEY of Michigan. Mr. Chairman, will the gentleman yield there?

The CHAIRMAN. Does the gentleman from Mississippi yield to the gentleman from Michigan?

Mr. QUIN. Yes; I yield.

Mr. KELLEY of Michigan. Would it not be advisable to put in right there the difference between the pay of the Germans' enlisted men in the navy and the men in the Navy of the United States in order to account for the difference?

Mr. QUIN. I have not the time to do that; but I can not believe, for instance, that if the Germans could spend only $50,544,000 and we should spend $103,000,000 in one year that there could be enough difference in the cost for Germany to have a great navy that is a terror to us unless somebody has been stealing from us. [Laughter and applause.]

Mr. KELLEY of Michigan. But does the gentleman know what the facts are as to the pay received in the German Navy?

Mr. QUIN. I must proceed. I will answer you under the five-minute rule when we get to that. [Laughter.]

Now, how much did we spend in 1908? I say the figures here submitted are exact and authentic:

	United States.	Germany.
1908	$129,974,371.95	$69,133,500
1909	139,216,545.02	80,737,626
1910	133,555,552.88	95,047,820
1911	127,026,100.00	103,302,773
1912	126,405,509.24	107,178,480

And so it runs down until we get just before the war started over there in Germany, and you know they have been preparing for war ever since the Kaiser went on the throne. We know that they are prepared for war all the time. I will show you what they spent when war was right in sight—when they could see the white of the eye of the enemy.

In 1913 we spent $123,151,538.76. Germany spent in 1913, $109,989,096.

Mr. SISSON. Mr. Chairman, will the gentleman yield for a question?

The CHAIRMAN. Does the gentleman yield to his colleague?

Mr. QUIN. I will.

Mr. SISSON. Does the gentleman include in his figures for the German Navy the entire expense of Germany on the naval establishment?

Mr. QUIN. Yes; the entire expense on the navy establishment, taken from Statistik für Staat, published in Berlin. [Laughter.] And I am confident no German would contradict that and no American would deny it.

Mr. SISSON. I would state to the gentleman that I am simply surprised at the comparatively small sums expended by Germany, as compared with the large sums that we have expended for 1913. I wish to ask the gentleman this further question: The difference in the compensation of the German and of the American sailor would not account for that enormous difference, would it?

Mr. QUIN. Oh, no.

Mr. KELLEY of Michigan. But, Mr. Chairman, the gentleman said he did not know what the difference was.

Mr. QUIN. The gentleman from Michigan misquotes me. He evidently does not understand my statement.

Mr. SISSON. With respect to the American figures, I will say that only about one-fourth or one-fifth of the amounts indicated there is included in the pay of officers' and men's salaries in the Navy of the United States; therefore the amount paid by the United States Government and the amount paid by Germany does not account for the great difference, as was suggested by the gentleman on the other side a moment ago.

Mr. QUIN. The gentleman from Mississippi [Mr. SISSON] is correct; and, if the figures are honest, it would seem that we have expended too much money on the Navy of the United States. Unless our money has been squandered in an illegitimate way, our Navy is bound to be greater than the German Navy. There can not be any such discrepancy in the honest expenditures. Our Navy is bound to be superior to the German Navy, if Uncle Sam has been given a square deal.

Mr. CLINE. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Mississippi yield to the gentleman from Indiana?

Mr. QUIN. Yes.

Mr. CLINE. Let me ask the gentleman this question: Is it not true that the Germans have a conscription law to reinforce their army and their navy, which the alarmists in this country want to see adopted here? It does not cost anything for that volunteer service.

Mr. QUIN. It costs a great deal for these battleships, to put them on the sea. That is what I am talking about. I am not talking about the standing army, where they go out and make slaves of human beings. I am talking about the expenditures for the navy.

Now, Japan's expenditure is so much less that it would be a joke to make the comparison. The experts all know that our Government had a Navy superior to that of Germany even before the Germans lost any of their fleet in the war, and by the time the submarines and little torpedo boats get through their work Great Britain will be second to the United States. All of those countries engaged in war are keeping their dreadnaughts, their big battleships, securely concealed to keep the submarines from destroying them. That war has been waging ever since last August, and you have never yet had the news of any great sea battle.

Mr. Chairman, are battleships built to inspire fear in time of peace and duck into a safe place in time of war? Is it a game of hide and seek with these palaces on the seas?

Every harbor touching the United States could be securely mined by our Government inside of a very few days. We have the best guns in the world in our forts and as fine marksmen as ever drew a bead. We have plenty of factories, both Government and privately owned, to make all the powder and guns we could use.

We have an Army of men and officers of 92,482, besides the Philippine Scouts, and a National Guard of 120,000, and 15,000,000 strong, patriotic, courageous men in private life to answer the call of this Government to arms at any time the flag needs them.

Gentlemen, does this look like we are unprepared for war? If there is a man on this floor that doubts the ability, the endurance, or valor of the volunteer soldier of America, let him stand up right now and give his reason. The record of the volunteer soldiers at Bunker Hill, Ticonderoga, and Brandywine stands as an indisputable argument in behalf of the volunteers.

If you doubt the volunteer, go with me through Andrew Jackson's campaign in the War of 1812 against Great Britain. Watch him as he shatters the flower of the Regular Army of Great Britain in the Battle of New Orleans.

Follow the American Volunteers in the struggle between the Republic of Texas and Mexico in 1836. Watch him suffer martyrdom at the Alamo and Goliad; see him under the leadership of old Sam Houston at San Jacinto slaughter and route the Mexican Army, capture Santa Anna, and scatter Mexican blood and garlic all over Texas. [Laughter and applause.]

Ten years later, in 1846, the Government of the United States was forced to invade Mexico, and as absolute proof that the volunteer who had recently left his plow in the State of Mississippi and elsewhere in this Union was as good a soldier as ever fought on any battlefield; watch him at Buena Vista, where he marched into the very jaws of death and won victory for American arms and glory for the flag of this Republic.

Gentlemen of the House, if you are not satisfied with the record of our volunteer soldiers in those fierce conflicts, go with me to the battlefields of the Civil War, from 1861 to 1865.

Those of the Confederate Government that were fighting in that conflict were all raw, untrained volunteer soldiers, except a few officers. The greater portion of the Army of the Union were untrained volunteers from the vocations of private life. Watch them in every engagement. See them at Franklin, Chickamauga, Atlanta, and Shiloh. Watch them at Vicksburg, Manassas, Bull Run, and Gettysburg, when they could see the white of the eye of the enemy as they fought. Is there a man that doubts the volunteer soldier of this country?

It took all of the North, East, West, and part of the South of this Nation, and a large portion of Europe, four long years to overcome a few hundred thousand volunteers fighting for the Stars and Bars, principle, honor, and fireside. [Applause.]

Do you not believe our citizens are as brawny and courageous now as they were during that conflict? The advocates of the great standing army say we are bound to have trained and seasoned soldiers. Do you not know that the farmers and laboring people of this country are seasoned all the time? [Laughter.] It is nothing for them to work all day in the rain. They are expert marksmen. They can shoot a squirrel out of the top of the tallest tree in the woods, and never fail to bring down the bird on the wing. [Applause.] Surely no man doubts the valor and patriotism of this great class of citizenship that constitutes the real backbone of this Republic. [Applause.]

The farmers and the laboring men have fought all the battles of this country, and they are still ready to defend her against all foes. I am here pleading for them now, for you know they pay the taxes. I know they are taxed till they can not stand any more, and I know they do not want the Army increased.

If there is anything that is more obnoxious than excessive taxation, it is the tread and presence of a great standing army. It does not harmonize with liberty, independence, and free government. Yea; great standing armies have been the undoing of nearly all the nations of the earth. [Applause.]

History proves that whenever military power gets in the ascendancy it overthrows the civil government, establishes an autocracy of tyranny, and oppresses the people.

It is the experience of all the ages that military authorities have contempt for the plain people who toil. Yea; the generals and admirals think the plain working classes of this country stink. They look upon us as cattle.

In this piping time of peace the gentleman from Massachusetts is willing to spend $750,000,000 annually on the Army and Navy. May the Lord God of hosts keep us from the peril and oppression of such a burden as that type of statesmen would impose on the people! [Applause.]

A big, strong army would build up a government of plutocracy. It would impoverish the people and deaden patriotism. Instead of a government of brotherly love and the rights of man, you would have a military despotism.

Compulsory military service would soon be demanded and enforced in times of peace—a consummation devoutly to be despised.

What would the mothers of the boys of this country think of us if they thought we would legislate in such a way that their sons would be compelled to give a term of their best young manhood in the Army? What would the people, the taxpayers, think of us? What will the lovers of high ideals and free government think of us if we go backward and make this Republic the synonym of big armaments and military autocracy?

Mr. Chairman, I shall fight against any increase of the Army in the committee, on the floor of this House, and everywhere else. The special-privilege class and the chauvinistic jingo shall not drive their golden chariot over the plain people of this country. They shall not make of our Government an establishment of tyrannical militarism, bending the backs of our laboring people with the burden of taxation and forcing them to be quasi slaves and devotees at the shrine of the bloody god of war.

Instead of my country's flag standing for oppression, death, and destruction, as some would have it, I pray that this flag shall always be the symbol of peace and good will, bearing this happy sentiment to a free, prosperous, and happy people. [Applause.]

Mr. Chairman, I reserve the remainder of my time.

The CHAIRMAN. The gentleman reserves 15 minutes. The gentleman from Kansas [Mr. ANTHONY] is recognized for one hour.

Mr. ANTHONY. Mr. Chairman, it is not my purpose to discuss at length the bill before the House. I do want to say, however, that in my opinion every possible need of the military establishment has been provided for in the measure before us, both for the present and for reasonable future requirements. I do regret, however, that the committee did not undertake to present to the House the question of whether or not we should have an increase in our present Regular Army. As one member of the committee, I believe that such an increase is needed at this time. I do not believe it is needed because of any fear of future war, but I do believe that the present needs of our standing Army, under the present policy of the War Department, require a reasonable increase in the present establishment, in order that our military posts may have proper garrisons, and that the country at large may have a national police force of proper size.

In the last year or two, under the policy of the present administration, as well as under the last one, large forces have been placed in Hawaii and in Panama. It is contemplated to put from 10,000 to 12,000 men ultimately in Hawaii, and from 5,000 to 10,000 in Panama. When this is done—and it will very soon be brought about—it will leave a mobile army in this country of less than 25,000 men, not sufficient for the purposes of providing an adequate mobile army for this country. Therefore I think that now is the time when this House should have considered a reasonable increase in the military establishment. Secretary of War Garrison has asked that it may be increased by 25,000 men. Undoubtedly the other legislative body, when this bill reaches it, will make some provision for such an increase. I believe that increase should be granted, but not in the way in which the Secretary of War asks it. He asks for a flat increase of 25,000 enlisted men and a thousand officers. I believe that increase should be granted, but it should be an increase in organizations as well as an increase in the men.

The theory of our Army is that it should be a small, well-trained body of men in time of peace, with a large number of highly trained, efficient officers, under whom a comparatively small standing army can be expanded easily in time of war to such an army as will meet our requirements. In order to do that, to make it capable of such expansion, we must have the proper organizations already existing. I believe the mobile forces in this country should be increased in this bill by not less than 15 regiments of infantry, 5 regiments of field artillery, and 5 regiments of cavalry, with all necessary officers and equipment.

Now, although an advocate of that reasonable increase in the Army, I want to say to the House that I am in no sense a military alarmist. I have no sympathy whatever with some of the statements that have been made to our committee and to the public as to the necessity of our maintaining an army of half a million men, and I want the House to bear in mind that all of the enormous figures that have been given to the public in regard to the requirements of the Army are based upon what these alarmists claim is the necessity of an army of half a million men in this country. I agree with those who say that they do not believe we will ever be called upon, ever confronted with the necessity of having to put an army of half a million men in the field in this country, especially to oppose a foreign foe. In the first place, that argument for any possibility of an army of half a million men and the necessity for it is predicated upon the probable destruction of our Navy by a foreign foe, which is an improbability; and, in the second place, it is figured upon the theory that we will have to use it to confront an equal number of men who might be landed upon our shores. In my opinion it is a physical impossibility for any foreign foe ever to land such an army upon our shores. A few months ago there was a Chief of Staff of our Army who published a sensational magazine article, in which a statement was made that is typical of some of the wild, sensational statements that have been made and will be made during this debate in regard to the needs of the military establishment. In that magazine article this Chief of Staff made the statement that if our Army should ever go into an engagement with a foreign foe, that all of the ammunition we have on hand would be expended in half an hour's time. Upon analysis, that kind of a statement is utterly ridiculous. He reaches his conclusion on the supposition that every cannon and every soldier we have would all be brought into action at the same time. It is highly improbable that every man we have would ever be brought into one such enormous

engagement and highly improbable that every gun and every round of ammunition would be expended in such a time.

Mr. McKELLAR. We would have to be attacked from east and west and in all our island possessions in order for any condition like that to exist, would we not?

Mr. ANTHONY. In order to sustain Gen. Wotherspoon's argument every gun in every coast fortification and every field-piece of every battery of every regiment, wheresoever it might be, would have to be in action all at one time in order to expend that amount of ammunition. So I feel I am perfectly safe in saying that that kind of a statement is absolutely absurd and not worthy of the attention of this House.

I yield to the gentleman from California [Mr. KAHN] the remainder of my time.

The CHAIRMAN. The gentleman from Kansas yields 55 minutes to the gentleman from California [Mr. KAHN].

Mr. KAHN. And I reserve that time.

Mr. GREENE of Vermont. Mr. Chairman, I desire recognition in my own right.

The CHAIRMAN. The gentleman is recognized for one hour.

Mr. GREENE of Vermont. Mr. Chairman, this question of national defense is a most fascinating one to anyone who is a lover of history and who delights to dwell upon the philosophical deductions that may be made from time to time, each in his own way, from the events and lessons of history as he reads them and as he understands them. The temptation to anyone discussing this question to try to delve down into some of these lessons of history and to substantiate the general contention that perhaps in many respects the country is not altogether prepared for war is almost irresistible. But I appreciate the temper of the House and, I hope, in some sense the fitness of the occasion, and I shall ask for your more detailed consideration of some observations I may have to offer if you will do me the kindness to read at your leisure what I may put into the RECORD.

We who think that the country is not altogether prepared—and, mind, I hope you understand I am speaking from the viewpoint of moderation and not as an extremist or an alarmist—those of us who think the country is not altogether quite prepared for war have to face two kinds of arguments, broadly speaking, made by two kinds of people. One is made by people who say that there never will be another war; another is made by people who say that while war may come, if it does it will find us prepared for it.

I think the first of these arguments is the hardest to meet, because, with all respect to the intelligence, the high order of learning that generally characterizes the most prominent proponents of that argument, I do not think they read correctly the lessons of history. If there is any one thing true of the lessons of history as the average man may study them, it is that through the mighty succession of events that have come down the ages the same old thread of self-interest may be discerned always and everywhere in the doings of men and in the doings of nations.

Sometimes that self-interest appears to be enlightened, sometimes it appears to be of a progressive enlightened character, but, with or without the adjective "enlightened," it is always "self-interest."

One of the phases of the argument made by our friends along this line, that we shall never have another war, is predicated on an altogether too optimistic expectation of the millennium. With all honesty of purpose, sincerity, and patriotism, they speculate on the dawn of that happy era when nations shall beat their swords into plowshares and their spears into pruning hooks. They forget that the nation that has most practically beaten its swords into plowshares and its spears into pruning hooks and has best taken advantage of these new tools to gather up riches for itself has fashioned these plowshares and pruning hooks so that they can be taken at once back to the forge and beaten once more into the old swords and spears in time of need. [Applause.]

There is no such thing as something for nothing. A civilization that is worth living for is worth dying for. But when people arrive at a superior stage of civilization, exemplified externally by social and commercial development which makes for the jealousy of other nations, then if they will not die for their civilization they may rest assured they will die with it. [Applause.]

I think we ought to bear in mind, too, the fact that we are building here in this generation not for ourselves alone. We ought not to pass only superficially on the questions that sometimes possess tremendous potentialities. We are laying the foundations for the future, and we are bequeathing a legacy of some kind or another to our children, whether it may be for good or for evil. Some man who reads the pages of history a few generations from now will be able to see more clearly than we do that what we did in the House to-day perhaps was the reason why our children's children of 75 years from now, it may be, either enjoy the most abundant prosperity or else are plagued with one of the most awful misfortunes ever told.

We are always, consciously or unconsciously, seeking the interest of our children and in just such propositions as that of safeguarding the country in the national defense.

I would not be presumptuous enough to pose before you as in any sense the authorized interpreter of the utterances on this floor of the distinguished leader of the minority, the gentleman from Illinois [Mr. MANN], but I believe that he had something of that kind in his mind when a few weeks ago in this Chamber in speaking on the measure for Philippine independence he pointed out to us the remarkable strategic position this country had acquired in the Pacific Ocean, and how resolutely and how jealously we should guard the advantage we have secured in that great western sea, because some day our children might rise up and call us blessed because we had secured that advantage for them, or might regret in unspeakable humiliation because this very year we might have given it away.

Those who say we are never to have any more war do not seem to read the lessons of history in a very discerning way, it seems to me. It is easy to talk peace, but in the old and oft-quoted language of Patrick Henry, "Men may cry 'Peace, peace!' but there is no peace." How many men in this last summer anywhere in Christendom who were following at that time the recent unusual demonstrations of our international peace advocates would have dared to foretell the awful war that is now raging in Europe? How many men in July would have dared to venture the prophecy that within a month the most awful war in history would be raging across the sea? No man. How many men to-day, in the light of all that we have read about the war, can agree as to the true cause of it?

That is one of the reasons why it seems to me that while we may talk about peace as an assured proposition of the future—that is, the proposition that nations will beat their swords into plow shares and their spears into pruning hooks—we ought still, as prudent men, to set our house in order lest the millennium do not come after all.

The other argument we have to meet is that, if war does come, we will be prepared for it. That is born of a true instinct of patriotism. It rings true to the good old-fashioned self-possession and ease and confidence that we hope always will in a proper degree distinguish our American people; but I am afraid, if we come to analyze it very closely, we might reasonably suspect it was born of a little bit of overconfidence. Somehow, in this land of ours, we American boys grow up with a good deal of pseudo patriotism that finds its vent now and then in carrying imaginary chips around on our shoulders. We Americans are rather volatile. That is one of the characteristics that people of other lands point out about us. We are inclined to swagger a little bit and bluster a bit. It is harmless and perhaps meaningless, and it grows out of the buoyancy and effervescence of the spirit of a young Nation that never has been whipped, but it breeds an overconfidence. One hundred and thirty-seven years of boyish racket in celebrating one hundred and thirty-seven Fourths of July have somehow got our minds to ringing to the inharmonious tune that we can "lick all creation." We do not stop to analyze it much, but we carry that notion in our minds.

Then, too, in this land of ours, with all respect to the good, old-fashioned, honest, and deep-seated patriotism that does lie in the hearts of all our people, we have a kind of noise that might be termed "music-hall patriotism." We love to cheer the flag in a musical show. We love to make a great ado about standing up in a theater when the national anthem is being played. We do a lot of these pretty, spectacular, picturesque, and rather ostentatious things at these times and satisfy ourselves that they are really the outward and visible signs of an inward and spiritual patriotism. And then, to-morrow, when the sheriff's deputy comes around with a little piece of paper that says he wants us to sit for two hours on a jury in a municipal court, we put up a job on him because it looks as if the fish would bite. [Laughter and applause.] We have a good deal of "music-hall patriotism" in this country, which we must not mistake for the real, the genuine, the very true thing.

The fact is—and this is not said in any spirit of criticism, for we are all counseling together for the same purpose and with the same honest intent, whatever the variance of our notions about it—the fact is that this country has never yet fought a first-class power when that first-class power was in a position to put up a first-class fight. That is a lesson of history I think that some of our friends do not now take the

pains closely to study and from which they do not draw the proper conclusions.

I do not believe in militarism any more than the rest of the country does; but when I see some of our friends promoting the idea that anything in the way of unusual preparation for national defense means an armed camp and militarism and conscription and all that kind of thing, I think the gentlemen are only setting up men of straw, to be battered down again with their own logic. Nobody wants to do anything of that kind. I do not believe in militarism [applause], but I do think we ought to take reasonable, sensible, well-considered, well-deliberated, prudent counsel with one another and make all proper preparation for national defense against those countries that apparently still do believe in militarism. [Applause.]

Mr. Chairman, as I said at the beginning, I would like to dwell on some of the details of this subject that instinctively occur to one who has loved to study this question, but I hope that I may still keep within the limits of prudence and respect your time and patience.

Mr. MOORE. Mr. Chairman, will the gentleman yield?

Mr. GREENE of Vermont. Certainly.

Mr. MOORE. The gentleman is a student of history, and he has given us some history in his speech. I suppose the gentleman would like us to be so prepared at least that what happened in 1814, when this Capital was in the hands of the British, might not occur again?

Mr. GREENE of Vermont. I would, most certainly. I was interested in what a gentleman said on the floor of the House just a few moments ago, when he discussed with the most elegant unconcern—very honestly, but, I think, not with altogether certain preparation about the fact itself—the improbability of our being invaded from Canada. I live in a valley where there have been two invasions of redcoats within a few generations—1777 and 1814. And I know whereof I speak, because a great-granddad of mine lost a part of his hair to a very accommodating Indian on the occasion of one of those excursions that came down from the north.

Mr. MOORE. Does the gentleman know whether we are any better prepared, relatively speaking, down the Chesapeake Bay than we were in 1814?

Mr. GREENE of Vermont. I am not prepared to speak about particular conditions in any locality; but I must also suggest that I have now to "defend" the whole country in 20 minutes, and I will have to be going along.

Much might be said and volumes written about the question of large and small armies, and about munitions of war, and all that kind of thing, but doubtless a great deal of that part of the subject of national defense will be discussed under the five-minute rule. I want to speak to you now, however, with more particularity about another phase of it.

We have heard a great deal about the necessity for building up a large reserve of men trained to some extent in the duties of the soldier that can follow the usual employments of peace in time of peace but that can be instantly available at the call to the colors in time of war. We are told that if we adopt such a policy as a part of our scheme for national defense we will in large measure do away with the necessity for the maintenance of a large standing army, always the very proper nightmare of a people bred to the ideals and the institutions of our republican form of government.

And, in pursuance of that idea, various schemes have been planned, and one is being tried out by the War Department now, in the hope that the period of enlistment in the Regular Army and the terms and conditions of that enlistment may be so adjusted that a great number of young men will be induced to enter the Army for a comparatively short term of service, quickly absorb pretty much all the essentials of military discipline and efficiency needful for the purposes of such a reserve, and then be returned to take up civil employments of various kinds, all the while ready, however, to rejoin the colors as trained soldiers at their country's call.

By this method, we are told, we shall not only escape the burden and the dangers of maintaining anything like a large standing army, with its always accompanying mischievous possibilities of militarism, but we shall escape the necessity for conscription, and will not divert our young men from the paths they should pursue in the normal course of developing themselves in self-supporting industry, in home building, and all the pursuits of peace that make a nation truly great.

There is much to be said for this idea. I have very great doubt, however, as to how much can be said for any plan that has yet been tried under it or is presently proposed for trial. The genius of the American people is decidedly opposed to the military life, the limitations of individual opportunity, the restraint and the constraint that go with it. Our people not only never will serve in the Army in time of peace under compulsion, but they are not anxious, as a rule, to serve in the Regular Army at all. And for the very particular class of young men whom it is hoped to secure for this reserve to be made up of graduates of the Regular Army, the Regular Army itself has few attractions.

Moreover, the various forms of governmental oversight of the individual citizen, the intimate scrutiny by police espionage of the daily walk and conversation of the individual citizen, his comings in and goings out, that are characteristic of some European nations are lacking in this free land of ours. Public sentiment in this country never will consent to such a secret service régime sleuthing for the Government to keep track of the doings of its people. It is, to my mind, therefore, plainly impracticable for the Government ever to be in position to summon and compel the attendance at the colors of any considerable number of men who at one time may have served an enlistment in the Regular Army, under the condition that for a certain period thereafter they were to be enrolled in a reserve and liable at any time to a call to the colors. The country is too large, covers too vast an extent of geography, and our American habits of personal independence in travel and sojourn are too free ever to make it possible to keep chained to the demands of a card-system reserve here in Washington thousands and thousands of men that may be scattered from one end of America to the other, or even in foreign lands.

No American citizen has to show any gendarme any papers of any kind to travel from or to his home town in this country, and no American citizen ever will.

And without some plan equivalent to some degree of police surveillance of this character it is doubtful whether the best-laid scheme for a military reserve of this kind will ever work.

I want to venture the suggestion that the very heart and center of this question of a military reserve in a "trained citizenry" never will be satisfactorily reached until the 48 States of this Union consent to surrender, each for itself, its exclusive jurisdiction over its quota of the so-called National Guard, and what is now in effect a mere localized militia in those States comes under the sole and exclusive authority, control, and support of the United States Government at Washington, just as the Regular Army is to-day. Then, and not until then, will the institution that is now in reality only a collection of localized militia, with widely varying standards of equipment, training, morale, discipline, and personnel—and only one thing in common, and that patriotic, good intentions—become in fact a National Guard. Then, and only then, will this collection of splendid young men, for the time being all too much the victims of misapplied energy, misapplied money, and misapplied State pride, become in truth a National Guard that is all and singly just what its name implies, and is prepared, detail for detail, to do just the kind of service that we are now vainly trying to prepare for through the attempt to organize an Army reserve. [Applause.]

I understand, I think, something of the objections that will be instantly raised to this proposition. Indeed, it is not a new proposition for that matter. It has been discussed for years, in one way or another, among Regular Army men and among militiamen, and among a few civilians in general. But, so far as I know, the proposition, out and out and bald as I have put it here, has not, in recent years at least, been advanced on the floor of this House. And I advance it now, conscious, of course, that nothing that this House can do at this time or is likely to do at this time can be the means of bringing about the turning over to the National Government of the so-called National Guard. The movement, when it begins, must come from the States themselves, because the States themselves now control their own militia under one of the most jealously guarded clauses of the Federal Constitution.

And I believe the States ought to begin the movement at once, because it is manifestly in the interest of their own people so to do, as I shall try to show. It is true that the Federal Government has from time to time, through the passage of helpful laws, found the way to cooperate with the States in the maintenance of this militia force, and has even to a certain extent imposed upon the militia, through the consent of the States, something of its own demands in the way of a standard of military efficiency. But, do the best it may, under any circumstances, with the constitutional conditions as they now exist and the claims and assertions of right made by the States under them, the Federal Government can only work through the States in a vague, indefinite, and indirect way, after all, and must perforce be content with the best it can accomplish for our citizen soldiery under such adverse conditions by what is often only the clumsiest of circumlocution.

To-day the several States in the Union are annually contributing about $6,000,000 and the Federal Government, in round numbers, $7,500,000 for the support of the militia. Who doubts that incalculably better results could be had if this same total could be expended under the supreme control of the National Government according to its own standards of military training?

Now, all of this is not to the discredit of the militia, or National Guard, as it is erroneously called. The splendid young men that to-day make up the rank and file of this organization, or collection of independent organizations—for that is all it actually is when the final reckoning is had—are simply laboring in and under conditions which shaped themselves generations ago, and are for the most part doing the best they can against the many and various obstacles to better results that those conditions imposed. I honestly believe for the most part they would welcome a change in authority that would permit them to fit themselves more capably for a more efficient service than the Constitution will now let them perform, or that they could perform if it did let them.

I served in the National Guard for 12 years, and in the course of that time not only had experience in various capacities from that of a private to responsible command rank, but also had very good opportunities for observing in something like intimate detail the results of National Guard experiences in States other than my own. I am very glad to accept as a general proposition the idea that the rank and file of the various militia organizations throughout the land are composed of an excellent quality of young citizenship, the very kind of men that would be most likely to compose a great part of any volunteer army that could be assembled in time of war. Sprinkled among them are many officers of maturer years, men that have given much of the activities of a lifetime, apart from their private business concerns, to the careful study of the duties of a soldier and of military science in general. Both officers and men, for the most part, perform their service in the militia at a very considerable personal sacrifice of time, energy, and often of money. Many of them, of course, are attracted to the ranks in the first place by the instinctive enthusiasm of a young imagination that is always stirred by a distant view of the soldier's life and experiences. Some of them get tired of the realities of militia experiences and gradually drop out. Others, either from actual love of the experience or often from a deep-seated patriotic impulse to be useful in the real training of a real citizen soldiery as a preparation for national defense, continue in the militia service for years and give the best of their time and talents, properly so to be bestowed, to earnest and zealous endeavor to raise the standard of efficiency of the organization.

When I first went into the National Guard nearly 30 years ago it is true that it was more or less of a military organization in a superficial sense only. In many localities it was maintained as something of an exclusive social institution, lavished money on dandified uniforms that were anything but practical equipment for camp or battle field, devoted its time to acquiring proficiency in fancy drills and evolutions that may be a pretty martial display on times of public ceremonial perhaps, but had little connection with the stern duties of a real soldier in a real war. Such a thing as learning the practical lessons of practical camps, the instruction of the soldier in the details of his duty as a soldier in the field, the encouragement of proficiency in marksmanship, and all the thousand and one things that make military science a science indeed—those things were but slighted if, in many cases, they were even grudgingly attempted. All over the land, as a matter of fact, the animating purpose of the militia was organizing for outdoor pastime at time of parade and muster, or stealing the livery of Mars for the fascination of Venus when the only call to arms was the fiddler's appeal to "Swing partners" and "All hands 'round."

But in the course of a few years all this began to change. The spirit of progress, of a better appreciation of the purpose of a true national guard, began to be felt in the ranks, and here and there officers and men began the laborious task of reorganizing and standardizing the State Militia, groping somewhat clumsily, to be sure, but always honestly and eagerly after the pattern of the Regular Army. At first, as I well remember, and as many men of like experience in other States can testify, these attempts to transform the militia plaything into a practical military institution were stoutly resisted. They were resisted at home, too, by politicians and State influences of one kind and another that either could see no purpose in making the militia a very real military institution or else were loth to see a popular plaything that gave rank and exalted title to a few favorite sons and pleasure to the people transformed into a practical organization that meant business and not pastime.

But the leaven was at work, and it began to leaven the whole lump. Little by little political and social opposition was overcome or withdrawn, little by little the State legislatures were induced to come to the rescue with more sensible laws and more liberal appropriations, and little by little the Federal Government itself was induced to go into partnership with the States in the maintenance of the militia under certain conditions that, it was hoped, might eventually make the militia a veritable national guard in every sense.

This state of change was under way in some parts of the country when the War with Spain broke out. At that time there were already some States in which the standard of the militia had been raised very high, indeed, both in qualifications of men and officers and in equipment and matériel. In others the change was well under way, while in others it is but truth to say the leaven had scarcely begun to work, if at all.

I will not undertake to dwell upon the melancholy experience of the various militia organizations that helped to make up the Volunteer Army in the War with Spain. It would take too long even briefly to sketch them. They are a part of the history of those eventful months, not altogether a very glorious part, to be sure, but a serious part, and a very solemn part to many men that now lie sleeping under the sod and to thousands of others that were returned to the arts of peace broken in health forever. Their experience in the days of '98 was a sad one, for the most part, perhaps a humiliating one in some respects, but it demonstrated once more that "they also serve who only stand and wait." It made a little chapter in American history the real details of which in all their wretched exposé of miserable makeshifts and incompetency, in all their needless sacrifice of the lives and health of brave and loyal young men, have never been fully written, and I for one hope never will be.

In fact, Mr. Chairman, we saw the militia system of this country break down in the War with Spain 17 years ago this spring, just as it had always broken down before in every war this country has ever had with a foreign foe. [Applause.] Recruits representing 48 varying standards and degrees of military efficiency and equipment can not be hastily thrown into one army at one time in time of war and make an effectual fighting unit. The proposition is contrary to every element of common sense, and our history has always proved it so.

But the experience of '98 taught a lesson and sounded a warning. After the war was over and the Volunteer Army was disbanded and the various State militia organizations were under way again in their own proper form and locality the work of reconstituting this force of citizen soldiery was redoubled. State and Federal Governments became more actively interested, more money was appropriated for the purpose, the General Government took an ever-increasing interest in the project and sent more details of Regular Army officers to the various States to conduct courses of instruction for the militiamen, and in one way and another, by the aid of law and example, the militia began to come nearer and nearer its proper status as a true national guard. That movement for the betterment of militia conditions is still under way.

And yet, for all that, I sincerely believe the work has about reached the point where further progress of anything like a substantial character is well-nigh impossible or impracticable until the States themselves consent to turn over to the Federal Government the control of the so-called National Guard.

Under existing conditions some States are able to provide sufficient money for a citizen soldiery that is attaining something like the Regular Army standard of efficiency and equipment, and some are not. In some States conditions, political or otherwise, are heartily in sympathy with the efforts of the militia to develop such a standard, and in others they are not wholly so. In all States it is found that the development of such a standard requires such a character of fitness in the recruit and such expenditure of time and energy on his part as more or less seriously to interfere with his ability to earn a living in his usual employment unless there can be some supplemental recompense in wages from some source. This means that in some States discipline is rigorous, in others lax; in some States the standard of efficiency is already high for a citizen soldiery and always going a little bit higher, and in others it is difficult to show anything like very substantial improvement along most lines.

The whole matter, it seems to me, in this particular sums itself up in the very apparent proposition that, with the control of the National Guard distributed among 48 localized State authorities, there can be no practical standardization of any of the requirements for efficiency in the soldier himself and no

standardization of the equipment and material that is designed both to give him an opportunity to learn to be a soldier and fight like a soldier after he is one; and all this notwithstanding the earnest, honest, tireless efforts of a great body of loyal and patriotic officers of the State governments, of truly sympathetic and devoted Regular Army officers, and other men in military and civil authority all over the land. The cause has made progress, but it is reaching its limit, for reasons that I have tried to make plain in this brief sketch, and which have doubtless come under the observation, if not within the actual experience, of many of the gentlemen in this House.

It is not necessary here to go into the history of the militia as an institution of the several States, the causes which brought it into being and made it one time useful to the States themselves. It is sufficient to say, I think, that whatever may have been the justification in need for the militia as a State institution at one time in our history, that need exists no longer, if this Union actually is the kind of a Government that we are to-day teaching our sons and daughters that it is, and if all of us—the people of each and every State—have not now and never shall have again any reason for defending our several States against each other.

The only conceivable need for organizations of armed men in any State to-day is for possible service within its boundaries in the maintenance of law and order, the simple and ordinary functions of a simple and ordinary police force or constabulary, a force that at no time is likely to require any very considerable part of the military training, equipment, or material that is now annually expended upon the militia of the States, which militia, by the way, is rarely used for the maintenance of law and order in the States, for the very simple reason that in all but the most unusual instances the regular police force itself is competent for the task.

Not only do the States themselves stand in no need of the militia as presently constituted as a localized police force, but when the National Government needs an army to support its Regular Establishment in time of war it must call for volunteers, because under the Constitution the militia as such can not serve in all the capacities open to a volunteer army. So that it is rather difficult to show just what public service the so-called National Guard does or can perform under present conditions, except in a desultory and all too haphazard manner to train a few men for commissions or warrants in a possible volunteer army and fit a few more men for creditable service in its ranks; and then have to be mustered out of the militia and into the Volunteer Army in order to perform the service for which it has been training.

I believe, Mr. Chairman, that a large part of this problem of providing an efficient military reserve among our people, of providing a citizenry trained in the art of war to a very practical extent, can be solved when the so-called National Guard is a very national guard indeed, because it is no longer an assembly of irregular and unharmonized units emanating from 48 varying conditions and circumstances and limitations in 48 States, but is solely a national force, recruited, maintained, trained, equipped, and disciplined by the United States Government alone under Federal laws and out of the Federal Treasury.

In closing I want to point out very briefly several benefits that are now sought in some kind of a plan for an Army reserve that I believe can be realized or approximated to a very great degree under such a national guard.

I have already suggested the attainment of standardization and uniformity all over the country in all that goes to make a trained citizen soldier and to equip him for his duty.

Let me add that, in my opinion, more men and, in some respects, a larger proportion of very desirable young men will be attracted to the ranks when it is understood that the service is to be Uncle Sam's service in reality and not a State makeshift, when it is a matter of fact that service in such a national guard is actually a service in the Federal reserve Army and carries with it the importance and responsibility of such national service. The certainty of maintenance in the service, the certainty of proper instruction, equipment, care, and consideration in the service, the certainty of a proper allowance of pay for time actually spent in actual military duty, and the elimination forever of all the elements of mere pretense and show, all the caprice of local politics, all the ridiculous make-believe of absurd rank and meaningless titles, will give the young soldier a conscious pride in being a real unit in a real volunteer army that may be called to the defense of his country.

I have said that more men and in some respects a larger proportion of very desirable young men will be attracted to the National Guard by such a change as I have suggested. The test might easily be made. While the States now have exclusive authority over their own militia there is nothing to prevent the Federal Government from establishing its own national guard right alongside a State organization, drawing from the State recruiting source. I do not believe it would be necessary to continue such an experiment very long in order to determine which of the two services proved the most attractive to the young men of that region.

What can be made of the militia when Uncle Sam does have absolute control over it may be seen at any time right here in Washington in the splendidly efficient organization known as the National Guard of the District of Columbia.

Such a national guard as I have outlined would be, in very truth, a volunteer army always in the making from generation to generation, and still always with a considerable nucleus of well-trained and more or less experienced men around which any number of recruits could assemble at any call to war. And being no longer a mere State militia, but an actual Federal reserve army, there would no longer be the necessity that exists to-day and has always existed for raising a separate volunteer army under Federal law in time of war and then permitting the State militia organizations to disband and be mustered into it. We would have but one volunteer organization under one law, and have that ready for business all the time.

Back of all this, Mr. Chairman, we shall be able to get rid of another factor that is now proving to be such a stumbling block in attempting to work out any plan for the formation of an Army reserve under present conditions in this country—the difficulty I spoke of at the beginning of my remarks—the practical improbability of ever getting together again at the call to arms of any considerable part of the men that some years before may have entered the Regular Army with the promise at enlistment that they would rally to the colors at any time after they had passed into the reserve.

A national guard standardized under Federal authority and control, as I have indicated, may still be maintained in its several units in all the various States; that is to say, the Federal Government would raise and maintain its Vermont quota for the national guard in the State of Vermont where the men live and follow their usual employments. Their armories would be in that State, their recruiting done in that State, and as the men that had served through their period of enlistment passed out of the ranks and back to civil life most of them, as a matter of fact, would remain in the very place where they were recruited, and where at immediate call as reservists they could rally again to the colors.

Not only that, but another element would be injected into this reserve army, an element sentimental, to be sure, but a very compelling one for all that. Such a national guard so territorialized, as it would have to be, recruiting its several units from the same source every time and sending its reservists back to the source from which they came, would have stimulated to the highest degree that great asset of the soldier in all countries and in all wars—local pride in the traditions and history of a local military organization—a factor in military discipline and morale that is superior to all laws and higher than all officers. [Applause.]

If the States would ever consent to such a plan for the reorganization of the National Guard, Mr. Chairman, they would have surrendered a constitutional prerogative, to be sure, but a constitutional prerogative that to-day is of doubtful use to them and of very certain well nigh needless expense. But even with such surrender they would be participating just the same in the development of the trained citizenry of the land that is always its bulwark in time of war's emergency. "Each for all and all for each," their brave sons would go out from their own State as of yore, officered in large part by their own kinsmen; their organizations would bear designations and carry flags that told all the world from whence they came and bore witness to the Commonwealth's noble contribution and precious sacrifice to the national defense. And, what is even better than all the best of such motherly pride, every State would have the satisfaction of feeling that her volunteer heroes would go out to war with a training and an equipment and under a skilled oversight by expert officers in command that would, for the first time in the history of the land since the mournful days of Valley Forge, give the militiamen of the United States something like an equal chance with the enemy.

We may talk as we will about preparation for national defense in one form and another, the fact still will remain that as long as we maintain a citizen soldiery organized as State militia, sentiment and pride will send that State militia wholly or in part to the front at every call for volunteers in time of war. And it never yet has been in proper shape to go to war, and it has always had a more or less melancholy experience by reason of its unpreparedness in every war we ever had.

Noble sacrifices of patriotic lives in time of war make glorious pages in a country's history.

Needless and preventable sacrifice of patriotic lives, no matter if victory does finally come limping in, makes pages of heart-breaking regret that no glory can blot out, sorrow that is felt at every fireside in the land where Rachel sits weeping for her children and refusing to be comforted because they are not.

It is this very same militia we have been talking about, Mr. Chairman, that, together with the little standing Army that we have, must take the first shock of a war for national defense, act as a stop-gap, a forlorn hope, and sacrific precious lives for months maybe, until this great American giant awakes, sees that the war his dreams told him would never come has come at last, and begins to make the serious preparation for self-defense that we ought to make to-day. [Applause.]

I yield back the remainder of my time to the gentleman from California [Mr. KAHN].

The CHAIRMAN. The gentleman yields back 30 minutes. Before the Chair recognizes any other gentleman, the Chair desires to make a statement in regard to time. We are liable to get into some confusion and difficulty here on account of the fact that there is to be seven hours of time, to be divided equally between the two sides. The Chair assumes it is the purpose to have that time equally divided on the two sides. Under the general rules each gentleman who obtains the floor is entitled to recognition for an hour. The Chair simply calls attention to the fact now, in the hope that some agreement can be made and the difficulty obviated. There have been three gentlemen recognized on the majority side and three gentlemen recognized on the minority side, each for an hour. There have been used 2 hours and 5 minutes on the majority side and there have been used 1 hour and 21 minutes on the minority side of the Chamber. That will leave time, but it will be very difficult to divide it equally now unless some arrangement is made.

Mr. MANN. Mr. Chairman, I ask for recognition. I think I can solve the problem.

The CHAIRMAN. The gentleman from Illinois [Mr. MANN] is recognized for 1 hour.

Mr. MANN. Mr. Chairman, I yield half an hour to the gentleman from Virginia [Mr. HAY] and half an hour to the gentleman from California [Mr. KAHN].

Mr. McKELLAR. Mr. Chairman, I think I had 10 minutes reserved, and I desire to yield that 10 minutes to the gentleman from Virginia [Mr. HAY].

The CHAIRMAN. The gentleman from Tennessee yields 10 minutes to the gentleman from Virginia [Mr. HAY], and the gentleman from Mississippi [Mr. QUIN] notified the Chair that he desired to yield his remaining time, 15 minutes, to the gentleman from Virginia. The Chair does not see the gentleman from Mississippi on the floor just now, but without objection, that will be ordered. Also, the gentleman from Virginia has half an hour in his own right. That clears the matter up, and we can now proceed.

Mr. KAHN. Mr. Chairman, I yield 50 minutes to the gentleman from Massachusetts [Mr. GARDNER].

Mr. GARDNER. Mr. Chairman, the gentleman from Alabama [Mr. DENT] said one thing this morning that impressed me. He said that of all the people who are talking about unpreparedness for war not one tells us how to be prepared. Of course not, because there are eight different committees in the House and Senate that have jurisdiction of that question. How can they lay out an intelligent program? What I ask for is a commission appointed by the President and the Speaker of the House and the President of the Senate to make those very recommendations as to preparedness which no sensible man would undertake to make in default of proper information.

THE MONROE DOCTRINE AND ASIATIC EXCLUSION.

Now, Mr. Chairman, the Monroe doctrine stands like a flaming sword notifying Europe that she will not be permitted to colonize South America or Mexico. Do you suppose that that flaming sword is going to be effective against impoverished nations teeming with population unless we have something substantial in the way of military power with which to back it up? You might just as well expect a hungry hyena to respect the defenselessness of an unprotected bone. Moreover, we have looked the proudest nation of Asia square in the eyes and we have said to those fighting Japanese, "We will have none of you here. We don't want you within our borders." The Japanese Government professes friendship for America, you say. True enough; but suppose that some fine day the people of Japan should wake up and say to their Government, "We demand from the people of the United States the same treatment which they give to other nations." The Japanese will never be so unreasonable, you think. Won't they? How do you know? In these days the wisest man can't look very far into the millstone of the future. After all, is it so very unreasonable from the Japanese point of view, I wonder?

We don't know whether or not the Japanese are going to demand the same treatment as other nations for their people who desire to come to this country. But suppose they do make the demand. What is our answer going to be? Shall we let them in as if they were Europeans? Shall we grant them naturalization? Never by my vote, I hope, nor will I arbitrate that question, either; nor will the American people arbitrate that question any more than they will arbitrate the Monroe doctrine. Ask any Member from the Pacific coast whether he will vote to arbitrate the question of Mongolian exclusion. Just ask him and see what he says. As to this philosophy of an international government based on the brotherhood of man, that may come in the sweet by and by, when Californians have learned to intermarry with Chinese and Mississippians have begun to select negresses for their wives.

TWO GENTLEMEN OF VIRGINIA.

Three years ago this Committee on Military Affairs carried through the House of Representatives a bill reducing the Army of the United States; and there stands the gentleman who did it—the chairman of this committee. Fortunately the Senate did not pass that bill. I have not forgotten the gentleman's words; neither have I forgotten the words of a certain other gentleman from Virginia, who once upon a time spoke to another resolution of the same sort. Here is that other resolution:

Resolved, That the Military and Naval Establishments ought to be reduced.

Listen to what that other gentleman from Virginia said:

With respect to war, we have, thank God, in the Atlantic a fosse wide and deep enough to keep off any immediate danger to our territory. The belligerents know as well as we feel that war is out of the question.

A good many of you have been saying exactly that same thing which that other gentleman from Virginia said. Do you know who he was? He was John Randolph, and what I have just read you came from his utterances in this House on March 22, 1810.

Yet two years afterwards the War of 1812 broke out, the impassable fosse was crossed by a hostile army, and before the war was over the British soldiers had applied the torch to the very Chamber where Randolph made his mad appeal to the mad vanity of his countrymen. "We can lick all creation," "Everything ready for the drop of the hat," "Trained citizenry leaping to arms"—all the well-known jargon appears in the annals, including the familiar argument that foreign nations would wear each other out and would have no strength left to challenge us.

Great Britain—

Says the Revolutionary veteran, Potter, in opposing the militia bill on March 20, 1810—

Great Britain has no men to spare to send here to invade our territory; and if she had, she would know better than to do it. And if France was ever so much disposed to send an army into this country, it would be in vain. She could not send them.

ABSOLUTELY UNPREPARED, AS USUAL.

Dawson, of Virginia, on December 13, 1811, arose in his place in this House and solemnly uttered this ghastly folly:

I feel myself authorized to state that we have all the necessaries, all the implements, all the munitions necessary for a three years' close war against any force which any power can send to this continent.

Contrast that with Dolly Madison's account a little later of our rout at Bladensburg and the burning of the White House by Ross, the British general.

Alas—

She wrote—

I can descry only groups of military wandering in all directions, as if there was a lack of arms or of spirit to fight for their own fireside.

Make no mistake, there was nothing the matter with those Pennsylvania and Virginia and Maryland militiamen whom Mistress Dolly saw, except that they had not been trained for war.

Six weeks before war was declared John C. Calhoun on May 6, 1812, told Congress:

So far from being unprepared, sir, I believe that in four weeks from the time that a declaration of war is heard on our frontiers the whole of upper and a part of lower Canada will be in our possession.

History does not record that conquest of Canada; but it records the fact that 100 days after Calhoun spoke Detroit was in the hands of the British, mostly because less than 1,000 of the trained citizenry of Ohio and Michigan sprang to the standard of Gen. Hull. Thomas Jefferson, who had written to Duane that—

The acquisition of Canada so far as Quebec will be a mere matter of marching—

conveniently called this disaster "the detestable treason of Hull."

WHY NOT SUMMON GEN. WOTHERSPOON?

Ten weeks ago Maj. Gen. W. W. Wotherspoon, until recently Chief of Staff of the United States Army, wrote a solemn warning to the Secretary of War in which he gave it as his opinion that the United States is short 405,000,000 rounds of rifle ammunition, 11,210,752 rounds of artillery ammunition, and 1,982 field artillery pieces. Even with unlimited appropriations it must take several years to supply that deficiency. Gen. Wotherspoon's estimate is far higher than any ever before made in the United States; but it is founded on a knowledge of facts which the present European war has developed. Why has he not been summoned as a witness before the Military Committee, I make bold to ask? Twice publicly and once by letter I have asked Chairman HAY to summon Gen. Wotherspoon, and three times Chairman HAY has refused. In my opinion it is unmitigated folly to make up this Army bill without questioning the very witness whose testimony would be of the greatest value.

Mr. McKELLAR. Mr. Chairman, will the gentleman yield?

Mr. GARDNER. Certainly.

Mr. McKELLAR. Is there any other military expert in the country who has ever agreed to any of the figures given by Gen. Wotherspoon in his report?

Mr. GARDNER. So far as I know, there is only one who has disagreed and that is Gen. Crozier.

THE MEN BEHIND THE GUNS.

Now, some gentleman this morning—I think it was the gentleman from Alabama [Mr. DENT]—said that we did not need a standing army of even half a million, much less a million, men. That is the same man of straw which President Wilson set up. Who has said anything about the necessity of a large standing army? I should like to know. Gen. Wotherspoon based his estimates on a standing army of 205,000 men. Any statement to the contrary is simply the exaggeration of persons who seek to throw dust into the eyes of the public so as to obscure the issue. Gen. Wotherspoon estimated that at the outbreak of hostilities with a great nation we ought to have a foundation of 205,000 Regulars, the total available force to be 800,000 men. His view is that we ought to have in this country about 600,000 trained militiamen or national guardsmen and reservists.

In other words, Gen. Wotherspoon feels that when war breaks out this country must be able to draw at once on 600,000 civilians who have had some military training. Adding this number of civilians to the 205,000 Regulars, we arrive at the general's estimate of an army of about 800,000 men.

Now, based on an army of 800,000 men in the early part of a war—that is, before new troops can be trained—800,000 men of more or less military experience, he estimates that an accumulation of certain kinds of munitions of war is imperatively necessary before war breaks out. On page 12 of his report as Chief of Staff United States Army, you will find Gen. Wotherspoon's figures showing what he thinks we ought to have, and likewise his figures showing what as a matter of fact we actually have got. I shall print a table prepared from his figures in connection with this speech.

RIFLE AMMUNITION.

For instance, he estimates that before war breaks out we ought to accumulate 646,000,000 rounds of rifle ammunition. Now, the gentleman from Virginia [Mr. HAY] in his table this morning gives 196,000,000 rounds only as the total amount of rifle ammunition which we need to accumulate. Chairman HAY's figures are Gen. Crozier's figures. They are his personal figures, but the other officers in the War Department do not agree with Gen. Crozier. Those are not the War Department figures, never have been the War Department figures, and if Gen. Crozier gave those figures to your chairman and let him believe that they were the War Department figures, he did very wrong.

Mr. HAY. Mr. Chairman, in justice to Gen. Crozier I desire to say that he has always stated that those were his figures, and that a great many Army officers did not agree with him.

Mr. GARDNER. Did he not go further than that?

Mr. HAY. He may have gone further.

Mr. GARDNER. If the gentleman will observe his own remarks this morning, he will find that he spoke of those as the War Department figures. However, the gentleman and I agree, and Gen. Crozier admits that those are not the War Department figures. I will tell you directly what the War Department figures are. I want to put this in the RECORD.

I think the committee ought to understand—

This is the statement of Gen. Crozier during the recent hearings—

that most officers think that what we have is not enough. I believe that there are other things that are so much more pressing that I do not feel uneasy about this class of military supplies.

That is the only defense for the figures in the table of the gentleman from Virginia [Mr. HAY]. The General Staff of the Army has reckoned that we need 513,430,640 rifle cartridges, not to mention some sixty million additional, if our coast-defense force is armed as Infantry. This estimate has been approved by the War Department. Gen. Wotherspoon places the figure at 646,000,000. How much have we actually got? On the 1st of July next we shall have in stock 241,000,000 rounds of rifle ammunition. The testimony of Gen. Crozier is that it would take the entire capacity of the country, public and private, eight months to manufacture 200,000,000. In order to get the proper supply which the General Board believes that we ought to have when war begins we should have to wait pretty nearly a year after war had broken out.

FIELD ARTILLERY.

Now we come down to the next item, field guns. This chart which I exhibit here shows what we have. And, mind you, we have not one single one of those giant guns to our name. You have been reading about the 42-centimeter howitzers, you have been reading about the 315-millimeter guns, and about the 9-inch guns which Gen. French has. How many of those titanic cannon do you suppose we have? Not one single, solitary one. No movable artillery bigger than a 6-inch gun in our entire military establishment and only 32 of those 6-inch howitzers. We are experimenting in drafting plans for two different sizes of bigger guns. My friends, when you look through the hearings you find that we have been doing nothing but experimenting and drafting and estimating and reporting for many a year. This remark applies to submarines and air craft just as much as it does to giant field artillery. Imagine the United States being always in the experimental stage.

Mr. HUMPHREYS of Mississippi. I want to ask the gentleman about the quantity of rifle ammunition. How long does Gen. Wotherspoon estimate that the 646,000,000 rounds would last?

Mr. GARDNER. That is the accumulation necessary prior to the outbreak of the war. Now, as to how long it will last, that is a very difficult question to answer. If ammunition is fired at the rate it was fired at El Caney, it will last a long time. If it should be fired at the rate our troops fired in China, it will soon be exhausted. We have not very good estimates as to the length of time it would take to exhaust rifle ammunition.

Mr. HUMPHREYS of Mississippi. Have you any estimates at all?

Mr. GARDNER. Yes.

Mr. HAY. Will the gentleman allow me to give him the information that we have accumulated as far as we can?

Mr. GARDNER. Yes.

Mr. HAY. The last great war was the Russo-Japanese. For the first six months of that war the Japanese fired 97 rounds per man, and the Russians fired 56 rounds per man. That information comes from a study of that war by the general staff of the British Army.

Mr. GARDNER. Of course Gen. Wotherspoon does not agree with the gentleman, and neither does the General Staff of the United States Army. In the attack on the Forbidden City in Peking a few years ago our troops emptied their belts in 40 minutes, which means that 100 rounds of rifle ammunition per man were fired away in less than three-quarters of an hour. On the other hand, at El Caney our troops in five hours only used up 16 rounds per man.

I am very glad that the gentleman has brought forward the Russo-Japanese War as a basis for comparison. I myself intend to instance that war for a like purpose in connection with my statements as to artillery and artillery ammunition.

Mr. TALCOTT of New York. Will the gentleman yield?

Mr. GARDNER. Surely; but I have only a few minutes.

Mr. TALCOTT of New York. Is that the estimate of cartridges for 650,000 rifles?

Mr. GARDNER. That is the estimate for 642,541 rifles, according to the report of the Chief of Staff.

Mr. TALCOTT of New York. On the basis of an Army of 800,000 men?

Mr. GARDNER. Yes; 205,000 Regulars and the rest reserves and militia. I can not give you the exact figures, but I will put them in the RECORD.

Mr. HOWARD. Mr. Chairman, will the gentleman yield?

Mr. GARDNER. I have only 50 minutes, and I can not yield unless the gentleman has something upon this point.

Mr. HOWARD. I simply want to ask the gentleman how long will it take to fire 240,000,000 rounds?

Mr. GARDNER. I have just answered that question. I said it was impossible to judge; it depends upon whether we meet

conditions of warfare where there is a great deal of infantry fire or not.

FIELD ARTILLERY.

Now I come to the Field Artillery. Here is what Gen. Wotherspoon estimates that we need: Two thousands eight hundred and thirty-four artillery pieces. We have on hand and in process of manufacture only 852 pieces of artillery. Gen. Wood testified before the fortifications committee last year that the entire capacity of this country, working night and day, is 500 guns in one year.

Gen. Wotherspoon has estimated that we must accumulate 2,834 guns before war breaks out, while the General Staff of the United States Army puts the figure at 1,292 guns. How does this difference arise? Why is it that the General Staff presents one estimate and the Chief of the General Staff quite another? The reason is that the General Staff made its estimate before the European war, and it calculated about three guns to every thousand men in the field army. The war has demonstrated that European armies count on about five guns to a thousand men. On that basis of five guns to every thousand men and on the basis of an army of 800,000 instead of an army of 500,000, the number of guns requisite is increased from 1,292 to 2,834. Russia, by the way, had 6,000 guns a year ago, Germany 5,000 guns, and France 4,800 guns.

Now let us see about the Russo-Japanese War, of which the chairman spoke. How many guns do you suppose Russia had at the Battle of Mukden on the firing line? Twelve hundred and four guns Russia had on the firing line in that one battle alone. How many guns do you suppose that Japan had at the Battle of Mukden? Nine hundred and ninety-two guns. Twice as many as we can turn out in the course of a year with the Government arsenals running full blast and every other private concern in the country running as well. All these figures can be found in the evidence of Maj. Gen. Leonard Wood, former Chief of Staff, United States Army, on December 4, 1913, before the Military Affairs Committee, and December 9, 1913, before the fortifications committee.

ARTILLERY AMMUNITION.

We come now to the question of field-gun ammunition. Gen. Wotherspoon reports that we ought to accumulate 11,000,000 rounds. That seems a large amount. What is the reason for it? The General Staff before the European war estimated that we ought to accumulate 1,713,240 rounds. We have only got on hand and under manufacture 580,000 rounds. But why did Gen. Wotherspoon estimate our necessity at 11,000,000 rounds? Because of the reports from the European war. We are told that the Germans have as a reserve for each gun as many rounds as the gun will fire before becoming worthless. That amounts to about 5,000 rounds for each field gun. Very likely that is why Gen. Wotherspoon estimates 5,000 rounds for each gun instead of 1,800 rounds, which is the estimate made by the General Staff before the war. However, we should know his reasons more definitely if the committee had not refused to summon him.

Probably another reason why Gen. Wotherspoon raised his estimate to 5,000 rounds is that the report of one of our officers in Europe—Lieut. Hunsaker, I think—shows, so I am told, that a certain French battery whose operations he recently noted fired between 500 and 600 shots per gun for four days in succession. Yet the extreme output possible for the United States arsenals is only 1,800 rounds a day. At the rate of that French battery three or four guns could shoot away ammunition as fast as we could supply it.

But suppose we take Gen. Wood's old estimate before the European war of 200 rounds per day for each gun. Even then do you realize that eight guns could shoot away ammunition as fast as Uncle Sam could turn it out, working night and day? Five hundred and eighty thousand rounds for our Artillery ammunition supply! Why, Russia, in one battle alone, the Battle of Mukden, fired away 250,000 rounds—one-half of all that we have got in the whole country on hand and in the making. Yet orators say that we are prepared for war.

ARE WE BETTER PREPARED THAN EVER BEFORE?

Some of the gentlemen who oppose any expenditure of money on preparations for our national defense console themselves by the comforting thought that we are better prepared than ever before in our history. Better armed? Perhaps. More secure? Certainly not.

It may be true—in fact, it is true—that we have more reserve artillery, more reserve rifles, and more reserve ammunition than formerly; but how does that fact alone dispose of the question of our security?

Our reserves in material of war may be quite sufficient if we never pick a quarrel with any enemy more dangerous than Huerta and if we never fight a battle more bloody than the Battle of Vera Cruz in the Second Mexican War. But suppose we should meet a real enemy. The other great nations have been striding forward by furlongs, while we have been crawling along by inches, so far as military progress is concerned. Do you think that the modest increase in our reserve war material justifies the assertion that we are better prepared than ever before?

When he armed himself with a sharp umbrella Tweedledee was satisfied that he was fitter to fight than at any time of his life. So he was, for up to that time he had used his bare fists, and now he had an umbrella; but meanwhile Tweedledum had gotten himself a sword. "There's only one sword, you know," Tweedledum said to his brother; "but you can have the umbrella; it's quite as sharp." Fortunately for Tweedledee the monstrous crow prevented the battle.

AIR CRAFT.

After all, I am not so sure that we are better armed than we used to be. If a man is going blind, he is not better armed just because he gets a more accurate rifle. That is just what is happening to our Army. It is going blind. It has no eyes with which to see the enemy. "In our present condition of unpreparedness, in contact with any foe possessing a proper air service, our scouting would be blind." So says the General Board of the Navy, and that observation applies to the Army just as much.

Capt. Bristol, head of the air service of the Navy, has compiled some mighty interesting figures which he gave us in his testimony. On July 1, 1914, it appears that France had 1,400 aeroplanes and 22 dirigibles; Russia had 800 aeroplanes and 18 dirigibles, and the other great nations followed suit.

Since the aeroplane was an American invention, perhaps you think that we lead the world in aeroplanes. Well, we do not. We have 11 of them in the Army and 12 in the Navy. None of them are armored. Not more than 2 are of the same type, so it is said.

As to dirigibles, we have not a single solitary specimen, either of the Zeppelin or of any other type. What is more, we are not likely to have any Zeppelins until the American people get upon their hind legs and holler so that the Government deaf-mutes can hear. Zeppelins cost money. Each Zeppelin costs pretty nearly a cool million of dollars, and there is a deal of pretty spending in a million of dollars. Waste it on a gas balloon, indeed! No, thank you; we will be our own gas balloons and we will save that money for increased pay where the votes grow thickest. This bill gives the Army air service the magnificent sum of $300,000 this year. I hope that our airmen will feel duly grateful, but they can not buy half a Zeppelin with the whole of the money.

MORE SOLDIERS FOR THE TRENCHES.

When all is said and done, Mr. Chairman, we finally come down to certain facts: Ammunition and field guns are vital enough, but the first thing to be done is to get more men and a better organization. We do not need a big Regular Army, but we need a Regular Army a good deal bigger than we have now. Gen. Wotherspoon's estimate of 205,000 is worth examining.

I do not say that Gen. Wotherspoon is right in asking for 205,000 men. Very likely he is right, but what we need is a commission to examine into this whole question, a commission which will summon young officers and young enlisted men and say to them, "How long do you think it takes to make a good artilleryman? How long do you think it takes to make a good infantryman?" That is what I want—to find out what the younger men think about things. We ought not to base our views entirely on what these graybeards think. It stands to reason that each one of them is pretty nearly bound to defend his own department. Take, for instance, Gen. Crozier. He has been for 13 years sitting in his chair as the head of the Bureau of Ordnance. I should like to find out what the younger officers of the Bureau of Ordnance think.

THE NAVY FIRST OF ALL.

Our first line of defense, of course, must be the Navy. That stands to reason. If I had $200,000,000 extra to spend to-day on the Nation's defense, I should probably spend about $160,000,000 of it on the Navy.

But the battle fleet may be defeated or it may be engaged in defending the Panama Canal at the very moment when a hostile base is being established 2,000 miles away—that is, supposing the enemy is England, because no other nation is strong enough on the ocean to divide its fleet. If once the enemy lands and establishes a base, nothing can stop him except long lines of infantrymen in trenches.

How long a battle front do you think that our entire field Army, Regulars and Militia, could cover? On the old Civil War basis of 5,000 men to the mile, our men, if all the militia were

to turn up, could cover the paltry distance of 30 miles. We have in our militia—or National Guard, as it is called—120,000 men. Of this number last year 23,000 failed to present themselves for annual inspection. Thirty-one thousand absented themselves from the annual encampment, and 44,000 of those armed with rifles—and only 111,000 are armed with rifles—44,000 never appeared on the rifle range from one year's end to the other. Talk about drawing on the citizenry and their leaping to arms! Let me tell you, gentlemen, that 16 of the States of this Union failed to supply their quota of troops in the Spanish War. Some of them only failed by a few men, but 16 of the States of this Union did not supply the entire quota which they were called upon to supply.

Now, do not tell me that an army of 200,000 Regulars is undemocratic and is likely to oppress the people. That is all demagogic rubbish. Two hundred thousand men can not oppress a country of a hundred million population. That would mean that 1 soldier could terrorize 500 people. Why, it is folly to suggest such a thing, even if the rank and file of the United States Army were willing to go into the oppressing business, which would not be the case. If anyone thinks that 1 armed soldier can terrorize 500 Americans—men, women, and children—let him now speak or forever hereafter hold his peace.

THE DOCTRINE OF HUMILITY.

O you preachers of the doctrine of national humility, if any one of you for a moment thinks that the people of this country agree with you that we ought to be undefended, I should be glad to have you accompany me on my speaking tour in March and debate the question with me on the same platform. A few minutes observation of your audiences would convince you of your mistake. I know what I am talking about, for I have already tried several experiments in that line. I am not eloquent. I have not even the sublime gift of the gab. Hitherto I have never been able to make an audience applaud me more than a small fraction of a small second. Hitherto I never in my life felt the glowing consciousness that an audience wanted me to continue. But on this question of the national defense I have got my audiences going as if I were William Jennings Bryan talking prohibition to a convention of patent medicine dealers. Never before in my life have I had applause as if my audience were paid a dollar a clap, and I confess I like the new sensation. So I just give fair warning that if any one of you pacifico Members of Congress wants to challenge me to a joint debate in the month of March before any audience—black, white, yellow, or pink—I am at your service, and you will not have to give me any gate receipts or honorarium or any other of the 57 different varieties of high-brow pickings, either.

Mr. Chairman, I yield back the balance of my time.

[From the New York Herald, Sunday, January 17, 1915.]

"NO MILLION ARMY IN NIGHT," SAYS SECRETARY GARRISON—WAR SECRETARY REPLIES TO MR. BRYAN WITH POWERFUL PLEA FOR MOBILE FORCE—"NO ALARM, BUT UNPREPAREDNESS IS DANGEROUS," HE TELLS REPUBLICAN CLUB—NEEDS 350,000 MORE MEN FOR FIRST EMERGENCY.

With the assertion that a volunteer army raised in the United States in existing conditions would be nothing more than a rabble and a mob, Lindley M. Garrison, Secretary of War, at a luncheon in the Republican Club yesterday answered the declaration of William J. Bryan, Secretary of State, that if the President called at nightfall for an army of 1,000,000 they would be ready the following morning.

Although Mr. Garrison did not at any time mention the name of the Secretary of State, his earnest plea for the upbuilding of an efficient Army reserve, the extension of military training into the universities, colleges, and military schools of the country, and the maintenance of a Navy that will be nearly as possible unconquerable was accepted by his auditors as a direct answer to Mr. Bryan's address before the Bar Association at Baltimore, Md., on December 8.

The other speakers at the luncheon were Henry L. Stimson, formerly Secretary of War; the Rev. John Haynes Holmes, an advocate of international peace; and Col. William Cary Sanger, formerly Assistant Secretary of War.

"The Army has no business in politics, and politics has no business in the Army," said Mr. Garrison, the subject of whose address was "The military needs of our country." He continued:

"There is no topic that can have a more vital importance to the people of the country than this one. What is it specifically that we should consider? All government of necessity is founded upon force. There was never a time in the history of our country when we were so well situated to sit back and give calm, deliberate consideration to this question.

"PREPAREDNESS A VITAL ISSUE.

"We have now a clear atmosphere in which to study the subject of national preparedness and then quietly, persistently, but very vigorously to carry out the program that could be and should be evolved. It is a subject that goes to the vital core of your national life.

"We Americans are a very proud people, unaggressive, coveting nothing that other people have. We think we are a peaceable people within our own confines, yet the Army of the United States has been used one hundred times putting down insurrection or riot within our own borders.

"This is not militarism that I suggest. I don't think there is a man in the country who could look you straight in the face and term it militarism. But certain things are settled in this country forever. The separation of church and State, for instance, in this country is settled forever. The civil power is forever in this country above the military, except in time of war.

"And it is in these circumstances that I come before you with all the earnestness there is in me to tell you that you must keep on considering this subject gravely and carefully and fully until you have provided for an adequate common defense.

"There is no occasion for alarm. There is no occasion for hysteria. Yet it is true that, after all the provision necessary for the proper defense of our coast line and territorial possessions have been made, there is left in the United States Army less than 25,000 men to form a mobile force, a force that may be sent from place to place to meet an invading force.

"The people are not alone to blame for this. The Federal Government has not done its part in carrying out the program that has been laid down by the Army Board. The Federal Government is from 10,000 to 12,000 men short of the necessity for supplying the required coast defense.

"REGIMENTS NOW ONLY SKELETONS.

"The militia of the country has not done more than 40 per cent of its part in carrying out that program. All of the regiments in the mobile Army of the United States are skeletonized; that is, we have in them 820 men, whereas, under war footing, they should be composed of 1,063 men. What we must understand is that the wastes of war are so great that we must have reserves.

"A great standing army is not necessary unless you are unwise enough to fail to take the other precautions that are absolutely necessary and essential. This is not the time to start some grand new scheme or system that will be investigated and under discussion so long that we will never attain it."

Mr. Garrison outlined his recent recommendations that 25,000 additional men be enlisted for service in the Army, and then continued:

"We need now 1,000 new officers, and they must be efficient officers. We have on paper 118,000 national guardsmen and 9,000 officers. Yet the National Guard is still far from what it should be. The fault is not with the National Guard. The fault is with you who have never given the subject 15 minutes' intelligent thought unless it was forced on you.

"We have not honored the national guardsmen and looked upon them as men doing a patriotic duty, but we have regarded them as men who went into the service to wear a uniform and as much gold lace as they could, and to have the girls look at them. It is time we changed our attitude.

"We have got to have material. We must have infinitely more rifles than we have men; we must have infinitely more artillery than we have, and have to have infinitely more of the other reserves that can not be made overnight.

"MUST ENLIGHTEN THE PUBLIC.

"Back of our Army and the National Guard comes the great uninformed and uninformed public of the United States. They must be taught to look upon the Army and the militia in a different light. Until you realize the Army of the United States is a public servant you have not begun to get the proper conception of the purposes or the accomplishments of the Army.

"We have an idea in this country that when a man becomes an American citizen, either by birth or by adoption, he develops into a sort of superman. You think that things don't happen to him as they happen to other allied peoples over the world. The man is not different. Because we have blundered through four or five wars we seem to think that we are possessed of a God-given inherent knowledge of the subject of war. Well, we are not.

"I believe it would be a wonderful thing if in the United States we could have the truth told in all our schools. Why should we shrink from that? I am not in favor at this time of doing anything compulsory. I don't think we'll have to do anything compulsory. You couldn't compel the American people to do anything unless you got them to thinking about it, and if we get them thinking about it they will do it themselves."

Here Mr. Garrison outlined the establishment of a reserve army after the manner suggested by him in his recent department report, by the utilization of discharged soldiers and Army officers who have resigned from the service for one cause or another. "What I want in this country," he continued, "is to be able to get a specific number of men at a specific place in a specific unit when they are needed.

"There is another thing we want. We want the universities, the colleges, and the military schools to study this subject and teach it, so that we may have, when we want them, men that are trained and are disciplined as they should be. For a first emergency in this country we would want 350,000 men more than there are men in the standing army and the National Guard to-day. When we get them they would be, in present conditions, a rabble and a mob, utterly useless unless we have got enough efficient officers to mold them into an efficient force."

SPEECH CALLS FOR CONGRATULATIONS.

During all of his speech Mr. Garrison was interrupted by applause, and for half an hour after the speaking ended he was forced to remain in the dining room receiving the congratulations of the club members.

WAR DEPARTMENT,
RECORD AND PENSION OFFICE,
Washington City, February 2, 1904.

Hon. AUGUSTUS P. GARDNER,
House of Representatives.

SIR: Referring to your letter of the 28th ultimo, received the 30th, in which you inquire what States or Territories in 1898 failed to furnish their quota of troops under the first call until after the second call was issued; what States or Territories failed to furnish their entire quota under the second call; whether any States or Territories failed to furnish, sooner or later, any part of their quota under the first call; and what were the dates of the two calls, respectively, I am directed by the Secretary of War to advise you as follows:

Under the authority conferred upon him by the joint resolution of April 20 and the act of April 22, 1898, the President issued a proclamation, dated April 23, 1898, calling for volunteers to the number of 125,000 men, to be apportioned, as far as practicable, among the several States, Territories, and the District of Columbia, according to population.

May 25, 1898, the President issued a proclamation calling for an additional force of 75,000 men.

I inclose herewith a table showing the quotas originally assigned to each of the States and Territories under the two calls for volunteers referred to above, also the total number of officers and men accounted for on the muster-out rolls of organizations from the respective States and Territories in service during the War with Spain.

It is impracticable to determine how many of these men were furnished under the first call and how many were furnished under the second call. Many of the men who were furnished under the later call were assigned to organizations already in service under the first call, and it can not, therefore, be assumed that all the members of a particular organization were furnished under the earlier call because that organization was furnished under that call. The number of men furnished under the second call who served in organizations furnished under the first call can not be definitely determined without an examination of the records of many thousand men.

Very respectfully,

F. C. AINSWORTH,
Chief Record and Pension Office.

Table showing quotas originally assigned to and troops furnished by the several States and Territories during the War with Spain.

States and Territories.	Quotas originally assigned.			Total number accounted for on muster-out rolls.
	Call of April 23, 1898.	Call of May 25, 1898.	Total.	
Alabama	2,500	1,500	4,000	4,022
Arkansas	2,025	1,215	3,240	2,836
California	3,237	1,942	5,179	5,819
Colorado	1,324	795	2,119	1,437
Connecticut	1,607	965	2,572	3,251
Delaware	341	204	545	1,028
District of Columbia	449	270	719	990
Florida	750	450	1,200	1,350
Georgia	3,174	1,905	5,079	4,383
Idaho	239	139	378	728
Illinois	8,048	4,829	12,877	13,647
Indiana	4,302	2,581	6,883	7,423
Iowa	3,772	2,264	6,036	5,694
Kansas	2,787	1,672	4,459	5,024
Kentucky	3,408	2,045	5,453	5,614
Louisiana	1,940	1,164	3,104	2,916
Maine	1,256	753	2,009	1,893
Maryland	1,942	1,165	3,107	2,711
Massachusetts	4,721	2,834	7,555	7,113
Michigan	4,369	2,622	6,991	6,841
Minnesota	2,873	1,723	4,596	5,380
Mississippi	2,157	1,295	3,452	3,161
Missouri	5,411	3,246	8,657	8,410
Montana	537	313	850	1,132
Nebraska	2,411	1,448	3,859	4,046
Nevada	141	82	223	522
New Hampshire	752	452	1,204	1,369
New Jersey	2,962	1,778	4,740	5,501
New York	12,514	7,508	20,022	20,864
North Carolina	2,584	1,551	4,135	3,961
North Dakota	473	276	749	719
Ohio	7,248	4,348	11,596	14,255
Oregon	829	498	1,327	1,570
Pennsylvania	10,769	6,462	17,231	17,448
Rhode Island	710	426	1,136	1,654
South Carolina	1,850	1,110	2,960	2,618
South Dakota	766	449	1,215	1,134
Tennessee	3,060	1,836	4,896	6,266
Texas	4,229	2,538	6,767	6,765
Utah	434	255	689	578
Vermont	634	379	1,013	1,044
Virginia	2,787	1,672	4,459	5,223
Washington	1,178	708	1,886	1,854
West Virginia	1,389	834	2,223	2,694
Wisconsin	3,274	1,965	5,239	5,453
Wyoming	235	138	373	476
Arizona, New Mexico, Oklahoma, Indian Territory	858	396	1,254	1,315
Total	125,256	75,000	200,256	[1] 210,137

[1] This does not include general officers and staff and United States Volun teers.

ANNUAL REPORT OF THE SECRETARY OF WAR.

WAR DEPARTMENT,
Washington, D. C., November 15, 1914.

To the PRESIDENT.

SIR: I have the honor to submit the following report of the operations of this department during the past year:

The reports of the Chief of Staff and the Chief of Coast Artillery; the reports of the heads of bureaus of the War Department; the reports of the Superintendent of the Military Academy, of the governor of Porto Rico, of the governor of the Panama Canal, of the commissioners of the four military parks, all of which accompany this report, give in abundant detail all of the transactions and recommendations in their respective spheres. I have reached the conclusion that it is useless repetition to follow the practice of repeating in my report the details so much more fully dealt with in the respective reports above referred to.

In these reports there are certain things of great interest and importance which should be specially noted, among them—

That the health of the Army has been exceptionally good. The last year has afforded the lowest recorded noneffective rate in the history of the Army; a reduction of nearly 20 per cent in noneefficiency from sickness and injury has resulted. There were only four cases of typhoid fever in the Army, including the Philippine Scouts. Two of these were cases of recruits of four and five days' service, respectively, who had not been immunized. Venereal diseases have decreased about 25 per cent. The rate for alcoholism is the lowest since 1873. The health of troops in camps over a long period of time has been extraordinarly good on account of the high efficiency of camp sanitation.

That the system of disciplinary companies which has been established bids fair to be very successful.

That a large part of the Army has been occupied in actual field service at Galveston, Vera Cruz, all along the Mexican border, and in Colorado and Arkansas. The character of this duty in each instance was similar and was of an exceedingly difficult kind, in some respects even more difficult than actual warfare. It called for patience, self-control, discretion, and good judgment under very trying conditions, and required implicit obedience to orders—a prime military necessity. The fact that this duty was everywhere done in an exceptional manner and without untoward incident is gratifying in the highest degree and deserves recognition as difficult service extremely well rendered. Of a somewhat similar character was the work carried on in Europe by the officers sent over to aid the Americans marooned there because of the European war. Their service was done in a manner to reflect credit on themselves and the Army, and it is reckoned as of similar high character to that just mentioned.

The student camps were very successful and bid fair to be more so, and undoubtedly can and should be developed into a most valuable assistance.

At the session of Congress just closed the bill to provide for raising volunteers was passed. It is, of course, possible and probable that in minor details some slight corrections may have to be made therein, but on the whole it is probably the most important piece of military legislation which has been dealt with by Congress for many years past.

I am pleased to note that there has been a decrease in the number and percentage of desertions.

With respect to matters which do not relate to the military establishment as such, certain developments of importance occurred during the past year.

The matter of the proper handling of dams built in navigable streams by private capital, and the regulation of water power developed thereat and also at dams built by the Government itself, received careful and continued consideration at my hands, and, in cooperation with committees of Congress, a bill to deal with this subject was prepared. The House of Representatives passed a bill, and it is understood that the Senate at the coming session intends to take the same up with the determination of completing the legislation. The matter is one of supreme importance and should be speedily settled.

The matter of providing a more autonomous and better balanced government in Porto Rico received like consideration, and a bill for that purpose is being dealt with by the committees of each House.

A bill to extend the scope of self-government in the Philippine Islands was likewise given much consideration by the department, and the House has passed a measure, and it is now before the Senate, and there is every indication that it purposes having it considered by the proper committee with a view to passage at the coming session.

A complete organization of the government of the Panama Canal was prepared and put into effect on the 1st day of April, 1914.

For the purpose of enabling those who are interested to ascertain the various activities of the department I have annexed a table Appendix A, by reference to which it can be immediately learned in what reports a detailed discussion of various subjects can be found.

At the end of this report will be found Appendix B, containing a statement of the expenditures, appropriations, and estimates.

This, then, leaves for consideration the imminent questions of military policy; the considerations which, in my view, should be taken into account in determining the same; and the suggestions which occur to me to be pertinent in the circumstances.

It would be premature to attempt now to draw the ultimate lessons from the war in Europe. It is an imperative duty, however, to heed so much of what it brings home to us as is incontrovertible and not to be changed by any event, leaving for later and more detailed and comprehensive consideration what its later developments and final conclusions may indicate.

For orderly treatment certain preliminary considerations may be usefully adverted to. It is, of course, not necessary to dwell on the blessings of peace and the horrors of war. Everyone desires peace, just as everyone desires health, contentment, affection, sufficient means for comfortable existence, and other similarly beneficent things. But peace and the other states of being just mentioned are not always or even often solely within one's own control. Those who are thoughtful and have courage face the facts of life, take lessons from experience, and strive by wise conduct to attain the desirable things, and by provision and precaution to protect and defend them when obtained. It may truthfully be said that eternal vigilance is the price which must be paid in order to obtain the desirable things of life and to defend them.

In collective affairs the interests of the group are confided to the Government, and it thereupon is charged with the duty to preserve and defend these things. The Government must exercise for the Nation the precautionary, defensive, and preservative measures necessary to that end. All Governments must therefore have force—physical force, i. e., military force—for these purposes. The question for each nation when this matter is under consideration is, How much force should it have and of what should that force consist?

In the early history of our Nation there was a natural, almost inevitable, abhorrence of military force, because it connoted military despotism. Most, if not all, of the early settlers in this country came from nations where a few powerful persons tyrannically imposed their will upon the people by means of military power. The consequence was that the oppressed who fled to this country necessarily connected military force with despotism, and had a dread thereof. Of course all this has long since passed into history. No reasonable person in this country to-day has the slightest shadow of fear of military despotism, nor of any interference whatever by military force in the conduct of civil affairs. The military and the civil are just as completely and permanently separated in this country as the church and the state are; the subjection of the military to the civil is settled and unchangeable. The only reason for adverting to the obsolete condition is to anticipate the action of those who will cite from the works of the founders of the Republic excerpts showing a dread of military ascendancy in our Government. Undoubtedly at the time such sentiments were expressed there was a very real dread. At the present time such expressions are entirely inapplicable and do not furnish even a presentable pretext for opposing proper military preparation.

It also seems proper, in passing, to refer to the frame of mind of those who use the word "militarism" as the embodiment of the doctrine of brute force and loosely apply it to any organized preparation of military force, and therefore deprecate any adequate military preparation because it is a step in the direction of the contemned "militarism." It is perfectly apparent to anyone who approaches the matter with an unprejudiced mind that what constitutes undesirable militarism, as distinguished from a necessary, proper, and adequate preparation of the military resources of the Nation, depends upon the position in which each nation finds itself and varies with every nation and with different conditions in each nation at different times. Every nation must have adequate force to protect itself from domestic insurrections, to enforce its laws, and to repel invasions; that is, every

nation that has similar characteristics to those of a self-respecting man. (The Constitution obliges the United States to protect each State against invasion.) If it prepares and maintains more military force than is necessary for the purposes just named, then it is subject to the conviction, in the public opinion of the world, of having embraced "militarism," unless it intends aggression for a cause which the public opinion of the world conceives to be a righteous one. To the extent, however, that it confines its military preparedness to the purposes first mentioned, there is neither warrant nor justification in characterizing such action as "militarism." Those who would thus characterize it do so because they have reached the conclusion that a nation to-day can properly dispense with a prepared military force, and therefore they apply the word to any preparation or organization of the military resources of the nation. Not being able to conceive how a reasonable, prudent, patriotic man can reach such a conclusion, I can not conceive any arguments or statements that would alter such a state of mind. It disregards all known facts, flies in the face of all experience, and must rest upon faith in that which has not yet been made manifest.

Equally useless, in my view, is the discussion frequently indulged in as to whether military preparation tends or does not tend to avoid war. I term such discussion useless, because, so far as we are concerned, whatever conclusion might be reached thereon would not affect our duty. Since it is not in mind to suggest any military preparation of the Nation's resources beyond that absolutely essential under existing conditions, the question of whether more extensive preparation for the purpose of avoiding war would have that effect or not is futile. Unless this Nation has reached the conclusion that it has no need for the preparation of its military resources for the purposes I have above enumerated, then we must earnestly address ourselves to the question of such proper preparation. I have reached no such conclusion, and in fact am of the firm conviction that no reasonable, prudent man who faces facts could reach such a conclusion. Unless and until the Congress of the United States, representing the people of the country, places on record the conclusion of the people to the contrary, my duty is, I think, entirely clear; and that duty is to set forth the facts and the necessities growing out of the facts and suggestions as to the ways and means of fulfilling such necessities.

Whatever the future may hold in the way of agreements between nations, followed by actual disarmament thereof, of international courts of arbitration, and other greatly to be desired measures to lessen or prevent conflict between nation and nation, we all know that at present these conditions are not existing. We can and will eagerly adapt ourselves to each beneficent development along these lines; but to merely enfeeble ourselves in the meantime would, in my view, be unthinkable folly. By neglecting and refusing to provide ourselves with the necessary means of self-protection and self-defense we could not hasten or in any way favorably influence the ultimate results we desire in these respects.

What, then, does this Nation need in the way of military preparedness? Of course I am not attempting to lay down a counsel of perfection—that is, an extensive scheme which is ideal in its completeness. Such a scheme might well be considered and studied and adopted after long study. But to await the result of such a course would be to continue the undesirable situation in which we have so long been. In my view, it is much better to do those things which lie nearest at hand and can be done than to remain as we are, without moving along proper lines until a more comprehensive and perfect scheme can be agreed upon. Nothing done along the lines I am about to suggest will interfere with the carrying out of a more comprehensive and maturely developed plan, but, on the contrary, will fit into it exactly.

Let us approach the question by a brief consideration of certain facts necessary to be considered in reaching a proper conclusion:

In continental United States we have a territory consisting of 3,026,789 square miles, with a population of 98,781,324. In Alaska we have 590,884 square miles, with a population of 64,356. Our other territorial responsibilities which must be considered are: The Panama Canal, where, although the population is small, we have an investment of $400,000,000, and the destruction of which waterway would be an international calamity; Hawaii, with 6,449 square miles and a population of 191,909; Porto Rico, with 3,606 square miles and a population of 1,118,012; the Philippine Islands, with 127,800 square miles and a population of 7,635,426, together with certain other islands not necessary to be considered in this connection.

The Regular Army of the United States on June 30, 1914, consisted of 4,701 officers and 87,781 men (includes Quartermaster Corps, 3,809, and Hospital Corps, 4,055). Of these, 758 officers and 17,901 men belong to the Coast Artillery, and are therefore practically stationary in coast defenses; 1,008 officers and 18,434 men belong to the staff, technical and noncombatant branches of the Army, including recruits and men engaged in recruiting. This leaves the Army which can be moved from place to place—that is, the mobile army, so called—composed of 2,935 officers and 51,446 men.

At that time the various characters of troops were disposed of approximately as follows:

In the Philippines, 3½ regiments Infantry, 2 regiments Cavalry, 1 regiment Field Artillery, 2 companies Engineers, 11 companies Coast Artillery (aggregate strength, 9,572). In the Hawaiian Islands, 3 regiments Infantry, 1 regiment Cavalry, 1 regiment Field Artillery, 1 company Engineers, 8 companies Coast Artillery (aggregate strength, 8,195). In the Canal Zone, 1 regiment Infantry, 3 companies Coast Artillery (aggregate strength, 2,179). In China, 2 battalions Infantry (aggregate strength, 849). In Alaska, 1 regiment Infantry (aggregate strength, 862). In Vera Cruz, 4 regiments Infantry, 2 troops Cavalry, 1 battalion Field Artillery, 1 company Engineers (aggregate strength, 4,090). In Porto Rico, a 2-battalion regiment Infantry (strength, 707). In United States, 17 regiments Infantry, 11½ regiments Cavalry, 3½ regiments Field Artillery, 2 battalions Engineers, 148 companies Coast Artillery (aggregate strength, 64,579). Troops en route and officers at other foreign stations, 1,449.

Practically all these organizations in the United States are on what is known as a peace footing, which means that an Infantry company, which upon a war footing should have 150 men, now has 65 men; a Cavalry troop, which upon a war footing should have 100 men, now has 71 men; an Artillery battery, which upon a war footing should have 190 men, now has 133 men. The Coast Artillery companies are always kept on a war footing of 104 men each.

In addition to work with the troops themselves, the officers of the Army are called upon to do a great variety of work known as detached service. For instance, the Engineers have 66 officers detached for river and harbor work, and the other branches of the Army have 578 officers of the line detached for service in training the Organized Militia of the several States, on duty at schools, recruiting, etc.

As a result, scarcely any unit in the Army ever has its proper complement of officers, and the need for an increase of officers is urgent and imperative. In continental United States we had in the mobile army on June 30, 1914, 1,495 officers and 29,405 men.

We have a reserve—that is, men who have been trained in the Army and under the terms of their enlistment are subject to be called back to the colors in time of war—consisting of 16 men.

The Organized Militia of the various States totals 8,323 officers and 119,087 men. The enlisted men thereof are required, in order to obtain the financial aid which the Congress authorizes the Secretary of War to extend under certain conditions, to attend 24 drills a year and five days annually in the field. If all of the National Guard could be summoned in the event of war and should all respond—an inconceivable result—and if they were all found fairly efficient in the first line—that is, the troops who would be expected to immediately take the field—we could summon a force in this country of Regulars and National Guard amounting to 9,818 officers and 148,492 men.

And this is absolutely all. The only other recourse would then be volunteers; and to equip, organize, train, and make them ready would take, at the smallest possible estimate, six months.

Anyone who takes the slightest trouble to investigate will find that in modern warfare a prepared enemy would progress so far on the way to success in six months, if his antagonist had to wait six months to meet him, that such unprepared antagonist might as well concede defeat without contest.

With respect to reserve matériel, one or two obvious things had perhaps better be stated. This matériel, of course, can not be quickly improvised. It requires long periods of time to produce; it is the absolute essential of modern warfare, and must be kept on hand if emergencies are to be prepared for. We have on hand in reserve sufficient small arms, small-arm ammunition, and equipment, roughly figuring, for the 500,000 men that would have to be called into the field in any large emergency. We have nothing like sufficient artillery and artillery ammunition. This has been urgently presented in all of the recent reports of the head of this department and the Chiefs of Staff, and Congress has from time to time recently increased the appropriations for these purposes. There is universal agreement among all who know that artillery is an essential feature of modern warfare, and that a proper proportion thereof to any army is indispensable if success is to be even hoped for. It is imperative that the manufacture of artillery and artillery ammunition should progress as rapidly as is possible until a proper reserve thereof has been obtained.

In present-day strategy and tactics the Aviation Corps has bid fair to become the eyes of the Army, and a general commanding an army without an adequate flying corps against an army of equal strength in other respects but with an adequate flying corps would be in the position of a blind man contending against a man with sight. The present Congress made a good start toward putting aviation on a substantial basis. This work should be followed up and consistently pressed.

The universal utilization of motor transportation in the present war has vastly increased the mobility of armies. It is necessary that we keep abreast of the times in utilizing motor vehicles for Army transportation. It might be well worth while to devise ways and means of organizing into a volunteer motor transportation reserve the motor vehicles adaptable to military use now in the hands of private citizens.

We now come to the question of what, then, should we presently do, in view of the existing conditions and considerations. That we are below any proper standard or minimum in this respect is conceded. I have adverted briefly, in what I have heretofore said, to our situation in this regard concerning matériel. I have not, of course, burdened this report with the details. The reports of the Chiefs of Staff and of Ordnance go into this matter with particularity.

We will therefore next address ourselves to personnel.

The first question is whether the proper remedy is to so largely increase the standing Army as to constantly have under arms a military force of sufficient size to meet our contemplated needs. What shall be concluded in this respect after the mature and comprehensive study which I have suggested should be made of the subject must, of course, be left for the present. Following the lines that I have laid down for myself, which are to deal now only with those things which clearly should be done now, I do not advocate any such considerable increase as would probably result from the comprehensive study suggested.

For the purpose of information the following table is presented showing the area, population, and military resources on a peace and war footing of other nations in comparison with ours:

	Land forces of various countries.			
	Area (square miles).	Population.	Peace strength.	Total trained war strength.
Germany	208,830	64,903,423	620,000	4,000,000
France	207,054	38,961,945	560,000	3,000,000
Russia	8,647,657	160,095,200	1,200,000	4,500,000
Great Britain and colonies	11,467,294	396,294,752	254,500	[1] 800,000
Italy	110,550	32,475,253	275,000	1,200,000
Austria-Hungary	261,035	49,418,596	360,000	2,000,000
Japan	147,655	53,875,390	230,000	1,200,000
Turkey	1,186,874	35,764,876	420,000	1,200,000
Spain	194,783	19,503,008	115,000	300,000
Switzerland	15,976	3,741,971	140,000	275,000
Sweden	172,876	5,476,441	75,000	400,000
Belgium	11,373	7,074,910	42,000	180,000
United States (including Philippine Scouts)	3,026,789	98,781,324	97,760	[2] 225,170

[1] Excluding native army, 160,000.
[2] Including Organized Militia and Philippine Scouts.

Whatever else may properly be drawn from the facts as disclosed, it can not be disputed that it is imperative that we have in this country a very much larger percentage of men who have had proper military training and who are in a position to instantly respond to the call of the Nation. Of the troops that we now have, the numbers and organizations of which are shown above, it will be necessary in the very near future to take from the United States and put in the Philippine Islands 13 companies of Coast Artillery, 1,950 men; in the Hawaiian Islands, 3 regiments of Infantry, 1 battalion of Field Artillery, and 2 companies of Coast Artillery, 6,380 men; and in the Panama Canal Zone, 1 regiment of Infantry, 1 squadron of Cavalry, 1 battalion of Field Artillery, 1 company of Engineers, and 12 companies of Coast

Artillery, 4,774 men. I may say in this connection that I do not consider the Panama Canal Zone garrison sufficient, even when these contemplated additions are made. This will then leave in the United States proper 12,610 Coast Artillery troops and 24,602 of the mobile arm, the latter being then not much more than twice the size of the police force of the city of New York.

My recommendation of what we should immediately do is to fill up the existing organizations which compose the aggregate mobile Army force just mentioned to their full strength. This would require 25,000 men. In addition to the enlisted men just mentioned, we should be authorized to obtain 1,000 more officers. The legislation to accomplish these purposes would be of the very simplest character, being merely authorizations to the department to do these things.

On June 30, 1914, 20.43 per cent of the line officers of the Army were away from their commands. This results in depleting the proper quota of instructors in the Army. The instruction of the Organized Militia suffers woefully from the lack of officers available for service with the militia. Efficient officers, above all things, can not be improvised. Depending, as we are, upon a small regular force, and contemplating a large expansion in time of war, it is essential that we at least should not permit the number of officers to fall below that number which is absolutely requisite for the proper performance of current military duties.

An increase of the enlisted personnel of the Army by 25,000 men would accomplish threefold results. It would, as before mentioned, bring up to full strength the existing units of the mobile Army in continental United States and thus supply a more adequate force. Second, it would afford training for the officers in the command of such units as they must command in time of war and would prevent, as far as the Regular Army is concerned, the crowding of the ranks with raw levies which always disorganize and render inefficient the organizations into which they come. Third, it would be a wise investment from the standpoint of economy, in that no material increase of overhead charges would be necessary, and the addition of these men could be effected at a per capita cost to the Government of about one-third the per capita cost under existing conditions. Since the existing physical plant and the administrative organizaton would not have to be in any way increased to take care of this increased force, the only additional expense would be the clothing, feeding, and paying thereof.

By the time these 25,000 men could be procured the mobile forces in the United States, as hereinbefore pointed out, would number 24,602; so that after the addition the mobile Army in continental United States would consist of 49,602 men.

With the Army thus increased, we would then be able to undertake the next necessity, which is absolutely imperative, and that is the preparation of a reserve. The present legislation with respect to a reserve has proven utterly useless for the purpose, it having produced in 24 months only 16 men, and there is little or no hope that it will ever properly accomplish its purpose. The reasons why it will not do so it is not profitable to discuss.

Again, without attempting to wait until perfection has been reached, it seems to me that it is only the part of wisdom to do that which we know will produce a beneficial result, and one that approximates the best. I am firmly convinced that if we can use the standing Army as a school through which to pass men who come into it, with the knowledge that if they are proficient they can be discharged at any time after a year or 18 months, we will begin at once to build up the necessary reserve, and will, for the first time in the military history of this country, have something approximating a balanced organization. There is unfortunately opposition to this policy. I say "unfortunately" because it is always the part of wisdom, it seems to me, to select the best that is possible, out of what is obtainable, rather than to reject that obtainable best because it is not perfection. Some of the opposition is on economical grounds, and, in my view, should not be determinative if the other considerations that I have noted are true. Other of the opposition is based upon the idea that one year or 18 months is not sufficient to train a soldier. As to this, it is a curious exhibition of mental operations to realize that those who make this argument and who have to acknowledge that without reserves we must depend upon volunteers, are constantly asserting that we can safely rely upon volunteers because they can be thoroughly trained in six months. It is furthermore true that by intensive military training, any young man of good health and average mentality can be made a serviceable soldier in 12 months, and, in fact, has been so made. This has been tried abroad, and I have caused it to be tried under my own administration and inspection. Even if there were doubt about it, it would not cause a different conclusion to be reached by a reasonable man, because we certainly would be better off with a reserve of men who had had one year's training than we are without any reserve at all and having to depend, as we do, upon men who have never had any training whatever. I caused, about a year ago, recruits, as they came in, and without selection, to be organized into a battery of Artillery, a troop of Cavalry, and a company of Infantry; and from my own observation and from the reports of experts, each of these units, well within a year, was found proficient to a very high degree.

I am therefore firmly convinced that we should have immediate legislation dealing with the matter of enlistment and reserve. I am not so much concerned with the length of the enlistment, provided the Secretary of War is given power to discharge into the reserve, at the end of 12 months, those who have shown themselves proficient up to a required standard.

A practically similar provision should exist in every State which maintains an Organized Militia. It is just as essential that the Organized Militia should have a proper reserve to fill up its ranks as it is that the Regular Army should. Of course I have been viewing this in the light of its military necessity. But there is a concomitant advantage which should not be overlooked. Inquiry among those who have employed men who have been discharged with good records from the Army shows that they esteem them as among their very best employees; and there is no doubt that any community would be economically benefited by the presence in it of strong, vigorous young men who have learned, in the only school which really teaches—that is, experience—the qualities of self-control, obedience to discipline, and determination to carry out the task which has been set for one.

I am convinced with equal firmness that we should adopt some one or more of the methods which have been suggested for the training of more civilians to become officers in case of necessity. The potentiality of the student military camps and of the schools and colleges at which military training is obtainable suggests a fruitful source of accomplishing this purpose.

I realize that one of the matters which will be much debated in connection with this whole subject will be the matter of expense. I do not overlook this, but shall not attempt extensively to go into it here. I do think, however, that those who are charged with responsibility on behalf of the public should realize the greatness of that responsibility; should realize the unanswerable indictment that will lie against them if they shrink from incurring expense for what is vital to the Nation. When one has reached the conclusion, as I have, that a minimum of military preparedness is essential, the question of its cost is secondary and can not be permitted to be the determining factor. No citizen will or can properly object to the expenditure of money for vital national purposes.

Comparisons between costs of military establishments here and abroad will not result, as they usually do, in assuming an unwarranted expenditure for those purposes here, if the factors necessary to be considered are kept in mind. Briefly, these factors are: The vast distances in this country; the smallness of the number of our troops, which makes it necessary to move them from place to place when troops are required; the upkeep of numerous posts in various States; and the absolute demand of the American citizen, whether in private or public life, that he should be fed, clothed, and compensated in a manner unexampled in any other country in the world. Money appropriated for military purposes is not diverted therefrom, is not wasted in the sense that it is not expended for purposes for which it is appropriated, and a dollar's worth of value is obtained for a dollar's worth of expenditure. The size of the appropriation is governed by the considerations above mentioned; and so long as the American citizen insists upon living up to a certain standard himself and concedes that his public servants should have the right to live up to that standard, there should be, and I am convinced will be, no grumbling at the necessary expense involved.

It is a pleasure to be able to turn from a consideration of what we need to a realization of what we already have. While our existing organization is of the exceeding small numbers already mentioned, it is unquestionably in as excellent condition as any similar number of men in any other military establishment in the world. Were it not for a desire to avoid invidious comparisons I should say that, man for man, it is better than any similar existing military establishment in the world. I do not believe that anyone will dispute the statement that the Army has never been in better condition than it is to-day, from the most recently enlisted man up to the highest officers. There is an esprit de corps, an eagerness to constantly strive toward perfection, a willingness to undertake and satisfactorily perform any and every duty, that is most commendable and encouraging. If we are authorized to use this exceedingly valuable nucleus to produce the reserve needed, there never was a time when the experiment had so great a chance of success as now. Both the enlisted personnel and the officers furnish a school of unexampled excellence for just such work.

LINDLEY M. GARRISON,
Secretary of War.

Mr. HAY. Mr. Chairman, I have some hesitancy in speaking in answer, as it were, to the gentleman from Massachusetts [Mr. GARDNER], because I feel that everything he said is based upon an assumption and that he is more or less a victim of dreams and visions which, in my judgment, will never become facts.

It is true, and I have never denied it, nor have I ever claimed, that this country was in such a state of preparedness for war, that if one of the first-class powers of Europe were to land all her forces upon the shores of this country at one time, and immediately after war was declared, we were ready to meet such a condition as that. But that is the condition which the gentleman from Massachusetts talks about, and it is a condition which never can arise. [Applause.]

I say, without fear of contradiction, that we are pursuing a reasonable and prudent course, so far as the Committee on Military Affairs is concerned, in order that this country may be prudently and reasonably prepared for any emergency which may arise. [Applause.] The time has never been since I have been on the Committee on Military Affairs, except for two years, when we have not appropriated money for material of war to put in our reserve, and we have done it upon the advice of the War Department, upon the advice of boards in the War Department, which are responsible, and who know, as far as anybody can know, what we ought reasonably to do in order to be reasonably prepared.

The gentleman from Massachusetts has laid much stress upon the report of Gen. Wotherspoon, the late Chief of Staff, and then he talks about not wanting to take the advice of graybeards, when this man has been retired for age and is no longer on the active list of the United States Army.

Mr. KAHN. Mr. Chairman, will the gentleman yield?

Mr. HAY. I will.

Mr. KAHN. Is it not a fact that it has developed in the European war now going on that all of the great generals are virtually of the age at which we retire our officers?

Mr. HAY. That is true. I want to say in the matter of Gen. Wotherspoon, that he is a bold man to undertake before the European war is ended, before our observers there can be properly informed of the conditions that now exist, before they can report the results of their observations to our War Department and to this Congress, to say how much ammunition we ought to have or how many troops we ought to have in order to meet a supposititious condition which may arise, if we have a war with a first-class European power. Mr. Chairman, there is no prospect of any such thing. To-day the United States is safer from attack than she has ever been in her history. [Applause.]

How people can claim that those great nations which are now at war, which are exhausting themselves financially and physically, as soon as that war is over, are going to turn around and attack the strongest nation on earth, is beyond my comprehension. [Applause.] Why, Mr. Chairman, the United States has a latent power greater than that of any other country or of any other three countries in the civilized world. It is now maintaining peace with all the world. That is the policy of the country—not only of the administration, but of the entire country. Nobody wants war. We are not going to do anything to bring about war, and all this talk of our not being prepared for war, and of conditions having arisen in Europe which make it necessary for us to go into large military expenditures, at the expense of building up the peaceful arts in this country, at the expense of our harbors, of our public buildings, of our roads, and of all the other activities which ought to engage our attention, is, to my mind, a most unfortunate position for gentlemen to take. [Applause.]

I have always been in favor of a reasonable and prudent course in getting ready for any emergency which may possibly arise. But I am utterly opposed to a large standing Army. [Applause.] I am utterly opposed to adding a single man to the standing Army as it now exists. I am not in sympathy with those who want to add 25,000 men and 1,000 officers to the Regular Army now. What would that cost? It would cost $27,000,000 alone, just that, and would add to our military expenditures $27,000,000 a year. There are other ways for building up the national defense than by increasing the Regular Army.

I want to call attention to some statements made by the gentleman from Massachusetts [Mr. GARDNER], and made by gentlemen from other quarters, as to how many enlisted men we will have in this country with the Army which we now have.

I have here figures taken from a statement of the Adjutant General, showing the number of enlisted men and where they are stationed. We had on January 5, 1915, exclusive of Philippine Scouts, 91,904 enlisted men. If you will deduct from that number the Hospital and Quartermaster Corps, which are not composed of fighting men, numbering 8,030, you have 83,873 enlisted men. If you will deduct from that number 18,092 in the Coast Artillery Corps, you have in the mobile army 65,781 men.

Mr. GARDNER. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Virginia yield to the gentleman from Massachusetts?

Mr. HAY. I will.

Mr. GARDNER. Has not the gentleman omitted 9,572 in the Philippines?

Mr. HAY. Just wait a minute until I get to that. The gentleman need not be afraid that I am not going to be frank with the House. We have in the Philippines 9,859 men; in Panama, 3,149; in Hawaii, 7,351; in China, 674; and in Alaska, 488. That is what we have.

I will give you now what the Secretary of War says we ought to have.

Mr. GARDNER. Mr. Chairman, will the gentleman yield there?

Mr. HAY. I will.

Mr. GARDNER. The Secretary of War, on page 8 of his report, says in continental United States we had in the mobile army on June 30, 1914, 1,495 officers and 29,405 men. That is on the eighth page of his report, in the fourth line.

Mr. HAY. Well, Mr. Chairman, I am taking a statement of the Adjutant General of the Army on the 5th day of this month, and I am not bound by the report of the Secretary of War or anybody else.

The Secretary of War states that there are in the Philippines now 9,859 men. The Secretary of War in his hearing before the Committee on Military Affairs on December 16, 1913—about a year ago—when asked the question how many men it was necessary to have at Panama and in Hawaii, stated that it was necessary to have at Panama 8,305 men and in Hawaii 15,665; and we have in China 674 and in Alaska 488. And thus we would have out of the country 34,991 men, and we would have for the mobile army in continental United States 30,790 men—5,000 more than we had before the Spanish-American War.

I want to ask gentlemen why do we need any more men than that in continental United States? What are we going to do with them? If we are going to undertake to maintain a standing army of sufficient size to cope with the standing armies of first-class powers in Europe, why, then the army of 100,000 or the 200,000 mentioned by Gen. Wotherspoon amounts to nothing. If you are going to enter upon a policy which will entail upon this country an army large enough to cope with the armies of Europe, you can not maintain here less than 600,000 men, a standing army of that number; and that, gentlemen, will cost this country not less than $700,000,000 a year, unless you go to the system of compulsory military service and compel every man in the United States of military age to give service in the Army, as they do in continental Europe. That is the alternative. There is no middle way between a small standing army and a large standing army.

Now, besides those 30,790 men which we already have, the President, if he saw fit to do so, could authorize 10,729 more men. But the President of the United States did not think it necessary to estimate to this Congress for the full strength of the Army which is authorized by law, which is 100,000 men. He saw fit only to estimate for the figures that I am giving you. He has the power to estimate for 100,000 men. He did not do it. He did not think it necessary to do so.

And so, my friends, I do not see why it is necessary to be alarmed at this situation, when the President does not think it is necessary to estimate even for the Army which the law authorizes him to estimate for.

Now, let us take up the proposition of ammunition, which the gentleman from Massachusetts [Mr. GARDNER] dwelt upon. He has made much of the rounds of small-arms ammunition. We have 196,000,000 in reserve; and I want to call attention to this fact, that when you undertake to have a large amount of ammunition in reserve, like 646,000,000 rounds, as recommended by Gen. Wotherspoon, you forget that half of that ammunition when war came on would be utterly worthless, because it would have been kept so long in stock that it would either not be fit for use or would be so uncertain that we could not safely depend upon it.

Mr. GARDNER. Will the gentleman yield?

Mr. HAY. I will.

Mr. GARDNER. Would it not be possible to use a large part of that for target practice for our militia?

Mr. HAY. No, sir; it would be utterly impossible to use any large quantity of it for that purpose if we had it in reserve.

Mr. GARDNER. If it was going bad, but before it went bad.

Mr. HAY. Gen. Wotherspoon says we ought to have 646,000,000. That is his opinion. Gen. Crozier thinks we ought to have 196,000,000. That is his opinion, and I am willing to put the opinion of Gen. Crozier against the opinion of Gen. Wotherspoon. That would furnish every rifle in an army of 500,000 men with 340 rounds.

Mr. COX. Mr. Chairman, will the gentleman yield?

Mr. HAY. Yes.

Mr. COX. How soon does that rifle ammunition begin to deteriorate?

Mr. HAY. In about four or five years, although I will not give that as an expert opinion.

Mr. GARDNER. Will the gentleman yield?

Mr. HAY. How much time have I consumed, Mr. Chairman?

The CHAIRMAN. The gentleman has consumed 15 minutes.

Mr. HAY. I yield to the gentleman.

Mr. GARDNER. I call the gentleman's attention to the hearings last year:

The CHAIRMAN—

That is the gentleman now speaking, said to Gen. Crozier—

I remember you said a year ago that you thought you were the only person who thought 180,000,000 was sufficient.

Gen. CROZIER. That is a fact.

Mr. HAY. Very well. I have not denied that. I just said that I was willing to take Gen. Crozier's opinion against Gen. Wotherspoon's opinion. But I was going on to say that 196,000,000 rounds in reserve—and, mind you, this is in reserve—will furnish an army of 450,000 men with 340 rounds per man. I have just stated that in the Russo-Japanese War, in the first six months of that war, when they had about 200,000 men on each side, the Japanese during that six months only fired 97 rounds to a man, and the Russians only fired 56 rounds per man.

But, gentlemen, our capacity for making this small-arms ammunition is very great. The capacity of this country to-day is 1,000,000 rounds per day, and if we were to get into a war that capacity would necessarily be very largely increased. So I think that we are reasonably prepared in small-arms ammunition.

Mr. GARDNER. Will the gentleman yield again?

Mr. HAY. I will yield for a question. I will not yield to read from the hearings.

Mr. GARDNER. The gentleman says our capacity is a million rounds a day. Is not the evidence of Gen. Crozier that you could not begin to get that until two months had gone by, and that it would take six months to duplicate the 196,000,000 rounds?

Mr. HAY. I make the statement upon my own responsibility that to-day the country has a capacity to turn out a million rounds a day.

Mr. GARDNER. Gen. Crozier says otherwise.

Mr. HAY. I do not care what Gen. Crozier says. [Applause on the Democratic side.] I happen to have inquired into this matter, and I find that owing to the European war our manufacturers of small-arms ammunition have increased their capacity, so that to-day we are turning out a million rounds of ammunition a day, or could do it if we desired to do it. Now, that is all about that.

We have on hand 700,000 service rifles of the new model, and we have on hand about 300,000 of the Krag-Jörgensen, making a million rifles on hand. And, gentlemen, when we come to store up these large reserves we must remember that these models change, that they are improved, and that it would be folly for us to lay up too large a reserve; because, take the Krag-Jorgensen, for instance, that was for a while the rifle which the Ordnance Department adopted. Then they found that they could do better with the new service rifle, and they abandoned the manufacture of the Krag-Jörgensen and began the manufacture of the service rifle. If somebody were to come along with a better rifle than the present service rifle, we would be derelict in our duty if we did not accept a better rifle and manufacture that.

In talking about these reserves it is necessary to bear in mind that things become obsolete, and that we ought not to throw away large sums of money upon things which may become obsolete. [Applause on the Democratic side.]

We have in reserve 65,000 pistols. We have 1,000 machine guns, and it is said that we ought to have 1,361, so that we have very nearly what the War Department says we ought to have.

Mr. HUMPHREYS of Mississippi. Thirteen hundred and sixty-one guns for what size army?

Mr. HAY. An army of 450,000 or 500,000 men. We have field artillery guns, 634, and appropriated for, 226, and in this bill 52 more will be appropriated for, making 912. Gen. Wood, who can not be charged with wishing not to have enough, says that we need 1,292, so that we are within 370 guns for an army of 500,000 men.

Mr. GARDNER. Will the gentleman yield?

Mr. HAY. Yes.

Mr. GARDNER. Was not that an estimate made before the war?

Mr. HAY. It was; and if the gentleman from Massachusetts will permit, it seems to me that if it was made before the war it would not be as large as it is now.

Mr. GARDNER. What, for artillery?

Mr. HAY. Yes; because there is not as much danger now as there was before the war. [Applause.] The gentleman seems to live in an atmosphere of dreams.

Mr. GARDNER. You might as well have no field artillery at all.

Mr. HAY. It will take, with the appropriations we are making now, six years to complete 1,292 guns. So that we will have the whole of them in six years' time.

We have field ammunition for field artillery in reserve and provided for the guns we need, 38 per cent, and the appropriations in this bill will raise that to 60 per cent.

I want to call attention to the fact that the life of these guns that we are providing the ammunition for depends largely upon the number of times the gun is fired. Therefore, it may be, and probably is, more necessary to have the guns than it is to have a large quantity of reserve ammunition. I want to call attention to the fact that last year and this year we are making larger appropriations for field artillery guns and field artillery ammunition than has ever been made before in the history of our country except in time of war.

As to the estimate that there should be 1,800 rounds for each gun, under the present rate of appropriation, we could in four years get all the ammunition we wanted in reserve at the rate we are now going. I will now state what the powder capacity of the country is: Before the outbreak of the European war the daily capacity of the cannon powder was 36,000 pounds, and the daily capacity of the small-arms powder was 10,000 pounds, which makes in a year 12,940,000 pounds of cannon powder and 3,650,000 pounds of small-arms powder. That was the daily output before the European war. It is estimated that since the European war the capacity has largely increased, and no man can tell exactly what it is to-day.

We are trying, in the Committee on Military Affairs, to follow up, as far as we can and with reasonableness, the recommendations made by the General Staff as to what is necessary to be done, and when it is said that we are making appropriations haphazard, I want to say that that statement is without any foundation in fact.

I might call attention to the personnel of the Army, and the disposition among some to have an Army reserve. I want to say, gentlemen, that I have studied the question of an Army reserve with as much care as anybody could who has been intrusted by the House with these matters.

Mr. J. M. C. SMITH. Before the gentleman concludes, will he be kind enough to tell us what has been done about aeroplanes?

Mr. HAY. I will first finish what I was going to say. It is an extremely complex question. Of course, in countries where they have a compulsory military service it is easy enough to have a reserve. About every country in continental Europe has the compulsory military service, but in England, which has the same voluntary service that we have, they have failed to get a dependable reserve.

They have even gone so far as to pay their reserves, and yet they have not been able to accomplish anything in that line; and, Mr. Chairman, we will never be able to get the citizens of this country to enlist in the Army for a term of years, then go into the reserve for another term of years, and bind themselves to put themselves under the control of the War Department to be called upon whenever the War Department chooses to do it. [Applause.] Therefore I have been unable to reach any conclusion which would enable me to give any opinion as to what is the best way to get a reserve.

Mr. GARDNER. Mr. Chairman, will the gentleman yield?

Mr. HAY. Yes.

Mr. GARDNER. I am very much interested to hear the gentleman's idea on the reserve. As I understand, under our reserve system now we pay a man a bonus if he comes back to the colors, whether he enrolls himself in that reserve or not. Is that true?

Mr. HAY. We have a law on the statute books providing that in time of war if a man who has served in the Regular Army comes back to the colors and enlists for the war he is to be paid a bounty of $300.

Mr. GARDNER. Suppose we repealed that law and had a reserve law where we pay them for being in the reserve, much along the line suggested for the Navy. Does the gentleman think that we would then be able to get a reserve army? I am not arguing with the gentleman, but I want to get his views.

Mr. HAY. I do not think that would be paying them enough. I want to say this about the Army: The enlisted men of the Army are a very different class of men from what they used to be. They are a very good class of people. A great deal of care is taken with enlistments. Of 167,000 men who applied for enlistment last year, only 41,000 were taken. Over 100,000 men were rejected as not being either physically fit or morally fit to go into the United States Army. These men, when they come in and serve a full enlistment of four years, either make the Army a career and stay in it or they go out and go into business and marry and settle down, and those men you can not get for your reserve with a small sum of money, in my judgment.

Mr. Chairman, the gentleman from Michigan asked me about aviation. The amount appropriated for aviation in this bill is $300,000. The amount appropriated last year was $250,000, an increase of $50,000. We have on hand 11 aeroplanes, and we have contracted for 8 under the appropriation of last year. We have 2 training machines, which makes in all 21. The Chief of the Signal Corps says he wishes to accumulate 32 for active service, and that he wants a reserve of 16, so that makes 48 that he wants to get together. The cost of one of these machines is $10,000.

Mr. GARDNER. Mr. Chairman, will the gentleman yield?

Mr. HAY. Yes.

Mr. GARDNER. Those 16 are in spare parts, are they not?

Mr. HAY. Yes.

Mr. GARDNER. It is only 32 machines and spare parts that make up 16 more.

Mr. HAY. As a reserve. These machines cost $10,000 each, so that under the appropriation which we give them this year they will be able to accumulate the 32 machines and some of the 16, or the parts of the 16.

Something has been said by my friend from Massachusetts [Mr. GARDNER] about Zeppelins. So far as I have been able to read in this war in Europe the Zeppelins have proved to be a failure as an offensive weapon. They have not done anything except kill innocent people, and from a military standpoint they have not been of any service whatever to the countries which have used them. One Zeppelin costs $1,000,000. Should we go into the purchase of Zeppelins until we find out from the experience of this war whether or not it is absolutely necessary

to have a machine of that kind in our Army? I do not think we should.

The Aviation Corps has 60 officers allowed, and they now have only, as I understand, 29 officers. They have 260 enlisted men allowed, and according to the report of Gen. Scriven, the Chief Signal Officer, they have 24 officers and 115 enlisted men now in the corps.

Mr. GARDNER. Not in the Aviation Corps—in the whole Signal Corps.

Mr. HAY. No; in the Aviation Corps. I will say to the gentleman that I drew the bill, and that I know I provided in the bill for 60 officers and 260 enlisted men.

Mr. GARDNER. In this bill?

Mr. HAY. No; I mean in the bill creating the Aviation Corps.

Mr. OGLESBY. Mr. Chairman, will the gentleman yield?

Mr. HAY. Yes.

Mr. OGLESBY. In regard to the Zeppelin proposition, is it not a fact that the proximity of the countries in Europe where these Zeppelins are used would be more apt to make them of use there than in this country, where you have to go so far before we get to another country?

Mr. HAY. Undoubtedly. I do not think they would come 3,000 miles across the ocean to get here.

Mr. OGLESBY. And they would not be of any use to them.

Mr. HAY. They would not be of any use to us, and they would not be of any harm to us in the possession of other countries.

Mr. MONTAGUE. Mr. Chairman, will the gentleman yield to me for a question?

Mr. HAY. Yes.

Mr. MONTAGUE. Are Zeppelins used for scouting purposes at all?

Mr. HAY. Not at all; they are used in offensive warfare.

Mr. GARDNER. Will the gentleman yield?

Mr. HAY. I will.

Mr. GARDNER. I think the gentleman ought to correct the hearings, then. Gen. Scriven says on page 642:

> We only want to accumulate 32 machines in the first line and a reserve of 50 per cent, because we have under the bill 60 aviator officers, and we are only allowed 12 enlisted men for instruction in flying. The limit, therefore, is 72.

Mr. HAY. I said nothing to the contrary of that. I said they have 60 officers allowed, and that turns out to be true.

Mr. GARDNER. Yes; but——

Mr. HAY. And they had 260 enlisted men in the Aviation Corps. Now, 12 of those men are to be educated as flyers.

Mr. GARDNER. The gentleman means the others are on the ground?

Mr. HAY. The others are on the ground doing aviation work.

Mr. GARDNER. I beg the gentleman's pardon; I thought the gentleman meant there were 120 flyers. I am very glad to have the explanation, for I think the committee understood that there were that number of enlisted men in the flying business.

Mr. HAY. I do not think they did, because I think they knew what the bill does.

Mr. SMITH of New York. Will the gentleman yield?

Mr. HAY. I do.

Mr. SMITH of New York. In case of a conflict how rapidly could additional aeroplanes be obtained?

Mr. HAY. I think from the evidence in the hearings that they could not be obtained very quickly, because in this country there are only three manufacturers who are now making aeroplanes which can be used for military purposes. Now, of course, if a war came on and we placed very large orders they might manufacture them more quickly, but the aeroplane business does not seem to be a very profitable one and there are few people engaged in it.

I hardly think it necessary, Mr. Chairman, for me to continue these remarks, desultory as they are. I want, however, to call attention to the fact that we are in no danger of a large army landing in this country in a very short time, and that we will have ample time for a great deal of preparation. Why, when Canada sent her first 33,000 troops to England to take part in this war it took 31 transports and 62 war vessels to take them over there; and if any great force is landed in this country you must presuppose that our fleet has been destroyed and our coast defenses leveled to the ground and the people of this country have all taken to the woods. I do not believe that time will ever come. [Applause.]

Mr. Chairman, I reserve the balance of my time.

Mr. KAHN. Mr. Chairman, I yield 20 minutes to the gentleman from Pennsylvania [Mr. HULINGS].

Mr. HULINGS. Mr. Chairman, I believe the result of the dreadful war in Europe will so sicken and disgust the heart of mankind with militarism and everything that pertains to war that enlightened, universal human nature will seek some other means of settling their disputes than going to war. [Applause.] I believe it will clear up the road to the establishment of an international court with an international police to enforce the decrees of that court. However, that is only a hope. Meantime, we must take the world as it is. War is a fact, liable to appear when least expected. Two months before the Spanish War the man who would have suggested war between the United States and Spain would have been deemed wild. Some of the young Spanish bloods over there in Habana, in talking with some young Americans, suggested that Spain could land a force at Key West and march through to the Capitol. The young Americans said that if any Spaniards came over here they had better behave themselves or the police would run them in. [Laughter.] Well, now, the contrary was the fact. I believe at the beginning of the Spanish War a division of well-trained Spanish troops under the command of a leader like Stonewall Jackson or Phil Sheridan landed at Key West could have marched right straight through to the Hudson River without effective opposition. We were very confident; we were wild for the encounter; but we were not prepared for war. The military expedition that we sent over to Cuba was one of the most lamentable affairs. We loaded ships with quinine and with cannon balls, and when they wanted quinine they found cannon balls on top of the medicine. Everything was topsy-turvy; and it was the Regular Army, not the militia, that was responsible for everything. We have learned much since, but any large levy of troops would create the same confusion. I do not believe, Mr. Chairman, that we are in great danger of war with any powerful military nation; and yet these wars come. Eight months ago no person would have been so rash as to have said that within two months there would be the greatest and most destructive war the world has ever seen; yet war came like a lightning stroke from a clear sky, and nobody is yet wise enough to tell what the underlying cause is. It is only the part of prudence, therefore, to make reasonable preparation for such emergencies as may arise.

I have listened to discussions on this subject before the Military Committee, and I am sure that that committee has given to the subject very earnest attention. I think they are almost as one with the idea that there is at present, with some exceptions, mostly in the aviation field, reasonable preparation. The President of the United States, like all other reasonable men, thinks that there should be "adequate" defense. The only trouble is that we differ as to what "adequate" defense may be. The President thinks that we should depend upon a "citizenry trained to arms." Now, that is something that does not exist, and it seems to me it is to that very point that we should give most earnest attention. It is well known that this country will not stand for a great standing army in time of peace. This needs no discussion. There does not appear to be sufficient reason, even after considering the earnest argument of the gentleman from Massachusetts [Mr. GARDNER] as to lack of preparation, for a large standing army. It seems to me the scale of preparation that he would insist upon would be that preparation that would be necessary to resist a great invading force.

Mr. GARDNER. Since the gentleman has mentioned my name, will he yield?

Mr. HULINGS. Certainly.

Mr. GARDNER. Does not the gentleman know, as he has heard it time and again, that I insist on nothing but an investigation and report from an impartial commission?

Mr. HULINGS. I suppose it would be fair to say that the gentleman has insisted before the committee and also before this House that there should be an investigation by a competent body to see what the preparation should be. Now, it seems to me, gentlemen, that we do not need any great increase, perhaps no increase, in our standing Army beyond the 100,000 men that are now authorized. I do believe that we should have a Navy capable of making it so difficult for an invading force to land, that whilst they were landing here a large army, from whatever source they might come, we could be organizing and training our own troops. A gentleman the other day on the floor suggested that they had enough of squirrel shooters down in Arkansas to pick the eyes out of any invading force that might come here. Well, I suppose he had not thought of shrapnel fire at a range of 6 miles. These forts that we have would not stand in the way of any invading force. I do not suppose that the commander of any invading force would select a fort to go up against with his fleet. His warships would convoy his transports with his troops to any one of one hundred places where they could land without opposition, except from the military force, unless we had a Navy to prevent the landing. And

for that reason, Mr. Chairman, I believe the expenditure of money in preparation for defense should be expended largely on the Navy. I do not believe that it is necessary at this time to increase the military force, because a proper and reasonable increase of our naval force would make a foreign invasion so difficult as to be improbable, and thus we would have no use for increased military force, except probably to garrison the Panama Canal.

Mr. Chairman, I have introduced a bill into this House that has been lying in the committee room for some time. I have never been able to get any consideration of that bill there, but I want to take this opportunity to call the attention of the committee to a suggestion that is made in the bill that is just in line with the preparation or the training of citizenry for the national defense. That bill would provide that the President of the United States might enlist a force, to be called the public service corps, the number not named in the bill, of young men from the ages of 16 to 25, who should be drilled and subsisted and disciplined as soldiers, armed and equipped as soldiers in campaign, the private soldiers being paid $30 per month, double the pay of regular soldiers, and that force would be employed in the building of roads or other public works. They would serve one year, not eligible for reenlistment, but the corps would be kept filled with new men; the officers to be appointed by the President. Such a corps—officers and men—would get training in actual military life; the officers especially would get training in the handling of supplies and materials, the handling of large bodies of men, and the administration of subsistence and quartermaster's stores, something that they do not get either in the National Guard or in the Regular Army itself when scattered in a multitude of small posts. That would train officers in actual military life and would fill the country in a few years with a large number of young men who had had actual military training.

I submit this matter to the House as a contribution to a subject that I think is of very great importance, and it seems to me precisely along the lines suggested by President Wilson in his address, suggesting that our defense must be by a "citizenry trained to arms." This corps would not be subject to military duty. It would not be a part of the Army. It would be a body of men employed at useful work under military discipline, providing work for the unemployed at fair wages, and in a few years the country would have a great number of young men trained in military life, who in an emergency would volunteer for the defense of the country.

And I might say that incidentally we would get about two miles of public road built for what we now pay for one. I know there are a lot of fellows in the Army who would say that that would be soldiers' work, and soldiers do not like to work. A good many of them think it is derogatory. The sooner they get that idea out of their heads the better. But, at any rate, there is no room for professional jealousy, because this corps would not be a military force. It would provide in a few years a large body of "citizenry trained to arms," upon which the country could depend in time of need to fill the ranks of the Regular Army and the Organized Militia.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The gentleman yields back two minutes.

Mr. KAHN. Mr. Chairman, I yield 10 minutes to the gentleman from Illinois [Mr. MCKENZIE].

Mr. McKENZIE. Mr. Chairman, as a member of the committee I felt perhaps it would be better to allow others to use the time in general debate on this bill. Therefore, I will take only a few minutes in which to make a few observations.

When Gen. Scott, the Chief of Staff of our Army, was before our committee I asked him the following questions:

General, how long have you been connected with the service of the Army?

He answered:

Since 1876.

I asked:

What would you say of the action of the Congress of the United States in the past 20 years in regard to looking after the national defense? Have they been derelict in their duty, or have we been constantly improving our national defenses?

His answer was:

Constantly improving.

Now, Mr. Chairman, the great political party which has been controlling the destinies of this country and taking care of the national defenses for the past 20 years, with the exception of the last two years, is the party to which I am proud to belong, and I would regret very much if that great party had been derelict in its duty along this line. But I think any man who has sat here this afternoon and heard the statistics that have been read into the RECORD will go away feeling that at least ample money has been appropriated in the last 20 years to care for the national defense.

I want to say, further, that if that money has not been properly expended by the men in charge of the defenses of our country, then these men ought to be court-martialed and dismissed from the service. But I want to say that I am satisfied beyond any doubt that not only have sufficient appropriations been made, but that the money has been expended judiciously, not only in building up the coast defenses of our country, but in building up a reserve that will take care of an army of 560,000 men, should occasion require, and it will take only a few years more at the rate we are now appropriating money to have that entire reserve in field artillery, small arms, small-arms ammunition, and field artillery ammunition, as well as ammunition for the coast defenses.

Now, gentlemen, if I had it in my power, I would make some changes in regard to our Army. In the first place, I would limit the term of enlistment to two years; in the second place, I would encourage and aid the militia of the several States, to make it a more efficient body of military men. Another thing I would do would be to make a flat rate of retirement pay for Army officers and prevent the political pulling and boosting that goes on in pushing our Army officers up from captains to colonels, and so on, and retiring them at the highest rate of pay. I think it is no reflection on our Army officers to say that they would do their duty just as well and just as loyally if we took away from them the hope of retiring as a brigadier or a major instead of retiring as a captain or a colonel.

So far as increasing the Army is concerned, I would increase it only by the enlistment of sufficient men to bring it up to the standard authorized by law. The idea that we have to have more officers and more organizations in order to defend our country at this time is, to my mind, absurd. We have power now to enlist all companies up to the full capacity of 150 in each company, and if we need men, let us do that without increasing the heavy overhead expenses by increasing the number of organizations in the Army.

I am called a conservative. I hope I am when it comes to this matter. But I believe in the adequate defense of our country. I believe in reasonable preparation for war, and I think that is being taken care of in the proper way. I know that we are not safe or immune from war so long as the passions of men remain as they are. But if war comes, with the Regular Army that we have, with our Navy and the militia that we have, and relying on the spirit that prevails in the breasts of the patriotic sons of this country, I have no fears of this country of ours being crushed. [Applause.]

There are not enough men, in my judgment, in all Europe to ever make a trail, as Abraham Lincoln said, on the crest of the Allegheny Mountains and one of them get back to the Atlantic coast alive.

When any nation embarks 100,000 men on transports to come across the sea to attack us, that when they have dispelled our Navy from the seas, sunk our battleships beneath the waves, and they come to our coasts and tear down our defenses, I want to assure those gentleman that there will be one of the finest reception committees at the shore to meet them that they have ever met in their lives. [Applause.]

And more than that, if they start anywhere into the interior of our country, the sons not only of one part of our country, but the sons of Georgia, Illinois, Mississippi, and Wisconsin will gather together as one united, mighty force to repel any invader who may dare to touch this soil of ours. [Applause.]

But suppose they destroyed our fleet and got into our country for a distance, we could still live on and on, for we need not the products of foreign lands to support and sustain us in our trial, and we could fight them as long as they desired to continue the conflict. But let us hope that that time will never come. [Applause.]

I yield back the remainder of my time.

Mr. HAY. Mr. Chairman, I yield 20 minutes to the gentleman from Georgia [Mr. HOWARD]. [Applause.]

Mr. HOWARD. Mr. Chairman, I regret very much that the time I shall consume necessitates my inflicting myself upon you when you are practically wearied out with the length of this debate, but I have a few observations, as a member of the Committee on Military Affairs, that I would like to submit for the consideration of the House.

In my judgment, Mr. Chairman, it is time for Congress to take "stock," as it were, and investigate the present cost of our military establishment and what the cost would amount to if we followed the program laid down by many of the great so-called military experts and unduly excited Senators and Congressmen.

Recently the gentleman from Massachusetts [Mr. GARDNER] has received much newspaper notice throughout the country on account of his insistent demand for a commission to investigate and report to Congress our unpreparedness for war. We need no such commission. The report of such a commission would be worthless. For unless it was endowed with omniscent powers it could not possibly conclude which of the great nations of the earth we were to engage in war and when the fighting would commerce. But, for the sake of argument, let us take one of the great powers of Europe, Germany, and see what would be the price we would have to pay to prepare to meet her army man for man.

The peace strength of the German Army has been kept at a minimum of 620,000 men. Under the German system of compulsory military service between the ages of 16 and 45 years this army cost Germany in 1913 $248,000,000.

Our Regular Army, according to the last reports of the War Department, is shown to be 4,652 officers and 80,740 enlisted men, a total of 85,392. The appropriations for the upkeep of this Army will cost the American people for the ensuing fiscal year in round figures $130,000,000. So if we must prepare to meet world power with the strength of Germany's Army of 620,000 men, it would cost us about $750,000,000 annually, or a little more than $7.50 per year for each man, woman, and child in the United States.

To state such a proposition is an assurance that the American people would not stand for such tomfoolery.

About two months ago, in a statement to the press, I said that there was but little excuse for us to get excited and nervous. To-day we are more secure from war than we have been at any period in 40 years. Practically the whole world is in a death struggle. Europe is daily expending millions of dollars in money, millions upon millions of dollars worth of property is being destroyed, her hillsides are saturated with and her rivers are crimson with the blood of tens of thousands of the very flower of her manhood.

Mr. Chairman, all America stands appalled at the unprecedented cataclysm in which our friends across the water are now engaged. We hope and pray for the speedy restoration of peace, but if that happy condition were brought about this minute, already the bloodiest, most destructive, and costly war the world has ever witnessed has been fought. It will take years of deprivation and toil to rebuild the destroyed cities, replace the wasted millions expended for the death-dealing instruments of war, and no man can foresee the day when the payment of interest will end upon the bonded indebtedness of these nations.

Surely no one will be bold enough, in the face of recent events, to seriously urge that preparedness for war is the best insurance against war. Germany and France, England and Russia were all well prepared for war—and they are at war. As has been aptly said, "The breeding of bulldogs in no manner promotes peace in the canine family."

Mr. Chairman, many of the great thinkers of the world have proposed plans for universal peace, and in like manner many have planned preparations to protect against war. So far neither have met with success. It seems that no matter how many international peace conferences we have the nations of the world will not agree to lay down their arms forever and dwell upon the earth in "brotherly love." On the other hand, no nation has yet determined when it had enough battleships or enough armed men to say with confidence, "We are secure against attack." My judgment is that we will see universal peace on the earth long before we will ever see the war lords and militarists of the world satisfied with a nation's preparedness for war. It would be a task as impossible as the extinguishment of an erupting volcano with a squirt gun.

If I were called upon to insure this country against invasion by a foreign nation my plan would be along entirely different lines from those of the jingoist. I would prudently and gradually secure my country with the necessary equipment and scatter it through the Nation, and keep our gunlock oiled and our powder dry. When this was done, I would turn my attention to instilling in the hearts and minds of my countrymen the glories of peace and the horrors of a war of conquest. I would educate the youth of the land and equip him for a life of usefulness. I would stimulate our commercial, industrial, and agricultural activities. I would encourage the maintenance of American ideals and make secure the blessing of our country for our native countrymen, and thus inspire a patriotism and a courage that would secure our Nation against a world of hostile foes—for such a nation is worth a thousand nations composed of tax-ridden slaves and a conscripted and unwilling soldiery.

Mr. Chairman, few men would resent an insult against his boarding house; but any man will resent an insult against his home. The reason is obvious. He has no innate love for a boarding house, but a heaven-born love for his home and his fireside. So it is with a nation. A tax-ridden and enslaved people are devoid of patriotism, but the happy and contented home is the very corner stone of a prosperous and secure nation.

This great Nation is the most liberal of any nation in its allowance in pay to the men in the ranks and its officers. We are profligate in the payment of pensions, and we find ourselves 50 years after the only great war in which we were ever engaged, expending about 70 cents out of every dollar we collect in revenue to meet our bills for pensions, Army, Navy, and coast defenses.

So, Mr. Chairman, in view of the insistent demand for a commission to report on our unpreparedness for war, and in view of the clamor of many daily papers of the country for a greater Navy and a greater Army, I have thought it only fair to those who pay the bills and who will really do the fighting, if we are ever involved in war, to let them know what the cost of our present war establishment is and how we expend their money.

The cost per soldier in our Regular Army is now a little over $1,000 per annum. As I said in the beginning, such an expenditure per man is the most costly of any nation's army on earth.

Now, let us give some items of the expenditures going to make up the stupendous sums we are annually spending on the Army, Navy, and pensions. In the year 1914 we expended for—

Army (including rivers and harbors)	$165,646,297.77
Navy	140,736,536.35
Pensions	172,408,518.29
Total	478,791,352.41

Without the least prejudice toward the old veterans of the Union Army who really did the fighting during the Civil War, this pension roll would furnish splendid material for a humorous novel if its consequences did not fall so heavily upon the shoulders of the weary taxpayers of the country. Fighting soldier after soldier has written me agreeing to the outrages committed upon the people in the name of the Union soldier through private pension bills. We all know this is true; but who can stop it? The truth is, it has almost gotten beyond control. Those of us from the States once comprising the Confederate States dare not fight these outrages, for when we do the "bloody shirt" is waved at us and they call it "rebel prejudice." On the other hand, those from the States where these pensioners live dare not oppose them, for it means political annihilation, and the people are between the "devil and the deep blue sea," and we find both contending parties in the North urging their election to Congress largely upon the ability of the candidate to get money out of the Treasury and place more men on the pension roll.

A Mississippi River gallinipper could drink all the blood spilled in the Spanish-American War for its supper and suffer no ill consequences in the process of digestion, and yet out of the 215,000 men who were mustered in the service in that war 1 out of every 7 men in the 15 years past have been able to connect themselves to poor old Uncle Sam for the balance of their lives as pensioners, and thousands of them are hammering at the door for admission to-day.

Essential to a more economical administration of our Army is its divorce from undue political influence in its administrative affairs. The officers of the Army should not be imbued with the idea that great political influence can obtain for them that which they are unwilling to strive for among their brother officers. Promotion should be preceded by a record of efficiency. This will have a tendency to put "ginger" in our officers and bring out their very best qualities. No officer should be promoted over his fellow officer because he is close to the "swivel-chair" brigade or because his daddy-in-law is a Senator or Congressman or a political factor in a State. Nothing is more disgusting to a real Army officer than to see officers promoted 900 numbers, from a captain to a major general, which was done not so long ago by a President of the United States, when, in fact, that officer never commanded a squad in his life. The Secretary of War ought to have plenary power to weed out the inefficient political pets and social katydids of our Army. This should be done at once; the quicker the better. We have many very fine officers in our Army who are to-day silently suffering injustice for this very reason.

Mr. Chairman, it is my judgment—and this is simply my own notion about it—that as we are short of officers all the time and can only partially furnish Regular Army officers for the troops we have, there are too many officers on detached duty in the War Department. Many of them are assigned to purely clerical

duty, and these officers could spend their time more profitably with the troops in the field where they belong, and their places be filled with men from civil life under the civil-service rules and regulations. This would save a great deal of money for the taxpayers.

Again, Mr. Chairman, our system of retiring officers is so liberal that it rather encourages the "drone" to seek retirement, even before he reaches the age limit or has served the 30 years required before making application for retirement.

For instance, a major may stand an examination for promotion to the next higher grade, and in two weeks be entitled to retire for age or length of service in the next higher grade, which in this instance would be that of colonel. Without further comment on this subject you will see that we have 220 brigadier generals on the retired list drawing $990,000 per annum for doing absolutely nothing. This is enough brigadier generals to general the armies of the European allies. No officer should be retired as long as he is capable of giving efficient service, and if we could get rid of those who were inefficient there would be but little trouble about a healthy flow of promotion.

This abuse runs down to the enlisted men. Out of the 3,832 men on the retired list only 168 of them are privates; the others are of the higher grade noncommissioned officers.

We have 49 Army posts in the United States. All of these posts except eight have been recommended for abandonment. Yet political influence and nothing else is preventing their abandonment. They have long since served their purpose and only hinder the economical mobilization of our Army for proper maneuver training and military instruction. Hundreds of thousands of dollars could be saved annually by following the recommendations of the War Department as to this useless branch of the service.

Mr. Chairman, I have already consumed more time than I had expected to when I took the floor. I can not take my seat without adding to what I have said that I hope nothing in the way of criticism will be construed as a reflection upon the painstaking and able committee presided over by the distinguished gentleman from Virginia [Mr. HAY]—of course, excluding myself from that statement—but it applies to both Democrats and Republicans alike. The committee as a body has devoted hours and days to the hearings in an effort to make up an intelligent, economical, yet ample, bill for the Army wing of our Military Establishment. This, I think, has been done. No committee of this House now has or has ever had an abler, more diligent, conscientious, and industrious chairman to counsel with and preside over it than has the Military Affairs Committee. My solemn judgment is that he is one of the best-informed men in the United States on the military status of our own and other great powers of the world, and it is consoling to us all that he is not the least "nervous or excited" about our ability to defend ourselves against all comers.

Mr. HAY. Mr. Chairman, I yield 10 minutes to the gentleman from Ohio [Mr. GARD].

Mr. GARD. Mr. Chairman and fellow Members, as a retiring member of the Committee on Military Affairs in the House of Representatives, having lately been assigned to service on another committee, I wish first to voice my appreciation of the work of the members of this most important committee.

Partisanship has not intruded itself to prevent the proper consideration of all matters coming before this committee, and every member I am sure has been guided by the sole desire to do that which was absolutely right and just.

The most pleasant personal relations have existed, and no committee of this House is presided over by a more patriotic and efficient chairman than the chairman of this committee, Mr. HAY, of Virginia. [Applause.]

The present Army appropriation bill is one which is almost entirely an appropriation bill, for very little legislation is carried.

At a time when a great part of the world is bearing arms there might have been some temptation to have made of this bill an occasion for evidencing by legislative action something really foreign to an appropriation bill, but the country will be gratified to know that this committee has pursued the even tenor of its way and has not gone beyond the bounds of legitimate appropriation.

So-called "preparedness" has been the topic of much discussion in the press, in this Chamber, and elsewhere throughout this land, and the very big thing for the realization of our people is that by the action of the Committee on Military Affairs preparedness is actually and continually being carried on so as to give proper strength to every department of the service.

I am of those who subscribe to preparation for national defense, and would do all things and everything to protect inviolate our institutions, our country, and our citizenship. [Applause.]

I do not share the opinion of those who fear almost immediate assault upon our national integrity for with all the great nations of the world we are at peace.

No policy of armed aggression is ours or ever has been, and the impress we seek to make upon history is attended by the arts of peace, not war; and we strive to have the best development of industries and of commerce make for our national progress.

Nor would I be lured into false security by the idea that all nations are to lay down their arms, for most desirable as this would be, the time does not give it proof; and we are to face the conditions of to-day and to-morrow as they are and probably will be, not as we would have them.

Some have deplored the publicity given to our Army and Navy affairs, but it seems to me that this is exactly what is wanted, so that our people may know, and that an honest and patriotic public sentiment may be builded up based on facts, and not on misinformation.

It is well for the great public, of which we are all members, to know that this bill is carefully following conditions, even unto possibilities, and that it carries and maintains rational preparations for our national defense.

Munitions of war can not be made or provided in a week or in a month, and the present method is to bring strength to all departments of the service, so that at any and all times our house may be in order.

It is this well thought out and considered plan as exemplified in this bill which must stand as the true American idea of a proper army for national defense.

Shall the American policy as we have known it for years, as it has gone with us in our development into the greatest Nation on the earth, be now changed?

Shall we have an immense standing army?

Shall we have a greatly increased standing army?

I am sure the very best sentiment of our citizens would echo the answer "No" to these questions.

The strength of our defense lies in the spirit of our people, which has never failed to rally upon an occasion of national emergency. [Applause.]

That which we should most look forward to is the best possible physical, mental, and moral condition of our young men. There is no better training for the boy and the young man than the exercises and requirements of the so-called military training.

Discipline, regulation, and order soon manifest themselves in the erect carriage, the clear eye, the splendid condition which so well reflect proper exercise, good conduct, and good health.

Many plans have been suggested concerning an Army reserve, and it would seem to me that our continued attention should be increasingly drawn to the promotion of the efficiency of the National Guard.

Despite criticism and discouragement, the militia has maintained itself and now stands on a plane of higher public regard than ever before. As munitions of war can not be procured in a relatively short time, so likewise it takes time and training to make an efficient soldier.

Not alone is a knowledge of military tactics necessary, but the man must learn how to live under conditions as they exist in the camp, on the march, or in the field.

The very nucleus of any reserve Army for national defense would be the National Guard.

The assistance given to the militia in the present bill is an indication of its potential strength as a war reserve, and with future enlargement of training and equipment, with the field instruction accorded to troops of the Regular Army, these bodies of troops may most fittingly and efficiently aid our Army of regularly enlisted men.

The training given to the thousands of the very best young men of the country who would give their service to the National Guard would in itself in the great results of experience, knowledge, and health furnish that high standard of patriotism which is the best guardian of the honor and security of the Nation.

The message which comes to this country from the present Army appropriation bill is that our established national policy is held inviolate and that the events of the times are being observed for our own good; that there has been no neglect, but that steadily we are doing all that can be done for the complete protection of our country.

This message greets a united people who do not wish any great advance of militarism here, but who would maintain the policy of preparation for our national protection alone, yet provide every man and every munition which is needed for the defense of the United States of America. [Applause.]

Mr. KAHN. Mr. Chairman, I yield to the gentleman from Iowa [Mr. PROUTY].

Mr. PROUTY. Mr. Chairman, one of the world's greatest warriors has said that "War is hell." If Sherman's definition is scientifically correct, and I guess it is, it follows a priori that war has no legitimate place in the world's economy and should be banished to the country where it belongs. The horrors of war are indescribable and incomprehensible. It has saturated the soil of every country with its best blood. It has sacrificed on its fields of battle the flower of its manly youth. It has made countless billions of widows and orphans. It has wrung unquenchable grief from untold millions of mothers and wives. It has scattered throughout the world in all ages hungry, emaciated orphans begging for bread. It has brought to this old world nothing but sorrow, distress, and horror. It has consumed the wealth, devastated the resources, and destroyed the property of nations, and has placed an intolerable and unbearable burden of taxation upon the laboring and producing masses. It has changed men from loving fathers and kind husbands to warring demons with an insatiable thirst for blood. It has changed the instinct of love and humanity to an uncontrollable mania for revenge. During all time it has not brought one ray of sunshine into any home or heart. It has not added one dollar to the Nation's wealth. It has not settled one question of right. Its whole record is demolition, destruction, devastation, sadness, and sorrow. It is therefore not strange that the best thought and conscience of the world are now turning their attention to the discovery of a means by which war shall be lessened if not entirely prevented.

In the few moments allotted to me I wish to calmly and candidly consider the methods that have been tried and the remedies that are proposed for an amelioration of this condition. That nations, like individuals, have and will have differences that they can not settle between themselves must be accepted as inevitable; that there does arise and will arise grave questions between them which can not be adjusted to the satisfaction of one or the other of the contending parties. So long as selfish interests and instincts bias the judgment of men and of nations it will often be impossible for them to agree upon what is right and fair between themselves, and so long as human nature remains the same as it is there are only two ways of settling these final differences. One is by the arbitrament of war and the other is by the decision of an impartial, unbiased, and disinterested tribunal. All good men, all patriotic men shrink from the horrors of war. Few can now be found who will justify it as a means or defend it as a method of settling questions of right. All want peace; but there are two divergent and clearly defined classes of thought by which it can be obtained. One class believes and advocates that the only way to prevent war is to be constantly prepared for it; that the only way for a nation to preserve its own peace is to become so strong in its military and naval equipment that no other nation will be tempted to declare war on it. This is called "armed peace." The whole history of the world demonstrates that armament does not prevent war; but, on the contrary, as a rule, invites it. No nation can become so strong and powerful in its military equipment as to guarantee itself against attack unless it becomes stronger than all the nations of the world; and that, under existing conditions, is impossible and certainly undesirable. No individual has ever undertaken to play the bully that did not find himself sooner or later confronted by a man or combination of men that would lay him low. No nation has ever undertaken to play the bully that did not sooner or later find some other nation or combination of nations strong enough to overcome it. I undertake to say, in the light of all history, that no nation ever secured its permanent peace by its prowess of war equipment. I undertake further to say that the nations that have had most war are those that have made most preparation for it, and the nations that have had the greatest peace are those that have given the least attention to the preparation for war. We do not need to delve into ancient history to verify these propositions. Ever since I was a boy I have read the history of England and the pronouncement of all of her premiers, lords of admiralty, and great statesmen. They have all justified England's great armament on the ground of protecting her own peace and the peace of the world. But she has done neither. She has been almost constantly in war or in the throes of threatened war. She has seen the whole world drenched in the carnage of blood and fire. If her purpose in maintaining this great armament has been to secure peace, every candid man must admit that it has been a failure. She has squandered her wealth, impoverished her people, and heaped upon them burdens of taxation, under which they stagger without having accomplished her avowed or declared purpose.

I have read the history of France. I have seen her spend billions of dollars in war preparation. I have read the statements of her Emperors, her Presidents, her premiers, and her warriors, and they have all proclaimed that these expenditures were made in the interests of peace. France has taxed her subjects almost to the point of exhaustion for the purpose of maintaining her naval and military equipment, and all this was done, according to the declaration of her statesmen, to guarantee peace. And yet the history of France is but a history of its wars. France has neither secured its own peace nor contributed to the peace of the world by her preparedness.

Russia, that great colossus of the north, has impoverished her peasants and depleted the revenues of her Empire in maintaining her standing army and in building her fortifications and armament, under the delusion that she could awe the world. She has dreamed that she could become so strong and powerful that she could secure her own peace and command the peace of the world. This has been the dream of her Czars and her statesmen. But the folly and supineness of her policy has been revealed by every page of her national history. She has neither been able to secure peace for herself nor add to the world's peace. Neither the presence nor preparedness of her vast hordes were able to command peace for her humblest protégé—Servia.

I have been intensely interested in the history of Germany. I have been fascinated with her wonderful development and have been astonished at her growth in the arts, science, and literature, and, most of all, in her industrial and commercial progress; but I have been shocked and astounded at her military preparations. She has taxed her people to the last point that they would endure, and several times she has been on the verge of domestic disquietude, if not revolution. Her populace has groaned under the burdens of her war budgets. But their murmurings of disquietude have been hushed by the declarations of her Emperors and chancellors that these things were necessary to preserve her own peace and the peace of Europe. She has turned Germany into a war camp and bedecked her hills and hamlets with glittering bayonets and helmets. Her military conscription has made every able-bodied man a warrior. She has created a military aristocracy and has made dominant the science of war over the arts of peace. If it is possible to secure peace by preparedness, Germany ought to have had perpetual peace. But her preparedness did not protect her. We now find her engaged in the most terrific war the world has ever seen, a war that not only challenges her military prowess but, by her own words, threatens her existence. If the superhuman preparedness of Germany has not been able to protect herself or contribute to the peace of the world, it leads every thoughtful man to inquire just how much preparedness is necessary in order to guarantee peace and protection to a nation.

This war clearly demonstrates the fallacy that war can be prevented by preparedness. In the last 40 years, since the close of the Franco-Prussian War, the nations now at war have expended more than $40,000,000,000 in preparedness for war. I saw a map the other day printing in black the portions of the globe now engaged in war and in white the countries blessed with peace. This map showed that three-fifths of the globe is now black and two-fifths is white, and it strangely and conclusively shows that preparedness for war does not prevent war. The countries that have expended the most money and made the greatest preparations for war are now engaged in war, while the countries that have made the least preparation are now enjoying the blessings of peace. In viewing that map I noticed the little spot on the Western Hemisphere marked the "United States," and it was in white. The jingo press of the country and the military chivalrists on this floor tell you that we are not prepared for war. For one I thank God that that is true—that we are prepared for peace. If in this crucial hour we had as large an Army as some men advocate, if we had a Navy as large as some men on this floor would wish, if we had the military spirit aroused as some are attempting to do, if we had as commander in chief of the Army and Navy of the United States a man of warlike temperament this country, like those other unfortunate countries, would now be grappling in the world's titanic struggle, and the little white spot now appearing on the Western Hemisphere as the United States would be added to the hideous map of black that now appalls the world. But if preparedness could purchase peace it could not secure justice. The rights of the strong would be respected or enforced while those of the weak would be disregarded or outraged. This world will not be civilized until it provides a method of securing international justice as well as peace.

The spectacle of this hour demonstrates that war can not be prevented by preparedness. It even demonstrates a stronger proposition that preparedness for war incites and invites war. The war spirit that was aroused in order to sustain the Governments

in their policy of expenditures could not be satisfied with the mere building of war vessels or the construction of superior military equipment. This spirit demanded their use, the trying of them out in actual conflict. A nation that has been taught to believe that it has the strongest navy and an invincible army can not be contented until it has tested its prowess in real conflict. You might as well say that a football team would be satisfied with its months of training without ever allowing them to enter the real game. It thus happens that whenever a nation has developed the military spirit, in times of serious or even slight trouble this military spirit gets beyond the power of control by the conservative and peaceful forces, and on the slightest provocation demands war. The pages of history are replete with instances where nations have been driven to war against the calm, cool judgment of the people. In my judgment, if we desire to secure the blessings of peace for ourselves and for our posterity we should encourage the arts of peace instead of stimulating and emulating the arts of war. You can not stimulate peace and good order in a community by encouraging every man to carry a revolver, bowie knife, and brass knuckles, however effective they are in personal defense. But no man ever added to his own personal safety in a community by strapping a belt of revolvers about him or by leaving protrude from his boots the handles of bowie knives. He thereby only added to the danger of personal attack. Such preparedness only invites encounter, and this is just as true of nations as of individuals. The law of cause and effect works the same with one as with the other. The world's late craze for naval and military armament has brought its logical and natural climax—a world war.

Now, since war can not be prevented or even ameliorated by preparedness, it leads every man that wants peace to make a candid inquiry as to whether there is another method of prevention or amelioration. As I have said before, nations, like individuals, will have controversies that they can not settle between themselves. Nations, like individuals, are biased and warped by self-interest. Most questions arising between nations, like those arising between individuals, can be settled by negotiations through diplomacy. Most nations, like individuals, want to do that which is right. But the question of interest or expediency makes them look at it from different standpoints. Both are honest in their belief that they want to do what is right, but they can not see it alike. When nations reach that point there is nothing to do but to submit the difference to arbitration or war.

Take as an illustration the negotiations now taking place between this country and England over the rights of neutral commerce. It is the interest of England to cripple her opponent as much as possible by cutting off her food supply. It is the interest of the United States to keep open these markets for food products of which she produces a superabundance. The viewpoint of each is determined more or less by self-interest, and it could hardly be expected that either party thus biased or prejudiced could determine the question according to the very rights of the matter. But after a full discussion through diplomatic channels this country and England still disagree. America demands and England refuses. What then? Either war or the honorable submission of the question to some disinterested court of arbitration. Which of these methods is the saner one? The submission of a question to the determination of war never settled a question of right. It would not prove that we were wrong in the contention if England should whip us, nor would it prove that we were right if we should whip England. It would simply demonstrate which was the stronger. I believe that most, if not all, of the wars of the world could be prevented by the nations adopting the same judicial machinery that has been tried and made effective in determining the rights and settling the disputes of organized society. Primitive and barbarous men determined their own rights and settled them by force. But civilization has now reached the point when no man has the privilege of determining his own rights nor the power of enforcing them. Society has assumed through properly constituted tribunals the prerogative of determining the rights of the citizens and has created the instrumentality for enforcing them. Inherently I see no difference between the relations of individuals to each other and the relations of nations to each other. There are strong men who declare that there are questions of national honor that can not be submitted to arbitration. Logically and inherently it is just as true that there are cerain questions of personal honor that can not be submitted to the arbitration of courts. But experience has demonstrated that peaceful society can not be maintained by allowing any man to determine his own rights or methods of enforcing them. However sacred these personal rights may be to every man, society has demanded their surrender, except the one of self-defense, and this can only be exercised in the manner and under the rules prescribed by law, and even then society undertakes to punish the aggressor and protect the attacked. It is by this method that individual man has emerged from barbarism to civilization. The very minute that we recognize the right of every man to determine his own rights and use his own methods of enforcement, that minute we sink to barbarism. The progress and perfection of civilization is determined at once by the readiness and willingness of men to submit their rights to the determination of society.

It is a strange fact that while men in their individual capacity have made wonderful progress, as nations we are as barbarous as we were in the Dark Ages. The same methods of determining rights between nations are employed now as then. The same wild ferocity is just as much manifested now as then. The desperate carnage is just as great if not greater than then. Man in his individual relation is becoming marvelously civilized, but as a part of the nation he is still a barbarian. I ask, is it not possible that the same forces that have made man in his individual capacity civilized are capable of being applied to national civilization? The same reasoning that took from the man his gun, his pistol, and his bowie knife should deprive nations of them. When two men undertake to fight out their difficulties they do not simply involve themselves. They involve the best welfare and comfort of others, and therefore society has the right to demand that they desist, even though the matter in controversy is purely personal. So with nations. No two nations can go to war without involving the whole world. They not only disturb the commercial, social, and business relations, but they often involve other nations in the combat.

Take, for illustration, the present war. Servia and Austria-Hungary had a controversy. The exchanges of diplomacy failed to settle that controversy to the satisfaction of both parties. It is more than possible that Austria-Hungary had a real grievance and that Servia had a real right that was involved in that controversy. How much more sane and sensible it would have been to submit that controversy to disinterested parties. This war with its awful ravages will not settle the question as to which was right in that controversy. But the world had a real interest in that controversy as well as these two countries. In attempting to settle that controversy by arms they have involved the whole world. There is perhaps not a man, woman, or child in all the world who has not been affected by it. All Europe has been immediately affected by it and the rest of the world in a more or less direct degree. That little trouble started between Austria-Hungary and Servia has involved all Europe in a war that will probably cost more than 10,000,000 lives and twenty billions of money, and when one or the other wins at this awful sacrifice the question as to whether Austria-Hungary or Servia was right will not have been determined.

But there are those who will say that Austria-Hungary had a right to make the demand and enforce its observance at the point of the bayonet and that Servia had a right to resist, regardless of what effect it might have on the rest of the world. I challenge that proposition. Nations, like individuals, are part of a great community, and they are responsible to that community for their conduct. Neither of them had a right to settle their grievances in a way that might involve the whole world. National society has a right to protect itself as well as local society.

The nations of the world will never become really civilized until they have created machinery for settling such controversies and averting such national disasters. In my judgment, this can be easily done by the nations agreeing to create a court of arbitration to which all disputes might be referred. I know they say it is impossible to do this. I can not see why. Individuals in organized society have made such a compact through their common law. Why can not Governments? A supreme international court is not new nor novel. Since The Hague conference in 1899 the dream of the utopian has become the sober purpose of the real statesman. But some say it would be impossible to get impartial judges or tribunals. Every difficulty that is involved in securing such a court to settle international disputes is involved in securing courts or juries to settle individual disputes. There are prejudiced judges and partial juries. But no one would think for that reason that we should abandon the whole system of judicial procedure for determining and enforcing rights and go back to the old method. In my judgment it would be easier, subject to less difficulty and complications, to secure fair, impartial, and high-minded judges to sit in an international court than in a national court. It would be no more difficult to provide for the proper enforcement of the orders and decrees of this court than to provide for the enforcement of the decrees and judgments of a national court. Of course this court must be established by national agreement, like the local courts are established, and

their powers determined by local agreement. If nations want peace they can secure it through an international court of arbitration. If they want war they can continue their present barbarous system of determining national disputes. For one, I am in favor of an international court.

But I wish now to devote a few minutes to the present situation in this country. There is a propaganda now going on in the press of the country for a large increase of the naval and military forces of the United States, and it is shared in and promoted by certain Members of this House. With some it has reached a stage of hysteria. They try to make us believe that the United States is constantly in danger of attack and that we are in no position to defend ourselves. I wish to examine that question not from the standpoint of a military or naval man, but from the standpoint of a common citizen and apply to it not merely the rules of war strategy, but of common sense.

In the first place our situation is our best protection. We are isolated from any possible enemies on the east by an ocean expanse of about 3,000 miles, and on the west by about 5,000 miles. Any country that would undertake to attack the continental United States would have to transport its armies with all its equipment across these vast expanses before they could attack us. The impracticability, if not impossibility of the transportation of any dangerous forces must be apparent. It would take at least 100 vessels to transfer 100,000 men, and such a flotilla could not be brought together, equipped, and landed in the United States in less than two months after the declaration of war, and probably not inside of three or four months. We may get some idea of this task from recent occurrences. After the declaration of war between Germany and England it took England nearly three weeks to land 60,000 men across the channel, a distance of only 25 miles. In the published conversations that took place between military officers of Belgium and England looking to the defense of Belgium by England in the event of attack by Germany, England would not agree that it was possible to land 100,000 English troops in Belgium in less than two weeks. If it would take two weeks to get together a flotilla for transporting 100,000 soldiers 25 miles, where every vessel could make five or six trips a day, how long would it take to get together a flotilla for transporting that number of men 3,000 miles? Such a task would be stupendous, so great that no nation has yet ever considered it, and, in my judgment, no nation ever will seriously consider it.

But now what would they do if they arrived here? It is conceded by every cool, level-headed naval man that they could not land their troops at any of our fortified ports. There is no naval officer that will now risk his ships within the range of land batteries. The contest between land batteries and a ship is too unequal to be hazarded. One well-directed shot from a land battery may sink a large dreadnaught. Its size and position make it an easy target. But the guns from the ship with difficulty locate the land battery, and its size and concealment make it a very doubtful target, and even if found and hit may do but little damage. It certainly can not be sunk. At most it can be silenced, while other batteries can keep up the contest. This constitutes such an unequal situation that it is becoming the recognized naval policy to never allow a fleet to engage in combat with a land battery. But the length of time that would be absolutely necessary for the moving of such a flotilla would make it easily possible to mine all of our ports, and against the destruction of these mines no naval officer will jeopardize his war vessels.

So it is conceded by all military men, I believe, that if any landing of such a fleet could be had on the eastern coast of the United States it would have to be on the open seashore. Now, let us see what are the difficulties connected with such a landing. Such a flotilla could not be organized and brought to our coast unknown or unobserved. Our ships on the sea could and would keep track of them, and their direction and probable landing place would be communicated by our modern system of wireless telegraphy. They could not creep up by stealth. The contemplated place of landing could and would be known a reasonable time at least before their approach, and our troops, through rapid transportation by rail, could be easily concentrated at such point. Now, what would happen? Neither the war vessels, colliers, nor transports could reach the shore so as to unload their soldiers direct. They would have to anchor at sea and send in their soldiers and their equipment in small boats. By the modern system our armies could be easily intrenched on the shore and could easily pick off these soldiers approaching in the small boats as fast as any attempt to land them was made. Our men would be in trenches and their men would be in boats on the open sea. What kind of a show would they stand in making such a landing? But it might be said that the war vessels would drive our men from the trenches. That is not so easily done. The present war has demonstrated that it is very difficult to drive men from trenches by cannonading, even with shrapnel. For months men have lain in trenches along the fighting line between Germany and France under almost constant artillery fire. It would be almost impossible to hold a naval fleet in one position long enough to completely drive our men from the trenches. Certainly it could not be done until large numbers of the landing soldiers had been slain. But suppose that the artillery from the war vessels was able to drive back our men so as to allow their soldiers to land. It would only be necessary for us to withdraw our soldiers far enough from the seashore to get out of range of the guns where we could reintrench, and then what would 100,000 men do toward conquering the United States on land? How far could they or would they dare to follow our soldiers into the interior?

What kind of an army could we organize in 60 days to meet such an invading army? We have a Regular Army of 80,000 men, a large part of which could be made available in the time that would be necessary for the transportation of this invading force. We now have about 120,000 national guards, all of whom are more or less trained in military tactics and operation. How long would it take to secure a million volunteers to defend our coast against foreign invasion? We now have more than a million arms with which to equip them. I undertake to say, judging from the experiences of the past, that in 60 days the United States could assemble a million men with sufficient training and ability to meet such an invading force. Such an invading force would not dare to leave the protection of their ships and undertake to go inland. Abraham Lincoln was right when he said that all the armies of the world could not water their horses in the Ohio River. Any such force as that which would undertake to penetrate that far would be surrounded, enveloped, and annihilated. Napoleon once said that he had figured out a hundred ways in which to land troops in England, but he never had been able to figure out one way by which he could get them out. Every military man in Europe that has ever contemplated the invasion of the United States has been confronted with Napoleon's dilemma. This may account for the fact that although we have been here now for 125 years no nation has ever yet declared nor, so far as I know, contemplated the declaration of an offensive war on the United States. It will be noticed that in my analysis of this defense I have left out of consideration entirely the American Navy, except such parts of it as might be necessary for scouting the seas and keeping track of the movements of the invading fleet.

But these advocates of increased militarism when confronted by the fact that it is practically impossible for an invading force to approach us from the seas at once say that England could land her troops in Canada and bring them across the border, and there is something sane and sensible in that suggestion. England could send her troops to Canada and mass an army that could attack us on the north, and that is the only place from which we could be endangered. And yet that but reveals the inconsistency of the advocates of armament, fortifications, and big armies. The only place from which an attack could be made is not fortified, and there is not any proposition in their program to fortify it. Here is a line between Canada and the United States that extends for more than 3,000 miles that has not a gun, a fortification, or a soldier, and this bill does not carry a cent for the purpose of increasing the fortifications along the line of our only possible danger of attack. When put to its final analysis it shows that the American people are depending for protection against England not upon her armies, not upon her fortifications, but upon the friendship, good will, and sense of justice of the English people. We are spending millions and millions of money in protecting ourselves against imaginary or impossible enemies and leaving absolutely exposed the only possible point of invasion. The very fact that that line has remained there unprotected and unfortified for a century and a quarter without a single hostile foe having even threatened its passage is the best argument in the world in favor of the proposition that war can best be prevented by amicable relations and adjustments and not by fortifications and armaments. Now, if we really have a nightmare of invasion, if we are hysterical, if we are scared out of our boots, let us be sensible and fortify and protect the only line of possible danger.

But when and where is this mad craze for increased armament going to stop? Every time one nation builds warships it is necessary for every other nation to build others to match them. Every time one nation increases its army it is necessary for other nations to increase theirs. This process has been going on for the last two decades, until it is sapping the financial resources and industrial activities of the people. Al-

ready our war expenses have reached the point where 73 cents out of every dollar that is paid by taxes into the Federal Treasury goes into the war chest. Sir Edward Grey said, on March 13, 1911, in the halls of Parliament, that—

If this tremendous expenditure on and rivalry of armaments goes on it must in the long run break civilization down.

In the last two decades Germany has increased its annual war budget in times of peace from $177,000,000 to $313,000,000; Russia has increased from $135,000,000 to $285,000,000; France from $180,000,000 to $233,000,000; Great Britain from $164,000,000 to $312,000,000; Japan from $9,000,000 to $74,000,000; and the United States from $137,000,000 to $409,000,000. Men on this floor talk about the passive unpreparedness of the United States, and yet our war budget is larger than any other nation in the world—almost $100,000,000 more than the largest, that of Germany. I chose the year 1910 as the proper one for comparison because the great powers of the world were then at peace. But while we are still at peace, the war budget of this session of Congress as reported carries nearly $20,000,000 more than it did in 1910. When are we going to reach a stage of defense that will satisfy the hysterical jingoes of this country?

Let us be practical for a moment. If we are going to maintain an army that will fairly match the standing armies of the leading powers of the Old World no one would place it at less than 600,000 men. If it costs $100,000,000 to keep a standing army of 80,000 men, what would it cost to keep a standing army of 600,000 men? Mathematics would tell you that it would cost at least $700,000,000. This would be for mere support. With this vast army, of course, the pension roll would be greatly increased. If we are to build a navy that is ample to protect us under all circumstances on the sea we must have a navy as strong or stronger than the strongest. The construction of such a navy within the next decade would call for an appropriation of at least $200,000,000 annually and would cost at least $300,000,000 a year for support. This, with our pension roll, would make an annual war budget of approximately $1,360,000,000. This would more than exhaust the entire present revenues of the Government, including the postal receipts. These cold figures ought to be sufficient to convince anyone that the American people are unwilling to enter upon a program of complete defense by military and naval prowess.

There are things that will furnish better protection than military preparedness. Nations like individuals can keep out of trouble best by tending to their own business and recognizing and respecting the rights of others. He is a big, brave, strong man that is always ready to defend his rights, but he is a bigger, braver, stronger man who is capable of recognizing and respecting the rights of others. It is a big, brave, strong nation that is ready at all times and under all circumstances to defend its rights, but it is a bigger, braver, and stronger nation that is capable at all times of recognizing and respecting the rights of other nations. It is by this course, and by this course only, that any nation can remain at peace. Justice, equity, humanity, respect for the rights of others are the only things that can secure peace. Armies and armaments do not even make for peace, let alone guarantee it.

But every nation is confronted by the danger of a natural and cultivated war spirit. Human nature is such that it is easy to stir up strife. One hot-headed man can start a riot that 10,000 cool, level-headed men can not stop. One real coward can stir a thrill of terror that a thousand brave men can not quiet. The world is one great magazine of war spirit that is easy to arouse, and when started is almost impossible to control. One schoolboy started a conflagration of war that has involved all Europe, that popes, presidents, sovereigns, and the united prayers of all civilized men can not stop; and if prayer is or can be answered it raises the question as to whether the Almighty Himself can stop it. The flames and passions of war can be easily fanned and the siren of peace becomes almost voiceless before its mad rage.

This situation and condition is utilized by those who are interested financially in the making of instruments of war equipment. In a recent speech made by Dr. Karl Liebknecht in the Reichstag, it was charged that the Krupps had been using their money freely in exploiting patriotism for the same reason and to the same end that manufacturers of other materials spent their money in creating a demand for their wares. It was alleged that this firm, for instance, would go to France and hire some scientific journal to publish an article exploiting the wonderful power of new instruments of war that were being manufactured by France. This in turn was published in all the leading papers of Germany and created a war scare that brought big orders to the Krupps for increased guns. They were constantly having published in foreign papers threats or preparations for war and these were republished at home. In this way they were able to stimulate public sentiment in Germany to the necessity of tremendous war preparations and equipment. After an investigation the substance of these charges were admitted on the floor of the Reichstag by the war minister of Germany. I venture the suggestion that when the real cause of the present terrible war in Europe is finally ascertained it will be found to lie at the door of those large concerns in the various countries that are interested commercially in furnishing war equipment. They have carried on a regular and systematic propaganda for the purpose of arousing envy and hatred between the nations and creating a war spirit at home. I am not without strong suspicions that such forces have been at play during the last two decades at least in the United States. I think the time has fairly arisen when the peace-loving people of this country should take a firm stand against this terrible and indefensible clamor for war, when we should as a Nation turn our attention to the arts, bounties, and blessings of peace, when we should conserve our resources for improving the living conditions of our people rather than wasting them in these fruitless attempts of securing armed peace.

Mr. KAHN. Mr. Chairman, we have listened for some hours to a rather academic discussion as to whether we are prepared for war or not. Personally, I am far from being a militarist, but I do believe in rational preparedness for emergencies. I, too, have read a little of world history, and I find that no nation is, or ever has been, the sole arbiter of its own destiny. Take the conditions we find in Europe to-day. Six months ago we saw the little country of Belgium—the most densely populated section of the globe, for its area—with its people at peace, engaged in husbandry, in manufactures, in the arts. That little country was suddenly invaded, and its citizens were called upon at a moment's notice to defend themselves against the German invaders. At the same time, over in Asia, was China, the most populous country in the world, with 400,000,000 of people. It represents the oldest civilization on the habitable globe, so far as recorded history goes; yet this nation, with its teeming millions of inhabitants, appealed pathetically to the civilized world to protect it against the invading forces of England and Japan.

As a matter of fact we did not start our own last war, the war with Spain. Spain herself delivered his passports to the American minister and declared war against us. We were not prepared at that time to fight even a poor, weak, decadent nation. Our unpreparedness then has doubtlessly cost us many millions of the dollars that gentlemen have spoken of this afternoon. The very pensions to Spanish-American War soldiers that have been alluded to are in large part due to the unpreparedness of the United States in that conflict. If we had had the proper medical supplies and could have taken care of our boys even in the camps on our own soil, let alone the soil of foreign lands, many of those who fell sick and who incurred incurable diseases would not now find themselves in that sorry plight which compels them to seek a pension from a grateful country.

Crises in national affairs usually come unexpectedly. The war in Europe came like a thunderbolt out of a clear sky. If two or three months earlier any man had predicted such a conflict, he would have been looked upon as a fit subject for a lunatic asylum. But suddenly this great cataclysm burst into existence, and millions of men rushed to the front to fight the battles of their respective fatherlands.

Unfortunately jingoism is found in every country, and it is frequently jingoism that brings on armed conflict. Most of the countries of the world have ministries that resign when defeated in the parliament. If a jingo parliament obtains control of the reins of government, such a parliament can force the nation into war. And even though the disposition of our own people and our own Government were absolutely opposed to an armed conflict it is possible for us to be assailed and compelled to defend ourselves.

I have heard talk of war on this floor in very recent times, from men who are constantly opposing appropriations for moderate preparedness. I recall an incident that occurred about two years ago, when there was a controversy in my own State about the passage by our legislature of an alien land law. The people of California felt that they had a right under our constitution and our laws to regulate the ownership of land in that State. A country on the other side of the Pacific Ocean became intensely excited over the proposed legislation. There were threatening crowds in the streets of that country's capital. Excitement ran high. A gentleman on this floor, who has constantly opposed any appropriation for armament, said that he thoroughly agreed with the position the people of California had taken in this matter. In my own opinion he was right. I believe the people of California had the absolute right to take the stand they did. Then this gentleman went on to say

that if the other country was displeased with the action of California and should attempt to interfere with the undoubted rights of the people of that Commonwealth, he, for one, was ready to fight—yes, to go to war to compel that other country to respect our rights. But what did he want to go to war with? He is opposed to armaments, but he was willing to fight in defense of principles he believed to be right. Do you think you can fight unless you have the munitions of war? Unless you have battleships, and cruisers, and submarines, and all the vessels that are required in a modern navy—and unless you have a thoroughly equipped army? And yet the gentleman from Mississippi [Mr. SISSON] was willing to fight another country unless the people of that country were content to accept the views of one of the States of the American Union.

Mr. Chairman, the American people are a race-proud people. We speak with pride of our history, our institutions, our commercial development, our material progress. We glory in our past triumphs and rejoice in the achievements of our martial heroes on land and on sea; and on account of the fact that we have been fortunate and have had success heretofore we are too apt to minimize the necessity for adequate preparedness.

I do not doubt, and no man can doubt, the intense patriotism of the American people. Patriotism, however, is not the only requirement for winning battles. The pages of history are replete with instances where the greatest personal patriotism succumbed on the field of battle to superior forces or better-equipped adversaries. We are too prone in this country to exaggerate our prowess, our fighting ability. The gentleman who spoke a moment ago, the gentleman from Iowa [Mr. PROUTY], delivered a speech on this floor about three or four weeks ago in which he pointed out the impossibility of landing an invading force from the transports of an enemy on the coast of some unprotected bay. He went on to say, as I now recall, that such a thing was impossible; that he could go out to Arkansas and get a regiment of squirrel hunters, take them to the shore of that bay, and just pop off the invaders as they were trying to land.

That kind of talk is pernicious. Did the gentleman ever consider that there would be great battleships of the enemy behind those transports, and that they would be firing 700 and 800 pound shells to drive off and scatter those squirrel hunters? The squirrel hunters would not get within 6 or 8 miles of the shore, and, as a matter of fact, they could not. The heavy shells from the battleships would just drive them inland while the landing was being effected. And yet that kind of bombast is uttered on this floor in the attempt to induce the American people to lull themselves into a belief that there is absolutely no danger from invasion at any time, and that we can drive off an enemy without difficulty and without any preparedness.

Mr. BOOHER. Will the gentleman yield?

Mr. KAHN. Yes.

Mr. BOOHER. I would like to ask the gentleman what our Navy would be doing at the same time that the transports were landing their men?

Mr. KAHN. The assumption was that we had lost control of the sea.

Mr. BOOHER. Before a gun had been fired?

Mr. KAHN. No; after a disastrous naval battle we had lost control of the sea. The enemy were trying to land their men. That happens, as the gentleman must know, once in a while.

Mr. BOOHER. It does not happen that we have ever been licked.

Mr. KAHN. We have been licked in some fights, but generally we have been successful; thank God for that.

Mr. BOOHER. And I think we will be again.

Mr. KAHN. I have no doubt that if the time shall ever come when the Army and Navy of the United States are called upon to give an account of themselves, we will find them both ready to defend our country and our flag with all the valor that has inspired them in our past conflicts. They will give an account of themselves that will bring a flush of pride to their admiring countrymen. But all the same I still believe that the old saying, "Trust in God, but keep your powder dry," applies in our day even as it did in the early days of the Republic, and I for one want a good deal of reserve powder to be kept dry.

Now, I recall one occasion in the Committee on Military Affairs when we were taking up this very question of possible invasion, and one of my colleagues said, "Oh, there is no danger; we will sweep them off into the Pacific Ocean with brooms." Well, we will find out that any nation that picks a quarrel with us and goes to war with us will not be fighting us with brooms. We will have to meet them with the same kind of weapons that they have, and, if possible, better ones. I heard a great deal, about two years ago, about the great work for world's peace that was going to be performed by the two good ships, Fellowship and Friendship. I think they were both scuttled at Vera Cruz. [Laughter.]

Mr. BOOHER. Mr. Chairman, will the gentleman yield for a question?

Mr. KAHN. Yes.

Mr. BOOHER. The gentleman has not given up all hope yet that good-fellowship and good friendship will yet reign in the world?

Mr. KAHN. Oh, good-fellowship and good friendship are mighty fine qualities to possess, not only for individuals, but even for nations; but, unfortunately, the selfishness that has been referred to repeatedly on this floor this afternoon still dominates the breasts of many individuals and even the rulers of nations. Therefore, we must be practical and take conditions as they are, and prepare ourselves accordingly.

Mr. BOOHER. Just one more question. The gentleman from California has not given up all hope of a final court of arbitration to settle questions between nations, has he?

Mr. KAHN. I am hoping there may be a court of arbitration some day, but even if we want to enforce the decrees of that court we will have to have ships of war and armed forces to do it, because the decrees of the court will never enforce themselves.

Mr. BOOHER. Then, the gentleman means to say that a nation that would enter into this arbitration agreement would not keep its contract with the other nations?

Mr. KAHN. Oh, I have seen nations tear up treaties as though they were scraps of paper, and I believe that even with the establishment of a court of arbitration every nation will still have to maintain a part of the world's police force in order to enforce the decrees of that court.

Mr. BOOHER. The gentleman does not believe that to enforce those decrees it would be necessary for this Government of ours to increase our standing army?

Mr. KAHN. Oh, I have not favored the increase of the standing army. I have never at any time favored the increase of the standing army. I have said that I am not a militarist, but for all that I believe in being prepared for possible emergencies.

Mr. BOOHER. The gentleman is in favor of an adequate defense?

Mr. KAHN Absolutely.

Mr. FARR. And have we an adequate defense?

Mr. KAHN. No, we have not.

Mr. McKELLAR. Mr. Chairman, will the gentleman yield?

Mr. KAHN. Yes.

Mr. McKELLAR. In reference to these treaties of peace, does not the gentleman think if they serve no other good purpose, they serve the purpose of permitting us to become very much better prepared while we are parleying about this?

Mr. KAHN. Mr. Chairman, I have no fear of any early trouble with any foreign country. And yet I recognize the fact that rulers and cabinets and peoples are all human, with all human frailties and passions, and emotions, and failings. We hope that we may never again be embroiled in war, but the best thing to do, in my judgment, is to be so well equipped that in case any country wants to engage in war with us that country will think twice or even three times before it undertakes to pick a quarrel with us.

Mr. Chairman, the gentleman from Ohio, Judge GARD, who, until very recently, was a very distinguished member of the Committee on Military Affairs, and we all have the highest regard for him, told the House this afternoon that the question of national defense is not a partisan question. I fully agree with that sentiment. It never should be a partisan question. Partisanship should never be injected into the question of the national defense, and yet I was greatly surprised a week ago or thereabouts to read in the newspapers that the Secretary of War and the Secretary of the Navy had invited the chairman of the Committee on Military Affairs and the chairman of the Committee on Naval Affairs, and the chairman of the subcommittee of the Appropriations Committee on fortifications to a conference on national defense. Not a single Member of the minority upon this floor was invited to that conference. I complain of that. If the national defense is not a partisan matter, and it should not be, then conferences of that character for discussing the question of a national defense ought to include Members of the minority. [Applause on the Republican side.] A gentleman on this floor, discussing the matter a few

days ago with the gentleman from Massachusetts [Mr. GARDNER], referred to the national defense as a partisan matter. I refer now to the gentleman from Alabama [Mr. BLACKMON]. He asked the gentleman from Massachusetts [Mr. GARDNER] why the latter's party had allowed the conditions that he was complaining of to continue while the Republicans were in control of Congress. Thus the gentleman from Alabama sought to bring partisanship into the discussion. As a matter of fact, under the domination of the Republican majority, many things were done for our military preparedness. The reorganization of the Army was brought about, and the law creating the staff corps was enacted.

Most of the great coast-defense guns were emplaced. Mine planters were constructed and put into all the principal harbors of the United States so as to enable the coast-defense artillerymen at those ports to receive instruction in mining and defending those harbors in case of invasion. We even accumulated a considerable reserve of medical supplies, clothing, ammunition, rifles, and field artillery. And the only time that these reserves were eaten into was when the Democrats secured a majority in the House of Representatives and thus obtained control of the Committee on Military Affairs in the Sixty-second Congress. It was then that for the first time in the history of the committee and the House the reserve supplies were eaten into. I had not intended to refer to these matters, but when Members try to force partisanship into the discussion I think the truth ought to be told. [Applause.]

Mr. FITZGERALD. Does the gentleman mean that if this were a nonpartisan arrangement he would not tell the truth? Is that the advantage of nonpartisanship in these matters?

Mr. KAHN. Oh, no; I think the gentleman himself knows that the truth will be brought out, no matter whether Republicans or Democrats control the committee, and it is a good thing for the country that the truth be told. There has never been any desire on the part of the Republican members of the committee to hide the truth, and I know that there is no disposition on the part of the Democratic members of the committee to hide or distort the truth.

We have always worked in absolute harmony on questions of the national defense, and it has been rarely that a minority report has been brought in from the Committee on Military Affairs. The only occasion I can recall is when the attempt was made to increase the term of enlistment; and Members still differ, and honestly differ, as to what good, if any, has been accomplished by having changed the term of enlistment from three to four years.

A great deal has been said on this floor to-day, as well as on other occasions, to the effect that 70 cents on every dollar of taxation is now being expended for armament or for wars past and preparation for wars to come. Mr. Chairman, much of that expenditure is due to the large cost that was incurred by the people of the United States on account of their unpreparedness at the outset of hostilities in our past wars. But that cost is not a fair argument in favor of shutting off necessary military and naval supplies. I recall that in the early days of the Republic a similar argument was made against the continuation of the courts. Arguing from a similar viewpoint, there were many Americans who wanted to close the courts of the land because 50 cents out of every dollar that was collected from the taxpayers of the country was being used to run the courts of the 13 States. Men rose in the Continental Congress in those days—yes, and in the State legislatures—and urged that the courts be closed on account of this great expenditure of public money for their maintenance.

Sir, it is much cheaper to build up our military defenses in times of peace and the taxpayers' burden will be much lighter than if we await the opening of actual hostilities before we begin the necessary preparation for the national defense. The present cost of the Army is largely due to the increase of the military forces after the Spanish-American War and to the increase of the pay of officers and enlisted men. I may say in that connection that our country is practically the only country in the world that makes a soldier's life a career for its citizens. That is why we are spending so much money for the Army. We pay $15 a month to the enlisted man during the first enlistment, with increased pay and bonuses for subsequent enlistments, and retire him at three-fourths pay after 30 years' service. Why, this very bill carries $2,850,000 for the pay of enlisted men on the retired list of the United States Army. We do not want conscription in this country. No man wants to see a great armed camp in the United States.

Mr. SLOAN. Will the gentleman yield?

Mr. KAHN. Yes.

Mr. SLOAN. How does our pay to the private soldiers compare with the pay to the private soldiers in the armies of the other important nations of the world?

Mr. KAHN. England is the only other country that pays any considerable sum. I believe England pays something like $8 a month to her enlisted men, but in the armies of continental Europe the pay is about 60 cents a month to the soldier—about 2 cents a day. The countries that have conscription laws work upon the principle that it is the duty of every male citizen to defend the home and the fatherland. That is the principle upon which their system is founded, and they demand two years' service in the Army—in some of the countries three years' service—of every male citizen capable of bearing arms. The people of the United States would never consent to a proposition of that kind in this country.

But I do believe that we could form a very large reserve force in the United States that would come to the colors upon the first call of the President; a reserve of men who will have had at least one year's service in the Regular Army, and possibly two years.

In other words, I believe that we ought to reduce the term of enlistment to a period of not exceeding two years, with the right of a soldier to receive an honorable discharge at the end of one year. Gentlemen on this floor say that we can not build up an army of that character in the United States—that we can not turn out fully trained soldiers in two years. That statement discounts the ability of the American boy. Let me give you a bit of history.

In 1808 the treaty of Tilsit was signed between Napoleon Bonaparte and the King of Prussia. Under the terms of that treaty Prussia was restricted to an army of 42,000 men. She was not allowed to have any more soldiers than that, and these 42,000 men were to be distributed in her infantry, cavalry, and artillery organizations. She had a great general at the head of her War Department at that time, General von Scharnhorst. He was backed up in his plans by the great premier of Prussia, Baron Stein. They had to accept the humiliating terms that were imposed by Napoleon. They agreed to the army of 42,000 men. But Scharnhorst pointed out that the treaty did not state that those 42,000 men would have to be kept in the Army until they died. So he decided that a large percentage of 42,000 men could be discharged every year, and that new men could be enlisted to take their places immediately, so that the army could be kept up to a maximum enlisted strength of 42,000 men, while large numbers of men who had had a year's military training, could be sent back to the body of the citizenship of that country. Thus they could maintain the terms of the treaty and still build up a good-sized army reserve. They carried out that program.

Then, in the closing years of the Napoleonic wars, if history has been properly recorded, we recall that late in the afternoon of June 18, 1815, the Prussians, led by Blucher, came on the field of Waterloo and completed the downfall of the great Napoleon. Blucher's army was recruited from the thousands who had served a short period in the Prussian army under Sharnhorst's plan. They had all had military training, and on the call to arms they had promptly responded to the colors. [Applause.] And on that memorable afternoon they won the final victory for the allied forces against the flower of Napoleon's grand army, the "old guard."

Mr. Chairman, why can not the American youth be turned out a good soldier at the end of one or two years? I am satisfied that if the Prussian boy can make a good soldier in that brief period, certainly the American boy can make as good a soldier in that time. [Applause.] And I would not have the American boy tied to the Army by a hard and fast agreement that he must come to arms in time of trouble. I would trust to his love of and devotion to his country and Old Glory to bring him to the colors in the hour of need. When I would give him his honorable discharge from the Military Service I would say to him, "Take it, my son. We hope we will never again need your services. You now have an honorable discharge from the Army of the United States. But should the god of battles ever decree that the United States should require of her sons that they should fly to the colors in defense of Old Glory and the homes and firesides of the Nation, we hope that you will promptly return to the ranks and give your country the benefit of the training that you have received." [Applause.] And I am satisfied that they would return to the colors by the thousands, yes, by the hundreds of thousands.

Mr. Chairman, with that force and the force of the Regular Army and the force of the Organized Militia, we could put into the field within a week after a declaration of war a half million men who had had ample training to fit them for a first line

of defense and who could hold at bay any possible invaders until the volunteer forces of the United States could be properly trained in the manual of arms and in preparedness for a campaign.

Mr. Chairman, something has been said here about the contest that is now going on in Europe. A great soldier died about two months ago in France. He was an English soldier—Lord Roberts. For years he had been dinning into the ears of the English people the fact of their absolute unpreparedness so far as their military establishment was concerned. But his words fell upon deaf ears. His countrymen did not listen to his words of counsel and advice. What has been the consequence? So far as her land forces are concerned, England has not been able to give a real helping hand to her allies in the present struggle. The brunt of battle has been borne by Belgians, by Frenchmen, and by Russians, and not, as a rule, by Englishmen.

Mr. SLOAN. Will the gentleman yield? One or two of the Members have suggested that there might be an error in the statement as to nationality. Lord Roberts was an Irishman.

Mr. KAHN. He was the head of the English Army. I know that he was born in Ireland. He made a good soldier, as the Irishmen invariably do. [Applause.]

Mr. Chairman, there is another way in which I think our Army Establishment could be materially improved. I think the law which compels the retirement of officers at the age of 64 years ought to be amended. I think officers should be continued much longer than that in the regular service. A man at 64 is still capable of giving his country excellent service and can materially help in solving the great problems of a military character that confront the American people. As I stated a short while ago, the great officers in the titanic struggle going on in Europe to-day are men practically every one of whom is beyond 64 years of age. Our retired officers have been educated by the Government. They have been trained by years of experience to that standard of excellence that will enable them effectively to do the work which they have chosen as a life career, and the country ought to have the benefit of their services far beyond the sixty-fourth year of their lives.

Mr. Chairman, I do not wish to detain the committee any longer. I believe this European war will have an excellent effect upon the military establishment of the United States, so far as educating the American people for preparedness is concerned. We are learning much about the flying machine, the aeroplane forces. We will continue to learn many things in that direction. We have learned already the practical use of armored automobiles, and we will learn much more about them. We are painfully deficient in that branch of our military service, but we expect to have a force of that kind attached to the Army of the United States that will at least make a beginning in the right direction. The pending bill makes appropriation for the inauguration of such a force. We must keep abreast of the times in military preparedness. A little expenditure of money now will save enormous extravagances in case we should be thrown into possible hostilities at any time in the future.

I do not believe, as I said, in an enormous military establishment; but such as we have ought to be the very best on earth. It ought to be so perfect that it can be extended and expanded without difficulty or delay. And then if war should come, we would be ready, so far as our first line of defense is concerned, to meet the emergency promptly and effectively.

The bill that is before us is, in my judgment, a fair bill. It takes proper care of all the various branches of the Army; and while the sum appropriated is a little larger than was the sum appropriated under the last appropriation bill, I feel satisfied that the needs of the country warrant the slight increase, and that from the funds thus appropriated material benefit will accrue, not only to the Army and to the military establishment, but to all the people of the United States. [Applause.]

Mr. HAY. Mr. Chairman, I yield three minutes to the gentleman from Illinois [Mr. TAVENNER].

The CHAIRMAN. The gentleman from Illinois does not seem to be present. The Clerk will read the bill.

Mr. HAY. I ask, Mr. Chairman, that the Clerk read the bill.

The CHAIRMAN. The Clerk will read the bill for amendment.

Mr. BRYAN. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. BRYAN. I would like the RECORD to show how the time stands.

The CHAIRMAN. Thirty minutes were not used. Does the gentleman desire recognition?

Mr. HAY. I have the floor, Mr. Chairman.

Mr. BRYAN. No; I do not desire recognition, unless as much as 40 minutes remained, which could be used by the gentleman from Illinois [Mr. TAVENNER].

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Be it enacted, etc., That the following sums be, and they are hereby, appropriated, out of any money in the Treasury not otherwise appropriated, for the support of the Army for the year ending June 30, 1916.

Mr. HAY. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. GARRETT of Tennessee, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 20347, the Army appropriation bill, and had come to no resolution thereon.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. STOUT, as requested by Mr. EVANS, for three days, on account of illness.

To Mr. RAINEY, for five days, to accompany to Illinois the remains of S. A. Murdock, an employee of the House, who died on Tuesday night.

SPEAKER PRO TEMPORE FOR SUNDAY SESSION.

The SPEAKER. The Chair assigns the gentleman from New Jersey [Mr. BAKER] to preside next Sunday at the memorial exercises on account of the death of the late Mr. BREMNER, of New Jersey.

HOUR OF MEETING TO-MORROW.

Mr. HAY. Mr. Speaker, I ask unanimous consent that when the House adjourns to-day it adjourn to meet to-morrow morning at 11 o'clock.

The SPEAKER. The gentleman from Virginia [Mr. HAY] asks unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock to-morrow morning. Is there objection?

There was no objection.

LEAVE TO PRINT.

Mr. HAY. Mr. Speaker, I ask unanimous consent that all gentlemen may have five legislative days in which to print or extend their remarks on the Army appropriation bill.

The SPEAKER. Is there objection to the gentleman's request?

There was no objection.

URGENT DEFICIENCY APPROPRIATION BILL.

Mr. FITZGERALD. Mr. Speaker, I call up the conference report on the bill (H. R. 20241) making appropriations to supply urgent deficiencies in the appropriations for the fiscal year 1915 and prior years, and for other purposes, and ask unanimous consent that the accompanying statement be read in lieu of the report.

The SPEAKER. The gentleman from New York asks unanimous consent that the statement be read in lieu of the report. Is there objection?

Mr. BURKE of South Dakota. Reserving the right to object, Mr. Speaker, in the absence of the minority leader I would like to ask the gentleman from New York whether there is anything in this conference report that will take any considerable time, and whether he has consulted the minority leader with reference to it?

Mr. FITZGERALD. I spoke to the minority leader yesterday, and thought I would endeavor to get the report up yesterday by unanimous consent without printing, and he said he would not object, but we had to wait until the Senate acted upon it. I do not think there is anything in the agreement to which anybody has objection, and my reason for calling it up to-night is that the Department of Agriculture is very anxious to get the appropriation for the suppression of the foot-and-mouth disease.

Mr. BURKE of South Dakota. Is it a unanimous report?

Mr. FITZGERALD. The gentleman from Massachusetts [Mr. GILLETT], the minority representative, signed the report.

Mr. BURKE of South Dakota. Did he desire to be present when the report was considered?

Mr. FITZGERALD. I did not speak to him about that, but I do not believe that he desires to discuss it. There were only four amendments. One amendment involved an appropriation in which there was a disagreement, and that was the item for the employees for the collection of the war-revenue tax. The

House recommended $75,000 and the Senate put in $180,000. The conferees agreed on $100,000.

There was one item of $1,200 for rent in North Carolina, an actual deficiency. Then there was an amendment by the Senate authorizing the widening of Fourteenth Street between F Street and Pennsylvania Avenue, and that has been eliminated. There was also an item referring to the Panama Canal, which merely makes available money to do certain work at once. So that there were no matters of any great importance in controversy between the two Houses.

Mr. BURKE of South Dakota. Mr. Speaker, I have no objection.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none, and the Clerk will read the statement.

The conference report is as follows:

CONFERENCE REPORT (NO. 1306).

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 20241) making appropriations to supply urgent deficiencies in appropriations for the fiscal year 1915 and prior years, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment numbered 3.

That the House recede from its disagreement to the amendments of the Senate numbered 1 and 5 and agree to the same.

Amendment numbered 2: That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$100,000"; and the Senate agree to the same.

Amendment numbered 4: That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same with an amendment as follows: In lieu of the amended paragraph insert the following:

"For the emergency caused by the infectious nature and continued spread of the destructive disease of citrous trees known as citrus canker, by conducting such investigations of the nature and means of communication of the disease, and by applying such methods of eradication or control of the disease as in the judgment of the Secretary of Agriculture may be necessary, $35,000; and the Secretary of Agriculture is authorized to pay such expense and employ such persons and means, and to cooperate with such authorities of the States concerned, organizations of growers, or individuals, as he may deem necessary to accomplish such purpose."

And the Senate agree to the same.

JOHN J. FITZGERALD,
C. L. BARTLETT,
F. H. GILLETT,
Managers on the part of the House.
LEE S. OVERMAN,
N. P. BRYAN,
REED SMOOT,
Managers on the part of the Senate.

The Clerk read the statement, as follows:

STATEMENT.

The *managers on* the part of the House, at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 20241) making appropriations to supply urgent deficiencies in appropriations for the fiscal year 1915 and prior years, and for other purposes, submit the following written statement in explanation of the effect of the action agreed upon by the conference committee and submitted in the accompanying conference report as to each of the said amendments, namely:

On amendment No. 1: Appropriates $1,200, as proposed by the Senate, for rent of temporary quarters for Government officials at Raleigh, N. C.

On amendment No. 2: Appropriates $100,000, instead of $75,000 proposed by the House and $180,000 proposed by the Senate, for salaries and expenses of collectors of internal revenue.

On amendment No. 3: Strikes out the paragraph, proposed by the Senate, authorizing the Commissioners of the District of Columbia to increase the width of the roadway of Fourteenth Street between F Street and Pennsylvania Avenue NW., and to repave the street with asphalt or asphalt block.

On amendment No. 4: Limits the amount to be used for personal services of the appropriation of $35,000 for eradication of citrus canker to employment of persons outside of the city of Washington.

On amendment No. 5: Inserts the paragraph, proposed by the Senate, constituting one fund of the appropriations heretofore made for the "Fortification of the Panama Canal."

JOHN J. FITZGERALD,
C. L. BARTLETT,
F. H. GILLETT,
Managers on the part of the House.

The SPEAKER. The question is on agreeing to the conference report.

The question was taken, and the conference report was agreed to.

ADJOURNMENT.

Mr. HAY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 35 minutes p. m.) the House adjourned until to-morrow, Friday, January 22, 1915, at 11 o'clock a. m.

EXECUTIVE COMMUNICATION.

Under clause 2 of Rule XXIV, a letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report on preliminary examination and survey of channel at Seadrift, Tex., with a view to providing a suitable connection with the Texas coast waterway (H. Doc. No. 1511), was taken from the Speaker's table, referred to the Committee on Rivers and Harbors, and ordered to be printed, with illustrations.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. VINSON, from the Committee on Pensions, to which was referred the bill (H. R. 21089) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors, reported the same without amendment, accompanied by a report (No. 1307), which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. PARK: A bill (H. R. 21090) to prevent cheating and swindling in interstate and foreign commerce; to the Committee on Interstate and Foreign Commerce.

By Mr. DIES: A bill (H. R. 21091) to make Beaumont, Tex., a subport of entry; to the Committee on Ways and Means.

Also, a bill (H. R. 21092) to make Orange, Tex., a subport of entry; to the Committee on Ways and Means.

By Mr. FRENCH: A bill (H. R. 21093) to extend the franking privilege to the American National Red Cross; to the Committee on the Post Office and Post Roads.

Also, a bill (H. R. 21094) to amend section — of an act defining matter that may be admitted to second-class mail privileges; to the Committee on the Post Office and Post Roads.

By Mr. MOTT: A bill (H. R. 21095) to increase the military strength of the United States; to the Committee on Military Affairs.

By Mr. PORTER: Joint resolution (H. J. Res. 407) to prohibit the export of wheat and the products thereof; to the Committee on Interstate and Foreign Commerce.

By Mr. SMITH of New York: Joint resolution (H. J. Res. 408) to establish the priority of discovery of the North Pole and the region contiguous thereto; to the Committee on Education.

By Mr. SMITH of Maryland: Resolution (H. Res. 709) providing for action by Congress to increase the postal revenue; to the Committee on the Post Office and Post Roads.

By Mr. SMITH of Texas: Resolution (H. Res. 710) to amend the rules of the House of Representatives; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS.

Under clause I of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. VINSON: A bill (H. R. 21089) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors; to the Committee of the Whole House.

By Mr. AINEY: A bill (H. R. 21096) granting an increase of pension to Calvin C. Halsey; to the Committee on Invalid Pensions.

By Mr. BOOHER: A bill (H. R. 21097) granting an increase of pension to Eliza J. Michaels; to the Committee on Invalid Pensions.

By Mr. BORLAND: A bill (H. R. 21098) granting a pension to Lida W. Ashton; to the Committee on Invalid Pensions.

Also, a bill (H. R. 21099) granting a pension to Ella C. Squires; to the Committee on Invalid Pensions.

Also, a bill (H. R. 21100) granting a pension to Julia A. Sheck; to the Committee on Invalid Pensions.

Also, a bill (H. R. 21101) granting an increase of pension to Ann M. Ellenberger; to the Committee on Invalid Pensions.

Also, a bill (H. R. 21102) granting an increase of pension to Sarah H. Hunter; to the Committee on Invalid Pensions.

Also, a bill (H. R. 21103) granting an increase of pension to William S. King; to the Committee on Invalid Pensions.

Also, a bill (H. R. 21104) granting an increase of pension to Lucy M. Settle; to the Committee on Invalid Pensions.

Also, a bill (H. R. 21105) granting an increase of pension to Joseph J. Massey; to the Committee on Invalid Pensions.

By Mr. FRENCH: A bill (H. R. 21106) for the relief of Edward B. Sappington and William Vane; to the Committee on Claims.

By Mr. GRAHAM of Illinois: A bill (H. R. 21107) granting an increase of pension to Daniel Hinkle; to the Committee on Invalid Pensions.

Also, a bill (H. R. 21108) granting an increase of pension to Charles W. Lair; to the Committee on Invalid Pensions.

By Mr. KENNEDY of Rhode Island: A bill (H. R. 21109) granting an increase of pension to Henry Marsden; to the Committee on Pensions.

By Mr. KEY of Ohio: A bill (H. R. 21110) granting an increase of pension to Adam Exline; to the Committee on Invalid Pensions.

Also, a bill (H. R. 21111) granting an increase of pension to Jeffrey Williams; to the Committee on Invalid Pensions.

By Mr. LESHER: A bill (H. R. 21112) granting a pension to Angeline Kelchner Wolfe; to the Committee on Invalid Pensions.

By Mr. MITCHELL: A bill (H. R. 21113) providing for the refund of duties collected on flax-preparatory machines, parts, and accessories, such as described in the act of Congress approved February 7, 1913, imported subsequently to August 5, 1909, and prior to January 1, 1911; to the Committee on Ways and Means.

By Mr. MOORE: A bill (H. R. 21114) granting a pension to Mary A. Scott; to the Committee on Invalid Pensions.

By Mr. POU: A bill (H. R. 21115) for the relief of the Commissioner of Internal Revenue; to the Committee on Claims.

By Mr. RAINEY: A bill (H. R. 21116) granting an increase of pension to John N. King; to the Committee on Invalid Pensions.

By Mr. ROUSE: A bill (H. R. 21117) granting a pension to Fannie Baird; to the Committee on Invalid Pensions.

By Mr. UNDERHILL: A bill (H. R. 21118) granting an increase of pension to John S. Early; to the Committee on Invalid Pensions.

Also, a bill (H. R. 21119) granting an increase of pension to John Heimroth; to the Committee on Invalid Pensions.

By Mr. WINGO: A bill (H. R. 21120) granting an increase of pension to Mary Willhoff; to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ASHBROOK: Petition of John J. Stein, New Philadelphia; John J. Kaserman and Joseph Schwitzer Delaware; F. V. W. Trott, Coshocton; Martin Ahner, Blissfield; L. C. Geib, Millersburg; D. E. Garver, Wooster; Julius Eck and G. Arnold, Coshocton, all in the State of Ohio, favoring the passage of House joint resolution 377; to the Committee on Foreign Affairs.

By Mr. BAILEY: Petitions of Bert S. Overdorff and J. W. Lint, of Johnstown, Pa., and Levi B. McGregor, of Altoona, Pa., protesting against amendment to the Post Office appropriation bill relative to freedom of the press; to the Committee on the Post Office and Post Roads.

Also, petitions of Pennsylvania German Catholic Societies, of Johnstown, and Washington Camp, No. 60, Patriotic Order Sons of America, Altoona, Pa., favoring passage of resolution to prohibit export of munitions of war by the United States; to the Committee on Foreign Affairs.

By Mr. BURKE of Wisconsin: Petition of E. J. Czamansbe, E. A. Schatz, and 165 other citizens of the village of Randolph, Wis., asking for the passage at this session of Senate bill 6688 or any similar measure to levy an embargo on all contraband of war save foodstuffs only; to the Committee on Foreign Affairs.

Also, petition of Charles Marschall and 15 other citizens of Theresa, Wis., asking for the passage of Senate bill 6688 or any similar resolution or bill to levy an embargo on all material useful in war, save foodstuffs, wearing apparel, and surgical supplies only; to the Committee on Foreign Affairs.

Also, petition of Rev. A. Werr and 33 other citizens of Brownsville, Wis., asking for the passage of Senate bill 6688, or any similar measure, to levy an embargo upon all contraband of war, save foodstuffs only; to the Committee on Foreign Affairs.

Also, petition signed by Franz Radloff and 162 other citizens of the city of Plymouth, Wis., asking for the passage at this session of House joint resolution 377, to levy an embargo on and prohibit the exportation of arms and munitions of war to any of the European countries now at war; to the Committee on Foreign Affairs.

Also, petition of Rev. J. W. Halboth and 52 other citizens of Cascade, Wis., asking for the passage of Senate bill 6688, or any similar measure, to levy an embargo on all material useful in war save foodstuffs and wearing apparel and surgical supplies only; to the Committee on Foreign Affairs.

Also, resolutions adopted by St. Joseph's Society, of Newburg, Washington County, Wis., composed of 69 members, asking for the passage at this session of House joint resolution 377, to levy an embargo upon and prohibit the exportation of arms, ammunition, etc., to any of the belligerent European nations; to the Committee on Foreign Affairs.

Also, resolutions adopted by Port Washington Branch of the German-American National Society, representing 86 citizens, asking for the passage of a law at this session of Congress that will enable the President of the United States to lay an embargo upon all contraband of war save and excepting foodstuffs only; to the Committee on Foreign Affairs.

By Mr. CARY: Petition of George Munclegler, George Kappel, H. Burkard, Alois Stephen, Charles Fischer, August Dellmam, Albert Schacht, H. Eggebrecht, Reinhard Ruhnke, William Jordon, and 176 others, all residents of Milwaukee, Wis., urging the passage of House joint resolution 377; to the Committee on Foreign Affairs.

By Mr. CLINE: Petitions of citizens of the twelfth congressional district of Indiana, urging the passage of House joint resolution 377; to the Committee on Foreign Affairs.

By Mr. CRAMTON: Petitions of Ludwig C. Schober and 30 others of New Haven; Ferd Zielesch, of Allenton; Eugene Moser, of Mount Clemens; Henry Ortmann, of Washington, and William Paetow, of Romeo, all in the State of Michigan, in support of House joint resolution 377, proposing to prohibit exportation of arms, etc.; to the Committee on Foreign Affairs.

Also, petition of board of supervisors of St. Clair County, Mich., favoring embargo upon shipment of foodstuffs from this country during the present European war; to the Committee on Foreign Affairs.

By Mr. DALE: Petition of William H. Taylor, of New York City, protesting against the amendment to the Post Office appropriation bill relative to freedom of the press; to the Committee on the Post Office and Post Roads.

Also, memorial of German, Austrian, Hungarian, and Irish Alliance of America, favoring resolution prohibiting export of munitions of war; to the Committee on Foreign Affairs.

Also, memorial of priests of the Scranton (Pa.) diocese, relative to excluding from the mails publication called the Menace; to the Committee on the Post Office and Post Roads.

By Mr. DILLON: Petitions of citizens of Ramona, Parker, and Delmont, S. Dak., favoring passage of House joint resolution 377, prohibiting export of munitions of war; to the Committee on Foreign Affairs.

By Mr. ESCH: Petition of Rev. E. G. A. Wachholz and 24 citizens of Lyndon Station, Wis., urging passage of House joint resolution 377, relative to export of munitions of war; to the Committee on Foreign Affairs.

By Mr. FESS: Petition of sundry citizens of Urbana, Ohio, protesting against amendment to the Post Office appropriation bill; to the Committee on the Post Office and Post Roads.

By Mr. GRAHAM of Pennsylvania: Memorial of priests of the Scranton (Pa.) diocese, protesting against publication called the Menace through the mails; to the Committee on the Post Office and Post Roads.

By Mr. GREEN of Iowa: Petition of numerous citizens of Atlantic, Iowa, urging the passage of House joint resolution 377; to the Committee on Foreign Affairs.

By Mr. KENNEDY of Rhode Island: Petition of Annabel L. Berry, of Newport, R. I., and Rev. L. L. Daniel, of Providence, R. I., favoring Owen-Palmer child-labor bill; to the Committee on Labor.

Also, petition of the Woman's Christian Temperance Union of Rhode Island, favoring passage of bill for censorship of moving pictures; to the Committee on Education.

Also, petition of Arthur Carney, of Providence, R. I., protesting against persecution of Catholic priests and sisters in Mexico; to the Committee on Foreign Affairs.

Also, petition of J. L. Jenks, of Pawtucket, R. I., favoring Palmer-Owen child-labor bill; to the Committee on Labor.

Also, petition of John J. Shanley, of Providence, R. I., favoring protection for Catholics in Mexico; to the Committee on Foreign Affairs.

Also, memorial of the Woman's Christian Temperance Union of Rhode Island, favoring passage of House bill 1864; to the Committee on Interstate and Foreign Commerce.

By Mr. KINKEAD of New Jersey: Petition of Glos Narodu, of Jersey City, N. J., protesting against the Smith-Burnett immigration bill; to the Committee on Immigration and Naturalization.

By Mr. LOBECK: Petition from 94 citizens of Omaha, Nebr., favoring an amendment to our present Federal game law allowing an open season of 20 days in the spring of each year for hunting on rivers, lakes, and streams; to the Committee on Agriculture.

Also, petition of 150 members of St. Peter's Verein, of Omaha, Nebr., favoring legislation to prohibit export of arms; to the Committee on Foreign Affairs.

By Mr. LONERGAN: Letter of Oscar Becker, secretary of St. Stephen's Benevolent Society, Elmwood, Conn., in re legislation prohibiting the sale of munitions of war; to the Committee on Foreign Affairs.

By Mr. McCLELLAN: Petition of Guy Cochran and Owen Barnard, of Kingston, N. Y., against amendment offered by Representative FITZGERALD to Post Office appropriation bill; to the Committee on the Post Office and Post Roads.

Also, petition of John Reis and 142 others, of Kingston, N. Y., favoring prohibition of export of munitions of war by the United States; to the Committee on Foreign Affairs.

By Mr. MAGUIRE of Nebraska: Memorial of 300 members of Teutonia Lodge, of Nebraska City, Nebr., favoring resolution prohibiting export of munitions of war by the United States; to the Committee on Foreign Affairs.

By Mr. MAHAN: Petitions of sundry citizens of Norwich, Conn., favoring the adoption of House joint resolution 377, to prohibit the export of munitions of war by the United States; to the Committee on Foreign Affairs.

By Mr. MOORE: Memorial of Philadelphia (Pa.) Board of Trade, protesting against the railway-mail-pay provision of the Post Office appropriation bill; to the Committee on the Post Office and Post Roads.

By Mr. SCULLY: Petition of Branch 497 of the Polish National Alliance of the borough of South River, N. J., protesting against Smith-Burnett immigration bill; to the Committee on Immigration and Naturalization.

By Mr. J. M. C. SMITH: Protest of H. A. Stafford and 87 citizens of Kalamazoo, 7 citizens of Grand Rapids, 1 citizen of Martin, and 1 citizen of Comstock, all in the State of Michigan, against amendment to Post Office appropriation bill; to the Committee on the Post Office and Post Roads.

Also, petition of F. H. Seitz and 25 citizens of Hillsdale, favoring Senate bill 6688, to prohibit export of arms; to the Committee on Foreign Affairs.

By Mr. TALCOTT of New York: Petition of Polish National Alliance, Branch No. 447, Utica, N. Y., against Smith-Burnett immigration bill; to the Committee on Immigration and Naturalization.

Also, petition of citizens of Little Falls, N. Y.; also of A. B. Russell and D. C. Markham, of Ilion, N. Y., favoring Senate bill 3672, providing for cession to State of New York of certain lands in the bed of the Harlem Ship Canal heretofore ceded to the United States; to the Committee on Rivers and Harbors.

By Mr. UNDERHILL: Petition of citizens of Los Angeles, Cal., favoring observance of strict neutrality by the United States; to the Committee on Foreign Affairs.

Also, petition of Branch 1281, Polish National Alliance, Elmira, N. Y., against Smith-Burnett immigration bill; to the Committee on Immigration and Naturalization.

By Mr. VOLLMER: Petition of Federation of Evangelical Brotherhoods of St. Louis, Mo., and M. G. V. Aurora, of Newark, N. J., and 925 American citizens, favoring resolution prohibiting export of war materials; to the Committee on Foreign Affairs.

SENATE.

FRIDAY, *January 22, 1915.*

(Legislative day of Friday, January 15, 1915.)

The Senate reassembled at 11 o'clock a. m., on the expiration of the recess.

NAMING A PRESIDING OFFICER.

The Secretary (James M. Baker) read the following communication:

UNITED STATES SENATE,
PRESIDENT PRO TEMPORE,
Washington, D. C., January 22, 1915.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. NATHAN P. BRYAN, a Senator from the State of Florida, to perform the duties of the Chair during my absence.

JAMES P. CLARKE,
President pro Tempore.

Mr. BRYAN thereupon took the chair as Presiding Officer.

THE MERCHANT MARINE.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 6856) to authorize the United States, acting through a shipping board, to subscribe to the capital stock of a corporation to be organized under the laws of the United States or of a State thereof or of the District of Columbia, to purchase, construct, equip, maintain, and operate merchant vessels in the foreign trade of the United States, and for other purposes.

The PRESIDING OFFICER (Mr. BRYAN in the chair). The Senator from Mississippi [Mr. WILLIAMS], having preferred a request for a unanimous-consent agreement, the Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Hitchcock	Oliver	Smith, Md.
Bankhead	Hollis	Overman	Smoot
Brady	Johnson	Page	Sterling
Bryan	Jones	Perkins	Stone
Catron	Kenyon	Pittman	Swanson
Chamberlain	Kern	Poindexter	Thomas
Clark, Wyo.	La Follette	Reed	Thompson
Culberson	Lane	Robinson	Thornton
Cummins	Lea, Tenn.	Saulsbury	Townsend
Dillingham	McLean	Shafroth	Vardaman
du Pont	Martin, Va.	Sheppard	Warren
Fletcher	Martine, N. J.	Sherman	White
Gallinger	Myers	Shields	Williams
Gronna	Nelson	Smith, Ga.	

Mr. THORNTON. I was requested to announce the unavoidable absence of the junior Senator from New York [Mr. O'GORMAN]. I ask that this announcement may stand for the day.

The PRESIDING OFFICER. Fifty-five Senators have responded to the roll call. There is a quorum present. The Senator from Mississippi [Mr. WILLIAMS] makes a request for unanimous consent, which the Secretary will state.

The SECRETARY. The Senator from Mississippi [Mr. WILLIAMS] asks unanimous consent that on Thursday, January 28, 1915, the Senate will vote upon any amendment that may be pending or that may be offered to the bill (S. 6856) to authorize the United States, acting through a shipping board, to subscribe to the capital stock of a corporation, etc., and that before adjournment on that day the Senate will also vote upon the bill itself, through the regular parliamentary stages, to its final disposition.

Mr. GALLINGER. Mr. President, I object to the proposed unanimous-consent agreement.

The PRESIDING OFFICER. Objection is made. The pending question is on the motion of the Senator from Michigan [Mr. TOWNSEND], upon which the yeas and nays have been demanded.

The yeas and nays were ordered.

Mr. SMOOT. I ask that the question be stated.

The PRESIDING OFFICER. The Secretary will state the bill the consideration of which has been moved by the Senator from Michigan. It is the so-called omnibus claims bill.

The SECRETARY. The pending question is on the motion of the Senator from Michigan [Mr. TOWNSEND] that the Senate proceed to the consideration of the bill H. R. 8846, its title being "An act making appropriation for payment of certain claims in accordance with findings of the Court of Claims, reported under the provisions of the acts approved March 3, 1883, and March 3, 1887, and commonly known as the Bowman and the Tucker Acts, and under the provisions of section 151 of the act approved March 3, 1911, commonly known as the Judicial Code."

The PRESIDING OFFICER. The Secretary will call the roll on agreeing to the motion of the Senator from Michigan.

The Secretary proceeded to call the roll.

Mr. GALLINGER (when his name was called). I have a general pair with the junior Senator from New York [Mr.

O'GORMAN]. He is not in the Chamber and I will for the present withhold my vote.

Mr. SUTHERLAND (when his name was called). Announcing my pair with the Senator from Arkansas [Mr. CLARKE] and its transfer to the Senator from Wisconsin [Mr. STEPHENSON], I vote "yea."

Mr. THOMAS (when his name was called). Has the senior Senator from New York [Mr. ROOT] voted?

The PRESIDING OFFICER. He has not, the Chair is informed.

Mr. THOMAS. I withhold my vote.

Mr. WILLIAMS (when his name was called). Transferring my pair with the senior Senator from Pennsylvania [Mr. PENROSE] to the junior Senator from South Carolina [Mr. SMITH], I vote "nay."

The roll call was concluded.

Mr. LEA of Tennessee. I inquire if the Senator from South Dakota [Mr. CRAWFORD] has voted.

The PRESIDING OFFICER. He has not.

Mr. LEA of Tennessee. I have a pair with that Senator and therefore withhold my vote.

Mr. THOMAS. I transfer my pair with the senior Senator from New York [Mr. ROOT] to the senior Senator from Illinois [Mr. LEWIS] and vote "nay."

Mr. GALLINGER. I transfer my pair with the junior Senator from New York [Mr. O'GORMAN] to the senior Senator from Connecticut [Mr. BRANDEGEE] and vote "yea."

Mr. HOLLIS. I transfer my pair with the junior Senator from Maine [Mr. BURLEIGH] to the junior Senator from New Jersey [Mr. HUGHES] and vote "nay."

Mr. SIMMONS (after having voted in the negative). I observe that the Senator from Minnesota [Mr. CLAPP], with whom I have a general pair, is not in the Chamber. I transfer my pair with that Senator to the Senator from Maryland [Mr. LEE] and allow my vote to stand.

Mr. WEEKS (after having voted in the affirmative). I have a general pair with the senior Senator from Kentucky [Mr. JAMES], who, I understand, has not voted. I transfer my pair to the Senator from California [Mr. WORKS] and let my vote stand.

Mr. GALLINGER. I have been requested to announce the following pairs:

The Senator from New Mexico [Mr. FALL] with the Senator from West Virginia [Mr. CHILTON];

The Senator from West Virginia [Mr. GOFF] with the Senator from South Carolina [Mr. TILLMAN]; and

The Senator from North Dakota [Mr. MCCUMBER] with the Senator from Nevada [Mr. NEWLANDS].

The result was announced—yeas 28, nays 38, as follows:

YEAS—28.

Bankhead	Dillingham	Nelson	Smoot
Brady	du Pont	Oliver	Sterling
Burton	Gallinger	Page	Sutherland
Camden	Gronna	Perkins	Townsend
Catron	Jones	Poindexter	Vardaman
Clark, Wyo.	Lodge	Sherman	Warren
Colt	McLean	Shields	Weeks

NAYS—38.

Ashurst	Johnson	Pittman	Smith, Md.
Bryan	Kenyon	Pomerene	Stone
Chamberlain	Kern	Ransdell	Swanson
Culberson	La Follette	Reed	Thomas
Cummins	Lane	Robinson	Thompson
Fletcher	Martin, Va.	Saulsbury	Thornton
Gore	Martine, N. J.	Shafroth	White
Hardwick	Myers	Sheppard	Williams
Hitchcock	Norris	Simmons	
Hollis	Overman	Smith, Ga.	

NOT VOTING—30.

Borah	Fall	McCumber	Smith, Mich.
Brandegee	Goff	Newlands	Smith, S. C.
Bristow	Hughes	O'Gorman	Stephenson
Burleigh	James	Owen	Tillman
Chilton	Lea, Tenn.	Penrose	Walsh
Clapp	Lee, Md.	Root	Works
Clarke, Ark.	Lewis	Shively	
Crawford	Lippitt	Smith, Ariz.	

So Mr. TOWNSEND's motion was rejected.

Mr. GRONNA. I am directed by the Joint Committee on Federal Aid in the Construction of Post Roads to submit a report, and ask to have it printed. I request unanimous consent to submit the report at this time.

The PRESIDING OFFICER. Is there objection?

Mr. SMOOT. I object.

The PRESIDING OFFICER. Objection is made. The pending question is on the amendment of the Senator from Massachusetts [Mr. LODGE].

Mr. CUMMINS. Mr. President, I listened with more than ordinary interest to the lecture delivered by the senior Senator from Mississippi [Mr. WILLIAMS] last evening. In so far as I am concerned, I would not keep my Democratic friends in the Chamber by force, if I could, and I could not if I would. I very earnestly hope that they will remain and hear what I have to say, for I frankly confess that it would be a high inspiration and a great encouragement if they were to do me the honor to listen to the observations I am about to make; but if they are of the opinion that the monition of the President is controlling or that the Secretary of the Treasury has said the last and only word upon this great subject, then I must suffer the consequences of that conclusion.

I desire, however, that it shall be distinctly understood that whatever other Senators may regard to be their duty, for myself I intend to discuss this measure in a legitimate way, without the slightest thought or intention of unduly prolonging the debate.

Mr. President, my observations upon the bill now under consideration will, in the main, be confined to an examination of the measure itself and a discussion of the obvious reasons for its rejection; but inasmuch as it is a part of the program which the President has prepared for Congress and is claimed by him to be a long stride in a highly progressive movement which he is leading, and inasmuch as I look upon it as one of the most reactionary and dangerous proposals ever made public, I intend in the very beginning to inquire into the title of this administration to the character and reputation which the Chief Executive so confidently asserts.

Mr. President, it is not my purpose at this time to add another reply to the President's unfortunate speech at Indianapolis, although I shall feel compelled to refer to certain parts of it in discussing the extraordinary proposal for the purchase or construction and the operation of merchant ships now before the Senate. I permit no man to go before me in devotion to the principles of the Republican Party, and naturally any legitimate thing which tends toward the restoration of the party to national power awakens more than a passing interest.

There is much in the address to which I have referred which, as a mere partisan, I read with the utmost satisfaction, for no one will long doubt that its effect has been, and will continue to be, to strengthen the Republican cause. I confess, however, that when I had finished it my pleasure as a partisan was lost in my disappointment and regret as a citizen. Its general tone is so far below the standard which, happily for the people of the country, has been established for a presidential utterance that the common conclusion must be that we have fallen upon evil days if the Chief Executive of a great Nation believes that such a deliverance can either advance or steady an administration already tottering toward its fall. I predict that it will pass into history as a lamentable attempt of a President to forget the courtesy and dignity always looked for in one who occupies the most exalted office in the world, and the dismal effort of a man of mature age to change the habit of a lifetime in order to win momentary applause. Before I close I may take occasion to present some proof of the criticism I have just made, but at this moment I desire only to refer to his argument, if it may be called one, upon the bill we are now considering. The President said:

> Do you know, gentlemen, that the ocean freight rates have gone up in some instances to ten times their ordinary figure, and that the farmers of the United States—those who raise grain and those who raise cotton, these things that are absolutely necessary to the world as well as to ourselves—can not get any profit out of the great prices that they are willing to pay for these things on the other side of the sea because the whole profit is eaten up by the extortionate charges for ocean carriage? In the midst of this the Democrats propose a temporary measure of relief in a shipping bill.
>
> The merchants and the farmers of this country must have ships to carry their goods, and just at the present moment there is no other way of getting them than through the instrumentality that is suggested in the shipping bill; and I hear it said in Washington on all hands that the Republicans in the United States Senate mean to talk enough to make the passage of that bill impossible.
>
> SAYS MINORITY DEFIES NATION.
>
> These self-styled friends of business, these men who say the Democratic Party does not know what to do for business, are saying that the Democrats shall do nothing for business. I challenge them to show their right to stand in the way of the release of American products to the rest of the world. Who commissioned them, a minority, a lessening minority? For they will be in a greater minority in the next Senate than in this. You know it is the peculiarity of that great body that it has rules of procedure which make it possible for a minority to defy the Nation; and these gentlemen are now seeking to defy the Nation and prevent the release of American products to the suffering world, which needs them more than it ever needed them before. Their credentials as friends of business and friends of America will be badly discredited if they succeed.

In this connection it is interesting to note what the President says of the general make-up and permanent purposes of the two great political parties. I quote again:

> What seems to me perfectly evident is this, that if you made a rough reckoning you would have to admit that only about one-third of the Republican Party is progressive; and you would also have to admit that about two-thirds of the Democratic Party is progressive. Therefore the

independent progressive voter finds a great deal more company in the Democratic ranks than in the Republican ranks.

SOME DEMOCRATS HOLDING BACK.

I say a great deal more because there are Democrats who are sitting on the breeching strap; there are Democrats who are holding back. There are Democrats who are nervous. I dare say they were born with that temperament. And I respect the conservative temper. I claim to be an animated conservative myself, because being a conservative I understand to mean a man not only who preserves what is best in the Nation but who sees that in order to preserve it you dare not stand still, but must move forward. For the virtue of America is not statical; it is dynamic. All the forces of America are forces in action or else they are forces of inertia.

These extracts, Mr. President, furnish an excellent perspective for the picture, drawn by the President of progressivism in the abstract and of its application to a particular subject. Whether I am entitled to the honorable distinction of a Progressive Republican I leave others to say, but I have been so classified—by some in terms of compliment, by some in terms of disparagement. Without passing upon the validity of my own title, I am connected closely enough with the movement out of which the name grew to feel a profound interest in the subject brought forward by the President in praise of his administration and in censure of those who are unwilling to accept either his definition or his application of the spirit of progressivism in the government of the people of the United States.

I have faithfully attempted to rid myself of all partisanship in the work of the Senate. I have voted sometimes against the administration and sometimes with it; but it is my deliberate judgment that, taken as a whole, the course of the President has in two years turned back the hands upon the dial of progress so far that his party will not again be intrusted with the timepiece of the twentieth century. His primary understanding of a progressive is one who has the disposition to be doing something, and I quite agree with him that a progressive is a man who has the courage to go straight forward, without fear or favor, trying to better the institutions and laws of his country; but a man can be just as busy doing wrong things as right things, and the progressive must not only be willing to do things but they must be the right things; that is to say, they must tend toward justice, opportunity, equality, humanity, and prosperity.

The fact that the quotations I have already read have been made a part of the CONGRESSIONAL RECORD, a part of the proceedings of the Senate, gives me a right to inquire into the character of the administration and its influence upon the affairs of the country.

Before mentioning the legislation and policies which have signalized our public affairs during the last two years I must be permitted to repeat what I have many times declared, both here and elsewhere: The country can and will speedily recover from the immediate effects of unwise legislation and mistaken policies, but the attitude of the President toward Congress and his usurpation of legislative power have inflicted a wound upon our institutions which may never heal. No one can be unconscious of the humiliating truth that the spectacle of a President whipping Congress, not only into quick action but into the particular action which he commands, has furnished vast amusement, possibly pleasure, not only to the unthinking and superficial but to some thoughtful men who had become discouraged with our slow pace; but they will all learn sometime that the remedy for legislative inactivity or dereliction is not a dictator. They will discover, and that speedily, that the true remedy is with the people themselves, and that it ought to be applied when they select their Senators and Representatives in Congress.

I trust that my friends upon the other side of the Chamber will not think that I am disparaging them, either individually or collectively, when I say that every measure of general interest and of great importance which we have considered since the 4th of March, 1913, or which is now on our calendar for consideration, with the possible exception of the tariff bill, has been initiated in the White House or in the office of a Cabinet minister. No Member of Congress, whether belonging to one party or the other, has even dared to hope that he, either singly or in concert with his fellow Members, could originate a law of any considerable import.

However energetic or patriotic we may be in bringing forward bills, we know that if they mark a real advance they die in the archives of a committee. Not only does all legislation of the kind I have described originate with the Executive, but there is promulgated from time to time an Executive order of business, and we are bound not alone to confine our work to the bills which have been issued by the Executive, but we must consider them in the way prescribed in his program. I do not inquire what influence has been employed to bring about this deplorable result. There will come a day, and there will be a forum for the examination of that vital question. I only know that somehow the substantial legislative power has been transferred from the Capitol to the White House. Somehow the spirit of our institutions has been transformed and the legislative branch of the Government has become a mere recorder. What the President really wants is a journal clerk instead of a Congress. We still retain our physical liberty, and so long as we are tractable I assume we will be permitted to enjoy it, but as a legislative body we have for the time being passed out of existence.

Our forefathers, or as many of them as were attached to representative government, understood better than we seem to understand that the liberty of the people, the endurance of free institutions, and the success of their undertaking depended upon the rigid separation of the three branches of the Government. It never entered their minds that any President would ever think of himself as the captain of a team made up of Members of Congress. They made him Commander in Chief of the Army and Navy, but they never dreamed that he would ever assume to be commander in chief of the Congress of the Republic they were establishing. I have heard it said upon the floor of the Senate, and not long ago, that the President is a part of the lawmaking power of the United States. I deny it with all the emphasis of which I am capable. He has the constitutional authority to withhold his approval from an act of Congress which under some circumstances prevents it from becoming effective, but the veto power is in no proper sense a lawmaking power. The best that can be said of it is that it is a relic of antiquity which long ago ought to have been cast aside and allowed to take its place with other discarded doctrines which mark the passage of civilization from the rule of kings to the supremacy of the people. We have kept it, however, and as a law-abiding man I am not complaining of the exercise of the authority, but I must protest when it is ranked as a legislative prerogative.

Even were I to agree that the President is a part of the lawmaking power the suggestions I have made would lose none of their force, for if the President is a lawmaker the functions of the White House do not begin until the work at the Capitol ends.

I have made these comments upon the attitude of the Executive toward Congress in order to inquire whether it is a progressive or a reactionary attitude. The answer plainly is that, so far from being progressive, so far from being in harmony with the forward thought of the time, it is medieval in its character and vitally destructive in its tendency. It is, of course, possible that an administration following such a tendency might promote and secure the legislation which a rapidly developing country requires for its safety and welfare, and I turn for a brief moment to remark upon what has been actually accomplished.

It is a pleasure to say that the President and his Cabinet advisers have in certain respects accurately and comprehensively understood the movement in the country for many reforms of the highest importance. They have with great skill, in their messages and speeches, recognized that many changes in our laws were necessary, pledging themselves that the demands of the people should be met and fulfilled. These progressive declarations, full of honeyed words and sweet phrases, were poured out so lavishly that for a little while the people were inclined to believe that a genuine progressive administration had been installed in Washington. For a brief period they were so blinded with the glitter of the promise that they could not see clearly the character of the performance. They are now discovering that while the voice was the voice of Jacob, the hand was the hand of Esau. They are now realizing that asking for bread they were given a stone. A prospectus, while quite necessary, will not of itself make any administration progressive.

The President's view seems to be that the three great measures of his administration will be:

First. The tariff law, which he declares has emancipated business and given freedom to individual energy and enterprise.

Second. A Federal reserve act, which, as he looks at it, will furnish the lifeblood of production, trade, and commerce.

Third. The bill now before us, which, as he states, will enable emancipated business and unshackled enterprise, invigorated by the streams of capital which will flow from the Federal reserve banks, to enjoy their new-found liberty upon the high seas.

When the President insisted upon a revision of the tariff law he unquestionably appealed to an overwhelming progressive sentiment; but when he and his followers revised the tariff law, as it was revised in 1913, they forfeited their leadership. I believe that a majority of the people of the United States wanted a reduction in many of the duties of the Republican tariff law of 1909, but these same people believed in the policy

of protection, and they understood the danger of the reduction below that point and were conscious of the disasters that would fall upon us if, under the guise of reducing tariff duties, the doctrine of adequate protection should be abandoned. What was done? The administration deliberately proceeded to repudiate the policy which had become a part of our institutions, and instead of going forward in response to the progressive thought of the country it returned to the dark ages, resurrected an exploded, discredited, discarded theory of political economy, and enacted a tariff law which was fast destroying production in this country, which was robbing millions of men of their opportunity to earn a living, until its ravages were somewhat checked by the war which has, for the time being, paralyzed the industrial activities of Europe. There are yet more idle men in the United States than we have seen since 1896, and it is safe to say that when normal conditions again prevail in Europe the disasters of the tariff law will reach their climax. It is worse than pretense; it is more than audacity; it approaches deceit, and is akin to conscious wrongdoing for any man to refer to the Democratic tariff law as the end toward which the progressive movement was leading the way.

It is likewise true that the prevailing belief among the people was that our banking and currency law was susceptible of improvement, and that it ought to be amended so that the currency of the country could not in times of stress and storm be controlled by a few men who could use their power for their own gain. These people also believed that there were times in almost every year when the ordinary volume of currency was insufficient, and that something should be done to temporarily enlarge its volume. Very much had been done in this direction before the present administration came into power, but there still remained much to be done to make the reform effective and adequate. When the President recognized this duty he was a progressive, but in order to make his title good to that distinction it was not enough to hear the cry for relief, for under the guise of rendering help it was entirely possible to forge the chains which were already clanking on every hand still more securely upon those who had felt the servitude of the existing system. This is just what has been done. While here and there the banking and currency law may work well its general effect will be to add strength to those already too strong, to authorize combinations in capital which in any other field of commercial or industrial activity the law denounces as a crime. There is not a line or a letter in it which has helped or can help those who most need assistance. The whole purpose which inspired the movement for a new law upon that subject has been defeated, and yet it is paraded before the country as an evidence of a progressive administration.

I come at last to the bill now under consideration. Every patriotic citizen of the United States is praying for the day that will see American merchant fleets upon the ocean. Every true-hearted son of the Republic wants to see his flag in every port borne by ships which are doing our share of ocean transportation. We desire this development, not to meet the emergency of a war, but as a permanent condition in transportation on the sea. I have no hesitation in granting the President's progressiveness in recognizing this overpowering desire and universal hope, but if the bill now under consideration should become a law we will have imposed upon the people the most reactionary, indefensible legislation which, so far as my knowledge goes, has ever appeared in Congress. To establish the conclusion I have just expressed, I intend to review the measure, first, from the standpoint of our constitutional power, and, second, from the standpoint of its practical operation if it were to become a law.

Mr. President, I assume that those who prepared this bill understood that if it has a constitutional foundation it will be found in that clause of the Constitution which confers upon Congress power to regulate commerce with foreign nations, among the States, and with the Indian tribes; and therefore the very first inquiry that must occur to any man who either loves the laws of his country or reveres the Constitution under which we are assembled here must be this: Is this a regulation of commerce with foreign nations?

Bearing these propositions in mind, let us examine the means employed to reach the end; and here I solicit, I really desire, the impartial consideration of the suggestions I am about to make by every man in the Senate who values the history of his country, who understands the perils through which our Constitution came and who believes that we ought to be a law-abiding body. Let us examine the bill in order to ascertain how we are to reach the end, which is to regulate commerce with foreign nations. If I make any error in the analysis of the bill which I now propose to lay before the Senate, I trust, if it be found, in accordance with the rules of this body, that some one present will correct me.

First. The United States finds a corporation organized under the laws of a State, with an authorized capital of not more than $10,000,000. The constitutionality of the measure must, of course, be ascertained and tested by the things that may be done under the proposed law, not the things that necessarily will be done. I repeat that the first fault in the bill is that somebody unknown, somewhere unknown, will organize a corporation under the laws of a State with an authorized capital of $10,000,000.

Second. The Government, through a shipping board, which is established in the bill and which consists of the Secretary of the Treasury, the Secretary of Commerce, and the Postmaster General, will subscribe at least 51 per cent of the authorized capital of the organization so organized under the laws of a State.

Third. The United States, through the shipping board, buys or builds merchant ships costing not more than $30,000,000, and sells them to the corporation so organized under the laws of a State, accepting the obligations of the corporation for the purchase price, namely, the cost to the United States.

Fourth. These ships and any others which the corporation may acquire while employed as merchant vessels are private ships, subject to all the laws and regulations which control other ships in the foreign trade.

Fifth. These ships, while entitled to an American registry, are not compelled or required to take an American registry. They may, if the corporation, the private corporation organized under the laws of the State, so decides, sail under a foreign flag.

Sixth. The corporation thus provided with a fleet of merchant vessels either purchased from the United States or by purchase elsewhere, or by construction or by charter, proceeds during its authorized life to do business as a common carrier upon the high seas.

The act contains a provision that the object of the corporation must be the acquirement and operation of a fleet to meet the requirements of the foreign commerce of the United States, but this does not limit its use to such commerce. It merely requires that the fleet shall be adapted to the commerce of the United States. It also contains the provision intended to exclude these ships from our coastwise trade except as to three ports.

Seventh. The corporation may have private stockholders to the extent of 49 per cent, and the Government, with the approval of Congress, may at any time sell all or any part of the stock it so holds.

Eighth. Next, we have no existing law for the regulation of rates of foreign transportation, and this bill provides for none.

I may pause here a moment to describe just what the influence of the United States would be so far as the regulation of foreign commerce is concerned. I repeat, this bill does not suggest any regulatory rule respecting our foreign commerce. It simply authorizes the United States to become a stockholder in a corporation organized somewhere, and assumes that the operation of that corporation will be a regulation of our commerce with foreign nations. There is not a line or a letter in the bill, nor could there be, determining what the corporation shall do, how it shall do it, what charges it shall make, or between what ports its boats should ply.

I desire it to be thoroughly impressed upon those who have reflected at all upon this subject and given it any study that there is not in the bill the faintest indication of an intent to control or to regulate our commerce with foreign nations except in so far as the mere presence of a corporation a portion of whose stock is held by the United States effects a regulation of that commerce.

It, of course, will be conceded that this influence could only be exerted through the vote of the shipping board in meetings of the stockholders of the corporation. The only influence which the Government can exert over this frankenstein thus launched upon the seas of commerce or thus floated upon the seas of business in the United States is the influence of a vote in a meeting of the stockholders.

If that were sufficient, there is no guide, there is no rule, there is no restriction, there is no suggestion given in this law to the shipping board with regard to the manner of the regulation, of what it shall consist, or what it shall accomplish.

Again I say if I err with regard to my analysis of this bill, and it can be done under the rules of the Senate, I trust that those who are interested in the subject will correct me.

The Government has by this bill, as I said a moment ago, no other power over the management of the corporation than it

can exercise by voting its stock at a stockholders' meeting, and no rule of any kind is prescribed for these officers of the Government who are to constitute the shipping board and who vote the stock.

Ninth. The directors of the corporation must necessarily be chosen from the minority stockholders if the laws of the State under which the corporation is organized require, as the laws of nearly every State do require, that a director in order to be eligible for his office shall be a stockholder of the corporation. These directors can not be officers of the United States and can not be bound to the performance of any public duty.

According to our general understanding, I think that what I have said will conform to the information we have with respect to the laws of the several States. The directors manage the corporation. The first article in nearly every charter is one which declares that the board of directors shall manage the affairs of the corporation. They are chosen for that purpose. They exercise all the power of the corporation within the limits of the charter.

These directors are private persons. They will determine what ships shall be bought. Aside from the original purchase of the $30,000,000 of ships they will decide what ships shall be bought. They will decide what business, what particular part of the commerce of the world, these ships shall undertake. They will decide what commodities the ships shall carry. They will decide what rates shall be exacted of those who employ the services of the ships. There is nothing, there is not one line or letter, in this bill that gives to the Government of the United States, either through the Interstate Commerce Commission or any other body created by our laws, the authority to supervise, to regulate, to determine, to modify in any manner at all the rates which may be established by the directors of this corporation.

Remember that these directors are not in the service of the United States. They are not servants of the people. They are bound by none of the obligations which surround an officer of the United States. They are free to manage and control this corporation precisely as they will, or as they believe it to be managed for the best interests of the corporation, and are restrained only, and can be restrained only, by the indirect fear or apprehension that at the end of their terms the shipping board may find it desirable to supplant them with other directors, also chosen from private life.

Tenth. The officers of the corporation must be private persons whose obligation it will be to promote the financial welfare of this corporation. I say, whose obligation it will be. It is an obligation, and they can not escape it. Assume that there are $4,900,000 of private stockholders, what are their rights in relation to their officers, or rather what is the obligation of the directors and the officers of the corporation toward the minority holding in the corporation? The corporation is organized for pecuniary profit. That is the reason for its existence. It comes into being under a law. The law is for the creation of a corporation for pecuniary profit, and its officers are bound not only by their consciences but by the law to so conduct the corporation that it shall be profitable to the men who have invested their money in it. If these officers were to be so far under the influence of the shipping board that they would follow the advice, not the lawful advice, because the shipping board in giving that advice would not be executing the law, it would be unofficial advice; but if the officers were so far under fear that at the end of a year or two years, whenever their terms might expire, they would be displaced, as to accept the suggestions of the shipping board or its individual members, then if that advice should be that this corporation as a regulatory corporation, as one whose office it was to see that the people of the United States, as a whole, received some benefit from this act of Congress, and if they were asked to sacrifice the pecuniary interest in the corporation for the general good, and were to follow that advice, they could be, and they ought to be, instantly checked by the law of the land which creates an obligation upon the part of the directors and officers to conduct the corporation in a way that will insure a profit for those who have invested their capital in it.

Mr. KENYON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to his colleague?

Mr. KENYON. May I ask my colleague a question?

Mr. CUMMINS. I yield for a question.

Mr. KENYON. I am a little curious to know where these directors are coming from. With 51 per cent of this stock owned by the Government, I think it is pretty generally conceded that no private parties will subscribe for the stock. Ordinarily a director must own some stock. If there are no parties owning 49 per cent of the stock, where are the directors coming from? Where are the officers coming from? Has the Senator any theory about that?

Mr. CUMMINS. I have a theory about it, but I hardly venture to state it. If there are no minority stockholders under this bill, it then becomes wholly unworkable; there could not be an organization of the corporation, for if it were organized under the laws of a State which requires a director to be a stockholder there would be no eligible persons to receive the office of director. I do not quite agree——

Mr. FLETCHER. May I interrupt the Senator?

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Florida?

Mr. CUMMINS. I yield to the Senator for a question.

Mr. FLETCHER. I wish to interrupt the Senator to inquire whether he finds fault with the operation of the Panama Railroad Co., the stock of which is owned by the Government and is voted by the Secretary of War as trustee. The shares are transferred, I understand, to a sufficient number of people to qualify them as directors and the stock of the Government is voted, the directors are elected. That corporation is operating under that system, and I ask the Senator if he thinks it is objectionable.

Mr. CUMMINS. Yes, Mr. President.

Mr. FLETCHER. I do not mean to indicate that that may be the practice here.

Mr. CUMMINS. Mr. President, I have some familiarity with the Panama Railroad Co. and its operations. I am not prepared to affirm the legality of many of the things that have been done through the Panama Railroad Co. or by it. But the situation with regard to that enterprise was wholly different. The United States was buying the property of the French Panama Co. A part of that property consisted of stock of the Panama Railway, and as a part of our general purchase we became the owner of a large majority of the stock of that company. Of course, there is no question about our right to buy that stock considering its relation to the property which we did purchase and to our authority to construct the Panama Canal; but the Senator from Florida will remember that the United States immediately proceeded to purchase all of the stock of the Panama Railroad Co. within a very few months, as I remember it, and before the work had begun the United States had become the owner of all the stock of that company. Thereafter the company was regarded as a mere fiction, a mere instrumentality through which the United States might carry on its work upon the Isthmus of Panama.

Just how the United States found directors and officers who could qualify under the laws of the State of New York I do not know, nor is it material to inquire, for if it was wrongfully or unconstitutionally done in that instance, we ought not to repeat, under different circumstances, the mistake we made there. Personally I have believed for a long while that the United States ought to get rid of the Panama Railroad Co. and ought to do directly the work which it is doing indirectly; but the danger is reduced probably to a negligible consideration in view of the fact that the United States does own all the stock of the company.

The suggestion of the Senator from Florida [Mr. FLETCHER], however, does not aid in the removal of the objection which has just been pointed out by my colleague [Mr. KENYON]. This bill does not qualify any officer or employee of the Government to become a director; it does not qualify any officer or employee to become an officer of the company; and therefore it goes without saying that when these directors are chosen and when these officers are chosen they will represent the minority of the stockholding interest in the proposed corporation. If they do not, of course they will be mere dummies without substantial existence.

I am not so sure as my colleague seems to be that there will be no minority stockholders. I think there will be minority stockholders. I believe there are men and corporations waiting now to subscribe toward the 49 per cent of the stock of this corporation which will be offered to the public. I think they understand just how they can reap a profit from the enterprise.

Mr. KENYON. Mr. President, I should have said, I think, "good-faith stockholders." I am not ready to contend that there might not be minority stockholders for ulterior purposes, but there will be no good-faith stockholders in the proposition not to make money.

Mr. CUMMINS. There will be no private stockholders, in my opinion, who become such with the hope of legitimate profit in the operation of the ships; but there will be stockholders, as I predict, who will acquire the stock, believing that in the purchase of ships they may realize fortunes. Moreover, there may be stockholders who will enter into that relation because they know that, before a long period elapses, the Government of the

United States will desire to sell the stock for which it now subscribes, and then they may be able to discover a way to profit in the enterprise.

Mr. BORAH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Idaho?

Mr. CUMMINS. I yield to the Senator for a question.

Mr. BORAH. I take it, then, that that class of minority stockholders would be composed only of that class of men who stood in a position, governmentally or otherwise, to direct the purchase of ships and to control the business of the corporation by reason of their position?

Mr. CUMMINS. I think so. When I come to discuss the practical aspects of this measure, I shall point out what I think are the evils which will be encountered in the Government going into partnership with capitalists who could be persuaded or who could see their way clear to acquiring stock in this corporation.

I think, for instance, if Kuhn, Loeb & Co. were to subscribe for 49 per cent of the stock which is open to the public—and this is a mere hypothetical case, of course; I instance them because they are men of great influence and power, and are now masters of finance and captains of industry—if they were to become the owners of 49 per cent of the stock of this company, I just want you to imagine the scene, the spectacle of Kuhn, Loeb & Co., with 49 per cent of the stock, sitting down in an office consulting with, negotiating with, or conferring with the Secretary of the Treasury, the Secretary of Commerce, and the Postmaster General with regard to the proper conduct of the corporation, who should be its directors, who should be its officers, in what trade the ships should engage, and upon what rates and terms the ships should do business. Assuming that the present Secretary of the Treasury, the present Secretary of Commerce, and the present Postmaster General are far above temptation, assuming that the Secretary of the Treasury is as pure in his morals as he is in his logic, yet he will not be Secretary of the Treasury always; the present Secretary of Commerce will have to give way sometime to a mere mortal; the Postmaster General must sometime surrender his vast power to one who might want to use it for a selfish purpose; and I ask the Senate of the United States, and the country, just to think of a conference or consultation, a meeting of the stockholders of this company held in that way. If you desire to bring the name of the United States into reproach; if you desire to surround it with clouds of scandal and suspicion; if you desire to destroy it as a great governing body, and to subject it to the influences which are dominant in trade and commerce, then this bill ought to be passed, and it ought to provide for that relationship which must necessarily grow out of its terms.

I may have projected myself a little bit into a later part of my speech. I was considering the constitutional phases of the proposal, and I will come back to that.

Remember that our power is "to regulate commerce with foreign nations." That is all the power we have so far as this bill is concerned. Remember, as I have pointed out, that when selection is made of the officers and directors who are to manage and control the corporation to be created, it is their management, their control of the corporation which is to effect the regulation of commerce, and that the only influence which the United States has over the conduct and the management of the corporation is its influence as a stockholder in the selection of directors and officers.

Mr. President, I have now submitted to the Senate what I believe to be a fair analysis of the bill from the standpoint of the Constitution; indeed, I think it is the only analysis of the bill; and I ask this question—and it is not one from which my friends upon the other side dare shrink; it is not possible that upon this subject they will accept the direction of the President or that they will indorse the rather crude constitutional views which are held by the Secretary of the Treasury. It is true that the Secretary of the Treasury believes it to be entirely within our power. Upon what ground does he base that belief? He said in his speech at Chicago that if any business in this country proved to be unprofitable in private hands and it was for the welfare of the country generally that the business should be carried on, it was not only within the power of the Government of the United States to carry it on, but it was its duty to undertake it and carry it forward.

Mr. BORAH. Mr. President, at the present rate of doing that would it not inevitably lead to public ownership of business affairs?

Mr. CUMMINS. Undoubtedly, Mr. President. I will show a little later what I think about Government ownership. I do not fear it in every respect as very many people do. I do not believe in it until we have used every effort within the limits of the Constitution and within the limits of our integrity and intelligence to regulate in some other way; but if regulation fails then I see no other conclusion but that the Government itself must accept the responsibility.

The Secretary of the Treasury, however, seems hardly content with that view. I did not intend to do it at this point, but I think I will read just a paragraph from his address at Chicago, which the Senator from Mississippi [Mr. WILLIAMS] declared to be the only thing that can be said about this subject, and that we are extremely unreasonable and, indeed, revolutionary to think of questioning anything that was here declared or of continuing the debate after he had spoken. He said:

> The objection that the shipping bill puts the Government in the shipping business is not tenable. Those who urge it—

I hope the Senator from Idaho will listen, because it is rather a novel proposal in a field with which the Senator from Idaho is very familiar, the constitutional field.

Mr. BORAH. Is the Senator reading from the Secretary of the Treasury?

Mr. CUMMINS. I am now reading an extract from the speech of the Secretary of the Treasury in Chicago, delivered on January 9 of the present year. I repeat:

> The objection that the shipping bill puts the Government in the shipping business is not tenable. Those who urge it seem to forget that it is the duty of the Government to engage in any activities, even of a business nature, which are demanded in the interest of all the people of the country, when it is impossible to engage private capital in such operations.

Mr. BORAH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Idaho?

Mr. CUMMINS. I yield for a question.

Mr. BORAH. I was going to say that I had the pleasure of reading that speech, and I took that statement as a piece of humor. [Laughter.]

Mr. CUMMINS. Well, Mr. President, I really hope that the Secretary of the Treasury so intended it. It is an amazing, an astounding suggestion to make to the people of the United States. It would mark a great advance if it came from the mouth of the extremist radical, but when it proceeds from the lips of a conservative Democrat, a member of a party which has been holding up the Constitution now for a hundred years or more to prevent real and lawful activities upon the part of the Government, we are not only amazed, but we are bewildered, and I hope that my friend the Senator from Mississippi will comment in some way upon that declaration before this debate shall conclude.

I put the question again: Is it possible that any one can be found in this Chamber or elsewhere who, after having examined the question, will be willing to declare that this is a regulation of commerce with foreign nations?

Mr. President, this bill does not propose a governmental regulation, nor would it be a constitutional regulation if it were governmental. It is a purely private regulation, if it be a regulation at all. As the Secretary of the Treasury admits inferentially, it is not a regulation; it is an investment on the part of the United States in the business of shipping.

Before looking into the judicial authorities it will be well worth while to remember the subordination of Federal to State authority which the bill establishes; and I am very glad the Senator from Florida [Mr. FLETCHER] is giving me his attention. I know that he is a patriot; I know that he wants to sustain the dignity and the power of the United States; and I count myself especially fortunate, because I can mention in his presence what I am about to say.

Under this bill the State will have the power to tax the corporation. Assuming that the corporation is organized under the laws of the State of New Jersey or under the laws of the State of New York, and the shipping board will naturally choose one or the other of those great Commonwealths. It might choose New Jersey, first, because the President lives in New Jersey, and, second, because its corporate laws are distinguished for their flexibility and their opportunity to the captains of industry. Possibly, however, the Secretary of the Treasury might insist upon precedence for his State, and it might be organized under the laws of the State of New York. But whether organized in one State or the other or anywhere else among the Commonwealths, the State which organizes the corporation will have the right to tax it. Is that denied? Is it open to dispute that if the corporation is organized under the laws of New Jersey the State can impose upon it such taxes as it desires to impose?

Mr. FLETCHER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Florida?

Mr. CUMMINS. I yield for a question.

Mr. FLETCHER. I presume the Senator expects some response to that question now. I do not want to interrupt his argument, and I am rather inclined to favor the idea of each speaker running under his power and consuming his own smoke, as far as possible, without adding any fuel myself. I think, however, the Senator is entitled at this point, in all candor and frankness, to a statement from me to the effect that there will be an amendment offered to the bill which will provide for the incorporation of this corporation in the District of Columbia, and it will not be incorporated under the laws of a State, if our view prevails.

Mr. CUMMINS. Mr. President, the suggestion just made by the Senator from Florida gives me great gratification in one respect, for it proves that the author of the bill and the source from which it springs is not infallible. We had been led to believe that amendments were made, not at this end of the Avenue but at the other. However, if the Senator from Florida pursues that course he will escape the dangers of Scylla only to fall into the perils of Charybdis. There is no law of the District of Columbia under which it can be organized.

Mr. FLETCHER. I know; but we will provide, in this law, how it shall be done.

Mr. CUMMINS. Very well.

Mr. FLETCHER. I hope the Senator will not commit himself absolutely to that proposition until he hears the amendment.

Mr. CUMMINS. I commit myself absolutely to the proposition that at this time there is no law in the District of Columbia under which a corporation of this kind ought to be or can be organized. As you will presently observe when I come to unfold my views on another phase of the matter, I do not say that Congress can not create a corporation in order to accomplish this purpose. I have no disposition to deny that authority upon the part of Congress.

Mr. BORAH. Mr. President, the Senator suggested that this corporation would be likely to be organized either in the State of New York or in the State of New Jersey. I presume that wherever it is organized they will reach the directors' meeting through the "McAdoo tunnel." [Laughter.]

Mr. CUMMINS. Of course the Senator understands that I yield only for a question. I am seriously arguing this bill, Mr. President, and I hope the Senator from Idaho will not so excite my risibilities that I can not pursue the line of my argument. I do not know what the future will bring forth. I am presenting my views on the bill as it is now before the Senate. If it is to be radically and essentially modified, we are not ready for debate. Why is the Senator from Florida so vigorously pressing the consideration of the measure if he knows that it is to be shortly withdrawn and some other proposal substituted for it? It is not fair to one like myself, at least, who is devoting his discussion to the measure itself as closely as it is possible for him to do. But I shall feel compelled to proceed upon the assumption that this is the bill on which we will be asked to vote, and therefore I enumerate some other things that the State can do with reference to a corporation organized as this one might be organized under the bill now before us.

Mr. JONES. Mr. President——

Mr. CUMMINS. I yield to the Senator from Washington for a question.

Mr. JONES. I simply wish to ask the Senator if he can give us any idea, if this is not the bill that we are expected to act upon, if the majority are expecting to bring in another bill, why it is that all other legislative business—appropriation bills and that sort of thing—is absolutely thrust aside?

Mr. CUMMINS. Oh, Mr. President, in answer to the Senator from Washington I will say that I am not omniscient. I do not know what the Democratic purpose is.

Mr. SMITH of Michigan. Nobody else does.

Mr. CUMMINS. It is mysterious and inexplicable, and therefore I can not answer the question of the Senator from Washington.

Second, under this bill, after the Government has subscribed to the stock of the corporation organized under the laws of New Jersey or of New York or of some other State, the Commonwealth will have the power to alter, amend, or repeal the articles of incorporation, commonly known as the charter of the corporation. Is it possible that the United States in its attempt to regulate commerce with foreign nations will employ as an instrumentality of that regulation a corporation in which it may own the controlling interest but whose articles of incorporation, whose constitutional life, is subject to be altered, amended, or repealed by the State which gives it existence? To me the thought is not only appalling, it is abhorrent; but, after all, it is unthinkable that the Government of the United States will intrust its regulatory power to a corporation over which it has no control except in the vote of a majority of the stock, and whose every function may be modified or withdrawn by the laws of the State under which it is created.

Third, the State may refuse the privilege of enlarging the capital of the corporation. The bill presumes a corporation with an authorized capital of $10,000,000, but it has a provision which runs something like this: That, with the consent of the Government, represented by its shipping board, its capital may be increased to some larger amount. Suppose, in order that the corporation may accomplish all that it is intended to accomplish, a larger capital is required; the Government of the United States must ask the State in which the corporation is organized for the privilege of exercising one of our own fundamental constitutional powers.

Mr. BRANDEGEE. Mr. President——

Mr. CUMMINS. I yield for a question.

Mr. BRANDEGEE. I wish to ask the Senator, if he has not touched upon the point, whether in his opinion the engaging in commerce by the Government itself, directly or indirectly, is such a regulation of commerce as the Constitution intended to give the Government the authority to exercise?

Mr. CUMMINS. I shall come to that question a little later. It may be the Government has the power to engage in commerce for the purpose of regulating it, but it must do so directly. It must have full control of the instrumentality that it selects for that purpose.

Fourth. The State can prescribe the powers, duties, and obligations of the directors and officers of the corporation. Here is a corporation to be created of which the Government becomes a controlling stockholder. It must operate through directors, through officers. They are not officers of the United States, as I said before, nor employees of the United States. They owe the United States no duty. They are bound under the law to the performance of no duty. Not only are these things true, but under this bill, if the corporation is so organized, the State can declare what the powers and the duties and the obligations of the directors and officers shall be; and again we are presented with the humiliating spectacle of the Government of the United States subjecting its sovereignty, in this respect, to the whim or the caprice of the State which organizes the corporation.

Fifth. The State can determine, with respect to all its corporations, the qualifications of directors and officers. Therefore, no matter what the Government might think of it, the State could prescribe such qualifications for the directors and the officers of the corporation as to imperil or destroy the efficiency even of the control which we would exercise over the corporation through a vote at the annual meeting of stockholders.

Sixth. The State could declare that the Federal Government should not own stock in one of its corporations, and require its disposition. There is no doubt but that in matters of great public policy the State has the right, in organizing or amending the charter of a corporation, to prescribe who shall own the stock. Suppose we were organized under the laws of the State of New Jersey, and there should come a time when the legislature of that State should think it unwise that the Government of the country should own capital stock in one of the corporations of the Commonwealth, it could declare that no corporation, whether a political or a financial or an industrial corporation, should own stock in one of its creations; and again we submit ourselves to a most shameful and degrading attitude with reference to the subject.

Seventh. While the State could not regulate the foreign commerce carried on by the corporation—I make a distinction, mark you—while the State could not regulate the foreign commerce carried on by the corporation, it could regulate everything that pertained to its management and its organization.

While these aspects of the bill may not be closely related to my objection against our authority to pass such a law under our Constitution, they exhibit so emphatically the absurdity and the folly of an attempt of this sort that I could not restrain myself from bringing them to the attention of Senators.

I now proceed a little further with regard to the question which I originally proposed. It is that this is not a regulation of commerce and is not, therefore, within our constitutional power.

Inasmuch as I hold a most liberal view of the Constitution with respect to our right to regulate commerce, I desire to make it clear in this argument that I am not questioning certain powers which many people, very many people, doubt. I stand upon the advanced line with regard to the power of the Government in the regulation of commerce, and whenever I dis-

cover a proposal that outruns my liberal view of this clause of the Constitution, I examine it closely. In view of this mental attitude of mine, I desire to say in the beginning of my reference to judicial expressions, first, I do not doubt nor question the right to buy or build and operate a railroad or a steamship, assuming that the former is to be used in commerce among the States and that the latter is to be used in commerce with foreign nations. Second, I do not question the right of Congress to create a corporation to carry on such commerce. Third, I do not question the right, under some circumstances, to work through a national incorporation of which the Government owns all the stock, although it is difficult for me to conceive the necessity of interposing the fiction of a corporation in order to do what the Government has the right to do. It must be understood, therefore, that I am not questioning the constitutionality of this bill for either of the reasons I have suggested. I want that statement to accompany my strictures of the bill.

We have the constitutional right to own and to operate an instrumentality of interstate or foreign commerce. We have a right to create a corporation through which others may enter interstate or foreign commerce, and we may have the right to create a corporation and take its stock—all its stock—and accomplish the purposes through the medium of such an incorporation.

But neither of these things is done in the bill before us, nor is there any approach to them. We are here acquiring a majority of the stock of a corporation which is to engage in foreign commerce, and we depend for our influence entirely not upon any law which we prescribe as a rule of foreign commerce, not upon any rule which we impose upon the corporation as an instrumentality of commerce, but we depend entirely upon our influence as a stockholder to induce those who are intrusted with the management of the corporation to do those things which the Government might do if it were operating directly. That is not a regulation of commerce, and it can not be so held.

I intend to present very briefly now, I hope, some of the earlier expressions of the Supreme Court of the United States with regard to this subject. Naturally one appeals immediately to what may well be called the origin of the law upon this phase of the Constitution as it was laid down in McCulloch *v.* Maryland (4 Wheat., 316). It was in this case that for the first time the Supreme Court of the United States found it necessary to examine our power under the Constitution and to reach a conclusion as to the nature of the Constitution and the way in which the power granted by it to the General Government should be exercised. In this presence I need not comment upon the greatness either of the counsel who argued the case or the judges who decided it. They all understood the gravity of the issue, and, as history discloses, they gathered themselves together for the supreme effort of their lives. I will read very briefly from the opinion:

> We admit, as all must admit, that the powers of the Government are limited and that its limits are not to be transcended. But we think the sound construction of the Constitution must allow to the National Legislature that discretion with respect to the means by which the powers it confers are to be carried into execution, which will enable that body to perform the high duties assigned to it in the manner most beneficial to the people. Let the end be legitimate, let it be within the scope of the Constitution, and all means which are appropriate, which are plainly adapted to that end, which are not prohibited, but consist with the letter and spirit of the Constitution, are constitutional.

The question arose again in Gibbons *v.* Ogden (9 Wheat., 1), and the rule was probably laid down there with even more distinctness than in the case of McCulloch *v.* Maryland. I read an extract from the opinion rendered by Chief Justice Marshall. Speaking of the Constitution, he said:

> We are now arrived at the inquiry, What is this power?
> It is the power to regulate; that is, to prescribe the rule by which commerce is to be governed. This power, like all others vested in Congress, is complete in itself, may be exercised to its utmost extent, and acknowledges no limitations other than are prescribed in the Constitution.
> These are expressed in plain terms and do not affect the questions which arise in this case or which have been discussed at the bar. If, as has always been understood, the sovereignty of Congress, though limited to specified objects, is plenary as to those objects, the power over commerce with foreign nations and among the several States is vested in Congress as absolutely as it would be in a single government, having in its constitution the same restrictions on the exercise of the power as are found in the Constitution of the United States. The wisdom and the discretion of Congress, their identity with the people, and the influence which their constituents possess at elections are in this, as in many other instances, as that, for example, of declaring war, the sole restraints on which they have relied to secure them from its abuse. They are the restraints on which the people must often rely solely in all representative Governments.

Of course all Senators know the general circumstances out of which this case grew, one relating to navigation or navigable water.

I need not read further the discussion with respect to what is commerce, but proceed at once to the conclusion, which, after all, is the part of the opinion that is most pertinent in the discussion here. The court said:

> We are now arrived at the inquiry, What is this power? It is the power to regulate; that is, to prescribe the rule by which commerce is to be governed.

That is the initial thought. I pause to suggest that in this opinion, as in the opinion in the case of McCulloch against Maryland, the dominant note is that the power to regulate is the power to prescribe the rule by which commerce is to be governed.

> This power, like all others vested in Congress, is complete in itself, may be exercised to its utmost extent, and acknowledges no limitations other than are prescribed in the Constitution. These are expressed in plain terms and do not affect the questions which arise in this case or which have been discussed at the bar. If, as has always been understood, the sovereignty of Congress, though limited to specified objects, is plenary as to those objects, the power over commerce with foreign nations and among the several States is vested in Congress as absolutely as it would be in a single government having in its constitution the same restrictions on the exercise of the power as are found in the Constitution of the United States. The wisdom and the discretion of Congress, their identity with the people, and the influence which their constituents possess at elections are in this, as in many other instances, as that, for example, of declaring war, the sole restraints on which they have relied to secure them from its abuse. They are the restraints on which the people must often rely solely in all representative Governments.

The essential point in this opinion to which I desire to call attention is the definition of the power to regulate, which is the power to declare or establish a rule which shall govern and control commerce among the States or with foreign nations.

I desire to read a word also from the case of California against The Railroad Company, in One hundred and twenty-seventh United States, at page 1. Senators will remember that this is one of the California tax cases, and the question involved was the right of the State of California to levy certain taxes upon the property of a corporation created under the laws of the United States. Mr. Justice Bradley delivered the opinion, and I will try to select a very brief quotation, which is intended to show that the rule which was announced in the early days of the Republic has been constantly and consistently held throughout the entire development of the country. He said:

> It can not at the present day be doubted that Congress, under the power to regulate commerce among the several States as well as to provide for postal accommodations and military exigencies, had authority to pass these laws.

In the case I am reading from it was contended that the power of Congress to pass a law having for its object the construction and maintenance of a highway such as a railroad was found not only under what is known as the commerce clause of the Constitution, but under the power to establish post offices and post roads, and also the supreme national necessity of having an instrumentality that could move our Army from one part of the country to another, and in that way it would really constitute a part of the national defense. So Justice Bradley affirmed the power to create the corporation.

It was regarded as a great advance at that time to have it distinctly decided that Congress could create a corporation the stock of which was to be owned by private persons. To carry on an enterprise of this sort was seriously doubted, and was here, I think, for the first time definitely decided. But there is not in the opinion, which is very luminous and very persuasive, the suggestion that in order to regulate commerce Congress could take a share in a corporation organized under the laws of a State, and hope, through the influence of stockholding merely, to so direct the affairs of the corporation that it might be regulative of the commerce in which it was engaged. There is no intimation of that kind in any of the authorities. It has never been proposed, so far as I know, in any Congress. The power that we are seeking to exercise here has never before been asserted by any statesman or lawyer. It has never been espoused by any administration. The most generous interpreters of the Constitution of the United States have never even dreamed that the Government could undertake to regulate commerce with foreign nations by merely becoming a stockholder in a State corporation organized to carry on foreign commerce.

Mr. STERLING. Mr. President——

The PRESIDING OFFICER (Mr. POINDEXTER in the chair). Will the Senator from Iowa yield to the Senator from South Dakota?

Mr. CUMMINS. I yield for a question.

Mr. STERLING. Can it be true that because the Government is a majority stockholder in this corporation it therefore participates in commerce, that because of its participation in commerce it therefore regulates commerce?

Mr. CUMMINS. I have not heard it stated in that way before, but, of course, it is not true that because a corporation is engaged in commerce therefore its stockholders are engaged in commerce. Its stockholders are not engaged in commerce at all. So long as the law recognizes the artificial body known as a corporation it is that entity or body which is engaged in commerce. We have the right to regulate that body by prescribing any rule for its management and operation that may seem to us wise. As I admitted a few moments ago, if the United States chose to become that body itself by entering commerce in its political character, I am not prepared to say it could not, although I have grave doubt whether the appearance of the ship of a Government in a fleet of merchant vessels operating in a particular way could be regarded as a regulation of commerce. Something else must accompany it in order to constitute a regulation of commerce.

Of course there are more than a thousand, I presume, but suppose we have a thousand ships plying between the ports of the eastern coast of the United States and the ports of Europe. The United States buys one merchant ship, and enters that fleet as an owner and operator of the vessel. The United States determines not the rates that shall be charged by the thousand ships; the United States does not attempt to control the management or the character of the thousand ships, but it hopes because of its ship, one in a thousand, which it can operate according to its pleasure, that out of that operation there will grow a regulation of commerce. I very gravely doubt whether that is or would be held to be a regulation of commerce within the meaning of the Constitution.

Mr. WORKS and Mr. STERLING addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Iowa yield, and if so, to whom?

Mr. CUMMINS. I yield to the Senator from California, as he seemed to rise first, but for a question only.

Mr. WORKS. I should like to ask the Senator from Iowa if there is not quite a clear distinction between the regulation of commerce and the actual carrying of commerce by the Government. The Government might be called upon to regulate commerce in which it was participating, which would be rather an awkward situation.

Mr. CUMMINS. Before I answer the question put by the Senator from California, I will say that before he came in I had attempted to show the scope of the phrase "regulate." Of course there is a great difference between regulation and ownership.

Mr. WORKS. I am sorry I interrupted the Senator if he has already gone over it.

Mr. CUMMINS. Oh, no; because the subject is worth repetition. The Constitution says "regulate commerce." The courts say that a regulation of commerce is the imposition of a rule under which commerce shall be carried on. I think there are some instances in which that will have to be broadened. I think it must be said that the Supreme Court of the United States has held that we can pass a law organizing a corporation the object of which is to engage in interstate or foreign commerce under our power to regulate commerce. But we have gone no further than that. That is the advance thought of the Supreme Court of the United States; but when you try to torture that principle or doctrine into a warrant for the enterprise in which this bill would put us, we become ridiculous.

I have not heard a word said upon the legal aspects of the case. The Secretary of the Treasury, whose speech so highly commends itself to the Senator from Mississippi [Mr. WILLIAMS]—and I read the quotation before he came in—stated broadly the ground upon which he justifies this proposal. I have no doubt the Senator from Mississippi has read it, because he seemed to be so profoundly impressed with it. The Secretary of the Treasury says that whenever any business in this country fails because it can not or does not attract private capital, if it is a valuable business it is the duty of the Government to undertake the business and carry it on. Such is the constitutional view of the Secretary of the Treasury. It is the only suggestion we have had from the other side with regard to the laws which will justify what we are now asked to do. I repeat to the Senator from California and to the Senate that what we are here endeavoring to do is not to regulate commerce by putting into a fleet of 5,000 ships 25 or 30 ships which will belong to the United States and which are under the complete control of the United States, but what we are trying to do here is to put a fleet owned by a private corporation into the business with its companions at sea, and we are relying for the regulation of commerce upon the influence which the Secretary of the Treasury, the Secretary of Commerce, and the Postmaster General, as the majority stockholders of that corporation, may bring to bear upon its management and operation. It is the most astonishing proposition ever made in the United States or anywhere else. It can not be defended either in its legal aspect or in its practical aspect.

I desire to refer, just to show the development of this question and what our courts really believe to be a regulation of commerce, to some later decisions. I refer to the case of Interstate Commerce Commission against Brimson, in One hundred and fifty-fourth United States, at page 470. I read from the opinion delivered by Justice Harlan:

> The Constitution expressly confers upon Congress the power to regulate commerce with foreign nations, among the several States, and with the Indian tribes, and to make all laws necessary and proper for carrying that power into execution. While the complete internal commerce of a State is reserved to the State itself, because never surrendered to the General Government, commerce, the regulation of which is committed by the Constitution to Congress, comprehends traffic, navigation, and every species of commercial intercourse or trade between the United States, among the several States, and with the Indian tribes.

Omitting, then, some suggestions upon the particular case before it, the court says:

> What is the nature of the power thus expressly given to Congress, and to what extent and under what restrictions may it be constitutionally exerted?
>
> This question was answered when Chief Justice Marshall said that it was the power "to prescribe the rule by which commerce is to be governed." "This power," the Chief Justice continued, "like all others vested in Congress, is complete in itself, may be exercised to its utmost extent, and acknowledges no limitations other than are prescribed in the Constitution."

What I am now reading is an extract from the case of Gibbons against Ogden, an extract used by Justice Harlan in delivering this opinion:

> These are expressed in plain terms and do not affect the questions which arise in this case or which have been discussed at the bar. If, as has always been understood, the sovereignty of Congress, though limited to specified objects, is plenary as to those objects, the power over commerce with foreign nations and among the several States is vested in Congress as absolutely as it would be in a single Government having in its constitution the same restrictions on the exercise of the power as are found in the Constitution of the United States. The wisdom and the discretion of Congress, their identity with the people, and the influence which their constituents possess at elections, are in this, as in many other instances, as that, for example, of declaring war, the sole restraints on which they have relied to secure them from its abuse. They are the restraints on which the people must often rely solely in all representative governments.

Those who are familiar with the opinions of the Supreme Court will remember that in McCulloch against Maryland, while it did not involve probably the interpretation of what is known as the commerce clause of the Constitution, yet the reasoning of the court was applicable to that clause—and, indeed, was applied by the court to that clause—as well as applicable to other parts of the instrument. Chief Justice Marshall said in that case that the act of Congress in execution of the power "to regulate commerce with foreign nations and among the several States" must be appropriate to the end; that it must be directed to the end; and if it was appropriate, if it did constitute a regulation under the rule which he had announced in an earlier paragraph of the opinion, then the court would give it effect, no matter how unwise it might think it to be; but that whether a particular act is a regulation of commerce is a judicial question which every act which we pass upon that subject must in the end meet.

I call attention also to the Employers' Liability cases in Two hundred and seventh United States, at page 463. I again remind the Senate that I am doing this simply to show that the definition of a regulation of commerce, announced but a few years after the adoption of the Constitution, has been continued to the present time; it has been applied to all our development; every varied condition and circumstance has been subjected to the test of that rule. Therefore, I think, these later decisions, even though they but reannounce the earlier rule, are of the utmost value in determining whether or not this legislation should be passed.

The Senate will recall that this decision was rendered upon what we know here as the employers' liability law, the original law, the law which the Supreme Court held to be unconstitutional in part, because of a defect or weakness which was afterwards removed by subsequent legislation. In order that the value of the decision may be fully understood I desire to point out the exact question which was before the Supreme Court.

We adopted a law defining the liability of railroad companies to employees. We passed it under the clause of the Constitution which gives us the authority to regulate commerce among the States. In the original legislation we did not sufficiently separate the State from the Nation. We endeavored to impose this rule upon every railroad company that was engaged in interstate commerce, and we attempted to give the benefit of the rule to every employee of such transportation companies.

When the case reached the Supreme Court of the United States there was a violent assault made upon it on the ground

that it was not a regulation of commerce at all and that it was purely a matter of State policy and regulation; but the Supreme Court held otherwise, and I think very properly so. The opinion was delivered by Chief Justice White—he was then Justice White—and is well worth a most careful study by everyone who desires to secure a clear conception of the limits of the national power. I have neither the time nor the inclination to read much of the opinion, but I want to select the most pertinent paragraph, if I can. I read:

> All the questions which arise concern the nature and extent of the power of Congress to regulate commerce. That subject has been so often here considered and has been so fully elaborated in recent decisions, two of which are noted in the margin, that we content ourselves, for the purposes of this case, with repeating the broad definition of the commerce power as expounded by Mr. Chief Justice Marshall in Gibbons v. Ogden (9 Wheat.,1, 196).

He then quotes what I have already read, and then proceeds to inquire whether the law which Congress had passed fixing the liability of transportation companies was a rule imposed upon commerce. His argument upon that issue is one of the closest and best I have ever read, and I wish, Mr. President, that I could make it a part of my remarks. I do not feel like taking up the time of the Senate in reading it all, but he goes forward to show that, even though this is a law of liability imposed upon transportation companies, establishing a relation between the transportation companies and their employees, nevertheless it is a law or a rule imposed upon commerce among the States; that in so far as it was attempted to be imposed upon intrastate commerce the law was unconstitutional, but so far as it was imposed upon traffic among the States it was constitutional. Mr. President, this opinion indicates this; more than that, it clearly shows that a bill of this character is not a rule of commerce; it is not sovereign declaration with respect to the manner in which commerce shall be carried on; it does not specify or denote any of the conditions which must be fulfilled; it has none of the characteristics of a regulation of commerce as we have hitherto understood that term throughout all the decisions of the Supreme Court—and there are many which interpret this clause of the Constitution.

Mr. FLETCHER. Mr. President, may I make an inquiry of the Senator?

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Florida?

Mr. CUMMINS. I yield for a question.

Mr. FLETCHER. Mr. President, without signifying that I agree with the conclusions reached by the Senator—although many of his propositions, I think, are absolutely sound, and without signifying that I follow him in the idea that this bill would not come under the commerce clause of the Constitution—I want to ask him whether he thinks the general-welfare clause of the Constitution would not cover it?

Mr. CUMMINS. No, Mr. President, there is no legislative power in the general-welfare clause. If so, our Constitution would have no limitation at all. If it is true that we can pass any act which we believe to be for the general welfare of the people of the United States, then the Constitution is a mere mockery and might well be entirely disregarded. I am surprised that a statesman of the school to which I know the Senator from Florida belongs should even suggest that Congress had no limitation upon its power or its acts. Even I, who have insisted for years upon a liberal and generous interpretation of this immortal instrument, have never dared to say that we could do anything which we believed to be for the general good of the people of the country.

I refer the Senate, without reading anything from it, to the case of Atlantic Coast Line Co. *v.* The Riverside Mills (219 U. S., 186). I wish also to mention some very interesting and some very instructive discussions of this subject found in the writings of men eminent in their profession and who command the general confidence of all students of the Constitution. I shall not read from these books, because I desire to bring my observations to a close; but I cite the Senate to Miller on the Constitution, pages 447, 448, and 449; Watson on the Constitution, volume 1, pages 453, 470, 476, and the pages which follow; and Cook on the Commerce Clause of the Constitution, at page 65.

Mr. President, for the time being I close my argument with respect to the constitutionality of the measure before us. I hope that I am not prejudiced; I have tried to look upon this proposal from the standpoint of a citizen who really believes that the Government ought to do something to reestablish our merchant marine.

I am in favor of the Government purchasing or building ships to the extent of $30,000,000 or more—I would prefer to build them—suitable for auxiliaries to our Navy, and in times of peace to employ them through the intervention of transportation companies or persons engaged in foreign commerce in carrying the trade of the United States. No Senator upon the other side can surpass me in a desire to accomplish that result. I desire to do it because our Navy is useless without such auxiliary ships; I desire to do it because on every occasion when we have had occasion to employ our Navy, whether in war or in spectacle, we have been compelled to hire a large number of auxiliaries in order to sustain the movements of our warships. I think Congress fails in its duty when it does not provide for a number of vessels that would cost at least $30,000,000, adequate to the needs of and appropriate for the naval force of the United States, and it would be an inexcusable waste if during a time of peace—and we hope that we will never experience any other—these ships not needed for naval purposes should not be employed in the vocations of peace. I think that if we would buy these ships, own these ships, and then, when they are not needed by the Navy, lease them to those who are engaged in foreign commerce on such terms as will encourage and invite investment in the enterprise, and then put upon foreign commerce as a whole through law those regulations which ought to be imposed, we will have done something for the reinvigoration or the regeneration of our merchant marine. However, I do not intend to discuss that question now, because it is the subject of an amendment which I shall offer at the proper time, and when I do offer it I intend to address the Senate upon what I believe to be its merits as compared with the present proposal. So I forego a discussion of that question now and submit simply my views upon the power of the United States under the Constitution to engage in the enterprise into which this bill would lead us. When the proper time arrives it is my purpose to also point out how unavailing this measure would prove, even were it constitutional, in efficiently regulating the commerce in which we are all so deeply concerned.

Mr. SMOOT. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The absence of a quorum being suggested, the Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Hardwick	Page	Sterling
Borah	Hitchcock	Perkins	Stone
Brady	Johnson	Poindexter	Sutherland
Bryan	Jones	Pomerene	Swanson
Camden	Kenyon	Ransdell	Thomas
Catron	Kern	Reed	Thompson
Chamberlain	La Follette	Shafroth	Thornton
Colt	Lane	Sheppard	Tillman
Crawford	Lea, Tenn.	Shields	Townsend
Culberson	Lee, Md.	Simmons	Vardaman
Cummins	Lodge	Smith, Ariz.	Walsh
Fletcher	Martine, N. J.	Smith, Ga.	Warren
Gore	Nelson	Smith, Md.	White
Gronna	Overman	Smoot	Williams

The PRESIDING OFFICER. Fifty-six Senators have answered to their names. A quorum is present.

Mr. LODGE. Mr. President, after I gave my notice yesterday that I was going to speak to-day I felt, as I listened to the always entertaining observations of my friend the Senator from Mississippi [Mr. WILLIAMS], that I had been guilty of great temerity, because he then informed us that in two very able speeches, as I considered them, by the Senator from Ohio [Mr. BURTON] and my colleague [Mr. WEEKS] there was absolutely nothing new; and if in those cogent, elaborate, and powerful arguments there was nothing new, I felt it would be difficult for me to introduce any novelty. But I reflected, Mr. President, that my friend the Senator from Mississippi had fallen so into the habit of saying about a tariff argument, whenever it was made by some one with whom he disagreed, that "we had heard it all before," and that "there was nothing new in it," that he had repeated his saying without sufficient consideration in regard to this question, because, however old the tariff may be, this question has never before arisen, because never before has it been proposed that the Government of the United States should enter upon the business of owning and operating ships and should undertake that new task in the midst of a world-wide war. That attempt and those conditions have never existed before.

I also felt, Mr. President, that though it is undoubtedly very witty to say that there is nothing in your opponent's speech—nothing, "absolutely nothing new"—as an argument the observation lacks completeness, perhaps, and is not wholly satisfying. At the same time I recognize the difficulties with which I am confronted in trying to say anything on this subject. We do not know yet what bill is before us. It is still being constructed "elsewhere," if I may use the conventional word when we are referring to transactions which take place outside the Senate Chamber. It is being made somewhere between

the White House and the Democratic caucus, and we do not know what the bill is to be It is not an easy matter to argue about a bill that is not yet before us. To-day the Senator from Florida [Mr. FLETCHER] took occasion to say to the Senator from Iowa [Mr. CUMMINS] that a very important amendment was to be made to this bill changing the entire character of the corporation. He did not tell us what the corporation or what its franchises, limitations, and so forth, were to be, but he stated that a very important and vital change in that direction was to be made. Of course, under those circumstances it is difficult to discuss the bill. Moreover, we have no arguments presented on the other side in regard to it, so that we are at a loss to know why the Senators on the other side are supporting this bill so ardently. I understand the situation of the Senators on the other side. Even if some one has blundered, as was once said in a famous poem—

Theirs not to make reply,
Theirs not to reason why.

So we are left without the arguments of the other side, and we have to deal with the bill as it is.

I, however, offered an amendment yesterday to which I wish to address myself, which, I understand, has already been disposed of in the committee, but which will undoubtedly come before the Senate again. Perhaps at that time I will say something more about it.

This bill, whether in the form it first manifested when it broke in radiant perfection upon us here in the Senate fresh from the committee, or whether in the second edition which followed it in the course of a few days, or whether in still another edition which is to come to us later, presents for consideration questions of the very greatest magnitude. It commits the Government of the United States to Government ownership in a direction never before attempted, except on a perfectly insignificant scale by any nation, and never by any great maritime nation. It is an advance in the direction of socialism, as I look at it, which alone would merit a thorough debate in the Senate. It opens up the whole question—one of the greatest questions with which this country has had to deal for many years—of the best method of reviving the American merchant marine in the foreign trade. It also involves international questions of the gravest character, and fraught with most serious possibilities.

I propose, however, to deal to-day with only one very limited aspect of the many questions raised by this bill. I intend to ask the Senate's attention to the single point of what ships we are to buy if this bill becomes law. I am confronted here, as we are confronted in all directions, by a total lack of necessary information, which should properly be furnished by those who are urging the passage of this measure. The President has contented himself in speaking of it with a few simple generalities, which are of no use in the discussion, and with the assertion of his own personal determination to have the bill pass, which is a governing factor in the whole business but which is not an argument and sheds comparatively little light on the darkness which surrounds the pathway of the bill. The Secretary of the Treasury, who competes with the President in zeal for the bill, has uttered more words in regard to it, but has said comparatively little. In his testimony before the House committee, however, he gave the committee to understand that the ships which the Government intended to buy are the German ships now laid up in New York and Boston because they are unwilling to go to sea through fear of capture by the opponents of Germany. When this matter was first brought forward, soon after the outbreak of the war, it was generally understood, both here and in Europe, that the intention of the Government was to secure this legislation in order to buy the German ships. This purpose was never denied by anyone in authority and the Governments of France, Russia, and England protested against it, although the English Government, which apparently was informed that the intention was to buy the German ships, made her protest with certain modifications. At that time the Secretary of the Treasury went before the House committee and in the course of his testimony there spoke as follows:

Mr. SAUNDERS. How would this bill add to the number of available bottoms, when it proposes to make its purchases from existing bottoms? It will not add to the volume of bottoms.

Secretary MCADOO. There is a large number of idle bottoms. They may be purchased.

Mr. SAUNDERS. Chiefly, are not those all German bottoms?

Secretary MCADOO. More of those are idle at the moment than any other.

Mr. SAUNDERS. It has been suggested that there would be grave objection to our undertaking to purchase German bottoms.

Secretary MCADOO. Why?

Mr. SAUNDERS. The newspapers make the statement that objection has come from the nations concerned in this war.

Secretary MCADOO. Of course, I shall not attempt to talk of diplomatic matters.

Mr. SAUNDERS. They say that would be equal to furnishing immediate pecuniary aid—that is, to Germany?

Secretary MCADOO. That is a question altogether aside, I think, from the issue. I believe that it can not be successfully disputed by any individual or any nation that this Government, or any government, has a right to buy merchant ships, provided it buys them in good faith and for a neutral purpose, and that is exactly what would be done in this case.

The Secretary's statements of international law are almost as surprising as his statement of constitutional law which was quoted so effectively by the Senator from Iowa [Mr. CUMMINS] and commented upon so happily by the Senator from Idaho [Mr. BORAH] this morning.

The CHAIRMAN. If we should buy some French ships, too, that would alter the situation. In other words, if they had some, as well as Germany, that objection would not be urged?

Mr. SAUNDERS. We would not buy any French ships, because they are not to be bought.

Secretary MCADOO. I infer from what you tell me of from what you have read in the papers that those ships, if purchased, would be purchased from the German Government. I understand that those ships are simply owned by German companies in which German citizens are stockholders. It does not follow that the proceeds of a purchase from a private corporation of that country would be turned over to the Government.

Mr. SAUNDERS. Those German companies have a certain relationship with the German Government. That is the basis of this protest. Of course, I do not know anything about the protest further than has been explained in the press.

Secretary MCADOO. I doubt if the press reports are accurate.

The CHAIRMAN. I apprehend that this Government, before they purchased from anybody, would look into all the conditions surrounding the transaction, and avoid any complications.

Secretary MCADOO. The board proposed in the bill consists really of the President of the United States and certain Cabinet officers therein mentioned.

I am not sure whether the President of the United States is one of the incorporators or not. I did not notice him in the bill.

I think there is no more punctilious citizen of the United States with respect to the neutrality of this country than the President of the United States. I think you may safely depend upon it, if this bill is passed and this board is vested with power to act, that that power will be exercised in such a way that the neutrality of this country will be preserved.

Mr. SAUNDERS. I would not question that; but then, if he exercised that power in that way he would not buy the ships to afford this relief.

I think no one can doubt, after considering what I have just read, that the Secretary of the Treasury practically admitted that the purpose of the bill was to buy the German ships, and this view is coincident with the uncontradicted popular belief.

On the 21st of January I clipped from the paper this statement, which suggests what is going on at the seller's end of the line:

Officials of the Hamburg-American Line said yesterday that the story printed some time ago in the Tribune announcing that Herr Ballin intended coming to this country to negotiate the sale of the company's vessels interned in American ports was correct. It was denied at the time.

It was said in German shipping circles yesterday that the sale of the *Dacia* was the beginning of an extensive sale of German steamships of small tonnage. But the unexpected complications arising from England's refusal to recognize the transfer to American registry have temporarily halted the negotiations.

Why, last summer, when this proposal to buy the German ships was first mooted, protests were made by France and Russia, as well as England.

Herr Ballin's private secretary has been in New York several weeks arranging the preliminaries for the sale. Local German steamship officials say that on the success of the efforts of the United States Government to induce Great Britain to accept the American registry of the *Dacia* may depend the future transfer of German vessels to American interests.

I think further that we may take it as admitted that the purchase of the German ships is the original intention of the administration. If it is not their intention, it is easy to demonstrate it by placing in the bill the amendment already voted down in the committee to debar the Government from buying the ships of any belligerent or of the citizens or subjects of any belligerent, under the appropriation made in this act. That amendment embodied my very strong conviction that the Government should under no circumstances buy the ships of the citizens or subjects of any belligerent. I am just as much opposed to buying English ships, or French, Russian, or Austrian ships, as I am to the Government purchase of German ships. The only difference is that the administration is apparently intending to buy the German ships, and no others, and Congress should have the wisdom to prohibit the purchase of any belligerent-owned ships. It is idle to say that we could not buy ships elsewhere. Among the neutrals are maritime nations like Norway, Sweden, Denmark, and Holland, possessing many steamships, some of which we could buy. Brazil, I am informed, has a large number of ships in a line owned by the Government or in a line in which the Government is largely interested, and some of those ships, cargo boats and nothing else, Brazil, it is said, would be glad to sell. Then there are the lines running to South America, which have more cargo

space than cargoes. Vessels could be bought there. The United States & Brazil Steamship Line, Norton Lilly & Co., W. R. Grace & Co., the New York-South American Line, the Red D Line, the United Fruit Co., all operate American steamships to South American ports, but these vessels are unable to secure full cargoes owing to financial conditions in South America. There has been, in fact, a falling off of 25 per cent in the number of vessels engaged in this trade for the five months beginning August 1, 1914, as compared with the five months beginning August 1, 1913, and a decrease in net registered tonnage of 32 per cent.

Lastly, from our own coastwise trade ships could be obtained, thus not only giving the Government ships but also affording employment to our shipyards, in order to fill the gaps in the coastwise trade caused by the Government purchases. From all these sources we could obtain just the type of vessels we need—large, modern freighters—whereas with few exceptions the German ships are wholly unsuited, as I shall show, to our present purposes.

The only argument I have heard for the purchase of the German ships is that they are ready to our hand and that, as an emergency exists, we must buy ships of which we can take immediate possession. This is merely a pretext. The emergency may have existed last summer for a short period, but it does not exist now. I intend to discuss at a later date the question of the tonnage now available for the shipping of our exports, but I may say that from the best information that I can obtain I find that there is no difficulty in chartering ships for trade in any part of the world. Moreover, if an emergency did exist there are plenty of other ships besides the German ships ready to our hand—the South American ships I have mentioned, American coastwise ships, and the Brazilian ships already referred to.

No doubt the rates are high. That is because war exists and insurance rates and freight rates correspond to the risks, but high rates do not constitute an emergency. The number of ships which the Government could purchase from any source could take but a trifling part of our freight, and the favored few who could get their freight on the Government ships would no doubt have their risks paid for them by the United States, but this would be of no advantage to the great mass of our shippers and exporters. The emergency argument, therefore, wholly fails as a reason for buying the German ships.

In view, then, of the general belief to which I have referred, of the statements of the Secretary of the Treasury, and of the action of the committee upon the amendment which I introduced, I think it may be assumed that the German ships are the ships to be purchased under this bill, and I therefore desire to bring to the attention of the Senate just what those ships are and invite their consideration and that of the press and the people of the United States to the character of these ships and ask them to decide whether they fulfill even the alleged purposes of the bill.

Let me call attention first to this point, upon which I shall not now dwell, because it will, I am sure, be considered more fully by others, as well as by myself, in the course of the debate, and that is the international effect of the proposed transaction. These German ships are held in port, as I have said, through fear of being seized by hostile cruisers if they emerge from their present place of safety. The removal of these ships from trade, this keeping them laid up at New York and Boston, means of course a great loss to the owners and to Germany. Not only are the owners and Germany, which subsidizes these lines, losing a large amount of money by their being laid up at neutral ports, but they are at a heavy daily expense in caring for the ships and in mitigating, so far as possible, the inevitable deterioration which idle ships incur. Therefore, to buy these ships and relieve their owners from these expenses and to hand over to them thirty or forty millions of money belonging to the people of the United States would be a great and direct assistance to one of the belligerents in the war now raging. It would be an unneutral act, and very readily might be construed as a hostile act and an actual breach of neutrality.

To show that this matter of the transfer of the ships from a belligerent to a neutral flag has already engaged the thoughts of this administration, I desire to call attention to the case of the *Dacia* and the decision of our War Risk Bureau in regard to it. I read a dispatch from Washington to the New York Sun, dated January 14:

UNITED STATES DECLINES TO INSURE THE "DACIA"—WAR RISK BUREAU'S DECISION SUSPECTED AS MOVE TO PREVENT HER SAILING.

WASHINGTON, *January 14, 1915.*

It was disclosed to-day that the sudden turmoil over the *Dacia* and the request of the State Department that Great Britain permit the vessel to discharge her cargo at Rotterdam instead of Bremen were due to the refusal of the Government War Risk Bureau to insure the *Dacia* and her cargo.

This refusal completely upset the plans of the owners of the cotton about to be shipped. Having obtained consent of the Department of Commerce to the admission of the *Dacia* to American registry, they had taken it for granted that consistent action would be obtained from the Government War Risk Bureau and that insurance would be written as desired.

The insurance was refused on the ground that as the British Government had indicated objections to the *Dacia* engaging in trade with Germany, her arrest on the high seas was virtually a certainty and she was not therefore a good risk.

The fact that the Department of Commerce had seen fit to O. K. the transaction to the extent of granting American registry did not influence the War Risk Bureau, and, though flying the American flag, the *Dacia* was denied insurance.

Members of Congress who heard to-day of the refusal of the War Risk Bureau to insure the *Dacia's* cargo expressed great interest. It was said to be the first case in which the bureau has refused to give insurance to an American vessel. Many believed firmly that the administration was using the War Risk Bureau in an effort to prevent the sailing of the *Dacia* and the raising of a delicate issue with Great Britain.

The owners of the cotton to be shipped on the *Dacia* had, however, entered into a contract for the staple's delivery in Bremen on the assumption that insurance would certainly follow the granting of the American flag to the *Dacia*.

The American shippers of cotton, therefore, stand to lose heavily through the refusal of the Government's War Risk Bureau—hence the efforts now being made through the State Department to get a pledge from Great Britain that the *Dacia* be permitted to make a voyage to Rotterdam, a neutral port, instead of Bremen without interference.

The belief here is that the Government intends to use if possible the War Risk Bureau to prevent the recurrence of this delicate question if England consents to allow the *Dacia* to make this particular voyage to Rotterdam without interference.

It is apparent, of course, that refusal by the Government War Risk Bureau to grant insurance would prevent the sailing of the *Dacia* to a German port.

It has become known also that the State Department in the negotiations with Great Britain regarding the *Dacia* is seeking to secure her exemption from arrest for this particular voyage only.

Since that dispatch appeared we have been informed that the *Dacia* is to sail, with the approval of the State Department, in order to make a test case. It seems to me a rather dangerous business to make test cases of this character in time of war, when belligerent Governments are protesting against the action, and for the State Department to approve sending forth a vessel which, as late as January 13, our War Risk Bureau declined to insure.

Now, however, there has been a change, as we are all aware. The Post of to-day, January 22, says:

The British Government announced last night through its embassy here that if the former Hamburg-American liner *Dacia* proceeded to sea she would be captured and taken to a prize court. Her cargo of cotton will be purchased by the British Government or forwarded to Rotterdam without further expenses to the shippers, according as the owners may prefer.

The State Department had communicated this information informally to the owners of the *Dacia* as a result of a message from Ambassador Page, and was notified in reply that the vessel was loading at Galveston and would put to sea, notwithstanding the British Governments position. It was believed that the owners had resolved to test the issue in a prize court.

CARGO, NOT SHIP, INSURED.

Incidentally, the War Risk Insurance Bureau of the American Government yesterday issued a policy insuring the cotton cargo at 4 per cent, but declined to insure the vessel itself.

Naturally they are willing now to insure the cotton because the British Government has formally announced that they would pay for the cotton themselves. So it is a fairly good risk. The vessel, however, they refuse still to insure.

The statement from the British embassy was as follows:

"In connection with the transfer of the *Dacia* from the German to the American flag, the British Government, while anxious to avoid causing loss to the shippers of the cargo, have found it impossible to agree that the transfer, in the circumstances in which it has been effected, is valid in accordance with the accepted principles of international law. If, therefore, the *Dacia* should proceed to sea and should be captured, the British Government will find themselves obliged to bring the ship—apart from the cargo—before the prize court.

WILL RESPECT CARGO.

"It is stated that the cargo of the *Dacia* is to consist solely of cotton owned by American citizens. If this is so, and if the vessel should be captured, the British Government will guarantee either to purchase the cargo at the price which would have been realized by the shippers if the cargo had reached its foreign destination or, if preferred, they will undertake to forward the cotton to Rotterdam without further expense to the shippers."

This announcement concludes the first chapter in the negotiations which the American Government undertook on behalf of the owners of the *Dacia* to secure her freedom from capture. Under the declaration of London, a transfer of flag must be proven to be of a bona fide character, and not made merely to escape the consequences of war.

UNITED STATES ASKED EXEMPTION.

One of the alleged suspicious circumstances cited at first was that the *Dacia* planned to traverse her old route from the United States to Germany. This led to a proposal by the owners that the ship take her cargo to Rotterdam, Holland. The State Department asked that, in view of the change, a single voyage by the vessel be not interrupted.

Soon after the war began the State Department, holding that all of the parties to the declaration of London were finding loopholes in the convention and amending it at their own pleasure, announced that, as far as the United States was concerned, it would not be bound by those declarations. Consequently the American Government is operating under the general principles of international law, which recog-

nize bona fide transfers of ownership of merchant vessels of a belligerent power even in time of war.

The following official announcement was made yesterday by Secretary McAdoo that the War Risk Bureau had granted insurance on the cargo of the *Dacia*.

I have to resort to the press for these matters, because our Government is conducted with such secrecy that the Senate is not even informed officially about these dealings in any respect. The Secretary said:

After careful consideration of the matter, the conclusion was reached that upon the merits of the case the insurance should be granted. It must be understood, however, that this does not establish a precedent and that each case of a similar character that may arise must be judged upon its merits.

The distinction between insuring the cargo and the hull of the *Dacia* has been found by the bureau on the ground that title to the cotton is absolutely vested in an American citizen, and it is not classed as contraband.

—

BRITISH SEEK TO REASSURE.

LONDON, *January 21.*

Sir Edward Grey, the British foreign secretary, to-day submitted to Walter Hines Page, the American ambassador, the reply of the British Government to the State Department's request that the steamer *Dacia*, which now flies the American flag, be permitted to make a special trip to Germany with a cargo of cotton without establishing a precedent as to the validity of the change in the vessel's register.

Every effort is made to reassure the United States about the *Dacia's* cargo, and a full explanation is made that Great Britain wishes to expedite the cotton movement, but that she can not abandon the position that belligerent ships must not be permitted to escape the effects of belligerency by transferring to another flag.

The English papers recently have carried many dispatches stating that both Greek and Italian firms are negotiating for the purchase of interned German and Austrian ships in the Mediterranean. But Great Britain and her allies, it is stated, will do everything possible to prevent enemy ships escaping the penalties of war by transfer to the flag of any neutral country.

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"DACIA" HAS STEAM UP.

GALVESTON, TEX., *January 21.*

With her cargo of cotton for Germany on board and provisions for a voyage, the steamer *Dacia* is at her pier, with steam up, waiting for orders from E. N. Breitung, owner of the ship, before sailing. When shown the statement that British warships were guarding the Florida Straits, Capt. McDonald smiled, and remarked that he hoped they would remain there. He appears to be confident that he can take his vessel into the English Channel before being held up.

The cotton aboard the *Dacia* is for January sailing, which gives the ship's owner still 10 days in which to decide whether to sail.

All that relates to the purchase of a German vessel belonging to one of the great lines—the Hamburg-American—by a private individual. It demonstrates the attitude about it; it shows that our Government admits there is a great international question involved in the transfer of the flag from a belligerent ship to a neutral in time of war. But the *Dacia* is bought by a private individual, and it has been proposed and is the intention, I believe, to-day to give the Government authority to buy belligerent-owned ships and transfer the flag. I need not point out to the Senate what a very different condition that will produce in a situation which is admittedly dangerous internationally.

In the Post also of to-day—January 22—I call attention to the following:

Although the State Department has asked for more details as to the detention of American sailors from the steamers *Greenbrier* and *Carolyn* at Bremen, officials expressed the belief that the unusual military precaution has been exercised because the vessels previously had touched at enemy ports.

A consular dispatch to the department from Bremen gave the first intimation that the sailors of the two American vessels which brought cotton to Germany had been detained. The message added that the military authorities had promised to release the sailors the moment the ships were ready to depart. As officials believe both ships already have left Bremen, they took it for granted yesterday that the sailors had been released.

I read that to show the attitude of the other great belligerent power toward neutral vessels. In this connection let me call your attention to the attitude of Germany in regard to neutral commerce, as stated by Bernhardi in his War To-day:

It is customary as a rule to convoy prizes to the nearest port at home and to destroy them only in case of need, as is also provided for in the London declaration. But the party with few naval pivots of its own in foreign waters will very often find itself in a position to assume its case to be one of need, and will then naturally destroy at once the hostile ships captured; short work must likewise generally be made of neutral ships carrying contraband.

We are in friendly relations with Germany and wish to remain so, as with all the other fighting nations. But if we buy French or English or Russian ships and transfer them to our flag, do you imagine that Germany will accept our action? Germany feels that she is fighting for her life, and however willing she may be to make sacrifices and to hold our friendship and good will, you may be sure she will not sacrifice her own safety in the slightest degree in order to do it.

That is the attitude of Germany on one side just the same as that of the opposed powers on the other, and here we are proposing to buy ships owned by a belligerent—I care not what belligerent—and going much further than the mere question of contraband, making ready to put them into a trade where the seas are strewn not only with mines but with international complications of the most dangerous character.

Mr. HITCHCOCK. Mr. President——

The PRESIDING OFFICER. Does the Senator from Massachusetts yield to the Senator from Nebraska?

Mr. LODGE. I yield for a question.

Mr. HITCHCOCK. I notice the Senator from Massachusetts assumes that it would be a more difficult or precarious proceeding if the purchase of a German vessel were made by the Government than by a private citizen. I sympathize to a considerable extent with the position taken by the Senator, but I want to ask him whether in the case of a purchase of a belligerent ship by the United States the question of bona fides would not be entirely removed; whether such a purchase made by a Government would not be upon a higher level than a purchase made or purported to have been made by an individual, which might or might not be a bona fide purchase and might or might not remove it out of the realm of suspicion?

Mr. LODGE. Undoubtedly there might be made a question of good faith, but let me first point out that Great Britain, which has always been the seller of ships when other nations were at war, has construed the rule about the transfer of belligerent flags to neutral vessels in time of war with greater liberality than anybody else. Her own interests were involved. France from the days of Napoleon, and both France and Russia to-day, hold to the broad doctrine that after hostilities are begun no transfer of a belligerent flag to a neutral ship can be recognized, except under certain modifications in the declaration of London, which are not binding, so far as we are concerned, and which would not alter this case.

Mr. President, the reason of this position is obvious. If such transfers can be made, a belligerent vessel escaping from a pursuing cruiser of another belligerent takes refuge in our port, or the port of some other neutral, is sold, her flag transferred, and she goes out beyond the 3-mile limit with the neutral flag flying, no nation on earth would recognize that transfer.

Mr. President, when nations are fighting for their lives, as the nations engaged in this war on both sides believe they are, their feelings, I take it, are not unlike our feelings when we were fighting for our national life in the Civil War. They are trying to win with all the desperation that a struggle for life gives to a man or a nation, and if they think that a neutral flag is being used in some way to help the power with which they are struggling for existence, it takes a great deal to stay their hands from what they regard as a great, a vital act of self-defense. We shall do well to remember our own case of the Laird rams. To have involved ourselves at that time in war with England would have been undoubtedly to have brought on the opening of the Southern ports, and thus very probably the failure of the Union cause, and yet in the controversy which arose in London about it, we all remember Mr. Adams's famous note to Lord John Russell, in which our minister said, in speaking of the escape of the Laird rams, "It is superfluous for me to point out to your lordship that this means war." We were fighting in desperation, and it would have been an overwhelming weight almost to throw England's hostility into the scale against us, but we did not hestitate to take the risk of war raher than see help given to our opponent in that struggle. Those nations of Europe have the same feeling burning in their hearts to-day. Why should we project a vessel bought from a belligerent and put under our flag into such a whirlpool of contending passions as the war in Europe is to-day?

The reason why it is worse for the Government than a private person is that if a private ship is taken by a belligerent it is a diplomatic incident; it can be settled by diplomatic arrangement, the cargo can be paid for as Great Britain offers to pay for the cargo of cotton in the case of the *Dacia*. You must remember that when I say that they do not recognize the transfer it means that France and Russia would regard those ships after their transfer as still German ships, and would capture or sink them, and to capture or sink a Government-owned ship is very different from capturing or sinking a privately owned ship.

Mr. HITCHCOCK. Mr. President——

The PRESIDING OFFICER (Mr. BRADY in the chair). Does the Senator from Massachusetts yield to the Senator from Nebraska?

Mr. LODGE. I do. I yield for a question merely.

Mr. HITCHCOCK. I wanted to call the Senator's attention to a difference which I think exists. In the case of a ship purchased, say, by Mr. Breitung from a subject of one of the belligerents there would still exist a suspicion—an individual purchasing such a ship—that it was a subterfuge to carry on, say, German commerce; but if Congress passes some such bill as is

now proposed and is before the Senate and enters into the construction and purchase of ships for the benefit of the United States, to restore to the United States a certain export trade which has been imperiled by the war, would not that suspicion be dissipated and would not the act of the United States be construed not as being by any possibility in the interest of the belligerents but as being wholly for the benefit of the people of the United States?

Mr. LODGE. Mr. President, I do not think the fact that the Government purchases a ship necessarily establishes bona fides. We suspected the good faith of Great Britain, and suspected it sometimes with very good reason, in regard to similar cases during our Civil War. The mere fact of the purchase by the Government is not enough, and there you raise at once one of the perilous questions which I fear. We would naturally ask in such a case, "Do you question the good faith of the United States?" Suppose they do? I do not want that situation to arise.

Mr. McCUMBER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Massachusetts yield to the Senator from North Dakota?

Mr. LODGE. I yield for a question.

Mr. McCUMBER. While the Senator is on this particular subject I wish he would explain what he means by a bona fide transaction. Would he regard the mere payment in cash of the value of the ship as a bona fide transaction when the ship has just escaped from vessels that are seeking her capture? Is there not another element besides the mere passing of money in good faith and paying full value necessary to make a bona fide transaction?

Mr. LODGE. Of course, Mr. President, they could start with the proposition, as the Senator from North Dakota has said, which I stated when I used the illustration of an escaping vessel. The belligerent ship taking refuge in a neutral port, which is the case here, and then the purchase and putting on the neutral flag, no matter who put it on, would be enough without proving bad faith. The evasion by the transfer would be taken as established. But I do not want the question of the faith of the United States questioned. I do not want ships owned by the United States put into any such position. And yet, Mr. President, despite all this——

Mr. SUTHERLAND. May I ask the Senator a question?

Mr. LODGE. Certainly.

Mr. SUTHERLAND. The Senator has already stated the rule as interpreted by the French Government, which is, I understand, that the mere transfer of a vessel of a belligerent after the beginning of hostilities is regarded as justifying the seizure and condemnation of the vessel. In that view of it, would it make any difference that the vessel had been acquired by a corporation the majority of the stock of which was owned by the United States? The moment such a vessel was purchased by this corporation, a vessel of Germany, after the outbreak of hostilities, would not the French Government under their interpretation of the rule seize the vessel, would it not be condemned by their prize courts, and would they inquire into the question of bona fides?

Mr. LODGE. I answer "yes" to the Senator's question. I think he states the undoubted fact, and that is the danger which arises. They would be considered as German ships if German ships were bought. If we bought an English ship—and I have heard it suggested that that is one reason for keeping a provision for buying belligerent ships out of the bill—if we were to buy a British ship, Germany unquestionably would hold to the general law and would continue to regard her as a British ship after the transfer. Of course if a German cruiser—and there are some loose still on the Atlantic—met that ship, she would treat her as an enemy ship liable to prize or capture.

Mr. President, I did not mean to go so much into this side of the question. It will be discussed later and discussed, I hope, by the Senator from New York [Mr. ROOT] as to the international aspect far more thoroughly and far more ably than I can hope to do it.

I merely want to call attention to the situation.

And yet, despite all this, we are apparently not to be permitted to put a simple clause into this bill which will at once guard us against any such dangers or misunderstandings. Why not? Why not? I have thus far found no answer to this question, nor have I heard any reason given why we should enter upon Government ownership by purchasing a large number of unsuitable ships from a belligerent, with all the difficulties and real dangers which such a step implies.

Supposing the purchase, however, to be made, the transfer of these ships to our flag would follow. Then the question at once arises as to whether the belligerents opposed to Germany would recognize that transfer. I do not intend to dwell upon this point, because, as I have said, it will be thoroughly discussed later; but this much I will repeat and emphasize, that France and Russia have always held consistently to the doctrine that the transfer of the flag from a belligerent to a neutral, after hostilities had begun, was not to be recognized, and England, although Sir Edward Gray in his dispatch last summer made some modifications in his opposition to the sale to us of the German ships as to the particular trade in which these ships should be engaged, he also made it abundantly clear that the objection to the transfer would lie if the ships were put into the European trade. As we now have more cargo space going to South America than we can fill, it is obvious that if the ships to be purchased under this bill are to be of any use they must be put into the European trade, so that we have notice of the views of those belligerents in regard to this question of the transfer of the flag. If the ships were purchased, the unneutral act committed, and the ships transferred to our flag, they would then go to sea as Government-owned ships, and, in the view of the belligerents opposed to Germany, would still be German ships, would be regarded as good prize and liable to be captured or sunk because they were still German ships. I think I need not enlarge upon further or reiterate the danger which such a situation would present to the peace and welfare of the United States. It would not help our export trade and would bring us within measurable distance of war, not with England alone but with France, Russia, and Japan.

I come now to the character of the ships which it is intended to buy, for I think that an examination will lead to some interesting and suggestive conclusions. I print first a list of the German and Austrian vessels now laid up in American ports, according to the Bureau of Navigation of the Department of Commerce. I ask to have that list printed.

Mr. NELSON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Massachusetts yield to the Senator from Minnesota?

Mr. LODGE. I do.

Mr. NELSON. I should be glad if the Senator from Massachusetts would read the list.

Mr. LODGE. I will read it. I shall analyze the list, and perhaps it is well to read it. It is as follows:

GERMAN STEAMSHIPS.

HAMBURG-AMERICAN LINE.

Name of vessel.	Gross tons.	Now at—
Vaterland	54,282	New York.
Amerika	22,622	Boston.
President Lincoln	18,168	New York.
President Grant	18,072	New York.
Cincinnati	16,339	Boston.
Pennsylvania	13,333	New York.
Bulgaria	11,440	Baltimore.
Konig Wilhelm II	9,410	New York.
Hamburg	10,531	New York.
Bohemia	8,414	New York.
Rhaetia	6,600	Philadelphia.
Prinz Oskar	6,026	Philadelphia.
Armenia	5,464	New York.
Arcadia	5,454	Norfolk.
Pisa	4,967	New York.
Prinz Joachim	4,760	New York.
Prinz August Wilhelm	4,733	New York.
Prinz Eitel Friedrich	4,650	New York.
Allemannia	4,630	New York.
Saxonia	4,424	Seattle.
Nassovia	3,902	New York.
Sibiria	3,535	Baltimore.
Sarnia	3,402	New York.
Georgia	3,143	New Orleans.
Total	248,301	

HANSA.

Ockenfels	5,621	Boston.
Adamsturm	5,000	New York.

JOLIET COMPANY.

Neptun	197	San Francisco.

DAMPFSCHIFFS REED HORN AKTIEN-GESELLSCHAFT.

Portonia	2,778	New York.

OTTO ZELCH.

Clara Mennig	1,685	New York.

DEUTSCH-AUSTRALISCHE DAMPFSCHIFFS GESEL.

Harburg	4,472	New York.

HOLM AND MOLZEN.

Maia	2,555	New York.

D. FUHRMANN NISSLE AND GUNTHER NFLG.

Hohenfelds	2,974	Savannah.

KOSMOS.

Serapis	4,756	San Francisco.

NORTH GERMAN LLOYD.

George Washington	25,570	New York.
Kronprinzessin Cecilie	19,503	Boston.
Kaiser Wilhelm II	19,361	New York.
Grosser Kurfurst	13,102	New York.
Barbarossa	10,984	New York.
Prinzess Irene	10,893	New York.
Friedrich der Grosse	10,771	New York.
Rhein	10,058	Baltimore.

Name of vessel.	Gross tons.	Now at—
Neckar	9,835	Baltimore.
Koln	7,409	Boston.
Wittekind	5,640	Boston.
Willehad	4,761	Boston.
Total	147,887	
DEUTSCH-AMERIKAN PETROLEUM CO. (TANK).		
Jupiter	10,073	Norfolk.
Delphin	7,129	Norfolk.
Buffalo	6,631	San Francisco.
Phoebus	6,268	San Francisco.
Kiowa	5,076	New York.
Hagen	5,460	New York.
Ems	4,046	Philadelphia.
Meppen	4,045	New York.
Total	48,728	
AUSTRIAN STEAMSHIPS.		
UNIONE AUSTRIACA.		
Martha Washington	8,312	New York.
Dora	7,037	New York.
Erny	6,515	Boston
Ida	4,730	New York.
Clara	3,932	New Orleans.
Teresa	3,769	New Orleans.
Anna	1,575	New Orleans.
Total	35,870	
D. TRIPOVICH STEAMSHIP CO.		
Himalaia	4,948	New York.
Campania	3,551	Galveston.
Franconia	4,637	Philadelphia.
ATLANTICA SEA NAVIGATION CO. (LTD.).		
Morowitz	4,795	Galveston.
Budapest	3,651	Norfolk.

Mr. NELSON. Mr. President, I ask the Senator from Massachusetts what is the total tonnage of the lines?

Mr. LODGE. Of the Hamburg-American Line it is 248,301 tons, and of the North German Lloyd Line it is 147,887 tons. Those are the two chief lines.

This list gives the names and tonnage of the Hamburg-American and North German Lloyd Lines and of some smaller lines, including the German-American Petroleum Co. I think the vessels of the small lines, except in the case of the Hansa Line, which is, I believe, controlled by the Hamburg-American Line, may be disregarded. They are very small vessels. I think we may also disregard the tank steamers of the German-American Petroleum Co., and I have seen nothing to indicate that the Government wished to extend its beneficent purposes to the ships of Austria. The vessels which it is believed the Government intends to purchase are those belonging to the North German Lloyd Line and the Hamburg-American Line. There are 38 ships belonging to those two lines now laid up at American ports. There are 4 at Baltimore, 2 at Philadelphia, 1 at New Orleans, 7 at Boston, 1 at Seattle, 1 at Norfolk, and 22 at New York. Of these vessels 13 are passenger ships, 9 passenger and freight ships, and 16 freight ships. Some of these passenger ships are of the finest type, and the *Vaterland* is conspicuously one of the greatest of modern Atlantic steamships. It is safe to say that none of these ships are fit for cargo ships and freighters. The ostensible purpose of this bill is to buy ships to carry freight. There is no lack whatever of passenger accommodations to Europe; on the contrary, the ships now on are all running very light and are probably losing money, owing to the small number of passengers. Let us therefore consider how suitable these passenger ships of the German lines are for the business which it is proposed to take care of under this bill, or for the South American trade, where they are not needed.

Speaking generally, it may be said that passenger ships on the North Atlantic route between Europe and the United States are wholly unfit for mere freight carrying. In proportion to their tonnage they have very little space for freight. Their engines are constructed for the highest speed; their coal bunkers are built to carry a very large amount of coal; their machinery, together with the accommodations for passengers, including dining saloons, reading rooms, bathrooms, and so forth, takes up a large amount of space, which leaves very little for cargo. The freight ordinarily carried in these vessels in normal times is what is generally called fast freight, consisting of goods of great value and comparatively small weight and size, where speedy delivery at a high freight rate is desirable and where the goods are so valuable as to bear the rate without loss. To attempt to use ships like these as general cargo carriers would be absurd on its face. The articles we desire to export are articles of great bulk, such as grain, cotton, and metals, things which these ships in ordinary times never take. In order to make these ships of any value as cargo carriers they would have to be stripped of all their passenger fittings and, in a large measure, rebuilt, causing great expenditure as well as loss of time. It would be preposterous, economically speaking, to take any steamer, for instance, of the *Kronprinzessin Cecilie* type, and use her simply as a freighter, and among the reasons why this would be so are: First, the initial cost of such a vessel; second, the cost of operation; third, the limited freight capacity. The figures I shall give cover the operation of the steamers, some of which would carry a large number of first, second, and third class passengers, with a limited cargo; others carrying a small number of passengers and a larger amount of cargo; and still others which carried no passengers but cargo only, among the latter type being such vessels as the *Bohemia*, *Rhaetia*, *Sarnia*, *Georgia*, and *Allemania*.

These are the type of freight steamers suitable for the carrying of ordinary cargo as distinguished from more valuable goods, which would ordinarily be forwarded by the better and faster steamers which are of the passenger type. No sensible shipping man would think of trying to operate in the South American trade a steamer like the *Kronprinzessin Cecilie*, for even if you should rip out of this steamer a great deal of her passenger accommodations the space occupied by her boilers and engines would be such a large percentage of the total space, and, further, her coal consumption would be so great, that the loss from operating such a ship in the South American trade would make the proposition absolutely prohibitory. Very few of the German ships laid up here could, even with the expenditure of considerable money, be made suitable for the South American trade. I am assuming for the moment that the original excuse about the South American trade is still extant. As a matter of fact it has faded away.

The only practical way of getting a steamer thoroughly suitable for any trade is to build her particularly for that trade. The operation in any trade of any steamers not suitable for that trade seriously increases the cost. Moreover, there are few harbors in South America that will take deep-draft steamers, and most of the German steamers laid up here are of that character. As an example, no steamer that draws over 22 feet is practicable for the Argentine trade, as she could not enter and leave Buenos Aires at all times, as this draft can only be exceeded under very exceptional circumstances of wind and tide.

If the bill is an emergency proposition, one of the most serious features in the shipping situation to-day, and which is making the handling of steamers very expensive, is not the shortage of cargo space but the seriously congested condition of all the prominent open ports of Europe, to many of which there is no use sending any more steamers, as they are now congested and unable to provide discharging facilities for those now waiting. This applies particularly to such ports as London, Havre, and Genoa, and, to some extent, Liverpool, and is aggravated materially by the scarcity of labor.

Every steamship is different, and the cost of turning her depends upon the number of passengers and amount of freight which she carries, and also the dispatch which she can be given at the respective terminals, and the weather conditions.

Steamships that have been built for particular trades are rarely suitable for other trades, and this applies especially to the North Atlantic trade as regards the passenger steamers and also the combination freight and passenger steamers; but it does not apply to the same extent on purely cargo steamers. Generally speaking, however, cargo steamers for the North Atlantic are more heavily constructed and have more speed than would have been given them had they been constructed for long-voyage trades, such as the South American, Australian, New Zealand and South African.

Passenger steamers constructed for the North Atlantic trade to carry 300 to 500 first class, 200 or 300 second class, and 1,500 to 2,000 third class, in addition to 7,000 or 8,000 tons of cargo, would be entirely unsuitable steamers for the South American trade—and those constitute almost the bulk of the German ships and of all other ships laid up in our ports—but those carrying fewer passengers with the same or more cargo capacity might be altered sufficiently to make them suitable. Altering old steamers, however, is always expensive, and usually it is not an economical undertaking.

The most suitable steamer for the South American trade, if any were needed, which is not the case, for we do not wish to send cotton and wheat to South America, would be one carrying from 100 to 200 cabin passengers, and from 300 to 400 third class passengers, with particularly good fittings—all accommodations to be adapted for the tropical trade—and with a cargo capacity of about 8,000 tons, a large proportion of which should be refrigerated space.

Considering the high price of coal in South America a steamship should be capable of carrying coal for practically the round voyage and, therefore, should not be expected to steam more than about 14 or 15 knots, but 12 knots would be more economical and more suitable for the trade.

I have dwelt a little on the South American trade to show, what perhaps it is needless to show in view of the fact that there is more cargo space to South America than we can fill, that these vessels which I am describing are unsuitable for the South American trade, because, when this proposition was first brought forward last summer, it was said, "Give us an opportunity to build up American commerce to South America."

Now consider what it costs to run these ships which it is proposed to buy. I take the expenses of the round voyage, from the best estimates I can get from gentlemen familiar with the shipping business, and I find that it costs for the round voyage between the United States and Europe, to turn the ships, as it is technically expressed:

Vaterland	$200,000
Kronprinzessin Cecilie	125,000
Kaiser Wilhelm II	125,000
George Washington	125,000

Mr. McCUMBER. That is the cost for each vessel.

Mr. LODGE. The cost of one round trip in the case of each. I am giving them in classes.

Mr. ROOT. The cost for each voyage, both ways.

Mr. LODGE. The "turning" of the ship, going either to England or to Germany, as the case may be, and coming back to New York, or vice versa. It is a voyage across the Atlantic and back.

Mr. ROOT. One round trip.

Mr. LODGE. One round trip.

America	$110,000
Cincinnati	100,000
President Lincoln	100,000
President Grant	100,000
Grosser Kurfurst	70,000
Barbarossa	70,000
Prinzess Irene	70,000
Frederick Der Grosse	70,000
Rhein	70,000
Pennsylvania	70,000
Hamburg	70,000

Imagine, if you can, running freight ships at such expenditures as these.

With two exceptions, the *Rhein* and *Pennsylvania*, these are ships carrying first, second, and third class passengers. The following ships carry only second and third class passengers: *Brandenburg, Breslau, Koln, Wittekind,* and *Prinz Oskar.* It costs $60,000 to turn the *Brandenburg, Breslau, Koln,* and *Prinz Oskar,* and $45,000 to turn the *Wittekind.* The *Armenia, Pisa,* and *Willehad* are immigrant ships and carry only third-class passengers, but it costs $45,000 to turn each one of them.

The following ships belonging to the Hamburg-American Line—the North German Lloyd has no vessels laid up in our ports which are exclusively cargo boats—are simply freighters:

	Year built.	Tonnage.
Bulgaria	1898	11,440
Konig Wilhelm II	1907	9,410
Bohemia	1902	8,414
Prinz Joachim	1903	4,760
Prinz Eitel Friedrich	1901	4,650
Allemannia	1893	4,630
Massovia	1901	3,902
Sarnia	1892	3,402
Georgia	1891	3,143
Graecia	1890	2,753

These are the only cargo boats, carrying nothing but freight, among those which it is proposed to buy. There are among them three large freighters, of 11,000, 9,000, and 8,000 tons, but only one of these is a modern ship, the *Konig Wilhelm II,* built in 1907. The dates of the building of the others range between 1890 and 1903. Several of them are more than 20 years old, are very small for modern freighters, and would be a poor purchase, with two or three exceptions.

This is the fleet which it is apparently proposed to buy, a fleet which was excellent for the purposes for which it was intended—the North Atlantic passenger service—the primary business being to carry passengers and freight. The freighters are largely for the South American trade, and, as I have said, they are mostly old and, with two or three exceptions, small. To purchase for the Government the passenger ships would be simply to throw away the money of the United States. To buy the cargo boats would be to load ourselves with a lot of old boats, some of them too old and too small to be at all desirable and too small altogether to bring any very substantial relief, if relief is needed. And yet to buy anything except the cargo ships would be monstrous. Some of these German ships, I believe, have been employed in the South American trade, and what we need are cargo steamers for the North Atlantic. These, as I have said, must be more heavily constructed and have more speed than boats constructed for long-voyage trades, such as the South American, New Zealand, Australian, and South African. A very few of these ships could be used to advantage, no doubt, in the North Atlantic trade, but, as a whole, for one reason or another, this fleet of the North German Lloyd and the Hamburg-American Lines is singularly ill fitted for the alleged purposes of this bill or to give the relief to the freight situation which, it is said, is needed. No intelligent man engaged in shipping would think of buying these ships, or, at most, more than two or three of them, for the alleged purposes of this bill. We ought to be protected not only against the international perils arising from the purchase of the German ships laid up at New York and Boston and other ports, but also from the intolerable waste of the public money which the purchase of these ships, as a fleet, or generally, would involve.

When we come to examine the character of these ships with care—I have done it very inadequately, but sufficiently for my purpose—the question at once arises, Why is it so earnestly desired to buy them?—for with care and effort we could get cargo carriers from our coastwise trade or from other neutral nations. We could pick up ships of the proper type here and there, and yet it is perfectly evident that the plan of the bill and the plan of the administration is to buy the German ships en bloc, or a very large number of them. Why? I am not alone in asking this question. Let me read an editorial from the Chicago Tribune of January 12, 1915, which I happened to see the other day:

WHAT IS BEHIND THE SHIP-PURCHASE BILL?

Secretary McAdoo's address in this city on the ship-purchase bill may have been intended to be direct and pointed, but as a matter of fact it was evasive and superficial. It failed to deal with the most fundamental objection to the measure; it did not attempt to justify what all intelligent critics regard as its inherent and incurable defect or vice.

That vice is this—that the bill rests on no definite, acknowledged theory. Its sponsors can't agree on any defense of it. The President gave us one theory in his message, and Secretary McAdoo hinted at another one in his speech, but neither adhered to his theory, and both contradicted themselves.

If the bill is an emergency proposal called forth by the great war, then it should frankly be advocated as a makeshift and stop-gap, and, moreover, as Senator BURTON has said, the alleged emergency should be demonstrated by relevant facts and figures. This demonstration is not forthcoming; certain misleading figures have been cited, but the shipping and transportation experts have repudiated the interpretation put on the figures by the sponsors of the bill. No business authority has been or can be quoted in its favor.

If, on the other hand, the bill is not an emergency proposal, but a serious and constructive piece of legislation designed to give impetus to the development of a merchant marine, then the very worst time has been unhappily and absurdly chosen for the introduction and passage of such a measure. A time of stress and uncertainty, of unprecedented disturbances in trade and shipping, a time altogether anomalous from every financial and business viewpoint, is assuredly not the time to try to take a momentous step toward the establishment of a merchant marine. We have waited 50 years, says Mr. McAdoo, forgetting that he has advanced the emergency view of the bill. Well, if we have waited 50 years, we can wait another year or two; we can wait till peace has been reestablished and normal conditions have been restored. The sensible man does not during a baffling crisis sit down to deliberate on lines of policy to be pursued under ordinary and normal conditions.

What alternative course do you propose? ask the defenders of the bill. Alternative to what theory, in what sense—as an emergency measure or normal and permanent one?

The simple truth is, neither Secretary McAdoo, nor Senator FLETCHER, nor anybody else has considered or met the many objections to their bill that the minority of the Senate committee or the chambers of commerce have advanced in reports and circulars. They have dealt in mere generalities and charged "partisanship." Mr. McAdoo "deplored" the fact that "great men" will fight a good bill solely because it is "sponsored by an opposite party." Before deploring that alleged fact he should have answered the arguments—the facts, figures, and reasoning—of the minority and the business men just referred to. He did nothing of the kind. Those arguments remain unanswered, as we shall show, and the charge of partisanship is gratuitous and totally unwarranted. The stubborn insistence of the administration respecting this dubious departure is in direct proportion to the feebleness of the arguments advanced for it. As the debate proceeds and this fact develops, curiosity is aroused.

Why is this bill being pressed so vigorously? What is the pressure behind it? Certainly not the pressure of overwhelming facts and cogent reasoning, for they would be brought forward.

It is not cynicism but common sense, therefore, that asks for more light.

What is behind the ship-purchase bill?

I confess I am entirely unable to answer the question of the Chicago Tribune, and I do not know that there is anything behind this bill except the desires of the administration. I am certain, however, that there are no good reasons or arguments in its favor, and I am sure that to allow it to become law without some provision protecting us against the purchase of the ships of belligerents, and the consequent international complications, will make it a very bad bill, indeed, for the American people, setting aside for the moment all the grave objections to Government ownership, upon which I shall hope to speak at another time.

The economic side of this bill is of enormous importance; the question of whether the Government shall own steamships

is of the greatest magnitude economically; the importance of the measure can not be overestimated; but these all sink into insignificance compared with the dangers which surround this bill if it passes without some prohibition against the purchase of belligerent-owned ships. I am not going further into that question to-day; but for the Government to take belligerent-owned ships—I do not care whether they be German ships or English ships, as I have heard it said it is intended to acquire the latter—whatever belligerent-owned ships are bought and put into the north Atlantic trade will bring this country and this people into international complications which will be within easily measurable distance of war or humiliation.

The PRESIDING OFFICER (Mr. BRYAN). The question is on the amendment proposed by the Senator from Massachusetts [Mr. LODGE] to the original bill.

Mr. SMOOT. I suggest the absence of a quorum.

The PRESIDING OFFICER. The absence of a quorum being suggested, the Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Hardwick	Oliver	Smith, Mich.
Bankhead	Hitchcock	Overman	Smoot
Brady	Hughes	Owen	Sterling
Brandegee	James	Page	Stone
Bryan	Jones	Perkins	Sutherland
Camden	Kenyon	Pomerene	Thomas
Catron	Kern	Ransdell	Thornton
Chamberlain	La Follette	Reed	Tillman
Culberson	Lane	Robinson	Townsend
Cummins	Lea, Tenn.	Root	Vardaman
Dillingham	Lee, Md.	Shafroth	Warren
du Pont	Lodge	Sheppard	White
Fletcher	McCumber	Sherman	Williams
Gallinger	Martin, Va.	Simmons	
Gore	Martine, N. J.	Smith, Ariz.	
Gronna	Norris	Smith, Ga.	

The PRESIDING OFFICER. Sixty-one Senators having responded to their names, there is a quorum present.

Mr. ROOT. Mr. President, a day or two ago I gave notice that I would speak to-morrow, Saturday. In order to accommodate myself to the convenience of others I will change that notice to Monday, and will speak on Monday, with the permission of the Senate, at as early an hour as I can secure the floor.

I wish to say, if I may be permitted, that I shall devote some considerable attention to a question which was put by the Senator from Nebraska [Mr. HITCHCOCK] regarding the rule of international law as to good faith in the transfer of merchant vessels from a belligerent to a neutral flag in time of war.

Mr. FLETCHER. Mr. President, I have heard some suggestions to the effect that certain commercial organizations have passed resolutions opposing the pending bill and that apparently no commercial organizations or representatives of business interests anywhere have favored the bill. I am just in receipt of a telegram which I will ask the Secretary to read in that connection, and also a resolution of the Board of Trade of Jacksonville.

The PRESIDING OFFICER. If there be no objection, the Secretary will read as requested. The Chair hears none.

The Secretary read as follows:

CHICAGO, ILL., *January 22, 1915.*

Hon. DUNCAN U. FLETCHER,
United States Senate, Washington, D. C.:

The directors of the Illinois Manufacturers' Association in special meeting January 20 make the following presentation to the Senators and Representatives from Illinois in Congress:

"The manufacturers of the Middle West want Congress to pass the ship-purchase bill because they believe that American ships are the only means by which the ocean rate competition can be met. Their foreign trade can not be developed with foreigners fixing the tariff for the hauling of their goods.

"The Illinois Manufacturers' Association has been the greatest agency in the Middle West for the stimulation of foreign trade. It has consistently and persistently kept up the agitation for years. It believes the American manufacturer is about to reap a harvest. Interest is developing in every direction. One thing, and one thing only, stands in the way, and that is that America does not control the ships carrying the American products."

You are therefore respectfully requested to use all your influence and to vote to secure the passage of the ship-purchase bill.

EDWARD N. HURLEY, *President.*

JACKSONVILLE, FLA., *December 23, 1914.*

Whereas it has been brought to the attention of the board of governors of the Jacksonville Board of Trade that there is now pending a bill before the United States Senate to authorize the United States, acting through a shipping board, to subscribe to the capital stock of a corporation to be organized under the laws of the United States, etc., and numbered Senate bill 6856; and

Whereas this organization thinks that this is a bill calculated to be of immense help in opening up routes of trade and getting our products to market: Therefore be it

Resolved by the board of governors of the Jacksonville Board of Trade in regular session assembled, That we most heartily approve the bill and urge its passage. Be it further

Resolved, That our Representatives in Congress, and particularly our Senators, be requested to use their best endeavors to secure the passage of the bill at an early date.

[SEAL.] JACKSONVILLE BOARD OF TRADE,
CHAS. H. MANN, *President.*
W. N. CONOLEY, *Secretary.*

Mr. SMITH of Michigan. Mr. President, I should like to ask the Senator from Florida if Mr. Hurley, who signed the memorial in behalf of the Manufacturers' Association, is the same gentleman who has been tendered a position upon the Federal Trade Commission by President Wilson within the last few days?

Mr. FLETCHER. I really do not know as to that, Mr. President. I understand this is a very responsible and very influential and large organization in Chicago, composed in very large majority, anyhow, of prominent Republicans.

Mr. SMITH of Michigan. Yes; I have no doubt about that. I think it is a thoroughly representative organization; but I do know that the Mr. Hurley who signed the memorial is the man who has just been tendered by the President a place on the new Trade Commission.

Mr. FLETCHER. I do not suppose the Senator questions the accuracy of the statement?

Mr. SMITH of Michigan. Oh, no; but it harmonizes very well with the plan for an official propaganda upon which the administration seems to rely for approval of its acts.

Mr. FLETCHER. I should be glad if the Senator would inform us how he knows that Mr. Hurley has been tendered this position. I never have heard of it.

Mr. SMITH of Michigan. The semiofficial announcement has been made through the public press. I do not know whether the President has changed his mind about it or not. Two or three days ago Mr. Hurley was on the list given out at the White House, and this communication indicates his excellent qualifications for the place.

Mr. ROBINSON. Mr. President, will the Senator from Michigan yield for a suggestion?

Mr. SMITH of Michigan. Certainly. I have not the floor, however.

Mr. ROBINSON. I saw a statement in the public press a day or two ago that a Mr. Hurley, of Seattle, Wash., was——

Mr. SMITH of Michigan. Oh, no; that is a different man, a Progressive in Seattle—Will H. Perry, I believe. Mr. Hurley, who is quite well known in Illinois, I think, is entitled to this favor at the hands of the Democratic Party. Anyone who can swallow this bill without a grimace is deserving of prompt attention at the hands of the President.

Mr. JONES. Mr. President, in the interests of accuracy I will say that it is Mr. Parry.

Mr. SMITH of Michigan. Very well. I do not know what it will be after the next election. I know he was shorn somewhat of some of his features in the last election, although he is nevertheless an excellent man.

Mr. OVERMAN. Mr. Parry was a great Republican hero, the head of the Manufacturers' Association, and testified before our lobby committee.

Mr. OWEN. Mr. President, I ask permission to submit a resolution to have it referred to the Indian Affairs Committee.

Mr. SMOOT. I object.

The PRESIDING OFFICER. Objection is made.

Mr. SHERMAN. Mr. President, I should like to add that Mr. Edward N. Hurley was part of the "insidious lobby" here during the tariff legislation in 1913. I can identify him as being here quite frequently in favor of free trade.

Mr. FLETCHER. That is not a resolution by Mr. Hurley, it is a resolution of this organization. Whatever may be said about Mr. Hurley has no application.

Mr. OVERMAN. If this is Mr. Hurley, I misunderstood the name. It was Mr. Parry to whom I referred.

Mr. SMITH of Michigan. His name is Parry. My inquiry related entirely to Mr. Hurley.

The PRESIDING OFFICER. The pending question is the amendment offered by the Senator from Massachusetts.

Mr. SMOOT. Mr. President, it is now nearly 4 o'clock. The senior Senator from New Hampshire [Mr. GALLINGER] intended to speak, but expected to start before this time. I will ask the Senator from Indiana [Mr. KERN] if it would serve the purposes of the majority as well for the Senate to go into executive session at this time, so that the Senator from New Hampshire can start upon his speech in the morning rather than to break it, as starting at this hour of the day would do?

EXECUTIVE SESSION.

Mr. KERN. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 35 minutes spent in executive session the doors were reopened.

ENROLLED BILLS SIGNED.

The PRESIDING OFFICER (Mr. BRYAN) announced the signature of the Vice President to the following enrolled bills, which had heretofore been signed by the Speaker of the House:

S. 4012. An act to increase the limit of cost of the United States public building at Grand Junction, Colo.; and

S. 6309. An act to establish the Rocky Mountain National Park in the State of Colorado, and for other purposes.

S. W. LANGHORNE.

The PRESIDING OFFICER laid before the Senate the request of the House of Representatives to be furnished a duplicate copy of the bill (S. 2334) for the relief of S. W. Langhorne and the legal representatives of H. S. Howell, and, by unanimous consent, the request was ordered to be complied with.

PETITIONS AND MEMORIALS.

Mr. ROBINSON presented petitions of sundry citizens of Batesville, Ark., praying that an appropriation be made for the construction of seven locks and dams on the upper White River above Batesville, Ark., for the improvement of navigation, which were referred to the Committee on Commerce.

Mr. OLIVER presented petitions of sundry citizens of Pennsylvania, praying for the enactment of legislation to prohibit the exportation of ammunition, etc., which were referred to the Committee on Foreign Relations.

He also presented a memorial of the Board of Trade of Philadelphia, Pa., remonstrating against the ratification of the proposed treaty with Colombia, which was referred to the Committee on Foreign Relations.

He also presented a petition of the Retail Grocers' Protective Union of Pittsburgh, Pa., praying for the enactment of legislation to prevent the unfair practice of cutting prices on standard goods, which was referred to the Committee on Interstate Commerce.

He also presented a petition of sundry citizens of Monessen, Pa., praying for the adoption of an amendment to the Constitution to prohibit polygamy, which was referred to the Committee on the Judiciary.

He also presented memorials of sundry citizens of Stoneboro, Pa., remonstrating against the enactment of legislation to increase the Army and Navy equipment, which were referred to the Committee on Military Affairs.

Mr. GALLINGER presented the memorial of John H. Bartlett, of Manchester, N. H., remonstrating against the enactment of legislation restricting the freedom of the press, which was referred to the Committee on Post Offices and Post Roads.

He also presented the petition of A. O. Wharton, president of the Railroad Employees, Department of the American Federation of Labor, of St. Louis, Mo., praying for the enactment of legislation requiring the employment of competent inspectors in connection with the administration of locomotive-boiler safety-appliance laws, which was referred to the Committee on Interstate Commerce.

Mr. McLEAN presented petitions of the German-American Alliance of Meriden; the Lyra Singing Society, of Meriden; and of sundry citizens of Danbury, all in the State of Connecticut, praying for the enactment of legislation to prohibit the exportation of ammunition, etc., which were referred to the Committee on Foreign Relations.

He also presented a petition of the Typographical Union of New Britain, Conn., praying for the enactment of legislation to regulate interstate commerce in convict-made goods, which was ordered to lie on the table.

Mr. SHIVELY presented a petition of the Trades and Labor Union of Kokomo, Ind., praying for the enactment of legislation to regulate interstate commerce of convict-made goods, which was ordered to lie on the table.

He also presented petitions of the Young Woman's Christian Union of Elkhart; of the congregations of the First Brethren Church of Elkhart; the Christian Church of Millersburg; the Trinity Methodist Episcopal Church, of Elkhart; the Lutheran Church of Middleburg; and the Christian Church of Clinton, all in the State of Indiana, praying for Government censorship of moving-picture films, which were referred to the Committee on Education and Labor.

He also presented the petition of L. A. Cox, James Cochran, J. R. Beck, and 320 other citizens of Columbus, Ind., praying for the repeal of the present migratory-bird law, which was referred to the Committee on Forest Reservations and the Protection of Game.

Mr. TILLMAN presented a petition of the Brotherhood of Locomotive Engineers, Order of Railway Conductors, Brotherhood of Railway Trainmen, and Brotherhood of Locomotive Firemen and Enginemen in the transportation department of the Seaboard Air Line Railroad, of Hamlet, N. C., praying for the extension of the Federal inspection of locomotive boilers, which was referred to the Committee on Interstate Commerce.

He also presented petitions of sundry citizens of Maiden, Hickery, Hudson, Gasto, Granite Falls, and Callettsville, all in the State of North Carolina, praying that just and fair relief be granted the railway mail employees over the Carolina & Northwestern Railway, which were referred to the Committee on Post Offices and Post Roads.

FEDERAL AID TO POST ROADS.

Mr. GRONNA. I submit the report of the Joint Committee on Federal Aid in the Construction of Post Roads, and ask that it be received and printed.

The PRESIDING OFFICER. Without objection, it is so ordered.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. SHIVELY:

A bill (S. 7359) granting an increase of pension to James A. McAllister;

A bill (S. 7360) granting an increase of pension to Isaiah Griner; and

A bill (S. 7361) granting a pension to William Meyers; to the Committee on Pensions.

By Mr. SMOOT:

A bill (S. 7362) authorizing and directing the Secretary of the Interior to patent certain lands to the State of Utah, and to accept relinquishment from the State of Utah of certain other lands in lieu thereof; to the Committee on Public Lands.

AMENDMENT TO POST OFFICE APPROPRIATION BILL.

Mr. GALLINGER submitted an amendment providing that superintendent of mails and other supervisory employees in post offices shall receive pay while absent from duty caused by injuries received while on duty, the same as all other post-office employees, etc., intended to be proposed by him to the Post Office appropriation bill (H. R. 19906), which was ordered to be printed and, with the accompanying paper, referred to the Committee on Post Offices and Post Roads.

THE MERCHANT MARINE (S. DOC. NO. 715).

Mr. NELSON. I have received a letter from the president of the Chamber of Commerce of Boston, Mass., transmitting a report of the committee on merchant marine, relative to the pending bills providing for Government ownership and operation of merchant vessels in the trade between the Atlantic, Gulf, or Pacific ports of the United States and the ports of Central and South America and elsewhere. I ask that the report may be printed as a public document.

The PRESIDING OFFICER. Without objection, it is so ordered.

A FOREST POLICY FOR TEXAS.

Mr. SHEPPARD. I have an article prepared by J. S. Peters, Chief of State Cooperation, United States Forest Service, on the question of a forest policy for Texas. I desire to have the article printed as a document, and with that view ask that it be referred to the Committee on Printing.

The PRESIDING OFFICER. Without objection, the article will be referred to the Committee on Printing for action.

COAST GUARD.

Mr. TOWNSEND. On yesterday the Chair laid before the Senate the amendments of the House of Representatives to Senate bill 2337, and the Senator from Utah [Mr. SMOOT] asked that the bill and amendments lie on the table and be printed. I now ask that the amendments be taken up and acted upon.

The PRESIDING OFFICER. The Chair lays before the Senate the amendments of the House of Representatives to the bill (S. 2337) to create the Coast Guard by combining therein the existing Life-Saving Service and the Revenue-Cutter Service.

Mr. TOWNSEND. I move that the Senate concur in the amendments of the House.

The motion was agreed to.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House had passed the bill (S. 6121) to authorize the construction of a bridge across the Niagara River, in the town of Lewiston, in the county of Niagara and State of New York.

The message also announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 20241) making appropriations to supply urgent deficiencies in appropriations for the fiscal year 1915 and prior years, and for other purposes.

ENROLLED BILL SIGNED.

The message further announced that the Speaker of the House had signed the enrolled bill (H. R. 20241) making appropriations to supply urgent deficiencies in appropriations for the fiscal year 1915 and for prior years, and for other purposes, and it was thereupon signed by the presiding officer as the Acting President pro tempore.

RECESS.

Mr. KERN. I move that the Senate take a recess until Monday morning next at 11 o'clock.

The motion was agreed to; and (at 4 o'clock and 20 minutes p. m., Friday, January 22, 1915) the Senate took a recess until Monday, January 25, 1915, at 11 o'clock a. m.

CONFIRMATIONS.

Executive nominations confirmed by the Senate January 22 (legislative day of January 15), 1915.

COMMISSIONER FOR THE DISTRICT OF COLUMBIA.

Louis Brownlow to be a Commissioner for the District of Columbia.

RECEIVER OF PUBLIC MONEYS.

Martin N. Fegtly to be receiver of public moneys at Vale, Oreg.

REGISTER OF THE LAND OFFICE.

Nathaniel Campbell to be register of the land office at Portland, Oreg.

PROMOTIONS IN THE NAVY.

Commander Herman O. Stickney to be a captain.
Lieut. Commander Ivan C. Wettengel to be a commander.
The following-named ensigns to be lieutenants (junior grade):
George W. Hewlett,
Frank S. Carter, and
John M. Ashley.
Ensign James D. Moore to be a lieutenant (junior grade).

POSTMASTERS.

ALABAMA.

Theresa C. Spink, Grand Bay.

ARIZONA.

Ella G. Clarke, Florence.

CALIFORNIA.

T. C. H. De Lapp, Huntington Beach.
Charles L. Gassaway, Banning.
K. D. Harger, Riverside.
Henry E. Smith, Taft.

COLORADO.

James Brennan, Grand Valley.
Mary Farrell, Aspen.
D. W. Shores, Carbondale.

CONNECTICUT.

W. R. Monroe, Coscob.

GEORGIA.

W. A. Enterkin, Temple.

ILLINOIS.

P. M. Biwer, Lincoln.

INDIANA.

John L. Rohde, Hammond.
Merrimon Straughn, Cambridge City.

IOWA.

Frank W. Eichoff, Muscatine.
Walter E. Witten, Sloan.

KANSAS.

James T. Braddock, Madison.
John F. Hostetler, Great Bend.
W. A. McClure, Baldwin City.
W. S. Twist, Bonner Springs.

KENTUCKY.

Willis Green Bandy, Irvington.
Andrew M. Edwards, New Castle.
Helen L. Gurney, Erlanger.
John B. Lasley, Lewisburg.
Allie Reid, Brandenberg.
George T. Smith, Beattyville.
Edward F. Yelton, Butler.

LOUISIANA.

Frank J. Maricelli, jr., Campti.

MICHIGAN.

Clyde O. Barrett, Mackinaw.
Ward J. Kelly, Crystal Falls.
Charles J. Tarte, Marine City.

MINNESOTA.

Frank X. Eickmann, Glencoe.
Jacob Gish, Le Sueur.
James D. Griggs, Truman.

MISSISSIPPI.

Virginia B. Duckworth, Prentiss.
L. M. McClure, Ocean Springs.
James T. Skelton, Goodman.

MISSOURI.

William H. Alexander, Paris.
George H. Applegate, Keytesville.
James T. Dearmont, Mound City.
John H. Nelson, Lewistown.
Dow S. Pollard, Cowgill.
William J. Rouse, Monroe City.
Edward Smyth, New Hampton.
Bayard C. Wilson, Lawson.

NEBRASKA.

Edward H. Bishop, Central City.
A. S. Campbell, Imperial.
William H. Hartsick, Westpoint.

NEW HAMPSHIRE.

John N. Grimes, Troy.

NEW JERSEY.

James D. Carpenter, Woodbury.

NORTH CAROLINA.

Stephen L. Ross, Robersonville.
William B. Walker, Andrews.

SOUTH CAROLINA.

David Duncan, Whitmire.
Benjamin J. Hammet, Blackville.
Samuel E. Owen, St. Matthews.
John W. Peeples, Estill.

TEXAS.

Walter C. Blalock, Linden.
William E. Cage, Pharr.
Horace B. Cooper, Quinlan.
J. T. Cox, Groesbeck.
J. A. Kercheville, Devine.
George P. Lillard, Seguin.
D. L. Lunn, Humble.
T. L. D. Richardson, Jourdanton.
James T. Tarlton, Gunter.
Elmo D. McCage, Aubrey.

UTAH.

Walter K. Granger, Cedar City.
L. P. Nelson, Mount Pleasant.

WASHINGTON.

Stonewall J. Craig, Clarkston.
George T. Heslin, Newport.

HOUSE OF REPRESENTATIVES.

FRIDAY, *January 22, 1915.*

The House met at 11 o'clock a. m.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Profoundly sensible, O God our Father, of our utter dependence upon Thee for every pulsation of the heart, for every thought and act, most reverently we bow in Thy presence and devoutly pray for Thy guidance, that in all the duties and responsibilities of the hour we may faithfully and conscientiously strive to fulfill the desires of Thy heart. In the spirit of the Lord Christ our Savior. Amen.

The Journal of the proceedings of yesterday was read and approved.

ORDER OF BUSINESS.

Mr. CARLIN. Mr. Speaker, I make the point that no quorum is present.

The SPEAKER. The Chair will count.

Mr. CARLIN. I will withhold the point for the present.

Mr. SHERWOOD. Mr. Speaker, by request of the chairman of the Committee on Military Affairs, I ask unanimous consent

that a session be held Monday evening, January 25, for the consideration of bills H. R. 21037 and H. R. 21089, one being from the Committee on Invalid Pensions and the other from the Committee on Pensions; that the House recess from 5 o'clock until 8 o'clock, and that no other business be transacted.

The SPEAKER. The gentleman from Ohio asks unanimous consent that next Monday at 5 o'clock the House shall stand in recess until 8 o'clock, when there shall be a session, to extend not later than 11 o'clock, to consider two bills from the Pension Committees, and that no other business shall be transacted at that session. Is there objection?

Mr. MANN. Reserving the right to object, would it not be better to make the bills in order after we finish the military appropriation bill? This might cost us more time than the other way.

Mr. SHERWOOD. I would have no objection to that.

Mr. UNDERWOOD. The chairman of the Military Committee, the gentleman from Virginia, desires to finish the military bill to-day, even if it should run into a night session, and to-morrow take up another appropriation bill. We can change the order if it becomes necessary.

Mr. MANN. I should say that if we pass the Army appropriation bill to-night we can pass the pension bills after that.

Mr. UNDERWOOD. I am informed that the pension bills will not take over 40 minutes.

Mr. MANN. I shall not object.

Mr. HAY. I will say that it is my purpose to finish the Army appropriation bill to-night, if I can keep gentlemen on the floor.

Mr. MANN. I have no objection to that; but when we recess at 5 o'clock in order to have an evening session at 8 o'clock, to pass a bill that it is supposed will take about 40 minutes, we lose the hour between 5 and 6 o'clock to begin with. I shall not object to the request.

Mr. UNDERWOOD. I will say to the gentleman from Illinois that it may be that when we reach Monday we can set aside the order by unanimous consent. There is no contest about these pension bills. I merely want to satisfy the gentleman from Ohio that the opportunity will be given, and we can set aside the order later, if an opportune time comes for the consideration of the pension bills.

Mr. MANN. I do not object.

The SPEAKER. Is there objection to the request of the gentleman from Ohio [Mr. SHERWOOD]?

Mr. CARLIN. I object.

The SPEAKER. The gentleman from Virginia objects.

Mr. UNDERWOOD. The gentleman understands, does he, that this request is for Monday—not for to-day?

Mr. CARLIN. I withdraw my objection to the request.

The SPEAKER. The gentleman from Virginia withdraws his objection. Is there objection?

Mr. JOHNSON of Kentucky. Reserving the right to object, I should like to have a proviso, if the leave is granted, that it shall not interfere with the business of District of Columbia day.

The SPEAKER. This is for a night session.

Mr. JOHNSON of Kentucky. I know it is; but still I would like to have that reservation.

Mr. MANN. I understood the other day that the gentleman was satisfied with this arrangement.

The SPEAKER. The gentleman from Kentucky [Mr. JOHNSON] insists on a proviso that this shall not interfere with the business of his committee on Monday.

Mr. MANN. I would not consent to a night session for District business in this way.

Mr. JOHNSON of Kentucky. I will not ask for one.

Mr. MANN. The gentleman from Ohio only asks for a night session.

Mr. JOHNSON of Kentucky. We might run as late as that.

Mr. UNDERWOOD. Mr. Speaker, we can not determine at this time whether District of Columbia business can have Monday or not. It may be that we shall need the day for the consideration of appropriation bills, but we can set aside the night session by unanimous consent if it is necessary.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

GOVERNMENT MANUFACTURE OF MUNITIONS OF WAR.

Mr. TAVENNER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the subject of Government manufacture of munitions of war.

The SPEAKER. The gentleman from Illinois [Mr. TAVENNER] asks unanimous consent to extend his remarks in the RECORD on the subject of the manufacture of munitions of war. Is there objection?

There was no objection.

DISTRICT OF COLUMBIA APPROPRIATION BILL.

Mr. PAGE of North Carolina. Mr. Speaker, it was my purpose to ask that the District of Columbia appropriation bill (H. R. 19422) be taken from the Speaker's table and sent to conference, but at the request of a number of gentlemen within the last few minutes I will defer it, and I give notice that I shall make that motion to-morrow morning immediately after the reading of the Journal.

ARMY APPROPRIATION BILL.

Mr. HAY. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 20347) making appropriations for the support of the Army for the fiscal year ending June 30, 1916.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the Army appropriation bill (H. R. 20347), with Mr. GARRETT of Tennessee in the chair.

The Clerk read as follows:

Contingencies, military information section, General Staff Corps: For contingent expenses of the military information section, General Staff Corps, including the purchase of law books, professional books of reference; periodicals and newspapers; and of the military attachés at the United States embassies and legations abroad; and of the branch office of the military information section at Manila; to be expended under the direction of the Secretary of War, $11,000: *Provided*, That section 3648, Revised Statutes, shall not apply to subscriptions for foreign and professional newspapers and periodicals to be paid for from this appropriation: *Provided further*, That the actual and necessary expenses of officers of the Army who after July 1, 1914, have been on duty abroad for the purpose of observing operations of armies of foreign States at war, and of officers who may hereafter be on duty abroad for that purpose, shall be paid out of the appropriation for contingencies of the military information section, General Staff Corps, upon certificates of the Secretary of War that the expenditures were necessary for obtaining military information; and the amount appropriated for such contingencies by an act entitled "An act making appropriations for the support of the Army for the fiscal year ending June 30, 1915," approved April 27, 1914, is increased to $26,000.

Mr. MANN. Mr. Chairman, I make a point of order on the last proviso.

Mr. HAY. Mr. Chairman, it is subject to a point of order.

The CHAIRMAN (Mr. CRISP). The Chair sustains the point of order. The last proviso will be stricken from the bill, and the Clerk will read.

The Clerk read as follows:

United States service schools: To provide means for the theoretical and practical instruction at the Army service schools (including the Army Staff College, the Army School of the Line, the Army Field Engineer School, the Army Field Service School and Correspondence School for Medical Officers, and the Army Signal School) at Fort Leavenworth, Kans., the Mounted Service School at Fort Riley, Kans., and the School of Fire for Field Artillery and for the School of Musketry at Fort Sill, Okla., by the purchase of textbooks, books of reference, scientific and professional papers, the purchase of modern instruments and material for theoretical and practical instruction, employment of temporary, technical, or special services, and for all other absolutely necessary expenses, to be allotted in such proportions as may, in the opinion of the Secretary of War, be for the best interests of the military service, $35,350.

Mr. GREENE of Vermont. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Vermont offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 4, after line 12, insert: "For pay of one translator, at $100 per month, to be appointed by the commandant of the Army service schools, $1,200.

Mr. STAFFORD. Mr. Chairman, I reserve a point of order until we have some explanation.

The CHAIRMAN. The gentleman from Wisconsin reserves a point of order.

Mr. GREENE of Vermont. Mr. Chairman, I introduced this amendment at the request of my colleague on the committee, the gentleman from West Virginia [Mr. AVIS], who is not able to be present this morning, but who has left with me a memorandum in which are set forth the reasons for offering the amendment.

"The translating to be done is of a highly technical nature, requiring an expert knowledge of military matters and experience of the military service. The position can not be properly filled by one from the civil service, however well qualified in a linguistic way, as such person will lack the experience of military service and knowledge of the technical military terms and expressions. The translator whom it is desired to employ has had 30 years' service as an enlisted man and officer, and

has been engaged for years upon this line of work and is thoroughly competent in every way."

Mr. STAFFORD. Mr. Chairman, will the gentleman yield?

Mr. GREENE of Vermont. Certainly.

Mr. STAFFORD. What is the special need of such legislation? Is this merely a provision to give employment to some one individual?

Mr. GREENE of Vermont. I can only say that in this particular instance I am executing a commission, as I have indicated, and have no further light or information in regard to the matter.

Mr. STAFFORD. Has the amendment ever been submitted to the committee for consideration?

Mr. GREENE of Vermont. I understand the chairman of the committee may have some knowledge of it. At least, the subject was brought to his attention.

Mr. HAY. Mr. Chairman, I have not any more information than has the gentleman from Vermont, but after looking into it I see no objection to the adoption of the amendment.

Mr. STAFFORD. Has not the department an opportunity today to appoint a translator from the civil list, if it sees fit?

Mr. HAY. I do not know about that; but the wording of this amendment takes it out of the civil service and puts it into the hands of the man who commands the school. It takes it out of the civil service.

Mr. GREENE of Vermont. The very purpose of taking it out of the civil service is to prevent the possibility of some schoolmaster somewhere, who does not understand anything *about the Army*, qualifying under the technical requirements of the civil-service examination, but knowing nothing about the real atmosphere and detail of military matters.

Mr. STAFFORD. As I understand, the discretion is put in the head of the school?

Mr. HAY. To be appointed by the commandant.

Mr. STAFFORD. Relieved of the limitation of civil service?

Mr. HAY. Yes.

Mr. SLAYDEN. Mr. Chairman, will the gentleman from Vermont yield?

Mr. GREENE of Vermont. Certainly.

Mr. SLAYDEN. Does not the reason that the gentleman has just stated for taking this particular appointment out of the hands of the Civil Service Commission and turning it over to the special branch of the public service in which the man will be employed apply with equal force to many other places in the Government service that are now left absolutely with what he calls the schoolmaster system and the ability to qualify technically, and so forth?

Mr. GREENE of Vermont. I dare say. The best judgment I could give on that question, I will say to the gentleman, is that every tub should stand upon its own bottom, and the merits of each individual question I could better pass on when I know to what particular case the gentleman refers.

Mr. SLAYDEN. Oh, I refer to many of them.

Mr. GREENE of Vermont. I would not want to give very diversified information upon generalities at this time, with this amendments at stake. [Laughter.]

Mr. STAFFORD. Will the gentleman inform the committee what is the practice in respect to the appointment of instructors in our various schools where the instructor teaches general subjects of education?

Mr. GREENE of Vermont. I understand that in the Army schools generally the instructors are appointed to give instruction in military matters, the science of war, and the school of the soldier, and so on, and are taken from the regular line of the Army by detail.

Mr. STAFFORD. I refer to instructors outside of those of tactical matters; for instance, instructors in the languages, and the like.

Mr. GREENE of Vermont. Academic studies?

Mr. STAFFORD. Yes; scientific and academic. Are those instructors appointed from the civil-service list or are they appointed from the service generally?

Mr. GREENE of Vermont. These men at West Point have been there for years. I do not know how most of them secured their appointments. They have been there and have been retained in the service for many years, as I understand it, in most instances.

The CHAIRMAN. Does the gentleman from Wisconsin make the point of order?

Mr. STAFFORD. Mr. Chairman, I withdraw the reservation.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Vermont.

The question was taken; and on a division (demanded by Mr. BATHRICK) there were—ayes 36, noes 1.

So the amendment was agreed to.

The Clerk read as follows:

THE ADJUTANT GENERAL'S DEPARTMENT.

Contingencies, headquarters of military departments, and tactical commands: For contingent expenses at the headquarters of the several territorial departments, territorial districts, tactical divisions and brigades, including the staff corps serving thereat, being for the purchase of the necessary articles of office, toilet, and desk furniture, stationery, ice, and potable water for office use when necessary, binding, maps, technical books of reference, professional and technical newspapers and periodicals, payment for which may be made in advance, and police utensils, to be allotted by the Secretary of War, and to be expended in the discretion of the commanding officers of the several military departments, districts, and technical commands, $7,500.

Mr. HAY. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Amend, on page 5, line 2, by striking out the word "technical" and inserting the word "tactical."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

OFFICE OF THE CHIEF SIGNAL OFFICER.

Signal Service of the Army: For expenses of the Signal Service of the Army, as follows: Purchase, equipment, and repair of field electric telegraphs, signal equipments, and stores, binocular glasses, telescopes, heliostats, and other necessary instruments, including necessary meteorological instruments for use on target ranges; war balloons and airships, and accessories, including their maintenance and repair; telephone apparatus (exclusive of exchange service) and maintenance of the same; electrical installations and maintenance at military posts; fire control and direction apparatus and matériel for field artillery; maintenance and repair of military telegraph lines and cables, including salaries of civilian employees, supplies, and general repairs, and other expenses connected with the duty of collecting and transmitting information for the Army by telegraph or otherwise, $600,000.

Provided, That not more than $500 of the foregoing shall be used for the cost of special technical instruction of officers of said section.

Provided, however, That not more than $300,000 shall be used for the purchase, maintenance, operation, and repair of airships and other aerial machines and accessories necessary in the aviation section: *Provided*, That hereafter the Signal Corps may exchange typewriters and adding machines in the purchase of similar equipment.

Mr. HAY. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

In line 4, page 7, after the figures "$300,000," insert the words, "of the foregoing appropriation."

The question was taken, and the amendment was agreed to.

Mr. HAY. I also desire to offer the following amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

After the word "section," in line 7, page 7, insert the words, "and for the purchase, maintenance, repair, and operation of motor-propelled passenger-carrying vehicles which may be necessary for the aviation section."

Mr. FOSTER. Mr. Chairman, I reserve a point of order on that.

Mr. HAY. I would rather for the gentleman to make the point of order.

Mr. FOSTER. I will make the point of order for this reason: There was a proviso in the legislative bill of last year which said that these motor-propelled, passenger-carrying vehicles should be estimated for and specifically appropriated for in the appropriation bill, and my understanding of that law was—and if I am wrong I am willing to withdraw the point of order—that they should estimate the number, and that number should be provided in the bill. Now, if I am wrong about that, that is all I have to say. In the Indian appropriation bill there was a provision, as gentlemen will remember, stating how many should be purchased of this kind of vehicles. The provision which the gentleman from Virginia has here does not differ from the old law, which provided that motor-propelled vehicles should be purchased out of certain appropriations in the bill. The same provision exists, I will say to the gentleman, further along in the bill, where it provides for the purchase of these vehicles; and what I am doing this for is to know whether that provision of the law should apply in reference to the naming of the number of vehicles that should be purchased or whether they shall be estimated for, and then the bill shall provide the same as it has done in the past, without any specific number, as has been done for years. As I understand the provision further along in the bill, it does give them the right to purchase any number they may see fit, so far as the appropriation will go, regardless of estimates. I judge they possibly would not do that, but I think in all fairness to this provision we put into the law there ought to be something of that kind, so that Congress may know how many are going to be purchased out of this appropriation. The only reason I make this point of order is to determine whether or not this does comply with the law. If it does, of course the law goes along in the same old way it did before, except we get estimates, and they can exceed them if they so desire in the

purchase of these machines out of the appropriation which is given by Congress. Now, I spoke to the gentleman from Virginia before this bill was under consideration in reference to the matter. I have not the old law at hand which I could quote to the Chairman, but it was a provision put in the legislative bill of last year—section 5, I think, if I remember—but the Chair no doubt has that law and is familiar with the provision which was contained in the bill at that time.

The CHAIRMAN. The Chair would like for the gentleman from Illinois to state his point of order.

Mr. FOSTER. The point of order is that they must be specifically provided for in the bill, and the intention of Congress was to have the number estimated for, the number that they proposed to purchase, and that number should be provided for in the bill. That is the point of order that I make against this amendment.

The CHAIRMAN. Has the gentleman that statute before him? The Chair is not familiar with it.

Mr. MANN. I have the statute, which I shall be glad to send to the Chair.

Mr. FOSTER. I have not the statute right at my hand, and I will be obliged to the gentleman from Illinois.

Mr. MANN. It is section 5 of the legislative bill, which reads as follows:

SEC. 5. No appropriation made in this or any other act shall be available for the purchase of any motor-propelled or horse-drawn passenger-carrying vehicle for the service of any of the executive departments or other Government establishments, or any branch of the Government service, unless specific authority is given therefor, and after the close of the fiscal year 1915 there shall not be expended out of any appropriation made by Congress any sum for purchase, maintenance, repair, or operation of motor-propelled or horse-drawn passenger-carrying vehicles for any branch of the public service of the United States unless the same is specifically authorized by law, and in the estimates for the fiscal year 1916 and subsequent fiscal years there shall be submitted in detail estimates for such necessary appropriations as are intended to be used for purchase, maintenance, repair, or operation of all motor-propelled or horse-drawn passenger-carrying vehicles, specifying the sums required, the public purposes for which said vehicles are intended, and the officials or employees by whom the same are to be used.

Mr. FOSTER. I think under section 5 the intention of Congress was that they should estimate for the number, and that number should be placed in the bill. Now, I am not going into the merits of this at all or as to the necessity for them, but I think it is right we should have this ruling, and we should know whether or not there should be a specific appropriation in the bill for the number of these motor-propelled passenger-carrying vehicles.

Mr. MANN. Mr. Chairman, I do not think the amendment is subject to a point of order. The matter was discussed quite fully in the Committee of the Whole House on the state of the Union when the Indian appropriation bill was under consideration, and quite a length of time was taken with a discussion of the matter involving the same principle, and the Chairman of that committee held that the item was in order.

That is the authority which is required by the statute. Without this authority in making the appropriation no portion of the appropriation could be expended for the purchase of motor or other passenger-carrying vehicles. It is true the statute requires that estimates shall be made in detail, but that is a provision carried as to a great many items in estimates, which are not carried in appropriation bills. That is for the information of the committee making up the appropriation bills and for other Members of the House, but we constantly require a greater detail in estimates than we carry in the appropriation. The Committee on Military Affairs could not make up this appropriation bill, which largely consists of lump-sum appropriations, without more detailed information and more details in the appropriation than are carried in the bill. Is not that correct?

Mr. HAY. That is correct.

Mr. MANN. That is true of all the appropriations.

Mr. HAY. And I may say, Mr. Chairman, that there was an estimate made for those vehicles that are to be used by the Signal Corps, and if this proviso is not put in here, of course the Signal Corps out of this or any other appropriation can not have these motor-propelled vehicles. And in the discussion of this question the other day, and in the decision made by the Chairman of the Committee of the Whole at that time, that decision was not based upon the fact that that bill contained the number of vehicles but upon the broad principle that in the bill then under discussion it was necessary to give the specific privilege to purchase motor-propelled and horse-drawn vehicles for passenger purposes. I can not think that the Chair could hold that in every instance the number of vehicles should be given in the bill. If we had to give the number of vehicles or if that law was applied to some other item, say blankets and saddles, and we had to give the number of blankets and the number of saddles, and so on, that we provide for in this bill, the bill would be voluminous and never ending.

The CHAIRMAN. Can the Chair ask the gentleman from Virginia a question?

Mr. HAY. Certainly.

The CHAIRMAN. The Chair understands, then, that the contention of the gentleman from Virginia is that where an executive department or any branch of the Government is authorized out of a lump sum to purchase motor-propelled vehicles this statute in question precludes them from doing it unless the number is specifically provided——

Mr. HAY. I do not contend that. The gentleman from Illinois [Mr. FOSTER] contends that. He contends that the number of vehicles to be purchased under this appropriation must be given in the bill. Now, I contend that that is not at all what the intention or the meaning of the law in the last legislative bill is; that it only provides that specific authority must be given by Congress when any motor-propelled or horse-drawn passenger vehicle is to be purchased under the appropriation. That is all that is necessary, and that was the decision of the Chairman of the Committee of the Whole House on the state of the Union who presided over the committee when the Indian appropriation bill was under consideration.

Mr. MANN. Mr. Chairman, when the matter was up in the committee before on the Indian appropriation bill the discussion of the point of order was participated in by the gentleman from Virginia [Mr. HAY] and the gentleman from South Carolina [Mr. LEVER], both chairmen of great appropriation committees, because it was understood that the principle involved applied to all of these bills. And the gentleman from Tennessee [Mr. BYRNS], if I remember correctly, was in the chair, and he is a very competent chairman. After the discussion he ruled that it was competent for Congress, over the point of order, to provide generally by this specific language for the purchase of these vehicles.

Mr. FOSTER. If my colleague will permit, I think in the Indian appropriation bill there was a specific appropriation for 20 automobiles. There were 30 estimated for.

Mr. MANN. There was no specific appropriation of the amount for maintenance.

Mr. FOSTER. Possibly not; but it was for the purchase of the machines.

Mr. MANN. That provision in the Indian appropriation bill, as I recall it, authorized the use of $200,000 out of all the appropriations contained in the bill, with the limitation in the bill that not more should be used for the purchase.

Mr. FOSTER. I think it provided there would be 20 purchased.

Mr. MANN. No; there was a limitation that not more than 20 should be purchased.

Mr. FOSTER. An allowance for that purpose. The difference in the two provisions is that this provides for the purchase of machines, as the appropriation further on does, which is a little different from this in the wording. But here is the proposition. Now, under provisions of law which were inserted in the appropriation bills for the purchase and maintenance of these vehicles it went along, and they purchased many of them for years. Congress apparently did not know much about it or how many were purchased, so they finally secured the information, either in this body or the other, that there were so many machines owned by the Government. So Congress in last year's bill placed this provision in the law that Congress should know how many were proposed to be purchased under these appropriations.

Mr. MANN. Congress obtains that information now by specific reports in the estimates and otherwise.

Mr. FOSTER. I understand that; but the estimates are not in the bill. But the fact is that the bill does not comply with the law in that it does not provide for the purchase of so many, and under these provisions that are in the bill they can go ahead and purchase to the full amount of the appropriation if they so desire.

Mr. MANN. Now, if my recollection is correct, there was no specific authority in the Indian appropriation bill for the purchase of so many, but there was a limitation that they should not purchase more than so many. This amendment would not be added to, so far as the point of order is concerned, by adding at the end of it that not more than 1,000 of these vehicles should be purchased. It is a limitation that would not have any effect. The question is whether the appropriation is in order, and that was the precise question that was before the House when the Indian appropriation bill was under consideration.

The CHAIRMAN. The Chair is ready to rule. The Chair has read section 5 of the legislative appropriation bill for the fiscal year 1915, and is of the opinion that that section is a limitation upon the heads of the executive departments, but is not a limitation upon Congress. The Chair is of the opinion that it is very desirable to have uniformity of decisions in this House, and the gentleman from Tennessee [Mr. BYRNS], Chairman of the Committee of the Whole House on the state of the Union during the consideration of the Indian appropriation bill, passed on this very question, and he held—and, in the opinion of this Chair, he held correctly—that Congress had the right, if it saw fit, to pass a provision of this character, and the Chair overrules the point of order. The question is on agreeing to the amendment.

Mr. BATHRICK. Mr. Chairman, I believe the law specifically declared that the estimate on the purchase of these machines should be specific, and I believe that the intent of the law was that a certain practice which has grown up in some of our departments, of expending public money for the purpose of having joy-ride facilities, should cease. While the Chair has ruled that this amendment is in order, I believe this House ought to vote this proposition down for another reason, namely, that it is coupled up with the amount intended to be used for the purchase of airships for the use of the Army. Now, as I read it and as I understand it—and I would be glad to be corrected by the chairman of the committee if I am mistaken—it puts it within the power of the department, if it expends this sum of money, to expend for automobiles all of that portion of the money in its possession intended for airships.

Mr. HAY. The gentleman is entirely mistaken.

Mr. BATHRICK. I would like to have the gentleman's explanation of why I am mistaken.

Mr. HAY. For the reason that the law provides that the estimates shall be made as to how many of these passenger-carrying vehicles shall be bought and how much of this $300,000 they are going to spend for them, and they can not expend more than they estimate for that purpose. I will say to the gentleman that these people now have about two of these machines. That is all.

Mr. BATHRICK. Have they estimated for these two?

Mr. HAY. They have. If this amendment is not adopted, they can not repair them, and they will rot and go to nothing. If it is going to be the policy of the committee to prevent the repair and operation of machines or the purchase of one or two more that may be purchased, why, then——

Mr. MANN. Mr. Chairman, may I ask the gentleman from Virginia a question?

Mr. HAY. Yes.

Mr. MANN. Without authority being given to employ passenger vehicles, if a man goes out in a flying machine and the machine breaks down, how would you carry him in? Would you have to carry him in on the back of some one?

Mr. HAY. He could not be hauled in unless by means of a wagon or some other vehicle.

Mr. MANN. You could not hire it out of this fund, but some one would have to carry him in on his back.

Mr. HAY. Yes.

Mr. BATHRICK. The gentleman knows that no reasonable man in this House wants to provide against such a thing as that.

Mr. MANN. That is the reason why I mentioned the contingency that might happen.

Mr. BATHRICK. Could they not spend any or all of this money for the purchase of motor vehicles?

Mr. HAY. They could, but it is not to be thought that the officers in charge of the expenditure of this money are going to spend $50,000 or $100,000 or $200,000 for buying automobiles to ride around in.

Mr. MANN. Next year they must make a report as to how much they have expended for this purpose?

Mr. HAY. Certainly.

Mr. BATHRICK. It is not my intention to interfere with the operations of the corps in this respect, but it is apparent that it should not be in their power to buy out of this fund as many automobiles as they please.

Mr. CALLAWAY. Mr. Chairman, will the gentleman yield?

Mr. HAY. Certainly.

Mr. CALLAWAY. What passengers do these automobiles haul? And I want to ask this further question right in that same connection: Is it not a fact that we make provision for ambulance facilities connected with our Army stations, wherever they are? That would get these parties who are injured in aeroplanes, and so on, would it not?

Mr. HAY. No. At San Diego, where the school of aviation is located, there is no Army hospital that I know of. They may have a field hospital there, but I do not think they have. The use they would have for these automobiles—one or two is all they would have—would be to go about from place to place in the discharge of their duties, and they can be used only for official purposes. They can not be used for a man's personal convenience or pleasure.

Mr. CALLAWAY. Or for his family?

Mr. HAY. It ought not to be. If it is done, it is against the regulations of the War Department and the law.

Mr. CALLAWAY. Would going and getting a man who fell from an aeroplane, or anything like that, be considered passenger traffic?

Mr. HAY. Yes, sir. That is the only way by which they would have any passenger vehicle at all. It would be under this appropriation, under this proviso.

Mr. CALLAWAY. It has been my understanding that we have ambulance provision for things like that.

Mr. HAY. We have ambulances connected with the hospital, but I will say to the gentleman that those people have a school at San Diego, Cal., known as the School of Aviation, and there is no hospital connected with the school that I know of.

Mr. CALLAWAY. This is simply an ambulance provision?

Mr. HAY. Well, no. That was merely an illustration given by the gentleman from Illinois to show what might happen in the event we did not have these machines. Mr. Chairman, I call for a vote.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Virginia.

The amendment was agreed to.

Mr. HAY. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The gentleman from Virginia offers an amendment, which the Clerk will report.

The Clerk read as follows:

Strike out the proviso, beginning in line 1, page 7, and insert the same proviso after the word "section" in the foregoing amendment.

Mr. HAY. Mr. Chairman, I do that because this $500 provided for special technical instruction of officers of this aviation section ought to be paid out of the $300,000 and not out of the general fund for the Signal Service.

Mr. MANN. Mr. Chairman, where was that to go in?

Mr. HAY. To strike out the proviso, beginning on line 1, page 7, and inserting it after the word "section" in the amendment which we have just adopted.

Mr. MANN. After the word "section" in the amendment?

Mr. HAY. Yes.

Mr. MANN. I suggest to the gentleman that both after the word "*Provided*" there and after the word "*Provided*" now in the section it should be made to read "*Provided further.*"

The CHAIRMAN. Without objection, the amendment will be modified by inserting the words "*Provided further.*"

There was no objection.

The amendment was agreed to.

The CHAIRMAN. The Chair will now recognize the gentleman from Massachusetts [Mr. GARDNER] to offer an amendment.

Mr. GARDNER. Mr. Chairman, I offer the amendment which I send to the Clerk's desk.

The Clerk read as follows:

Amendment by Mr. GARDNER:
"Page 6, line 24, strike out '$600,000' and insert '$1,300,000.'"

Mr. GARDNER. Mr. Chairman, if that amendment is adopted, it will appropriate for the aviation service $1,000,000, because, if it is adopted, I shall move to strike out the figures "$300,000" where they occur in line 4, on page 7, and insert in lieu thereof the figures "$1,000,000." I do not think myself that that is nearly enough for the aviation service. I think that amount is far too small, but the fact is that that is all the Committee on Naval Affairs have appropriated for the aviation service of the Navy. If I am correctly informed, it is all that Gen. Scriven asked when he sent his estimates to the Secretary of War. Now, it is true that when the Secretary of War submitted Gen. Scriven's estimate he cut it down to $400,000. That was the amount estimated by the Secretary of War, and the committee cut that amount still further down, to $300,000. I do not know that Gen. Scriven sent in an estimate of $1,000,000 to the Secretary of War, but I am told so, and I can well believe that it is so.

The fact is that we are hopelessly behind every other nation on earth in the matter of aeroplanes. Even little Servia has three times the aeroplane fleet that we have. Yet in the United States is where the business of flying started, and we ought to be away in the lead. What has happened? We have been experimenting and reporting and drafting designs, and doing everything except build aeroplanes. What did we do last year?

Mr. GORDON. Will the gentleman yield?

Mr. GARDNER. Yes.

Mr. GORDON. Mr. Chairman, does not the gentleman know that the building of aeroplanes is wholly in the experimental stage?

Mr. GARDNER. Will the gentleman please wait until I get through, and not ask foolish questions? [Laughter.] Mr. Chairman, the fact is that we have been experimenting and doing everything except build aeroplanes, whereas the rest of the world has gone right straight ahead, and in France they had 1,400 aeroplanes on the 1st of last July. They had 22 dirigible balloons, like Zeppelins. In Russia they had 800 aeroplanes on the 1st of last July, and 18 dirigibles. In the United States we have only 23 aeroplanes and not a single dirigible or Zeppelin to bless ourselves with—not one single one; we, the great progressive country of the world!

Mr. Chairman, it is not as if the rest of the world did not know how to build aeroplanes.

Now, what did we do? We had a board appointed by the Secretary of the Navy two years ago. That board made a very elaborate report and recommended a large sum of money, and that is as far as it got. We sent over to Germany and we bought one aeroplane as a sample, as a model on which to build. That was an aeroplane with two Mercedes motors. Then we sent to France and ordered an aeroplane with two Salmson motors, and on those two machines we were going to found a little family of aeroplanes, but the war broke out and those aeroplanes were commandeered by foreign nations, and we are back again in the same old spot, experimenting, reporting, considering, and appropriating for pencils and paper to make plans. That is what we have been doing on aeroplanes, and as for the Zeppelins, we have been doing nothing at all. Now, every time anybody has tried to make a move, he has been suppressed by the department. The General Board of the Navy estimated $5,000,000 this year for the air service. What happened? Why, the Secretary of the Navy did not recommend a cent, but proposed to allow them to take something out of the general fund. After all, the committee have done better than that. The Committee on Naval Affairs have had their minds opened to a certain extent and have appropriated $1,000,000 for air service in general.

The CHAIRMAN. The time of the gentleman has expired.

Mr. GARDNER. I ask unanimous consent to proceed for two minutes.

The CHAIRMAN. The gentleman from Massachusetts asks unanimous consent to proceed for five minutes. Is there objection?

There was no objection.

Mr. GARDNER. I thank the Chair for extending my time. I should rather have five minutes than two.

Mr. McKENZIE. Will the gentleman permit a question?

Mr. GARDNER. Yes; I yield for a question.

Mr. McKENZIE. What effect upon our safety does the manufacture and owning of these aeroplanes by foreign Governments have upon us?

Mr. GARDNER. None whatever.

Mr. McKENZIE. Do you think there is any danger?

Mr. GARDNER. It is simply an illustration of what we ought to have.

Mr. KAHN. Will the gentleman yield for a question?

Mr. GARDNER. Yes.

Mr. KAHN. Where did the gentleman get his figures as to the number of aeroplanes owned by foreign Governments?

Mr. GARDNER. I got that from Capt. Bristol's evidence before the Naval Committee. The evidence from the Clash of Nations is not very good.

Mr. KAHN. Gen. Scriven gave a very much smaller estimate before the committee.

Mr. GARDNER. He gave 500 aeroplanes for France and 11 dirigibles for France. His figures came from the Clash of Nations.

Mr. KAHN. Yes.

Mr. GARDNER. Capt. Bristol, before the Navy Department, gave 1,400 aeroplanes for France and 22 dirigibles. But, take your own figures, call the number 500 aeroplanes and 11 dirigibles, and you will see how far behind we are. This war has developed since the Clash of Nations was written, and everybody familiar with the facts knows that the number of air craft was vastly underestimated. Capt. Bristol gave his evidence very recently before the Committee on Naval Affairs.

Now, Mr. Chairman, what happened? Gen. Scriven has been kept down, if you please, to a flying force of 60 officers, with only 12 enlisted men. That is all we allow him, and he has to cut his coat to suit his cloth. Therefore, says he, "We will get a small fleet, because they will not give us the men to man a large fleet," and he comes in to the Secretary of War, as I have been informed—and I challenge contradiction—and says, "My estimate is $1,000,000 for that fleet," and the amendment I offer is to give that $1,000,000, which Gen. Scriven, in my opinion, originally asked the Secretary to approve. The Secretary of War, or some of his subordinates, cut the estimate down to $400,000. The chairman of the Committee on Military Affairs cuts it down still further and makes it $300,000.

Mr. HAY. Mr. Chairman, the amendment proposed by the gentleman from Massachusetts would provide a million dollars for the purchase, repair, and upkeep of aeroplanes. As I stated, the number of aeroplanes on hand now is 11, contracted for 8, and they want 32 machines.

This appropriation was made by the committee in accordance with the evidence of the Chief of the Signal Corps. Gen. Scriven says:

> We only want to accumulate 32 machines in the first line and a reserve of 50 per cent, because we have under the bill 60 aviator officers, and we are only allowed 12 enlisted men for instruction in flying.

He ought to have said only allowed 12 annually. They could instruct 12 enlisted men one year and 12 the next year. Gen. Scriven continues:

> The limit is therefore 72. If we organize 4 squadrons of 8 machines each, that is 32 machines—each squadron is supposed to have 20 pilots and observers—4 squadrons would require 80 men, observers and pilots. That would constitute the necessary complement of men. Now we are allowed 60 officers. We will probably get these officers, because they are coming in very fast and they appear to appreciate the work. We should then require 20 enlisted men to make up the full complement of 80 men.

These 12 enlisted men they can get next year.

> If these can not be obtained it will be necessary to cut off some of the 4 officers comprising the commander and staff of each squadron, or an observer need not be sent out with every machine. At all events it will be possible to put 4 squadrons in the field fairly well manned and equipped.
>
> But to the 4 squadrons of 32 machines should be added a reserve of 50 per cent of spare parts because the machines require this for spare parts all the time. That would add 16 more machines to be purchased, as the spare parts should constitute an entire semblance not put together, so that in case of immediate necessity the spare parts could be assembled and replace broken machines in the field at once.
>
> The CHAIRMAN. Of the $400,000 you are asking for, how much do you expect to spend for this purpose?
>
> Gen. SCRIVEN. I think I can give that exactly. We have 21 machines now and $40,000 left. The running expenses from now until July will be, I should say, about $25,000, which will give us $15,000 free and two more machines, which will make 23 machines. To make up the 32 machines we will have 9 machines to buy and to make up the reserve for the 32 machines, 50 per cent, 16, making it necessary to buy in all 25 new machines during the coming year to put the aviation squadrons into fairly good shape.

Now, Mr. Chairman, these machines cost, according to the evidence, $10,000 apiece. They want to buy 25 machines for the next fiscal year, and we are giving them $300,000. Out of that they can buy 25 machines for $10,000 apiece and have $50,000 for the purposes of repair and upkeep, so that we are giving them what they ask for and no more. In my judgment it is no reason because the French Government has 1,400 or 14,000 aeroplanes that we should undertake to have the same number. We have no use for them at this time. We will never have, in my judgment, any use for any such large number of machines. We are undertaking to supply what the department says we ought to have, and that is what we have done.

Mr. BUCHANAN of Illinois. Will the gentleman yield?

Mr. HAY. Yes.

Mr. BUCHANAN of Illinois. Is the department or the Government constructing these machines or are they depending upon purchasing them by contract?

Mr. HAY. They purchase them by contract. The Government has no plant where they can be manufactured.

Mr. BUCHANAN of Illinois. My opinion is that it is difficult to purchase machines in this country, and it seems to me that the Government ought to undertake the construction of them for the Government itself.

Mr. HAY. That is a question that does not enter into this proposition. There may be something in that, but, as a matter of fact, the Government at this time has no place where they can manufacture these machines. They are therefore compelled to buy them.

Mr. BUCHANAN of Illinois. Mr. Chairman, I move to strike out the last word. The construction and development of aeroplanes is something that I am much interested in, and I am also interested in their being developed and constructed by the Navy and the War Departments. The aeroplane, in my opinion, is only in its infancy; it is not wholly developed. It is a strange coincidence both in the construction of aeroplanes and of submarines, that we are going very slowly as to both. It seems that we can not get them manufactured or constructed, and the department is compelled to turn back a part of their appropriation.

One of the reasons I am especially interested in this is because I believe that when the submarines are developed they will in a short period of time make the battleship inoperative. It is going to stop the armor graft that has been going on in this country for a number of years, and we are now building battleships that, in my judgment, can never be of any use to the Government.

So it seems strange that we are so backward in developing the weapons of destruction to the battleships. We are paying and have been paying for years $250 a ton profit to the armor-plate ring, and we can not get submarines and aeroplanes manufactured. It is strange again that our Government officials when they have not been successful in securing the manufacture of these weapons by contract does not establish a plant where they can be manufactured by the Government itself. It seems to me there is a lack of interest and progress along that line. While I am in favor of going as far as possible in the development of air craft and submarines, as far as there is any reason for going, if the department refuses to spend the money appropriated for that purpose it seems that Congress should take some action forcing them to do it.

Mr. McKENZIE. Will the gentleman yield?

Mr. BUCHANAN of Illinois. I will.

Mr. McKENZIE. Did the gentleman read the hearings before the Committee on Military Affairs?

Mr. BUCHANAN of Illinois. No; I have not.

Mr. McKENZIE. In these hearings Col. Reber testified that we are keeping abreast of the progress that is being made everywhere.

Mr. BUCHANAN of Illinois. I do not agree with the gentleman who made that statement. I think we are far behind other nations in the development of air craft.

Mr. CALLAWAY. Mr. Chairman, will the gentleman yield?

Mr. BUCHANAN of Illinois. Yes.

Mr. CALLAWAY. In what way are we behind them? In the number or in the efficiency of the ones that we have?

Mr. BUCHANAN of Illinois. In both. I think we should have more of them. I think we should develop new methods and new equipment, safety appliances, and so forth, if they can be developed. I am a believer in air craft. I think we are going to travel through the air in a short period of time as safely as we travel on the water now.

Mr. CALLAWAY. Does the gentleman think we ought to have as many airships for war as we would if we were actually engaged in war?

Mr. BUCHANAN of Illinois. I think the air craft and the submarine are going to tend to stop this war craze, and that is one of the reasons I want them. I think they are going to stop the agitation for useless and unnecessary expenditures on battleships and armor plate, and when we come to the right conclusion on those things it will probably do away with some of the influence that is behind the forces that work to build large battleships, which will be of no service to the country.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. HAY. Mr. Chairman, I would like to get some agreement on closing debate on this paragraph. How much time does the gentleman from New Jersey [Mr. PARKER] desire?

Mr. PARKER of New Jersey. About two minutes.

Mr. GREEN of Iowa. Mr. Chairman, I desire three minutes.

Mr. SLAYDEN. I would like to have five minutes.

Mr. MANN. I think we would like to have 15 minutes on this side.

Mr. HAY. Mr. Chairman, I ask unanimous consent that all debate on this paragraph and pending amendments thereto close in 35 minutes.

The CHAIRMAN. The gentleman from Virginia asks unanimous consent that all debate on this paragraph and all amendments thereto shall close in 35 minutes. Is there objection?

There was no objection.

Mr. PARKER of New Jersey. Mr. Chairman, this subject is too important really to have the debate upon it limited, but I believe the House would rather listen to a short statement than to a long one. Security and information are the life of an army. The sentinel, the outpost, and the cavalry in old times told you what your enemy was doing. They told you where his forces were small, so that you could attack, and where his forces were large and moving in your direction, so that you could prepare yourself for defense. That work has very largely gone now to the cavalry of the air. Any limitation on the training of air men and the purchase of these air machines I would regard as foolish, but that it should be limited to $300,000 seems to me to be fatal. The aeroplanes originated in this country, but we have not encouraged the manufacture of them by capital from the Government, as has been done abroad, and as a result military aeroplanes abroad travel at a speed, I believe, of a hundred miles an hour, while ours, as a rule, travel at a speed of about 40 miles an hour. The largest aeroplanes abroad carry 5, 7, and 10 passengers, and ours carry but 2. We must take advantage of what has been done abroad by every means in our power in order to keep abreast of the world. So far as doing it in time of peace is concerned, we maintain cavalry and artillery in time of peace because they can not be trained quickly. Much more should we maintain the aviation division of our Army in time of peace and enlarge it to the full, because it can not be created hurriedly if it should be needed.

Mr. GREEN of Iowa. Mr. Chairman, I do not believe that the amount appropriated in this bill for aviation purposes is sufficient if we were to engage in actual war on that basis, and I would be in favor of the amendment of the gentleman from Massachusetts [Mr. GARDNER] if I did not think it would be possible for us to manufacture such aeroplanes as were necessary before it would be possible for a foreign foe to land upon our shores. I do not entirely agree with the gentleman from Massachusetts, or I might say I do not agree with him at all, in his characterization of the question propounded to him by the gentleman from Ohio [Mr. BATHRICK]. The construction of aeroplanes or dirigible balloons is still in an experimental stage.

Mr. BATHRICK. Mr. Chairman, will the gentleman yield?

Mr. GREEN of Iowa. Yes.

Mr. BATHRICK. On the question of experimentation, is it not absolutely true that the automobile is still in a condition of experimentation?

Mr. GREEN of Iowa. The automobile has to a certain extent been standardized.

Mr. BATHRICK. In years to come the air caft will still be in a condition of experimentation.

Mr. GREEN of Iowa. For a long time, I think; very likely.

Mr. BATHRICK. And we must keep up and progress. Because it is in an era of experimentation is no reason why we should not begin.

Mr. GREEN of Iowa. We are making a beginning now. The bill provides for that. Only a few days ago patents were issued for a stabilizer for which much was claimed in the navigation of air craft. Certainly something of that kind will be eventually done, and unless it is obtained air craft will never be successful. The gentleman from Massachusetts [Mr. GARDNER] speaks of Zeppelins, and, with a slip of the tongue, I think, spoke of France having Zeppelins. I do not think they have any Zeppelins.

Mr. GARDNER. Yes; they have Speiss dirigibles of the Zeppelin type, as well as Parsafals.

Mr. GREEN of Iowa. They have dirigibles, but not of the rigid type known as Zeppelins. So far, the Zeppelins have had no effect upon the war.

The CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. GARD. Mr. Chairman, very recently, and at the time of the dedication of the new Federal building in Dayton, Ohio, the First Assistant Secretary of the Treasury, Mr. Byron R. Newton, told a very interesting story of how he, while acting as a newspaper correspondent, had been delegated to go to the city of Dayton, Ohio, to make a most rigid investigation of the claims of the Wright brothers of that city who had just given to the world the wonderful news that they had created a machine heavier than air which would enable man to make flights and direct his course in the air as he willed.

The skeptical and scoffing attitude of the general public was in the mind of Mr. Newton when he met the Wright brothers, and he gave to their invention the most particular scrutiny, striving to see wherein it might possibly fail; but he remained, only to be entirely convinced that the dream of these two hard-working mechanics who had striven to their goal of achievement despite lack of advantage, appreciation, or even understanding, had actually been worked out into the practical reality we all now know it to be.

A model of an early Wright machine is in the Smithsonian Institution, that exhibition place of the wonders of American creative genius, and nothing in all its halls is more wonderful than this; and, Mr. Chairman, I am proud to believe that when man has made mastery of the air the names of the Wright brothers, of Dayton, Ohio, will be given their full recognition as the pioneers of this most marvelous invention. [Applause.]

Mr. KAHN. Mr. Chairman, I have always been an advocate of preparedness for our Military and Naval Establishments, but I do not think that the amendment offered by the gentleman from Massachusetts [Mr. GARDNER] is at all necessary at this time. Gen. Scriven, Chief of the Signal Corps, appeared

before the Committee on Military Affairs and told the committee that 32 aeroplanes for an army of the size we have in this country, in his judgment, was ample; it was the purpose of the committee to furnish him with enough money to secure those 32 machines as a first line. Gen. Scriven stated to the committee, and I read from pages 642 and 643 of the hearings:

Gen. SCRIVEN. I have been thinking it over, Mr. Chairman, and I am in hopes that we may be able to squeeze out two or three more machines, making a total, with the 21 on hand, of 23 or 24 machines.

He meant by that that he hoped to be able to squeeze two or three more machines out of the money still in his hands for the current fiscal year, so that would give him 24 machines.

If we can create four aero squadrons, like the one represented in that picture, of 8 machines each, that will give us 32 machines, and with that number we are quite well provided for an army of our size—32 machines in first line in commission. Then we should add 50 per cent of spare parts, or what really amounts to other machines, in the warehouses ready to put together, so that we will then have 50 machines, and then we shall be as well off in this respect as we need to be.

Now, that states the case from the standpoint of the officer in command of that particular branch of the military service.

After all, we are not in the condition that the European countries are in. They have their long lines bordering upon neighboring States, and it is necessary for them to have a much larger number of aeroplanes than we have. We would require them almost entirely in case some foreign foe should attempt to seek a landing in this country and should positively make a landing on our shores. Outside of that, I doubt whether we will have much use for aeroplanes. They certainly will not be required in the interior of the country to any great extent. They certainly will not be required in those sections of the country where there is no enemy, even if we were involved in war. In view of the fact, too, that great improvements are being made in these machines, it is well for us to expend simply those amounts that the Army officials themselves feel will keep us abreast of the times and furnish the number of machines that would be required for an army of the size of ours.

Mr. SLAYDEN. Will the gentleman yield for a question?

Mr. KAHN. I will.

Mr. SLAYDEN. I would like to ask the gentleman how long it would take to construct an aeroplane when we needed it?

Mr. KAHN. It is a matter of slow operation.

Mr. SLAYDEN. Why, are not the engines——

Mr. KAHN. I asked Gen. Scriven, when he was before our committee, how long it would take him to secure 100 machines for the use of our Army, and he stated that the factories are small at the present time and in his judgment it would require a full year to secure that number of machines.

Mr. SLAYDEN. That was to get the factories running and not the machines, was it not?

Mr. KAHN. Well, we took his word for these facts, but I am confident that if we were to endeavor to purchase a larger number of machines each one of the three factories that is now supplying machines would immediately extend its plant and would furnish the machines in double-quick order.

Mr. SLAYDEN. Are they building their own engines?

Mr. KAHN. I believe so.

Mr. GARDNER. Mr. Chairman, in order that things may be perfectly understood here let me say there is an aeroplane factory in my district, but there is not an ammunition factory nor an artillery factory nor an armor-plate factory nor any other kind of factory which makes munitions of war, yet I am going to try to get the appropriation raised on various other articles which are needed when a nation is at war.

Now, to answer what the gentleman from California and the gentleman from Virginia have said. If there is anything in the argument that we do not need these aeroplanes because we are not going to have any war, then for heaven's sake let us save money on our coast defenses. They are the most expensive things we have. We do not want them if there is to be no war. We do not need them in the great West any more than we need military air craft in the great West. If we do not need ammunition and artillery and airships because the plea for them rests on an assumption or a dream that there is going to be a war, why not apply the same argument to our coast fortifications and cut off that enormous bill of expense. Now, remember what the situation actually is; do not confuse yourselves with these hearings partially read. Here is the real situation. Gen. Scriven wanted a million dollars and he asked for $400,000 under instructions. Now, if anyone doubts these estimates are made under instruction I call their attention to Gen. Crozier's evidence. When he was asked about a certain cut which he had made in an appropriation for field artillery he said:

That does seem a queer cut, but there is some explanation for it; and here I must say that in cutting it at all I am acting under instructions.

Finally, the department asked for $400,000 for air craft, and you have only given them $300,000. Now, you talk as if there would be 32 aeroplanes in the first line and 16 in reserve when this proposed appropriation has been expended. Nothing of the sort will happen. Of these 32 aeroplanes, 6 are of mighty little account, and by the 1st of July, 1916, there will be a great many more of them crippled. Not one of them is armored, and not more than two of them are of the same type. That is our aeroplane fleet as it stands to-day. Now, what is this reserve of 16 aeroplanes which the chairman has told us about? Nothing in the world but spare parts sufficient to make up 16 aeroplanes when they are put together. Here is the passage from Gen. Scriven's evidence which explains the situation:

But to the four squadrons of 32 machines should be added a reserve of 50 per cent of spare parts, because the machines require this for spare parts all the time. That would add 16 more machines to be purchased, as the spare parts should constitute an entire semblance not put together, so that in case of immediate necessity the spare parts could be assembled and replace broken machines in the field at once.

If you are going to calculate these spare parts as 16 machines in reserve, then where are your spare parts to come from for the repair of the 32 machines of the first line?

The CHAIRMAN (Mr. GARRETT of Tennessee). The gentleman from Texas [Mr. SLAYDEN] is recognized.

Mr. SLAYDEN. Mr. Chairman, from information which I have obtained from reading, I find that it does not cost anything like it is stated here to get these air planes, as I prefer to call them. I read an article yesterday in an English magazine, by an English staff officer, which stated that the Zeppelins cost about £100,000, the biggest and best, and their air planes that we have in this country, with small engines and which have rigid planes, can not cost anything like what is estimated; and if this Government goes into the construction of them, expensive as Government work usually is, I think they will cost very much less.

Mr. Chairman, I want to speak for a moment about a matter much less important than the cost of these machines. I want to ask the chairman of the committee what is the difference in the meaning between the word "matériel," the word employed in the bill, and our English word "material." Do they mean the same thing, or is there some significance in the employment of the French word?

Mr. HAY. Mr. Chairman, I do not think that is a parliamentary inquiry. [Laughter.]

Mr. SLAYDEN. Well, I admit I do not know the difference.

Mr. MANN. I would like to refer the gentleman to the gentleman from Kentucky [Mr. SHERLEY], who made quite an elaborate explanation of that last year when the fortification bill was under consideration.

Mr. SLAYDEN. I did not hear that. I think the lexicographers do not make any distinction. I encountered the same difficulty as some of my friends do in the word "aeroplane," which means, according to the dictionary, a rigid plane in air navigating machines. And there is the word "hangar," which means a shed. I think in the construction of this bill we ought to use the English language. This is not an important criticism, but the word "hangar," as every dictionary will tell you, does mean "shed." Then why not employ the word "shed"; and as to "aeroplane," which none of us can say easily, no matter how sober we are, and which means precisely the same thing as air plane, why not accommodate those of us who are less informed in these foreign tongues and use the English language? I am going to move to strike out the word "hangar" and substitute the word "shed" whenever I find it in this bill. [Applause.]

Mr. MANN. Mr. Chairman, I doubt whether the gentleman will find the word "hangar" in the bill anywhere.

Mr. SLAYDEN. It has been in there heretofore.

Mr. MANN. I think not.

Mr. Chairman, several years ago I offered on the floor of this House the first amendment for the purchase of air flying machines. At that time the proposition very likely was subject to a point of order in some shape, but I received the support of the gentleman from Virginia, now the chairman of the Committee on Military Affairs, and Gov. Hull, of Iowa, who was then the chairman of the committee, and we managed to get into the bill a provision for air planes. I had become interested in the matter. From early youth I have dreamed of flying. When I dream, I fly. I served on the Board of Regents of the Smithsonian Institution at the time the Wrights were making their experiments. A few years ago, and I think since the gentleman from Virginia became chairman of the committee, if I recall correctly, I offered an amendment to increase the amount. In both cases, as I recollect, the War Department had not made an estimate. The first time they had not made an estimate at

all, and the second time, I think, they had not made an estimate for the amount that the bill carried. We commenced the work of supplying airships, as we now call them. Last year or the year before we provided for the Aviation Corps, through the efforts of the gentleman from Virginia [Mr. HAY], and that is doing good work. I understand we have an aviation school out in California now which is doing good work. I believe that we ought to make reasonable progress along the lines of aviation, and at the same time give some encouragement to the private manufacturers and the men who privately operate flying machines.

If we have a war, we will call upon every man who has a flying machine or who can fly a machine to enter the Government service in some way, and probably get some of our best men and best machines in that way. I doubt very much whether it is desirable at this time to increase the amount to a million dollars. My friend from Massachusetts [Mr. GARDNER] said we ought to be prepared and thoroughly prepared for war at any time. Well, I do not know that this is a fair illustration; but any of us individually may at any time be attacked on the street by somebody who is angry at us, or by a lunatic, and yet I dare say that no one is now in training to prepare himself for a prize fight. We may have to meet the fight, but we take that chance. No one would deliberately go into a fight without training if he had the opportunity to train, but we are not training for that, although for years I used to train some in the expectation that it might come.

Mr. GARDNER. Will the gentleman yield to me?

Mr. MANN. Certainly.

Mr. GARDNER. Are not our neighbors all having prize fights around us?

Mr. MANN. We are having many prize fights all the time throughout the country, and there is a fight in this town every day, and probably a good many of them. Men are arrested every day for fighting, and yet no one expects that it is necessary to spend all his time or his money preparing himself to meet a possible but improbable attack.

Now, when we make a reasonable provision for war, that is all we ought to be expected to do. It would be foolish, it seems to me, for any country to expend all of its resources in preparing for war and neglect other things which are much more important. [Applause.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts [Mr. GARDNER].

The question was taken, and the amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

For additional pay for length of service, $2,300,000.

Mr. GARDNER. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The gentleman from Massachusetts offers an amendment, which the Clerk will report.

The Clerk proceeded to read the amendment.

Mr. HAY. Mr. Chairman, I make a point of order on that.

Mr. GARDNER. The gentleman is clearly right, but will he withhold the point of order?

Mr. HAY. I reserve the point of order.

Mr. GARDNER. Mr. Chairman, I would like to have five minutes.

The CHAIRMAN. The amendment has not been reported in full.

Mr. GARDNER. It is clearly out of order, and it is a long amendment, but I would like to have it printed.

The CHAIRMAN. The gentleman from Massachusetts [Mr. GARDNER] asks unanimous consent that the reading of the proposed amendment be dispensed with, and that it be printed in full in the RECORD, and that he be permitted to proceed for five minutes. Is there objection?

There was no objection.

Following is the amendment referred to:

Page 8, line 6, after the figures "$2,300,000," insert "*Provided*, That the following changes, to take effect on July 1, 1915, are made in the laws concerning the Army of the United States, to wit:

"SECTION 1. That the provisions contained in section 36 of the act of Congress approved February 2, 1901, limiting the total enlisted force of the line of the Army to 100,000 are hereby repealed, and the President is authorized to maintain all organizations of the Army at their prescribed statutory maximum strength at all times.

"SEC. 2. That the number of officers of the line of the Army is hereby increased by the addition of 24 colonels, 46 lieutenant colonels, 109 majors, 496 captains, 293 first lieutenants, and 32 second lieutenants, and the said officers of the respective grades mentioned shall be apportioned among the Corps of Engineers, Cavalry, Field Artillery, Coast Artillery Corps, and Infantry as nearly as may be according to the authorized commissioned strength of existing tactical organizations in said branches of the Army: *Provided*, That, for the purpose of this apportionment, 4 companies of Engineer or Coast Artillery troops shall be considered a battalion, with the quota of field and staff officers authorized for a battalion of Infantry, and 12 companies a regiment, with the quota of field and staff officers authorized for a regiment of Infantry.

"SEC. 3. That vacancies in the grade of field officer, captain, and first lieutenant created by this act in the Corps of Engineers, Cavalry, Field Artillery, Coast Artillery Corps, and Infantry shall be filled by promotion according to seniority in each branch, respectively. Vacancies in the grade of second lieutenant occasioned by promotions shall be filled by appointments in the following order: First, of members of the next graduating class at the United States Military Academy; second, of enlisted men whose fitness for advancement has been determined by competitive examination; third, of honor graduates of institutions of learning which have been designated by the War Department as 'distinguished institutions'; fourth, of graduates of institutions of learning having an Army officer detailed thereat as professor of military science and tactics; fifth, of candidates from civil life. All appointments shall be made in accordance with the provisions of existing law not inconsistent with this act.

"SEC. 4. That the number of officers authorized for the Coast Artillery Corps of the Army shall be increased by the addition of 12 colonels, 12 lieutenants colonel, 40 majors, 174 captains, 187 first lieutenants, and 187 second lieutenants.

"SEC. 5. That all vacancies created or caused by this act which can be filled by promotion of officers now in the Coast Artillery Corps shall be filled by promotion according to seniority, subject to examination as now prescribed by law: *Provided*, That one-fifth of the vacancies in each grade shall be filled in each fiscal year until the total number of vacancies in each grade is filled. Of the vacancies created or caused by this act which can not be filled by promotion of officers now in the Coast Artillery Corps, one-fifth shall be filled in each fiscal year until the total number of officers herein provided for shall have been attained. The vacancies remaining in the grade of second lieutenant shall be filled by appointment in the following order: First, of graduates of the United States Military Academy; second, of enlisted men whose fitness for advancement shall have been determined by competitive examination; third, of honor graduates of institutions of learning which have been designated by the War Department as 'distinguished institutions'; fourth, of graduates of institutions of learning having an Army officer detailed thereat as professor of military science and tactics; fifth, of candidates from civil life; and all such appointments shall be made in accordance with the provisions of existing law not in conflict with the provisions of this act.

"SEC. 6. That the authorized enlisted strength of the Coast Artillery Corps of the Army shall be increased by the addition of 10 sergeants major, senior grade; 16 master electricians; 90 engineers; 66 electrician sergeants, first class; 66 electrician sergeants, second class; 21 sergeants major, junior grade; 154 firemen; 93 radio sergeants with the rank, pay, and allowances of firemen, Coast Artillery Corps; 100 first sergeants; 100 quartermaster sergeants; 800 sergeants; 1,200 corporals; 200 mechanics; 200 cooks; 200 musicians; 7,672 privates; and 4 bands, Coast Artillery Corps, organized as now authorized by law: *Provided*, That the total enlisted strength of the Coast Artillery Corps shall not exceed 30,309, exclusive of the enlisted strength of the bands.

"SEC. 7. That the number of rated men now authorized for the Coast Artillery Corps shall be increased by 24 casemate electricians; 100 observers, first class; 100 plotters; 24 chief planters; 24 chief loaders; 100 observers, second class; 228 gun commanders; and 228 gun pointers: *Provided*, That no enlisted man shall receive under this section more than one addition to his pay."

Mr. GARDNER. Mr. Chairman, I thank the gentleman from Virginia for his courtesy. The amendment was clearly out of order, and he could have stopped the reading of it at any moment he saw fit.

This amendment is a consolidation of two bills prepared in the War Department and introduced in the Senate at the request, so it is said, of the Secretary of War by Senator CHAMBERLAIN, chairman of the Committee on Military Affairs. These bills are identical, word for word, with bills which I have introduced in the House. One of them authorizes the increase of the mobile army by about 25,000 men more than are now actually in the Army. The other one increases the Coast Artillery Corps by about 9,000 altogether. The first one the chairman said yesterday he did not approve of. I do not know whether he approves of the second one or not.

The chairman of the Committee on Military Affairs of the House says he does not believe in that bill of the Secretary of War increasing the mobile army. Now, the reason for increasing the Coast Defense Corps can be very clearly shown if I read you a few lines from the report of the Chief of the Coast Artillery. He says:

From the foregoing it will be seen that the present authorized strength of the Coast Artillery Corps is short 564 officers and 10,988 enlisted men of the strength required to man our coast defenses under the adopted policy outlined above. In order to provide for our primary home defenses, to wit, the coast defenses of Portland, Boston, Narragansett Bay, Long Island Sound, eastern New York, southern New York, Chesapeake Bay, Pensacola, San Francisco, and Puget Sound there are required 662 officers and 16,251 enlisted men. It will thus be seen that there are now provided about one-fourth of the officers and one-half of the enlisted men necessary for this purpose. Unless provisions be made in the near future for additional Coast Artillery personnel, it will be necessary to reduce the garrisons to mere caretaking detachments at some of the defenses of lesser importance, including Portsmouth, Delaware Bay, Charleston, Savannah, Key West, Tampa, Columbia, Baltimore, Cape Fear, and Mobile.

Now, that is unpreparedness for war with a vengeance, and the only excuse under which you can reduce to mere caretaking detachments the forces in these various fortifications about which I have read you—the only possible excuse—will also apply to every other coast defense on the whole United States coast line, to wit, the excuse that there is never going to be another war.

The CHAIRMAN. Does the gentleman from Virginia make the point of order?

Mr. HAY. I do.

The CHAIRMAN. The Chair sustains the point of order.

Mr. HULINGS. Mr. Chairman, I would like to ask the chairman of the committee a question. I move to strike out the last word.

The CHAIRMAN. The gentleman from Pennsylvania moves to strike out the last word.

Mr. HULINGS. Mr. Chairman, I desire to ask the chairman of the committee, in view of the fact that I see the appropriation for longevity pay, roughly speaking, adds about 25 per cent to the pay of the men, whether he does not think that that system results in filling up the ranks with a lot of men who are too old really for the service?

Mr. HAY. Well, I would state to the gentleman from Pennsylvania that this longevity pay does not apply to men who are old in the service. The longevity pay is this, that every man who serves five years in the ranks is entitled to an increase of pay, which is called longevity pay.

Mr. HULINGS. I understand that; but does it not result in this, that a man goes in there and stays and stays, encouraged by the longevity pay, while if he were serving a single enlistment, or perhaps two enlistments, and then went out, you would have a new man to take his place?

Mr. HAY. The gentleman is talking about the enlisted men and not the officers?

Mr. HULINGS. Yes.

Mr. MANN. They are really noncommissioned officers largely.

Mr. HAY. I do not think it results that way. After a man serves 30 years he can retire, and the average age of men going into the Army is about 20 or 21 or 22, so that he does not become very old when he retires.

Mr. HULINGS. I do not say that he becomes superannuated, but that it keeps in the Army the same men during a long term of years, whereas if those men were going out after a four-year enlistment, the body politic would be filling up with men who had been trained to military life, and in case of emergency you would have trained men to call on, while under this system of longevity pay you get only an opportunity to train a comparatively small number of men for the service.

Mr. HAY. I will say to the gentleman that about 15,000 of these men go out every year and about twenty or twenty-five thousand go out of the Organized Militia every year, and some 30,000 young men are educated in the different military schools of the country every year, so that, after all, you have quite a large number of young men trained in the military art.

Mr. HULINGS. I simply want to call the attention of the chairman to that policy. I believe you would accomplish a great deal better work and you would get a very much larger number of men trained to military life if you would stop the longevity pay.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn. The Clerk will read.

The Clerk read as follows:

SIGNAL CORPS.

Forty-six master signal electricians, at $75 each per month, $52,200.

Mr. HAY. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Virginia.

The Clerk read as follows:

Line 5, page 9, strike out the word "forty" and insert the word "fifty."

Mr. HAY. I will say, Mr. Chairman, that that was a mistake in the bill.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Virginia.

The amendment was agreed to.

Mr. HAY. Mr. Chairman, I offer another amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Line 6, page 9, after the word "month," insert the words "four having an increase of 50 per cent."

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Virginia.

The amendment was agreed to.

The Clerk read as follows:

One hundred and forty-eight first-class sergeants, at $45 each per month, $82,080.

Mr. HAY. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Virginia offers an amendment, which the Clerk will report.

The Clerk read as follows:

Line 8, page 9, after the word "month," insert the words "eight having an increase of 50 per cent."

Mr. CALLAWAY. Mr. Chairman, I should like to know the reason for this increase?

Mr. HAY. In making up the bill we failed to put in these words. They are necessary to comply with the aviation law, which provides that so many men shall be employed in the aviation section, which comes under the Signal Corps, and when they are employed in flying and in the Aviation Corps they get an increase of 50 per cent on account of the hazardous character of their employment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Virginia.

The amendment was agreed to.

The Clerk read as follows:

One hundred and sixty-eight sergeants, at $36 each per month, $76,896.

Mr. HAY. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Virginia offers an amendment, which the Clerk will report.

The Clerk read as follows:

Line 10, page 9, after the word "month," insert the words "20 having an increase of 50 per cent."

The amendment was agreed to.

The Clerk read as follows:

Two hundred and thirty-four corporals, at $24 each per month, $70,272.

Mr. HAY. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Virginia offers an amendment, which the Clerk will report.

The Clerk read as follows:

Line 12, page 9, after the word "month," insert the words "20 having an increase of 50 per cent."

The amendment was agreed to.

The Clerk read as follows:

One superintendent, Nurse Corps, at $1,800 per annum, $1,800: *Provided*, That hereafter section 1222, Revised Statutes, shall not apply to officers of the Medical Corps of the Army who shall, with the approval of the President, be detailed or authorized to render professional services to State or other local governments within the United States or any of the possessions thereof.

Mr. SLAYDEN. Mr. Chairman, I reserve a point of order.

Mr. MANN. Mr. Chairman, I reserve a point of order on the paragraph.

The CHAIRMAN. The gentleman from Texas and the gentleman from Illinois reserve points of order.

Mr. HAY. I will say to the gentleman from Illinois that this is put in at the request of the Surgeon General of the Army and the president of the American Medical Association.

Mr. MANN. I will ask, first, why is it inserted right in the middle of the provision relating to nurses? Has this proviso concerning medical officers anything to do with the superintendent of nurses or the female nurses?

Mr. HAY. No. Perhaps it was inaptly placed in this paragraph.

Mr. MANN. Putting it in here was an inadvertence?

Mr. HAY. Yes. It had nothing in the world to do with them. It only applies to the officers of the Medical Corps.

Under the law at present officers who accept civil employment or who are detailed for civil purposes, or who take any service of that kind, forfeit their commissions. The physicians of the country are extremely anxious that at times officers of the Medical Corps of the Army shall be allowed to confer with them, and also be detailed to certain sanitary work. As the gentleman knows, the officers of the Army Medical Corps have done great work in sanitary and other branches of the medical profession.

Mr. MANN. They have done that, though, in the Army.

Mr. HAY. Yes; that is true; but the medical profession outside of the Army are anxious that they shall not be hampered; that some provision shall be made by which these men, who are peculiarly fitted to render services of this kind, shall have the opportunity to be detailed, or rather be allowed, to do this work.

Mr. MANN. This applies to officers in the active service, does it not?

Mr. HAY. Oh, yes.

Mr. MANN. There is no prohibition or inhibition against officers on the retired list?

Mr. HAY. Oh, no.

Mr. KAHN. You can not get officers on the retired list.

Mr. MANN. Of course you can get them if you pay them for it. Under this provision it is designed to have Army surgeons ordered to New York, or Detroit, or New Orleans, or Chicago, or some other place, to give service to the municipality or the State?

Mr. HAY. That is what it is for.

Mr. MANN. We have a Public Health Service for that purpose.

Mr. HAY. That is true. I do not think, however, that Army officers would be employed in this way in any large number. It

would only be some man who had made a study of the subject and was peculiarly fitted for some work of that character.

Mr. MANN. Of course this may be intended to cover some particular case.

Mr. HAY. No; it is not so intended.

Mr. MANN. I think the gentleman from Virginia will agree with me that any State or city that thinks it can get a good official of the Government of the United States to come and work for the State or city for nothing will never be very slow about asking for his services.

Mr. HAY. That is true.

Mr. MANN. Would not that be the temptation?

Mr. SLAYDEN. Is not that the real purpose of it?

Mr. HAY. Oh, yes.

Mr. MANN. It is the purpose to permit it?

Mr. HAY. I do not think it is intended to permit officers to be sent around indiscriminately.

Mr. MANN. But the requests would be made indiscriminately.

Mr. HAY. Yes, of course.

Mr. MANN. Then it is a question of how much resisting power there is in the War Department.

Mr. HAY. Yes.

Mr. MANN. I have the greatest respect for the surgeons of the Army; but it seems to me that when we create a Government service for this purpose, like the Public Health Service, we should be going crosswise in providing that some other service should do the work.

Mr. KAHN. Mr. Chairman, the officers of the medical department have made remarkable progress in the cure and prevention of certain diseases that have caused great disaster to the human family. It was not the Public Health Service, as I now recall, but the Medical Corps of the Army that discovered the mosquito-bite theory with regard to the transmission of yellow fever. It was also the Medical Corps of the Army that discovered the vaccine to prevent typhoid fever. As I understand it, the purpose of this amendment is to allow an officer who is attached to the Medical Corps, and who is familiar with work of that kind, to be detailed by the President for some limited period to some community where a disease is prevalent, in order that the local physicians may learn how to meet the situation. That, as I understand it, is the principal purpose of the amendment.

Mr. MANN. Will the gentleman yield?

Mr. KAHN. Yes.

Mr. MANN. The gentleman is aware that we have a Public Health Service, maintained at very large expense, in part for that very purpose, with skilled and able surgeons connected with it. Why should not they perform the service, instead of starting in to have some other service do it? The gentleman is well enough acquainted with the Public Health Service and the work done in his State to know that it is an efficient and capable service.

Mr. KAHN. Yes; it has done wonderful work; but, as I pointed out, there are certain medical discoveries that have been made in the Army as well as those made by the Public Health Service.

Mr. MANN. Yes; one man finds out something somewhere, some one person makes the discovery, and other people make use of it.

Mr. KAHN. The Army medical officers make use of the discoveries of their colleagues, and should be given every opportunity to extend the knowledge to the profession, and especially to the private practitioners.

Mr. MANN. And the Public Health Service has made as many discoveries in the same period of time as has the Army, and I have no doubt that the Navy physicians have made their share, and the physicians in private life have made their share.

Mr. KAHN. The public-health officers have done a great good in imparting their information to private practitioners. They are probably better able to do that than are the Army officers, because they have many more stations throughout the country. But occasionally, when an Army surgeon does discover some method of treating a contagious disease, he ought to be given the facilities of communicating his discovery to the private practitioner.

Mr. SLAYDEN. Will the gentleman yield?

Mr. KAHN. Yes.

Mr. SLAYDEN. As a matter of fact, when the medical officers in the Army or private practice make any discovery of importance the ethics of the profession require them to give it to the world, and they do it.

Mr. KAHN. That is true.

Mr. SLAYDEN. Does the gentleman know of any reason why the States should not pay for their medical service?

Mr. KAHN. There is no desire by this item to extend the cost to the Government or put upon it any additional expense.

Mr. SLAYDEN. It does do it if it takes the medical officer away from the Army.

Mr. KAHN. He could only be appointed by the President, and if the President felt that it interfered with his work he could withhold the detail. For instance, if there was to be a medical convention in San Antonio and you had some typhoid fever in that vicinity, and an Army officer who was familiar with the methods of treating that disease should be detailed to go down to San Antonio and address the convention and point out the methods to the local practitioners how the disease should be treated, it might be very useful.

Mr. HAY. Mr. Chairman, I demand the regular order.

Mr. MANN. I make the point of order, Mr. Chairman.

Mr. SLAYDEN. And I make the point of order as well.

The CHAIRMAN. The gentleman from Illinois and the gentleman from Texas make the point of order, and the Chair sustains it. The Clerk will read.

The Clerk read as follows:

Four retired veterinarians, $7,140.

Mr. McKENZIE. Mr. Chairman, I move to strike out the last word for the purpose of making an observation. Page 15, line 2, has an item, "four retired veterinarians, $7,140." I wish to say that one of my principal objections to the increase of the standing Army of the United States is the fact that when we increase the organization for men and officers it becomes necessary to increase all along the line; and we have now a Dental Corps, a Veterinary Corps, and auxiliary bodies, who are made officers and go on the retired list. If we were to increase the Army to 205,000 men, as suggested by some gentleman, we would have an increase in the Dental Corps, an increase in the Nurse Corps, and all the auxiliary bodies until we had an expense that the people of this country would rebel against.

Mr. MANN. Will the gentleman yield?

Mr. McKENZIE. Certainly.

Mr. MANN. In the item that just precedes the one my colleague refers to is one "for 14 pay clerks retired, $23,437.50," a rate of nearly $2,000 a year for clerks.

Mr. McKENZIE. Yes.

Mr. MANN. Nobody knows how soon we will retire the balance of the clerks at this very high rate. The average clerk up here in the department for active service does not begin to get the rate that is given to these clerks for retired pay.

Mr. McKENZIE. I might say further that I realize, as I trust we all do, in case of a war with a foreign country it is the man behind the gun that will have to do the fighting. And if there is any increase at all, I am in favor of increasing the private force of our Army and not the clerks and veterinarians and nurses on the retired list. We passed a bill the other day adding another body of men to the retired list of the country. I simply wanted to call attention to this to make plain why I at this time oppose an increase in the standing Army of the United States.

Mr. DIES. Mr. Chairman, I move to strike out the last word for the purpose of making an observation along the line that the gentleman refers to.

In a local paper I find an account of a speech made by one of the Assistant Secretaries of War, Mr. Breckinridge. It says:

A plea for a larger standing army was made by Henry S. Breckinridge, Assistant Secretary of War, in an address last night at the "ladies' night" of the District of Columbia Society of the Sons of the American Revolution at Rauscher's.

"The statement has been made," said Mr. Breckinridge, "that a large standing army does not prevent war. This may all be true, but there is one thing it does prevent—annihilation."

Mr. Chairman, I pity the state of mind of any gentleman inside or outside of this Chamber who believes that a great standing army is essential to prevent the annihilation of the peoples of this Government. If it will be any enlightenment to gentlemen who are obsessed with that sort of fear, I want to call attention to two great battles that have been fought in this country. First, the Battle of New Orleans, and I read now from Messages and Documents by Richardson, in which he says:

Within a week after the Battle of Rodriguez Canal both Jackson and Sir Edward Packenham received reinforcements. Jackson's whole force on the New Orleans side of the river on January 8, 1815, was about 5,000, of which only 2,200 were at the front. Only 800 of the latter were regulars. On the opposite of the river was Gen. Morgan with 800 militia. This force of 5,800, indifferently armed and disciplined, was confronted by 10,000 of the finest soldiers in the world, most of them fresh from the continental campaign under Wellington. The Americans were intrenched behind their fortifications, which the British were compelled to approach across an open plain. In the conflict 2,600 were lost to the British, of whom 700 were killed, 1,400 wounded, and 500 taken prisoners. The Americans lost only 8 killed and 13 wounded. Probably no other battle in history presents this disparity in the numbers lost.

There were the squirrel hunters and the deer hunters engaged in battle with seasoned soldiers of Wellington, who had conquered Napoleon.

In 1836 Gen. Sam Houston mustered some 765 of this same sort of citizens to meet an army of 1,600, commanded by Gen. Santa Anna, who styled himself the Napoleon of the West.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. DIES. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. DIES. In that conflict, one of the decisive battles of the world, that gave independence to Texas and gave to the Union its empire State, the Mexicans lost 630 killed, 208 wounded, and 730 prisoners. The Texans lost 8 killed and 25 wounded. I may say that it was even a more wonderful feat than Gen. Jackson's victory at New Orleans. That was accomplished not by a regular army of trained men, drilled for battle, but by men who had taken up their abode in the primeval forests on the frontiers. They were men who could shoot straight. They were men who had courage in their hearts, and who were patriots and willing to fight to make the people free. I do not say that untrained soldiers are as capable as trained soldiers, but gentlemen should take into consideration, when they speak of the annihilation of this Government, that there are many millions of men in the country who have no chips upon their shoulders, who do not seek the loud acclaim of the glories of war, but who still know how to shoot, and in the event of war would yet perform feats for the liberty and glory of this country equal to that performed at New Orleans or San Jacinto.

Mr. QUIN. Mr. Chairman, will the gentleman yield?

Mr. DIES. Yes.

Mr. QUIN. Is it not within the province of reasonable assumption that a great standing army would undermine the liberties of the people and overthrow popular government in this Republic in the course of time?

Mr. DIES. Mr. Chairman, we can not have a great standing army without a great pension roll, as intimated by the gentleman from Illinois [Mr. MANN]. Of course we have a modest roll now. It amounts to something like $200,000,000, a little more than the entire income of the Empire of Japan. What will we have when the martial dreams of our good friend from Massachusetts [Mr. GARDNER] shall have been written into the statutes? If we pay out $200,000,000 now for pensions and have an Army of only 100,000, what will the pension roll be when we have five hundred thousand or a million in the standing Army of this country?

Mr. Chairman, I would not express my real feelings with regard to this matter. As I said before, my feeling is one of sympathy for that order of intellect and for that feeling of timidity that believes that this great, independent, liberty-loving people are facing annihilation for the want of a standing army. And I speak this as a student of history, if I may modestly make some pretensions to that. All of the nations of this earth combined have it not in their power, with all of their standing armies, to invade this country and annihilate this Republic. [Applause.] If this Republic shall share the fates of other similar Governments that have gone down in other times, it will not be from marching armies from across the seas. It will be from the folly of the people. It will be when they build up a great standing army in this country and make the military power dominant over the civil power. It will be when they cease to reverence the Constitution and the genius of this great Government and begin to imitate the debt-ridden and the soldier-ridden countries of other nations. [Applause.]

Gen. French, I believe, said, in calling for volunteers, that he did not care whether they knew the right foot from the left foot if they could shoot. It has been demonstrated in this war going on in Europe, where they dig themselves into the ground and fight a defensive battle, that they have but little occasion for the maneuver, march, and stately step of trained soldiers, and the man who believes that the men of the North, the men of the South, and the East and the West, the brave young men of this country, will be annihilated by soldiers sent here from abroad, I say, is suffering from a mental distemper, and I am sorry for him, and I would be sorrier still for our country if it gave heed to his intemperate dreams of martial conquest. [Applause.]

The Clerk read as follows:

For commutation of quarters, and of heat and light, to commissioned officers, acting dental surgeons, veterinarians, pay clerks, nurses (female), and enlisted men, $440,000: *Provided*, That hereafter, at places where there are no public quarters available, commutation for the authorized allowance therefor shall be paid to commissioned officers, acting dental surgeons, veterinarians, and pay clerks at the rate of $12 per room per month; and, when specifically authorized by the Secretary of War, to nurses (female) and enlisted men at the rate of $15 per month, or in lieu thereof he may, in his discretion, rent quarters for the use of said nurses and enlisted men when so on duty.

Mr. CALLAWAY. Mr. Chairman, I move to strike out the last word. I desire to ask the chairman of the committee a question.

Mr. HAY. About heat and light? Mr. Chairman, I was very careful in my report on this bill to put in the report a full explanation of these provisos with regard to heat and light. There has been a great deal of controversy on the floor for the last two years with regard to it, and these provisos and this law have been worked out by the Quartermaster General of the Army and the Comptroller of the Treasury, Mr. Downey. If the gentleman will look at my report on pages 3 and 4 he will find a full explanation of this whole question of heat and light, and he will also find that the Quartermaster General states that it will result in considerable reduction of the item heretofore appropriated for the purpose. As a matter of fact, we were able to reduce it this year by $10,000, and he thinks when it gets into full operation we will be able to reduce it still further.

Mr. CALLAWAY. It just occurred to me that $12 per month per room——

Mr. HAY. Oh, that is fixed by law. That is the law now. The law now is that each officer, in accordance with rank, shall have rooms at the rate of $12 per month. A second lieutenant gets two, a first lieutenant three, a captain four, a major five, a lieutenant colonel six, a colonel seven, a brigadier general eight, and a major general nine rooms at $12 a month each. That is the law now.

Mr. CALLAWAY. What change is there in this from the original law?

Mr. MANN. Allowing rent of quarters.

Mr. CALLAWAY. They could not rent heretofore. What did they do for quarters where there were not any? I regret I have not had time to look at the report and get a detailed statement of this matter.

Mr. HAY. Gen. Aleshire said:

More than a year ago there were some questions as to the rental of buildings for quarters and the payment of heat and light allowances, brought up by the auditor and comptroller.

Mr. CALLAWAY. This does away with the heat and light proposition.

Mr. HAY. Oh, no.

The Secretary of War directed that the matter be fully investigated, and it was put in the hands of an officer of the Inspector General's Department. Investigation was completed, I think, about last June, or shortly afterwards.

As a result of that investigation the Inspector General invited attention to the fact that enlisted men for whom quarters were rented could not receive proper accommodations without an expenditure from their personal funds, and he also invited attention to the fact that the enlisted men of the Marine Corps on similar duty received commutation of fuel at the rate of $9 a month for clerks and $8 a month for messengers, and commutation of quarters at the rate of $21 a month for clerks and $10 a month for messengers. The practice has been to rent one room, and the price has varied from $8 to $12, and sometimes a little higher, but the tendency has been to make the selection of the room in a locality where rents are the lowest rather than in a desirable neighborhood. I do not mean to use the term "desirable neighborhood" in the sense of desiring to be in a fashionable part of a city, but where there are respectable people, people of the class of our noncommissioned officers and enlisted men.

The Secretary of War went over these reports, and so did I, as Quartermaster General, and it was noted that the inspector dwelt upon the hardships and inequalities imposed upon enlisted men by the existing system, and stated that in his opinion satisfactory relief can only be obtained by legislation fixing a flat money commutation for quarters and heat and light for officers and enlisted men whenever the Government does not provide them with public quarters.

He goes on to explain the whole question. I will not take up the time to read it all, but I will say as a result of it it will decrease the appropriation which heretofore has been necessary in order to provide heat, light, and quarters for enlisted men and for commissioned officers. It is very carefully gone into, and it was through the efforts of the auditor, I may say, and I believe that is true, that this investigation was made, and the law contained now in the bill is the result of a consultation between the officers of the War Department and the auditor, Mr. Downey. I am sorry I can not read it all to the gentleman, but I have not the time.

Mr. MANN. Mr. Chairman, I believe the point of order is reserved.

Mr. HAY. No; the gentleman moved to strike out the last word.

Mr. MANN. I might as well get a little information concerning this and the other paragraphs.

Mr. HAY. All right.

Mr. MANN. As I understand the purpose of this paragraph it is to enable the Secretary of War to provide quarters for

these people when the commutation of quarters would not be as much as the rent.

Mr. HAY. Yes.

Mr. MANN. In Chicago, for instance, under this an officer might have quarters rented for him at $50 a month per room if the Secretary of War——

Mr. HAY. No; I think not.

Mr. MANN. Well, I think so. It says:

Or in lieu thereof he may, in his discretion, rent quarters for the use of said nurses and enlisted men when so on duty.

Now, there is no limitation as to the amount of rent.

Mr. HAY. At the rent of $15 per month.

Mr. MANN. Not at all; that is the commutation. The law now provides that you furnish quarters to certain people or commutation. This repeats the commutation provision which provides for an allowance at the rate of $12 per month and certain people at the rate of $15 per month, and then says that in lieu thereof he may in his discretion rent quarters for the use of said nurses and enlisted men when so on duty. I have no objection to that provision——

Mr. HAY. I will say to the gentleman it was not intended the Secretary of War should be authorized to go beyond the commutation already allowed by law.

Mr. MANN. Oh, I think the gentleman is mistaken. Now, the gentleman may not have had any such intention, but the Secretary of War has. The War Department is seeking to obtain the authority where it does not furnish quarters, where quarters cost more than $12 per month per room, to have the Secretary of War rent quarters in an apartment building in Chicago and other cities at whatever rate the ordinary charges may be, and they are usually considerably more than $12 a month for good quarters. Now, the provisions below show that——

Mr. HAY. I will say to the gentleman, that is not my understanding. If the law does that, I propose to offer an amendment which will prevent it. My understanding is that they want to rent quarters at not exceeding the rate now allowed by law.

Mr. MANN. Then I call the attention of the gentleman to lines 21 and 22, which read: "Which rate——"

Mr. HAY. That is light and heat.

Mr. MANN. Yes; that is heating and lighting there; but the paragraph above is the one that authorizes the Secretary of War, in his discretion, to hire quarters for commissioned officers, where there are no public quarters available, when in his opinion the commutation above provided for is inadequate, and when quarters are so furnished no commutation thereof shall be paid. Now, the very purpose of that is that if an officer who is allowed six rooms at $12 a month, which would be $72 a month, can not rent in an apartment which he thinks is suitable for his style six rooms at that rate he will ask the Secretary of War to increase it to $100 or $125 or $200, and I suspect in New York it will be allowed.

Mr. HAY. I will state my idea is utterly opposite to that.

Mr. MANN. It is clear on the face of it. I am going to make the point of order, I will say to the gentleman.

Mr. HAY. Of course, it is subject to a point of order.

Mr. MANN. This provision as to nurses and enlisted men I feel a little more sympathetic with, although I hope they will not start in to rent quarters for nurses at the rate of $50 a month.

Mr. HAY. They can not do it.

Mr. MANN. I beg the gentleman's pardon; it is exactly what they can do.

Mr. HAY. I do not think so.

Mr. MANN. They can pay the commutation, or, in lieu of commutation, the Secretary may, in his discretion, rent quarters for the use of said nurses and enlisted men when so on duty. There is no limitation as to the expense he may pay for those quarters.

Mr. HAY. I will put in an amendment to prevent it.

Mr. MANN. I hope the gentleman will.

Mr. KAHN. Mr. Chairman, will the gentleman from Illinois yield?

Mr. MANN. Certainly.

Mr. KAHN. If the section does what the section says, it is certainly not the desire of the department itself to bring that about.

Mr. MANN. I think the gentleman is mistaken. I think that is what the department wants. It is not the first time they have tried to put it here.

Mr. KAHN. Here is what he said in the hearings. Gen. Aleshire said:

The purpose of this proposed amendment is to provide that commutation shall be paid to officers in all cases where they are not quartered in public quarters, whether they be on duty with troops or without troops.

Mr. ANTHONY. Will that cost more or less money than at present?

Gen. ALESHIRE. It will cost less. Our figures show we can commute quarters to the officers for whom we are now renting quarters at a reduction of about $7,200. No definite estimate has been made as to the total savings that will result from this proposed change, considering the whole scheme, but the savings will be material.

Mr. MANN. Oh, well, Gen. Aleshire was talking through his hat. He had not looked through the provision himself. Some officer down there has fixed it up. Does the provision in here which provides that when, in his opinion, the commutation provided for is inadequate he shall hire new quarters mean that he shall rent them for less than the commutation? Gen. Aleshire generally knows what he is talking about, but this time I think he was trying to conceal his knowledge.

Mr. HAY. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Virginia offers an amendment, which the Clerk will report. The Chair will state that there is a point of order pending. It was made to this proviso by the gentleman from Texas [Mr. CALLAWAY], who reserved it.

Mr. CALLAWAY. I reserve the point of order. With the explanation of the chairman, and if this amendment goes into the bill, I think I will withdraw the point.

The CHAIRMAN. Without objection, the Clerk will report the amendment with the point of order pending.

The Clerk read as follows:

After the word "duty," in line 7, page 16, insert the following amendment:

"*Provided further*, That not more than the rate now allowed by law shall be paid in any case."

The CHAIRMAN. Does the gentleman from Texas [Mr. CALLAWAY] withdraw the point of order?

Mr. CALLAWAY. I think we might pass that for the present and take up something else. I think the amendment could be put in at another place.

Mr. MANN. If the gentleman will suggest an amendment——

Mr. CALLAWAY. If you will pass that over, I will prepare an amendment and see if we can agree on it and go back to it.

The CHAIRMAN. The gentleman from Texas asks unanimous consent that this paragraph may be passed.

Mr. HAY. Mr. Chairman, I do not like to pass over things. I am satisfied that this legislation is in the interest of economy. If the gentleman wants to make a point of order, it is all right. I have no objection to that.

Mr. CALLAWAY. I do not want to make a point of order on anything that is in the interest of economy.

Mr. HAY. What does the gentleman propose to add to the amendment that I have offered? I have offered it in good faith and tried to safeguard the proposition.

Mr. CALLAWAY. Well, Mr. Chairman, I will withdraw the point of order and let it go.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Virginia [Mr. HAY].

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

Provided further, That hereafter the Secretary of War may, in his discretion, hire quarters for commissioned officers, acting dental surgeons, veterinarians, and pay clerks on duty with troops where there are no public quarters available, when in his opinion the commutation above provided for is inadequate, and when quarters are so furnished no commutation thereof shall be paid.

Mr. MANN. Mr. Chairman, I make a point of order against that.

The CHAIRMAN. The gentleman from Illinois makes a point of order against the proviso, and the Chair sustains the point of order. The Clerk will read.

The Clerk read as follows:

Provided further, That hereafter heat and light for the authorized allowance of quarters of commissioned officers, acting dental surgeons, veterinarians, pay clerks, nurses (female), and enlisted men, when on duty where there are no public quarters available, will be commuted at rates fixed by the Secretary of War and paid with and as a part of commutation of quarters, which rates shall, as nearly as possible, be computed upon a reimbursable basis.

Mr. MANN. Mr. Chairman, I make a point of order on that.

The CHAIRMAN. The gentleman from Illinois makes a point of order, and the Chair sustains the point of order. The Clerk will read.

The Clerk read as follows:

For extra pay to enlisted men employed on extra duty for periods of not less than 10 days in the offices of coast defense artillery engineers, and coast defense ordnance officers, and as switchboard operators, at seacoast fortifications, $14,004.90.

Mr. HULINGS. Mr. Chairman, I move to strike out the last word. I would like to have some information about this matter of extra pay to enlisted men. I remember distinctly that on one occasion when I was in command of troops on board a transport there was a strike or mutiny of the civilian employees—the

stokers and firemen. The captain or shipmaster, who was in the employ of the Government, came to me and proposed that he would pay the going wages for stokers to such of my men as might volunteer. Thirty or forty enlisted men volunteered and performed the duty of stokers and were paid by the shipmaster, about $400. But afterwards, when the shipmaster put in his bill to the United States Government, the whole amount was thrown out on the ground that the Government did not pay enlisted men for extra duty. Now, if that was a good rule amongst the volunteers, why should an exception be made for the enlisted men of the Regular Army? The services of these men in the Regular Army for every day in the year are employed——

Mr. MANN. It is all fixed by law.

Mr. HULINGS. It is all fixed by law; but it is just the law that I am objecting to. I think this would be a good time to change it.

Mr. MANN. Will the gentleman yield for a question?

Mr. HULINGS. Certainly.

Mr. MANN. If you get an enlisted man at $16 a month and assign him to the performance of some duty to which he may be properly assigned, and to which if he was not assigned you would have to pay a man $100 a month to perform, does the gentleman say you ought not to let him do the work and pay him $100 a month for his services?

Mr. HULINGS. I did not say that until that rule was denied in the case of the volunteers I have referred to. I have given you the circumstances, where the civil employees mutinied, and under the rule that enlisted men in the Regular service may be paid, this shipmaster, who had expended some four or five hundred dollars, put his claim into the Treasury for reimbursement. He never was paid, because they were Volunteers and not Regulars, I presume.

Mr. MANN. This extra pay is not at the whim of officers. The extra pay, in the main, is fixed either by law or regulation in all the cases where it is allowed.

Mr. HULINGS. Well, in that case there were civil employees, and they quit. The soldiers had to stoke the ship.

Mr. MANN. The fact that the law did not cover the case is hardly reason for repealing the law in a case where it is proper.

Mr. HULINGS. Yes; I understand that, but the objection I make is that there should be any law to cover these two cases differently.

Mr. MANN. The gentleman, I understand, is complaining because the law did not cover his case, and then at the same time because it does cover equally meritorious cases of somebody else?

Mr. HULINGS. My objection is that there should not be fish made of one and fowl of the other.

Mr. MANN. Well, fish and fowl are different. You have to make a distinction when you have them before you.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn and the Clerk will read.

The Clerk read as follows:

For amount required to make monthly payments to Mabel H. Lazear, widow of Jesse W. Lazear, late acting assistant surgeon, United States Army, as per act of Congress approved May 23, 1908, $1,500.

Mr. CALLAWAY. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Texas moves to strike out the last word.

Mr. CALLAWAY. I would like to have the chairman of the committee explain the nature of the allowances contained in these provisions.

Mr. HAY. I will say to the gentleman, Mr. Chairman, that a law was passed some years ago providing for the payment of these sums to these different individuals. It is the law, and of course we have to pay. These first two are widows of medical officers who lost their lives in Cuba as the result of experiments with yellow-fever mosquitoes. The other man, named in the paragraph beginning on line 6 of page 19, is a man who is still living; but he is a confirmed invalid, and his invalidism came from having been experimented upon for the same purposes.

Mr. CALLAWAY. These allowances are made every year?

Mr. HAY. Yes; ever since the Sixty-first Congress.

Mr. KAHN. Mr. Chairman, as I understand it, these parties gave their lives to the development of the mosquito-bite theory of yellow fever?

Mr. HAY. Yes; they gave their lives in developing the mosquito-bite theory of yellow fever, and a special act was passed in each case for the benefit of these people, providing for the payment every year of these sums of money.

Mr. CALLAWAY. And this is a law?

Mr. HAY. Yes; it is based on the law. It is not only carried in an appropriation bill, but it is based upon a law that has been passed.

The CHAIRMAN. Without objection, the pro forma amendment is withdrawn. The Clerk will read.

The Clerk read as follows:

Additional pay for length of service, $30,220.12.

Mr. ANTHONY. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Kansas [Mr. ANTHONY] moves to strike out the last word.

Mr. ANTHONY. Mr. Chairman, when the Army bill was before the House last year it contained a provision affording relief to officers of the Porto Rico Regiment. There were 11 American officers who were appointed to that regiment shortly after the Spanish-American War, most of whom saw service in the Spanish-American War, and have been holding positions as captains ever since 1904 without being afforded any opportunity whatever for promotion. Last year the House passed an amendment, which was incorporated in this bill, affording them relief by placing all the officers of the Porto Rico Regiment on the lineal list of officers of the Infantry of the Regular Army. The provision of last year applied to every officer of the Porto Rican Regiment, natives and Americans as well. When the bill got into conference, as I understand, there was some objection to the provision on the ground that it was not considered advisable to delocalize the Porto Rican Regiment. But there is no question, gentlemen of the committee, but that the American officers who are serving with that regiment ought to be afforded some relief, and if we give them relief in the shape of the amendment which I propose to offer, it will merely transfer them to the lineal list of the officers of Infantry, to come in with and following officers of equal length of service. It will leave 11 vacancies in the Porto Rico Regiment in the grade of captain, to which the native officers, now first and second lieutenants, would be eligible for promotion, thus affording them promotion which otherwise would not come to them. The Porto Rico Regiment is one of the finest in our Army. Its officers both American and Porto Rican are a splendid lot of men, the equal of others of their rank in other branches of the service and so deserving of the same privileges and opportunity for promotion. Therefore, Mr. Chairman, I offer this amendment.

The CHAIRMAN. The gentleman from Kansas offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. ANTHONY: Insert as a new paragraph, to follow line 15, page 19, the following:

"*Provided*, That on the date of the approval of this act the permanent captains of the Porto Rican Regiment of Infantry shall be recommissioned as captains of Infantry of the United States Army, to take rank on the lineal list of officers of Infantry immediately after the junior officers of the same grade whose total commission equals or exceeds theirs."

Mr. MANN. Mr. Chairman, I reserve a point of order on the amendment.

The CHAIRMAN. The gentleman from Illinois reserves a point of order on the amendment.

Mr. MANN. It provides that on the date this act takes effect these captains will have to be recommissioned. They will have to be recommissioned by nomination of the President and confirmation by the Senate.

Mr. ANTHONY. I do not know as to that; but I think the provision is subject to a point of order.

Mr. HAY. Their names will have to be sent in to the Senate.

Mr. MANN. Certainly; their names will have to be sent to the Senate and confirmed.

Mr. ANTHONY. The same as any other officer on promotion?

Mr. MANN. Yes. Here you put in a provision that they shall be recommissioned on the day this act takes effect.

Mr. ANTHONY. They are already commissioned in the United States Army. This gives them no promotion, I will say to the gentleman.

Mr. MANN. It puts them in the regular establishment.

Mr. ANTHONY. They are already in the regular establishment, I will say to the gentleman.

Mr. MANN. Either one of two things is self-evident: Either it does something or it does not. If it means anything at all, it means a new commission and a new nomination and a new confirmation. The President has no authority to do it now under the law. I suppose we might give him the authority to appoint Army officers, if he proposed to avail himself of it, without sending the names to the Senate; but this provision requires that he shall commission these officers on the 3d of March, and possibly this bill will not be signed until four minutes before the final adjournment. How can he commission these officers

under those circumstances? The gentleman from Kansas had better change that and not say "on the date of the approval of this act."

Mr. ANTHONY. How would the gentleman change it?

Mr. MANN. If I could hear it read again, I might suggest a way to change it. But I would say leave out the language "on the date of the approval of this act." Let us have the amendment read again, Mr. Chairman.

The CHAIRMAN. Without objection, the Clerk will report the amendment again.

The amendment was again read.

Mr. MANN. Just leave out the language "on the date of the approval of this act." and provide that the Porto Rican captains shall be recommissioned.

Mr. ANTHONY. I ask that the language referred to be stricken out, Mr. Chairman.

The CHAIRMAN. Without objection, the language of the amendment will be modified as indicated.

There was no objection.

The CHAIRMAN. The Clerk will report the amendment as it would read when modified.

The Clerk read as follows:

Insert as a new paragraph, to follow at the end of line 15, page 19, the following:

"*Provided*, That the permanent captains of the Porto Rico Regiment of Infantry shall be recommissioned as captains of Infantry of the United States Army, to take rank on the lineal list of officers of Infantry immediately after the junior officers of the same grade whose total commission equals or exceeds theirs."

Mr. MANN. Mr. Chairman, I withdraw the point of order.

Mr. WEBB. Mr. Chairman, I ask unanimous consent to be permitted to insert in the RECORD a brief speech made by David Clark, of Charlotte, N. C., before the Child Labor Conference in Washington a few weeks ago.

The CHAIRMAN. The gentleman from North Carolina [Mr. WEBB] asks unanimous consent to insert in the RECORD the speech referred to. Is there objection?

There was no objection.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Kansas [Mr. ANTHONY] as modified.

The amendment was agreed to.

Mr. ANTHONY. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The gentleman from Kansas offers a further amendment, which the Clerk will report.

The Clerk read as follows:

Insert as a new paragraph, preceding line 16, page 19, the following:

"*Provided*, That officers of the Porto Rico Regiment of Infantry shall be eligible for detail on detached service."

Mr. HAY. I make a point of order on that amendment.

The CHAIRMAN. The gentleman from Virginia makes a point of order, and the Chair sustains the point of order. The Clerk will read.

The Clerk read as follows:

Encampment and maneuvers, Organized Militia: For paying the expenses of the Organized Militia of any State, Territory, or of the District of Columbia, which may be authorized by the Secretary of War to participate in such encampments as may be established for the field instruction of the troops of the Regular Army, as provided by sections 15 and 21 of the act of January 21, 1903, entitled "An act to promote the efficiency of the militia, and for other purposes," to be immediately available and to remain available until the end of the fiscal year 1917, $250,000.

Provided, That of this sum $50,000, or as much thereof as may be necessary, is authorized to be expended for payment of transportation of teams of the Organized Militia authorized by the Secretary of War to participate in the national match.

Mr. SLAYDEN. Is it proposed to have any maneuvers this year?

Mr. HAY. Yes; I think so.

Mr. KAHN. This is for the coast-defense maneuvers.

Mr. HAY. It is the ordinary appropriation for the off year.

Mr. KAHN. One year it is for the mobile Army, and the next year it is for the coast defense.

Mr. HAY. One year we appropriate $1,250,000, and the next year $250,000.

Mr. SLAYDEN. The big appropriation is for the mobile Army, as I understand; but we did not have the maneuvers of the whole mobile Army last year.

Mr. HAY. No; and we did not spend the money.

Mr. SLAYDEN. That is what I wanted to know.

The Clerk read as follows:

Care of horses and matériel for Field Artillery of the Organized Militia: For the purchase and issue of forage, bedding, shoeing, and veterinary services and supplies for Field Artillery horses of the Organized Militia that may be owned or acquired by or issued to any State or Territory, or the District of Columbia, or an individual, a battery, or battalion, or regimental headquarters, and for the compensation of competent help for the care of the matériel, animals, and equipment thereof, under such regulations as the Secretary of War may prescribe, $200,000: *Provided*, That for the purpose of this section the total number of horses shall not exceed 32 to any one battery or 4 to each battalion or regimental headquarters, and that such horses shall be used exclusively for Field Artillery purposes: *And provided further*, That the men to be so compensated, not to exceed 5 for each battery, shall be duly enlisted therein and shall be detailed by the battery commander under such regulations as the Secretary of War may prescribe, and shall be paid by the United States disbursing officer in each State provided for in the act of January 21, 1903, entitled, "An act to promote the efficiency of the militia, and for other purposes," as amended: *And provided further*, That the funds appropriated by section 1661, Revised Statutes, and by the act entitled "An act to promote the efficiency of the militia, and for other purposes," approved May 27, 1908, as amended, shall be available for the purchase, under such regulations as the Secretary of War may prescribe, of horses conforming to the Regular Army standards, said horses to remain the property of the United States and to be for the sole continuous use of the Field Artillery of the Organized Militia: *And provided further*, That the Secretary of War may, under the provisions of this act and such regulations as he may prescribe, issue to the Field Artillery organizations hereinbefore mentioned and without cost to the State condemned Army horses which are no longer fit for service but may still be suitable for purposes of instruction, the same to be sold as now provided by law when the latter purpose has been served, $.

Mr. HAY. Mr. Chairman I offer an amendment.

The CHAIRMAN. The gentleman from Virginia offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 22, line 9, after the word "served," strike out the comma and the dollar mark and insert a period.

Mr. SLAYDEN. Mr. Chairman, I have not yet had an opportunity to read the hearings before the committee, and I want to ask the chairman whether there have been any recommendations by the Secretary of War or any of the chiefs of the various staff departments or any consideration of the question of the substitution of motor vehicles for horses? As I have read the story of the great war in Europe, it has seemed to me that one of the lessons of that war is that for the moving of guns and ammunition, and also largely for the transfer of men from one section of the battle line to another, which, in modern times, seems to have grown longer and longer, the day of the horse has gone, and that these machines are to be substituted and are much more efficient. I remember when I had the honor of serving on the committee under the chairmanship of my distinguished friend [Mr. HAY] a proposition was brought to the committee, or there was a recommendation, that there should be a purchase of motor vehicles—gasoline driven, I think, rather than electric—and I was impressed with it at the time. Subsequently, a colonel of the Army, a man in whom I have great confidence, a man of large experience and sound judgment, told me—and this was before the present war in Europe came on—that he believed the time had arrived when we would be compelled to equip our Army with these motor-driven machines. Now, I am not a big-army man. I am not in favor of expanding the Army at this time, because there appears to be less reason for it now than at any other period in my experience as a Member of this House, but I do want it the most efficient army possible; and if by getting these machines we can add to the mobile qualities of the Army, so that we can make the same small Army cover a much larger field of operations, I think it ought to be done. I have been interested in that, and I hope that an effort will be made to begin the construction of our Army upon that line. I wanted to ask the chairman of the committee if there had been any consideration of that proposition by the committee at this session in the making up of this bill?

Mr. HAY. No; there has not. We have not had any recommendation of that sort. I do not suppose the gentleman means to suggest that field artillery is to be drawn by motor vehicles?

Mr. SLAYDEN. I understand they are doing it in Europe.

Mr. HAY. Oh, no.

Mr. SLAYDEN. They are certainly drawing field artillery by dogs.

Mr. HAY. They may be drawing field artillery by dogs, but they are not transporting it by motor-drawn vehicles, as I understand it.

Mr. SLAYDEN. Including machine guns in the term "field artillery."

Mr. HAY. Oh, that is in armored cars; and we have an appropriation for that later on in the bill.

Mr. SLAYDEN. That is what I wanted to know.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Virginia.

The amendment was agreed to.

The Clerk read as follows:

Regular supplies, Quartermaster Corps: Regular supplies of the Quartermaster Corps, including their care and protection, consisting of stoves and heating apparatus required for heating offices, hospitals, barracks and quarters, and recruiting stations, and United States disciplinary barracks; also ranges, stoves, coffee roasters, and appliances for cooking and serving food at posts, in the field, and when traveling, and repair and maintenance of such heating and cooking appliances;

authorized issues of candles and matches; for furnishing heat and light for the authorized allowance of quarters for officers and enlisted men; for contract surgeons and acting dental surgeons when stationed at and occupying public quarters at military posts; for officers of the National Guard attending service and garrison schools, and for recruits, guards, hospitals, storehouses, offices, the buildings erected at private cost, in the operation of the act approved May 31, 1902; for sale to officers, and including also fuel and engine supplies required in the operation of modern batteries at established posts; for post bakeries, including bake ovens and apparatus pertaining thereto, and the repair thereof; for ice machines and their maintenance where required for the health and comfort of the troops and for cold storage; ice for issue to organizations of enlisted men and officers at such places as the Secretary of War may determine, and for preservation of stores; for the construction, operation, and maintenance of laundries at military posts in the United States and its island possessions; for the authorized issues of laundry materials for use of general prisoners confined at military posts without pay or allowances, and for applicants for enlistment while held under observation; authorized issues of soap; for hire of employees; for the necessary furniture, textbooks, paper, and equipment for the post schools and libraries; for the purchase and issue of instruments, office furniture, stationery, and other authorized articles for the use of officers' schools at the several military posts; commercial newspapers, market reports, etc.; for the tableware and mess furniture for kitchens and mess halls, each and all for the enlisted men, including recruits; of forage, salt, and vinegar for the horses, mules, oxen, and other draft and riding animals of the Quartermaster Corps at the several posts and stations and with the armies in the field, and for the horses of the several regiments of Cavalry, the batteries of Artillery, and such companies of Infantry and Scouts as may be mounted; for remounts and for the authorized number of officers' horses, including bedding for the animals; for seeds and implements required for the raising of forage at remount depots and on military reservations in the Hawaiian and Philippine Islands, and for labor and expenses incident thereto; for straw for soldiers' bedding, stationery, typewriters and exchange of same, including blank books and blank forms for the Quartermaster Corps, certificates for discharged soldiers, and for printing department orders and reports: *Provided*, That no part of the appropriations for the Quartermaster Corps shall be expended on printing unless the same shall be done at the Government Printing Office, or by contract after due notice and competition, except in such cases as the emergency will not admit of the giving notice of competition, and in cases where it is impracticable to have the necessary printing done by contract the same may be done, with the approval of the Secretary of War, by the purchase of material and hire of the necessary labor for the purpose. For the fiscal year ending June 30, 1916, whenever the ice machines, steam laundries, and electric plants shall not come in competition with private enterprise for sale to the public, and in the opinion of the Secretary of War it becomes necessary to the economical use and administration of such ice machines, steam laundries, and electric plants as have been or may hereafter be established in pursuance of law, surplus ice may be disposed of, laundry work may be done for other branches of the Government, and surplus electric light and power may be sold on such terms and in accordance with such regulations as may be prescribed by the Secretary of War: *Provided*, That the funds received from such sales and in payment for such laundry work shall be used to defray the cost of operation of said ice, laundry, and electric plants, and the sales and expenditures herein provided for shall be accounted for in accordance with the methods prescribed by law, and any sums remaining after such cost of maintenance and operation have been defrayed shall be deposited in the Treasury to the credit of the appropriation from which the cost of operation of such plant is paid: *Provided*, That $4,590, or so much thereof as may be necessary, of the amount appropriated herein may be used for reimbursing Apache prisoners of war for construction of approximately 51 miles of reservation fence around the Fort Sill (Okla.) Military Reservation, $7,732,000.

Mr. MANN. I make a point of order on the last proviso.

Mr. HAY. I think it is subject to a point of order.

The CHAIRMAN. The Chair sustains the point of order.

Mr. MANN. Does the gentleman want to reduce the amount?

Mr. HAY. No; I think not. The amount was cut considerably by the committee, anyway.

Mr. MANN. Then I make the point of order as to the proviso, only down to but not including the figures "$7,732,000."

Mr. HAY. I did not understand that the figures "$7,732,000" were included in the proviso.

Mr. MANN. I do not know whether they were or not. They read as a part of the proviso.

Mr. HAY. I did not understand that the point of order reached that far.

Mr. MANN. I did not desire to make any point of order against the appropriation, although I think it ought to be cut.

The CHAIRMAN. The gentleman from Illinois modifies his point of order so as to eliminate the total amount at the end of line 4 on page 28.

Mr. HAY. The proviso preceding that is subject to the point of order.

The CHAIRMAN. The Chair sustains the point of order as modified.

Mr. CALLAWAY. I want to ask the chairman of the committee about this provision here as to the United States disciplinary barracks. Is not this the creation of something new?

Mr. HAY. No. It is simply a change in name. What used to be called the military prison is now called the United States disciplinary barracks. The same provision which has been heretofore made for the military prison is now made for the United States disciplinary barracks.

Mr. SLAYDEN. Is it not predicating new legislation?

Mr. HAY. No, I think not; we struck the new legislation out of the bill as it was proposed to the committee. It was proposed to turn over the military prison which is now controlled by a board of Army officers to the Secretary of War, and give him the power to designate some officer to have supervision of these prisons. That was not accepted by the committee.

Mr. SLAYDEN. What I intended to ask the gentleman—and the gentleman from Texas will pardon me for interrupting—was with reference to a paragraph in which the provision seems to be specifically made of a change in the system of handling the prison.

Mr. HAY. That is in another paragraph. It is on page 30.

Mr. SLAYDEN. I see, it begins at the bottom of page 29.

Mr. HAY. The military prison is at Fort Leavenworth, and all the others are branches, and they propose to call that the United States disciplinary barracks, and the others branches of it. The language was put in in order to meet this proposed change. It has no bearing upon appropriations at all.

Mr. CALLAWAY. But it is a change in the manner of treatment?

Mr. HAY. Yes.

The Clerk read as follows:

Horses for Cavalry, Artillery, Engineers, etc.: For the purchase of horses of ages, sex, and size as may be prescribed by the Secretary of War for remounts, for officers entitled to public mounts, for the Cavalry, Artillery, Signal Corps, and Engineers, the United States Military Academy, service schools, and staff colleges, and for the Indian scouts, and for such Infantry and members of the Hospital Corps in field campaigns as may be required to be mounted, and the expenses incident thereto, and for the hire of employees: *Provided*, That the number of horses purchased under this appropriation, added to the number now on hand, shall be limited to the actual needs of the mounted service, including reasonable provisions for remounts, and, unless otherwise ordered by the Secretary of War, no part of this appropriation shall be paid out for horses not purchased by contract after competition duly invited by the Quartermater Corps and an inspection under the direction and authority of the Secretary of War. When practicable, horses shall be purchased in open market at all military posts or stations, when needed, at a maximum price to be fixed by the Secretary of War: *Provided further*, That no part of this appropriation shall be expended for the purchase of any horse below the standard set by Army Regulations for Cavalry and Artillery horses, except when purchased as remounts or for instruction of cadets at the United States Military Academy: *And provided further*, That no part of this appropriation shall be expended for polo ponies except for West Point Military Academy, and such ponies shall not be used at any other place: *And provided further*, That the Secretary of War is authorized to expend $2,110.32, or so much thereof as may be necessary, of the amount appropriated herein, for the completion of the purchase of certain lands included in the reservation of the Front Royal (Va.) Remount Depot, which was acquired under authority of the act of Congress approved March 3, 1911, namely, tracts 22, 25, and 28, aggregating 193¾ acres, more or less, and for the release of all claims against the United States for the use and occupation thereof, the said sum being the amount necessary to complete the purchase of the said tracts under the proposed compromise of the suit now pending for the condemnation of the same, $495,120.

Mr. MANN. Mr. Chairman, I move to strike out the last word. I would like to inquire, although it may not be so pertinent to this paragraph as it was to a former paragraph, is the gentleman from Virginia able to tell us from specific knowledge as to the constant sale of quartermasters' supplies. I hold in my hand a letter from the Secretary of War, dated December 7, 1914, transmitting a statement of the proceeds of the sale of old material, condemned stores, supplies, and other public property, and so forth. I notice in one place that there are about a dozen items of quartermasters' property amounting to $1,428. Below in another place there are 15 or 20 items, amounting to $3,686, and in another place $8,053, and all through are items like these: "A. S. Morgan, captain, kind of property sold, quartermaster's property, $2,119."

Mr. HAY. I must confess, Mr. Chairman, that I do not know anything about that. I never have had it heretofore called to my attention, and therefore have made no inquiry about it.

Mr. MANN. Of course I assume that it is all right and regular.

Mr. HAY. I take it that it is under some existing law.

Mr. MANN. I am not questioning that, but I thought the gentleman might know whether it was property of somebody in the service or whether it was condemned property that was sold.

Mr. HAY. I think some of both.

Mr. MANN. I have noticed on F Street a place where they advertise Army and Navy supplies. I do not know how much is condemned property. Out in my town, I think, they keep a standing advertisement of condemned quartermasters' property, and they sell some very fine articles. Whether it is because there is a change made in the kind of blanket used, or something of that sort, I do not know.

Mr. HAY. That is true. Recently they have made a change in the saddle for the Cavalry, and as they provide the new saddles they sell the old. That has happened a number of times.

Mr. MANN. I suppose they buy the old ones, take them over to Europe and make use of them and are thankful of the chance, and find them just as good as the new saddle.

Mr. HAY. I do not think the Government sells any war material to other nations.

Mr. MANN. Oh, no; they sell it to private individuals.

Mr. HAY. They have gone so far now as to stop that—to prevent any war material reaching the belligerents, to prevent its getting there through private individuals.

Mr. MANN. Every one knows that we maintain an Army at a far greater expense per capita than any other nation in the world. I sometimes wonder if it is not because we first spend so much money sending companies back and forth from one place to another when it serves no useful purpose, and second in change of Army regulations concerning uniforms, selling them and buying new instead of having supplies that are continuous. I do not know whether that is the reason or not.

Mr. HAY. I think that has something to do with it, but the real reason is the pay of the Army. The gentleman will observe that nearly one-half of this bill is pay—over $48,000,000.

Mr. MANN. Yes; but when you have an Army and pay it 50 per cent of the amount you would think that $50,000,000 in addition would be more than enough to supply the necessities of the Army, even with some increase of ammunition and things of that kind.

Mr. HAY. I think the items we are now going over that come under the Quartermaster General are very carefully pruned. I know that he administers his department with a great deal of care and ability and with a purpose of economy.

Mr. MANN. I have no criticism or reflection on the Quartermaster General. I think he is one of the most efficient men I ever saw in any place in the Government.

Mr. HAY. I want to say that since he has been Quartermaster General he has reduced the expenses very largely. Of course in the last year or two this trouble down on the border has cost much more than the ordinary expenses. We have had to keep transports in condition to transport all the troops, and we have had a great deal of expense by reason of it. I do not think the transportation of the Army, the expense of it, is as great as it was some years ago. We must also take into consideration the fact that we have more men in the Army than before. The Army has been increased in two years by about 10,000 men, which, of course, makes it more expensive to keep it up.

Mr. SLAYDEN. Mr. Chairman, may I ask if it is not true that since the consolidation of the Pay Department, the Quartermaster General's Department, and the Subsistence Department into what is now known as the Quartermaster Corps there has been made all of the savings in administration which Gen. Aleshire told the committee would be effected?

Mr. HAY. Yes; and more.

Mr. SLAYDEN. He has made good in every respect?

Mr. HAY. Yes.

The Clerk read as follows:

Barracks and quarters: For barracks, quarters, stations, storehouses, magazines, administration and office buildings, sheds, shops, and other buildings necessary for the shelter of troops, public animals, and stores, and for administration purposes, except those pertaining to the Coast Artillery; for repairing public buildings at military posts; for hire of employees; for rental of the authorized allowance of quarters for officers and acting dental surgeons on duty with the troops at posts and stations where no public quarters are available; of barracks or authorized allowance of quarters for noncommissioned officers and enlisted men on duty where public quarters are not available; of grounds for cantonments, camp sites, and other military purposes, and of buildings or portions of buildings for occupation by troops, for use as stables, storehouses, and offices, and for other military purposes; for the hire of recruiting stations and lodgings for recruits; for such furniture for the public rooms of officers' messes and for officers' quarters at military posts as may be approved by the Secretary of War; for wall lockers in permanent barracks, and refrigerators in barracks and quarters; for screen doors, window screens, storm doors and sash, and window shades for barracks, offices, and quarters, and for flooring and framing for tents: *Provided*, That no part of the moneys so appropriated shall be paid for commutation of fuel or quarters to officers or enlisted men: *And provided further*, That the number of and total sum paid for civilian employees in the Quartermaster Corps shall be limited to the actual requirements of the service, and that no employee therein shall receive a salary of more than $150 per month, except upon the approval of the Secretary of War, $2,000,000.

Mr. SLAYDEN. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

On page 33, after the figures "$2,000,000," in line 12, amend by adding the following words:

"*Provided*, That of the foregoing appropriation $5,000, or so much thereof as may be required, shall be expended to complete the post chapel at Fort Sam Houston."

Mr. MANN. Mr. Chairman, I would like to ask the gentleman a question in reference to this. Is there an appropriation for constructing this post chapel now?

Mr. SLAYDEN. No; there is not.

Mr. MANN. This refers to completing the post chapel?

Mr. SLAYDEN. Yes. The chapel was constructed from money contributed by the people of San Antonio, who gave altogether about $36,000, although when the chaplain who engineered the project appealed to them in the beginning they agreed to give only $25,000. However, he was a very plausible and successful beggar, and he induced them to increase their contributions by ten or eleven thousand dollars. This money has all been expended.

Mr. MANN. Can the chapel be completed with this $5,000 it is proposed to appropriate?

Mr. SLAYDEN. So the Quartermaster General's office says.

Mr. MANN. I hope, Mr. Chairman, they will extend the service and benefit of that chapel beyond the military camp to the citizens of San Antonio, including my distinguished friend. Hoping that that will be done, I can see no objection to the appropriation.

Mr. SLAYDEN. It is stated that our population has been increased very much by immigration from the State of Illinois, and probably the suggestion is a good one.

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

Transportation of the Army and its supplies: For transportation of the Army and its supplies, including transportation of the troops when moving either by land or water, and of their baggage, including the cost of packing and crating; for transportation of recruits and recruiting parties; of applicants for enlistment between recruiting stations and recruiting depots; for travel allowance to enlisted men on discharge; of persons on their discharge from the United States disciplinary barracks or from any place in which they have been held under a sentence of dishonorable discharge and confinement for more than six months, or from the Government Hospital for the Insane after transfer thereto from such barracks or place, to their homes (or elsewhere as they may elect), provided the cost in each case shall not be greater than to the place of last enlistment; of supplies furnished to the militia for the permanent equipment thereof; of the necessary agents and other employees, including per diem allowances in lieu of subsistence not exceeding $4 for those authorized to receive the per diem allowance; of clothing and equipage and other quartermaster stores from Army depots or places of purchase or delivery to the several posts and Army depots and from those depots to the troops in the field; of horse equipment; of ordnance and ordnance stores, and small arms from the foundries and armories to the arsenals, fortifications, frontier posts, and Army depots; for payment of wharfage, tolls, and ferriage; for transportation of funds of the Army; for the hire of employees; for the payment of Army transportation lawfully due such land-grant railroads as have not received aid in Government bonds (to be adjusted in accordance with the decisions of the Supreme Court in cases decided under such land-grant acts), but in no case shall more than 50 per cent of full amount of service be paid: *Provided*, That such compensation shall be computed upon the basis of the tariff or lower special rates for like transportation performed for the public at large and shall be accepted as in full for all demands for such service: *Provided further*, That in expending the money appropriated by this act a railroad company which has not received aid in bonds of the United States, and which obtained a grant of public land to aid in the construction of its railroad on condition that such railroad should be a post route and military road, subject to the use of the United States for postal, military, naval, and other Government services, and also subject to such regulations as Congress may impose restricting the charge for such Government transportation, having claims against the United States for transportation of troops and munitions of war and military supplies and property over such aided railroads, shall be paid out of the moneys appropriated by the foregoing provision only on the basis of such rate for the transportation of such troops and munitions of war and military supplies and property as the Secretary of War shall deem just and reasonable under the foregoing provision, such rate not to exceed 50 per cent of the compensation for such Government transportation as shall at that time be charged to and paid by private parties to any such company for like and similar transportation; and the amount so fixed to be paid shall be accepted as in full for all demands for such service; for the purchase and hire of draft and pack animals in such numbers as are actually required for the service, including reasonable provision for replacing unserviceable animals; for the purchase, hire, operation, maintenance, and repair of such harness, wagons, carts, drays, other vehicles and motor-propelled and horse-drawn passenger-carrying vehicles, as are required for the transportation of troops and supplies, and for official, military, and garrison purposes; for drayage and cartage at the several depots; for the hire of teamsters and other employees; for the purchase and repair of ships, boats, and other vessels required for the transportation of troops and supplies and for official, military, and garrison purposes; for expenses of sailing public transports and other vessels on the various rivers, the Gulf of Mexico, and the Atlantic and Pacific Oceans: *Provided further*, That $75,000 of the appropriation hereby made shall be available for additional pay of employees on harbor boats, quartermaster service, in lieu of subsistence: *Provided further*, That authority is hereby granted the Secretary of War to sell or otherwise dispose of, in accordance with law and regulations, the United States Army transports Meade and Crook, $10,516,000.

Mr. MANN. Mr. Chairman, I reserve the point of order on the last proviso. Last year we authorized the sale of the transports *Seward* and *Wright*, if I remember correctly. I do not know whether they have been sold or not or how much has been realized from them if they have been sold. I do not know whether the President's shipping bill—I believe that is the proper

term to use in speaking of it, and I do not want to call it anything that is not agreeable to the other side—I do not know whether the President's shipping bill is going to become a law or not, but if that becomes a law is it desirable to sell these transports to somebody and then buy them back at probably twice the price?

Mr. HAY. I understand these transports are very old. One of them——

Mr. KAHN. Is 32 years old.

Mr. MANN. Oh, there are lots of vessels 32 years old that we will buy before we get through, if we start to buy vessels.

Mr. HAY. I take it that the War Department thinks it will be to the interest of the service to dispose of these two transports.

Mr. MANN. Possibly we do not need them any more. I do not know about that; but if the War Department sells vessels and then the Treasury Department buys them, we all know that the Government in the end will get left as it did under the McKinley administration. We bought a lot of useless vessels at the time of the Spanish War and then afterwards tried to give them away. Maybe these are some of them. I do not know.

Mr. HAY. I will say to the gentleman I had a statement here giving the reasons why these are to be sold, giving the age of the ships and the further reason that they were no longer useful for transportation purposes.

Mr. MANN. They are giving such exhaustive consideration to this subject over in the body at the other end of the Capitol that I am inclined to make the point of order upon this, and then let them reinsert it into the bill if they think it wise, after they have passed the shipping bill and if they still want to sell these vessels. Of course I do not care.

Mr. HAY. It is subject to a point of order.

Mr. MANN. I understand the gentleman does not care?

Mr. HAY. Except for this, that I think the recommendation has been made in good faith.

Mr. MANN. I have no doubt of that. The War Department wants to get rid of the vessels, I have no doubt. The Treasury Department wants to get hold of some vessels.

Mr. HAY. Whether they want to get hold of vessels of this character, I do not know.

Mr. MANN. Neither do I; but the authority in the shipping bill is to transfer these vessels that are not needed over to the men who have charge under the shipping bill. That authority is carried.

Mr. HAY. The gentleman means in the shipping bill?

Mr. MANN. In the shipping bill. If that becomes a law, it seems to me we ought to be consulted first before we start to build the vessels.

Mr. HAY. I have no objection. Mr. Chairman, it is subject to the point of order. The gentleman, I understand, does not include the appropriation in the point of order?

Mr. MANN. Oh, no. I make the point of order on the last proviso, not including the appropriation.

The CHAIRMAN. The Chair sustains the point of order, and the Clerk will read.

The Clerk read as follows:

Roads, walks, wharves, and drainage: For the construction and repair by the Quartermaster Corps of roads, walks, and wharves; for the pay of employees; for the disposal of drainage; for dredging channels; and for care and improvement of grounds at military posts and stations, $600,000.

Mr. HAY. Mr. Chairman, the gentleman from Nebraska [Mr. LOBECK] wants to offer an amendment. I do not know what it is.

Mr. LOBECK. Mr. Chairman, I desire to offer the following amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 37, line 6, after the figures "$600,000," insert: "*Provided*, That not more than $6,000 of this appropriation may be used in defraying one-half the cost of paving Thirtieth Street between Fort and Laurel Streets, along the east side of Fort Omaha, in Omaha, Nebr."

Mr. HAY. Mr. Chairman, I reserve a point of order on the amendment.

Mr. LOBECK. Mr. Chairman, Fort Omaha is situated on the west side of Thirtieth Street, in the northern part of the city of Omaha, and it is necessary that that street be paved, or rather repaved. Heretofore the property owners on the street have had to pay for the Government share of the paving. I have had this matter up with the War Department, and they estimated the cost of paving, according to the engineer's figures, and the War Department states it ought to pay $6,000 as its share. This does not increase the appropriation at all, but it directs that of this $600,000, $6,000 should be used for this purpose. The residents of Omaha living out on this street are ready to have the street repaved. The abutting property owners on the east side of the street are willing to pay their full share.

Mr. CALLAWAY. What is the reason that the Government ought to pay any part of this street paving?

Mr. LOBECK. The Government owns a large part of the property, and it is used for the Signal Corps at old Fort Omaha, and there is no reason why the small cottage owners on the east side of the street should pay for this Government paving.

Mr. CALLAWAY. Is that a public street of the town?

Mr. LOBECK. It is a public street which extends out into the country.

Mr. GARNER. But the citizens pay on each side, and therefore it is contended that if the citizens pay half the Government ought to pay half. Is that right?

Mr. CALLAWAY. It is the city's business——

Mr. LOBECK. No; it is not the city's business, because the law on paving is different from what it is in the District of Columbia. Here in the District of Columbia the Government pays one-half of all the paving.

Mr. BAILEY. How are the other streets paved?

Mr. LOBECK. In Omaha? The property adjoining on each side of the street pays its proportionate share.

Mr. BAILEY. Special assessments on it?

Mr. LOBECK. Special assessments. This matter has been looked into very carefully——

Mr. CALLAWAY. As I understand, the Government owns property on one side of the street and the citizens on the other side of the street, and they want a division of the cost between the Government and the citizens?

Mr. LOBECK. And the street railroad pays for its share of paving where the street railway runs along the street and extends into the country.

Mr. CALLAWAY. We have some kind of a provision, I remember, in the city of Fort Worth. The citizens of Fort Worth want the Government to pay one-half of the paving expenses where the public building is, and they said they had no authority under law to do anything like that.

Mr. LOBECK. I will say to the gentleman that around the Federal building in Omaha, which covers a full square, and the Army building, which covers a quarter of a square, the city has paid for paving and repairing. That is down town in the city, where the public use it, but this street leads out into the country in the suburbs of the city, and it is hardly fair for the small cottage owner to pay for all of the paving.

Mr. CALLAWAY. It is just as fair out there that the expense should come on the city or county as it is on the city or county down town.

Mr. LOBECK. I will tell the gentleman what more we do. Wherever the intersections of streets occur there, the city pays the paving of the intersections out of the general fund, so that the only paving that the Government would pay for on this street is actually in front of its own land.

Mr. CALLAWAY. Would not that be a change of policy of the Government in respect to street paving throughout the whole country?

Mr. LOBECK. No; it has been done heretofore in the matter of guttering along the east side of its property. The Government would not have to pay for any of the street guttering; the Government has already paid its share of the improvement.

The CHAIRMAN. The time of the gentleman has expired.

Mr. CALLAWAY. It looks to me like a dangerous innovation.

Mr. LOBECK. I offer the correspondence in relation to this paving between the city, the War Department, and myself:

DEPARTMENT OF PUBLIC AFFAIRS,
OFFICE OF CITY CLERK,
Omaha, Nebr., May 29, 1914.

Hon. C. O. LOBECK,
Congressman, Washington, D. C.

DEAR SIR: Herewith please find copy of resolution No. 2926, adopted by the city council on May 28, 1914, relative to repairs needed on North Thirtieth Street, from Fort Street to Laurel Avenue, together with plat showing said proposed improvements.

Trusting you will give this matter your prompt attention, I remain,
Yours, respectfully,

THOMAS J. FLYNN, *City Clerk.*

CITY OF OMAHA, COUNCIL CHAMBER,
Omaha, Nebr., May 28, 1914.

Whereas North Thirtieth Street is the main thoroughfare leading into the city of Omaha from the north and the daily travel upon said street, to and from Forest Lawn Cemetery, Miller Park, the village of Florence, and the thickly settled agricultural portion of Douglas County surrounding same is very heavy; and

Whereas North Thirtieth Street, from Fort Street to Laurel Avenue, leads past the property of the United States Government known as Fort Omaha, and is not in suitable or proper condition for public travel; and

Whereas the estimated cost of repairing said portion of North Thirtieth Street and placing same in suitable and proper condition for public travel, by paving and curbing and constructing necessary sewers, is as follows:

	Total cost.	Chargeable to Government.
Paving:		
District, 6,293 square yards	$13,251.30	$6,925.00
Intersections, 322 square yards	676.20	.....
Curbing:		
District, 1,840 linear feet	1,472.00	.....
Intersections, 101 linear feet	95.00	.....
Constructing sewers	4,208.58	2,200.00
Total cost	19,703.88	9,125.00

Therefore be it

Resolved by the City Council of the City of Omaha, That Senator G. M. HITCHCOCK and Congressman C. O. LOBECK be, and they are hereby, requested to take the necessary steps to procure an appropriation by Congress amounting to $9,125 for the purpose of paying that portion chrgeable to the United States Government of the cost of placing North Thirtieth Street from Fort Street to Laurel Avenue in a suitable and proper condition for public travel by paving and curbing and constructing necessary sewers.

Resolved, further, That the city clerk be, and he is hereby, directed to forward a copy of this resolution forthwith to Senator G. M. HITCHCOCK and Congressman C. O. LOBECK at Washington, D. C.

By THOMAS MCGOVERN.

Adopted May 28, 1914.

JAMES C. DAHLMAN,
Mayor and President City Council.

Attest:

THOMAS J. FLYNN,
City Clerk.

—

WAR DEPARTMENT,
Washington, D. C., June 1, 1914.

Hon. C. O. LOBECK, M. C.,
House of Representatives, Washington, D. C.

DEAR SIR: Your communication of May 28, 1914, relative to the War Department contributing one-half the cost of repaving Thirtieth Street adjoining the military reservation of Fort Omaha, Nebr., has been received. A proper reference has been made in order to enable the necessary information to be obtained. As soon as possible you will be further advised in the premises.

Very respectfully,

J. B. ALESHIRE,
Quartermaster General.
By R. B. MCBRIDE,
Captain, Quartermaster Corps.

—

JUNE 2, 1914.

Hon. LINDLEY M. GARRISON,
Secretary of War, Washington, D. C.

MY DEAR MR. SECRETARY: We desire to request consideration by the War Department of a matter of some repairs urgently needed on Thirtieth Street from Fort Street to Laurel Avenue, in the city of Omaha, along the east line of the Fort Omaha Reservation. The city council of the city of Omaha has adopted a resolution, copy of which is herewith inclosed, reciting the need for repairs to this street and estimating the total cost of paving, curbing, and sewer work at $19,703.88, as follows:

	Total cost.	Chargeable to Government.
Paving:		
District, 6,293 square yards	$13,251.30	$6,925.00
Intersections, 322 square yards	676.20	.....
Curbing:		
District, 1,840 linear feet	1,472.00	.....
Intersections, 101 linear feet	95.00	.....
Constructing sewers	4,208.58	2,200.00
Total cost	19,703.88	9,125.00

It will be seen from the above that the amount properly chargeable to the Government is $9,125, and we are now engaged in an effort to secure the inclusion of this item in the sundry civil appropriation bill, now in the hands of the committee in the House of Representatives and soon to be reported. If possible, we would like to have the department make an estimate for this appropriation before the bill leaves the committee of the House; and if not possible to do it so soon, it is requested that you furnish an estimate that can be used before the Appropriations Committee of the Senate.

From our knowledge of the situation we are impressed with the necessity of this work, as Thirtieth Street is a highway of heavy travel, and the macadamized road heretofore serving has some time ago ceased to be of any service. We sincerely trust, therefore, that this may receive the early and favorable consideration of the War Department.

We also inclose for your information a blue print prepared by the department of public improvements of Omaha, showing in detail the district in which the improvements are to be made.

Yours, truly,

G. M. HITCHCOCK, *United States Senator.*
C. O. LOBECK, *Member of Congress.*

(Inclosures.)

—

WAR DEPARTMENT,
Washington, June 4, 1914.

Senator G. M. HITCHCOCK,
Hon. C. O. LOBECK, M. C.,
Washington, D. C.

MY DEAR SIRS: Referring to your letter dated June 2, 1914, I have the honor to inform you that the matter of repairing that part of Thirtieth Street which lies directly east of the Fort Omaha, Nebr., reservation in the city of Omaha has been previously referred to the War Department, and that the papers relating thereto have been forwarded to the commanding general, Central Department, for a report.

It is noted from the blue print furnished with your letter that the proposed sewer is not on land belonging to the United States, and it would not therefore seem that any part of the cost of construction thereof should be paid for by the Government. It is also noted that one of the tracks of the Omaha & Council Bluffs Street Railway Co. will, in the proposed new location, be entirely on the lands of the reservation. There is no information in the War Department regarding such a location of this railroad. From maps on file in the War Department it would seem that if the railroad tracks were left in their present location, which is not on Government land, the cost of repairing the street would be materially less than the amount, $19,703.88, stated in the estimate. No information is given in the papers as to whether or not any grading will be required, the character of the material to be used in the repairs, nor what effect the work might have on Government improvements on the reservation.

All of the information referred to in the preceding paragraph will be furnished in the report requested from the commanding general, Central Department. Until the receipt of this report it is thought that any estimate which might be furnished would be so inexact as to be of little practical value.

However, from the information in your letter it would seem that an approximate amount of $6,000 would be ample to pay for the Government's share of the paving. The item of $2,200, for half of the cost of the sewer, is not included in this estimate for the reason that the sewer in question will not be on the reservation.

As soon as the report requested from the department commander is received, the matter will receive further consideration, and a definite estimate of cost as requested in your letter can be furnished.

Very respectfully,

L. M. GARRISON,
Secretary of War.

—

WAR DEPARTMENT,
Washington, June 15, 1914.

Hon. C. O. LOBECK, M. C.,
House of Representatives, Washington, D. C.

MY DEAR SIR: Referring to your letter to the Chief of Engineers dated June 10, 1914, I have the honor to advise you that there is no record of the matter of the extension of the water main along the Fort Omaha grounds on Thirtieth Street, in Omaha, Nebr., in this department. However, the records of the office of the Quartermaster General show that a letter was received from you on May 28, which referred to repaving Thirtieth Street along the Fort Omaha reservation and the reconstruction of the sewer line on that street. A letter was mailed in reply thereto on June 3, 1914, stating that the matter had been referred to the department commander for report. On June 3 a letter signed jointly by Senator G. M. HITCHCOCK and yourself was referred to this office. This letter stated the necessity for repaving Thirtieth Street and for laying a sewer line, and requested an estimate of cost. Under date of June 4 the Secretary of War replied to the letter of June 2, and there is inclosed for your information a copy of that reply. It will be noted that the water mains referred to in letter of June 10 do not seem to have been mentioned in the previous correspondence.

2. The report regarding the repaving of Thirtieth Street has not yet been received, but it is expected that in a short time the matter will be again taken up.

Very respectfully,

HENRY BRECKINRIDGE,
Assistant Secretary of War.

—

WAR DEPARTMENT,
Washington, August 6, 1914.

Hon. C. O. LOBECK, M. C.,
House of Representatives, Washington, D. C.

MY DEAR SIR: 1. Replying to your letters dated May 28 and June 2, 1914, with which you inclosed a letter from Mr. Randall K. Brown, Omaha, Nebr., relative to the paving of Thirtieth Street adjoining the Government property at Fort Omaha, I have the honor to advise you that the case has been given consideration.

2. It appears that this street lies alongside of the Fort Omaha Reservation; that it is the main traveled thoroughfare coming into Omaha from the north; and that the Government reservation extends to the middle of the street.

3. Careful consideration has been given the matter, and it is believed that the improvements suggested by you are necessary and will be a benefit to the Government. It is thought that $6,000, the amount stated in the previous communication as necessary for the purpose, will be sufficient to pay for that portion of the cost of the proposed improvements which should be borne by the United States. The cost of the sewer, which is not a necessity for the reservation and does not in any way improve it, should not be charged against the Government.

4. As to the application of the Omaha & Council Bluffs Street Railway Co. for permission to relocate its tracks on that part of the street within the reservation, the Judge Advocate General has held that the city, in its control of the easement of the public for a right of way over said street for public use, has full power to authorize any such relocation. I am of the opinion, however, that if such a relocation be authorized, the company should be required to pave and to keep in repair all that part of the street between the Government line and the tracks for a width of 8 feet west of said boundary. If the city has authority to authorize relocation of the tracks, it should make provision for the upkeep of that part utilized by the street railway company.

Very respectfully,

JOHN C. SCOFIELD,
Assistant and Chief Clerk.

—

WAR DEPARTMENT,
OFFICE OF THE QUARTERMASTER GENERAL OF THE ARMY,
Washington, December 23, 1914.

Hon. C. O. LOBECK, M. C.,
House of Representatives, Washington, D. C.

MY DEAR SIR: 1. Referring to your visit of this date, the records regarding the proposed paving of that part of Thirtieth Street, Omaha, Nebr., adjoining Fort Omaha, have been examined by this office.

2. For your information, it appears that the original estimate of May 28, from the city council of the city of Omaha, stated a total amount of $19,703.88 as necessary for this work, and that the part chargeable to the Government would be $9,125.

3. The question was carefully examined by the local officers, and the conclusion stated in the letter from the assistant and chief clerk of the War Department, dated August 6, 1914, that $6,000 would be sufficient to pay for the part of the work which would be properly chargeable to the United States, was arrived at. The cost of constructing sewers, viz, $2,200, did not appear to the War Department to be a proper charge against the Government. It was also thought by the War Department that the city authorities would have the right to grant the application of the Omaha & Council Bluffs Street Railway Co. to relocate its tracks, and that if such relocation should be authorized the company should be required to pave and keep in repair all that part of the street between the Government line and the tracks for a width of 8 feet west of said boundary.

4. No action seems to have been taken after the letter of August 6, except that the local military authorities were furnished with a copy of that letter for their information.

5. For your information, it may be stated that the letter of August 6 indicates the belief of the War Department that the Government should bear a part of the cost of the contemplated improvements. No funds are available for the expenditure necessary and no estimate has been made for the purpose.

6. It would therefore seem that if the work is to be done and the Government is to pay for its part of it, the necessary amount, viz, $6,000, would have to be secured by congressional action.

7. The correspondence which you left in this office is herewith returned.

8. Trusting that the information given above will fully inform you as to the present status of the case, I have the honor to remain,

Very respectfully,

J. B. ALESHIRE, *Quartermaster General.*

Mr. HAY. Mr. Chairman, I want to say the Government, or rather Congress, heretofore has declined, except in some very extraordinary cases, to make appropriations for roads in cities or from the town to a cemetery, and so forth. There are now pending before the Committee on Military Affairs some forty or fifty bills asking appropriations for the building of roads and pavements in towns where they have national cemeteries, and so forth, amounting to some four or five hundred thousand dollars, and heretofore the committee has not felt justified in reporting any of those bills. Now, if this is a different case from the usual case, I am perfectly willing the gentleman should have his appropriation; but I have not seen yet that he has differentiated his case from any of the others which are asking for the same thing, and unless he can do so I shall be compelled to insist on the point of order and oppose his proposition.

Mr. LOBECK. Will the gentleman yield?

Mr. HAY. Yes.

Mr. LOBECK. Will the gentleman allow me to recur back to this item in a few moments? I will bring letters from the department from my office on this subject and then take it up.

The CHAIRMAN. The gentleman from Nebraska asks unanimous consent to pass this over until he can bring some information from the department.

Mr. LOBECK. I intended to bring it with me, but forgot to do so.

Mr. MANN. Mr. Chairman, the gentleman can not bring any information on this subject to keep me from making the point of order on it.

Mr. LOBECK. I do not care to argue the point of order with the gentleman, because I am not a lawyer or a parliamentarian.

The CHAIRMAN. What does the gentleman from Illinois say about this? That this is not authorized by law?

Mr. MANN. Yes; and also that this committee does not have jurisdiction over this class of items anyhow.

Mr. HAY. We have jurisdiction over appropriations for military roads.

Mr. MANN. But this is not a military road, and the committee of the gentleman does not have jurisdiction over this class of cases, which go into the sundry civil bill. They have jurisdiction over such legislation.

Mr. HAY. The committee has jurisdiction, in my judgment, to report a separate bill.

Mr. MANN. Oh, undoubtedly.

Mr. HAY. Now, if the gentleman is going to make the point of order, there is no use of delaying the committee.

Mr. MANN. I would not be willing to make a departure from the settled policy of the Government in a particular case without legislation upon the subject. I do not know but that I would favor the legislation, however.

Mr. HAY. I make the point of order.

The CHAIRMAN. The Chair sustains the point of order.

Mr. HAY. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Virginia offers an amendment, which the Clerk will report.

The Clerk read as follows:

After line 6, page 37, insert as a separate paragraph the following:

"The Secretary of War is hereby authorized to accept on behalf of the Government of the United States the land which has been donated for the purpose of connecting the monument of the Ninth Regiment of New York Volunteers with the road system of the battle field of Antietam."

Mr. HAY. Mr. Chairman, I will say that I offer that at the request of these associations.

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was agreed to.

Mr. LOBECK. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Nebraska asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

The Clerk read as follows:

Water and sewers at military posts: For procuring and introducing water to buildings and premises at such military posts and stations as from their situation require it to be brought from a distance; for the installation and extension of plumbing within buildings where the same is not specifically provided for in other appropriations; for the purchase and repairs of fire apparatus, including fire-alarm systems; for the disposal of sewage, and expenses incident thereto, including the authorized issue of toilet paper; for repairs to water and sewer systems and plumbing within buildings; and for hire of employees, $1,639,000.

Provided, That $75,000, or so much thereof as may be necessary, of the amount appropriated herein shall be immediately available for commencing the project of improving and increasing the water supply at Corregidor Island, P. I.

Mr. MANN. Mr. Chairman, I reserve a point of order.

Mr. PAGE of North Carolina. Mr. Chairman, I reserve a point of order against the proviso.

Mr. MANN. I reserve the point of order against the paragraph.

The CHAIRMAN. The gentleman from Illinois reserves the point of order against the paragraph and the gentleman from North Carolina reserves the point of order against the proviso.

Mr. PAGE of North Carolina. Mr. Chairman, this proviso reads:

Provided, That $75,000, or so much thereof as may be necessary, of the amount appropriated herein shall be immediately available for commencing the project of improving and increasing the water supply of Corregidor Island, P. I.

In the sundry civil act for 1916 there is an item, estimated for and put in at the request of the War Department, which reads as follows:

For continuing the construction and installation of the necessary accommodations and equipment for storage, electric power, and water supply for the Army in the Philippine Islands, to be immediately available and to remain available until expended, $154,000.

I make the point of order against this proviso. No estimate was submitted in the Book of Estimates for this particular item and it has already been appropriated for in a previous appropriation bill.

Mr. HAY. Mr. Chairman, the gentleman is entirely mistaken. It has not been appropriated for. It is an entirely separate and distinct proposition from the one contained in the sundry civil bill. This is for the purpose of obtaining drinking water, which they absolutely have to have—the digging of artesian wells, as I understand it—and it was requested to be put in here, and the Quartermaster General sent me an explanation of it when my attention was called to it by one of the members of the Appropriations Committee, showing that it was an entirely separate and distinct proposition. I do not think it is subject to the point of order for either one of the reasons given by the gentleman from North Carolina. Of course the words "shall be immediately available" make it subject to the point of order.

Mr. PAGE of North Carolina. Yes; the fact that it shall be immediately available I think makes it subject to a point of order if for no other reasons.

Mr. HAY. Of course if the gentleman insists on the point of order——

Mr. PAGE of North Carolina. Mr. Chairman, in addition to that——

Mr. HAY. But I want to call his attention to the fact that it is not the project to which he refers.

Mr. PAGE of North Carolina. I would say to the gentleman from Virginia that in reading the hearings before the sundry civil subcommittee a year ago I do not see that there is any differentiation made by the officials as to a drinking supply and any other water supply. This work had been in progress at that time, and they represented to the committee in the hearings when this appropriation was made that this $154,000 was necessary to complete the water supply at this particular place; and in that bill it was made immediately available on their representation. Now I will read from the hearings.

It was requested that $75,000 of the amounts needed for Corregidor Island be made immediately available, as the situation was acute, and it was thought that this amount could be advantageously and economically expended before the 1916 appropriations became available.

If the gentleman will allow me, Col. Burr, in the hearings before the subcommittee on appropriations having in charge the sundry civil bill——

Mr. HAY. He was an engineer officer?

Mr. PAGE of North Carolina. He was an engineer officer. The chairman of the committee, Mr. FITZGERALD, propounded questions to him. He said:

We had appropriated all that was asked—

That was in connection with this water supply—

and they missed their guess by $154,000. Now, who missed?

Col. BURR. The explanation is probably due to the fact that the $250,000 which was appropriated for storage purposes——

The CHAIRMAN. First, what did we appropriate for the power plant?

Col. BURR. $154,666.67 was appropriated for electric power plant at Corregidor Island to cover the cost of the power plant for general post purposes. This figure came up in this way——

The CHAIRMAN (interposing). That was in the fortifications bill?

Col. BURR. In the sundry civil act of March 4, 1911. Those figures were derived from an estimate made by the Engineer Department of the cost of a joint plant for defensive and post purposes, the proportionate share, one-third of the cost, being chargeable against defense appropriations and being provided for out of the appropriations of the Engineer Department made for that purpose, and the other two-thirds being chargeable to post purposes.

The CHAIRMAN. The time of the gentleman from Virginia [Mr. HAY] has expired.

Mr. HAY. Mr. Chairman, I ask unanimous consent that the gentleman from North Carolina may have two minutes.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. PAGE of North Carolina. Mr. Chairman, in regard to the point of order, I will quote from section 1136 of the Revised Statutes:

Permanent barracks or quarters and buildings and structures of a permanent nature shall not be constructed unless detailed estimates shall have been previously submitted to Congress and approved by a special appropriation for the same, except when constructed by the troops; and no such structure, the cost of which shall exceed $20,000, shall be erected unless by special authority of Congress.

The CHAIRMAN. What is the gentleman reading from?

Mr. PAGE of North Carolina. From section 1136 of the Revised Statutes of the United States.

The CHAIRMAN. This is undoubtedly subject to the point of order on account of the words "immediately available."

Mr. PAGE of North Carolina. I do not care to say anything more.

The CHAIRMAN. If the point of order is insisted on, the Chair will sustain the point of order.

Mr. PAGE of North Carolina. I insist on it, Mr. Chairman.

The CHAIRMAN. The Chair sustains the point of order.

Mr. PAGE of North Carolina. I insist upon the point of order, Mr. Chairman.

Mr. HAY. The Chair sustains the point of order to the proviso?

The CHAIRMAN. Yes.

Mr. KAHN. Mr. Chairman, I suggest that we amend the total by subtracting the $75,000, otherwise I understand the gentleman from Illinois [Mr. MANN] would insist upon a point of order on the whole paragraph.

Mr. HAY. If he does, I can offer an amendment.

Mr. MANN. I will not, so far as I am concerned.

Mr. HAY. I want to point out to the gentleman that the War Department estimated——

Mr. MANN. It seems to me that the amount ought to be reduced, but I am not going to make the point.

Mr. HAY. I want to say this: The War Department estimates for improving water supply at Corregidor Island by the construction of reservoirs with a capacity for 1,000,000 gallons, down-spout connections, cisterns, pipe lines, fittings, and so forth, to utilize rainfall on that part of the reservation known as "Top Side," $116,859, and they propose to spend $75,000 of it at once. The very fact that this item of $75,000 has gone out on a point of order, forbidding them to spend that amount at once, does not cut out the estimate they have made for expenditure on that object.

Mr. MANN. Undoubtedly, if the appropriation is to be made on the Army bill, the sum ought not to be reduced. If, however, the appropriation is made on the sundry civil bill, it ought not to be here.

Mr. HAY. The claim is that the sundry civil bill of last year carried this item; not that they are going to make this improvement, but that it was made.

Mr. MANN. I did not hear what the gentleman from North Carolina [Mr. PAGE] said, but I have no doubt it was correct; but I presume the claim was that the sundry civil bill for last year carried for this purpose all that was asked for at that time.

Mr. PAGE of North Carolina. That is true.

Mr. MANN. The assumption I was making was that the Appropriations Committee had jurisdiction and would carry any appropriation that was necessary this year.

Mr. HAY. I do not agree with the gentleman from North Carolina in the statement that the Committee on Appropriations has no more jurisdiction over this item than has the Committee on Military Affairs, and now is a very good time to call attention to the manner in which the jurisdiction of these committees is arranged. Here is a very good illustration of it. Here we are asked to appropriate so much for a project in the Philippine Islands. Here comes the gentleman from North Carolina from another committee and says that they have already appropriated the money. Now, if the Committee on Military Affairs, as was intended, appropriated for the entire military establishment, things of that sort could not happen.

Mr. FITZGERALD. If the gentleman will permit me, there was never any contemplation that the Committee on Military Affairs should appropriate for the entire military establishment. The Committee on Military Affairs was given the Army appropriation bill, which carries the appropriations for the mobile Army.

Mr. HAY. That was done by a ruling of the Chairman in Committee of the Whole.

Mr. FITZGERALD. Oh, no. The gentleman knows that the whole military establishment was never intended to be covered by the Committee on Military Affairs, because the departmental service and everything that properly belongs in the fortification bill go to the Committee on Appropriations.

Mr. HAY. The rule says that all that pertains to the military establishment shall go to the Committee on Military Affairs.

Mr. FITZGERALD. At the time of the adoption of that rule th purpose was to put into the Committee on Military Affairs the Army appropriation bill, and the rulings have been to the effect that things that pertain to the control of the mobile Army are to be carried in the Army bill. Now, for instance, out of appropriations made in the Army appropriation bill the War Department has been building up a post at Fort Shafter, in the Hawaiian Islands. They have been requesting our Committee on Appropriations for several years past to make specific appropriations to continue that work, and the Committee on Appropriations has declined to do so because the work thus far has been done out of appropriations obtained from the Army bill, and we took the position that appropriations should not be made in two bills for the same work.

The CHAIRMAN. The time of the gentleman from Virginia has expired.

Mr. FITZGERALD. Mr. Chairman, I ask that the gentleman's time be extended.

Mr. PAGE of North Carolina. I ask unanimous consent, Mr. Chairman, that the time of the gentleman from Illinois be extended for five minutes.

Mr. MANN. It was the time of the gentleman from Virginia.

The CHAIRMAN. Is there objection?

There was no objection.

The CHAIRMAN. The gentleman from Virginia is recognized for five minutes more

Mr. FITZGERALD. The truth of the matter is that the War Department so mixed up its estimates that they could not account for $154,000 which they were short, and they said it was needed, and finally they were given that sum in addition to the amount they estimated. Now it looks as if they had made another mistake.

Mr. HAY. I do not think so. The Quartermaster General of the Army informs me that this is an entirely different proposition from the one appropriated for in the sundry civil bill. I do not agree with the gentleman at all in the statement that it was intended that the Committee on Military Affairs should have only the mobile army. It has not got the mobile army even, because the Committee on Appropriations appropriates for the field artillery of the Regular Army, while the Committee on Military Affairs appropriates for the field artillery of the Organized Militia—a most absurd proposition, which has resulted in times past in duplications of appropriations. I think something ought to be done.

I made the attempt in the Sixty-second Congress to have the rules changed so that one committee or the other should have these appropriations, and so that there should not be an opportunity to have appropriations duplicated and mixed up between two committees, and I shall make an attempt in the next Congress; and so far as I am concerned, it will be much better for the public service for the Committee on Appropriations to take the appropriations from the Committee on Military Affairs entirely or to give us the appropriations entirely—one of the two.

However, that is not relevant to what is before the House, and I will move to reduce the total by the sum of $116,859, taking that sum from $1,639,000.

The CHAIRMAN. The gentleman from Virginia offers an amendment, which the Clerk will report.

Mr. HAY. Just make it read "$1,564,000."

The Clerk read as follows:

Amend, page 37, line 19, by striking out "$1,639,000" and inserting "$1,564,000."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

Repair and maintenance, military and post roads, bridges, and trails, Alaska: Repair and maintenance of military and post roads, bridges, and trails, Territory of Alaska, $125,000.

Mr. MANN. Mr. Chairman, I move to strike out the last word. I should like to make a simple inquiry. Have we now reached the point in Alaska where the repair and maintenance of the roads cost $125,000 a year? That is the amount which heretofore we have carried for the construction, repair, and maintenance of roads in Alaska.

Mr. HAY. It ought to include construction now, and I will offer that amendment. I do not know why the word was left out.

Mr. Chairman, in line 23, before the word "repair," I move to insert the word "construction."

The CHAIRMAN. The gentleman from Virginia offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amend, on page 37, in line 23, by inserting before the word "repair" the word "construction."

The amendment was agreed to.

Mr. HAY. And in line 24, before the word "repair," insert the word "construction."

Mr. MANN. "For the construction."

Mr. HAY. "For the construction."

Mr. MANN. That is the way it is now.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Virginia.

The Clerk read as follows:

In line 24, before the word "repair," insert the words "for the construction."

The amendment was agreed to.

The Clerk read as follows:

Barracks and quarters, Philippine Islands: Continuing the work of providing for the proper shelter and protection of officers and enlisted men of the Army of the United States lawfully on duty in the Philippine Islands, including repairs and payment of rents, the acquisition of title to building sites, and such additions to existing military reservations as may be necessary, and including also shelter for the animals and supplies, and all other buildings necessary for post administration purposes, $400,000: *Provided*, That no part of said sum shall be expended for the construction of quarters for officers of the Army the total cost of which, including the heating and plumbing apparatus, wiring and fixtures, shall exceed in the case of quarters of a general officer the sum of $8,000; of a colonel or officer above the rank of captain, $6,000; and of an officer of and below the rank of captain, $4,000; $400,000.

Mr. MANN. Mr. Chairman, I move to strike out the last word. The figures "$400,000," in line 16, should be stricken out. The appropriation is carried in the amount in line 9, and that is apparently an error.

Mr. HAY. Yes; that is a printing error. I move to strike out the figures "$400,000," in line 16, on page 38.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Virginia.

The Clerk read as follows:

On page 38, in line 16, strike out "$400,000."

The amendment was agreed to.

Mr. JOHNSON of South Carolina. Mr. Chairman, I want to ask the gentleman in charge of the bill is this $400,000 an annual appropriation?

Mr. HAY. No; it is not an annual appropriation. It has been made, though.

Mr. JOHNSON of South Carolina. How much money have we expended for these purposes?

Mr. HAY. That is something I could not tell the gentleman without making a calculation. We have made expenditures of this kind during the last 15 years. I have not the amount at my fingers' ends.

Mr. JOHNSON of South Carolina. As these expenditures have been going on for the last 15 or 16 years, it seemed to me that the natural inquiry would be, when the department came before the committee asking for $400,000 for the next fiscal year, to ask them how much they had already spent in that way, and how many more buildings they need, in order to see whether they ought to be provided.

Mr. HAY. This is not altogether for the construction of buildings. Very little of it is for the construction of buildings. Most of it is for repairs and the payment of rent, and things of that sort.

Mr. JOHNSON of South Carolina. I see they are still buying sites.

Mr. HAY. They do not propose to buy any sites. However, if the gentleman wants a full statement of how this $400,000 is proposed to be expended, I can give that to the gentleman.

Mr. JOHNSON of South Carolina. I am not so much concerned about that as I am to know how much we have already expended and when expenditures of this kind will cease.

Mr. HAY. All I can say to the gentleman is that I have not before me the figures, and the gentleman can get them just as quickly as I can. If the gentleman wants to know how this money is to be expended, I shall be very glad to give him that information.

Mr. JOHNSON of South Carolina. How much is to be spent in building officers' quarters? That is all I am concerned about.

Mr. HAY. They do not propose to build any officers' quarters with any of this money.

Mr. JOHNSON of South Carolina. Then, that limitation is brought forward from some previous bill.

Mr. HAY. Yes. That is always put in.

Mr. JOHNSON of South Carolina. Let me ask the gentleman another question, not concerning this particular item. In his remarks yesterday afternoon he spoke of the Secretary of War saying that 15,000 troops were needed in the Hawaiian Islands. Why are so many more troops needed in the Hawaiian Islands than are needed in the Philippine Islands, and what are they doing there?

Mr. HAY. That is the number of troops that the Secretary of War thinks ought to be there and that he intends to order to the Hawaiian Islands.

Mr. JOHNSON of South Carolina. What are they needed there for?

Mr. HAY. I understand they are needed there to occupy the Army post in the Hawaiian Islands, upon the theory that the Hawaiian Islands are our outpost in the Pacific and that if any foe in the Orient attacks us we must be thoroughly prepared and fortified in the Hawaiian Islands.

Mr. JOHNSON of South Carolina. Is the probability of our being attacked in Hawaii twice as great as that we would be attacked in the Philippine Islands? They seem to want twice as many troops there.

Mr. HAY. I do not think so. Personally I do not think they ought to have that many troops there, but of course the President, through the Secretary of War, can order the Army anywhere he pleases.

Mr. JOHNSON of South Carolina. How many troops are there now?

Mr. HAY. There are now in Hawaii 7,351 men.

Mr. JOHNSON of South Carolina. Does the gentleman think that is a sufficient number?

Mr. HAY. I think so; but the War Department does not agree with me.

Mr. ESCH. Will the gentleman yield for a question?

Mr. HAY. Yes.

Mr. ESCH. What is the significance of the word "lawfully," in line 4?

Mr. HAY. I presume it means what it says—lawfully on duty.

Mr. ESCH. Are we to presume that there are officers and enlisted men in the islands unlawfully?

Mr. HAY. Not that I know of. I can tell the gentleman how that word got into the bill. The first time there was an appropriation for barracks and quarters in the Philippine Islands a point of order was made against the appropriation, and Mr. Cannon, who was then chairman of the Committee on Appropriations, drew this provision as it now reads, and it has remained in the law ever since.

Mr. ESCH. Is there any necessity for it, in the opinion of the gentleman?

Mr. HAY. I think so; because when the word "lawfully" was first put into the bill it helped to make the paragraph in order. It provided for troops that were lawfully there, troops that were ordered there by the President of the United States, and that was the reason the word was put in there, in order to get around the point of order. I remember the discussion at the time very well.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Clothing, and camp and garrison equipage: For cloth, woolens, materials, and for the purchase and manufacture of clothing for the Army,

for issue and for sale at cost price according to the Army Regulations; for payment for clothing not drawn due to enlisted men on discharge; for altering and fitting clothing and washing and cleaning when necessary; for equipage, including authorized issues of toilet articles, barbers' and tailors' materials, for use of general prisoners confined at military posts without pay or allowances and applicants for enlistment while held under observation; issue of toilet kits to recruits upon their first enlistment, and issue of housewives to the Army; for expenses of packing and handling and similar necessaries; for a suit of citizen's outer clothing, to cost not exceeding $10, to be issued upon release from confinement to each prisoner who has been confined under a court-martial sentence involving dishonorable discharge; for indemnity to officers and men of the Army for clothing and bedding, etc., destroyed since April 22, 1898, by order of medical officers of the Army for sanitary reasons, $6,624,000: *Provided*, That hereafter whenever contracts which are not to be performed within 60 days are made on behalf of the Government by the Quartermaster General, or by officers of the Quartermaster Corps authorized to make them, and are in excess of $500 in amount, such contracts should be reduced to writing and signed by the contracting parties with their names at the end thereof. In all other cases contracts shall be entered into under such regulations as may be prescribed by the Quartermaster General: *Provided further*, That all the money hereinbefore appropriated under the titles Subsistence of the Army, Regular Supplies—Quartermaster Corps, Incidental Expenses—Quartermaster Corps, Transportation of the Army and its Supplies, Water and Sewers at Military Posts, and Clothing and Camp and Garrison Equipage shall be disbursed and accounted for by officers and agents of the Quartermaster Corps as "Supplies, Services, and Transportation, Quartermaster Corps," and for that purpose shall constitute one fund: *Provided further*, That hereafter funds appropriated for support of the Army may be used for the procurement of supplies to be held in store for issue to the Army during subsequent fiscal years: *Provided further*, That articles of serviceable quartermaster property may be sold by the Quartermaster General of the Army to officers of the Navy and Marine Corps, for their use in the public service, in the same manner as these articles are now sold to officers of the Army.

Mr. MANN. Mr. Chairman, I move to strike out the last word.

Mr. FOSTER. Mr. Chairman, I make a point of order.

Mr. MANN. I wanted to suggest a grammatical amendment.

Mr. FOSTER. And I want to inquire about the proviso on page 40, that hereafter funds appropriated for the support of the Army shall be used for the procurement of supplies to be held in store for issue to the Army during subsequent fiscal years.

Mr. HAY. The purpose of this, Mr. Chairman, is to reduce the expenses and to provide, as it is in the pay of the Army, that all of it shall be in one fund. Thinking that this would meet the approval of the House, the committee reduced the various items incorporated here about 4 per cent. The Quartermaster General pointed out that within the last 10 years, I think, there had been turned back into the Treasury from the saving of each one of these items at least 4.1 per cent, so that instead of making the items as large as they were we could reduce it by 4 per cent. There is a very full explanation in the hearings and also in the report on the bill.

The report says:

Gen. ALESHIRE. The first proviso suggests legislation for the disbursement of the funds appropriated under the six appropriations enumerated therein as one appropriation, and it is submitted with the view to simplifying the actual disbursement of funds by the Quartermaster Corps and reducing the total of the estimates, and therefore of the amounts to be appropriated by Congress. There has been compiled from the records of the Office of the Quartermaster General data showing amounts appropriated on regular estimates and on deficiency estimates covering five fiscal years, 1909 to 1913; the total appropriated and the amounts turned into the surplus fund of the Treasury at the end of each of the fiscal years referred to. This data has been tabulated and is here inserted in the hearings.

From an examination of this table it will be found, Mr. Chairman, that from the fiscal year 1909 up to and including the fiscal year 1913, five years, there have been turned into the surplus fund of the Treasury from the six appropriations enumerated in the proviso during that period amounts of money that average $1,665,921.38 a year. That is to say, there was appropriated for 1909, under the appropriation "Subsistence of Army," $7,673,471.45; "Regular supplies," $9,300,000; "Incidental expenses," $2,275,000; "Army transportation," $11,646,317.46; "Water and sewers," $2,711,275; "Clothing and equipage," $7,000,000; making a total of $40,606,063.91.

Now, of that total amount there was turned into the surplus fund of the Treasury $1,950,288.30 not having been expended, as it was not required. It will be noted that that amount is about 4.8 per cent of the total amount appropriated under the appropriations referred to.

The same is true for the fiscal years 1910, 1911, and 1912. In 1913 the amount turned in was not so large a percentage; but, as stated before, the average that has been turned in each year was $1,665,921.38, or about 4.1 per cent of the total of the amounts appropriated.

The total appropriated during these five years was $198,661,238.31, or an average of $39,732,249.66 per year.

After a careful study of this subject I believe that if the appropriations I have enumerated were disbursed as a single appropriation, just as is done for the appropriation "Pay of the Army," that the amounts included in the estimate for 1916 under each of the appropriations included in the proviso could be reduced by amounts, respectively, the total of which will approximate $800,000.

Mr. FOSTER. As I understand, this is for the purchase of supplies that are held in store and then withdrawn and issued, and in buying for all the different purposes they make a saving.

Mr. HAY. Yes; they can do it without creating a deficiency in any one department.

Mr. FOSTER. So that when the item is taken out of the stores it is charged up to that particular department?

Mr. HAY. Yes; it is.

Mr. FOSTER. Mr. Chairman, I withdraw the point of order.

Mr. MANN. Mr. Chairman, on page 39, line 17, the word "should" ought to be stricken out and the word "shall" inserted. I think the gentleman will see that the proposition submitted by the War Department is grammatically incorrect.

Mr. HAY. That is true.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 39, line 17, strike out the word "should" and insert the word "shall."

The amendment was agreed to.

The CHAIRMAN. The pro forma amendment is withdrawn, and the Clerk will read.

The Clerk read as follows:

Claims for damages to and loss of private property: For settlement of claims for damages to and loss of private property belonging to citizens of the United States, Hawaii, and the Philippine Islands, $2,928.86.

Mr. MANN. Mr. Chairman, I move to strike out the last word. What is a citizen of Hawaii?

Mr. HAY. Well, Mr. Chairman, I suppose he is a citizen of the United States; he is a citizen of the Territory of Hawaii.

Mr. KAHN. As I recall, under the organic act creating the Territory, the citizens of this island were declared to be citizens of Hawaii.

Mr. MANN. No; they are citizens of the United States, and they were so declared to be. However, if they want to differentiate themselves, all right. This would not include the citizens of Porto Rico; they are not citizens of the United States, but the Hawaiians are.

Mr. KAHN. The citizens of Porto Rico have filed no claims for damages.

Mr. MANN. These are claims over which the committee had no jurisdiction, but I did not make the point of order.

Mr. KAHN. These are very small damages, in most cases not over three or four dollars.

Mr. HAY. Mainly damages which occurred in target practice.

The Clerk read as follows:

MEDICAL DEPARTMENT.

Medical and hospital department: For the purchase of medical and hospital supplies, including motor ambulances, their maintenance, repair, and operation, and disinfectants, and the exchange of typewriting machines for military posts, camps, hospitals, hospital ships, and transports; for expenses of medical supply depots; for medical care and treatment not otherwise provided for, including care and subsistence in private hospitals, of officers, enlisted men, and civilian employees of the Army, of applicants for enlistment, and of prisoners of war and other persons in military custody or confinement, when entitled thereto by law, regulation, or contract: *Provided*, That this shall not apply to officers and enlisted men who are treated in private hospitals or by civilian physicians while on furlough; for the proper care and treatment of epidemic and contagious diseases in the Army or at military posts or stations, including measures to prevent the spread thereof, and the payment of reasonable damages not otherwise provided for, for bedding and clothing injured or destroyed in such prevention; for the pay of male and female nurses, not including the Nurse Corps (female), and of cooks and other civilians employed for the proper care of sick officers and soldiers, under such regulations fixing their number, qualifications, assignment, pay, and allowances as shall have been or shall be prescribed by the Secretary of War; for the pay of civilian physicians employed to examine physically applicants for enlistment and enlisted men, and to render other professional services from time to time under proper authority; for the pay of other employees of the Medical Department; for the payment of express companies and local transfers employed directly by the Medical Department for the transportation of medical and hospital supplies, including bidders' samples and water for analysis; for supplies for use in teaching the art of cooking to the Hospital Corps; for the supply of the Army and Navy Hospital at Hot Springs, Ark.; for advertising, laundry, and all other necessary miscellaneous expenses of the Medical Department: *Provided*, That hereafter, with the approval of the Secretary of War and at rates of charge of not less than the contract prices paid therefor plus 25 per cent to cover the cost of purchase, inspection, etc., the Medical Department of the Army may sell for cash to the American National Red Cross or to any surveying or exploring party organized or conducted under the auspices or direction of any State or municipal government, or of any college or society incorporated, established, or instituted for the acquisition of knowledge or the dissemination of learning, in the United States or their insular possessions or dependencies, such medical supplies and equipments as can be spared without detriment to the military service: *Provided further*, That hereafter in the settlement of accounts between the appropriations of the Medical Department and those of any other branch of the Army service, or any bureau or office of the War Department, or any other executive department or establishment of the Government, payment thereof may be made by the proper disbursing officer of the Medical Department or of the branch of the Army service, office, bureau, department, or establishment concerned, $750,000.

Mr. MANN. Mr. Chairman, I reserve a point of order on the paragraph. I would like to ask about the proviso beginning at the bottom of page 43. What is the reason for putting in this provision authorizing the medical supplies to be sold to anybody who seeks to call himself "a society for the acquisition of knowledge or the dissemination of learning"?

Mr. HAY. The explanation given by the Surgeon General is that it would be useful to an organization like the Red Cross. That is what brought the question up primarily.

The Yale University applied for the convenience of purchasing a unit from us. They said that in this way they could change the stock and help them to keep it up to date.

Mr. MANN. It is plain that it would have no effect on the change of stock unless they sold large amounts. Is it desirable to have the Government go into the business of buying and selling medical supplies in large amounts? I suppose the medical supplies are delivered here.

Mr. HAY. They have different places to deliver them—one here, one in Chicago, one at San Francisco.

Mr. MANN. They would sell those in South America and Alaska and China, where the Red Cross is operating, where any of these societies chose to go, and the Government would pay the cost of transportation, because all they can charge is 25 per cent over the contract price.

Mr. HAY. I only know that the committee was governed by the apparent good reason given by the Surgeon General. In the hearings he says:

I recommend the enactment of the proviso appearing in the text of the estimates authorizing sales of Army medical equipments to the Red Cross and to exploring or surveying expeditions conducted under State or private auspices. Under existing law such sales can not legally be made; but it seems entirely proper that they should be authorized in view of the benefits inuring to the general public from the operations of the Red Cross and the expeditions referred to. The fieldwork of these enterprises calls for medical outfits of established standards and compact form especially designed for easy transportation under adverse conditions. The Medical Department has established standards for such outfits, and procures them in considerable lots for military use. They are not kept in stock in the regular commercial markets; to make and assemble them requires months; dealers would scarcely be willing to make two or three of them at a time, and practically, therefore, they are procurable by the Red Cross and the surveys only from the Medical Department. The Medical Department could readily furnish a few outfits now and then, if authorized so to do, without any embarrassment whatever under ordinary circumstances, as the proceeds of the sales would become immediately available under the law of June 12, 1906 (34 Stat., 256), to procure new supplies.

Mr. MANN. What class of supplies is the gentleman referring to?

Mr. HAY. To the outfits carried on expeditions in the operations of the Red Cross.

Mr. MANN. I should say that it was much easier to get outfits to go on expeditions from private concerns, which might have them for that particular purpose, than to get them from the Medical Department of the Army.

Mr. HAY. The Medical Department of the Army keeps them on hand.

Mr. MANN. Mountain-climbing supplies, or something of that sort?

Mr. HAY. Oh, no; not mountain-climbing supplies, but supplies used in the medical department for medicinal purposes—not alpenstocks or anything of that sort.

Mr. MANN. I can not understand why the medical department should need medical supplies for the Army which nobody needs in private life.

Mr. HAY. I will say to the gentleman that it seemed to us a good reason was given why these people should be allowed to dispose of these supplies. Of course the proviso is subject to a point of order.

Mr. MANN. Of course we have had a tender solicitude for the Red Cross. I do not know that I should object to that, but when you undertake to say that the Government shall sell supplies to anybody who calls himself an exploring or surveying party organized or conducted under the auspices of a State or municipal Government, or a colloge or a society incorporated, established, or instituted for the acquisition of knowledge, I think we open the door too wide. Anyone can get into that category.

Mr. HAY. That is true.

Mr. KAHN. Mr. Chairman, will the gentleman yield?

Mr. MANN. Certainly.

Mr. KAHN. As I understand it, the medical department has regular chests containing various supplies that are used by the Army. Say, for instance, in the Philippine Islands a party is out reconnoitering and men are injured. The chest is so prepared and equipped that those men can be taken care of immediately. As I understand it, Yale University has been fitting out an expedition under Prof. Bingham to make discoveries in Peru, in some of the old villages of the Incas, and it was the purpose of the department by this provision to furnish these expeditions with their medical supplies, provided, of course, Congress would give the department the permission to do it. The supplies the medical department of the Army has would probably better suit an expedition of that kind than supplies purchased at random in any shop, and for that reason the department wanted the authority to sell to institutions of learning of that kind that fit out such expeditions.

Mr. MANN. Mr. Chairman, I have no doubt that these people would like to buy from the Government more cheaply than they can buy some place else, and there may be many cases where it ought to be done. It is easy to pass a law based on some good cause, but what limitation is there here? To permit the purchase of whatever medical supplies could be bought more cheaply under this provision than they can in the open market—and doubtless there are many medical supplies where the profit between the manufacturers and the consumer is more than 25 per cent—would throw it open to have the Government go into that business. Of course, they say they do not want to; but what is the use of enacting legislation to permit them to do it just because there is some case where it might be desirable to do it.

I would like to buy my boots and shoes from the Government; I would like to buy my clothing and my coal from the Government. If I were living in a house and keeping house and could get the same facilities furnished me that the Army officers can, I could buy coal much more cheaply than I could otherwise, and I could buy clothing much more cheaply; but, after all, the Government does not undertake to run all of these things. I make the point of order against the proviso beginning at the bottom of page 43 and running down to and including a part of line 12 on page 44.

Mr. HAY. Mr. Chairman, it is subject to a point of order.

The CHAIRMAN. The Chair sustains the point of order.

The Clerk read as follows:

For the library of the Surgeon General's office, including the purchase of necessary books of reference and periodicals, $10,000.

Mr. HUMPHREYS of Mississippi. Mr. Chairman, I would like to ask the chairman of the committee if the committee has given any thought to the suggestion that the name of that library in the Surgeon General's office should be changed?

Mr. HAY. It did not.

Mr. HUMPHREYS of Mississippi. The suggestion was made to the gentleman, I think he will recall.

Mr. HAY. The suggestion was made last year that it should be transferred to the Library of Congress, but that was done by amendment of the Senate. The question was looked into, and the Senate receded.

Mr. HUMPHREYS of Mississippi. Of course everyone who has thought about the matter knows that the Senate made a very grievous error in ordering the transfer. The suggestion was made by distinguished medical men in the United States in civil life that the name of the library in the Surgeon General's office should be changed, because it is not a title that gives any correct idea of the real importance and dignity of that great library. My information is from very distinguished men in the medical profession that this is the greatest medical library on the face of the earth. There is nothing in the world to equal it.

Mr. HAY. That is true.

Mr. HUMPHREYS of Mississippi. And the suggestion has been made that it ought not to be called the library of the Surgeon General's office, but should be called by some other name, such as the National Medical Library, or something of that sort, in order that many who do not appreciate its real significance and its real value may get an accurate idea of its importance and character.

Mr. HAY. Mr. Chairman, I would be very glad to consider some name if it were suggested, and I think the committee will be very glad to take that up next year.

Mr. HUMPHREYS of Mississippi. It ocurs to me that it is very well worth while. I withdraw the pro forma amendment.

The Clerk read as follows:

Ordnance stores—ammunition: Manufacture of ammunition for small arms for reserve supply, ammunition for burials at the National Soldiers' Home in Washington, D. C., ammunition for firing the morning and evening gun at military posts prescribed by General Orders No. 70, headquarters of the Army, dated July 23, 1867, and at National Home for Disabled Volunteer Soldiers and its several branches, including National Soldiers' Home in Washington, D. C., and soldiers' and sailors' State homes: *Provided*, That not more than $5,000 of this appropriation may be used in the purchase of ammunition, $100,000.

Mr. GARDNER. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Page 49, line 10, strike out "$100,000" and insert "$3,000,000."

Mr. GARDNER. Mr. Chairman, according to the ideas of the chairman of this committee, as submitted in his table, we have on hand already sufficient reserve rifle ammunition. He said yesterday:

I ask unanimous consent to print a table furnished me by the War Department which corrects a certain error.

I said to him that his table was not the War Department's estimate at all, but the estimate of Gen. Crozier. The fact is

that the War Department's estimate is that we need 513,430,640 rounds of reserve ammunition instead of 196,000,000, as stated by the gentleman. Now, when the chairman said that, yesterday, I went down to the War Department and in person presented a letter of inquiry. Here is the answer from the Secretary of War, under date of January 21, 1915:

JANUARY 21, 1915.

MY DEAR SIR: In a letter of even date you ask me whether "a table published in a newspaper article by Hon. JAMES HAY on Sunday, January 10, and subsequently published in the CONGRESSIONAL RECORD," was furnished by the War Department and is official. In answer thereto I beg to advise you that the said table was not furnished by the War Department and is not official.

I have been informed by the Chief of Ordnance that Mr. HAY requested him to furnish him with some information, that he came to me and secured my consent to his furnishing Mr. HAY with certain information, and he did so. The information gathered by Gen. Crozier and furnished Mr. HAY was not submitted to me, and I did not, therefore, officially pass thereon, nor did anyone else in authority in the department outside of the Chief of Ordnance.

Sincerely, yours,

LINDLEY M. GARRISON,
Secretary of War.

Now, what are the facts? I wrote letters on the 11th, 12th, and 16th instant to the War Department to find out what the figures as to artillery and ammunition in the plan of the General Staff actually are. I asked to know whether they corresponded with the figures published by the chairman of this committee. Here are two of the questions I asked in my letter of January 16 with regard to Chairman HAY's table:

Does the figure given as to rifle ammunition correspond with the estimates of the General Staff contained in the "Tables of Organization" submitted February 25, 1914?

This document which I hold in my hand is the War Department compilation, entitled "Tables of Organization." It was approved by order of the Secretary of War February 25, 1914. Here is another question which I asked:

According to the "Tables of Organization" above cited, what number of rifles would be required for a field army of 460,000 men and 50,000 Coast Artillery troops, and how much ammunition per rifle ought we to have?

Remember that the estimate published by Chairman HAY was for a field army of 460,000 mobile troops and 50,000 coast artillerymen. According to his table, all the rifle ammunition which we need to accumulate for this army is 196,000,000 rounds. Counting what is being manufactured, we have a good deal more than that amount already on hand. In fact, on hand or being made we have 241,000,000 rounds.

Here is the War Department's answer to my first question:

The ammunition required by this force to begin war, calculated on the basis of table 2, page 7, "Tables of Organization," would be 513,430,640 rounds of rifle ball cartridges.

In other words, Mr. Chairman, we need 270,000,000 more rounds of rifle ammunition than we have provided for, instead of being ahead of the game. Mind you, this figure does not count the ammunition needed for the coast artillerymen if they are used as infantry.

The CHAIRMAN. The time of the gentleman has expired.

Mr. GARDNER. Mr. Chairman, I ask unanimous consent that I may proceed for five minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Massachusetts? [After a pause.] The Chair hears none.

Mr. GARDNER. That means, Mr. Chairman, that we are pretty nearly 300,000,000 cartridges short at the present time. Now, if the committee adopts my amendment for an appropriation of $3,000,000, we shall be able to pay for the manufacture of over 100,000,000 cartridges. At that rate it will take us less than three years to catch up to where we ought to be.

Mr. MOSS of West Virginia. Will the gentleman yield for a question?

Mr. GARDNER. Certainly.

Mr. MOSS of West Virginia. The gentleman's sole amendment is to substitute $3,000,000 for $100,000?

Mr. GARDNER. That is right.

Mr. MOSS of West Virginia. But in that same clause there is a provision that not more than $5,000 of this can be used for ammunition.

Mr. PARKER of New Jersey. For the purchase of ammunition.

Mr. GARDNER. For the purchase of ammunition; exactly.

Mr. MOSS of West Virginia. Will the gentleman please explain that provision?

Mr. GARDNER. It is inserted because Congress desires the Government to make its rifle ammunition in its own factories. My amendment does not interfere with that.

Mr. PARKER of New Jersey. Will the gentleman permit a question?

Mr. GARDNER. Certainly.

Mr. PARKER of New Jersey. Is it not true that up to about 1909 we were appropriating $1,200,000 a year for this reserve supply of ammunition, and if the deficiency from that sum were taken from the years since then that the gentleman's $3,000,000 would be less than the amount that would have been appropriated during that time?

Mr. GARDNER. I do not know. I think the gentleman was on the committee at that time.

Mr. PARKER of New Jersey. Not since then.

Mr. GARDNER. Here is the evidence that the chairman's table is wrong. The fact is, we are pretty nearly 300,000,000 rounds short. If you adopt that amendment which I have offered, you will have 100,000,000 more cartridges at the end of the next fiscal year and we shall catch up with the whole of it in less than three years. This bill as it stands practically puts an end to the accumulation of more rifle ammunition. That will substantially be the result if the bill becomes law in its present shape. In my opinion, Mr. Chairman, the committee acted under an entire misapprehension of the facts.

Mr. Chairman, I ask unanimous consent to print in the RECORD this entire correspondence with the Secretary of War without reading it.

The CHAIRMAN. The gentleman from Massachusetts asks unanimous consent to extend his remarks in the RECORD by inserting the matter indicated. Is there objection? [After a pause.] The Chair hears none.

The correspondence referred to is as follows:

CONGRESSMAN GARDNER TO SECRETARY GARRISON.

COMMITTEE ON WAYS AND MEANS,
HOUSE OF REPRESENTATIVES,
Washington, D. C., January 12, 1915.

Hon. L. M. GARRISON,
Secretary of War, Washington, D. C.

MY DEAR MR. SECRETARY: Will you be so kind as to give me the following material:

(1) A copy of the findings of the board convened under your instructions by an order issued December 16, 1914. The board to which I refer was convened for the purpose of considering possible changes in our coast defenses and their armament.

(2) A copy of the recommendations as to matériel for a mobile army of approximately 460,000 men, worked out by the General Staff and tentatively approved by the War Department.

(3) How much artillery ammunition did the General Staff recommend as the proper amount to be accumulated prior to the breaking out of a war and what was the size of the estimated army to be equipped?

(4) How much, if any, ammunition have we for our seacoast defenses besides the amounts mentioned on page 6 of the Report of the Chief of Staff United States Army, 1914? Do the figures of the Chief of Staff refer exclusively to "reserve" ammunition or is there a substantial amount of Coast Artillery ammunition on hand in the United States proper besides the "reserve"?

(5) I quote from Assistant Secretary Roosevelt's testimony before the Committee on Naval Affairs, page 978: "In the case of mines the Navy's opinion is that the Army has not gone far enough in the development of harbor mines." How many harbor mines have we?

(6) I again inquire whether it would be necessary to abandon the Crozier disappearing gun carriage in case it were desired to remount the 12-inch guns so as to secure a range of 20,000 yards?

Very respectfully,

A. P. GARDNER.

—

COMMITTEE ON WAYS AND MEANS,
HOUSE OF REPRESENTATIVES,
Washington, D. C., January 11, 1915.

Hon. L. M. GARRISON.

MY DEAR MR. SECRETARY: I append a table which appeared in yesterday's Sunday Star in an article written by Hon. JAMES HAY, chairman of the Committee on Military Affairs of the House of Representatives.

Memorandum of the state of preparation, in the principal items of fighting material, of the United States Army for entering upon a war that would require the equipment of an army of about 460,000 mobile troops and 50,000 Coast Artillery troops.

	On hand.	Additional provided for by appropriation	Total provided for.	Total in project.	Required to complete project.
Rifles	1,037,000	36,749	1,073,749	600,000	.....
Pistols and revolvers	145,579	31,271	176,850	172,378	97,020
Sabers	68,763	5,000	73,703	41,006	11,006
Ball cartridges, caliber .30, models of 1906 and 1898	196,000,000	45,000,000	241,000,000	196,000,000	.....
Pistol and revolver cartridges	31,196,227	11,500,000	42,696,227	31,942,600	.....
Personal equipments (sets)	476,161	27,839	504,000	504,000	.....
Horse equipments (sets)	55,122	3,200	58,322	94,349	39,227
Machine guns	1,236	66	1,302	1,033	331
Field batteries complete, 4 guns each	169	46	215	325	110
Ammunition trains	.....	3	3	63	60
Harness, wheel (sets)	2,808	527	3,335	7,500	4,165
Harness, lead (sets)	5,412	1,071	6,483	16,000	9,517
Ammunition for Field Artillery, rounds	177,800	402,200	580,000	1,137,000	557,000

I am anxious to know how this table compares with the plan prepared by the General Staff, to which reference has often been made in the hearings before the Committee on Military Affairs. I ask this information as to following items only: Cartridges, field batteries, Field Artillery ammunition.

Please inform me as to whether the plan of the General Staff was worked out before or after the breaking out of the European war.

If I can not have the whole of this information, I should like, at least, to have a part of it.

Very truly, yours, A. P. GARDNER.

—

WASHINGTON, D. C., *January 16, 1915.*

The honorable THE SECRETARY OF WAR.

MY DEAR MR. SECRETARY: I invite your attention to an article by Hon. JAMES HAY which appeared on January 10, 1915, in sundry newspapers.

In the course of this article Mr. HAY presents a table showing the state of preparation of the United States Army for entering upon a war. The fourth column of this table is headed "Total in project." It purports to give figures showing the amount of munitions of war requisite for the various items in the equipment of a field army of about 460,000 men and 50,000 Coast Artillery troops.

In find in column No. 4 that a supply of rifle cartridges to the extent of 196,000,000 is stated to be the total amount of rifle ammunition required in the project. Furthermore, in the same column I find that the ammunition required for Field Artillery is stated to be 1,137,000 rounds.

Would you be kind enough to answer the following questions?

1. Whose is this project, and when was it prepared?

2. Does the figure given as to rifle ammunition correspond with the estimates of the General Staff contained in the "Tables of organization" submitted February 25, 1914?

3. According to the "Tables of organization" above cited, what number of rifles would be required for a field army of 460,000 men and 50,000 Coast Artillery troops, and how much ammunition per rifle ought we to have?

4. Does the figure for ammunition for Field Artillery given above correspond with the figure given in the report of the so-called "Greble board" in 1911, and does it correspond to the figures in "Tables of organization" above cited?

If not, please state what the difference is.

Very respectfully, A. P. GARDNER.

—

SECRETARY GARRISON TO CONGRESSMAN GARDNER.

WAR DEPARTMENT,
Washington, January 21, 1915.

Hon. A. P. GARDNER,
House of Representatives.

MY DEAR SIR: In a letter of even date you ask me whether "a table published in a newspaper article by Hon. JAMES HAY, on Sunday, January 10, and subsequently published in the CONGRESSIONAL RECORD," was furnished by the War Department and is official. In answer thereto I beg to advise you that the said table was not furnished by the War Department and is not official.

I have been informed by the Chief of Ordnance that Mr. HAY requested him to furnish him with some information; that he came to me and secured my consent to his furnishing Mr. HAY with certain information, and he did so. The information gathered by Gen. Crozier and furnished Mr. HAY was not submitted to me, and I did not, therefore, officially pass thereon; nor did anyone else in authority in the department outside of the Chief of Ordnance.

Sincerely, yours,

LINDLEY M. GARRISON,
Secretary of War.

—

WAR DEPARTMENT,
Washington, January —, 1915.

Hon. AUGUSTUS P. GARDNER,
House of Representatives, Washington, D. C.

MY DEAR MR. GARDNER: In answer to the inquiries in your letters of the 11th, 12th, and 16th instant, you are informed:

Herewith is a copy of a list of supplies of all kinds necessary to place in the field a division at full war strength and maintain it in the field for one year, worked out by the General Staff shortly before January 6, 1911. On January 14, 1911, the secretary of the General Staff furnished chiefs of bureau copies of these recommendations that pertained to their respective departments, stating:

"The War College Division of the General Staff has prepared the following list of supplies—of each supply department—necessary to place in the field a division at full war strength and to maintain it in the field one year.

"The Chief of Staff desires you to revise this list with a view to showing the articles for one division which, in your opinion, should be stored in depots for distribution to the national forces on mobilization."

The Report on the Organization of the Land Forces of the United States, page 62, states:

"* * * It is estimated that at the outbreak of war with a first-class power we should be capable of mobilizing at once in the United States an effective force of 460,000 mobile troops and 42,000 Coast Artillery; * * *."

On August 10, 1912, the Secretary of War indorsed the Report on the Organization of the Land Forces of the United States as follows:

"The accompanying report of the General Staff on 'The Organization of the Land Forces of the United States' contains the broad outlines of a comprehensive military policy. The General Staff has been directed to proceed with a detailed study of the plan with a view of securing specific recommendations for the executive and legislative action necessary to carry the policy into effect. During the progress of this work comments and suggestions with the view of perfecting the policy are invited, and for this purpose the report is published for the consideration of the Army, the National Guard, and all others who are interested in the development of a sound military policy for the Nation."

From the attached list of supplies for one division—about 20,000 men—and the above-mentioned estimate in the published report on the organization of the land forces for 460,000 mobile troops—about 23 divisions—it is calculated that approximately twenty-three times the quantity of supplies given in the attached list for one division would be needed to put 460,000 mobile troops in the field.

On February 20, 1911, a board of officers, of which Lieut. Col. Edwin St. J. Greble, General Staff, was president, and Capt. Fox Conner, General Staff, was recorder, was appointed by order of the Secretary of war "to consider questions concerning the types of field guns and ammunition supply therefor." This board is referred to as the Greble Board. In the report of this board appear the following:

By the secretary of the General Staff, June 23, 1911:

"* * * The Secretary of War, having approved the accompanying report of the board of officers convened in Washington to consider questions concerning the types of field guns and ammunition supply therefor, directs that policy outlined in this report be adopted by the General Staff."

By the Acting Chief of Staff, July 14, 1911:

"The Secretary of War directs that the accompanying report of the board of officers on types of field guns and ammunition supply therefor be referred to the Chief of Ordnance, the Quartermaster General, and the Chief Signal Officer for notation, and then filed in The Adjutant General's Office."

The report of the Greble Board contains the following:

"On February 4, 1911, the Chief of Staff approved a memorandum to the effect that in case of war with a first-class power it would be necessary for the United States to raise at once a mobile force of approximately 450,000 men within the continental limits of the United States. * * * Recommended that the number of guns below be procured in time of peace; * * * total batteries, 323; * * * total guns, 1,292 * * *."

The total number of rounds of ammunition for these guns which, in different parts of the report, it is stated should be provided in peace is 1,713,240, and it is further stated in the report: "It is to be noted that the ammunition here provided for is simply that which should be on hand at the outbreak of war and is in no sense a complete supply for war."

The following is contained in the order publishing Tables of Organization, February 25, 1914:

"The following Tables of Organization, prepared by the General Staff of the Army, are approved and published for the information and government of the Regular Army and the Organized Militia of the United States. * * *"

It is calculated from table 2, pages 19 and 21; table 2–B, page 23; and tables 3–A, B, pages 31–39, inclusive, Tables of Organization, that about 460,000 mobile troops, organized on the basis outlined on page 63—report on the organization of the land forces—would need to begin war about 335,139 rifles, 166,814 pistols, and 820 machine guns. The ammunition required by this force to begin war, calculated on the basis of table 2, page 7, Tables of Organization, would be 513,430,640 rounds of rifle ball cartridges, and 37,597,952 rounds of pistol ball cartridges.

If 50,000 Coast Artillery troops were equipped as Infantry, with rifles and pistols and ammunition therefor, which is not provided for in Tables of Organization, they would, on the same basis of calculation, require about 47,649 rifles, 5,348 pistols, 64,802,640 rounds rifle ball cartridges, 1,347,696 rounds pistol ball cartridges.

According to table 2, page 7, Tables of Organization, at the beginning of war each rifle used by the Infantry requires 1,360 rounds of rifle ball cartridges, each rifle used by the Cavalry 1,080 rounds of rifle ball cartridges, each rifle used by Engineers 320 rounds, and each machine guns 85,600 rounds. According to this table, the ammunition for each class of troops is distributed as follows: One-fourth with organizations, one-fourth at or near advance depots, one-half at or near the base. According to table 2–B, page 7, Tables of Organization, Field Artillery ammunition is similarly distributed. The Tables of Organization are consistent with the recommendations of the Greble Board.

Arms and ammunition reported on hand Jan. 1, 1915.

Rifles, caliber .30, model 1898	349,098
Rifles, caliber .30, model 1903	703,976
United States magazine carbines, model 1898	34,374
Automatic pistols, caliber .45, model 1911	84,127
Revolvers, caliber .38	57,072
Revolvers, caliber .45	21,707
	Rounds.
Rifle ball cartridges, caliber .30, model 1906	208,077,396
Rifle ball cartridges, caliber .30, model 1898	36,112,813
Pistol ball cartridges, caliber .45	10,316,638
Revolver ball cartridges, caliber .38	8,918,192
Revolver ball cartridges, caliber .45	3,799,679

Field batteries:

20 batteries of 2.95-inch mountain guns (obsolescent).
1 battery of 3-inch mountain guns.
126 batteries of 3-inch guns.
2 batteries of 3.8-inch field guns.
2 batteries of 3.8-inch field howitzers.
9½ batteries of 4.7-inch field howitzers.
9½ batteries of 4.7-inch field guns.
8 batteries of 6-inch field howitzers.

Field artillery ammunition:

2.95-inch mountain gun (obsolescent), 51,800 rounds.
3-inch mountain howitzer, 3,798 rounds.
3-inch field gun, 170,431 rounds.
3.8-inch field gun, 1,582 rounds.
3.8-inch field howitzer, 10,240 rounds.
4.7-inch field gun, 10,563 rounds.
4.7-inch field howitzer, 15,075 rounds.
6-inch field howitzer, 12,408 rounds.

In the table of figures contained in the newspaper article to which you refer the column headed "Total in project" contains figures some of which are identical with those recommended by official boards. Others are those estimated by the Chief of Ordnance. The estimate for 196,000,000 ball cartridges, caliber .30, was made by the Chief of Ordnance. I understand that all the figures in the table referred to were transmitted by the Chief of Ordnance on October 21 last, in response to a request made direct to him.

The figures in this table do not correspond with those stated above. The difference between the 1,713,240 rounds of Field Artillery ammunition called for by the Greble Board and the 1,137,000 rounds appearing in the newspaper article you refer to is stated by the Chief of Ordnance to be a clerical error.

There are on hand a total of 5,071 mine cases. The total number of mines that can be planted with material now on hand is 3,725; the principal deficiencies in material which prevents the planting of the remaining mine cases is the shortage in cable.

Except for a small amount of target-practice ammunition, approximately sufficient for one year's expenditure by the regular service, there is no ammunition for our seacoast defenses besides the amount men-

tioned on page 6 of the Report of the Chief of Staff, 1914. The figures of the Chief of Staff refer exclusively to reserve ammunition. The target-practice ammunition referred to is not suitable for war purposes except in the preliminary training of troops.

In answer to your inquiry as to whether it would be necessary to abandon the Crozier disappearing gun carriage in case it were desired to remount the 12-inch gun so as to secure a range of 20,000 yards, the Chief of Ordnance states:

"In reference to the extreme ranges of 12-inch gun, firings made with the lighter weight projectile recently adopted indicate that a maximum range of 19,500 yards can be secured with the older model of 12-inch gun mounted on barbette carriages, and on those disappearing carriages, after contemplated alterations, for which an angle of depression below 5° is not required by the conditions of the site. For the latest type of 12-inch guns, of which there are 11 on hand or mounted in fortifications, a maximum range of approximately 22,000 yards can be secured under similar conditions of mounting."

The findings of the board appointed December 16, 1914, for the purpose of considering the question of coast defenses and their armament, are confidential in their nature. The copy requested is, therefore, not inclosed.

Very sincerely,

LINDLEY M. GARRISON,
Secretary of War.

List of supplies of all kinds necessary to place in the field a division at full war strength and maintain it in the field for one year, worked out by the General Staff shortly before January 6, 1911:

Articles.	Number necessary to place division in the field.	Per cent to be added to keep division in field for one year.	Remarks.
QUARTERMASTER'S DEPARTMENT.			
Ambulances, complete	48	10	Includes supplies except the medical.
Anvils	2	.....	
Aparejos	50	10	
Axes, with helves	1,028	25	
Bags, barrack	4,532	100	
Basins, canvas	488	100	
Batons	9	10	
Bedding roll, officers	750	100	
Belts, color, olive drab	20	50	
Blankets, woolen, light weight	19,854	100	
Blinds for pack mules	10	10	
Boilers, G. I., with lid	96	50	
Bolts, king	48	100	
Bolts and nuts, ambulance, sets	48	300	
Bolts and nuts, field wagon, sets.	717	300	
Brassards	978	300	
Breeches, service, mounted	4,764	300	
Breeches, service, foot	14,511	300	
Bridles, complete	80	40	
Brooms, corn, for use in mobilization camps	1,078	300	
Brooms, stable, for permanent camp	324	200	
Brushes, horse	767	40	
Brushes, scrub, for use in mobilization camps	767	300	
Buckets, canvas	488	100	
Buckets, G. I.	980	100	
Bugles and slings	249	40	
Cans, garbage, for use in permanent camp	1,168	100	
Caps, canvas, blanket lined	19,859	10	
Cases, color or standard	61	100	
Cases, farriers'	65	10	
Chairs, folding	750	25	
Chevrons, overcoat, pairs	4,772	100	
Chevrons for service uniform	4,772	200	
Clothing roll, officers	750	20	
Coats, service	19,283	100	
Colors, camp, with staff	139	50	
Colors or standards, silk, with staff, National and regimental sets	13	20	
Colors, National, service, with staff	35	20	
Cords, hat, for enlisted men	18,533	200	
Cots	19,854	20	
Covers, mule, blanket lined, for permanent camp	3,700	10	
Curry-combs	767	40	
Desks, field	211	10	But twice cubical space for 1 year's supply stationery contained therein.
Doubletrees, extra	701	100	
Drawers	57,849	200	
Flags, red, bunting, and staff	192	50	
Flags, Red Cross, with 50-foot halliards.	4	50	
Flags, post, with halliards	5	50	
Flags, storm, with 50-foot halliards.	21	50	
Forge, field, complete, Quartermaster Department.	2	10	
Forks, stable, for use in mobilization camp.	368	25	
Gauntlets, leather, pairs	4,764	300	
Globes, lantern	1,154	400	
Gloves, white, wool	19,854	100	
QUARTERMASTER'S DEPARTMENT—continued.			
Grain, for horses and mules, pounds.	88,162	.....	Amount shown is 1 day's allowance.
Grates, fire, iron	96	25	
Grease, axle, cases	1,530	600	
Guidons, ambulance, on lance staff.	84	50	
Guidons, service, and staff	30	100	
Guidons, silk, and staff	30	50	
Grindstones and fixtures, for permanent camp.	14	10	
Halters, with straps	3,701	50	
Hames, extra	1,502	100	
Handcuffs	92	10	
Harness, wheel and lead, sets, double, ambulance, 779 each.	1,558	20	
Hatchets, with helves, for ambulance.	48	50	
Hatchets, with helves, for use in permanent camp.	1,880	25	
Hats, service	19,283	150	
Hay, for public animals, pounds.	11,579	.....	Amount shown is 1 day's supply.
Helves, ax	166	200	
Horses, draft	1,400	100	
Horses, riding	3,171	100	
Incinerators, seats required, sink equipment, for use in permanent camp	1,590	10	
Instruments, band, sets	12	10	
Jacks, wagon	36	10	
Kettles, camp	8	10	
Kit bags, surplus	1,411	10	
Lampblack, permanent camp	52	200	
Lamps, ambulance	96	20	
Lanterns, combination	1,493	50	
Lanterns, green and white, ambulance	96	20	
Lanterns, for field wagon	703	20	
Lanterns, red, for ammunition wagons	192	25	
Leggings, canvas	15,093	200	
Leggings, russet leather	4,190	200	
Lime, sink equipment, for permanent camp, barrels	21⅛	600	
Links, open	2,157	400	
Lumber, 12" x 1" x 18' b. m., for permanent camp, feet	27,000	100	
Marking pots and brushes, permanent camp	52	20	
Marking stamps, for permanent camp	201	10	
Mosquito bars, for permanent camp	19,858	100	
Mosquito head nets	19,858	100	
Mules, pack, riding and draft	3,700	100	
Nails, 6d, for permanent camp, pounds	400	100	
Nails, 10d, for permanent camp, pounds	1,320	100	
Nails, horseshoe, pounds	6,659	1,000	
Nuts, axle, extra, for field wagons.	1,406	100	
Nuts, axle, extra, for ambulance.	96	100	
Ordorless excavators, sink equipment, for use in permanent camp.	13	10	
Oil, mineral, gallons per day, on field service and permanent camp.	144 1/12	.....	Allowance for 1 day.
Oil, neatsfoot, gallons	389½	1,200	
Ornaments, collar, sets	18,533	300	
Overcoats	19,283	5	
Overshoes, arctic	19,283	5	
Pads, saddle	80	40	
Pannier, veterinary	37	40	
Pans, mess	8	50	
Paulins, including permanent camp.	38	20	
Pickaxes	735	50	
Poles, extra, ambulance and field wagon.	729	200	
Ponchos	15,012	25	
Pouches, music, olive drab	336	20	
Pump and tank, excreta, for use in camp.	13	10	
Rakes, steel for permanent camp.	715	50	
Reach, extra, field wagon	703	100	
Rope, one-half inch, in lengths of 150 feet.	703	150	
Saddles, riding, complete, quartermaster.	80	10	
Scoops, sink equipment, permanent camp.	229	10	
Shirts, olive drab	19,283	200	
Shirts, under	57,849	150	
Shoes, horse	25,426	1,000	
Shoes, mule	29,200	1,000	
Shoes, russet leather	38,566	200	
Shovels, long handle	29	100	

Articles.	Number necessary to place division in the field.	Per cent to be added to keep division in field for one year.	Remarks.
QUARTERMASTER'S DEPARTMENT—continued.			
Singletrees, extra	1,402	100	
Slickers	4,834	20	
Slings, color olive drab	20	50	
Soap, harness, pounds	3,116	500	
Spades	968	100	
Sponges	719	200	
Sterilizer, Forbs	187	200	
Stockings	77,132	200	
Stoves, tent	3,475	10	
Stovepipe, lengths	24,325	25	
Straps, hame, extra	2,253	200	
Straw for animals, pounds	27,572	.....	One day's supply.
Strings, hame, extra	2,109	200	
Tag, identification	19,854	25	
Tacks, water	96	10	
Tape for identification tags, lengths.	19,854	300	
Tape, measuring, steel	36	10	
Tents, common, with poles and pins, for use in permanent camp.	173	100	
Tents, storage, with poles and pins, for permanent camp.	2,589	100	
Tents. conical wall, complete, with poles and pins, for permanent camp.	2,589	100	
Tents, hospital, with poles and pins, complete.	165	100	Pins, 200.
Tents, hospital, with poles and pins, complete, for permanent camp.	199	100	Pins, 300.
Tents, shelter halves, with poles and pins, complete.	20,604	200	
Tents, wall, complete, with poles, complete.	417	100	Pins, 200.
Tents, wall, complete, with poles and pins, for permanent camp.	748	100	
Tools, blacksmiths' and farriers', sets.	37	10	For contents, see paragraph 927, Manual Quartermaster's Department, 1904.
Tools, saddlers', sets, Quartermaster's Department.	37	10	For contents, see paragraph 529, Manual Quartermaster's Department, 1904.
Tools, wheelwrights', and carpenters', sets.	27	10	For contents, see paragraph 728, Manual Quartermaster's Department.
Troughs for sink equipment, permanent camp.	496	10	
Trumpets, with trumpet cords and tassels.	60	40	
Twine, balls	753	600	
Typewriting machines	52	10	
Veterinary supplies, Quartermaster's Department.	[1] 8,271	300	A sufficient supply of medicines to last the number of animals noted for 3 months, and the necessary instruments, dressings, etc.
Wagons, field, complete	701	20	
Wagons, spring	4	20	
Whips, complete	767	100	
Whistles, with chain	1,587	20	
Wicks, lantern	490	600	
Wicks, lantern, for permanent camp.	1,003	600	
Wood, cords, for one day camp.	116.30	.....	1 day's supply.
Wrenches, wagon	705	20	
Wrenches, monkey	48	25	
SUBSISTENCE DEPARTMENT.			
Blocks, meat, permanent camp.	17	10	
Brushes, tooth	19,854	100	
Chests, commissary, and their equipment of tools, etc.	17	10	
Combs, hair	19,859	100	
Desks, field	17	10	But twice cubical space for 1 year's supply stationery contained therein.
Housewives	7,161	10	
Kits, war, blank	9	10	
Ranges, field, No. 1	185	25	
Ranges, field, No. 2	70	50	
Rations	19,854	.....	For 1 day.
Safes, field	17	10	
Scales, platform, folding	17	10	
Soap, toilet.....cakes	19,854	1,200	
Tobacco, chewing....pounds	312.39	.....	1 day's supply.
Tobacco, smoking.....do	1,230.87	.....	Do.
Towels	19,854	600	
Wagons, bakery, complete	14	20	
ORDNANCE DEPARTMENT.			
Ammunition, revolver, caliber .45, rounds.	347,960	200	
Ammunition, rifle, caliber .30, rounds.	5,386,950	400	
Axes, hand, with carrier	678	25	
Bags, nose	4,571	100	
Bags, saddle.....pairs	3,859	40	
Battery wagons for 3-inch Field Artillery, with spare parts, accessories and tools.	12	.....	Pages 124, 128, 129, and 132, Handbook 3-inch Field Artillery material, 1908.
Bayonets	12,171	25	
Belts, cartridge, rifle, mounted, caliber .30.	2,029	50	
Belts and fasteners, revolver, cartridge, caliber .45.	3,070	50	
Belts, cartridge, rifle, caliber .30.	12,148	50	
Belts, rifle cartridge, caliber .30, with fasteners and loop for saber attachment.	1,042	50	
Belts, waist	877	20	
Blankets, saddle	4,469	40	
Bolos and scabbards	1,715	50	
Boxes, bacon	129	20	
Boxes, condiment	129	20	
Bridles, complete	3,069	40	
Bridles, watering	3,322	40	
Brushes, horse	3,769	40	
Caissons, field, 3-inch, complete, including spare parts and accessories.	144	.....	Pages 124, 127, and 128, Handbook, 3-inch Field Artillery material, 1908.
Cans, bacon	14,508	200	
Cans, condiment	14,508	200	
Cans, meat	19,854	150	
Canteens	19,283	100	
Canteen covers, Infantry	13,907	100	
Canteen covers, Infantry, mounted.	601	100	
Carriers, pack	13,868	40	
Carts, reel, complete	6	.....	
Chests, artificers, complete	129	10	
Cleaning and preserving material, sets, Infantry, Cavalry, etc.	26	100	Page 630, Ordnance Supply Manual, 1904.
Cleaning and preserving material sets, Artillery.	12	100	Page 134, Handbook, 3-inch Field Artillery Material, 1908.
Cloths, saddle, service	420	20	
Covers, horse, for permanent camp.	4,571	10	
Cups, tin	19,854	150	
Currycombs	3,769	40	
Die, steel, for stamping identification tags.	181	10	
Dispatch cases	149	10	
Forges, portable, complete, Ordnance Department.	22	10	
Forks	19,854	150	
Guns, 3-inch field, and carriage, including spare parts and accessories.	48	.....	Pp. 124 to 126, Handbook 3-inch Field Artillery Manual, 1908.
Gun slings	13,571	50	
Halters with straps	4,570	50	
Harness, Artillery, lead, sets, double, with spare parts.	458	25	
Harness, Artillery, wheel, sets, double, with spare parts.	242	25	
Haversacks	15,431	150	
Holsters, revolver, caliber .45	6,317	40	
Knapsacks, Artillery	2,252	10	
Knives	19,854	150	
Knife and scabbard, Hospital Corps.	877	10	
Knots, saber	1,795	40	
Lanyards, revolver	2,063	25	
Lariats	2,412	40	
Limber, forge, 3-inch, Field Artillery, with spare parts, accessories, and tools.	12	.....	For contents and articles, see pp. 124, 128, and 133, Handbook 3-inch Field Artillery Material, 1908.
Limber, store wagon, for 3-inch Field Artillery, with spare parts, accessories, and miscellaneous equipment.	12	.....	See pp. 124, 128, 129, 130, and 131, Handbook 3-inch Field Artillery Material, 1908.
Limbers, for 3-inch field gun and caisson, with spare parts and accessories.	192	.....	See pp. 124 and 127, Handbook 3-inch Field Artillery Material, 1908.
Links	2,828	40	
Machine guns, Maxim automatic, with tripod.	60	40	
Outfit, marking	129	10	
Outfit, stencil	129	10	
Pack outfits, machine gun, complete, sets.	10	40	
Pick mattock, intrenching, with carriers.	1,326	25	
Pins, picket	2,412	40	
Plotters, Field Artillery	6	20	
Pouch, for first aid packet	19,283	25	
Range finder, Weldon, and 60-foot tape	134	10	

[1] Animals.

Articles.	Number necessary to place division in the field.	Per cent to be added to keep division in field for one year.	Remarks.
ORDNANCE DEPARTMENT—continued.			
Revolvers, caliber .45	6,317	50	
Rifles, caliber .30	13,571	50	
Rod, cleaning, and case	1,640	40	
Sabers and scabbards, enlisted men	1,063	40	
Sabers and scabbards, officers	732	20	
Saddles, complete, Ordnance	3,069	40	
Saddlers' material, sets, Artillery	12	100	Page 135, Handbook Field Artillery Material, 1908.
Saddlers' material, sets, Infantry, Cavalry, etc.	26	100	Page 631, Ordnance Supply Manual, 1904.
Scabbards, bayonet	12,171	40	
Scabbards, rifle	1,545	25	
Shell, steel, rds., 3-inch Field Artillery	5,568	400	
Shovels, intrenching, with carriers	3,978	25	
Shrapnel, rds., 3-inch	16,604	400	
Spoons	19,854	150	
Spurs, with straps, pairs, enlisted men	3,451	100	
Spurs, with straps, pairs, officers	420	100	
Stirrup, with socket for guidon	50	10	
Store wagon for 3-inch Field Artillery, with spare parts, accessories, and miscellaneous equipment	12	.....	See pages 124, 128, 129, 130, and 131, Handbook 3-inch Field Artillery Material, 1908.
Straps, canteen, mounted	3,249	200	
Straps, canteen, haversack	3,086	50	
Straps, lariat	1,795	40	
Straps, saber	3,590	100	
Surcingles	4,469	40	
Suspenders, rifle cartridge, belt, pairs	1,218	100	
Tape, measuring, steel	108	10	
Tool kit, complete, for repair caliber .30 rifle	15	10	For contents, see G. O. 89, War Department, 1906.
Tools, saddlers, sets, Ordnance Department	.....	.....	For contents, see page 630, Ordnance Supply Manual, 1904.
Wads, 3-inch field artillery	3,600	100	
Wagons, reel cart	6	10	
Wire cutters, intrenching, with carrier	1,674	20	
ENGINEER CORPS.			
Blinds for pack mules	3	10	
Compasses, watch	750	20	
Equipment, Engineer company, engineer supplies, sets	3	.....	See G. O. 13, Engineer Corps, 1909. About twice the bulk will be required for one year's supply.
Reconnaissance instruments, sets	156	(1)	Paper, etc., 200 per cent; instruments, 20 per cent. See G. O. 73, War Department, 1907, and G. O. 113, War Department, 1906, for contents of set.
Saddles, pack, complete, Engineer	18	20	
Wagons, map	1	10	
Wagons, tool	9	10	
SIGNAL CORPS.			
Blanks, field message, blocks	682	60	
Envelopes, field message	13,640	600	
Equipment, Battery Field Artillery, for fire control, sets	12	20	See G. O. 150, War Department, 1910.
Equipment, battalion, Field Artillery, for fire control sets	4	20	See G. O. 150, War Department, 1910.
Equipment, regimental, Field Artillery, for fire control, sets	2	20	See G. O. 150, War Department, 1910.
Glasses, field	903	10	
Kits, flag, 2 feet	260	20	
Signal Corps property, equipment for 1 battalion of 2 companies	.....	.....	See pages 34 and 32, Field Service Regulations, and Circular 6, 1910, Office Chief Signal Officer.
Wagons, instrument	2	10	
Wagons, wire cart	8	10	
MEDICAL DEPARTMENT.			
Ambulance companies, medical supplies of	4	(1)	See par. 594, Tables 1 and 2, sub. pars. (a), Manual Medical Department, 1906. Expendable articles, printed in Roman letters, 300 per cent; unexpendable articles, printed in italics, 20 per cent.
Blinds for pack mules	16	10	
Dressings, surgical, for ambulance, boxes of	48	1,200	
Field hospitals	4	(1)	For capacity of chests carrying medicines for 1 field hospital see par. 630, Medical Manual, 1906. Pars. 584, 585, 586, 587, 588, and 589 in column 1 show property and stores other than medicines. Those in italics should be increased 20 per cent, those in Roman letters 1,200 per cent for 1 year. All above are packed on 8 field wagons. The amount should be multiplied by 4 for the 4 field hospitals packed on 32 field wagons.
Litters, hand, with slings	147	25	
Litters, with slings, for ambulances	192	25	Carried in ambulance.
Packets, first aid	19,854	150	
Regimental infirmary, medical supplies and property, sets	12	(1)	For medical supplies, etc., see par. 593, Manual Medical Department, 1906; under headings (a) and (b) find paragraphs giving contents of chests. Articles in italics 20 per cent, in roman letters 300 per cent.
Reserve, medical	1	(1)	For medical property and supplies see par. 596, Manual Medical Department, 1906. For articles in roman letters 1,200 per cent, for those in italics 20 per cent.
Saddles, pack, complete, medical	28	20	
Stores, hospital, for ambulance, boxes of	48	1,200	Par. 598, Manual Medical Department, 1906.
Travois	16	20	

[1] See Remarks.

Mr. HAY. Mr. Chairman, I call for a vote.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts.

The question was taken, and the Chairman announced the noes appeared to have it.

Mr. GARDNER. Mr. Chariman, I ask for a division.

The committee divided; and there were—ayes 17, noes 55.

So the amendment was rejected.

Mr. GUERNSEY. Mr. Chairman, I am decidedly in favor at this time of strengthening the Army and Navy and in favor of the amendments to that end such as have been offered to the Army bill now being considered. I can scarcely understand how at this time any man on the Atlantic seaboard should oppose strengthening these branches of the Government, particularly the Members from New England.

It is our duty to pass legislation now that will strengthen the Navy, strengthen the coast defenses, and strengthen the Army.

It takes time to carry out such legislation, so we should act at once. There is no necessity of becoming alarmed; but the suddenness with which war came in Europe last August should be a warning. Let us be prepared to defend ourselves if the occasion arises.

And as a Member from the State of Maine, I fear that the administration's policy in regard to Government-owned ships may lead us into difficulties with England, with whom we may have to deal on account of it before the close of this European war, as the proposed shipping legislation and our policy in purchasing foreign ships may cause England to believe she is being embarrassed in her struggle for existence. If England turns her attention toward us, I want the Army and the Navy and the coast defenses in the East strong enough to make her stop and think twice, as her plan might be to seize the harbor and the city of Portland in order to secure control of the terminus of the Canadian Grand Trunk Railway and the control of that line to Canada, an act that would set Maine off into Canada overnight, make New England the seat of war, and life and property there worth no more than it is to-day in Belgium.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn.

There was no objection.

The Clerk read as follows:

Small-arms target practice: For manufacture of ammunition, targets, and other accessories for small-arms and machine-gun target practice and

instruction; marksmen's medals, prize arms, and insignia for all arms of the service; and ammunition, targets, target materials, and other accessories may be issued for small-arms target practice and instruction at the educational institutions and State soldiers' and sailors' orphans' homes to which issues of small arms are lawfully made, under such regulations as the Secretary of War may prescribe, provided the total value of the stores so issued to the educational institutions and homes does not exceed $30,000, $800,000.

Mr. HAY. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Virginia offers an amendment, which the Clerk will report.

The Clerk read as follows:

Insert at the end of line 22, page 49, the following:

"*Provided*, That no more than $30,000 of this appropriation may be used for the purchase of articles not manufactured by the Government and necessary for small-arms target practice."

Mr. HAY. Mr. Chairman, that amount is made up of 12,000,000 gallery-practice cartridges, at $1.60 per thousand, $19,200; 15,000 score books, various models, at 20 cents each, $3,000; Aiken targets, target spotters, recording rifle rod outfits, sand glasses, time-interval recorders, and so forth, $2,800; unforeseen expenditures, $5,000.

Under the provisions of the bill as it is they could not buy anything under this appropriation with this authority that I now propose.

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was agreed to.

Mr. MOORE. Mr. Chairman, I move to strike out the last word.

Very much of the ammunition for which provision is herein made is produced at the Frankford Arsenal in Philadelphia, and at the present time that arsenal is very much cramped for room. An effort is being made to obtain additional equipment and also to secure some ground adjacent to the present property to better conduct the great and economical work now being done at the arsenal, to increase the safety of the employees, and to protect the property of the Government.

In compliance with what appears to be the urgent need of the arsenal at this time, the Secretary of War, I am informed, has recommended to Congress the advisibility of making appropriations, as follows:

One tin shop	$72,000
Extension of the lumber shed	22,500
Extension of the double-action press shop building	6,000
Improving the facilities of the boiler plant	15,000
Purchase of additional land	130,000

As to those improvements which, in view of present and possible future demands upon the arsenal, are badly needed, I desire to quote some timely suggestions made by a joint committee of trade bodies, citizens, and workmen who have taken a public-spirited interest in the arsenal.

As to the tin shop, this committee says:

It is one of the oldest buildings at the arsenal and it has been added to from time to time so that it is practically a brick shanty. This tin shop is really a sheet-metal shop, being engaged largely in the manufacture of sheet-metal boxes for ammunition, and we have been informed that should the manufacture of small arms ammunition be resumed at the full capacity of the plant, the tin shop is inadequate to meet the situation. We are also informed that the question came up some time ago of putting in additional machinery to manufacture metal boxes for artillery ammunition and the project had to be given up by reason of lack of space. The building is very low, the hangers supporting the shafting not being more than 10 feet from the floor. We have noticed material stored on the outside, due to lack of room, and we have noticed on the north side that a small addition had been put to the building, made of frame with a roofing of canvas, to give additional room for property under manufacture. The tinning plant where all of these boxes are required to be tinned, is a small frame building, very much worn out and very discredible to the arsenal.

As to the items for the lumber shed, the double-action press shop, and the boiler shop the joint committee says:

The extension to the lumber shed is needed to relieve the congestion in the present shrapnel shop, and also in the carpenter shop. It was found necessary in order to meet the appropriations made by Congress last year, to largely increase the quantity of machinery in the present buildings, with the result that they are so congested that the working conditions for employees are not what they should be, and there is not adequate space for inspection of the finished articles. The congestion would be greatly relieved by this extension of the lumber shed, if not entirely removed.

The extension of the double-action press shop building is also necessary, for the reason that the space in that building at the present time is inadequate for the storage of the cartridge metal required in the manufacture of small arms ammunition. It has been necessary to store boxes of cartridge metal on the platform of the building. It is well known that corrosion of the brass will take place under such conditions, which makes manufacturing particularly difficult as it increases the wear on the various punches and dies used in drawing the metal.

The object of improving the facilities of the boiler plant is to get rid of the smoke nuisance of which daily complaints are now made in the newspapers, and to enable the arsenal to burn a more volatile and cheaper grade of coal. It has been computed that after allowing for depreciation and interest on the investment, the expenditure would net the Government about 10 per cent annually, and this is based solely on the guaranty of one manufacture of stokers, who will undertake to install these facilities with such a guaranty.

Strong reasons are also submitted by the citizens' joint committee in support of the acquisition of additional land to afford ample scope for the operations of the arsenal:

1. To furnish space along the Delaware River on which to erect magazines for the storage of powders and explosives, which magazines are now within about 50 yards of the nearest shop building in which American citizens are obliged to work. The United States Government should be the first and leading employer in the United States in the matter of providing for the safety of its employees.

2. The additional land will provide for the removal of the present dry houses wherein detonators and primers are dried. In May of 1913 one of these dry houses blew up, killing a man who was inside and destroying windows in the adjacent shop buildings. These dry houses would be located on this land, so that they would no longer be an element of danger.

3. The procurement of this land will enable the Government to erect storehouses there for the storage of artillery ammunition, which would save the Government $15,000 to $20,000 annually on the transportation to Picatinny Arsenal, near Dover, N. J., where such ammunition is now stored after manufacture at this arsenal.

4. The purchase of the land will give the arsenal a water front on the Delaware River and greatly improve its shipping facilities. The purchase of the land will make the Frankford Arsenal a better shipping point than probably any other arsenal, as shipments from it can more economically and expeditiously reach the Pacific coast, the Hawaiian Islands, and the Philippines by reason of the opening of the Panama Canal than can shipments from any other distributing point. It also has the similar advantage if it should obtain this water front of cheaply distributing ammunition along the entire seacoast of the United States.

The Clerk read as follows:

Manufacture of arms: For manufacturing, repairing, and issuing arms at the national armories: *Provided*, That existing written agreements involving the purchase of patented articles patents for which have not expired may be carried out, $250,000.

Mr. PARKER of New Jersey. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from New Jersey offers an amendment which the Clerk will report.

The Clerk read as follows:

Page 50, line 2, after the words "carried out." strike out "$250,000" and insert "$1,700,000."

Mr. PARKER of New Jersey. Mr. Chairman, this is not the amount that I think we ought to appropriate. I think it ought to be $7,250,000, so that we could put 500,000 rifles in our reserve every year. We have only 480,000 arms of the present pattern in reserve, and there are 200,000 more in the hands of certain schools or of the Army or of the National Guard. We have 343,000 Krags, I shall be told, and that is true, but those Krags do not carry the same ammunition as the other guns, and they are therefore not the best rifles to put in the hands of an army in the field.

Up to the year 1909, however, Mr. Chairman—and I address the chairman of the committee especially on this—for 10 years we appropriated this sum of $1,700,000, which put into our arsenals, at the price then prevailing, 100,000 rifles a year, and which would now put in a few more, for they cost $15 instead of $17. The policy now adopted of reducing that amount to $250,000 will only give, according to Gen. Crozier, 12,000 new rifles and 1,000 pistols. The rifles that are thus given are not enough to take care of the ordinary wearing out of the guns in the Army and in the militia; and I also submit that the policy of putting at least 100,000 a year into our reserve is not only according to precedent but what ought to be conceded to me by the committee. I submit that it is fair. I know that I can carry nothing here in this Committee of the Whole House on the state of the Union without the leave of the Committee on Military Affairs. I know that they have the interests of the country at heart; but why should we have appropriated up to 1909, when there was nothing to threaten us, $1,700,000 a year and then refuse to appropriate that sum now, to put only 100,000 rifles in the armories of this country each year? It can do no harm, and, if they are needed, it can do much good. And I appeal to the chairman of the committee that this amendment, at least, should pass, and we should to that extent have assurance that we should not be put in the awful position of a nation of the first class calling upon volunteers to defend it and being unable to put rifles in their hands—a position that England, at least, has been in for the last five months. I ask that this additional appropriation be made in the bill.

Mr. HAY. Mr. Chairman, I just want to say a word. I appreciate the interest of my friend from New Jersey, with whom I served for many years on the Committee on Military Affairs, as to this item, but this was what was asked for by the War Department. We have not cut it down at all. And the fact that we appropriated $1,700,000 for so many years has resulted in this reserve and enables us now to appropriate only $250,000.

Mr. Chairman, I ask for a vote.

Mr. PARKER of New Jersey. Will the gentleman grant me a minute out of his time? The gentleman will remember that in 1899, by action of the committee, without request, we increased the appropriation from $400,000 to $800,000. It was

done by the committee. This should be done by the House. It is the House that ought to judge of the necessities of the Nation in such a case. And all I ask of the chairman of the committee is, not that he will accede, but I ask him to say that he is willing to leave it to the judgment of the House.

Mr. HAY. I have to leave everything to the judgment of the House. I give my own judgment about it. I think when we give them all they ask for, that is all we ought to do.

Mr. GILLETT. Mr. Chairman, in the amendment which the gentleman from New Jersey has offered I have an interest somewhat different, I must admit, from the country at large and from the other Members of the House, because these rifles are made in the city where I live.

Therefore I wish to suggest one argument which has not been touched upon. It is very important and essential that there should be always kept on hand in the Government factory a trained and steady and, as far as possible, permanent force of skilled artisans, who in time of war can suddenly speed up and make the arms which will then be necessary, because, as I understand the theory upon which the gentleman from Virginia opposes any increase, is that upon the premonition of war we should be able, as to ammunition and all kinds of armaments, to increase very largely the production, and therefore our armies would be equipped in time.

Now, of course, to accomplish that it is necessary that there should be a large nucleus of men competent to do the work. The manufacture of rifles requires a peculiar skill on the part of the mechanics. It can not be done by labor picked up momentarily. It requires long training, and there has been collected at Springfield a large force of men who are wonderfully equipped for that particular work, and it would be a shame to scatter and lose them.

I remember when I first came to Congress, 20 years ago, my predecessor gave me the advice that he thought it was best for the United States, and it was the policy which he had followed for a long time, that there should be a steady and regular, rather than a very large, appropriation for the manufacture of arms, "because," he said, "in that way you keep up a permanent and contented force of skilled mechanics who are necessary for the Government in time of peril."

Now, the House will readily see that the sudden drop of late from $1,700,000 to $250,000 a year naturally breaks up and dissipates this force. And it is particularly hard upon the men that this decrease of force should come when all manufactures are stagnant and it is hard for them to find other places. It would be vastly better, I believe, to have followed the principle suggested by my predecessor and not to have gone up to such a high level as $1,700,000 a year if we are going to drop to so low a level as $250,000 a year; and I think that is an element which ought to be considered in the interest of good administration, not only of this arsenal, but of all arsenals where mechanics of great skill are required to carry on the production for the Government. [Applause.]

Mr. COOPER. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Wisconsin [Mr. COOPER] moves to strike out the last word.

Mr. COOPER. Mr. Chairman, now that we are discussing the question of the need, or the absence of any need of a large increase in the number of rifles, I would like to ask the gentleman from Virginia, the chairman of the committee, about what percentage of the adult male population of the United States could effectively use in time of war the repeating Army rifle?

Mr. HAY. Well, about 16,000,000.

Mr. COOPER. Does the gentleman think that every adult person in the United States could use effectively an Army rifle?

Mr. HAY. No; I am talking about male citizens of military age.

Mr. COOPER. So that the gentleman thinks that training by shooting at targets is of no value, but that every male citizen of military age is a natural expert with a rifle?

Mr. HAY. I have not said that. I have said that they could use them.

Mr. COOPER. They could use them as a club, perhaps. I mean as a rifle?

Mr. HAY. Of course they would have to be trained.

Mr. COOPER. Precisely; "they would have to be trained." But how and where and when are they to be trained? I ask this question because it has been stated in this debate that there is approximately 111,000 militia in the United States who are supposed to be fitting themselves should the country call on them to help defend it. Of that 111,000, 44,000 did not appear at the rifle ranges for target practice last year. They were out on parade, but they were not fitting themselves to be able to shoot straight.

Now, it was once truly and forcefully said by a very distinguished American that "in war the only shots that count are those that hit." England to-day is training her militia to shoot. I have seen pictures recently, reproductions of photographs, showing how Lord Kitchener has, if I may use the expression, the green militia and volunteers out in England trying to teach them in this time of great stress, of possible dire emergency, how to shoot. Thousands of them had never before had a rifle in their hands, did not know how to load it, did not know how to sight it, did not know anything about how to elevate or depress the muzzle of a gun to hit an enemy at 300 or 500 yards, or at any other distance. Training of this sort is something that we ought, either by National legislation or State legislation, to bring about.

Mr. PARKER of New Jersey. I know of a case, Mr. Chairman, where more than 300 new men were put into a regiment when the troops went down to Fort Sam Houston, Tex., and by the use of assiduous practice at diminished targets they were able to obtain credit marks for marksmanship, almost every one of them, within a month, and a large proportion of them qualified as sharpshooters. I am answering as to the time necessary.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from New Jersey [Mr. PARKER].

The question was taken, and the Chairman announced that the noes seemed to have it.

Mr. PARKER of New Jersey. I ask for a division, Mr. Chairman.

The CHAIRMAN. The gentleman from New Jersey [Mr. PARKER] asks for a division.

The committee divided; and there were—ayes 20, noes 68.

So the amendment was rejected.

Mr. HAY. Mr. Chairman, I want to ask unanimous consent to return to the item on page 44, relating to the library in the Surgeon General's office, for the purpose of permitting the gentleman from Missouri [Mr. LLOYD] to ask unanimous consent to extend his remarks.

The CHAIRMAN. The gentleman from Virginia [Mr. HAY] asks unanimous consent to return to the item on page 44, under the Army Medical Museum Library, for the purpose indicated. Is there objection?

Mr. MANN. Reserving the right to object, what is his purpose? I did not hear the gentleman.

Mr. HAY. In order to permit the gentleman from Missouri [Mr. LLOYD] to extend his remarks in the RECORD.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. LLOYD. I wish to extend my remarks on this particular subject. I was attacked during the last campaign for having voted for the merger of this library with the Congressional Library, and I wish to say something about this particular library and why it should be continued, and give something of its history.

The CHAIRMAN. Is there objection to the gentleman's request to extend his remarks?

There was no objection.

Mr. LLOYD. Mr. Chairman, in the Army appropriation bill for the present fiscal year as passed by the House of Representatives $10,000 was appropriated for the library of the Surgeon General's office, including the purchase of necessary books of reference and periodicals. Such a provision has been regularly included in the appropriation acts for many years past, but in that bill, as it was reported from the Committee on Military Affairs in the Senate, the same item appeared with the following additions:

Provided, That on or before January 1, 1915, said library shall be transferred to and become a part of the Library of Congress, and so much of the amount herein appropriated as may be necessary is made available for paying the expenses of such removal.

You will observe that this provision would have merged the Surgeon General's library with the Library of Congress. After the adoption by the Senate of the amendment I received a letter from the chairman of the Medical Association of the City of St. Louis protesting against the adoption of the amendment. I made some inquiry about the provision and wrote, in reply to the letter, some of the arguments which I had heard in favor of the merger of these two libraries, and expressed myself rather strongly in praise of the Library of Congress, and said, in effect, that I did not know why the Library of Congress might not include a medical library, a law library, and in fact any kind of library that was useful to the public.

After this letter was written the military appropriation bill, as amended by the Senate, came to the House and on motion of the chairman of the military committee of the House all the amendments of the Senate were disagreed to and a conference was asked with the Senate. I voted for that motion; in fact,

there was no opposing vote to the motion. When the bill came back with an agreement of the conference committee between the two Houses the amendment referred to was eliminated. I voted for the conference report with this provision eliminated. So that, in fact, I cast two votes in opposition to the merger of these two libraries, although there was no direct vote in either case on that particular amendment.

Within a few weeks of the passage of the bill, with the Senate amendment eliminated, the Medical Association of Missouri passed resolutions denouncing me for voting for the merger of these two libraries, and the resolution was sent by the secretary of the association to every physician in my district with instructions, in effect, not to support me as the candidate for Congress. Several months after that time the secretary of the medical association of the State was kind enough to publish in the Medical Journal in the State of Missouri, of which he is the editor, a statement to the effect that they were mistaken in charging me with voting for the merger of the two libraries, and apologized to that extent for the course of the medical association.

I wish to say now that on account of the attack that was made upon me I made investigation, as I had never done before, of the necessity for the Surgeon General's library and the desirability of the merger, and am fully convinced that the merger was not desirable and that both libraries have important functions to perform. The Library of Congress is a general library of literary productions and is not devoting itself especially to the development and advancement of any profession, and the Surgeon General's library is performing splendid duty in furnishing information that could not be well secured elsewhere to the medical fraternity in the United States. I quote from the report of the Surgeon General of the United States on the advisability of the merger of the two libraries and concur in his views as expressed in the statement, and take pleasure in commending these views to the consideration of Congress.

There is no reason to believe that the Library of Congress is in a position to take over at short notice such an enormous institution as the library of the Surgeon General's office, and it is very certain that should the actual expenses of transporting the books from the one library to the other be paid for from the $10,000 allowed for, little or nothing would remain for the purchase of books and periodicals during the fiscal year. The library of the Surgeon General's office has been for years in amicable relations with the Library of Congress, which refers to the former all questions dealing with medical literature. It is well understood that a purely medical library should be strictly delimited from a general library of secular literature, and to distribute the books now in the Surgeon General's library throughout the stacks of the Library of Congress would, if not impossible, be entirely destructive of the usefulness of the medical library. The Library of Congress is increasing along its own lines at the rate of 70,000 to 80,000 volumes a year, and it has distributed throughout its stacks space sufficient to allow for its own healthy growth for some years. It does not, however, have en bloc sufficient space to house the medical library should the proposed amendment of the Senate committee become law. There would still have to be special reading rooms for the users of the medical library and a specially trained force for its cataloguing and for the issue of volumes to readers in Washington and throughout the country. The shelving now in the library building at Seventh and B Streets SW. has cost in the neighborhood of $25,000, and it is doubtful if these stacks could be removed and used in the building of the Library of Congress, as they are entirely different in size, shape and structural material. A large sum of money would therefore necessarily be expended in making the transfer, and it is believed no gain whatever in economy of administration would result. The time lost to the many institutions and scientists who use the medical library throughout the country by the transfer is also well worth considering. To stop the current work of the Surgeon General's library even for a month would be to inflict a serious injury upon the public, and probably much more time than one month would be required to make the transfer.

The library of the Surgeon General's office, so called because it has been attached to that bureau of the War Department since 1836, is, in effect, the national medical library, consisting of over half a million medical books and pamphlets which are constantly used, not only by the Medical Corps of the United States Army but by the medical profession of the whole country at large. The index catalogue of this library, now numbering 33 volumes in folio, is acknowledged and used all over the world as the standard bibliography of medical literature, consisting of a subject and author index arranged in strictly alphabetical order, thus easily accessible to physicians seeking information on any medical subject whatever.

I think in this connection, as no statement has been given to the public of the history of this library, it would not be out of order to submit as a part of my remarks a brief history of the library and its index catalogue as furnished by the librarian of the Medical Library:

For many years there was a small collection of medical books and journals in the Surgeon General's office at Washington, which collection was commenced by Surg. Gen. Lovell prior to 1836. At the commencement of the Civil War this collection amounted to between three and four hundred volumes. During the administration of Surg. Gen. Hammond—1862–63—359 volumes were added to the collection. During 1864–65 about 1,000 were added, selected mainly by Dr. Woodward and Dr. Otis. In the fall of 1865 the library came under the administration of Dr. John S. Billings, who had just completed a long and honorable period of service as Army surgeon during the Civil War. Dr. Billings at once recognized the opportunity offered of founding a great national medical library, and the valuable collection we have to-day is the result of his energy, perseverence, and judgment. Aided by liberal appropriations from Congress, the growth of the library under its able and energetic director was phenomenal.

A catalogue of the books in the Army Medical Library was published in 1872, and another in three volumes in 1873–74. In connection with this Dr. Billings had early conceived the idea of indexing the files of periodicals in the library, so that as an addition to the catalogue of authors a subject index of the literature of medicine might also be printed. The work of indexing periodicals was actually begun in 1873, and in 1876 a "Specimen Fasciculus of a Catalogue" of the library, consisting of a combined index of authors and subjects arranged in dictionary order in a single alphabet, was printed and distributed to medical libraries and bibliographers to obtain criticisms and suggestions as to the form of catalogue that would be most acceptable and useful. At this time the library contained about 52,000 books and pamphlets.

Soon after the publication of the "Specimen Fasciculus" Dr. Robert Fletcher was assigned to duty in the library and became the principal assistant in the work of preparing and printing the index catalogue. The first volume of the latter—a large quarto of 888 pages—was printed in 1880, and 15 volumes of similar size followed making a first series from A to Z of 16 volumes, 1880–1895. Volume I of the second series was printed in 1896, and 17 volumes of this series—1896–1913—have been printed to date, covering the alphabet from A to T, inclusive. After the completion of Volume XVI of the first series Dr. Billings was retired from active service in the Army at his own request, to assume the professorship of hygiene in the University of Pennsylvania, afterwards becoming librarian of the New York Public Library. The administrative successors of Dr. Billings in the Surgeon General's library have been Col. D. L. Huntington, 1896–97; Maj. James C. Merrill, 1898–1902; Maj. Walter Reed, 1902; Col. Walter D. McCaw, 1903–1913. The library is at present under the administration of Lieut. Col. Champe C. McCulloch.

The Index-Catalogue of the Library of the Surgeon General's Office consists, as its title implies, of a full catalogue of the works contained in the library, and, in proper alphabetical sequence, a complete bibliography by subjects of the literature of medicine, carefully indexed, classified, subdivided, and arranged under the subject headings in alphabetical order by authors. Although bibliographies of medical literature had been attempted before by Gesner as early as 1545, and later by Merklin, von Haller, Ploucquet, Haeser, Young, Forbes, Atkinson, Callisen, Watts, and others, yet, in the language of Osler, "their efforts are Lilliputian beside the Gargartuan undertaking of the Surgeon General's Office," which he describes further as "one of the most stupendous bibliographical works ever undertaken." By reason of the completeness of its bibliographies, especially in the matter of periodical literature and its exhaustive cross-reference, the catalogue is practically a working guide and index to the medical libraries of other cities and countries, and it is stated on good authority that well-thumbed and well-worn copies in foreign universities and libraries attest its constant use.

The edition of the Index-Catalogue is limited to 1,500 copies, which are distributed with care and discrimination among the great medical and general libraries of the United States and Europe and among individual workers in scientific medicine. The cordial recognition and appreciation of the work of the catalogue by medical men is evidenced by their constant use of the library and by the great increase in the number of large medical libraries in the country, many of which, like those of Boston, Philadelphia, and Baltimore, have adopted the methods of the National Medical Library. Tokens such as these go far toward verifying the prediction made by Dr. Billings 30 years ago that "if a sufficient number of the catalogue be printed and distributed to our medical writers and teachers, so that they may at their leisure learn what aid they can obtain in their researches, no collection of the Government will be more used or be of more practical utility; that it will soon tend to elevate the standard of medical education, literature, and scholarship of the Nation, and will thus indirectly be for the benefit of the whole country, since the general knowledge and skill of the medical profession becomes a matter of personal interest to almost every individual at some time during the course of his life." It will be seen, therefore, that the gratitude of the entire medical profession, if not the public, is due to the liberal and broad-minded spirit displayed by Congress in furthering and supporting this important work, which is one of the well-recognized landmarks in the history of modern medicine, and, if we may again cite Osler, "will ever remain a monument to the Army Medical Department."

There are many Members of Congress, I have no doubt, whose attention has never been called to this library and do not know even where it is located.

The books in this library are stored in the Army Medical Museum at Seventh and B Streets SW. in this city. One-half of this splendid building contains the Medical Museum proper—one of the finest collections of its kind in existence—and the other one-half is used for the purpose of the library.

It is claimed by those familiar with this library that it is necessary for the Medical Corps of the United States Army, and through it valuable information is given to the medical fraternity as well. The librarian of this library in another statement commends the library in these words:

As an adjunct to the Medical Corps of the United States Army, the library is of inestimable value, forming, in connection with the Medical Museum, the Army Medical School, and the Walter Reed General Hospital, a central medico-military plant adequate for the needs of a good modern army establishment not unlike those of Netley, in England, Val de Grace, in France, or the Friedrich-Wilhelms Institute, in Berlin. The latter is the only other military establishment which has a library of anything like the value of the library of the Surgeon General's Office.

It is submitted that to make any change in the present title and administration of this library would have the effect of destroying its usefulness. Moreover, such a library ought, in any case, to be under the direction of some highly educated physician, and to dissociate it from the Army medical establishment would be to deprive that branch of the service of one of its best working tools. The examinations for admission to the Medical Corps of the United States Army are so rigorous as to make a definite selection of physicians of much higher grade than the average, and the history of modern medicine shows conclusively that some of the greatest recent advances in tropical medicine and in the prevention of infectious and parasitic diseases have been due to the work and cooperation of Army surgeons. To date the Na-

tion's medical library has thrived and prospered very well under the Army administration, to the satisfaction of the entire medical profession, and it is difficult to see what advantages would be derived from pitchforking it into a general collection of secular literature such as that of the Library of Congress.

This library at the present time contains 189,171 bound volumes and 325,639 pamphlets. The United States Government pays annually for the salaries of the persons in charge of the library $37,730, and has 44 persons employed.

My candid judgment is that any reasonable amount of money spent in maintaining this library and adding to it from time to time is money well expended. I therefore take pleasure in supporting the provision in this bill appropriating $10,000 for the purchase of new books and periodicals.

Mr. COOPER. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Wisconsin moves to strike out the last word.

Mr. COOPER. I do so for the purpose of reading a line or two from the Chief of Staff as to the number of militia practicing in the use of the rifle and how expert they become. On page 7 he said that the number of men who had any practice with the rifle during the 1913 season was 52.56 per cent, or a little over one-half, and that the number who qualified as second-class men or better was 33 per cent and a fraction. Only one-third of those who did practice got so that they were even second-class men or better.

The Clerk read as follows:

For the purchase and manufacture of armored motor cars, $50,000.

Mr. GARDNER. Mr. Chairman, I move to strike out the last word. With regard to the purchase and manufacture of armored motor cars, was that appropriation recommended by the department?

Mr. HAY. It was not.

Mr. GARDNER. In other words, the committee saw fit to go beyond the recommendation of the department in that respect? [After a pause.] I did not catch the chairman's answer.

Mr. HAY. That is obvious, so there is no need to answer that.

The Clerk read as follows:

Field artillery for Organized Militia: For the purpose of manufacturing field artillery material for the Organized Militia of the several States, Territories, and the District of Columbia, without cost to the said States, Territories, or the District of Columbia, but to remain the property of the United States and to be accounted for in the manner now prescribed by law, the Secretary of War is hereby authorized, under such regulations as he may prescribe, on the requisitions of the governors of the several States and Territories or the commanding general of the Militia of the District of Columbia, to issue said artillery material to the Organized Militia; and the sum of $2,090,000 is hereby appropriated and made immediately available and to remain available until the end of the fiscal year 1917 for the manufacture and issue of the articles constituting the same.

Provided, That not more than $25,000 of this appropriation may be used for the purchase of field artillery material.

Mr. HAY. Mr. Chairman, I offer a committee amendment.

The CHAIRMAN. The gentleman from Virginia offers an amendment, which the Clerk will report.

The Clerk read as follows:

Line 3, page 52, strike out "$25,000" and insert "$170,000."

Mr. HAY. Mr. Chairman, the reason I offer that amendment is that there are certain things pertaining to field artillery which the Government does not manufacture and can not manufacture. The items of this appropriation are:

Tools, accessories, and horse blankets	$34,595.00
19 battery commander's telescopes, at $350 each	6,650.00
19 horizontal base range finders, at $625 each	11,875.00
26 time-interval recorders, at $16.25 each	422.50
722 automatic pistols, at $13.25 each	9,566.50
1,444 extra magazines for automatic pistols, at 50 cents each	722.00
Range finders to complete batteries already appropriated for	42,500.00
Battery commander's telescopes to complete batteries already appropriated for	48,300.00
Unforeseen expenditures	15,369.00
Total	170,000.00

The CHAIRMAN. The question is on the amendment offered by the gentleman from Virginia [Mr. HAY].

The amendment was agreed to.

Mr. GARDNER. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Massachusetts offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. GARDNER:
Page 51, line 22, strike out the figures "$2,090,000" and insert "$4,000,000."

Mr. GARDNER. Mr. Chairman, according to the table given by the chairman of the committee we are now 440 guns short of the proper number of field artillery pieces. His figures are correct so far as the Greble Board report is concerned. Of course, the number is nothing like what is required according to the report of Gen. Wotherspoon, the Chief of Staff, made since the war broke out; but taking the figures that the chairman gives, we are 440 guns short. Gen. Crozier estimated that at the rate of this appropriation it will take us six years to get those guns. Last year he appeared before the committee and estimated then that it would take six years to get the guns at the rate of appropriation which he then advocated. This year Gen. Crozier came before the committee and said he had made a cut. The committee asked him why, and he said it was his orders. Then he proceeded to justify the cut in an argument substantially like this: "We are no nearer to war," he said, "than we were a year ago, and if it was safe to be six years behindhand with our guns a year ago, it is safe to be six years behindhand with our guns now." On that line of reasoning, when the day of judgment comes, we shall still be six years behindhand; we shall never catch up.

Now, Mr. Chairman, the $2,090,000 appropriated here will bring us 52 new guns out of the 440 which the chairman of the committee says we need—52 new guns and 4 ammunition batteries. If you adopt my amendment, instead of the 52 guns and 4 ammunition batteries you will get some 120 guns and 4 ammunition batteries and a little more. When the money is spent, instead of being 388 guns shy with five years to run before we catch up to the Greble Board project, we shall only be 320 guns shy, if as many. It seems to me that what I propose is none too safe. Surely everyone must admit that we ought to be at least within four years of the number of guns requisite according to the low estimate of the Greble Board. The Greble Board reported in 1912. Of course, the figures have been vastly increased in Gen. Wotherspoon's report; but even the Greble Board report called for 1,292 guns, and we have only 860. If you fail to adopt my amendment, you will still be over 380 shy, even after the money is spent which the committee proposes to appropriate by this bill. The figures which I have just given you are those which Chairman Hay put in the RECORD yesterday morning and which he included in the article which he published in various Sunday papers two weeks ago; only he figures the guns by batteries. His figures show 325 batteries of 4 guns each to be provided ultimately. That equals 1,300 guns. Also, 215 batteries ready or being manufactured. That equals 860 guns. Also, his figures show 110 batteries yet to be provided for. That equals 440 guns.

Mr. HAY. Mr. Chairman, I call for a vote.

Mr. GARDNER. Does not the gentleman intend to answer any of these arguments, or does he consider them not worthy of it?

Mr. HAY. We went over this matter thoroughly yesterday in general debate.

Mr. GARDNER. You did not discuss the figures that came from the War Department this morning, for we did not have them.

Mr. HAY. I will say, Mr. Chairman, if the gentleman from Massachusetts wants me to say something——

Mr. GARDNER. I want the gentleman to say whether I am correct or not.

Mr. HAY. I do not know, for I have not the figures.

Mr. GARDNER. Here are your own figures.

Mr. HAY. I say that according to the board they called for 1,292 field artillery guns. We have provided for and appropriated for and are providing for in this bill 912 of them, which leaves 380 to be hereafter provided for.

Mr. GARDNER. But your own table says 440.

Mr. HAY. If 912 from 1,292 does not leave 380, I do not know what arithmetic is. We have on hand, completed, 634 guns. We have appropriated for 226 guns, and we are appropriating in this bill for 52 guns, which makes 912.

Mr. GARDNER. Quite right, if you add the 52.

Mr. HAY. That is what I said. Now, Mr. Chairman, we are now appropriating what is asked for by the War Department. We have not cut the appropriation one dollar, and, in my judgment, it is not necessary for us to jump into this thing with great big appropriations. We have plenty of time before the dreams and visions of the gentleman from Massachusetts shall come about, to make all these guns.

Mr. KAHN. Will the gentleman yield?

Mr. HAY. Certainly.

Mr. KAHN. In addition to this amount which provides guns for the militia of the country, the Committee on Appropriations also gives something like $900,000 for the manufacture of field guns.

Mr. HAY. That is true.

Mr. GARDNER. Yes; and last year the other committee did not give quite the whole amount asked for. Your committee did so. I do not know what the other committee will do this year. But the length of time which Gen. Crozier says it will

take at the present rate of appropriation to complete the 1,296 guns is based on the appropriations from both committees. He says that it will take six years.

Mr. KAHN. Gen. Crozier says that this is about all the money that he can expend the next year.

Mr. GARDNER. No; he does not, if you will excuse me. He says no such thing.

Mr. GREENE of Vermont. Will the gentleman yield?

Mr. HAY. I will.

Mr. GREENE of Vermont. I suggest that this colloquy affords another opportunity for the House to witness the fact that we have to straddle between the two committees to find out whether we have any guns at all under the present arrangement.

Mr. HAY. That is a fact.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts.

The question was taken, and the amendment was rejected.

Mr. TAVENNER. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 51, line 12, after the word "manufacturing" insert "in Government establishments."

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois.

The question was taken, and on a division (demanded by Mr. TAVENNER) there were 65 ayes and 9 noes.

So the amendment was agreed to.

The Clerk read as follows:

Ammunition for field artillery for Organized Militia: For the purpose of manufacturing reserve ammunition for field artillery for the Organized Militia of the several States, Territories, and the District of Columbia, the funds to be immediately available and to remain available until the end of the fiscal year ending June 30, 1917, $2,900,000.

Mr. GARDNER. Mr. Chairman, will it be in order for me to offer an amendment now or wait until the reading of the bill is completed? The provisos relate to different things.

Mr. HAY. The proviso is a part of the paragraph.

The CHAIRMAN. The gentleman from Massachusetts will not lose his rights if the Clerk completes the reading.

Mr. GARDNER. A parliamentary inquiry, Mr. Chairman.

The CHAIRMAN. The gentleman will state it.

Mr. GARDNER. The last two provisos do not qualify the paragraph for Field Artillery. Should my amendment be offered when we reach line 14, or line 6 on page 53?

The CHAIRMAN. The Chair thinks it is immaterial.

Mr. HAY. I have no objection to the gentleman offering his amendment in either place.

The CHAIRMAN. The gentleman can offer his amendment now if he desires.

Mr. GARDNER. Then, Mr. Chairman, I will offer the following amendment.

The Clerk read as follows:

Page 52, line 11, strike out "$2,900,000" and insert in lieu thereof "$5,000,000."

Mr. GARDNER. Mr. Chairman, the line of reasoning is exactly the same as for the manufacture of field artillery. Two million nine hundred thousand dollars will manufacture 300,000 rounds of artillery ammunition. If my amendment is adopted, we shall be able to manufacture 600,000 rounds.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts.

The question was taken, and the amendment was rejected.

The Clerk read as follows:

Provided, That not more than $25,000 of this appropriation may be used in the purchase of Field Artillery reserve ammunition.

Mr. DEITRICK. Mr. Chairman, I offer the following amendment which I send to the desk and ask to have read.

The Clerk read as follows:

On page 52, after line 14, insert the following: "*Provided*, That no part of the appropriations made in this bill shall be available for the salary or pay of any officer, manager, superintendent, foreman, or other person having charge of the work of any employee of the United States Government while making or causing to be made with a stop watch or other time-measuring device, a time study of any job of any such employee between the starting and the completion thereof, or of the movements of any such employee while engaged upon such work; nor shall any part of the appropriations made in this bill be available to pay any premium or bonus or cash reward to any employee in addition to his regular wages, except for suggestions resulting in improvements or economy in the operation of any Government plant; and no claim for services performed by any person while violating this proviso shall be allowed."

Mr. HAY. Mr. Chairman, on that I reserve a point of order.

Mr. DEITRICK. Mr. Chairman, in offering this amendment to abolish the stop-watch and premium system, which has been in operation for the past five years at the Watertown Arsenal, I may state for the benefit of those who are not familiar with this alleged efficiency system that an attempt is made by the use of the stop watch to get the shortest time in which the best workman can perform a given piece of work. If possible, the job is divided and each part is timed, and everything that possibly can be is eliminated and processes are shortened in order to obtain the "task" time for the job. Two-thirds of the "task" time is then added, and ever afterwards, unless the "task" time can be still further shortened, this total or job time is the time within which a workman is expected to complete a similar job. All workmen are expected to keep up with the pace thus set hour after hour, day after day, and week after week throughout the year. It will thus be seen that invariably the result is the speeding up in the movements of the workman. He must work faster, and for this faster work the Government allows him a premium based on the number of minutes he saves within the job time. This premium is in addition to his regular wages.

When the system was first introduced in Watertown there was a strike immediately among the molders. They refused to work under it. An attempt was made to introduce it, I am informed, at one of the other arsenals, and the men threatened to go out upon a strike.

Three years after this system had been forced into the Watertown Arsenal a petition was signed by a majority of the men employed in each department protesting against its further use. Many others would doubtless have signed the petition had it not been that they feared losing their positions. A large number of the men receiving premiums were among the signers. That petition was sent to me as the Representative of that district, and I submitted it to the War Department. Since then I have had wait upon me on a dozen different occasions committees of men from each department in the arsenal, and I have been stopped on the street many times by the men who work under the stop-watch system, and on one occasion, recently, I addressed a meeting of 200 men employed in the arsenal, and all these men protested vigorously against the stop watch.

Mr. Chairman, I do not believe that any of us object to proper and safe efficiency. I certainly do not, especially when it is efficiency forward; but I do object strenuously when it is efficiency backward and when it places additional burdens and risks upon the man at the bench. My contention is that in the speeding-up process such as is employed at the Watertown Arsenal there is not to be found real efficiency. This alleged efficiency system creates discontent among the workmen. It humiliates them. It makes uncertain their jobs. It contains many pitfalls. It increases the possibility of serious, if not fatal, injuries to the workmen. It causes a waste of material; and the whole atmosphere surrounding such a system tends to injure the health of the employees and results in a nervous state of mind which is wholly undesirable in a well-regulated shop.

Only last October a painter was killed while striving to earn a few extra cents as premium held out to him by the management as an inducement to hurry with his work; and as recently as December 21 last, four days before Christmas, a young laborer, 36 years old, while piling pig lead, was killed. Although the latter was not working under the premium system at the time he met his death, the man preceding him in handling the pig lead was working under the premium system, and the evidence indicates that the careless manner in which the premium worker handled the pig lead made it more difficult if not more dangerous for the laborer to pile it, and thus not only consumed more of the laborer's time but indirectly contributed to the laborer's death.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. BALTZ. Mr. Chairman, I ask unanimous consent that the time of the gentleman be extended for five minutes.

The CHAIRMAN. Is there objection?

Mr. MANN. Mr. Chairman, reserving the right to object, how long does the gentleman from Virginia expect to let this debate run?

Mr. HAY. Mr. Chairman, a reasonable time. Does anyone want any time on that side?

Mr. MANN. I do not want any time.

Mr. J. I. NOLAN. Mr. Chairman, if the Chair does not sustain the point of order, I would like to have some time.

Mr. HAY. I do not think there is any question about the point of order.

Mr. J. I. NOLAN. If the point of order is sustained, I do not care to discuss it.

Mr. HAY. I will make the point of order when the gentleman from Massachusetts completes his remarks.

The CHAIRMAN. Is there objection to the gentleman from Massachusetts proceeding for five minutes? [After a pause.] The Chair hears none.

Mr. DEITRICK. Mr. Chairman, while not attempting to even partially discuss in detail the essentials of the efficiency system, so called, I wish to state that it contains many other disagreeable and wasteful features. The claim is made in its favor that it increases the workmen's pay. The men say that it takes it out of their very lives, because if they do not keep up with or approach the time set, the standard time, for a job, they will probably soon lose their positions. Of course that is not assigned by the officials as the reason for discharging a workman, but when we remember that the system requires frequent examples being made of workmen in order to frighten the others, it is quite evident that failure to make the time set on a job or the least infraction of the rules will result in the workman's discharge.

I know of my own knowledge one case in the Watertown Arsenal to which I wish to call attention. The foreman of the blacksmith shop, who had been there for 23 years, drawing the highest pay of a workman in his line, one day stated to a workman under him that the time allowed the workman within which to complete a job was insufficient. Up to that time no complaint had been made against this foreman. He had a splendid record, yet he was at once suspended, and inside of a few weeks he was reduced in rank and pay—reduced to such an extent that he resigned rather than bear the humiliation of such unjust punishment.

Now, I know something about that man. I have known him personally for a great many years. I have seen him upon the witness stand in the courts, called by some of the best lawyers in Boston, to give expert testimony upon questions involving steel and iron. He was a man 57 years old, in perfect health, and had a rugged physique at the time he was forced out. Even this old employee, after a quarter of a century of faithful service to the Government and while still competent, fell a victim to this un-American stop-watch system. And yet our good friends who speak on behalf of this system will tell you that the men themselves help to determine the time allowed upon a given piece of work. This is absolutely false. The very object of the system will not permit it.

The primary purpose of this system is to force a larger output, to get more out of the plant with the same or a less number of workmen. There is another object of this system which, of course, we are not told much about, but it is perfectly evident to every man who knows anything about workmen and their positions. Mr. F. W. Taylor, the originator of the system, in his book on the subject, states it is not well for workmen to be paid too much. He gives the whole story away right there. Wages eventually will be reduced. This is made easy when workmen become disorganized through the merely temporary stimulant of premium bait.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. DEITRICK. May I ask for just one minute more?

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. MANN. What is the request?

Mr. DEITRICK. For just one minute. I merely wish to state in closing, Mr. Chairman, that the Members perhaps do not know that the Labor Committees of both the Senate and the House in the last Congress unanimously reported out a bill to abolish the stop watch as now employed in Government plants.

I wish also to add that the Labor Committee of the House in this Congress, after a hearing on the so-called efficiency or stop-watch system at Watertown, unanimously reported in favor of abolishing all such systems as now used in Government plants.

Mr. HAY. Mr. Chairman, I make the point of order.

Mr. BUCHANAN of Illinois. Mr. Chairman——

The CHAIRMAN. Does the gentleman desire to be heard on the point of order?

Mr. HAY. I do not care to be heard on the point of order.

Mr. BUCHANAN of Illinois. Mr. Chairman, I desire to be heard. This amendment, Mr. Chairman, is clearly in order. There have been similar amendments made and held in order, and I want to call the Chair's attention to an amendment made by the gentleman from New Jersey [Mr. HUGHES] on February 21, 1911, which is as follows:

Provided, That no part of this appropriation shall be expended for the construction of any boat by any person, firm, or corporation which has not at the time of the commencement and construction of said vessel established an eight-hour workday for all employees, laborers, and mechanics engaged or to be engaged in the construction of the vessel named herein.

That is found in the CONGRESSIONAL RECORD (No. 451, vol. 46, pt. 4, p. 3084).

The CHAIRMAN. Was the point of order made on that?

Mr. BUCHANAN of Illinois. The point of order was made against that, and the point of order was sustained by the Chair, and the decision of the Chair was overruled by the House by a vote of 96 to 111. That vote will be found on page 3088.

The committee again divided; and the tellers reported—ayes 96, noes 111.

Now I want to call the attention of the Chair to the argument which was made by Mr. HUGHES of New Jersey and Mr. FITZGERALD at that time which would be much more convincing than any argument I could make at this time. This amendment is similar; it is a restriction, and it is clearly in order. If the Chair wishes, I could read some of the arguments made at that time and some of the references made.

A MEMBER. What is the date?

Mr. BUCHANAN of Illinois. February 21, 1911. I will say that on February 21 (p. 3084), a reference is made to an amendment of similar character by the gentleman from New York [Mr. FITZGERALD], which amendment was as follows:

That no part of any money appropriated by this act for charities or charitable institutions shall be paid to any institution named in this act until the charter or articles of incorporation thereof shall be so amended as to accord to the Commissioners of the District of Columbia, or to their designated agents, authority to visit and inspect such institutions and to control and supervise the expenditure therein of all public funds paid out of appropriations made by Congress.

Mr. FITZGERALD claimed that the ruling was clearly analogous to the ruling which should be made here. Other references are also made.

Mr. MANN. Mr. Chairman, will my colleague yield for a question?

Mr. BUCHANAN of Illinois. Yes.

Mr. MANN. Does my colleague recall the very prominent case of the limitation that was put on the bill making appropriations for National soldiers' homes and State soldiers' homes, that no part of the appropriation would be expended in the homes for the maintenance of the canteen?

Mr. BUCHANAN of Illinois. I was just going to refer to that.

Mr. MANN. Will my colleague yield? He has probably seen the amendment before. I have only heard it read. But as I heard the amendment read, if I got it rightly, it does not require anybody to do anything?

Mr. BUCHANAN of Illinois. No.

Mr. MANN. But only requires that the appropriation shall not be made if something is done?

Mr. BUCHANAN of Illinois. That is it.

Mr. MANN. It does not require positive action. It is not a change of law. It only says that the appropriation shall not be available if they do something which they now have the privilege of not doing?

Mr. HAY. Well, that is not exactly it, if the gentleman will permit me. Part of the amendment reads as follows:

Nor shall any part of the appropriation made in this bill be available to pay any premium or bonus or cash reward to any employee in addition to his regular wages except for suggestions resulting—

And so forth.

Mr. MANN. That is a pure limitation.

Mr. BUCHANAN of Illinois. That is clearly a limitation, Mr. Chairman.

Mr. MANN. We do not have to make an appropriation in order to give a bonus. As I caught the reading, it excepts the provision we passed in a special act here a few years ago to encourage suggestions.

Mr. HAY. We did pass a special act.

Mr. MANN. I thought the exception covered that, so we would not change the law in that respect.

Mr. HAY. I think it does. I have not the law before me.

Mr. BUCHANAN of Illinois. It seems the amendment in regard to the canteen provided that no part of the appropriation should be appropriated to any national home for disabled volunteer soldiers which maintained the canteen. It seems that that was held to be in order, and if so this certainly is in order, because it restricts and limits the expenditure of the appropriation. It tells why it shall not be expended for a certain purpose, which is a limitation on the expenditure and would reduce the amount of the appropriation. Mr. Chairman, it has really been well established that the expenditure of money for purposes of this character is not only injurious to the working people of the country, but is an absolute waste. There are no business people of any standing to-day that have accepted the so-called stop-watch or Taylor system. It is demonstrated that it is not a scientific management or an efficient management, and therefore this amendment is clearly a limitation and will result in a reduction of the appropriation. It is not only a humane amendment, but is an amendment that will reduce the appropriation and result in economy, both to the

resources of the working people that are working for the Government and in the Government's finances. Mr. Chairman, it seems to me there is not a question of doubt, and should be no question of doubt, about the parliamentary status of an amendment of this kind.

Mr. HAY. Mr. Chairman, I withdraw the point of order.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts [Mr. DEITRICK].

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

Provided, That the appropriations hereinbefore made under the heading "Ordnance Department" shall be available for the payment of an allowance not to exceed $4 per day to civilian employees of the Ordnance Department traveling on official business outside of the District of Columbia and away from their designated posts of duty.

Mr. MANN. Mr. Chairman, I reserve a point of order on the paragraph. What is the allowance now given to civilian employees?

Mr. HAY. I understand this provision was put in to meet some provision in one of the appropriation bills of last year.

Mr. KAHN. The sundry civil bill of last year.

Mr. HAY. It was put in to conform to that provision last year. I do not remember now which bill it was in.

Mr. MANN. I think that provision says there shall be no allowance of over $4 or $5 a day.

Mr. HAY. I think $4 is the amount.

Mr. KAHN. Four dollars.

Mr. MANN. I wondered whether these people now receive as much as $4 a day.

Mr. HAY. I think they do. At least, I suppose so; but I do not know, to be perfectly frank with the gentleman. I have not looked the matter up.

Mr. KAHN. Mr. Chairman, the Chief of the Ordnance Department says that was put in there in accordance with legislation that was carried in the sundry civil appropriation bill last year, which required it to be put in. They always had these allowances heretofore, but they did not have to be covered by special legislation until the requirement was put in the law.

Mr. MANN. I withdraw my point of order, Mr. Chairman.

The CHAIRMAN. The point of order is withdrawn. The Clerk will read.

The Clerk read as follows:

Provided, That when one bureau or executive department procures by purchase or manufacture stores or material of any kind or performs any service for another bureau or executive department the funds of the bureau or department for which the stores or material are to be procured or the service performed may be placed subject to the requisition of the bureau or department making the procurement or performing the service for direct expenditure by it: *Provided*, That when the stores being procured are for current issue during the year stores of equal value may be issued from stock on hand in place of any of those aforesaid.

Mr. MANN. Mr. Chairman, I reserve a point of order on that paragraph; and, relating to the previous paragraph, where I withdrew the point of order, the provision of the law put in the sundry civil bill last year was this:

SEC. 13. That the heads of executive departments and other Government establishments are authorized to prescribe per diem rates of allowance not exceeding $4 in lieu of subsistence to persons engaged in field work or traveling on official business outside of the District of Columbia and away from their designated posts of duty when not otherwise fixed by law.

Now, that provision fixed in this bill is futile entirely, and instead of there being a law requiring this provision to be put in, if the officer who made that statement had read the law he would have found that a law already on the statute books authorizes the department to provide subsistence at $4 a day.

Mr. STAFFORD. Is not the provision we have just passed broader in its phraseology, because it has not so many limitations as the provision in the sundry civil act? I imagine this is to escape from the limitations in the present law.

Mr. MANN. I do not see any difference. They are both for traveling outside the District of Columbia.

Mr. STAFFORD. There is a slight difference.

Mr. MANN. What is it?

Mr. STAFFORD. One relates to "when they are actually employed." This does not have any such limitation.

Mr. MANN. Where is the provision "to be actually employed" in the law?

Mr. STAFFORD. I understood there was such a restriction in what the gentleman read.

Mr. MANN. It is not there. I make the point of order, Mr. Chairman, against this amendment.

Mr. HAY. It is subject to a point of order.

The CHAIRMAN. The Chair sustains the point of order.

Mr. HAY. Now, Mr. Chairman, I ask unanimous consent to return to page 13, line 13, for the purpose of permitting the gentleman from Illinois [Mr. MADDEN] to offer an amendment, to which amendment I will make a point of order when the time comes.

Mr. MADDEN. Mr. Chairman, I desire to offer the following amendment, which I send to the Clerk's desk.

The CHAIRMAN. The gentleman from Virginia [Mr. HAY] asks unanimous consent to return to page 13, line 13, for the purpose of permitting the gentleman from Illinois [Mr. MADDEN] to offer an amendment. Is there objection?

There was no objection.

The CHAIRMAN. The gentleman from Illinois [Mr. MADDEN] offers an amendment, which the Clerk will report.

The Clerk read as follows:

Mr. MADDEN moves to amend, at the end of line 13, page 13, by inserting the following proviso:

"*Provided*, That hereafter the clerks of the Quartermaster Corps who were formerly clerks of the Quartermaster's and subsistence departments shall have the same status, pay, and allowances as are now granted by law to the pay clerks of the Quartermaster Corps, including retirement and retired pay."

Mr. HAY. Mr. Chairman, I make a point of order on that.

The CHAIRMAN. The point of order is sustained.

Mr. HAY. Mr. Chairman, I now move that the committee rise and report the bill to the House, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. GARRETT of Tennessee, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having had under consideration the bill (H. R. 20347) making appropriations for the support of the Army for the fiscal year ending June 30, 1916, had directed him to report the same back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

Mr. HAY. Mr. Speaker, I move the previous question on the bill and amendments.

The SPEAKER. The gentleman from Virginia moves the previous question on the bill and amendments.

The previous question was ordered.

The SPEAKER. Is a separate vote demanded on any amendment? If not, the Chair will put them in gross. The question is on agreeing to the amendments.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

Mr. GARDNER. Mr. Speaker, I move to recommit the bill with instructions to the committee to increase the amount allowed in the bill as the appropriation for airships by $700,000.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. GARDNER moves to recommit the bill, with instructions to the committee to strike out the figures "$600,000," on page 6, line 24, and insert "$1,300,000"; and to strike out the figures "$300,000," on page 7, line 4, and insert "$1,000,000."

Mr. HAY. Mr. Speaker, on that I move the previous question.

The SPEAKER. The gentleman from Virginia moves the previous question on the motion to recommit.

The question was taken, and the previous question was ordered.

The SPEAKER. The question is on the motion to recommit with instructions.

The question was taken; and on a division (demanded by Mr. GARDNER) there were—ayes 20, noes 123.

Mr. GARDNER. Mr. Speaker, I raise the point that no quorum is present.

The SPEAKER. The gentleman from Massachusetts makes the point that no quorum is present. Evidently there is no quorum present. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll.

The question was taken; and there were—yeas 34, nays 253, not voting 137, as follows:

YEAS—34.

Bathrick	Hayes	Miller	Stephens, Cal.
Cooper	Helgesen	Moss, W. Va.	Sutherland
Curry	Hinds	Murdock	Temple
Edmonds	Hobson	Nolan, J. I.	Thomson, Ill.
Esch	Johnson, Wash.	Parker, N. J.	Underhill
Farr	Lafferty	Peters	Volstead
Gardner	Lindbergh	Platt	Winslow
Greene, Mass.	McLaughlin	Rogers	
Guernsey	Mapes	Smith, J. M. C.	

NAYS—253.

Abercrombie	Dies	Humphreys, Miss.	Price
Adair	Dillon	Igoe	Prouty
Adamson	Dixon	Jacoway	Quin
Aiken	Donovan	Johnson, Ky.	Raker
Allen	Doolittle	Johnson, S. C.	Rauch
Anderson	Doremus	Jones	Reilly, Wis.
Anthony	Doughton	Kahn	Riordan
Ashbrook	Driscoll	Keating	Rouse
Aswell	Drukker	Kelly, Pa.	Rubey
Austin	Dupré	Kettner	Sabath
Bailey	Eagan	Key, Ohio	Seldomridge
Baker	Estopinal	Kiess, Pa.	Sherley
Baltz	Evans	Kindel	Sherwood
Barkley	Ferris	Kinkaid, Nebr.	Sims
Barnhart	Fields	Kirkpatrick	Sinnott
Bartlett	Finley	Konop	Sisson
Barton	Fitzgerald	La Follette	Slayden
Beakes	FitzHenry	Langley	Slemp
Blackmon	Flood, Va.	Lazaro	Sloan
Booher	Floyd, Ark.	Lee, Ga.	Small
Borchers	Fordney	Lesher	Smith, Idaho
Brockson	Foster	Lever	Smith, Minn.
Brodbeck	Fowler	Lieb	Smith, Tex.
Brown, N. Y.	Francis	Linthicum	Stafford
Brown, W. Va.	Gallagher	Lobeck	Stedman
Browne, Wis.	Gard	Lonergan	Steenerson
Browning	Garner	McAndrews	Stephens, Miss.
Brumbaugh	Garrett, Tenn.	McClellan	Stephens, Nebr.
Bryan	Garrett, Tex.	McGillicuddy	Stephens, Tex.
Buchanan, Ill.	Gerry	McKellar	Stevens, Minn.
Buchanan, Tex.	Gill	McKenzie	Stevens, N. H.
Bulkley	Gillett	Madden	Stone
Burgess	Gilmore	Maguire, Nebr.	Sumners
Burke, S. Dak.	Goeke	Mann	Switzer
Burke, Wis.	Good	Martin	Tavenner
Burnett	Goodwin, Ark.	Mitchell	Taylor, Ark.
Byrns, Tenn.	Gordon	Mondell	Taylor, Colo.
Calder	Graham, Ill.	Montague	Ten Eyck
Callaway	Gray	Moon	Thacher
Campbell	Green, Iowa	Moore	Thomas
Candler, Miss.	Greene, Vt.	Morgan, Okla.	Thompson, Okla.
Caraway	Gregg	Morrison	Towner
Carlin	Gudger	Moss, Ind.	Townsend
Carter	Hamilton, N. Y.	Mott	Treadway
Cary	Hamlin	Mulkey	Tribble
Casey	Hardy	Murray	Underwood
Church	Harris	Neeley, Kans.	Vaughan
Clancy	Harrison	Norton	Vinson
Cline	Haugen	O'Brien	Vollmer
Coady	Hawley	Oglesby	Walker
Collier	Hay	O'Hair	Wallin
Connelly, Kans.	Hayden	Oldfield	Walters
Connolly, Iowa	Heflin	Padgett	Watkins
Cox	Helm	Page, N. C.	Watson
Cramton	Helvering	Palmer	Weaver
Crisp	Hensley	Park	Webb
Cullop	Hill	Parker, N. Y.	Wingo
Danforth	Holland	Patten, N. Y.	Witherspoon
Davenport	Houston	Peterson	Woods
Decker	Howard	Phelan	Young, N. Dak.
Deitrick	Howell	Plumley	Young, Tex.
Dent	Hughes, Ga.	Porter	
Dershem	Hulings	Post	
Dickinson	Hull	Powers	

NOT VOTING—137.

Ainey	Fairchild	Knowland, J. R.	Rothermel
Alexander	Faison	Korbly	Rucker
Avis	Falconer	Kreider	Rupley
Barchfeld	Fergusson	Langham	Russell
Bartholdt	Fess	Lee, Pa.	Saunders
Beall, Tex.	Frear	L'Engle	Scott
Bell, Cal.	French	Lenroot	Scully
Bell, Ga.	Gallivan	Levy	Sells
Borland	George	Lewis, Md.	Shackleford
Bowdle	Gittins	Lewis, Pa.	Shreve
Britten	Glass	Lindquist	Smith, Md.
Broussard	Godwin, N. C.	Lloyd	Smith, N. Y.
Bruckner	Goldfogle	Loft	Smith, Saml. W.
Burke, Pa.	Gorman	Logue	Sparkman
Butler	Goulden	McGuire, Okla.	Stanley
Byrnes, S. C.	Graham, Pa.	MacDonald	Stout
Cantor	Griest	Mahan	Stringer
Cantrill	Griffin	Maher	Taggart
Carew	Hamill	Manahan	Talbott, Md.
Carr	Hamilton, Mich.	Metz	Talcott, N. Y.
Chandler, N. Y.	Hart	Morgan, La.	Taylor, Ala.
Clark, Fla.	Henry	Morin	Taylor, N. Y.
Claypool	Hinebaugh	Neely, W. Va.	Tuttle
Conry	Hoxworth	Nelson	Vare
Copley	Hughes, W. Va.	O'Shaunessy	Walsh
Crosser	Humphrey, Wash.	Paige, Mass.	Whaley
Dale	Johnson, Utah	Patton, Pa.	Whitacre
Davis	Keister	Pou	White
Difenderfer	Kelley, Mich.	Ragsdale	Williams
Donohoe	Kennedy, Conn.	Rainey	Wilson, Fla.
Dooling	Kennedy, Iowa	Rayburn	Wilson, N. Y.
Dunn	Kennedy, R. I.	Reed	Woodruff
Eagle	Kent	Reilly, Conn.	
Edwards	Kinkead, N. J.	Roberts, Mass.	
Elder	Kitchin	Roberts, Nev.	

So the motion to recommit was rejected.

The Clerk announced the following pairs:

Until further notice:

Mr. GOLDFOGLE with Mr. SHREVE.

Mr. RAINEY with Mr. BARCHFELD.

Mr. SCULLY with Mr. FAIRCHILD.

Mr. BYRNES of South Carolina with Mr. KIESS of Pennsylvania.

Mr. WHALEY with Mr. AINEY.

Mr. WILSON of Florida with Mr. DUNN.

Mr. BELL of Georgia with Mr. ROBERTS of Nevada.

Mr. ALEXANDER with Mr. BARTHOLDT.

Mr. BORLAND with Mr. AVIS.

Mr. CANTRILL with Mr. BUTLER.

Mr. CAREW with Mr. BELL of California.

Mr. CLARK of Florida with Mr. BRITTEN.

Mr. CONRY with Mr. BURKE of Pennsylvania.

Mr. DALE with Mr. CHANDLER of New York.

Mr. DOOLING with Mr. COPLEY.

Mr. EDWARDS with Mr. DAVIS.

Mr. GLASS with Mr. FESS.

Mr. GODWIN of North Carolina with Mr. FREAR.

Mr. GORMAN with Mr. FRENCH.

Mr. GOULDEN with Mr. GRAHAM of Pennsylvania.

Mr. HAMILL with Mr. GRIEST.

Mr. HART with Mr. HAMILTON of Michigan.

Mr. HENRY with Mr. KELLEY of Michigan.

Mr. KITCHIN with Mr. HUMPHREY of Washington.

Mr. LEE of Pennsylvania with Mr. HUGHES of West Virginia.

Mr. LEWIS of Maryland with Mr. JOHNSON of Utah.

Mr. LLOYD with Mr. KENNEDY of Iowa.

Mr. LOFT with Mr. KENNEDY of Rhode Island.

Mr. NEELY of West Virginia with Mr. J. R. KNOWLAND.

Mr. O'SHAUNESSY with Mr. KREIDER.

Mr. POU with Mr. LANGHAM.

Mr. RAGSDALE with Mr. LEWIS of Pennsylvania.

Mr. RAYBURN with Mr. MANAHAN.

Mr. RUCKER with Mr. MCGUIRE of Oklahoma.

Mr. RUSSELL with Mr. MORIN.

Mr. SAUNDERS with Mr. NELSON.

Mr. SHACKLEFORD with Mr. PAIGE of Massachusetts.

Mr. SPARKMAN with Mr. PATTON of Pennsylvania.

Mr. STOUT with Mr. ROBERTS of Massachusetts.

Mr. TAGGART with Mr. SCOTT.

Mr. WILLIAMS with Mr. SELLS.

Mr. BRUCKNER with Mr. SAMUEL W. SMITH.

Mr. CLAYPOOL with Mr. VARE.

The result of the vote was announced as above recorded.

A quorum being present, the doors were opened.

The SPEAKER. The question is on the passage of the bill.

The question was taken, and the bill was passed.

On motion of Mr. HAY, a motion to reconsider the vote by which the bill was passed was laid on the table.

HOUR OF MEETING TO-MORROW.

Mr. UNDERWOOD. Mr. Speaker, I ask unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock to-morrow morning in order to expedite the passage of the Agricultural bill.

The SPEAKER. The gentleman from Alabama asks unanimous consent that when the House adjourns to-day it adjourn to meet to-morrow at 11 o'clock a. m. Is there objection?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, is it the intention to go on with general debate to-night on the Agricultural bill?

Mr. UNDERWOOD. Mr. Speaker, I understand that the gentleman in charge of the Agricultural bill desires to go on with general debate this evening. Some gentlemen desire to speak, but it is not the desire of the gentleman from South Carolina [Mr. LEVER] to press the House to do any work to-night.

Mr. STAFFORD. Can the gentleman inform the House how long he expects to sit?

Mr. LEVER. Mr. Speaker, I would say to the gentleman that it is my intention to run until half past 8 or 9 o'clock.

Mr. STAFFORD. Is it the intention of the gentleman to finish the general debate to-morrow?

Mr. LEVER. We will try to get through with general debate to-morrow and take up debate under the five-minute rule, although I do not think it is the desire of the committee to run to-morrow later than 6 o'clock. However, I would not commit myself absolutely to that.

Mr. STAFFORD. How much general debate is proposed?

Mr. LEVER. The gentleman from Iowa and I have talked over the situation, and I think we will be able to agree on seven or seven and a half hours for general debate.

Mr. STAFFORD. Does not the gentleman think that if we conclude general debate to-morrow, together with the consideration of several other matters to be presented, the sending of the District appropriation bill to conference, that we will have concluded a pretty good day's work?

Mr. UNDERWOOD. Mr. Speaker, that is a question that we better let to-morrow determine. We can not tell now. We are getting close to the end of the session, and gentlemen ought to stay here.

The SPEAKER. Is there objection to the request of the gentleman from Alabama that when the House adjourns to-day it adjourn to meet to-morrow at 11 o'clock a. m.

There was no objection, and it was so ordered.

LEAVE OF ABSENCE.

By unanimous consent, Mr. RUSSELL was granted leave of absence for two days, on account of sickness.

EXTENSION OF REMARKS IN THE RECORD.

Mr. JONES. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman from Virginia rise?

Mr. JONES. Mr. Speaker, I desire to ask unanimous consent to extend my remarks in the RECORD by publishing a paper put forth by the Boston Maritime Association discussing the legal aspects of the Government-owned merchant marine bill.

The SPEAKER. The gentleman from Virginia asks unanimous consent to extend his remarks in the RECORD by publishing an essay in some Boston paper——

Mr. JONES. The Boston Maritime Association.

The SPEAKER. The Boston Maritime Association on the ship-purchase bill. Is there objection?

Mr. BARNHART. Mr. Speaker, I object.

The SPEAKER. The gentleman from Indiana objects.

CODIFYING, REVISING, AND AMENDING THE LAWS OF THE JUDICIARY.

Mr. WEBB. Mr. Speaker, I ask the Speaker to lay before the House the bill H. R. 19076, with Senate amendments.

The SPEAKER. The Clerk will report the bill by title.

The Clerk read as follows:

A bill (H. R. 19076) to amend an act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911.

The Senate amendments were read.

Mr. WEBB. Mr. Speaker, I move that the House concur in the Senate amendments.

The question was taken, and the motion was agreed to.

ENROLLED BILLS SIGNED.

Mr. ASHBROOK, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bill of the following title, when the Speaker signed the same:

H. R. 20241. An act making appropriations to supply urgent deficiencies in appropriations for the fiscal year 1915 and prior years, and for other purposes.

The SPEAKER announced his signature to enrolled bill of the following title:

S. 6121. An act to authorize the construction of a bridge across the Niagara River in the town of Lewiston, in the county of Niagara and State of New York.

ENROLLED BILL PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. ASHBROOK, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States, for his approval, the following bill:

H. R. 20241. An act making appropriations to supply urgent deficiencies in appropriations for the fiscal year 1915 and prior years, and for other purposes.

AGRICULTURAL APPROPRIATION BILL.

Mr. LEVER. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 20415) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1916, and pending that motion I desire to ask the gentleman from Iowa [Mr. HAUGEN] if we can not agree upon time for general debate?

Mr. HAUGEN. Well, I will state to the gentleman I have had several requests for time, probably more than I can accommodate, but I would like four hours on this side.

Mr. LEVER. I would suggest to the gentleman that is rather a long time for debate on this bill, and would suggest we agree upon seven hours of general debate, three and a half hours to a side.

Mr. HAUGEN. Let me suggest, if we run an hour or two this evening, can not the gentleman afford to give eight hours' time to this important bill? Of course I appreciate we are close to the close of the session and I am not going to insist upon it, but if possible I would like to accommodate gentlemen who have asked for time.

Mr. LEVER. I appreciate the fact the gentleman has had a good deal of pressure on him; so have I; but I have said to gentlemen on this side that they would have to limit themselves in their demands for time, and I would appreciate very much if the gentleman and myself can agree upon seven hours.

Mr. HAUGEN. What would the gentleman say to seven and a half hours?

Mr. LEVER. Does the gentleman think he can not get along with less than that?

Mr. HAUGEN. Of course I can get along with whatever I can get, but I would like to have that much time.

Mr. LEVER. Let me submit the request. Mr. Speaker, I ask unanimous consent that general debate on this bill be limited to seven hours, three and a half hours to be controlled by the gentleman from Iowa and three and a half hours to be controlled by myself.

The SPEAKER. Before the Chair puts that, the Chair neglected to ask if there is objection to the request of Mr. FIELDS this morning to have a correction made in the RECORD. They seem to leave the letter "s" off of his name. Is there objection to the request? [After a pause.] The Chair hears none. Is there objection to the request of the gentleman from South Carolina for seven hours' general debate, half of the time to be controlled by himself and half by the gentleman from Iowa [Mr. HAUGEN]? [After a pause.] The Chair hears none. The question now is on the House resolving itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 20415.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 20415, with Mr. HAMLIN in the chair.

The CHAIRMAN. The House is in the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 20415, the agricultural bill, which the Clerk will report by title.

The Clerk read as follows:

A bill (H. R. 20415) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1916.

Mr. LEVER. Mr. Chairman, I ask unanimous consent to dispense with the first reading of the bill.

The CHAIRMAN. Is there objection?

Mr. MANN. Mr. Chairman, reserving the right to object, how long does the gentleman expect to run to-night?

Mr. LEVER. I would like very much to run for two hours this evening. That would run us up to 8 o'clock. I have an hour and a half on this side to yield to gentlemen who are prepared to talk now, and I understand the gentleman from Iowa——

Mr. HAUGEN. I have 40 minutes.

Mr. MANN. Is it the expectation there will be no other business done to-night except this general debate?

Mr. LEVER. None whatever.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. LEVER. Mr. Chairman, I yield 30 minutes to the gentleman from Georgia [Mr. HOWARD].

Mr. HOWARD. Mr. Chairman, within the last few days we have heard very able and lucid discussions of the rural-credits question by two of our distinguished colleagues, the gentleman from Ohio [Mr. BULKLEY] and the gentleman from Indiana [Mr. MOSS].

In entering upon the discussion of this subject, to which I have given much thought and study, I do so for the sole purpose of presenting for consideration my own notions about the establishment of land-mortgage banks, which coincide with the views of many gentlemen throughout the country who have devoted years of study to this question. The views I shall give expression to do not dovetail entirely with the views previously expressed by my distinguished colleagues.

In presenting the provisions of House bill 12746, introduced by me January 31, 1914, and upon which I made an address to the House on February 17, 1914, attaching at the same time a detailed explanation of the bill, which I shall append hereto, I do so in no spirit of jealousy or with the least ambitious desire to have my views accepted over those of others if they do not appeal to the deliberate good judgment of those of us whose only purpose is to serve in the most practical way the great army of American farmers.

All of us who have given close study to the condition of the farmers and their needs are compelled to admit that the American farmer pays a higher rate of interest for the money he obtains from banking institutions than the farmer of any other great nation on earth. In fact, the rate of interest exacted of the small farmer, although it be the legal rate of interest prescribed by the laws of the different States, is almost prohibitory.

My judgment is, the existence of this condition is attributable to a system of banking which has been founded and built up to

meet the necessities of commercial rather than agricultural purposes.

Commercial and agricultural banking are as unmixable as oil and water, and the reason is this: Commercial banking institutions receiving the demand deposits of their customers are compelled by the very necessities of the case to keep their assets liquid and convertible into cash upon short notice for the protection of their depositors, and they therefore make short-time loans to meet any emergency, having fixed as a rule 90 days as the maximum limit; to which conditions commercial and industrial institutions have adjusted themselves. But any loan made to a farmer which is of shorter duration than from the time he plants his crop until the time he harvests his crop harasses rather than benefits him.

But while there is need for an extension of banking facilities, so that the farming loans may be carried from seed time to harvest—or for periods ranging from 6 to 12 months—yet this is by no means the principal need of the farming classes in a banking way. The provision of adequate banking facilities for enabling the farmer to properly finance his annually recurring needs is important and necessary. But even more important is the necessity of enabling him to secure the capital with which to partly pay for, improve, or stock his farm. The capital for the business must be provided before the business can be successfully conducted. In the farmer's case this capital can only be secured through mortgage loans, repayable in small periodical installments extending over a long term of years. The handling and placing of these long-term loans is the special business of the land-mortgage bank, and consequently in this discussion I shall confine myself largely to a consideration of these institutions.

Those of us who seek to relieve existing conditions in the extension of credit to the farmers of this country, and who are interested in upbuilding our great agricultural resources, and in encouraging that intelligent element of our citizenry who are now upon the farms (and those in the already overcrowded civic centers who would gladly follow agricultural pursuits under more favorable conditions) have sought to devise a plan, businesslike, safe, practical, easily attainable, and mutually beneficial to lender and borrower, whereby we can accomplish that which has so greatly stimulated agricultural production in other great countries.

It is my purpose now to ask the indulgence of my colleagues while I discuss with you a plan which I hope will receive the consideration that I know you have generously given to all legislation involving the welfare of the farmers of this country, and which will necessitate a comparison of the bill I have introduced with those known as the Bulkley-Hollis bill and the Fletcher-Moss bill.

Before entering upon this discussion of land-mortgage banks, however, I wish to correct certain misunderstandings and mistaken impressions which seem to exist in the minds of many of those who are interested in this subject. These misunderstandings are, in my judgment, largely due to a failure to define and distinguish the terms commonly used. Some of these terms I shall now attempt to strictly define and distinguish.

The term "land-mortgage bank" is itself not clearly understood as distinguished from institutions providing for personal credit to the farmers, and in its strictest sense the term "bank" in this connection is misleading. Strictly speaking, a pure "land-mortgage bank" is not a bank at all in the common acceptation of the term. It is an institution or organization designed for the purpose of enabling the individual farmer to borrow money, secured by a mortgage on his farm, from a distant investor or from the general public at the lowest interest rate and on the best terms. It is the means or instrumentality by and through which the farmer can place and sell his long-term mortgage loans. It is the machinery for creating, securing, handling, and selling the mortgage loans of the individual farmer and at the same time for protecting the holder of these loans by seeing that the money loaned is used in the improvement of the farm by assuring the title to the land, the validity of the mortgage, and the value of the security behind the mortgage, and by guaranteeing to the investor the prompt payment of principal and interest of the loan as they mature. By doing these things for many farmers at the same time it can be done at a minimum of expense. The land-mortgage bank could more properly be called the land-mortgage security and brokerage company. It handles farm-mortgage securities, guarantees their payment, and acts as broker in placing and selling them.

The picture of a land-mortgage bank brought before the mind's eye of the average man involves a handsome bank building with a large force of bookkeepers. The strict land-mortgage bank needs nothing of the kind. Its business in an average county could be conducted by one paid employee at a nominal salary, at a small desk in a corner of his sitting room or office. Only a small part of his time would be required after the bank was in full operation.

It is evident that in consequence the cost of operating a strict land-mortgage bank is extremely small. In so far as these banks are permitted to transact any of the ordinary banking functions in the bill which I will discuss, it is believed that the additional expense will be offset by the additional profits from this branch of the business.

Having defined a land-mortgage bank in its strict sense, I now want to emphasize the distinction between ordinary commercial banks and land-mortgage banks, so as to further clarify the argument I will make.

The commercial bank is the exact antithesis of the land-mortgage bank. The operation of the one is an exact reversal of the operation of the other. The commercial bank brings together the cash of the community and sells that cash for credit. The land-mortgage bank brings together the credit of the community and sells that credit for cash. The commercial bank pools the money of the community and sells it for interest-bearing notes or bonds. The land-mortgage bank pools the interest-bearing notes or bonds of the community and sells them for cash.

I will emphasize and elaborate this distinction later on in my argument; but this statement alone should serve to indicate that the two systems of banking, being in direct antithesis, should be kept separate as far as possible.

Mr. CARLIN. Mr. Chairman, will the gentleman yield for a moment?

Mr. HOWARD. For a question.

Mr. CARLIN. I want to inquire if it is your purpose to offer an amendment to the pending bill?

Mr. HOWARD. My purpose is to impress upon the House the great merit of the bill that I have had the honor to introduce myself as compared with the bills introduced by other people.

Mr. Chairman, on the 19th of December the gentleman from Ohio [Mr. BULKLEY], who is chairman of the subcommittee in charge of the rural credit bill, delivered a most able argument before this body in advocacy of the bill recommended by his committee and introduced by him in the House last May as H. R. 16478 and in the Senate by Senator HOLLIS as S. 5542.

In the argument made by Mr. BULKLEY he discussed at great length and with marked ability the question of governmental support of land-mortgage banks, drawing the distinction between the various kinds of support which the Government might give to these institutions, and showing very conclusively to my mind that no open-minded citizen can question the wisdom of certain kinds of governmental support; while certain other kinds might be ground for a decided difference of opinion. [Applause.]

In this speech Mr. BULKLEY referred to the bill recommended by the United States Commission on Agricultural Credits, introduced in the House by Mr. Moss of Indiana and in the Senate by Senator FLETCHER, of Florida.

In discussing this question of land-mortgage banks, and in presenting for your consideration the arguments which seem to me conclusive as to the value of the general plan outlined in the bill which I have presented I shall go into detail as little as possible, and only so far as is necessary to bring out the few important points which I think merit attention.

The bill which I have introduced is, to a large extent, similar to the Fletcher-Moss bill except in its provisions for a central bank and for ultimate mutualization.

FLETCHER-MOSS BILL.

The Fletcher-Moss bill provides for a system of independent banking, each bank being allowed to do a State-wide business, and each bank being allowed to sell its debentures against the first mortgages taken by it.

Under the Fletcher-Moss bill a given number of persons can organize a bank and do business all over the State in which the bank is organized, lending money on lands anywhere in that State and selling the debentures of the bank under certain regulations and restrictions, such debentures being issued against the mortgages held by the bank. Each bank is an independent unit, and each bank is operated independently of any other bank except for the supervisory control exercised by the governmental department provided for that purpose. While the provision is made in the Fletcher-Moss bill for cooperative institutions, the real theory of that bill seems to be that the ground on which the establishment of these institutions is to be hoped for is the purely selfish ground of large returns to the investor.

BULKLEY-HOLLIS BILL.

On the other hand, the Bulkley-Hollis bill does not provide for the establishment of independent banks. It provides for the establishment of a banking system, consisting of local institutions, known as "National Farm Loan Associations," to make direct loans to the farmers who are stockholders of the association, and limited in their operations to the farm loan district in which the association is situated. The mortgages secured by the local farm-loan association are thereupon to be indorsed by it and forwarded to a larger institution known as a "Federal land bank." These Federal land banks are to each operate over a district comprising several States, the theory being apparently that there should be about as many Federal land banks as there are now Federal reserve banks in our national banking system. The mortgages forwarded by a local association to its Federal land bank are used by the Federal land bank as security for land-bank bonds issued by the Federal land bank, each issue of such bonds being guaranteed by all of the 12 Federal land banks provided for in the system.

HOWARD BILL.

My bill provides for a local farm-land bank, limited in its operations to a county, which lends the money to the farmer, taking a first mortgage for the same. This local land bank then indorses or guarantees the mortgage and sends it to a State land bank, whose operations are confined to that State and who can then itself indorse or guarantee the mortgages and send them on to the United States land bank or central bank. This central bank can take the mortgages from a given State so guaranteed by a local bank and by a State bank, and against these mortgages can issue land-bank bonds of the central bank and sell the same. The central bank alone has the power to issue and sell these debenture bonds or land-bank bonds, secured by mortgages on farm lands which have been indorsed by the local bank and by the State bank.

LOCAL, STATE, AND CENTRAL BANKS.

Under my bill the local bank, with a minimum capital of $10,000, is owned and controlled locally and is limited in its loans to the county where it is located. As many banks as are desired can be established in a given county. All of these banks have exactly the same facilities for obtaining money for the farmers on advantageous terms. They can purchase first mortgages and guarantee the payment of the same to the extent of fifteen times their capital and surplus. These mortgages, when so guaranteed and sent to the State bank, are in turn by it guaranteed and sent to the central bank. The State bank can guarantee mortgages—which are first guaranteed by the local banks—to the extent of one hundred times the capital and surplus of the State banks. The State bank, in turn, guarantees these mortgages—all guaranteed by local banks—and forwards them to the central bank, which alone can issue and sell debentures against the same.

PROFITS ALL GO TO LOCAL BANKS.

The stockholders of the local banks under my bill have a double liability, as in national banks, and their dividends are restricted to 6 per cent. The State bank is owned by the local banks in that State, each of which is required to contribute 20 per cent of its capital and surplus to the purchase of stock in the State bank. Each local and State bank is required to contribute 10 per cent of its capital and surplus toward the purchase of stock in the central bank. The result is that all the profits of the central bank, after a fair surplus has been created, go to the State and local banks, and all the profits of the State bank, after a fair surplus has been created, go to the local banks. Thus all the profits of the entire system come back to the local banks.

Mr. CANDLER of Mississippi. Will the gentleman yield right there?

Mr. HOWARD. With pleasure.

Mr. CANDLER of Mississippi. I understand you provide one bank in each county, or as many banks as the business would justify in each county, and that there would be under your bill only one bank in the State?

Mr. HOWARD. One State bank.

Mr. CANDLER of Mississippi. And then only one great central bank in the United States?

Mr. HOWARD. Yes, sir.

Mr. CANDLER of Mississippi. To control all the business going down the line to the local community?

Mr. HOWARD. Let me explain to the gentleman. I think I can make that clear. The county bank and the State bank take stock in the central bank, thereby owning the central bank. In other words, the contribution of 20 per cent of the capital stock in these banks in the central bank and 10 per cent in the State banks make the county banks own the State banks, and then, in turn, the State banks in the 48 States in the Union own the central bank. Therefore the entire system is controlled, as the gentleman can see, by the small banks in the counties.

Mr. CANDLER of Mississippi. So there would be a mutuality of interests running from the county banks to the central bank?

Mr. HOWARD. Absolutely. How much time have I consumed, Mr. Chairman?

The CHAIRMAN. The gentleman has consumed 20 minutes.

Mr. CANDLER of Mississippi. I thank the gentleman very much for his courtesy.

Mr. MURRAY. I apprehend the purpose of this interlocking system of banks is to sell the bonds easily and to give them credit?

Mr. HOWARD. Absolutely. In other words, if the farmers expect to get cheap credit in this country, there is but one way to do it, and that is to make the security of that farmer, by a collection of all of the credit of the farmers of the country, brought together in one great central institution, as good as a municipal bond, a State bond, or a Government bond itself. To give you an illustration, yesterday the bonds of the land-mortgage banks in Germany and France were selling for 1½ per cent more, so it was stated in a daily paper that I saw, than the bonds of the Governments of Germany and France.

Mr. GOODWIN of Arkansas. Will the gentleman yield?

Mr. HOWARD. With pleasure. I wish I had time to yield to all of my colleagues on this particular subject, because I would like to answer any questions and hear any criticism that they might have to make of the bill.

Mr. GOODWIN of Arkansas. Do I understand my colleague to say that the profits are limited to 6 per cent?

Mr. HOWARD. The dividends they can declare as a profit. But that makes no difference. In other words, we do not allow a divided declared over 6 per cent; but what difference does it make about the dividend? All of the profits eventually are owned by the farmers themselves. Now, I want to say this——

Mr. BUCHANAN of Illinois. Will the gentleman yield for a short question as to the European banks? I would like to know if they have Government aid?

Mr. HOWARD. The only aid they get from the Government, as I understand it, is of the character of bringing the man who has the money and the man that wants to borrow the money together. Some of them do put up a certain amount of money.

Mr. SUMNERS. Will the gentleman yield for a suggestion?

Mr. HOWARD. With pleasure.

Mr. SUMNERS. The suggestion is that the gentleman had better proceed with his manuscript, as he has but a little more time left.

Mr. HOWARD. Now, gentlemen, if you will pardon me, I will adopt the suggestion of my good friend from Texas [Mr. SUMNERS] and try to get down to at least the gist of what I am driving at.

HOW PROFITS ULTIMATELY GO TO FARMER BORROWERS.

The stockholders in the local banks only receive 6 per cent dividends on their investment. The balance of the profits of the local banks, representing the profits of the entire system, are used to create a fair surplus, and thereafter the profits are used to buy in from the stockholders of the local bank at par the stock owned by them which is thereupon canceled. Thereafter the profits of the local bank, representing the profits of the entire system, are annually distributed back to the borrowers from the bank; thus making the system eventually a mutual one and giving to the borrowers the benefit of the profits of the system. In this way the profits of the system redound to the benefit of the borrowers and serve to reduce the rate of interest which they must pay for their loans.

Under my bill provision is made limiting the profits which the system of banks can make on any specific loan. The farmer borrower can not be required to pay a rate of interest exceeding by more than 1 per cent the rate at which the central bank sells its debentures. This 1 per cent must represent the profit and pay the expense of operation of the local bank, the State bank, and the central bank.

Now, that is 1 per cent, and by way of parenthesis I want to say this: That sounds like a very little bit of profit. The minimum amount of expense incurred by the land-mortgage banks of Europe has been fifteen one-hundredths of 1 per cent. The maximum amount that these systems have ever cost in Europe has been sixty-two one-hundredths of 1 per cent.

Now, when you take into consideration the fact that the country bank can issue bonds of 15 times its capacity, or $150,000, one-half of 1 per cent, which they will eventually get on that amount, alone equals 5½ per cent to the local bank. The State bank can issue one hundred times its capital. Therefore if a State bank in the State of Missouri or in the State of

Kentucky has a capitalization of a million dollars, under the provisions of this bill it could guarantee land-mortgage bonds to the extent of $100,000,000.

Therefore you can see what their profit would be at one-fourth of 1 per cent; so that the profit, although it is divided between three holders of stock—the county bank, the State bank, and the central bank—and two-quarters go to the State bank and the central bank and one-half goes to the county bank, yet the profits of the entire system come back eventually to the original borrower.

Mr. J. M. C. SMITH. Mr. Chairman, will the gentleman pardon me for a question?

Mr. HOWARD. Yes.

Mr. J. M. C. SMITH. How do you arrive at 15 per cent and 150 per cent?

Mr. HOWARD. It is not 150 per cent; it is 15 per cent. I am glad the gentleman asked that question, because I would like to make myself clear on it. For instance, the small bank in your county gets up $10,000 and joins this organization. They are allowed to guarantee $150,000 worth of mortgages, upon which they are allowed ultimately one-half of 1 per cent profit.

Mr. J. M. C. SMITH. That is when the system gets to working?

Mr. HOWARD. They do that every year.

Mr. J. M. C. SMITH. Why is not the small bank allowed to do the same thing?

Mr. HOWARD. The reason for that is this: The small bank issues fifteen times its capital. The reason why they are allowed to issue anything more—there is a double liability—the reason why they are allowed to issue the capital stock they have got is because they have behind each loan full value. In fact, only 50 per cent of the value of the loan is accepted.

Mr. J. M. C. SMITH. I am very much obliged to the gentleman. He will excuse me for interrupting him.

Mr. HOWARD. I was glad to yield. Now I will try to get along.

In the bill this whole plan is worked out in detail, and it is submitted that the system could be promptly and easily organized and would be specially suited to the needs of our farmers.

SENTIMENT AGAINST A CENTRAL BANK.

I recognize that there is some sentiment among the American people, and particularly among the members of the dominant party, against a central bank. This sentiment was strongly developed when we were attempting to reform our currency laws, and many people seem now to think that the country will be opposed to a central bank in agricultural banking.

I can not help but believe, however, that any fear of opposition to a central bank in agricultural banking is unjustified, and that such opposition, if there is any, will promptly disappear upon a consideration of the principles which must control a system of land banks.

The whole theory of the land bank is to give to the individual borrower the benefit of the collective credit of the community, so as to secure for this individual farmer borrower a loan on the best terms and at the lowest interest rate.

I take it that no one will question the fact that the borrower who offers the best and most liquid security will receive the lowest interest rate and the most favorable terms. If this is true, then it follows that the best system of agricultural banking will be the system which offers to the investor a land bond secured in the best manner and having the widest market.

REASONS AGAINST A CENTRAL BANK IN COMMERCIAL BANKING.

Commercial banking consists in gathering together the cash of the community and using this collective cash to meet the needs of the community. A central bank in commercial banking is feared, because the cash resources of all the communities might be brought together into a central bank, to the detriment of some of the communities. The control of this collection of the cash resources of all the communities in the country might be dangerous if not properly exercised. The centralization of the cash resources of the country has been feared, because we all know that the man who controls the actual money of the country can largely control the business of the country, and the centralization of a large portion of the cash might offer to the individuals controlling the central institution too vast a power and too great an opportunity to enrich themselves at the expense of the general public. The danger in centralizing the cash resources exists because of the power which any man must have who controls the cash resources.

REASON FOR A CENTRAL BANK IN AGRICULTURAL BANKING.

Now, agricultural banking is an entirely different proposition. Land banks are not formed to gather the cash resources of the community and then lend out this cash, but exactly the reverse is true. They are intended to bring together the credit resources of the community, and, by combining these credit resources, to borrow from investors, on the best terms and at the lowest interest rate, money for the use of the individual in that community. The individual, with a farm in Georgia, is unable to borrow money locally except at high interest rates and on burdensome conditions. He can not borrow in New York or elsewhere, because his security is not known. But if the Georgia farmer can combine his credit resources with those of his neighbors and have his note or obligation guaranteed by a local bank, then by a State bank, and then by a central bank, the investor will be satisfied with the security offered and will be willing to lend money at lower rates and on advantageous terms.

The CHAIRMAN. The time of the gentleman has expired.

Mr. LEE of Georgia. Does my colleague desire a little additional time?

Mr. HOWARD. I would like a little more time.

Mr. LEE of Georgia. I yield to the gentleman 10 minutes.

Mr. HOWARD. I thank the gentleman. I certainly appreciate it.

Mr. CALLAWAY. I want to ask the gentleman a question.

Mr. HOWARD. If the gentleman will permit me, I think I have everything in this speech except the applause. [Laughter.]

Mr. MURRAY. And the votes.

Mr. HOWARD. Within 10 minutes I think I can finish my argument, and at the end of that time I will be very glad to yield to my good friend from Texas.

NO DANGER OF INORDINATE POWER OR CONTROL IN A CENTRAL BANK IN AGRICULTURAL BANKING.

To speak of exercising any control or power over the farmers because of the existence of a central bank, as planned in my bill, seems to me to be absurd. If that bill were in effect, the investor in New York or Chicago might own a $1,000 bond issued by the central bank, due 30 or 35 years after its date. That bond would be secured by mortgages on Georgia farms, each guaranteed by a local bank in Georgia and by a Georgia State bank. These mortgages would likewise be due in 30 or 35 years, and would each contain an amortization provision providing for their gradual retirement by periodic payments. That is to say, that the Georgia farmer who paid $30 or $35 every 6 months for 30 years would have paid off not only the interest but the principal of his debt at the end of the term. How is it conceivable that the investor, holding the land-bank bond of the central bank, could exercise any influence over the Georgia farmer, whose mortgage falls due 30 years from date and who by paying $30 every 6 months will have paid off the mortgage of $1,000, both as to principal and interest, by the time the mortgage matures?

DISTINCT ADVANTAGES OF A CENTRAL BANK.

On the other hand, by providing for a central bank the individual farmer is given the benefit—

First. Of the collective credit of the community, as represented by the guaranty of his mortgage by the local bank.

Second. The collective credit of the farm-land banks of the State, as represented by the guaranty of his mortgage by the State bank.

Third. The collective credit of the farm-land banks of the Nation, as represented by the guaranty of his mortgage by the central bank.

Each farmer borrower, no matter where he may be, will get the benefit of the collective credit of his community, of the collective credit of the farm-land banks of his State, and of the collective credit of the farm-land banks of the Nation, as represented by the central bank. Can there be any question that, as a consequence, he will be able to obtain money on the best terms and at the lowest interest rates?

The Fletcher-Moss bill, with its system of independent banks, would not give him these advantages. While that bill does not limit the number of banks in any given State, let us assume that only one bank was established under that bill in each State. This would establish 48 banks, each offering their debentures for sale and competing in the money markets of the world for investment money. The investor would have to decide as to the comparative merits of the debentures issued by the bank in Georgia and the debentures issued by the bank in Illinois. Each State bank would be absolutely independent of all the others. Would not the result necessarily be that the States where farm lands are already most highly developed would be benefited to a much greater extent than those where help is most needed? Would not the investor naturally prefer the land-bank bonds of a thickly settled State where farm-land values were higher? And it must be remembered that the purpose of rural banking is not simply to help the man who is already able to help him-

self. Its purpose is as well, and principally, to help the small farmer who is not able to help himself.

INDEPENDENT BANKS WOULD SEEK THE LARGER COMMUNITIES AND WOULD LEND ONLY IN WELL-DEVELOPED SECTIONS.

Moreover, under the Fletcher-Moss bill it would seem to me that in a given State the banks would be established at large centers and would be disposed to lend only on lands in the well-developed sections of the State. Being allowed to do business anywhere in the State, and being organized purely on the basis of returns—except in cases of cooperative institutions—would they not naturally gravitate to the larger centers and lend their money only in the well-developed and populous sections of the State instead of using their resources to make small loans and build up the waste places?

THE SMALL LOCALITY CARED FOR UNDER THE HOWARD BILL.

Under my bill the limit of operations of any local bank is the county. The local bank is owned, controlled, and operated by local people. It is organized by them for the purpose of improving local conditions. The double liability on the stockholders will insure care in making loans, as will the other restrictions provided. The officers of the bank can readily see to the application of the loans because the loans are made to their neighbors. Their transactions will probably be small transactions. Their loans will be made to the small farmer, but through the system of State banks and of central banks and by means of the plan of guaranties the small farmer borrowing $100 on his land can get the benefit of the collective credit of the whole system and can secure his loan on the most advantageous terms.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. LEVER. I yield five minutes more to the gentleman from Georgia.

Mr. HOWARD. Mr. Chairman, I do not want to impose on the committee any longer, but I do want to present just a little comparison of the bill of my distinguished friend [Mr. BULKLEY].

UNREASONABLE DIVISION OF COUNTRY INTO FEDERAL LAND-BANK DISTRICTS BY BULKLEY-HOLLIS BILL.

The Bulkley-Hollis bill, in effect, provides for a guaranty of the individual loan by the collective resources of the country, because it makes each of the 12 Federal land banks responsible for all land-bank bonds issued by any of the 12. I submit, with great deference, that the proposed subdivision of the country into Federal land-bank districts along the lines of the Federal reserve act is purely arbitrary and is not founded on either reason or experience. This subdivision into 12 districts in commercial banking was based on the currents of trade and the movements of business within a given area. No such reason exists in agricultural banking, and the division of the country into 12 Federal land-bank districts for agricultural purposes does not seem to me to be justified.

REASON FOR STATE LAND BANKS UNDER HOWARD BILL.

On the other hand, there is a distinct reason for having State banks limited in operation to the confines of one State.

Our laws in regard to land registration, conveyancing, mortgaging, and foreclosure are State laws controlled absolutely by the States. Unfortunately, these laws vary in the different States. The Federal Government can not change them. The forms of deeds and of mortgages and the methods of foreclosure in adjoining States are often entirely different. The whole problem of land banking is the sale, on advantageous terms and at low interest rates, of farm mortgages. It is natural that in any system the mortgages from one State should be guaranteed by a State bank limited in its operations to that State. It is natural and wise that the mortgages should come from the locality where the land is situated, guaranteed by the local bank to the State institution, and should pass from the State institution, after being guaranteed by it, to the central institution.

Again, the Bulkley-Hollis bill limits the interest rate which can be charged the farmer to the legal interest rate in the State where the land is located. The legal rate of interest in the States of the Union varies widely, and yet the mortgages in the State where the legal rate is 8 per cent are used by the Federal land bank as the basis for land-bank bonds just exactly as are the mortgages in a State where the legal rate is 6 per cent, and in all cases the land-bank bonds issued by one Federal land bank are guaranteed by all the other Federal land banks. The Bulkley-Hollis bill apparently encourages a continuation of the present widely divergent legal interest rates. It offers very small hope to the farmers of a State where the legal rate is high that that rate will be reduced.

Mr. BULKLEY. Will the gentleman yield?

Mr. HOWARD. With pleasure.

Mr. BULKLEY. The gentleman should not overlook the limitation that is contained in the Bulkley-Hollis bill, that the land bank and the local organization together shall get only 1 per cent per annum, exactly the same limitation that is contained in the gentleman's bill.

Mr. HOWARD. That is true; but you do allow a bank to charge the legal rate of interest within the State, and it can not be more than 1 per cent above that, as I understand it.

Mr. BULKLEY. We allow the local association, which is composed exclusively of borrowers, the same as the gentleman proposes, to charge what it may deem necessary for its own safety; but it can not keep any of that money as profits, but must return it to the borrowers if there are no losses.

Mr. HOWARD. Less 1 per cent.

Mr. BULKLEY. Exactly the same as is proposed by the gentleman.

Mr. HOWARD. On the other hand, my bill and the Fletcher-Moss bill both provide that the rate charged to the farmer shall not exceed the interest rate on the land-bank bonds by more than 1 per cent. Experience has demonstrated in European countries that this is the wisest way in which to secure the best results to the farmer. My bill goes beyond this and holds out to the farmer a hope of further reduction in his interest rate, because the profits of the entire system of banks, after paying the interest and principal of the investment, are to be annually distributed among the borrowers themselves.

SHOULD RURAL BANKING BE CONTROLLED BY FEDERAL RESERVE BOARD?

The Bulkley-Hollis bill provides for the supervision and control of the system by the existing Federal Reserve Board. My bill and the Fletcher-Moss bill provide for separate boards. In my own judgment a separate board is wise, because I do not believe that agricultural banking and commercial banking should be too closely commingled. The plan of the one is practically a reversal of the other. Commercial banking collects cash and lends it out. Agricultural banking collects credit and sells it.

THE STRIKING ADVANTAGE OF THE HOWARD BILL.

But whether the system to be inaugurated is to be controlled by the Federal Reserve Board or by an independent body I still urge that a central bank in agricultural banking is extremely desirable, and that the best results can not be obtained for the individual farmer, except by giving him the benefit of the collective farming credit of the country when he wishes to obtain a loan. I still maintain that loans should be made by local banks within a limited area where the people who own and control the bank know the land, know the borrower, know the needs of the borrower, and can personally see to the application of the loan. I still maintain that with the small local bank, limited in its operations to a county, paying a fair dividend of 6 per cent to its stockholders, with the prospect that the money invested in the institution will ultimately be paid back to the stockholders and that the rates of interest on loans will constantly decrease, the best results can be obtained. I maintain that the system proposed in my bill will appeal to the local pride and patriotism of the farmer himself. It will offer him the opportunity of helping himself and of helping his community at no risk to himself. It will afford to the small and sparsely settled community the same advantages as to the large and rich agricultural section. It will tend to bring about uniformity in land registration, conveyancing, mortgaging, and foreclosure. It will tend to bring about uniformity in interest rates, and lower interest rates.

THE FARMERS SHOULD CONTROL THE RURAL BANKS.

In addition, any great reform that hopes to be successful must usually start at the bottom. I believe that the reform in agricultural banking should start with the local bank organized by the local farmer for his own benefit and for the benefit of his neighbors. If the farmers want a rural banking system, they must operate it themselves. Under my bill the farmers would own the local banks, and through the local banks would own the State banks and the central bank. All the profits of all the institutions would go to the farmers. All the institutions would be controlled by the farmers. The farmers who provide the money for the capital of the banks would receive 6 per cent and would ultimately get back their investments. The balance of the profits would be used to reduce the interest rates to borrowers, and in every case each borrower would get the benefit of the collective credit of the entire system to help him secure money on the best terms and at the lowest rate.

CONCLUSIONS.

Mr. Chairman, I shall not attempt to discuss my bill in any great detail or to make any extended comparison of the separate sections of the bills referred to. I wish to emphasize the impor-

tance of a central bank in any system of agricultural banking; the importance of basing a system of agricultural banks on local institutions limited in their operations to a small area and owned and controlled by local people. I wish to emphasize the necessity of limiting in some practical way the rates of interest which can be charged on farm loans, and of providing that the profits from the system shall redound to the interest of the borrower who makes these profits possible, after returning to the investor the amount of his investment and a reasonable dividend thereon. I do not believe that a system of independent farm-land banks is what this country needs, as outlined in the Fletcher-Moss bill. I can not see any reason for the arbitrary division of the country into Federal land-bank districts, as provided in the Bulkley-Hollis bill. I believe the natural and proper subdivision in land-banking is the county, the State, and the Nation. I believe that each borrower should be given the benefit of the collective credit of the whole system, and I believe that the borrower should, as far as possible, participate in the profits which he turns over to the system.

I believe the system should be one which will take care of the small landowner, and which will enable the tenant farmer to become the owner of his farm. A system must be provided which will not make it to the interest of the banks to lend to the well-to-do man or in the well-developed section. It must be a system which offers equal advantages to all and special privileges to none. It must be a system which will tend to build up the waste places of the country, and which will help the small farmer who now can get no help. It must be a system operated primarily in the interest of the farmer borrower, and the profits from the system should be used to better his condition and to lower his burdens. I believe that my bill in its plan more nearly provides for the attainment of these needs than any other bill that has yet been presented; and I respectfully submit that, whatever changes in its details may be advisable, the general principle of a central bank to issue and sell debentures, based on State banks and on county banks, and offering the collective credit of the whole system for the benefit of each individual borrower, is the advisable system for this country. I believe that the rate to be charged the farmer should be limited, not according to the legal rate in the State but by a maximum charge over and above the rate which the bank issuing land bonds has to pay the investor.

The provisions of the bill as to the business to be transacted by each of the banks, as to the supervision and control of the same by the Federal Government, and as to all the details of operation, have been carefully worked out, and will, I believe, receive favorable consideration, as they are fully understood. I believe that the bill is correct in its basic principle, because it enables each farmer to get the benefit of the collective credit of all the farming population; because it permits only one central bank to issue land-bank bonds, thereby tending to standardize the same, and tending toward greater uniformity in interest rates to farmers throughout the country; because it removes competition between individual banks representing different States and sections for investment of money, which must mean higher interest rates for the farmer; and because the system of banking outlined in this bill starts with the farmer and ends with the farmer. He controls the local bank, the State bank, and the central bank. He can not be ousted from the control. He gets the profits. He manages the system and must himself suffer if he mismanages. The system is based on cooperative action of the farmers. If they want improved facilities, they can get them. If they do not want them, they do without. Their personal interest, their work, their money, and their credit must be enlisted. Without these, no system will succeed. Agricultural banks must be owned and run by the farmer in order to succeed—and this is what is provided for in the bill I have introduced. [Applause.]

DETAILED REVIEW OF BILL H. R. 12746.

The general plan of the bill which I introduced in the House of Representatives on January 31, 1914 (H. R. 12746) involves:

1. The creation in the Treasury Department of a division of farm-land banking, to be under the general direction and charge of a farm-land banking board, composed of the Secretary of the Treasury, as chairman, Secretary of Agriculture, and the Comptroller of the Currency, the work of the division to be under the direct charge of a director of farm-land banking, to be appointed by the President, by and with the advice and consent of the Senate, and who shall serve for five years and be eligible for reappointment. The salary of the director is placed at $7,500, and an assistant director at $6,000 per year is provided for. The director of farm-land banking is authorized to employ the necessary clerks and assistants, and is required to make an annual report to Congress in regard to farm-land banks. The salaries and operating expenses of the farm-land banking board and of the director of farm-land banking, his assistants and employees, are to be provided for in the appropriation for the Treasury Department.

The general duties of the farm-land banking board are to formulate and adopt rules and regulations governing the operations for farm-land banks, and these rules and regulations are to be enforced by the director of farm-land banks. Provision is made that the rules and regulations shall be adopted and the directors shall be appointed within 90 days after the passage of the act.

Power is given to the division of farm-land banking, upon the recommendation of the director, to issue charters for local and State national farm-land banks, as provided for in the act; to exercise supervision and control over all farm-land banks established under the act, under general rules and regulations and under like general rules to withdraw or forfeit the charters of local and State farm-land banks or liquidate them when necessary.

Power is also given the division of farm-land banking, by general rules and regulations, to specify the conditions under which the privileges, or certain of them, authorized in the act shall be extended to local and State farm-land banks, and to provide for the extension of such privileges, or certain of them, only to those local and State farm-land banks operating in those States which have met the requirements of the division of farm-land banking as to the simplification of land-title registration and conveyancing; as to simplification and economy of methods of securing farm loans and foreclosing the same; as to the removal of any taxation upon mortgages; and as to the removal or waiver of any exemptions in regard to farm mortgages.

2. The creation of a system of national farm-land banks, comprising:

(a) Local banks, such as "Doeville National Farm Land Bank," limited in their operations to a county or other small political subdivision of the State.

(b) State banks, such as "Virginia National Farm Land Bank," limited in their operations to a given State, and acting as a clearing house and reserve agent for the local banks in that State.

(c) A central bank, to be known as the "United States National Farm Land Bank," to act as a clearing house and reserve agent for all the State and local farm-land banks, and to alone issue and sell collateral trust bonds or national land-bank bonds. These national land-bank bonds will be the obligations of the central bank, issued against the deposit of mortgages or deeds of trust on farm lands at not more than 50 per cent of the appraised value of such lands, when the lands are improved, and at not more than 40 per cent of the appraised value of other farm lands. The mortgages or deeds of trust, before being used by the central bank as collateral security for its national farm-land bonds, must be in each case guaranteed both as to principal and interest by the local bank of the county or other subdivision where the land is located, and must be then likewise guaranteed by the State bank of that State. Moreover, all such mortgages or deeds of trust must contain a mandatory provision for the repayment of the principal by the amortization plan; that is, by the payment, annually or semiannually, of small amounts on account of the principal, which payments will be sufficient to pay off the mortgages or deeds of trust at their maturity.

The general powers incident to corporations are given to all farm-land banks, including the right to continue for 50 years and reserving the right of change, amendment, or repeal of the charters so granted by Congress, provided that the rights of creditors of such banks are not affected by such action.

The bill enumerates certain general provisions applicable to all farm-land banks, as follows:

1. The capital stock, the income derived therefrom, the mortgages held by said banks, and the national land-bank bonds issued by the central bank are exempted from all taxation.

2. Every bank is prohibited from lending money upon the stock of any other farm-land bank, and no bank is allowed to lend to any one individual more than 20 per cent of its capital and surplus; but this latter provision does not apply to the guaranty of real-estate loans of local and State banks.

3. Each director is required to take a proper oath for the faithful performance of his duties.

4. Examinations by the directors are required by each bank at least once every three months.

5. Examinations of the affairs of each bank by examiners appointed by the director of farm-land banking are provided for substantially as examinations of national banks are provided for under the Federal reserve act.

6. In the case of every farm-land bank the director of farm-land banking is required at the time of organization to designate some individual who is not an officer or director of the bank and who is not objectional to the directors as Federal fiduciary agent, to be the representative in that bank of the division of farm-land banking.

The duties of this Federal fiduciary agent are specifically defined at great length in the case of local and State banks as well as in the case of the central bank. This agent practically acts as the Government representative to see that the requirements of law are complied with as regards farm-land loans:

A. In the case of local banks this agent is required—

(1) To certify that each mortgage or deed of trust is properly recorded and that the same is a first mortgage, and to certify that each note or bond purporting to be secured under such mortgage or deed of trust is so secured.

(2) To have joint possession or control with the local bank of all amortization payments or payments on the principal of mortgages held by the banks so long as such payments remain in the possession of the banks, and to see that proper credits are made upon the mortgages or deeds of trust when such principal payments are received. No disposition of such amortization or principal payments can be made without his consent in writing.

(3) To have supervisory control over all entries in the mortgage ledger where a detailed statement of all mortgages held by the bank as an evidence of long-term loans is kept.

B. In the case of State banks—

(1) To have joint possession and control with the bank of the mortgages sent to the State bank by the local bank after being guaranteed by the local bank.

(2) To have joint possession and control with the State bank of all amortization payments coming into its possession from the local banks. Such amortization payments made on mortgages sent by the local bank to the State bank must be forwarded by the local bank to the State bank.

(3) To have supervisory control of the mortgage ledger kept by the State bank.

C. In the case of the central bank—

(1) To certify to each collateral trust bond or national land-bank bond issued by the central bank against mortgages deposited with it, which mortgages have previously been guaranteed by a local and a State bank.

(2) To have joint possession and control of the mortgages held by the central bank, each of which has been guaranteed by a local and State bank. No mortgages can be withdrawn or changed without his consent in writing.

(3) To have joint control with the central bank of the amortization payments on such mortgages. These amortization payments are forwarded from the State bank to the central bank when the mortgages on which they are made are held by the central bank as a security for national land-bank bonds. The amortization payment under this plan goes from the local bank to the State bank and from the State bank to the central bank, always resting with the last guarantor of the mortgage.

(4) To have supervisory control of all entries in the mortgage ledger kept by the central bank.

D. To perform such other duties as the director of farm-land banking may prescribe. The salary of each Federal fiduciary agent is fixed by the joint agreement of the bank and of the director of farm-land banking and is paid by the bank.

7. The seventh general provision for farm-land banks prescribes what real estate may be purchased, held, and conveyed. The requirements are the same as in the case of national banks.

8. The eighth general provision, relating to farm-land banks, prescribes that the par value of the stock shall be $100 per share. The provisions regarding the stock are substantially the same as in the case of national banks, except that no person can vote in person or by proxy more than 10 per cent of the outstanding stock at any stockholders' meeting.

9. The ninth general provision provides for an increase of capital for any bank substantially as with national banks.

10. The tenth provision provides for a decrease of capital for any bank substantially as with national banks, except that no reduction can be made which will reduce the proportion that the capital and surplus of the bank bears to the outstanding guaranteed mortgages below the proportion provided by the act.

11. The eleventh general provision provides that the affairs of each local and State bank shall be managed by not less than five nor more than nine directors. It also specifies the requirements as to citizenship and residence of the directors, and requires that each director in a local bank must own at least two shares of stock; otherwise the provisions are substantially similar to those in the case of national banks.

12. The twelfth general provision provides for the election of president and vice presidents from the membership of the board.

13. The thirteenth general provision provides for double liability on the part of stockholders of local banks.

14. The fourteenth general provision defines this liability in the case of executors, and so forth, substantially as with national banks.

Sections 10 to 13, inclusive, provide for the incorporation of local banks by any number of natural persons not less than 10. It is specified that the name "National Farm Land Bank" shall be a part of the title of every local and State bank under this act, and that these words shall not be used by institutions other than those incorporated under the act. Local institutions are to be prefixed by a descriptive title and followed by the name of the county and State in which the bank is to operate. The other information to be contained in the articles of association is specifically outlined, and provision is made for acknowledging and filing the certificate.

It is provided that each local bank shall, upon being organized, have the following powers:

(1) To accept and pay interest on postal savings deposits and other time deposits from the National Government; to accept and pay interest on State time deposits, on time deposits of public funds, and on time deposits from individuals or corporations.

(2) This is the principal and distinguishing feature of the farm-land banks: To guarantee the payment of loans upon farm lands located within the county or other political subdivision in which such local bank is operated, provided—

(a) That such loans run for not less than five years.

(b) That such loans are secured by a first mortgage on farm lands located within such county, or are used to retire existing mortgages, so as to make them a first lien. Mortgages on lands outside of the county can be accepted as additional security, and provision is made for loans on land lying partly in two counties.

(c) That such loans do not exceed 50 per cent of the appraised value of productive farm lands or 40 per cent of the appraised value of other farm lands.

(d) That every such loan contain a mandatory provision for amortization by annual or semiannual payments.

(e) That every such loan may be paid off in whole or in part, upon reasonable notice, at any interest period, after such loan has continued for five years under rules prescribed by the division of rural banking.

The local banks are also authorized to sell and trade in mortgages guaranteed by it, and to invest its deposits in short-term farm loans, maturing within five years, which comply with the requirements of (b) and (c) next above. The local bank can also guarantee such short-time loans and sell, buy, and trade in the same.

The local bank can also use its capital stock, surplus, and deposits as a revolving fund for the temporary purchase or holding of long-term first-mortgage loans or short-term first-mortgage loans complying with the above requirements; or it can use the same for the purpose of buying and holding temporarily national land-bank bonds of the central bank, but the capital, surplus, and deposits can be permanently invested only in United States bonds, in bonds of the State in which the bank is located, or in other securities approved by the division of farm-land banking.

The local banks can also do such general banking business as is incident to the foregoing.

Section 14 provides certain limitations upon local banks, as follows:

(1) The local bank can guarantee long-term mortgages not exceeding fifteen times its capital and surplus and short-term mortgages not exceeding five times its capital and surplus.

(2) The capital and surplus of each bank are liable—

(a) For its guaranties on long-term mortgages.

(b) For its guaranties on short-term mortgages.

(c) For its deposits or other obligations.

This provision gives added strength to the long-term mortgages and discourages deposits except as an incident to mortgage loans.

(3) The administration charge or profit on long-term loans is limited to an annual charge of 1 per cent upon the amount unpaid on the loan. This entire 1 per cent may be retained by the local bank if the guaranteed loan is then sold. This encourages the securing of local investment in mortgages guaranteed by the local bank. If the mortgage, so guaranteed, is sent to the State bank, then one-half of this profit goes to the State bank for its guaranty. If the State bank guarantees the mortgage and sends it on to the central bank, then the State bank gets only one-fourth of the profit, the central bank gets one-fourth, and the local bank keeps one-half.

(4) The payments to be made by borrowers must, in all cases, be sufficient to pay the interest upon the loan, the administration charge or profit, and the amortization payments sufficient to retire the loan by the time it matures.

(5) Dividends to stockholders of local banks are limited to 6 per cent. Surplus earnings, after the payment of dividends, are used to create an earned surplus until the same is double the amount of paid-in capital. When the earned surplus is double the amount of paid-in capital, then the capital is bought in by the bank at par and paid for out of the surplus. Thereafter the earnings of the bank go to the depositors and borrowers in proportion to the business done under rules provided by the division of farm-land banking. This means the ultimate mutualization of the bank, the repayment to the stockholders of the money invested in the bank, and reduced interest rate to the farmer borrowers, for after the bank is mutualized the profits go to them. The farmer borrowers have created the surplus out of the interest charges which they have paid. The investor in the stock of the local bank has received 6 per cent on his investment, and the investment is tax free. When the surplus earnings are sufficient the investor in the stock receives back his money, and thereafter the farmer borrower gets the benefit of any profits.

The value of this provision can hardly be overestimated. It will insure to the investor a good return on his money and the ultimate repayment of his investment. It insures to the farmer constantly decreasing interest rates. It appeals to local pride and encourages safe and conservative management, because the farming population itself is ultimately to get the benefit of this management.

Section 15 provides for the appraisement committee, who are to appraise all property on which mortgage loans are made and are to make a written report.

Section 16 provides for insurance on any buildings upon the farm which are considered in the appraisement of the property on which a mortgage loan is made, and further provides that in appraising property for long-term loans buildings and destructible property shall not be valued at more than 20 per cent of the total appraisement.

Section 17 prohibits the operation of branches by local banks.

Section 18 provides for the conversion of existing land mortgage companies and other State institutions into local farm-land banks.

Section 19 authorizes local farm-land banks to receive on deposit postal-savings deposits, and to place as security for such deposits the national land-bank bonds issued against mortgages in the State where the local bank is situated. The local bank is authorized to buy these national farm-land bonds for the purpose of so using them.

This provision creates each local bank as a purchaser of the land-bank bonds issued by the central bank, and thereby helps to create a market for the national land-bank bonds. The purchase of these national land-bank bonds under this provision by the local bank does not exhaust its reserves materially, because such national land-bank bonds are immediately used as security for the deposit of postal-savings funds. In effect, the local banks obtain deposits of postal funds, and use these funds for the purchase of national land-bank bonds, which bonds are then placed as security for such deposits.

It is a serious question as to whether the Government should invest postal-savings funds directly in national farm-land bonds. Under this provision the Government simply deposits the postal-savings funds with the local banks and takes as security therefor the national land-bank bonds issued by the central bank. These national land-bank bonds must be issued against mortgages on lands in the State where the local bank is situated. These mortgages must be guaranteed by a local bank, and the assets of the local banks are primarily liable on this guaranty. The mortgages must then be guaranteed by the State bank and forwarded to the central bank. The central bank issues its land-bank bonds against these mortgages at par. The local bank can then buy these national land-bank bonds and deposit them as security for postal savings deposits with the local banks. The mortgages guaranteed by the local banks are being constantly reduced by amortization payments. As these mortgages are so reduced, the national land-bank bonds issued by the central bank are proportionately retired. The deposits of postal savings must be constantly secured by these national farm-land bonds at such figure or percentage as the postal savings trustees may decide.

Section 20 provides for the reserves to be held by local banks, and provides what proportion of such reserves may be held with the State bank or with the central bank.

Section 21 provides that each local bank upon its organization shall invest 10 per cent of its capital and surplus in stock of the central bank and 20 per cent of its capital and surplus in stock of its State bank. The proportion of capital and surplus so invested must be always maintained, and the stock of the State and central banks so held by local banks must be held as a permanent investment and not sold, collaterated, or disposed of. This stock is to be carried on the books of the local bank at its book value.

By this means the farmers own the local banks, the local banks own the State banks, and the local and State banks own the central bank. Thereby all the profits of the entire system drain back in the local banks. These profits are used—

First. To pay a fair return of 6 per cent, free from tax, to the investors in the local bank;

Second. To repay the amount of their investment to such investors; and

Third. After this is done the profits of the local bank go to the borrowers and depositors from the local banks, thereby, in effect, reducing the rate of interest paid.

Section 22 provides for the organization of a State bank in each State as soon as 30 or more local banks have been organized in that State.

Section 23 outlines the details of such organization and the statements to be contained in the articles of association. The minimum capital is placed at $60,000, which would be 20 per cent of the capital of 30 local banks each organized with the minimum capitalization of $10,000.

Section 24 provides for the acknowledgment and preservation of the organization certificate.

Section 25 outlines the specific powers of State banks, as follows:

(1) To act as a clearing house for local banks in that State, to accept deposits from them, and pay the same rate of interest on all such deposits.

(2) To guarantee long-term loans as herein provided which have been first guaranteed by a local bank, provided that the amortization payments on such mortgages so guaranteed are turned over to the State bank, to be by it turned over to the central bank when the State bank sends on such mortgage guaranteed by it to the central bank.

(3) To rediscount short-term farm loans guaranteed by local banks having not more than two years to run; but the rate of rediscount must be the same to all local banks in the State. The State bank can hold such rediscounted short-term loans as a temporary investment, can sell the same with or without its indorsement, and afterwards buy back and resell the same.

(4) To use its capital stock, surplus, and deposits as a revolving fund for the temporary purchase or holding of long-term or short-term mortgage loans guaranteed by a local bank, and to use the same in buying in national land-bank bonds of the central bank. The capital and surplus can not be permanently invested in anything except United States bonds, bonds of the State in which the bank is located, or other securities approved by the division of farm-land banking.

(5) To exercise such general banking powers as are incident to the foregoing powers and to act as broker in selling short-term mortgage loans.

Section 26 outlines the limitations on State banks, as follows:

(1) The amount of long-term loans guaranteed by a State bank shall not exceed a hundred times its capital and surplus.

(2) The administration charge of the State bank for guaranteeing such long-term loans shall not exceed an annual charge of one-fourth of 1 per cent of the amount unpaid on the loan, another one-fourth going to the central bank.

(3) The commissions of the State bank for acting as broker in selling short-term loans and its rates of rediscount to local banks shall be subject to the supervision of the division of farm-land banking.

(4) The amount of short-term mortgage loans which can be guaranteed by a State bank shall not exceed five times its capital and surplus.

Section 27 provides for the investment of 10 per cent of the capital and surplus of the State bank in the capital stock of the central bank, as above outlined.

Section 28 provides for the election of directors for the State bank, each local bank having one vote. It also provides for the election by the local banks from the board of directors of a president and vice president for the State bank.

Section 29 provides for the reserves to be maintained by the State bank and provides what proportion of such reserve must be kept within its own vaults and where the balance may be kept.

Section 30 provides for branches of the State bank within the State and for the keeping of reciprocal accounts with other banks.

Section 31 incorporates the central bank under the name of "United States Farm Land Bank," with a capital of not less than a million dollars, and with the right of indefinite increase. Its principal place of business is fixed at Washington, and its charter continues for 50 years, with the right of renewal and subject to amendment or repeal by Congress, provided that the rights of creditors are not thereby affected.

Section 32 outlines the specific powers of the central bank, as follows:

(1) To act as a clearing house and reserve agent for State and local banks and to pay the same rate of interest on deposits from such banks. Also to receive postal savings and other governmental deposits.

(2) To have general banking powers, including the power to discount short-term farm loans for local banks, maturing within two years and guaranteed by State banks; to trade in short-term mortgage loans and paper guaranteed or indorsed by it; to buy and sell Government and State bonds; and to act as a broker in handling Government, State, county, municipal, and similar securities.

(3) To issue, sell, and trade in its national land-bank bonds provided—

a. That the mortgages against which such bonds are issued have been first guaranteed by a local and State bank.

b. That such mortgages comply with this act.

c. That its national land-bank bonds so issued are subject to call at par at any interest period or after a specified time (not longer than five years from date of issue) as may be provided in such bonds.

d. That such national land-bank bonds shall always be protected by the deposit of an equal amount in face value of first mortgages, maturing not less than five years after that date, and guaranteed by a local and State bank.

e. That all amortization payments on mortgages so held as security for such national land-bank bonds shall be forwarded to the central bank, held in the joint possession of the bank and the Federal fiduciary agent, and used in retiring its national land-bank bonds issued against such mortgages, so that the amount of national land-bank bonds shall never exceed the amount of the mortgages held as security therefor.

f. That as amortization payments are credited upon the mortgages a corresponding amount of national land-bank bonds shall be called in and paid.

g. That the mortgages held as security for such national land-bank bonds shall at all times be in the joint possession and under the joint control of the central bank and of the Federal fiduciary agent for said bank.

h. That the national land-bank bonds issued by the central bank shall be issued in series. All the national land-bank bonds of a given series must be secured by mortgages on lands in one State.

(This provision will enhance the selling value of the land-bank bonds, because the laws governing registration, foreclosure, exemption, etc., of the mortgages securing the same will be the same in the case of such mortgages and because each of such mortgages covers land in the same State.)

i. That no land-bank bonds shall be issued against a mortgage maturing earlier than five years after its date.

(This provision insures the issue of land-bank bonds only against mortgages containing an amortization requirement.)

(4) To use its capital stock, surplus, and deposits as a revolving fund for the temporary purchase or holding of mortgages guaranteed by a local and State bank until land-bank bonds can be issued against same; or to use its capital and surplus for trading in its national land-bank bonds, so as to maintain the price of the same; or to use them in rediscounting short-term mortgage loans guaranteed by a local and State bank, and maturing at not longer than two years, provided that such capital and surplus can only be permanently invested in United States Government securities.

(5) To act as a depository for the National Government, and particularly to receive deposits of postal savings funds and to invest the same or such portions of the same as it may by law be authorized to invest in Government, State, county, and municipal bonds, or in long-term, first-mortgage, farm bonds.

(6) To rediscount for national banking associations farm loans held by them, and to rediscount with such association short-term farm loans held by it which comply with the provisions of section 24 of the Federal reserve act. Such rediscount by a national banking association of short-term farm loans is to be considered and treated as a farm loan under section 24 of the Federal reserve act.

It seems probable that the farm loans authorized under section 24 of the Federal reserve act will probably be small in number and amount, as a commercial bank will naturally not desire to tie up its funds in farm mortgages. This provision enables the commercial banks to rediscount for the central bank, taking short-term farm loans held by it, which have been guaranteed by a local and State bank, and treating these as loans under section 24 of the Federal reserve act. The practical effect of this will be to make available some of the funds in the national banks for the use of short-term farm loans through a system of rediscount; whereas it seems improbable that any large amount of relief will come to the farmers by reason of the direct operation of said section 24 of that act.

Section 33 provides for the reserves to be kept by a central bank.

Section 34 provides for the management and control of the central bank by a board of governors, consisting of nine members. Four of these are appointed by the President, by and with the advice and consent of the Senate, to serve for life or during good behavior. Vacancies among these four will be filled in like manner. The remaining five governors are selected by the stockholding banks, and arrangement is made for their serving for eight years. The election of these five governors is held by the State bank, each State bank casting as many votes as there are local banks in the State, and each local bank having the right to instruct how its vote shall be cast.

From the five governors selected by them the stockholding banks select two, and also select one of the four named by the President. From these three so selected the President must name one as president and two as vice presidents of the central bank, and a new election for president and vice presidents takes place every eight years. In case of a vacancy in the office of president or vice president, the board of governors fill the vacancy for the unexpired term from among their number.

The salaries are fixed as follows:

Each member of the board of governors, $10,000 per year; each vice president, $12,000 per year; the president of the bank, $15,000 per year.

All governors are required to devote their entire time to the work and are prohibited from being interested financially in any local bank. Each governor is required to give a bond for $100,000.

The foregoing seems to be a fair and just method of selecting the directors of the central bank. The majority of the directors are chosen by the stockholding banks, and each of these directors serves for eight years. A minority is appointed by the President and the Senate and hold office for life. This insures a permanence in office of some of the members, while the control rests with the farmers themselves through the local banks which they own and control.

Section 35 provides that the central bank shall not be permanently organized until at least 12 State banks have been organized. Provision for a temporary organization of a central bank, under the direction of the farm-land banking board, is made in this section.

Section 36 provides for the creation and operation of branches of the central bank, both within and outside of the United States, under the direction of the division of farm-land banking.

Section 37 enumerates certain privileges granted to national land-bank bonds, issued by the central bank, by making them available for the following purposes:

(1) As security for the deposit of postal savings funds in any farm-land bank.

(2) As a local investment for trust funds and estates administered by United States courts.

(3) As a security for loans from national banking associations to farm-land banks under the provisions of section 24 of the Federal reserve act, as above outlined.

But these privileges are extended only to national farm-land bonds of the central bank issued against mortgages on lands located in a State which—

(a) Exempts such mortgages from all State taxation or assessment, direct or indirect;

(b) Withdraws or cancels or waives the right to claim any exemption of such mortgages;

(c) Provides for registration of land titles, for conveyance, and for foreclosure, so as to give reasonable protection to the holders of mortgages in the opinion of the division of farm-land banking; and

(d) Accepts the land-bank bonds of the national farm-land banks, issued against mortgages in its State as a local investment for the funds of saving investors in that State, of trust funds and estates controlled by the courts of that State, and as a local investment for the reserves of insurance companies in that State.

Section 38 provides that any borrower may pay off his mortgage, or any part thereof, on any interest period after the first

five years, in cash or by presenting to the bank the national land-bank bonds of the same series as those issued against his mortgages. It also provides that the central bank can buy in its national land-bank bonds, cancel them, and, at the same time, release a corresponding amount of mortgages; but the central bank, when it calls in such land-bank bonds for payment, must pay for them at par.

This provision is obviously fair, and encourages the individual farmer to invest in national land-bank bonds of the series in which his mortgage is used.

Section 39 exempts national land-bank bonds from all taxes, assessments, or charges.

Section 40 places all matters relating to the organization and operation of farm-land banks under the division of farm-land banking.

Section 41 appropriates a million dollars to be temporarily invested in the stock of the central bank until this stock can be taken up by State and local banks. This money is to be repaid to the Treasurer of the United States, with interest at 2 per cent, in amounts of not less than $50,000 each, as and when stock in the central bank is taken up by the local and State banks.

The necessity for first incorporating the central bank before the State and local banks is obvious. Until the State and local banks are organized, the control of the central bank is under the farm-land banking board. As the State and local banks are organized, this money is repaid to the Treasury.

Section 42 appropriates $100,000, to be expended under the direction of the farm-land banking board in organizing the central bank and in helping to organize local and State banks.

Section 43 provides for offenses committed under this act.

Section 44 repeals all acts inconsistent with this act.

Mr. HAUGEN. Mr. Chairman, I yield 40 minutes to the gentleman from Illinois [Mr. THOMSON].

Mr. THOMSON of Illinois. Mr. Chairman, I would not detain the committee to-night to make the observations which I have to make, nor would I ask for time at this stage of this last session of this Congress when we are so pressed for time, but would make these observations under leave to extend my remarks in the RECORD, were it not for the fact that I feel that such observations as I have to make ought not to be made in any other way than on the floor of the House.

Mr. Chairman, on a number of occasions the gentleman from Washington [Mr. HUMPHREY] has attacked the Forest Service, which is in the Department of Agriculture, and he has made charges on this floor against the former Chief Forester, Mr. Gifford Pinchot, and has virtually dared some friend of his to arise here and defend him.

Mr. Pinchot needs no defense, in my judgment, against the outcries of the gentleman from Washington. The character, integrity, and far-sighted wisdom of Mr. Pinchot in everything he did as a Government official is well known throughout the country.

To catch the significance of the railings of the gentleman from Washington one must not only know what he says, but must see him say it, for it is only in that way that one may know the animus—the bitterness of the dislike—to use a mild term—in which the gentleman from Washington holds this man, to whom this country is the most indebted for the preservation and conservation of its natural resources.

The gentleman from Washington detests the very word "conservation," and he regards anybody who believes in that policy as little short of simple-minded. What wonder that he explodes at every mention of the name of the man who has done so much to make conservation what it is in our country to-day? It is not surprising to know that this is the attitude of the gentleman from Washington. When we examine his political ancestry and find that he has been educated in the school in which Mr. Guggenheim, of Colorado; Mr. Clark, of Montana; Mr. Benton, of Kansas; Mr. Mitchell, of Oregon; and Mr. Wilson, of his own State, have been masters, it is easy to understand that our friend from Washington has been trained from his political youth to fight all attempts to remove the vast wealth represented in the natural resources of our country from the grasp of the special interests who would gain the monopoly of all of them, if they only could, and to strike down any man, and particularly any official, who might succeed in those attempts.

And, again, the attitude of the gentleman from Washington is made plainer when we recall that in the Pinchot-Ballinger controversy, this same gentleman from Washington was the mouthpiece of Mr. Ballinger here in the House.

On January 5, 1910, in speaking for House joint resolution 102, introduced by himself the gentleman from Washington, referring to Mr. Ballinger, said:

> It is charged that he is not in harmony with the conservation movement. He is accused of permitting certain interests to seize the natural resources of the country. Yet it must be said that instead of following the example of many of the so-called "conservationists," he has done something more than sermonize and talk in glittering generalities that tickle the fancy and mean nothing. For the first time we have presented to Congress a fixed, definite plan to conserve the resources of the country. * * * A plan upon which results can be accomplished.

A plan upon which results can be accomplished! Yes, indeed; the results dreamed about and longed for, and to get which the big special interests planned and schemed; special interests some of which were made up of men of great influence in the West, one group of whom were known as the Seattle crowd, men located in the gentleman's own district!

And the gentleman from Washington was the champion of this official who always leaned toward those interests and away from the interests of the public.

No wonder the gentleman from Washington does not admire Mr. Pinchot, who has always been and is to-day opposed to all the principles, with respect to our public domain, that Mr. Ballinger advocated, and strongly in favor of the public-land policies that Mr. Ballinger opposed.

Although I believe, as I have already stated, that Mr. Pinchot needs no defense, especially against the cry of such an arch enemy of conservation as is the gentleman from Washington, I can not remain silent when he challenges any friend of Mr. Pinchot to get up on this floor and deny his statements, especially when those statements are wholly false, as they are.

Not only are his statements false, but the gentleman must either know them to be false or he has not given the subject matter on which he speaks that investigation which he should give it before making any such wild charges.

On August 18 last, following some remarks I made on the floor here, in which I quoted a statement made by Mr. Pinchot in his testimony before the Committee on the Public Lands in connection with the bill that was then before the House, the gentleman from Washington suffered one of his attacks, during which he made this statement:

> I find that Mr. Gifford Pinchot was appointed June 21, 1898, Chief of the Bureau of Forestry, Department of the Interior.

The gentleman from Washington could not have "found" that for it is not true. Mr. Pinchot was appointed July 1, 1898, Chief of the Division of Forestry, Department of Agriculture. I beg to call the attention of the gentleman from Washington to a few more facts that he could have found if he sought them and if he had not been afraid the truth might have furnished such a state of affairs as would not suit his purposes.

Mr. Pinchot never presided over a bureau in the Department of the Interior in his life. On February 22, 1897, he was appointed to make a special investigation in connection with the forest reserves, directly under the Secretary of the Interior. This investigation consumed about six months. From the time he concluded that investigation until July 1, 1898, when he was appointed Chief of the Division of Forestry in the Department of Agriculture, Mr. Pinchot was not connected with the Government service in any way.

At the time forest reservations were first authorized all matters relating to the conveyance or reconveyance of any of the lands within those reservations was put under the jurisdiction of Division P, General Land Office, Department of the Interior, and the management and control of all those questions has remained in that department to this day. All exchanges under the lieu-land law were under the jurisdiction of the Interior Department, and never under the jurisdiction of the Department of Agriculture, and Mr. Pinchot had no more to do with those questions than the Chief of the Weather Bureau did.

The Bureau of Forestry never was in the Interior Department. The Division of Forestry was created in the Department of Agriculture by act of June 30, 1886. The purpose of the establishment of this division in the department was to enable the Commissioner of Agriculture to experiment, investigate, and report upon the subject of forestry, and the collection and distribution of valuable economic forest-tree seeds and plants. At this time the creation of forest areas or reserves was not attempted nor contemplated.

With the increasing realization that the Nation's forest resources must be protected, and with the immense growth of irrigation interests in the West, the necessity for retaining permanent Federal control over selected forest areas was recognized. This led to the act of March 3, 1891, which authorized the President to set apart forest reservations, now called national forests. The mere creation and setting apart of forest reserves, however, without providing for their use, proved ineffectual, and Congress passed the act of June 4, 1897, which gave the Secretary of the Interior authority over these forest reservations and provided that they should be administered by the General Land Office. This was on the theory that the management of land, not forests, was involved.

The questions relating to the trees themselves and to the forests, as such, were administered by the Division of Forestry in the Department of Agriculture. By the act of March 2, 1901, the name of this Division of Forestry in the Department of Agriculture was changed to the Bureau of Forestry. Quoting from that act (31 U. S. Stat. L., p. 929) appropriation was made for this bureau—

to enable the Secretary of Agriculture to experiment and to make and continue investigations and report on forestry, forest reserves, forest fires, and lumbering; to advise the owners of woodlands as to the proper care of the same; to seek, through investigations and the planting of native and foreign species, suitable trees for treeless regions; to collect and distribute valuable economic forest-tree seeds and plants; * * * for the conducting of experiments and investigations * * * and * * * collating, digesting, reporting, illustrating, and printing the results of such experiments and investigations.

This Bureau of Forestry had nothing whatever to do with the management or control of the land within the forest reservations.

In the management of the land within the forest reservations the General Land Office, in the Department of the Interior, found that the complex, technical problems arising from the necessary use of forest and range demanded the introduction of scientific methods and the use of a trained force, which could not be provided under the system then existing.

The advice and services of the Bureau of Forestry were found necessary, but, under the law, could be but imperfectly utilized.

It became apparent that the various branches of Government forest work must be consolidated, and this step was urged upon Congress by the executive officers concerned and by the President.

This resulted in the passage of the act of February 1, 1905, by the terms of which the entire jurisdiction over the national forests, except such laws as affect—to quote from the act (33 U. S. Stat. L., p. 628)—"the surveying, prospecting, locating, appropriating, entering, relinquishing, reconveying, certifying, or patenting" of the lands, was transferred to the Secretary of Agriculture, and the Bureau of Forestry in the Department of Agriculture was thereafter known as the Forest Service.

It will be noted that all matters relating to the conveyance or reconveyance of the title to forest-reserve lands remained still under the jurisdiction and control of the Department of the Interior, and it is under the control of that department to-day.

Now, a word as to the lieu-land law. The gentleman from Washington has made serious charges against Mr. Pinchot to the effect that certain "land steals" in the West, involving hundreds of thousands of acres of valuable timbered land, have been accomplished without any protest from Mr. Pinchot, and in some cases the gentleman from Washington alleges that these steals were put over with Mr. Pinchot's active assistance.

Every such charge made by the gentleman from Washington is as contemptible as it is false. I doubt if the gentleman would have been as glib with his repetitions of these charges if he were not making them against a man who is without the power to come onto this floor and speak for himself.

In making his charges against Mr. Pinchot, the gentleman from Washington mentions three specific cases. I shall take up each one of those three cases, but before I do so I want to return to the lieu-land law for a moment. That law was passed June 4, 1897. In the creation of the forest reserves it, of course, became necessary in many cases to include lands that had been acquired by entrymen under previous Federal statutes, and a number of railroad and wagon-road grants were also included. In some cases there would be a homestead in a sparsely settled valley around which a forest reserve was thrown. By the creation of the reserve this homestead was isolated, and to give the settler relief was obviously proper and necessary, and this relief could only be given by buying him out or by exchanging the settler's land for a similar tract outside the reserve. But, as is often the case, the just cause of the settlers was used as a mask by certain men. The cry, purporting to come from the settlers over the terrible hardships inflicted by the forest reservations incited, even in those days, the deep suspicion of many. To-day it is well known that this clamor for relief was largely manufactured, not in the humble cabin of the settler but in a great railroad office in the Middle West.

The lieu-land law, as passed, did not confine the relief it afforded to "settlers" or "homesteaders," but allowed "owners" to exchange their holdings within forest reservations for tracts "not exceeding in area" the tracts relinquished within the forest reservations. It will be noted that the law very carefully omitted to say that these tracts outside the reservations were to be of equal value with, or of not greater value than, the tracts inside the reservations, for which they were exchanged.

The result of this law was soon evident. Mountain peaks, barren hillsides, lava beds, swamp lands, and other valueless holdings of great railway companies were released, and the most valuable timber, coal, and oil lands within the public lands were taken in exchange. Secretary Bliss refused to allow railroad grants to be exchanged, but permitted these exchanges in the case of wagon-road, school, and other grants. However, when Mr. Hitchcock became Secretary of the Interior he held that the lieu-land law allowed exchange with any "owner." The bars were let down for wholesale fraud, and a national scandal resulted.

Among other "steals," the ones referred to by the gentleman from Washington [Mr. HUMPHREY] in making his charges against Mr. Pinchot took place.

The blame for these "steals" is to be laid at the doors of Congress itself, first, because they passed any such law which authorized such exchanges without providing that the land given by the Government in exchange for land relinquished within a forest reserve should not be of greater value than the land so relinquished; and, second, because they neglected for so long to repeal the law after its serious defects became apparent. Further blame for the "steals" is to be laid at the door of the department having to do with the execution of that law, for surely it was within their power to insist that whatever exchanges were made under the law must involve tracts of equal or approximately equal values. But the department did not take that stand; it allowed relinquishments of worthless areas and permitted the relinquishers to take in exchange areas of very great value.

The department that must bear that blame is the Department of the Interior, which had entire control of the administration of the lieu-land law.

Now, the gentleman from Washington wails and gnashes his teeth because Mr. Pinchot, presiding over a bureau in the Department of Agriculture, which had nothing to do with the conveyances and reconveyances involved in these exchanges, and which had not the slightest control or power over them by the terms of the law under which they were made, a man who has never been connected in any official capacity with the Department of the Interior in his life, which department did have charge of these conveyances under the law, did not object and protest against these exchanges made under the lieu-land law, which exchanges amounted to "steals."

I answer the gentleman from Washington:

First. It was not his business to object or protest. The exchanges were made under the sole supervision of the Department of the Interior. Mr. Pinchot was the chief of a bureau in the Department of Agriculture. He had no responsibility of any sort, shape, or kind in connection with these exchanges. It may be contended by the gentleman from Washington that after the passage of the act of February 1, 1905, the Bureau of Forestry had such a large control and jurisdiction over the forest reservations that any proposed conveyance or reconveyance of title to any part or parts of those reservations which might be objected to or protested against by that bureau would not be permitted by the Land Office. If any such contention is made, I answer it by pointing out that the repeal of the lieu-land law, which occurred very shortly after February 1, 1905, expressly excepted any agreements or contracts which had previously been entered into by the Secretary of the Interior with reference to these exchanges. And such of these exchanges as took place after the Bureau of Forestry received its enlarged jurisdiction under the act of February 1, 1905, and which come within these "steals" cited by the gentleman from Washington, were protected by these agreements or contracts so excepted from the act which repealed the lieu-land law.

Second. Mr. Pinchot is not the kind of a man who acts only when he is obliged to, and as a matter of fact he did protest against these lieu-land exchanges.

Within a few months after he became connected with the Bureau of Forestry in the Department of Agriculture, in a public address, Mr. Pinchot strongly urged the repeal of the lieu-land law, and from that time on he actively urged this step on numerous occasions.

The making of such charges as the gentleman from Washington has uttered against Mr. Pinchot on this floor in my hearing a number of times is not anything new or novel. Time after time this faithful servant of the public interests has been slandered and vilified by conservation haters like the gentleman from Washington. Some years ago Senator Beveridge, in answering one of these slanders, used the following language:

I find that it is true, as the Senator from Oregon described, that large tracts of lands in Washington which were worthless had been released and lieu lands taken up in valuable portions of Oregon. But what has this bureau to do with that? What are the facts? Let us be just to everybody. Nobody intends to accuse any man falsely nor condemn any man unjustly.

I am not sure that the Senator would have used these words if he had heard the gentleman from Washington address himself to this question. Senator Beveridge went on to say:

The truth is, that was done under a construction of the law by the Land Office some years ago, and one of the first objections to it that was made within the Government itself was made by the Bureau of Forestry, and personally by Gifford Pinchot, the Chief Forester.

On October 22, 1903, President Roosevelt appointed a Public Land Commission, consisting of W. A. Richards, F. H. Newell, and Gifford Pinchot, to investigate public-land conditions throughout the country. On March 7, 1904, a preliminary report of this commission was made, which recommended action on the lieu-land law. That report reads in part as follows:

LIEU LANDS.

Careful study has been given by your commission to the subject of forest-reserve lieu-land selections. These selections have given rise to great scandal and have led to the acquisition by speculators of much valuable timber and agricultural land and its consolidation into large holdings. Furthermore, the money loss to the Government and the people from the selection of valuable lands in lieu of worthless areas has been very great. There has been no commensurate return in the way of increased settlement and business activity. Public opinion concerning lieu-land selections, by railroads in particular, has reached an acute stage. The situation is in urgent need of a remedy, and your commission recommends the repeal of the laws providing for lieu-land selections.

A partial remedy by Executive action has already been applied by carefully locating the boundaries of new forest reserves and thus limiting lieu-land selections to comparatively insignificant areas. The last annual message to Congress declares definitely that—

"The making of forest reserves within railroad and wagon-road land-grant limits will hereafter, as for the past three years, be so managed as to prevent the issue, under the act of June 4, 1897, of base for exchange or lieu selection (usually called scrip). In all cases where forest reserves within areas covered by land grants appear to be essential to the prosperity of settlers, miners, or others, the Government lands within such proposed forest reserves will, as in the recent past, be withdrawn from sale or entry pending the completion of such negotiations with the owners of the land grants as will prevent the creation of so-called scrip."

There are now lands in private ownership within existing forest reserves, and similar lands must to a limited extent be included in new reserves. Therefore a method is required by which the Government may obtain control of nonagricultural holdings within the boundaries of these reserves. Your commission recommends the following flexible plan: Upon the recommendation of the Secretary of Agriculture, when the public interest so demands, the Secretary of the Interior should be authorized, in his discretion, to accept the relinquishment to the United States of any tract of land within a forest reserve covered by an unperfected bona fide claim lawfully initiated or by a patent, and to grant to the owner in lieu thereof a tract of unappropriated, vacant, surveyed, nonmineral public land in the same State or Territory and of approximately equal area and value as determined by an examination, report, and specific description by public surveys of both tracts, to be made on the ground by officials of the Government. When exchange under these conditions can not be effected, lands privately owned within forest reserves should be paid for in cases where the public interest requires that such lands should pass into public ownership. The Secretary of the Interior should be authorized to take the necessary proceedings as rapidly as the necessary funds are provided.

Referring to this Land Commission report, Senator Beveridge in the speech from which I have already quoted said:

The so-called "lieu-land law" which permitted the exchange of lands in forest reserves for lands outside was passed June 4, 1897, before Pinchot, the forester, came into the Government service as Chief Forester. Whether or not its meaning was erroneously interpreted by the Secretary of the Interior so as to extend its action to railroad and other lands not contemplated by Congress is not the question. Without doubt the law was a bad one and worked great injury to the Government. It was recommended for repeal February 13, 1905, * * * by the Public Lands Commission * * * of which this man Pinchot, the Chief Forester, was a member, and it is my understanding that it was upon his initiative that the commission made the report.

Later on in the same speech the Senator said:

I think, perhaps, the first man in the whole department who recognized the bad features of this law, and did it quickly, and who immediately took steps, as he always does, to correct a wrong, whether he committed it or not—and in this instance we all know it was committed in the Land Office—to immediately correct it, was Mr. Pinchot. The Forestry Service never did have anything to do with the wrongs of which you so justly complain, except to suggest and help in correcting them.

Now, I wish to address myself to the three specific cases mentioned by the gentleman from Washington in connection with these baseless charges he persists in repeating. I shall take them up in the order in which he mentioned them in the remarks he made the last time he repeated his attack, which was September 12.

The first case he mentions is the Northern Pacific Railroad case. In the creation of Mount Rainier National Park some of the lands belonging to this railroad were included within the reserve. A large part of these lands were later exchanged under the lieu-land provision for an equal area outside the reservation. The land turned over to the Government by the railroad in this exchange was of little value, while the land secured from the Government by the railroad was timbered land of great value. Why was this "steal," as the gentleman from Washington terms it—and it was a steal—permitted? The gentleman from Washington alleges (CONGRESSIONAL RECORD, page 15205, last session) that it was accomplished with the assistance of Mr. Pinchot. I allege that statement to be an untruth and a base slander.

Let us see what the facts are.

The Pacific Forest Reserve in the State of Washington was created by proclamation issued by President Harrison on February 20, 1893 (Twenty-seventh United States Statutes, page 1063). The Mount Rainier Forest Reserve, in the same State, was created by proclamation issued by President Cleveland on February 22, 1897 (Twenty-ninth United States Statutes, page 896). Both of these reservations were thus created before Mr. Pinchot became connected with the Bureau of Forestry. On March 2, 1897, a Member of this body from the State of Washing, now a Member of the Senate from my State, introduced H. R. 4058, setting apart portions of these two forest reserves, to be known as the Washington National Park. The bill passed both the House and the Senate, but was held up by a pocket veto by President Cleveland. Senator Wilson, of Washington, was the champion of this bill in the Senate. In the following Congress Senator Wilson introduced the same bill, but was unable to secure its passage. In the next Congress Senator Wilson again introduced this bill, S. 2552, and under his guidance it passed the Senate June 8, 1898. It came over to the House and was reported favorably from the Committee on the Public Lands and was passed. It became a law on March 2, 1899 (Thirtieth United States Statutes, page 993). Under this act as finally passed this park was called Mount Rainier National Park.

The third section of this bill expressly gave to the Northern Pacific Railroad Co. the right to select land outside of these reserves in lieu of land within the reserves which had previously been granted to it by Congress. This section reads as follows:

That upon execution and filing with the Secretary of the Interior by the Northern Pacific Railroad Co. of proper deed releasing and conveying to the United States the lands in the reservation hereby created, also the lands in the Pacific Forest Reserve which have been heretofore granted by the United States to said company, whether surveyed or unsurveyed, and which lie opposite said company's constructed road, said company is hereby authorized to select an equal quantity of nonmineral public lands, so classified as nonmineral at the time of actual Government survey, which has been or shall be made, of the United States, not reserved and to which no adverse right or claim shall have attached or have been initiated at the time of the making of such selection, lying within any State into or through which the railroad of said Northern Pacific Railroad Co. runs, to the extent of the lands so relinquished and released to the United States: *Provided*, That any settlers on lands in said national park may relinquish their rights thereto and take other public lands in lieu thereof to the same extent and under the same limitations and conditions as are provided by law for forest reserves and national parks.

Notice how skillfully that act is worded. The Northern Pacific Railroad Co. had only 18 miles of track in the State of Oregon, running from Goble to Portland. Oregon had some of the most valuable timberland in the public domain at that time. They wanted this act to be so worded that they would not have to be confined to the State of Washington, but could go anywhere where their road happened to extend and reach out and take a part of the public domain.

Note that this act from which I have quoted gave them the right to select lands within any State "into or through which the railroad of the said Northern Pacific Railroad Co. runs."

Those simple little words "into or through which" allowed the Northern Pacific to release the lands in the Rainier National Park and select lands in any of the Western States touched by their road.

There is another interesting thing about that act. It expressly authorized the Northern Pacific Railroad Co. to relinquish their title to lands within the national park and select in lieu thereof other lands "of equal quantity." But those who drafted the act were very careful that it should not provide that these lands selected by the railroad company in lieu of those relinquished by it should be of equal value with the lands so relinquished or not of greater value than the lands relinquished, and Congress in passing the act neglected to put in that provision. Again, the act provided that the lands selected by the railroad company should be nonmineral in character, but they were careful not to put in the act any provision that would interfere with the selection by the company of the richest timbered lands in the United States.

Now, what happened? Within three days after that act became a law the Northern Pacific Railroad Co. released in round numbers 450,000 acres of land to the Government, which had little value, and in lieu thereof they filed on some of the most valuable timberlands in the State of Washington, and then crossed over the line into Oregon and selected other large areas there. It has been alleged that the Weyerhauser interests bought the right of selection from the Northern Pacific Railroad

Co. at the rate of $6.50 per acre, amounting in the aggregate to about $3,000,000.

Now, what connection did Mr. Pinchot have with these transactions? Not one bit more than my baby boy did—no connection whatever.

The forest reserves involved were created before Mr. Pinchot became connected with the Bureau of Forestry. The creation of Washington National Park, or, more properly speaking, Mount Rainier National Park, occurred after he became connected with the Bureau of Forestry; but it was done by act of Congress after repeated attempts to accomplish the same thing by gentlemen representing the State of Washington in this House and in the Senate. And this exchange of lands effected by the Northern Pacific, which the gentleman from Washington now characterizes as a "steal," was specifically authorized by that act of Congress, introduced and put through the Senate by a Senator from Washington, and through the House by a Representative from Washington.

After that act became a law the department was powerless to prevent the railroad company from accomplishing the exchange which the gentleman from Washington now bitterly and correctly assails as a "steal." Remember that the department having jurisdiction of the matter was the Interior Department, with which Mr. Pinchot had no connection whatever.

Now, where does Mr. Pinchot's "assistance" come in? Nowhere. It is a creation of the disordered brain of the gentleman from Washington, conjured up in his eagerness to cast some aspersion on Mr. Pinchot.

The next case mentioned by the gentleman from Washington is the Santa Fe Railroad case; at least that is the way in which he referred to it. All the exchanges made in that instance were made under the act of 1897, known as the lieu-land or indemnity-selection law, passed, as I have pointed out, ostensibly in the interest of the entryman who found himself within a forest reserve, the act allowing him, and incidentally all others who had holdings within the reserves, to release his holdings to the Government and to take up lands elsewhere in lieu of the lands which he might surrender to the Government. It was Mr. Hitchcock, of Missouri, then Secretary of the Interior, who made the ruling that this act included railroad grants. The original act, passed, I believe, as a rider on an appropriation bill, permitted those relinquishing lands within a reserve to go and select other lands anywhere, whether surveyed or unsurveyed, provided only they were vacant and were owned by the people of the United States. The acts of June 6, 1900, and March 3, 1901, also included in appropriation bills, limited the scope of the act of June 4, 1897, and restricted the power of these people and companies who had lands located within the reserves to the selection of land outside the reserves which had been surveyed, in lieu of the lands they were surrendering.

Finally, as I have pointed out, this thing had become so notorious and so infamous in every Western State that a demand went up everywhere that this old indemnity selection law should be abolished and repealed, and it was repealed; but let me call attention to the wording of the repealing act, the act of March 3, 1905. It read as follows:

Be it enacted, etc., That the acts of June 4, 1897; June 6, 1900; and March 3, 1901, are hereby repealed, so far as they provide for the relinquishment, selection, and patenting of lands in lieu of tracts covered by an unperfected bona fide claim or patent within a forest reserve—

And here is the important part—

but the validity of contracts entered into by the Secretary of the Interior prior to the passage of this act shall not be impaired: *Provided*, That selections heretofore made in lieu of lands relinquished to the United States may be perfected and patents issue therefor the same as though this act had not been passed; and if for any reason not the fault of the party making the same, any pending selection is held invalid, another selection for like quantity of land may be made in lieu thereof.

Here was a qualified repeal of the indemnity selection acts that were on the statute books at that time. It excepted from the effect of the repeal those exchanges previously arranged or contracted for through the Secretary of the Interior.

This repealing act was passed a little more than a month after the passage of the act enlarging the jurisdiction of the Bureau of Forestry, in the Department of Agriculture, over which Mr. Pinchot presided. With a cunning, at which the gentleman from Washington is adept, he throws the blame for all these land exchanges or "steals" which followed that date at the door of Mr. Pinchot, then Chief of this Bureau of Forestry, or the Forest Service, as it then came to be called, and having constituted himself prosecutor, witness, judge, and jury, he pronounces Mr. Pinchot guilty of permitting these "steals," and even of conniving at them.

Why has not the gentleman from Washington reminded us at these different times when he has taken it upon himself to advise us on the subject, that the act of Congress enlarging the jurisdiction of the Bureau of Forestry expressly excepted from its terms and withheld from that bureau all matters relating to "the surveying, prospecting, locating, appropriating, entering, relinquishing, reconveying, certifying, or patenting" of these lands? Why has he not reminded us that the repeal of the lieu-land law, which repealing act was passed within five weeks after the passage of this other act I have just referred to, expressly excepted from its terms all exchanges previously arranged for or contracted for through the Secretary of the Interior? And why has the gentleman from Washington cried out in our hearing on this floor against the infamous exchanges that followed the passage of these acts and blamed the Chief of the Forest Service for them, because of the greater jurisdiction given him under the act of February 1, 1905?

Was it because he did not know that that act of February 1, 1905, as a matter of fact, did not extend to the Forest Service jurisdiction over the making and consummating of these exchanges? Was it because he did not know that the act repealing the lieu land law expressly excepted those exchanges contracted for through the Secretary of the Interior previous to the passage of the repealing act, and that those exchanges which followed the date of the repealing act were put through under that exception?

Certainly not. He knows these facts as well as I do, and he knew them all the time. He was a Member of this House when these acts were passed, and he knew perfectly well what was in them.

Why, then, has the gentleman from Washington made the statements which he has made repeatedly on the floor of this House? Because of his hatred for Mr. Pinchot as the chief exponent of the conservation of these resources in this country.

But to come to the cases which I presume the gentleman from Washington had in mind when he referred to the Santa Fe case.

It so happened that citizens of some of the States had petitioned for the creation of certain forest reserves before that repealing act, and, among others, certain of the citizens of Arizona.

The Grand Canyon Forest Reserve, the first reserve established in Arizona, including the Grand Canyon of the Colorado and the Coconino Plateau, was established by President Harrison on February 20, 1893 (27 United States Statutes, p. 1064), following the recommendation of Secretary of the Interior Noble, based solely upon a report by Director Powell, of the United States Geological Survey. This was before Mr. Pinchot was connected with the Government service.

About four years after the creation of this reserve there was presented to the General Land Office a definite and formal expression of public sentiment in favor of the extension of forest reserves to include and protect the watersheds and forests generally in Arizona. This expression was in the form of a memorial by the Legislature of Arizona, dated May 5, 1897, praying that a sufficient area of the unclaimed and unappropriated timberlands in Arizona be set apart to retain needed water supplies, in the interest of irrigation in that Territory. The memorial was accompanied by numerously signed petitions by citizens of Arizona praying for the reservation and protection of the timber in the San Francisco Mountains.

In 1898 there were created in Arizona, on recommendation of Secretary of the Interior Hitchcock, by Executive order issued by President McKinley (30 United States Statutes, 1780–1782), the San Francisco Mountains Reserves and the Black Mesa Forest Reserve. The former contained 975,360 acres and the latter contained 1,658,880 acres.

The following persons and corporations had large holdings within these forest reserves in the State of Arizona:

The Aztec Land & Cattle Co., 127,000 acres, in round numbers; the Saginaw & Manistee Lumber Co., something over 39,000 acres; William F. Baker, of San Francisco, 76,000 acres; Messrs. Robert and E. B. Perrin, 132,000 acres; the Santa Fe Railroad Co., 439,226 acres; and the Santa Fe Pacific Railroad Co., 380,000 acres.

When the question arose as to the creation of the San Francisco Mountains Reserves, the then Commissioner of the General Land Office made a report and recommendation to Mr. Hitchcock, the then Secretary of the Interior, under date of August 12, 1898, and inclosed to him drafts of proclamations to establish the San Francisco Mountains and Black Mesa Forest Reserves. He recognized in this report the great public danger of including in these reserves the private holdings of individuals and corporations and allowing them to be used as the basis for indemnity selection, and particularly called the

attention of the Secretary of the Interior to this danger in the following language:

This question of the relinquishment to the Government of private holdings within forest reservations and the selection of unreserved lands in lieu thereof is assuming grave proportions and is a matter that will need very careful consideration by this department. It is showing itself in a number of different aspects, and I am giving the subject consideration with a view to presenting the matter to the department later. In the meantime it is important that the reservations in question should be made without delay. To guard against any complications that might arise by the inclusion of a large area of railroad lands, I deem it advisable that the region which includes lands granted to the Atlantic & Pacific Railroad—

The Santa Fe—

should be put into separate reservations; I have accordingly prepared a proclamation reserving, in express terms, the even-numbered sections in the townships falling within the grant to the railroads, said reservations to be known as the San Francisco Mountains Forest Reserves, said sections containing a total estimated area of 975,360 acres. This makes a separate reservation of each even-numbered section, all grouped and known under the general name of the San Francisco Mountains Forest Reserves.

The lands below the granted limits of the railroad company I have embraced in a separate proclamation, describing the boundaries in the usual manner, the reservation to be known as the Black Mesa Forest Reserve, and embracing an estimated area of 1,658,880 acres.

It will be seen that in order to avoid this very danger he suggested the "checkerboard" reservation, by means of which the boundaries of the reservation cut in and around private holdings, thus keeping them without the reservation itself, so that such holdings could not be used as the basis for indemnity selection. As soon as this was done the Secretary of the Interior was besieged by owners and other interested parties, who sought to be included within and become a part of the reserve. Negotiations were instituted by the Secretary of the Interior with these owners, the names of some of whom I have given, which resulted in abandoning the "checkerboard" system, the acquirement of private holdings by the Government, and the consolidation of the reserves and the persons and corporations mentioned. The Santa Fe Railroad and others were given the right to make selections in lieu of the lands surrendered by them to the Government.

The exchanges of land in these Arizona reserves for other lands by the Santa Fe Railroad and others were made under this law of 1897, and the control of the exchanges was entirely under the jurisdiction of the Department of the Interior. Many of these exchanges, it seems, had not been consummated when the act of 1897 was repealed in 1905. Mr. Hitchcock, the Secretary of the Interior, had made certain agreements or contracts with the Santa Fe Railroad and the other owners relative to their right to select other lands outside of the reserves in lieu of the land relinquished by them. It was to protect these alleged contracts that the repealing clause in the act of 1905 excepted the contracts that the Secretary of the Interior had entered into with these private individuals and corporations. Of course, the repealing act did not name these individuals and corporations. That would not have been a good policy, because it would have aroused a protest in and out of Congress against legislation which showed on its face that its purpose was the enrichment of the Santa Fe Railroad Co. and others instead of the protection of the citizens of the country.

Now, the gentleman from Washington asks if some friend of Mr. Pinchot's will please inform the public what he was doing while these transactions were taking place. He was doing his full duty as the Chief of the Bureau of Forestry in the Department of Agriculture, a bureau having to do with the timber and the trees within the forests, but not the slightest thing to do with the conveyance or the reconveyance of the lands included within the forests.

I do not know whether Mr. Pinchot was consulted with reference to the creation of the San Francisco Mountains and Black Mesa Forest Reservations or not, or whether he recommended their creation, if he was consulted. That is quite beside the question. It was deemed proper and necessary to put many areas into forest reserves for the protection of watersheds to conserve the irrigation possibilities of the region, and in making these reservations it became necessary to include within them these private holdings, some of them belonging to railroad companies. It was quite proper to permit those having title, absolute or qualified, to these holdings included within the reserves to relinquish them and either receive their fair value in cash or exchange them for other lands without the reserves of equal area with the lands relinquished and of equal, or approximately equal, value with those lands. But this was not done, and because of the infamous law of 1897 passed by Congress, and the way it was administered by the Interior Department, these land steals in the West were made possible.

The gentleman from Washington intimates that many of these forest reserves were created with malice aforethought and the boundaries were so fixed as to include these large private holdings of worthless land with the deliberate purpose of thus making it possible for the owners of these holdings to afterwards exchange them for rich timbered lands; and he throws out the charge that Mr. Pinchot was present at the conferences when the creation of some of these reservations was discussed, and that he approved and recommended them, and that this recommendation was "for this purpose of exchange." (CONGRESSIONAL RECORD, p. 16433.) To properly characterize such a charge or intimation made by the gentleman from Washington or anybody else against Mr. Pinchot I would be compelled to use a short and ugly word which is very unparliamentary, and therefore I will not reply further to that unworthy insinuation except to say that it is completely disproven by the fact that from the time Mr. Pinchot became Chief of the Forestry Bureau until this infamous law was repealed he was constantly endeavoring to have it repealed and quite naturally one would not be favoring the creation of reserves for the purpose of these exchanges of land and at the same time be working for the repeal of the law which made those exchanges possible.

I shall now refer briefly to the last of the three cases cited by the gentleman from Washington. This is the Santa Barbara Water Co. lieu-land exchange. In this case the gentleman from Washington alleges that Mr. Pinchot recommended the exchange. That statement is wholly false. Certainly the gentleman from Washington, in making that charge, would have us understand that Mr. Pinchot recommended the lieu-land exchanges that actually were made by the Government in connection with the Santa Barbara Reservation. He did not do so. Mr. Pinchot did favor the Santa Barbara Reservation. He favored it because, as he stated in his letter, which I presume is the one the gentleman from Washington has referred to in his remarks here:

It seems perfectly evident, from what I was able to learn, that the city of Santa Barbara will be very seriously deficient in water supply within two or three years unless the acquisition of this area by the Government makes it possible for the city to acquire a new source from the headwaters of the Santa Ynez River.

Mr. Pinchot also recommended a particular exchange, mentioned in his letter. On this point the letter says:

You will remember that the difficulty in the case has arisen from the lieu-land question. I am informed that Mr. Washburn has agreed to take untimbered land in one of the Dakotas for his holdings back of Santa Barbara. From the condition of the water supply, I am strongly of the opinion that even at the cost of a relatively poor bargain by the Government, which, from the present situation, I apprehend is not to be feared, it would be wise to make the exchange. Water is practically the sole output of the forest reserves in this region; and it appears to me that this action on the part of the United States is precisely in line with the policy which has dictated the setting aside of all the reserves in this region.

Now, what exchange did Mr. Pinchot refer to in that letter? It is, of course, plain to everybody, except the gentleman from Washington, that he referred to the exchange of the holdings of Mr. Washburn in the Santa Barbara Reservation for "untimbered land in one of the Dakotas."

Now, as a matter of fact, when Mr. Washburn's exchange of lands was made it was managed and controlled by the General Land Office in the Department of the Interior, and Mr. Pinchot had nothing to do with it. And what did the Interior Department turn over to Mr. Washburn in exchange for his holdings in the Santa Barbara Reservation? The "untimbered land in one of the Dakotas," contemplated in the exchange recommended by Mr. Pinchot? Not by any means. Mr. Washburn did receive in that exchange 840.05 acres in North Dakota, but he also received 319.26 acres in Colorado, 753.96 acres in Idaho, 31 acres in Minnesota, 13,315.98 acres in Montana, 160 acres in New Mexico, 8,782.42 acres in Oregon, 5,877.82 acres in Washington, and 1,516.47 acres in Wyoming.

When we examine the exchange which Mr. Pinchot did recommend in this case and then consider the charge made by the gentleman from Washington, in which he tries to have us believe that Mr. Pinchot recommended and was responsible for the exchanges that actually were made, and made through the Land Office, we have a good example of the fairness of this broad-minded gentleman from Washington.

The attempt to place the blame for the lieu-land exchanges in the Santa Barbara Reservation at the door of the Forestry Bureau and of Mr. Pinchot personally is simply another case of jumping to conclusions which the facts do not warrant. The records clearly show that the effort to have these exchanges made in the case of the Santa Barbara Water Co. and one J. P. Washburn came from the California delegation in Congress and the citizens of Santa Barbara. Matters relating to these lieu-land exchanges were administered in the Land Office, and the letter which has been quoted from Mr. Pinchot was written in reply to a request that his bureau give information relative to the feasibility of including certain land as a part of the reserve. Together with experts of the Geological Survey, the Forestry

Bureau recommended the inclusion of the land in the reserve in order to protect the water supply of the city of Santa Barbara.

So much for the charges made against Mr. Pinchot, the former Chief of the Forest Service, by the gentleman from Washington. They are as base as they are false. I heartily agree with the words of Senator CHAMBERLAIN, of Oregon, which he uttered in a speech made in the Senate in 1912, when he said:

Mr. Gifford Pinchot, former Forester, has been denounced here as a despoiler by one of the distinguished Senators who has discussed this subject. Mr. President, I say to you that instead of criticizing him as a despoiler the American people ought to erect a monument in his honor and engrave his name upon it as the man who originated the idea of placing these resources of the Government—timber, coal, iron, and oil—beyond the reach of monopolistic control, and saving them not only for the generous use of our own generation but for generations yet unborn, because to him more largely than to any other individual in this country it is due that the people of America were first aroused to the fact that our public lands and the things under them, including the water power and everything else, were being taken up and monopolized by selfish interests. He aroused an interest and created a public sentiment that has made Congress do something to protect these natural resources. Therefore, even if I do agree with some of the criticisms which have been indulged in against the administration of the forest reserves, and with others that have been indulged in against other governmental bureaus, I must state that in its larger view Mr. Pinchot and those who have succeeded him have done a work that entitles them to the everlasting gratitude of the people.

To recapitulate on the three specific charges made by the gentleman from Washington:

The forest reserves involved in the Northern Pacific exchanges were created before Mr. Pinchot became a Government official, and by special act of Congress and the exchanges of lands made by that company were authorized and provided for by special act of Congress put through by Members of Congress from the State of Washington after repeated attempts.

The forest reserves involved in the Santa Fe exchanges were in part created before Mr. Pinchot became a Government official and in part after that time, and the latter were created at the specific recommendation of the General Land Office in the Department of the Interior upon petitions made by the Legislature of the Territory of Arizona and the people of that Territory. The exchanges were made under the lieu land law, and those that were consummated after the repeal of that law were made pursuant to alleged agreements or contracts made by the Secretary of the Interior with the holders of the lands, which contracts were carefully protected and excepted from the effect of the repeal of the law, as specifically provided by Congress in that repeal.

The forest reserve involved in the Santa Barbara water case was recommended by Mr. Pinchot, and properly so, in order to adequately protect the water supply of that city. He had been requested by the land office to look over that proposition and give his judgment of it. The exchanges made in that case were not recommended by him.

The lieu land law, together with special acts of Congress, such as was involved in the Northern Pacific case, was responsible for these land "steals," and the blame for those steals rests upon Congress itself and upon the Department of the Interior for the manner in which those who were then in charge of the department administered the law. As an official in the Department of Agriculture, Mr. Pinchot had nothing whatever to do with the administering of the law. Realizing its viciousness he did protest against the law, advocated its repeal, and worked for that result until the law was repealed.

In the face of these facts will the gentleman from Washington repeat his attacks on Mr. Pinchot? I presume he will. Whenever a conservation measure comes before the House, he just has to pour out his wrath on some one, and why not on the greatest conservationist, Mr. Pinchot?

In preparation for the next tirade of the gentleman from Washington, I want to give the House some information about a bill which has been introduced by him in the House, and when the gentleman again cries out in his righteous indignation against the "steals" put over by the Northern Pacific and others, I hope the Members of the House will keep this in mind.

On April 10, 1913, three days after the opening of the first session of this Congress, the gentleman from Washington introduced H. R. 2146. This bill seeks to amend some riders that passed with the sundry civil appropriation act of July 1, 1898, and a later act of March 2, 1901.

The former of these two bills contained a clause providing in substance as follows: Where lands had been granted to the Northern Pacific Railroad Co. and the right of the grantee was claimed to have attached by definite location, and the whole or any part of an odd-numbered section of the same lands had, previous to January 1, 1898, been purchased from the Government or settled upon or claimed in good faith by a qualified settler under color of title or claim of right under any law of the United States or any ruling of the Interior Department, and where upon discovery of this conflict of the two claims, namely, those of the railroad and the settler, the said settler refused to transfer his claim to the railroad, then the railroad was given the right to relinquish what claim it had to this land under its grant, and in lieu thereof could select "an equal quantity of public land, surveyed or unsurveyed, not mineral or reserved, and not valuable for stone, iron, or coal, and free from valid adverse claims, or not occupied by any settler at the time of such selection, situated within any State or Territory into which such railroad grant extends." This act limited the lieu-land selection, in the case of unsurveyed lands, to odd-numbered sections to be identified by survey when made.

All lands relinquished by the Northern Pacific under this act were to revert to the Government, and the settler who had the overlapping claim could complete his title just as though the railroad grant had never been made. This law further provided that the settler who had in good faith and prior to January 1, 1898, settled upon any part of an odd-numbered section within the grant to the Northern Pacific could relinquish his claim and in lieu thereof select an equal quantity of public land situated in any State or Territory into which the railroad grant extended, and the length of the period of residence put in on the first tract would be allowed as to the second.

The act of March 2, 1901, amended this law, extending it and making it applicable "to all instances where land in odd-numbered sections within the indemnity limit of the grant to said company were patented to settlers under the public-land laws, in pursuance to application presented to or proceedings initiated in the local land office at a time when the land was embraced in a pending indemnity selection made by said company in conformity with the regulations of the Land Department, which indemnity selection has not since been waived or abandoned." Now, this law—a rider on an appropriation bill you will notice—as amended, was for the special benefit of the Northern Pacific Railroad Co. and such settlers as might make claim under the land laws to land within the land grants which had been made to that railroad company. It contained all the vicious features of the lieu-land law. It did not confine the selections made in lieu of the land relinquished to the locality or the State or Territory in which the relinquished land was located, but permitted selections to be made in "any State or Territory into which such railroad grant extends." It did not limit the selections made in lieu of the relinquished tracts to land of equal or approximately equal value with those relinquished tracts, nor to nontimbered lands, nor to lands of the same character as the relinquished tracts, but simply provided that the selected lands must be of equal quantity with the relinquished tracts and "not mineral or reserved and not valuable for stone, iron, or coal"—note the careful omission of the word "timber"—"and free from adverse claim and not occupied by a settler at the time of the selection." The selections were not confined to surveyed areas but could be made in unsurveyed areas. That law is in force to-day.

Now, note these facts about the bill pending in the House at this moment, introduced by the gentleman from Washington. It seeks to amend these two laws I have described. It provides that these laws shall be—

and they are hereby, extended to include any bona fide settlement or entry made subsequent to January 1, 1898, and prior to January 1, 1913: *Provided*, That said act shall be, and is hereby, amended and extended so that all lieu selections made under said act may be of either odd or even sections of surveyed or unsurveyed lands of equal area of those relinquished, not mineral and not otherwise appropriated, within the State or Territory where the base land was relinquished or within the District of Alaska or the Philippine Islands, as the selector may select.

Then this bill goes on to provide that where there is a conflicting claim, and the Northern Pacific refuses to relinquish and make another selection in lieu of the one relinquished within 90 days after notice, the settler may relinquish and make selection.

Now, notice that this bill proposed by the gentleman from Washington does not repeal any part of the law as passed in 1898 and amended in 1901, but it adds a whole lot to the old law.

The old law is confined to claims initiated by settlers prior to January 1, 1898. The gentleman from Washington proposes to extend the law to include cases where claims were initiated by settlers after that date and down as late as January 1, 1913.

The old law was confined to conflicting claims made on odd-numbered sections. The gentleman from Washington would extend the act to include such claims made on "either odd or even sections."

Would you not think, after the howl of righteous indignation which has been repeatedly raised on this floor by the gentleman from Washington about the "steals" of timbered land made out in his country by the Northern Pacific Railroad Co. in relinquishing worthless land and selecting in lieu thereof rich and valuable timbered lands—would you not think after all that show of virtue on his part that in introducing a bill seeking to amend a law specifically referring to the Northern Pacific Railroad Co., and permitting that company to make certain selections of public land in lieu of others relinquished, he would have been careful to stop the gaps by means of his proposed amendments and prevent any further steals by this company? Has he done it? No; he has not.

The CHAIRMAN. The time of the gentleman has expired.

Mr. THOMSON of Illinois. Can I get 10 minutes more?

Mr. LEVER. Mr. Chairman, I yield to the gentleman 10 minutes of my time.

The CHAIRMAN. The gentleman is recognized for 10 minutes more.

Mr. THOMSON of Illinois. The original act provides that the lieu selections that can be made by the railroad company or the settler—and I presume the cry will be raised that this is a settler's bill, one for the settler's relief; but it is no more so than was the general lieu-land law itself—must be "of equal area" with the tracts relinquished, but it fails to provide that they must be of equal value or of not greater value. This was one thing that made these "steals" possible. Has the gentleman from Washington shown a real desire to stop that gap, and does his bill provide that the lieu selections shall not be of greater value than the tracts relinquished? No!

The original act provides that the lieu selections that can be made by the railroad company or the settler in these conflicting cases must be of nonmineral land. It permits the selection of timbered lands. This was another thing that made these "steals" possible, because of the great value of the timbered lands. Has the gentleman stopped that gap in the bill he has introduced amending this special act, and provided that the lands selected under it in lieu of lands relinquished must be nontimbered? No!

The original act provides that the lieu selections that can be made by the railroad company or the settler in these conflicting cases may be made "within any State or Territory into which such railroad grant extends." This was another thing that contributed to these land "steals" which the gentleman from Washington has denounced as infamous. In the bill he has introduced has he sought to amend this special law by restricting the area within which the lieu selections can be made to that State or Territory where the tracts relinquished are situated? No! On the contrary, his bill proposes to extend those areas and permit these lieu selections to be made "within the State or Territory where the base land was relinquished or within the District of Alaska or the Philippine Islands, as the selector may elect." And you will notice he is careful not to repeal the provision of the original act to the effect that the lieu selections may be made within any State or Territory into which the railroad grant extends. The gentleman from Washington would not only leave all the public lands in the United States, timbered and otherwise, open for these lieu-land selections, but he would by his bill make available for them all the public lands in Alaska and the Philippine Islands.

Mr. CARY. Will the gentleman pardon an interruption?

Mr. THOMSON of Illinois. I will.

Mr. CARY. A little while ago the gentleman mentioned the Philippines. Does that give the Northern Pacific Railroad the right to go over to the Philippines and choose lands in exchange for lands worth nothing along their right of way in this country?

Mr. THOMSON of Illinois. If the bill were to pass, it would.

Mr. CARY. I think that is an outrage.

Mr. THOMSON of Illinois. I think so myself, and I am about to read from a report from the Department of the Interior which says that very thing.

In a report made by the Department of the Interior December 18, 1913, on Senate bill 2801, this Congress, which is a bill very similar to H. R. 2146, the department says:

> The magnitude of the grant to the Northern Pacific Railroad Co. has frequently been the subject of much comment, but by the terms of this bill its area is not even limited to the States proper, but it is proposed to extend it to Alaska and our insular possessions. It can not be believed that such a proposition would receive serious consideration of Congress. * * * The careful policy heretofore observed, both by the legislative and executive departments, in refusing to subject the Territory of Alaska to the general provisions of our public-land laws until such time as the requirements of the Territory are better understood and can be carefully considered and protected should preclude any possibility of congressional consent to a scheme that could be so easily used to acquire title to the most valuable lands in the Territory.

And that is the sort of a bill that has been introduced by this gentleman, who has repeatedly risen on this floor and with a distressed and sanctimonious look bewailed the loss to the people of his State and other States of valuable, rich timberlands through steals put over by the Northern Pacific Railroad Co., and who wanted to know where somebody else was while these things were going on. And now he, forsooth, would open up to this very same corporation not only everything left in the way of timbered lands in the public lands of the United States but in the Territory of Alaska and in the Philippine Islands.

After a long fight the general lieu-land law was repealed, but this special law tucked away in a sundry civil appropriation bill still lives; and our friend from Washington would have us amend and extend it so that future "steals" will not necessarily have to be confined to Washington public lands or the public lands in other States, but may include lands of great value across the seas in Alaska and the Philippines.

But he will tell us this act only applies to conflicting claims. Quite true. But how many "conflicting claims" do you suppose such an adroit corporation as the Northern Pacific Railroad Co. has shown itself to be could be inspired by it between January 1, 1898, and January 1, 1913, the period of time over which this bill proposes to extend the original act, which it thus seeks to amend?

Oh, consistency! Thy name is not HUMPHREY! With a voice pitched to carry to the far-off State of Washington, has this gentleman stormed and howled about these outrageous and contemptible "steals" put over by the Northern Pacific and others; and amidst the din and clatter of his own noise, he has started the machinery to working to the end that the Northern Pacific Railroad Co. itself may reach out and make these lieu-land selections even in Alaska and the Philippines.

May I remind the gentleman that his actions will cry out even louder than his words and reach quite as far? And may I also suggest to the gentleman that before he again casts baseless charges against Mr. Pinchot, the greatest champion of the people's rights in all our natural resources, that he at least take the precaution to move out of his glass house? [Applause.]

Mr. LEVER. Mr. Chairman, I yield 30 minutes to the gentleman from Kentucky [Mr. HELM].

Mr. HELM. Mr. Chairman, this is a far better time for a farmer to read a good speech than it is for a Member of Congress to undertake to make one.

This is the period of the year when the farmer begins to "take stock" by looking back over the past year to see how he "stands"; he has harvested and marketed his last year's crop and sold his live stock, and having viewed his past work, efforts, and resources he looks forward to the current year to see where and how he can increase his profits or recoup his losses.

If he is a man with a good clear head, sound judgment, good health, strong muscle, plenty of energy, and has applied these indispensable assets for successful farming industriously to the cultivation of his land and management of his live stock, the chances are one hundred to one that he has made some money.

With few exceptions he has realized fair returns for all his products, of which the yield, with the aid of fertilizers, has about equaled the average in recent years. But when he begins to cast up his account he is liable to find that his running or operating expenses have exceeded his expectations, and his annual profits less than he had expected, notwithstanding he has been comparatively economical, his management satisfactory, escaped destruction of any of his property by accident, or serious sickness in his family.

Furthermore he is aware that within the last decade his land values have doubled, in many sections they have quadrupled, in value, and under all the circumstances he is at a loss to discover the leaks and his failure to make better headway.

The flannel-mouthed calamity howler comes along shouting oppressive legislation by an incompetent party in control of national legislation, because it put certain farm products on the free list, namely, lumber—yes; it is on the free list, so are hemp, hides, wool, corn, wheat and other similar serials, except in case of countervailing duties to equal those imposed by foreign Governments, and yet there was never a time when the farmer realized more for each of these products than he does now.

The farmer with the clear head and sound judgment says to himself, "Thou fool," shakes his head, passes on, and looks further. He knows that in none of the older settled States the soil is as productive without fertilizer as formerly, when the

land was fresher and cheaper, when his outlay was smaller and his net income larger, considering his investment. The same condition obtained in many of the more recently settled States.

Taxes are continually on the increase. When we were lads what were then luxuries are now prime necessities for the farmer, not including better roads, better schools, better homes, better clothes, all demanding and requiring larger outlays, which ought to mean larger income.

The average size of the farmer's family is just about as large as it used to be, while the size of the average farm is about one fourth, third, or half as large as it was when I was a boy, yet expenses have multiplied as rapidly in an inverse ratio.

The situation is a serious one, requiring and demanding the best thought of every head of a family if the slogan "back to the farm" is to be heeded, much less become attractive.

This brings us to some of the problems that the present-day farmer has to solve. What is the solution? Diversification of crops and intensive farming, greater yield or production per acre, cheaper transportation, better marketing facilities, and greater economy in operating expenses.

The farmer's first concern is the improvement and restoration of his land to its former productive capacity, thereby, in the first instance, escaping his annual outlay for fertilizer, the preservation and conservation of the fertility of his soil, because the soil is his stock in trade. If it deteriorates or is allowed to wash away, his income will fade away.

The destruction of any of his improvements by fire or storm is felt and realized at once, because he knows the cost of their reconstruction, but he fails to appreciate the heavier and more serious loss when the fertile and nutritious portion of his land has been skimmed off and washed away by heavy rains. Every precaution should be taken to avoid this serious and unnecessary loss by proper care for and cultivation of the ground. The most inexcusable negligence of a farmer is his failure to stop deep ruts and gullies on his farm; they are bad advertisements both of the farmer and the farm.

Every lawyer and every doctor knows, and everybody else knows, that when they cease studying their professions that they are going to fall behind and some fellow who does study, dig, and work is going to get the business. The same thing is true of the farmer. He also must study to keep up with the procession and abreast of the improved methods of progressive farming, in order to secure the greatest returns for the least outlay as well as best methods of marketing and transportation.

Producing two, possibly three, crops on the same acre in one year and at the same time improving the quality of your land and marketing your products cheaper requires headwork, but it makes bank accounts grow.

Central Kentucky is far famed as an agricultural section and preeminently adapted to stock raising. The blue grass is native to the soil. It is the habitat of the thoroughbred and standard-bred horses and the short-horn cattle. It is traversed by running streams that are fed by perennial springs.

There was never a better opportunity to resume this industry on a more extensive scale than in recent years. Undue attention has been given to the cultivation of tobacco, which has resulted in impoverishing the land and otherwise causing its deterioration.

No one needs to be told that the extraordinary European demand for horses is certain to enhance their value, especially the types produced in Kentucky. It is unfortunate that the cheap, low-grade western scrubs have found their way into the State. It will pay to preserve the perfect Kentucky standard type. I also take occasion to express my strong condemnation of the unbusinesslike and impractical policy of farming out stallions, inaugurated by the War Department, which has resulted in a very useless waste of money.

The western range is gone forever, and with it the day of cheap cattle has passed.

Central Kentucky is also the section in which the Kentucky hemp and burley tobacco is raised—crops that demand the richest and most fertile lands to produce a profitable yield of these products. The timothy and clover meadows flourish; corn, wheat, rye, barley, and all similar cereals thrive. Crop rotation has been in vogue for years. It is ramified by a splendid system of macadamized pikes. Yet, with all these superior advantages and others not enumerated, there is still room for progress in advanced methods of farming and increased production of profitable crops. I shall venture to refer to and point out some of these possibilities; but before doing so I wish to state that there are very few problems relating to farming, stock raising, and diseases of animals which, if they have not been solved, much valuable information concerning them is available for the asking from the Department of Agriculture. I distribute annually a list of bulletins bearing on all these subjects, which I shall be glad to furnish on request. The tobacco reports are issued by the Census Bureau. Let me know if you want to be put on the bureau's mailing list for them.

The demoralization of the foreign markets for tobacco should be ample warning against a large acreage next season. Tobacco and cotton are two products that have suffered by reason of the European war. While burley is not largely exported, the price is affected by the market for the export types.

It is impossible to gauge the wholesome influence exercised by a good citizen; it is likewise difficult to estimate the far-reaching benefits derived from the example of a thoroughgoing, businesslike farmer.

There resides in the southern portion of Lincoln County a gentleman—Dr. C. M. Thompson—who, when he is not practicing his profession, manages his farm, which he is continually improving in value, on which he raised and harvested last season, in the same field, a crop of red wheat and a crop of buckwheat, the two realizing him much more than he paid for the land, and afterwards secured a splendid stand of clover susceptible of light fall grazing. This gentleman has a clear head, good judgment, strong muscle, good health, plenty of energy, and applies it industriously and intelligently, and consequently is not complaining of hard times. What he has done every other man in the southern half of Lincoln, Casey, and Adair Counties can do, because they have the same kind of soil. The more we have of his type, and the closer we follow the pattern he has marked out, the nearer we reach the solution of the problem.

ALFALFA.

The comparatively recent production of alfalfa in the group of counties adjoining Lincoln County, Ky., was due to the foresight and efforts of Mr. W. P. Givens. He demonstrated the fact that it could be profitably grown in this locality, as well as its superior value as a forage crop. Many have since followed his example with satisfactory results. Others desiring to do so may be assisted by the following facts concerning its cultivation and uses.

"So far as climate is concerned, alfalfa can be grown in every State in the Union.

"A deep, permeable soil should be chosen if possible, as alfalfa is naturally a deep-feeding plant that usually sends its roots down many feet to obtain the plant food materials and moisture which are out of reach of shallow-rooted crops.

"No other foliage crop requires less lime in the soil than does alfalfa.

"Young alfalfa plants are very tender and are apt to be killed by weeds during their early stages of growth.

"The time of seeding alfalfa varies in the different sections of the country, but late summer seeding is best in the East and South.

"Dairy cows require high protein feeds in order to produce profitable flows of milk. The tests showed that with alfalfa hay at $10 a ton and wheat bran at $20 the saving effected by substituting alfalfa for wheat bran is $2.80 for every 100 pounds of butter, and nearly 20 cents for every 100 pounds of milk.

"Alfalfa forms probably the best roughage for fattening cattle, as its lack of bulkiness enables the animal to consume sufficient quantities for rapid gains.

"Alfalfa is an ideal hay for sheep, but is apt to cause bloat if used for pasturage.

"Alfalfa is fed to hogs for the most part in the green state, either as a soiling crop or as a pasture.

"Alfalfa may be fed to horses both in the green state and as hay. Instances are on record where horses have performed heavy work during the summer season on nothing but green alfalfa.

"Alfalfa makes an excellent feed for all kinds of poultry. They can be allowed the range of an alfalfa field during the summer or it can be cut green and fed to them.

"Kentucky blue grass is apt to run out the alfalfa if this grass is used in the mixture in the blue-grass sections.

"The following tabulation indicates the approximate cost and returns per acre:

Plowing	$2.00
Harrowing	1.00
Seed, 2½ pounds at $2	4.50
Seeding	.50
Harvesting, 3 tons at $2	6.00
Total	14.00
Three tons of alfalfa, at $15	45.00
Cost to be deducted	14.00
Profit	31.00

SOME ALFALFA DON'TS.

"Don't fail to provide for ample inoculation; soil from an old alfalfa field is best.

"Don't sow poor or weedy seed.

"Don't sow on a weedy soil.

"Don't sow on any but a sweet, well-limed soil.

"Don't sow on poorly drained soil.

"Don't sow on any but a finely prepared, well-settled seed bed.

"Don't pasture the first or second year.

"Don't lose the leaves; they constitute the best part of the hay.

"Don't seed a large acreage to begin with. Experiment on a small area first.

"Don't give up. Many prominent alfalfa growers finally succeeded only after many failures.

"Alfalfa acts in a manner similar to red clover and other leguminous crops in increasing the yields of the succeeding crops."

SOY BEANS.

Other splendid forage crops that are in the same general class with alfalfa are soy beans and cowpeas, but, unlike it, they can be sown on the land before certain other growing crops have been harvested and at the same time greatly improve the soil, thereby eliminating the expenditure for commercial fertilizer.

If you are making heavy outlays for cottonseed meal with which to fatten your cattle and can not only save this expense, but can at the same time improve your land, is not it good business to do so? Is not the old saying "money saved is money made" still true? The soy bean will turn the trick.

If your land is run down and needs renovating, do not spend all your last year's earning for commercial fertilizer in your efforts to raise another crop when there is a much cheaper and better way. The cowpea is highly recommended for this purpose by experts on this subject.

"As a forage crop, however, soy beans have become of increasing importance in parts of the United States, especially southward. Their culture has greatly increased in recent years, especially in Tennessee, North Carolina, Virginia, Maryland, Kentucky, and the southern part of Illinois and Indiana.

"The soil requirements of soy beans are much the same as those of corn.

"Throughout the South the proper bacteria for soy beans seem to be widely distributed, so that natural inoculation now occurs generally.

"Soy bean hay when cut at the proper stage of growth and carefully cured is excellent, and for dairy cattle at least yields results equal to alfalfa hay.

"The planting should be timed so that the crop can be cut for hay in September, as this month is usually the most satisfactory for haymaking. The cutting may begin as soon as the dew is off the plants and continue for the rest of the day.

"While the hay is dry it should be put in good-sized stacks or under a shed. If it is stacked in the open field it is very essential that some other material, either grass or a canvas cover, be put over the stack, as soy bean hay does not shed rain well. Yields of from 1 to 3 and occasionally 4 tons of cured hay to the acre are secured. The average yield is about 2 tons per acre.

"Soy beans and cowpeas make a very satisfactory mixture for hay purposes.

"In sowing soy beans and cowpeas in mixture about 1 bushel of the former to a half bushel of the latter per acre should be used.

"Soy beans are more commonly grown with corn than with any other crop.

"The growing of soy beans for ensilage has not been practiced very extensively. In a number of instances ensilage has been made of the crop, usually in combination with corn, and it is invariably reported as making an excellent succulent feed.

"Growing soy beans for the grain for use as feed is distinctly profitable if the yield is 16 bushels or more per acre. The feeding value of the grain is very high, being slightly superior to cottonseed meal. The grain is rich in protein, while nearly all the other grains produced on the farm are poor in protein but rich in carbohydrates.

"Throughout much of the region well adapted to soy beans dairy farmers purchase cottonseed meal for a high protein feed. Numerous experiments have shown that soy-bean meal is equal or slightly superior as a feed to cottonseed meal both for cows and for hogs.

"Yields of 20 bushels per acre of soy beans on lands of moderate fertility may confidently be expected in the region where the best medium or late varieties will mature.

THE COWPEA.

"The cowpea is used more than any other crop as a soil renovator in the South. Its use is rapidly increasing, but is yet far from general. During the past few years the high prices of the seed has tendered to discourage more extensive growing. Recent progress in the harvesting of cowpea seed by machinery will doubtless materially reduce its cost. The seed is at present almost entirely picked by hand. The cowpea is characterized by remarkable ability to grow in poor soils and to cover the ground so densely as to choke out most weeds. It usually bears an abundance of tubercles on its roots, whether the soil has been inoculated or not, although in new localities where the cowpea has not been previously grown the tubercles may be absent. In such cases inoculation is necessary, for it must always be remembered that it is through the tubercles on the roots that the beneficial effects of the cowpea or other legume largely depend.

"Cowpeas are very commonly planted between rows of corn at the time of the last cultivation or they are broadcasted upon the stubble of small grains. Cowpeas, however, like other crops, respond remarkably to cultivation, and there is a growing tendency to plant them upon well prepared soil. This practice results in a great increase of the crop, whether grown for hay or for seed.

"Perhaps no single agricultural crop is of greater economic importance to the people of the United States than cowpeas, yet its cultivation is comparatively recent in this country. Each year the crop is better appreciated, and its area is being rapidly extended. While the cowpea is not a true bean, it is a valuable forage crop and a great soil renovator. The seeds are valuable as grain, the hay is equaled only by alfalfa, and as a producer of organic matter for green manuring it is unsurpassed."

ORCHARD GRASS.

The wide fertile bottoms of Green River and its tributaries are as productive as the famous valley of the Nile, and are best adapted to corn raising. The hills of Casey and Adair Counties have splendid range on which stock thrive in spring and summer. Orchard grass will flourish in these counties where the undergrowth is not heavy, and will be of material aid to stock growers who have their lands fenced. The same is true as to the southern portion of Lincoln County.

"It is a bunch grass, and when sown alone forms tufts which in time become large tussocks considerably raised above the general surface of the soil. There is a hindrance to the mowing machine and also a waste of land. For this reason it is recommended that orchard grass be combined with some other grass, for which purpose meadow fescue is recommended.

"Orchard grass is one of the most nutritious and palatable of the cultivated meadow grasses. It thrives in more shaded situations than other meadow grasses, for which reason it is often planted in orchards, hence the name. It withstands drought better than the timothy, and consequently can be grown farther west in Nebraska than can timothy.

"It is true that fields of these grasses usually dry up more or less during the middle of summer, but the same is true of all available pasture grasses, it being necessary to supplement them during this season with green feed, such as cane or corn. On the other hand, orchard grass and meadow fescue furnish green feed in early spring and late fall, seasons when the wild pastures are not available. The seed should be sown in the spring at the rate of about 20 pounds of orchard grass and 15 pounds of meadow fescue per acre. Unless the ground is free from weeds it will be necessary to mow once or twice during the first season to keep the weeds down until the grass is well established. When grown for hay the grass should be cut in blossom, as at a later period the value of the hay rapidly decreases."

It not only behooves the farmer to understand the kind and quality of his soil that he may know what to plant with promise of best returns, but when to harvest and how to preserve and feed his provender so as to obtain the best results.

The silo has become almost as indispensable as the barn, and it may yet be interesting to some to learn what its advantages and uses are.

SILAGE.

"Within the last 30 years silage has come into general use throughout the United States, especially in those regions where the dairy industry has reached its greatest development. Silage is universally recognized as a good and cheap feed for farm stock, and particularly so for cattle and sheep. There are several reasons for the popularity of silage.

"1. More food can be stored in a given space in the form of silage than in the form of fodder or hay.

"2. There is a smaller loss of food material when a crop is made into silage than when cured as fodder or hay.

"3. Corn silage is a more efficient feed than corn fodder.

"4. An acre of corn can be placed into the silo at less cost than the same area can be husked and shredded.

"5. Crops can be put in the silo during weather that could not be utilized in making hay or curing fodder.

"6. More stock can be kept on a given area of land when silage is the basis of the ration.

"7. There is less waste in feeding silage than in feeding fodder. Good silage, properly fed, is all consumed.

"8. Silage is very profitable.

"9. Silage, like other succulent feeds, has a beneficial effect upon the digestive organs.

"10. Silage is the cheapest and best form in which a succulent feed can be provided for winter use.

"11. Silage can be used for supplementing pastures more economically than can soiling crops, because it requires less labor, and silage is more palatable.

"12. Converting the corn crop into silage clears the land and leaves it ready for another crop.

"In all parts of the United States where the silo has come into general use the principal silage crop is corn.

"Some persons have advised mixing clover, cowpeas, or alfalfa with the corn when it is being put into the silo in order to correct this deficiency of protein. Such a procedure is not to be advised, however, if it is at all possible to cure the clover or other crop into hay, and it usually is possible if hay caps are used. Since some dry forage should always be fed along with the silage, the leguminous hay would better be used in this way rather than by converting the crop into silage.

"Corn should be harvested for the silo at about the same time that it is harvested for fodder; that is, when the grain has become glazed and the lower leaves of the stalk have turned brown.

"Sorghum is readily made into silage. The only advantage which sorghum has over corn is that it will sometimes yield heavier on poor ground and that the operation of harvesting may extend over a greater period; that is, it stays in the right stage for harvesting longer than corn. Sorghum, however, makes a poorer quality of silage, being more acid, not so palatable, and less nutritious. Where corn yields well there is no advantage in growing sorghum.

"Clover is a successful silage crop, yielding a palatable product high in protein. It does not pack so well as corn, so great care should be exercised in the tramping of the silage at the time of filling, and the depth of the silo should also receive particular attention. A shallow silo will not prove satisfactory.

COWPEAS, ALFALFA, AND SOY BEANS.

"These crops can all be successfully made into silage by exercising the same precaution as with clover. They should be cut at the same time as for haymaking. However, it is ordinarily preferable, as with clover, to make them into hay rather than silage.

"Other good silage materials are Kafir corn, milo maize, teosinte, and beet pulp."

Many a man has a natural taste for the cultivation of fruits, berries, and vegetables. He knows that it is a profitable business, but he does not know how to make it a success. He knows that when he has plenty of fruit, berries, and vegetables all of his neighbors in the same locality are certain to have the same luck that he has. He has a limited amount of ground, and he can not do extensive farming on a large scale, so he is compelled to fall back on horticulture and truck farming. He is a more fortunate man than he thinks he is. Parcel post has solved his problem. All he needs is a city directory of Louisville or Cincinnati and a few postal cards, and in 24 hours he is in touch with a market representing over half a million people, none of whom can produce what he has for sale and must have what he has for sale in order to live. The schedules of the mail trains in central Kentucky are well arranged for marketing by parcel post.

Shelby and Spencer Counties possess special advantages because of their proximity to a large market in Louisville, to which every producer can haul his own product within a few hours over splendid roads.

POTATOES.

If I am not incorrectly informed, many people in the district I represent discovered, as a result of the drought last year, that it was possible to raise two crops of certain varieties of vegetables—among them potatoes, a wholesome food for all classes, universally used, for which there is always a market and very seldom below the cost of production, because it is a food that is welcome in the laborer's dinner pail, frequently called "the poor man's bread"; and yet it is often a dainty dish on the banquet table.

Trusting that some one will read and profit thereby, I insert an excerpt on this food plant printed in a bulletin published by the Department of Agriculture, as I have and will from other bulletins on different agricultural products:

"The ever-increasing importance of the potato crop makes it highly desirable that more attention should be given to the subject of seed improvement. As yet comparatively little thought has been given to this phase of the potato industry by the American grower. The European grower, on the other hand, recognizes the futility of attempting to grow profitable crops of potatoes without giving the most careful attention to the source of his seed supply. To this end he either buys his seed from specialists in seed-potato production or becomes a specialist himself. The result of this attention to the use of good seed is well attested by the average yields secured. For the years of 1901 to 1910, inclusive, the average per-acre yield in bushels was as follows: Germany, 200; Great Britain, 200; and the United States, 92. It would be absurd, of course, to claim that all of this increase was attributable to good seed, but it is safe to assume that good seed does play a very important rôle and should not be overlooked by the American grower.

"In some sections the same land can be made to produce two crops of potatoes in a single season, thus rendering it a very important and profitable industry.

"Within recent years there has been a marked increase in the use of second-crop potatoes for seed throughout the southern potato-growing sections. This crop is frequently grown on the same land from which the first crop of potatoes was harvested.

"A conservative estimate of the increase that might be expected from the use of high-grade seed is certainly not less than 10 per cent. Such an increase, based on the average of the past five years, would amount to over 34,250,000 bushels, having an approximate valuation of $21,000,000.

"The value of the method is well attested by the crops produced. The average production on an 18-acre basis for the past nine years—1901 to 1909—has been 282 bushels per acre. The highest seasonal yield during this period was 417 bushels, and the lowest 233 bushels. These yields are being secured in a locality where the general average is approximately 150 bushels per acre."

While there is an astonishing and surprising difference in the yield per acre here and abroad, still, at that, if the market price is 50 cents per bushel, $46 per acre is no bad return. You have done worse with other crops.

UNNECESSARY EXPENSE FOR SEED AND FERTILIZERS.

While I am on the topic of seeds, as suggested by the foregoing and following excerpt on seed corn, I can not pass the subject without stating that in my opinion one of the big leaks and unnecessary operating expenses of the farmer are his annual outlays for seeds of all kinds and varieties, though I would not undervalue this importance of good seed.

Why should a farmer every year spend a snug sum for seed when he can with small labor preserve them out of his own crop that he has raised, by selecting the proper types and giving the proper care? Why do not you stop this unnecessary outlay? Too often you do not get as good as you raise, and what you do get is adulterated with all kinds of pests, many of which it is impossible to eradicate or destroy. We have the best lands, why can not we produce the best types? The answer is, we can. Why does not some man in every locality set his head and hands to it and keep this money at home. Look after the balance of trade at home and the foreign balance of trade will take care of itself.

Another thought along the same line. The United States is the richest country on the globe, yet the Government employees in the city of Washington, the Capital, rake up the leaves in the parks and convert them into the best fertilizer known. You burn them up, go to the store and spend your money that you need for other purposes to buy a fertilizer not half as good, notwithstanding you are not as rich as the United States. What do you think of the intelligence of a farmer who will burn an old half-rotted straw or hay rick or fodder shocks in order to get them out of his way when he goes to plow, instead of using it as a mulch to put on the potatoes that he planted in the spring or scattering them on his land? That man is talking hard times and is claiming that the Underwood tariff has ruined him.

SELECTING SEED CORN.

Here is what the Agricultural Department has to say about seed corn:

"At corn-ripening time drop all other business and select an abundance of seed corn—the process is too important to be

conducted incidentally while husking. When selecting seed corn give the process your entire attention. Get the very best that is to be had and preserve it well, and your increased yields will return you more profit than any other work you can do on your farm.

"The only proper way to select seed corn is from the stalks standing where they grew, as soon as ripe and before the first hard freeze."

"The average production of corn to the acre for the entire United States is but 26 bushels, yet in practically every section four times that quantity is frequently produced. Improvement of the quality of seed is the least expensive method of increasing the yield per acre. A full stand of plants may be obtained from inferior seed, but the yield will not be the best possible. The loss is due to delay or negligence. It can be prevented by the selection of seed corn in the autumn. Autumn is the time to prepare for a profitable corn crop the following season.

"By far too many consider seed corn simply because it will grow. To be first class seed must be—

"(1) Well adapted to the seasonal and soil conditions where it is to be planted.

"(2) Grown on productive plants of a productive variety.

"(3) Well matured and preserved from ripening time till planting time in a manner that will retain its full vigor.

"The importance of the three requirements just enumerated has been demonstrated experimentally by the Office of Corn Investigations of the Bureau of Plant Industry."

Every common school should have a corn club or a pig club for the boys and a poultry club for the girls. Education and business go hand in hand. The poultry crop exceeds the annual wheat crop in value.

TOMATOES.

The European war is certain to increase the demand for canned goods and consequently the price of all is sure to go up. The canning factories are going to have their inning, and should be made ready for an active season with full steam ahead. There are several factories in the district—do not overlook a good opportunity. You who are in the business ought to know how accurate the following from an agricultural bulletin is:

"Commercial tomato growing in the Southern States is almost exclusively confined to the production of tomatoes at a season when they can not be grown at the North except in greenhouses. On this account the commercial production of this crop is restricted to areas where there is very little, if any, freezing during the winter months. Florida and Texas lead in the production of this crop.

"The yield of fruit in the South, under the conditions mentioned, is much less than it is in regions having the long growing periods characteristic of higher latitudes. Yields vary from 75 to 250 bushels to the acre, but the high price obtained for the fruits which are thus produced at a season when the sole competition comes from the products of northern greenhouses renders the crop when well handled very remunerative.

"The tomato as a field crop is adapted to a wide variety of soils, though a medium clay loam is probably the best. In fact, any soil well adapted to potatoes will grow the tomato to good advantage.

"The cost of production per acre is much less for fruit for canning than in the case of early tomatoes, the chief difference being in the production of the plants. The several items may be classified as follows:

Cost of growing an acre of tomatoes for canning:

Plants	$2.00
Manuring and fertilizers	8.00
Preparation of land, setting plants, and cultivation	8.00
Picking and carting	10.00
Total	28.00

"The yield, as in the case of the early tomato, varies widely, ranging from 5 to as high as 20 tons per acre, even 30 tons per acre having been reported in exceptional cases, although the average for a series of years on average land will probably be under 8 tons. Where all conditions are carefully observed. 20-ton yields are frequently obtained, and at the prices received at the cannery, ranging from $5 to $7.50 per ton, according to the locality, the crop is a fairly good one, and the net profits are quite as large as for other field crops."

ASPARAGUS.

Suppose you had an acre of ground adapted to asparagus culture—and some pluck—let's see what experience has demonstrated and the test shows:

"The popularity which asparagus has achieved during recent years is remarkable. Formerly a luxury on the tables of the rich, it is now, during the season, a vegetable seen daily upon the tables of people of moderate or even of small incomes. It is also frequently recommended as an article of diet for the sick and convalescent.

"The fact that asparagus appears in the market at a time of the year in which few or no other fresh vegetables are available has had much to do with its increased consumption in our cities. It can also be easily preserved by canning, the product in this form being almost equal to the fresh article, and this has increased its use, being, as it were, a lengthening of the season.

"Brinckmeier, in his 'Braunschweiger Spargelbuch,' gives the following three rules for guidance in selecting a location for asparagus beds:

"(1) One should choose, in reference to the ground characteristics, open, free-lying ground, protected to the north and east, of gradual slope, free from trees or shrubbery.

"(2) The field should be exposed to the rays of the sun all day long; therefore a southern exposure is desirable; or, if that is not obtainable, a southwesterly or southeasterly slope, because either east, west or north exposure will cause shadows during a greater or less portion of the day.

"(3) Standing, stagnant ground water, which can not be drawn off by drainage, is to be avoided, the requirements of the plants indicating a somewhat damp subsoil, but not too high ground water.

"From the above it is deduced, and experience corroborates the theory, that a not too porous, but a well-drained, light, deep, sandy loam, with a clay subsoil, is to be preferred to all others.

"A prominent and successful New Jersey grower says:

"I can not give the cost in detail of establishing asparagus beds, as so much would depend upon whether one had roots to buy, and upon other matters. Where growers usually grow roots for their own planting the cost is principally the labor, manure, and loss of use of land for two years, upon which, however, a half crop can be had.

"The cost of maintaining a bed I can only estimate, as at times all the men on the farm may be at work at the asparagus, and at other times none at all, and I do not keep an account of the time put in at the asparagus. I should estimate the cost per acre as follows:

Manure (applied in the spring)	$25
Fertilizer (applied after cutting)	15
Labor, plowing, cultivating, hoeing, etc	20
Cutting and bunching	40
Total	100

"A bed well established, say 5 years after planting, when cared for should for the next 10 or 15 years yield from 1,800 to 2,000 bunches per annum, or at 10 cents per bunch (factory price), $180 or $200.

"This agrees very closely with the actual figures of the yield and receipts of another New Jersey grower, who in 1896 cut 22,584 bunches from 12 acres, all of which were not in full bearing, or 1,882 bunches per acre, and received $2,611 net returns from commission houses, or a fraction over 11 cents per bunch. Of course those getting higher prices or larger yields will exceed this, but it is a fair average for those who sell on commission or to canneries.

"The cost of good 1-year-old plants ought not to be over $4 per thousand, and it requires from 1,800 to 3,600 to fill an acre, depending upon the distance between plants; perhaps 2,500 would be a fair number, allowing surplus plants to fill missing hills, or $10 per acre. The plants can be grown from the seed for half that sum, if that plan be preferred.

"The cost of establishing a bed can be somewhat reduced by planting for the first two or three years some early garden crop between the rows, such as potatoes, peas, beans, onions, strawberries, and so forth, for as the roots are as yet not occupying all the ground there will be no injury to the plants, and the manure and cultivation necessary for the young asparagus will be sufficient for the other crop, hence the receipts for it will be almost entirely net and yield at least the returns of 'a half crop.'

"The estimate above calls for an annual expenditure of $40 per acre for fertilizer and manure, which is a liberal allowance; another estimate requires 2,000 pounds per acre of a mixture containing 400 pounds of muriate of potash, 1,100 pounds acid phosphate, and 500 pounds of nitrite of soda, which at market prices can be secured for less than the above sum. Asparagus is one of the earliest vegetables, especially if the roots are near to the surface or the soil above them has been temporarily removed so that the rays of the sun can easily penetrate to them.

"It is not in the province of this discourse to attempt a description of asparagus canning as practiced in a factory, for such at best would be the detailing of the method practiced at one and might differ widely from the practice of every other, and, besides, it is a business requiring expert knowledge and considerable capital, while domestic canning of asparagus is as simple as for any fruit or other vegetable.

"A lady of experience as a housekeeper gives the following receipt:

"Cut the asparagus the length of a fruit jar, pack the jar closely, fill with cold water, add a little salt, and put the lid on loosely. Place these jars in hot water reaching to the brim and boil for three hours, adding enough hot water to that in the jars to keep them full. Close lids tightly and set jars away to cool."

CABBAGE.

There are approximately 44,000 square feet in an acre. Plant this in cabbage, 2 feet apart each way; it will require 11,000 plants to do so. Say 10,000 mature, if you only get 1 cent a head, that makes $100 per acre. It beats corn or wheat, but suppose you could get 5 cents a head—you can not buy one at the store for less than 10 cents—nothing beats it; if it does, you ought not to want it; be satisfied with from $100 to $500 per acre for any crop.

"In some sections of the United States cabbage is extensively grown as a farm crop.

"According to the last census New York State grew more than 25,000 acres of cabbage, Pennsylvania nearly 11,000, while Virginia grew about 10,000 acres. The three States mentioned outrank all others by at least 2,000 acres. No adequate estimate can be placed on the value of this crop, as it fluctuates very decidedly, both in average and in price, from year to year.

"While cabbage will thrive upon a wide diversity of soil types, the soil which is usually selected for truck-farm operations is what gardeners call a 'quick soil,' one composed of sand with a small percentage of clay.

"Cabbages from the trucking region are chiefly marketed in carload lots. Long-distance shipments of truck crops of all classes are most economically handled in this manner; in fact, it would be impossible to carry on the trucking enterprises of the country on their present scale unless it were possible to ship such commodities in carload lots.

"The truck-crop cabbage business is at present chiefly conducted on a commission basis, although in a few sections crops are grown under contract. Owing to the perishable nature of early cabbage, it is probable that the crop will always be extensively handled on commission.

"An item that should be considered by the grower of early cabbage for the northern markets is the quantity of cabbage placed in storage from the northern fields. A short crop of late cabbage at the North means good prices for early southern-grown cabbages. Low prices and heavy storage of the northern-grown fall cabbage usually mean low returns for early southern-grown cabbage. The importance to the southern truck farmer of keeping close tab on the hold-over crop of the North in order that he may not be the loser is obvious.

"Cabbage is frequently made the basis of such a combination. Sometimes lettuce and radishes are grown between the rows of cabbage. Sometimes cabbage is planted between the rows of early beets, while late potatoes are frequently planted between the rows of early cabbage. The various combinations of such crops are too numerous to be catalogued."

Of course, you know that cabbage could be grown between rows of early beets and that late potatoes could be grown between rows of early cabbage, that beans could be grown between rows of cucumbers, that raspberries would grow between apple trees, that strawberries would grow under and currant bushes between grape vines, but the idea of keeping all the ground real busy at the same time may never have occurred to you.

It might amuse you if some one should tell you there is money in raising cucumbers, but you would never believe it until somebody proved it.

CUCUMBERS.

"The soil best adapted to the cultivation of cucumbers in the open is a light sandy loam, one which responds quickly to the temperature and fertilizer.

"As soon as the cucumbers reach marketable size—i. e., from 6 to 10 inches in length—they are picked from two to three times a week and sorted and graded, so as to place all those which are perfect in shape and uniform in size in one grade, which are usually packed in baskets of the Delaware type holding a bushel or a half barrel.

"The yield of cucumbers to the acre depends on the season, the variety grown, and the skill of the planter. A normal crop, however, may be placed at about 200 half-barrel baskets per acre, the price varying from 50 cents to as much as $2 per basket.

"After the fruit has been harvested and the marketing season has been closed, the vines should be destroyed by gathering and burning or plowing them under, so as not to harbor or breed disease.

"The cultivation of cucumbers to supply the demands of the pickle trade has assumed important commercial proportions in certain sections of the United States. As a rule, this industry is not of long duration in any locality. The salting stations, as they are called, which are the gathering points used by the pickle factories, are in the main of inexpensive constructions, and those parts which are most durable can be moved as necessity requires. The history of the pickle industry in any particular locality does not cover a period of more than 6 to 10 years.

"In general the price paid for cucumbers is remunerative, and the industry, if it could be carried on on an extensive scale, would be a very profitable one. The fact that only a small acreage of cucumbers can be handled by any single grower renders it a less attractive and less profitable crop in the aggregate than it would be if large acreages could be handled. The reason that only a small area can be grown by individual farmers is the great amount of hand labor required to gather the fruits. During the bearing season it is necessary to go over the patch at least three times each week in order to secure the fruits within the range of the sizes which will be accepted by the pickle factories—that is, from 2½ to 4 or 5 inches in length. Few farmers have sufficient assistance to allow them to grow more than 1 or 2 acres. If the pickling of the cucumbers were work which could be carried on by children, it would not present so many difficulties. The fruits are heavy, and the fact that it requires experience to find them under the leaves makes it men's labor rather than that of children."

One of the best paying, easiest managed, requiring less outlay, is the strawberry crop. Always a market for them.

There is a farmer, Ben Lewis, in the southern portion of Lincoln County making a good living raising and selling strawberries. He is buying all the land that joins him, wearing a smile, and it is wrong to give his scheme away.

If you could run upon something equally as profitable, let him alone and try raising beans or onions, or both. Do not be afraid of the smell; it always has worn off. There is always a demand for both vegetables. Armies and navies have subsisted on beans; hence the name "navy bean." Remember there are now 20,000,000 men under arms. Every cornstalk should make a bean pole this year. It will make you some good pin money.

FIELD BEANS.

"The census for 1900 gives the area of the bean crop, including both field and garden beans, as 453,867 acres, and the total product is placed at 5,064,844 bushels, an average of 11⅛ bushels per acre. The total amount received by the producers for the crop was $7,634,262, or an average of $1.51 per bushel. In considering this average it must be remembered that the total includes the products of good as well as of poor cultivators and embraces regions in which the crop was a practical failure, as well as those in which it was a success. For those States which make bean growing an important industry the average yield to the acre is somewhat higher than is recorded in this general average.

GARDEN BEANS—KIDNEY, LIMA, STRING, AND SNAP.

"Under favorable circumstances the best varieties of beans yield very large quantities of pods. It is not unusual to gather 200 bushels of string beans from an acre, the price ranging from $2.50 to 50 cents per half-bushel basket from early in the season until its close for any particular locality.

ONION CULTURE.

"The onion holds third place among the truck crops grown in the United States. In 1908 about 14,000,000 bushels, valued at $10,000,000, were produced, practically all of which were consumed in this country. In addition we annually import about 1,400,000 bushels from Spain, Egypt, Bermuda, and the South Sea islands. The onion is one of the more common crops of our home vegetable gardens, and it is well adapted to growing commercially on a small scale, very little capital being required for a beginning. The market for onions includes practically the entire commercial world, and the demand for a good article continues throughout the entire year.

"As a general average, onions will cost in the neighborhood of $80 when ready to market. This does not include the crates or bags in which to market them.

"An acre of onions will produce on an average 300 bushels, although large tracts are made to yield an average of 500 bushels an acre, at a cost for growing not exceeding $75. The price paid the grower in the field is sometimes as low as 35 cents a bushel, although 45 cents is about the ruling price, taking one year with another. A yield of 300 bushels, at 45 cents a bushel, gives a gross return of $135 an acre, or about $55 with the cost of growing deducted. The more successful onion growers, and they are many, count upon a net profit equal to the cost of growing the crop.

"In districts where the ordinary varieties of onions are planted in rows 3 feet apart and cultivated with horse tools, the yield is generally about 150 bushels an acre and the cost of production is frequently not more than $10 or $12 an acre.

"The quantity of onion seed that can be grown to an acre depends on several conditions. The yield of seed, as a rule, will be about 400 pounds to the acre, although as high as 800 or even 1,000 pounds have been secured.

"The price per pound paid for the seed varies according to the quality, variety, and market demands. For first-class, high-grade seed from specially selected bulbs of desirable types the growers frequently receive as much as $1.25 a pound, but for the general crop produced from bulbs not specially selected, which must be sold in competition with the great mass of seed produced by large growers, the price is generally not more than 40 or 50 cents a pound."

This list of demonstrations should be carried to greater length. However, I can not omit the sweet potato as one of the commodities that make bank accounts grow. If you have not access to a postal savings office, these institutions make money for you while you are asleep; but let us get back to our sweet potato.

SWEET POTATOES.

"With the passing of each year the sweet potato is becoming of greater importance as a commercial crop in the United States.

"Sweet potatoes thrive on a moderately fertile sandy loam which does not contain an excess of organic matter. They are frequently grown upon almost pure sand, especially where the subsoil is a yellow clay.

"To keep sweet potatoes in good condition they must be (1) well matured before digging, (2) carefully handled, (3) well dried or cured after being put in the house, and (4) kept at a uniform temperature after they are cured.

"Wooden houses are preferable, because they are cheaper and easier to keep dry.

"The value of this crop in the United States in 1909 was $34,429,000, 90 per cent of which was produced in the Southern States. The total area devoted to sweet potatoes in the United States increased from 537,000 acres in 1899 to 641,000 in 1909, and the yield increased from 42,500,000 to 52,200,000 bushels. The total value of the crop increased at a much more rapid rate than either the acreage or yield, showing an increase of 78.3 per cent in 10 years.

"One reason why southern farmers have not received good prices for their sweet potatoes is that they have not used proper methods of handling and marketing. In many cases the potatoes are badly bruised and cut in digging, are put in bags or rough barrels without grading, and are rushed on the market when there is an oversupply. The secrets of success in getting high prices are (1) to carefully grade, clean, and pack the product, and (2) to put it upon the market when there is a good demand. The greatest demand for sweet potatoes is, as a rule, from the middle of December to the middle of March.

"The market demands a medium-sized, uniform type of sweet potato, free from bruises or decayed spots.

"The varieties of sweet potatoes that the markets demand should be grown. The potato should be carefully graded, cleaned, and packed in neat and attractive packages.

"Sweet potatoes should never be marketed in bags or in bulk."

Do not forget that all that the fellow who is making money may have is a head and a pair of hands; you have the same.

TRANSPORTATION AND MARKETING.

It is a good rule not to embark on any business until you have considered and figured closely on transportation. Freight is another name for tax, and the carriers still charge all the traffic will bear, and your enterprise will come to grief unless you are granted a living rate by them. Transportation includes freight or express; terminal or switching charges; drayage. There are other elements of cost which must not be overlooked: Commission, jobber's profit, storage charges, distributor's profit, and the cost of growing, packing, and handling to shipping point.

Do not you see what a great advantage the parcel post is to the producer? They can use it more profitably than the mail-order houses if they will only take advantage of it.

It furnishes the best delivery wagon in the country. The rural carrier receives the package at your front gate for a fixed and uniform low charge, and it is delivered for you to the party to whom you sent it, eliminating all of the different transportation charges above mentioned; and no one is going to use the mail to defraud you; you have the best collector in the world—Uncle Sam.

Did it ever occur to you what a cinch a fourth-class post office is to a country merchant? Exclusive of the profit on his produce that he sends to the city he gets the cancellation of the postage required to carry it. A 50-pound package by parcel post is worth 54 cents to the postmaster in the first and second zones, a snug profit in itself. Suppose he had 10 city customers a day, do not you see? And he is benefitting the farmer by buying something from him that the local market would not absorb.

CLUBS.

The next best and only safe plan for marketing is carload lots, f. o. b. at your shipping point. But you are a limited producer; then form a club or association on the cooperative system of marketing, standardize packages, and uniform grades. California, Oregon, and Washington never let a faulty piece of fruit start east. Give your product a standing in the market because of the good faith and fair dealing of the club or association that is behind it as a guarantee. As soon as you form your club ask the department to send you a demonstrator.

No club or association in any locality should embark on a cooperative system of marketing without first establishing some central agency by which accurate forecasts of crop prospects can be furnished as well as the visible supply on the market. One market may be glutted while another may be unsupplied. Cooperation does not thrive on fraternal agreements. Like anything else in the business line, the best results are obtained through a money consideration paid to some one trustworthy and possessing business capacity.

Marketing, shipping, and transportation necessarily involve the question of good roads.

GOOD ROADS.

The most unpardonable wrong and inexcusable injury that every citizen does to himself is his failure or refusal, if required to do so, to put in full time and good work on the public roads. Why, the very reputation of a county or locality for good roads bring buyers into that county or locality and adds value to every acre of land. You can not have a good home or a satisfactory home unless you have a good road leading to it. You are losing money by your failure to improve the road. Yes; you are not only losing money, you are throwing it away; and the other fellow who buys your farm at a sacrifice and then does what you neglected to do—improve the road—finds it where you lost it.

I can not close without registering my protest against what I consider an unbusinesslike practice pursued by certain farmers in selling young calves and pigs. This is like cutting out the crop when the price is very high and very profitable.

A farmer considers an old brood mare that will yield a $40 mule colt a good investment. Why is not an old cow that will produce a $40 calf sooner a better investment? Yet you send the old cows and the veal to the butcher—a double loss. A $15 veal calf will make a $130 New York shipper as a 3-year old. At what business can anyone run $15 up to $130 in the same length of time, unless he is some kind of a gambler?

HOG RAISING.

I simply can not be convinced that it will not pay to feed $3 corn to a $6 pig. There has been too much money made in feeding $1.50 corn to $3 hogs to make me believe that there is not money, and plenty of it, in feeding $3 corn to $6, $7, and $8 hogs. The risk from cholera has been greatly reduced by the serum that has been discovered, and the present appropriation of $500,000 was intended to bring this remedy within the reach of every farmer.

The loss in the United States from diseases of swine during 1913 has been estimated at 7,004,800 head; 90 per cent of this loss is regarded as due to hog cholera. The value per head has been placed at $10.40, which indicates a total loss for the year of $65,564,928. The loss for the past 40 years has been estimated at $50,000,000 per annum. Complete statistics have not been compiled on hog-cholera work done under the present appropriation. Reports, however, covering the treatment of 123,363 head, 106,029 of which were treated in infected herds, show a saving of 89.5 per cent. There is good money and certain money in raising the young stock at present prices. You can not lose.

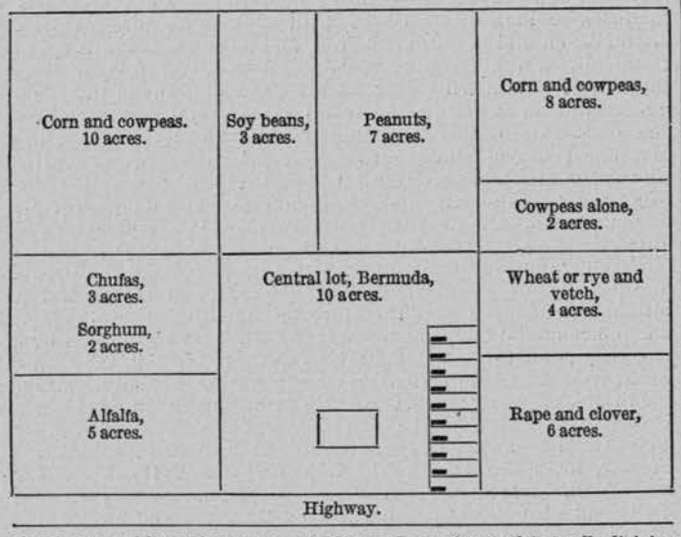
Cholera hogs should be kept away from running streams of every size, because the stream carries the disease down with the current, thereby spreading the contagion.

"Hog raising is one of the most profitable lines of animal husbandry in the South if wisely managed, and one of the most unprofitable if conducted in the ordinary way; that is, if the hogs are raised without care and fed without knowledge or judgment.

"The best way to make hog raising profitable in the South is to graze the hogs upon pastures prepared especially for them,

supplementing the green food by the addition of a small grain ration. Upon this plan hogs can be raised at an average cost of 1½ to 3 cents a pound, depending mainly upon the management of the sows and pigs and upon an economic plan of fattening.

"Prepare a central pasture of Bermuda grass. Adjoining the central pasture should be several small pasture fields, or they may all be in one field, with movable fences for partition as required. The pastures required in addition to the Bermuda are, for winter and spring grazing, wheat and hairy vetch, chufas, early Essex rape, and red clover, where red clover will grow, or crimson clover may be used; for summer and fall grazing, sorghum, cowpeas, soy beans, peanuts, and alfalfa. Adjacent to the central pasture should be a field of corn in which cowpeas are planted at the time of last cultivation. The following plan shows the general field arrangement for a hog-breeding establishment where the hogs are mainly fed on green crops.



Showing central lot with necessary buildings. Convenient outlets to all adjoining lots from central lot.

Details of cropping system for a herd of 10 sows, dropping two litters a year:

"The central field containing the buildings, breeding pens, and water should be quite rolling, so as to thoroughly drain at all times; sandy loam land preferred, well set in Bermuda grass, with some trees for shade.

"Sow a mixture of burr and white clover on the Bermuda sod in the fall. This will greatly improve it for winter grazing. This lot should contain 10 acres.

"On one side of the central field lay off another 10-acre lot, 6 acres of which should be planted in Early Essex rape and red clover; if too far south for red clover, use crimson clover or Japan clover (lespedeza). The remaining 4 acres should be in wheat or rye and hairy vetch.

"On another side of the central field lay off a 10-acre lot, 7 acres for Spanish peanuts and 3 acres for soy beans (large yellow).

"On a third side should be another 10-acre field, allotting 5 acres to alfalfa, 3 acres to chufas, and 2 acres to sorghum. This will leave two 10-acre fields, one at each corner, for corn and cowpeas. This plan can be enlarged without material modification by including the peanut and soy bean field in the central pasture and adding other fields for forage crops. There should be some movable fences so as to divide the pastures for the most judicious grazing.

"Never throw corn for hogs on the ground. It forces them to eat too much dirt.

"It is emphatically necessary to avoid all wallowing holes if the herd is to be kept healthy."

EUROPEAN WAR FARMERS' OPPORTUNITY.

Unless peace in Europe comes as suddenly and as unexpectedly as war came the prospects for the farmer are rosy. No one rejoices that the opportunity comes in the way it has, because everyone deplores war. Still, the opportunity having presented itself, it should not be neglected, but should be grasped.

The plunging of European nations into war almost in the twinkle of an eye meant temporary world-wide paralysis and panic. Gold was locked up and credit was suspended, moratoria declared, debts made uncollectible. The whole business world was dazed; the shock was similar to that which occurs when there is a sudden outbreak of a widespread malignant epidemic, more appalling than the terror inspired by the most gigantic earthquake, more staggering than the world's worst conflagration—a catastrophe second in calamity and destruction only to the deluge; a colossal convulsion that has caused a general tie-up and derangement of business. Millions of men have been called from their avocations to arms; manufactures and mills have been closed, if not destroyed. The destruction wrought by 20,000,000 of men in war defies calculation.

We are now rapidly recovering from this business tie-up and derangement (which has completely dominated commercial affairs at home and abroad), with prospective advantages greatly in our favor. The season bustles with opportunity; foreign trade beckons us. The markets that have heretofore been supplied by the nations now at war must look elsewhere for supplies that can be delivered.

It therefore behooves our farmers to increase their acreage, for this country is the only country that can deliver its supplies, whether from the farm or the mills. Everybody busy; full steam ahead.

The President, having by his wise course saved our country from the frightful scourge of war with Mexico, is eager and anxious to seize every wise considered plan to reach the foreign trade, and is utilizing every legitimate instrument at his command to this end.

Strength to his good arm that he may continue to pilot this Government safely in this the world's greatest and most deplorable crisis since the flood. Let the American people remember that it was a Democratic administration—notwithstanding the charge of incompetency to run the Federal Government—that kept this country out of war with Mexico, while all the wiseacres, high brows, and crowned heads of Europe were plunging their people into war.

Mr. Chairman, I ask leave to revise and extend my remarks in the RECORD.

The CHAIRMAN. The gentleman has already that permission.

Mr. HELM. Mr. Chairman, I yield back the remainder of my time.

The CHAIRMAN. The gentleman yields back seven minutes.

Mr. CARY. Mr. Chairman, I avail myself of the latitude permitted in debate in the consideration of an appropriation bill to say a few words in regard to various measures now pending having for their object the prohibition of the export and sale of arms, ammunition, munitions of war, and even breadstuffs, if the House resolution 611, which is as follows—

Whereas it is alleged that the manipulations of speculators have caused an abnormal rise in the price of wheat; and
Whereas reports show that wheat prices on the Chicago Board of Trade and similar institutions reached the highest mark in several years on yesterday; and
Whereas there exists no natural cause for the fluctuations in the price of this product: Therefore be it

Resolved, That the Attorney General of the United States be, and he hereby is, directed to inform the House of Representatives what steps, if any, he has taken against the Chicago Board of Trade and similar institutions and their alleged interference with the orderly course of interstate commerce.

Resolved further, That the Attorney General of the United States be directed to take such steps as are necessary to protect the consuming public from the manipulators of food prices, with especial reference to the prices of wheat and flour.

Resolved further, That the President of the United States be requested to take the proper course to make effective an embargo upon shipments from this country of wheat and flour if, in the discretion of the President, the operations of the aforesaid speculators can be checked in no other way.

which I had the honor to introduce on the 28th of August last, is interpreted to have that effect, to the belligerent European powers. Most Members of this House are in receipt of many petitions from their constituents asking them to support with their votes House joint resolution 377 and Senate bill 6688, both being intended to put a stop to the traffic in weapons, ammunition, and munitions of war between this ostensibly neutral country and European nations at war. Being a man of peace and believing that the passage of either of the above measures would hasten peace between the warring nations, I heartily support both and hope that they will be enacted into laws. I further say that, in my opinion, these measures go not far enough, and the resolution introduced by me should be added in order to produce the desired result. The American people, not having any interest in the bloody struggle now going on in Europe, should not be compelled to pay extravagant prices for the necessities of life in order to sustain one or more of the European belligerents. The price of our bread should not be raised in order to supply bread to the armies of England and France. But few American farmers derive any benefit from the high prices of their wheat and corn. These benefits are enjoyed by

a gang of unscrupulous speculators, who avail themselves of the opportunity given by the war in Europe to squeeze and oppress our own people. The exportation of weapons, ammunition, and munitions of war to the belligerent nations is bad enough, but it is an outrage that the people of this country should suffer on account of the exportation of breadstuffs. Nobody would oppose the exportation of the surplus of our breadstuffs to the belligerent nations alike, but no just man can favor an export of the necessities of life that will increase their cost to our own people.

In this connection I may be permitted to quote Mr. Horace L. Brand, a Chicago journalist, who stands at the head of one of the greatest German newspapers of the country and whom the President refused to receive when he appeared here at the head of a delegation to combat, in the interest of truth, the statements made by a commission of Belgians concerning the alleged atrocities committed by the German soldiers in Belgium. The President severely rebuked Mr. Brand and intimated that he had violated the provisions of his neutrality proclamation. I heartily approve the arguments of Mr. Brand in favor of the joint resolution, No. 377, introduced by the gentleman from Iowa, but I am free to state that this resolution does not go far enough for me. I would not leave the exportation of war material to the belligerent nations to the President's discretion. I much prefer the bill introduced in the Senate by Senator HITCHCOCK, of Nebraska, which absolutely prohibits such exportation.

The joint resolution of the gentleman from Iowa reads as follows:

Resolved, etc., That the President is hereby authorized, in his discretion, to prohibit the export of arms, ammunition, or munitions of war of every kind (whether whole or in parts to be later assembled) from the territory or any seaport of the United States until otherwise ordered by the President or by Congress.

I note particularly, and with regret, that this resolution does not include foodstuffs nor any other articles sometimes classed as absolute contraband, nor any articles usually classed as contraband, excepting arms, ammunition, and munitions of war.

The opponents of this measure claim that the United States was suffering from commercial depression before the outbreak of this war and that the large orders given by warring nations to United States manufacturers, merchants, and exporters has brought about a condition of prosperity. The friends of this resolution do not deny that very large orders have been placed in the United States by warring nations; but they affirm that the total amount of money now being spent in the United Sates by warring nations for arms, ammunition, and munitions of war is relatively small compared to the total amount of money now being spent for all the articles purchased by Europe. Thus the greatest part by far of the present uplift in business would not be lost if this resolution would become a law. The exact proportion between the money spent for arms, ammunition, and munitions of war to the total amount spent will soon be published, because the Senate has requested the Department of Commerce to furnish exact figures on this subject.

Another argument made by the opponents of this measure is that if it becomes a law it will lengthen the duration of the war, and in support of this contention they claim that the sooner the belligerent nations obtain the largest quantities of weapons, ammunition, and munitions of war with which to annihilate each other the sooner will the one nation or side be reduced to defeat. The friends of this measure take precisely the opposite view, claiming that this resolution, when enacted into law, will shorten the duration of the war, and in support of this contention they argue that each one of the warring nations will be able for many years to come to obtain sufficiently large bodies of men to carry on defensive warfare. It is not a question of men, they argue, but it is a question of being able to equip the soldiers and sailors properly for waging warfare. They point to the Civil War, during which England fitted out the *Alabama* and other warships for the Confederates and supplied the southern army with war material of every kind, which caused a prolongation of that conflict. Even if the opponents of this measure were correct, its friends assert that it would be inhuman for a neutral country to furnish to belligerent countries the means by which these nations annihilate each other.

The opponents of this resolution claim that the unrestricted sale of weapons, ammunition, and munitions of war is necessary during all wars, because were the sale of these articles prohibited by neutral nations, it would compel every neutral nation and every nation at peace to manufacture and store large quantities for future wars, on the theory that were this resolution to become a law universally no country at war could import articles needed by it during war after the outbreak of war. The friends of this measure answer this argument by stating that no country in the world has prohibited the unrestricted exportation from its borders of weapons, ammunition, and munitions of war, and still during times of peace every country of continental Europe has manufactured and stored large quantities of so-called contraband of war in preparation for some future conflict. England and the United States of all the great powers of Europe and America have not done so, but the reason for their not doing so is that each is protected by water, making it extremely difficult for the enemy to invade those countries.

The friends of this resolution argue that the present condition is rapidly creating a military clique in this country which will be composed of manufacturers and others interested in the sale of weapons, ammunition, and munitions of war. In many parts of the United States factories are being enlarged in order to carry out the large orders placed by Europeans. When these orders are filled these factories will become idle. A persistent and strenuous effort will then be made by the owners of these factories to induce our Government to manufacture weapons, ammunition, and munitions of war and store them up in preparation for a future conflict. Being possessed of these articles the United States will be agitated by thoughts of military conquests, thus endangering the future peace of the United States. The opponents of this measure say that in order to make it a law the policy of the United States must be reversed, that international law as well as the law of our land does not prohibit the manufacture and sale and exportation of weapons, ammunition, and munitions of war even during conflicts raging abroad. Thus this resolution would be virtually a reversal of our policy and a nullification of international law. The friends of this measure admit that under international law no prohibition is recognized, and therefore the exportation of weapons, ammunition, and munitions of war is both legal and permissible. But they point to the law of 1898, according to which the United States prohibited the exportation of weapons, ammunition, and munitions of war to every country from any point within the United States, and to the fact that under this law President Roosevelt laid an embargo upon the exportation of contraband of war, including coal, to the Republic of San Domingo, thus establishing a precedent, which can not be successfully refuted. To be sure this law was amended by Congress and now stands upon our statute books as a law giving to the President the legal right, in his discretion, to lay an embargo upon the exportation of contraband of war, including coal, to any land which is a part of the North American or the South American Continents. Under this amendment President Taft laid an embargo upon the exportation of contraband to Mexico, and under the same amendment President Wilson raised the embargo previously laid by President Taft.

The opponents of the above resolution claim that it is introduced by the friends of Germany with the object of aiding Germany, and therefore is partial in its inception and would violate the spirit of American neutrality as proclaimed by President Wilson. The friends of this measure admit that it was introduced by an American citizen of German extraction, whose sympathies are with Germany. I dare say that there are other Members of this House in whose veins not a drop of German blood flows. They point to the undisputed fact that England controls the seas, and by its use of that power makes it impossible for an enemy of England to procure any article from the United States which England decrees shall not reach the enemy. It is a condition and not a theory that confronts us. This condition places the United States in a position of partiality, because it can favor only one side to the European conflict, much as the United States would like to favor both sides equally. The opponents argue that the present position of the United States is one of passive indifference, and if that position seems to favor the allies it is through no fault of the United States but, rather, due to Germany's weakness on the seas, and that the above resolution, when enacted into law, would make the United States adopt measures with the result that a decisive advantage would be gained by Germany over the allies, due to the fact that Germany is better supplied with weapons, ammunition, and munitions of war and other articles needed by an army than are the allies. The friends of this measure assert that the above contention may be true and it may not be true, but it remains a matter of opinion whether Germany is better supplied or not, and that neither the citizens nor the Government have official information of sufficient accuracy and reliability to prove the contention that Germany, including its friends, is better supplied to carry on war than France, including the allies. But even if it could be proven, then that proof should in no way influence the action of the United States, because we desire to remain neutral. In the

spirit of neutrality we should carry out President Wilson's proclamation, which was to the effect that no act should be committed by citizens of the United States which could in any way be construed as favoring, aiding, or helping the one nation more than the other. This proclamation is in line with the original and first proclamation, issued in 1793 by George Washington, then President of the United States and now revered as the Father of our Country, which contains the following words:

The duty and interests of the United States require that they should, with sincerity and good faith, adopt and pursue a conduct friendly and impartial toward the belligerent powers.

To be impartial is to favor no one party more than another. But the acts of selling weapons, ammunition, and munitions of war are construed as favoring those nations which are the purchasers. Therefore the friends of this measure argue that it should be made a law, so that no acts could legally take place consisting in the sale and exportation of weapons, ammunition, and munitions of war, and therefore could not be construed as acts of favoritism to any nation. Therefore, too, the friends of this measure claim that its enactment into law is a necessity in order to prove to all the world that the United States is neutral in spirit as well as in proclamation and is friendly and impartial to all the belligerent nations.

The last and probably the strongest argument in favor of the enactment of this resolution into law is the following: President Wilson proclaimed Sunday, October 4, as the day upon which our Nation should pray that peace may come to the warring nations of the earth. Our people did so. On the other hand, a few unpatriotic American citizens labor six or seven days in the week to manufacture and sell for profit those articles, particularly weapons, ammunition, and munitions of war, to the warring nations, knowing full well that they are intended to prolong the war and to annihilate human beings. Into this position of national hypocrisy the United States is now placed. It is the duty of every patriot to do his share to take from his country the stain of national hypocrisy now placed upon it because of the grasping commercialism of some of its citizens.

The friends of this measure know full well that England can not raise enough food to feed its peoples; nevertheless this measure does not include a prohibition of the exportation of foodstuffs. This is done, I presume, upon the ground of humanity. But in this I beg to differ with the author and the friends of this resolution. We have a duty to perform to our people. Owing to the demands of England and other European countries now at war for our breadstuffs the price of the same has risen to a height that precludes many of our own people from obtaining their just share of God's bounty. I believe not only in an embargo on all articles that will help to prolong the war, but also in an embargo on all foodstuffs in order to make them cheaper to our own people and bring this unholy slaughter to a close.

I heartily agree with the gentleman from Missouri who a few days ago said in this House that the war would be ended in 30 days if the belligerents were unable to obtain supplies of war material in this country. I believe that the American people could end this war in 10 days by simply saying to the belligerents, "You shall receive no arms, no ammunition, no wheat, no corn, no flour, nothing from us that will enable you to keep this war up a single day longer." By supplying some of the belligerent nations with arms and food we are particeps criminis in the greatest slaughter of human beings the world has ever seen. Furthermore, we are inconsistent. With one hand we feed the Belgian orphans made by the war and with the other hand we manufacture and sell the things that will make orphans of another nationality. The President has discouraged the loaning of money to the belligerents, and he has indicated that he would prevent the exportation of submarines in parts to be assembled abroad. Now, what is the difference in helping a belligerent, either with money, with arms and ammunition, with submarines, or even with breadstuffs? We are helping him to the detriment of the other fellow, and that is all there is about it. We are not neutral and impartial, as we ought to be. For the very reason that Germany and Austria being unable to obtain supplies from us we should refuse these supplies to England and to France if we would be strictly neutral and impartial. If all the belligerents were able to obtain these supplies from us, then there might be an excuse for us to furnish these supplies.

While the war may help a few manufacturers and speculators in this country, while it may stimulate a few industries and provide employment for a very small part of our workingmen, the war has caused us untold misery, and threatens even the peace of our people. With hundreds of thousands of workingmen idle in our large cities, owing to the war and to the economical policies of the Democratic Party, we may at any time hear of serious bread riots. The war has caused far more factories to close than to open, and many more will close when their supply of raw material runs out. By refusing to sell arms and ammunition, breadstuffs, and gasoline to one group of belligerents we will shorten the war and help to bring about peace, thus giving again employment to our own people, and at the same time we will prevent starvation that stares many of our people in the face, on account of our exportation of breadstuffs. A wheat famine is to be expected, and with a wheat famine will come the bread riots. Now is the time for Congress to step in and protect our own people by prohibiting the exportation of breadstuffs as well as of ammunition and arms. In closing my remarks I may be permitted to quote from the writings of Mr. Edward T. Devine, one of the foremost social workers of the country. I fully agree with him, but I even go further than he does, as I said before. Mr. Devine writes:

We should cease to export munitions of war. It is not a question of what we have the right to do as neutrals under international law. No doubt Jefferson believed that we had a perfect legal right to export guns and ammunition, just as our bankers had a perfect right to disregard President Wilson's wishes and make loans to belligerent nations. We are not discussing whether any nation could properly demand that such exports cease. Can anyone deny that the manufacturers would have a right to cease to manufacture and sell to belligerents as the bankers declined to make loans? Can anyone deny that if public opinion demands it, we can by legislation forbid the exportation of arms and ammunition as Congress authorized the President to forbid such export to Mexico? Just as we had a right to repeal the Panama Canal tolls act, because it seemed to us better to err, if at all, on the side of interpreting our agreements to our own disadvantage rather than to run the risk of failing to keep them, so it is always open to us to do more than the letter of international law requires on the side of neutrality and peace.

The simple and appalling consideration which should control our decision is that if the cannon, armor plate, copper, powder, motor cars, and gasoline, with which the war is carried on, are supplied by this country, we are responsible for its continuance. We might easily find ourselves literally more responsible for it than any nation engaged on the battle field. If American capital comes to have a large stake in the war, inevitably the American conscience will be seared, American eyes blinded, American influence for peace paralyzed, American judgment on the issues discredited, American neutrality a byword, American prayers for peace a blasphemy. It is said that it would have been very well if we had taken this position at the outset, but that to change our policy now would be taking sides against the nation which controls the seas. But has not that nation and her allies profited most by whatever part this country had in supplying war materials in the past six months? Are we to put no faith in the assurance of England, expressed through every channel of public opinion, that while she values our sympathy she does not ask us for material assistance? Is it true that the resources of England and her over-sea dominions, of France and Russia and their less powerful but by no means contemptible lesser allies are insufficient to carry on the war against Germany unless we furnish the arms and ammunition? If that is so, there is more force in the claim of superior German ability, as the friends of the allies are wont to admit.

It is not as if it were a question of the first few days or weeks of war when a peace-loving nation might be taken by surprise. Something might be said for coming directly to the rescue of such a people with loans of money, supplies of war materials, or even with an expeditionary military force. But the time for any such argument is past. Our motive in selling war supplies is of no such character. The Germans believe themselves to be fighting for national existence. The English declared war in support of treaty obligations, so they say. Americans at a safe distance, in cold blood, make fighting possible for cash alone, coining American brains and the strenuous toil of men, women, and children into a form fit only for destruction. If 1915 does not end the war, let it at least end America's ignoble part in it.

In such a policy the dictates of humanity are coincident with true national economic interest. No nation ever prospered in any real or lasting sense by diverting its industry into destructive and wasteful channels. What contributes to life and well-being is economically profitable and nothing else. Every dollar invested in the manufacture of rifles and ammunition for export to Europe under present conditions is a dollar of American capital worse than wasted. Every such dollar means death and wounds and devastation. Every such dollar, however it may proclaim a trust in God upon its lying face, is but the devil's own coin, cursing capitalist and laborer and middleman and customer. The end of industry is wealth, not profit or wages; more and better life, not export trade.

If this seem like idealism rather than economics, the argument may be pushed on a lower plane to the same end. We are facing financial and industrial uncertainty. Already the distress from lack of employment is serious and is likley to be much greater before it is less. The lack of available capital is the one certain and obvious cause of this condition. Capital put into the manufacture and distribution of fuel and food and clothing, into the provision of homes, of the necessities and comforts of life, is so invested as to relieve this condition. It is turned over rapidly and keeps industry healthily alive. Capital put into a city which is about to be burned to the ground is not more surely lost for every purpose of sound national economy than capital put into the manufacture of munitions of war for the foreign trade, especially when these are to be paid for by the sale of American securities at a sacrifice or by the issue of foreign governmental obligations.

The manufacture for sale in time of war indifferently to any buyer who may be able to carry away is on a par with the reckless manufacture and sale of bombs or poisons alike to the insane, to children, or to those bent on criminal acts. Slavery, brigandage, and piracy are comparatively respectable. But the manufacturers are not at fault above others. The bankers needed a lead from Washington. While this trade continues without condemnation or protest we are alike responsible.

Mr. LEVER. Mr. Chairman, I would like to ask the gentleman from Iowa if he has anyone to go on now?

Mr. HAUGEN. I have not.

Mr. LEVER. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. HAMLIN, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 20415 and had come to no conclusion thereon.

ADJOURNMENT.

Mr. LEVER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 8 o'clock and 9 minutes p. m.) the House, under its previous order, adjourned to meet to-morrow, Saturday, January 23, 1915, at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of War, transmitting with a letter from the Chief of Engineers reports on preliminary examination and survey of Minneapolis Harbor, Minn., with a view to increased harbor facilities, including a turning basin (H. Doc. No. 1512); to the Committee on Rivers and Harbors and ordered to be printed, with illustrations.

2. A letter from the Acting Secretary of Labor, reporting an accumulation of papers in the Department of Labor not needed or useful in the transaction of current business, nor of historical value, asking authority for disposition of the same (H. Doc. No. 1513); to the Committee on Disposition of Useless Executive Papers and ordered to be printed.

3. A letter from the Secretary of War, transmitting letter from the Chief of Engineers, United States Army, submitting abstracts of proposals received during the fiscal year ended June 30, 1914, for materials and labor in connection with works under the Engineer Department; to the Committee on Expenditures in the War Department.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. TAYLOR of Colorado, from the Committee on the Public Lands, to which was referred the bill (H. R. 19116) to grant certain lands to the city of Grand Junction, Colo., for the protection of its water supply, reported the same with amendment, accompanied by a report (No. 1308), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

He also, from the same committee, to which was referred the bill (S. 2518) granting to the town of Nevadaville, Colo., the right to purchase certain lands for the protection of its water supply, reported the same without amendment, accompanied by a report (No. 1309), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. SIMS, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 20933) to amend an act entitled "An act to authorize the Arkansas & Memphis Railway Bridge & Terminal Co. to construct, maintain, and operate a bridge across the Mississippi River at Memphis, Tenn.," approved August 23, 1912, reported the same without amendment, accompanied by a report (No. 1310), which said bill and report were referred to the House Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 20939) granting an increase of pension to Charles Black; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 20837) granting a pension to John C. Rowland; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 19868) granting a pension to Anderson M. Beck; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 20706) granting a pension to Maud S. Hayes; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. BORLAND: A bill (H. R. 21121) to amend an act entitled "An act to authorize the construction of a bridge across the Missouri River near Kansas City," approved June 17, 1914; to the Committee on Interstate and Foreign Commerce.

By Mr. FERRIS: A bill (H. R. 21122) to validate certain homestead entries; to the Committee on the Public Lands.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BROCKSON: A bill (H. R. 21123) for the relief of the estate of John R. Black, deceased; to the Committee on Claims.

Also, a bill (H. R. 21124) for the relief of George E. Megee and others; to the Committee on Claims.

Also, a bill (H. R. 21125) for the relief of Georgia Hallman and Margaret J. Tyson; to the Committee on Claims.

By Mr. BULKLEY: A bill (H. R. 21126) to authorize the change of name of the steamer *General Garretson* to *S. H. Robbins;* to the Committee on the Merchant Marine and Fisheries.

By Mr. CARY: A bill (H. R. 21127) granting a pension to Veronica Werner; to the Committee on Pensions.

By Mr. DUPRÉ: A bill (H. R. 21128) granting a pension to Edmond Harvey; to the Committee on Invalid Pensions.

By Mr. HELVERING: A bill (H. R. 21129) granting an increase of pension to Athel House; to the Committee on Invalid Pensions.

Also, a bill (H. R. 21130) granting an increase of pension to Collins Washburn; to the Committee on Invalid Pensions.

Also, a bill (H. R. 21131) to remove the charge of desertion from the record of William B. Stanford; to the Committee on Military Affairs.

By Mr. KAHN: A bill (H. R. 21132) for the relief of the estate of Rudolf Axman, deceased; to the Committee on Claims.

By Mr. KELLY of Pennsylvania: A bill (H. R. 21133) granting a pension to Ryan V. Eichelberger; to the Committee on Invalid Pensions.

Also, a bill (H. R. 21134) granting an increase of pension to John Campbell; to the Committee on Invalid Pensions.

By Mr. PAIGE of Massachusetts: A bill (H. R. 21135) granting a pension to Sarah A. Farnsworth; to the Committee on Invalid Pensions.

By Mr. SLEMP: A bill (H. R. 21136) granting an increase of pension to Thomas J. Turner; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Memorial of Woman's Foreign Missionary Society, Walnut Grove Methodist Episcopal Church, Topeka, Kans., favoring the passage of the Gillett resolution relative to abolishing slavery in the United States; to the Committee on the Judiciary.

By Mr. AVIS: Resolution of members of Norodovia Polsky Society, Group No. 838, of the Polish Alliance of West Virginia, and of Wolnosc Society, Group No. 1070, of the Polish Alliance of West Virginia, protesting against the passage of the Smith-Burnett immigration bill; to the Committee on Immigration and Naturalization.

By Mr. BAILEY: Petition of Local Union No. 1848, United Mine Workers of America, Saxman, Pa., favoring Kern-Foster bill, to establish experiment mining stations; to the Committee on Mines and Mining.

By Mr. BARTHOLDT: Petition of Pride of the West Lodge, No. 308, of the International Association of Machinists, of St. Louis, Mo., in favor of an investigation by the Government of affairs of the Wabash Railroad Co.; to the Committee on Interstate and Foreign Commerce.

Also, petitions of Evangelical Zion's congregation, of Des Peres; of Missouri State League of German Catholics; of Robert Kiessling, P. A. Schulze, and E. N. Schluer, all of St. Louis; of S. Buckmueller, of Wellston; of Claus Luehrs, of Blackburn, all in the State of Missouri; and M. G. W. Aurora, of Newark, N. J., favoring observance of strict neutrality by the United States; to the Committee on Foreign Affairs.

Also, petitions of Federation of Evangelical Brotherhood of St. Louis, Mo.; German-American Association of St. Petersburg, Fla.; German-American Alliance of Los Angeles, Cal.; Pueblo German and Austrian Widows' and Orphans' War Sufferers As-

sociation, of Pueblo, Colo.; German-American State Alliance of Kentucky, Covington, Ky.; St. Anthony Branch of Catholic Union; State League of Missouri, of St. Louis, Mo.; Macalester College Alumni Association, of St. Paul, Minn.; Charles Uhden, Karl Hesse, Carl Medrow, and J. A. Reshoft, of Spokane, Wash.; A. M. Toboczypf, of Cleveland, Ohio; University of Minnesota, of Minneapolis, Minn.; St. Agatha Branch of Catholic Knights of America, of St. Louis, Mo.; J. Flottmann, of Ferguson, and 23 citizens of St. Louis, Mo., in favor of bill prohibiting the manufacture and sale of arms and munitions of war to the belligerent nations of Europe; to the Committee on Foreign Affairs.

By Mr. BEAKES: Petitions of Jacob Laubengayer and 16 citizens of Ann Arbor; William F. Wegner and 82 citizens of Riga; Louis Andres, of Waltz; and 52 citizens of Wayne County, all in the State of Michigan, protesting against the export of munitions of war; to the Committee on Foreign Affairs.

By Mr. BURKE of South Dakota: Petitions of sundry citizens of Aberdeen, Delmont, Hazel, Hecla, Hoven, Orient, Redfield, Seneca, Turton, and various towns in Codington and Deuel Counties, S. Dak., favoring House joint resolution 377; to the Committee on Foreign Affairs.

By Mr. BURKE of Wisconsin: Resolutions passed by the Stadtverband, of Portage, Wis., representing 102 members and signed by A. Zienert, president, and J. Schnell, secretary, asking for the passage of a resolution at this session to enable the President to levy an embargo upon all war material, excepting foodstuffs only; to the Committee on Foreign Affairs.

Also, petition of E. G. Strassburger and 204 other citizens of Cedarburg, Wis., asking for the passage at this session of House joint resolution 377, to prohibit the sale or exportation from this country to European countries now at war of war material; to the Committee on Foreign Affairs.

Also, petition of G. R. Rousseau and 62 other citizens of Theresa, Wis., asking for the passage at this session of House joint resolution 377, to levy an embargo upon and prohibit the exportation from this country of war material to the European countries now at war; to the Committee on Foreign Affairs.

By Mr. CARY: Petition of Common Council of Cudahy, Wis., favoring civil-service retirement bill; to the Committee on Reform in the Civil Service.

Also, petition citizens of Wauwatosa, South Milwaukee, and Cudahy, Wis., favoring House bill 5308, to tax mail-order houses; to the Committee on Ways and Means.

Also, petition of A. F. Kurth, Henry Groth, Ram Stuart, Robert Plogt, Mrs. Mayer, Herman Mittag, Ole Olsen, Bruno Arndt, Edward Paulus, August Tetschler, and 192 others, all residents of Milwaukee, Wis., urging the passage of House joint resolution 377; to the Committee on Foreign Affairs.

By Mr. CLARK of Florida: Petition of W. B. Rodgers and other citizens of Miami, J. J. Oetjen and other citizens of Gotha, and H. Falk and other citizens of Delray, Fla., favoring bill forbidding export of arms; to the Committee on Foreign Affairs.

By Mr. COPLEY: Resolutions adopted by Branch No. 52, St. Hedwig's Society, of Downers Grove; Magdalene Society, of Joliet; and Polish National Alliance, of Aurora, all in the State of Illinois, protesting against the enactment of the proposed immigration restrictions requiring educational tests; to the Committee on Immigration and Naturalization.

By Mr. DALE: Petition of W. G. Taylor, of New York City, against Fitzgerald amendment to the Post Office appropriation bill; to the Committee on the Post Office and Post Roads.

By Mr. DILLON: Petitions of citizens of Flandreau and Hartford, S. Dak., favoring passage of House joint resolution 377, relative to export of munitions of war; to the Committee on Foreign Affairs.

By Mr. DONOVAN: Petition of citizens of Danbury, Conn., favoring House joint resolution 377, to forbid export of arms; to the Committee on Foreign Affairs.

By Mr. ESCH: Petition of A. H. Buelow and 57 other citizens of Loganville, Wis., urging passage of House joint resolution prohibiting export of munitions of war; to the Committee on Foreign Affairs.

Also, petition of Albert Stroota and 43 other citizens of Abbotsford, Wis., protesting against allowing the Menace the privileges of the mails; to the Committee on the Post Office and Post Roads.

By Mr. GERRY: Petitions of Rev. Leroy L. Daniels, of Providence, R. I., urging the passage of the Palmer-Owen bill; to the Committee on Labor.

Also, petitions of Arthur Carney, Patrick J. Burke, John J. Shanley, Thomas M. Casey, and Herbert F. Croghan, of Providence, R. I., urging protection for Catholics in Mexico; to the Committee on Foreign Affairs.

By Mr. GILMORE: Petition of Polish National Alliance, of Brockton, Mass., against Smith-Burnett immigration bill; to the Committee on Immigration and Naturalization.

By Mr. GOEKE: Petition of William N. Emch and 38 others, of Fort Recovery, Ohio, favoring passage of House joint resolution 377, to prohibit export of munitions of war; to the Committee on Foreign Affairs.

By Mr. GORDON: Petition of citizens of Cleveland, Ohio, favoring passage of House joint resolution 377, to prohibit export of war material; to the Committee on Foreign Affairs.

Also, petition of board of trade, village council, and citizens of Put in Bay Island, Lake Erie, Ohio, and the George Worthington Co., of Cleveland, Ohio, protesting against the passage of the seamen's bill in its present form; to the Committee on the Merchant Marine and Fisheries.

By Mr. KAHN: Papers to accompany the bill for relief of estate of Rudolf Axman; to the Committee on Claims.

By Mr. KENNEDY of Rhode Island: Petitions of Thomas M. Casey, Herbert F. Croghan, and James J. Daly, of Providence, protesting against treatment of Catholics in Mexico; to the Committee on Foreign Affairs.

By Mr. KONOP: Petitions of citizens of the ninth congressional district of Wisconsin, favoring the passage of House joint resolution 377, to prohibit export of war material; to the Committee on Foreign Affairs.

By Mr. LOBECK: Petition from 251 citizens of Pender, Nebr., indorsing the Hitchcock bill for prohibiting the shipment of arms and ammunition to the warring countries of Europe; to the Committee on Foreign Affairs.

Also, petition of citizens of Papillion, Springfield, Fort Crook, Benson, and South Omaha, Nebr., and the German Farmers' Mutual Fire Insurance Co., of Douglas County, Nebr., favoring bill to prohibit export of arms; to the Committee on Foreign Affairs.

Also, petition of 189 citizens of Omaha, Nebr., favoring civil-service retirement bill; to the Committee on Reform in the Civil Service.

By Mr. LONERGAN: Petition of Stanislaw Cendrowski, New Britain, Conn., and J. B. Kulas, of Suffield, Conn., protesting against the Smith-Burnett immigration bill (H. R. 6060); to the Committee on Immigration and Naturalization.

By Mr. NEELY of West Virginia: Papers to accompany House bill 16432, for the relief of Francis M. Hockenbery; to the Committee on Invalid Pensions.

By Mr. J. I. NOLAN: Petitions of sundry citizens of San Francisco, Cal., favoring the passage of House joint resolution 377, to prohibit export of war material; to the Committee on Foreign Affairs.

By Mr. O'HAIR: Petition of citizens of Kankakee, Danforth, and Crescent City, Ill., favoring House joint resolution 377, to place an embargo on contraband of war; to the Committee on Foreign Affairs.

By Mr. PAIGE of Massachusetts: Petition of citizens of Clinton, Mass., favoring passage of bill prohibiting export of munitions of war; to the Committee on Foreign Affairs.

By Mr. STEENERSON: Petition of citizens of Perham, Dent, and Bluffton, Minn., favoring House joint resolution 377, to forbid export of arms; to the Committee on Foreign Affairs.

By Mr. VOLLMER: Petitions of 13 citizens of Muscatine, Iowa, and 1,032 American citizens, favoring bill to prohibit export of war material; to the Committee on Foreign Affairs.

By Mr. WALLIN: Petitions of German Evangelistic Synod of Amsterdam and the German Catholic Society of Schenectady, N. Y., favoring House joint resolution 377, relative to export of munitions of war; to the Committee on Foreign Affairs.

HOUSE OF REPRESENTATIVES.

SATURDAY, *January 23, 1915.*

The House met at 11 o'clock a. m.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Ancient of Days, our God and our Father, before whom kings, peasants, the rich, the poor of all ages have prostrated themselves, seeking consolation, hope, and guidance, so we come in all faith and confidence, praying for the uplift of Thy spirit to guide us on our way, that we may serve Thee in whatsoever our hand findeth to do. In the spirit of the Master. Amen.

The Journal of the proceedings of yesterday was read and approved.

DISTRICT OF COLUMBIA APPROPRIATION BILL.

Mr. PAGE of North Carolina. Mr. Speaker, I call up from the Speaker's table the bill (H. R. 19422) making appropriations

for the support of the District of Columbia, and ask unanimous consent that all of the Senate amendments be disagreed to, and ask for a conference.

Mr. JOHNSON of Kentucky. In the first place, Mr. Speaker, I desire to reserve a point of order on the present procedure. I may not make the point of order, but in order to be on the safe side I reserve it.

Mr. MANN. It can only be done by unanimous consent. There is no point of order that can be made.

Mr. PAGE of North Carolina. I ask unanimous consent. I assume that the procedure is orderly.

The SPEAKER. The gentleman from Kentucky [Mr. JOHNSON] can object, or anybody else.

Mr. JOHNSON of Kentucky. In the first place, I reserve a point of order under Rule XX as to the present manner of considering this bill, but probably I will not make it.

Mr. MANN. But, Mr. Speaker, there is no point of order against a unanimous consent.

Mr. JOHNSON of Kentucky. I reserve also the right to object to the request for unanimous consent, for the purpose of asking the gentleman from North Carolina, who will have charge of the bill in conference, as to whether or not the House will be given separate votes upon some of the amendments made to the bill by the Senate.

Mr. PAGE of North Carolina. Will the gentleman designate the particular amendment he has in mind?

Mr. JOHNSON of Kentucky. I desire the conferees to permit the House to vote upon the Senate amendment numbered 1 and Senate amendment numbered 51, and——

Mr. MADDEN. What do those amendments refer to?

Mr. JOHNSON of Kentucky. The Senate amendment numbered 1 refers to what is known as the Johnson amendment, that of using first the revenue derived by the District of Columbia for the support of the District of Columbia, and after that having the Federal Government supply whatever else may be needed, not exceeding one-half of the total expense.

Mr. PAGE of North Carolina. Well, Mr. Speaker, I will say in regard to this amendment, the House having placed this amendment in the bill by a vote of practically two to one, the conferees would not feel that they were warranted in receding until the House had had an opportunity to pass upon it, and the conferees will be disposed to give the House that opportunity.

Mr. JOHNSON of Kentucky. Will they be sufficiently disposed to do it to do it. [Laughter.]

Mr. PAGE of North Carolina. Yes. So far as I may speak for these conferees, they will do it.

Mr. JOHNSON of Kentucky. And as to amendment numbered 51, Mr. Speaker, that is a Senate amendment appropriating $18,000 for a convenience station—a privy. There is not a residence in my entire district that cost that much money, and inasmuch as the Senate has shown a disposition to waste money—throw it at the birds—in order to eat up the amount of money that the District of Columbia has on hand I would like to see a separate vote had on that also.

Mr. PAGE of North Carolina. Well, Mr. Speaker, I will say to the gentleman that the House subcommittee and the House committee were very much opposed to this amendment and did not put it in the bill, and before passing on it I will agree with the gentleman from Kentucky that the House shall have an opportunity to pass upon it before we agree to it.

Mr. JOHNSON of Kentucky. Then, as to Senate amendment numbered 110, in reference to what somebody has chosen to designate as the "Gallinger Hospital," I would like to have a separate vote on that.

Mr. PAGE of North Carolina. Mr. Speaker, the current District of Columbia bill carried a provision appropriating $15,000 for the preparation of plans to be submitted in contemplation of the erection of this hospital. The House committee did not place an item in the bill in connection with it, largely for the reason that no plans had been prepared, and no additional information had been furnished relative to this proposed enterprise, and in so far as my information goes, none has been furnished to this date. Personally, I shall oppose the adoption of this amendment, and I will agree to give the gentleman and the House an opportunity to pass upon it before it is agreed to.

Mr. JOHNSON of Kentucky. Then, Mr. Speaker, as to Senate amendments numbered 121 and 122, which relate to the proposed reformatory near Occoquan and the extensive manufactory which it is proposed shall be established there, I should also be glad to have the House permitted to have a separate vote upon those amendments.

Mr. PAGE of North Carolina. Well, I would like to ask the gentleman, Mr. Speaker, a question as to that. The gentleman from Virginia [Mr. CARLIN] is very much interested in these two amendments, and I think he has reached a State of mind where this matter can be settled, possibly without coming back to the House. It may be settled in conference. To be entirely frank, the gentleman will recall that the present provision of law provides that this institution can sell its products only to the District of Columbia. The provision carried in the House bill as it went to the Senate enlarged this by including the Government of the United States. The amendment numbered 121, to which the gentleman refers, was placed in the bill in the Senate. It was offered by Senator KERN, and it strikes out the present provision of law, as well as the enlargement carried in the House bill. I am inclined to think an agreement might be reached in conference upon this proposition satisfactory to the gentleman from Virginia [Mr. CARLIN]. As to whether or not it would be satisfactory to the gentleman from Kentucky, I do not know. If the gentleman insists, that item would come back, but possibly it would resolve itself into the adoption of the present law. If the gentleman insists, in order to get the bill to conference and expedite its passage I will make another promise, but I think that is hardly necessary.

Mr. JOHNSON of Kentucky. The gentleman from North Carolina has addressed himself more particularly to amendment numbered 122 rather than that numbered 121. I am informed that the Department of Justice views with grave apprehension the possibility of error in Senate amendment numbered 121. I am not fully prepared to discuss that amendment just now, but it should be discussed, and from the information I have as to the position taken by the Department of Justice, and the reasons given by the Department of Justice for the position it takes, I believe that amendment ought to come up for full consideration before the House.

Mr. PAGE of North Carolina. Mr. Chairman, I will say that the gentleman was correct in saying that I had in mind by my former statement amendment numbered 122, but I have no objection to saying that the conferees will give the House an opportunity to vote on amendment 121.

Mr. JOHNSON of Kentucky. Mr. Chairman, I shall not insist, over the protest of the gentleman from North Carolina, relative to Senate amendment 122; but that is fraught with danger and with robbery, as the authorities of the District of Columbia have been construing some laws heretofore passed, in this, that I apprehend they will treat the receipts from the sale of brick as a revenue, and that the Federal Government will be called upon to match dollar for dollar those receipts, notwithstanding the fact that the Federal Government furnishes 50 cents on every dollar with which the brick are made.

Day before yesterday the auditor of the District of Columbia was in my office and admitted to me that at the Georgetown market house they have some old street lamp-posts stored upon their own property; that the District of Columbia is charging the District of Columbia about $70 a month rent for storing those old lamp-posts; that $70 a month rent which the District of Columbia collects from the District of Columbia is treated as a revenue; and, as against that $70 a month, the Federal Government is putting up $70 a month.

The Federal Government owns the market-house property down here on Pennsylvania Avenue. Under the act of May 20, 1870, the Federal Government gave the rental from that property to the District of Columbia, to be used for the poor of the District of Columbia. It was never used for the poor of the District of Columbia, and for 44 years the District of Columbia has taken $7,500 a year which came from the rental of that property as a gift of the United States, and has treated it as revenue; and against that $7,500 a year for 44 years the Federal Government has put up and contributed an additional $7,500, and that notwithstanding the fact that a portion of that property is to-day being rented to the District of Columbia as an armory for the National Guard, at $8,000 a year, and I am advised by the president of the market company that they now propose to charge $12,000 a year. For 44 years it has cost the Federal Government $15,000 a year to make the District of Columbia a present of $7,500 a year on account of its property at Seventh Street and Pennsylvania Avenue.

In addition to that, the District of Columbia has collected a large tax on that property, and that tax also has been treated as a revenue during all these long years, and the Federal Government has matched that tax, dollar for dollar, as an additional present to the District of Columbia, and during a great portion of that time has, in addition, been contributing one-half of the $8,000 that has been collected from the District of Columbia for only a part of the premises.

I see in this brick proposition another instance where just that thing can be repeated. The Federal Government, the goose that lays the golden egg for the District of Columbia, is being imposed upon most flagrantly and outrageously in this kind of thing. I hope the gentleman from North Carolina will

not insist that the House shall not have a separate vote upon the Senate amendment 122.

Mr. PAGE of North Carolina. Mr. Speaker, I am, as the gentleman from Kentucky realizes, having charge of the bill—I am not in a position to insist upon the House not having a separate vote, because his right would give him that now if he chooses to exercise it.

Mr. JOHNSON of Kentucky. I dislike to demand the right over the gentleman's protest.

Mr. PAGE of North Carolina. Rather than delay the bill going to conference, I will say that I have no objection to saying that the House shall have an opportunity to vote on this amendment as well as the other.

Mr. UNDERWOOD. Will the gentleman yield?

Mr. PAGE of North Carolina. Certainly.

Mr. UNDERWOOD. Mr. Speaker, the discussion of this bill has brought out a question that arises every year, and that is the question as to how much of the District taxes should be paid by the Federal Government in proportion to the amount paid by the District Government. I think it is clearly the sentiment of this House that the Federal Government should bear a proportion of the taxes to run the District on account of the large amount of property that the Federal Government owns here.

But no one in the House, outside of the committees that have the matter in charge, are informed, or have information that they are willing to rest upon, as to what is a fair distribution of the burdens of this Government. I know that I have not, and I have been here a good many years. I find one place that looks like it was a very flagrant abuse of the power. Another proposition is made that looks like it would be an imposition on the District. I have never seen yet coming from one committee a proposition that clearly demonstrated to the House what was a fair and equitable distribution of this question of taxation. I ask the gentleman why is it that we can not have a commission—a commission settled it 40 or 50 years ago, but that settlement may be out of date—why can not we have a commission appointed, or some other way of ascertaining all the facts from top to bottom, and lay them before the House in a report so that the House may be informed.

Mr. PAGE of North Carolina. Mr. Speaker, in answer to the gentleman's question as to why we can not have a commission go into the whole matter and make a report to the House, I want to say, in the first place, that I do not think any serious effort has been made on the part of anybody to bring about this result so far as the House is concerned; and as to why the other legislative body did not see fit to do it, perhaps the gentleman will get some enlightenment in the fact that they rejected that proposition on this very bill.

Mr. UNDERWOOD. Does the gentleman think the question will ever be settled until the House is given full information?

Mr. PAGE of North Carolina. I do not desire to engage in any controversy about this matter at this time. The gentleman from Alabama made the statement a moment ago as to the lack of information on the part of the House generally outside of the committee who had the matter in charge. My reply would be that the membership would be absolutely as ignorant after as they were before unless they took up and studied the report made by the committee. If the House had studied the hearings, possibly, and other information that has gone into the RECORD coming from gentlemen on the committee who have the matters in charge, the Members might have been able to reach an enlightenment of mind that would give them conclusion as to what ought to be done.

Mr. UNDERWOOD. Mr. Speaker, I will say to the gentleman that I do not know the value of the property owned by the Government and I do not know the value of the property outside. There are a good many questions of that kind on which I would want information in order to reach a conclusion.

Mr. PAGE of North Carolina. That matter as to the relative value of the property of the Federal Government and the District of Columbia has been placed in the RECORD by several gentlemen, taken from reports of the officers of the District of Columbia. My judgment is that the work of the committee, if it were appointed to make a report on this matter, would be largely confined to getting together of information that already exists in the CONGRESSIONAL RECORD and other documents that have been printed as House documents.

Mr. UNDERWOOD. Mr. Speaker, it would be assembling it so that the average Member of the House would have an opportunity to get hold of it and understand it. What I suggest to the gentleman is that I think it is a great waste of time of this House, and it is not fair to the Government or to the District of Columbia, not to have this question settled. I think myself that the Government ought to bear a portion of the burden of this District, because I think it is the National Capital, and we ought to have a Capital that we may be proud of.

Mr. PAGE of North Carolina. Mr. Speaker, I most heartily and entirely agree with that statement.

Mr. UNDERWOOD. Mr. Speaker, I made the statements that I have not to interfere with the gentleman's bill, but because I think the time has come when an effort ought to be made by the committees having these matters in charge to settle this question finally.

Mr. PROUTY. Mr. Speaker, will the gentleman yield?

Mr. PAGE of North Carolina. Yes.

Mr. PROUTY. Mr. Speaker, I want to suggest to the gentleman from Alabama [Mr. UNDERWOOD] that at the last session of Congress I introduced a bill which has received the favorable recommendation of the committee and is now on the calendar ready to be heard at the first time we can get an opportunity. I may say that I have been waiting around here watching with a good deal of care to find an opening, but for some reason, on almost every pretext, the affairs of the District of Columbia are shoved aside for some other supposedly more important matter.

Mr. UNDERWOOD. Mr. Speaker, I think I am familiar with the bill that the gentleman has in mind. That is not what I was talking about. The gentleman is asking for legislation, and I am asking for information.

Mr. PROUTY. But I have introduced a bill for the appointment of a joint commission, to be appointed by the Speaker of the House, the President of the Senate, and the President of the United States.

Mr. UNDERWOOD. Oh, that is not the bill I had in mind.

Mr. PROUTY. I thought the gentleman had not observed that yet. I shall make an effort to bring it to the consideration of the House at the very first opportunity.

Mr. JOHNSON of Kentucky. Mr. Speaker, the gentleman from Alabama [Mr. UNDERWOOD] very frankly admits what the House has several times observed—that he knows nothing about this subject. He is still asking for the appointment of a commission. The gentleman either does not know or forgets that there have been several commissions on this very subject, and the recommendations of no single commission have ever been adopted by Congress. The commission made up in 1876, which has frequently been referred to as a commission of "statesmen," partial as they were to the District of Columbia and forgetful as they were of the interests of the United States in this question, recommended to Congress that the District of Columbia pay 60 per cent of the expenses of the District of Columbia and that the Federal Government pay 40 per cent. That recommendation was ignored, and the 50 per cent, or half-and-half, plan was adopted in lieu thereof. Again, we had a commission in 1878. The result of the work of that commission was the introduction of a bill in February, 1878, and in that bill there was a provision that the District of Columbia should have its local legislature, elected by the people of the District of Columbia, and that no money belonging to the people of the District of Columbia should be expended upon any public improvement until that local legislative body had approved that piece of work, and that no more money than was approved by that local legislature should be expended. Yet the work of that commission was thrown to the wind, and because it was we are here to-day in clash over this proposition.

We hear the assertion that no one knows the extent to which the Federal Government is contributing in District affairs. Does not everyone know that there is no piece of public work done by the District of Columbia in the District of Columbia of which the Federal Government does not pay half? In addition to that, does not everyone know that every other piece of public work done in the District of Columbia is paid for entirely by the Federal Government? Are we not now expending four and a half million dollars to acquire a park between the Capitol and the Union Station without a dollar of contribution from the District of Columbia? Are we not now expending $2,000,000 upon the Lincoln Memorial in Potomac Park to beautify Washington when the District of Columbia is not contributing one farthing to it? Have we not just concluded the erection of the National Museum at Federal expense to beautify Washington without the District of Columbia contributing one dollar toward it? Have we not just built the new post office, the new Agricultural Building, and the new building for the Bureau of Printing and Engraving all at Federal expense? I can name many more instances where the city is being beautified by the expenditure of Federal millions without participation by the District of Columbia.

Mr. MANN. Mr. Speaker, will the gentleman from Kentucky yield?

Mr. PAGE of North Carolina. Yes.

Mr. MANN. I was going to suggest that if we are going to discuss this proposition, then we ought to discuss it; but if we are to vote upon it, we ought to vote upon it.

Mr. PAGE of North Carolina. Mr. Speaker, I presume I have the floor?

The SPEAKER. That is true.

Mr. MANN. I am going to ask for the regular order whoever has the floor. I am perfectly willing to have the matter discussed if it is to be acted upon, but I do not believe we ought to take the time to discuss it now unless we are going to vote upon it.

Mr. JOHNSON of Kentucky. Mr. Speaker, did I understand the gentleman from North Carolina to say, as one of the conferees, that he was willing to let the House vote on Senate amendments 121 and 122?

Mr. PAGE of North Carolina. I suggested that I would give the House an opportunity to pass on those amendments.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina [Mr. PAGE] to take this bill from the Speaker's table, disagree to the Senate amendments, and ask for a conference? [After a pause.] The Chair hears none. The Chair announces the following conferees, which the Clerk will report.

The Clerk read as follows:

Mr. PAGE of North Carolina, Mr. SISSON, and Mr. DAVIS.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. SINNOTT, for three days, on account of illness in his family.

EXTENSION OF REMARKS.

Mr. BAILEY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the Army appropriation bill.

The SPEAKER. Is there objection?

There was no objection.

AGRICULTURAL APPROPRIATION BILL.

Mr. LEVER. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 20415, the Agricultural appropriation bill.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 20415, the Agricultural appropriation bill, with Mr. HAMLIN in the chair.

The CHAIRMAN. The House is in the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 20415, the Agricultural appropriation bill, the title of which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 20415) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1916.

Mr. LEVER. Mr. Chairman, I yield one hour to the gentleman from North Carolina [Mr. STEDMAN]. [Applause.]

Mr. STEDMAN. Mr. Chairman, for a long time I have been interested in the future of the people who inhabit the Philippine Archipelago. I have been attracted to them by their love of liberty, by their attachment to their homes, by their heroic struggle against Spain in behalf of freedom, by their pathetic appeals for justice to this Republic when exhausted by the hopeless struggle against its overwhelming power, they have begged of us that treatment they had a right to expect from a Nation whose theory of government, whose traditions, and whose declarations forbid the exercise of sovereignty over a weaker nation against their will by armed force.

My attention has been called to the hearings recently had before the Senate Committee on the Philippines, which had under consideration the Jones bill—H. R. 18459—which has passed the House and is now being considered by the Senate. I was not present when this bill was under discussion in the House, having been called home by sickness in my family, but I returned before it was finally disposed of and voted for its passage.

I am gratified that the opportunity is offered me and this privilege granted to express my views with reference to this bill, and especially to portions of the testimony before the Senate committee. In the main, it has been highly favorable to the contention of those who favor the bill. Impartial witnesses who have had every opportunity to form a correct estimate of the traits of the Filipinos and of their ultimate fitness to maintain a stable form of government credit them with very high qualities, especially with a love of truth, a love of home, respect for law, a conscientious observance of all contracts entered into—characteristics which go to the basis of all character in every land, occidental and oriental.

As an American citizen profoundly attached to the institutions of my country, rejoicing in its glory as well as its grandeur of government, I wish to see its integrity forever unquestioned, its honor forever unsullied; I wish to see its promises made to the Filipino people sacredly kept. But aside from all this I wish also to express my unqualified dissent from the views expressed in unmistakable terms and without qualification by the minority leader on this floor [Mr. MANN] when the bill was under discussion which recognized the moral and legal right of this Government to hold an alien people in subjection against their will forever, if desired. I was consternated when views were expressed recently by ex-President Taft before the Senate committee which practically, so far as the Filipino people are concerned, agree with those advocated by the minority leader, for whilst ex-President Taft did not in express terms claim this right he advocated the holding of this people for 60 years, if necessary, to give the experiment of testing their capacity for self-government a full and fair trial. This means forever, for we all know that if this Republic controls those people for 60 years it will never voluntarily release its dominion.

I shall refer to the views of Mr. MANN, minority leader, and of ex-President Taft more fully before I conclude.

Strange as it must appear to all who have the slightest acquaintance with the history of the Filipino people, an endeavor has been made by some, regardless of the array of facts to the contrary, to create the impression that they are indifferent to their independence and, in fact, that they would prefer to live under the control of this Government.

The history of the nations of the world, strong and weak, can furnish the record of no race, of no people, whose lives and conduct have shown a more passionate desire for liberty regardless of consequences to themselves from the time when they first learned the true meaning of freedom and realized that it was a blessing which belonged to them as an inalienable right vouchsafed by Providence to all men who prove themselves worthy of its blessings.

For three centuries they bore the burden of Spanish misrule, ignorant of their rights and of the blessings which come to a free people. When education advanced the light of liberty dawned upon their minds and grew stronger and brighter until with them it has become an inextinguishable flame. They conquered the islands from the Spaniards, and although they knew the fight was absolutely hopeless they made it against the unlimited power and resources of this Republic, and from first to last it required 120,000 American soldiers and three years' time to end the struggle. The war began February 4, 1899; the official announcement of its end was July 4, 1902, as will be seen from the report of Secretary ROOT for 1902. When finally they yielded they had every reason to suppose that their independence would be granted when they had shown themselves to be capable of maintaining a stable form of government. To engage in and maintain a conflict knowing that the result will be certain and adverse requires the highest type of courage, and this was manifested by the Filipino people. The love of liberty is a prerequisite to capacity for self-government. Wonderful as it must seem in the face of these facts, we are told by some, but by very few, I am glad to say, that the people of the Philippine Archipelago are not especially desirous of independence for which they have faced death and have suffered privation, want, and misery in many manifold forms.

It would seem to be a waste of time to discuss such a statement. Every municipality and Province in the Philippine Islands has declared in favor of independence; every one has declared in favor of the Jones bill now pending except three, and those three, whilst they declare for independence, prefer that a definite date be fixed, and they are right. I prefer the original Jones bill, which names a definite date—eight years—when independence should be given to them. I read that bill carefully several times and studied its provision. It is a model for the purpose for which it was intended. Prepared by its eminent author, the distinguished chairman of the Committee on Insular Affairs, with great care, it will ever remain a monument to his ability, his sense of justice to the Filipino people, his disinterested patriotism as an American citizen. The only change I should have made in that bill would have been to have shortened the period of time fixed for independence. I should have preferred four years, or even two, instead of eight, and I go further and say that the interests of both the people of this country as well as of the Philippine Archipelago would be served by granting their appeal for independence without any delay. Such a course would be in accordance with the theory of this Republic which never contemplated holding an alien

people in subjection against their will. I, however, give my support unhesitatingly to this bill, inasmuch as the chairman of the Committee on Insular Affairs and others greatly interested in seeing justice done think it best for all to do so.

Mr. Taft, in his testimony before the Senate Committee on the Philippines, when speaking of the purpose of our being in the islands at all, said: "The first purpose of being in there was to get out." But to "get out," to correct the terrible mistake of ever going in, he suggests a line of retreat which would reflect no credit upon this Republic and which never would have been considered in our earlier days. Our fathers would have said to these people, "Go your way in peace and enjoy the blessings of liberty." The ex-President, before he concluded his testimony, was badly stranded, as I will show you later on. His line of retreat brought him in direct conflict with the Declaration of American Independence and the traditions of this Republic.

If you would know the sentiments of any people upon any great question affecting their aspirations, their happiness, their fortunes and very existence, find the man whom they have recognized as their highest ideal; visit their homes, upon whose walls hang his portrait; listen to the voice of the father as he tells his child to imitate his example, to the mother as she whispers his name as a lullaby to her infant; then find out the mental characteristic of that man which marks him above his fellows, which has been the guiding star of his life, which he has ever followed with unwavering devotion, and you will know with unerring certainty the sentiments of those whose firesides and altars are consecrated to his memory.

Dr. José Rizal won this place amongst his countrymen. In the history of the Filipino people his name will forever live as the evangelist of liberty. He was the leader in thought of his countrymen. His life stood for self-sacrifice, for lofty thought, for supreme devotion to liberty. The anniversary of his execution has been made a national holiday throughout the Philippine Archipelago. His martyrdom will stir the hearts of men in every succeeding age as they read the story of his life. The night before his execution in a dungeon in Fort Santiago, when the shadow of death was all around him and about him, with no voice of friend or comrade to cheer him, he composed a poem and sent it to his people—his farewell message. For lofty sentiment, for tender pathos, for high resolve, for devotion to liberty there will be found not one anywhere, even amongst the most intellectual nations of the world, which will more enlist the sympathies and touch the hearts of brave men in every land where freedom lives and liberty has a home. I will read it:

MY LAST THOUGHT.

[Poem written by José Rizal, the national hero of the Philippines, a few hours before he was executed by the Spaniards on December 30, 1896.]

(Translation.)

Land I adore, farewell! Thou land of the southern sun's choosing!
Pearl of the Orient seas! Our forfeited Garden of Eden!
Joyous, I yield up for thee my sad life, and were it far brighter,
Young, rose-strewn, for thee and thy happiness still would I give it.
Far afield, in the din and rush of maddening battle,
Others have laid down their lives, nor wavered nor paused in the giving.
What matters way or place—the cypress, the lily, the laurel,
Gibbet or open field, the sword of inglorious torture—
When 'tis the hearth and the country that call for the life's immolation?

Dawn's faint lights bar the east, she smiles through the cowl of the darkness,
Just as I die. * * *

Vision I followed from far, desire that spurred on and consumed me!
Greeting! my parting soul cries, and greeting again! O my country!
Beautiful is it to fall, that the vision may rise to fulfillment.
Giving my life for thy life, and breathing thine air in the death throe;
Sweet to eternally sleep in thy lap, O land of enchantment!

If in the deep rich grass that covers my rest in thy bosom
Some day thou seest upspring a lowly, tremulous blossom,
Lay there thy lips, 'tis my soul. * * *

And if at eventide a soul for my tranquil sleep prayeth,
Pray thou, too, O my fatherland! for my peaceful reposing!
Pray for those who go down to death through unspeakable torments;
Pray for those who remain to suffer torture in prison;
Pray for the bitter grief of our mothers, our widows, our orphans;
Oh, pray, too, for thyself on the way to thy final redemption.

When our still dwelling place wraps night's dusky mantle about her,
Leaving the dead alone with the dead to watch till the morning,
Break not our rest and seek not to lay death's mystery open.
If now and then thou shouldst hear the string of a lute or a zithern,
Mine is the hand, dear country, and mine is the voice that is singing.

When my tomb, that all have forgot, no cross nor stone marketh,
There let the laborer guide his plow, there cleave the earth open.
So shall my ashes at last be one with thy hills and thy valleys.
Little 'twill matter, then, my country, that thou shouldst forget me!
I shall be air in thy streets, and I shall be space in thy meadows.
I shall be vibrant speech in thine ears, shall be fragrance and color,
Light and shout, and loved song, forever repeating my message.

Idolized fatherland, thou crown and deep of my sorrows,
Lovely Philippine Isles, once again adieu! I am leaving
All with thee, my friends, my love. Where I go are no tyrants;
There one dies not for the cause of his faith; there God is the ruler.

Farewell, father and mother and brothers, dear friends of the fireside!
Thankful ye should be for me that I rest at the end of the long day.
Farewell, sweet, from the stranger's land, my joy and my comrade!
Farewell, dear ones, farewell! To die is to rest from our labors!

[Applause.]

When days of peril come to any people, when the skies are dark with evil portent, when all which they hold dear—their very existence—is at stake, whom do they select as their leader in the crisis? They ever choose those whose hearts beat in unison with theirs, whose sentiments are their sentiments. In the hour of their trial whom did the Filipino people select to present their claim for justice; whom did they choose as their representative to this Government, which is the arbiter of their destiny? They selected a young man who had already become conspicuous as the advocate and champion of their freedom. Well did they make their choice. I take this occasion to say that Mr. MANUEL QUEZON, who twice has been unanimously elected by the Philippine Assembly as Resident Commissioner in this Capital, is entitled to their lasting gratitude. [Applause.] He has made the fight for the liberty of his people with fidelity, with ability, with courage, and with a rare discretion which has won for him the respect of the Representatives of this Government and has proved himself worthy of high rank amongst the foremost advocates of liberty in any assembly in any land. [Applause.]

Independence is the dominant idea of the Filipino people. Above all others it is their absorbing thought. The men connect it inseparably with the happiness, the prosperity, and the glory of their native land. The women teach the lesson to their children. The schoolboy selects it as the subject of his speech. The Filipino girl makes it the refrain of her evening song.

Vice Governor Martin, in speaking of their earnest desire for independence, says:

I will explain it in this way: I have made two trips over the islands for the particular purpose of visiting the schools and looking into agriculture, because agriculture is in my department. I was usually in company with the director of education and the director of agriculture, with the governor of the Province we were in, and some other people, and usually they decorated the roads, especially through their villages and everywhere and in every part of the island where I was, with the word "Independence," and where a schoolboy made a speech of welcome he could not get away without referring to independence and what he hoped I would do for him. And wherever a presidente, a mayor of a town, made a speech welcoming us to a town he invariably had his petition for independence.

But it is said that the people of the Philippine Islands have no capacity for self-government, nor can they maintain a stable form of government. In answer thereto it is well known that those people have given actual demonstration to the contrary. During the year 1898 they captured every city and town in the Philippine Archipelago from the Spaniards with the exception of Manila, which was occupied by the United States Army. From June, 1898, until February 4, 1899, the people of the Philippines had a government of their own with a constitution framed with ours as a model, a President of their Republic, a Congress, courts and municipal governments throughout the islands. This government was the de facto government and responsible for the lives and property of all the people of the archipelago excepting Manila, and it is admitted by all of those who traveled throughout the islands that order was maintained and life and property protected to the satisfaction of all. It must not be forgotten that this de facto government, the adoption of the constitution, and establishment of national and municipal governments, were all without help of any foreign Government or without any assistance from any foreign element whilst the war with Spain was yet unfinished and the war with the United States threatening.

John Barrett, at that time minister of the United States to Siam, witnessed the operation of this government and spoke of it in terms of high commendation.

Admiral Dewey, who witnessed the workings of this de facto government, stated that the Filipinos were more capable of self-government than the Cubans. Gen. Merritt, the first commander of the American Army in the Philippines, likewise so stated.

Gen. Nelson A. Miles, then Commanding General of the United States Army, in a book written by him, states that the Filipino people are entirely capable of administering the affairs of their country.

President Schurman, of Cornell University, and a member of the first Philippine Commission, has recently expressed the same views. Judge James H. Blount, who served in the Philippines as a captain of Volunteers, and was afterwards a judge, and also Gov. CURRY, of New Mexico, a Member of the Sixty-

second Congress, who also served as a captain of Volunteers, favor Philippine independence.

Testimony of many impartial witnesses who are acquainted with the conditions surrounding the Filipino people, and who have witnessed their achievements and affairs of government, leave no doubt as to their ability to maintain a government of law and order.

Judge Elliott, a member of the Philippine Commission appointed by Mr. Taft, gives this testimony:

I never had any sympathy with the party which opposed the retention of the Philippines. But the Filipinos have been promised independence and have been led to believe that American occupation was temporary and only for the purpose of training them for self-government. They are competent to-day to conduct a fairly good government, such a one as they desire to live under. They can maintain law and order and can protect the lives and property of foreigners, and that is about all we can expect or rightly demand. I am therefore in favor of keeping the faith with these people and passing a law somewhat similar to the Jones bill.

Capt. Hatch, of the Eighteenth Infantry, who served in the islands and was brought in contact with thousands of the people, said:

They are a temperate, sober people. During a year's residence among them I never saw a drunken Filipino. They are a cleanly people. They are hospitable, and they are generous in their hospitality. They are not an ignorant people. Their intelligence and educational progress are apt to be underestimated because of failure to understand them. The Filipinos are not so much different from other people. Their customs, habits, hopes, and aspirations are deep-seated. Their leaders are shrewd, bright men of much ability; the masses are earnest in their loyalty.

Mr. Southworth, in a letter to Hon. W. A. JONES, December 9, 1912, said:

With a strong religious sentiment underlying the lives of these people, a virtuous womanhood from whom must spring their future citizens, a high regard for law and official authority, a fair amount of general education now, and a wonderful aptness for learning, and a patriotism which is so lofty and pathetic that it should touch the heart of every unselfish American in the islands, there is no reason on earth why these people should not be granted independence.

Senator SHAFROTH made the following statement:

I regard the seizure of the Philippine Islands by our Government as perhaps the darkest blot upon our national history, and nothing but the restitution of the character suggested will restore us in the eyes of the world as the leader of all movements in behalf of liberty and freedom.

Secretary Taft, after observing the sessions of the Philippine Assembly for three weeks, on leaving in 1906 used this language:

From the first I had full confidence in the legislative assembly—a confidence which has been justified by its actions. So far it has taken a conservative form, and I have no doubt it will continue its useful and patriotic and diligent course. I have yet to see or hear a single member who does not apparently feel a full sense of the responsibility of his duties toward his constitution and country, and I am sure that conservatism rather than radicalism will continue to mark the official conduct of this body. I leave the Philippine Islands with renewed confidence in the future of the islands.

That brave man, that loyal American citizen, beloved by all his countrymen, Hon. CHAMP CLARK [applause], the Speaker of this House, expressed his sentiments as follows:

The Philippines should be given their independence guaranteed by the United States and such other powers as are willing to join us. If no other powers are willing to join us, I think our own guarantee would be sufficient, but I am for freeing them regardless of what the other powers do.

But we are asked, Are not the people of the Philippine Islands exceedingly illiterate? I answer not so illiterate as the people of many other lands. The World's Almanac of 1913 gives the following table as showing the illiteracy of countries named:

Philippine Islands	55.5
Portugal	73.4
Bolivia	82.9
Brazil	85.2
Costa Rica	80.2
Guatemala	92.7
Mexico	75.3
Peru	86.5
Cuba	56.8

Some of the testimony cited by me is taken from the hearings before the Senate committee and a part of it is derived from other sources as stated in my remarks. Has not the time been reached when all this subterfuge called by some altruism should cease lest we incur the contempt of the civilized world? I commend to those who desire to retain the Philippine Islands the frank language of Senator LODGE in his speech as presiding officer of the Republican convention at Philadelphia in 1900:

We make no hypocritical pretense of being interested in the Philippine Islands solely on account of others. While we regard the welfare of these people as a sacred trust, we regard the welfare of the American people first. We see our duty to ourselves as well as to others. We believe in trade expansion.

But when you consider alone the welfare of the American people and examine statistics you will find that your unholy greed for gain has carried you far amiss.

Hon. WILLIAM A. JONES, chairman of the Committee on Insular Affairs—the best-informed man in this country as to all matters connected with the Philippine Islands—estimates the cost of holding them in subjection at $40,000,000 a year, which exceeds the total annual value of the commerce between the Philippines and the United States.

Can you find anyone anywhere—one competent to judge—military expert or otherwise, who will not say that in the event of war with a first-class power these islands would be a source of weakness to us and a constant menace to the prestige of the American flag. In this connection I wish to call the attention of ex-President Taft to the language of ex-President Roosevelt, taken from January Everybodys Magazine, 1915. It is well worthy of his consideration, as he has before heard of ex-President Roosevelt, and ought to pay careful attention to his heedings.

The Philippines, from a military standpoint, are a source of weakness to us. The present administration has promised explicitly to let them go, and by its actions has rendered it difficult to hold them against any serious foreign foe. These being the circumstances, the islands should at an early moment be given their independence, without any guaranty whatever by us, and without our retaining any foothold in them.

Why should I trespass further upon your time and patience by elaborating the testimony. Much was said by other witnesses at the hearings before the Senate committee to correct the gross injustice which has been done the people of the Philippine Islands. Amongst those testifying were Brig. Gen. McIntyre, chief of the Bureau of Insular Affairs, War Department; Mr. Ferguson; Mr. Lang; and others, but I pass them by that I may notice the testimony of ex-President Taft. But before I do so, I will first call your attention to that section of the preamble to the Jones bill to which he is so much opposed. It reads as follows:

Whereas it is as it has always been the purpose of the people of the United States to withdraw their sovereignty over the Philippine Islands and to recognize their independence as soon as a stable government can be established therein.

It does not mention self-government, and let us not forget that freedom for any people does not mean the best government as an abstract question. It means the government best fitted to the people governed. I do not suppose that any of us think the inhabitants of the Philippine Islands are as capable to form and maintain a government suited to our conditions and surroundngs as would be our own people, but beyond question, according to the testimony taken as a whole, they are capable of establishing a stable government of law and order suited to their own interests and calculated to bring them contentment and happiness.

Mr. Taft said before the Senate committee:

Therefore when you ask me what time I will put on the question of producing self-government out there in making those people over so that they can know self-government and understand the object lesson that they are having, I put the time as will give to those people an opportunity to learn English, so that they can become an English-speaking people, and that will certainly take more than one generation, and probably two, if you count a generation as 30 years.

He thus places the time at 60 years when he thinks they would be capable of self-government. He makes a strange medley of self-government, of constitutional government, and of stable government, and during his testimony quoted from President Wilson's book on Constitutional Government to show what he meant by self-government, stated truthfully and accurately that no one had defined it with more force and more clearness than had President Wilson. I have read President Wilson's book with great care and pleasure, and I say without hesitation that there is not one line in it taken in connection with its proper context, nor one idea expressed, which conflicts in the slightest degree with the justice and wisdom of the passage of the Jones bill. No words ever came from the lips of Woodrow Wilson, nor was a line ever penned by him, which dealt a blow to the liberties of any people. [Applause on the Democratic side.] He has given expression to more lofty sentiment which has exalted the love of home and of country and created in the hearts of men patriotic heroism than any man who dwells to-day upon the American continent. [Applause on the Democratic side.]

I call the attention of Mr. Taft to the last four lines in Mr. Wilson's book on Constitutional Government in the United States, which reads as follows:

A people who know their minds and can get real representatives to express them are a self-governed people—the practiced masters of constitutional government.

I also refer him especially to these words, taken from Mr. Wilson's book, which appear on page 4, where he will find discussed and analyzed the Declaration of American Independence:

Its chief justification of the right of the colonists to break with the mother country is the assertion that men have always the right to determine for themselves, by their own preferences and their own circumstances, whether the Government they live under is based upon such principles or administered according to such forms as are likely to affect their safety and happiness. In brief, political liberty is the

right of those who are governed to adjust government to their own needs and interests.

And Mr. Wilson adds to the above:

That is the philosophy of constitutional government.

Mr. Taft has the reputation of being a great lawyer; and if he is attached to the institutions of our country, as I believe him to be, I would recommend to him to sit at the feet of Mr. Wilson and learn the true theory of this Government and the accurate meaning of the Declaration of Independence. He would not be injured thereby. His lectures on constitutional law would be embellished and would be made more attractive. [Applause on the Democratic side.]

Again he says:

I do not care a cent about the Government of the United States having power out in the Philippines. I would be glad to get out of the Philippines, but what I am concerned about is those poor people out there.

Again he says:

The difficulty about training the Philippines to self-government under the plan outlined in that statement of mine and that I have outlined before the committee is that in making such a promise as that you utterly rob your experiment—

And so forth. And further:

After you have labored 13 years, as I did, to make that government a useful one, it grates on you to have it hit with an ax.

Mr. Chairman, I do not think that Mr. Taft bears malice toward any man under the sun, not even ex-President Roosevelt, but when he says, "But what I am concerned about is those poor people out there," he deceives himself. He is concerned about that "experiment," which has brought no credit to himself or to the Republican Party. Mr. Taft is a magnanimous man, and so great is his attachment to the "experiment," of whose paternity he seems to be proud, that in speaking of the Benguet Road he said:

Now, I am responsible for that road, and I do not hesitate to take the responsibility.

Although an Army engineer by the name of Meade, according to Mr. Taft's own testimony, made a survey and reported that it was possible to build the entire road for from seventy-five to one hundred thousand dollars under the government of the "experiment," this road, which Mr. Taft says was 20 miles long, cost, according to his testimony, more than $2,000,000. In justice to Mr. Taft, however, it must be said that Mr. Worcester stated before the committee that the road was 28.7 miles long and cost $1,961,847.05, and that repairs on the road cost $792,434 up to May 1, 1913.

One witness actually placed the cost of this road, according to Mr. Taft's testimony, as high as $9,000,000. There was no necessity for the ex-President to assume the responsibility of this road. It is one of the most disgraceful items connected with all that unhappy business with the Philippine Islands. Tell me, pray, what would be thought of the capacity of the Filipino people for establishing a stable form of government if after an estimate had been made placing the cost of the Benguet Road at $100,000 they had made an appropriation and spent over $2,000,000 to build it. And let it not be forgotten that this dirt road built to a watering place was designed at first chiefly for the amusement, benefit, and health of American officials at the expense and from the funds of the Filipino people.

Mr. Taft was unwilling to say that this Government had promised those people independence, but was willing to concede that the Democratic Party had done so. He could have paid no higher compliment to that great party, which has ever been the defender of human rights and the advocate of liberty for all people.

In its platform of 1900 it declared the Nation's purpose, first, for a stable form of government for the Philippine Islands; second, their independence; and third, protection from outside interference.

In its platform of 1904 the Democratic Party declared it to be our duty to do for the Filipinos what we had already done for the Cubans—set the Filipinos free and independent to work out their own destiny.

In the platform of 1908 it again favored declaration of the Nation's purpose to recognize the independence of the Philippine Islands as soon as a stable form of government could be established.

In the platform of 1912 it reaffirmed its position, which had been announced thrice before.

There can be no question that the people of the Philippine Islands have a perfect right to suppose that they have been promised their indeepndence by this Government, by everything done and said since we "blundered into colonization," if I may adopt a most appropriate phrase used by Mr. Taft himself when he was Secretary of War in 1905, in an address before the National Geographic Society in Washington, and quoted in the National Geographic Magazine, August, 1905. In discussing this promise to the Filipinos Mr. Taft said:

Of course what the people of the United States think, we sometimes make a mistake about, I agree.

Mr. Taft is a thoroughly sincere man; no citizen of this country has ever more mistaken the views of its people than has Mr. Taft, as its political history will show.

Mr. MANN, the minority leader upon this floor, when discussing the Philippine question, said:

I am opposed to giving the Philippine Islands independence. Now we have the Philippine Islands. They came to us not by our taking away their independence. We did not seize them. We took them from Spain. It is our business not only to keep them under our flag but to make them want to stay under our flag.

Strange and remarkable words to be heard in a free Republic when all the facts as to our acquisition of the Philippine Islands are so well known to the entire world. Memorable words spoken by a recognized leader of a great party and indorsed in principle, if not in express language, by an ex-President of a free Republic, elected by the same party. Not memorable because they carried cheer and comfort to a helpless people 10,000 miles away, who had a right to expect a different message; not memorable because they reflect the sentiments of the American people; the truth is far to the contrary; not memorable because they ignore and trample upon the traditions of this country, regardless of party; but memorable in that they mark a new epoch in the history of the Republican Party, the era when it says farewell to the glorious history of the past, bids good-by to the memories of the lessons taught by our fathers; memorable because they mark with unerring certainty the rapid decadence of the Republican Party, when two of its most distinguished leaders, if to be judged by their statements, regard trade expansion and colonial empire as above a nation's promises and its most sacred honor. [Applause on the Democratic side.]

If this Republic could not live half slave and half free, tell me how it will fulfill the high destiny for which it was intended by Providence with millions of men 10,000 miles away held in bondage against their will, with no voice in the Government which controls them.

I know of no greater responsibility which any man in this Republic can assume before the bar of posterity than the denial of liberty to any people. If the judgment of the minority leader on this floor and of ex-President Taft as to what national policy will best promote the grandeur and glory of our common country is to be best tested by their views as expressed upon this question, it will be found far from correct.

The greatness of the American Republic does not rest upon the accumulation of colonial possessions, however alluring to some they may seem to be. Within itself it is a mighty empire, the wonder and admiration of the world.

Great and wonderful as are the material and natural resources of our country, its chief excellence will not be found in them, but it will be discovered in the Constitution of our common country and in its legal institutions, which give every man the same advantages and opportunities for advancement in life. This is its chief excellence, the most radient jewel in its crown of glory. Long may it survive, and may its greatness in the ages to come be recognized by the equal diffusion of its blessings amongst all its people, by its justice in dealing with weaker nationalities, by the good it has wrought, and by the happiness it has brought to all humanity.

In conclusion I give as my answer to the gentleman who filed the minority report, which declares that a discussion as to what disposition should be made of the Philippine Islands at the present time is not only impolitic but unwise in the extreme, the words of Woodrow Wilson, in his address at Flag Day exercises in this city:

So it seems to me that it is my privilege and right, as the temporary representative of a great Nation that does what it pleases with its own affairs, to say that we please to do justice and assert the rights of mankind wherever this flag is unfurled.

[Loud applause.]

Mr. LEVER. Mr. Chairman, I will ask the gentleman from North Carolina to yield back his time.

Mr. STEDMAN. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The gentleman yields back 17 minutes.

Mr. McLAUGHLIN. Mr. Chairman, at the request of the gentleman from Iowa [Mr. HAUGEN] I yield 20 minutes to the gentleman from Minnesota [Mr. ANDERSON]. [Applause.]

Mr. ANDERSON. Mr. Chairman, on the 1st day of last August the working balance in the Treasury of the United

States exceeded $120,000,000. This morning, and for some mornings past, the Treasury statement shows that that balance has been hovering around $60,000,000. This statement but feebly expresses the story of Democratic extravagance and efficiency of the last 18 months. We are facing the necessity of finding new subjects of taxation or issuing bonds. Despite the imposition of an income tax upon all incomes in excess of $4,000, despite the repeal of the exemption of $5,000 in favor of the small corporate businesses of the country, notwithstanding the imposition of a war tax imposing a burden upon policies that insure the crops, the homes, and the lives of our citizens—in spite of the imposition of annoying taxes upon everything, from quinine pills to toilet soap, from marriage certificates to coupon bonds; despite the overrunning of the country by a horde of tax-gatherers; despite all of these annoyances and impositions in time of peace, the balance in the Treasury has decreased month by month and day by day. That decrease has averaged up to date about $10,000,000 a month.

From the beginning of the present fiscal year, while our revenues have been decreasing the expenditures of the Government have increased more than $12,000,000 compared with last year, and those expenditures month by month have exceeded the receipts of the Government by more than $14,000,000 per month. And yet in the face of this decrease of revenue we are confronted again in this Congress by estimates for appropriations equaling or exceeding the amounts appropriated for the last fiscal year. Take, for instance, the bill under consideration. The estimates submitted by the department for the fiscal year 1916 exceed the estimates for the current year by $1,644,000. They exceed the appropriations for the fiscal year 1915 by $841,000, and the appropriations for 1914, the last appropriation made during a Republican administration, by $2,719,000. Now, Mr. Chairman, of course the Congress is, in the last analysis, responsible for the expenditures of the Government, and yet the Congress is not wholly to blame for these increases. It can not be expected to hold down the appropriations for the expenditures of the Government within reasonable limits so long as the administration and the departments present estimates for expenditures of the Government exceeding year by year the expenditures of the preceding year.

I was one of the youngest men who ever wiped his feet on the "welcome" mat in front of the Capitol when I came here four years ago. As I look back upon those four years I do not regard my youth and inexperience altogether as a liability, for I recognize now that my very youth enabled me to receive some impressions which I should otherwise not have received, and which experience has ripened into sound conclusions and logical convictions. I remember very distinctly my first impression of the Government departments. It was very much like that I received when I first saw those tremendous locks at the Panama Canal. It was not altogether an impression of the wonderful genius that conceived and operates those great machines; it was not wholly an impression of the wonderful intricacy of that machinery, but it was an impression of its great size and tremendous inertia; of the constructive and operative difficulties that its size alone presented. Sometimes when I pick up one of these books of estimates I have something of the same feeling. Here is a book of estimates of expenditures for the Department of Agriculture. It contains some 200 pages of facts and figures, and yet I defy any man in this House to say from a study of this book and from all the hearings before the committee whether we are getting our money's worth from any one of the appropriations contained in the pending bill. The task is too big and the information too little correlated. Some elements for the determination of a conclusion are missing.

Now, economy is of two kinds, that which consists of cutting down expenditures and consequently curtailing activities either in number or extent; the other kind is that which consists of greater efficiency, better results, or, to put it in the terms of commercialism, increased profits from the same expenditures. I have always thought that it was unfortunate that the economy of Congress must always be of the first kind, for, try as we may, it is a practical impossibility for us to so direct the activities of any department of the Government as to secure greater efficiency. The reason for this is quite obvious. It is that there is in the operations of the departments no incentive to profit, and there is consequently no way of determining, except in the opinion of the individual, whether the department is actually expending the money appropriated for it in such a way as to procure the best results. The operation of the department is administrative. Congress can not control this operation. It can only furnish the funds. The fact of the matter is that we are obliged to, and do, take nine-tenths of these estimates on faith. I am making these statements because I am a little bit tired of hearing men place the entire responsibility for extravagance upon the Congress, whereas it belongs, in a very large measure, to the administrative departments of the Government.

Mr. BORLAND. Does the gentleman care to be interrupted there?

Mr. ANDERSON. I will be very glad to yield to the gentleman.

Mr. BORLAND. I agree to a great extent with what the gentleman is saying. I think the obligation to economize and to get greater efficiency and greater results out of the money expended is more heavily placed upon the executive departments than upon Congress. I regret very much that we have to frequently cut down the executive departments below the estimates. But does not the gentleman realize, and I think in fairness he will state, that most of the officials of the Agricultural Department are not the choice of the present administration but are men who have been there in service for a number of years and are all of them "hold overs" from the previous administration?

Mr. ANDERSON. I will say to the gentleman that I am not particularly criticizing the Agricultural Department. I use it as an illustration, because I am more familiar with it than any other department.

Mr. BORLAND. Of course, his remarks were directed more particularly to that bill.

Mr. ANDERSON. What I am trying to say is that the psychology or, if I may use that term, the philosophy of the departments with respect to expenditures is such that it tends toward asking and insisting upon increased appropriations without regard to the condition of the Treasury.

Mr. BORLAND. I fully agree with the gentleman.

Mr. ANDERSON. Appropriations for activities that are impracticable and that do not bring results.

Mr. BORLAND. I am very glad to hear that statement made. I realize, as the gentleman does, that the departments ask for a great deal more than they have a right to expect and a great deal more than they do expect, and ask for enlarged activities when we have not the money with which to discharge the existing activities. I realize all that, and I hope the gentleman will emphasize it as fully as possible.

Mr. ANDERSON. Congress is in a difficult situation. As I said in the first place, the only way it can bring about economy is by cutting down expenditures. It can not direct the activities of the department in such a way as to get greater efficiency for the same amount of money, and if it does cut down the expenditures it lays itself open to the charge of curtailing activities which are necessary. In other words, it has to take a chance.

I was about to say that when I was a boy I had a very distinct inclination toward mathematics, and so these estimates for appropriations have furnished me with a number of interesting studies. I have compiled a table making a comparison of the estimates for the coming fiscal year, both as to the total appropriations, the amount expended for the fiscal year 1914 and proposed to be expended for salaries under the estimates for this bill, and the amount expended or proposed to be expended for traveling expenses. I have done this for the purpose of determining in a general way the trend of the increases asked for by the department. The first comparison contains a compilation of the estimates of the expenditures for various activities of the Government, some 12 in number. These include crop estimates, plant quarantine, agricultural-land classification, and others.

The total of the estimates of appropriations for these activities for the fiscal year 1916 is $1,878,861. The amount expended for the same activities for the fiscal year 1914 was $1,139,000. Of the amount proposed to be appropriated for the coming fiscal year $1,171,000 is for salaries and $465,000 for traveling expenses. Of the appropriations for 1914, $771,000 was for salaries and $231,000 for traveling expenses. To make the trend of the expenditures clearer to the mind it is perhaps better to state them in terms of percentages. The increase in the total in the estimates for 1916 over the amount expended in 1914 was 64 per cent, and the increase for salaries was 51 per cent, while the increase for traveling expenses was 101 per cent. In other words, while the estimates for salaries have increased 50 per cent, the estimates for traveling expenses have increased 100 per cent.

Now, I have here another table containing some nine activities of the Government, including the appropriation for the dairy industry, pathological laboratory, the investigation of fruit diseases, and several others. I will not undertake to give

the figures, but merely the percentages of increase. The estimates of appropriations for the fiscal year 1916 show an increase over the expenditures for 1914 of 5 per cent only in these particular activities. Although there is an increase of 5 per cent in the total amounts proposed to be expended, 10 per cent less will be expended for salaries than was expended in 1914 and 68 per cent more will be expended for traveling expenses.

While I recognize that figures do sometimes lie, and that it is possible to draw conclusions from compilations of figures which are not wholly justified, at the same time it is, I think, a fair conclusion from these figures that there is too much sending out to California, and to Washington, and to Minnesota, and Nebraska, to have the employees of the department come into Washington and talk things over. I think there is too much tendency to send men from the department out into Montana, Wyoming, and Texas to talk and look things over. The estimates were not pared as closely as it seems to me the condition of the Treasury required. There certainly is not the natural increase in the cost of traveling in the last two years which would justify any such increases for traveling expenses as are proposed in these estimates. Some of the proposals with respect to traveling expenses are, if anything, incongruous. Take, for instance, the estimates on page 13 for farm-management work. The expenditures in 1914 were $366,000. The amount was reduced under the present estimates to $240,000.

The CHAIRMAN. The time of the gentleman has expired.

Mr. McLAUGHLIN. Mr. Chairman, I yield to the gentleman from Minnesota 10 minutes additional.

The CHAIRMAN. The gentleman from Minnesota is recognized for 10 minutes more.

Mr. ANDERSON. I thank the gentleman for the extension. I will endeavor to get through in that time.

Of the $366,000 expended in 1914, $286,956 was spent for salaries and $51,859 for traveling expenses, while of the $240,000 to be spent in 1916, only $146,516 will be spent for salaries and $65,000 for traveling expenses.

To make it a little plainer: $140,000 less will be spent for salaries and $14,000 more for traveling expenses.

These examples are by no means unique.

The increases proposed by the Department of Agriculture for the fiscal year 1916 as compared with the expenditures of that department for the fiscal year 1914 are not confined to traveling expenses. There have been numerous increases of salary allowed and paid out of the lump-sum appropriations carried in the bill. For instance: In 1914 27 salaries of $1,500 or over were paid out of the appropriation for dairy investigations. The present estimates provide for 39 salaries of $1,500 or over to be paid from that appropriation. Again, in 1914, 8 salaries of $1,500 or over were paid out of the appropriation for investigation of cotton and truck-crop diseases. The present estimates contemplate the payment of 16 salaries of $1,500 and over from the appropriation. In 1914 there were paid out of the lump-sum appropriation for field investigations under the Bureau of Crop estimates, 15 salaries of $1,500 or over, while the present estimates contemplate that 43 salaries of $1,500 and over will be paid out of that appropriation. There are many other similar increases, either effective or proposed, which do not seem to be justified by the present financial conditions of the country. And I could go through these various estimates one by one and show where the same incongruity occurs time and time again. What I am trying to point out is this, that with estimates of this sort before the committee and before the House, it is absolutely impossible to expect that the House can exercise such supervision and control over the expenditures of the department as will result in greater economy, more efficiency, and better results.

A year ago the department proposed a reorganization of its various activities, with a view to securing a greater coordination and cohesiveness of its various branches. In a speech I made at that time I said that some of us had felt for sometime that there was something wrong with the management of the Agricultural Department, and that I was very glad the department itself had come at last to recognize that some reorganization of its activities was desirable. But I expressed the doubt then that any reorganization which it might propose would effect any very great economy or any very considerable increase of efficiency.

This bill is based upon the reorganization proposed by the department. I think it may be fairly said with respect to this reorganization that it entirely confirms the doubts which I expressed a year ago. It has not resulted in reducing the number of employees of the Government by one. It has not resulted in reducing the estimates for the expenses of the department by a single dollar. On the contrary, we are confronted by the same old proposal for an increase.

I am frank to say that I do not know just how we are going to redirect the activities of the department so as to secure at one time decreased estimates and greater efficiency, and yet I have an impression, confirmed by experience, that there is a very great necessity for a reorganization which will direct the activities of the department into more practical lines.

I am inclined to think that too much money is spent in investigational work and too little, proportionately, in carrying the practical information developed by these investigations to the farmer. I have a notion that too often the investigations and experiments of the department are carried out under such artificial conditions as to make the conclusions, experience, and methods drawn from them useless when they are applied to normal conditions. In other words, that the farmer can not duplicate the artificial conditions under which the experiments or demonstrations are carried out and therefore can not hope to get the same results.

I feel that the department itself can do a great deal to make its activities useful to the farmer in a more practical way, and should be able to reduce the amount required for its services by a careful reorganization of its work, with a view to promoting economy of administration. But Congress will be able to do very little toward reducing the aggregate expenditures of the Government until the departments and the administration are brought to a realization of their joint responsibility with the Congress for its expenditures and some system is devised which will insure that proposed expenditures will bear some relation to expected receipts.

I am not particularly advocating at this time a curtailment of the appropriations for the Department of Agriculture. I do not think it would be possible to pick out a time when it would be less expedient to curtail the appropriations for the department than now. The conflict now being waged in Europe means that upon America particularly will fall the burden of feeding the world, and we shall have need during the next year for the exercise of all the genius of mind and of hand, for the exercise of all the strength of intellect and of body which the American farmer can put forth. We will need all the help the department can give us in this task. I have merely tried, in a somewhat philosophic way, to point out the necessity for a general change of attitude on the part of the department itself toward the activities in which it is engaged and toward the Congress, which must supply the funds for these activities. It would not be fair to give the impression that the Department of Agriculture is any more extravagant or remiss in the amount and character of its estimates and expenditures than other departments of the Government, and I do not intend to convey that impression.

Mr. LEVER. Mr. Chairman, will the gentleman yield there?

The CHAIRMAN. Does the gentleman from Minnesota yield to the gentleman from South Carolina?

Mr. ANDERSON. Certainly.

Mr. LEVER. I think I fully understand the position of the gentleman from Minnesota; but I had a fear in my mind that probably some one, listening only casually to his remarks, might get the idea that his criticism went to this particular bill. As I understand, the gentleman's criticism goes rather to the manner of conduct of the Department of Agriculture, and not to the terms of this bill?

Mr. ANDERSON. Quite so. I am not criticizing the committee or the bill. The committee has made a very honest effort to keep the expenditures down just as closely as it could without curtailing the activities of the department unduly. I think it could have done more if it had had greater cooperation from the department in its efforts to exercise economy.

Mr. BOOHER. Mr. Chairman, will the gentleman yield?

Mr. ANDERSON. Yes.

Mr. BOOHER. Has the gentleman discovered in this bill any attempt on the part of the committee to correct some of the abuses of which he has been complaining?

Mr. ANDERSON. Well, of course the gentleman knows that legislation is not in order on this bill, and besides we have not the information at hand upon which to base such legislation.

Mr. BORLAND. As I understand the point that the gentleman makes, it is that the department ought to exercise a greater supervision over its expenditures and estimates and furnish the committee with information upon which a change could be made, and that the conduct of the department has been quite the reverse of that.

Mr. ANDERSON. That is exactly the point I make.

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. ANDERSON. Under leave to extend my remarks, I append the following table, from which the figures in my remarks are taken:

Page.		Total appropriation.		Salaries.		Traveling expenses.	
		1916	1914	1916	1914	1916	1914
142	Crop estimates, Field Investigations	$148,356	$101,100	$76,740	$63,979	$69,100	$33,751
156	Farmers' cooperative demonstration	666,020	375,000	546,991	289,945	106,240	64,647
173	Marketing and distributing farm products	301,465	50,000	131,280	31,077	96,970	7,592
178	Plant quarantine	50,000	40,000	25,115	22,218	13,930	7,098
135	General experiments, Biological Survey	13,320	8,377	3,250	8,377	1,000	373
134	Biological investigations	26,500	15,000	17,361	11,418	7,500	3,482
133	Food habits of birds and mammals, Biological Survey	95,000	45,000	42,720	30,083	28,000	8,276
128	Preventing spread of moths, Entomology	310,000	300,000	215,000	214,218	70,000	60,082
124	General experiments, Entomology	69,000	50,000	34,500	33,655	17,500	10,709
109	Miscellaneous investigations, Bureau of Chemistry	14,000	36,000	11,000	26,396	1,000	264
96	General experiments, Forest Service	85,000	53,558	34,000	21,843	25,500	15,451
95	Agricultural land classification, Forest Service	100,000	64,356	34,000	20,000	29,000	19,307
	Total	1,878,661	1,139,291	1,172,057	770,209	465,740	231,023
13	General experiments, Farm Management	240,000	366,200	146,516	286,956	65,000	51,859
33	Dairy industry, Bureau Animal Industry	258,000	177,900	143,745	119,461	73,120	35,222
52	Pathological labortary, Bureau Plant Industry	37,000	30,000	27,001	23,308	4,200	2,317
53	Fruit diseases, Bureau Plant Industry	58,255	40,675	39,700	27,887	12,500	7,663
53	Forest pathology, Bureau Plant Industry	67,950	29,510	42,175	17,310	22,775	6,212
54	Crop physiology, Bureau Plant Industy	47,040	33,380	24,000	19,197	12,650	7,825
60	Cereal investigations, Bureau Plant Inrustry	94,505	74,925	67,407	58,852	15,520	8,392
63	Beet-sugar investigations.....d	41,495	38,495	21,140	25,840	14,355	7,781
68	Foreign seed and plant introduction	75,400	83,000	33,327	50,730	18,000	13,877
	Total	919,645	874,085	545,011	629,541	238,120	141,148

Mr. LEVER. Mr. Chairman, I yield 30 minutes to the gentleman from Texas [Mr. SUMNERS].

The CHAIRMAN. The gentleman from Texas [Mr. SUMNERS] is recognized for 30 minutes.

Mr. SUMNERS. Mr. Chairman, I make no pretensions to being an authority upon agricultural matters, but I am deeply interested in them and have given much effort to an attempt to know something of them. I am especially interested in developing a rural credit system and better methods of marketing farm products. At this time I want to direct the attention of those who have assumed the responsibility of writing a rural-credit bill to some of the dangers which beset that undertaking. Recently we sent a commission to Europe to study rural credits, and the country has been filled with statistics gleaned from the experiences of the European organizations; but, Mr. Chairman, there can be no question but that the economic, industrial, and social conditions which obtain in America and those which obtain in Europe are so dissimilar that it would be disastrous to accept the European experience as a guide for the construction of our system. We do not so much need to go to Europe for information as we need to get into the very life of the farmers of America, to know their difficulties and what part of the general task they may be trusted to discharge. The German system of rural credits is presented to us as the best among the European systems, and it is; but, Mr. Chairman, the German system of cooperative farm credits rests upon a foundation not one stone of which can be found in America. The German and other European systems rest upon community and class solidarity, permanency of residence, centuries of training in cooperation and conservation, and a system of laws and a condition of public sentiment which will not tolerate failure to discharge contracted obligations. Speaking generally, not one of these obtain in America.

Mr. JACOWAY. Will the gentleman yield there?

Mr. SUMNERS. Yes.

Mr. JACOWAY. I will ask the gentleman if it is not a fact that in Germany, when default is made, there is practically no delay in divesting the party in default of title?

Mr. SUMNERS. That is true, but I am endeavoring to direct the attention of Members to those differences between Germany and the other European countries, on the one hand, and America, on the other, differences which must not be ignored, nor can a substitute for European conditions be supplied by enactments of legislative bodies. They are differences fundamental and fixed upon which rest the whole superstructure of their laws and institutions. In Germany, for instance, the inhabitants of the rural communities have lived in their respective communities all their lives and their ancestors before them for generations past. The whole community is bound together by ties of relationship and of intimate association. When a man changes his place of residence he must get his clearance papers before leaving and report to the police department at the place to which he goes. There is practically no property exemption from payment of debt; my impression is there is none. Besides, a man who fails to pay his obligations and throws the burden upon his neighbors, except in a case where unavoidable misfortune has incapacitated him, would become a social outcast, with no place in his native land where he could hide his shame. The spirit of conservation has been bred into the very bone of that people, minimizing the danger of loss of productiveness of land during the period of amortized payments. These people live in villages; their units of land tracts are strips of from 50 feet to 200 or 300 feet wide by some 450 feet long. A man owning 50 acres may have 20 or more disconnected tracts with different abutting ownerships, of course. I have seen strips 100 feet wide have as many as three different farm crops growing. These people, therefore, live close together; they work side by side, each one coming into close touch with his neighbors. In home life they cooperate and in the culture and harvest of crops they cooperate. But there is something more potent than all this; these people are peasants; their class isolation drives them back upon each other into class solidarity. When testing the value of European experience we must not lose sight of the dissimilarity of conditions. Mr. Chairman, I am not undertaking an analytical discussion of the great subject of rural credits. That subject is so comprehensive that it is impossible to analyze it in the time which the House could afford to allow to a single discussion by any Member. Therefore instead of dealing with the entire subject I am undertaking to give the committee my view of some of the more vital things to be considered in shaping this legislation. The foundation of the whole scheme and life-giving force of the whole scheme in this country must be the local organization.

The local organization will come in direct contact with the individual borrowers, negotiate with them for the credits, sell this credit, and be the first guarantee thereof and the final payor in the event of default upon an uncollectable claim. These local organizations must furnish, in addition to all the business, not only capital to margin all credits sold but the capital of the organizations above them resulting from a confederation or association of organizations. Yesterday the gentleman from Georgia [Mr. HOWARD] in the discussion of his bill made many good suggestions. His bill has many good features, but it contains one provision which, if retained, would absolutely destroy all chance of success in Texas. He proposes to limit the dividend to stockholders to 6 per cent. In Texas and in many other States the current interest rate is as high as 8 per cent. Under his bill the stockholders would have no advantages over non-stockholders in procuring loans. Therefore the farmers of my State would not invest money which now brings 8 per cent in this stock which would only earn 6 per cent and would carry with it an additional liability equal to the amount of stock. All the bills provide that this initial capital stock shall be paid for by individuals. Their subscription must be a voluntary act, of course. The stockholders will be taking the risk, putting up their money and, in addition, their credit to the amount of the stock as security for the debts of others; and they will not do it with a limit of 6 per cent dividend.

Mr. Chairman, one of two things must be done. The rate of dividend must be raised to at least the current rate in the several sections where the organizations are to be located or the subscription for stock in the local organization must be made a condition precedent to procuring a loan through it.

Mr. HARDY. Will the gentleman yield?

Mr. SUMNERS. Certainly.

Mr. HARDY. The gentleman has selected the very weak point that I myself thought I found in the proposition of the gentleman from Georgia, and I do not think he is very much wedded to that 6 per cent limitation; but I want to suggest to the gentleman from Texas that a better cure of that defect, instead of requiring each borrower to become a stockholder, would be to take off that limit of possible profit that might come to the stockholder by way of dividends until such time as the organization might buy back its stock.

Mr. SUMNERS. I thank my colleague for the suggestion, and am glad to note that my opinion is supported by his judgment as to the danger at this point. While I realize that there must be a reasonable profit upon investments in stock in order to attract the necessary money to their purchase, I am equally certain that all possibilities of speculative gain must be eliminated so that those who patronize the association will derive all the benefits from its operation above a reasonable revenue as a dividend upon the money invested in the capital stock of the association.

Mr. YOUNG of Texas. Will my colleague yield there?

Mr. SUMNERS. With pleasure.

Mr. YOUNG of Texas. I thought one of the fundamental principles underlying this legislation was to find some system of lowering the rate of interest to the man who wants to borrow the money, and if you are going to build up a system which raises the rate of interest to the current rate, how is that going to benefit the men who need to be benefited?

Mr. SUMNERS. I am glad my colleague asked that question, because if there is any misunderstanding about that on the part of gentlemen present it ought to be corrected. The rate of interest I speak of is not the rate of interest which the borrower will pay, but the rate of interest which is to go to the man who puts up the money for the capital stock of the local organization, which money is really a fund to secure or margin the loans sold. The gentleman from Texas will remember that as the gentleman from Georgia [Mr. HOWARD] outlined his plan yesterday it provided that the loans with a local institution may procure may be fifteen times the total capital of the local organization. Now, somebody has to put up the capital of the local organization and take the chances on its loss and, in addition, a chance on having to pay an amount equal to this capital, because some one else defaults.

You can not compel the individual farmer to do this. You can only induce him to do it by giving him a promise of satisfactory return. No man will take his money out of an investment that is paying 8 per cent interest and put it into an investment that will pay him 6 per cent, and carries a liability besides. But I want to direct the attention of Members of the House to the facts that when you figure it out, if the loans are fifteen times the total capitalization, the difference in the rate to the borrower when the dividend is 6 per cent and when it is 10 per cent, even, would be about one-fourth of 1 per cent.

Mr. Chairman, I want to direct attention to one more vital point in this legislation. If the benefits of this proposed law are not limited to home builders, and we succeed through it in getting cheaper loans, as we hope to, it will work just the opposite result to that which the friends of this legislation want, and violence will be done to the Government philosophy which justifies this legislation. The man to whose help our patriotic duty calls us is the one struggling to get a home. We want to be careful that in an attempt to help we do not increase his difficulties. Let me illustrate the danger. A man in Texas owns 1,000 acres of land, worth $40 per acre, in a section where the interest rate is 8 per cent. There is an adjoining 1,000 about to come on the market. Ten families each expect to purchase 100 acres of this tract. We enact this law without limitation as to borrowers, and let us say 5 per cent money is made available. This land would advance probably above $50 per acre. The man owning the 1,000 acres could borrow 50 per cent of its value at 5 per cent, pay this amount down on the other 1,000 acres, and borrow the remaining 50 per cent on this land, thus paying for it entirely with 5 per cent money, whereas those not landowners would have to invest 50 per cent of 8 per cent money, less some reduction incident to cheapening of real estate loans, and that, too, in land much increased in value because of general opportunity to get cheap money on land security. I am certain, Mr. Chairman, that if the whole system did not break down under the demand resulting from a riot of speculation in land, the value at which it would sell would make it more difficult than now for a poor man to get a home. There is no demagoguery in this gentleman. The man I want to help is the fellow trying to get a home.

Mr. TRIBBLE. If the gentleman has not time to make a full explanation at this time, I wish he would extend his remarks and explain it, because I do not understand how a man can invest his money in an institution and draw out 12 per cent on it, and loan that money to the farmer at 4 per cent, to save my life.

Mr. SUMNERS. Let me take another try at it. The 8 per cent interest is not on the loan to the farmer. That money is but a small part of that loaned to the farmer, and in this plan is not considered primarily as loanable capital. It is put up to margin or further secure the loans that are sold for the farmers through the organization. When these loans have been margined by this capital-stock investment, they go into the market and are sold for as low a rate of interest as the market will permit.

Mr. HARDY. Will the gentleman from Texas yield for a suggestion by way of answer to the gentleman from Georgia?

Mr. SUMNERS. I yield.

Mr. HARDY. It seems to me that as we all understand, the stockholders of the national banks to-day received on their investment more dividends than the rate of interest charged by the bank. The bank may charge only 8 per cent interest, and yet every stockholder may receive a dividend of 20 per cent, because the bank loans the money several times over, and that would be the case here.

Mr. HULINGS. Will the gentleman yield?

Mr. SUMNERS. I will.

Mr. HULINGS. Is the gentleman in favor of Government aid? I want to suggest that if the gentleman is opposed to Government aid in a system of farm loans, it means that you go to the money-lending class to get your money, and if you do that, will not you have to pay the money-loaning class the going rate of money?

Mr. SUMNERS. No doubt about that, but it is true that the going rate of interest for securities put upon the markets under the restrictions and safeguards provided by each of the bills introduced should be less than the individual borrower now pays, but not as low as the rate would be with the aid which the Government could safely render. I believe every Member must agree to that. What ought the Government to do? What is the correct viewpoint from which to consider the Government's duty? Certainly we do not approach the consideration of rural-credits legislation as we did the enactment of the Federal reserve act. There we were constructing the financial machinery to facilitate commerce, and so forth. We gave aid then. Now we are considering legislation which reaches to the foundation of the Nation. I believe every student of the philosophy of government will agree that the home—not the rented home, the ties with which can be severed at another's will—is the foundation upon which governments rest. There are but few great outstanding revelations made by history. One of the greatest is that no civilization has decayed or government gone to wreck when its lands were lived upon and cultivated by the people who owned them. Therefore when a nation comes to enact legislation which will help men to get homes for themselves it is legislating not for the individual but for the nation itself.

Mr. JACOWAY. Will the gentleman yield?

Mr. SUMNERS. Yes.

Mr. JACOWAY. We understand that there are three great classes of credits—speculative, consumptive, and productive. Under the gentleman's theory of a bill of this kind, would he loan money on any kind of credit except productive credit?

Mr. SUMNERS. I would not hesitate to lend on vacant land being purchased for occupancy as a home, for while it would not be actually productive, it would be potentially productive. But I would not lend on all productive lands, as I have tried to make clear. Pretty nearly all I have is invested in a farm. I love to dream of the day when I can live there. But I never will, so long as I am in Congress, give my vote to any legislation which would tend to increase land ownership by nonoccupants in this country.

Mr. PLATT. Will the gentleman yield?

Mr. SUMNERS. I will.

Mr. PLATT. Does not the gentleman think that if the Government lends money to farmers at a lower rate of interest than the going rate, that that would increase the value of the land and benefit the landowners?

Mr. SUMNERS. It would incidentaly benefit the landowners, but if you limit the direct benefits of this bill to the man who wants to buy a home to occupy it or who, having purchased, wants to improve it, you will reduce to a minimum the benefit to the landowner.

Mr. PLATT. Mr. Chairman, I would say in answer to that, suppose I owned a thousand acres of land and wanted to sell it. It would be very easy for me to arrange some scheme by which I could sell a lot of that land to my workmen, in a nominal way, at a higher price than I could get in any other way, if they could borrow money at a lower rate of interest than anyone else could borrow it.

Mr. SUMNERS. Mr. Chairman, if the gentleman can help his workmen to get a home and, incidentally, get a little more value for his land, I would have no objection to it, but when this bill is finally written I am going to offer an amendment, if the provision is not already in the bill, which will put in the penitentiary every man who undertakes to steal the benefits of the bill. I am willing that the gentleman should get his incidental benefits, but I want the home builder to get the direct and chief benefits from this legislation, not because I have any prejudice against the landowner, but because my duty to the American Nation demands that this legislation be fashioned so as to give the benefits to the home builder.

Mr. OGLESBY. The gentleman means the speculators that undertake to steal.

Mr. SUMNERS. Yes.

Mr. OGLESBY. And not the home buyer.

Mr. SUMNERS. Oh, he is not stealing. The man who builds a home renders the greatest service to this Nation that anyone can render.

Mr. HULINGS. Mr. Chairman, I would like to ask the gentleman a question. I would like to have him explain to the House, if he can, how you contemplate in all these bills that have been introduced here securing money through organized farm-loan banks in communities that are desperately in need of money? How are you going to make a wig without hair? If those farmers were able to organize banks, they would not be paying 8 and 10 and 12 and 15 per cent interest upon loans in this country as they are in many places to-day.

Mr. SUMNERS. Mr. Chairman, I believe that there is enough local capital in my country, in each community, to organize a bank, but not enough money to purchase the credits which may be offered for sale. Powerful influence may interfere in the markets where these credits will be offered. Ought the Government to render aid, I have been asked? I hope the gentleman who asked the question will pardon me for attempting to establish a proper viewpoint from which to consider the Government's duty before answering the question.

Mr. Chairman, I am speaking deliberately when I say that I believe Government aid will be necessary and that the Federal Government and the States ought to go to the limit of necessity to make this thing a success. The condition of public sentiment now presents a supreme opportunity to the Government. You know that the census of this country shows that the relative number of home owners is being reduced. It shows that the people out in the productive areas are being relatively decreased, and in proportion as the number of home owners in any country is reduced, the foundation upon which government rests is weakened. This is not a theory; it is a clearly demonstrated fact. Yesterday we appropriated over a hundred million dollars for the Army. I declare to you gentlemen, with the support of human experience, that a citizenship of home owners is a greater protection against internal and external dangers than a mighty standing army.

Mr. QUIN. Did the gentleman ever hear of a man going out and fighting from a boarding house or a rented farm?

Mr. SUMNERS. I do not know but that perhaps some of them did; but the man will not fight as he would when he is fighting for his own fireside.

Mr. Chairman, I have been trying to touch the high points in this rural credit system, as I understand it. I have about exhausted my time, but before resuming my seat I want to direct the attention of the Members present to the fact that this demand for rural credits is only one manifestation of the general demand for the improvement of the economic conditions which surround the business of agriculture. No system of personal credits can be developed in America save as it is developed in connection with an improved system of marketing farm products. I can not discuss that now. That is a fact, however. An improved system of marketing farm products is the most urgent need now presented to the American people and a recognition on the part of the people who live in the cities that this is not a problem of the farmer only, is a thing soon to come.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. SUMNERS. I wonder if I have two minutes more.

Mr. LEE of Georgia. Mr. Chairman, I yield the gentleman two minutes.

Mr. SUMNERS. Mr. Chairman, the time has come when the people in the cities must pay the people in the country as much net profit as they could get in any other business. I can not elaborate that now. In addition to the high interest rate you must pay every dollar of the value of the millions and millions of dollars' worth of stuff that rots on the sidetracks, where it has become stranded while engaged in a fruitless search in the dark for a purchaser. You must pay in the price of the stuff you eat for that which is destroyed, and you had better come along and help those of us who represent the boys in the forks of the creek to work out a system that will get to you these things that are produced in the country. Just one other thing. The time is not far distant when you are going to go to the cupboard and find that there is nothing there for breakfast. The fact that the surplus which we brought over from the days of community independence is being eaten ought to arouse the country from one end to the other. Your cattle and hogs are being decreased and everything you have to eat is being decreased, and still the population is moving with tremendous velocity toward the great centers of population. In trying to improve marketing conditions I am not working only for the farmers of my country but for the teeming millions in your cities. These are problems of great magnitude and great difficulty pressing urgently for solution. As I said before, we do not know how to solve them yet, but we have no time to spare. We must marshal this information. You know a little something about it and I know a little something about it. We must get it together; we must forget that we are Democrats and Republicans, forget that we live in a city or in the country, and remember only that we are American citizens and have a great service to perform for this country of ours.

Mr. LEE of Georgia. Mr. Chairman, I yield 30 minutes to the gentleman from Alabama [Mr. HEFLIN].

Mr. ANDERSON. Mr. Chairman, I would like the gentleman to defer that for a moment, in order that I might yield to some one on this side.

Mr. LEE of Georgia. Very well.

Mr. ANDERSON. Mr. Chairman, on behalf of the gentleman from Iowa [Mr. HAUGEN], I yield 10 minutes to the gentleman from North Dakota [Mr. YOUNG].

Mr. YOUNG of North Dakota. Mr. Chairman, I desire to call attention to features of this bill which have always attracted considerable discussion here when the appropriation bills for agriculture have been before the House in the past. On page 22 is an item—

> For the purchase, testing, and distribution of new and rare seeds; for the investigation and improvement of grasses, alfalfa, clover, and other forage crops—
>
> And so forth, aggregating $119,000.
>
> Then, again, on page 23—
>
> For purchase, testing, and congressional distribution of valuable seeds, bulbs, etc., $252,540."

Which is known as the congressional distribution of seeds. The chief trouble with the distribution of garden and flower seeds is that the farmers and others who receive them get something of only nominal value, something which they could buy at the nearest town for a few cents, and there is no question of superior quality involved, nor is there any question of convenience involved in it. I want to call particular attention to the fact that the money spent in the past by the department under appropriation items for the distribution of new and rare seeds has resulted in giving to a number of farmers in each district seeds of special value, seeds which they could not otherwise get, seeds which are not for sale ordinarily in the towns and villages and sometimes not even in the cities. A good illustration of that is the Durham wheat, which the department a number of years ago secured abroad and distributed. It took some little time for that wheat to find its place, but now it brings the highest price of any wheat on the market in the United States. Now, to one who has not given any particular thought to this question and the cost of sending out these small, inexpensive packages to the farmers and those living in towns, he would be surprised that it costs the Nation $252,000 yearly. For a number of years the annual reports of the Secretary of Agriculture contained recommendations that this distribution be dispensed with. I do not find it in the present report of the Secretary of Agriculture, but that may be on account of the fact that he has ceased to have any hope or faith that Congress will ever discontinue the distribution of the flower and garden seeds.

Mr. LA FOLLETTE. Will the gentleman yield?

Mr. YOUNG of North Dakota. With pleasure.

Mr. LA FOLLETTE. Do I understand the gentleman to intimate that the expenditure of $252,000, out of more than one billion dollars that is expended annually by this Government, for seed to be distributed among the people who live in the little

towns and the farmers of the country is money thrown away? Does not the gentleman think that brings the Government a little closer to thousands of people who otherwise would not realize that the Government is doing anything for them? Thousands of school children are furnished seeds by Members of Congress for planting in their trial gardens. The requests of different kinds sent to Members of Congress for seeds show that the $250,000 is not entirely thrown away or wasted. I think it is an education to some of the people and brings them closer to our Government.

Mr. YOUNG of North Dakota. Well, Mr. Chairman, of course it would not be fair to say that the flower and garden seeds which are sent out are without value to those who receive them, but the point I am making is this, That each one who receives a package of seeds gets only what he could buy for a quarter at the nearest town or village. It seems to me the money would be much more wisely expended if we would add what we expend for that purpose now to what we spend for new and rare varieties of seed for the purpose of introducing new things to be grown by the farmer, and thus help to enrich and make agriculture more profitable.

Mr. GREENE of Vermont. Will the gentleman yield?

Mr. YOUNG of North Dakota. I yield.

Mr. GREENE of Vermont. I quite agree with the last proposition of the gentleman. I only wanted to suggest, and this the gentleman might consider in answering the gentleman from Washington, whether it was very likely that the people of this country first woke up to the use and were now being encouraged in the use of seed simply because some politicians here in Washington had brought it to their attention.

Mr. YOUNG of North Dakota. Yes; this may have been true of our intellectual predecessors of the dim past, but it is up to us now to be leaders and not trailers, and every farmer in the country can get at trifling cost as good seed as we send to them. I believe we should try to keep abreast with or catch up with the farmers in our districts, who, if they were here, would insist upon our placing in their hands new and rare varieties of seed so that they can develop their lands and make them more valuable.

Mr. GREENE of Vermont. Absolutely so; and the distribution of these inferior commonplace seeds everybody knows is a waste of money, time, and energy and a misapplication of the purpose of the Government.

Mr. YOUNG of North Dakota. An imbecile proceeding, in my judgment.

Mr. LA FOLLETTE. Will the gentleman yield further?

Mr. YOUNG of North Dakota. Certainly.

Mr. LA FOLLETTE. I do not know how it is in the gentleman's district, but in my district I know that hundreds of people are requesting these seeds, and they write back that the seeds are not inferior but that they are superior in quality. [Applause.]

Mr. YOUNG of North Dakota. I do not criticize the quality of the particular seed sent out; I believe they are as good seeds as can be had in the market; but I do believe that they are ordinary varieties and that the farmers can buy seed of a similar quality at a very small cost and without any inconvenience in their own localities.

Mr. LA FOLLETTE. Will the gentleman allow me to interject another remark in his speech?

Mr. YOUNG of North Dakota. Certainly.

Mr. LA FOLLETTE. I came to Congress prejudiced against these garden-seed distributions. The part of the country I came from is a very rich country and the people there would not give a snap for them and they would not raise enough garden truck to be sufficient for a harvest crew for one meal, but after having been here, from the dryer and newer parts of the country, from the poorer people, I got dozens and hundreds of letters begging for these seeds, and I find out that they think they are valuable to them, and that has induced me to change my ideas in that respect quite a little.

Mr. YOUNG of North Dakota. I assume from the gentleman's statement, in his district the farmers as well as the people in towns who raise a garden and have a flower patch out next to the house are not going to change their custom in that respect, no matter what we do here.

I think we can assume that they are going to continue to have their gardens and their flower plots, and now the question is whether we are going to help them get new and rare field varieties of seeds which will make their farming more profitable. It seems to me, at least, that that is the question to which we should address ourselves.

Mr. PLATT. Will the gentleman yield?

Mr. YOUNG of North Dakota. Certainly.

Mr. PLATT. The gentleman from Washington [Mr. LA FOLLETTE] said something to the effect that the distribution of these seeds brings the United States Government close to the individual; that he feels the Government is doing something for him. Is it the gentleman's experience that the man who receives seeds considers they come from the Government of the United States or that they come from the individual Congressman whose name is on the frank? How does the average recipient of seeds regard that?

Mr. YOUNG of North Dakota. That is a question to which I never gave any particular thought. I do not believe that the receipt of a small package of garden seeds by the average citizen in my district is going to excite him very much. I do not think that there is anything in the receipt of that little package of seeds, costing a few cents, that is going——

The CHAIRMAN (Mr. FIELDS). The time of the gentleman has expired.

Mr. ANDERSON. I yield the gentleman 10 minutes more.

Mr. YOUNG of North Dakota (continuing). That is going to inspire, upon the part of the recipient, a greater devotion to or love for his country. Upon the contrary, the thoughtful citizen is apt to consider it an unnecessary, if not an unwise, expenditure of money.

Mr. LA FOLLETTE. Is not this distribution of seed by Congressmen politically a liability instead of an asset, as often suggested?

Mr. YOUNG of North Dakota. My impression is that it is a liability. There is an increasing number of men in my district who consider the distribution of garden seeds either a waste of public money or a senseless proceeding, viewed from the standpoint of its being a substantial aid to agriculture. I recall that last year the editor of the Jamestown Capital told of his experience with Government garden seeds, and he presented what seemed to me unanswerable arguments against the governmental distribution of such seeds. If I had this editorial here I would quote from it, to show how silly and indefensible the whole proceeding seemed to him. Other editors have also expressed themselves, and I have learned to rely upon the newspapers of my district as reliable sources of information or reflectors of the views of the people upon public questions. So, in further reply to the gentleman [Mr. LA FOLLETTE] I want to quote from another editor, Mr. Miller, of the Minnewaukan Siftings. In a strong editorial he wound up with these words, and gentlemen should weigh his words, for I believe he expresses the views of a surprisingly large percentage of the voters of this country:

> Government seed is to-day just a donation—

Says Mr. Miller. Continuing he says:

> It represents something for nothing, and that is always attractive, even if there is only a quarter's worth of it. That is what it is, and that is how it is regarded. The system is attractive to a few Members of Congress who are able by its use to keep in touch with some of their constituents. The Congressman is not to be blamed for using it in this way. So long as the stuff is bought it might as well be sent out, and every Congressman should see that he gets his share for distribution. The people who receive the seeds are not to blame for doing so. The seeds are paid for with public money, and let every man get his share if he can, and if he has any use for it after he gets it.

And notice this—

> But there is blame attaching to Members of the United States Congress who, knowing perfectly well the utter uselessness of this distribution of a petty gratuity, persist in making appropriations for it year after year, and who make the plea in extenuation that they are doing something for the farmer.

Mr. Chairman, our duty seems clear. So far as I am concerned, I shall vote against the appropriation of any more money to buy garden or flower seeds for free distribution. Instead I shall vote to use the money so appropriated in the past for the purpose of introducing new and rare varieties of field seeds to be procured upon this continent or from across the seas. If those of us who believe that way and vote that way are outvoted, and if money is voted for free garden and flower seeds in spite of our votes, then I propose that the people of my district shall have their share. It is of small value, it is true, but so long as this Congress votes money for anything, even if against my vote, I propose that my district shall have its rightful share.

But, Mr. Chairman, is it not about time to lay rough hands upon this venerable imposter, this miserable farce, and costly humbug?

Mr. HEFLIN. Mr. Chairman, before I discuss cotton, diversified farming, and the necessity for a banking system for the farmers of America, I want to say a word in reply to gentlemen who continue to criticize the Department of Agriculture for its efforts to send valuable farm and vegetable seeds to the farmers of the country. Dr. B. T. Galloway gave great attention to this matter, with the view of selecting the very best seed obtainable, and he succeeded in getting a splendid quality, and the seed

now being sent out by the Department of Agriculture are doing good and they are much appreciated by the people who receive them. [Applause.] And I trust that the time will soon come when these gentlemen will consume the time of this House in making suggestions for the practice of economy along other lines rather than that of trying to take the pitiful amount for seed distribution away from a class of people who bear more than their fair share of the burdens of government. [Applause.]

Mr. LA FOLLETTE. Will the gentleman yield?

Mr. HEFLIN. I will.

Mr. LA FOLLETTE. Does not the gentleman really think that this criticism that is being used for political purposes is largely a mistaken idea; that, instead of being an asset to a Congressman, they are, in fact, a liability in the sending of them out?

Mr. HEFLIN. The gentlemen opposing the anuual distribution of the best variety of seed that can be obtained by the Department of Agriculture are certainly not representing any considerable number of farmers in this country.

Mr. ANDERSON. Will the gentleman yield?

Mr. HEFLIN. I will for a question.

Mr. ANDERSON. The contention, I think, of those who oppose this particular appropriation is not that it does not do any good, but the money might be expended in other directions which would do a great deal more good.

Mr. HEFLIN. I do not agree with them. The small amount that we expend for seed, Mr. Chairman, could not be used to better advantage. [Applause.]

Now, Mr. Chairman, I want to say a few words about the situation in the South. The European war has injured business in every section of our country, but it has injured the cotton industry of the South most of all; but, Mr. Chairman, our people have just been taught in the school of hardships and bitter experience that the one-crop idea is an evil standing between them and genuine prosperity, and they have registered a vow to break the chains that have bound them to the rock of the old system. I want to say to my Western and Northwestern friends that in refusing to lend us aid last October, when the cotton producer in his distress appealed to Congress for relief from conditions created by war, you threw away a golden opportunity. The South had been content to produce cotton with which to buy your mules, your hay, and corn and wheat and oats.

Mr. PAGE of North Carolina. Mr. Chairman——

The CHAIRMAN. Will the gentleman yield to the gentleman from North Carolina?

Mr. HEFLIN. I will.

Mr. PAGE of North Carolina. I want to ask the gentleman if he does not think that while these people who opposed the measure, to which he refers now, in the last session of Congress may have injured, as he says, their own future, that by doing so they have contributed very greatly to the future prosperity of the South?

Mr. HEFLIN. Yes; Mr Chairman, that is the thought that I had in mind. The cotton producer had furnished you a market for all these things, and you had it in your power to join us and prevent the sacrifice of his cotton; but, alas! you refused, and in refusing threw away a golden opportunity. [Applause.] If you had helped us to obtain the relief necessary, we would have gone on producing cotton with which to buy your western produce, but your failure to help us has produced conditions that impel the southern farmer in large measure to curtail the production—reduce his cotton acreage for the purpose of producing the very things that he has so long been buying from you. [Applause.] Why should the farmers of Alabama buy corn from the western farmer when Alabama holds the record for producing more corn on 1 acre of ground than any other State in the Union? And, Mr. Chairman, this record-breaking yield was produced in Tallapoosa County, in my district, by Walker Dunson, a 15-year-old boy. [Applause.] Let me say just here, that the largest sweet potato grown in the United States was produced in Autauga County, in my district, last year. Mr. Chairman, we are just beginning to realize the vast possibilities that are ours in this new field of diversified farming. [Applause.]

Mr. Chairman, this is the dawning of a new day for the South. The agricultural army of the cotton belt is declaring its independence of the one-crop system. That system has demanded a fearful toll at the hands of the farmers of the South. It has stood between them and all the blessings and benefits that come with crop rotation and diversified farming. [Applause.] It has injured every State, every county, and every community in the cotton belt, and, Mr. Chairman, it has injured the cotton farmer most of all. [Applause.] For years our farmers and merchants felt that cotton was the panacea for all the ills that agriculture is heir to. They thought that cotton alone could make the South blossom as the rose, and spread prosperity and happiness amongst our people. But at last we have seen the utter folly of producing cotton with which to buy corn when we can produce that corn cheaply and to advantage. [Applause.] At last it has dawned upon us that it is foolish to produce cotton with which to buy wheat when we can grow that wheat successfully; and, Mr. Chairman, we acknowledge with embarrassment that we have toiled to produce cotton with which to buy oats and peas and hay when we can produce all of them cheaply and in abundance on the southern farm. [Applause.] We have produced, at great expense, cotton with which to buy mutton, pork, and beef when we can produce them all on every cotton plantation in the South. [Applause.] At last, Mr. Chairman, the cotton farmer has realized that when he has labored to increase the production of cotton with which to pay for all his farm necessities that he has placed in the hands of others a club with which to beat down the price of cotton. He has at last realized that if he would make the farm self-sustaining, derive a profit from his labors, and have a voice in fixing the price of cotton he must abandon the one-crop system that has enslaved him, and so fortify himself through diversified farming that he can be the master of his own business and hold or sell his cotton just as he deems best in the premises. [Applause.]

Mr. QUIN. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Alabama yield to the gentleman from Mississippi?

Mr. HEFLIN. Certainly.

Mr. QUIN. Does not the gentleman think that this Government ought to establish some sort of system by which those farmers raising that grain and stuff could market it and get the full value of it?

Mr. HEFLIN. Yes, sir; it ought to render every assistance possible, and the Office of Markets that I helped to establish in the Department of Agriculture will be of vast advantage to our farmers.

Mr. McLAUGHLIN. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Alabama yield to the gentleman from Michigan?

Mr. HEFLIN. I had rather not be interrupted any more. My time is short.

The CHAIRMAN. The gentleman declines to yield.

Mr. HEFLIN. The war in Europe has cost the cotton farmer dearly. It has brought to him a bitter experience, but out of the wreck and the ruin of cotton prices he will come employing his intellect and using his energies in the processes of diversified farming, and who knows but that his costly experience with cotton in the fall of 1914 will be of advantage to him in the years to come. [Applause.] From one end of the South to the other, Mr. Chairman, cotton fields have been planted in oats and wheat, and millions of acres more await the coming of the plowman in the spring for the planting of corn and peas and other forage crops. More farmers are preparing to raise their own meat and corn, their wheat and oats and hay, than ever before in the history of the South. All this foretells the day of deliverance for my people from the one-crop system that has cursed them. [Applause.] With corn in his crib, meat in his smokehouse, wheat in his bin, and fodder and hay in his barn the farmer can hold his cotton and sell at will. The farmer must prepare for the day, and he has it in his power to hasten the coming of that day when he can sell or refuse to sell his cotton, just as he thinks best. Diversified farming in the South will usher in that blessed day. The cotton farmer who would protect himself against the evil darts of the bear speculator must build his fortifications with corn and oats, peas and hay, with meat and wheat and potatoes. And here encamped at the base of these supplies and speaking from this stronghold the Southern farmer can and will dictate cotton prices to the world. [Applause.] Then will the producer use the power derived through diversified farming to give King Cotton his rightful place in the markets of the earth. Instead of being the only product of the Southern farmer he will be one of a multiplicity of products. He will no longer be a burden to the producer, nor will he be longer compelled to undertake the impossible task of doing for the farmer the work that corn and meat and oats and wheat and peas alone can do. [Applause.]

The southern farmer realizes now that his ability to hold his cotton and sell when it suits him must come through diversified farming, and he also realizes that he can get more money for a small crop of cotton than he can for a large crop; and the farmer that produced 20 bales of cotton and sold it for 6 and 7 cents per pound sees now that it will be vastly to his advantage to produce 10 bales at 12 cents per pound and grow corn and oats

and peas on the land that produced the other 10 bales at 6 cents per pound in the year 1914. Of course the war took us by surprise and caught us utterly unprepared for the conditions that it created. Cotton had sold around 13 cents per pound in 1913, and was 13 cents during the planting season in 1914, and the farmer had the right to believe that the price would be good in the fall of 1914; and it would have been but for the war, for cotton was 14 cents per pound on the 30th of July, 1914, the very day the war commenced in Europe. Now, suppose that every farmer, or the great bulk of the farming class, had produced sufficient corn, oats, wheat, peas, hay, potatoes, meat, and sirup to supply his wants for the year 1915. What would have been the situation? Why, the farmer would have said, "The price of cotton does not suit me; it is below the cost of production, and mine is not for sale at this time." If the farmer had been able to do that, cotton never would have gone below 10 cents; and I believe that it would have remained above 12 cents; and why not? Cotton goods to-day warrant the farmer in demanding 12 cents and more. [Applause.] It is true, Mr. Chairman, that the cotton crop of 1914 is larger than the crop of 1913, and it is also true that more American cotton was consumed last year than ever before; more spindles were in operation here and abroad—about 3,000,000—than ever before. We exported last year nearly 9,000,000 bales of cotton, and the American cotton mills consumed nearly 6,000,000 bales. The reports of raw cotton consumed by the spinners does not include that used in the manufacture of woolen goods, felts, batting, mattresses, and other miscellaneous cotton products. So, Mr. Chairman, with the great reduction in cotton production this year, the farmer will be in a position next fall to demand a reasonable price for his cotton, and by producing farm necessities at home he will be in a position to enforce his demand. [Applause.]

Mr. Chairman, I want to suggest to my friends from the South that there is another change necessary in the conduct of the cotton producer's business. He has fallen into the habit of allowing his fertilizer debts to be made due and payable in October and November. Yes; they are payable at a time when the cotton producer should not be pressed from any source to sell his cotton. These papers should not be made payable before the middle of December. From the time the cotton opens until the middle of December the farmer should be absolutely free to do as he thinks best with regard to selling his cotton. He ought not to be tied up with guano notes and mortgages coming due right in the heart of the cotton-selling season, when somebody else can force him to sell whether he wants to sell or not. [Applause.] This system in vogue all over the South forces upon the market hundreds of thousands of bales of cotton at a time when it may not be wise to sell and when the farmer would not sell if he were not compelled to do so to meet obligations coming due at such an unreasonable time. When the farmers are forced by this unwise custom to unload upon the market vast quantities of cotton, regardless of whether the price suits them or not, they are injured, and the bear speculator takes advantage of the coming in of cotton from all over the South at these stated times when the farmer is settling for his fertilizers, and he immediately uses this to depress the price. For instance, he will say that the farmers are selling freely and that a great deal more cotton was sold on October 15 than was sold in two weeks before. They try to induce the public to believe that the farmer is selling of his own accord because he thinks the price is good enough and because he fears that the price will go down, when the truth is the farmers often bring in their cotton at these unreasonable times because the fertilizer net is drawing all through the South at that time and bringing them into the market with their cotton. [Applause.] It may be that the farmer's judgment was against selling; that he wanted to hold his cotton, but alas! he has innocently put into the hands of bear gamblers the very power that they needed to beat down the price. Between August 15 and December 15 is the time of all times when the cotton producer should be his own master, free to use his own judgment as to whether or not he should sell. [Applause.] If he were free to do as he saw fit with his cotton from August 15 to December 15, and he should sell when the price suited him, cotton would be on a stable basis by that time and the farmer would have some say in the matter of fixing the price, and the law of supply and demand would govern.

Mr. Chairman, I want to mention another thing at this time. I know some other people who refused the opportunity to help themselves by helping us. The cotton spinners of America could have purchased their cotton supply at 10 cents per pound, and then have helped to put the price up to 12 cents, so that the foreign spinner would have to pay that price for his supply, the remainder of the crop. At 10 cents the spinners here would be getting their supply nearly 4 cents per pound cheaper than they paid the year before, and then by helping to put the price up they would gain the advantage in the matter of competition with the foreign spinner in the markets of the world and at the same time have helped the cotton producer.

Mr. Chairman, the farmers of America produced last year nearly $7,000,000,000 worth of agricultural products, and if cotton had brought its fair value, you could add a half billion dollars' worth more to that amount. Seven billion dollars' worth of agricultural products and thirty-odd millions of people engaged in the farming industry, and yet the sad fact confronts us that they have no credit system and no banking establishment suited to their particular needs. [Applause.] The commercial banking system does not supply their wants; it does not meet the requirements of the agricultural classes. The short-time loans and the high interest rates of the commercial banking system have been millstones about the necks of the farming class of our people. [Applause.] When we consider the difficulties and disadvantages under which farmers have struggled in their efforts to buy farms and build homes, the wonder is that they have succeeded as well as they have. Instead of getting money on land at a low rate of interest for a long period of time, the farmer has been unable to borrow at all on real estate at national banks, and in the absence of a farm-credit system he has been without banking accommodations, and the indirect aid that he has received through the commercial banking system has not been at all satisfactory. He has not been able to obtain loans at a reasonable rate of interest and he has been unable to get sufficient time in which to complete his undertakings. Through commissions and fees he has been compelled to pay interest rates ranging from 12 to 30 per cent and sometimes more. The short-time loan and the tremendous interest rate of the commercial banking system have stood between the farmers of America and homes and farms paid for and in their names. [Applause.] Thousands of the best farms in this country are those bargained for by industrious, ambitious men who longed to have homes and farms of their own, but they were overtaken by some misfortune, drought, or maybe sickness in the family, and were unable to comply with the short-time contract with its burdensome interest rates, and unable to get banking accommodations or an extension of time, they were driven to the wall and forced to give up the land with all its improvements and move away. There are thousands and tens of thousands of instances of this kind. [Applause.]

Mr. Chairman, there are many men in this country who have made their fortunes by selling land to farmers on credit for a short time, charging high interest rates, receiving a payment or two, and taking the land back and selling it over and over again. I rejoice that the President has included in his legislative program the proposition to establish by Congress a rural-credit system in this country. [Applause.] The man with land ten times the value of some man's commercial paper has been unable to borrow money through the commercial banking system, while the man with commercial rating has been able to borrow from the same banking system, on commercial paper, based on transactions with the farmer. So here is a banking system, Mr. Speaker, that accommodates the man with commercial paper, but denies aid to the man whose products make that commercial paper valuable. [Applause.] The short-time loan and high interest rate and the demand for commercial paper by the commercial banking system are not helpful, but distinctly hurtful to the business of the farmer. The agricultural business of this country is too big and too important to allow it to be hindered and handicapped by a banking system that does not supply its wants and meet its requirements. Every section of the country feels the need of a banking system suited to the business of the farmer. All agree that a rural-credit system with low interest rates and long-time loans is necessary, and the farmers of the South feel just as keenly, if not more so, the need of such a system. [Applause.] The farmers of the South, with farm products, land, and other property worth billions of dollars, were unable to borrow money with which to keep their cotton away from a market demoralized by war. I know of instances where the farmer offered to this commercial banking system mortgages on property many times the value of the amount desired, but he did not get the accommodation that he wished and was forced to sacrifice his cotton. This Government owes it to the farming class of our people to provide a banking system suited to the business of the agricultural industry. France and Germany have provided such a system, and land bonds in Germany bring a higher price than the bonds of the German Government. Such

a system as I have suggested will be the means of greatly increasing the number of home-building and home-owning people in America. [Applause.]

Mr. Chairman, I see that my time has expired. I will have more to say on this subject at a later date. In conclusion I want to assure you that I stand ready to vote at the earliest day possible for a farm-credit system in keeping with the dignity and the business of the farmers of our country. [Loud applause.]

Mr. LEVER. Mr. Chairman, how much time have we remaining on this side?

The CHAIRMAN. The gentleman has used 2 hours and 15 minutes.

Mr. LEVER. How much has the other side used?

The CHAIRMAN. The other side has used 1 hour and 40 minutes.

Mr. McLAUGHLIN. Mr. Chairman, I yield five minutes to the gentleman from Pennsylvania [Mr. HULINGS].

Mr. HULINGS. Mr. Chairman, I have been very much interested in this subject of rural credits. I have had some knowledge of the efforts that have been made in the committees of the House and Senate upon that topic, but I honestly believe that they are proceeding on wrong lines.

We have been told by the President of the United States that the new currency system provides in quite a considerable way for the needs of the farmer; and yet it must be apparent to everybody who knows anything about commercial banking that the farmer, who usually requires, as the gentleman from Alabama [Mr. HEFLIN] says, long-time loans, will be the last man to be accommodated at the commercial banks. He never can expect to get his loan there as long as the commercial borrower is ready to take short-time loans. So there is no substantial relief in that direction for the farmer.

The bills that have been introduced into the House, proceeding upon the line that the farmers will get together, that they will furnish the capital to organize banks, that the local banks will furnish the capital to organize district banks, that the district banks will issue a system of debentures based upon the mortgages of the farmers, that these debentures can be taken into the open market and sold, so that the farmer may procure his loan, will require a vast machinery of organization, a big salary list, based primarily on the cash to be furnished by the farmer.

Now, that bond must find its purchaser among the money-lending class. That bond never can be sold to anybody who can employ his money at higher interest in any other investment, and for that reason I am satisfied that the system is bound to fail. It may help the farmer who is able to pay for stock in the bank, but the farmer who has no money to buy bank stock, who most needs help, will not be helped at all.

Well, you say, what will you do? I say that because agriculture is at the basis of all human activity the public welfare is involved in its prosperity, challenging the attention and invoking the aid of the Government. It becomes not a question of aiding a class, but of promoting the public welfare. If you can organize a system by which the Government will lend its credit upon proper conditions to persons engaged in farming, so that the farming interests may be able to secure long-time loans at reasonable interest, encouraging the building of farm homes, and relieving agriculture from the enormous burden of interest charges that it is now staggering under, you will promote the public welfare in the highest degree.

Well, you say, why not aid the butcher and the baker and candlestick maker, and let the Government provide loans for everybody at 4 per cent? That seems to be quite a cogent plea. The farmer as a farmer has no more right to Government aid than the butcher, but aid to agriculture, an industry in the prosperity of which every other industry is deeply concerned, is altogether another matter. If we look at the banking business, we will find that because a sound banking business is of the greatest importance to the general welfare of itself the Government has extended and is extending its credit and powerful aid. We find that the Government has been extending aid in an enormous amount for the last 50 years to the money-lending class—the banking class—and there is not much said about that, because not the banker as an individual but the banking business, by reason of these aids, promotes the general welfare.

The CHAIRMAN. The time of the gentleman has expired.

Mr. McLAUGHLIN. I will yield the gentleman five minutes more.

Mr. HULINGS. I appreciate the gentleman's courtesy. Half a dozen persons who have Government bonds conclude that they will start a bank. They deposit those bonds in the Federal Treasury and collect their interest on those bonds right along, but the Government issues to them the face value of those bonds in national currency. They take that currency and go back and start their bank and lend it out for what they can get. It is not suggested that the banks pay anything for that accommodation. The national-bank system has been organized and promoted and established to the special interest and advantage of the money-lending class. It is not suggested that they pay anything for that accommodation.

Why, then, should not the 12,000,000 farmers employed in our greatest industry, that certainly is of equal importance to the banking industry in its contribution to the general welfare—why should not an association of farmers, by putting up adequate security, secure loans or the aid of Government credit upon the payment of 3 per cent or perhaps 3½ per cent interest for the use of the loan or aid? There is no question at all in my mind, Mr. Chairman, that a system can be organized somewhat on the lines of the building and loan associations, that have been thoroughly worked out and are so greatly beneficial to the country, but turned tother end to, so to speak, because building and loan borrowers put their little dribs in every month and at the end of 140 or 150 months, something like that, they take down the whole capital invested. The farmer is not in the situation to make his contributions from month to month, but the proposition is to furnish him the loan at the start, upon putting up proper security, and allowing him to pay off this debt in dribs from year to year during the period of 15, 20, or 25 years by a system of amortized payments. I believe that system can be established in this country very quickly. I do not believe the system that is suggested in the bills that have been introduced will do that. I believe any of the proposed bills, if enacted, will develop in this country a great political machine, the employment of an army of clerks, the expenditure of vast quantities of money in order to install and conduct the system, which is entirely unnecessary if this other simpler and more effective and less expensive system is adopted.

One of the bills would attach the whole system of farm credits to the Federal banking system. It would be attached and practically put the enormous volume of farm loans under the banks' control, just as the commercial or business credits of the country are given into the control of the banks by the Federal reserve act, but with this difference—Government aid is withheld from the farmers. Oh, no; that would be aiding a class, while it is provided by law that the banks can take the notes of Tom, Dick, or Harry and have them rediscounted and secure Government currency.

The Federal reserve act placed the commercial business of the country absolutely in the control of the money lenders. Let us not go further and throw farm loans into the same control.

Your bills all would employ a vast, expensive, unnecessary machinery, salaries, and so forth, and the farmer would foot the bills.

Give the farmers the same chance you give the bankers. Require of them fully adequate security, then lend them the aid of the Government. Let them pay for this aid. Do not give it to them for nothing, as you have given it to the banker.

It is worth while on the score of the public welfare to relieve agriculture from the 7⅞ per cent interest charge which the average farmer in the United States is paying.

I have little faith in any of your systems that deny Government aid. If the whole country is interested in prosperous agricultural conditions, and no intelligent person will deny it, then the aid of organized society—that is, the aid of the Government—is justifiable.

The real question is whether Government aid will be extended; all other projects will fail in the working. You can not make a wig without hair.

Mr. McLAUGHLIN. Mr. Chairman, I was much interested in the speech made by the gentleman from Alabama [Mr. HEFLIN], in which he told us of the awakening in the South; that the people there have come to appreciate their advantages, and are improving them, engaging in general agriculture instead of confining themselves to the production of one crop, as in the past—the cotton crop. He attributes that condition and that awakening to the fact that this Congress refused to grant to the South the relief asked during the stringency or trouble about their cotton market growing out of the war in Europe. He is losing sight of the fact, Mr. Chairman, that this Congress has done a great deal in the last few years to bring about that very result in the South, namely, the development of general agriculture. Every bill that has been prepared by the Committee on Agriculture and passed by this Congress since I entered the House has carried immense appropriations for the purpose of assisting the people of the South along these very lines, and the bill we are now about to consider carries upward of $2,000,000 exclusively for that purpose and for that section of the country. There is an appropriation of $230,000 for farm management, of

which the States of the South will get their share. There is an appropriation of $398,000 for the purpose of eradicating the cattle tick, which is peculiar to the South—an encouragement to them to engage and to progress in the cattle-raising industry. There is an appropriation of $50,000 to be used by the Bureau of Animal Industry to assist and encourage the raising of live stock in the areas free of the cattle tick, an appropriation particularly for the States of the South. There is an appropriation of $60,000 to assist and encourage the development of new lines of agriculture in the sugar-cane sections of Louisiana to take the place of or because of the destruction of the sugar-producing industry in that part of the country. There is an appropriation—or it is suggested in the bill—of $10,000 to assist the State of Georgia, put in at the request of the distinguished gentleman representing one of the districts of that State, Mr. PARK, to help the people or encourage them in the better use of the sugar cane. There is an appropriation suggested in the bill of $666,000 to carry out and devise means of meeting the ravages of the boll weevil; and a similar appropriation, not quite so large as in this present bill, has been carried in every bill for years. Under the guise of combating the ravages of the boll weevil $500,000 or $600,000—this year, $666,000—have been used and are appropriated for the encouragement of general agriculture in the South. There is an appropriation of $59,000 to study the diseases of crops grown in the South; another appropriation of $15,000; but I shall not undertake to give the exact amounts of other appropriations, because the fact that they are in the bill has occurred to me only since I made this memorandum, and I may not be exact as to the amounts, but I venture to say that altogether this bill carries not much, if any, less than $2,000,000 for the purpose of assisting and encouraging the growing of crops peculiar to the South and for the development and encouragement of general agriculture in that section of the country. It has been the policy of Congress for years to make those appropriations and to suggest to the South the desirability of engaging in those lines, and to offer this material assistance that they might engage in those lines.

The gentleman from Alabama [Mr. HEFLIN] says that the South has suddenly received help, suddenly seen the light, and suddenly been awakened to the necessity of general agriculture on account of the injustice which it recently suffered at the hands of Congress. What did the South ask?

Mr. POWERS. Mr. Chairman, will the gentleman yield?

Mr. McLAUGHLIN. Yes.

Mr. POWERS. Is it not a fact that these appropriations have been going on for years to assist the South?

Mr. McLAUGHLIN. I said that, or intended to, that amounts similar to these have been carried in every bill that I know anything about, at least during the last eight years.

What did the South ask? Mr. Chairman, I had occasion during the closing days of the last session to call the attention of the House to some of the measures that were being urged by gentlemen from the South for the relief of the cotton situation. I summarized those bills and stated to the Congress that the aggregate money asked by them was not much, if any, short of $2,000,000,000, to be issued by the Government of the United States, or under its auspices, or along the lines which Congress had provided, to be placed in the banks of the South, and the loaning of that money was to be made compulsory on the banks in which it was placed, to be loaned to the cotton growers of the South, or practically for the purchase of cotton—not at 5 or 6 cents a pound, the market price of cotton at that time, but at 10 or 12 cents a pound; and those bills contained the express provision that the cotton thus purchased by the Government—the title acquired under the guise of a loan to the cotton owners—should be held by the Federal Government "until spot middling cotton should sell on the open market at Savannah, Ga., at 15 cents a pound." This Congress was asked to enact laws of the most outrageous and ridiculous character, ostensibly for the protection and the relief of the cotton situation in the South. That is what Congress refused to do. It was right in refusing it. If that action has contributed in any measure to the splendid situation that the gentleman from Alabama points out; if the South has awakened to the necessity of general agriculture and in the near future is going to supply the needs of the entire country and put the farmers of the North and West out of business, there will be no just cause of complaint. The South is evidently striving for some measure of advantage to which it is entitled. Its people are to engage in lines of business in which they should have engaged years ago. Their climate and soil are suitable and invite industry to these lines. They have been blind to their opportunities in the past. I congratulate them that their eyes are opened and that they are to take advantage of their opportunities now. [Applause.]

The CHAIRMAN. The gentleman has used up five minutes.

Mr. LEVER. Mr. Chairman, I yield 15 minutes to the gentleman from Arkansas [Mr. CARAWAY]. [Applause.]

Mr. CARAWAY. Mr. Chairman and gentlemen of the committee, I do not purpose to address myself to the bill under discussion, but, as others have done, I shall discuss a related subject, that of rural credits. I have recently introduced a bill for the relief of farmers, H. R. 20841. I shall briefly review it.

Not only does our national prosperity but our industrial existence rest upon our farmers. Legislators who fail to grasp this fact do not appreciate conditions as they exist. Ever since government began laws have been enacted to promote the prosperity of people engaged in the professions, manufacture, or trade, but for the farmer, nothing. The belief seems to have existed in all ages, as it seems to exist now, that if other classes are made to prosper the farmers are able to care for themselves. We are now engaged in trying to find a solution of the so-called "high cost of living" and to solve the problem of the "unemployed." Both these questions are of comparatively little importance as compared with the enactment of laws that will enable the farmers of this land to ply their calling, unhindered by hostile laws and unhampered by unjust conditions. When he shall have been unfettered, his industrial bondage ended, the other questions of the cost of living and the opportunity to work will have solved themselves. Legislators are beginning to realize this, and therefore recognize that the greatest question before the Congress to-day is the question of a solution of farmers' credit.

In the short time allotted to me to-day I wish to discuss a bill, H. R. 20841, introduced by me on the 12th day of January, 1915. In my judgment, its provisions will solve this problem. It will enable the performance of all the functions that can be rightfully performed by government in this case, which is to bring together the parties who have money to loan at a low rate of interest and on long time and those who wish to borrow money under those conditions and have ample security therefor. The bill seeks to put in touch the farmers of all sections of this country with those in any section of it who have money to loan under these conditions, and its service to the farmer is the same in every State and Territory under our flag. It does this without disturbing the commercial or banking conditions in any community. It will neither affect the interest rate nor the deposit of money that have heretofore been used in industrial or commercial enterprises; and, above and beyond that, it extends the advantages of the provisions only to those who are actually engaged in producing agricultural products, and under no conditions lends itself to the speculator or absentee landlord, because no one can borrow money under its provisions unless he actually resides upon his land and is engaged in the work of agriculture. It will also make improbable the accumulation—I say improbable—of large landed estates, because the amount of the loan to be made under its provisions will not in any case exceed the sum of $5,000; but inasmuch as money under these provisions may be borrowed at a very low rate of interest up to that amount, it will render it unprofitable for one not a farmer who has money invested in lands on which he owes, or for which he can find an investment in other channels for its money value at a reasonable commercial rate of interest, to either acquire or hold the lands.

That is, since a farmer under the definition of this bill and under its provisions could borrow money with which to purchase lands at not exceeding 3½ or 4 per cent it will make it unprofitable for those who are compelled to pay a commercial rate to buy lands for speculative purposes or, owning lands, to retain them as against the price one could afford to pay who is in a position to take advantage of the provisions of this bill, because under its provision, as I said, a farmer will be enabled to borrow money at not exceeding 3½ or 4 per cent, and therefore economic laws will force the lands out of the hands of those who hold them for investment or speculative purposes and into the hands of those who reside upon them and cultivate the soil. It will make owners of land out of the great army of men who are now the tillers of rented farms.

To procure a loan under the provisions of this bill all the machinery for its operation is local. The farmer desiring a loan would apply to his postmaster, who would appoint two committees of people residing in his community, and these committees would appraise the lands at their fair value, and the improvements would also be appraised at their fair value, but separately. These appraisements would be turned in to the postmaster, and the postmaster and the chairmen of the two committees would revise the appraisement and forward to the commission at Washington, and from that appraisement the amount to which the applicant is entitled would be determined. The title to the lands would be determined by an abstract furnished by the applicant and examined without cost by an agent

of the Government. If the Torrens system of registration of land title prevailed, the certificate of the State is made, under this bill, sufficient evidence of title. Inasmuch as that system is so much cheaper and safer than abstracts and title guarantees, this bill would hasten the day when all States would adopt that system of land registration. The loans are to be guaranteed by the Government, though the Government would put no actual capital in the system. It guarantees the repayment of these loans as it guarantees the circulating medium of the national banks and Federal reserve notes. It does under this for the farmer only what it has done for the merchant, doctor, banker, lawyer, and manufacturer in the banking laws as they are now written. An applicant for a loan under the provisions of the bill does not name the rate of interest, but his securities are placed on the market and sold at par to the one who is willing to accept them at the lowest rate of interest, thereby putting the farmer in touch with trust funds and savings-bank accounts and all moneys that are seeking an absolutely safe long-time loan and would procure for the farmer as low rate of interest as the bonds of our Government command in any market of the world. Not only will it attract domestic capital, but foreign capital willing to invest in our Government bonds would be willing and anxious to invest in these securities and at the same rate of interest. In addition to the interest that the farmer will be compelled to pay, he will pay some per cent to be determined by the commissioners as an amortization fund, which fund will be a trust fund held in the Treasury, to be deposited in banks or loaned, as the commission may prescribe. The holders of the securities may cash their interest coupons at interest-paying dates at any post office or national bank in any State or Territory of these United States.

These funds are exempt from taxation in exactly the same way and for the same reason that the Federal reserve act exempts from taxation the resources of the regional and member banks. The security upon which the loan rests will have been taxed in the community where it is situated, and to tax the loan would be double taxation, and therefore increase the rate of interest the farmer would be compelled to pay.

The bill provides, further, that the loans shall be issued in series of 5, 10, 15, 20, 25, or 30 years, at the option of the borrower, but where a loan is for a period greater than five years the borrower has the right at any interest-paying period to pay the entire indebtedness or $100 or any multiple thereof, and on the sums so paid all interest payments will cease. The reason for making the amortization fund a common fund instead of an individual fund is to enable the Government, through the commissioners, to meet promptly any interest that may be due from any individual borrower or to pay any loan that may become due upon the date of its maturity. In the event default has been made the Government may seize the lands and to recover from the sale of the lands the money that the borrower has failed to pay at maturity.

Mr. JACOWAY. Will the gentleman yield there?

Mr. CARAWAY. Yes.

Mr. JACOWAY. In the event that contingency arose under the provisions of your bill, would it in any way handicap or hinder the man who held the coupon from going to the bank and getting the money on it?

Mr. CARAWAY. That is what I was trying to say. It would not. The plan provides the amortization fund shall be a common fund out of which any indebtedness owing by anyone of these borrowers may be paid. A creditor having an interest coupon, and the borrower failing to pay it, files his coupon with a national bank or first master and it is paid out of this common fund. The agent of the Government then seizes the land and has the equity of the borrower sold to reimburse this fund.

Mr. JACOWAY. Then all the burden of the foreclosure would fall upon the organization and not upon the man?

Mr. CARAWAY. It would be charged to the expense of administration and would not fall upon the individual who made the loan.

Mr. THOMPSON of Oklahoma. How is the land seized? Arbitrarily or through court proceedings?

Mr. CARAWAY. Through court proceedings in the Federal court. It is seized in this way: All district attorneys are made to perform without additional pay the services in connection with the seizing and condemning and selling of lands. Complaints would be filed in court and decree entered as in other foreclosure proceedings. The provision is that the lands shall not be sold in the sense that the indebtedness existing upon them shall be paid. The court orders sold the equity of the borrower. Some one buys it and steps in and pays the amount of his default and assumes the obligation and continues the system.

Mr. CRISP. Will the gentleman yield?

Mr. CARAWAY. Yes.

Mr. CRISP. If the land when sold brings more than the indebtedness, the overplus is returned to the owner of the land?

Mr. CARAWAY. To the holder of the equity.

Mr. JACOWAY. And all the overhead charges—the charges that carry all this out—fall upon the Federal officials?

Mr. CARAWAY. Upon the system itself. The Federal officials, however, act without charge, and the foreclosure is without cost.

Mr. McKENZIE. Will the gentleman yield?

Mr. CARAWAY. Yes.

Mr. McKENZIE. In case of foreclosure, which I take it is the plan you have, foreclosure would be carried on under the law of the State wherein the loan might be made. Would the right of redemption remain the same?

Mr. CARAWAY. The right of redemption is fixed in the bill at one year.

Mr. McKENZIE. One year?

Mr. CARAWAY. Yes, sir. I do not think it would be fair to deny the right of redemption to anyone who has been so unfortunate as to be unable to meet an interest payment.

Mr. McKENZIE. Would the exemptions provided for under the laws of the different States remain intact, or would you try to make this law superior to the laws of the respective States?

Mr. CARAWAY. I do not understand that in any State a man has any exemption right against a mortgage. The bill provides, if you will pardon me, that the indebtedness shall be secured by a mortgage executed by the borrower, and the party named therein as the payee shall be the agent and trustee of the Government, and the title will vest in him for the benefit of this common fund, this amortization fund.

Mr. SELDOMRIDGE. Will the gentleman yield?

Mr. CARAWAY. I will.

Mr. SELDOMRIDGE. I understand the gentleman to say that the Government, the holder of the security, would step in and foreclose on the property at the default of one interest payment?

Mr. CARAWAY. Yes, sir.

Mr. SELDOMRIDGE. Would you dispossess the owner of the property for failure to make payment of one interest?

Mr. CARAWAY. If he does not pay, the Government can seize his property through a court proceeding. He has the right to pay during the pendency of the suit, and for one year after the property is sold to redeem.

Mr. SELDOMRIDGE. Does not the gentleman think that that penalty is severe on one who has defaulted in the payment of a small interest?

Mr. CARAWAY. That is possibly true; but it is necessary to preserve this amortization fund in which every borrower has an interest, and we must repay it by some process if a borrower makes default.

Mr. McKENZIE. In case of sale by the Government where the land did not bring the amount loaned upon it, would the Government be a loser in that fund? How would you provide for that?

Mr. CARAWAY. The mutual fund created by the amortization of all the borrowers would be the loser. I can not concede, however, the possibility of the lands failing to sell for a sufficient sum to reimburse this fund for any payment which the commission may have been compelled to make out of it.

This plan, inasmuch as the security at all times will be ample, will enable the commissioners safely to pay the interest or the loan itself out of this common fund and as promptly as the interest is paid upon Government bonds. The Government guarantees all payments and pays all interest and principal out of the common fund, and therefore the creditor can have no interest in where the security upon which the loan is based may be situated. This will render the rate of interest the same in all sections and afford the farmer an equal opportunity to borrow in any State or Territory.

The bill provides further that if one holding lands shall transfer the title to some one who is not a bona fide farmer, all loans upon said lands are to become due and payable, or if one acquires lands upon which the loan is in excess of $5,000, the excess shall become due and payable. These provisions are in the bill for the purpose of making it impossible for a speculator to acquire large holdings of lands upon which these loans have been placed or to speculate in lands enjoying the low rate of interest procurable under the provisions of this bill.

When this bill shall have been enacted into law, and it will be, I hope, one carrying its main provisions, our farmers will have been freed from their bondage to banks, and the banks will have lifted from their shoulders the burden of caring for the farmers' credits, and each will have been set free to pursue unhampered the legitimate avenues of his individual and proper

function. But not until then will it be possible for the great number of tenant farmers to become the owners of the lands they till and the American farmer once again come into his own—the proud owner of the lands his hands shall cultivate, the possessor of the wealth his industry shall create.

I ask unanimous consent, Mr. Chairman, to have printed the bill I have introduced as a part of my remarks.

The CHAIRMAN. The gentleman from Arkansas [Mr. CARAWAY] asks unanimous consent to extend his remarks in the RECORD by including a copy of the bill to which he has been referring. Is there objection?

There was no objection.

Mr. LEVER. Mr. Chairman, I yield to the gentleman from Virginia [Mr. SAUNDERS].

The CHAIRMAN. The gentleman from Virginia [Mr. SAUNDERS] is recognized.

Mr. SAUNDERS. Mr. Chairman, I ask to have the privilege of extending my remarks in the RECORD in relation to the shipping bill.

The CHAIRMAN. The gentleman from Virginia asks unanimous consent to extend his remarks in the RECORD in relation to the shipping bill. Is there objection?

There was no objection.

Mr. HAUGEN. Mr. Chairman, I yield five minutes to the gentleman from New York [Mr. PLATT.]

The CHAIRMAN. The gentleman from New York [Mr. PLATT] is recognized for five minutes.

Mr. PLATT. Mr. Chairman, I have listened to a great deal of the discussion on rural credits with considerable interest, and, at the same time, it seems to me that the agitation in regard to this subject throughout the country has been, to say the least of it, somewhat unfortunate. In some sections of the country the farmers have been practically told that miracles can be worked by a system of rural credits, that they will be released from bondage, and various other things of that sort, and that the earnings of a living, and even of large profits, will become a very simple and easy matter just as soon as a rural-credit system is established.

Of course all that is nonsense, and it seems to me that the party in power should have learned a little something from its experience with the Federal reserve act. We were told by the leader of the majority on the night the conference report was adopted on the Federal reserve act that the moment the bill was signed the wheels of industry would begin to hum, when there was not a line in that act calculated to start up the wheels of industry. And the President of the United States, when he signed the bill, said something very much of the same character, calling it a "charter of freedom," or something of that kind. There is a good deal in the act that would prevent a panic, but there is not anything in the act that would create a demand for goods, and that is what starts the wheels of industry.

Now, something can be done with a good system of rural credits. Something has been done with such systems in Europe. Nevertheless the farmers there have to work hard, and the farmers will have to work hard under any system of rural credits here. The only thing that can be done, in my opinion, is to make a farm mortgage a liquid asset, which will sell alongside of other high-grade securities, and can be put up at the banks as collateral for loans.

Let me read a few lines from the financial page of the New York Sun of this morning on "Money and exchange." I read:

MONEY AND EXCHANGE.

Commercial paper conditions were unaltered. Rates were 3½ and 4 per cent for 60 to 90 day bills, and for 4 to 6 months—best names; 4½ and 5 per cent for others.

Time money was unchanged. Rates were 2½ and 3 per cent for 60 and 90 days and 4 months; 3½ and 3½ per cent for longer maturities.

Call money on the floor of the stock exchange yesterday ruled at 2 per cent—high, 2 per cent; low, 1½ per cent.

Now, one thing that it was confidentially announced the Federal reserve act was going to do was to prevent Wall Street from having cheap money; and yet here, we see, with the Federal reserve bank in existence for two or three months that Wall Street still has altogether the cheapest money in the country. It has particularly cheap call money, and will continue to have it in ordinary times. "Time-money rates," which are also based on stock-exchange securities, you will notice, are a little lower than commercial-paper rates. The Federal reserve act has not yet made commercial rates lower than collateral rates, and it will not, in my opinion. But a rural-credit system could make farm mortgages as liquid as bonds and stocks, so that they could be easily borrowed on, and could pass from hand to hand. And that is all that it is necessary to do.

It seems to me that is what the Moss bill does. It will not perform miracles. It will not create at once a great system all over the country. It will have to grow naturally and be organized where people have got some capital to start it with. But if we should pass the Moss bill these institutions will be started and will extend to other localities.

I am a member of the Committee on Banking and Currency and of the rural-credits subcommittee, and I have given considerable study to the subject. I did a great deal of work in connection with preparing the Bulkley bill, but I think it is entirely wrong in its Government-aid features. I do not think Government aid is either wise or necessary. I think if we should pass a bill with Government aid in it it would simply have the result of raising the value of lands, so that the home-seeker, that we talk so much about here, if he got the money to buy, paying a lower rate of interest on it through Government aid, would have to make it up by paying a higher price. I think if we should enact a rural-credit bill of the right kind it would simply give farmers a better chance—the chance that many of the merchants now have—to borrow money on a little better terms than they have been borrowing on heretofore.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. MANN. Mr. Chairman, will the gentleman yield for a question?

Mr. HAUGEN. Mr. Chairman, I yield to the gentleman two more minutes.

The CHAIRMAN. The gentleman from New York is recognized for two minutes more.

Mr. HAUGEN. I yield to him five minutes.

The CHAIRMAN. The gentleman from New York is recognized for five minutes.

Mr. MANN. There are, of course, lots of people in the country who have some capital who are willing to invest it in anything in the way of good security that pays 5 per cent and more who would be willing to invest it in good securities that would pay 5½ and 6 per cent interest.

Mr. PLATT. Undoubtedly.

Mr. MANN. Is there any way by which farm mortgages can be made so secure in the knowledge of the people who have money to invest that they will be willing to buy farm mortgages very generally in place of railroad bonds or municipal bonds at a reasonably low rate of interest? Of course I know that is done very largely now through private individuals——

Mr. PLATT. And guaranty associations——

Mr. MANN. Yes; and guaranty associations. But lots of people are not willing to trust the guaranty of a guaranty association, which guarantees an immense quantity of paper and which does not have very large capital. In other words, is there any way by which the Government can aid in practically insuring the security of a farm mortgage for some slight compensation, which will probably more than equal the losses?

Mr. PLATT. I am not sure whether there is any way by which the Government could guarantee the individual mortgage.

Mr. MANN. I do not ask the question as to whether the Government itself shall guarantee it, though that is to be considered; but is there any way by which, through legislation, we can provide that there shall be some form of guaranty which will insure the payment?

Mr. PLATT. The Government could establish an institution which would take farm mortgages, and have its own capital back of them, as well as the security of the farms, and issue bonds on the security of those mortgages and its own capital; and those bonds, I believe, would sell just as readily and at just as low interest rates as railroad bonds and other securities of that kind. They do in other countries, and there seems to be no reason why it should not be done here. It depends largely on the matter of appraisement. If an institution like a farm-mortgage bank of some kind is carefully managed and has its appraisement committees go to the farms and see that not too much is being loaned on them, the land ought to be the best security there is. If the loans are carefully made, it ought to be possible to make bonds secured in that way absolutely liquid and just as marketable as any other securities.

Mr. MANN. I should suppose that for a difference of one-half of 1 per cent, possibly less on the average, they could pay the cost of handling and also lay by an insurance fund, which would secure the payment of the mortgages, unless there was a case of universal bankruptcy; but I do not profess to know.

Mr. PLATT. I think that is a rather lower rates than has usually been paid for handling and guaranteeing and insuring.

Mr. MANN. I mean a difference of one-half of 1 per cent a year in the interest rate. Of course that would amount to 2½ per cent on a five-year loan and more on longer loans. I should

think there would be a great many people who would be willing to buy farm mortgages on a basis of 5 per cent, where they draw 5½ per cent, if they could feel secure of the repayment of the principal in the end.

Mr. PLATT. I believe that is entirely true, but the bonds have the added advantage of being in uniform lots of $100 and $500 and $1,000.

Mr. MANN. I know, but they do not have any special security, and many people who would be willing to take a farm mortgage, secured upon a particular piece of ground, where they own the mortgage, might not be willing to take the bond of some company which may blow up, as 'most of them have blown up.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HAUGEN. I yield to the gentleman five minutes more.

Mr. PLATT. There might be a feeling on the part of a good many investors that they would like to know that there was a certain piece of ground back of their mortgage. If I am not very much mistaken, in Italy the savings banks actually do issue mortgages or mortgage bonds in uniform amounts of $100 or $500 or $1,000, each secured by a certain piece of property, and they guarantee those mortgages and put them on the market, and they sell at very low rates. It seems to me that is not an impossibility here, but at the same time I doubt whether it is the best way to handle a rural credit system. It seems to me a bank supervised by the Government can take farm mortgages and have its own capital back of them and issue bonds on them in such a way as to make the bonds entirely salable, and to give the farmers a lower rate of interest than they are getting at present. In general that is the plan of the Moss bill, and I do not see any reason why such institutions should not be organized all over the country.

I yield back the remainder of my time.

The CHAIRMAN. The gentleman yields back three minutes.

Mr. LEVER. I yield five minutes to the gentleman from Indiana [Mr. Moss].

Mr. MOSS of Indiana. Mr. Chairman and gentlemen, I was much interested in the question of the gentleman from Illinois [Mr. MANN], and that is the reason that I have asked for time. I know that the gentleman from New York is a close student of this banking question; but I should also like to give an answer to the question which the gentleman from Illinois has asked. Mortgage credit, as the words "rural credit" usually define that term, is a well-organized scheme to insure land values to the lender of money. It is superimposing commercial capital upon definitely ascertained land values. Rural credit at its very best is simply a question of insurance, and the most perfect scheme of insurance is the best system of rural credit. You may take 100 farmers and let them mortgage their farms; 99 of them may be able upon every interest day to meet their obligations, but one of them may not be able to do so. Hence there is a hesitancy about purchasing real estate mortgages for fear that the purchaser would get the one on which the borrower would not be able to meet his obligation. This difficulty is sought to be overcome by creating an organization and permitting it to hold the 100 mortgages and pledging its own capital, or a certain proportion of it, to guarantee the prompt payment of all contract obligations. It is thus made entirely possible for a person to invest his money in farm mortgages and to be absolutely certain of payment at the hour and the minute when the obligation falls due. You have thus the best security in the world, because you have, first, the security of land values, which have been carefully and accurately appraised; second, you have secured the judgment of an association organized and supervised under the law, which is usually officered by men of large business experience; third, the cash capital and reserves which are made a trust fund under the law to meet any default in payments by the debtors; and, finally, the liability of the stockholders, which is usually equal to the cash capital. In this manner all risk is eliminated absolutely. The natural result is to give to such security the lowest rate of interest that obtains in the investment world. By exempting these credit instruments and the capital, which is held as a surety fund, from taxation, a further reduction in interest rates is made possible.

So, after all, then, the question of rural credits is simply a question of mutual insurance; or if it is not mutual, then it is an insurance by men who are trained in investment banking and who are willing to put up their own money as security to those who may become their clients by purchasing their securities. The question asked by the gentleman from Illinois [Mr. MANN] goes right to the center of the question of rural credits. It is, after all, a question of 100 or 1,000 or 100,000 men who desire to lend and to borrow coming together through a central association and by eliminating the weakness of any one of their number give strength to all. This is possible because agriculture is the one undertaking among men that must be successful or civilization must cease. If this work of organization be well performed failure is impossible. Therefore Government aid is not necessary and in the end can not be effective. I am glad to be permitted to offer this reply to the question of the gentleman from Illinois [Mr. MANN], which, in my opinion, goes to the very center of the subject. [Applause.]

Mr. HAUGEN. Mr. Chairman, I yield to the gentleman from Kentucky [Mr. POWERS].

Mr. POWERS. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. Without objection, the request will be granted.

There was no objection.

Mr. HAUGEN. Mr. Chairman, I yield to the gentleman from Oregon [Mr. LAFFERTY].

Mr. LAFFERTY. Mr. Chairman, I ask leave to extend my remarks in the RECORD on rural credits.

The CHAIRMAN. The gentleman from Oregon asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. HAUGEN. Mr. Chairman, I yield to the gentleman from Massachusetts [Mr. ROGERS] 10 minutes.

Mr. ROGERS. Mr. Chairman, on the 11th day of this month our former colleague, Mr. Willis, was inaugurated governor of Ohio. In the course of his first official message to the Legislature of Ohio he used the following language:

> No doubt the secretary of state will have important recommendations to make touching amendment of the election laws. At this time I desire only to suggest for your consideration the advisability of providing by legislation for a system of registering and voting by mail. Such a law must be most carefully drawn in order to prevent fraud and preserve the purity of the ballot. Its enactment would preserve the right of franchise to thousands of our voters who now by the exigencies of their vocations are prevented from registering and voting. In this connection I also recommend that the so-called students' voting law providing for the disfranchisement of students, once vetoed by Gov. Harmon, but subsequently placed on the statute books, be repealed. Ohio can not afford to place a penalty on desire for knowledge.

I think the question of absentee voting is a question in which every Member of this House must be greatly interested, not only because it concerns very directly his own convenience and comfort, but also because of the tremendous importance that the thousands of uncast votes have or may have on the result of every election in each State of the Union.

As some Members of this House know, certain progressive States have already adopted legislation permitting voting by mail when any voter is necessarily away from his usual voting place on election day. I do not know just how many States in the Union there are that have such laws, but some of the Members of the House may be able to extend my list of such States. Such testimony as there is upon the matter points definitely to the conviction that such a law is working well and is likely to work well wherever it has been or is being tried. There are only four States that I actually know of where this legislation is now on the statute books. These are Kansas, Nebraska, Missouri, and North Dakota.

I took occasion within a few weeks to write to the secretary of state of each of these States to get his opinion upon the working of the law in his State. Secretary of State Roach, of Missouri, wrote me that he believed that the central thought in the Missouri law was meritorious, although there was a distinct weakness in the details of the bill, which would undoubtedly have to be corrected at an early session of the legislature.

Mr. BOOHER. Will the gentleman yield?

Mr. ROGERS. I will.

Mr. BOOHER. I want to say that the Missouri law did not provide for registration by mail. The legislature now in session is working on a bill to correct the weakness of the present law and to extend registration by mail.

Mr. ROGERS. Is it not a fact that there was a joker in the law, so that it applied only to St. Louis County?

Mr. BOOHER. No; it applies to the whole State. There was some talk at one time that it only applied to the city, but it applies to the whole State. In my county, with a city of only 3,000 people, several citizens voted who could not come home to vote.

Mr. ROGERS. Does the gentleman care to express an opinion as to how the law is working?

Mr. BOOHER. If it is perfected, it will work admirably. It is a good law and ought to be enacted by every State, so that a man away from home can vote if he wishes.

Mr. ROGERS. Secretary of State Hall, of the State of North Dakota, writes:

> From every source we have received indications that the law has been very successful in its working, and the approval of the press has been general. It franchised a great number of voters who would other-

wise have been deprived of the right to vote, and there have yet appeared no opportunities for fraud or illegal voting in its use.

Mr. YOUNG of North Dakota. Will the gentleman yield?

Mr. ROGERS. Certainly.

Mr. YOUNG of North Dakota. I desire to add to the words of the secretary of state of North Dakota that he is a man who has been in public life for a long time and for many years was a newspaper man. Mr. Hall is a very thoughtful student of questions of this character. We have had two elections under this law—one the primary election of June last, and the other the general election in November. I have yet to hear a single criticism of the law; it has worked perfectly.

Mr. POWERS. Will the gentleman yield?

Mr. ROGERS. Yes.

Mr. POWERS. May I inquire of the gentleman what power would Congress have to enact laws along the line suggested by the gentleman from Massachusetts?

Mr. ROGERS. I am not advocating a Federal law at all; I am simply putting before the House certain facts which I have collected bearing on the working out by certain enlightened States of the problem here involved. I do this for this reason: Although it is essentially a State and not a Federal matter, as far as legislation goes, nevertheless it is a matter in which every Member of Congress should be preeminently interested to see that it is worked out effectively in his own State. [Applause.]

I wrote also to the secretary of state of Kansas, but he apparently did not care to express his opinion as to the working of the law. Such conversations as I have had, however, with the Members of Congress from that State on the floor would indicate that the Kansas law also has received general approval.

The secretary of state of Michigan writes me that the State adopted last November an amendment to the constitution providing that students, while attending college, and commercial travelers shall not be deprived of their votes by reason of absence from their home precincts. Secretary of State Martindale, of Michigan, whose opinion is confirmed by Michigan Members of this body, writes me that "undoubtedly an enabling statute will be passed at the coming session of the legislature, which will convene January 6." That was written just before the legislature actually convened.

A good many people, without much accurate knowledge of what the proposal really involves, seem to feel that this law represents the fanatical and wild notions of a few men, and, while perhaps all right in theory, is one which could not, and would not, work out well in practice. I refer at this length to States that already have the law, where it is working well, to show that measures of this kind are not the dreams of reformers, but are, in at least four States, an accomplished fact, doing effective and salutary service.

Mr. ANDERSON. Mr. Chairman, I have heard statements made in respect to the law which the gentleman refers to that in order to prevent fraud it is necessary to lay so many safeguards around the votes by mail that it is practically a dead letter. Has the gentleman any information in regard to that?

Mr. ROGERS. Mr. Chairman, none of the replies which I have received has revealed the number of actual votes cast under these laws. I do not know whether or not the gentleman from North Dakota [Mr. YOUNG] can give us any enlightenment on that point. He has given me a set of North Dakota absentee ballots and documents which he obtained last November, at a time when he expected to be away from his home precinct on election day, and I have looked through those with some care. It did not seem to me that they were especially complex or beyond the ready intelligence of the ordinary voter. I should expect that they would represent, in a general way, at least, the form which would be adopted in the various States which will pass on this law in the immediate future.

Mr. YOUNG of North Dakota. Mr. Chairman, it is a very simple proceeding. Any voter can write a postal card to the county auditor and say that he wants an absent voter's ballot; then the auditor sends him the ballot and gives him instructions how to use it.

Mr. ANDERSON. The voter does not have to go before a notary public?

Mr. YOUNG of North Dakota. Oh, yes; but to initiate the matter is a very simple thing. All he has to do is to write a letter or a postal card saying that he wants the vote, and then he gets the instructions, which he can take to the notary, and the notary can comply with them.

Mr. ROGERS. Complaint is often made by people who have not looked into this type of measure that it will result in uncertainty of elections; that the result of the election will not be known at once, because these ballots must get back from wherever the absent voter is at the moment, so that they will be delayed in reaching the polling place. So far as I know, however, it is always required in the law that the ballot shall be in the hands of the proper election official at a moment not later than the closing of the polls on election day. Of course that is necessary, because we can not have a stream of ballots trickling in for days after the election is over and, in a close election, very likely changing the result half a dozen times.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. ROGERS. I will ask the gentleman to yield me five minutes more.

Mr. HAUGEN. I yield the gentleman five minutes more.

Mr. COOPER. Mr. Chairman, will the gentleman yield?

Mr. ROGERS. Yes.

Mr. COOPER. I wanted to ask one question. One of the ways of perpetrating election fraud is for a man to take a false name and register the name of a man who does not exist or falsely personate another man. Elections are often very close. For instance, a Member of Congress in the city of Buffalo once was defeated by one vote. What would be the great difficulty in 10, or a dozen, or 15, or 20, or 30, or 40 men making false affidavits in other States and sending them in, in form strictly in accord with the requirements of the statutes of the State in which the election is held, these affidavits and votes getting into the polls before the polls are closed, each of them a forgery, with no one there competent to say that they are forgeries or that there is false personation involved? You might not discover the fact of this false personation or fraud for a month or six weeks after the election, after the result has been announced.

Mr. ROGERS. Is it not an answer to the suggestion of the gentleman that precisely the same condition is possible, and I fear in some cases probable, under the present system? There are false personations, we all know, occasionally. Men sometimes vote on dead men's names. As a matter of human probability, however, would the percentage of fraud be greater than to-day, even assuming that it is theoretically possible under an absentee voting provision? It is undoubtedly possible now under the present system. Perhaps the requirement that a photograph of the absent voter should accompany the ballot might reduce the danger. That is to-day the rule of the State Department in issuing passports.

Mr. COOPER. I do not know what the possibilities of the two systems are, but where there is false personation, with the modern system of registration so thoroughly understood and political organization becoming so perfect, with a list of voters in each precinct, the records can be easily looked up and the name of the man ascertained in a case that looks suspicious. A voter gives a place of residence, and with the telephone system it takes only a fraction of a minute under a well-organized political system to find out whether any such man lives there or not; but if these men make affidavit at a distance of a thousand miles or two thousand miles in a community that does not know them, and the affidavit and votes are sent in by mail, the men at the polling booth could not tell anything about it.

Mr. POWERS. Mr. Chairman, I just want to suggest to the gentleman from Wisconsin that there is a man in Louisville who told me he voted 157 times in one election down there.

Mr. ROGERS. Mr. Chairman, I want to call attention to one or two more points. As I said a moment ago, it is sometimes suggested that this is a revolutionary doctrine. I wonder if the membership of this House generally realizes that during the Civil War in practically every Northern State of the Union absentee voting was legalized for soldiers and sailors in the service of the United States. At least 16 Northern States of the United States had a law of this kind, and proxy voting, so called, has been common in the United States from early colonial times, especially in the States of New England.

A very interesting article appeared in the December or January Harper's Magazine, setting forth from the diary of John Hay certain hitherto unpublished reminiscences of his service as Secretary to President Lincoln. John Hay describes in his diary how, in the election of 1864, he and Mr. Lincoln sat together in the White House and watched the returns coming in by State groups from the various Union armies in the field. I refer to this incident simply to illustrate how well-established the practice which is sought in this legislation is in the history of the United States.

Of course, I can not give any accurate estimate of how many men in the United States as a whole would be potentially enfranchised as a result of this legislation.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. HAUGEN. Mr. Chairman, I yield the gentleman two minutes more.

Mr. ROGERS. I have, however, prepared an estimate of those who to-day are or may be disfranchised in Massachusetts, because of the nature of their occupations. Such men, for example, as actors, commercial travelers, students in higher institutions of learning, civil-service employees, and so forth. I find that there are 80,000 men in Massachusetts alone who are engaged in occupations such as these who are likely, because of absence from their homes on election day, to be disfranchised.

Of course, I do not claim that all of these 80,000 men will in fact be disfranchised under the present system, but it is safe to say that at least 25 per cent of them will be so prevented by absence from voting. Hence, in the State of Massachusetts alone, my best judgment is that there will be upward of 20,000 voters enfranchised as a result of enabling legislation of this character. I yield to the gentleman from Minnesota.

Mr. ANDERSON. I understand the traveling men are advocating a change of the day of election from Tuesday to Monday.

Mr. ROGERS. Yes; that is true in Massachusetts.

Mr. ANDERSON. Does not the gentleman think that will probably reach all of those persons of our populations, and do it with less danger of fraud?

Mr. ROGERS. I think it will care for only a very small portion; but of course that is a matter on which the gentleman's opinion is just as good as mine.

Mr. GOODWIN of Arkansas. The Australian ballot system obtains in most of the States in a somewhat modified form. In that way the voter is protected and the world does not know how he votes nor the election officer. Now, under this system would not his vote be known, a matter which heretofore was a matter of privacy to him alone?

Mr. ROGERS. No; because these ballots must be dropped in the ballot box just like any other ballots. No one is going to know, in a given case, whose ballot it is or what the contents of the ballot are.

Mr. GOODWIN of Arkansas. I supposed that the officials would see the way the man voted.

Mr. ROGERS. I understand not. [Applause.]

Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Massachusetts asks unanimous consent to extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

Mr. ROGERS. On the 12th day of January I introduced into the General Court of Massachusetts a resolution calling for the creation of a commission to consider in all its aspects the question of absentee voting. I herewith quote in full the resolution:

THE COMMONWEALTH OF MASSACHUSETTS, 1915.

A resolution to provide for the creation of a commission to consider the feasibility and desirability of permitting, under suitable safeguards, restrictions, and conditions, absentee voting in the elections of the Commonwealth.

Be it resolved by the senate and house of representatives, in general court assembled, and by the authority of the same, as follows:

Resolved, That a commission, consisting of the secretary of state of the Commonwealth, the attorney general of the Commonwealth, and the chairman of the State ballot-law commission and State board of voting-machine examiners of the Commonwealth, shall consider the feasibility and desirability of legislation which shall permit, under suitable safeguards, restrictions, and conditions, absentee voting in the elections of the Commonwealth, such commission to report its findings and to submit to the general court a draft of a proposed bill or, if it deem it necessary, of a constitutional amendment, permitting such absentee voting, not later than the second Wednesday in January, 1916.

On the very day I thus introduced this measure into the Massachusetts Legislature our former colleague, Frank B. Willis, who had tendered his resignation from this body but three days before, was reading to the Ohio Legislature his first message as governor of that great State and was making use of the language relative to absentee voting which I quoted at the beginning of my remarks.

What is this absentee voting and precisely what does it seek to accomplish?

The opinion is rapidly growing in the United States that there is neither justice nor excuse for the present virtual disfranchisement of hundreds of thousands of voters because their occupations oblige them to be absent from their legal residence on election day. To remedy this situation, a number of progressive States have already enacted what is known as an absentee voting law—that is, a law which permits, under suitable safeguards to prevent fraud, error, or delay, a voter, who for business reasons is unable to cast his vote in the usual way, to be duly and legally recorded.

Perhaps enough has already been said to indicate that such a measure is by no means a theoretical one, but that it is in use in several States to-day and is meeting the undoubted approval of those familiar with it.

There is, as I have said, nothing revolutionary in the idea of absentee voting. During the Civil War, as I shall presently show in greater detail, at least 16 of the Northern States of the Union enacted laws enabling qualified voters engaged in military service of the State or of the United States to cast their votes even though absent from their States. Proxy voting was common in Massachusetts and the rest of New England from early colonial times.

It can not be asserted that the evil sought to be remedied is a slight or a fanciful one. Hundreds of thousands of qualified citizens of the United States who desire to vote are annually unable so to do, because of their necessary absence from their homes on election day. Take the State of Massachusetts alone—probably twenty or thirty thousand qualified voters are thus virtually disfranchised at every State-wide election. I have assembled, mainly from the 1910 Census of the United States, a list of occupations engaged in by Massachusetts men and likely to entail their absence from home on a given date. This list follows.

Fishermen and oystermen	5,946
Lumbermen and raftsmen	949
Locomotive engineers	2,082
Locomotive firemen	1,552
Conductors (steam railroad)	1,887
Canvassers	537
Brakemen	2,944
Commercial brokers and commission men	927
Commercial travelers	9,474
Soldiers, sailors, and marines	2,519
Showmen	677
Actors	673
Sailors and deck hands	1,707
Captains, mates, masters, and pilots	1,181
Civil-service employees in District of Columbia alone	852
Total	33,907

There are, of course, many other occupations which may well entail absence from home on election day, some of which are—

Cranberry bog pickers	1,129
Farm laborers (working out)	21,976
Quarry operatives	2,192
Building contractors	8,778
Structural ironworkers	585
Chauffeurs	4,428
Students (registered in higher institutions of learning all over the United States)	8,249
Total	47,337

In addition to those enumerated in the foregoing tables there are many in other occupations whose duty or pleasure may result in absence from home on election day—Senators and Members of Congress, noncivil-service Government employees, travelers for pleasure, and so on.

As previously stated, I do not contend that all the upward of 80,000 above specifically enumerated are deprived by the present system of voting of their right to cast the ballot; many of them undoubtedly find themselves able to vote in the ordinary way, others are not registered voters at all, and still others are under 21 years of age. Nevertheless, it would seem that 25 per cent, or about 20,000, was a very conservative estimate of those excluded from the privilege of voting. In all probability the number would far exceed this suggested minimum. In addition to those who are actually disfranchised there are many others who, often at a very considerable sacrifice of time and money, are in the habit of going from whatever place they find themselves to the place of their legal residence for the single purpose of casting their vote on election day. There seems no good reason why good citizens like these should be so heavily penalized.

I think I need not further emphasize the inherent right and importance that these thousands of citizens should be given the privilege of the ballot. The remedy proposed is simple, inexpensive, practical, and just. It seems to me clear that it should be adopted.

It is doubtless true, as Gov. Willis points out to the Ohio Legislature, that any such law must be most carefully drawn in order to prevent fraud and to preserve the purity of the ballot. It is almost equally important that whatever law is enacted should require that the ballot of every absentee voter be in the hands of the election officers of his usual voting place at an hour not later than the closing of the polls on election day. Obviously it would be neither wise nor practicable to have the result in a close election kept uncertain, perhaps for days, while a stream of "absentee ballots" was dribbling in. These points, while of great importance, are, after all, but matters of detail in connection with the drafting of the measure.

In view of the underlying legal questions, of the possibility that a State constitutional amendment may be necessary, and of the fact that this being a highly technical matter, it is im-

portant that the enabling legislation be carefully and accurately drawn, I am suggesting the appointment of an unpaid commission to investigate the whole matter and report to the Massachusetts Legislature of 1916, this commission to consist of the secretary of state, the attorney general, and the chairman of the ballot law commission.

I append a list recently furnished me by the Commissioner of Education of the United States, showing residence of students of Massachusetts who are attending the specified higher institutions of learning.

Students, resident of the State of Massachusetts, registered in educational institutions.

Massachusetts Agricultural College, Amherst, Mass	499
Amherst College, Amherst, Mass	141
Boston University, Boston, Mass	1,020
Boston College, Chestnut Hill, Mass	384
Brown University, Providence, R. I	163
Catholic University of America, Washington, D. C	32
University of Chicago, Chicago, Ill	39
Clark University, Worcester, Mass	24
Clark College, Worcester, Mass	110
Columbia University, New York City	89
Cornell University, Ithaca, N. Y	80
Dartmouth College, Hanover, N. H	469
Harvard University, Cambridge, Mass	2,068
Holy Cross College, Worcester, Mass	313
University of Illinois, Urbana, Ill	21
Massachusetts Institute of Technology, Boston, Mass	953
University of Michigan, Ann Arbor, Mich	36
Rensselaer Polytechnic Institute, Troy, N. Y	22
Rhode Island State College, Kingston, R. I	36
University of Pennsylvania, Philadelphia, Pa	73
Trinity College, Hartford, Conn	8
Tufts College, Tufts College, Mass	732
Wesleyan University, Middletown, Conn	46
Williams College, Williamstown, Mass	188
Worcester Polytechnic Institute, Worcester, Mass	350
Yale University, New Haven, Conn	207
Georgetown University, Washington, D. C	109
George Washington University, Washington, D. C	37
Total	8,249

The North Dakota absentee-voters' law, which may be taken as typical, is as follows:

ABSENT-VOTERS' ACT.

(Chap. 155, Laws 1913.)

An act to provide a method of voting at any general or primary election by electors absent or anticipating being absent on the day of such election from the county in which they are electors.

SECTION 1 (Absent voter who may vote). Any qualified elector of this State, having complied with the laws in regard to registration, who is absent from the county of which he is an elector on the day of holding any general or primary election, may vote at any such election as hereinafter provided.

SEC. 2 (Application for ballots, made when). At any time within 30 days next preceding such election, any voter expecting to be absent on the day of such election from the county in which his voting precinct is situated may make application to the county auditor of such county for an official absent-voter ballot, to be voted at such election.

SEC. 3 (Absent-voter ballots, how printed). For all elections, either general or primary, there shall be prepared and printed for each precinct official ballots, to be known as absent-voter ballots, which ballots shall be prepared and printed in the same form and shall be of the same size and texture as the regular official ballots, except that they shall be printed upon tinted paper of a tint different than that of the sample ballots.

SEC. 4 (Absent-voter ballot, form of application for). Application for such ballot shall be made on a blank to be furnished by the county auditor of the county of which the applicant is an elector, and shall be in substantially the following form:

I, ———— ————, a duly qualified elector of the township of ————, village of ————, or of the ———— precinct of the ———— ward, of the city of ————, in the county of ————, and State of North Dakota, and, to my best knowledge and belief, entitled to vote in such precinct at the next election, expecting to be absent from the said county on the day for holding such election, hereby make application for an official absent-voter ballot to be voted by me at such election.

Date, ————. (Signed) ————. Post-office address, ————.

Provided, That if the application be made for a primary election ballot such application shall also give the name of the political party with which the applicant is affiliated.

SEC. 5 (Application blank, how obtained). Such application blank shall, upon request therefor, be sent by such county auditor to any absent voter by mail, and shall be delivered to any voter upon application made personally at the office of such auditor.

SEC. 6 (Ballots sent, how; affidavit of voter and certificate). Upon receipt of such application properly filled out and duly signed, or as soon thereafter as the official absent-voter ballot for the precinct in which the applicant resides has been printed, the said county auditor shall send to such absent voter by mail, postage prepaid, one official absent-voter ballot, of (or) if there be more than one such absent-voter ballot to be voted by an elector of such precinct, one of each kind, and shall inclose with such ballot or ballots an envelope to be furnished by such auditor; which envelope shall bear upon the front thereof the name, official title, and post-office address of such county auditor, and upon the other side a printed affidavit in substantially the following form:

STATE OF ————, *county of* ————, *ss:*

I, ————, do solemnly swear that I am a resident of the township of ————, or the village of ————, residing at ———— in said city, county of ————, and State of North Dakota, and entitled to vote in such precinct at the next election; that I expect to be absent from said county of my residence on the day of holding such election, and that I will have no opportunity to vote in person on that day.

———— ————.

Subscribed and sworn to before me this —— day of ————, 19—; and I hereby certify that the affiant exhibited the inclosed ballots to me unmarked; that he then, in my presence and in the presence of no other person, and in such manner that I could not see his vote, marked such ballot and inclosed and sealed the same in this envelope; that the applicant was not solicited or advised by me to vote for or against any candidate or measure.

———— ————.
———— ————.

Provided, That if the ballot inclosed is to be voted at a primary election the affidavit shall state the name of the political party with which the absent voter is affiliated.

NOTE.—If such absent voter is unable to sign his name, he shall make his mark (X), and the officer taking such affidavit shall sign such voter's name and shall state the reason for such affidavit being signed in such manner in his certificate attached to such affidavit.

SEC. 7 (Manner of marking ballot). Such absent voter shall make and subscribe the said affidavit before an officer authorized by law to administer oaths and who has an official seal, and such absent voter shall thereupon, in the presence of such officer and no other person, mark such ballot or ballots, but in such manner that such officer can not see the vote, and such ballot or ballots shall thereupon, in the presence of such officer, be folded by such voter so that each ballot shall be separate and so as to conceal the vote, and be in the presence of such officer deposited by said voter in said envelope and the said envelope securely sealed. Said envelope shall be mailed by such absent voter, postage prepaid.

SEC. 8 (Care of ballot by auditor). Upon receipt of such envelope such county auditor shall forthwith inclose the same, unopened, together with the written application of such absent voter, in a larger envelope, which shall be securely sealed and indorsed with the name of the proper voting precinct, the name and official title of such auditor, and the words, "This envelope contains an absent voter's ballot and must be opened only on election day at the polls while the same are open," and such auditor shall thereafter safely keep the same in his office until the same is delivered by him as provided in the next section.

SEC. 9 (Transmission of ballot to election inspector). In case such envelope is received by such auditor prior to the delivery of the sealed package containing the official ballots to the inspector of elections of the precinct in which such absent voter resides, such ballot, envelope, and application sealed in such envelope shall be inclosed in such package and delivered therewith to the inspector of such precinct. In case the official ballots for such precinct shall have been delivered to such inspector of elections at the time of the receipt by the auditor of such absent-voter ballot, such auditor shall immediately inclose such application and such ballot with the envelope containing such ballot, unopened, in a larger envelope, which shall be securely sealed by him and indorsed on the front with the name, official title, name of precinct, and post-office address of the inspector of elections of the precinct in which such absent voter resides, and the words, "This envelope contains an absent-voter ballot and must be opened only on election day at the polls while the same are open," and forthwith mail the same, postage prepaid, to such inspector of elections.

SEC. 10 (Manner of voting; void or rejected ballots). At any time between the opening and closing of the polls on such election day the inspector or judges of election of such precinct shall first open the outer envelope only and compare the signature of such voter to such application with the signature to such affidavit. In case the judges find the affidavit is sufficient and that the signatures correspond and that the applicant is then a duly qualified elector of such precinct and has not voted at such election, they shall open the absent-voter envelope in such manner as not to destroy the affidavit thereon and take out the ballot or ballots therein contained, and without unfolding the same or permitting the same to be opened or examined, and having indorsed the same in like manner that other ballots are indorsed, deposit the same in the proper ballot box or boxes, showing by the records of such election such elector to have voted. In case such affidavit is found to be insufficient, or that the said signatures do not correspond, or that such applicant is not then a duly qualified elector of such precinct, such vote shall not be allowed, but without opening the absent-voter envelope, the election inspector or judge of such election shall mark across the face thereof, "Rejected as defective" or "Rejected as not an elector," as the case may be. The absent-voter envelope, when such absent vote is voted, and the absent-voter envelope, with its contents, unopened, when such absent vote is rejected, shall be deposited in the ballot box containing the general or party ballots, as the case may be, retained and preserved in the manner as now by law provided for the retention and preservation of official ballots voted at such election.

SEC. 11 (Elector may vote before leaving county). The provisions of this act shall be construed so as to permit any qualified elector of this State who is present in this (his) county after the official absent-voter ballots of such county have been printed, and who has reason to believe that he will be absent from such county on election day as before provided in section 2, to vote before he leaves his county, in like manner as absent voter, and any qualified elector who has marked his ballot as hereinbefore provided, who shall unexpectedly return to his precinct before or on election day, shall be permitted to vote in person, provided his ballot has not already been deposited in the ballot box.

SEC. 12 (Ballots furnished auditor, when). It shall be the duty of the secretary of state, county auditor, or any other officer by law required to prepare any general or primary election ballot, to prepare and have printed and delivered to the county auditor, at least 15 days prior to the holding of such election, a sufficient number of absent-voter ballots provided for in section 5, for the use of all voters likely to be absent from such county on the day of such election.

SEC. 13 (Penalty for violations). If any person shall willfully swear falsely to the affidavit in section 6 provided for, he shall, upon conviction thereof, be deemed guilty of perjury and shall be punished as in such case by law provided. If the secretary of state or any county auditor or any election officer shall refuse or neglect to perform any of the duties prescribed by this act, or shall violate any of the provisions thereof, or if any officer taking the affidavit provided for in section 6 shall make any false statement in his certificate thereto attached, he shall be deemed guilty of a misdemeanor and shall be punished by a fine not exceeding $100 or by imprisonment in the county jail not exceeding 30 days, or by both such fine and imprisonment.

Approved March 12, 1913.

The front of the North Dakota absentee voter's ballot envelope reads as follows:

[Copy.]

ABSENT VOTER'S BALLOT ENVELOPE.

To ——— ———,
County auditor of ——— County,
——— ———, North Dakota.

The back of the envelope reads as follows:

[Copy.]

STATE OF ———, *County of* ———, *ss:*

I, ——— ———, do solemnly swear that I am a resident of ——— precinct, township of ———, village of ———, the ——— precinct of the ——— ward, in the city of ———, residing at ——— in said city, county of ———, State of North Dakota, and entitled to vote in such precinct at the next general election, November 3, 1914; that I expect to be absent from the said county of my residence on the day of holding such election; and that I will have no opportunity to vote in person on that day.

(Sign here.) ——— ———.

Subscribed and sworn to before me this ——— day of ——, 1914; and I hereby certify that the affiant exhibited the inclosed ballots to me unmarked, that he then, in my presence and in the presence of no other person, and in such manner that I could not see his vote, marked such ballots, and inclosed and sealed the same in this envelope. That the affiant was not solicited or advised by me to vote for or against any candidate or measure.

———.
———.

During the Civil War the States named below enacted laws enabling qualified voters engaged in military service of the State or of the United States to cast their votes even when absent from their States.

The second column gives the reference to the volume of the session laws for each State in which such enactment is found. The third column indicates whether or not these laws are still in force; if so, reference to the latest revision of the State laws is given.

State.	Laws.	Remarks.
California	Laws 1863-64, ch. 383	Not found in Deering's Gen. Laws 1909.
Connecticut	Laws 1864, May, ch. 37	Limited to the Civil War.
Illinois	Laws 1865, pp. 59-63	Not found in Hurd's R. S. 1913.
Iowa	Laws 1862, extra sess., ch. 29, sec. 30; amended by Laws 1864, ch. 28.	Not found in Annot. Code 1897.
Kansas	Laws 1865, ch. 59	Still in force in Dassler's Gen. S. 1909, 3154-3165.
Kentucky	Laws 1863-64, ch. 572	Repealed in Laws 1865-66, ch. 370.
Maine	Laws 1864, ch. 278	Not found in Rev. St. 1903.
Maryland	Laws 1865, ch. 124	Not found in Bagby's Annot. Code 1911.
Michigan	Laws 1864, Feb., extra sess., No. 21, pp. 40-52.	Not found in Howell's Annot. St. 1912.
New Hampshire	Laws 1864, ch. 4030	Not found in Public St. and Sess. Laws in force 1913.
New York	Laws 1864, ch. 253; repealed by being replaced by Laws 1865, ch. 570.	Repealed entirely by laws 1866, ch. 524.
Ohio	Laws 1863, 2d sess., pp. 80-85.	Not found in Page & Adams Annot. Ohio Gen. Code 1910.
Pennsylvania	Laws 1864, extra sess., pp. 43-52.	Still in force in Purdon's Digest 1903.
Tennessee	Laws 1865, 1st sess., ch. 16, sec. 5.	Not found in Shannon's Code 1896.
Vermont	Laws 1863, No. 5; amended by Laws 1864, No. 8.	Declared unconstitutional in re Opinion of the Judges, 37 Vt., 665.
Wisconsin	Laws 1862, extra sess., ch. 11; amended in Laws 1863, regular sess., ch. 59; again amended by 1865, regular sess., ch. 88.	Not found in Wisconsin Statutes 1913.

In Massachusetts a resolve was adopted in May, 1865, which referred to the next general court a proposal to amend the State constitution to secure the elective franchise to voters of the Commonwealth absent therefrom in the military or naval service of the United States (Acts and Resolves, 1865, p. 695); but apparently this was not agreed to by the next general court, for it is not found in the acts and resolves for the following year.

Mr. HAUGEN. Mr. Chairman, I yield 20 minutes to the gentleman from Ohio [Mr. WHITACRE]. [Applause].

Mr. WHITACRE. Mr. Chairman, I desire to call the attention of the committee to a resolution introduced by Mr. MANN (No. 688) and a bill introduced by him, providing for a tariff commission. I am speaking as a Democrat from the State of Ohio, where there is a newspaper in every house every day—and read; where a man must show some reason for voting the Democratic or Republican ticket—some other reason than the fact he was born a Democrat or born a Republican. The people of Ohio are independent in politics. In 1905 the Republicans were dissatisfied with their candidate for governor, and they joined with the Democrats and elected a Democratic governor, and all the balance of the ticket was Republican. In 1908, again, the Republicans were dissatisfied with their candidate for governor and with their candidate for State treasurer. They joined with the Democrats, defeated their candidate for governor and their candidate for State treasurer, and elected all the Republican ticket, including Mr. Taft. In 1914 the Democrats had their chance to prove their independence. Many thousands of them were dissatisfied with their candidate for governor, and they joined with the Republicans and elected Mr. Willis, late a Member of this House. [Applause.] In one of the districts, represented by Mr. ASHBROOK, he carried the district by eight thousand and some odd, and Gov. Willis carried the district by 3,300, showing that Democrats of that district were independent politically. So that I am maintaining the proposition that the people of Ohio must be shown and can be shown, and when they are shown in the right way they are willing to follow any political party. Now, I call attention to the first paragraph of Mr. MANN's resolution 688:

Whereas the Democratic free-trade tariff law refused to give due protection to American industries and brought hard times upon the country, which caused an industrial depression such as has not existed since the free-trade days of President Cleveland.

That is the first paragraph of Mr. MANN's resolution. Along the same line and voicing the same sentiment I read an interview published in the New York Times the first Sunday of this month with Judge Gary, who is the head of the Steel Corporation, in which he said:

I can only judge conditions relative to other losses of business by conditions which apply to our own. In 1913 our employees numbered 246,000. At the present time they number only 150,000, notwithstanding we are using every reasonable effort to keep the largest number possible at work by cleaning up our plants, making repairs, and doing other work which would not be done to the same extent at this time except for the peculiar conditions of our men.

And again he says:

It is claimed by many, and it may be true, that business can be accustomed and adjusted to extreme changes in legislation, and it is to be hoped that we may become prosperous even with the law as it now stands.

Referring to the tariff law:

It is, however, certain that business has been depressed during the last year, hundreds of thousands of men have become idle, and that among big business men generally the reasons I have given are some of the influential factors in bringing about these conditions.

Now, in my home town, Canton, Ohio, two weeks ago 500 steel workers were brought together by the superintendent of the plant and they were told by Mr. Cline, the superintendent:

That as the men are paid at present, the new scale will mean a cut of about 14 per cent in wages.

Supt. Cline told the men of the depression in the iron business all over the country, and said that if the men did not care to accept the new scale the mills would close down for the present, for there was enough stock on hand to last a long time. On yesterday Mr. Perkins testified before the Industrial Commission in New York and gave expression to this thought in these words:

Just now for the first time in the history of the corporation we have no profits to divide. The men know it, and so far there has been no complaint. The men know the tariff is responsible for this condition and that we'll not continue under our present tariff.

You hold the tariff responsible for the depression in the steel industry?

Yes; and for a large part of the general depression throughout the country.

Why do you think we will not continue under our present tariff?

Because I believe we are bound to come to a tariff worked out on a scientific basis.

When a man like Judge Gary states the fact, when we have conditions like these existing in Canton, Ohio, in the steel business, it is time for the Democrats to take notice that it is a condition and not a theory which confronts them.

And, of course, in the language of Mr. Perkins and in the language of all Republican orators and politicians, some statesmen, and some near statesmen, it is all on account of the tariff. Here are the Democrats tinkering with the tariff. Here are the men out of work. Post hoc, ergo propter hoc—after this, therefore on account of this. You can not argue with a man on a street corner or in a hall when a third or a fourth or one-half of men are out of work. Men are moved by conditions and not by ideas, and the fact of the depression in business following the tariff law is conclusive in their minds. Judge Gary offers another reason, to which I desire to direct your attention for the purpose of proving to you something that I could not prove to men out of work, that the tariff is not really the cause of the present depression in business. Judge Gary says, in that same interview:

Rightfully or wrongfully capital has become impressed with the idea that business is not receiving and could not expect to receive fair treatment. It is a common thing for men of large means to discuss these things, and almost invariably the statement was made that until public sentiment forced the change in the attitude mentioned of antagonism to capital and men in business capital would be withheld from investment in enterprises calculated to restore business.

Now, on the same day that this Gary interview was published, in the same paper was published an interview with Mr.

Forgan, the head of the First National Bank of Chicago, and the present head of the National Reserve Board, in which he made this statement:

Bankers should continue to conserve their resources until the ultimate effect—

Referring to the war in Europe—

on American securities is fully realized. Nothing could be more unsound than to attempt to boom domestic industry by undue expansion of credit until we find out what may be required of us in caring for our foreign indebtedness and for our securities which may be thrown on our home market. I do not mean by this that we should not proceed with business in the normal way and take advantage of our opportunities as they arrive. It will, however—

Coming from Mr. Forgan, every banker in the country will take notice—

It will, however, be prudent on the part of the banks to conserve their strength and husband their resources under the present world-wide conditions.

In the January issue of United States Securities and Government Finances, issued by the National City Bank of New York, I find this paragraph:

Over against these encouraging conditions, there looms up the European situation. No calculations for the future can be made without regard for the influence of the war, and as there is no knowing how long the war will last, large undertakings, which involve public financing, and commitments for the future are not likely to be begun. Moreover, it will have to be an exceptionally promising new enterprise that can make a stronger appeal to capital than the old and seasoned securities and government bonds that for a long time will be available on unusual terms. This is the underlying weakness of the industrial situation.

It will have to be an exceptionally promising new enterprise that will make a strong appeal to capital while the securities that were held in Europe are thrown back in this country on account of the war. Here are two statements, one by Mr. Perkins and one by Mr. Gary, that the cause of the depression in the United States and this reduction in wages is the tariff, and the other is the statement of Mr. Gary that it was because of the fact that business felt they could not and would not receive fair treatment, and therefore were withholding and would continue to withhold capital. They are also advised by Mr. Forgan and the National City Bank to withhold capital because of the war.

Now, to prove that capital has been withheld it is only necessary to call your attention to what the railroads did last year. There was published in the Evening Star of this city last Saturday what purports to be an extract from the Railway Age, which shows that the passenger cars ordered in 1914 were 80,264 against 146,732 in 1913. Locomotives ordered were 1,265 in 1914 against 2,467 in 1913. Freight cars built in 1914 were 104,541 as against 207,684 in 1913. Now, in this connection I desire to call your attention to a pamphlet which was published by Mr. E. P. Leigh, of Chicago, the president of the Chicago Railway Equipment Co., in which he maintains the proposition that railway purchases are a true index of business prosperity; that when the railroads cease purchasing then general prosperity goes down, and when the railroads resume purchasing general prosperity always goes up. Why? Because he says that from 40 to 50 per cent of iron and steel is directly or indirectly consumed by the railroads. If they are the consumers of steel in this country to the extent of 50 per cent of the entire production and they reduce their purchases one-half, then the iron and steel business would lose 25 per cent of its trade, because that is the amount of their trade.

Now, the figures bear that statement out. The pig-iron production in this country last year was 25.3 per cent under that of 1913. There were 22,934,000 tons produced as against 30,738,494 tons of the year before. The loss of steel orders was 30.6 per cent, so that the loss the steel and iron industry has suffered in this country is exactly the loss they sustained by the railroads refusing to buy. That is a general answer for the Democrats; but that will not do in Ohio when men are out of work, as they will be in 1916. You can not go onto any street corner or into any hall in a town and make an explanation of these things. There is the fact of the empty dinner pail and the reduced pay envelope, and what answer have the Democrats? You can not put your hand on any one item of this tariff and tell which item is the most affected. Mr. Gary in this interview says depression is caused by manufacturers in Europe, with cheap labor, cheap raw material, dumping their surplus products into this country; but if he were asked in what particular line of industry that was happening he would be hard up for an answer, because the figures show, so far as the importations are concerned in the iron and steel industry, that in 1912 the total importations were $23,185,000; in 1913, $28,292,000; and in 1914, $24,947,000; so that we have suffered a loss of imports of iron and steel of over $4,000,000; that is, we have imported $4,000,000 less. So it was not the surplus of iron and steel that came in here that caused it. But the Democrats are not able to defend their proposition as to any one item that the tariff did not injure. Here is the fact of a general depression, and it is very easy to say it is caused on account of the tariff.

The Democrats charged the Republicans with extravagance, charged them with being a billion-dollar Congress, but when they had their own Congress it was more than a billion-dollar Congress. You could not lay your hand on an item that you would cut out. If you challenge them to lay their hands on any particular industry where the imports have closed up the factories, they can not do it.

Take the pottery industry. When the Democrats were about to revise the tariff, in 1913, the manufacturing potters made an announcement in their home newspapers down in my district that, on account of the threatened revision of the pottery schedule about to be made by the Democrats, at the forthcoming meeting with the potters' union they would demand a large reduction in wages.

They were all prosperous at that time, and they are now. Acting through the Bureau of Foreign and Domestic Commerce, at my suggestion Mr. Redfield sent some accountants to East Liverpool, and the very moment they landed there all talk of a reduction of wages stopped. Mr. Wells, representing the pottery manufacturers, came before the Committee on Ways and Means and made a statement which was absolutely true, that the general average earnings of the potteries were only about 6 per cent. But these accountants when they got into the potteries found as follows:

SUMMARY OF RESULTS.

EARNINGS AND LOSSES.

1. The net earnings of eight American potteries on capital invested were from 15 to 21 per cent, and their average rate of earnings was 17.87 per cent. Their average rate of earnings on the value of their product was 14.32 per cent. These eight potteries produced 45.65 per cent of the total value of the product of all potteries investigated and their capital was 40.73 per cent of the total capital invested.

2. Two establishments had net earnings of from 10 to 15 per cent on capital invested. Their average rate of earnings on capital invested was 12.75 per cent and upon the value of their product 11.30 per cent. Their proportion of the total capital invested was 5.5 per cent and of the total value of product 5.57 per cent.

3. Nine establishments had net earnings of from 5 to 10 per cent on capital invested. Their average rate of earnings on capital invested was 6.29 per cent and upon the value of their product 6.22 per cent. Their proportion of the total capital invested was 31.16 per cent and of the total value of product 28.32 per cent.

4. Six establishments had net earnings of less than 5 per cent on capital invested. Their average rate of earnings on capital invested was 2.52 per cent and upon the value of their product 2.36 per cent. Their proportion of the total capital invested was 13.25 per cent and of the total value of product 12.73 per cent.

5. Three establishments had losses. Their average rate of losses on capital invested was 4.68 per cent and upon the value of their product 5.09 per cent. Their proportion of the total capital invested was 9.36 per cent and of the total value of product 7.73 per cent.

6. The average rate of turnover for all establishments was 111.35 per cent. In all but seven the rate of turnover was over 100 per cent, the lowest being 62.58 per cent and the highest 149.6 per cent. The pottery industry is not a seasonal one, and the product is turned out with great rapidity and regularity.

COST OF PRODUCTION.

7. For all materials and all expenses except labor the difference in manufacturing costs of production between the average of the six English and of the six American potteries was 2.05 per cent. These costs combined were higher in the United States by that percentage.

For the highest-cost potteries in both countries the combined cost was 2.69 per cent higher in the United States. Comparing the two lowest-cost establishments in both countries, the combined cost was 14.76 per cent higher in the United States. The combined cost of all materials and expenses except labor in the highest-cost pottery in England was 20.33 per cent higher than in the lowest-cost pottery in the United States.

8. The average labor cost of production was 81.8 per cent higher in the six American potteries than in the six English potteries. It was 69.1 per cent higher in the United States, when the two highest-cost potteries were compared and 103.97 per cent higher in the United States when the two lowest-cost potteries were compared. Comparing the lowest-cost pottery in the United States with the highest-cost pottery in England, the labor cost of production was higher in the United States by 48.21 per cent.

9. The total cost of manufacture, including all materials, labor, fuel, and office expenses, for the six establishments in the United States and in England, was higher in the United States by 38.43 per cent.

In the highest-cost establishments it was 30.85 per cent higher in the United States In the lowest-cost establishments it was 56.47 per cent higher in the United States. Comparing the highest-cost pottery in England with the lowest-cost pottery in the United States, it was higher in the United States by 14.63 per cent.

Now, as to this pottery schedule, the Democrats can lay their hands on that report and say that they did not injure the industry, and here are the figures. You can say to the pottery manufacturer, "Your men do not suffer any loss of wages, because the Democrats, so far as that tariff is concerned, have given you three times as much as the best factory over there requires."

Mr. ASHBROOK. Mr. Chairman, will my colleague yield?

Mr. WHITACRE. Yes.

Mr. ASHBROOK. How much was the pottery schedule lowered?

Mr. WHITACRE. The old pottery schedule was 50 and 55 per cent for plain ware and 55 and 60 per cent for decorated ware. This reduction was to 30 and 35 for plain and to 40 and 45 for decorated ware. But the point of it was that the competition comes in china that is made in England; the best ware, made in Germany and France, known as high-grade china, which comes over here and was competing with our earthenware. But that rate is 50 and 55 under the present tariff.

This is the only item, however, in the entire schedule, so far as I know, where the Democrats can challenge the Republicans and say, "We did not injure you by a reduction." I can not go to the miner and tell him, or the iron man, that the tariff did not bother them. I can not go to the cutlery man and tell him that the tariff did not bother him, because I can not prove an item.

Mr. COOPER. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Ohio yield to the gentleman from Wisconsin?

Mr. WHITACRE. Yes, sir.

Mr. COOPER. So far as statistics are concerned, I am not an expert, but I will give the gentleman this instance: Mr. Moore, of the firm of Moore & Jones Hardware Co., a gentleman of high business repute in my city, whose word is unquestioned anywhere, told me that about a year ago he was in Pensacola, Fla., and went into an establishment there and saw some steel, and he said, "Where did you get this?" And they said, "We got this from Belgium," and told him the figures. He said, "Is it possible?" They said, "Yes," and they showed him the invoice. They said, "We can get this cheaper from Belgium than we can get it from Birmingham, Ala."

Mr. WHITACRE. That is exactly what I am fighting. Here is the point that I make: The Democrats put on themselves the burden to revise the tariff without injury. We went out to the country and said, "We can and will reduce this tariff downward, but we will not injure anybody." Now, that putting on ourselves the burden of doing it without injury was self-imposed. We held ourselves out as capable of doing that. My proposition is now that, so far as the pottery industry is concerned, we have done it, and we can prove it.

Now, then, if you accept the proposition of Mr. MANN'S bill, or any other similar bill, and let a real, genuine tariff commission be appointed, it will do the same thing for all the industries that are complaining that they have been injured, in a spirit of fairness, and get the truth. Then when a man comes around and has a legitimate claim for injury we can say, "Let us see whether or not you have been injured. If you have been injured, we, as Democrats, following our promise and finding you have been injured, are willing to make reparation." [Applause.]

Now, when you go before the people of the State of Ohio with a proposition of that kind, you will let them know that you at least are honest and that you are willing to find out what the truth is.

Mr. BARNHART. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Ohio yield to the gentleman from Indiana?

Mr. WHITACRE. Yes.

Mr. BARNHART. Does the gentleman know that near the close of the session of 1910, when the tariff bill was pending, I offered a provision to the bill providing that a tariff commission should be appointed—one member by the majority side of the House, one member by the minority side, one member by the majority side of the Senate, one by the minority side, and the fifth man by the President—and that it was defeated by the Republicans?

Mr. WHITACRE. Yes; and it is to your credit.

Mr. MANN. The gentleman never did that.

Mr. BARNHART. You will find it in the RECORD.

Mr. MANN. The gentleman may have inserted something of that kind in a leave to print.

The CHAIRMAN. No gentleman can interrupt a speaker on the floor without getting his consent.

Mr. LENROOT. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Ohio yield to the gentleman from Wisconsin?

Mr. WHITACRE. Yes.

Mr. LENROOT. Along the line of the gentleman's suggestions, does not the gentleman think that a tariff commission composed of experts is much to be preferred to one composed of membership of this House appointed by either side of this body?

Mr. WHITACRE. Assuredly. These men who went down to East Liverpool were given free access to every book in every factory. They went to England, and were given free access to the books of the factories in England—six of those factories. They went through every item carefully, and found out exactly what the facts are, and you do not need to guess. You might make a tariff in that way without any guesswork. This other method is patchwork and guesswork.

Mr. ADAIR. Mr. Chairman, will the gentleman yield?

Mr. WHITACRE. Yes.

Mr. ADAIR. Does the gentleman understand that the manufacturers of England will turn their books and records over to an American commission to investigate their business?

Mr. WHITACRE. I know that six factories over there did do it.

Mr. ADAIR. I am not disputing the gentleman's word, but it is a matter of surprise to me that an English factory would do that.

Mr. WHITACRE. Yes; they did that.

Mr. McLAUGHLIN. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Ohio yield to the gentleman from Michigan?

Mr. WHITACRE. I do.

Mr. McLAUGHLIN. As to seeking the difference in cost of production here and abroad, that is in accordance with the Republican idea of the tariff, is it not? [Applause on the Republican side.]

Mr. WHITACRE. That is exactly in accordance with the Democratic platform on the tariff, to revise the tariff without injury. [Applause on the Democratic side.]

Mr. GOOD. Will the gentleman yield?

Mr. WHITACRE. Yes.

Mr. GOOD. Then, if I understand the gentleman, he is willing that we should enact a law levying a tariff duty that will equal the difference between the cost of production in this country and abroad?

Mr. WHITACRE. So long as we agreed to revise the tariff without injury to any industry we have got to get that difference in the cost of production. [Applause on the Republican side.]

Mr. GOOD. And that is what the gentleman is in favor of, is it not?

The CHAIRMAN. The time of the gentleman has expired.

Mr. MANN. I hope the gentleman will be given more time, and that he will be allowed to go ahead without other gentlemen wasting his time.

Mr. HAUGEN. Mr. Chairman, how much time have I?

The CHAIRMAN. The gentleman has 63 minutes.

Mr. HAUGEN. I yield to the gentleman 10 minutes more.

Mr. WHITACRE. Now I come to the remedy. The gentleman from Illinois [Mr. MANN] has introduced a bill which provides that the majority of the Ways and Means Committee shall appoint one member, and the minority of the Ways and Means Committee shall appoint another member, and that the majority of the Finance Committee of the Senate shall appoint a member, and the minority of the Finance Committee of the Senate a member, and the President one, and that these shall constitute the tariff board. Now, I introduced a bill in 1913 providing for a tariff commission to be appointed, three members by the Ways and Means Committee, three by the Finance Committee of the Senate, and one by the President, a similar proposition, differing only in the number.

Suppose we had a law like that now, and suppose this concern in Canton, Ohio, had reduced the wages of the men 14 per cent, and had said, as Mr. Perkins says, that the men understand it is on account of the tariff. Suppose we could find out the exact truth, and could ask them to come here and tell the truth, or allow your men to go there and get the truth. Then, if that tariff is too low, and those men have been thrown out of employment for that reason, or their wages reduced on account of that tariff, the fact would be discovered, and the Democratic promise would be kept by revising that particular schedule.

Mr. COOPER. Will the gentleman permit an interruption?

Mr. WHITACRE. Yes.

Mr. COOPER. The gentleman then proposes to have a tariff that shall not injure an American industry?

Mr. WHITACRE. That is the Democratic platform.

Mr. COOPER. That means to protect. Now, you have had one Democratic platform which said that a tariff to protect an American industry, levied for that purpose, was unconstitutional, and that we had no right to pass it.

Mr. WHITACRE. I am not responsible for what some man, at 2 o'clock in the morning, put in a platform. [Laughter and applause.]

Mr. ADAIR. May I ask the gentleman a question?

Mr. WHITACRE. Yes.

Mr. ADAIR. Does the gentleman believe that a tariff levied sufficiently high to cover the difference in the cost of manu-

facture between this and foreign countries would raise enough revenue to run the Government?

Mr. LENROOT. It always has.

Mr. WHITACRE. I am not an expert, you see. That is the objection I have to the present method of framing tariff bills. I recognize the fact that the House of Representatives must do this work, of course, but what gentleman here, if some member of his family were sick, would blindfold himself and grope his way out of the house and downstairs onto the street, and grab the first man he met, with the expectation of finding a physician? He would get a gravedigger, more likely. [Laughter.] So I say, however much you may know about the tariff items, you should know enough about the subject to revise the tariff without injury, and unless you have aid you can not do it; and so long as that is in the Democratic platform, neither the Ways and Means Committee nor anybody else has any right to disregard it.

Now, there is another way of doing this. The President claims that the Trade and Commerce Commission about to be appointed have this authority. I can not find it in the law, but I have introduced a bill—H. R. 20848—which provides in so many words that they shall be given this authority by adding another subdivision, I, to section 6, providing that this commission shall be authorized to secure information for the Ways and Means Committee and the Finance Committee. That is another way to do it.

Mr. GORDON. Will the gentleman yield for a question?

Mr. WHITACRE. Yes.

Mr. GORDON. How do you propose to require a manufacturer to open his books to a Government expert? Where do you get any law for that, authorizing a Government agent to go into a man's business and look at his books, if a man does not want him to?

Mr. WHITACRE. Why, the Government has that authority now, authorizing the Department of Commerce to do that. That was how they went into the potteries at East Liverpool and got the facts. That is the law now.

Mr. GORDON. Suppose I was running a business, and I refused to allow the Government agent to go in and examine my books. Will you tell me where he would get any authority to do it?

Mr. WHITACRE. He would simply lay down the law to you.

Mr. GORDON. I would lay the Constitution down to him.

Mr. WHITACRE. What is there in the Constitution which prevents it? You would have to go to the courts to find out whether the Government has any such authority or not; but there is such a law on the statute books.

Mr. GORDON. I do not think the Government has any such right.

Mr. WHITACRE. I point to what the Government has already done.

Mr. GORDON. You are talking about a law that Congress had no right to pass. Of course nothing can be done under such a law as that.

Mr. WHITACRE. I think I have said enough to make plain what I think is the duty of the Democrats.

You can go down into Alabama or Louisiana, and you can tear up the railroad tracks and throw them into the Gulf; you can destroy the sugar plantations, and the people will still vote the Democratic ticket; but you can not go to Ohio and close up any factory and continue to elect Democrats to Congress. [Applause on the Republican side.]

Mr. BROCKSON. Will the gentleman yield?

Mr. WHITACRE. I will.

Mr. BROCKSON. Did the gentleman vote for the passage of the Underwood tariff law?

Mr. WHITACRE. I did.

Mr. BROCKSON. Does the gentleman think it has had a fair trial?

Mr. WHITACRE. I do not think so.

Mr. BROCKSON. Then why change a law until it has had a fair trial?

Mr. WHITACRE. I do not want to change the law until we find out what is right.

Mr. BROCKSON. The gentleman can not point to any item that is wrong until you have had sufficient time to try out the working of the law.

Mr. WHITACRE. I have made the argument that you can not show that the general depression is due to the tariff law. You take the barber and the grocery man and the men who work in these factories, and they believe that to the tariff law is due the reduction of wages, whether it is or not, and I want to prove that it is not, and I say that this is the method to prove it.

Mr. HAUGEN. Mr. Chairman, I yield three minutes to the gentleman from South Carolina [Mr. LEVER].

Mr. LEVER. Mr. Chairman, I yield five minutes to the gentleman from Indiana [Mr. BARNHART].

Mr. BARNHART. Mr. Chairman, a good many times within the seven years that I have been a Member of this House the gentleman from Illinois [Mr. MANN] has seen fit to sneeringly refer to statements that I have made on the floor of the House. He has sometimes openly denied statements that I have made, not especially to his credit, as I understand it. I have always tried to be gentlemanly and honest, but within the last 15 minutes the gentleman from Illinois, leader of the Republican Party, saw fit to dispute my statement that I had attempted to get a nonpartisan commission amendment to the Republican tariff bill of January, 1911.

I want to call the gentleman's attention to page 1699 of the CONGRESSIONAL RECORD of January 30, 1911. In the last column of that page, in the center of the page, the RECORD says:

> Mr. BARNHART. Mr. Speaker, I offer the following amendment.
> The Clerk read as follows:
> "Strike out all after the word 'appointed,' in line 5, page 1, up to and including the word 'office,' in line 6, page 2, and insert the following:
> "'One by the President, two by the Presiding Officer of the Senate, and two by the Presiding Officer of the House of Representatives; the membership of the two leading party organizations in each branch of Congress to each nominate and certify one Representative, who shall be appointed by said presiding officers. The Members appointed under this act shall continue in office from the date of qualification for the terms of two, three, four, five, and six years, respectively, from and after the 1st day of January, 1912, the term of each to be designated by the President; but their successors shall be appointed, as hereinbefore provided, for terms of six years, except that any person chosen to fill a vacancy shall be appointed only for the unexpired term of the Member whom he shall succeed. The majority of the board shall designate a member to be chairman thereof during the term for which he is appointed. Any member may, after due hearing, be removed by the President for neglect of duty or malfeasance in office.'"

To that amendment I offered some remarks, and was very strongly opposed by the gentleman from Connecticut, Mr. Hill, whose remarks appear on page 1700. By reference to the second column of page 1700 it will be seen that on this vote there was a division, and the ayes were 130 and the noes 149, almost, as I remember it, a solid Republican membership voting against the amendment and the Democrats voting for it. [Applause.] I do not need any apology from the gentleman from Illinois.

The CHAIRMAN. The gentleman from Indiana yields back two minutes.

Mr. HAUGEN. Mr. Chairman, I yield to the gentleman from Illinois [Mr. MANN].

Mr. MANN. Mr. Chairman, the gentleman from Indiana, who is exceedingly touchy about every proposition that he introduces, said that I denied that he offered such a proposition. I did not. I shall not change my statement that was made in the RECORD. I said that the Republicans never heard of it. Well, technically, I may have been incorrect. The gentleman offered the amendment on the floor of the House and said that he explained it. Either his explanation was not listened to by the Republicans or was so very ineffective that no one understood it. Mr. Hill made a speech against it.

Mr. BARNHART. Mr. Hill must have understood it, then.

Mr. MANN. And this is what Mr. Hill said. Let us see whether, after I read it, the gentleman from Indiana will say that he understood it. Referring to the amendment of the gentleman from Indiana, Mr. Hill said:

> The amendment of the gentleman from Indiana [Mr. BARNHART] would do what? It would take what is now a Republican board and what is proposed to be made a Republican and Democratic board of impartial investigators and turn it into a board of five members, all of one party, if it should happen that in the future the House of Representatives and the Senate should be again in harmony politically. I am opposed to that as a Republican. I do not want to see this impartial board of tariff investigators all Republicans. I want to see both parties fairly represented.

Will my friend from Indiana now claim that Mr. Hill understood the proposition? If the gentleman was proposing a tariff board all of one party, if that was the gentleman's amendment, I never read it. If that is the gentleman's amendment, he can stand for it; certainly the Republicans would not stand for it.

Mr. BARNHART. Will the gentleman yield?

Mr. MANN. Yes.

Mr. BARNHART. I read the amendment, and it is there before him. If the gentleman did not listen to it, it is not my fault. I tried to read it distinctly.

Mr. MANN. I am not criticizing the gentleman from Indiana.

Mr. BARNHART. It does not depend upon the question of whether the gentleman understood it.

Mr. MANN. The gentleman said that Mr. Hill understood it, and I read what Mr. Hill said. Does the gentleman claim now that Mr. Hill understood it?

Mr. BARNHART. I do not know whether he did or not.

Mr. MANN. No other Republican referred to it on the floor. The amendment was offered like a lot of other amendments to

which no one listens, or else the explanations are so mixed up that no one can understand it. Now the gentleman says that the Democrats voted for it, and I assume that he claims that they understood it. Well, if they voted for it and provided for a tariff commission along the same lines, or very much the same lines, as the bill which I have introduced, are they now ready to vote for that? It is immaterial how they voted two years or three years ago. It is material how they will vote and act now. The Democrats then were in the minority. Now they have a two-thirds majority of the House. If they were in favor, or are in favor, of a tariff commission composed of men selected by the membership of both parties in the House and the Senate, let the Ways and Means Committee bring in a bill and we will pass it at the drop of the hat. [Applause on the Republican side.] Quit your four-flushing and attend to business.

I introduced a tariff commission bill providing that one member of the tariff commission should be selected by the majority of the Ways and Means Committee of the House, removable at their pleasure, one man selected by the minority of the Committee on Ways and Means of the House, one by the majority of the Finance Committee of the Senate, one by the minority of the Finance Committee of the Senate, and one by the President. That would, if now enacted into law, give the Democrats three members and the Republicans two members, and both parties would have the right to have confidence in the members whom they had selected; and whether the majority or the minority of the tariff commission should have their opinions followed, if we came into power, as we will, we would have confidence in the report of the members of the tariff commission appointed by the Republican members of the House and the Senate committees, and the Democrats would have confidence in the reports of the members selected by them. If they should agree upon a report, it would be overwhelming; and if they did not agree, the parties respectively appointing them would probably have confidence in their judgment.

Mr. BARNHART. Mr. Chairman, is the gentleman reading that from my remarks? If he is not, he will find them right there.

Mr. MANN. I am not, because they are not here.

Mr. WHITACRE. Mr. Chairman, has the gentleman made any effort to have the Ways and Means Committee report his bill?

Mr. MANN. I have.

Mr. WHITACRE. Any success?

Mr. MANN. Not yet.

Mr. PETERSON. Mr Chairman, will the gentleman yield?

Mr. MANN. Yes.

Mr. PETERSON. The gentleman has been in this House a great many years. Has he ever made any effort to have that kind of a bill passed while the Republicans were in power?

Mr. MANN. I never did. Even I learn by being in the House. That can not be said of many Democrats. [Applause on the Republican side.]

Mr. LENROOT. Mr. Chairman, will the gentleman yield?

Mr. MANN. Yes.

Mr. LENROOT. Does the gentleman understand that the amendment proposed by the gentleman from Indiana [Mr. BARNHART], which the gentleman is now discussing, was an amendment striking out a provision for a real tariff board and inserting the proposal which he recommends?

Mr. MANN. To tell the truth, I never heard of the proposition of the gentleman from Indiana. I do not think anybody on our side of the House did. Officially I suppose we were informed, but practically we were not; but I commend the efforts of the gentleman from Indiana to secure a nonpartisan, or rather a by-partisan, tariff board.

However, Mr. Chairman, I did not get time for the purpose of discussing this question to-day. There is another little thing that I want to call to the attention of the House, in good humor, and I say in good humor because it is almost an offense in this House nowadays to refer to the last Democratic platform. You will remember that the last Democratic platform closed by saying:

> Our platform is one of principles which we believe to be essential to our national welfare. Our pledges are made to be kept when in office as well as relied upon during the campaign, and we invite the cooperation of all citizens, regardless of party, who believe in maintaining unimpaired the institutions and traditions of our country.

Just before the Democratic convention met at Baltimore, the gentleman from Alabama, now Judge Clayton, had introduced into the House, and had reported favorably from the Committee on the Judiciary, a joint resolution proposing an amendment to the Constitution of the United States providing that no person who has held the office of the President shall be eligible to hold that office again. This resolution had just been reported into the House. It was reported to the House on June 13. The Democratic platform was erected within a month after that time, and contained this plank:

> We favor a single presidential term, and to that end urge the adoption of an amendment to the Constitution making the President of the United States ineligible for reelection, and we pledge the candidate of this convention to this principle.

Mr. Chairman, if I had the time I might refer to other planks in the Democratic platform not one of which do they pretend to keep, but here is a plank where they pledge the candidate to the principle of one term for President. It is true that the Democrats abandoned the resolution of Judge Clayton for one term, but the abandonment of that by the Democrats in the House does not excuse the President who was pledged to the principle of one term upon a platform which says:

> Our platform is one of principles which we believe to be essential to our national welfare. Our pledges are made to be kept when in office as well as relied upon during the campaign.

Yet I notice on every side that the distinguished gentleman who is now President of the United States is building up a personal machine, as far as he can, to secure his renomination. With such eminent officeholders as Judge Folk and Mr. Davies in prominent positions, mainly engaged in trying to build up a personal organization for the President, with the President quarreling with the joint appointing power at the other end of the Capitol, with the President constantly refusing to listen to advice of Democratic Members of this House unless they agree to do what he wants, I ask you gentlemen whether you think he is following the pledge of the Democratic convention in respect to the principle of one term? He has it within his power to keep one plank of the platform safely at least. Will he do it? He has repudiated the other planks. You have refused to carry out the other planks. Will the President, having accepted an election and a nomination on the principle of one term, keep even one plank in the Democratic platform? [Applause on the Republican side.]

Mr. HAUGEN. Mr. Chairman, I yield 20 minutes to the gentleman from Oklahoma [Mr. MORGAN].

Mr. BARNHART. Mr. Chairman, before the gentleman begins, will the gentleman from Oklahoma yield to me for a moment?

Mr. MORGAN of Oklahoma. Yes.

Mr. BARNHART. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD in furtherance of what I read a while ago by inserting remarks I made in favor of a tariff commission in January, 1911.

The CHAIRMAN. The gentleman from Indiana asks unanimous consent to extend his remarks in the RECORD in the manner indicated. Is there objection?

Mr. LENROOT. Will the gentleman consent in extending his remarks to insert the original text of the section of the bill to which he offered this amendment?

Mr. BARNHART. I will gladly do it, and I will ask to insert the remarks of the gentleman from Connecticut, Mr. Hill, and of Mr. GRAHAM and of Mr. UNDERWOOD, which, with the vote of 279 on the amendment, conclusively proves that the amendment was fully considered.

Mr. LENROOT. With the understanding that the gentleman will insert the original text of the bill——

Mr. BARNHART. I will be glad to do so.

Mr. MANN. Mr. Chairman, reserving the right to object, and I shall not object, I am very glad to see my friend from Indiana come down from the pedestal that he usually stands upon in reference to other people inserting matter, not only recopied from old copies of the RECORD, but from newspapers, and so forth, and it illustrates how necessary it is at times to do those things. If it was anybody else, he would object.

Mr. BARNHART. Oh, no; I would not.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. BARNHART. The original text of the bill is as follows:

> *Be it enacted, etc.,* That a board is hereby created, to be known as the tariff board, which shall be composed of five members, who shall be appointed by the President. The members first appointed under this act shall continue in office from the date of qualification for the terms of two, three, four, five, and six years, respectively, from and after the 1st day of July, A. D. 1911, the term of each to be designated by the President; but their successors shall be appointed for terms of six years, except that any person chosen to fill a vacancy shall be appointed only for the unexpired term of the member whom he shall succeed. The President shall designate a member of the board to be the chairman thereof during the term for which he is appointed. Any member may, after due hearing, be removed by the President for inefficiency, neglect of duty, or malfeasance in office. Not more than three members of said board shall be members of the same political party. Three members of said board shall constitute a quorum. The chairman of said board shall receive a salary of $7,500 per annum and the other members each a salary of $7,000 per annum. The board shall have authority to appoint a secretary and fix his compensation, and to appoint and fix the compensation of such other employees as it may find necessary to the performance of its duties.

To this, Mr. Chairman, I offered an amendment which, with the proceedings thereon, were as follows, as shown on pages 1699 and 1700, CONGRESSIONAL RECORD of January 30, 1911:

Mr. BARNHART. Mr. Speaker, I offer the following amendment.

The Clerk read as follows:

"Strike out all after the word 'appointed,' in line 5, page 1, up to and including the word 'office,' in line 6, page 2, and insert the following:

"'One by the President, two by the Presiding Officer of the Senate, and two by the Presiding Officer of the House of Representatives; the membership of the two leading party organizations in each branch of Congress to each nominate and certify one Representative, who shall be appointed by said presiding officers. The members appointed under this act shall continue in office from the date of qualification for the terms of two, three, four, five, and six years, respectively, from and after the 1st day of January, 1912, the term of each to be designated by the President; but their successors shall be appointed, as hereinbefore provided, for terms of six years, except that any person chosen to fill a vacancy shall be appointed only for the unexpired term of the member whom he shall succeed. The majority of the board shall designate a member to be chairman thereof during the term for which he is appointed. Any member may, after due hearing, be removed by the President for neglect of duty or malfeasance in office.'"

Mr. BARNHART. Mr. Speaker, I will not detain the House with a long argument in support of this amendment, but I want to call attention to two or three features of it that I believe might be accepted with advantage to the bill by the Members on both sides of the House. We heard in the recent campaign a great deal of talk about tariff commissions and the independent press, the magazines, the newspapers, and the political-economy authorities—in fact, everybody of an independent turn of mind has been advocating the theory that a commission or a board that would secure, in a nonpartisan way, facts to be presented to the Ways and Means Committee of the House to aid them in securing or adopting a tariff bill that would be advantageous to all the interests of the country.

It has been stated on this floor that the entire campaign in Indiana was conducted this year for and against a tariff commission. This statement is partly right and partly wrong. In many places in the State, as in my own district, the campaign was waged against the doctrine that the President of the United States ought to have the partisan right to name all the members of a tariff commission. On the other hand, it was urged that if a tariff commission was necessary it ought to be established on a bipartisan basis.

I have discovered that the Democratic members of the Ways and Means Committee, after a conference on this bill, have succeeded in influencing the Republicans to consent that the membership of this committee shall be bipartisan, and that it shall report to the House instead of to the President. I think I understand what the word "bipartisan" means, but I am not quite ready to admit that the present President of the United States is able to comprehend fully the word "bipartisan." I believe a President who will name a Dickinson and a MacVeagh as members of his Cabinet and denominate them Democrats is not competent authority to name a bipartisan board of any kind.

I want to call special attention to the fact that this amendment provides that the membership shall be appointed one by the President, one by the minority side of the House, one by the majority side of the House, one by the minority side of the Senate, and one by the majority side of the Senate, which will constitute a board composed of three Republicans and two Democrats.

There are two other features of the amendment I want briefly to call attention to. One is in line 2, page 2, where it provides that the President shall appoint the chairman of this board. I would have it provide that the membership of the board itself shall select its own chairman.

In line 5, page 2, the provision is there set forth that the President may remove any of these tariff board members for inefficiency. I believe that is entirely too broad, and that the word "inefficiency" should be stricken out, for the reason that a radically and intensely partisan President might remove any member of the board, however efficient he might be, for alleged cause of inefficiency, notwithstanding he might be qualified, in the opinion of the people of the country. I trust that the spirit of fairness on that side of the House and the spirit of self-preservation on this side of the House may influence you all to let this amendment prevail. [Applause.] It is fair, the country will so regard it, and anything else than a fair arrangement of a tariff board will not be satisfactory to the welfare of the country, which we ought to serve. [Applause.]

Mr. GRAHAM of Illinois rose.

The SPEAKER. Does the gentleman rise to oppose the amendment?

Mr. GRAHAM of Illinois. No; I am in favor of the amendment.

Mr. HILL. Mr. Speaker, I rise to oppose the amendment. So far as my vote is concerned, in the committee or on the floor, it has been cast and will be cast in favor of a perfectly fair proposition to honestly ascertain the facts in regard to the present tariff law or any future revision and have those facts laid honestly before Congress. I made the motion, at the request of the Democratic members of the committee, to permit the House of Representatives to instruct the board to furnish information on any subject whatever. The amendment of the gentleman from Indiana [Mr. BARNHART] would do what? It would take what is now a Republican board and what is proposed to be made a Republican and Democratic board of impartial investigators and turn it into a board of five members, all of one party, if it should happen that in the future the House of Representatives or the Senate should be again in harmony politically. I am opposed to that as a Republican. I do not want to see this impartial board of tariff investigators all Republicans. I want to see both parties fairly represented.

Mr. BARNHART. Will the gentleman yield?

Mr. HILL. I decline to yield. I want to say that this would be entirely unfair to you gentlemen, if we should win the control of the House of Representatives two years from now. It would leave it unfair to us if you should elect a President two years from now, and I believe, partisans though we are—and I am one—that in a matter of this kind we want to be fair, and that the American people will see that we are fair, whether we want to be or not.

Mr. UNDERWOOD. Will the gentleman yield?

Mr. HILL. With pleasure.

Mr. UNDERWOOD. The gentleman from Connecticut evidently does not understand the amendment.

Mr. HILL. The amendment, as I understand it, makes the Speaker of the House appoint two, the Presiding Officer of the Senate two, and the President of the United States one.

Mr. UNDERWOOD. The gentleman's amendment provides that one of the men who is appointed by the Speaker shall be nominated to him by one of the political parties in control of this House and the other one by the other political party, and the same thing in the Senate; so of necessity it will always require two different political parties.

Mr. HILL. Mr. Speaker, one word more. When the Chicago platform was made, laying down the principle of Republican protection, it seems to me it compelled, from the very nature of the platform, a tariff board or a tariff commission or a board of nonpartisan or bipartisan investigators. I have heard many statements on the floor this afternoon that the Denver platform did not require it, and that it did not need a board of impartial investigators in order to make a tariff for revenue only. I call the attention of the gentlemen on the other side of the House to the Denver platform, in which there are three propositions that you must take care of in making your tariff. First, that articles entering into competition with trust-controlled products shall be free. How are you going to know about it? Second, that the articles especially competing with American manufactures that are sold abroad more cheaply than at home shall be free. How are you going to know about it? Finally, that you shall not make a tariff for revenue only, but that you shall gradually reduce your tariff to a tariff for revenue. You need abundant information to do that.

I saw in the paper the other day that the new Ways and Means Committee would meet immediately after the 4th of March, and that they were to conduct these investigations, and that the Democratic national committee was to pay the bills. I believe as a Republican that you have just as much right that the Government should pay your bills as we had two years ago when we came into the House of Representatives and asked that the Government should pay the expenses of the Ways and Means Committee then, and that you have the right to go to the President of the United States and ask him to order this bipartisan board, fairly constituted, to give you such information as you need, and when you meet here next fall, if we can riddle your tariff for revenue only, then let the country decide against you, and if we can not, let them decide against us.

Mr. JAMES. Will the gentleman yield?

Mr. HILL. I would if I had the time.

The SPEAKER. The gentleman's time has expired.

Mr. GRAHAM of Illinois. Mr. Speaker, I wish to say a few words on the pending amendment.

The SPEAKER. But time for debate is exhausted.

Mr. GRAHAM of Illinois. I move to strike out the last word of the amendment.

The SPEAKER. The gentleman is recognized.

Mr. GRAHAM of Illinois. Mr. Speaker, I think the amendment of the gentleman from Indiana ought to prevail. There is a principle involved in it which is fundamental and which I want to suggest to the House before the vote is taken. It is not on any partisan lines, it is deeper than that; neither is it that the President might not appoint a bipartisan board, which I think very likely, and in that I do not blame or reflect upon him; but, Mr. Speaker, the work which this board is being appointed to do is very largely of a legislative character. Its chief function will be to gather information for the purpose of basing wise laws on that information. This information is to be utilized by the legislative branch of the Government. Now, in order to preserve the balance which exists between the coordinate powers of the Government, I take it, sir, that it is not wise to put into the hands of the Executive so much power as the appointment of this board would give in the work of enacting legislation. It is for the Congress to make laws. The Constitution as it stands now gives the power to the President to recommend in a message to those bodies which constitute the Congress, and it also gives him a veto power, and his connection with or power over legislative matters ends there. This law, if enacted, would put it in the President's power to select the five members of this board who would go out into the world, who would gather statistics which would be the basis for new legislation. Now, it would be out of the power of any five men, at least three of them of one political party, not to have some partisan views as to the work they were doing, and they would naturally find statistics which favored most the theory which they favored. The President, then, would have the power under this provision to select five men, three very strong ones representing his own party views, and two others, possibly not so strong, and possibly representing his views more or less also, and in that way these men, representing the Executive, report to Congress information which is to be the basis of legislation. I say, Mr. Speaker, in giving the President this power we are invading the powers of the Congress and transferring to the Executive power that the Constitution never intended that he should have. [Applause.] I withdraw my pro forma amendment.

The SPEAKER. The question is on the amendment offered by the gentleman from Indiana [Mr. BARNHART].

The question was taken, and the Chair announced the noes appeared to have it.

Mr. BARNHART. Division!

The House divided; and there were—ayes 130, noes 149.

Mr. MORGAN of Oklahoma. Mr. Chairman, I propose to make a few remarks on the subject of rural credits and introduce the resolution which I send to the desk and ask to have read in my time.

The Clerk read as follows:

Concurrent resolution (H. Con. Res. 58) declaring for a special session of the Sixty-fourth Congress to consider rural-credit legislation.

Resolved, by the House of Representatives (the Senate concurring), That should the Sixty-third Congress adjourn sine die without having enacted proper rural-credit legislation, it is hereby declared to be the sense of the Congress that the Sixty-fourth Congress should be convened in extraordinary session at an early date to consider the subject of agricultural credits with a view to enacting laws which will provide the farmers of the United States at the earliest date possible with better credit and cheaper interest.

Mr. MORGAN of Oklahoma. Mr. Chairman, I propose this resolution in perfect good faith. I shall have it referred to the Rules Committee. I hope it will soon be reported back to the House for consideration. I am in favor of an extra session of Congress for the consideration of rural-credit legislation. I believe it is my duty to use all appropriate means in my power to bring this about. I assume that the Sixty-third Congress may appropriately express an opinion upon

the propriety and necessity of an extra session of the Sixty-fourth Congress. The Constitution gives the President the authority to convene Congress in special session on extraordinary occasions. The President is the judge of what circumstances and conditions constitute an extraordinary occasion. The passing of this resolution would not in any way interfere with or invade the prerogatives of the Chief Executive of the Nation under the Constitution. This resolution merely expresses the sentiment of Representatives and Senators of the Sixty-third Congress. By passing this resolution we would not in any sense coerce the President. It would be in the nature of advice. I have no doubt the President would like to know what the Congress thinks about the matter. In reaching a conclusion on the advisability of calling an extra session of Congress the President naturally seeks light and information from all legitimate sources. He is, or should be, ready to listen to the public press, to the sentiment of all kinds of commercial, financial, and business organizations. He no doubt consults with members of his Cabinet, with Members of Congress, and I have no doubt the President would give respectful hearing to the views of any private citizen, whatever might be his business, position, or station in life. But the President is too much occupied and his time is too precious to listen to Members of Congress individually, but by bringing this resolution to vote every Representative and Senator may express his opinion on the subject. In addition to this, the discussion of this resolution in the House and the Senate will be of great value. It will give an opportunity to ascertain the public sentiment of the country and for the farmers of the country to express their views.

WITHOUT AN EXTRA SESSION NO CERTAINTY OF RURAL-CREDIT LEGISLATION IN NEXT CONGRESS.

There is no certainty that the Sixty-fourth Congress in the entire two years of its existence will enact rural-credit legislation unless called in special session for that purpose. Should Congress adjourn the 4th of March, unless called in extra session, it will not convene until the 6th day of December following. Nine months of valuable time will intervene between the final adjournment of this Congress and the convening of the first regular session of the Sixty-fourth Congress. This is too much time for Congress to remain idle when there is important legislation pending of such vital interest to the greatest industry of our land and to the farmers of the United States, who constitute about 40 per cent of our population.

TIME RIPE FOR ACTION.

The time is now ripe for legislation on rural credits. The subject is now before Congress. The public press is interested. The subject is before the country. The public mind is centered thereon. The various agricultural organizations are pressing the matter. The farmers have been studying the subject. They are anxiously waiting for Congress to act. There are differences of opinion, of course. There are many divergent views. We disagree as to policy and principles. We differ in both fundamentals and in details. So it will be in the end. Action should not be delayed on this account. We would never enact an important piece of legislation if we waited for perfect agreement, if we waited for unanimity, if we waited for unity in views, ideas, sentiment, and opinions.

I therefore urge the leaders of the majority in this House, I appeal to those who speak for the administration in power, I ask those who represent the Democratic Party of the Nation, upon which the responsibility of legislation rests, to exert their influence and use every proper and legitimate means within their power to have the Sixty-fourth Congress convened in an extraordinary session at the earliest date possible for the purpose of adopting some system, some policy, some method or means to provide proper agricultural credit for this country and to give our farmers access to the great fountains of credit, now unhappily largely controlled, dominated, and monopolized by our great manufacturing, commercial, and transportation interests.

DEADLOCK BETWEEN CONGRESS AND THE PRESIDENT.

In determining whether or not there should be an extra session of Congress to consider the question of rural credit we should take into consideration the apparent deadlock between our Chief Executive and Democratic Members of Congress. The Democratic majority has the power and responsibility of legislation in this Congress. That majority, however, seems hopelessly divided on rural-credit legislation, and the President and his Secretary of Agriculture do not agree with the apparent dominant sentiment of the Democratic majority in this House as represented by the subcommittee on rural credit in both the Senate and the House. In the House the Democratic membership is divided into three divisions. One division, represented by the gentleman from Ohio [Mr. BATHRICK] and the gentleman from Kansas [Mr. DOOLITTLE] are in favor of the National Government loaning money directly to farmers upon farm-loan mortgages. Another division, led by the gentleman from Ohio [Mr. BULKLEY], are in favor of using the Government funds, or the Government's credit, if necessary, to provide a system of rural credit. Still another division is led by the gentleman from Indiana [Mr. Moss], who apparently is opposed to the use of the Government's credit or the Government's funds to aid in the extension of agricultural credit, or to reduce interest charges to the farmers. The gentleman from Indiana [Mr. Moss] undoubtedly represents the views of the President and the Secretary of Agriculture. This is shown by the speech he delivered in the House on the 2d day of January, 1915, by the declarations of the President in his message to Congress of December 2, 1913, and by the views expressed by the Secretary of Agriculture in his annual report for 1914.

President Wilson, in his message to Congress on December 2, 1913, when urging rural-credit legislation, said:

The farmers, of course, ask and should be given no special privilege, such as extending to them the credit of the Government itself.

The Secretary of Agriculture, in his annual report for 1914, in discussing rural credits, says:

There seems to be no emergency which requires or justifies Government assistance to the farmers directly through the use of the Government cash or the Government's credit.

The gentleman from Indiana [Mr. Moss] in his speech in the House January 2, 1915, said:

The Bulkley-Hollis bill is not acceptable to the administration in so far as it includes the priniciple of grants of public money and grants of the public faith and credit of the United States to sustain the selling price of their securities.

The issue is thus joined. I yield to no man in my desire to give the American farmer every legitimate advantage which can flow from wise legislation, but I am willing to take my stand with the administration.

The Democratic Party has never promised subventions or subsidies to any class of the American people, and the rank and file will gladly support the responsible leadership of the party in its refusal to yield to demands for a violation of our fundamental principles.

The gentleman from Ohio [Mr. BULKLEY] in his speech in the House on December 19, 1914, took issue with Mr. Moss and strongly advocated the use of direct aid of the Federal Government in the use of Government money in establishing our systems of rural credit. In this speech he said:

The use of the public credit to support farm-mortgage loans is justified by the experience of all the nations which have established land-mortgage systems in the interest of the small borrower, and these countries comprise the greater part of the civilized world.

Without such Government support as is provided by our bill it is fair to predict that the land-credit system will be slow and uncertain in its beginnings and incapable of giving substantial relief for many years to come; it is fair to say that success is doubtful and that there is not at hand in all the history of the world a single example of the success of a land-mortgage system on the long-time amortization plan for the benefit of small borrowers which has not had public financial aid.

Mr. Moss was a member of the commission appointed by the President under authority of Congress to visit Europe for the study of rural credits, and Mr. BULKLEY is the chairman of the subcommittee appointed by the House Committee on Banking and Currency to investigate the subject of rural credits and prepare and introduce a bill for the consideration of the House.

We have a right to assume that the gentleman from Ohio [Mr. BULKLEY], the chairman of the Subcommittee on Banking and Currency, represents the majority of the Democratic membership of the House, at least upon the broad principle of using the Government funds or the Government's credit to aid rural credit. The gentleman from Indiana [Mr. Moss] represents the present Democratic administration opposed to this policy. The situation is this: The disagreement between the President and the Democratic majority in Congress has prevented rural-credit legislation. As a result rural-credit legislation has been postponed at least two years; in the meantime the farmers of the country must expend many millions of dollars in excessive interest charges, and agricultural development must be delayed for an indefinite time.

EXTRA SESSION REQUIRED TO SETTLE CONTROVERSY.

This controversy among the Democratic forces in Congress, and in which the executive branch of the Government is participating, can not be settled properly except in a special session of Congress, when there will be ample time for the antagonistic forces to thrash out their differences. Mr. Moss declares "the issue is thus joined." The indications are that neither side will relinquish their views or recede from their positions without a long struggle and a fight to the finish. No regular session of Congress will afford an opportunity for the proper settlement of this controversy. There should be ample time for the great body of the membership of both Houses of Congress to give profound study to this question. There should be ample time for discussion and full opportunity for amendment. This can not

be given or secured during the regular session of the Sixty-fourth Congress.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MORGAN of Oklahoma. I ask the gentleman to give me five minutes more.

Mr. HAUGEN. How much time have I remaining?

The CHAIRMAN. Fifteen minutes.

Mr. HAUGEN. I yield the gentleman 10 minutes.

The CHAIRMAN. The gentleman from Oklahoma is recognized for 10 minutes more.

IMPORTANCE OF AGRICULTURAL CREDIT.

Mr. MORGAN of Oklahoma. In deciding whether or not an extra session of Congress shall be called to consider agricultural credit we should take in consideration the importance of this great industry, the number of people directly supported thereby, the amount of wealth it adds to the country annually, the vital interest which all our nonfarming population have in an adequate and ever-increasing supply of food products, the intimate relation which agriculture bears to the strength and greatness of the Republic, and the part which agriculture plays in giving employment and support to the people engaged in all other industries and avocations.

There are two great industries in this country—agriculture and manufacturing. These two industries in 1909 employed over 23,000,000 persons; 12,500,000 were employed in agriculture, 10,500,000 were employed in manufacturing and mechanical pursuits. All other industries, occupations, and professions employed less than 16,000,000 people. In round numbers, the total annual products of this country are valued at $32,000,000,000; $30,000,000,000 of our annual products out of a total of $32,000,000,000 come from our farms and factories. Our annual manufactured products are valued at $21,000,000,000 and our annual farm products are valued at $9,000,000,000. Our manufacturing plants consume annually $12,000,000,000 worth of raw material. To ascertain the net wealth added annually to our country by our manufacturing establishments we must deduct the cost of raw material used. Doing this we find that our manufacturing establishments add to our national wealth annually about $9,000,000,000 and that agriculture is adding annually about an equal amount. Fully 40 per cent of the annual wealth produced in this country comes from our farms. What a magnificent gift the tillers of the soil annually contribute to the Nation and its people. Manufacturing industries already have access to the national supply of credit. This great industry is in the hands of corporations. Their stocks and bonds are found in all the great money markets. Nearly $4,000,000,000 of manufacturing and industrial stocks were listed on the New York Stock Exchange December 1, 1914. These constituted one-fourth of all the stocks listed on the New York Stock Exchange at that time. Manufacturing, commerce, merchandizing, and transportation have largely monopolized the credit power of the Nation. January 1, 1914, the corporations of this country had $64,000,000,000 in capital stock and $37,000,000,000 in bonded and other indebtedness, a total in stocks and bonds of $101,000,000,000. They had a net taxable income of $4,339,550,008, amounting to 4.3 per cent upon all their stocks and bonds and other indebtedness. The report of the Comptroller of the Currency for 1914 shows that the banks had in loans secured by stocks and bonds and in investments in stocks and bonds of all kinds the sum of $9,711,000,000.

Finally, in deciding whether or not an emergency exists which justifies the calling of an extra session of Congress to consider the subject of rural credits, we should take in consideration to what extent the credit power of the Nation is controlled by the commercial, manufacturing, and transportation business. We have in this country about 27,000 banks. Twenty-six thousand seven hundred and sixty-five reported to the Comptroller of the Currency in 1914. These banks have resources of $26,971,398,030.96. They have $2,132,074,073 in capital and have $2,276,517,370 in surplus and undivided profits. They have in loans and discounts and in investments $20,873,282,169. Only $542,115,491 is loaned upon land. Only 2½ per cent of their loans and investments are loaned on farm lands. Our banks place $97.50 in other securities for every $2.50 invested in farm mortgages. But this is not all. The banks have extended larger credit upon city real estate than upon farms. The comptroller's report shows that our banks have loaned upon real estate other than farms $2,965,844,145. In round numbers our banks have loaned on town and city real estate three thousand million dollars and only five hundred millions upon farms. For every dollar they have loaned upon farms, they have loaned $6 upon urban property. All this in face of the fact that farm mortgages are the safest investment obtainable. The Secretary of Agriculture, in his annual report for 1914, says that from the best data gathered by his department the State, private, and savings banks have loaned to the farmers on short-time loans $1,000,000,000, and the national banks have loaned to the farmers on short-time loans $750,000,000, or a total of short-time loans to farmers of $1,750,000,000. Add to this the amount of farm-mortgage loans by banks, and we have a total of $2,250,000,000 the banks have loaned to the farmers. Eighteen billion dollars is loaned to other interests. The farmers add to the Nation about one-half of the annual wealth produced; they own one-third of the wealth of the Nation; they constitute over one-third of our population; but the banks extend them but one-tenth of the credit.

But it is not so much in the amount of credit extended that gives our farmers just cause for complaint, but in the excessive interest charged. Taken as a whole, the farmers pay a much higher rate of interest than is paid by merchants, manufacturers, and the corporate interests of the country. They have less credit and pay a higher rate of interest. The lack of ample credit dwarfs and hinders the development of their business, and thereby restricts, limits, and lessens their profits. The high rate of interest deters them from using credit for the enlargement of the farming operations and imposes annually upon them a tax of immense proportions.

I believe the public interest will be subserved if an extra session of Congress shall be called to consider this subject, in case this Congress shall adjourn without action thereon. [Applause.]

Mr. Chairman, I ask permission to extend my remarks in the RECORD.

The CHAIRMAN. Without objection, the gentleman from Oklahoma will be permitted to extend his remarks in the RECORD. [After a pause.] The Chair hears none.

Mr. MCKELLAR. Mr. Chairman, an examination of the last Democratic platform at Baltimore shows that practically every declaration of that platform has been enacted into law except one. To my mind the one declaration remaining undisposed of is the most important of all; that is to say, the declaration on rural credits. That this has been delayed is due to no inactivity of the Democratic Party in regard to the subject, but due to the platform declaration itself, which provided that an examination be made of other systems before we embark upon a system of our own. The platform declaration is as follows:

> Of equal importance with the question of currency reform is the question of rural credits or agricultural finance. Therefore, we recommend that an investigation of agricultural-credit societies in foreign countries be made so that it may be ascertained whether a system of rural credits may be devised suitable to conditions in the United States; and we also favor legislation permitting national banks to loan a reasonable proportion of their funds on real estate security.

We have already carried out the letter of this provision of the platform. In the currency law we have permitted national banks to lend money on real estate, and we promptly sent a commission to Europe to study foreign rural-credit systems, and that committee has made to Congress a splendid report on the systems that they examined abroad and have collated much valuable information serviceable to the Congress and to the country in deciding upon a proper law in the premises. A number of plans have been introduced on this subject. The first was introduced by Mr. BATHRICK, of Ohio, on January 19, 1914.

THE BATHRICK BILL.

Mr. BATHRICK's bill has a double purpose. One is to lend money to farmers at a low rate of interest by the Government directly, and the other is to devote the profits upon the business of lending of such money to the building of roads. Evidently Mr. BATHRICK's idea was that the best measure for the farmers would be to cut out the middlemen. I do not know that I am competent to criticize the bill, but from the investigations that I have made it seems to me that there are a number of defects. The first is that we ought not mix up the question of farm credits with the question of road building; second, that the machinery of the bureau as arranged in the bill is complicated and somewhat confused; especially does it leave too much to the discretion of the officers created by the bill; third, so far as I may be able to judge, the provision for the obtention of the money on bonds of the Government are, in a general way, in accordance with the plan to have the Government borrow the money and lend directly to farmers; fourth, the methods by which the money is to be lent to farmers are not specifically set forth and should be more specifically set forth where the Government goes into the business as large as this will necessarily be; fifth, the method of making the loans through "farm-credit associations or designated financial associations, acting as agents of the bureau," introducing another feature in the bill which should not be introduced; in other words, if the Government is going to lend money to farmers, it should do it directly.

On the whole the plan of Mr. BATHRICK is, in my judgment, essentially the correct one, but the bill is not artificially drawn so as to carry out the plan. I have read Mr. BATHRICK's testi-

mony in the hearings, and I do not think that there is anyone in Congress who is so thoroughly familiar with the question or who discusses it more intelligently. He is a pioneer in the work and understands it fully.

THE MOSS BILL.

Mr. Moss of Indiana, for the commission which went to Europe, he being a member thereof, on January 29, 1914, introduced a bill for the establishment of national farm-land banks.

Getting my information secondhand from books and other literature, and knowing that Mr. Moss has not only great ability but has received his information largely first-hand, it is indeed embarrassing for me to attempt to criticize his bill. From the standpoint with which the question is viewed by him, I doubt if the bill is subject to serious criticism.

My difference with Mr. Moss is fundamental. My idea is whatever legislation we undertake should have in view directly only the interest of the farmers. The benefits of the rest of the country must be indirect and arise out of the benefits received by the farmer, he being the source of practically all our wealth. The bill has for its professed purpose the establishment of national farm-land banks. There are no such banks now. If such banks were profitable in themselves they would be established by private effort. If we do not establish such banks we hurt no one. If we do establish such banks, we establish a distinct class of people who do not produce and who have to exist by taking a part of that which we wish to accord to the farmers. The Government has already done and is now doing a great deal in the aid of banks and bankers. A rural credit system, according to my view, should be for the aid of the farmers. To put what I mean in another way, if the Government with its powerful resources is able to borrow money at 3½ per cent and can lend it to farmers, after paying all expenses for lending it, for 4½ per cent, and it is its desire to aid the farmers by giving them money at the lowest rate of interest, why should it deliberately go about the matter by organizing a distinct class of middlemen and give this distinct and favored class an equal part of the benefits with that it gives to the class of farmers which it peculiarly desires to favor? I do not believe that Mr. Moss's bill is a workable measure for a number of reasons: First, it is doubtful if any national farm-land banks would be organized under the act; second, that the system by which these banks lend money and issue bonds on its mortgages is complicated, and the bonds, if they were salable at all, would be at such a high rate that it would not do the farmers much good; third, these banks are given all the power of the ordinary commercial banks, and I do not believe it would be wise to mix the two propositions; fourth, the consolidation of existing land-mortgage companies, building and loan associations, and the like into farm-land banks, as provided in the bill, would be impracticable and, in my judgment, would do no good in reducing the rate of interest to farmers; fifth, requiring the trustees of the postal savings fund to deposit the same in these banks under the provisions of this bill would be unwise; lastly, the bill does not provide for Federal aid, but merely for Federal supervision.

There is but one way the farmers can be guaranteed a lower rate of interest, and that is by the Government aid, either directly or indirectly. Recently the Government tried this indirect aid, and we know Mr. McAdoo had to get in the game directly in order to make the banks do right.

THE BULKLEY BILL.

The Bulkley bill is substantially the same as the Moss bill, except that it is more artificially drawn and that it provides for Government aid. Section 30 of the bill shows the controlling difference between this bill and the Moss bill. This is the section that provides that the Secretary of the Treasury shall buy not exceeding $50,000,000 of the bonds of the Federal land banks when called upon by said Federal land banks. The Bulkley bill is a banker's bill. Any gentleman who should desire to go into the land-bank business ought to be able to make good profits out of this system of banks, and doubtless there would be some banks organized under it, if enacted into law, though I do not believe it would be a successful working measure.

THE HOWARD BILL.

Mr. HOWARD, of Georgia, on January 31, 1914, introduced a very elaborate and carefully worked out plan of aid to farmers through national farm-land banks. Under Mr. HOWARD'S bill a new system of land banks is provided for. There are three kinds of banks—local national farm-land banks, State farm-land banks, and United States farm-land banks. The system is to be under the control of the Secretary of the Treasury, the Secretary of Agriculture, and the Comptroller of the Currency. It is as quite an elaborate system of banking as that of the recently passed national reserve system, and, so far as I am able to judge, as a system of banking it is a very meritorious bill; but my belief is that what is necessary for the farmers is not a new system of banking to make profits out of him, but a system of rural credits which will give to him money on his farm at a low rate of interest without the intervention of any more middlemen than can be avoided.

THE KELLY BILL.

Recently, on September 1, Mr. KELLY of Pennsylvania introduced a double-header bill for the establishment of a land-bond bank in the Department of the Treasury and a farm-loan bureau in the Department of Agriculture. One bureau is for the purpose of issuing bonds and the other is for the lending out of the money thusly received. The business of the lending bureau is to lend out the money to farmers, but no other definite scheme is presented by the bill.

THE M'KELLAR BILL.

On September 3 I introduced a bill to establish a farm credit bureau in the Department of Agriculture, with the object and purpose of having the Government through this bureau lend money on farm first mortgages directly to the farmers. Generally speaking, it establishes a corporation in the Department of Agriculture, having a board of trustees of five, with the Secretary of Agriculture as president of the corporation and four other members to be appointed by the President. One of these is to be general manager of the corporation, another secretary, the third treasurer, and the fourth general counsel, who shall have charge of the title department of the bureau.

The loans are to be limited to farmers; that is to say, men or women actually engaged in the business of tilling the soil, as shown in section 2. It shall only be made for the purpose of paying, in whole or in part, for agricultural lands or lands capable of being made agricultural lands, or for the satisfaction of encumbrances on said lands, or for the cultivation of lands, or repairs or maintenance of irrigation works, or for the purpose of fertilizing, buying machinery, seed, implements, or animals, or labor to be used for agricultural purposes, or for any other similar purposes of the farmer, including planting, raising, cultivating, or harvesting the crops. In other words, the bill cuts out all speculative purposes, and the benefits of the act go alone to those engaged in tilling the soil, and this only for purposes connected with such tillage.

The bureau is, in fact, a corporation, and issues bonds in the same way that the land-bank associations are to issue them under the Bulkley bill. Of course these bonds have the backing of the Government and will sell much more readily, and for a much less rate of interest than would the bonds of the banking association. Indeed, in my judgment, having the special backing of these lands on a 60 per cent basis, they will be the best-known Government bonds ever issued, and ought to sell on the smallest rate of interest.

Virtually the same provisions for the use of the postal savings and for the Secretary of the Treasury to buy $50,000,000 of bonds per year, which provisions are in the Bulkley bill, are to be found in this bill.

COMPARISON OF THE TWO BILLS.

The essential difference between the two bills is that one is a direct and businesslike way, by which the Government may secure and lend money directly to farmers at a low rate of interest. The Bulkley bill is a cumbersome and expensive way of doing the same thing, the Government being quite as much behind one bill as the other.

In my way the farmer gets the benefits of the low rate of interest. In the Bulkley bill the class of bankers organized thereunder is the better beneficiaries. Under my plan the amount of money thus put out and other features of the situation, for which the Government is responsible, are in the hands of the bureau. In the Bulkley bill they are in the hands of the land-banking association, and the Government becomes responsible for $50,000,000 per year. In my plan the bonds, in my judgment, will be quickly salable, and no bonds will have to be bought by the Government. In the Bulkley plan the bonds issued by the land-banking association will be of doubtful market value and probably can not be sold to individuals at all. In my plan the bureau can try 100 mortgages in each State, or can try one mortgage in each State, and if the system is found to be a good one it can be developed at the will of the bureau, without injury to the Government or to financial conditions generally. In the Bulkley plan the mortgages can be taken by the land-banking associations in the various States, and the Government is to take at least $50,000,000 a year, whether or no. If it is a success, well and good. If it is a failure, the Government pays the deficiency in the end. My plan is for the farmers. The Bulkley plan is for the land bankers, who are not now in existence, but which separate and favored class is to be created by the bill.

In my plan the Government controls the situation. In the Bulkley plan the favored class of land bankers control. In my plan the cost of putting the machinery in motion is reduced to a minimum. In the Bulkley plan the cost of putting the machinery in motion is expanded to a maximum. In my plan the bureau becomes a competitor of all private farm-loaning companies or individuals. Under the Bulkley plan the Government becomes associated with the other loan companies. In my plan all the good features of the Bulkley bill are retained. All its bad features are excluded. In my plan all the profits go to the further security of the bonds issued by the bureau, making them even more gilt-edged. Under the Bulkley plan all the profits go to the land bankers to be created by the bill.

These are some of the distinct differences between the two plans.

THE POLICY OF THE GOVERNMENT IN THUS DEALING WITH THE QUESTION.

It is claimed by many that the Government ought not to go into the land mortgages or loan business in competition with other loan companies; that this is not the province of government. It is claimed that it is virtually socialistic. It is claimed the Government should not grant special favors to any class of its citizens. It is claimed that the whole scheme is undemocratic. Looked at from a theoretical standpoint, these claims are probably well founded. Looked at from a standpoint of governmental practice, they can not be sustained.

THE GOVERNMENT IN BUSINESS.

From time to time since its foundation the Government has engaged in business. When railroads came in vogue and it was deemed wise to build up railroad systems in this country, the Government spent untold millions in land and in money in the building up and creating of railroads. The Government has also been in the banking business, and the banks and bankers who will probably for the most part be opposed to this bill have been the greatest recipients of governmental favors and benefits. The Government has been in the banking business from the beginning, sometimes in competition with private banks, but at all times virtually backing the whole system of banking in this country.

The Government has also gone into the irrigation and reclamation business, and has spent untold millions in reclaiming barren lands and irrigating them and selling them to purchasers on long time.

We have actually gone out and bought silver and issued certificates thereon as money, thus aiding the silver miners and those engaged in that business. We have gone into the canal business and spent $400,000,000 in building the Panama Canal. We have gone into the railway business in Alaska by appropriating $35,000,000 to build a railroad there. We have recently gone into the insurance business, and are now insuring ships. We have gone into the parcel-post business, and have thus come into competition with the express companies and railroads.

We have actually gone into the farm-loan business in the Philippine Islands. So far as I am informed, the system is working well. In other words, we are doing more for the Philippine farmers than we are doing for our own farmers.

In our tariff law we have benefited manufacturing interests throughout the land at the expense of the farmers largely. We have passed innumerable laws for the benefit of labor, and we have acted wisely in so doing, but practically no legislation for farmers.

Agriculture is the basis of all our wealth and prosperity, yet we do little to encourage it. We make the farmer pay more for his plows, his harrows, his rakes, his reapers, his binders, his machinery of every kind, nature, and description, and the benefits of this legislation go into the hands of the manufacturer. We tax every article that he uses, or did do so until the Democratic Party recently passed the tariff law. We tax the most of what he eats or wears, or did do so until the Democratic Party came into power and passed the recent tariff law. These taxes all went to the favored class, but the farmers do not get the benefit.

THE SITUATION OF AGRICULTURE.

Now what is the result? The result is agriculture has been steadily on the decline during the past 30 years of our history. Between 1900 and 1910 the increase of population in the United States was 21 per cent. In the same census period great farming States like Ohio, Indiana, Iowa, and Missouri actually lost in rural population. Vermont and New Hampshire also lost in rural population. In great farming States like Minnesota, Wisconsin, Michigan, Illinois, Kentucky, Virginia, Maryland, and even the great State of New York the rural population increased only an infinitesimal per cent. On the other hand, every State in the Union increased in its city population. The effects of uninviting rural life and conditions and the consequent removal of rural population to the city is strikingly shown in the production of farm products. Take the production of cattle, for example. Nearly all the great cattle-producing States, like Texas, Iowa, Kansas, and Oklahoma, produced a greater number less of cattle in 1910 than they produced in 1900. During a period of 30 years the increase of cattle in this country was 36 per cent, while during the same period the population increased 83 per cent. In 1900 there were 52,000,000 cattle raised in the United States and in 1910 only 53,000,000, practically no increase, while the population of the United States increased 21 per cent.

The decrease in hog raising was even more marked. In 1900 there were 62,000,000 hogs raised in this country and in 1910 only 58,000,000. Sheep and goats were about the same—39,000,000 in each year. In 1900 there were 250,000,000 poultry in this country and in 1910 only 293,000,000, an increase, but a much smaller increase than that of population.

When we consider these figures two things are apparent, first, one of the striking causes of the high prices of these foodstuffs; and, second, the absolute necessity of making farm life more attractive and keeping your young men on the farms, and giving them the best, fullest, and cheapest means of producing the necessities of life.

In my own State of Tennessee we had an increase of population between 1900 and 1910 of 8.01 per cent. This increase was wholly in the cities and towns. The rural population of Tennessee decreased over 10,000 people. I mean that part of the State outside of towns of 2,500 people and over. I have four counties in my district. In Shelby County, where Memphis is, the increase of population was 15 per cent. Fayette County gained 556 people in 10 years. Hardeman County gained 35 people in 10 years. Tipton County actually lost 186 people in 10 years. Just about one-half of the counties in the State lost in rural population. Great counties like Lauderdale, Weakley, Henry, Carroll, Maury, Giles, Lincoln, Rutherford, Wilson, Sumner, and even Davidson, where Nashville is, all decreased in their rural population.

What is the cause? The cause is the lack of cheaper money to do the farm work, and of cheaper money to enable the farmers to make country life agreeable and successful. Recently the Department of Agriculture and a subcommittee of the Banking and Currency Committee made an investigation to ascertain various facts about rural conditions. One of the subjects investigated was the rate of interest in rural communities. It was found that the average rate of interest paid by the farmers throughout the country was something like 8 per cent exclusive of the commissions paid. When these commissions are added the average rate will be in the neighborhood of 10 per cent. These were on land loans. On chattel loans to farmers the average rate was about 10 per cent without commissions. Naturally it was difficult to get the real rate paid, because the lenders did not care to state the rates and the borrowers were in much the same position. There were some States of the Middle West and Northwest that paid very much smaller average rates, or, rather, some sections of these States; but, generally speaking, it can be safely said that the farmer pays an average of 10 per cent for his money.

When we recall the fact that the gamblers in the leading financial centers of our country borrow money at about 5 per cent upon which to gamble on the various exchanges, and realize that the farmers, who are the bulwark of our Nation, who furnish its lifeblood, who are creators of more than 75 per cent of its wealth, who furnish us very nearly every necessity of life, and find that under our system that they pay 10 per cent for all their borrowed money, while the gamblers in the very products that are created by the farmers pay only 5 per cent for their money, then we must see that the system is wrong. It is perfectly apparent to any thinking man also that the system can be changed by governmental action, and that action must be direct. We can not hope to change the system by adding another class of middlemen to the system. What we must do is to see that the farmers, who are the source of all our wealth, shall receive equal treatment with those of us who, economically speaking, are but leeches upon the body politic.

Lawyers, doctors, bankers, legislators, stock brokers, merchants do not create wealth, though they serve most useful purposes. Economically speaking, they are the leeches who thrive on what others have created. It should be our purpose to see that the producers of our wealth are simply put upon an equal basis with those who consume wealth.

The Democratic Party has stood for this principle on all questions of labor in the sense that the term is ordinarily used. It should complete the program by standing by the farmer as a farmer and helping to place him on an equal footing with labor and with the middleman.

THE REMEDY.

To-day the farmer is suffering from two very serious ills: First, the inadequate money supply, and, second, the high rate of interest he has to pay.

The remedy for these evils is direct loans by the Government. In many parts of our country we find our farms poorly fenced, poorly drained, and poorly kept up. We find the farmhouses out of repair, oftentimes unpainted, the barns in a bad condition. The reason for this is not lack of industry in the farmer, as is often stated, but it is the fault of a bad financial system.

THE PRESENT SYSTEM.

I speak now of the small cotton farmer, with which system I am best acquainted. He may own in his own right a hundred acres of good land with a pair of mules, some cows, hogs, and chickens, and one or two negro tenants on the place to help him work. Probably his whole farm outfit is not worth over $1,500 or $2,000, and under the ordinary State exemption laws all of this, probably including the land, is exempt from execution. Under these circumstances, of course, he has no standing at a bank. He can not go to a bank and borrow money with which to make his crop. What does he do? He goes to a commission merchant in his nearby town or city and makes arrangements with him to furnish the money and provisions with which to make his crop. The first thing the commission merchant requires of him is to give a mortgage on his land, teams, and the crop that is to be raised. He lets him have provisions, if he is in the provision business, at a large cost. He begins to let him have money in the spring of the year at a heavy rate of interest, usually not less than 10 per cent, and he charges him 10 per cent whether the farmer pays him back in September or keeps it a year. The merchant requires him also to sign an agreement by which the farmer is to ship the merchant in the fall of the year ordinarily one bale of cotton for every $10 borrowed. If the farmer borrows $250 he agrees to ship and pay commissions on 25 bales of cotton, though he may make but 10. These commissions are but another way of charging exorbitant rates of interest. This is the present banking system of innumerable farmers in the South.

Naturally, under these circumstances the farmer does not borrow any more money than he is obliged to have with which to make his crop. If he could mortgage his farm to the Government and get money at 5 per cent, he could well afford to improve and keep up his farm. It is no wonder that our country boys are not attracted to this kind of farm life. It is no wonder that many of them who would make splendid farmers leave the farms and go to the cities and work on street cars as motormen and conductors and engage in almost every work that will bring in a steady salary. No wonder, under these circumstances, the rural population has continuously decreased. No wonder we see broken-down fences, ill-kept farms and farmhouses, poor schoolhouses, and bad roads.

THE OBLIGATION OF THE GOVERNMENT.

All other civilized governments have recognized the obligation to furnish banking facilities for rural communities. Their situations, however, are different from ours. The European Governments dealt with the system of land banks that were already in existence. We have no such system, and the inauguration of such a system would not remedy the evils. On the other hand, it would simply create another class of middlemen who would toll governmental aid to the farmers. Any thoughtful person, I believe, will agree that this system could best be started in a bureau of the Federal Government. It would be far less expensive, far more direct and efficacious.

If it is the duty of the Government to aid in building railroads, nay, even building railroads of its own for the purpose of developing portions of our country, if it is the duty of the Government to aid manufacturing establishments by taxing the people in their interest, if it is the obligation of the Government to appropriate immense sums of money to irrigate arid lands in parts of our country and sell them cheaply to farmers, if it is the obligation of the Government to expend huge sums in cleaning out rivers to benefit the commerce of our country, if it is the obligation of the Government to go into the ship business or in the insurance business for the benefit of those engaged in trade and commerce, if it is the obligation of the Government to lend money to Philippine farmers—and all these things have been done by our Government—then how much greater is the obligation of the Government to furnish a financial system that will give to the producers of practically all our wealth sufficient money at a reasonable rate of interest to do well the work that they must do in order that all might prosper.

LESSON OF THE WAR IN EUROPE.

The present titanic war in Europe ought to serve as an object lesson. Those nations now engaged in war have been preparing for it for years, each one taxing their people to the limit in preparation for war. The most of their public revenue has been spent that way for many years. In this country, unfortunately, we have been following their example. We are the richest Government in the world. We raise over $1,000,000,000 by taxation annually. What an immense power for prosperity would this be if properly expended. Let us suppose for a moment that we spent it for the peaceful pursuits of agriculture, for the development of the products of our mines, for developing our waterways, for better road building, for the education of our youth, and for training them to make intelligent, industrious, and patriotic citizens. If such were done, the prosperity and wealth of our country would absolutely know no bounds.

Under our present system for these objects we spend only a very small portion of our public fund. Exclusive of what we spend for our Postal System, we spend less than $200,000,000 for the ordinary purposes of peaceful government. The great bulk of this enormous income is spent for hideous war, past, present, and future. Over $200,000,000 are spent annually as rewards for killing men in battle. One hundred and fifty millions of dollars are spent for our Navy, which is used for the purpose of killing men. Over $100,000,000 are spent for the purpose of keeping up our Army for the purpose of killing men. Over $50,000,000 more are spent for various other war purposes.

Thus we see that we spend more than $500,000,000 annually for the purpose of killing men and for the destruction of their property in war. What a travesty upon civilization!

We spend $2,000,000 for the education of our youth in certain agricultural schools, but this is for their military education. We spend $500,000,000 annually to kill men. We spend $20,000,000 for agriculture and $500,000,000 for war.

Under present conditions we can not afford to cut down our Navy, but we should cut down our Army and our appropriations for war.

THE ADVANTAGES OF MY PLAN.

To sum up some of the advantages of my plan I might say: (1) It does not plunge the Government at enormous expense into any untried system of land banks. (2) The limitations found in section 14 of the bill prevent any action injurious to financial conditions of the country by sale of bonds by leaving the amount and extent of loans entirely in the discretion of the bureau. (3) It enables the bureau constituted by the act to go into the farm-loan business on a conservative and safe basis and gives the bureau the power to expand with the growing needs of the country. (4) If it is found necessary in the development of the system to have financial agents or even local banks in the various communities of the country, then these may be organized later as the system develops. (5) It does not attempt to institute a full-grown and fully developed system at one blow. (6) The banking system created by this act is in the Department of Agriculture, where it ought to be. (7) It reduces to a minimum the cost of making the loans. (8) It cuts out the profits of the middlemen not because profits to middlemen are unjust but because middlemen would have to be created by the act, as none now exist. There is no use to create a class of business men who are to divide the benefits that ought all to go to the farmers. And, finally, it will give to the farmers loans on their farms at probably not exceeding 4½ per cent on long time, where they have heretofore had to get this money at at least 10 per cent on short time.

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. HOWARD having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. Tulley, one of its clerks, announced that the Senate had agreed to the amendments of the House of Representatives to the bill (S. 2337) to create the coast guard by combining therein the existing Life-Saving Service and Revenue-Cutter Service.

The message also announced that the Senate had passed the following resolution:

Resolved, That the Secretary be directed to furnish to the House of Representatives, in compliance with its request, a duplicate copy of the bill (S. 2334) for the relief of S. W. Langhorne and the legal representatives of H. S. Howell.

AGRICULTURAL APPROPRIATION BILL.

The committee resumed its session.

The CHAIRMAN. The Clerk will read, if no one else desires to be heard.

The Clerk read as follows:

DEPARTMENT OF AGRICULTURE.

Salaries, Office of the Secretary of Agriculture: Secretary of Agriculture, $12,000; Assistant Secretary of Agriculture, $5,000; Solicitor, $5,000; chief clerk, $3,000, and $500 additional as custodian of buildings; private secretary to the Secretary of Agriculture, $2,500; stenographer and executive clerk to the Secretary of Agriculture, $2,250; 1 appointment clerk, $2,000; 1 chief, supply division, $2,000; 1 inspector, $2,750; 1 law clerk, $3,250; 1 law clerk, $3,000; 3 law clerks, at

$2,500 each; 9 law clerks, at $2,250 each; 1 law clerk, $2,200; 6 law clerks, at $2,000 each; 3 law clerks, at $1,800 each; 3 law clerks, at $1,600 each; 1 expert on exhibits, $3,000; 1 telegraph and telephone operator, $1,600; 1 assistant chief clerk and captain of the watch, $1,800; 3 clerks, class 4; 10 clerks, class 3; 13 clerks, class 2; 21 clerks, class 1; 1 auditor, $2,000; 1 accountant and bookkeeper, $2,000; 7 clerks, at $1,000 each; 8 clerks, at $900 each; 1 clerk, $840; 15 messengers or laborers, at $840 each; 11 assistant messengers or laborers, at $720 each; 1 chief engineer, $2,000; one assistant chief engineer, $1,400; 1 assistant engineer, $1,200; 2 assistant engineers, at $1,000 each; 8 firemen, at $720 each; 10 elevator conductors, at $720 each; 1 construction inspector, $1,400; 1 superintendent of shops, $1,400; 1 cabinet-shop foreman, $1,200; 4 cabinetmakers or carpenters, at $1,200 each; 2 cabinetmakers or carpenters, at $1,100 each; 9 cabinetmakers or carpenters, at $1,020 each; 3 cabinetmakers or carpenters, at $900 each; 1 electrician, $1,100; 1 electrical wireman, $1,000; 1 electrical wireman, $900; 3 electrician's helpers, at $720 each; 2 painters, at $1,000 each; 4 painters, at $900 each; 5 plumbers or steam fitters, at $1,020 each; 1 plumber's helper, $840; 2 plumber's helpers, at $720 each; 1 blacksmith, $900; 1 lieutenant of the watch, $1,000; 2 lieutenants of the watch, at $960 each; 2 watchmen, at $840 each; 42 watchmen, at $720 each; 5 mechanics, at $1,200 each; 2 skilled laborers, at $960 each; 1 janitor, $900; 22 assistant messengers, messenger boys, or laborers, at $600 each; 1 carriage driver, $600; 21 laborers or messenger boys, at $480 each; 1 charwoman, $540; 2 charwomen, at $480 each; 15 charwomen, at $240 each; for extra labor and emergency employments, $12,000; in all, $352,280.

Mr. LEVER. Mr. Chairman, I offer the following committee amendment.

The CHAIRMAN. The Clerk will report it.

The Clerk read as follows:

In line 4, page 3, after the word "cabinetmakers," strike out the word "of" and insert in lieu thereof the word "or."

Mr. LEVER. Mr. Chairman, I will say it is only a typographical error in the print of the bill.

The question was taken, and the amendment was agreed to.

Mr. MANN. Mr. Chairman, what is the necessity of increasing watchmen? There is apparently an increase here.

Mr. LEVER. I will say to the gentleman from Illinois, as he may remember, the department has moved a good many of its bureaus to the building southeast of the old building, an eight-story building, and they need these watchmen in order to take care properly of that building.

Mr. MANN. But they abandoned other buildings?

Mr. LEVER. Yes.

Mr. MANN. You would think it requires fewer watchmen in one large building than in half a dozen small buildings.

Mr. LEVER. The gentleman from Illinois knows that these men work in eight-hour shifts, and it takes this number of men to properly care for that building and for one or two of the other offices.

Mr. MANN. We were told when we proposed to rent this new building that it would considerably reduce expenses. Now, the first thing we meet is where we transfer from a number of small buildings into a modern office building they need more laborers, more watchmen, more carpenters, and more of this and that to do the work than they had before. That is contrary to usual experience.

Mr. LEVER. The statement of the officials representing the Secretary's office was——

Mr. MANN. You have increased the number of elevators, but that is explainable by the fact that the old building did not have elevators. Now, you go into a new building that has elevators. I do not understand why you need more cabinetmakers and more carpenters and more watchmen.

Mr. LEVER. I will say to the gentleman from Illinois that we have not increased this roll in the way of cabinetmakers. We have only increased it in the way of elevator conductors and a couple of watchmen, and the explanation of the department is that they want them in connection with this new building.

Mr. MANN. We have now eight cabinetmakers or carpenters at $1,020 each, and this provides for nine; and we have two cabinetmakers at $900 each, and this provides for three.

Mr. LEVER. Let me explain to the gentleman that those additions are transfers from the lump sum of the Secretary's office to this roll, and the lump sum has been reduced in proportion, with the exception of $2,000.

Mr. MANN. Of course, it is one of the difficulties where they make these lump-sum appropriations that the department immediately proceeds to employ laborers, cabinetmakers, and carpenters out of that; and after a while they come along and put them on the statutory roll, and it is seldom, although the gentleman says it is in this case, that the lump sum is reduced.

Mr. LEVER. According to the statement of the officials of the department, and according to the investigation of the committee, these lump sums have been reduced except in one or two instances, which we will call attention to when we get to them. I would like to say to the gentleman from Illinois, along the line of his suggestion, that I think every member of the Committee on Agriculture will agree with him that one of the most difficult things to do is to keep up with this lump-sum roll and these transfers they insist on making from time to time. It makes more trouble and confusion than all the other parts of the bill put together.

Mr. MANN. And that is particularly true of the Agricultural Department.

Mr. LEVER. I hope it is not true of any other committee.

Mr. MANN. This is the only committee outside of the Committee on Appropriations that carries appropriations for departmental help in Washington. And the Committee on Appropriations would not submit to this for a minute.

Mr. LEVER. I can say to the gentleman that the committee has investigated these various transfers, and in every instance they have found, except the ones we will mention at the proper time, that the lump sum has been reduced.

Mr. HAUGEN. Will the chairman pardon the suggestion, that the departmental help has been very largely increased?

The CHAIRMAN. The time of the gentleman has expired.

Mr. PAGE of North Carolina. Mr. Chairman, I ask unanimous consent that the time of the gentleman from South Carolina be extended for five minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. MANN. What cause has there been for the large increase?

Mr. HAUGEN. The new buildings. The building referred to that was intended for the use of the Forestry Service, but on account of the increase of the department it is necessary to use the large building for the force in that department outside of the Forest Service.

Mr. MANN. Where does the increase come from?

Mr. HAUGEN. We made an increase in the appropriation of last year and added to the number of employees by the hundreds.

Mr. MANN. We made some increases in the last year's appropriation, and these sums are larger this year than last year.

Mr. LEVER. If the gentleman had walked through the department, he could have seen the reason.

Mr. MANN. Do not say "if." I have been through every building the Department of Agriculture makes use of, and I expect more than even members of the committee have.

Mr. PAGE of North Carolina. Mr. Chairman, I merely wanted to observe that the chairman of the committee having the bill in charge has properly said that this is about the hardest appropriation to regulate. There is a constant tendency in all the executive departments to take men who have been employed under a lump-sum, or possibly on a per diem, basis and recommend to the committee the estimates and that these men be put upon the statutory roll.

Mr. LEVER. There is no question about that.

Mr. PAGE of North Carolina. I am very sorry the chairman of the Committee on Agriculture has yielded to that pressure coming from the Agricultural Department, because, as he says, it brings about confusion, and I dare say now that the gentleman, the chairman of the committee, and the members of the Agricultural Committee do not know for a certainty whether or not you have reduced the lump-sum appropriation from which these men were paid. You may have reduced some lump-sum appropriation, but it may not be the specific appropriation from which these men were paid before you put them on the roll and classified them under a salary.

Mr. LEVER. We have the statement of the officials of the department to that effect, and in some instances we verified those statements, and in every instance where we investigated we found the statements true.

Mr. PAGE of North Carolina. I will say to the chairman that in the appropriation bill that comes under my charge—the District of Columbia appropriation bill—there are a number of employees put on the per diem basis. There has never come since I have known anything about it from the officials of the District of Columbia—the commissioners—an estimate wherein they did not ask that at least half of these men that were being paid on a per diem basis be put on the statutary roll at a salary, possibly not increasing the pay they were getting. But we have steadfastly refused to transfer any of these people, not that it would save money but it enabled us to keep up specifically with the lump-sum appropriations, that ought to be avoided if they can be avoided.

Mr. LEVER. The policy of the Committee on Agriculture is to accept every transfer from the lump-sum to the statutory roll for the purpose of keeping our eyes on the statutory roll.

Mr. PAGE of North Carolina. But the gentleman runs a very great risk when he undertakes to do that. While he may keep up with the statutory roll, he is very apt to have it put over on him as to the lump-sum appropriation, and I dare say that it happened, in spite of the fact that he thinks it has not.

Mr. LEVER. I think not.

Mr. CANDLER of Mississippi. I wish to say that we took that matter up with the subcommittee and investigated it very thoroughly. We checked up these various items, and in addition to that, as I have said, the committee itself took up that matter very specifically.

Mr. PAGE of North Carolina. Will the gentleman point out the particular reduction in the lump sum from which these salaries were taken in this bill; that is, the specific cases?

Mr. LEVER. We shall do that at the proper time. The Secretary explains in his statement to us that the lump sum was reduced, but the committee undertook to reduce his emergency appropriation by $2,000. There was an increase in the statutory roll of the Secretary's office to the extent of about $10,000.

The CHAIRMAN. The time of the gentleman has expired.

Mr. PAGE of North Carolina. Mr. Chairman, I ask for recognition in my own right.

The CHAIRMAN. The gentleman from North Carolina moves to strike out the last two words.

Mr. PAGE of North Carolina. Mr. Chairman, I would like to ask the chairman of the committee a question. There were certain increases made in this statutory roll under the office of the Secretary, were there not?

Mr. LEVER. Yes.

Mr. PAGE of North Carolina. What is the aggregate amount of those salaries, of those increases made?

Mr. LEVER. The new places in the Secretary's office are these: Two elevator conductors, at $720 each——

Mr. PAGE of North Carolina. That is $1,440.

Mr. LEVER. Yes. One electrician helper, $720; 2 watchmen, at $840 each, amounting to $1,680; 4 watchmen, at $720 each, making $2,880; 2 laborers or messenger boys, at $480 each, amounting to $960; making in all $7,680 of new places.

Mr. MANN. That is not all.

Mr. LEVER. Then there were transfers from the lump-sum fund for extra labor of the Secretary's office, which fund has been partially reduced, consisting of 1 superintendent of shops, at $1,440; 1 cabinetmaker or carpenter, $1,020; 2 painters, at $900 each, $1,800; and 1 carriage driver, at $600; total, $4,820. I remember the carriage driver. He is the carriage driver of the Secretary. We decrease the emergency fund in the Secretary's office by $2,000, which practically leaves $2,820.

Mr. PAGE of North Carolina. So that there is an actual increase of more than $10,000 in this salary roll, in spite of the reduction you have made in the lump-sum appropriation?

Mr. LEVER. Yes; there is an actual increase of $10,200; but most of those increases are due to transfers. We have transferred many people to the Secretary's office in the reorganization of the department. These are represented by transfers with corresponding reductions in the lump fund.

Mr. PAGE of North Carolina. And it shows a corresponding reduction elsewhere in the bill?

Mr. LEVER. Yes; it does all the time.

Mr. PAGE of North Carolina. Mr. Chairman, I withdraw the pro forma amendment.

The CHAIRMAN. The pro forma amendment is withdrawn. The Clerk will read.

The Clerk read as follows:

Salaries, office of farm management: Two clerks, class 3; 1 clerk, class 2; 6 clerks, class 1; 1 clerk, $1,020; 5 clerks, at $1,000 each; 6 clerks, at $900 each; 3 clerks, at $840 each; 4 clerks, at $720 each; 1 messenger or laborer, $720; 1 messenger, messenger boy, or laborer, $660; 3 messengers, messenger boys, or laborers, at $480 each; 1 messenger boy, $360; 1 messenger boy, $300; 4 charwomen, at $240 each; 1 photographer, $1,400; 1 photographer, $900; 1 map tracer, $720; in all, $36,080.

Mr. MADDEN. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Illinois [Mr. MADDEN] moves to strike out the last word.

Mr. MADDEN. Mr. Chairman, how does this list compare with the list of expenses in this department last year?

Mr. LEVER. Mr. Chairman, I may say now, because it may save a good many questions as we go along with this bill, that there has been somewhat of a reorganization of this department within its various bureaus and offices, necessitating a great many transfers from bureau to bureau, and apparently in some of the bureaus increasing the amounts very largely.

The matter to which the gentleman is referring now represents the transfer of the farm-management work, which has heretofore been carried in the Bureau of Plant Industry, from that bureau to the office of the Secretary. The various clerks represented in this roll heretofore were carried in the Bureau of Plant Industry. This makes an apparent increase here of some $36,080, but there is no actual increase. All of these men heretofore have been employed in the Bureau of Plant Industry, and have been transferred to this item without any change whatever in salary or numbers.

Mr. MADDEN. Will the gentleman tell me what the Farm Management Bureau does?

Mr. LEVER. The Farm Management Bureau is regarded by the Secretary himself as one of the most important lines of work in his entire department, and for that reason he had it transferred from the Bureau of Plant Industry to his own office.

Mr. MADDEN. What does it do?

Mr. LEVER. The Farm Management Office undertakes to study the farm as a unit, to study it as a business proposition, to study it in all of its phases, from the standpoint of profit making and the like of that, as a whole.

Mr. MADDEN. Who studies it? These clerks and the charwomen and the photographer?

Mr. LEVER. Of course the charwomen do not. These clerks and the photographer represent the overhead expenses of this work.

Mr. MADDEN. Who are the men in this bureau who make this study?

Mr. LEVER. The chief of this bureau is Dr. William J. Spillman.

Mr. MADDEN. What use do they make of these studies when they have finished them?

Mr. LEVER. The object of this bureau is to get information. This is a great bureau or office whose agents go out into the country to gather information relative to farming as an economic proposition and bring it here to Washington, collate it, and then, through other agencies, notably the extension service of the Department of Agriculture, carry it out to the people.

Mr. MADDEN. What kind of information do they get, and where do they get it, and to whom do they give it after they get it?

Mr. LEVER. Let me read this extract from the report of the committee last year. I read:

This item includes a study of the cost of producing farm products under varying farm conditions, a determination of the profitableness of farm enterprises, the relation they bear to each other, their requirements, best way of organizing, and the devising of suitable methods of farm-cost accounting; conducting farm-management surveys which have to deal with the different types of farms, their profitableness, distribution of investment, and the relative returns from the different systems of management, including a study of the size of the farm, distance from market, farm tenure, and other economic factors and their relations to the profits received; ascertaining previous experience in farm management in this and other countries, in order that modern study may have the benefit of past experience; an investigation of the adaptation of available farm equipment and the encouragement of the production and use of improved types, the development of plans, and building of better farm dwellings; a study of tenant farming in the United States to bring about a better contract between landlord and tenant; a study of the cheapest and most effective method of eradicating weeds and cultivating the soil; a study of the practice of growing hay in its relation to other crops on the farm, the handling of meadows and pastures, and to investigate the practicability of curing hay artificially; to determine the most practicable means of maintaining profitable pastures in the various parts of the country; to determine the relation existing between the various types of farming and the maintenance of soil fertility; to study the relation of geographic factors, such as rainfall, temperature, frost, water influence, air drainage, topography, location with reference to markets, social conditions, etc., to agricultural enterprises, such as dairying, stock raising, grain production, etc.; to study the farm home in its relation to the farm in regard to location, convenience, plan of construction, sanitation, water supply, sewerage, and other comforts of the family; the organization of boys and girls' clubs; investigating the possibilities of the prickly pears and other cacti; a study of the native pastures as to the recovery of overstocked and depleted natural ranges of the arid and semiarid regions of the Southwest, the normal carrying capacities of these ranges, and methods of range management as influenced by the natural forage.

Mr. MADDEN. Can the gentleman tell us of anybody anywhere in the United States who has ever made a dollar, as a farmer, as the result of any study made by these people in this branch?

Mr. LEVER. We think that the gathering of scientific information by the Department of Agriculture——

Mr. MADDEN. Does the gentleman call this scientific information?

Mr. LEVER. Of course it is. We believe that the gathering of scientific information by the Department of Agriculture and disseminating that information among the people has been of great value to this country.

Mr. MADDEN. I never saw any of this information disseminated anywhere.

Mr. LEVER. For example, here is a farm in the State of Illinois, a two-horse farm, that is being exceptionally well run, that is producing a splendid profit. The idea of this work here—one idea of it—is to study that farm, to study the methods pursued on that farm, to study the various things that enter into the profit and loss of that farm; and then by gathering data as to a number of such farms, and putting that information into shape and the conclusions, to disseminate them to the people. We regard this as exceedingly valuable work.

Mr. MADDEN. How much is the total cost of this bureau?

The CHAIRMAN. The time of the gentleman has expired.

Mr. MADDEN. I ask for two minutes.

The CHAIRMAN. The gentleman from Illinois [Mr. MADDEN] asks unanimous consent to proceed for two minutes. Is there objection?

There was no objection.

Mr. LEVER. The total cost of this work is $235,000. It has stood at that sum for several years.

Mr. MADDEN. Can the gentleman cite or refer me to any report that that bureau has ever made?

Mr. LEVER. Yes. They issue a number of reports.

Mr. MADDEN. To whom do they issue them?

Mr. LEVER. They issue a number of farm bulletins and reports to experiment stations, and they answer numerous inquirers, and furnish extension workers with valuable information.

Mr. MADDEN. Experiment stations are not farms, are they?

Mr. LEVER. True, they are not; but they are collectors of information, which in turn is distributed to the workers in the field.

Mr. MADDEN. I do not think there is a farmer in the United States who has ever made a dollar as the result of this expenditure.

Mr. LEVER. I think the gentleman is badly mistaken.

Mr. MADDEN. My colleague [Mr. McKENZIE] wishes to ask a question in my time.

Mr. McKENZIE. Is not this the bureau that has charge of the men who are sent out in the different States to cooperate with the State boards of agriculture in teaching practical farming?

Mr. LEVER. No; this is not the bureau.

Mr. McKENZIE. That comes under another bureau?

Mr. LEVER. That work is carried under another item in the bill, which comes later on.

Mr. McKENZIE. This is done by bulletins, is it?

Mr. LEVER. No; it is not done by bulletins entirely. The purpose of this bureau is to study the work of the farm as a whole. Other bureaus study it in various phases, but this is to study the farm as a unit, and to get such information as can be had as to types of farms that show a profit.

Mr. McKENZIE. How is the information disseminated? I do not agree with my colleague, however.

Mr. LEVER. It is disseminated by way of bulletins, but more largely by the force of the extension teachers in the country.

The CHAIRMAN. The time of the gentleman from Illinois has again expired.

Mr. LEVER. I ask unanimous consent for one minute.

The CHAIRMAN. If there be no objection, the gentleman from South Carolina will proceed for one minute.

There was no objection.

Mr. SHERWOOD. How many of these bulletins are there supposed to be for the benefit of the 9,000,000 farmers, on an economic proposition?

Mr. LEVER. I will say to the gentleman from Ohio that I do not know just how many of the various bulletins are to be printed.

Mr. SHERWOOD. Is this information to be disseminated through farmers' bulletins?

Mr. LEVER. I will say to the gentleman from Ohio that the dissemination in the future will be largely not so much through farm bulletins as through the local itinerant teachers who are carried under items further on in the bill.

Mr. MANN. I move to strike out the last word. May I ask the gentleman from South Carolina who is at the head of this Office of Farm Management?

Mr. LEVER. Dr. W. J. Spillman.

Mr. MANN. Where is his salary carried?

Mr. LEVER. His salary is carried in the lump sum of $230,000.

Mr. MANN. The committee stopped the segregating of specific salaries, then, when it got through with charwomen and messengers, did it?

Mr. LEVER. I will say to the gentleman from Illinois that the policy of the committee and of the department in reference to lump-sum appropriations and the statutory rolls is this: All scientific employees and all temporary employees are carried under the lump-sum appropriation, as a rule. All clerical positions, pure and simple, and charwomen and employees like that, and all positions that have become permanent in their very nature, are carried on the statutory roll. That is the line of demarcation between the two.

Mr. MANN. What do you call the head of the Weather Bureau—a scientific position?

Mr. LEVER. Undoubtedly.

Mr. MANN. What do you call the head of the Bureau of Animal Industry? Is that a scientific position?

Mr. LEVER. Undoubtedly.

Mr. MANN. What do you call the head of the Bureau of Plant Industry? Is that a scientific position?

Mr. LEVER. Unquestionably.

Mr. MANN. What do you call the Bureau of Chemistry?

Mr. LEVER. Scientific.

Mr. MANN. Are those men paid out of the lump-sum appropriation?

Mr. LEVER. They are not. They are exceptions.

Mr. MANN. I do not say there are none, but I do not recall any that are paid out of the lump-sum appropriation.

Mr. LEVER. Not only are the men referred to by the gentleman scientific men, but their positions are administrative positions also.

Mr. MANN. I only call the attention of the gentleman to that because he has just stated that all the heads of bureaus who were scientific men were paid out of the lump-sum appropriation.

Mr. LEVER. I said scientific men. That is the general rule. Of course, these are exceptions.

Mr. MANN. I think that is not the general rule as to the chiefs of bureaus.

Mr. HAUGEN. No; not the chiefs.

Mr. MANN. Now, of course it is easier to increase a salary when it is paid out of the lump sum. Here is a newly created bureau, the total expense of which, in its lump-sum appropriation, is $235,000. The cost of running the office, not including the chief, is $36,080. That looks to me like a very large overhead charge. I notice that there are seven messenger boys. Is not the most of this work done outside of the city of Washington?

Mr. LEVER. The messengers here referred to are over in the department; they naturally need some messengers.

Mr. MANN. They may naturally need some messengers, but if we had the same proportion of messengers here according to our numbers, we would have to hire extra room or put up a notice of "Standing room only," because they would not have room enough to sit down. Where is the work performed?

Mr. LEVER. It is largely performed in the field; but, necessarily, a part of the overhead charges in administration of the field work must be carried on in the city of Washington, as in the Forestry Service and the Bureau of Animal Industry; the work is collating reports, arranging them, writing the bulletins, attending to the correspondence, and that is all done in Washington.

Mr. MANN. It looks to me like a very large overhead charge.

Mr. PAGE of North Carolina. That is not all of the overhead charges. The chairman of the committee has stated that the head of the division is paid out of the lump sum.

Mr. LEVER. The salary of Dr. Spillman is $4,000. The total of the overhead charges is set out fully in the Book of Estimates, covering more than a page, showing the various salaries of the men. There are two agriculturists at $3,000, two at $2,760, one at $2,300——

Mr. MANN. Those are not overhead charges. That is the expenditure of money, or should be, for work in the field.

Mr. LEVER. These expenditures come from the lump-sum fund of $235,000. The statutory roll is spent in the city of Washington.

Mr. MANN. I have great respect for the Agricultural Department, but I confess that I can not see how they can have so large overhead charges, requiring so many clerks, charwomen, and messengers, in order to spend $235,000 in the field.

Mr. PAGE of North Carolina. Mr. Chairman, I move to strike out the last word, and I do it for the purpose of asking the gentleman from South Carolina if the salary of the head of this division is fixed by statute?

Mr. LEVER. There is a fixed limitation by law as to the amount of salary that can be paid to scientific men in the Department of Agriculture. The old salary was $4,000 a year. The Congress last year increased it to $4,500 at the urgent solicitation of the Secretary of Agriculture, but I may say to the gentleman that there is not a single one of these scientific men in the department who is paid at this time more than $4,000.

Mr. PAGE of North Carolina. The gentleman defined a scientific employee in his answer to the gentleman from Illinois [Mr. MANN] and got me mixed up a little. On what ground is a man at the head of this bureau a scientific employee? He is a man who has to gather and correlate the figures merely. He may be a mathematician, and you might call him a statistician,

but in what branch of science does he have to be proficient in order to be the head of this bureau?

Mr. LEVER. He is both an administrative officer and a person of exceptional ability and training in the special line of work in which he is engaged.

Mr. PAGE of North Carolina. And therefore a scientist?

Mr. LEVER. And therefore a scientist. Until he was made chief of this work he did a great deal of field work. He wrote a number of bulletins, some of which I have read, and he has made a study of the various problems connected with the matters which come directly under his supervision. He is not a scientist in the sense that he is a surgeon or a doctor or a lawyer, but he is a scientist as we understand it in the nomenclature of the Department of Agriculture.

Mr. PAGE of North Carolina. Now, one other question. We have not reached the item yet, but I will anticipate it. In lines 12 and 13, page 4, a lump sum is carried of $230,000. The gentleman has said that the head of the division is paid from a lump sum. Has the gentleman any information as to how many other people are employed from this lump-sum appropriation?

Mr. LEVER. The estimates which I hold in my hand set out in several pages, as you will see, employees whose salaries are paid out of a lump sum.

Mr. PAGE of North Carolina. Who designates the salary that is paid?

Mr. LEVER. The salary of the chief of the division would be designated by the Secretary of Agriculture, and I presume other salaries will be fixed either by the chief of this office or the Secretary of Agriculture, and probably a board appointed by the Secretary may fix them. I am not certain as to this.

Mr. PAGE of North Carolina. The gentleman says "will be fixed." Are we to understand it is a new organization?

Mr. LEVER. I should have said "are fixed."

Mr. PAGE of North Carolina. Does the gentleman know how the salaries paid these people from a lump sum compare with the salaries of those on the statutory roll who do similar work?

Mr. LEVER. I do not think it would be possible for a man paid out of a lump sum to do work similar to that which is done by those on the statutory roll, because one is composed of scientific persons and the other merely of clerical persons, and they are not comparable.

Mr. PAGE of North Carolina. Does not the gentleman conceive that some plan might be devised by which some men in the field might be paid out of the statutory roll, so that we could know exactly how much they receive?

Mr. LEVER. That has been debated a great many times in the Committee on Agriculture, and that question was investigated, not this year, because the bill was drawn with a view to adjourning on March 4, and the hearings were not as full as usual.

Mr. PAGE of North Carolina. That ought not to be the only thing in view in the drafting of an appropriation bill.

Mr. LEVER. The testimony before the committee and the judgment of the committee was that in salaries for scientific men, men highly trained along special lines, experts in their own lines of work, there should be a reasonable discretionary power lodged in the supervisory officer, who would know the relative worth and work of those under his supervision, and therefore what should be their relative salaries. That discretionary power, of course, is lodged in the Secretary of Agriculture and the various chiefs of these bureaus.

Mr. HAUGEN. Mr. Chairman, will the gentleman yield?

Mr. PAGE of North Carolina. Certainly.

Mr. HAUGEN. I would say, in reply to the gentleman's question, this, that the committee has never exercised the power to fix the salaries, as stated by the chairman of the committee. It is left with the discretion of the department to fix the salaries of the scientific men. First the lump-sum appropriations are made and the department fixes the salary and recommends the transfer, and the committee accepts the recommendation made by the department.

Mr. PAGE of North Carolina. The salaries were fixed for a great many of these employees during the last year, but no recommendation of transfer was made.

Mr. HAUGEN. The salaries have been fixed for nearly all of the employees by the department, and the committee has been accepting the recommendation of the department.

The CHAIRMAN. The time of the gentleman from North Carolina has expired.

Mr. PAGE of North Carolina. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. MADDEN. Mr. Chairman, will the gentleman from North Carolina yield until I can ask the gentleman from South Carolina a question?

Mr. PAGE of North Carolina. Yes.

Mr. MADDEN. How much of this $230,000 is expended in Washington?

Mr. LEVER. I think I can give the gentleman that information, although I have not it at hand at this moment.

Mr. MADDEN. Is it more than half of the $230,000?

Mr. LEVER. I would think not.

Mr. ANDERSON. Mr. Chairman, $146,000 are expended for salaries in and out of the city of Washington, and a good deal more than half of that sum is expended in Washington, probably $80,000.

Mr. PAGE of North Carolina. Mr. Chairman, since my time is running, while the gentleman from South Carolina is looking up the answer to that question I would like to say that the general observation that I rose first to make was that the practice and custom of making appropriations in lump sums for the payment of salaries is, to my mind, the most vicious species of making appropriations. It is susceptible of having applied to it every kind of mismanagement and covering up. I am not now charging anybody with covering up, and I do not want the term to be taken in that way, but it absolutely is placing an arbitrary power in the hands of some head of a bureau to fix salaries without any regard to consultation with anyone else, and it is keeping obscure from the average Member of Congress any possibility of finding out just how much of this money is expended for salaries or what the salaries are. The gentleman from Minnesota [Mr. ANDERSON] has just observed that more than $150,000 of this $240,000 is expended for salaries in the city of Washington.

Mr. ANDERSON. Oh, no; the gentleman's figures are wrong. One hundred and forty-six thousand dollars of the $240,000 are expended for salaries, and more than half of that is expended in the city of Washington.

Mr. PAGE of North Carolina. Then, $80,000, in round numbers?

Mr. ANDERSON. Yes.

Mr. PAGE of North Carolina. The principle is the same. Certainly $70,000 from this lump sum is expended in the payment of salaries in the District of Columbia, and they might easily be classified and placed upon a roll; and then when we come to the consideration of this bill we would at least know what we were paying these men for their services.

Mr. MANN. Mr. Chairman, will the gentleman yield?

Mr. PAGE of North Carolina. Yes.

Mr. MANN. Heartily agreeing with every word the gentleman says, I rise to ask the gentleman to repeat that speech in the Committee on Appropriations when it comes to making the lump-sum appropriation for the Interstate Commerce Commission, which is the most extravagant body working under the Government.

Mr. PAGE of North Carolina. I will say to the gentleman that I have made that speech in the Committee on Appropriations.

Mr. MANN. I hope the gentleman will make it effectively.

Mr. PAGE of North Carolina. And I will make it anywhere else where lump-sum appropriations appear that are expended for the payment of salaries, particularly to men who are employed in the District of Columbia, and I think it ought to apply even outside of the District.

Mr. MANN. That is, the Interstate Commerce Commission.

Mr. PAGE of North Carolina. And I want to say that just as long as this policy of making appropriations in lump sums is continued there will be a misappropriation of funds, or, rather, an overappropriation of funds for the purpose for which the appropriation is made.

Mr. McKENZIE. Mr. Chairman, will the gentleman yield?

Mr. PAGE of North Carolina. I yield for a question.

Mr. McKENZIE. I want to ask a question for information. Can the gentleman tell the committee how these men get on the pay roll? Are they legislated on to the pay roll or are they put on by appointment of some one in this department?

Mr. PAGE of North Carolina. They are evidently put on by appointment of somebody in the Agricultural Department, I presume, after some sort of a civil-service examination.

Mr. McKENZIE. And then an appropriation is asked for the salary of these men?

Mr. PAGE of North Carolina. They already have the appropriation in a lump sum from which they fix the amount of the salary.

Mr. McKENZIE. They appoint them after.

Mr. PAGE of North Carolina. They appoint them after they have gotten a lump-sum appropriation.

Mr. GOODWIN of Arkansas. The gentleman is a member of the Committee on Appropriations, and most of the items set forth in this bill carry specific appropriations. His objection goes to the fact that here is a lump-sum appropriation of $230,000 and in other places there are lump sums appropriated.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. GOODWIN of Arkansas. What disclosures are made by publication or otherwise as to the salaries these experts receive out of this lump-sum appropriation?

Mr. PAGE of North Carolina. I assume that the chairman of the committee can tell you that some reports are made to the Committee on Agriculture.

Mr. LEVER. A full statement of the amount paid in salaries each year is furnished the committee and the House in the annual estimates of the Secretary of Agriculture.

The CHAIRMAN. The time of the gentleman has expired.

Mr. LEVER. Mr. Chairman, I ask unanimous consent to proceed for two minutes, to answer the gentleman.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. COOPER. Well, the Book of Estimates shows the amount of salaries now paid, but the lump-sum appropriation leaves it to the superior in fixing salaries. There is no necessity for their employing the people mentioned in the Book of Estimates. If you make a lump-sum appropriation, they can put in a man at a great deal larger salary and drop out another; so the Book of Estimates does not show anything to Congress at all but the number employed.

Mr. LEVER. That is very true about this appropriation and a great many others; but the point I desire to make is this, that men who have given a careful study to this proposition of how to handle salaries of scientific men in this department have come to the conclusion that to make their salaries unyielding, unbending, and unvarying by enacting them into law from year to year which can not be changed except by act of Congress would be a handicap to the work of that class of men. These men are highly trained experts, and are very sensitive to anything that might appear as a reflection upon their work. They are as hard to handle as a thoroughbred race horse, and you have to treat them a little differently from the man doing ordinary routine work. There is much in the proposition that there should be a reasonable leeway in fixing these salaries.

Mr. COOPER. Does not the gentleman think that the man who made up this Book of Estimates knew approximately what he could hire these men for?

Mr. LEVER. Oh, undoubtedly.

Mr. COOPER. Does the gentleman think it would overcome their sensitiveness somewhat to say, "Here, you take this money for which we have estimated to Congress; if you do not like it, you can go without it."

Mr. LEVER. It is possible to handle this proposition on the statutory roll, and probably it will be wise to do it, but heretofore we have not thought so.

Mr. STAFFORD. Will the gentleman yield?

Mr. LEVER. Yes.

Mr. STAFFORD. Do I understand the committee is so guardful of the sensitiveness of these employees that they do not scrutinize the recommendations from the heads of the bureau, but merely vote the lump sum recommended by the department?

Mr. LEVER. No; I did not make any statement to bear out that impression, and if I did I did not intend to do it. I said that the men who had given careful study to this subject, the great scientific men of the Department of Agriculture and elsewhere, had come to the conclusion that the salaries of these scientific men ought to be carried in lump-sum appropriations, and should be fixed by those most capable of judging of relative merit.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. STAFFORD. I ask that the gentleman's time be extended for five minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Wisconsin. [After a pause.] The Chair hears none.

Mr. STAFFORD. Will the gentleman yield further? Is there any instance since the chairman has been connected with the committee where, by action of the committee, the salary of any of these sensitive experts has been reduced?

Mr. LEVER. I do not know that there has, but while the committee does not know anything about it, it seems from newspaper reports some salaries have been reduced.

Mr. STAFFORD. But the committee itself has never taken any action whereby salaries have been reduced.

Mr. LEVER. On the contrary, the committee raised the maximum amount that may be paid this class of employees in last year's bill.

Mr. STAFFORD. That was the maximum salary?

Mr. LEVER. Yes.

Mr. STAFFORD. So an underofficial who was receiving beneath $4,500 could receive the maximum amount without control, at least by Congress.

Mr. LEVER. That is true, as this bill is fixed. But I will say to the gentleman from Wisconsin [Mr. STAFFORD] that this method of fixing salaries in this bill has prevailed ever since I have been a member of this committee.

Mr. STAFFORD. Does the gentleman remember that for six or eight years there have been Members on this floor protesting against this method, because the Congress surrenders the control over salaries by it to the heads of the department?

Mr. LEVER. It seems that the protest of the Members have not availed with the House.

Mr. COOPER. The gentleman said a moment ago in reply to a question, that certain experts or men of prominence in the department thought they ought to be given a lump-sum appropriation to handle these men who are in the employ of the department. Who are these experts that gave that opinion?

Mr. LEVER. I meant by that statement men who have been chiefs of these various bureaus, like Dr. Melvin, Chief of the Bureau of Animal Industry, whose salary is carried on the statutory roll.

Mr. COOPER. And he is a very excellent man.

Mr. LEVER. He is a very excellent man. And then Dr. Marvin, Chief of the Weather Bureau, whose salary is carried on the statutory roll; and Dr. Taylor, and other men. The Secretary of Agriculture and the Assistant Secretary, and men expert in this line of work have always concluded that this is the best method.

Mr. COOPER. They are the men who are to disburse these funds?

Mr. LEVER. That is true.

Mr. COOPER. And they all think it would be better for the public service to give them a lump-sum appropriation to expend in their discretion, to put it in a nutshell?

Mr. LEVER. That is true.

Mr. COOPER. And the men who have rendered this opinion are men not outside the service, but the men who are to expend the funds, and who ask that the funds be voted to them to expend.

Mr. LEVER. They are men who, on account of their expert knowledge, know best how this fund ought to be expended. But I want to make this observation before I close. If the Committee of the Whole will indicate to the Committee on Agriculture that it desires that we place all of these scientific men on the statutory roll in the next bill, if I am fortunate or unfortunate enough to be chairman of the committee in the next Congress, I will say that the committee will make a very earnest effort to carry out their wishes.

Mr. COOPER. Did the gentleman in the committee fix the aggregate sum to be expended under these different items from the estimates set forth in this Book of Estimates?

Mr. LEVER. We did.

Mr. COOPER. Why do you not put those statements right in your bill?

Mr. LEVER. Probably we could have done it.

Mr. COOPER. Probably. You could have done it of course. What reason did the committee have for not doing it?

Mr. ANDERSON. The Book of Estimates is as available to the gentleman from Wisconsin as it is to us.

Mr. COOPER. It does not bind the man who spends the money. Not only it is the law to protect the Treasury, but to have the money spent as it ought to be spent. If this is to be a Government of law and not of men, as we frequently say, we can not put that into any more effective practice than by saying that the money taken from the Public Treasury shall not be expended within the discretion of bureau chiefs, but in the discretion of Congress that makes the appropriations.

Mr. LEVER. There are three reasons why the committee did not follow the suggestion that is made by the gentleman from Wisconsin. One is that the committee is of the opinion, after listening to the testimony—not this year, but from year to year—that the best way to handle the salaries of these scientific men is to do it in this way. The other is that the committee has followed other committees that have gone before them. The third reason is that the agricultural appropriation bill would probably cover 200 pages if we should follow his suggestion, and would not be intelligible to the Members of the House.

Mr. MANN. Mr. Chairman, it is Saturday night, and I make the point of order that there is no quorum present.

Mr. LEVER. Will not the gentleman let me get down to the Weather Bureau?

Mr. MANN. Some of us may want to discuss some other items in the Office of Farm Management.

Mr. MOSS of Indiana. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

Mr. MANN. Then I withdraw the point of no quorum for that purpose.

The CHAIRMAN. The gentleman from Indiana asks unanimous consent to extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

Mr. LEVER. I will ask the gentleman from Illinois to withdraw the point of no quorum and I will move to rise.

Mr. MANN. I withdrew the point. Mr. Chairman, I withdraw the point of no quorum.

Mr. LEVER. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. HAMLIN, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 20415) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1916, and had come to no resolution thereon.

HOUR OF MEETING ON MONDAY.

Mr. LEVER. Mr. Speaker, I ask unanimous consent that when the House adjourns to-morrow it adjourn to meet at 11 o'clock on Monday. I understand we have eulogies to-morrow, Sunday.

Mr. MANN. Does the House meet to-morrow?

Mr. LEVER. Yes; that is my understanding.

Mr. MANN. Reserving the right to object, Mr. Speaker, I have no objection to meeting on Monday at 11 o'clock for the consideration of the Agricultural appropriation bill, in order to hasten the work on appropriations, but I would not consent to meet on Monday at 11 o'clock for the purpose of transacting District business, which is not very material.

Mr. LEVER. I will say to the gentleman that it is my intention to move to take up the Agricultural bill on Monday.

Mr. HAWLEY. I would like to ask the gentleman if he has any information as to whether that motion will be carried on Monday?

Mr. MANN. It will be carried if it is made.

Mr. LEVER. I think it will be carried when it is made.

The SPEAKER. The gentleman from South Carolina [Mr. LEVER] asks unanimous consent that when the House adjourns to-morrow it adjourn to meet on Monday morning at 11 o'clock. Is there objection?

Mr. FITZGERALD. Reserving the right to object, has the gentleman from South Carolina any understanding with the chairman of the District Committee?

Mr. MANN. The gentleman has stated that he will make a motion to take up the Agricultural appropriation bill on Monday instead of District business.

Mr. LEVER. I will say to the gentleman from New York that the indications are that considerable time will be needed to put this bill through—indications that have appeared this afternoon—and I would like to expedite the passage of this bill as quickly as possible in order to prevent a jam of appropriation bills in conference.

Mr. FITZGERALD. If we meet at 11 o'clock on Monday, is it the gentleman's intention to press this bill for consideration?

Mr. LEVER. It is.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

ENROLLED BILL SIGNED.

Mr. ASHBROOK, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bill of the following title when the Speaker signed the same:

H. R. 19076. An act to amend an act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911.

ADJOURNMENT.

Mr. LEVER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 35 minutes p. m.) the House adjourned, in pursuance of the order previously made, until to-morrow, Sunday, January 24, 1915, at 12 o'clock noon.

EXECUTIVE COMMUNICATION.

Under clause 2 of Rule XXIV, a letter from the Acting Secretary of Commerce, transmitting detailed statement of the number of documents received and distributed by the Department of Commerce, 1914 (H. Doc. No. 1515), was taken from the Speaker's table, referred to the Committee on Printing, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. FLOOD of Virginia, from the Committee on Foreign Affairs, to which was referred the bill (S. 6631) to regulate the practice of pharmacy and the sale of poison in the consular districts of the United States in China, reported the same without amendment, accompanied by a report (No. 1311), which said bill and report were referred to the House Calendar.

Mr. OLDFIELD, from the Committee on Patents, to which was referred the bill (H. R. 16098) revising and amending the statutes relative to trade-marks, reported the same without amendment, accompanied by a report (No. 1313), which said bill and report were referred to the House Calendar.

Mr. McKELLAR, from the Committee on Military Affairs, to which was referred the bill (H. R. 20246) to establish and maintain military training schools in the several States of the Union, in Alaska, and in the District of Columbia, reported the same with amendment, accompanied by a report (No. 1312), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Claims was discharged from consideration of the bill (H. R. 20884) for the relief of Charles A. Cutler, and the same was referred to the Committee on War Claims.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. OLDFIELD: A bill (H. R. 21137) to amend section 23 of the act entitled "An act to amend and consolidate the acts respecting copyright," approved March 4, 1909; to the Committee on Patents.

By Mr. FLOOD of Virginia: A bill (H. R. 21138) to authorize the payment of an indemnity to the Norwegian Government for the detention of three subjects of Norway in Hudson County, N. J.; to the Committee on Foreign Affairs.

By Mr. JOHNSON of Utah: A bill (H. R. 21139) authorizing and directing the Secretary of the Interior to patent certain lands to the State of Utah and to accept from said State certain other lands in lieu thereof; to the Committee on the Public Lands.

By Mr. FLOOD of Virginia: Joint resolution (H. J. Res. 409) authorizing the President to extend invitations to the Governments of Central and South America to appoint representatives to attend a conference with the Secretary of the Treasury in the city of Washington; to the Committee on Foreign Affairs.

By Mr. MORGAN of Oklahoma: Concurrent resolution (H. Con. Res. 58) declaring for a special session of the Sixty-fourth Congress to consider rural-credit legislation; to the Committee on Way and Means.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BAILEY: A bill (H. R. 21140) granting a pension to Sophia Ake; to the Committee on Invalid Pensions.

By Mr. BOOHER: A bill (H. R. 21141) granting a pension to Adeline Adams (now Grimm); to the Committee on Invalid Pensions.

By Mr. BORLAND: A bill (H. R. 21142) granting a pension to Ambrose A. Clarke; to the Committee on Pensions.

By Mr. DOOLITTLE: A bill (H. R. 21143) granting an increase of pension to Margaret L. Wood; to the Committee on Invalid Pensions.

By Mr. GRAHAM of Illinois: A bill (H. R. 21144) for the relief of the heirs of John L. Himes; to the Committee on War Claims.

By Mr. HELVERING: A bill (H. R. 21145) granting an increase of pension to Alfred G. Cress; to the Committee on Invalid Pensions.

By Mr. KETTNER: A bill (H. R. 21146) for the relief of Daniel McSwegan, alias Gallaghan; to the Committee on Military Affairs.

Also, a bill (H. R. 21147) granting a pension to Eva L. Woollacott; to the Committee on Pensions.

By Mr. McANDREWS: A bill (H. R. 21148) granting a pension to Elizabeth Looney; to the Committee on Invalid Pensions.

By Mr. MORRISON: A bill (H. R. 21149) granting an increase of pension to William E. Hopkins; to the Committee on Invalid Pensions.

Also, a bill (H. R. 21150) granting a pension to Flora B. Warren; to the Committee on Invalid Pensions.

By Mr. NEELY of West Virginia: A bill (H. R. 21151) granting an increase of pension to George M. Warner; to the Committee on Invalid Pensions.

By Mr. NORTON: A bill (H. R. 21152) granting a pension to Michael E. Urell; to the Committee on Pensions.

Also, a bill (H. R. 21153) granting an increase of pension to Thomas McCormick; to the Committee on Invalid Pensions.

By Mr. SELLS: A bill (H. R. 21154) for the relief of the legal representatives of Andrew R. Humes; to the Committee on War Claims.

By Mr. WINSLOW: A bill (H. R. 21155) granting an increase of pension to Harriet W. Hildreth; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ASHBROOK: Memorial of Ministerial Association of Mansfield, Ohio, favoring passage of H. R. 5139—Hamill bill; to the Committee on Reform in the Civil Service.

By Mr. BAILEY: Petitions of B. F. Ourandt, of Altoona, and D. M. Fouse, of Drab, Pa., protesting against amendment to the Post Office appropriation bill relative to freedom of the press; to the Committee on the Post Office and Post Roads.

Also, petition of Staatsverbund State League of Pennsylvania and German Roman Catholic Central Verein, favoring resolution prohibiting export of munitions of war; to the Committee on Foreign Affairs.

Also, petitions of United Mine Workers of America, No. 145, Hopewell, and United Mine Workers of America, Local Union No. 2426, Gallitzin, Pa., favoring the passage of Kern-Foster bill relative to extension of the work of the Bureau of Mines; to the Committee on Mines and Mining.

By Mr. BELL of California: Petitions of H. P. Lewis and 410 citizens of Pasadena, Los Angeles, Watts, Hyde Park, Huntington Park, South Pasadena, Alhambra, Hollywood, Anaheim, Whittier, Montebello, Compton, Glendale, Inglewood, Monrovia, Bakersfield, San Francisco, all of California, favoring the passage of House joint resolution 377, prohibiting the export of arms, ammunition, and munitions of war from the territory or any seaport of the United States; to the Committee on Foreign Affairs.

Also, petition of Western Forestry and Conservation Association, favoring congressional action in support of forest protection; to the Committee on Expenditures in the Interior Department.

Also, memorial of Board of Supervisors of San Diego County, Cal., favoring appropriation for the construction of a military road from Yuma, Ariz.; to the Committee on Military Affairs.

Also, resolution of Miriam H. Myrick, Stephen S. Myrick, John A. Merrill, of Los Angeles, Cal., and F. S. Hayden, of Azusa, Cal., favoring peace and protesting against the present war system; to the Committee on Foreign Affairs.

Also, resolution of the German, Austrian, Hungarian, and Irish Alliance, of Los Angeles, Cal., and citizens of Mankato and vicinity, favoring the observance of strict neutrality by the United States; to the Committee on Foreign Affairs.

Also, resolutions of Los Angeles Chamber of Commerce, favoring reclamation of land in San Bernardino County, Cal.; also recommending adequate pension for widow of late Gen. Chaffee; to the Committee on the Public Lands.

Also, protest of Alice W. Pitman, Elizabeth P. Evans, Lydia Pike, Ellen P. Garwood, Emily G. Hunt, M. D., Elizabeth W. Hunt, M. D., Ellen M. Hunt, and Friends' Society, all of Pasadena, Cal., protesting against the shipment of American horses to European battle fields; to the Committee on Foreign Affairs.

By Mr. BORCHERS: Petition of citizens of the State of Illinois, favoring resolution to prohibit export of war material; to the Committee on Foreign Affairs.

By Mr. BUCHANAN of Illinois: Petition of 147 citizens of Cook County, Ill., protesting against prohibition in the District of Columbia; to the Committee on the District of Columbia.

Also, petition of 115 citizens and 19 societies of Chicago, Ill., having a membership of 4,957, favoring House joint resolution 377, to forbid export of arms; to the Committee on Foreign Affairs.

Also, petition of 22 Polish societies of Chicago, Ill., against Smith-Burnett immigration bill; to the Committee on Immigration and Naturalization.

By Mr. CARY: Petition of John Eckert, John Lisch, Herman Puhlmann, Hugo Heyse, G. H. Behnke, Frank Guise, William Spiegel, Fred Leypold, and 258 others, all residents of Milwaukee County, Wis., urging the passage of House joint resolution 377; to the Committee on Foreign Affairs.

By Mr. COOPER: Petitions of Rev. S. A. Jedele and other residents of Wilmot; John Grape and other residents of Waukesha; Rev. Henry Ohde and other residents of Whitewater; Rev. A. Lossner and other residents of Waterford; Dr. John Schulze and other residents of Racine; E. Duerr and other residents of Lannon; Rev. T. F. Wolff and other residents of Slades Corners; Rev. G. A. Zimmer and other residents of Milton; A. F. Trapp and other residents of Hartland; G. H. Voss and other residents of Union Grove; Rev. F. Koch and other residents of Caledonia; Albert Starks and other residents of Richmond; S. B. Mills and other residents of Waukesha; Clarence Smith and other residents of Menomonee Falls; J. B. Christoph and other residents of Waukesha; German-American National Alliance, Janesville; German Lutheran Church of Kenosha, all in the State of Wisconsin, asking that legislation be enacted that will enable the President to levy an embargo on all goods contraband of war, save only foodstuffs; to the Committee on Foreign Affairs.

By Mr. DALE: Petition of the Griscom Russell Co., of New York City, protesting against the passage of the ship-purchase bill; to the Committee on the Merchant Marine and Fisheries.

Also, petition of American Federation of Labor, favoring bill restricting immigration; to the Committee on Immigration and Naturalization.

Also, memorial of citizens of Mankato and vicinity, favoring resolution prohibiting export of munitions of war; to the Committee on Foreign Affairs.

By Mr. DILLON: Petitions of citizens of South Dakota, favoring passage of resolution prohibiting export of munitions of war; to the Committee on Foreign Affairs.

By Mr. DONOVAN: Petition of citizens of Danbury and Bridgeport, Conn., favoring House joint resolution 377, to prohibit export of arms; to the Committee on Foreign Affairs.

Also, petition of Polish Women's Alliance of America, No. 67, of Bridgeport; the Polish Falcon's Society, of Stamford; and White Eagles National Alliance, No. 1791, of Bridgeport, all in the State of Connecticut, against the Smith-Burnett immigration bill; to the Committee on Immigration and Naturalization.

By Mr. DOOLITTLE: Petition of 27 citizens of White City, Kans., favoring resolution prohibiting export of munitions of war; to the Committee on Foreign Affairs.

By Mr. FITZGERALD: Petition of steamship companies of Puget Sound and Alaska, relative to certain aids to navigation; to the Committee on Immigration and Naturalization.

Also, petition of New York Board of Trade and Transportation, favoring Senate bill 3672, to improve Harlem River; to the Committee on Rivers and Harbors.

Also, petition of German-American League and United Irish Societies of San Francisco, Cal., favoring neutrality by the United States; to the Committee on Foreign Affairs.

Also, petition of Western Forestry and Conservation Association, of Portland, Oreg., favoring an appropriation for forest protection; to the Committee on Expenditures in the Interior Department.

By Mr. GRAHAM of Pennsylvania: Petition of Polish Roman Catholics in the Union of America, Philadelphia, Pa., protesting against the literacy test in the immigration bill; to the Committee on Immigration and Naturalization.

By Mr. HILL: Petition of citizens of Conant, Ill., favoring resolution to prohibit export of war material; to the Committee on Foreign Affairs.

By Mr. IGOE: Petitions by Martin S. Sommers; Edward A. Kamp, for Federation of Evangelical Brotherhoods; Michael J. Deck and Henry J. Jacobsmeyer, for the Catholic District League No. 1; George G. Ernst, for the German Roman Catholic Verein; George Willmering and Edward Jansen, for Branch 427, Catholic Knights of America; William Lapusan; F. J. William Weiger; Henry Vennemann, Frank Peters, Henry Ruesken, B. H. Ruesken, and others, for Our Lady of Perpetual

Help Benevolent Society and Catholic Knights of America, Branch 552, protesting against the shipment of arms and munitions of war to belligerent nations and favoring legislation prohibiting such shipments; to the Committee on Foreign Affairs.

Also, resolutions adopted at a mass meeting of American citizens at the Coliseum in St. Louis, Mo., January 10, 1915, under the auspices of the American Neutrality League, protesting against the sale and exportation of arms and ammunition to any belligerent nation in the present or future wars, and favoring legislation prohibiting same; to the Committee on Foreign Affairs.

By Mr. KENNEDY of Rhode Island: Petition of Arthur I. Conaty, of Providence, R. I., urging protection for Catholics in Mexico; to the Committee on Foreign Affairs.

Also, petition of A. Perregaux, of Lincoln, R. I., favoring passage of the Palmer-Owen child-labor bill; to the Committee on Labor.

By Mr. LOBECK: Petition of 147 citizens of Nebraska and 86 members of Plattdeutsche Verein, of Papillion, Nebr., favoring resolution prohibiting export of war material; to the Committee on Foreign Affairs.

By Mr. McANDREWS: Petition of citizens of Illinois, favoring House joint resolution 377, to forbid export of arms to Europe; to the Committee on Foreign Affairs.

By Mr. MAGUIRE of Nebraska: Memorial of German Evangelical Lutheran St. Paul's Congregation, of Lincoln, Nebr., favoring resolution relative to export of war material; to the Committee on Foreign Affairs.

By Mr. MAHAN: Petitions of citizens of Norwich, Conn., and vicinity, favoring passage of resolution relative to export of war material; to the Committee on Foreign Affairs.

By Mr. MAPES: Petition of citizens of Grand Rapids, Mich., favoring House joint resolution 377, to prohibit export of war material; to the Committee on Foreign Affairs.

By Mr. MOON: Papers to accompany H. R. 6664, for the relief of Joseph Clyde Shadden; to the Committee on Invalid Pensions.

By Mr. MORIN: Petition of citizens of the State of Pennsylvania, favoring the Hamill bill, H. R. 5139; to the Committee on Reform in the Civil Service.

By Mr. NEELY of West Virginia: Papers to accompany H. R. 21151, a bill for the relief of George M. Warner; to the Committee on Invalid Pensions.

By Mr. O'SHAUNESSY: Petition of citizens of Warren, R. I., against Smith-Burnett immigration bill; to the Committee on Immigration and Naturalization.

Also, petition of H. A. Thayer, Providence, R. I., favoring Stevens bill; to the Committee on Interstate and Foreign Commerce.

Also, petition of citizens of Providence, R. I., protesting against ruling of the Postmaster General forbidding the use of colored paper inserted in window envelopes; to the Committee on the Post Office and Post Roads.

Also, petition of citizens of Newport, Providence, and Pawtuckett, R. I., favoring Owen-Palmer child-labor bill; to the Committee on Labor.

Also, petition of citizens of Providence, R. I., protesting against persecution of Catholic clergy and sisters in Mexico; to the Committee on Foreign Affairs.

By Mr. RAKER: Petition of James West and others, favoring House joint resolution 168; to the Committee on the Judiciary.

Also, petitions of the Merchants' Exchange of Oakland, Cal., and Petaluma (Cal.) Central Labor Council, favoring the Hamill bill, H. R. 5139; to the Committee on Reform in the Civil Service.

Also, petition of Mrs. Alice F. Painter, of Eureka, Cal., favoring abolition by United States of the war system; to the Committee on Military Affairs.

Also, petition of William C. Snowdon, of Corning, Cal., against Fitzgerald amendment to the Post Office appropriation bill; to the Committee on the Post Office and Post Roads.

Also, petition of priests of Scranton (Pa.) diocese, relative to transmission through mails of certain publications; to the Committee on the Post Office and Post Roads.

Also, petition of Elk Grove (Cal.) Grange, No. 86, against contract system in rural delivery service; to the Committee on the Post Office and Post Roads.

By Mr. SABATH: Petition of citizens of Chicago, Ill., against Smith-Burnett immigration bill; to the Committee on Immigration and Naturalization.

By Mr. SCULLY: Memorial of priests of the Scranton (Pa.) diocese and Church of the Holy Savior, of Wilkes-Barre, Pa., protesting against carrying the publication called the Menace through the mails; to the Committee on the Post Office and Post Roads.

Also, petition of Tow Fostep, S. R. 1023, I. N. P., of Chrome, N. J., and Polish Falcons' Alliance of South River, N. J., protesting against the Smith-Burnett immigration bill; to the Committee on Immigration and Naturalization.

Also, petition of German Presbyterian Church of Sayresville, Pa.; German-American Alliance of Los Angeles, Cal.; and German, Austrian, Hungarian, and Irish Alliance, relative to strict neutrality of the United States; to the Committee on Foreign Affairs.

By Mr. SMITH of Idaho: Petition of Dr. John F. Schmershall and other citizens, favoring resolution relative to export of war material; to the Committee on Foreign Affairs.

Also, petitions of Mary Schaweller and other citizens of Post Falls and Joseph Schlaegel and other citizens of Jerome, Idaho, favoring resolution relative to export of war material; to the Committee on Foreign Affairs.

By Mr. STEPHENS of California: Memorial of German, Austrian, Hungarian, and Irish Alliance, Los Angeles, Cal., and German Roman Staatsverbund State League of California, and German Roman Catholic Central Verein, favoring resolution to prohibit export of war material; to the Committee on Foreign Affairs.

Also, memorial of Los Angeles (Cal.) Chamber of Commerce, favoring section 14, Wilson bill, be adopted in lieu of section 13, La Follette bill—seaman's bill; to the Committee on the Merchant Marine and Fisheries.

Also, memorial of Orange Grove Monthly Meeting of Friends, of Pasadena, Cal., protesting against the sending of American horses to European battle fields; to the Committee on Foreign Affairs.

By Mr. STEVENS of Minnesota: Memorial of faculty of Macalester College, St. Paul, Minn., protesting against increasing of armament by United States; to the Committee on Military Affairs.

By Mr. WALLIN: Petition of Central New York District Council of Electrical Workers, favoring postalization of all telephone lines; to the Committee on the Post Office and Post Roads.